



United City of Yorkville

800 Game Farm Road

Yorkville, Illinois 60560

Telephone: 630-553-4350

www.yorkville.il.us

AGENDA ECONOMIC DEVELOPMENT COMMITTEE MEETING

Tuesday, March 5, 2019

6:00 p.m.

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

Citizen Comments:

Minutes for Correction/Approval: February 5, 2019

New Business:

1. EDC 2019-19 Building Permit Report for December 2018 and January 2019
2. EDC 2019-20 Building Inspection Report for December 2018 and January 2019
3. EDC 2019-21 Property Maintenance Report for December 2018 and January 2019
4. EDC 2019-22 Economic Development Report for February 2019
5. EDC 2019-23 Downtown Form-Based Code and Master Streetscape Plan
6. EDC 2019-24 Raging Waves Annexation Agreement Amendment
7. EDC 2019-25 Windmill Farms Annexation Clarification
8. EDC 2019-26 Short Term Rental Regulations
9. EDC 2019-27 TIF Inducement Resolution – Imperial Investments
10. EDC 2019-28 TIF Inducement Resolution – Casa Santiago
11. EDC 2019-29 TIF Inducement Resolution – Route 47 and Fox Road

Old Business:

1. EDC 2019-17 Renewal of Intergovernmental Agreement with Kendall County for Building Inspection Services

Additional Business:

2018/2019 City Council Goals – Economic Development Committee		
Goal	Priority	Staff
“Manufacturing and Industrial Development”	1	Bart Olson, Krysti Barksdale-Noble, Erin Willrett, Lynn Dubajic, Eric Dhuse & Brad Sanderson
“Downtown Planning”	2	Bart Olson, Krysti Barksdale-Noble & Erin Willrett
“Riverfront Development”	3	Bart Olson, Tim Evans & Krysti Barksdale-Noble
“Southside Development”	4	Bart Olson, Krysti Barksdale-Noble & Lynn Dubajic
“Revenue Growth”	8	Rob Fredrickson, Krysti Barksdale-Noble & Lynn Dubajic
“Entrance Signage”	12	Krysti Barksdale-Noble & Erin Willrett

UNITED CITY OF YORKVILLE
WORKSHEET
ECONOMIC DEVELOPMENT COMMITTEE
Tuesday, March 5, 2019
6:00 PM
CITY HALL CONFERENCE ROOM

CITIZEN COMMENTS:

MINUTES FOR CORRECTION/APPROVAL:

1. February 5, 2019

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

NEW BUSINESS:

1. EDC 2019-19 Building Permit Report for December 2018 and January 2019

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

2. EDC 2019-20 Building Inspection Report for December 2018 and January 2019

☐ Moved forward to CC _____ consent agenda? Y N

☐ Approved by Committee _____

☐ Bring back to Committee _____

☐ Informational Item

☐ Notes _____

3. EDC 2019-21 Property Maintenance Report for December 2018 and January 2019

☐ Moved forward to CC _____ consent agenda? Y N

☐ Approved by Committee _____

☐ Bring back to Committee _____

☐ Informational Item

☐ Notes _____

4. EDC 2019-22 Economic Development Report for February 2019

☐ Moved forward to CC _____ consent agenda? Y N

☐ Approved by Committee _____

☐ Bring back to Committee _____

☐ Informational Item

☐ Notes _____

5. EDC 2019-23 Downtown Form-Based Code and Master Streetscape Plan

☐ Moved forward to CC _____ consent agenda? Y N

☐ Approved by Committee _____

☐ Bring back to Committee _____

☐ Informational Item

☐ Notes _____

6. EDC 2019-24 Raging Waves Annexation Agreement Amendment

☐ Moved forward to CC _____ consent agenda? Y N

☐ Approved by Committee _____

☐ Bring back to Committee _____

☐ Informational Item

☐ Notes _____

7. EDC 2019-25 Windmill Farms Annexation Clarification

☐ Moved forward to CC _____ consent agenda? Y N

☐ Approved by Committee _____

☐ Bring back to Committee _____

☐ Informational Item

☐ Notes _____

8. EDC 2019-26 Short Term Rental Regulations

☐ Moved forward to CC _____ consent agenda? Y N

☐ Approved by Committee _____

☐ Bring back to Committee _____

☐ Informational Item

☐ Notes _____

9. EDC 2019-27 TIF Inducement Resolution – Imperial Investments

☐ Moved forward to CC _____ consent agenda? Y N

☐ Approved by Committee _____

☐ Bring back to Committee _____

☐ Informational Item

☐ Notes _____

10. EDC 2019-28 TIF Inducement Resolution – Casa Santiago

☐ Moved forward to CC _____ consent agenda? Y N

☐ Approved by Committee _____

☐ Bring back to Committee _____

☐ Informational Item

☐ Notes _____

11. EDC 2019-29 TIF Inducement Resolution – Route 47 and Fox Road

☐ Moved forward to CC _____ consent agenda? Y N

☐ Approved by Committee _____

☐ Bring back to Committee _____

☐ Informational Item

☐ Notes _____

OLD BUSINESS:

1. EDC 2019-17 Renewal of Intergovernmental Agreement with Kendall County for Building
Inspection Services

☐ Moved forward to CC _____ consent agenda? Y N

☐ Approved by Committee _____

☐ Bring back to Committee _____

☐ Informational Item

☐ Notes _____

ADDITIONAL BUSINESS:



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

Agenda Item Number

Minutes

Tracking Number

Agenda Item Summary Memo

Title: Minutes of the Economic Development Committee – February 5, 2019

Meeting and Date: Economic Development Committee – March 5, 2019

Synopsis: _____

Council Action Previously Taken:

Date of Action: _____ Action Taken: _____

Item Number: _____

Type of Vote Required: Majority

Council Action Requested: Committee Approval

Submitted by: Minute Taker

Name

Department

Agenda Item Notes:

Have a question or comment about this agenda item?

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

DRAFT

**UNITED CITY OF YORKVILLE
ECONOMIC DEVELOPMENT COMMITTEE
Tuesday, February 5, 2019, 6:00pm
City Conference Room**

In Attendance:

Committee Members

Chairman Ken Koch
Alderman Carlo Colosimo

Alderman Jason Peterson
Alderman Joel Frieders

Other City Officials

Mayor Gary Golinski
City Administrator Bart Olson
Community Development Director Krysti Barksdale-Noble

Code Official Pete Ratos
Alderman Chris Funkhouser

Other Guests

Lynn Dubajic, City Consultant
Theresa Dollinger, Castle Law
Jorge Montano, Boy Scouts
Rick Murphy, CalAtlantic Homes
Carly Peterson, Houseal Lavigne
Julie Schlichting, Boombah/Imperial Investments
Mr. Adrian Frost, Belladonna Tea & Coffee
Jason Wiesbrook, Spaceco/Fox Landscaping, Hively

Matt Hively, Fox Landscaping, Hively
Mr. Chris Mazzoni, Hively
Eric Montano, Boy Scouts
John Houseal, Houseal Lavigne

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

Citizen Comments: None

Minutes for Correction/Approval: January 2, 2019

The minutes were approved on a unanimous voice vote.

New Business

Due to weather conditions on this night, Chairman Koch said Items 1, 2, 3 and 5 would be approved without discussion and they will also be placed on next month's agenda.

- 1. EDC 2019-08 Building Permit Report for December 2018***
- 2. EDC 2019-09 Building Inspection Report for December 2018***
- 3. EDC 2019-10 Property Maintenance Report for December 2018***
- 5. EDC 2019-12 Annual Foreclosure Update***

4. EDC 2019-11 Economic Development Report for January 2019

Ms. Dubajic highlighted the following from her report:

- 1.** A Director of Sales was hired for the Holiday Inn Express and the Director will meet with Ms. Dubajic and the Water Park.

2. The hotel is also now taking reservations for July.
3. Arby's submitted plans for their remodel.
4. Two other significant parcels almost sold.

(out of sequence)

9. EDC 2019-16 Unified Development Ordinance RFP – Recommendation of Contract Award

Ms. Noble said staff has recommended the UDO contract be awarded to the firm Houseal Lavigne Associates. John Houseal and Carly Peterson with Houseal Lavigne were in attendance to present their plans. Mr. Houseal presented information about his company and said they have done work all over the United States. He said it would take approximately 24 months to complete this project for Yorkville and would include input from citizens and city departments. Mr. Houseal summarized the 8-point process for the UDO and said there will be an open house at the conclusion. All information will be interactive on-line and available to the public. It will use smart codes/enCode Plus, allow for project calculations by the users and developers will be able to do their own 3-D modeling. One important feature is that code amendments and changes will reference each other in the history.

Costs were discussed with maintenance at \$5,500 a year and a one-time calculator fee of \$2,500. Alderman Funkhouser questioned the cost of the contract and Ms. Noble replied that only one other interview occurred and that company did not address on-line aspects or had prior UDO experience. Though other firms expressed initial interest, no other applications were submitted. It was recommended to move the contract to the February 26th City Council meeting and to request a second presentation by Houseal Lavigne.

6. EDC 2019-13 204 Boombah Blvd. - Final Plat Request

Ms. Noble said the petitioner has a 21-acre site on which two buildings are situated and they wish to subdivide the site into four lots. The committee discussed the easement access for the lots. The city engineer had submitted a revised plat for review and recommendation at the next Planning and Zoning Commission meeting.

7. EDC 2019-14 Hively Landscaping – Rezoning Request

This 3-acre parcel is under contract to Hively Landscaping. A retail development is proposed for parcel 2 and parcel 1 is for ag use. Attorney Theresa Dollinger said B-3 zoning is being requested for parcel 3, but there are no immediate plans for this portion. She presented a concept plan that showed the tentative access approved by IDOT and Mr. Wiesbrook explained the IDOT process and tentative approvals they have given for Rt. 126 and Rt. 71. He also showed the proposed layout and uses of the property.

Alderman Funkhouser questioned the PUD agreement and Ms. Noble said the city attorney believes the Annexation Agreement has expired. She said there was a PUD district no longer in the ordinance and it was never final-platted. She said the language for the ordinance is being revised and each lot will likely be rezoned. The parcels in question are not connected to city water or sewer as they are too far from connections. Any changes to the Comprehensive Plan will be addressed in one amendment this year. This moves to the March PZC and then to City Council for approval.

