



United City of Yorkville

800 Game Farm Road

Yorkville, Illinois 60560

Telephone: 630-553-4350

www.yorkville.il.us

PLANNING AND ZONING

COMMISSION AGENDA

Wednesday, April 11, 2018

7:00 PM

Yorkville City Hall Council Chambers

800 Game Farm Road

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

Roll Call:

Previous Meeting Minutes: March 14, 2018

Citizen's Comments

Public Hearings

1. **PZC 2018-02** Kendall Holdings I, LLC, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting amendment to the Kendall Marketplace Planned Unit Development to permit an increase in overall sign height by five (5) feet for two (2) existing freestanding business monument signs for the purpose of added tenant panels in the Kendall Marketplace commercial development. The real property is located at 731-795 Erica Lane in Yorkville, Illinois.
2. **PZC 2018-03** United City of Yorkville, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting text amendment approval for revisions to Section 11-8-2 of the Subdivision Control Ordinance related to escrow deposits for engineering review fees.
3. **PZC 2018-05** McCue Builders, Inc, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois requesting amendment to the Kendall Marketplace Planned Unit Development Agreement to permit a revision to Article III of said agreement regarding Design Standards for new construction residential lots within the Kendall Marketplace development. The real property is generally located north of US 34, west of Cannonball Trail, immediately north of Blackberry Shore Lane in Yorkville, Illinois.

Unfinished Business

New Business

4. **PZC 2018-02** Kendall Holdings I, LLC, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting amendment to the Kendall Marketplace Planned Unit Development to permit an increase in overall sign height by five (5) feet for two (2) existing freestanding business monument signs for the purpose of added tenant panels in the Kendall Marketplace commercial development. The real property is located at 731-795 Erica Lane in Yorkville, Illinois.

Action Item

PUD Amendment

5. **PZC 2018-03** United City of Yorkville, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting text amendment approval for revisions to Section 11-8-2 of the Subdivision Control Ordinance related to escrow deposits for engineering review fees.

Action Item

Text Amendment

6. **PZC 2018-05** McCue Builders, Inc, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois requesting amendment to the Kendall Marketplace Planned Unit Development Agreement to permit a revision to Article III of said agreement regarding Design Standards for new construction residential lots within the Kendall Marketplace development. The real property is generally located north of US 34, west of Cannonball Trail, immediately north of Blackberry Shore Lane in Yorkville, Illinois.

Action Item

PUD Amendment

7. **PZC 2018-04** John and Michelle Stewart, petitioners, have filed an application with the United City of Yorkville, Kendall County, Illinois, requesting final plat amendment approval for Unit 2 of the Prestwick of Yorkville Subdivision (Ashley Pointe) related to the Yorkville Christian High School development. The real property is generally located along IL Route 126 between Ashley Road and Penman Road in Yorkville, Illinois.

Action Item

Final Plat Amendment

Additional Business

1. Year In Review – Community Development Presentation of Calendar Year 2017
2. City Council Action Updates
 - a. **PZC 2018-01** Keith and Kathleen Warpinski, petitioners, requesting a map amendment rezone for their property from A-1 Agricultural District to R-1 Residential District in Kendall County, Illinois (1.5-mile Review)

Action – No objections

3. City Council Action Updates
 - a. **PZC 2018-06** LaSalle National Trust #47016 is seeking a variance from the Kendall County Zoning Ordinance to allow for a temporary concrete crusher and temporary batch plant a minimum of 318 feet from the nearest occupied structure. The real property is located on the north side of US Route 34, east of Diehl Farm Road in unincorporated Kendall County (1.5-mile Review)

Action – No objections

Adjournment

DRAFT

PLANNING & ZONING COMMISSION

City Council Chambers

800 Game Farm Road, Yorkville, IL

Wednesday, March 14, 2018 7:00pm

Meeting Called to Order

Chairman Randy Harker called the meeting to order at 7:00pm, roll was called and a quorum was established.

Roll Call:

Bill Gockman-present, Deborah Horaz-present, Don Marcum-present, Richard Vinyard-present, Randy Harker-present

Absent: Reagan Goins, Jeff Olson

City Staff

Krysti Barksdale-Noble, Community Development Director

Jason Engberg, Senior Planner

Lynn Dubajic, City Consultant

Other Guests

Matt Asselmeier, Kendall County Planning and Zoning

Dan Kramer, Attorney

Christine Emmert, Professional Registered Parliamentarian

Previous Meeting Minutes December 13, 2017

The minutes were approved as presented on a motion and second by Commissioners Marcum and Horaz, respectively.

Roll call vote: Horaz-yes, Marcum-yes, Vinyard-yes, Gockman-yes, Harker-yes

Motion carried 5-0

Citizen's Comments None

Public Hearings None

Old Business None

New Business

1. **PZC 2018-01** Keith and Kathleen Warpinski have filed an application with Kendall County requesting a rezone from A-1 Agricultural District to R-1 Residential District on 6.9 acres to build a single-family home in the future. The real property is located at the north side of Walker Road, approximately 0.31 miles east of IL Route 47 in unincorporated Kendall County.

Mr. Engberg said the petitioners desire to build a home in the future on this property and current Kendall County regulations require 40 acres, thus the request for rezoning from ag to residential. Last year this property was requested to be rezoned for a landscaping business, however, the petition was pulled. The petitioners were made aware that a possible trail could be built on the back of the property near a creek. Staff is OK with this request.

Attorney Kramer said his client is aware of the possible trail and it will be included in a plat of survey. There is also an Amoco pipeline which runs diagonally across the property. Mr. Marcum inquired about the reference to a ComEd planned area along Rt. 47. Mr. Asselmeier replied it is in a future County land use map with no impact on this property.

Action Item

1-1/2 Mile Review (Rezone)

The Commissioners were OK with this request and a roll call vote was taken.

Roll call: Horaz-yes, Marcum-yes, Vinyard-yes, Gockman-yes, Harker-yes.

Vote: 5-0 in favor of rezoning

2. **PZC 2018-05** LaSalle National Trust #47016 is seeking a variance from the Kendall County Zoning Ordinance to allow for a temporary concrete crusher and temporary batch plant a minimum of 318 feet from the nearest occupied structure. The real property is located on the north side of US Route 34, east of Diehl Farm Road in unincorporated Kendall County.

Mr. Engberg presented an explanation of the request. Route 34 will be improved and the petitioner hired by IDOT will pull up and recycle the road. The petitioner said he could either do the recycling on the road right-of-way or off-site. They would like to use the Diehl Farm property on the north side of Route 34 for their crusher/recycling operation. Using this site will move the operation farther away from the road and nearby townhomes. The farm buildings there will be demolished later. The petitioner will be asked to observe the City's performance standards and hours of operation. Ms. Horaz asked about dust issues. Mr. Asselmeier said the petitioner will install barriers on the north and south side of the road and will have 2 dust control plans.

Action Item

1-1/2 Mile Review (Variance)

The Commission was OK with this plan and recommended approval on a voice vote.

Roll call: Marcum-yes, Vinyard-yes, Gockman-yes, Horaz-yes, Harker-yes. Carried 5-0.

Additional Business

1. Commissioner Training

Ms. Noble introduced Christina Emmert, a Registered Professional Parliamentarian, to conduct a training session on Robert's Rules of Order in Brief. She showed a Power Point presentation of many different topics and situations that can arise during meetings. She answered questions from the Commissioners and they also critiqued a previous meeting.

2. Downtown Overlay District Streetscape Master Plan and Form Based Code

a. Update on the progress of the project

Ms. Noble said a public workshop had been held last month and almost 500 people had responded to an on-line survey. The respondents were mostly a younger demographic. She presented some of the results of the survey and what residents want for the downtown improvements. The next step for the downtown is the branding, including signage.

3. Potential Additional Commissioner Training with Peter Pointner, FAICP

Mr. Pointner reached out to Ms. Noble regarding community planning and design training. The training will possibly be scheduled for October.

Adjournment

There was no further business and the meeting was adjourned at 8:46pm on a motion by Commissioners Marcum and Vinyard, respectively.

Respectfully submitted by
Marlys Young, Minute Taker

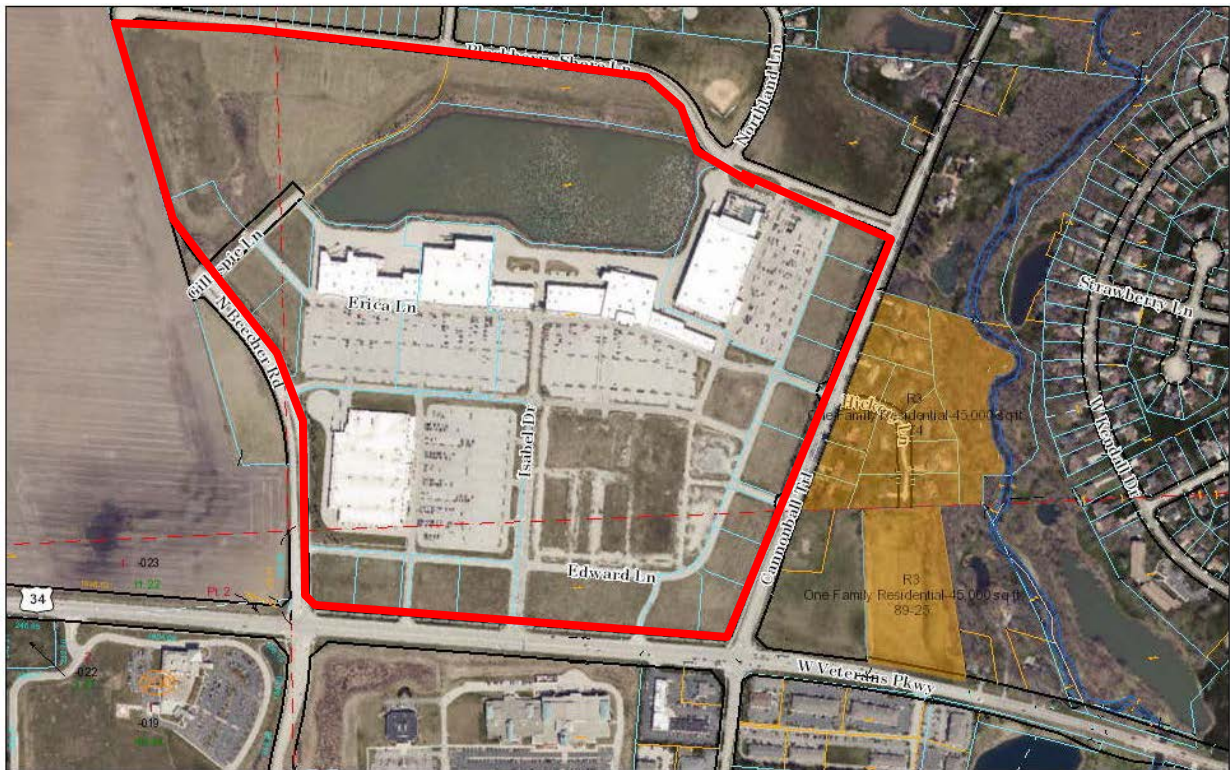


Memorandum

To: Planning and Zoning Commission
From: Krysti J. Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Jason Engberg, Senior Planner
Date: February 27, 2018
Subject: **PZC 2018-02 Kendall Marketplace PUD Amendment for Signage
731 - 795 Erica Lane**

BACKGROUND & REQUEST:

The applicant, Kendall Holdings I, LLC, is requesting an amendment to the Kendall Marketplace Planned Unit Development to permit an increase in overall sign height by five (5) feet for two (2) existing freestanding business monument signs which serve as the sole outdoor tenant signage for current and future tenants of the partially developed Kendall Marketplace commercial development.



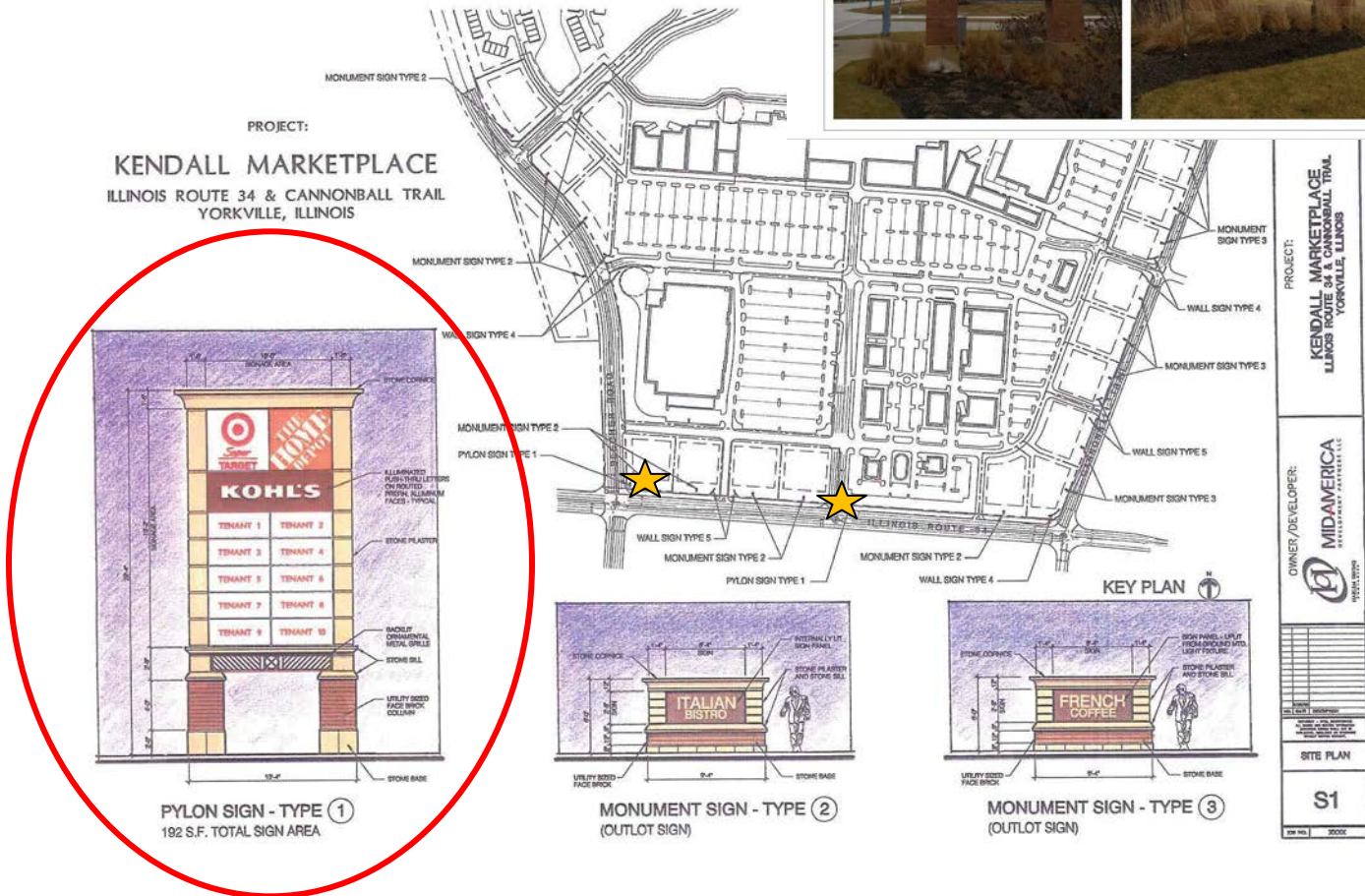
The approximately 150-acre commercial portion of the development, which has two (2) inline retail buildings with major tenant anchors, two (2) stand alone big-box retailers (Target and Home Depot) and various outlots, is a Planned Unit Development with underlining B-3 General Business District (formerly Service Business District) zoning. The Planned Unit Development (PUD) and subsequent development conditions were approved in 2006 via Ordinances 2006-88 and 2006-125 (see attached). While Ordinance 2006-88 approving development conditions for Kendall Marketplace did not address specific signage criteria, the subsequent amending Ordinance 2006-125 allowed for the for the installation of two (2) approximately 29'-4 H x 13'-0" W (192 square foot sign area) freestanding business monument signs located along US Rte 34 (Veterans Parkway) and near the intersection of Beecher Road and US Rte 34.

According to the applicant, the proposed increase in height for the two (2) existing monument signs is needed to provide increased visibility for the remaining inline retail tenant spaces in the commercial development

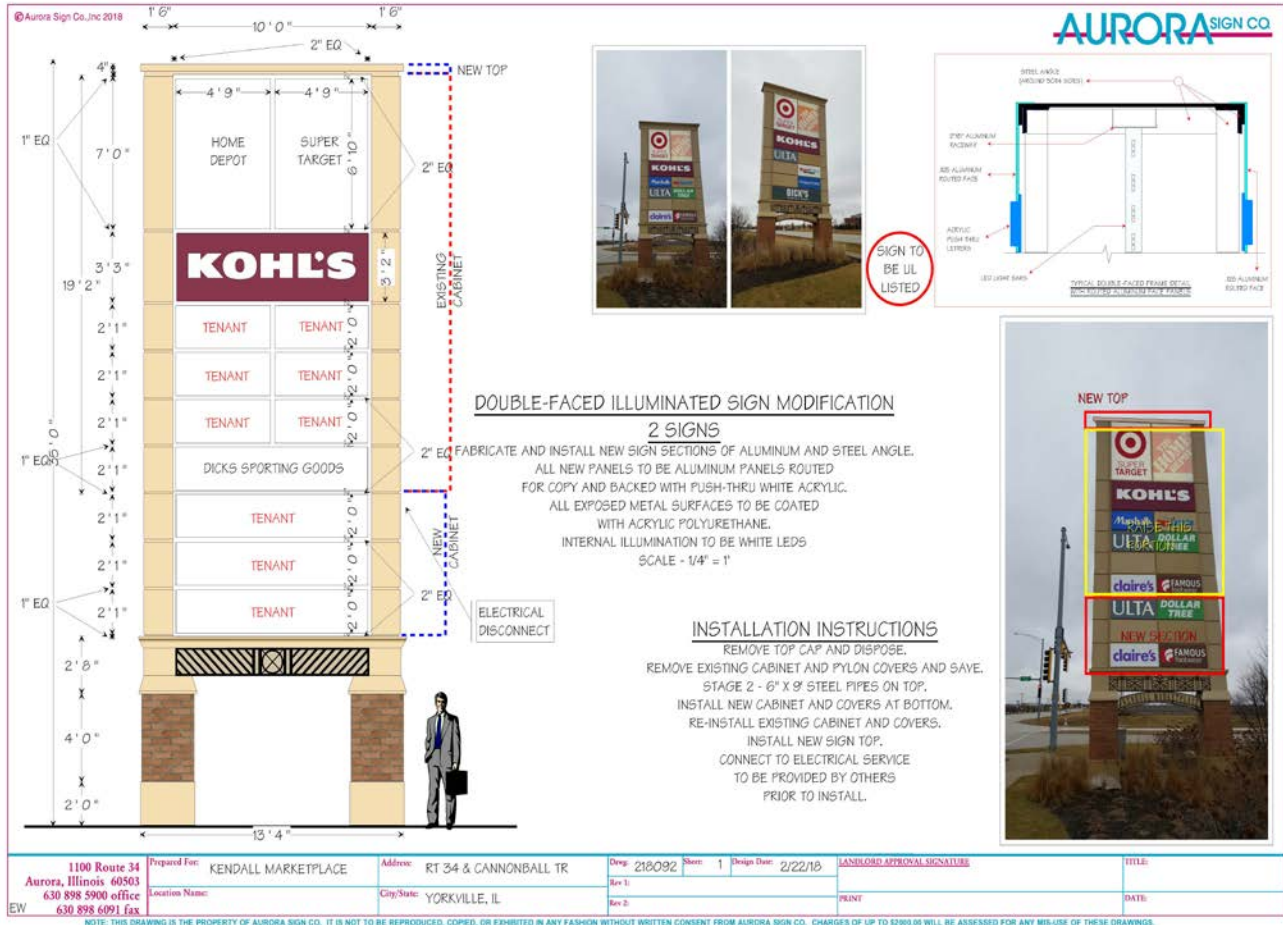
as these units are not immediately adjacent to a major roadway; as well as provide additional business identification along US Route 34 for the undeveloped commercial outlots.

EXISTING & PROPOSED SIGNAGE:

As previously mentioned, the two (2) 29'-4" tall existing tenant monument signs are located along US Rte 34 (Veterans Parkway) and near the intersection of Beecher Road and US Rte 34, and are oriented perpendicular to the roadway (see image below). The EDC may recall, the existing sign along US 34 was recently granted a variance to allow the sign to remain in its current location, although is now within the IDOT right-of-way as a result of the ongoing roadway widening project.



The proposed reconstructed signs would increase the overall sign height to by five (5) feet to approximately 35'-0' tall by removing the existing sign cabinets, inserting new steel pipes on top and installing a new cabinet piece near the bottom of the sign base and a sign cap/top. The new cabinet piece will allow for three (3) rows of new tenant panels per sign. All new tenant panels will be fabricated of the same aluminum material of the exiting sign panels, and will be routed for copy with push-through white acrylic.



STAFF ANALYSIS:

The intent of a Planned Unit Development (PUD) is to provide flexibility from the rigidity of the conventional zoning/bulk/signage regulations, if there is a greater benefit to the property and the City as a whole. The applicant believes there is a greater benefit to offering new/existing in-line tenants as an incentive for extending or confirming new leases and to the future tenants of the remaining undeveloped outlots in the Kendall Marketplace development, should they be permitted to increase the overall height of the (two) existing freestanding signage by five (5) feet. The addition of six (6) new tenant panels will provide needed visibility for those businesses which do not have frontage along Veterans Parkway (US Route 34).

The City has previously approved amendments to Planned Unit Developments for increases or new monument tenant signage which exceeds the maximum size and height requirement set forth in the Zoning Ordinance. The following table compares the proposed modified signs and recently approved signs with Planned Unit Development approval for commercial retail developments:

	CURRENT ZONING ORDINANCE REGULATIONS FOR MONUMENT SIGNS	HEARTLAND BUSINESS CENTER MONUMENT SIGN (2013)	KENDALL CROSSING MONUMENT SIGN (2014)	PROPOSED MODIFIED KENDALL MARKETPLACE SIGNS
SIGN AREA (Section 10-20-9-A-1)	<ul style="list-style-type: none"> • Max. 32 square feet for lots less than three (3) acres • Max. 64 square feet for lots three (3) or more acres. 	<ul style="list-style-type: none"> • Approx. 148 square feet 	<ul style="list-style-type: none"> • Approx. 472 square feet 	<ul style="list-style-type: none"> • Approx. 255 square feet
SIGN HEIGHT (Section 10-20-9-A-1)	<ul style="list-style-type: none"> • Max. 12 feet in height 	<ul style="list-style-type: none"> • 24 feet 8 inches 	<ul style="list-style-type: none"> • 31 feet 2 inches 	<ul style="list-style-type: none"> • Approx. 35 feet
YARD REQUIREMENTS (Section 10-20-6-C)	<ul style="list-style-type: none"> • Located at least 5' from any driveway and lot line. • Signs taller than thirty inches (30") shall not be located within that part of the yard or open area of a corner lot included within a triangular area twenty-five feet (25') from the point of intersection of two street right of way lines forming a corner (line-of-sight). 	<ul style="list-style-type: none"> • Located within the front yard approx. eleven feet (11') from the lot line and more than five (5) feet from a driveway or drive aisle. • Not located within a line-of-sight. 	<ul style="list-style-type: none"> • Located within a driveway median, but more than 5' from an intersection. • Not located within a line-of-sight. 	<ul style="list-style-type: none"> • Located within IDOT right-of-way and less than five (5) feet from a driveway or drive aisle and lot line. • Not located within a line-of-sight.

STANDARDS FOR PUD APPROVAL OR AMENDMENT:

The Planning and Zoning Commission may recommend approval of a special use for planned unit development or amendments to a Planned Unit Development (PUD) upon considering the following (Section 10-8-10-A):

1. In what respect does the design of the planned unit development meet the requirements and design standards of the development standards and design criteria.
2. The extent to which the proposed plan deviates and/or requires waivers of the bulk regulations in the zoning ordinance and how the modifications in design standards from the subdivision control regulations fulfill the intent of those regulations.
3. The extent of public benefit produced by the planned unit development, such as, but not limited to, the adequacy of common open space and/or public recreational facilities provided; sufficient control over vehicular traffic; provision of public services; provision and protection of the reasonable enjoyment of land.
4. The relationship and compatibility, beneficial or adverse, of the planned unit development to the adjacent properties and nearby land uses.
5. The extent to which the planned unit development fulfills the objectives of the future planning objectives or other planning policies of the city.

6. The Planning and Zoning Commission finds the planned unit development satisfactorily meets the standards for special use as defined in section 10-4-9 of the Zoning Ordinance which are as follows:
- a. The establishment, maintenance or operation of the special use will not be unreasonably detrimental to or endanger the public health, safety, morals, comfort or general welfare.
 - b. The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminishes and impair property values within the neighborhood.
 - c. The establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
 - d. Adequate utilities, access roads, drainage or other necessary facilities have been or are being provided.
 - e. Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
 - f. The special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the city council pursuant to the recommendations of the planning and zoning commission.

STAFF RECOMMENDATION:

In staff's review of the proposed PUD amendment, consideration was given to the relationship the existing and future in-line tenants have to where the sign is located for potential visibility opportunities along US Rte 34; recently approved amended PUD agreements of increased multi-tenant monument signage for similar type commercial developments and how the proposed modified sign does not significantly deviate from the intent of the originally approved PUD. Therefore staff recommends approval of the requested Planned Unit Development (PUD) Amendment with regards to signage height increase, as proposed.

PROPOSED MOTION:

In consideration of testimony presented during a Public Hearing on April 11, 2018 and the standards for PUD approval and amendment, regarding a proposed increase in overall height by five (5) feet for two (2) existing freestanding business monument signs located at the Kendall Marketplace retail development, the Planning and Zoning Commission recommends approval of the amended Planned Unit Development (PUD) Agreement to the City Council as presented by the Petitioner in a plan prepared by Aurora Sign Company, dated February 22, 2018, and further subject to {insert any additional conditions of the Planning and Zoning Commission}...

Attachments:

1. Copy of Petitioner's Application
2. Signage Plan prepared by Aurora Sign Company dated 02-22-18.
3. Original approved Signage for Kendall Marketplace
4. Public Hearing Notice.



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APPLICATION FOR AGREEMENT AMENDMENT

INTENT AND PURPOSE:

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

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

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

APPLICATION PROCEDURE:



STAGE 1: APPLICATION SUBMITTAL

The following must be submitted to the Community Development Department:

- One (1) original signed application with legal description.
- Three (3) 11" x 17" copies each of the exhibits, proposed drawings, location map, and site plan. Large items must be folded to fit in a 10" x 13" envelope.
- Appropriate filing fee.
- One (1) CD or portable USB drive containing one (1) electronic copy (pdf) of each of the following: signed application (complete with exhibits), proposed drawings, location map, and site plan. A Microsoft Word document with the legal description is also required.

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

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



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APPLICATION FOR AGREEMENT AMENDMENT

STAGE 2: PLAN COUNCIL REVIEW

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

STAGE 3: ECONOMIC DEVELOPMENT COMMITTEE

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

STAGE 4: PLANNING & ZONING COMMISSION PUBLIC HEARING (PUD ONLY)

Petitioner will attend a public hearing conducted by the Planning and Zoning Commission. The Planning and Zoning Commission meets on the 2nd Wednesday of the Month at 7:00pm. Notice will be placed in the Kendall County Record by the United City of Yorkville. The petitioner is responsible for sending certified public hearing notices to adjacent property owners within five hundred (500) feet of the subject property no less than fifteen (15) days and no more than thirty (30) days prior to the public hearing date. Twenty four (24) hours prior to the public hearing, a certified affidavit must be filed by the petitioner with the Community Development Department containing the names, addresses and permanent parcel numbers of all parties that were notified. The Certified Mailing Affidavit form is attached to this document and must be submitted prior to the scheduled Plan Commission meeting.

STAGE 5: CITY COUNCIL PUBLIC HEARING

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

DORMANT APPLICATIONS

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

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

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

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



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APPLICATION FOR AGREEMENT AMENDMENT

INVOICE & WORKSHEET PETITION APPLICATION			
CONCEPT PLAN REVIEW	<input type="checkbox"/> Engineering Plan Review deposit	\$500.00	Total: \$
AMENDMENT	<input type="checkbox"/> Annexation <input type="checkbox"/> Plan <input type="checkbox"/> Plat <input checked="" type="checkbox"/> P.U.D.	\$500.00 \$500.00 \$500.00 \$500.00	Total: \$ 500
ANNEXATION	<input type="checkbox"/> \$250.00 + \$10 per acre for each acre over 5 acres _____ - 5 = _____ x \$10 = _____ + \$250 = \$ _____ # of Acres Acres over 5 Amount for Extra Acres Total Amount		Total: \$
REZONING	<input type="checkbox"/> \$200.00 + \$10 per acre for each acre over 5 acres <i>If annexing and rezoning, charge only 1 per acre fee; if rezoning to a PUD, charge PUD Development Fee - not Rezoning Fee</i> _____ - 5 = _____ x \$10 = _____ + \$200 = \$ _____ # of Acres Acres over 5 Amount for Extra Acres Total Amount		Total: \$
SPECIAL USE	<input type="checkbox"/> \$250.00 + \$10 per acre for each acre over 5 acres _____ - 5 = _____ x \$10 = _____ + \$250 = \$ _____ # of Acres Acres over 5 Amount for Extra Acres Total Amount		Total: \$
ZONING VARIANCE	<input type="checkbox"/> \$85.00 + \$500.00 outside consultants deposit		Total: \$
PRELIMINARY PLAN FEE	<input type="checkbox"/> \$500.00		Total: \$
PUD FEE	<input type="checkbox"/> \$500.00		Total: \$
FINAL PLAT FEE	<input type="checkbox"/> \$500.00		Total: \$
ENGINEERING PLAN REVIEW DEPOSIT	<input type="checkbox"/> Less than 1 acre <input type="checkbox"/> Over 1 acre, less than 10 acres <input type="checkbox"/> Over 10 acres, less than 40 acres <input type="checkbox"/> Over 40 acres, less than 100 acres <input type="checkbox"/> Over 100 acres	\$1,000.00 \$2,500.00 \$5,000.00 \$10,000.00 \$20,000.00	Total: \$
OUTSIDE CONSULTANTS DEPOSIT	<i>Legal, land planner, zoning coordinator, environmental services</i> For Annexation, Subdivision, Rezoning, and Special Use: <input checked="" type="checkbox"/> Less than 2 acres <input type="checkbox"/> Over 2 acres, less than 10 acres <input type="checkbox"/> Over 10 acres		Total: \$ 1,000
TOTAL AMOUNT DUE:			1500.00



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APPLICATION FOR AGREEMENT AMENDMENT

DATE:	PZC NUMBER:	DEVELOPMENT NAME: Kendall Marketplace	
PETITIONER INFORMATION			
NAME: Kendall Holdings I, LLC		COMPANY: Kendall Holdings I, LLC	
MAILING ADDRESS: 700 Commerce Dr., suite 450			
CITY, STATE, ZIP: Oak Brook, IL 60523		TELEPHONE: 847-706-4996	
EMAIL: Gavin.smith@cbre.com		FAX: 630-573-7018	
PROPERTY INFORMATION			
NAME OF HOLDER OF LEGAL TITLE: Kendall Holdings I, LLC			
IF LEGAL TITLE IS HELD BY A LAND TRUST, LIST THE NAMES OF ALL HOLDERS OF ANY BENEFICIAL INTEREST THEREIN:			
PROPERTY STREET ADDRESS: 731-795 Erica Lane, Yorkville IL			
DESCRIPTION OF PROPERTY'S PHYSICAL LOCATION: the North East corner of N. Bleacher and W. Veterans Pkwy (Rt34) and the North East corner of Isabel Dr and W. Veterans Pkwy (Rt34)			
CURRENT ZONING CLASSIFICATION: PUD - B3			
LIST ALL GOVERNMENTAL ENTITIES OR AGENCIES REQUIRED TO RECEIVE NOTICE UNDER ILLINOIS LAW:			
ZONING AND LAND USE OF SURROUNDING PROPERTIES			
NORTH: PUD - B3			
EAST: PUD - B3			
SOUTH: O - Office			
WEST: PUD - B3			
KENDALL COUNTY PARCEL IDENTIFICATION NUMBER(S)			
See Exhibit A			



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APPLICATION FOR AGREEMENT AMENDMENT

PROPERTY INFORMATION

NAME OF AGREEMENT:

DATE OF RECORDING:

SUMMARIZE THE ITEMS TO BE AMENDED FROM THE EXISTING AGREEMENT:

Amendment to permitted signage to allow petitioner to increase sign height by five feet as per attached drawing to permit to serve as the outdoor off-building sign for the tenant names at Kendall Marketplace.

ATTACHMENTS

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

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

Petitioner must attach a true and correct copy of the existing agreement and title it as "Exhibit C".

Petitioner must attach amendments from the existing agreement and title it as "Exhibit D".



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APPLICATION FOR AGREEMENT AMENDMENT

ATTORNEY INFORMATION

NAME: Jamie L Romick COMPANY: Mason, Wenk & Berman LLC
MAILING ADDRESS: 630 Dundee Rd. Suite 220
CITY, STATE, ZIP: Northbrook, IL 60062 TELEPHONE: 847-656-6099
EMAIL: JRomick@mwblawfirm.com FAX: 847-656-6099

ENGINEER INFORMATION

NAME: N/A COMPANY:
MAILING ADDRESS:
CITY, STATE, ZIP: TELEPHONE:
EMAIL: FAX:

LAND PLANNER/SURVEYOR INFORMATION

NAME: N/A COMPANY:
MAILING ADDRESS:
CITY, STATE, ZIP: TELEPHONE:
EMAIL: FAX:

AGREEMENT

I VERIFY THAT ALL THE INFORMATION IN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND AND ACCEPT ALL REQUIREMENTS AND FEES AS OUTLINED AS WELL AS ANY INCURRED ADMINISTRATIVE AND PLANNING CONSULTANT FEES WHICH MUST BE CURRENT BEFORE THIS PROJECT CAN PROCEED TO THE NEXT SCHEDULED COMMITTEE MEETING.