8. EDC 2019-15 Raintree Village – Proposed Developer Incentive Agreement

Ms. Noble said staff has been working with the developer on the agreement and the developer has agreed to front-fund \$384,000 in impact fees, requested a fee lock for 5 years, will prepay a \$135,000 SSA and front-fund \$93,000 of park construction. Rick Murphy from CalAtlantic was present with further information. He said they also must work with the county on accrued penalties and interest and financing is the biggest concern at this time. A buildout time of 5-7 years is anticipated, said Mr. Murphy. Noting the loss of property tax on undeveloped lots, the committee gave a positive recommendation for this agreement and it moves to the February 26th regular agenda for the full Council.

(out of sequence)

11. EDC 2019-18 Parking Regulations – W. Van Emmon St.

Ms. Noble said staff was contacted by businesses on W. Van Emmon regarding time-limited parking spaces. The proposal is for 2 parking spots with a limit of 15 minutes and one business requested a 30-minute limit. Mr. Adrian Frost of Belladonna Tea and Coffee said they have no drive-through and while their general business has increased, their to-go orders have suffered a 20% decrease due to no parking. He said 15-minute parking from 8am to 2pm would help with their morning and lunch rush. He suggested moving those limited spaces a little further away from the intersection due to recent accidents. Parking in general was discussed and Alderman Peterson suggested more parking signage for the area behind the former bank.

Alderman Funkhouser asked if discussions were held with the property owner about private spaces since the requested spots are public parking. He also questioned how the regulations would be enforced. Most agreed that drivers would not want a ticket and will move on. The committee recommended 4 parking spots with 15-minute parking from 8am-2pm. Imperial Investments has agreed to pay for 2 of the 4 signs at \$155 per sign.

(out of sequence)

10. EDC 2019-17 Renewal of Intergovernmental Agreement with Kendall County for Building Inspection Services

Ms. Noble said the county submitted increased insurance rates and the city is ascertaining if they have the same amount of insurance. It was noted the city did not use the county for any inspections last year. This item will come back to EDC in March.

Old Business None

Additional Business

Alderman Frieders said he was contacted by the owner of Arch Microblade who said permanent lipliner and eyeliner services were not included in the ordinance and asked to have them added. Research will be done on the manner in which those services are performed and this will be brought back to committee.

There was no further business and the meeting adjourned at 7:45pm.

Minutes respectfully submitted by Marlys Young, Minute Taker



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

Agenda Item Number

New Business #1

Tracking Number

EDC 2019-19

Agenda Item Summary Memo

Title: Building Permit Report for December 2018 and January 2019

Meeting and Date: Economic Development Committee – March 5, 2019

Synopsis: All permits issued in December 2018 and January 2019.

Council Action Previously Taken:

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

Item Number: N/A

Type of Vote Required: Informational

Council Action Requested: None

Submitted by: D. Weinert Community Development
Name Department

Agenda Item Notes:



UNITED CITY OF YORKVILLE

BUILDING PERMIT REPORT

December 2018

TYPES OF PERMITS

	Number of Permits Issued	SFD <i>Single Family Detached</i>	B.U.I.L.D <i>Single Family Detached 1/1/12 thru 12/31/17</i>	SFA <i>Single Family Attached</i>	Multi- Family <i>Apartments Condominiums</i>	Commercial <i>Includes all Permits Issued for Commercial Use</i>	Industrial	Misc.	Construction Cost	Permit Fees
December 2018	31	9	0	0	0	5	0	17	2,016,829.00	84,900.80
Calendar Year 2018	1005	210	14	36	0	130	0	615	55,529,975.00	2,523,390.39
Fiscal Period 2019	698	169	0	0	0	74	0	455	39,294,783.00	1,443,181.28
December 2017	49	9	1	12	0	10	0	17	3,031,142.00	285,721.30
Calendar Year 2017	930	69	85	12	1	155	0	608	70,056,246.00	2,622,579.27
Fiscal Period 2018	697	53	57	12	1	111	0	463	59,462,902.00	2,033,109.74
December 2016	31	0	6	0	0	5	0	20	1,576,272.00	101,679.76
Calendar Year 2016	855	46	105	0	0	121	0	573	36,639,237.00	1,843,802.42
Fiscal period 2017	634	39	76	0	0	80	0	439	28,157,061.00	1,380,584.08
December 2015	25	0	5	0	0	6	0	14	1,344,184.00	83,994.95
Calendar Year 2015	605	8	76	0	0	132	0	389	49,791,115.00	1,211,968.84
Fiscal Period 2016	459	7	54	0	0	95	0	303	14,255,105.00	821,731.08



UNITED CITY OF YORKVILLE

BUILDING PERMIT REPORT

January 2019

TYPES OF PERMITS

	Number of Permits Issued	SFD <i>Single Family Detached</i>	B.U.I.L.D <i>Single Family Detached Program Begins 1/1/2012</i>	SFA <i>Single Family Attached</i>	Multi- Family <i>Apartments Condominiums</i>	Commercial <i>Includes all Permits Issued for Commercial Use</i>	Industrial	Misc.	Construction Cost	Permit Fees
January 2019	38	12	0	0	0	10	0	16	2,880,727.00	148,531.75
Calendar Year 2019	38	12	0	0	0	10	0	16	2,880,727.00	148,531.75
Fiscal Year 2020	737	181	0	0	0	85	0	471	42,189,360.00	1,597,354.03
January 2018	43	4	11	0	0	10	0	18	3,329,185.00	223,014.13
Calendar Year 2018	43	4	11	0	0	10	0	18	3,329,185.00	223,014.13
Fiscal Year 2019	740	57	68	12	1	121	0	481	62,792,087.00	2,228,495.07
January 2017	32	1	6	0	0	10	0	15	1,916,727.00	98,105.55
Calendar Year 2017	32	1	6	0	0	10	0	15	1,916,727.00	98,105.55
Fiscal Year 2018	669	40	82	0	0	91	0	456	30,098,866.00	1,480,888.63
January 2016	19	0	0	0	0	10	0	9	168,642.00	2,400.00
Calendar Year 2016	19	0	0	0	0	10	0	9	168,642.00	2,400.00
Fiscal Year 2017	478	7	54	0	0	105	0	312	14,423,747.00	825,131.08



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

Agenda Item Number

New Business #2

Tracking Number

EDC 2019-20

Agenda Item Summary Memo

Title: Building Inspection Report for December 2018 and January 2019

Meeting and Date: Economic Development Committee – March 5, 2019

Synopsis: All inspections scheduled in December 2018 and January 2019.

Council Action Previously Taken:

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

Item Number: N/A

Type of Vote Required: Informational

Council Action Requested: None

Submitted by: D. Weinert Community Development
Name Department

Agenda Item Notes:

DATE: 12/31/2018
TIME: 12:12:55
ID: PT4A0000.WOW

UNITED CITY OF YORKVILLE
CALLS FOR INSPECTION REPORT

PAGE: 1

INSPECTIONS SCHEDULED FROM 12/01/2018 TO 12/31/2018

INSPECTOR	TIME	TYPE OF INSPECTION	PERMIT	ADDRESS	LOT	SCHED. DATE	COMP. DATE
BF		050-REL ROUGH ELECTRICAL	20170301	4040 CANNONBALL TR			12/05/2018
		Comments1: CEDARHURST 2ND FLOOR CORRIDOR, GREAT ROO					
		Comments2: M 134, 135, 136, NURSES ROOM 138, 139 AN					
		Comments3: D SALON ROOM 159					
BF		051-RMC ROUGH MECHANICAL					12/05/2018
		Comments1: SAME AREAS AS THE ROUGH ELECTRIC.- NOT R					
		Comments2: EADY					
BF		052-REI REINSPECTION					12/12/2018
		Comments1: MECHANICAL FIRST FLOOR SOFFIT AREAS, CED					
		Comments2: ARHURST					
BF		053-RMC ROUGH MECHANICAL					12/17/2018
		Comments1: CEDARHURST REINSPECTION, LOBBY, DIRECTOR					
		Comments2: 'S OFFICE & ACTIVITY ROOM, METAL SOFFIT					
BF		054-RMC ROUGH MECHANICAL					12/19/2018
		Comments1: CEDARHURST, DINING ROOM SEE INSPECTION S					
		Comments2: HEET					
EEI		019-EFL ENGINEERING - FINAL INSPE	20170577	1006 S CARLY CIR	112		12/13/2018
		Comments1: PROPERTY CORNERS					
EEI		021-EFL ENGINEERING - FINAL INSPE	20170648	927 N CARLY CIR	128		12/13/2018
		Comments1: NO TREE, PROPERTY CORNERS, CRACKED SW SQ					
		Comments2: UARE					
EEI		019-EFL ENGINEERING - FINAL INSPE	20170859	982 N CARLY CIR	57		12/13/2018
		Comments1: PROPERTY PINS NO COVER ON BBOX					
BF		014-PPS PRE-POUR, SLAB ON GRADE	20170900	1926 RENA LN	11		12/12/2018
		Comments1: WALKS COMPLETE COMPACTION OF STONE BASE,					
		Comments2: BASE MUST BE MIN OF 3" PRIOR TO POURING					
BF		015-PPS PRE-POUR, SLAB ON GRADE	20170901	1924 RENA LN	11		12/12/2018
		Comments1: WALKS COMPLETE COMPACTION OF STONE BASE,					
		Comments2: BASE MUST BE MIN OF 3" PRIOR TO POURING					
BF		015-PPS PRE-POUR, SLAB ON GRADE	20170902	1922 RENA LN	11		12/12/2018
		Comments1: WALKS COMPLETE COMPACTION OF STONE BASE,					
		Comments2: BASE MUST BE MIN OF 3" PRIOR TO POURING					
		Comments3: WALKS					
BF		014-PPS PRE-POUR, SLAB ON GRADE	20170903	1928 RENA LN	11		12/12/2018
		Comments1: WALKS COMPLETE COMPACTION OF STONE BASE,					
		Comments2: BASE MUST BE MIN OF 3" PRIOR TO POURING					