I UNDERSTAND ALL OF THE INFORMATION PRESENTED IN THIS DOCUMENT AND UNDERSTAND THAT IF AN APPLICATION BECOMES DORMANT IT IS THROUGH MY OWN FAULT AND I MUST THEREFORE FOLLOW THE REQUIREMENTS OUTLINED ABOVE.

PETITIONER SIGNATURE

FEB 21, 2018

DATE

OWNER HEREBY AUTHORIZES THE PETITIONER TO PURSUE THE APPROPRIATE ENTITLEMENTS ON THE PROPERTY.

OWNER SIGNATURE

FEB. 21, 2018

DATE

KENDALL Holdings I, LLC



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

PETITIONER DEPOSIT ACCOUNT/ ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY

PROJECT NUMBER:	FUND ACCOUNT NUMBER:	PROPERTY ADDRESS:
APPLICATION/APPROVAL TYPE (check appropriate box(es) of approval requested):		
<input type="checkbox"/> CONCEPT PLAN REVIEW	<input checked="" type="checkbox"/> AMENDMENT (TEXT)	<input type="checkbox"/> ANNEXATION
<input type="checkbox"/> SPECIAL USE	<input type="checkbox"/> MILE AND 1/2 REVIEW	<input type="checkbox"/> ZONING VARIANCE
<input type="checkbox"/> FINAL PLANS	<input type="checkbox"/> PLANNED UNIT DEVELOPMENT	<input type="checkbox"/> FINAL PLAT
<input type="checkbox"/> REZONING		
<input type="checkbox"/> PRELIMINARY PLAN		
PETITIONER DEPOSIT ACCOUNT FUND: It is the policy of the United City of Yorkville to require any petitioner seeking approval on a project or entitlement request to establish a Petitioner Deposit Account Fund to cover all actual expenses occurred as a result of processing such applications and requests. Typical requests requiring the establishment of a Petitioner Deposit Account Fund include, but are not limited to, plan review of development approvals/engineering permits. Deposit account funds may also be used to cover costs for services related to legal fees, engineering and other plan reviews, processing of other governmental applications, recording fees and other outside coordination and consulting fees. Each fund account is established with an initial deposit based upon the estimated cost for services provided in the INVOICE & WORKSHEET PETITION APPLICATION . This initial deposit is drawn against to pay for these services related to the project or request. Periodically throughout the project review/approval process, the Financially Responsible Party will receive an invoice reflecting the charges made against the account. At any time the balance of the fund account fall below ten percent (10%) of the original deposit amount, the Financially Responsible Party will receive an invoice requesting additional funds equal to one-hundred percent (100%) of the initial deposit if subsequent reviews/fees related to the project are required. In the event that a deposit account is not immediately replenished, review by the administrative staff, consultants, boards and commissions may be suspended until the account is fully replenished. If additional funds remain in the deposit account at the completion of the project, the city will refund the balance to the Financially Responsible Party. A written request must be submitted by the Financially Responsible Party to the city by the 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		
NAME: Alexander Berman	COMPANY: Kendell Holdings I, LLC	
MAILING ADDRESS: 707 Skokie Blvd, Suite 600		
CITY, STATE, ZIP: Northbrook, IL 60062	TELEPHONE: 312-915-0690	
EMAIL: ABerman@gwdglobal.com	FAX:	
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.		
Alexander Berman	President	
PRINT NAME	TITLE	
	Feb. 21, 2018	
SIGNATURE	DATE	
ACCOUNT CLOSURE AUTHORIZATION		
DATE REQUESTED:	<input type="checkbox"/> COMPLETED	<input type="checkbox"/> INACTIVE
PRINT NAME: Alexander Berman	<input type="checkbox"/> WITHDRAWN	<input type="checkbox"/> COLLECTIONS
SIGNATURE:	<input type="checkbox"/> OTHER	
DEPARTMENT ROUTING FOR AUTHORIZATION:	<input type="checkbox"/> COM. DEV.	<input type="checkbox"/> BUILDING
	<input type="checkbox"/> ENGINEERING	<input type="checkbox"/> FINANCE
	<input type="checkbox"/> ADMIN.	

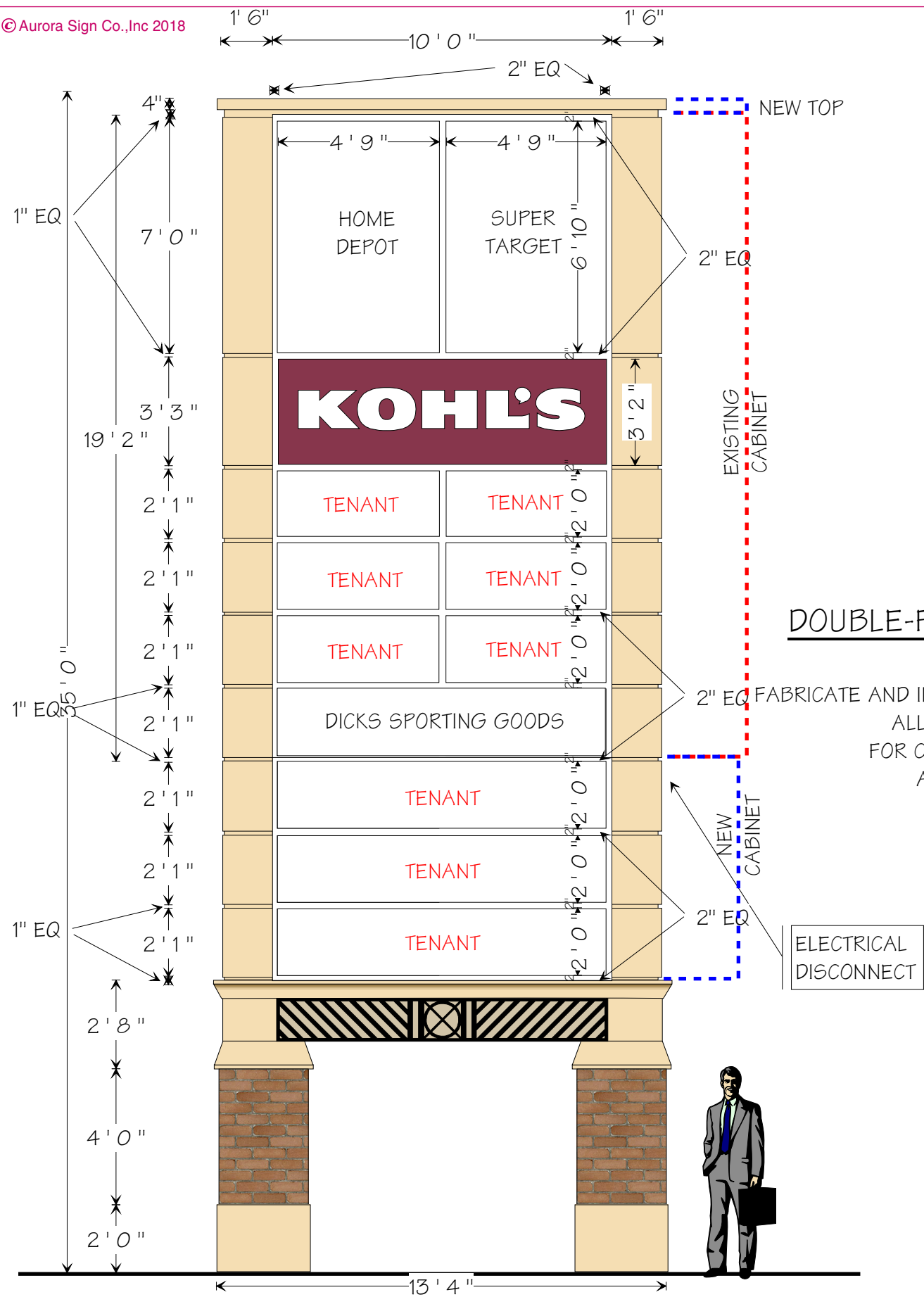
EXHIBIT A TO APPLICATION FOR PUD AMENDMENT

LEGAL DESCRIPTION OF PROPERTY:

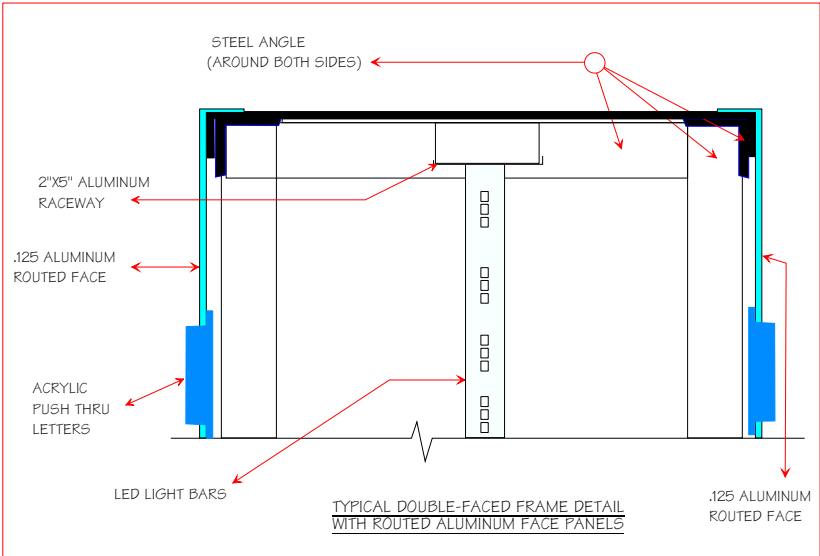
LOTS 1-19, 21, 55 AND 57 IN KENDALL MARKETPLACE SUBDIVISION, BEING A SUBDIVISION OF PART OF SECTIONS 19, 20 AND 29, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED MAY 7, 2007 AS DOCUMENT NUMBER 200700014779 IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

Tax PINS:

PINs: 02-20-353-008 (Part of Lot 1); 02-29-131-005 (Part of Lot 1); 02-29-101-001 (Lot 2); 02-29-101-002 (Lot 3); 02-29-101-003 (Lot 4); 02-29-101-004 (Lot 5); 02-29-131-001 (Lot 6); 02-29-131-002 (Lot 7); 02-29-131-003 (Lot 8); 02-29-131-004 (Part of Lot 9); 02-20-381-008 (Part of Lot 9); 02-20-381-007 (Lot 10); 02-20-381-006 (Lot 11); 02-20-381-005 (Lot 12); 02-20-381-004 (Lot 13); 02-20-381-003 (Lot 14); 02-20-381-002 (Lot 15); 02-19-481-002 (Lot 16); 02-20-353-004 (Part of Lot 17); 02-19-482-001 (Part of Lot 17); 02-19-482-003 (Part of Lot 18); 02-20-353-005 (Part of Lot 18); 02-19-482-002 (Part of Lot 19); 02-20-353-003 (Part of Lot 19); 02-19-483-001 (Lot 21); 02-19-482-004 (Part of Lot 55); 02-20-353-006 (Part of Lot 55); 02-20-353-002 (Lot 57)



SIGN TO
BE UL
LISTED



DOUBLE-FACED ILLUMINATED SIGN MODIFICATION

2 SIGNS

2" EQ FABRICATE AND INSTALL NEW SIGN SECTIONS OF ALUMINUM AND STEEL ANGLE.
ALL NEW PANELS TO BE ALUMINUM PANELS ROUTED FOR COPY AND BACKED WITH PUSH-THRU WHITE ACRYLIC.
ALL EXPOSED METAL SURFACES TO BE COATED WITH ACRYLIC POLYURETHANE.
INTERNAL ILLUMINATION TO BE WHITE LEDS
SCALE - 1/4" = 1'

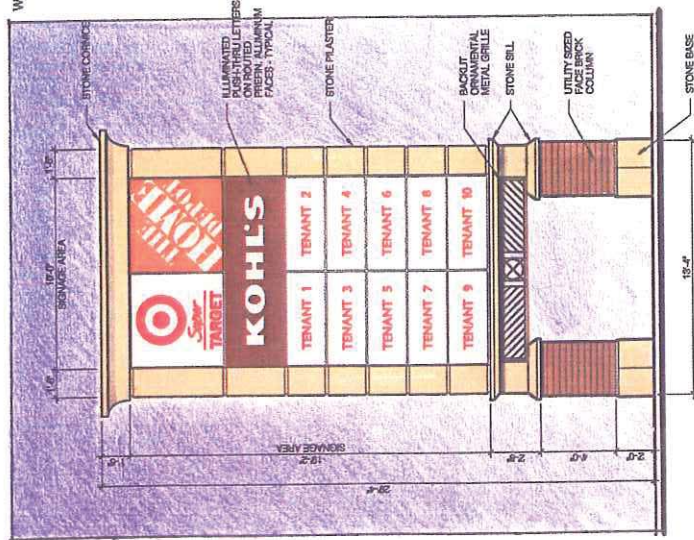
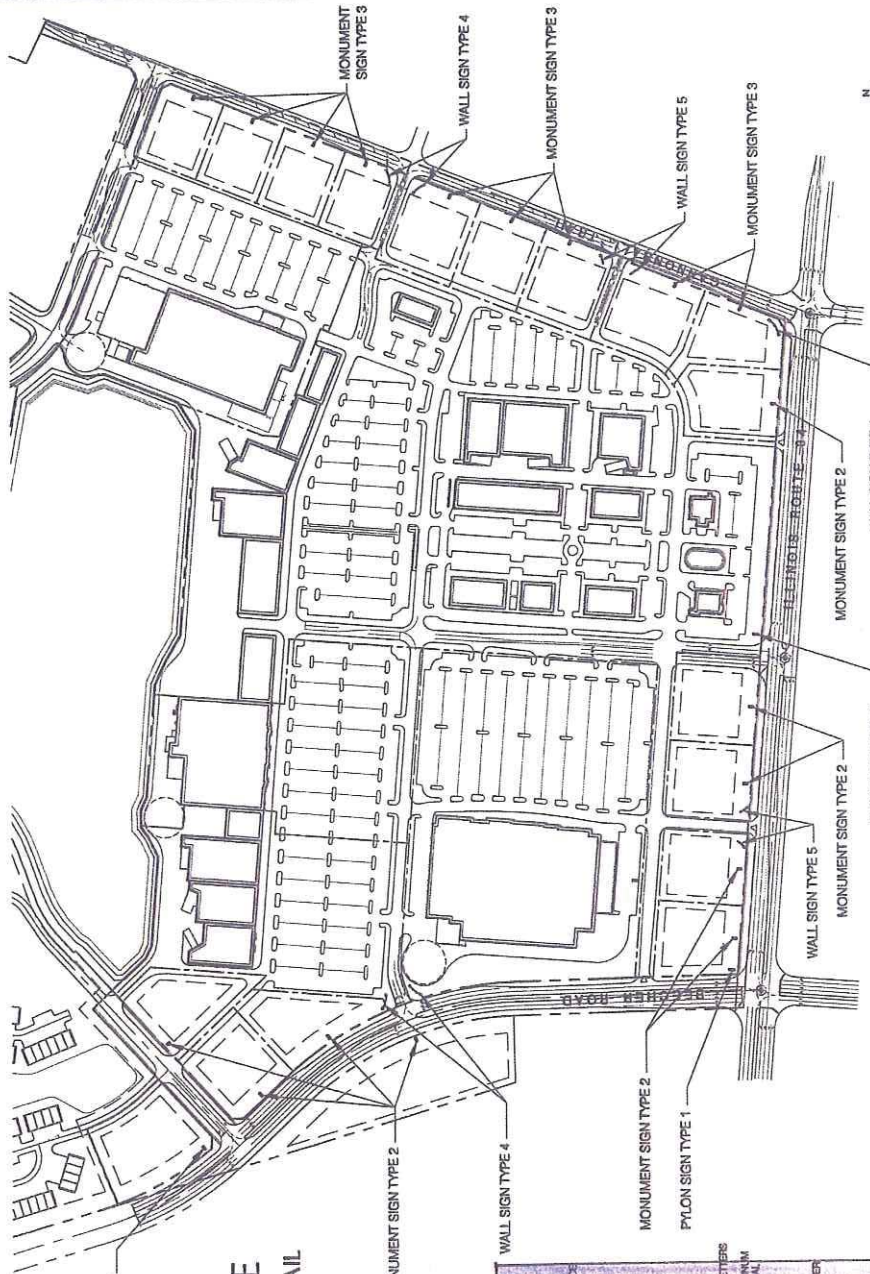
INSTALLATION INSTRUCTIONS

REMOVE TOP CAP AND DISPOSE.
REMOVE EXISTING CABINET AND PYLON COVERS AND SAVE.
STAGE 2 - 6" X 9' STEEL PIPES ON TOP.
INSTALL NEW CABINET AND COVERS AT BOTTOM.
RE-INSTALL EXISTING CABINET AND COVERS.
INSTALL NEW SIGN TOP.
CONNECT TO ELECTRICAL SERVICE TO BE PROVIDED BY OTHERS PRIOR TO INSTALL.



EW	1100 Route 34 Aurora, Illinois 60503 630 898 5900 office 630 898 6091 fax	Prepared For: KENDALL MARKETPLACE	Address: RT 34 & CANNONBALL TR	Drwg: 218092	Sheet: 1	Design Date: 2/22/18	LANDLORD APPROVAL SIGNATURE	TITLE:
		Location Name:	City/State: YORKVILLE, IL	Rev 1:				
				Rev 2:			PRINT	DATE:

PROJECT:
KENDALL MARKETPLACE
ILLINOIS ROUTE 34 & CANNONBALL TRAIL
YORKVILLE, ILLINOIS



PYLON SIGN - TYPE 1
192 S.F. TOTAL SIGN AREA



MONUMENT SIGN - TYPE 2
(OUTLOT SIGN)



MONUMENT SIGN - TYPE 3
(OUTLOT SIGN)



KEY PLAN

PFDA
ARCHITECTS PC
30 N. WATKINS STREET
CHICAGO, IL 60610
TEL: 312.786.7000
FAX: 312.786.7001

PROJECT:
KENDALL MARKETPLACE
ILLINOIS ROUTE 34 & CANNONBALL TRAIL
YORKVILLE, ILLINOIS

OWNER/DEVELOPER:
MIDAMERICA
DEVELOPMENT PARTNERS LLC
1000 N. WATKINS STREET
CHICAGO, IL 60610
TEL: 312.786.7000
FAX: 312.786.7001

S1

SITE PLAN

DATE: 08/11/11
DRAWN: J. J. JONES
CHECKED: J. J. JONES
APPROVED: J. J. JONES

DATE: 08/11/11
DRAWN: J. J. JONES
CHECKED: J. J. JONES
APPROVED: J. J. JONES

PUBLIC NOTICE
NOTICE OF PUBLIC HEARING
BEFORE
THE UNITED CITY OF YORKVILLE
PLANNING & ZONING COMMISSION
PZC 2018-02

NOTICE IS HEREWITH GIVEN THAT Kendall Holdings I, LLC, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting amendment to the Kendall Marketplace Planned Unit Development to permit an increase in overall sign height by five (5) feet for two (2) existing freestanding business monument signs for the purpose of added tenant panels in the Kendall Marketplace commercial development. The real property is located at 731-795 Erica Lane in Yorkville, Illinois.

The legal description is as follows:

LOTS 1-19, 21, 55 AND 57 IN KENDALL MARKETPLACE SUBDIVISION, BEING A SUBDIVISION OF PART OF SECTIONS 19, 20 AND 29, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED MAY 7, 2007 AS DOCUMENT NUMBER 200700014779 IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

PINs: 02-20-353-008 (Part of Lot 1); 02-29-131-005 (Part of Lot 1); 02-29-1 01-001 (Lot 2); 02-29-101-002 (Lot 3); 02-29-101 -003 (Lot 4); 02-29-101-004 (Lot 5); 02-29-131-001 (Lot 6); 02-29-131-002 (Lot 7); 02-29-131-003 (Lot 8); 02-29-131-004 (Part of Lot 9); 02-20-381-008 (Part of Lot 9); 02-20-381-007 (Lot 10); 02-20-381-006 (Lot I I); 02-20-381 -005 (Lot 12); 02-20-381-004 (Lot 13); 02-20-381-003 (Lot 14); 02-20-381 -002 (Lot 15); 02-19-481 -002 (Lot 16); 02-20-353-004 (Part of Lot 17); 02- 19-482-001 (Part of Lot 17); 02-1 9-482-003 (Part of Lot 18); 02-20-353-005 (Part of Lot 18); 02-19-482-002 (Part of Lot 19); 02-20-353-003 (Part of Lot 19); 02- 19-483-001 (Lot 21);02-19-482-004 (Part of Lot 55); 02-20-353-006 (Part of Lot 55); 02-20-353-002 (Lot 57)

NOTICE IS HEREWITH GIVEN THAT the Planning and Zoning Commission for the United City of Yorkville will conduct a public hearing on said application on Wednesday, April 11, 2018 at 7 p.m. at the United City of Yorkville, City Council Chambers, located at 800 Game Farm Road, Yorkville, Illinois 60560.

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

Application and information materials regarding this notice are available for public review and any questions or written comments should be addressed to the United City of Yorkville Community Development Department, City Hall, 800 Game Farm Road, Yorkville, Illinois. All interested parties are invited to attend the public hearing and will be given an opportunity to be heard.

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

BETH WARREN
City Clerk

BY: Lisa Pickering
Deputy Clerk



Memorandum

To: Planning and Zoning Commission
From: Krysti Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Brad Sanderson, EEI, City Engineer
Jason Engberg, Senior Planner
Date: March 1, 2018
Subject: **PUBLIC HEARING** - Developer Deposit Report/Ordinance
Text Amendment to Subdivision Control 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. Per our findings, staff is recommending a text amendment to revise how engineering related development fees and deposits are requested, administered and replenished for projects.

This matter was discussed at the February and March Economic Development Committee (EDC) Meeting which consists of four (4) Yorkville City Council members to garner preliminary feedback on staff's recommendations prior to scheduling the public hearing. A summary of those discussions are attached in the form of meeting minutes.

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			

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

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			
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 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

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

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, 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.

Below 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	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

- **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.
- **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.

- **Codification of Fees.** The City Attorney has prepared the attached draft 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.

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. 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.

Economic Development Committee (EDC) Discussion

As mentioned previously in this memorandum within the introductory summary, staff presented these findings and recommendations to the Economic Development Committee (EDC) in February and March of this year. During those discussions, Alderman Funkhouser suggested that a fixed percentage which established a not to exceed amount for outsourced engineering (possibly 5%) would be more preferable to the development community, rather than proposing an estimate and billing an at cost hourly rate. The consideration with that proposal is developments whose projects fall under the 5% based upon billable hours would pay more and the developments which exceed the 5% in billable hours would pay less, and the City would pay the difference to the engineering consultant.

A developer was in attendance of the March EDC and echoed the sentiments of Alderman Funkhouser, and staff was directed by the members of the EDC to reach out and notify the builders/developers who have had to pay engineering review and construction service fees within the past year to personally invite them to attend the public hearing. A copy of the public hearing notice was emailed and sent via postal mail to approximately sixteen (16) commercial building permit and/or development project applicants.

Staff, as well as the City's Engineering Consultant, Brad Sanderson of EEI, will be available at Wednesday night's meeting to discuss in greater detail and answer questions from the the public ans the Planning and Zoning Commission.

Proposed Motion:

In consideration of testimony presented during a Public Hearing on April 11, 2018 and discussions conducted at that meeting for a proposed text amendment to Title 11: Subdivision Control Chapter 8: Fee Schedule, the Planning and Zoning Commission recommends approval to the City Council of revised engineering review fee escrow deposits for all new construction projects and any development requiring land use approvals, as presented by staff in a memorandum dated March 1, 2018, and further subject to {insert any additional conditions of the Planning and Zoning Commission}...

Attachments:

1. Draft Ordinance
2. EDC Meeting Minutes (2/6/18 and 3/6/18)
3. Resolution 2002-27
4. Ordinance 2006-11
5. EEI memo dated January 11, 2018
6. Sample Plan Review Checklist for Commercial Development
7. Public Hearing Notice.

Ordinance No. _____

**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 _____

SEAVER TARULIS _____

ALEX HERNANDEZ _____

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

Mayor

APPROVED 3/6/18

**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

APPROVED 4/3/18

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

In Attendance:

Committee Members

Chairman Ken Koch
Alderman Joel Frieders
Alderman Carlo Colosimo

Absent: Alderman Alex Hernandez

Other City Officials

Interim Assistant City Administrator Erin Willrett
Community Development Director Krysti Barksdale-Noble
Code Official Pete Ratos
Senior Planner Jason Engberg
Alderman Chris Funkhouser
City Consultant Lynn Dubajic

Other Guests

Gary Neyer, Marker Inc.

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

Citizen Comments: None

Minutes for Correction/Approval: February 6, 2018
The minutes were approved on a unanimous voice vote.

New Business

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

Mr. Ratos reported 43 total permits, 15 single family permits, (11 were B.U.I.L.D.) and also 10 commercial permits. No further discussion.

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

There were 163 inspections, most of which were for Ryan Homes in Caledonia. No further discussion.

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

Mr. Ratos cited a case of an unsafe structure on S. State St. where the 98 year old owner does not reside in the house. Many offers have been made, however, the owner/bank will only accept a certain minimum amount. No further discussion.

4. EDC 2018-20 Economic Development Report for February 2018

Ms. Dubajic reported the following:

1. Owners of restaurant “1836” notified city of their immediate closure, plan to reopen with a new concept and new signage
2. Owner of banquet hall on Stagecoach has gotten building permit for exterior
3. Idea Marketing and Subway have left Fountain Village development Lower rents might encourage tenancy.
4. Owner of Kendall Marketplace has requested larger signs due to Rt. 34 expansion, working with potential junior box store that wishes to be on the signs. Another fashion store looking at this area. Residential building has also begun on the nearby lots.
5. Chicago Fire coming to Go For It Sports to hold free camps, dates to be announced.

5. EDC 2018-21 Kendall Marketplace SSA Amendment

Ms. Noble said this amendment revises the SSA since some lots had been erroneously included. Attorney Orr has drafted the ordinance and it is recommended to move this forward to the March 13th Council consent agenda.

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

Mr. Engberg said the County had notified the city of a rezoning request on a 7-acre parcel on Walker Road from A-1 to R-1 and requires the 1.5 Mile Review. The ITEP Plan shows trails and the County and property owners were made aware. This matter moves to the Planning and Zoning Commission on March 14 and the committee was OK with this request.

Old Business

1. EDC 2018-15 Developer Deposit Report/Ordinance

Ms. Noble made some revisions after suggestions from the committee last month. Developer fees will increase from \$5,000 to \$25,000 with a minimum deposit of \$2,500. An upfront engineering fee estimate will be provided and the developer can pay in full or replenish as necessary. Ms. Noble also noted 2 charges that would be removed from the changes suggested. All changes will be codified.

Ms. Noble reached out to Gary Neyer of Marker Inc. since he had voiced concern about the high amounts. Mr. Neyer was present and said the plan review fees were much too high. He said they did a development in 2011 when plan reviews were done by the city in-house. He said just the earthwork is a very substantial cost.

Alderman Colosimo asked how the proposed rates compare to the nearby cities and Ms. Noble said it was comparable. He does not want to scare developers away, while making sure the city covers their costs. He would like to see a fixed fee. As the project moves along, Alderman Frieders requested performance indicators. Alderman Funkhouser compared the proposed rates to other towns he had researched. He said the proposal will affect developers and he would like the rates tightened, though he prefers a fixed fee.

This proposal will move forward for a Public Hearing and will return to EDC in May. Mr. Sanderson and Ms. Noble will work together on the fee structure and invoices can be adjusted.

Additional Business None

There was no further business and the meeting adjourned at 6:47pm.

Minutes respectfully submitted by
Marlys Young, Minute Taker

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

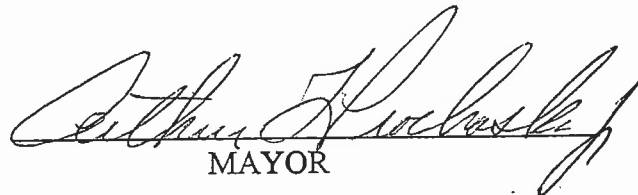


RICHARD STICKA



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

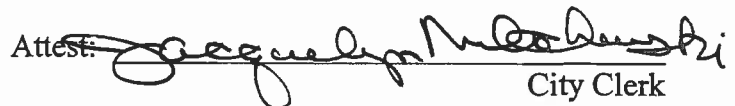
JOSEPH BESCO
PAUL JAMES
MARTY MUNNS
JAMES BOCK

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

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		



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 rolls 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

PUBLIC NOTICE
NOTICE OF HEARING
BEFORE
THE UNITED CITY OF YORKVILLE
PLANNING & ZONING COMMISSION
PZC 2018-03

NOTICE IS HEREWITH GIVEN THAT the United City of Yorkville, Kendall County, Illinois, petitioner, is proposing a text amendment to Section 11-7-1 of the Yorkville Subdivision Control Ordinance regarding engineering review fee escrow deposits 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.

NOTICE IS HEREWITH GIVEN THAT the Planning and Zoning Commission for the United City of Yorkville will conduct a public hearing at a meeting on said amendments on **Wednesday, April 11, 2018 at 7 p.m.** at the Yorkville City Hall, located at 800 Game Farm Road, Yorkville, Illinois 60560.

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

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

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

BETH WARREN
City Clerk

BY: Lisa Pickering
Deputy Clerk



Memorandum

To: Planning and Zoning Commission
From: Krysti J. Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Jason Engberg, Senior Planner
Date: April 4, 2018
Subject: **PZC 2018-05 Kendall Marketplace PUD Amendment for Residential Lots
Lots 24 -51 along Blackberry Shore Lane**

BACKGROUND & REQUEST:

The applicant, McCue Builders, Inc., is requesting an amendment to the Kendall Marketplace Planned Unit Development (PUD) to permit a revision to Article III of the agreement regarding design standards for the new construction of single-family residential units within the currently platted, but undeveloped, portion of the property.

The single-family residential portion of the development consists of 28 parcels on nearly 9-acres of land. The Planned Unit Development (PUD) and subsequent development conditions for the residential portion was approved in 2006 via Ordinance 2006-125 (see attached).

Per this ordinance, special provisions for design standards were established for the single-family detached residential units which are as follows:

1. Masonry products shall be incorporated on the front façade of 75% of the total units.
2. A minimum of 75% of the front façade of each building shall incorporate masonry products. A 10% reduction of the required masonry area will be given for each major architectural feature on the front façade.
3. A minimum of 50% of each building elevation shall incorporate premium siding material.
4. Primary structures shall be constructed upon either a basement or foundation – “slab” construction shall not be used.



According to the applicant, the current material and design standards for the exterior of the residential units is cost prohibitive and not keeping with the price point offered or warranted for the development.

EXISTING & PROPOSED DESIGN STANDARDS:

On June 14, 2005, the United City of Yorkville approved Ordinance No. 2005-51 which adopted an Appearance Code as part of the Building Regulations (*see attached*). Among the objectives of the Appearance Code is to foster sound and harmonious design of new buildings and sites, establish standards for new

construction and development and encourage creative non-monotonous community designs utilizing design professionals.

Per this ordinance, the provisions of the Appearance Code is applicable to residential, commercial and industrial land uses seeking building permit approval for new construction, or building permit approval for additions to existing commercial or industrial buildings where the cumulative addition(s) are equal to 10% of the area or 200 sq. ft., whichever is greater.

The City's Appearance Code does not apply to industrial accessory structures (although these structures should complement the main structure), buildings where siding is being replaced with similar siding material, or any Planned Unit Development (PUD) already approved prior to the adoption of the ordinance unless so stipulated in the PUD.

While the Appearance Code does provide specific criteria for both residential and non-residential uses, the regulations are very general in nature and relate mostly to anti-monotony standards (i.e., no two dwelling units with similar appearance shall be located adjacent to or across the street from each other) with regard to single family detached units and site planning and building design elements for single-family attached and multiple family dwelling units. Non-residential uses (commercial and industrial) Appearance Code standards focus on the relationship of buildings to the site, relationship of the site to the adjoining area and building design.

Subsequent to the approval of the Appearance Code in 2005, the United City of Yorkville adopted new Comprehensive Plan Design Guidelines on May 26, 2009 (*see attached*). Unlike the Appearance Code Ordinance, the Design Guidelines were not codified as part of the Municipal Code and therefore, are advisory only.

These guidelines are intended to “*maintain the unique character and acknowledge the heritage of Yorkville*” by establishing principles related to overall planning, site planning, landscaping and community character. Again, the applicability of these guidelines are limited to all new developments constructed *after* its adoption and does not apply to lots which have buildings constructed upon them prior to its adoption with the exception of properties substantially redeveloped, rezoned to which a special use is being requested. Substantial redevelopment consists of any construction activity that will result in a greater than 25% increase to the existing square footage or the addition of twelve (12) or more parking spaces.

Staff has routinely referenced both documents in our review of applicable developments, with the most recent being the Kendall Crossing, Anthony Place Senior Apartments and Cedarhurst Living developments. Since most of the residential planned developments were approved through annexation agreements with ordinance and fee locks associated, staff has deferred to those documents during compliance reviews.

Although the Kendall Marketplace PUD was approved after the adoption of the Appearance Code and would be subject to its standards, it was approved prior to the adoption of Design Guidelines and is not subject to those more specific aesthetic criteria. However, the PUD provided specific design provisions which were in addition to those required in the Appearance Code.

The following page has a comparison chart of the existing Kendall Marketplace PUD design standards for single-family detached residential units, current Appearance Code standards and the applicant's proposed amendments:

EXISTING KMP PUD DESIGN STANDARDS	CURRENT APPEARANCE CODE DESIGN STANDARDS	PROPOSED NEW DESIGN STANDARDS
<p>Masonry Products on 75% of the total units</p> <p>Minimum of 75% of the front façade of each building to incorporate masonry products. (10% reduction of the required masonry area will be given for each major architectural feature on front façade)</p> <p>Minimum of 50% of each building elevation to incorporate premium siding material.</p> <p>Primary structure shall be constructed upon either a basement or foundation – “slab” construction shall not be used.</p>	<p>No residential dwellings shall be similar in appearance unless two (2) or more buildings of dissimilar design separate the buildings.</p> <p>A newly constructed residential building shall be dissimilar in appearance to another residential building across the street from, or adjacent to the newly constructed building.</p> <p>A residential dwelling on a corner lot is not considered similar to one adjacent to it if the two (2) dwellings face different streets.</p> <p>On cul-de-sacs not more than two (2) dwellings shall be similar in appearance on any lots having front lot lines contributing to the arc of the cul-de-sac.</p>	<p>All homes shall have some type of covered porch on the front elevation.</p> <p>All homes shall have a 2-car garage with raised panel garage doors.</p> <p>All front elevation windows shall have grilles in the windows.</p> <p>All homes shall have architectural shingles.</p> <p>At least 75% of the homes shall have at least a 7/12 pitch on the main roof.</p> <p>At least 75% of the homes shall have at least a 10/12 pitch on the front gables</p> <p>At least 75 % of the homes shall have at least 25% brick or stone on the first floor elevation on the walls that run parallel to the street.</p> <p>Homes that do not have any brick or stone on the front elevation shall be required to have the following:</p> <ul style="list-style-type: none"> -All windows on the front elevation shall have shutters or be wrapped with 4” trim -Windows in the upper panel of the garage door -Some type of Shake siding or Batten Board siding on front elevation.