DATE: 12/31/2018
TIME: 12:12:55
ID: PT4A0000.WOW

UNITED CITY OF YORKVILLE
CALLS FOR INSPECTION REPORT

PAGE: 2

INSPECTIONS SCHEDULED FROM 12/01/2018 TO 12/31/2018

INSPECTOR	TIME	TYPE OF INSPECTION	PERMIT	ADDRESS	LOT	SCHED. DATE	COMP. DATE
BF	_____	015-PPS PRE-POUR, SLAB ON GRADE	20170904	1920 RENA LN	11		12/12/2018
		Comments1: WALKS COMPLETE COMPACTION OF STONE BASE, Comments2: BASE MUST BE MIN OF 3" PRIOR TO POURING					
BF	_____	015-PPS PRE-POUR, SLAB ON GRADE	20170905	1932 RENA LN	11		12/12/2018
		Comments1: WALKS COMPLETE COMPACTION OF STONE BASE, Comments2: BASE MUST BE MIN OF 3" PRIOR TO POURING					
BF	_____	014-REI REINSPECTION	20170906	1902 RENA LN	12		12/12/2018
		Comments1: BUILDING FINAL (REFER TO BF TICKET 24865 Comments2: 9 11-29-18)					
BF	_____	015-REI REINSPECTION	20170907	1912 RENA LN	12		12/12/2018
		Comments1: BUILDING FINAL (REFER TO BF TICKET 24865 Comments2: 9 11-29-18)					
BF	_____	014-REI REINSPECTION	20170908	1904 RENA LN	12		12/12/2018
		Comments1: BUILDING FINAL (REFER TO BF TICKET 24865 Comments2: 9 11-29-18)					
BF	_____	014-REI REINSPECTION	20170909	1910 RENA LN	12		12/12/2018
		Comments1: BUILDING FINAL (REFER TO BF TICKET 24865 Comments2: 9 11-29-18)					
BF	_____	014-REI REINSPECTION	20170910	1908 RENA LN	12		12/12/2018
		Comments1: BUILDING FINAL (REFER TO BF TICKET 24865 Comments2: 9 11-29-18)					
BF	_____	014-REI REINSPECTION	20170911	1906 RENA LN	12		12/12/2018
		Comments1: BUILDING FINAL (REFER TO BF TICKET 24865 Comments2: 9 11-29-18)					
BF	_____	003-BKF BACKFILL	20170926	3146 MATLOCK DR	672		12/11/2018
		Comments1: GR UPLAND					
PR	_____	004-ESS ENGINEERING - STORM				12/11/2018	
PR	_____	005-WAT WATER				12/11/2018	
BF	_____	002-FOU FOUNDATION	20170927	3142 MATLOCK DR	673		12/21/2018
		Comments1: GR UPLAND					
BF	_____	003-BKF BACKFILL					12/28/2018
		Comments1: UPLAND GR					
BF	_____	014-FIN FINAL INSPECTION	20170928	3152 MATLOCK DR	671		12/06/2018
		Comments1: GR HORTON					

DATE: 12/31/2018
TIME: 12:12:55
ID: PT4A0000.WOW

UNITED CITY OF YORKVILLE
CALLS FOR INSPECTION REPORT

PAGE: 3

INSPECTIONS SCHEDULED FROM 12/01/2018 TO 12/31/2018

INSPECTOR	TIME	TYPE OF INSPECTION	PERMIT	ADDRESS	LOT	SCHED. DATE	COMP. DATE
PR	_____	015-PLF PLUMBING - FINAL OSR READ					12/06/2018
EEI	_____	016-EFL ENGINEERING - FINAL INSPE				12/07/2018	
BF	_____	008-PLR PLUMBING - ROUGH	20170937	3137 MATLOCK DR	653		12/05/2018
BC	_____	009-RFR ROUGH FRAMING					12/05/2018
BC	_____	010-REL ROUGH ELECTRICAL					12/05/2018
BC	_____	011-RMC ROUGH MECHANICAL					12/05/2018
BF	_____	012-INS INSULATION					12/07/2018
BF	_____	013-PPS PRE-POUR, SLAB ON GRADE Comments1: WALK	20170964	1942 RENA LN	10	12/13/2018	
BF	_____	012-PPS PRE-POUR, SLAB ON GRADE Comments1: NOT READY BRACING NOT COMPLETE, STONE BA Comments2: SE MUST BE A MIN OF 3" PRIOR TO POURING	20170965	1944 RENA LN	10		12/12/2018
BF	_____	013-PPS PRE-POUR, SLAB ON GRADE Comments1: WALK				12/13/2018	
BF	_____	012-PPS PRE-POUR, SLAB ON GRADE Comments1: NOT READY BRACING NOT COMPLETE, STONE BA Comments2: SE MUST BE A MIN OF 3" PRIOR TO POURING	20170966	1946 RENA LN	10		12/12/2018
BF	_____	013-PPS PRE-POUR, SLAB ON GRADE Comments1: WALK				12/13/2018	
BF	_____	012-PPS PRE-POUR, SLAB ON GRADE Comments1: NOT READY BRACING NOT COMPLETE, STONE BA Comments2: SE MUST BE A MIN OF 3" PRIOR TO POURING	20170967	1948 RENA LN	10		12/12/2018
BF	_____	013-PPS PRE-POUR, SLAB ON GRADE Comments1: WALK				12/13/2018	
BF	_____	013-PPS PRE-POUR, SLAB ON GRADE Comments1: NOT READY BRACING NOT COMPLETE, STONE BA Comments2: SE MUST BE A MIN OF 3" PRIOR TO POURING	20170968	1952 RENA LN	10		12/12/2018
BF	_____	014-PPS PRE-POUR, SLAB ON GRADE Comments1: WALK				12/13/2018	
BF	_____	014-PPS PRE-POUR, SLAB ON GRADE Comments1: NOT READY BRACING NOT COMPLETE, STONE BA Comments2: SE MUST BE A MIN OF 3" PRIOR TO POURING	20170969	1954 RENA LN	10		12/12/2018

DATE: 12/31/2018
TIME: 12:12:55
ID: PT4A0000.WOW

UNITED CITY OF YORKVILLE
CALLS FOR INSPECTION REPORT

PAGE: 4

INSPECTIONS SCHEDULED FROM 12/01/2018 TO 12/31/2018

INSPECTOR	TIME	TYPE OF INSPECTION	PERMIT	ADDRESS	LOT	SCHED. DATE	COMP. DATE
BF	_____	015-PPS PRE-POUR, SLAB ON GRADE Comments1: WALK				12/13/2018	
BF	_____	012-INS INSULATION Comments1: ABBY PROPS	20170970	1968 RENA LN	9		12/05/2018
BF	_____	013-PPS PRE-POUR, SLAB ON GRADE Comments1: NOT READY BRACING NOT COMPLETE, STONE BA Comments2: SE MUST BE A MIN OF 3" PRIOR TO POURING					12/12/2018
BF	_____	014-PPS PRE-POUR, SLAB ON GRADE Comments1: WALK				12/13/2018	
BF	_____	012-INS INSULATION	20170971	1966 RENA LN	9		12/05/2018
BF	_____	012-INS INSULATION	20170972	1974 RENA LN	9		12/05/2018
BF	_____	011-INS INSULATION	20170973	1962 RENA LN	9		12/05/2018
BF	_____	011-INS INSULATION	20170974	1972 RENA LN	9		12/05/2018
BF	_____	012-PPS PRE-POUR, SLAB ON GRADE Comments1: NOT READY BRACING NOT COMPLETE, STONE BA Comments2: SE MUST BE A MIN OF 3" PRIOR TO POURING					12/12/2018
BF	_____	013-PPS PRE-POUR, SLAB ON GRADE Comments1: WALK				12/13/2018	
BF	_____	011-INS INSULATION	20170975	1964 RENA LN	9	12/05/2018	
BF	_____	005-REI REINSPECTION Comments1: PRE POUR SLAB	20180075	1311 CAROLYN CT	6		12/03/2018
BF	_____	005-REI REINSPECTION Comments1: PRE POUR	20180076	1303 CAROLYN CT	6		12/03/2018
BF	_____	005-REI REINSPECTION Comments1: PRE POUR	20180077	1309 CAROLYN CT	6		12/03/2018
BF	_____	005-REI REINSPECTION Comments1: PRE POUR	20180078	1305 CAROLYN CT	6		12/03/2018
BF	_____	005-REI REINSPECTION Comments1: PRE POUR	20180079	1307 CAROLYN CT	6		12/03/2018
BC	_____	004-PPS PRE-POUR, SLAB ON GRADE	20180081	1321 CAROLYN CT	5		12/06/2018
BC	_____	004-PPS PRE-POUR, SLAB ON GRADE	20180082	1323 CAROLYN CT	5		12/06/2018

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BC	_____	004-PPS PRE-POUR, SLAB ON GRADE	20180083	1325 CAROLYN CT	5		12/06/2018
BC	_____	004-PPS PRE-POUR, SLAB ON GRADE	20180084	1327 CAROLYN CT	5		12/06/2018
BC	_____	004-PPS PRE-POUR, SLAB ON GRADE	20180085	1329 CAROLYN CT	5		12/06/2018
BC	_____	004-PPS PRE-POUR, SLAB ON GRADE	20180086	1331 CAROLYN CT	5		12/06/2018
GH	_____	002-FIN FINAL INSPECTION Comments1: COULD NOT FULLY INSPECT - COULD ONLY ACC Comments2: ESS FRONT	20180100	3376 RYAN DR	64		12/13/2018
GH	_____	002-FIN FINAL INSPECTION	20180107	2923 GRANDE TR	380		12/14/2018
GH	_____	002-FIN FINAL INSPECTION	20180138	1311 WILLOW WAY	219		12/13/2018
GH	_____	002-FIN FINAL INSPECTION	20180194	492 HONEYSUCKLE LN	165		12/13/2018
BF	_____	012-FIN FINAL INSPECTION Comments1: ELECTRIC RESTORE CHURCH-SEE INSPECTION R Comments2: EPORT	20180200	8710 RT 71			12/13/2018
BF	_____	003-FOU FOUNDATION Comments1: CAL MIDWEST	20180208	3121 LAUREN DR	91		12/04/2018
BC	_____	004-BKF BACKFILL Comments1: CAL MIDWEST					12/10/2018
PR	_____	005-SEW SEWER INSPECTION					12/11/2018
PBF	_____	006-PLU PLUMBING - UNDERSLAB Comments1: CAL RYAN					12/18/2018
BC	_____	007-BSM BASEMENT FLOOR					12/17/2018
BC	_____	006-RFR ROUGH FRAMING	20180218	171 SARAVANOS DR	6		12/11/2018
BC	_____	007-INS INSULATION Comments1: FOAM AROUND WINDOWS AND DOORS BEFORE INS Comments2: TALLING DRYWALL					12/21/2018
BC	_____	022-FIN FINAL INSPECTION	20180242	1835 MARKETVIEW DR	7		12/07/2018
PR	_____	023-PLF PLUMBING - FINAL OSR READ					12/04/2018
BC	_____	002-FIN FINAL INSPECTION	20180288	307 CENTER PKWY	20		12/18/2018
BF	_____	003-BKF BACKFILL Comments1: GR UPLAND	20180330	3126 MATLOCK DR	677		12/11/2018