STAFF ANALYSIS:

The intent of a Planned Unit Development (PUD) is to provide flexibility from the rigidity of the conventional regulations of the code while offering a greater benefit to the property and the City as a whole. The development’s existing standards, while specific to mainly building material, did not necessarily enhance architectural interest or encourage creative non-monotonous community design. Additionally, the current Appearance Code, which would be the default design standards if the PUD had not required the added provisions, solely focuses on similarities in dwelling appearances.

However, the proposed new design standards proposed by the applicant requires at least three (3) architectural features on the front elevation of all homes (covered porches, grilles on windows and raised panel garage doors) in addition to higher grade roof shingles and steeper pitched roof slopes. For those homes with front elevations without masonry products, the applicant proposes window details, garage door features and premium siding materials.

For your consideration, the petitioner has provided the following sample elevations of four (4) models of homes the applicant has planned for the Kendall Marketplace development:



STANDARDS FOR PUD APPROVAL OR AMENDMENT:

The Planning and Zoning Commission may recommend approval of a special use for planned unit development or amendments to a Planned Unit Development (PUD) upon considering the following (Section 10-8-10-A):

1. In what respect does the design of the planned unit development meet the requirements and design standards of the development standards and design criteria.
2. The extent to which the proposed plan deviates and/or requires waivers of the bulk regulations in the zoning ordinance and how the modifications in design standards from the subdivision control regulations fulfill the intent of those regulations.
3. The extent of public benefit produced by the planned unit development, such as, but not limited to, the adequacy of common open space and/or public recreational facilities provided; sufficient control over vehicular traffic; provision of public services; provision and protection of the reasonable enjoyment of land.
4. The relationship and compatibility, beneficial or adverse, of the planned unit development to the adjacent properties and nearby land uses.
5. The extent to which the planned unit development fulfills the objectives of the future planning objectives or other planning policies of the city.
6. The Planning and Zoning Commission finds the planned unit development satisfactorily meets the standards for special use as defined in section 10-4-9 of the Zoning Ordinance which are as follows:
 - a. The establishment, maintenance or operation of the special use will not be unreasonably detrimental to or endanger the public health, safety, morals, comfort or general welfare.
 - b. The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminishes and impair property values within the neighborhood.
 - c. The establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
 - d. Adequate utilities, access roads, drainage or other necessary facilities have been or are being provided.
 - e. Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
 - f. The special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the city council pursuant to the recommendations of the planning and zoning commission.

STAFF RECOMMENDATION:

It is staff's recommendation to approve the proposed amended design elements for this development as they are more substantial than for newly constructed homes in other residential subdivisions approved under the current Appearance Code standards.

PROPOSED MOTION:

In consideration of testimony presented during a Public Hearing on April 11, 2018 and the standards for PUD approval and amendment, the Planning and Zoning Commission recommends approval of an amendment to the Kendall Marketplace Planned Unit Development Agreement to permit a revision to the design standards for new construction residential lots within the Kendall Marketplace development, as presented by staff in a memorandum dated April 4, 2018 and further subject to {insert any additional conditions of the Planning and Zoning Commission}...



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

APPLICATION FOR AGREEMENT AMENDMENT

INVOICE & WORKSHEET PETITION APPLICATION			
CONCEPT PLAN REVIEW	<input type="checkbox"/> Engineering Plan Review deposit	\$500.00	Total: \$
AMENDMENT	<input type="checkbox"/> Annexation <input type="checkbox"/> Plan <input type="checkbox"/> Plat <input checked="" type="checkbox"/> P.U.D.	\$500.00 \$500.00 \$500.00 \$500.00	Total: \$ 500.00
ANNEXATION	<input type="checkbox"/> \$250.00 + \$10 per acre for each acre over 5 acres # of Acres - 5 = Acres over 5 x \$10 = Amount for Extra Acres + \$250 = Total Amount		Total: \$
REZONING	<input type="checkbox"/> \$200.00 + \$10 per acre for each acre over 5 acres <i>If annexing and rezoning, charge only 1 per acre fee; if rezoning to a PUD, charge PUD Development Fee - not Rezoning Fee</i> # of Acres - 5 = Acres over 5 x \$10 = Amount for Extra Acres + \$200 = Total Amount		Total: \$
SPECIAL USE	<input type="checkbox"/> \$250.00 + \$10 per acre for each acre over 5 acres # of Acres - 5 = Acres over 5 x \$10 = Amount for Extra Acres + \$250 = Total Amount		Total: \$
ZONING VARIANCE	<input type="checkbox"/> \$85.00 + \$500.00 outside consultants deposit		Total: \$
PRELIMINARY PLAN FEE	<input type="checkbox"/> \$500.00		Total: \$
PUD FEE	<input type="checkbox"/> \$500.00		Total: \$
FINAL PLAT FEE	<input type="checkbox"/> \$500.00		Total: \$
ENGINEERING PLAN REVIEW DEPOSIT	<input type="checkbox"/> Less than 1 acre <input type="checkbox"/> Over 1 acre, less than 10 acres <input type="checkbox"/> Over 10 acres, less than 40 acres <input type="checkbox"/> Over 40 acres, less than 100 acres <input type="checkbox"/> Over 100 acres	\$1,000.00 \$2,500.00 \$5,000.00 \$10,000.00 \$20,000.00	Total: \$
OUTSIDE CONSULTANTS DEPOSIT	<i>Legal, land planner, zoning coordinator, environmental services</i> For Annexation, Subdivision, Rezoning, and Special Use: <input checked="" type="checkbox"/> Less than 2 acres <input type="checkbox"/> Over 2 acres, less than 10 acres <input type="checkbox"/> Over 10 acres		Total: \$ 1,000.00
TOTAL AMOUNT DUE:			\$ 1,500.00



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

APPLICATION FOR AGREEMENT AMENDMENT

DATE:	PZC NUMBER:	DEVELOPMENT NAME: <i>KENDALL MARKET PLACE</i>
PETITIONER INFORMATION		
NAME: <i>BILL McCUE</i>	COMPANY: <i>McCUE BUILDERS, INC.</i>	
MAILING ADDRESS: <i>PO BOX 354</i>		
CITY, STATE, ZIP: <i>BRISTOL, IL 60512</i>	TELEPHONE: <i>630/551-4845</i>	
EMAIL: <i>McCUEBUILDERS@COMCAST.NET</i>	FAX: <i>630/551-4950</i>	
PROPERTY INFORMATION		
NAME OF HOLDER OF LEGAL TITLE: <i>McCUE BUILDERS, INC.</i>		
IF LEGAL TITLE IS HELD BY A LAND TRUST, LIST THE NAMES OF ALL HOLDERS OF ANY BENEFICIAL INTEREST THEREIN:		
PROPERTY STREET ADDRESS: <i>BLACKBERRY SHORE LANE - SINGLE FAMILY LOTS</i>		
DESCRIPTION OF PROPERTY'S PHYSICAL LOCATION:		
CURRENT ZONING CLASSIFICATION: <i>SINGLE FAMILY RESIDENTIAL</i>		
LIST ALL GOVERNMENTAL ENTITIES OR AGENCIES REQUIRED TO RECEIVE NOTICE UNDER ILLINOIS LAW:		
ZONING AND LAND USE OF SURROUNDING PROPERTIES		
NORTH: <i>RESIDENTIAL</i>		
EAST: <i>COMMERCIAL</i>		
SOUTH: <i>MULTI-FAMILY</i>		
WEST: <i>VACANT</i>		
KENDALL COUNTY PARCEL IDENTIFICATION NUMBER(S)		



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APPLICATION FOR AGREEMENT AMENDMENT

PROPERTY INFORMATION

NAME OF AGREEMENT:

DATE OF RECORDING:

SUMMARIZE THE ITEMS TO BE AMENDED FROM THE EXISTING AGREEMENT:

McCue Builders, or subsequent builders, would like to have Article III, regarding Design Standards, to be amended as follows:

- All homes shall have some type of covered porch on the front elevation
- All homes shall have a 2 car garage with raised panel garage doors
- All front elevation window shall have grilles in the windows
- All homes shall have architectural shingles
- At least 75% of the homes shall have at least a 7/12 pitch on the main roof
- At least 75% of the homes shall have at least a 10/12 pitch on the front gables
- At least 75% of the homes shall have at least 25% brick or stone on the first floor elevation on the walls that run parallel to the street.

Homes that do not have any brick or stone on the front elevation shall be required to have the following:

- All windows on front elevation shall have shutters or be wrapped with 4" trim
- Windows in the upper panel of the garage door
- Some type of Shake siding or Batten Board siding on front elevation

ATTACHMENTS

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

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

Petitioner must attach a true and correct copy of the existing agreement and title it as "Exhibit C".

Petitioner must attach amendments from the existing agreement and title it as "Exhibit D".



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APPLICATION FOR AGREEMENT AMENDMENT

ATTORNEY INFORMATION

NAME: COMPANY:

MAILING ADDRESS:

CITY, STATE, ZIP: TELEPHONE:

EMAIL: FAX:

ENGINEER INFORMATION

NAME: COMPANY:

MAILING ADDRESS:

CITY, STATE, ZIP: TELEPHONE:

EMAIL: FAX:

LAND PLANNER/SURVEYOR INFORMATION

NAME: COMPANY:

MAILING ADDRESS:

CITY, STATE, ZIP: TELEPHONE:

EMAIL: FAX:

AGREEMENT

I VERIFY THAT ALL THE INFORMATION IN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND AND ACCEPT ALL REQUIREMENTS AND FEES AS OUTLINED AS WELL AS ANY INCURRED ADMINISTRATIVE AND PLANNING CONSULTANT FEES WHICH MUST BE CURRENT BEFORE THIS PROJECT CAN PROCEED TO THE NEXT SCHEDULED COMMITTEE MEETING.

I UNDERSTAND ALL OF THE INFORMATION PRESENTED IN THIS DOCUMENT AND UNDERSTAND THAT IF AN APPLICATION BECOMES DORMANT IT IS THROUGH MY OWN FAULT AND I MUST THEREFORE FOLLOW THE REQUIREMENTS OUTLINED ABOVE.

William R. McCue

PETITIONER SIGNATURE

2/27/18

DATE

OWNER HEREBY AUTHORIZES THE PETITIONER TO PURSUE THE APPROPRIATE ENTITLEMENTS ON THE PROPERTY.

William R. McCue

OWNER SIGNATURE

2/27/18

DATE



United City of Yorkville
800 Game Farm Road
Yorkville, Illinois, 60560
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Website: www.yorkville.il.us

PETITIONER DEPOSIT ACCOUNT/ ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY

PROJECT NUMBER:	FUND ACCOUNT NUMBER:	PROPERTY ADDRESS: <i>RENDALL MARKET PLACE</i>
APPLICATION/APPROVAL TYPE (check appropriate box(es) of approval requested):		
<input type="checkbox"/> CONCEPT PLAN REVIEW	<input type="checkbox"/> AMENDMENT (TEXT)	<input type="checkbox"/> ANNEXATION
<input type="checkbox"/> SPECIAL USE	<input type="checkbox"/> MILE AND 1/2 REVIEW	<input type="checkbox"/> ZONING VARIANCE
<input type="checkbox"/> FINAL PLANS	<input checked="" type="checkbox"/> PLANNED UNIT DEVELOPMENT	<input type="checkbox"/> FINAL PLAT
<input type="checkbox"/> REZONING <input type="checkbox"/> PRELIMINARY PLAN		
PETITIONER DEPOSIT ACCOUNT FUND: It is the policy of the United City of Yorkville to require any petitioner seeking approval on a project or entitlement request to establish a Petitioner Deposit Account Fund to cover all actual expenses occurred as a result of processing such applications and requests. Typical requests requiring the establishment of a Petitioner Deposit Account Fund include, but are not limited to, plan review of development approvals/engineering permits. Deposit account funds may also be used to cover costs for services related to legal fees, engineering and other plan reviews, processing of other governmental applications, recording fees and other outside coordination and consulting fees. Each fund account is established with an initial deposit based upon the estimated cost for services provided in the INVOICE & WORKSHEET PETITION APPLICATION . This initial deposit is drawn against to pay for these services related to the project or request. Periodically throughout the project review/approval process, the Financially Responsible Party will receive an invoice reflecting the charges made against the account. At any time the balance of the fund account fall below ten percent (10%) of the original deposit amount, the Financially Responsible Party will receive an invoice requesting additional funds equal to one-hundred percent (100%) of the initial deposit if subsequent reviews/fees related to the project are required. In the event that a deposit account is not immediately replenished, review by the administrative staff, consultants, boards and commissions may be suspended until the account is fully replenished. If additional funds remain in the deposit account at the completion of the project, the city will refund the balance to the Financially Responsible Party. A written request must be submitted by the Financially Responsible Party to the city by the 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		
NAME: <i>BILL McCUE</i>	COMPANY: <i>McCUE BUILDERS, INC</i>	
MAILING ADDRESS: <i>PO BOX 354</i>		
CITY, STATE, ZIP: <i>BRISTOL, FL 60512</i>	TELEPHONE: <i>630/551-4845</i>	
EMAIL: <i>McCUEBUILDERS@COMCAST.NET</i>	FAX: <i>630/551-4950</i>	
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.		
<i>William R. McCue</i> PRINT NAME	<i>PRESIDENT / OWNER</i> TITLE	
<i>William R. McCue</i> SIGNATURE	<i>2/27/18</i> DATE	
ACCOUNT CLOSURE AUTHORIZATION		
DATE REQUESTED: _____	<input type="checkbox"/> COMPLETED	<input type="checkbox"/> INACTIVE
PRINT NAME: _____	<input type="checkbox"/> WITHDRAWN	<input type="checkbox"/> COLLECTIONS
SIGNATURE: _____	<input type="checkbox"/> OTHER	
DEPARTMENT ROUTING FOR AUTHORIZATION:	<input type="checkbox"/> COM. DEV.	<input type="checkbox"/> BUILDING
	<input type="checkbox"/> ENGINEERING	<input type="checkbox"/> FINANCE
	<input type="checkbox"/> ADMIN.	

STATE OF ILLINOIS)
) ss
COUNTY OF KENDALL)

200700002839
Filed for Record in
KENDALL COUNTY, ILLINOIS
PAUL ANDERSON
01-24-2007 At 11:47 am.
ORDINANCE 71.00
RHSP Surcharge 10.00

ORDINANCE NO. 2006- 125

**AN ORDINANCE AUTHORIZING THE EXECUTION
OF AN AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR
KENDALL MARKETPLACE**

WHEREAS, it is prudent and in the best interest of the UNITED CITY OF YORKVILLE, Kendall County, Illinois, to enter into a certain amended and restated Development Agreement for Kendall Marketplace (Attached hereto and made a part hereof as "Exhibit "A") pertaining to certain real estate described in the Agreement; and

WHEREAS, a draft of the restated and amended Development Agreement has been considered by the City Council; and


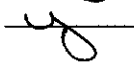
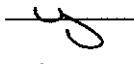

WHEREAS, the legal owners of record of the territory which is the subject of said Development Agreement are ready, willing and able to enter into said Development Agreement and to perform the obligations as required hereunder; and

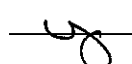
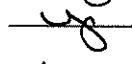
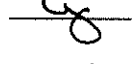

WHEREAS, the procedures for the execution of said Development Agreement have been fully complied with; and

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS, AS FOLLOWS;

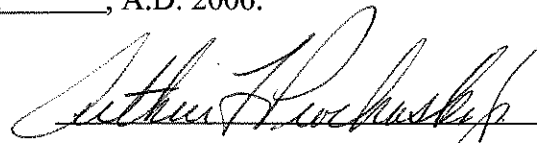
Section 1: The Mayor and the City Clerk are herewith authorized and directed to execute, on behalf of the City, the amended and restated Development Agreement, a copy of which is attached hereto and made a part hereof as Exhibit "A"

Section 2: This ordinance shall be in full force and effect from and after its passage and approval as provided by law.

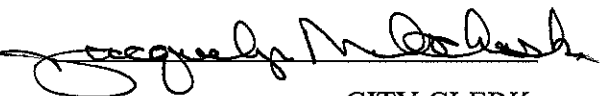
JAMES BOCK 
VALERIE BURD 
JASON LESLIE 
ROSE SPEARS 

JOSEPH BESCO 
PAUL JAMES 
MARTY MUNNS 
DEAN WOLFER 

Approved by me, as Mayor of the United City of Yorkville, Kendall County,
Illinois, this 24 Day of October, A.D. 2006.


MAYOR

Passed by the City Council of the United City of Yorkville, Kendall County,
Illinois this 24 day of October, A.D. 2006.

ATTEST: 
CITY CLERK

Prepared by:

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

DEVELOPMENT AGREEMENT
'Kendall Marketplace'

This Development Agreement, hereinafter referred to as "Agreement", is made and entered into this 24 day of OCTOBER, 2006 by and between, Cannonball LLC, hereinafter referred to as "DEVELOPER" and the United City of Yorkville, Illinois, a Municipal Corporation, hereinafter referred to as "CITY". The DEVELOPER and the CITY may hereinafter be referred to as the Parties.

WITNESSETH

WHEREAS, the DEVELOPER is the contract purchaser of certain real property, hereinafter referred to as the "Property", located in the CITY and legally described as set forth in Exhibit "A" attached hereto and incorporated by references as if more fully set forth; and

WHEREAS, the Property is generally located at the northwest corner of US 34 and Cannonball Trail and consists of approximately 193 acres; and

WHEREAS, the DEVELOPER seeks a PUD zoning classification to allow for uses permitted within the B-3, R-2 and R-3 zoning classifications to exist on the property;

WHEREAS, the CITY has determined that the terms and conditions set forth herein will serve a public use and will promote the health, safety, prosperity, security, and general welfare of the inhabitants and taxpayers of the CITY; and

WHEREAS, the DEVELOPER, its vendors, grantees, assigns, successors, trustees and all others holding interest in the property now or in the future, agree and enter into this contract, which shall operate as a covenant running with the land and be binding upon any developer and its representatives, and future owners of the land;

NOW, THEREFORE, the CITY and DEVELOPER, in consideration of the mutual covenants and agreements contained herein, do mutually agree as follows:

ARTICLE I

GENERAL COMPLIANCE WITH ORDINANCES

DEVELOPER hereby agrees to comply with all CITY ordinances, and this Agreement shall alter said ordinances only as specifically set forth herein. Where the ordinances of the CITY conflict with the provisions herein, this Agreement shall control.

ARTICLE II

PROPERTY DEVELOPMENT

The Development of the Property shall be generally pursuant to the Conceptual Plans attached hereto and incorporated herein as Exhibit "B".

The development of the subject real property described in the attached Exhibit "A" shall be subject to approval of all Ordinances of the CITY; Site Plan approval, engineering approval (by CITY staff or outside review engineering consultant as elected by the CITY) and Site Plan approval by the City Council in conformance with the United City of Yorkville Zoning Ordinance, Subdivision Control Ordinance, City Reimbursement of Consultants and Review Fees Ordinances, Municipal Building Fee, City Land-Cash Ordinance, and City Development Fee Ordinance, payable at the time of Site Plan approval, which have been voluntarily contracted to between the parties and agreed to by DEVELOPER. All said fees are described in the attached Exhibits 'D' and 'E'.

DEVELOPER agrees that the Final Site Plan shall substantially comply with all requirements as set out in the United City of Yorkville Zoning Ordinance and Subdivision Control Ordinance currently in effect when development approval is requested, unless provided for differently in this Agreement.

Utilities and Public Improvements. That On-Site infrastructure construction and engineering shall be governed by the standards contained in the Yorkville Subdivision Control Ordinance and other applicable Ordinances unless specifically addressed in this agreement, in which case this agreement shall control.

ARTICLE III

SPECIAL PROVISIONS

DESIGN STANDARDS: The below design standards are in addition to the required standards of the CITY regulated by the City's Appearance Code (Title 8, Chapter 15).

1. Single-Family Detached Residential Unit Design Standards:
 - a. Masonry products* shall be incorporated on the front façade* of 75% of the total units.
 - b. A minimum of 75% of the front façade* of each building shall incorporate masonry products*. A 10% reduction of the required masonry area will be given for each major architectural feature on the front façade.
 - c. A minimum of 50% of each building elevation shall incorporate premium siding material*

- d. Primary structures shall be constructed upon either a basement or foundation – ‘slab’ construction shall not be used.
2. Single-Family Attached Residential Unit Design Standards:
- a. Masonry products* shall be incorporated on the front façade* of 100% of the total townhome buildings.
 - b. A minimum of 50% of the front façade* of each building shall incorporate masonry products*.
 - c. A minimum of 50% of each building elevation shall incorporate premium siding material*.
 - d. Each unit shall include two (2) enclosed parking spaces.
3. Commercial Design Standards:
- a. All ‘Guidelines’ within the Appearance Code section ‘V Criteria For Appearance, 4. Non-Residential, b. Building Design, 1. Commercial, Office and Institutional Uses, b. Guidelines for unbuilt sites’ shall be required applications.
 - b. Signage:
 - i. All free standing monument signage must include a 100% masonry product* base no less than the width of the sign area.
 - c. The retail user known and labeled on the Concept and Preliminary PUD Plans as “Home Depot” shall be permitted fencing surrounding the outdoor sales area at the north side of the building to be up to twenty feet (20’) in height.

RESIDENTIAL FEES

- 1. In addition to all required application, permit and connection fees the following fees shall be collected for each residential unit at time of Building Permit:
 - a. \$2,000 City Road Fee
 - b. \$1,549 County Road Fee

CANNONBALL TRAIL OFF-SITE LANDSCAPING

The DEVELOPER agrees to provide the owners of the properties along the east side of Cannonball Trail directly adjacent to the Subject Property and depicted on Exhibit “C” with the following:

- 1. A landscape plan designed specifically for the Cannonball Trail frontage of their property that will minimize the visual impact of the development of the subject property;
- 2. All plant material necessary to implement the landscape plan and installation of said plant material;

The landscape contribution to the adjacent property owners is subject to the following conditions:

1. Mutual agreement between the DEVELOPER and the adjacent property owners of the appropriate landscape plan;
2. The adjacent property owners will grant the DEVELOPER a construction easement to install the landscaping;

SIGNAGE

The CITY agrees to permit special signage for the Subject Property as detailed in Exhibit "F" and including two (2) pylon signs 29'-4" in height and 191.5 square feet in sign area;

ARTICLE IV

EFFECTIVE DATE

The effective date of this Agreement shall be the date this Agreement is approved and executed and delivered by the DEVELOPER and CITY.

CITY:

UNITED CITY OF YORKVILLE,
an Illinois municipal corporation

By: 

Title: Mayor

Attest: 

Title: City Clerk

Deputy

Dated: 11/19/07

DEVELOPER:

CANNONBALL, LLC

By: The Harlem Irving Companies,
Inc.

an Illinois corporation, Manager

By: 

DONALD W. BAILEY, VICE PRESIDENT

Attest: 

GREGORY E. FIX, GENERAL COUNSEL

Dated: 11/17/07

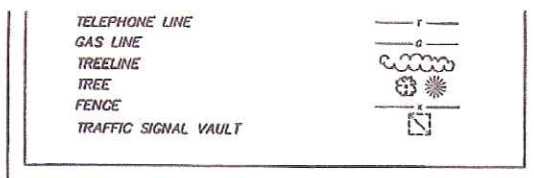


Exhibit "A"

THAT PART OF THE SOUTH EAST 1/4 OF SECTION 19, PART OF THE SOUTH 1/2 OF SECTION 20 AND PART OF THE NORTH WEST 1/4 OF SECTION 29, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH EAST CORNER OF SAID SOUTH EAST 1/4 SECTION 19; THENCE NORTH ALONG THE EAST LINE OF SAID SOUTH EAST 1/4 310.20 FEET; THENCE WESTERLY PERPENDICULAR TO SAID EAST LINE 198.0 FEET FOR THE POINT OF BEGINNING; THENCE EASTERLY ALONG THE LAST DESCRIBED COURSE 198.0 FEET; THENCE SOUTH ALONG SAID EAST LINE 310.20 FEET TO SAID SOUTH EAST CORNER; THENCE SOUTH ALONG THE WEST LINE OF SAID NORTH WEST 1/4 OF SECTION 29, 429.15 FEET TO THE CENTER LINE OF U.S. ROUTE NO. 34; THENCE EASTERLY ALONG SAID CENTER LINE, WHICH FORMS AN ANGLE OF 95 DEGREES, 41 MINUTES, 25 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 2059.30 FEET TO THE CENTER LINE EXTENDED SOUTHERLY OF CUT-OFF ROAD; THENCE NORTHERLY ALONG SAID CUT-OFF ROAD CENTER LINE EXTENDED AND SAID CENTER LINE WHICH FORMS AN ANGLE OF 106 DEGREES, 47 MINUTES, 23 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 1816.44 FEET TO THE NORTH WEST CORNER OF OAK KNOLLS SUBDIVISION; THENCE NORTHERLY ALONG SAID CUT-OFF ROAD CENTER LINE WHICH FORMS AN ANGLE OF 180 DEGREES, 26 MINUTES, 14 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 746.59 FEET; THENCE NORTHWESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 86 DEGREES, 39 MINUTES, 00 SECONDS WITH THE CENTER LINE OF CUT-OFF ROAD GOING NORTHERLY FROM THE LAST DESCRIBED POINT, MEASURED COUNTER CLOCKWISE THEREFROM, 441.97 FEET; THENCE NORTHWESTERLY ALONG A LINE FORMING AN ANGLE OF 33 DEGREES, 20 MINUTES, 00 SECONDS WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 65.90 FEET; THENCE NORTHERLY ALONG A LINE WHICH FORMS AN ANGLE OF 38 DEGREES, 44 MINUTES, 00 SECONDS WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 138.82 FEET; THENCE WESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 271 DEGREES, 25 MINUTES, 4 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER CLOCKWISE THEREFROM, 2658.89 FEET TO A POINT ON THE EAST LINE OF SAID SOUTH EAST 1/4 OF SECTION 12 WHICH IS 147.18 FEET SOUTH OF THE NORTH EAST CORNER OF SAID SOUTH EAST 1/4; THENCE WESTERLY ALONG THE PROLONGATION OF THE LAST DESCRIBED COURSE 580.80 FEET; THENCE WESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 176 DEGREES, 11 MINUTES, 47 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER CLOCKWISE THEREFROM, 258.97 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHEAST 1/4 WHICH IS 1826.22 FEET EASTERLY OF THE CENTER OF SAID SECTION 19; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 62 DEGREES, 59 MINUTES, 10 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 2411.25 FEET TO THE POINT OF BEGINNING, (EXCEPT THAT PART OF THE NORTHWEST 1/4 OF SECTION 29, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF U.S. ROUTE NO. 34 AND THE CENTERLINE OF CANNONBALL TRAIL; THENCE NORTH 21 DEGREES, 49 MINUTES, 35 SECONDS EAST ALONG THE CENTERLINE OF CANNONBALL TRAIL, 555.0 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 68 DEGREES, 10 MINUTES, 25 SECONDS WEST, 48.0 FEET, THENCE SOUTH 21 DEGREES, 49 MINUTES, 35 SECONDS WEST, PARALLEL TO SAID CENTERLINE OF CANNONBALL TRAIL, 470.0 FEET; THENCE SOUTH 57 DEGREES, 49 MINUTES, 35 SECONDS WEST, 74.81 FEET TO THE NORTHERLY RIGHT OF WAY OF SAID U.S. ROUTE NO. 34; THENCE EASTERLY ALONG SAID NORTHERLY LINE, 96.05 FEET TO THE CENTERLINE OF CANNONBALL TRAIL; THENCE NORTH 21 DEGREES, 49 MINUTES, 35 SECONDS EAST, ALONG SAID CENTERLINE, 502.78 FEET TO THE POINT OF BEGINNING, AND EXCEPT THAT PART OF THE SOUTH HALF OF SECTION 20, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP AND RANGE AFORESAID; THENCE SOUTH ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP AND RANGE AFORESAID, 429.15 FEET TO THE CENTERLINE OF U.S. ROUTE NO. 34; THENCE EASTERLY ALONG SAID CENTERLINE, WHICH FORMS AN ANGLE OF 95 DEGREES 41 MINUTES 25 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 2059.30 FEET TO THE CENTERLINE EXTENDED SOUTHERLY OF CANNONBALL TRAIL; THENCE NORTHERLY ALONG THE CENTERLINE OF SAID CANNONBALL TRAIL, WHICH FORMS AN ANGLE OF 106 DEGREES 47 MINUTES 23 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 1816.44 FEET TO THE NORTHWEST CORNER OF OAK KNOLLS SUBDIVISION; THENCE CONTINUING NORTHERLY ALONG SAID CENTERLINE, WHICH FORMS AN ANGLE OF 180 DEGREES 26 MINUTES 14 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 746.59 FEET FOR THE POINT OF BEGINNING; THENCE NORTHWESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 94 DEGREES 29 MINUTES 17 SECONDS WITH SAID CENTERLINE, MEASURED CLOCKWISE THEREFROM, 140.00 FEET; THENCE SOUTHERLY ALONG A LINE WHICH FORMS AN ANGLE OF 85 DEGREES 30 MINUTES 43 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM AND PARALLEL WITH SAID CENTERLINE, 100.00 FEET; THENCE EASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 94 DEGREES 29 MINUTES 17 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 140.00 FEET TO SAID CENTERLINE; THENCE NORTHERLY ALONG SAID CENTERLINE, WHICH FORMS AN ANGLE OF 85 DEGREES 30 MINUTES 43 SECONDS WITH THE LAST DESCRIBED COURSE, 100.00 FEET TO THE POINT OF BEGINNING), IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

To Mid America, and Chicago Title Insurance Company:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA and NSPS in 2005, and includes Items 1, 2, 3, 4, 7a, 8, 10, and 11a of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that in my professional opinion, as a land surveyor registered in the State of Illinois, the Relative Positional Accuracy of this survey does not exceed that which is specified therein.

Dated at Yorkville, Illinois, March 22, 2006.

Craig L. Duy
Craig L. Duy, IPLS No. 3359
License Expiration: 11/30/2008



GENERAL PROJECT DATA :
TOTAL SITE AREA +/- 192.30 ACRES
RESIDENTIAL SITE AREA +/- 47.26 ACRES
COMMERCIAL SITE AREA +/- 105.33 ACRES
DETENTION AREA +/- 2.590 ACRES
PARK AREA +/- 4.40 ACRES
CIVIC USE AREA +/- 8.33 ACRES
OPEN SPACE AREA +/- 3.28 ACRES
DEDICATED R.O.W. AREA +/- 1.58 ACRES

RESIDENTIAL SITE DATA :
TOTAL SITE AREA +/- 47.26 ACRES
TOTAL DWELLING 192 UNITS
AVERAGE DENSITY 4.06/AC.

SINGLE FAMILY PARCEL :
PARCEL AREA +/- 8.75 ACRES
TOTAL DWELLING 28 UNITS
DENSITY 3.20/AC.

MULTI - FAMILY PARCEL :
PARCEL AREA +/- 38.51 ACRES
TOTAL DWELLING 164 UNITS
DENSITY 4.26/AC.

COMMERCIAL SITE DATA :
TOTAL SITE AREA +/- 105.33 ACRES
TOTAL OUTLOT AREA +/- 24.74 ACRES
TOTAL G.L.A. 743,057 S.F.
TOTAL PARKING REQD. 3,831 CARS
BASED ON 3 CARS PER 1000 S.F. OF FLOOR AREA FOR RETAIL
& 10 CARS PER 1000 S.F. OF FLOOR AREA FOR RESTAURANTS
TOTAL PARKING PROVIDED 3,911 CARS

HOME DEPOT PARCEL:
PARCEL AREA +/- 10.59 ACRES
TOTAL G.L.A. 102,867 S.F.
TOTAL PARKING REQD. 484 CARS
BASED ON 3 CARS PER 1000 S.F. OF FLOOR AREA FOR RETAIL
TOTAL PARKING PROVIDED 484 CARS

KOHL'S PARCEL:
PARCEL AREA +/- 8.50 ACRES
TOTAL G.L.A. 65,686 S.F.
TOTAL PARKING REQD. 429 CARS
BASED ON 3 CARS PER 1000 S.F. OF FLOOR AREA FOR RETAIL
TOTAL PARKING PROVIDED 532 CARS

SUPER TARGET PARCEL:
PARCEL AREA +/- 15.80 ACRES
TOTAL G.L.A. 185,000 S.F.
TOTAL PARKING REQD. 925 CARS
BASED ON 3 CARS PER 1000 S.F. OF FLOOR AREA FOR RETAIL
TOTAL PARKING PROVIDED 957 CARS

PROPOSED SITE PLAN

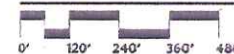


EXHIBIT B

PROPOSED
TRAFFIC SIGNAL

NOTE:
ALL PROPOSED TENANT NAMES ARE PRELIMINARY
AND SUBJECT TO REVIEW AND ACCEPTANCE BY
THAT TENANT OR ITS AGENT. ALL BUILDING AREAS
AND DIMENSIONS ARE APPROXIMATE AND SHOULD
BE REVIEWED BY THE ARCHITECT IMMEDIATELY IF
DISCREPANCIES ARE FOUND OR CHANGES TO THE
"FOOT PRINT" ARE MADE OR TENANTS ARE
SUBSTITUTED.

PROPOSED
TRAFFIC SIGNAL

PROPOSED
TRAFFIC SIGNAL

CANNONBALL TRAIL PROPER IES

Exhibit C

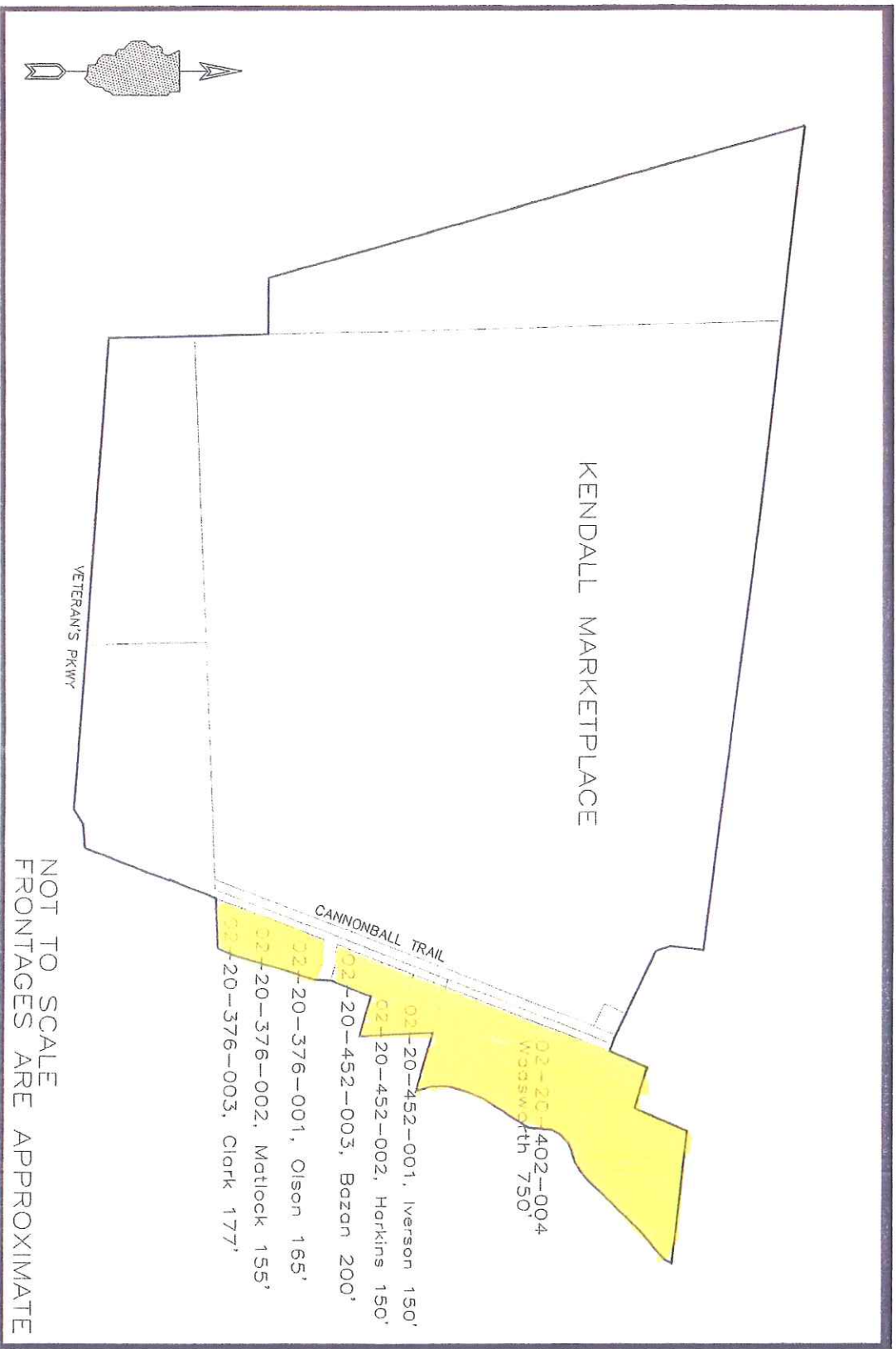


EXHIBIT D - RESIDENTIAL DEVELOPMENT FEES

	Name of Fee	Amount	Time of Payment
1	School District Transition Fee	\$3,000 per unit	Paid to School District Office prior to issuance for building permit
2	Yorkville Bristol Sanitary District Connection Fee	\$1,400 per unit	At time of building permit, paid at City Hall with separate check made out to YBSD
3	Yorkville Bristol Sanitary District Annexation Fee	\$3,523 per acre	Paid for entire development, at time of annexation to sanitary district
4	Yorkville Bristol Sanitary District Infrastructure Fee	\$3,523 per acre	Paid for entire development, at time of annexation to sanitary district
5	Building Permit Fee	\$650 + \$.020 per square foot	Building Permit
6	Water Connection Fee	\$3,700 per unit	Building Permit
7	Water Meter Cost (not applicable to fee lock)	\$390 per unit	Building Permit
8	City Sewer Connection Fee	\$2,000 per unit	Building Permit
9	Water and Sewer Inspection Fee	\$25 per unit	Building Permit
10	Public Walks and Driveway Inspection Fee	\$35 per unit	Building Permit
11a	Public Works (Development Impact Fee)	\$700 per unit	Building Permit
11b	Police (Development Impact Fee)	\$300 per unit	Building Permit
11c	Municipal Building (Development Impact Fee)	see "time of payment"	Municipal Building Impact Fee is set up as \$5,509 per unit if paid at time of permit, or \$3,288 per unit if paid at time of final plat for all units in the entirety of the annexed development.
11d	Library (Development Impact Fee)	\$500 per unit	Building Permit
11e	Parks and Rec (Development Impact Fee)	\$50 per unit	Building Permit
11f	Engineering (Development Impact Fee)	\$100 per unit	Building Permit
11g	Bristol Kendall Fire District (Development Impact Fee)	\$1,200 per unit	Building Permit
12	Parks Land Cash Fee	Calculated by ordinance, \$80,000 per acre	Building Permit or Final Plat, depending on annexation/development agreement and land/cash donations negotiated
13	School Land Cash Fee	Calculated by ordinance, \$80,000 per acre	Building Permit or Final Plat, depending on annexation/development agreement and land/cash donations negotiated
14	Road Contribution Fund	\$2,000 per unit	Building Permit
15	County Road Fee	\$1,549 per unit, escalating each calendar year at a rate determined by ordinance	Building Permit
16	Weather Warning Siren	\$75 per acre	Final Plat
17	Administration Review Fee	1.75% of Approved Engineer's Estimate of Cost of Land Improvements	Final Plat
18	Engineering Review Fee	1.25% of Approved Engineer's Estimate of Cost of Land Improvements	Final Plat



United City of Yorkville

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

EXHIBIT E

COMMERCIAL PERMIT FEES

Permit/Plan Review

Building Permit	\$750.00 plus \$0.20 per square foot
Plan Review	Based on building size (See Attached)

Contributions

Development Fee	\$3000.00* - See Attached Ordinance 2004-55 (Increase in Bristol-Kendall Fire Protection District Fee)
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Water/Sewer

Sewer Tap	See Attached Ordinance #96-11	
Water Tap	<u>Water Meter Size</u>	<u>Water Connection Fee</u>
	1"	\$ 3,700
	1 1/2"	\$ 4,000
	2"	\$ 5,000
	3"	\$ 8,000
	4"	\$15,000
	6" and larger	TBD

Water Meter	<u>Water Meter Size</u>	<u>Water Meter Price</u>
	1"	\$ 485.00
	1 1/2"	\$ 790.00
	2"	\$2800.00
	3"	\$3550.00
	4"	\$5420.00
	6"	\$8875.00

Engineering Inspections	\$60.00
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River Crossing Fee	\$25.00 per drain unit. See attached Ordinance 97-11
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**Engineering and Landscaping review fees will be billed separately.

*** Please call the Yorkville Bristol Sanitary District for sanitary permit fees (630) 553-7657

EXHIBIT E

MULTIPLE-FAMILY RESIDENTIAL USE GROUPS

A. New Construction Per Unit	\$350.00 plus \$0.15 per s.f.
B. Remodeling Per Unit	\$175.00 plus \$0.10 per s.f.
C. Detached Garage Per Unit without Electrical	\$50.00
D. Detached Garage Per Unit with Electrical	\$100.00
E. Temporary to Start Construction	25% of full permit fee, not to be applied to the full permit fee
F. Temporary Certificate of Occupancy when Requested by the Builder when Circumstances <u>Do Not</u> Warrant	\$50 per unit (non-refundable)

ALL OTHER USE GROUPS

<input type="checkbox"/> A. New Construction	\$750.00 plus \$0.20 per square foot	<input type="checkbox"/>
B. Additions	\$500.00 plus \$0.20 per square foot	
C. Remodeling	\$350.00 plus \$0.10 per square foot	
D. Temporary to Start Construction	25% of full permit fee, not to be applied to the full permit fee	
E. Temporary Certificate of Occupancy when Requested by the Builder when Circumstances <u>Do Not</u> Warrant	\$200.00 (non-refundable)	

NOTE: Building permit fee does not include the plan review fee for the "multiple-family residential use group" and "other use group" categories. The plan review fee will be based on the schedule following the permit fees. Plan review fees to the inspection firm will be paid at the same time as the building permit fee.

EXHIBIT E

PLAN REVIEW FEES (May vary due to outside consultant's fee schedules.)

BUILDING CODE

<i>Building Size</i>	<i>Fee</i>
1 to 60,000 cubic feet	\$355.00
60,001 to 80,000 cubic feet	\$400.00
80,001 to 100,000 cubic feet	\$475.00
100,001 to 150,000 cubic feet	\$550.00
150,001 to 200,000 cubic feet	\$650.00
over 200,000 cubic feet	\$650.00 + \$6.50 per 10,000 cubic feet over 200,000

REMODELING PLAN REVIEW 1/2 of Plan Review Fee Listed Above

ELECTRICAL, MECHANICAL, OR PLUMBING PLAN REVIEW ONLY
1/4 of Plan Review Fee Listed Above

FIRE DETECTION/ALARM SYSTEMS

\$115.00 per 10,000 square feet of floor area

FIRE SPRINKLER SYSTEMS

<i>Number of Sprinklers</i>	<i>Pipe Schedule</i>	<i>Hydraulic Calculated</i>
Up to 200	\$250.00	\$500.00
201-300	\$300.00	\$575.00
301-500	\$400.00	\$775.00
Over 500	\$450.00	\$850.00
PLUS, for each Sprinkler over 500:	\$0.60/each	\$0.95/each

ALTERNATE FIRE SUPPRESSION SYSTEMS

Standpipe	\$175.00 per Standpipe Riser (No charge with Sprinkler Review)
Specialized Extinguisher Agent (Dry or Other Chemical Agent)	\$125.00 per 50 pounds agent
Hood & Duct Cooking Extinguisher Agent	\$150.00 flat rate per system.

NOTE: If any plan has to be sent to an outside consultant other than the inspection firm, the outside consultant's fee(s) will be charged and that fee paid directly to the outside consultant.

STATE OF ILLINOIS)
)ss.
COUNTY OF KENDALL)

ORDINANCE 2004 - 55

AN ORDINANCE AMENDING ORDINANCE NO.
2003-31 AN ORDINANCE SETTING FORTH THE STANDARDS
AND REGULATION FOR PAYMENT FOR DEVELOPMENT
AND EXTENSION OF UTILITY COSTS UPON ANNEXATION
AND/OR PLANNED UNIT DEVELOPMENT TO PROVIDE FOR AN
INCREASE IN THE BRISTOL KENDALL FIRE PROTECTION DISTRICT FEE

WHEREAS, the UNITED CITY OF YORKVILLE is currently experiencing a substantial increase in population, together with the need to expand existing municipal services to provide for orderly growth and adequate municipal services; and

WHEREAS, the BRISTOL KENDALL FIRE PROTECTION DISTRICT provides fire protection, emergency medical services and rescue services for the UNITED CITY OF YORKVILLE; and

WHEREAS, the UNITED CITY OF YORKVILLE has thoroughly reviewed the need for expanding municipal services and the need for capital purchases and reviewed the study conducted by the BRISTOL KENDALL FIRE PROTECTION DISTRICT, a copy of which is attached hereto and incorporated herein by reference, to support increases in the fees provided herein; and

WHEREAS, the UNITED CITY OF YORKVILLE has thoroughly reviewed the cost to be incurred to provide for the expansion of said City; and

EXHIBIT E

WHEREAS, the City has determined that the following fees bear a rational relationship to the costs anticipated to be incurred by the various governmental entities and departments of the City to be affected; and

WHEREAS, the UNITED CITY OF YORKVILLE has previously enacted Ordinance No: 2003-31 which set standards and regulations for payment of the extension and development of capital costs for utility and governmental purposes; and

WHEREAS, one component of that Ordinance was to collect the sum of Three Hundred and 00/00 dollars (\$300.00) for the acquisition of equipment and vehicles, maintenance of the BRISTOL KENDALL FIRE PROTECTION DISTRICT, and for other capital purchases of said BRISTOL KENDALL FIRE PROTECTION DISTRICT; and

WHEREAS, the UNITED CITY OF YORKVILLE has been requested by the BRISTOL KENDALL FIRE PROTECTION DISTRICT to increase the amount of said fees to the sum of One Thousand and 00/00 Dollars (\$1,000.00) per single-family residential dwelling unit and single-family attached dwellings including, but not limited to, duplexes and town homes; and

WHEREAS, the UNITED CITY OF YORKVILLE has been requested by the BRISTOL KENDALL FIRE PROTECTION DISTRICT to increase the amount of said fees to the sum of Five Hundred and 00/00 Dollars (\$500.00) per unit of any multifamily structure, including, but not limited to, apartment buildings; and

WHEREAS, the UNITED CITY OF YORKVILLE has been requested by the BRISTOL KENDALL FIRE PROTECTION DISTRICT to increase the amount of said fees for all other occupancy classifications as follows:

EXHIBIT E

- a. The sum of 10.0 cents per square foot, with a minimum fee of One Thousand and 00/00 Dollars (\$1,000.00) effective as of January 1, 2005 up and to April 30, 2006.
- b. The sum of 12.0 cents per square foot, with a minimum fee of One Thousand Two Hundred and 00/00 Dollars (\$1,200.00) effective from May 1, 2006 up and to April 30, 2007.
- c. The sum of 15.0 cents per square foot, with a minimum fee of One Thousand Five Hundred and 00/00 Dollars (\$1,500.00) effective from May 1, 2007

NOW THEREFORE, the UNITED CITY OF YORKVILLE, does upon Motion duly made, seconded and approved by a majority of those voting does hereby ORDAIN:

- 1 Ordinance 2003-31 is hereby amended to increase the Development Fee for the BRISTOL KENDALL FIRE PROTECTION DISTRICT payable per single-family residential dwelling unit and per single-family attached dwelling including, but not limited to, duplex and town home residential dwelling units from Three Hundred and 00/00 Dollars (\$300.00) to One Thousand and 00/00 Dollars (\$1,000.00) for each unit annexed, zoned, and platted on and subsequent to the effective date within the United City of Yorkville on a subsequent to the effective date of January 1, 2005 payable at the time of issuance of building permit, or payable at the time of building permit for each unit annexed and zoned within the United City of Yorkville on and subsequent to the aforementioned effective date.
2. Ordinance 2003-31 is hereby amended to increase the Development Fee for the BRISTOL KENDALL FIRE PROTECTION DISTRICT per unit of any

EXHIBIT E

multifamily structure, including, but not limited to, apartment buildings to Five Hundred and 00/00 Dollars (\$500.00) for each unit annexed, zoned, and platted for multifamily residential development within the United City of Yorkville on and subsequent to the effective date of January 1, 2005, payable at the time of issuance of building permit, or payable at the time of building permit for each unit annexed and zoned within the United City of Yorkville on and subsequent to the aforementioned effective date .

3. Ordinance 2003-31 is hereby amended to increase the Development Fee for the BRISTOL KENDALL FIRE PROTECTION DISTRICT for all other occupancy classifications, including but not limited to Office District, B-1 Limited Business District, B-2 General Business District, B-3 Service Business District, B-4 Business District, M-1 Limited Manufacturing District and M-2 General Manufacturing District, as follows:
 - a. The sum of 10.0 cents per square foot, with a minimum fee of One Thousand and 00/00 Dollars (\$1,000.00) for any real property annexed, zoned, and platted within the United City of Yorkville effective as of January 1, 2005 up and to April 30, 2006, payable at the time of issuance of building permit, or payable at the time of building permit for each unit annexed and zoned within the United City of Yorkville on and subsequent to the aforementioned effective date.
 - b. The sum of 12.0 cents per square foot, with a minimum fee of One Thousand Two Hundred and 00/00 Dollars (\$1,200.00) for any real property annexed,

EXHIBIT E

- zoned, and platted within the United City of Yorkville effective from May 1, 2006 up and to April 30, 2007, payable at the time of issuance of building permit, or payable at the time of building permit for each unit annexed and zoned within the United City of Yorkville on and subsequent to the aforementioned effective date.
- c. The sum of 15.0 cents per square foot, with a minimum fee of One Thousand Five Hundred and 00/00 Dollars (\$1,500.00) for any real property annexed, zoned, and platted within the United City of Yorkville effective from May 1, 2007 forward, payable at the time of issuance of building permit for each unit annexed and zoned within the United City of Yorkville on and subsequent to the aforementioned effective date.
- 4. This Ordinance shall be contingent upon receipt by the UNITED CITY OF YORKVILLE of a written agreement in the form satisfactory to the UNITED CITY OF YORKVILLE which holds the UNITED CITY OF YORKVILLE harmless, including it and agreeing to defend the UNITED CITY OF YORKVILLE of any claim made as a result of the imposition or collection of said fees.
- 5. 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.

EXHIBIT E

PAUL JAMES
RICHARD STICKA Y
VALERIE BURD Y
LARRY KOT Y

MARTY MUNNS Y
WANDA OHARE Y
ROSE SPEARS Y
JOSEPH BESCO Y

APPROVED by me, as Mayor of the United City of Yorkville, Kendall County, Illinois,
this 12th day of October, A.D. 2004.


MAYOR

PASSED by the City Council of the United City of Yorkville, Kendall County, Illinois
this 12th day of October, A.D. 2004.

Attest: 
CITY CLERK

Law Offices of Daniel J. Kramer
1107A S. Bridge Street
Yorkville, Illinois 60560
630.553.9500

STATE OF ILLINOIS)

9/10/96

COUNTY OF KENDALL)

) ss.

96-11

AN ORDINANCE AMENDING THE TAP-ON
FEE SCHEDULE IN THE UNITED CITY OF YORKVILLE

WHEREAS, the cost of providing sanitary sewer services has risen substantially, over the last several years; and

WHEREAS, the City of Yorkville has been required to provide sanitary sewer services and maintenance as a result of an increase in development; and

WHEREAS, the Mayor and City Council of the United City of Yorkville have determined it to be in the best interest of the City and its residents to increase the "Tap-On" fees for sanitary sewer service.

DEFINITIONS

"Outlet" - means each floor drain, wash basin, wash fountain, toilet, urinal, shower, air conditioner drain, water cooler, dentist tray drain or other similar plumbing fixture and any orifice of any machine, vessel tank of any kind, manifolded or simply, through which waste may flow into a sewer; the flow of which ultimately is processed by Water Pollution Control of the Yorkville Bristol Sanitary District.

"Toilet" - means a bathroom, restroom or other facility having no more than 3 outlets (as defined herein).

PROVISIONS

1. Any residential property wishing to hook-up to city sanitary sewer service shall pay to the city a flat rate of \$2,000.00 per dwelling unit. This is in addition to any and all other fees

EXHIBIT E

charges by any other entity including the applicable sanitary district.

2. Any multi-family building will pay an additional fee of \$400.00 for each drain unit for common area drains which include but are not limited to laundry rooms, floor drains etc. This additional fee shall be paid based on the summation of drain units times the \$400.00 multiplier.

Laundry washer unit	x 1/2
Floor drain	x 1/2
Common use toilet	x 1 1/2
Common use shower	x 1
Common use sink	x 1/2
Pool facilities	x 2
Common use kitchens	x 1 1/2

3. All non-residential properties shall be charged a fee based on the total number of drain units as listed in the attached schedule "A", times a multiplier of \$400.00. This fee is in addition to all other fees charged by any other entity including sanitary districts.

4. All toilets having more than 3 outlets, shall pay at the additional rate of 0.5 drain units per outlet each. This applies to both residential and non-residential properties.

5. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the front building may be extended to the rear building and the whole considered as one building sewer, but the City of Yorkville does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection aforementioned.

EXHIBIT E

6. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the City and/or State building and plumbing code or other applicable rules and regulations of the City of Yorkville or Yorkville Bristol Sanitary District.

7. No person(s) shall make connection of roof downspouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building drain which in turn is connected directly or indirectly to a public sanitary sewer unless such connection is approved by the City of Yorkville for purposes of disposal of polluted surface drainage.

8. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City of Yorkville and the Yorkville-Bristol Sanitary District. All such connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the City Public Works Department before installation.

9. The applicant for the building sewer permit shall notify the Public Works Department when the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the superintendent or his representative.

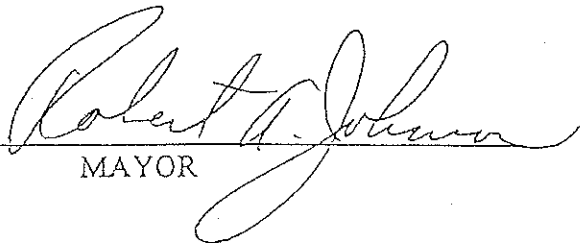
10. All Excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City of Yorkville Public Works Department.

EXHIBIT E

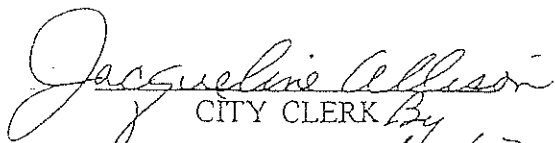
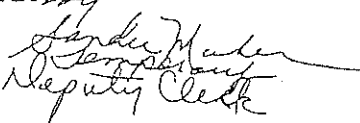
11: This Ordinance will be effective November, 1 1996.

IN ALL OTHER RESPECTS, the fee schedule and rates for the City of Yorkville shall remain unchanged.

Passed this 12th day of September, 1996


MAYOR

ATTESTED:


CITY CLERK By 
Sandra Mader
Deputy Clerk

Law Offices of Daniel J. Kramer
1107A South Bridge Street
Yorkville, Illinois 60560
630.553.9500

SCHEDULE "A"

EXHIBIT E

<u>USE OF BUILDING</u>	<u>NO. OF DRAIN UNITS</u>
STORES, MERCANTILE AND OFFICE BUILDINGS	
Each private toilet	1
Each public toilet with no more than three outlets	1-½
Each additional outlet	½
Soda Fountain	1
Grocery Stores & Meat Markets with garbage grinders	2
DRIVE-INS	
Each public toilet	1-½
Kitchens	1-½
RESTAURANTS AND THEATERS	
Food service capacity. No. of persons	
0-50	1
50-100	2
100-200	3
Each private toilet	1
Each public toilet	1-½
SERVICE STATIONS	
Each public toilet	1-½
Wash rack	2
CLUBS	
Each toilet	1-½
Restaurant charge as above	
MOTELS AND HOTELS	
Each room with bath or shower and/or toilet	1/3
Each public toilet	1-½
Restaurant charge as above	

EXHIBIT E

MOBILE TRAILER PARKS

Each trailer space with sanitary sewer outlet	$\frac{1}{2}$
Each automatic washer unit	$\frac{1}{2}$
Each public toilet	1- $\frac{1}{2}$
Each public shower	1

LAUNDRIES

Each automatic washer unit	$\frac{1}{2}$
Each public toilet	1- $\frac{1}{2}$

SELF-SERVICE CAR WASH

Per rack (covered)	1
Per rack (uncovered)	4

AUTOMATIC CAR WASH

Each production line	10
Each public toilet	1- $\frac{1}{2}$

NURSING HOMES AND HOSPITALS

Resident capacity of each building determined from
architect's plans and specifications divided by 4 (Quotient to 2 decimal points)

SCHOOLS

Student capacity of each building determined from
architect's plans and specifications divided by 12 (Quotient to 2 decimal points)

DORMITORIES, FRATERNITIES AND SORORITIES

Resident capacity of each building determined from
architect's plans and specifications divided by 6 (Quotient to 2 decimal points)

STATE OF ILLINOIS)
)ss
COUNTY OF KENDALL)

EXHIBIT E

ORDINANCE NO. 2006- 32

**ORDINANCE AMENDING ORDINANCE 2003-79
AND REPEALING ORDINANCE 2005-40
ESTABLISHING MUNICIPAL WATER CONNECTION FEES IN
THE UNITED CITY OF YORKVILLE**

WHEREAS, the United City of Yorkville has taken up, discussed and considered amending the City Ordinance 2003-79 regarding Municipal Water Connection Fees; and

WHEREAS, in amending City Ordinance 2003-79, City Ordinance 2005-40 (which previously amended Ordinance 2003-79) will by necessity be repealed.

WHEREAS, the Mayor and City Council have discussed that it may be prudent to amend said Ordinance 2003-79 to change certain connection fees by substituting the Charts defining Residential and Non-Residential Connection Fees depicted on the attached Exhibit "A" and Exhibit "B", in place of Exhibit "A" and Exhibit "B" in Ordinance 2003-79.

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE UNITED CITY OF YORKVILLE, upon Motion duly made, seconded and approved by the majority of those members of the City Council voting, hereby enact the water tap-on fee schedule set out in the attached Exhibit "A" and Exhibit "B", and

EXHIBIT E

1. Any Ordinance or parts thereof in conflict with the provisions of this Ordinance, specifically including Ordinance 2005-40, are hereby repealed to the extent of such conflict with this Ordinance.
2. The portion of this Ordinance affecting the water connection fee as indicated in Exhibit "A" and Exhibit "B" shall become effective on June 15, 2006.

JAMES BOCK



VALERIE BURD



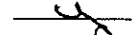
DEAN WOLFER



ROSE SPEARS



JOSEPH BESCO



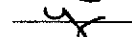
PAUL JAMES



MARTY MUNNS

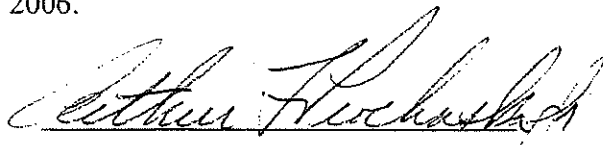


JASON LESLIE



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

25 Day of April, A.D. 2006.



MAYOR

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

25 day of April, A.D. 2006.

ATTEST:



CITY CLERK

Prepared by:

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

EXHIBIT A: RESIDENTIAL CONNECTION FEE

2006 WATER SYSTEM CONNECTION FEE UPDATE

United City of Yorkville, Kendall Co., IL

EXHIBIT E

Residence Type	Projected P.E. Per Residence	Connection Fee Based On \$1,057 / P.E.
Efficiency or Studio Apartment	1.00	\$1,057
1 Bedroom Apartment/Condo	1.50	\$1,586
2+ Bedroom Apartment/Condo	3.00	\$3,171
1 Bedroom Townhome	1.50	\$1,586
2+ Bedroom Townhome	3.00	\$3,171
Duplex Home	3.50	\$3,700
Single Family Home	3.50	\$3,700



**Engineering
Enterprises,
Inc.**

EXHIBIT E

EXHIBIT B: NON-RESIDENTIAL CONNECTION FEE

2006 WATER SYSTEM CONNECTION FEE UPDATE

United City of Yorkville, Kendall Co., IL

Water Meter Size	Water Connection Fee
Less Than Or Equal To 1"	\$3,700
1 1/2"	\$4,000
2"	\$5,000
3"	\$8,000
4"	\$15,000
6" and Larger	TBD

Legend

Non-Residential Land Use shall be considered all
land uses other than those defined in Exhibit A, Page 1

TBD = Connection Fee To Be Determined By City
Council on a Case-By-Case Basis

EEI
Engineering
Enterprises,
Inc.

EXHIBIT E

STATE OF ILLINOIS)	4/1/97
)	5.2.97
COUNTY OF KENDALL)	5.7.97
		5.15.97
		5.16.97

97-11

**ORDINANCE ESTABLISHING A FEE TO FUND A NEW SANITARY SEWER
RIVER CROSSING IN THE UNITED CITY OF YORKVILLE**

WHEREAS, the cost of providing sanitary sewer service has risen substantially over the last several years; and

WHEREAS, the City of Yorkville has been required to provide sanitary sewer services and maintenance as a result of the increase in development and usage of City sanitary sewer mains; and

WHEREAS, the Yorkville Bristol Sanitary District which provides sanitary sewer treatment for the sewage transmitted through the City of Yorkville sanitary sewer mains has experienced a dramatic increase in demand for treatment of sanitary sewage; and

WHEREAS, studies conducted by the Yorkville Bristol Sanitary District and considered by the City of Yorkville's Engineer and Economic Development Committee have shown and found that there is not sufficient capacity in the current Fox River crossing siphons to transmit sewage to the Yorkville Bristol Sanitary District Treatment facility located on the north side of the Fox River, capable of addressing the demands from new development; and

WHEREAS, City of Yorkville will front fund the cost of a new river crossing by the Yorkville Sanitary District; and

WHEREAS, the City has established a fund to recover \$595,000.00 to be given to the Yorkville Sanitary District by the City for the construction of a river crossing to transport sewage to the Yorkville Bristol Sanitary District plant on the north side of the Fox River.

EXHIBIT E

NOW THEREFORE BE IT ORDAINED BY THE UNITED CITY OF YORKVILLE a Sanitary Sewer River Crossing Fee is hereby established to fund a sanitary sewer river crossing in the UNITED CITY OF YORKVILLE under the following terms:

1. A fee is hereby established payable for each P.E. or Drain Unit at the issuance of every building permit issued by the United City of Yorkville, for any parcel of real property located within the Sanitary Sewer Service area depicted in the attached Exhibit "A" incorporated herein by reference.

A) For purposes of residential sanitary sewer conversions, P.E. shall be calculated at the rate of \$25.00 per P.E. for single family residential properties.

B) For all other properties the fee shall be calculated on the basis of \$25.00 per Drain Unit, as calculated per Ordinance No. 96-11.

C) The above fees will in addition, accumulate interest from the time of expenditure by the City at a rate of 8% per annum.

2. The above fees are to be paid for all building permits issued on real property located within the Sanitary Sewer Service area depicted in the attached Exhibit "A" incorporated herein by reference for which a new sanitary sewer connection is required.

3. The fee is applicable to both areas within the United City of Yorkville and areas/property outside the City boundaries which hooks-on to the City of Yorkville Sanitary Sewer System and serviced by Yorkville Bristol Sanitary District Plant.

4. This fee shall be required to be paid on all affected real properties after the effective date this Ordinance is passed and approved by the City Council; and due publication thereof.

5. The fees to be charged under the terms of the Ordinance shall be imposed for a period of

EXHIBIT E

20 years from the date of the passage of this Ordinance by the City Council of the United City of Yorkville.

This fee is in addition to any other fees charged by the City of Yorkville for any other purpose including any other sanitary sewer fees.

That should any provision of this Ordinance be found to be invalid then the remaining portion of the Ordinance shall remain in full force and effect. This Ordinance shall be effective as to all building permits issued by the UNITED CITY OF YORKVILLE starting June 1, 1997

Passed and approved this 22nd day of May, 1997.