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PR	_____	004-ESS ENGINEERING - STORM				12/11/2018	
PR	_____	005-WAT WATER				12/11/2018	
BF	_____	002-FOU FOUNDATION Comments1: GR UPLAND	20180331	3122 MATLOCK DR	679		12/26/2018
BC	_____	008-PHD POST HOLE - DECK	20180333	3053 JUSTICE DR	633		12/13/2018
BC	_____	008-PHD POST HOLE - DECK	20180334	3075 JUSTICE DR	634		12/13/2018
BC	_____	013-PHD POST HOLE - DECK	20180335	3097 MATLOCK DR	635		12/13/2018
BF	_____	001-FTG FOOTING Comments1: GR UPLAND	20180336	3106 MATLOCK DR	681		12/03/2018
BC	_____	007-PHD POST HOLE - DECK	20180337	3021 JUSTICE DR	632		12/13/2018
GH	_____	002-FIN FINAL INSPECTION	20180344	2909 GRANDE TR	377		12/14/2018
BC	_____	012-INS INSULATION	20180360	3132 MATLOCK DR	675		12/03/2018
BF	_____	008-RFR ROUGH FRAMING Comments1: GR HORTON	20180361	3133 MATLOCK DR	652		12/13/2018
BF	_____	009-REL ROUGH ELECTRICAL Comments1: GR HORTON					12/13/2018
BF	_____	010-RMC ROUGH MECHANICAL Comments1: GR HORTON					12/13/2018
PBF	_____	011-PLR PLUMBING - ROUGH Comments1: GR HORTON					12/13/2018
BC	_____	012-INS INSULATION					12/17/2018
BC	_____	007-PHD POST HOLE - DECK	20180362	3105 MATLOCK DR	636		12/13/2018
BC	_____	001-FTG FOOTING Comments1: GR UPLAND	20180364	3102 MATLOCK DR	682		12/21/2018
BF	_____	018-FIN FINAL INSPECTION Comments1: GR PULTE	20180386	2505 LYMAN LOOP	78		12/18/2018
PBF	_____	019-PLF PLUMBING - FINAL OSR READ Comments1: GR PULTE					12/18/2018
EEI	_____	020-EFL ENGINEERING - FINAL INSPE Comments1: WINTER CONDITIONS CORNER LOT					12/18/2018

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BC	_____	002-FIN FINAL INSPECTION	20180404	316 E FOX ST			12/17/2018
BC	_____	002-FIN FINAL INSPECTION	20180405	308 W DOLPH ST			12/17/2018
GH	_____	002-FIN FINAL INSPECTION	20180413	348 BERTRAM DR	1154		12/13/2018
GH	_____	002-FIN FINAL INSPECTION	20180422	4474 SARASOTA AVE	1041		12/13/2018
GH	_____	002-FIN FINAL INSPECTION	20180431	1032 WHITE PLAINS LN	55		12/13/2018
		Comments1: COULD NOT FULLY INSPECT - COULD ONLY ACC					
		Comments2: ESS FRONT					
GH	_____	002-FIN FINAL INSPECTION	20180432	308 WESTWIND DR	2		12/14/2018
		Comments1: ALUMINUM FENCE					
GH	_____	002-FIN FINAL INSPECTION	20180440	331 WESTWIND DR	34		12/14/2018
GH	_____	002-FIN FINAL INSPECTION	20180454	2758 CRANSTON CIR	110		12/14/2018
		Comments1: BACK SECTION OF FENCE DIFFERENT STYLE T					
		Comments2: HAN SIDES/FRONT					
BC	_____	008-ABC ABOVE CEILING	20180479	42 W COUNTRYSIDE PKWY			12/03/2018
BC	_____	001-FIN FINAL INSPECTION	20180480	115 E WASHINGTON ST			12/17/2018
BC	_____	002-FIN FINAL INSPECTION	20180483	309 E SOMONAUK ST	12		12/17/2018
BC	_____	001-FIN FINAL INSPECTION	20180484	102 W FOX ST			12/13/2018
BKF	_____	002-FIN FINAL INSPECTION					12/13/2018
BC	_____	002-FIN FINAL INSPECTION	20180488	201 W CENTER ST			12/17/2018
GH	_____	002-FIN FINAL INSPECTION	20180494	465 SHADOW WOOD DR	33		12/13/2018
BC	_____	002-FIN FINAL INSPECTION	20180500	532 BUCKTHORN CT	82		12/18/2018
BC	_____	002-FIN FINAL INSPECTION	20180513	215 HILLCREST AVE	8		12/18/2018
BC	_____	001-FIN FINAL INSPECTION	20180514	208 W FOX ST			12/17/2018
GH	_____	002-FIN FINAL INSPECTION	20180526	105 W CENTER ST			12/14/2018
		Comments1: MISSED NAILING APPROX 9 PICKETS AT BOTTO					
		Comments2: M - EAST SIDE BY BIG TREE					
GH	_____	002-FIN FINAL INSPECTION	20180527	3405 RYAN DR	10		12/13/2018
		Comments1: GATE ON LEFT SIDE OF HOUSE DRAGS ON GRO					
		Comments2: UND, COULD BE DUE TO FROST HEAVING GROUN					
		Comments3: D. COULD NOT FULLY INSPECT, COULD ONLY A					
		Comments4: CCESS FRONT.					

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BC	_____	014-FIN FINAL INSPECTION	20180545	1122 CARLY DR	25		12/04/2018
PR	_____	015-PLF PLUMBING - FINAL OSR READ					12/04/2018
BF	_____	002-FOU FOUNDATION Comments1: GR UPLAND	20180547	3124 MATLOCK DR	678		12/20/2018
BF	_____	003-BKF BACKFILL Comments1: UPLAND GR					12/28/2018
BC	_____	008-RFR ROUGH FRAMING	20180548	3128 MATLOCK DR	676		12/20/2018
BC	_____	009-REL ROUGH ELECTRICAL					12/20/2018
BC	_____	010-RMC ROUGH MECHANICAL					12/20/2018
PR	_____	011-PLR PLUMBING - ROUGH				12/20/2018	
BC	_____	012-INS INSULATION					12/26/2018
BC	_____	017-FIN FINAL INSPECTION	20180557	1206 CANNONBALL TR	3		12/27/2018
PBF	_____	018-PLF PLUMBING - FINAL OSR READ Comments1: BLACKBERRY WOODS MCCUE					12/27/2018
EEI	_____	019-EFL ENGINEERING - FINAL INSPE Comments1: WINTER CONDITIONS					12/27/2018
GH	_____	001-FIN FINAL INSPECTION	20180579	504 W FOX RD			12/14/2018
BF	_____	017-FIN FINAL INSPECTION	20180593	2628 MCLELLAN BLVD	58		12/17/2018
PBF	_____	018-PLF PLUMBING - FINAL OSR READ					12/17/2018
EEI	_____	019-EFL ENGINEERING - FINAL INSPE Comments1: WINTER CONDITIONS					12/18/2018
BF	_____	019-FIN FINAL INSPECTION Comments1: GR PULTE	20180594	2631 BURR ST	81		12/11/2018
PBF	_____	020-PLF PLUMBING - FINAL OSR READ Comments1: GR PULTE					12/11/2018
EEI	_____	021-EFL ENGINEERING - FINAL INSPE Comments1: WINTER CONDITIONS OK TO TEMP					12/12/2018
BC	_____	017-FIN FINAL INSPECTION	20180595	2622 BURR ST	14		12/05/2018

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PR	_____	018-PLF PLUMBING - FINAL OSR READ					12/05/2018
EEI	_____	019-EFL ENGINEERING - FINAL INSPE				12/05/2018	
PBF	_____	001-WAT WATER Comments1: GR WINNINGER	20180617	2821 SHERIDAN CT	206		12/12/2018
BC	_____	002-FTG FOOTING					12/13/2018
BC	_____	003-FOU FOUNDATION					12/14/2018
BF	_____	004-BKF BACKFILL Comments1: GR MIDWEST					12/19/2018
BC	_____	015-FIN FINAL INSPECTION Comments1: FIRE FOAM 2 1/2" GAS PIPE PENETRATIONS F Comments2: ROM BASEMENT. TIGHTEN SUPPORT BEAM BOLTS Comments3: IN BASEMENT	20180661	2721 PHELPS CT	267		12/19/2018
PR	_____	016-PLF PLUMBING - FINAL OSR READ					12/19/2018
EEI	_____	017-EFL ENGINEERING - FINAL INSPE					12/19/2018
BC	_____	017-FIN FINAL INSPECTION	20180682	1441 WOODSAGE AVE	21		12/11/2018
EEI	_____	018-EFL ENGINEERING - FINAL INSPE					12/11/2018
PR	_____	019-PLF PLUMBING - FINAL OSR READ				12/11/2018	
BF	_____	012-FIN FINAL INSPECTION Comments1: GR RYAN	20180696	4294 E MILLBROOK CIR	277		12/20/2018
PBF	_____	013-PLF PLUMBING - FINAL OSR READ Comments1: GR RYAN					12/20/2018
EEI	_____	014-EFL ENGINEERING - FINAL INSPE Comments1: WINTER CONDITIONS					12/20/2018
BC	_____	017-FIN FINAL INSPECTION	20180701	742 KENTSHIRE DR	116	12/20/2018	
PR	_____	018-PLF PLUMBING - FINAL OSR READ				12/20/2018	
EEI	_____	019-EFL ENGINEERING - FINAL INSPE Comments1: WINTER CONDITIONS					12/20/2018
BC	_____	013-FIN FINAL INSPECTION Comments1: SCUTTLE COVER IN MASTER BR CLOSET NOT YE Comments2: T INSTALLED	20180720	2843 KETCHUM CT	219		12/03/2018

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PR	_____	014-PLF PLUMBING - FINAL OSR READ					12/03/2018
EEI	_____	015-EFL ENGINEERING - FINAL INSPE Comments1: WINTER CONDITIONS OK TO TEMP					12/03/2018
BC	_____	016-FIN FINAL INSPECTION	20180724	826 ALEXANDRA LN	33		12/05/2018
PR	_____	017-PLF PLUMBING - FINAL OSR READ					12/05/2018
EEI	_____	018-EFL ENGINEERING - FINAL INSPE Comments1: WINTER CONDITIONS OK TO TEMP					12/05/2018
BC	_____	013-FIN FINAL INSPECTION	20180736	3333 CALEDONIA DR	19		12/26/2018
PBF	_____	014-PLF PLUMBING - FINAL OSR READ Comments1: CAL RYAN					12/26/2018
EEI	_____	015-EFL ENGINEERING - FINAL INSPE Comments1: WINTER CONDITIONS OK TO TEMP					12/26/2018
BC	_____	014-FIN FINAL INSPECTION	20180738	3101 LAUREN DR	93		12/11/2018
PR	_____	015-PLF PLUMBING - FINAL OSR READ					12/11/2018
EEI	_____	016-EFL ENGINEERING - FINAL INSPE Comments1: WINTER CONDITIONS OK TO TEMP \$5000					12/11/2018
PBF	_____	015-PLF PLUMBING - FINAL OSR READ Comments1: GR RYAN	20180739	2846 KETCHUM CT	211		12/12/2018
BC	_____	016-FIN FINAL INSPECTION					12/12/2018
EEI	_____	017-EFL ENGINEERING - FINAL INSPE Comments1: WINTER CONDITIONS OK TO TEMP \$5000					12/11/2018
BC	_____	AM 004-FIN FINAL INSPECTION Comments1: KITCHEN REMODEL	20180742	2934 OLD GLORY DR	268		12/19/2018
PBF	_____	005-PLF PLUMBING - FINAL OSR READ Comments1: KITCHEN REMODEL, GR					12/19/2018
PR	_____	015-SUM SUMP	20180744	510 WINDETT RIDGE RD	173	12/20/2018	
BF	_____	003-BKF BACKFILL Comments1: WIN COMEX	20180745	821 CAULFIELD PT	108		12/05/2018
PR	_____	AM 004-ESW ENGINEERING - SEWER / WAT					12/10/2018

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PR	_____	010-PLR PLUMBING - ROUGH	20180746	732 KENTSHIRE DR	117		12/04/2018
BC	_____	011-RFR ROUGH FRAMING Comments1: NAIL STAIR TO STUDS 1ST FLOOR, INSTALL A Comments2: NCHOR BOLTS GARAGE, AF103.12 POWER SOURC Comments3: E NEEDED IN ATTIC FOR FUTURE INSTALLATIO Comments4: N OF RADON VENT PIPE FAN					12/04/2018
BC	_____	012-REL ROUGH ELECTRICAL					12/04/2018
BC	_____	013-RMC ROUGH MECHANICAL					12/04/2018
BC	_____	014-INS INSULATION Comments1: INSULATE TOP & BOTTOM OF BUMPOUT IN GARA Comments2: GE					12/06/2018
BF	_____	002-FOU FOUNDATION Comments1: WIN COMEX-NOT READY	20180747	2352 WINTERTHUR GREEN	181		12/05/2018
BC	_____	003-REI REINSPECTION Comments1: FOUNDATION COMEX PM PLEASE				12/06/2018	
PR	_____	004-ESW ENGINEERING - SEWER / WAT Comments1: CANCELLED VERUNA				12/11/2018	
BF	_____	005-BKF BACKFILL Comments1: COMEX					12/13/2018
PBF	_____	006-ESW ENGINEERING - SEWER / WAT Comments1: VERUNA					12/19/2018
PBF	_____	014-PLF PLUMBING - FINAL OSR READ Comments1: HEARTLAND MEADOWS MARKER	20180754	828 ALEXANDRA LN	34		12/20/2018
EEI	_____	015-EFL ENGINEERING - FINAL INSPE Comments1: WINTER CONDITIONS				12/19/2018	
BC	_____	016-FIN FINAL INSPECTION					12/20/2018
BC	_____	017-REI REINSPECTION Comments1: FINAL ELEC					12/21/2018
BC	_____	013-FIN FINAL INSPECTION	20180769	3102 LAUREN DR	107		12/20/2018
PBF	_____	014-PLF PLUMBING - FINAL OSR READ Comments1: CAL RYAN					12/20/2018
EEI	_____	015-EFL ENGINEERING - FINAL INSPE Comments1: WINTER CONDITIONS					12/20/2018

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PR	_____	008-PLR PLUMBING - ROUGH	20180771	2688 MCLELLAN BLVD	52		12/07/2018
BF	_____	009-REL ROUGH ELECTRICAL					12/07/2018
BF	_____	010-RFR ROUGH FRAMING Comments1: TIGHTEN NUTS/BOLTS ON ALL BASEMENT I-BEA Comments2: MS, BOLT DOWN ALL GARAGE PLATES BOTH SID Comments3: ES MISSING NUTS					12/07/2018
BF	_____	011-RMC ROUGH MECHANICAL Comments1: GR PPULTE					12/07/2018
BF	_____	012-INS INSULATION Comments1: GR PULTE					12/11/2018
BC	_____	008-RFR ROUGH FRAMING	20180774	2639 BURR ST	82		12/18/2018
BC	_____	009-REL ROUGH ELECTRICAL					12/18/2018
BC	_____	010-RMC ROUGH MECHANICAL					12/18/2018
PBF	_____	011-PLR PLUMBING - ROUGH					12/18/2018
BF	_____	012-INS INSULATION					12/20/2018
BF	_____	AM 016-FIN FINAL INSPECTION Comments1: KHOV PRESTWICK	20180776	2009 SHETLAND CT	36		12/26/2018
EEI	_____	017-EFL ENGINEERING - FINAL INSPE Comments1: MODEL-- BBOX KEYABLE, OSR INSTALLED					12/26/2018
PBF	_____	018-PLF PLUMBING - FINAL OSR READ Comments1: PRESTWICK KHOV THIS IS A MODEL HOME WIL Comments2: L NOT NEED OCCUPANCY					12/26/2018
GH	_____	002-FIN FINAL INSPECTION Comments1: ALUMINUM FENCE - BACK GATE DRAGS ON GROU Comments2: ND	20180780	1189 WALSH DR	125		12/14/2018
BF	_____	014-FIN FINAL INSPECTION	20180787	3148 BOOMBAH BLVD	128		12/12/2018
PBF	_____	015-PLF PLUMBING - FINAL OSR READ Comments1: CAL RYAN					12/12/2018
EEI	_____	016-EFL ENGINEERING - FINAL INSPE Comments1: WINTER CONDITIONS, OK TO TEMP \$5000					12/12/2018
BC	_____	012-INS INSULATION Comments1: ANCHOR BOLTS INSTALLED IN GARAGE	20180794	978 S CARLY CIR	107		12/03/2018

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BC	_____	011-INS INSULATION	20180816	2849 KETCHUM CT	221		12/03/2018
EEI	_____	016-EFL ENGINEERING - FINAL INSPE	20180817	3238 BOOMBAH BLVD	138		12/13/2018
		Comments1: WINTER CONDITIONS, OK TO TEMP \$5000					
BF	_____	017-FIN FINAL INSPECTION					12/13/2018
PBF	_____	018-PLF PLUMBING - FINAL OSR READ					12/13/2018
		Comments1: CAL RYAN					
BF	_____	002-FTG FOOTING	20180826	3171 LAUREN DR	86		12/04/2018
		Comments1: CAL MIDWEST					
BF	_____	003-FOU FOUNDATION					12/05/2018
		Comments1: CAL MIDWEST-NOT READY					
BC	_____	004-REI REINSPECTION					12/05/2018
		Comments1: FOUNDATION WALL					
BF	_____	005-BKF BACKFILL					12/11/2018
		Comments1: CAL MIDWEST					
PR	_____	006-SEW SEWER INSPECTION					12/11/2018
PBF	_____	007-PLU PLUMBING - UNDERSLAB					12/18/2018
		Comments1: CAL RYAN					
BC	_____	008-BSM BASEMENT FLOOR					12/17/2018
BC	_____	009-GAR GARAGE FLOOR					12/17/2018
BC	_____	010-STP STOOP					12/21/2018
BC	_____	011-STP STOOP					12/21/2018
BC	_____	003-FIN FINAL INSPECTION	20180832	2564 OVERLOOK CT	17		12/07/2018
BC	_____	003-FIN FINAL INSPECTION	20180837	2544 MADDEN CT	11		12/14/2018
BC	_____	001-RFR ROUGH FRAMING	20180843	103 E MAIN ST			12/07/2018
		Comments1: ROOF & HEADERS					
BF	_____	001-FTG FOOTING	20180848	3112 MATLOCK DR	680		11/30/2018
		Comments1: GR UPLAND					
BC	_____	002-FOU FOUNDATION					12/27/2018
		Comments1: GR UPLAND					

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BF	_____	005-BKF BACKFILL Comments1: GR MIDWEST	20180849	4274 E MILLBROOK CIR	280		12/04/2018
PBF	_____	006-PLU PLUMBING - UNDERSLAB Comments1: GR RYAN					12/13/2018
BC	_____	007-BSM BASEMENT FLOOR					12/13/2018
BC	_____	008-GAR GARAGE FLOOR					12/19/2018
BC	_____	009-STP STOOP					12/19/2018
PBF	_____	010-PLR PLUMBING - ROUGH Comments1: GR RYAN W/STACK					12/28/2018
BF	_____	011-REL ROUGH ELECTRICAL					12/28/2018
BF	_____	012-RMC ROUGH MECHANICAL					12/28/2018
BF	_____	014-RFR ROUGH FRAMING					12/28/2018
BC	_____	009-INS INSULATION	20180850	3352 CALEDONIA DR	145		12/13/2018
PBF	_____	010-PLR PLUMBING - ROUGH Comments1: CAL RYAN					12/12/2018
BF	_____	011-RFR ROUGH FRAMING					12/11/2018
BF	_____	012-REL ROUGH ELECTRICAL					12/11/2018
BF	_____	013-RMC ROUGH MECHANICAL					12/11/2018
BF	_____	006-BSM BASEMENT FLOOR Comments1: CAL BLANKETED, MIDWEST, CRAWL	20180851	383 FONTANA DR	61		12/03/2018
BF	_____	008-GAR GARAGE FLOOR Comments1: CAL MIDWEST					12/06/2018
PBF	_____	009-PLR PLUMBING - ROUGH Comments1: CAL RYAN					12/17/2018
BF	_____	010-REL ROUGH ELECTRICAL Comments1: CAL RYAN					12/17/2018
BF	_____	011-RFR ROUGH FRAMING Comments1: CAL RYAN					12/17/2018
BF	_____	012-RMC ROUGH MECHANICAL Comments1: CAL RYAN					12/17/2018