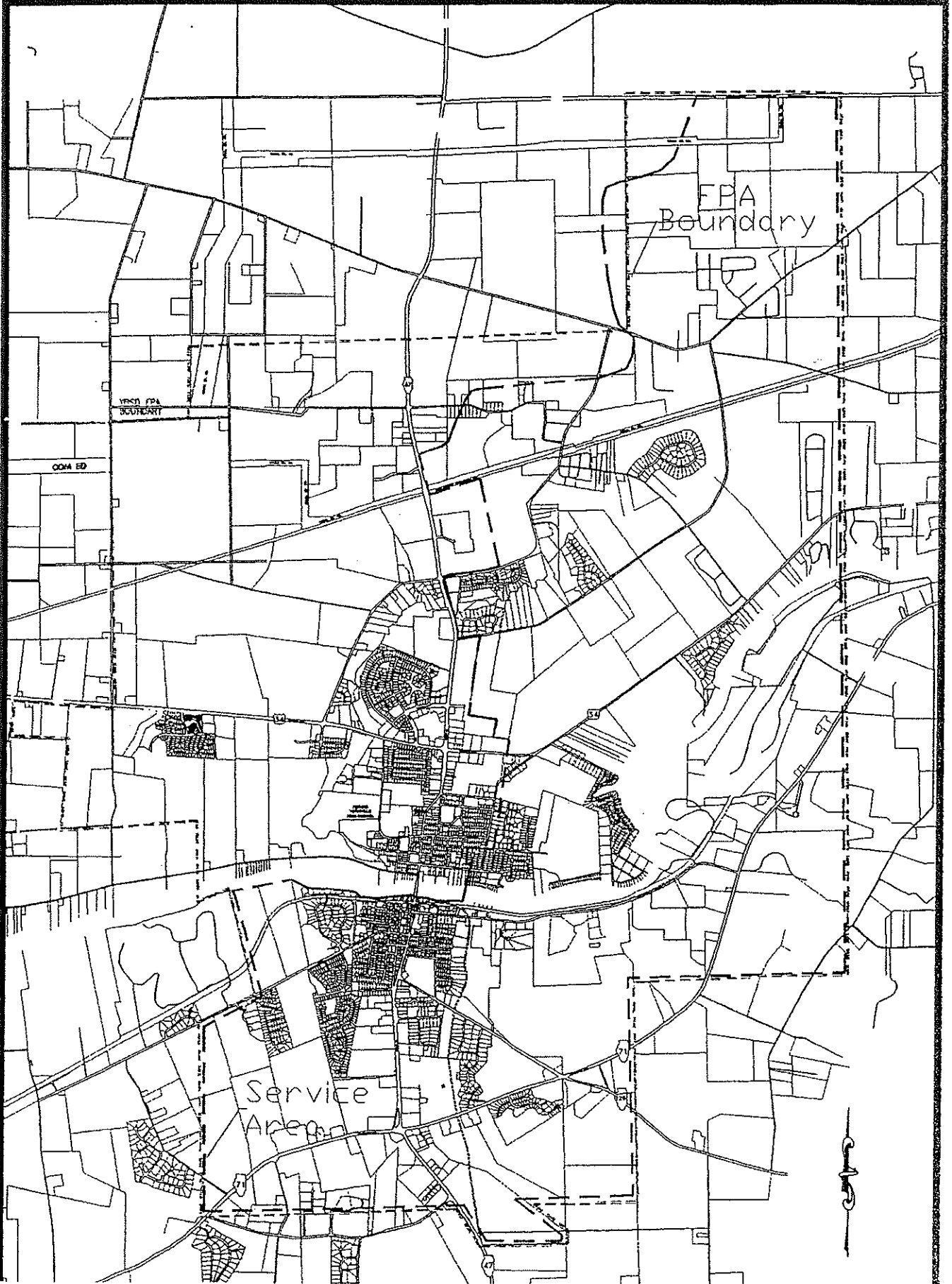
Robert A. Johnson
MAYOR

ATTEST: Deborah K. Simmons
CITY CLERK

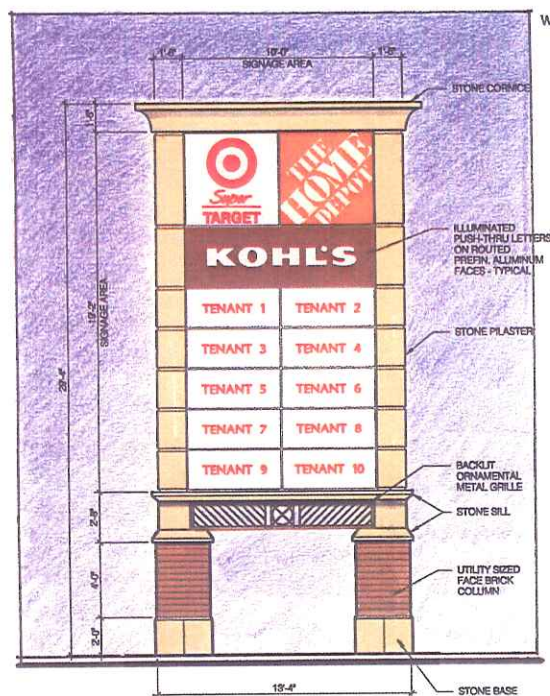
Law Offices of Daniel J. Kramer
1107A S. Bridge Street
Yorkville, Illinois 60560
630.553.9500

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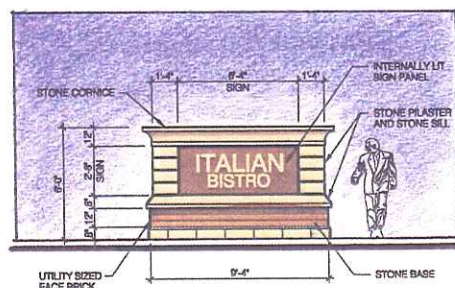
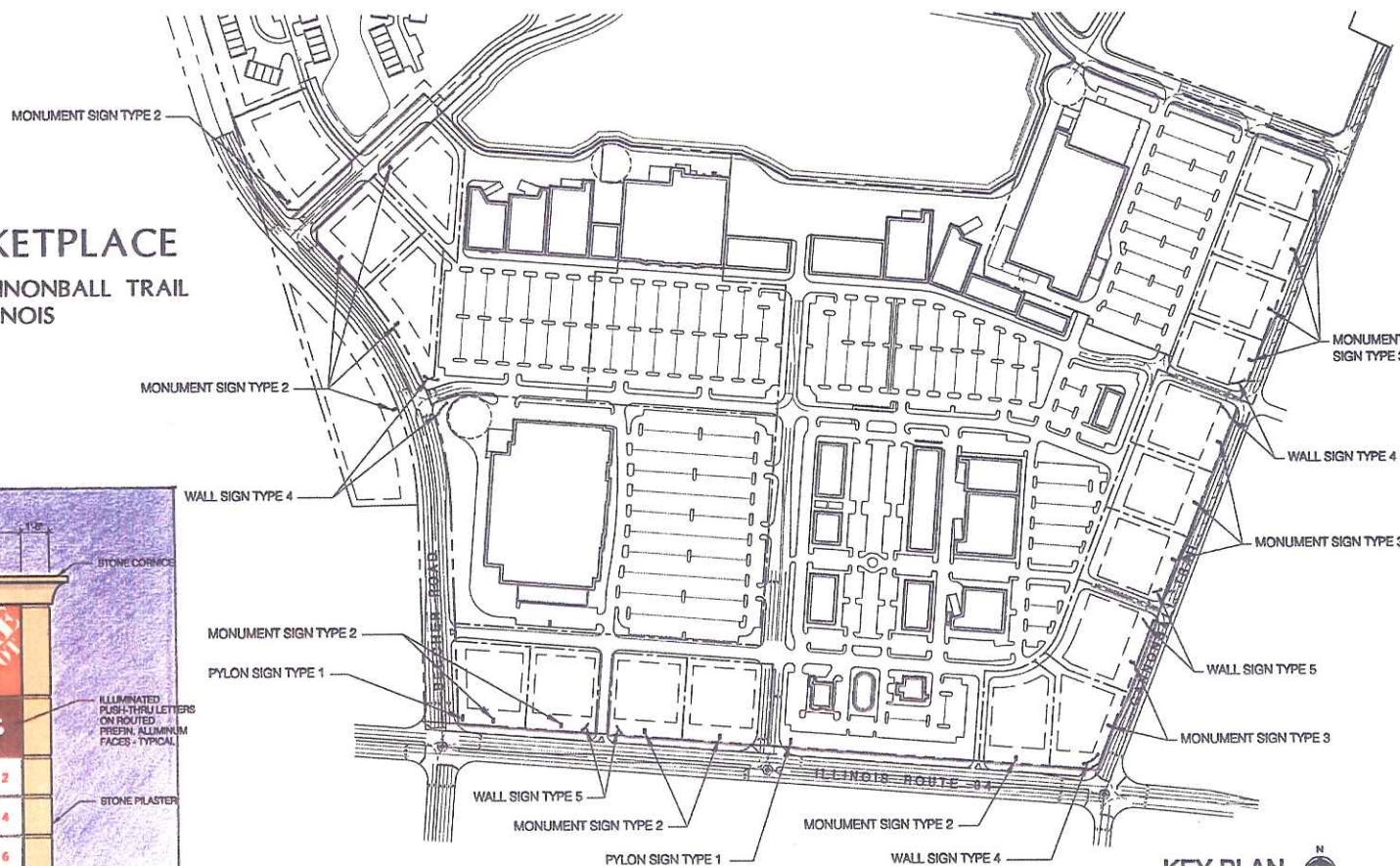
Sanitary Sewer River Crossing Service Area



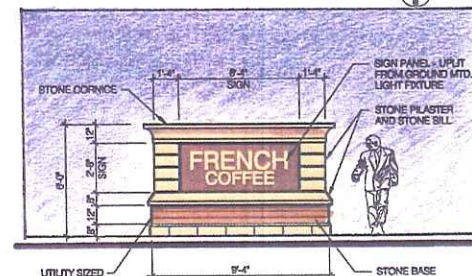
PROJECT:
KENDALL MARKETPLACE
ILLINOIS ROUTE 34 & CANNONBALL TRAIL
YORKVILLE, ILLINOIS



PYLON SIGN - TYPE ①
192 S.F. TOTAL SIGN AREA



MONUMENT SIGN - TYPE (2)
(OUTLOT SIGN)



MONUMENT SIGN - TYPE 3
(OUTLOT SIGN)

PFDA
ARCHITECTS INC.

30 N. WACKER DRIVE
SUITE 1000
CHICAGO, ILLINOIS 60606
TEL: (312) 795-0300
FAX: (312) 795-0350

PROJECT: **KENDALL MARKETPLACE**
ILLINOIS ROUTE 34 & CANNONBALL TRAIL
YORKVILLE, ILLINOIS

OWNER/DEVELOPER:

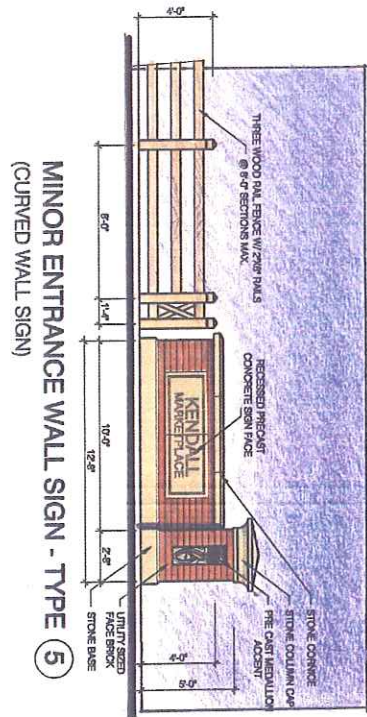
MIDAMERICA
DEVELOPMENT PARTNERS LLC

[illegible]

SITE PLAN

S1

JOB NO.	XXXX
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[illegible]

PUBLIC NOTICE
NOTICE OF PUBLIC HEARING
BEFORE
THE UNITED CITY OF YORKVILLE
PLANNING & ZONING COMMISSION
PZC 2018-05

NOTICE IS HEREWITH GIVEN THAT McCue Builders, Inc., petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting amendment to the Kendall Marketplace Planned Unit Development Agreement to permit a revision to Article III of said agreement regarding Design Standards for new construction residential lots within the Kendall Marketplace development. The real property is generally located north of US 34, west of Cannonball Trail, immediately north of Blackberry Shore Lane in Yorkville, Illinois.

The legal description is as follows:

LOTS 24 TO 51, IN KENDALL MARKETPLACE SUBDIVISION, BEING A SUBDIVISION OF PART OF SECTIONS 19, 20, AND 29, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED MAY 7, 2007 AS DOCUMENT NUMBER 20070001 4779 IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

NOTICE IS HEREWITH GIVEN THAT the Planning and Zoning Commission for the United City of Yorkville will conduct a public hearing on said application on Wednesday, April 11, 2018 at 7 p.m. at the United City of Yorkville, City Council Chambers, located at 800 Game Farm Road, Yorkville, Illinois 60560.

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

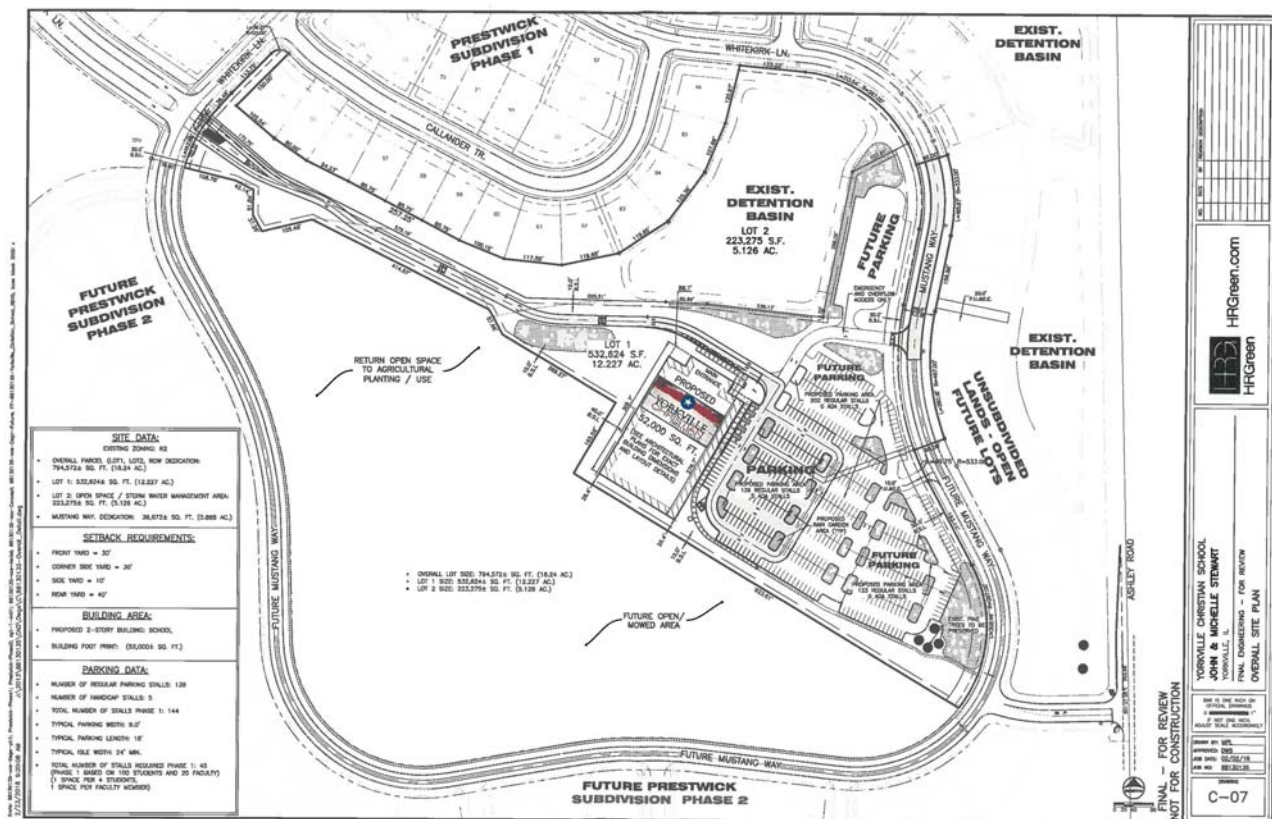
Application and information materials regarding this notice are available for public review and any questions or written comments should be addressed to the United City of Yorkville Community Development Department, City Hall, 800 Game Farm Road, Yorkville, Illinois. All interested parties are invited to attend the public hearing and will be given an opportunity to be heard.

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

BETH WARREN
City Clerk

BY: Lisa Pickering
Deputy Clerk

The petitioners originally sought to amend the current annexation agreement to relieve them from completing required intersection improvements to Ashley Road and Illinois Route 126, and constructing an access roadway off of Ashley Road from the Yorkville Christian school site until such time homes in Phase II of the Prestwick (Ashley Pointe) development are being constructed. However, upon feedback from staff and the Economic Development Committee (EDC), the petitioner's are now seeking to delay the construction of the Ashley Road & Il 126 roadway improvements until the issuance of the 75th final occupancy permit within the Phase 1 of the subdivision or seven (7) years, whichever occurs first.



Additionally, and not part of the amended annexation agreement request, the petitioner's have revised the overall layout of the school site and increased the building size to 52,000 square feet to accommodate 300 students and an indoor gymnasium.

Project Background

Below is a chronological bullet point summation of the City Council approvals related to this project since the purchase of the stalled development by the current petitioners:

- Per the amended Annexation Agreement approved in 2013 (Ord. No. 2013-56) Lot 358 of the original Final Plat was resubdivided for the purpose of accommodating the new private high school.
- Per Ordinance 2013-56, the developer was given credit against all City and County required road impact fees to which would be collected at time of building permit issuance based upon the understanding that the developer would make roadway improvements to IL Route 126 at Penman, Ashley Road and IL Route 126 intersection and Ashley Road improvements adjacent to Lot 358 where the new school will be located.

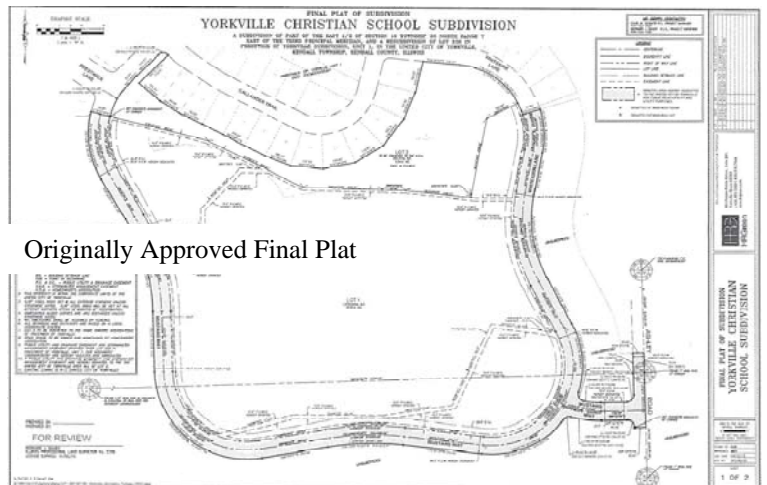
- Per Ordinance 2013-56, the Developer agreed to provide all required security for the high school development and roadways.
- Per Ordinance 2013-56, the City agreed to allow the school to open with forty percent (40%) of the required parking in place and the remaining sixty percent (60%) to be land banked and installed as determined by the City.
- Ordinance 2014-57, approved in October 2014 authorizing the Final Plat for the school, stipulated in Exhibit B that the improvements to IL Route 126 at Penman and IL Route 126 at Ashley Road must be substantially completed prior to the issuance of an occupancy permit for the school.
- Ordinance 2014-26, approved in May 2014, allowed for the release/reduction in the security requirements for the roadway completion as part of the development with the written acknowledgement and agreement by the Owner/Developer that no certificate of occupancy for the school or any other structure constructed on the property will be issued by the City until such time a deposit sufficient for the roadway improvements related to the IL Route 126 intersection with IDOT has been provided.

Proposed Amended Final Plat

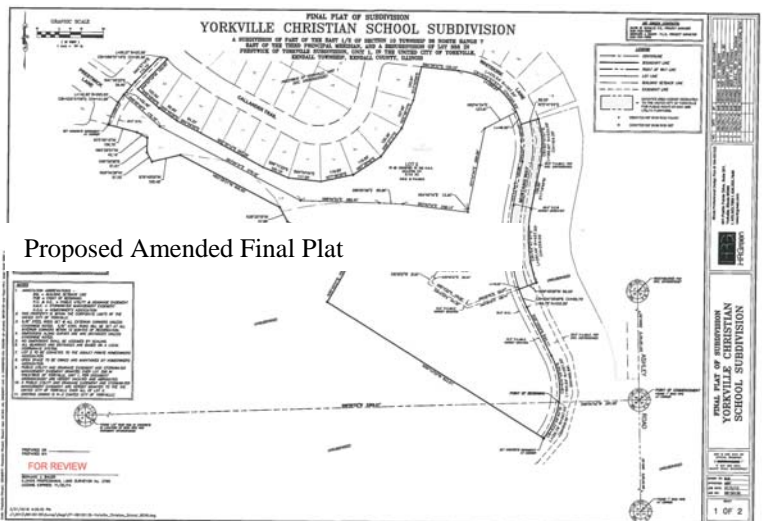
As proposed, the amended Final Plat of Subdivision for the school site, located in Unit 2 of the Prestwick development, will be revised to only include a reduced land area of approximately 18-acres as opposed to the original approximately 43-acre parcel for the school in the approved 2013 Final Plat (refer to plans to the right of the page). In addition, the proposed amended final plat does not include the originally planned roadway access off of Ashley Road. Per the requested amended annexation agreement, the petitioners are looking to postpone that access connection until such time either 75 building permits for new construction homes have been issued in Unit 1 of the development or seven (7) years (2025), whichever occurs first.

Traffic Study Analysis:

The petitioner's have provided an addendum to the original Traffic Study prepared in 2013 by KLOA Inc., transportation engineers. The original Traffic Study took into consideration the traffic impacts of the proposed school at maximum enrollment (850 students),



Originally Approved Final Plat



Proposed Amended Final Plat

Phase I and Phase II residential build out and the utilization of two (2) access roads that will serve the development, Ashley Road and the intersection of IL Rte 126 and Penman. Ashley Road was to serve as the primary access point for the school traffic, while IL Rte 127 and Penman would be a secondary access point for the school and the main access for the residential units. This report also assumed a 2% rate of traffic growth per year. At the conclusion of the study, it was determined that the addition of the new traffic generated from the school and full build-out of the Prestwick subdivision (Phases I and II) could be accommodated by the required roadway improvements to IL Rte. 126 and Penman, IL Rte. 126 and Ashley Road and Ashley Road. Further it was recommended that westbound left-turn lanes should be provided on Il Rte. 126 at the intersections with Ashley Road and Penman Road.

The addendum prepared by KLOA, Inc. dated February 16, 2018, considered the revised site plan, school enrollment at full capacity (850 students) and the build out of only Phase I of the subdivision with the only vehicular access off of IL Rte. 126 and Penman Road. The report also projected a 1% rate of traffic growth per year. The findings of the traffic addendum concluded the connection to Ashley Road for the school was not needed to accommodate the estimated traffic generated by both the school and the complete build-out of the residential homes in Phase I of the development.

Since the assumptions in the addendum to the traffic study were incongruent with those used in the original study, staff requested additional information be provided. The attached revised traffic impact study analyzed the impacts of a proposed 850-student high school at full capacity within the existing 108-single-family home residential subdivision. It is the conclusion of the study that the intersection of IL 126 and Penman Road will accommodate and support the traffic from the proposed school and also residential development by providing the recommended improvements of an eastbound right-turn lane and a westbound left-turn lane on IL 126, as well as providing a separate northbound left-turn lane and a northbound right-turn lane on Penman Road.

Additionally, the petitioner has contacted IDOT for confirmation and concurrence that the traffic study's conclusions are accurate with regards to Il Rte 126 and Penman Road being able to accommodate the student and resident vehicular traffic. Staff anticipates a response from IDOT within the next few weeks, prior to final consideration of the request by City Council.

Staff Recommendation:

Based upon the review of the proposed Final Plat of Subdivision for the Yorkville Christian School, staff recommends approval of the submitted plan, as they are consistent with the approved development site plan and the current subdivision control regulations, **subject to** the recommendations in the attached plan review letter prepared by the City's engineering consultant, Engineering Enterprises Inc. (EEI), dated March 14, 2018.

Proposed Motion:

In consideration of the proposed Final Plat of Subdivision for the Yorkville Christian School, the Planning and Zoning Commission recommends approval of the plat to the City Council as presented by the Petitioner in a plan prepared by HR Green, dated last revised February 21, 2018, subject to engineering staff recommendations in a letter dated March 14, 2018, and further subject to {insert any additional conditions of the Planning and Zoning Commission}...

Attachments:

1. Copy of Petitioners' Amended Final Plat Application.
2. Plan Council Memorandum dated March 13, 2018 prepared by the Community Development Director.
3. EEI Review letter dated March 14, 2018 prepared by Brad Sanderson, City Engineer.

4. Revised Traffic Study Addendum dated March 30, 2018, prepared by KLOA.



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

APPLICATION FOR PRELIMINARY PLAN & FINAL PLAT

INVOICE & WORKSHEET PETITION APPLICATION			
CONCEPT PLAN REVIEW	<input type="checkbox"/> Engineering Plan Review deposit	\$500.00	Total: \$
AMENDMENT	<input type="checkbox"/> Annexation <input type="checkbox"/> Plan <input checked="" type="checkbox"/> Plat <input type="checkbox"/> P.U.D.	\$500.00 \$500.00 \$500.00 \$500.00	Total: \$ 500.00
ANNEXATION	<input type="checkbox"/> \$250.00 + \$10 per acre for each acre over 5 acres _____ - 5 = _____ x \$10 = _____ + \$250 = \$ _____ # of Acres Acres over 5 Amount for Extra Acres Total Amount		Total: \$
REZONING	<input type="checkbox"/> \$200.00 + \$10 per acre for each acre over 5 acres <i>If annexing and rezoning, charge only 1 per acre fee; if rezoning to a PUD, charge PUD Development Fee - not Rezoning Fee</i> _____ - 5 = _____ x \$10 = _____ + \$200 = \$ _____ # of Acres Acres over 5 Amount for Extra Acres Total Amount		Total: \$
SPECIAL USE	<input type="checkbox"/> \$250.00 + \$10 per acre for each acre over 5 acres _____ - 5 = _____ x \$10 = _____ + \$250 = \$ _____ # of Acres Acres over 5 Amount for Extra Acres Total Amount		Total: \$
ZONING VARIANCE	<input type="checkbox"/> \$85.00 + \$500.00 outside consultants deposit		Total: \$
PRELIMINARY PLAN FEE	<input type="checkbox"/> \$500.00		Total: \$
PUD FEE	<input type="checkbox"/> \$500.00		Total: \$
FINAL PLAT FEE	<input type="checkbox"/> \$500.00		Total: \$
ENGINEERING PLAN REVIEW DEPOSIT	<input type="checkbox"/> Less than 1 acre <input checked="" type="checkbox"/> Over 1 acre, less than 10 acres <input type="checkbox"/> Over 10 acres, less than 40 acres <input type="checkbox"/> Over 40 acres, less than 100 acres <input type="checkbox"/> Over 100 acres	\$1,000.00 \$2,500.00 \$5,000.00 \$10,000.00 \$20,000.00	Total: \$ 2,500.00
OUTSIDE CONSULTANTS DEPOSIT	<i>Legal, land planner, zoning coordinator, environmental services</i> For Annexation, Subdivision, Rezoning, and Special Use: <input type="checkbox"/> Less than 2 acres <input checked="" type="checkbox"/> Over 2 acres, less than 10 acres <input type="checkbox"/> Over 10 acres		Total: \$ 2,500.00
TOTAL AMOUNT DUE:			5,500.00



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

APPLICATION FOR PRELIMINARY PLAN & FINAL PLAT

DATE:	PZC NUMBER:	DEVELOPMENT NAME:
PETITIONER INFORMATION		
NAME: Michelle L. Stewart and John C. Stewart		COMPANY: N/A
MAILING ADDRESS: 3874 N. IL Route 71		
CITY, STATE, ZIP: Sheridan, IL 60118		TELEPHONE: 630-768-0412
EMAIL: michelle@stewartspreading.com		FAX:
PROPERTY INFORMATION		
NAME OF HOLDER OF LEGAL TITLE: Michelle L. Stewart and John C. Stewart		
IF LEGAL TITLE IS HELD BY A LAND TRUST, LIST THE NAMES OF ALL HOLDERS OF ANY BENEFICIAL INTEREST THEREIN:		
PROPERTY STREET ADDRESS: 7525 MUSTANG WAY, YORKVILLE, IL		
TYPE OF REQUEST:		
<input type="checkbox"/> PRELIMINARY PLAN <input type="checkbox"/> FINAL PLAT <input type="checkbox"/> AMENDED PRELIMINARY PLAN <input checked="" type="checkbox"/> AMENDED FINAL PLAT		
TOTAL LOT ACREAGE: 12 ACRES		CURRENT ZONING CLASSIFICATION: R-2 SINGLE FAMILY RES DIST
ATTACHMENTS		
Petitioner must attach a legal description of the property to this application and title it as "Exhibit A".		



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

APPLICATION FOR PRELIMINARY PLAN & FINAL PLAT

ATTORNEY INFORMATION

NAME: PATTI A. BERNHARD

COMPANY: DOMMERMUTH, COBINE, WEST, ET AL

MAILING ADDRESS: 111 EAST JEFFERSON AVENUE, SUITE 200

CITY, STATE, ZIP: NAPERVILLE, IL 60540

TELEPHONE: 630-355-5800

EMAIL: PAB@DBCW.COM

FAX: 630-355-5976

ENGINEER INFORMATION

NAME: DAVID SCHULTZ

COMPANY: H R GREEN, INC.

MAILING ADDRESS: 651 PRAIRIE POINTE DRIVE, SUITE 201

CITY, STATE, ZIP: YORKVILLE, IL 60560

TELEPHONE: 630-553-7560

EMAIL: DSCHULTZ@HRGREEN.COM

FAX: 630-553-7646

LAND PLANNER/SURVEYOR INFORMATION

NAME: DAVID SCHULTZ

COMPANY: H R GREEN, INC.

MAILING ADDRESS: 651 PRAIRIE POINTE DRIVE, SUITE 201

CITY, STATE, ZIP: YORKVILLE, IL 60560

TELEPHONE: 630-553-7560

EMAIL: DSCHULTZ@HRGREEN.COM

FAX: 630-553-7646

AGREEMENT

I VERIFY THAT ALL THE INFORMATION IN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND AND ACCEPT ALL REQUIREMENTS AND FEES AS OUTLINED AS WELL AS ANY INCURRED ADMINISTRATIVE AND PLANNING CONSULTANT FEES WHICH MUST BE CURRENT BEFORE THIS PROJECT CAN PROCEED TO THE NEXT SCHEDULED COMMITTEE MEETING.

I UNDERSTAND ALL OF THE INFORMATION PRESENTED IN THIS DOCUMENT AND UNDERSTAND THAT IF AN APPLICATION BECOMES DORMANT IT IS THROUGH MY OWN FAULT AND I MUST THEREFORE FOLLOW THE REQUIREMENTS OUTLINED ABOVE.

PETITIONER SIGNATURE

DATE

OWNER HEREBY AUTHORIZES THE PETITIONER TO PURSUE THE APPROPRIATE ENTITLEMENTS ON THE PROPERTY.

OWNER SIGNATURE

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

PETITIONER DEPOSIT ACCOUNT/ ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY

PROJECT NUMBER: MICHELLE & JOHN STEWART	FUND ACCOUNT NUMBER: N/A	PROPERTY ADDRESS: 7525 Mustang Way
APPLICATION/APPROVAL TYPE (check appropriate box(es) of approval requested):		
<input type="checkbox"/> CONCEPT PLAN REVIEW	<input type="checkbox"/> AMENDMENT (TEXT)	<input checked="" type="checkbox"/> ANNEXATION
<input type="checkbox"/> SPECIAL USE	<input type="checkbox"/> MILE AND 1/2 REVIEW	<input type="checkbox"/> ZONING VARIANCE
<input type="checkbox"/> FINAL PLANS	<input type="checkbox"/> PLANNED UNIT DEVELOPMENT	<input checked="" type="checkbox"/> FINAL PLAT
PETITIONER DEPOSIT ACCOUNT FUND: It is the policy of the United City of Yorkville to require any petitioner seeking approval on a project or entitlement request to establish a Petitioner Deposit Account Fund to cover all actual expenses occurred as a result of processing such applications and requests. Typical requests requiring the establishment of a Petitioner Deposit Account Fund include, but are not limited to, plan review of development approvals/engineering permits. Deposit account funds may also be used to cover costs for services related to legal fees, engineering and other plan reviews, processing of other governmental applications, recording fees and other outside coordination and consulting fees. Each fund account is established with an initial deposit based upon the estimated cost for services provided in the INVOICE & WORKSHEET PETITION APPLICATION . This initial deposit is drawn against to pay for these services related to the project or request. Periodically throughout the project review/approval process, the Financially Responsible Party will receive an invoice reflecting the charges made against the account. At any time the balance of the fund account fall below ten percent (10%) of the original deposit amount, the Financially Responsible Party will receive an invoice requesting additional funds equal to one-hundred percent (100%) of the initial deposit if subsequent reviews/fees related to the project are required. In the event that a deposit account is not immediately replenished, review by the administrative staff, consultants, boards and commissions may be suspended until the account is fully replenished. If additional funds remain in the deposit account at the completion of the project, the city will refund the balance to the Financially Responsible Party. A written request must be submitted by the Financially Responsible Party to the city by the 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		
NAME: MICHELLE & JOHN STEWART		COMPANY: N/A
MAILING ADDRESS: 3874 N. IL Route 71		
CITY, STATE, ZIP: Sheridan, IL 60118		TELEPHONE: 630-768-0412
EMAIL: MICHELLE@STEWARTSPREADING.COM		FAX:
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.		
MICHELLE L. STEWART / JOHN C. STEWART		OWNERS
PRINT NAME	TITLE	
	2/27/18	
SIGNATURE	DATE	
ACCOUNT CLOSURE AUTHORIZATION		
DATE REQUESTED:	<input checked="" type="checkbox"/> COMPLETED	<input type="checkbox"/> INACTIVE
PRINT NAME:	<input checked="" type="checkbox"/> WITHDRAWN	<input type="checkbox"/> COLLECTIONS
SIGNATURE:	<input checked="" type="checkbox"/> OTHER	
DEPARTMENT ROUTING FOR AUTHORIZATION:	<input type="checkbox"/> COM. DEV.	<input type="checkbox"/> BUILDING
	<input type="checkbox"/> ENGINEERING	<input type="checkbox"/> FINANCE
	<input type="checkbox"/> ADMIN.	

EXHIBIT A

LEGAL DESCRIPTION

A SUBDIVISION OF PART OF THE EAST 1/2 OF SECTION 10 TOWNSHIP 36 NORTH RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND A RESUBDIVISION OF LOT 358 IN PRESTWICK OF YORKVILLE SUBDIVISION, UNIT 1, IN THE UNITED CITY OF YORKVILLE, KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

ADDRESS: 7525 MUSTANG WAY, YORKVILLE, IL

PINS: 05-10-277-001 and PART OF 05-10-200-007

FINAL PLAT OF SUBDIVISION YORKVILLE CHRISTIAN SCHOOL SUBDIVISION

A SUBDIVISION OF PART OF THE EAST 1/2 OF SECTION 10 TOWNSHIP 36 NORTH RANGE 7
EAST OF THE THIRD PRINCIPAL MERIDIAN, AND A RESUBDIVISION OF LOT 358 IN
PRESTWICK OF YORKVILLE SUBDIVISION, UNIT 1, IN THE UNITED CITY OF YORKVILLE,
KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS

GRAPHIC SCALE

(IN FEET)
1 inch = 80 ft.

HR GREEN CONTACTS
DAVID H. SCHULTZ P.E., PROJECT MANAGER
830-733-7550
BERNARD J. BAUER P.L.S., PROJECT SURVEYOR
830-733-7550

LEGEND

- CENTERLINE
- BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- BUILDING SETBACK LINE
- EASEMENT LINE

DENOTES AREA HEREBY DEDICATED
TO THE UNITED CITY OF YORKVILLE
FOR PUBLIC RIGHT-OF-WAY AND
UTILITY PURPOSES.

DENOTES 5/8" IRON ROD FOUND
O DENOTES 5/8" IRON ROD SET

NO.	DATE	BY	REVISION DESCRIPTION
1	06/06/13	BAB	REVISED PER CITY COMMENTS
2	06/09/13	BAB	REVISED PER COMMENTS FROM ECI
3	03/14/14	BAB	REVISED EASEMENT LOCATIONS
4	04/21/14	BAB	REVISED NOTE 7 PER ATTORNEY
5	05/02/14	BAB	REVISED P.L.A.D.E. PER DESIGN CHANGE
6	02/21/16	BAB	REVISED SUBDIVISION BNDY LOTTING/LEGAL DESC.