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BC	_____	013-INS INSULATION					12/19/2018
BF	_____	014-STP STOOP					12/13/2018
		Comments1: CAL MIDWEST					
PR	_____	008-PLR PLUMBING - ROUGH	20180852	3356 CALEDONIA DR	144		12/07/2018
		Comments1: STACK					
BC	_____	009-RFR ROUGH FRAMING					12/07/2018
BC	_____	010-REL ROUGH ELECTRICAL					12/07/2018
BC	_____	011-RMC ROUGH MECHANICAL					12/07/2018
BC	_____	012-INS INSULATION					12/10/2018
PR	_____	005-PLU PLUMBING - UNDERSLAB	20180861	1041 BLACKBERRY SHORE LN	38		12/03/2018
BF	_____	004-FOU FOUNDATION	20180864	762 KENTSHIRE DR	113		12/04/2018
BF	_____	005-BKF BACKFILL					12/06/2018
		Comments1: WIN COMEX					
PR	_____	006-ESW ENGINEERING - SEWER / WAT					12/11/2018
PR	_____	PM 004-ESW ENGINEERING - SEWER / WAT	20180869	2431 FITZHUGH TURN	148		12/07/2018
		Comments1: WAITING FOR TICKET GOT A VERBAL APPROVAL					
		Comments2: FROM PETE					
PR	_____	001-PLU PLUMBING - UNDERSLAB	20180872	376 E VETERANS PKWY	9		12/03/2018
PR	_____	002-UGE UNDERGROUND ELECTRIC					12/03/2018
BC	_____	003-PPS PRE-POUR, SLAB ON GRADE					12/04/2018
BC	_____	004-REL ROUGH ELECTRICAL					12/04/2018
BC	_____	005-RFR ROUGH FRAMING					12/06/2018
PBF	_____	006-PLR PLUMBING - ROUGH					12/12/2018
		Comments1: PLANET FITNESS					
BF	_____	007-REL ROUGH ELECTRICAL					12/13/2018
		Comments1: PLANET FITNESS (IN BATHROOMS)					
BF	_____	008-RFR ROUGH FRAMING					12/13/2018
		Comments1: PLANET FITNESS					

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BC	_____	009-RMC ROUGH MECHANICAL					12/26/2018
PR	_____	AM 003-PLF PLUMBING - FINAL OSR READ Comments1: CAN CUN	20180874	1559 SYCAMORE RD		12/19/2018	
BC	_____	001-FTG FOOTING Comments1: MONUMENT SIGN	20180875	1835 MARKETVIEW DR			12/10/2018
BF	_____	008-GAR GARAGE FLOOR Comments1: & STOOP, CAL MIDWEST, CANCEL GARAGE	20180885	3301 LAUREN DR	80	12/11/2018	
BF	_____	009-STP STOOP Comments1: CAL MIDWEST					12/13/2018
PBF	_____	010-PLR PLUMBING - ROUGH Comments1: STACK, CAL RYAN					12/20/2018
BF	_____	011-RFR ROUGH FRAMING					12/20/2018
BF	_____	012-REL ROUGH ELECTRICAL					12/20/2018
BF	_____	013-RMC ROUGH MECHANICAL					12/20/2018
BF	_____	014-INS INSULATION					12/26/2018
BC	_____	015-GAR GARAGE FLOOR					12/17/2018
BC	_____	002-FIN FINAL INSPECTION	20180891	3127 MATLOCK DR	651		12/14/2018
GH	_____	003-FIN FINAL INSPECTION Comments1: ALUMINUM FENCE - MISSING ONE CAP BY BAC Comments2: K GATE - TALKED TO H/O AND LET HIM KNOW.	20180905	474 E BARBERRY CIR	140		12/14/2018
BC	_____	001-RFR ROUGH FRAMING	20180909	2142 BLUEBIRD LN	254		12/12/2018
BC	_____	002-REL ROUGH ELECTRICAL					12/12/2018
BC	_____	003-RMC ROUGH MECHANICAL					12/12/2018
PBF	_____	004-PLR PLUMBING - ROUGH Comments1: BASEMENT REMODEL					12/12/2018
BC	_____	005-INS INSULATION					12/26/2018
BC	11:30	001-PPS PRE-POUR, SLAB ON GRADE Comments1: GARAGE,	20180926	400 BLAINE ST			12/13/2018
BC	_____	005-BKF BACKFILL Comments1: GR MIDWEST	20180927	4282 E MILLBROOK CIR	279		12/03/2018

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PBF	_____	006-PLU PLUMBING - UNDERSLAB Comments1: GR RYAN					12/13/2018
BC	_____	007-PPS PRE-POUR, SLAB ON GRADE					12/13/2018
BC	_____	008-GAR GARAGE FLOOR					12/19/2018
BC	_____	009-STP STOOP					12/19/2018
BF	_____	001-FTG FOOTING Comments1: UPLAND, THESE FOOTINGS WILL BE READY 10: Comments2: 30-11:00	20180935	1911 WREN RD	14		12/06/2018
BF	_____	002-FOU FOUNDATION Comments1: PW UPLAND					12/17/2018
BF	_____	003-BKF BACKFILL Comments1: UPLAND PRESTWICK					12/21/2018
BF	_____	001-FTG FOOTING Comments1: UPLAND PRESTWICK - WILL BE READY 1030-11 Comments2: 00	20180936	1901 WREN RD	13		12/06/2018
BF	_____	002-FOU FOUNDATION Comments1: UPLAND PRESTWICK					12/13/2018
BF	_____	003-BKF BACKFILL Comments1: UPLAND PRESTWICK					12/21/2018
BC	_____	001-PHF POST HOLE - FENCE	20180938	3194 BOOMBAH BLVD	135		12/10/2018
BC	_____	001-PHF POST HOLE - FENCE	20180940	924 STONY CREEK LN	68		12/05/2018
BC	_____	002-FIN FINAL INSPECTION					12/11/2018
PR	_____	AM 001-PLU PLUMBING - UNDERSLAB	20180947	1003 S CARLY CIR	88		12/05/2018
BC	_____	002-RFR ROUGH FRAMING					12/11/2018
BC	_____	003-REL ROUGH ELECTRICAL					12/11/2018
PR	_____	004-PLR PLUMBING - ROUGH					12/11/2018
BF	_____	001-FTG FOOTING Comments1: GR MIDWEST	20180949	4254 E MILLBROOK CIR	283		12/19/2018
BC	_____	002-FOU FOUNDATION					12/21/2018

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PBF	_____	003-WAT WATER Comments1: GR WINNINGER					12/19/2018
BC	_____	004-BKF BACKFILL					12/26/2018
BF	_____	001-FTG FOOTING Comments1: GR MIDWEST	20180950	4242 E MILLBROOK CIR	285		12/19/2018
BC	_____	002-FOU FOUNDATION					12/21/2018
PBF	_____	003-WAT WATER Comments1: GR WINNINGER				12/19/2018	
BC	_____	004-BKF BACKFILL					12/26/2018
BC	_____	001-PHF POST HOLE - FENCE	20180953	1963 MEADOWLARK LN	126		12/12/2018
BC	_____	002-FIN FINAL INSPECTION					12/21/2018
PR	_____	001-WAT WATER	20180956	4234 E MILLBROOK CIR	286		12/05/2018
BF	_____	002-FTG FOOTING Comments1: GR MIDWEST					12/07/2018
BC	_____	003-BKF BACKFILL Comments1: GR MIDWEST BRACE WALLS BEFORE BACKFILLIN Comments2: G					12/13/2018
BF	_____	004-FOU FOUNDATION Comments1: GR MIDWEST					12/11/2018
PBF	_____	005-PLU PLUMBING - UNDERSLAB					12/27/2018
BC	_____	006-BSM BASEMENT FLOOR					12/27/2018
PR	_____	001-WAT WATER	20180957	4228 E MILLBROOK CIR	287		12/05/2018
BF	_____	003-FOU FOUNDATION Comments1: GR MIDWEST					12/07/2018
BF	_____	004-BKF BACKFILL Comments1: GR MIDWEST					12/12/2018
PBF	_____	005-PLU PLUMBING - UNDERSLAB Comments1: GR RYAN					12/27/2018
BC	_____	006-BSM BASEMENT FLOOR					12/27/2018

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BF		001-FTG FOOTING Comments1: GR UPLAND	20180964	3101 REHBEHN CT	637		12/17/2018
BF		001-FTG FOOTING Comments1: GR UPLAND	20180966	3105 REHBEHN CT	638		12/17/2018
BF		001-FTG FOOTING Comments1: GR UPLAND	20180968	3109 REHBEHN CT	639		12/18/2018
BF		001-FTG FOOTING Comments1: GR UPLAND	20180969	3121 REHBEHN CT	640		12/18/2018
BF		001-FTG FOOTING Comments1: GR UPLAND	20180971	3125 REHBEHN CT	641		12/18/2018
BF		001-FTG FOOTING Comments1: GR UPLAND	20180973	3129 REHBEHN CT	642		12/18/2018
BF		001-FTG FOOTING Comments1: GR UPLAND	20180975	3133 REHBEHN CT	643		12/20/2018
BF		001-FTG FOOTING Comments1: GR UPLAND	20180977	3137 REHBEHN CT	644		12/20/2018
BC		001-PHF POST HOLE - FENCE	20180978	772 HAYDEN DR	63		12/18/2018
BC		001-PHF POST HOLE - FENCE	20180979	794 HAYDEN DR	62		12/18/2018
BC	09:00	001-PPS PRE-POUR, SLAB ON GRADE	20180981	259 COMMERCIAL DR			12/18/2018
BC	11:30	001-FTG FOOTING	20180988	508 CENTER PKWY	6B		12/19/2018
BF		001-FTG FOOTING Comments1: GR RYAN	20180992	2093 SQUIRE CIR	218		12/12/2018
PBF		002-WAT WATER Comments1: WINNINGER					12/12/2018
BF		003-FOU FOUNDATION Comments1: MIDWEST GR					12/13/2018
BF		004-BKF BACKFILL Comments1: MIDWEST GR					12/18/2018
BF		001-FTG FOOTING	20180996	3287 BOOMBAH BLVD	143		12/28/2018
PBF		002-ESW ENGINEERING - SEWER / WAT Comments1: CAL WINNINGER					12/27/2018

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BF		003-FOU FOUNDATION Comments1: CAL MIDWEST WINTER CONDITIONS-PROTECTING Comments2: POURED CONCRETE ABOVE 50 FOR 72 HOURS, Comments3: BLANKETS ON SITE					12/31/2018
BC		001-PHF POST HOLE - FENCE	20180998	642 DENISE CT	37		12/06/2018
BC		002-FIN FINAL INSPECTION Comments1: 6 PICKETS ON NORTH SIDE OF FENCE HAVE ON Comments2: LY 1 NAIL AT TOP STRINGER. 2 ARE REQUIRE Comments3: D, HOMEWONER NOTIFIED VERBALLY					12/14/2018
BC		001-ROF ROOF UNDERLAYMENT ICE & W	20180999	1439 CHESTNUT LN	79		12/05/2018
BC		002-FIN FINAL INSPECTION					12/07/2018
BC		001-FIN FINAL INSPECTION Comments1: WINDOWS	20181000	108 APPLETREE CT			12/26/2018
BC		001-PHF POST HOLE - FENCE	20181002	3195 LONGVIEW DR	47		12/13/2018
BC		002-FIN FINAL INSPECTION					12/18/2018
BF		AM 001-FTG FOOTING Comments1: GR PULTE	20181005	2501 LYMAN LOOP	62		12/21/2018
BC		001-ROF ROOF UNDERLAYMENT ICE & W	20181018	1409 ASPEN LN			12/21/2018
PR		001-FIN FINAL INSPECTION	20181020	4642 PLYMOUTH AVE	989		12/20/2018

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PERMIT TYPE SUMMARY:							
		BDO COMMERCIAL BUILD-OUT			2		
		BIP BUILD INCENTIVE PROGRAM SFD			3		
		BSM BASEMENT REMODEL			10		
		CCO COMMERCIAL OCCUPANCY PERMIT			2		
		COM COMMERCIAL BUILDING			8		
		CRM COMMERCIAL REMODEL			12		
		DCK DECK			1		
		ESN ELECTRIC SIGN			1		
		FNC FENCE			29		
		FOU FOUNDATION			1		
		GAR GARAGE			1		
		MIS MISCELLANEOUS			1		
		REM REMODEL			2		
		ROF ROOFING			13		
		SFA SINGLE-FAMILY ATTACHED			44		
		SFD SINGLE-FAMILY DETACHED			229		
		WIN WINDOW REPLACEMENT			1		
INSPECTION SUMMARY:							
		ABC ABOVE CEILING			1		
		BKF BACKFILL			19		
		BSM BASEMENT FLOOR			6		
		EFL ENGINEERING - FINAL INSPECTION			23		
		ESS ENGINEERING - STORM			2		
		ESW ENGINEERING - SEWER / WATER			6		
		FIN FINAL INSPECTION			62		
		FOU FOUNDATION			17		
		FTG FOOTING			23		
		GAR GARAGE FLOOR			6		
		INS INSULATION			21		
		PHD POST HOLE - DECK			5		
		PHF POST HOLE - FENCE			7		
		PLF PLUMBING - FINAL OSR READY			24		
		PLR PLUMBING - ROUGH			14		
		PLU PLUMBING - UNDERSLAB			9		
		PPS PRE-POUR, SLAB ON GRADE			31		
		REI REINSPECTION			15		
		REL ROUGH ELECTRICAL			16		
		RFR ROUGH FRAMING			17		
		RMC ROUGH MECHANICAL			16		
		ROF ROOF UNDERLAYMENT ICE & WATER			2		
		SEW SEWER INSPECTION			2		
		STP STOOP			6		
		SUM SUMP			1		
		UGE UNDERGROUND ELECTRIC			1		
		WAT WATER			8		

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INSPECTOR SUMMARY:		BC		BOB CREADEUR		124	
		BF		B&F INSPECTOR CODE SERVICE		128	
		BKF		BRISTOL KENDALL FIRE DEPT		1	
		EEI		ENGINEERING ENTERPRISES		23	
		GH		GINA HASTINGS		17	
		PBF		BF PLUMBING INSPECTOR		33	
		PR		PETER RATOS		34	
STATUS SUMMARY:	C	BC				24	
	C	BKF				1	
	C	EEI				2	
	C	GH				17	
	C	PR				3	
	I	BC				88	
	I	BF				121	
	I	EEI				2	
	I	PBF				23	
	I	PR				23	
	T	BC				12	
	T	BF				7	
	T	EEI				19	
	T	PBF				10	
	T	PR				8	
REPORT SUMMARY:						360	

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BC	_____	007-FIN FINAL INSPECTION	20150481	305 E WASHINGTON ST			01/08/2019
BF	_____	055-FIN FINAL INSPECTION Comments1: 2ND FLOOR, SEE INSPECTION TICKETS, TOO M Comments2: ANY ITEMS TO LIST	20170301	4040 CANNONBALL TR			01/17/2019
EEI	_____	015-EFL ENGINEERING - FINAL INSPE	20170906	1902 RENA LN	12	01/11/2019	
EEI	_____	016-EFL ENGINEERING - FINAL INSPE	20170907	1912 RENA LN	12	01/11/2019	
EEI	_____	015-EFL ENGINEERING - FINAL INSPE	20170908	1904 RENA LN	12	01/11/2019	
EEI	_____	015-EFL ENGINEERING - FINAL INSPE	20170909	1910 RENA LN	12	01/11/2019	
EEI	_____	015-EFL ENGINEERING - FINAL INSPE	20170910	1908 RENA LN	12	01/11/2019	
EEI	_____	015-EFL ENGINEERING - FINAL INSPE	20170911	1906 RENA LN	12	01/11/2019	
PR	_____	004-ESS ENGINEERING - STORM	20170927	3142 MATLOCK DR	673		01/11/2019
PR	_____	005-WAT WATER					01/11/2019
BF	_____	013-FIN FINAL INSPECTION Comments1: GR HORTON	20170944	3157 MATLOCK DR	657		01/07/2019
PBF	_____	014-PLF PLUMBING - FINAL OSR READ					01/07/2019
EEI	_____	015-EFL ENGINEERING - FINAL INSPE Comments1: WINTER CONDITIONS OK TO TEMP					01/08/2019
BC	_____	008-RFR ROUGH FRAMING Comments1: FOAM SEAL AROUND 2 WINDOWS ON FRONT OF H Comments2: OUSE FIRST FLOOR	20170955	2663 MCLELLAN BLVD			01/08/2019
BC	_____	009-REL ROUGH ELECTRICAL					01/08/2019
BC	_____	010-RMC ROUGH MECHANICAL					01/08/2019
PR	_____	011-PLR PLUMBING - ROUGH					01/08/2019
BF	_____	012-INS INSULATION					01/10/2019
BF	_____	016-FIN FINAL INSPECTION Comments1: MEADOWBROOK	20180158	1012 S CARLY CIR	113		10/08/2019
PBF	_____	017-PLF PLUMBING - FINAL OSR READ Comments1: MEADOWBOOK					01/08/2019

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EEI	_____	018-EFL ENGINEERING - FINAL INSPE Comments1: OK TO TEMP					01/08/2019
BF	_____	019-PHD POST HOLE - DECK					01/08/2019
BF	_____	020-REI REINSPECTION Comments1: BLACKBERRY WOODS MEADOWBROOK					01/17/2019
BC	_____	008-REI REINSPECTION	20180198	2821 OLD GLORY DR	229		01/08/2019
PR	_____	013-REI REINSPECTION Comments1: FRAME, ELEC, MECH	20180200	8710 RT 71			01/08/2019
BC	_____	008-GAR GARAGE FLOOR	20180208	3121 LAUREN DR	91		01/03/2018
PR	_____	009-PLR PLUMBING - ROUGH					01/10/2019
BF	_____	010-RFR ROUGH FRAMING					01/10/2019
BF	_____	011-REL ROUGH ELECTRICAL					01/10/2019
BF	_____	012-RMC ROUGH MECHANICAL					01/10/2019
BC	_____	013-INS INSULATION					01/14/2019
BC	_____	014-STP STOOP					01/03/2019
BC	_____	015-STP STOOP					01/03/2019
BC	_____	008-REL ROUGH ELECTRICAL	20180218	171 SARAVANOS DR	6		01/28/2019
BC	_____	009-RMC ROUGH MECHANICAL					01/28/2019
PR	_____	020-REI REINSPECTION Comments1: FINAL PLM	20180248	1121 BLACKBERRY SHORE LN	46		01/29/2019
BF	_____	003-BKF BACKFILL Comments1: GR UPLAND	20180331	3122 MATLOCK DR	679		01/07/2019
PR	_____	004-ESS ENGINEERING - STORM					01/11/2019
PR	_____	005-WAT WATER					01/11/2019
BC	_____	009-RFR ROUGH FRAMING Comments1: ANCHOR BOLTS MISSING AT BOTTOM PLATE END Comments2: S-BSM APPROPR STRAP TOP PLATE WHERE CUT Comments3: THRU FOR DRAIN INSTALL ROOF VENT COVER O Comments4: VER HOLE IN ROOF	20180333	3053 JUSTICE DR	633		01/03/2018