Illinois Professional Design Firm # 184-001322
651 Prairie Pointe Drive, Suite 201,
Yorkville, Illinois 60550
t. 830.555.7550 f. 830.555.7046
www.hrgreen.com



FINAL PLAT OF SUBDIVISION YORKVILLE CHRISTIAN SCHOOL SUBDIVISION

BAR IS ONE INCH ON
OFFICIAL DRAWINGS
IF NOT ONE INCH,
ADJUST SCALE ACCORDINGLY

DRAWN BY: BAB
APPROVED: MRF
JOB DATE: 07/2/13
JOB NO: 88130135

SHEET
1 OF 2

LAND AREAS	ACREAGE
LOT 1	12.23 ac.
LOT 2 (RETENTION & OPEN SPACE)	5.12 ac.
R.O.W. HEREBY DEDICATED	0.89 ac.
TOTAL GROSS ACRES	18.24 ac.

- NOTES**
- ANNOTATION ABBREVIATIONS -
BSL = BUILDING SETBACK LINE
POB = POINT OF BEGINNING
P.U. & D.E. = PUBLIC UTILITY & DRAINAGE EASEMENT
S.M.E. = STORMWATER MANAGEMENT EASEMENT
H.O.A. = HOMEOWNER'S ASSOCIATION
 - THIS PROPERTY IS WITHIN THE CORPORATE LIMITS OF THE
UNITED CITY OF YORKVILLE.
 - 5/8" STEEL RODS SET @ ALL EXTERIOR CORNERS UNLESS
OTHERWISE NOTED. 5/8" STEEL RODS WILL BE SET AT ALL
INTERIOR CORNERS WITHIN 12 MONTHS OF RECORDATION.
 - DIMENSIONS ALONG CURVES ARE ARC DISTANCES UNLESS
OTHERWISE NOTED.
 - NO DIMENSIONS SHALL BE ASSUMED BY SCALING.
 - ALL BEARINGS AND DISTANCES ARE BASED ON A LOCAL
COORDINATE SYSTEM.
 - LOT 2 TO BE CONVEYED TO THE ASHLEY POINTE HOMEOWNERS
ASSOCIATION.
 - OPEN SPACE TO BE OWNED AND MAINTAINED BY HOMEOWNERS
ASSOCIATION.
 - PUBLIC UTILITY AND DRAINAGE EASEMENT AND STORMWATER
MANAGEMENT EASEMENT GRANTED OVER LOT 358 IN
PRESTWICK OF YORKVILLE, UNIT 1, PER DOCUMENT
200600035287 ARE HEREBY VACATED AND ABROGATED.
 - A PUBLIC UTILITY AND DRAINAGE EASEMENT AND STORMWATER
MANAGEMENT EASEMENT ARE HEREBY GRANTED TO THE
UNITED CITY OF YORKVILLE OVER ALL OF LOT 2.
 - EXISTING ZONING IS R-2 (UNITED CITY OF YORKVILLE)



FOUND 1/2" IRON ROD IN CONCRETE
IN LOCATION OF IRON PIPE PER
DOCUMENT 201000016329



REESTABLISHED PER
DOC. 201000016327



POINT OF COMMENCEMENT
FOUND 1" IRON PIPE
AT CORNER



FOUND 1" IRON PIPE
AT CORNER

PREPARED ON
PREPARED BY:

FOR REVIEW

BERNARD J. BAUER
ILLINOIS PROFESSIONAL LAND SURVEYOR No. 3799
LICENSE EXPIRES: 11/30/14

2/21/2018 4:28:30 PM

J:\2013\88130135\Survey\Drawings\88130135-Yorkville_Christian_School_REV6.dwg

\\s01\p01\Drawings\88130135-Yorkville_Christian_School_REV6.dwg

FINAL PLAT OF SUBDIVISION YORKVILLE CHRISTIAN SCHOOL SUBDIVISION

A SUBDIVISION OF PART OF THE EAST 1/2 OF SECTION 10 TOWNSHIP 36 NORTH RANGE 7
EAST OF THE THIRD PRINCIPAL MERIDIAN, AND A RESUBDIVISION OF LOT 358 IN
PRESTWICK OF YORKVILLE SUBDIVISION, UNIT 1, IN THE UNITED CITY OF YORKVILLE,
KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS

PINs: PT. 05-10-200-007
05-10-277-001

OWNERSHIP CERTIFICATE

STATE OF _____ } S.S.
COUNTY OF _____ }

THIS IS TO CERTIFY THAT

ARE THE OWNERS OF THE PROPERTY DESCRIBED IN THE FOREGOING SURVEYOR'S CERTIFICATE AND HAVE CAUSED THE SAME TO BE SURVEYED, SUBDIVIDED, AND PLATTED AS SHOWN HEREON FOR THE USES AND PURPOSES HEREIN SET FORTH AS ALLOWED AND PROVIDED FOR BY STATUTE, AND DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREIN INDICATED.

THE UNDERSIGNED HEREBY DEDICATE FOR PUBLIC USE THE LANDS SHOWN ON THIS PLAT FOR THOROUGHFARES, STREETS, ALLEYS AND PUBLIC SERVICES, AND HEREBY ALSO RESERVES FOR ANY ELECTRIC, GAS, TELEPHONE, CABLE TV OR OTHER TELECOMMUNICATIONS COMPANY UNDER FRANCHISE AGREEMENT WITH THE UNITED CITY OF YORKVILLE, THEIR SUCCESSORS AND ASSIGNS, THE EASEMENT PROVISIONS WHICH ARE STATED HEREON.

THE UNDERSIGNED FURTHER CERTIFY THAT ALL OF THE LAND INCLUDED IN THIS PLAT LIES WITHIN THE BOUNDARIES OF YORKVILLE COMMUNITY UNIT SCHOOL DISTRICT 115.

DATED AT _____ THIS _____ DAY OF _____, 20____

BY: _____

BY: _____

NOTARY CERTIFICATE

STATE OF _____ } S.S.
COUNTY OF _____ }

I, _____, NOTARY PUBLIC IN AND FOR THE STATE AND COUNTY AFORESAID, HEREBY CERTIFY THAT _____ AND _____ PERSONALLY KNOW TO ME TO BE THE SAME PERSON(S) WHOSE NAME(S) IS(ARE) SUBSCRIBED TO THE FOREGOING INSTRUMENT, APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE ANNEXED PLAT AND ACCOMPANYING INSTRUMENTS FOR THE USES AND PURPOSES THEREIN SET FORTH AS HIS (THEIR) FREE AND VOLUNTARY ACT.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____, 20____

NOTARY PUBLIC

COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS } S.S.
COUNTY OF KENDALL }

I, _____, COUNTY CLERK OF KENDALL COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID CURRENT TAXES, NO UNPAID FORECLOSED TAXES, AND NO REDEMPTIBLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THE PLAT HEREIN DRAWN. I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE PLAT HEREIN DRAWN.

GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK AT YORKVILLE,

ILLINOIS, THIS _____ DAY OF _____, 20____

COUNTY CLERK

KENDALL TOWNSHIP HIGHWAY COMMISSIONER

STATE OF ILLINOIS } S.S.
COUNTY OF KENDALL }

I, _____, DO HEREBY CERTIFY THAT ALL MATTERS PERTAINING TO THE HIGHWAY REQUIREMENTS AS DESCRIBED IN THE REGULATIONS GOVERNING PLATS ADOPTED BY THE COUNTY BOARD OF KENDALL COUNTY, IN SO FAR AS THEY PERTAIN TO THE ANNEXED PLAT, HAVE BEEN COMPLIED WITH, DATED THIS _____ DAY OF _____, 20____

TOWNSHIP HIGHWAY COMMISSIONER

DRAINAGE CERTIFICATE

STATE OF ILLINOIS } S.S.
COUNTY OF KENDALL }

WE, _____, REGISTERED PROFESSIONAL ENGINEER AND OWNER (OR HIS ATTORNEY) SUBMIT THE TOPOGRAPHICAL AND PROFILE STUDIES AND, TO THE BEST OF OUR KNOWLEDGE AND BELIEF, THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF THIS SUBDIVISION OR ANY PART THEREOF, OR, THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED, REASONABLE PROVISIONS HAVE BEEN MADE FOR THE COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO PUBLIC AREAS, OR DRAINS WHICH THE SUBDIVIDER HAS A RIGHT TO USE, AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THIS SUBDIVISION.

DATED THIS _____ DAY OF _____, 20____

OWNER (OR DULY AUTHORIZED ATTORNEY)

REGISTERED PROFESSIONAL ENGINEER

Yorkville Christian School Subdivision - Final Plat of Subdivision - Unit 1 - 03/20/2014 - 04/20/2014 - 05/20/2014 - 06/20/2014 - 07/20/2014 - 08/20/2014 - 09/20/2014 - 10/20/2014 - 11/20/2014 - 12/20/2014 - 01/20/2015 - 02/20/2015 - 03/20/2015 - 04/20/2015 - 05/20/2015 - 06/20/2015 - 07/20/2015 - 08/20/2015 - 09/20/2015 - 10/20/2015 - 11/20/2015 - 12/20/2015 - 01/20/2016 - 02/20/2016 - 03/20/2016 - 04/20/2016 - 05/20/2016 - 06/20/2016 - 07/20/2016 - 08/20/2016 - 09/20/2016 - 10/20/2016 - 11/20/2016 - 12/20/2016 - 01/20/2017 - 02/20/2017 - 03/20/2017 - 04/20/2017 - 05/20/2017 - 06/20/2017 - 07/20/2017 - 08/20/2017 - 09/20/2017 - 10/20/2017 - 11/20/2017 - 12/20/2017 - 01/20/2018 - 02/20/2018 - 03/20/2018 - 04/20/2018 - 05/20/2018 - 06/20/2018 - 07/20/2018 - 08/20/2018 - 09/20/2018 - 10/20/2018 - 11/20/2018 - 12/20/2018 - 01/20/2019 - 02/20/2019 - 03/20/2019 - 04/20/2019 - 05/20/2019 - 06/20/2019 - 07/20/2019 - 08/20/2019 - 09/20/2019 - 10/20/2019 - 11/20/2019 - 12/20/2019 - 01/20/2020 - 02/20/2020 - 03/20/2020 - 04/20/2020 - 05/20/2020 - 06/20/2020 - 07/20/2020 - 08/20/2020 - 09/20/2020 - 10/20/2020 - 11/20/2020 - 12/20/2020 - 01/20/2021 - 02/20/2021 - 03/20/2021 - 04/20/2021 - 05/20/2021 - 06/20/2021 - 07/20/2021 - 08/20/2021 - 09/20/2021 - 10/20/2021 - 11/20/2021 - 12/20/2021 - 01/20/2022 - 02/20/2022 - 03/20/2022 - 04/20/2022 - 05/20/2022 - 06/20/2022 - 07/20/2022 - 08/20/2022 - 09/20/2022 - 10/20/2022 - 11/20/2022 - 12/20/2022 - 01/20/2023 - 02/20/2023 - 03/20/2023 - 04/20/2023 - 05/20/2023 - 06/20/2023 - 07/20/2023 - 08/20/2023 - 09/20/2023 - 10/20/2023 - 11/20/2023 - 12/20/2023 - 01/20/2024 - 02/20/2024 - 03/20/2024 - 04/20/2024 - 05/20/2024 - 06/20/2024 - 07/20/2024 - 08/20/2024 - 09/20/2024 - 10/20/2024 - 11/20/2024 - 12/20/2024 - 01/20/2025 - 02/20/2025 - 03/20/2025 - 04/20/2025 - 05/20/2025 - 06/20/2025 - 07/20/2025 - 08/20/2025 - 09/20/2025 - 10/20/2025 - 11/20/2025 - 12/20/2025 - 01/20/2026 - 02/20/2026 - 03/20/2026 - 04/20/2026 - 05/20/2026 - 06/20/2026 - 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Memorandum

To: Plan Council
From: Krysti Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Date: March 13, 2018
Subject: **PZC 2018-04 Prestwick of Yorkville**
Annexation Agreement & Final Plat Amendment Submittal

I have reviewed the following documents: Final Plat of Subdivision date revised February 21, 2018; Overall Site Plan dated February 2, 2018 prepared by HR Green; and Traffic Study Addendum dated February 16, 2018 prepared by KLOA.

I have also reviewed the proposed draft Third Amendment to the Annexation Agreement of the Yorkville Farms Development and the United City of Yorkville (Prestwick of Yorkville Subdivision) dated February 27, 2018 and prepared by Patti Bernhard, attorney, of Dommermuth, Cobine, West, Gensler, Philipchuck, Corrigan and Bernhard, Ltd. regarding the Prestwick of Yorkville development generally located in the southwest quadrant of Rte. 126 and Ashley Road. Based upon my review and those of other city and local agency staff members of these plans and documents, I have compiled the following comments:

General Comments:

- Per the amended Annexation Agreement approved in 2013 (Ord. No. 2013-56) Lot 358 of the original Final Plat was resubdivided for the purpose of accommodating the new private high school.
- Per Ordinance 2013-56, the developer was given credit against all City and County required road impact fees to which would be collected at time of building permit issuance based upon the understanding that the developer would make roadway improvements to IL Route 126 at Penman, Ashley Road and IL Route 126 intersection and Ashley Road improvements adjacent to Lot 358 where the new school will be located.
- Per Ordinance 2013-56, the Developer agreed to provide all required security for the high school development and roadways.
- Per Ordinance 2013-56, the City agreed to allow the school to open with forty percent (40%) of the required parking in place and the remaining sixty percent (60%) to be land banked and installed as determined by the City.
- Ordinance 2014-57, approved in October 2014 authorizing the Final Plat for the school, stipulated in Exhibit B that the improvements to IL Route 126 at Penman and IL Route 126 at Ashley Road must be substantially completed prior to the issuance of an occupancy permit for the school.
- Ordinance 2014-26, approved in May 2014, allowed for the release/reduction in the security requirements for the roadway completion as part of the development with the written acknowledgement and agreement by the Owner/Developer that no certificate of occupancy for the school or any other structure constructed on the property will be issued

by the City until such time a deposit sufficient for the roadway improvements related to the IL Route 126 intersection with IDOT has been provided.

- As of the date of this memorandum, no intersection or roadway improvements to IL Route 126 at Penman, intersection of Ashley Road and IL Route 126, nor the Ashley Road improvements adjacent to Lot 358 have occurred.

Amended Final Plat of Subdivision/Overall Site Plan Comments:

- Per Section 10-16-3 of the Zoning Ordinance, off-street parking requirements for high schools are calculated as 0.25 per student plus 1 per staff. Phase 1 of the school development anticipates 100 students and 20 staff members, thereby requiring a minimum of 45 parking stall. The developer proposes to install 144 parking spaces in Phase 1. The minimum parking requirements have been met.
- Would the developer be amenable to sign Mustang Way for the entire length of the street rather than bifurcating the street into two (2) names, Mustang Way and Whitekirk Lane? It is understood that Whitekirk Lane was approved and platted in the existing Unit 1 Final Plat, but have suggested this change for ease of use.
- Additional comments regarding the Final Plat of Subdivision will be provided by the City's engineering consultant, Engineering Enterprises, Inc. under a separate memorandum.

Amended Annexation Agreement Comments:

- Staff is not supportive of postponing the roadway improvements (access point) off of Ashley Road adjacent to the school site until such time Phase II of the development has commenced construction, as the intent of the original annexation agreement amendment (Ord. 2013-56) and subsequent approvals related to this development were contingent upon the roadway improvements being completed.
- Should the City consider the requested postponement of the improvements, we would recommend not tying the trigger for construction to the development of Phase II (which has not been final platted), but to a fixed number of permits issued in Phase I, such as after the issuance of the 1st 50 certificate of occupancies, the developer would be required to commence construction of the roadway improvements off of Ashley Road and be completed by a certain date or no further building permits will be issued.
- Staff would further recommend if the postponement of the Ashley Road improvements are approved that the developer would be required to post a sufficient security deposit in the form of a letter of credit, bond or cash to cover the required work.
- The petitioner also sought to include the following additional language in the proposed amended annexation agreement:

The City releases its review and approval rights contained in The Highlands at Ashley Pointe Declaration of Covenants and Restrictions recorded in Kendall County on May 2, 2007 as Document No. 200700014390.

- Per the attached e-mail from the City Attorney's office dated March 12, 2018, "...the City of Yorkville does not currently have review and approval rights over architectural

design of the subdivision. Section 4.3.10 provides that the City must issue a building permit for out-buildings but leaves architectural decision in the hands of the Architectural Review Board (“ARB”). That said, no amendment is necessary. If an amendment were required, it would need to be done in accordance with Article 14 of the Declaration and not through the Annexation Agreement.”

- Staff does not recommend this language be included in the amended agreement.



Engineering Enterprises, Inc.

March 14, 2018

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

**Re: Yorkville Christian School
Final Engineering Plans
United City of Yorkville, Kendall County, Illinois**

Dear Krysti:

We are in receipt of the following items for the above referenced project:

- Final Engineering Plans (32 sheets) dated February 2, 2018 and prepared by HR Green
- Final Plat of Subdivision revised dated February 21, 2018 and prepared by HR Green
- Landscape Plan dated February 2, 2018 and prepared by HR Green
- Traffic Study Addendum dated February 16, 2018 and prepared by KLOA
- Overall Site Plan dated February 2, 2018 and prepared by HR Green
- Storm Sewer Design Report dated February 21, 2018 and prepared by HR Green
- Stormwater Exhibits dated February 2, 2018 and prepared by HR Green
- IEPA Sanitary and Water Permit Applications

Our review of these plans is to generally determine their compliance with local ordinances and whether the improvements will conform to existing local systems and equipment. This review and our comments do not relieve the designer from his duties to conform to all required codes, regulations, and acceptable standards of engineering practice. Engineering Enterprises, Inc.'s review is not intended as an in-depth quality assurance review, we cannot and do not assume responsibility for design errors or omissions in the plans. As such, we offer the following comments:

General

1. An Engineers Opinion of Probable Construction Costs should be provided for the project. The cost opinion should include the public improvements and erosion control costs for use in establishing the required construction guarantee. In addition, an estimate for all site improvements needs to be provided for use in calculating development fees.
2. The plans should be submitted to the Yorkville-Bristol Sanitary District for review. Their comments should be provided to the City and EEI upon receipt.

3. The Community Development Department should confirm that an adequate number of parking spaces has been provided for the expansion.
4. The landscape review comments from PRI are attached.
5. A photometric plan with light intensity values and manufacturer's cut sheets and light pole details for selected light poles needs to be provided.

Engineering Plans

6. The intersection at Prestwick Lane and the entrance will need to be a four-way stop. Appropriate signage should be installed.
7. The driveway aprons within City row should be concrete.
8. Connection of the 8" water main to the north-south running 8" water main along Mustang Way should be shown in greater detail.
9. It should be noted that at the connection to the existing water main, the new main will be pressure tested against an old valve. This valve may require replacement.
10. The water main will be required to be looped.
11. The Developer is proposing a limestone path within the planned Mustang Way row. The City should confirm that this will be acceptable.
12. The developer is showing a "future grass overflow parking lot". The City should confirm that this will be acceptable.

Traffic Study Addendum

13. The report states Phase I buildout has 103 single family homes in several locations. It should be corrected to read 108.
14. The previous Traffic Impact Study dated August 2013 used a traffic growth rate of 2% per year. No explanation was provided for why 1% per year used in the Addendum. Looking at IDOT traffic counts, IL Route 126 had an ADT of 6,650 in 2011 (the ADT stated in the 2013 study) and an ADT of 7,350 in 2016. That results in greater than 2% growth per year. Detailed support should be provided as to why 1% was chosen.
15. It should be verified on whether buses are planned to be used for the school.
16. The Phase II residential buildout was not included in the capacity analysis for the intersection of Penman Road and IL Route 126. Presumably, some of that traffic will be entering/exiting the subdivision through the Penman Road entrance. This will need to be analyzed in the future.
17. We do not support a non-roadway connection to Ashley Road for the full build-out of the school. This should be reviewed and discussed in further detail with Community Development.

18. Timing triggers for the expansion of the parking lot should be reviewed and discussed in further detail with Community Development.
19. We recommend that the main entrance/exit from the future parking area to the future Mustang Way connection align with the Ashley Road connection to limit disruption to future residential owners.

Final Plat of Subdivision

20. "Heretofore Dedicated" along with width and document number dedicating the adjacent roadways need to be added to the plat.
21. Whitekirk Lane, adjacent to the west line of Lot 1 needs to be labeled and dimensioned.
22. Easements are needed for the offsite storm sewer.
23. The gas line servicing the building appears to be outside the right of way, at the end of the proposed Mustang Way right of way and needs to be placed in an easement.
24. The easement adjacent to Whitekirk Lane, along the west line of Lot 2 needs to be labeled and have a note saying, "hereby granted", unless it is a PU&DE. If this is the case it should be removed since there is a blanket PU&DE being granted over all of Lot 2.
25. A 10' PU&DE is needed along the west line of Lot 1 adjacent to Whitekirk Lane.
26. The City Plan Commission Certificate should be removed and the "City Planning and Zoning Commission Certificate" noted below should be added.

CITY PLANNING AND ZONING COMMISSION CERTIFICATE

STATE OF ILLINOIS))ss
COUNTY OF KENDALL)

APPROVED AND ACCEPTED BY THE PLANNING AND ZONING COMMISSION OF THE UNITED CITY OF YORKVILLE, ILLINOIS, THIS ____ DAY OF _____, 20__.

CHAIRMAN

27. The PU&DE for the water main needs to be a minimum of 15 feet.
28. City staff is not in favor of the proposed street name for the row dedication. The street name of Whitekirk Lane should be continued.

IEPA Permit Applications

29. EEI has marked up the IEPA permit applications and will send them back to the design engineer for correction. Once all corrections are made, signatures may be obtained. The changes to the IEPA sanitary and water permit applications that need to be made include the following:
- The Facility ID number should be provided on the "Division of Public Water Supplies Application for Construction Permit" and the "Division of Public Water Supplies, Permit Section Schedule B – Water Main Construction". The City's Facility ID number is: 0930250.
 - Sections of the IEPA water permitting forms that require signature of authorized public water supply official should be signed by Gary J. Golinski, the Mayor of Yorkville.
 - In Section 6.2 of the IEPA Schedule A/B permit application, the description boxes for building use and activity should be filled out with statements that make the use of the non-residential building known as a private school/education facility.
30. The water application will have to be revised to reflect revisions to the plans to provide for water main looping.

The Developer should make the necessary revisions and re-submit plans and supporting documents along with a disposition letter for further review. If you have any questions or require additional information, please contact our office.

Sincerely,

ENGINEERING ENTERPRISES, INC.



Bradley P. Sanderson, P.E.
Vice President

BPS/TNP/BCS

pc: Mr. Bart Olson, City Administrator (Via e-mail)
Ms. Erin Willrett, Assistant City Administrator (Via e-mail)
Mr. Jason Engberg, Senior Planner (Via e-mail)
Mr. Eric Dhuse, Director of Public Works (Via e-mail)
Mr. Pete Ratos, Building Department (Via e-mail)
Ms. Dee Weinert, Admin Assistant (Via e-mail)
Ms. Lisa Pickering, Deputy Clerk (Via e-mail)
Mr. Cyrus McMains, YBSD (Via e-mail)
Ms. Michelle Stewart (via Email)
Mr. David Schultz, HR Green (via Email)
TNP, JAM, EEI (Via e-mail)



PLANNING
RESOURCES INC.

402 West Liberty Drive
Wheaton, Illinois 60187
Web: www.planres.com
P: 630.668.3788
F: 630.668.4125

Memorandum

PP13032-36

To: Tim Paulson, Engineering Enterprises, Inc.
From: Planning Resources Inc.
Date: February 28, 2018
Subject: Yorkville Christian School
Landscape Review #1

Items Reviewed:

Per your request, Planning Resources has reviewed the below-referenced documentation for compliance with requirements of the City of Yorkville.

- Landscape Plan, dated 2/2/18, by HRGreen (Sheets L-01 – L-05)
- Yorkville Ordinance No. 2009-42

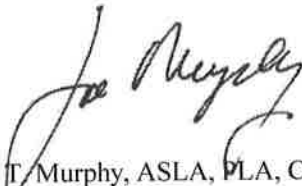
Review Comments

1. **Parkway Landscaping** – the plan says 9 parkway trees have been provided – there are only 7 proposed shown on drawings.
2. **Perimeter Landscaping/Parking Lot** — The substitution of the shrubs for the trees in the landscape medians of the parking lot are an acceptable ratio.
3. **Lot Landscaping** – shade trees required = 54, shrubs required = 405. Plans provide 57 trees (drawing states 54) and 411 shrubs – **approved**.
4. **Storm Water Storage Basin Landscaping** – see section 8-12-2-F: “*Storm Water Storage Basin Landscaping*” – a 30’ buffer yard is required around any storm water basin. Plans do not show a storm water basin buffer yard around all of the rain gardens. They are considered the storm water management and the buffers would apply. Please revise.
5. **Credit for Existing Vegetation** – refer to section 8-12-3-G. Add a table to the Tree Preservation Plan that shows the credits for preserving existing vegetation.
6. **Plant List** — Rain Garden Seed Mix:
Upon review of the rain garden seed mix and related Perennial Groundcovers; Please consider substitutions or alternative species for use in proposed parking lot islands and future perimeter rain gardens. Please note that a majority of these native species may prefer drier conditions as per the (Plants of The Chicago Region, Swink & Wilhelm 4th ed.) These species are considered upland plants and wet conditions may negatively impact growth habits: (Bouteloua, Ratibida, Rudbeckia, Chamecrista, Baptisia, Liatris, Echinacea, Coreopsis, Schizachyrium, Panicum, Koeleria, Elymus, Sporobolus and Ceanothus.)

PLANNERS
ECOLOGISTS
LANDSCAPE
ARCHITECTS

7. **Planting Details** – all the details shown for this project are acceptable as indicated.
8. **Additional Comments:**
 - a. See Section 8-12-2E: "*Landscaping Adjacent to Primary and Secondary Arterials and Collector*". *Sheets L-01-L03* – **indicate 30' landscape buffers along arterials; both Mustang Way and Whitekirk Lane apply to this requirement.**
 - b. **Please add a cross section detail for the parking lot island rain gardens showing the plantings, granite cobbles, curbing etc.**
 - c. **Sheet L-04:**
 - i. **The variety of Gleditsia is 'Skyline'**

With respect,



Joseph T. Murphy, ASLA, PLA, CLARB
Landscape Architect



Robert Kamis, ASLA, SER
Senior Ecologist/Wetland Specialist

MEMORANDUM TO: Michelle Stewart
Yorkville Christian High School

FROM: William R. Woodward
Senior Consultant

Luay R. Aboona, PE
Principal

DATE: March 30, 2018

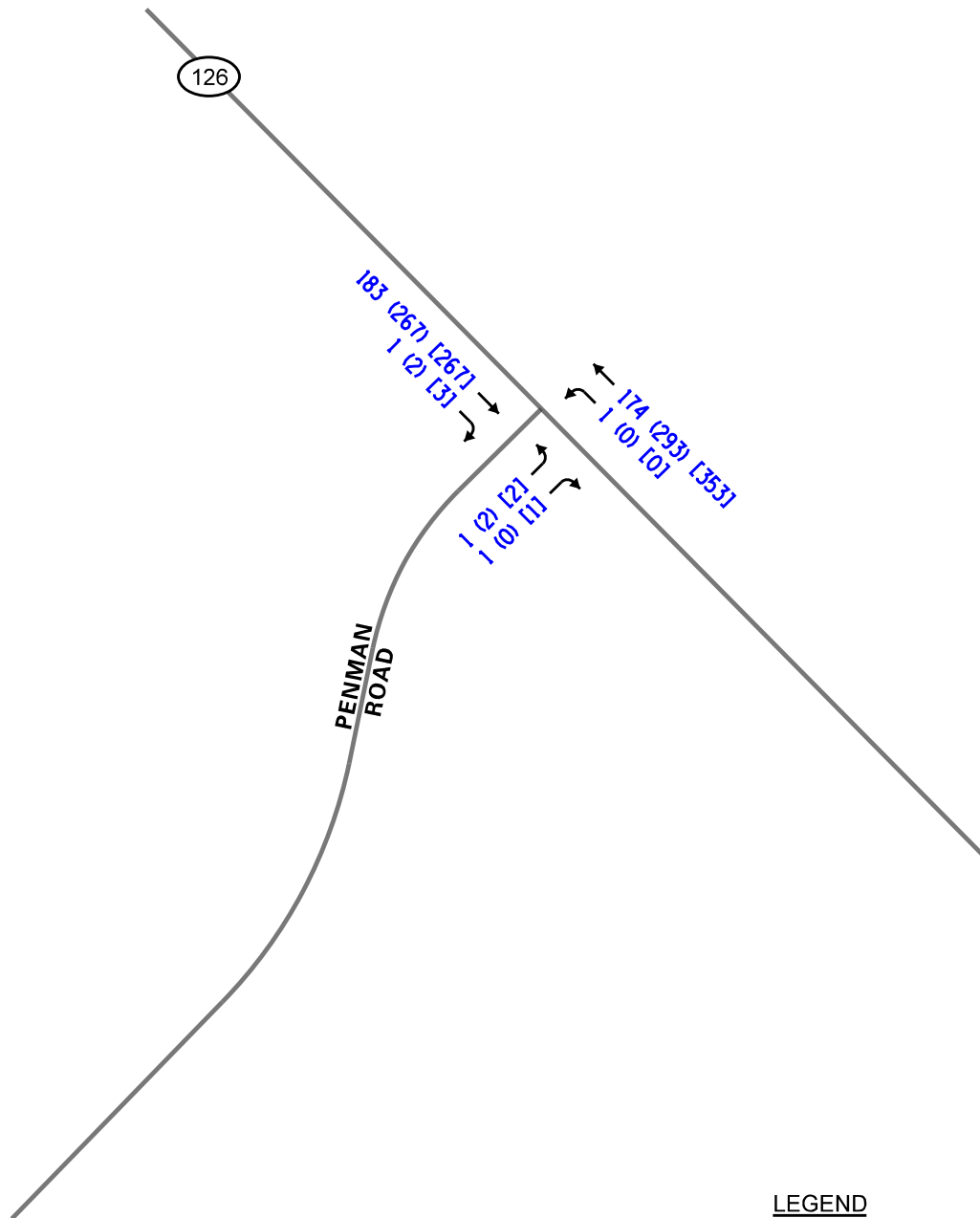
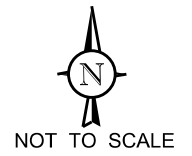
SUBJECT: Traffic Evaluation Addendum
Proposed Yorkville Christian High School
Yorkville, Illinois

This memorandum serves as an addendum to the traffic impact study conducted by Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA, Inc.) in August 2013 for the proposed Yorkville Christian High School to be located within the Prestwick residential subdivision, which occupies the southwest quadrant of the intersection of Schoolhouse Road (IL 126) and Ashley Road in Yorkville, Illinois.

The traffic impact study analyzed the impacts of the proposed 850-student high school within a proposed 108-single-family home residential subdivision, Prestwick Subdivision. At that time, the conceptual plan included an access at the existing intersection of IL 126 and Penman Road, as well as a full access on Ashley Road, south of IL 126. The purpose of this memorandum is to revisit the previously prepared traffic study based on the recent revised site plan configurations and proposed traffic patterns, as well as determine whether the access off Ashley Road is needed to mitigate the traffic impact from the high school at full student capacity (850 students) and the full buildout of the 108 single-family homes or rather if the intersection of IL 126 and Penman will continue to be adequate.

Existing Conditions

As noted, access to the Prestwick subdivision is currently from the existing intersection of IL 126 and Penman Road. Penman Road T-intersects IL 126 from the south, providing one lane inbound and one lane outbound under stop sign control. IL 126 provides one lane in each direction. No turning lanes (i.e. westbound left-turn lane or eastbound right-turn lane) are provided. There are approximately four single-family homes built and occupied within the subdivision. **Figure 1** shows the existing weekday morning and weekday evening peak hour traffic volumes for the intersection of IL 126 and Penman Road. These volumes are from the Year 2013 traffic study report.



LEGEND

- 00 - AM PEAK HOUR (7:30-8:30 AM)
- (00) - PM SCHOOL PEAK HOUR (3:00-4:00 PM)
- [00] - PM PEAK HOUR (4:00-5:00 PM)

Yorkville Christian
High School
Yorkville, Illinois

Existing Traffic Volumes

KLOA
Kenig, Lindgren, O'Hara, Aboona, Inc.
Job No: 13-138 Figure: 1

Proposed Yorkville Christian High School

The high school will be located in the southeast quadrant of the subdivision and proposes vehicle access via an extension of Prestwick Lane. Prestwick Lane intersects Penman Road from the east.

At full occupancy, the high school will be able to accommodate 850 students. Based on information received from the school, there are approximately 45 students currently enrolled at the school, and it is estimated that an additional 20 to 30 students will be enrolled per year. As such, the high school is not expected to reach full occupancy for several years, but an 850-student enrollment was used to provide for a conservative analysis.

Proposed Prestwick Subdivision

The residential subdivision was originally planned in two phases, with Phase I including approximately 108 single-family homes. Phase II, the final phase, included an additional 164 single-family homes. However, for the purposes of this study, only Phase I of the development was included in the analyses.

Estimated Development-Generated Traffic Generation

The estimate of traffic to be generated by the proposed high school at full student occupancy, as well as Phase I of the single-family homes development was estimated using data published in the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 9th Edition. **Table 1** tabulates the total trips anticipated for the weekday morning, weekday early afternoon (school dismissal time), and weekday evening peak hours. The weekday evening peak hour traffic volumes for the single-family homes was used for the weekday early afternoon peak hour to provide for a conservative analysis.

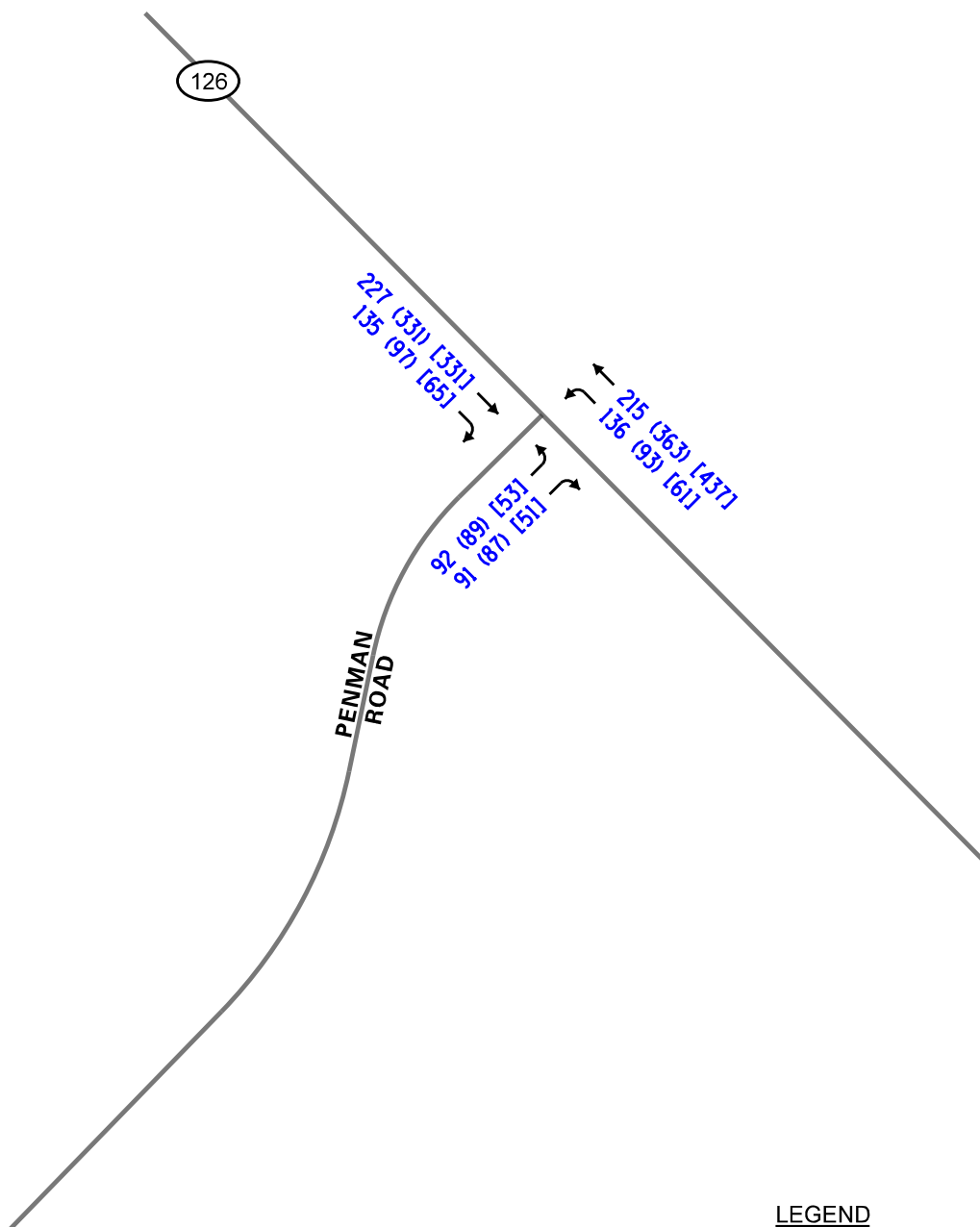
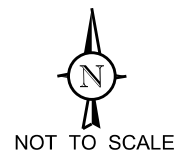
Total Projected Traffic Volumes

Figure 2 shows the Year 2025 peak hour traffic volumes at the intersection of IL 126 and Penman Road, which includes the following.

- The existing (Year 2013) peak hour traffic volumes (Figure 1) were increased by a regional growth factor of 24 percent (two percent per year from 2013 to Year 2025). Regional growth accounts for growth in the area not attributable to any particular planned development.
- Traffic estimated to be generated by the high school and Phase I residential development (Table 1). Traffic was assigned to this intersection using the directional distribution established in the prior study. It is important to note that some of the traffic expected to be generated by the proposed high school may come from within the surrounding residential subdivision. However, all of the high school traffic was assigned to the intersection of IL 126 and Penman Road to provide for a conservative analysis.

Table 1
PROJECTED SITE-GENERATED TRAFFIC VOLUMES

ITE Land Use Code	Type/Size	Weekday Morning Peak Hour			Weekday Afternoon Peak Hour ¹ (School Dismissal)			Weekday Evening Peak Hour		
		In	Out	Total	In	Out	Total	In	Out	Total
530	High School – 850 Students	249	117	366	116	131	247	52	59	111
210	Phase I – (108 units)	<u>21</u>	<u>64</u>	<u>85</u>	<u>71</u>	<u>42</u>	<u>113</u>	<u>71</u>	<u>42</u>	<u>113</u>
Total:		270	181	451	187	173	360	123	101	224
¹ Evening peak hour traffic for single family homes was used to provide a conservative analysis.										



LEGEND

- 00 - AM PEAK HOUR (7:30-8:30 AM)
- (00) - PM SCHOOL PEAK HOUR (3:00-4:00 PM)
- [00] - PM PEAK HOUR (4:00-5:00 PM)

Yorkville Christian
High School
Yorkville, Illinois

Projected Traffic Volumes
(850 Students, 108 Homes)

KLOA
Kenig, Lindgren, O'Hara, Aboona, Inc.
Job No: 13-138 Figure: 2

Traffic Capacity Analysis

Capacity analyses were performed to determine the ability of the existing roadway system to accommodate existing and future traffic demands. Analyses were performed for the weekday morning, weekday early afternoon, and weekday evening peak hours for the existing (Year 2013) and projected (Year 2025) conditions.

The traffic analyses were performed using the methodologies outlined in the Transportation Research Board's *Highway Capacity Manual (HCM)*, 2010 and using Synchro/SimTraffic analysis software. The analyses for unsignalized intersections determine the average control delay to vehicles at an intersection. Control delay is the elapsed time from a vehicle joining the queue at a stop sign (includes the time required to decelerate to a stop) until its departure from the stop sign and resumption of free flow speed. The methodology analyzes each intersection approach controlled by a stop sign and considers traffic volumes on all approaches and lane characteristics. The ability of an intersection to accommodate traffic flow is expressed in terms of level of service, which is assigned a letter from A to F based on the average control delay experienced by vehicles passing through the intersection.

With respect to the capacity analyses, it is important to note the following.

- The prior traffic study recommended that the intersection of IL 126 and Penman Road be improved to include an eastbound right-turn lane and a westbound left-turn lane on IL 126, as well as provide a separate northbound left-turn lane and a northbound right-turn lane on Penman Road. The northbound approach of Penman Road will remain under stop sign control. The capacity analyses for projected conditions include these improvements.
- The capacity analyses were further calibrated to adjust for the surge of traffic during a 15- to 30-minute time period typically generated by a school during peak arrival and dismissal times.

A summary of the traffic analysis results showing the LOS and delay for both existing and future conditions are presented in **Table 2**. A summary of the queue analyses is shown in **Table 3**.

Table 2
CAPACITY ANALYSES RESULTS – IL 126 AND PENMAN ROAD

Intersection	Weekday Morning Peak Hour		Weekday Afternoon Peak Hour		Weekday Evening Peak Hour	
	LOS	Delay	LOS	Delay	LOS	Delay
Existing Conditions						
• Northbound Approach	B	10.4	B	13.9	B	12.7
Projected Conditions¹						
• Westbound Left Turn (IL 126)	A	8.7	A	9.0	A	8.5
• Northbound Approach (Penman)	C	18.1	D	27.7	C	17.8
LOS = Level of Service Delay is measured in seconds. ¹ Includes eastbound right-turn lane and westbound left-turn lane on IL 126; separate northbound left-turn lane and right-turn lane on Penman Road.						

Table 3
95TH PERCENTILE QUEUE ANALYSIS – IL 126 AND PENMAN ROAD

Intersection	Weekday Morning Peak Hour	Weekday Afternoon Peak Hour	Weekday Evening Peak Hour
	Queue (ft)	Queue (ft)	Queue (ft)
Existing Conditions			
• Northbound Approach	25	25	25
Projected Conditions ¹			
• Westbound Left Turn (IL 126)	25	25	25
• Northbound Left Turn (Penman)	50	78	28
• Northbound Right Turn (Penman)	25	25	25
LOS = Level of Service Delay is measured in seconds. ¹ Includes eastbound right-turn lane and westbound left-turn lane on IL 126; separate northbound left-turn lane and right-turn lane on Penman Road.			

Given the results of the capacity analyses shown in Table 2 and assuming the roadway improvements that include an eastbound right-turn lane and a westbound left-turn lane on IL 126, as well as provide a separate northbound left-turn lane and a northbound right-turn lane on Penman Road, the intersection of IL 126 and Penman Road will operate at acceptable levels of service under the analyzed projected conditions (850 student enrollment; 108 single-family homes). Further, the queue analysis shown in Table 3 shows that the peak outbound queue on Penman Road will be less than 80 feet (four cars) during the school peak dismissal time and one or two cars during other peak hour periods.

Based on the uncertainty of Phase II of the residential development with respect to when construction would begin and whether the proposed land use type and density would change (164 additional single-family homes were planned under this phase in Year 2013), Phase II was not included in the analyses as part of this traffic addendum. It is our understanding from direction received from the City of Yorkville that a separate addendum with additional analysis that includes Phase II and the originally proposed connection to Ashley Road should be prepared once Phase II construction is planned to begin.

Conclusion

An access connection to Ashley Road is not needed to accommodate the traffic estimated to be generated by the proposed high school at maximum student occupancy (850 students) in addition to the complete buildout of the 108 single-family homes based on the following.

- The intersection of IL 126 and Penman Road will accommodate the traffic from the proposed school and residential development as long as the recommended improvements of providing an eastbound right-turn lane and a westbound left-turn lane on IL 126, as well as providing a separate northbound left-turn lane and a northbound right-turn lane are provided on Penman Road.
- The capacity analyses show that the turning movements will operate at acceptable levels of service and delay for the weekday morning, weekday afternoon (which captures the school dismissal time), and the weekday evening peak hours.
- The capacity analyses were further adjusted to account for the surge of traffic during a 15- to 30-minute time period typically generated by a school during peak arrival and dismissal times. This surge adjustment was also applied to the evening peak hour analysis when the school is not typically generating traffic, thereby further providing a conservative analysis.
- The queue analyses show that the outbound queue on Penman Road will be less than 75 feet (three cars) during the school peak dismissal time and one car or less during other peak hour periods.
- Providing a westbound left-turn lane and an eastbound right-turn lane on IL 126 will effectively remove the traffic desiring to turn onto Penman Road without impeding the through traffic along IL 126.

- The projected traffic volumes include a regional growth factor of 24 percent (2 percent per year from Year 2013 to Year 2025), in addition to the traffic estimated to be generated by the proposed school and residential developments.
- The projected Year 2025 traffic volumes are conservative since they consider the school at maximum student occupancy (850 students) and the complete buildout of the 108 single-family homes. Based on information provided by the school, maximum occupancy is not planned for several years beyond Year 2025.
- Phase II of the originally proposed residential development was not included in the analyses as part of this traffic addendum. It is our understanding from direction received from the City of Yorkville that a separate addendum with additional analysis that includes Phase II and the originally proposed connection to Ashley Road should be prepared once Phase II construction is planned to begin.

CITY OF YORKVILLE YEAR IN REVIEW 2017

Community Development Department
April 11, 2018



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- b. Historic Analysis
- c. Roadway Project Updates

IV. Comprehensive Planning

- a. Implementation Status
- b. Downtown Overlay District

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Executive Summary

Over the past year, the Community Development Department, which serves as the liaison between the City Council and the City's appointed boards/commissions that are tasked with reviewing development proposals and requests for certain relief of zoning standards, has had several major accomplishments to share. We also have worked to proactively address challenges that may have previously impeded the efficiency of the approval process for developers and remedy inconsistent or unduly burdensome regulations for our residents.

All efforts were done with an eye towards encouraging future growth and orderly development within Yorkville. Therefore, this memo will provide the a brief summary of the role the Planning and Zoning Commission has had in achieving those accomplishments as well as an introduction of goals for the year ahead.

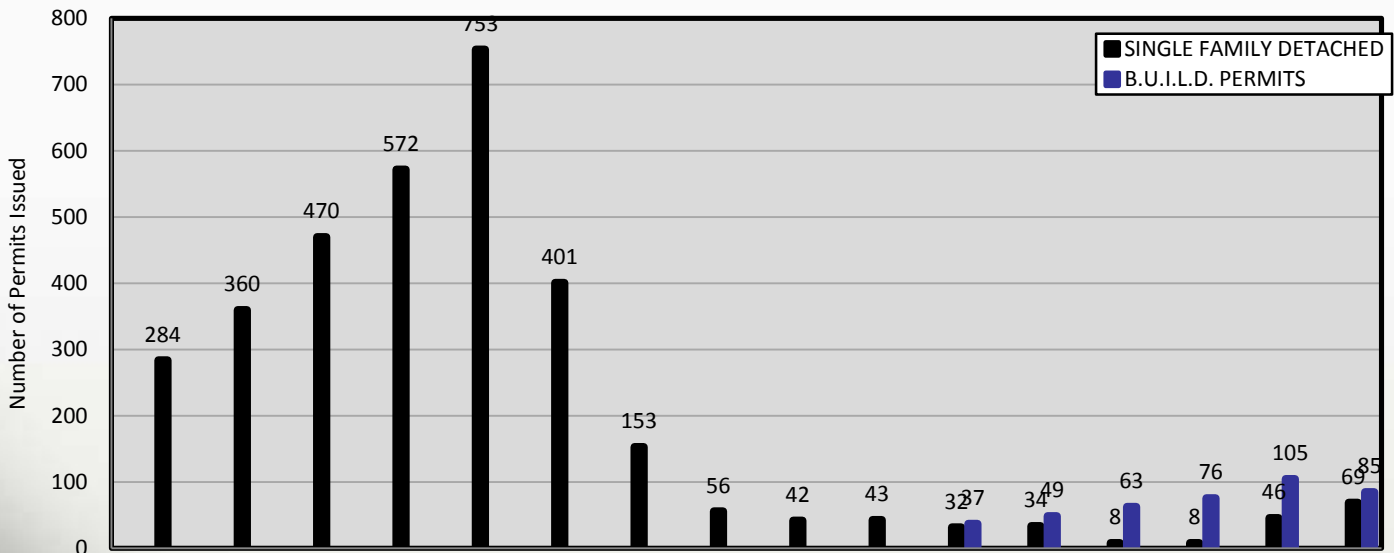
This report highlights the Community Development Department's Year in Review accomplishments, projects and activities for 2017, which includes the following:

- ❖ There were a total of 931 Building Permits issued in 2017
- ❖ 166 were new residential housing starts
- ❖ U.S. Special Census confirmed Yorkville population as 19,022
- ❖ Foreclosures continued a steady decline with 61 newly filed foreclosures in 2017
- ❖ Large development projects recently approved or under construction include: Cedarhurst Living, Anthony Place, Holiday Inn Express. Go For It Sports and Casey's Gas Station.
- ❖ There were 14 applications for 19 various planning and zoning related requests filed in 2017.
- ❖ Between 2010-2017, there were 105 land use entitlement requests heard before the Plan Commission, Zoning Board of Appeals and Planning & Zoning Commission.
- ❖ Implementation of the Comprehensive Plan Update has begun with several projects underway, such as Downtown Wayfinding Signage, Parking Study and Landscape Hill project (applied for ITEP grant).
- ❖ Downtown Overlay District & Form-based Code RFP Awarded.

Buildings & Development

- Below are some highlights from the Community Development Department in calendar year 2016:
- Building permit figures:
 - **166** new housing starts (154 Single Family Detached and 12 Single Family Attached)
 - **931** total building permits issued in calendar year 2017.
 - Total permit fees collected (all types) **\$2,635,852.99**
 - Total Construction Value **\$70,056,246.00**
 - Average BUILD permit home construction value **\$212,754.72**
 - Average Single Family permit (non-BUILD) construction value **\$147,517.54**
- Successfully concluded the BUILD program on December 31, 2017 with a total of **415** permits between the years of 2012-2017.

Building Permits Issued Per Year (as of December 31, 2017)



Buildings & Development

- Total Single Family Detached New Construction Permits – 154
- Total Single Family Attached (Townhomes) New Construction Permits – 12
- Senior Apartment Development (Anthony Place) – 51 units
- Assisted Living Facility (Cedarhurst) – 73 units

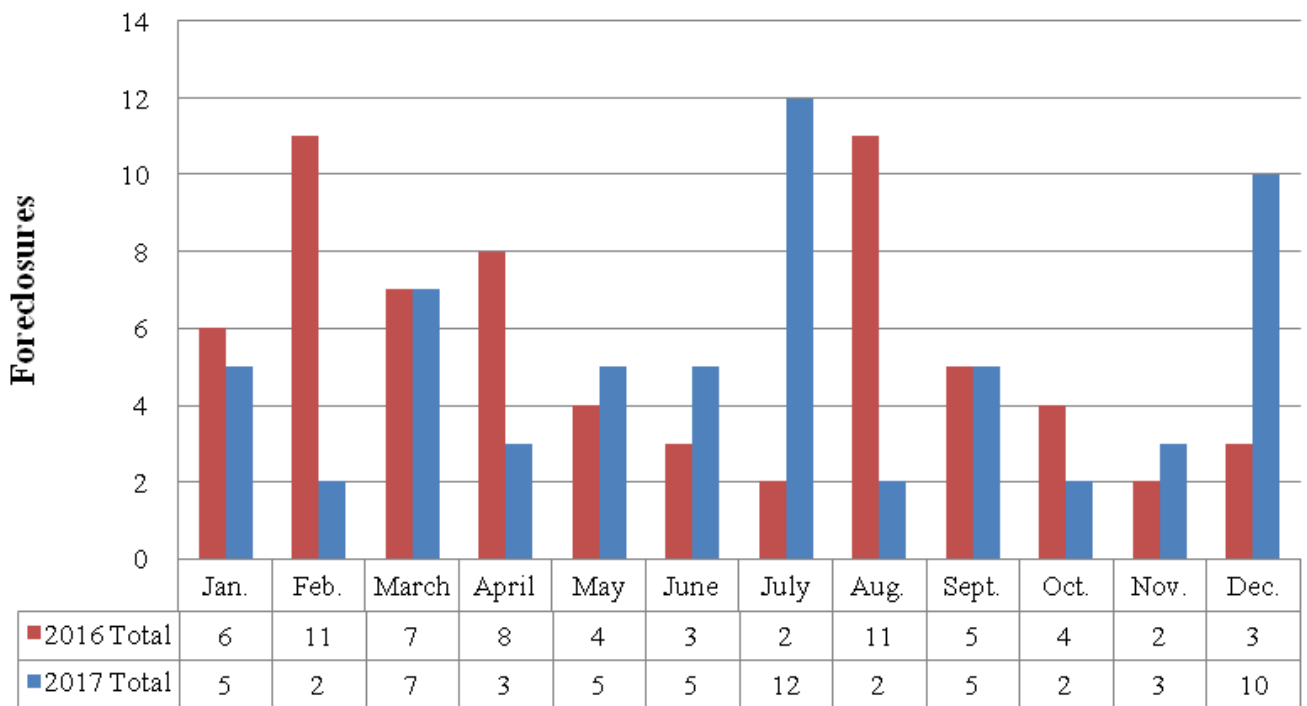
Comparison of New Single Family Home Starts between 2006-2017

	PRE-RECESSION			RECESSION			B.U.I.L.D. INITIATIVE					
	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Plainfield	998	404	172	66	58	93	111	135	144	127	114	140
Yorkville	753	401	153	56	42	43	69	83	72	73	152	154
Montgomery	399	244	91	55	67	46	51	25	31	36	4	2
Oswego	372	224	96	79	83	88	112	131	127	66	52	27
Plano	165	172	40	3	0	3	0	0	3	0	3	4
Sugar Grove	106	48	14	1	5	1	4	28	37	17	9	13
Kendall Co.	73	42	18	12	6	14	16	13	25	18	19	32

Foreclosure Data

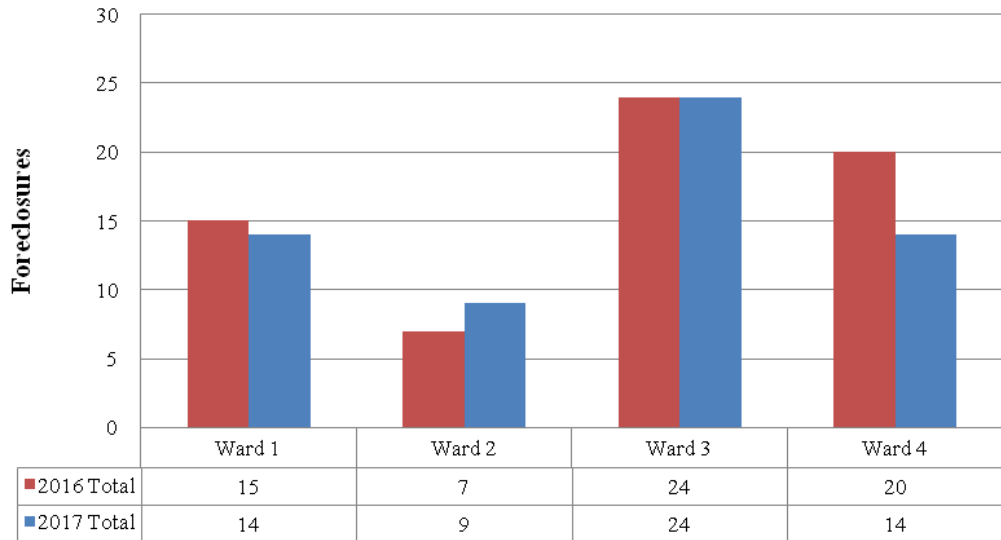
The number of total foreclosures from 2016 to 2017 decreased by approximately 7.5%. In total, there were 66 newly filed foreclosures in 2016 and 61 in 2017, a decrease by five (5) less filings. While this represents a marginal decline in new foreclosure filings, the overall effect appears to represent stabilization in the housing market for Yorkville.

2016 vs. 2017 Foreclosures

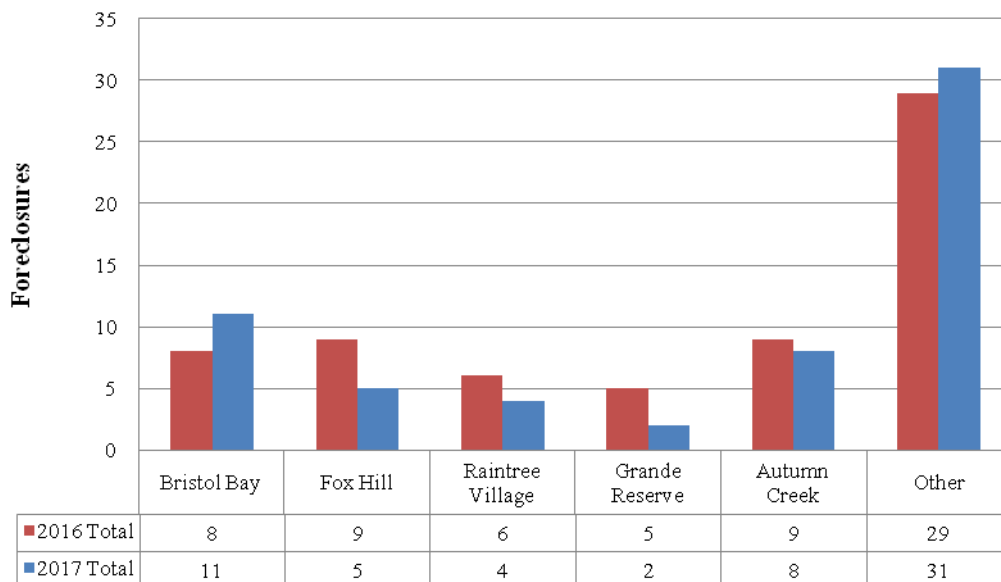


Foreclosure Data

2016 vs. 2017 Ward Breakdown

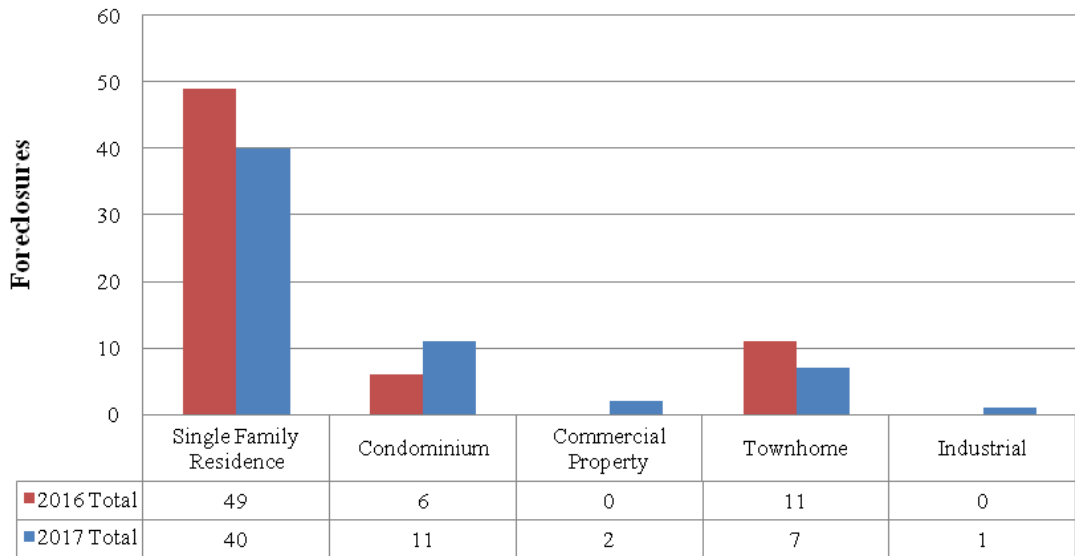


2016 vs. 2017 Subdivision Breakdown

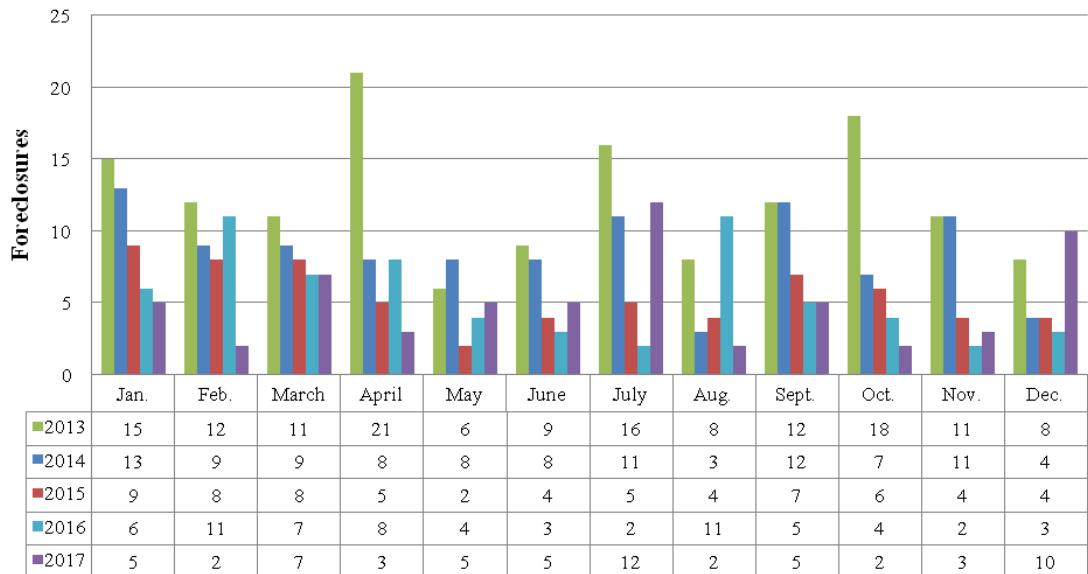


Foreclosure Data

2016 vs. 2017 Property Type Breakdown

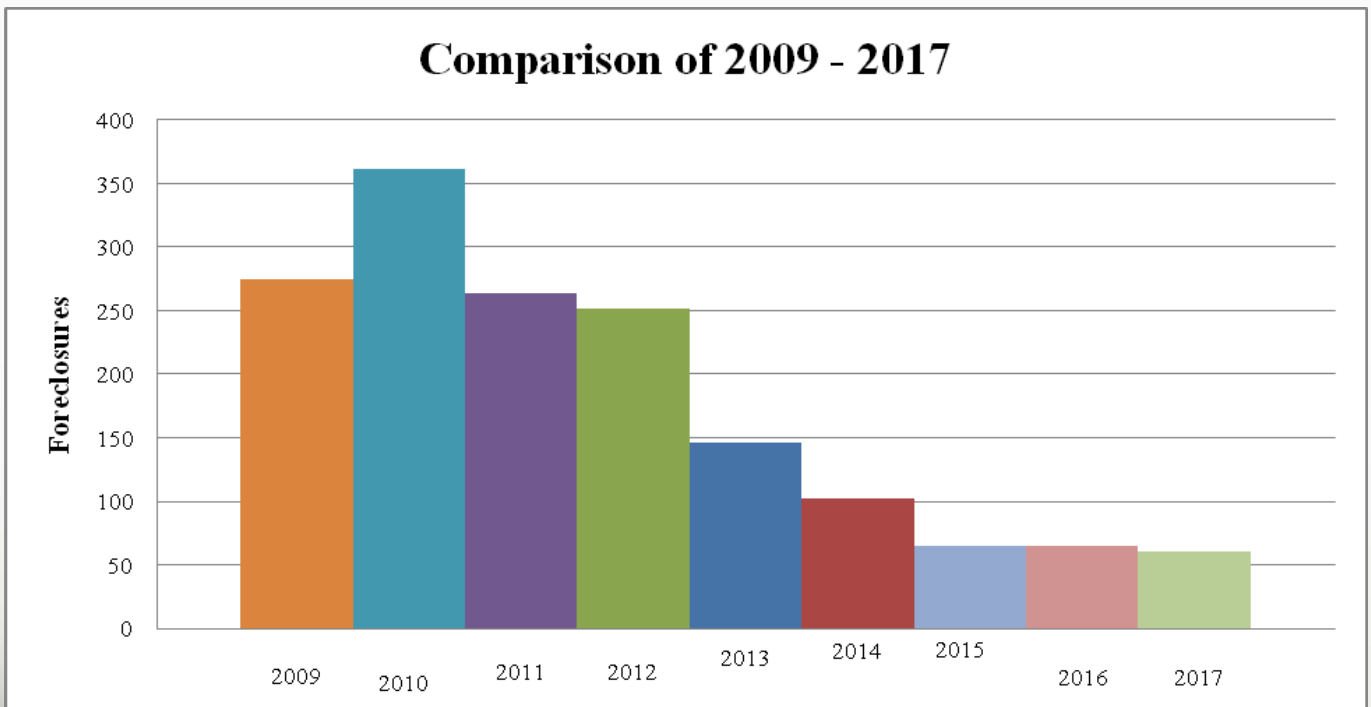


Comparison of 2013 - 2017



Foreclosure Data

According to *RealtyTrac* (<http://www.realtytrac.com/statsandtrends/foreclosuretrends/il>), Illinois has a newly filed foreclosure rate of 1 in every 1,196 (down from 1 in every 1,036 in 2016). Kendall County is ranked #4 in the top 5 counties with the highest rates of foreclosures in Illinois. In November 2017, Kendall County had a newly filed foreclosure rate of 1 in every 825 homes which just behind Boone County (1 in every 712), Will County (1 in every 701) and Winnebago County (1 in every 676). Expectations are that the foreclosures will continue to level off or decrease in 2018 as compared to 2017. Below are graphs illustrating the trend of foreclosures in Yorkville for calendar years 2009 to 2017.



Current Development Projects

CEDARHURST LIVING:

- A new two-story, 71-unit assisted living with memory care facility is currently under construction with a planned opening in Fall 2018. The property consists of approximately 6.7 acres, and is generally located at the northeast corner of US 34 (Veterans Parkway) and Cannonball Trail, in Yorkville, Illinois.



cedarhurst
ASSISTED LIVING and MEMORY CARE
ASSISTED LIVING



STUDIO - 327 sq ft



ONE BEDROOM - 445 sq ft



ONE BEDROOM PLUS - 529 sq ft



ONE BEDROOM PREMIUM - 673 sq ft



TWO BEDROOM - 803 sq ft

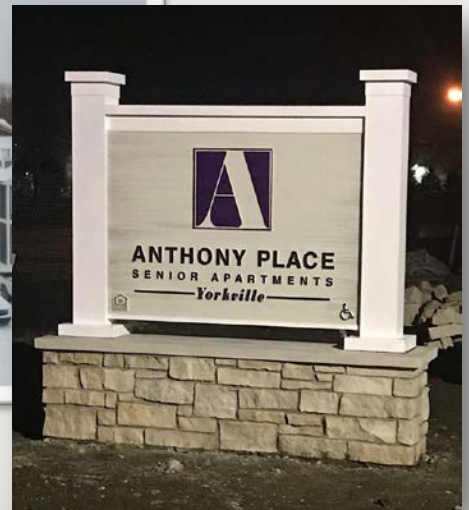
CEDARHURST OF YORKVILLE

1690 Cannonball Trail | Yorkville | IL | 60560 | CedarhurstLiving.com

Current Development Projects

Anthony Place Senior Apartments:

- The two-story apartment building, located at 1050 Freemont Street, is set to open in March 2018 and will consist of fifty (51) units of affordable senior housing, 33 one-bedroom and 18 two-bedroom dwellings.



Current Development Projects

Holiday Inn Express:

- Located in the Kendall Crossing commercial development on the northwest corner of US 34 and IL Rte 47, this new four-story hotel building is set to open in December 2018 will consist of 93 guest rooms and feature a one-story 12,000 sq. ft. banquet annex building.



Current Development Projects

Go For It Sports:

- A multiplex sports dome facility located on Galena Road just east of IL 47 opened in December 2017. Offering indoor field space for soccer, court sports, indoor track, baseball and softball to youth of all abilities, this facility complements the Bristol Bay Park to the north.



Current Development Projects

Casey's Gas Station:

- Currently under construction, the approved new Casey's gas station and convenience store will be located at the southwest corner of McHugh Road and US 34 (Veterans Pkwy).



Land Use Planning

2017 Applications & Petitions

During the calendar year of 2017, the United City of Yorkville's Plan Commission, Zoning Board of Appeal and now the Planning and Zoning Board reviewed a total of fourteen (14) applications for **nineteen (19)** various planning and zoning related requests. Following is a summary list and outcomes of the petitions heard by each of the aforementioned bodies:

	Case #	Project Name	Type of Request	Planning & Zoning Commission Vote	City Council Final Action
1	PZC 2017-01	Cedarhurst Living	PUD Amendment/ Plat Approval	6-yes/0-no	Approved
2	PZC 2017-03	County Case 17-05 (DKR Group)	1.5 Mile Review	5-yes/1-present	Approved
3	PZC 2017-04	Fitness & Health Clubs	Text Amendment	4-yes/0-no	Approved
4	PZC 2017-05	County Case 17-09 (Semper Fi Land, Inc.)	1.5 Mile Review	4-yes/0-no	Approved
5	PZC 2017-06	Small Cell Tower Ordinance	Text Amendment	4-yes/0-no	Approved
6	PZC 2017-07	Casey's General Store	Special Use, Rezoning, Variance, Final Plat	No objection	No objection
7	PZC 2017-08	1995 Meadowlark Court	Variance	No objection	No objection
8	PZC 2017-09	Anthony Place	Final Plat	No objection	No objection
9	PZC 2017-10	County Case 17-21 (McNelis)	1.5 Mile Review	4-yes/0-no	Approved
10	PZC 2017-11	Sidewalk & Parklet Cafe's	Text Amendment	6-yes/1-abstention	Approved
11	PZC 2017-12	104 N. Bridge Street	Rezoning & Variance	Objection	Objection
12	PZC 2017-13	Coffman Carpets	Rezoning	5-yes/0-no (Final Authority)	Approved
13	PZC 2017-14	Bristol Bay (Units 9 and 11)	Amended Final Plat	6-yes/0-no	Approved
14	PZC 2017-15	Cedarhurst Living	Amended Final Plat	6-yes/0-no	Approved

Land Use Planning

Historic Analysis of Entitlement Requests


Staff undertook a historical analysis of the number and various types of entitlement requests applied for between 2006 and 2017 to see if there was any insight to be gained for future reference, such as the effectiveness of the most recent adoption of the Zoning Code update completed in November 2014. Following are data tables and summary findings of the historical analysis.



United City of Yorkville
800 Garvie Farm Road
Yorkville, Illinois, 60550
Telephone: 630-553-4350
Fax: 630-553-7575
Website: www.yorkville.il.us

APPLICATION FOR AGREEMENT AMENDMENT

INVOICE & WORKSHEET PETITION APPLICATION	
CONCEPT PLAN REVIEW	<input type="checkbox"/> Engineering Plan
AMENDMENT	<input type="checkbox"/> Annexation <input type="checkbox"/> Plan <input type="checkbox"/> Plat <input type="checkbox"/> PUD
ANNEXATION	<input type="checkbox"/> \$250.00 + \$10 per acre
Acres: _____ x \$10 = _____ Amount for Fee	
REZONING	<input type="checkbox"/> \$200.00 + \$10 per acre
Acres: _____ x \$10 = _____ Amount for Fee	
SPECIAL USE	<input type="checkbox"/> \$250.00 + \$10 per acre
Acres: _____ x \$10 = _____ Amount for Fee	
ZONING VARIANCE	<input type="checkbox"/> \$85.00 + \$500.00
PRELIMINARY PLAN FEE	<input type="checkbox"/> \$500.00
PUD FEE	<input type="checkbox"/> \$500.00
FINAL PLAT FEE	<input type="checkbox"/> \$500.00
ENGINEERING PLAN REVIEW DEPOSIT	<input type="checkbox"/> Less than 1 acre <input type="checkbox"/> Over 1 acre, less than 2 acres <input type="checkbox"/> Over 2 acres, less than 4 acres <input type="checkbox"/> Over 4 acres, less than 10 acres <input type="checkbox"/> Over 10 acres
OUTSIDE CONSULTANTS DEPOSIT	Legal, land planning, zoning consulting For Annexation, Subdivision <input type="checkbox"/> Less than 2 acres <input type="checkbox"/> Over 2 acres, less than 4 acres <input type="checkbox"/> Over 4 acres



United City of Yorkville
800 Garvie Farm Road
Yorkville, Illinois, 60550
Telephone: 630-553-4350
Fax: 630-553-7575
Website: www.yorkville.il.us

APPLICATION FOR AGREEMENT AMENDMENT

STAGE 2: PLAN COUNCIL REVIEW

Petitioner may present the proposed amended plan to the City Council at the next City Council meeting. The City Council will consider the petition and may approve, deny, or refer the petition to the Planning & Zoning Commission for further review.

STAGE 3: ECONOMIC DEVELOPMENT COMMITTEE REVIEW

Petitioner must present the proposed amendment agreement to the Economic Development Committee for review. The committee will consider the petition and may approve, deny, or refer the petition to the Planning & Zoning Commission for further review.

STAGE 4: PLANNING & ZONING COMMISSION REVIEW

Petitioner will attend a public hearing conducted by the Planning & Zoning Commission. Notice will be placed in the Yorkville Daily Herald at least 10 days prior to the public hearing date. Twenty-five (25) days prior to the public hearing date, the Planning & Zoning Commission will hold a public hearing on the petition. The Planning & Zoning Commission will consider the petition and may approve, deny, or refer the petition to the City Council for further review.

STAGE 5: CITY COUNCIL PUBLIC HEARING

Petitioner will attend the City Council meeting where the petition will be considered. The City Council will consider the petition and may approve, deny, or refer the petition to the Planning & Zoning Commission for further review.

DORMANT APPLICATIONS

The Community Development Director shall determine if an application is incomplete or if it becomes dormant. If an application is incomplete, the petitioner will be notified of such within 30 days from the date of notification. If the petitioner has not responded to a request for information within 60 days from the date of that request, the application will be considered dormant. If the petitioner has not responded to a request for information from the date of the request, the application will be considered dormant. If the Community Development Director has sent the request to the petitioner and the petitioner has not responded to the request, the director shall terminate the application. After the application is terminated, the petitioner may re-submit the application at a later date.

APPLICATION PROCEDURE:

STAGE 1

Submit Application, Fees, and All Pertinent Information to the Community Development Department

STAGE 2

Plan Council Review (if applicable)
Meets on the 2nd and 4th Thursday of the Month

STAGE 3

Economic Development Committee
Meets on the 1st Tuesday of the Month

STAGE 4

Planning & Zoning Commission Public Hearing (PUD only)
Meets on the 2nd Wednesday of the Month

STAGE 5

City Council Public Hearing
Meets on the 2nd and 4th Tuesday of the Month

STAGE 1: APPLICATION SUBMITTAL

The following must be submitted to the Community Development Department:

- One (1) original signed application with legal description.
- Three (3) 11"x17" copies each of the exhibits, proposed drawings, location map, and site plan. Large items must be folded to fit in a 10"x13" envelope.
- Appropriate filing fee.
- One (1) CD or portable USB drive containing one (1) electronic copy (pdf) of each of the following: signed application (complete with exhibits), proposed drawings, location map, and site plan. A Microsoft Word document with the legal description is also required.

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

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

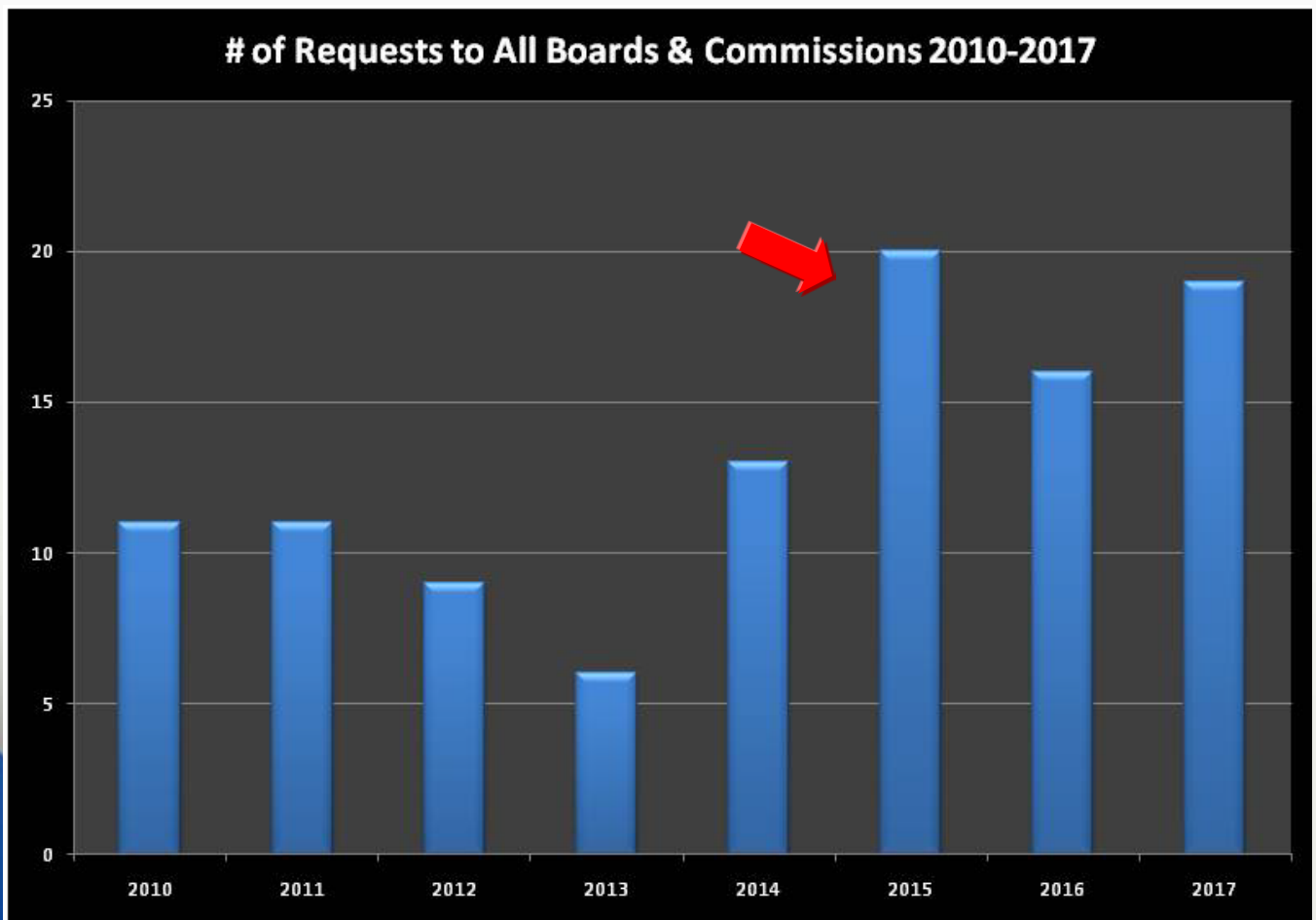
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fppl.com

Land Use Planning

Number of Requests

Over the past seven (7) years, the former Plan Commission and Zoning Board of Appeals, and the current combined Planning and Zoning Commission considered a totaled of 105 various land use entitlement requests. The slight uptick noticed in year 2015 was, in part, a response to the recently updated Zoning Ordinance (requests for variances increased) and the resurgent interest in stalled developments by builders needing entitlement amendments.

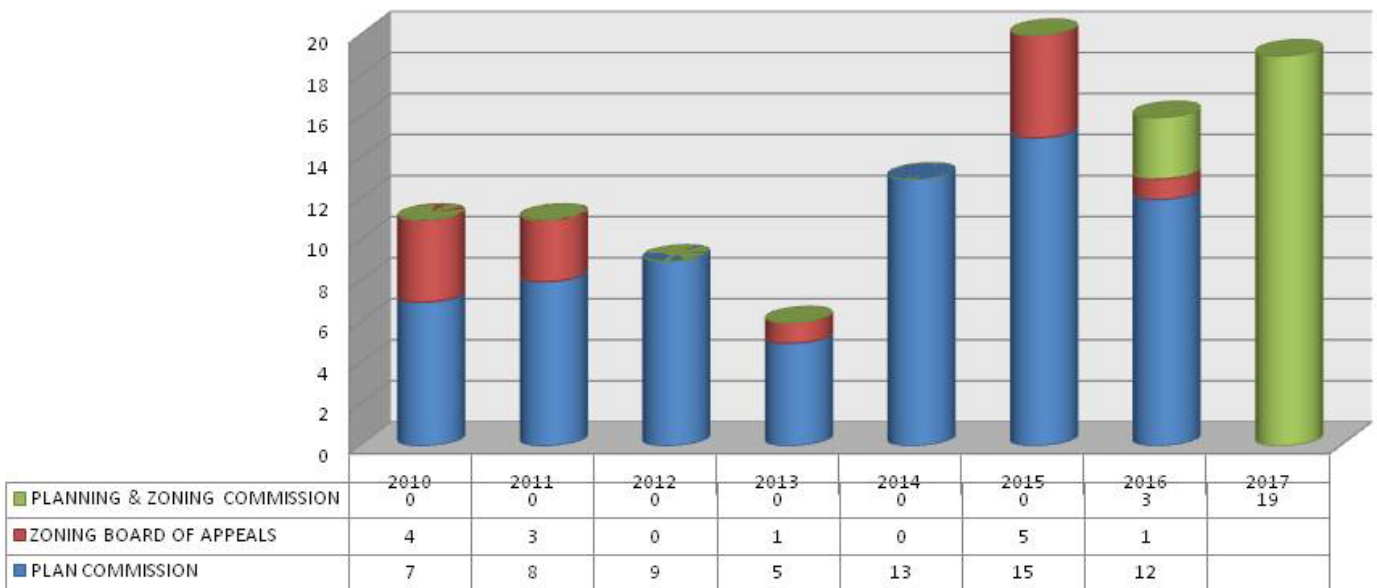


Land Use Planning

Number of Requests

In years 2010 through 2015, the City had two (2) separate appointed bodies review land use entitlement requests, the Plan Commission (PC) and Zoning Board of Appeals (ZBA). In mid-2016, the City Council decided to combine the duties of both bodies into the Planning & Zoning Commission (PZC) due to the ad-hoc nature of the ZBA and to streamline the process for petitioners. The chart below illustrates the number of entitlement requests heard by each board and commission by year between 2010 and 2017.

OF REQUESTS TO BOARD OR COMMISSION BY YEAR BETWEEN 2010-2017

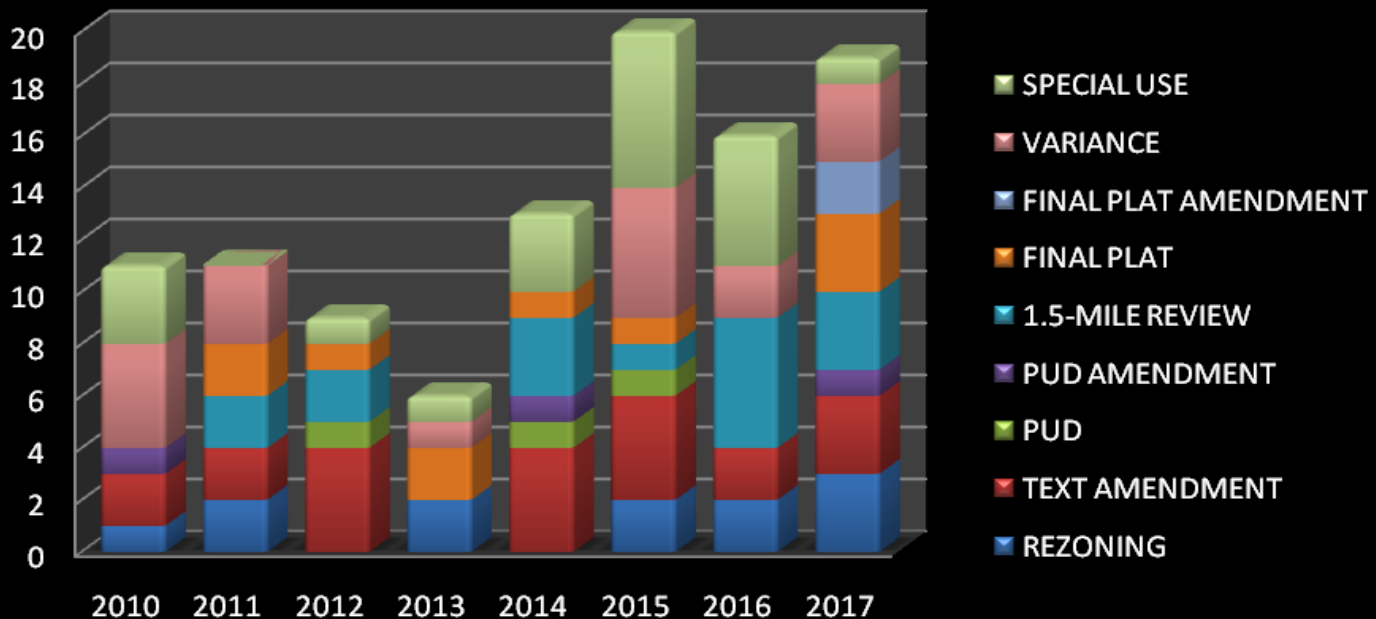


Land Use Planning

Types of Entitlement Requests

Land Use entitlement requests are for approvals not outright permitted in the Zoning Ordinance and include, but are not limited to, special uses, rezoning, variances, etc... Since 2010, the City has processed, on average, approximately thirteen (13) requests per year. The majority of the requests sought were text amendments (20%), special uses (19%) and variances (17%).

**TYPES OF ENTITLEMENT REQUESTS BY YEAR
BETWEEN 2010-2017**

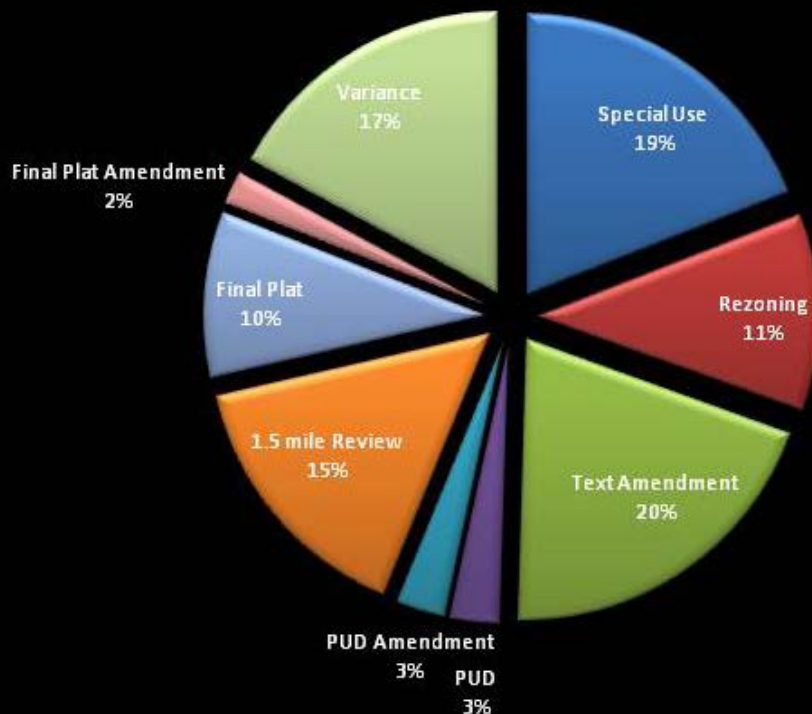


Land Use Planning

Types of Entitlement Requests

Logically, text amendments accounted for the majority of the land use requests due to the adoption of the updated Zoning Ordinance in 2014, recommendations from the 2016 Comprehensive Plan and new planning initiatives proposed by staff (e.g. medical cannabis cultivation centers/dispensaries, microdistilleries/microwineries, and sidewalk cafes/parklets). The increase in special use requests, which covers Planned Unit Development (PUDs) approvals, is a direct result from successor owners and developers seeking to revive unfinished residential and commercial developments with amended land use plans (e.g. Autumn Creek, Fountainview Plaza, Heartland Business Center, and Cedarhurst) to newly planned developments (Countryside Center/Kendall Crossing, Heartland Meadows, Lot 19 Commercial Drive – Self Storage Facility, and Casey's Gas Station).

TYPES OF ENTITLEMENT REQUESTS BETWEEN 2010-2017

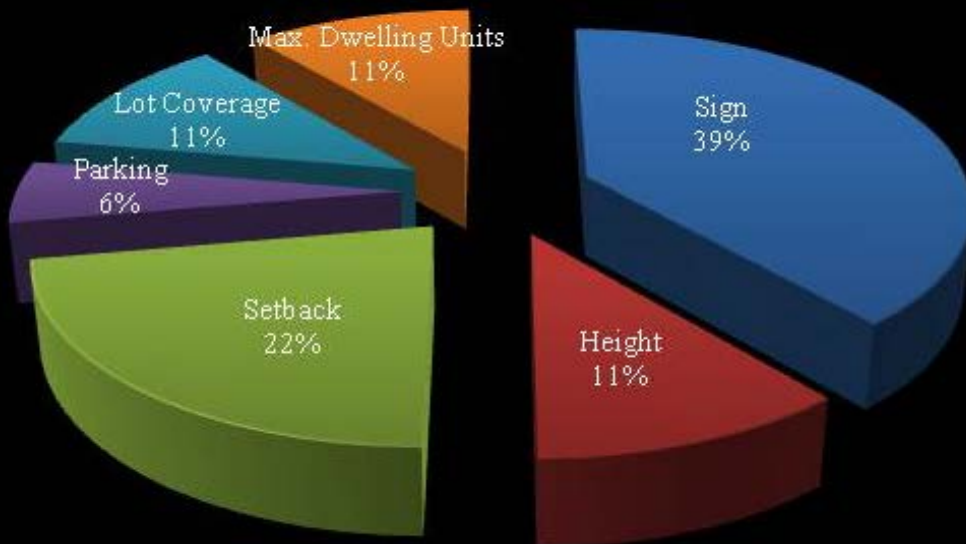


Land Use Planning

Types of Entitlement Requests

With variances being the third (3rd) most requested land use entitlement, staff decided to breakout the different types of variances applied for between the years 2010-2017. As illustrated in the pie chart below, sign and setback variances account for over 60% of the eighteen (18) variance applications submitted.

TYPE OF VARIANCE REQUESTS BETWEEN 2010-2017



Land Use Planning

Illinois Roadway Project Updates

The following is an update as to the status of Illinois Department of Transportation (IDOT) roadway improvement projects in the area:

US Route 34 Improvements (Rt. 47 to Orchard Road)

Status:	Under Construction
Estimated Completion Date:	November 2018

US Route 34 Improvements (Eldamain to Center)

Status:	Under Construction
Estimated Completion Date:	November 2019

IL Route 71 Improvements (Rt. 47 to Rt. 126)

Status:	IDOT is targeting an April Bid Letting
Estimated Construction Start:	Fall 2018
Estimated Completion Date:	November 2020

IL Route 71 Improvements (Walsh to Rt. 47)

Status:	Plans are Complete; Construction not Funded
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IL Route 47 Improvements (Caton Farm Road to Rt. 47)

Status:	Phase I Design; Phase II Design and Construction not Funded
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IL Route 47 Improvements (Kennedy Road to Cross Street)

Status:	Phase I Design; Phase II Design and Construction not Funded
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Note: A Public Hearing on the Phase I Study is Tentatively Scheduled for May 30th

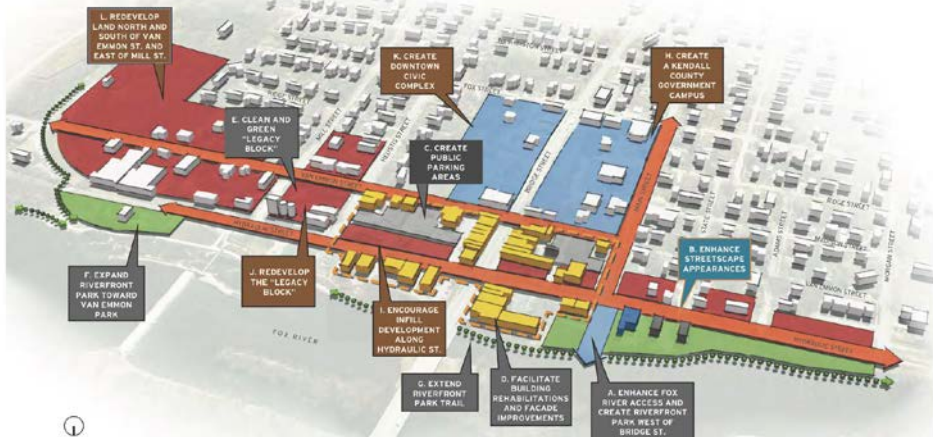
Comprehensive Planning

Comprehensive Plan Implementation Update

As part of the 2016 Comprehensive Plan Update, several implementation goals were suggested to be completed within two (2) years of adoption. Staff prepared a summary of those goals and their current status.

Downtown as the Center of Yorkville

Figure 5.1: Downtown Revitalization Strategies



United City of Yorkville Comprehensive Plan

August 16, 2016

SECTION 5 - VIBRANT CITY

Section 5 of the Comprehensive Plan Update, "Vibrant City", outlines key planning goals and strategies for the Downtown district and Yorkville's other commercial areas along Illinois Routes 47 and 24. For Yorkville stakeholders, revitalizing Downtown Yorkville is a high priority while facilitating the build-out of recently developed commercial areas should be a focus of targeted community and economic development efforts.

DOWNTOWN YORKVILLE

Downtown Yorkville is defined by Van Emmon Park to the west, Chicago and East Fox Streets to the south, Morgan Street to the east, and the Fox River to the north. The historic commercial core is mostly bounded by the Fox River to the north, Fox Street to the south, Mill Street to the east, and Main Street to the west. The Comprehensive Plan envisions Downtown Yorkville as a vibrant core offering a variety of shopping, dining, entertainment, living and recreational opportunities and capitalizing on its historic building stock and location adjacent to the Fox River and Yorkville's traditional neighborhoods. To accomplish this, the Yorkville community will focus on implementing several planning objectives, including:

- Strengthen barriers to Downtown investment and facilitating the use of incentive programs to rehabilitate historic commercial buildings and storefronts and converting upper floors where upper floors exist for location-neutral businesses, office and residential uses.
- Maintaining on-going business and real estate development efforts that support entrepreneurial endeavors, attract medical and commercial services, and facilitate the innovative adaptive use of vacant and under-utilized spaces.
- Encouraging new construction within the Downtown that shows the same urban scale and massing characteristics of the existing historic commercial building stock.
- Facilitating investments in streetscape and pedestrian environments.
- Addressing parking through proactive efforts in parking management led by the City of Yorkville.

It is recognized that maintaining and redeveloping Downtown Yorkville will occur over time and by phases as barriers to investment and development are addressed and smaller-scale revitalization projects are first completed, early projects will build momentum for more substantial investment efforts to follow.

GOALS

Enhance the visual appearance, pedestrian environment and functionality of Downtown Yorkville.

POUICES

- Support the preservation, rehabilitation, and reuse of Downtown Yorkville's traditional commercial buildings.
- Consider "slow and green" initiatives that improve Downtown blocks and spaces.
- Implement placemaking and streetscape programs that enhance Downtown's visual quality and appearance.
- Consider design standards and new zoning tools to promote higher quality Downtown building design.
- Actively manage Downtown's parking supply.
- Continue enhancements to the Bicentennial Boulevard Park as a destination recreation and tourism attraction.

STRATEGY A: ENHANCE FOX RIVER ACCESS AND CREATE A RIVERFRONT PARK WEST OF BRIDGE STREET (ILLINOIS ROUTE 47)

Along the Fox River, near Hydraulic and Main Streets, an existing City-owned public use area could be enhanced by the installation of new boat launch ramps and the creation of new park space. The new park would include both commercial and residential properties near attraction for investments and development. Converting the Public and Recreation Department building adjacent to the new green space into an active use, such as a boating launch center, could also bring increased activity to the west side of Downtown and facilitate the utilization of an enhanced boat launch (See Figure 5.1: Downtown Revitalization Strategies Map on page 19).

IMPLEMENTATION ACTIONS

Implementation actions may include post-launching properties located west of Bridge Street and north of Hydraulic Street along the Fox River to create the new park, grant funding could be awarded and a master plan developed by the City Parks and Recreation Department to guide the new park's design and construction.



Existing boat launch area

Comprehensive Planning

GOAL	STRATEGY/INITIATIVE	STATUS
Enhance the visual appearance, pedestrian environment and functionality of Downtown Yorkville.	Enhance Fox River riverfront access and create a riverfront park west of Bridge Street	
	Enhance streetscape appearances and improve the walkability of Hydraulic, Main and Van Emmon Streets.	
	Create public parking areas.	
	Facilitate building rehabilitation and façade improvements.	Ongoing
Retain and enhance the character and livability of Yorkville's traditional neighborhoods.	Clean and green the Legacy Block (short-term)	Ongoing
	Prepare a neighborhood design manual. Explore a National Register District designation for Traditional Neighborhood areas.	To begin in 2018
Facilitate the completion of Yorkville subdivision developments in the Tiers 1 and 2 residential neighborhoods.	Facilitate build out of Tier 1 and 2 subdivisions.	Ongoing
Implement alternative land use and housing strategies in Tiers 3 and 4 residential neighborhoods. Improve residential subdivision design and neighborhood physical appearances.	Reposition Tier 3 and 4 subdivisions to accommodate different land uses and housing products.	Ongoing
	Adopt conservation and estate residential subdivision codes.	
Yorkville transportation network to accommodate various modes of transportation.	Update the bike trail plan that considers on-street connections and bicycle facilities.	
	Conduct a comprehensive pedestrian crossings assessment, potentially as part of an updated bike trail plan.	
Manage Downtown Yorkville's parking supply effectively and efficiently.	Conduct a Downtown parking assessment and management study.	Completed
	Create Downtown parking facilities.	
	Review and revise parking requirements.	
Ensure City infrastructure systems are updated and modernized to meet the needs of current residents and future development.	Prepare an updated water supply infrastructure plan to accommodate system maintenance and future growth.	Ongoing
	Coordinate with the YBSD on preparation of a sanitary system and where growth is anticipated.	
Promote and implement an effective growth management practices.	Prepare and adopt boundary agreements with the Village of Millbrook and Joliet. Adopt a new planning boundary.	
Maintain an enhanced and well-preserved parks and open space system.	Update the Parks and Recreation Department Master Plan.	
	Implement expansions to Bicentennial Riverfront Park.	
	Consider park and recreation facility expansion near the Raging Waves Water Park.	
Promote orderly growth along Illinois Route 47, and enhance and maintain the corridor's visual environment and land use pattern.	Implement gateway, wayfinding, landscaping and other placemaking treatments. Consider zoning overlays, new design standards or other tools to promote desired corridor character.	Ongoing

Comprehensive Planning

Downtown Overlay District

Creates concrete design guidelines and elements to enhance downtown redevelopment outcomes. Farr Associates hires to prepare the plan which begin in January 2018 and is set to complete in Fall 2018.

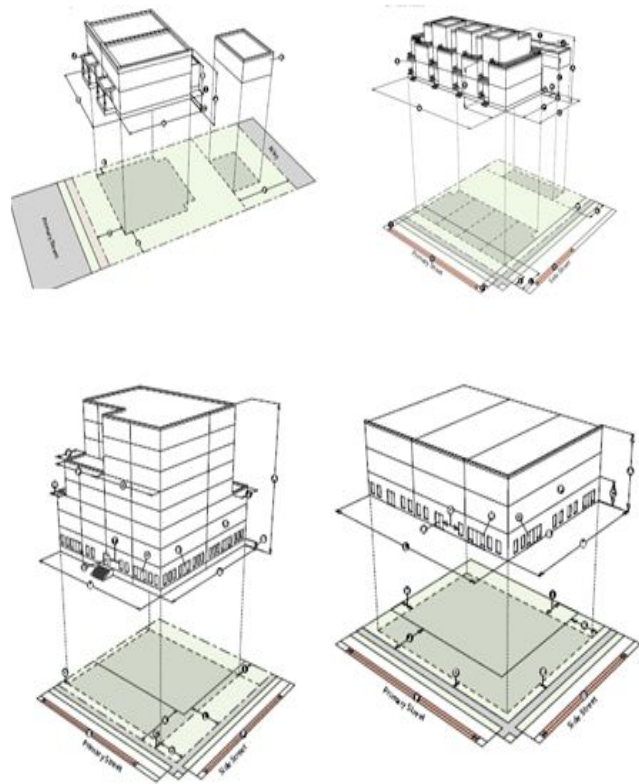


REQUEST FOR PROPOSALS

DOWNTOWN OVERLAY DISTRICT STREETSCAPE MASTER PLAN FORM-BASED CODE

UNITED CITY OF YORKVILLE, ILLINOIS

FARR ASSOCIATES



Comprehensive Planning

Downtown Overlay District

Farr Associates conducted the first of two (2) planned public workshops on February 15, 2018 at Yorkville High School to gather feedback on design elements and street character preferences for the downtown.

DOWNTOWN OVERLAY DISTRICT PUBLIC MEETING #1

WHEN & WHERE:

Thursday, February 15th @ 5:30pm

Yorkville High School

797 Game Farm Road, Yorkville, IL 60560

Presentation and discussion lead by
FARR ASSOCIATES

Please join us to hear about the new Downtown Overlay District project and provide input on the future of your downtown in an interactive meeting with keypad polling! What we have in store:

- Project Overview + Goals
- Keypad Polling
 - Street Character
 - Building Character & Scale
- Q & A Session



United City of
Yorkville ILLINOIS

downtownyorkville.com



Comprehensive Planning

Downtown Overlay District

An online preference survey was conducted which had approximately 473 public participants. More than the number of online participants for the Zoning Code Update (73) and the Comprehensive Plan Update (152) combined. Below are a sampling of some survey questions.

What is **missing** from downtown?



Which **street character** do you prefer?



Future Goals 2018

- **Unified Development Ordinance – RFP**
 - Combines all development standards (zoning, subdivision control, appearance standards, building & landscaping codes) into a single easy-to-read document.
- **Text Amendments & Strategic Planning**
 - Air B-n-B Ordinance
 - Festival and Food Truck Ordinance
 - Personal Services (Body Art & Semi-Permanent Cosmetic Applications)
 - Annexation & Boundary Agreements
- **Special Projects**
 - Industrial/Manufacturing Economic Development Program
 - Neighborhood Design Manual

**PLANNING AND ZONING
COMMISSIONER IDEAS???**