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BC	_____	010-REL ROUGH ELECTRICAL					01/03/2019
BC	_____	011-RMC ROUGH MECHANICAL					01/03/2019
PBF	_____	012-PLR PLUMBING - ROUGH Comments1: GR HORTON					01/03/2019
BC	_____	013-INS INSULATION					01/07/2019
BC	_____	014-REI REINSPECTION Comments1: ROUGH FRAMING					01/07/2019
PBF	_____	014-PLF PLUMBING - FINAL OSR READ 20180335 3101 MATLOCK DR Comments1: GR HORTON			635		01/07/2019
BF	_____	015-FIN FINAL INSPECTION Comments1: GR HORTON					01/07/2019
EEI	_____	016-EFL ENGINEERING - FINAL INSPE Comments1: BBOX NOT KEYABLE					01/08/2019
EEI	_____	017-REI REINSPECTION				01/09/2019	
BF	_____	002-FOU FOUNDATION Comments1: GR UPLAND	20180336	3106 MATLOCK DR	681		01/03/2019
PR	_____	003-ESS ENGINEERING - STORM					01/11/2019
PR	_____	004-WAT WATER					01/11/2019
BF	_____	005-BKF BACKFILL Comments1: GR - UPLAND					01/14/2019
BC	_____	008-BSM BASEMENT FLOOR	20180362	3105 MATLOCK DR	636		01/04/2019
BF	_____	009-GAR GARAGE FLOOR Comments1: UPLAND					01/16/2019
BC	_____	010-RFR ROUGH FRAMING					01/25/2019
BC	_____	011-REL ROUGH ELECTRICAL					01/25/2019
BC	_____	012-RMC ROUGH MECHANICAL					01/25/2019
PR	_____	013-PLR PLUMBING - ROUGH				01/25/2019	
BC	_____	014-INS INSULATION					02/01/2019

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BC	_____	009-RFR ROUGH FRAMING	20180363	3042 JUSTICE DR	630		01/14/2019
BC	_____	010-REL ROUGH ELECTRICAL					01/14/2019
BC	_____	011-RMC ROUGH MECHANICAL					01/14/2019
PR	_____	012-PLR PLUMBING - ROUGH					01/14/2019
BC	_____	013-INS INSULATION					01/16/2019
BF	_____	002-FOU FOUNDATION Comments1: GR UPLAND	20180364	3102 MATLOCK DR	682		01/08/2019
BF	_____	003-BKF BACKFILL Comments1: GR - UPLAND					01/14/2019
PR	_____	004-ESS ENGINEERING - STORM					01/16/2019
PR	_____	005-WAT WATER					01/16/2019
EEI	_____	013-EFL ENGINEERING - FINAL INSPE Comments1: WINTER CONDITIONS	20180366	3173 MATLOCK DR	660		01/16/2019
PR	_____	014-PLF PLUMBING - FINAL OSR READ					01/16/2019
BF	_____	015-FIN FINAL INSPECTION					01/16/2019
PR	_____	006-FIN FINAL INSPECTION	20180443	728 E VETERANS PKWY 120			01/08/2019
BF	_____	013-FIN FINAL INSPECTION Comments1: MEADOWBROOK BLACKBERRY WOODS	20180466	971 S CARLY CIR	91		01/04/2019
PBF	_____	014-PLF PLUMBING - FINAL OSR READ Comments1: BBW MEADOWBROOK					01/04/2019
EEI	_____	015-EFL ENGINEERING - FINAL INSPE Comments1: B BOX NOT KEYABLE					01/04/2019
EEI	_____	016-REI REINSPECTION Comments1: BBOX				01/07/2019	
BF	_____	017-REI REINSPECTION Comments1: FINAL: NOT COMPLETED REAR DECK & PATIO					01/07/2019
BF	_____	018-PHD POST HOLE - DECK					01/08/2019
BF	_____	013-FIN FINAL INSPECTION Comments1: REAR DECK IS NOT COMPLETE	20180467	946 N CARLY CIR	54		01/04/2019

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PBF	_____	014-PLF PLUMBING - FINAL OSR READ					01/04/2019
EEI	_____	015-EFL ENGINEERING - FINAL INSPE Comments1: WINTER CONDITIONS OK TO TEMP					01/04/2019
BF	_____	016-PHD POST HOLE - DECK					01/08/2019
BF	_____	010-FIN FINAL INSPECTION Comments1: PROVIDE HANDRAIL TO EMPLOYEE BREAK ROOM, Comments2: INSTALL PARTITIONS, KITCHEN APP EQUIP STO Comments3: PS REQUIRED 3', ALL APPLIANCES MUST BE F Comments4: UNCTIONING, INCORRECT MECH RM DOOR	20180479	42 W COUNTRYSIDE PKWY			01/23/2019
PBF	_____	011-PLF PLUMBING - FINAL OSR READ Comments1: GRACE COFFEE					01/23/2019
BC	_____	012-REI REINSPECTION					01/25/2019
PR	_____	004-ESS ENGINEERING - STORM	20180547	3124 MATLOCK DR	678		01/11/2019
PR	_____	005-WAT WATER					01/11/2019
BF	_____	018-FIN FINAL INSPECTION	20180606	2651 BURR ST	84		01/14/2019
PR	_____	019-PLF PLUMBING - FINAL OSR READ					01/14/2019
EEI	_____	020-EFL ENGINEERING - FINAL INSPE					01/15/2019
PR	_____	005-PLU PLUMBING - UNDERSLAB	20180617	2821 SHERIDAN CT	206		01/09/2019
BF	_____	006-BSM BASEMENT FLOOR Comments1: MIDWEST - INSPECTION NOTES: COLD WEATHER Comments2: PROTECTION REQUIRED, MAINTAIN CONCRETE Comments3: AT 50 F FOR 72 HRS, TEMP MUST BE 25F AND Comments4: RISING TO POUR.					01/11/2019
BF	_____	007-GAR GARAGE FLOOR Comments1: GR MIDWEST					01/16/2019
BF	_____	008-RFR ROUGH FRAMING Comments1: GR RYAN					01/23/2018
BF	_____	009-REL ROUGH ELECTRICAL					01/23/2019
BF	_____	010-RMC ROUGH MECHANICAL					01/23/2019
BC	_____	011-PLR PLUMBING - ROUGH					01/23/2019

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INSPECTOR	TIME	TYPE OF INSPECTION	PERMIT	ADDRESS	LOT	SCHED. DATE	COMP. DATE
BC	_____	012-INS INSULATION					01/25/2019
GH	_____	002-FIN FINAL INSPECTION Comments1: COULD ONLY ACCESS FRONT & WEST SIDE, GAT Comments2: E LOCKED	20180698	1548 SIENNA DR	74		01/18/2019
BF	_____	014-FIN FINAL INSPECTION Comments1: BBW MCCUE REAR DECK & RADIANT FLOORING N Comments2: OT COMPLETE, ENERGY CERT MISSING/NOT IN Comments3: PANEL	20180704	1211 PATRICK CT	17		01/10/2019
PR	_____	015-PLF PLUMBING - FINAL OSR READ					01/10/2019
EEI	_____	016-EFL ENGINEERING - FINAL INSPE Comments1: WINTER CONDITIONS					01/15/2019
PR	_____	017-REI REINSPECTION Comments1: ELEC PANEL					01/14/2019
PBF	_____	004-PLU PLUMBING - UNDERSLAB Comments1: BBW MEADOWBROOK	20180708	928 PURCELL ST	81		01/10/2019
PR	_____	005-PLU PLUMBING - UNDERSLAB	20180745	821 CAULFIELD PT	108		01/08/2019
BF	_____	006-BSM BASEMENT FLOOR					01/10/2019
PR	_____	015-SUM SUMP	20180746	732 KENTSHIRE DR	117		01/18/2019
BC	_____	016-FIN FINAL INSPECTION					01/24/2019
PR	_____	017-PLF PLUMBING - FINAL OSR READ					01/24/2019
EEI	_____	018-EFL ENGINEERING - FINAL INSPE Comments1: BBOX NOT OPERABLE					01/24/2019
PR	_____	007-SUM SUMP	20180747	2352 WINTERTHUR GREEN	181		01/28/2019
BC	_____	004-REL ROUGH ELECTRICAL Comments1: NEW LIFE CHURCH	20180770	3205 CANNONBALL TR			01/18/2019
BC	_____	005-RFR ROUGH FRAMING					01/18/2019
BC	_____	006-RMC ROUGH MECHANICAL					01/18/2019
BC	_____	007-ABC ABOVE CEILING					01/18/2019
PR	_____	008-PLR PLUMBING - ROUGH					01/18/2019

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BC	_____	009-INS INSULATION					01/23/2019
EEI	_____	013-EFL ENGINEERING - FINAL INSPE	20180772	2602 MCLELLAN BLVD	61		01/15/2019
PR	_____	014-PLF PLUMBING - FINAL OSR READ					01/14/2019
BF	_____	015-FIN FINAL INSPECTION					01/14/2019
BF	_____	AM 005-BSM BASEMENT FLOOR	20180773	2642 BURR ST	11		01/11/2019
		Comments1: GR COX INSPECTION NOTES: COLD WEATHER P					
		Comments2: ROTECTION REQ, MAINTAIN CONCRETE AT 50F					
		Comments3: FOR 72 HRS, TEMP MUST BE 25F AND RISING					
		Comments4: TO POUR					
PR	_____	006-PLU PLUMBING - UNDERSLAB					01/10/2019
BF	_____	AM 007-GAR GARAGE FLOOR					01/17/2019
		Comments1: AND STOOP					
BC	_____	001-FIN FINAL INSPECTION	20180800	110 NADEN CT			01/16/2019
BF	_____	012-FIN FINAL INSPECTION	20180816	2849 KETCHUM CT	221		01/16/2019
		Comments1: RYAN					
EEI	_____	013-EFL ENGINEERING - FINAL INSPE					01/16/2019
		Comments1: WINTER CONDITIONS					
PR	_____	014-PLF PLUMBING - FINAL OSR READ					01/16/2019
BC	_____	012-RFR ROUGH FRAMING	20180826	3171 LAUREN DR	86		01/07/2019
BC	_____	013-REL ROUGH ELECTRICAL					01/07/2019
BC	_____	014-RMC ROUGH MECHANICAL					01/07/2019
PBF	_____	015-PLR PLUMBING - ROUGH					01/07/2019
BC	_____	016-INS INSULATION					01/09/2019
BC	_____	002-FIN FINAL INSPECTION	20180847	2551 N BRIDGE ST			01/04/2019
BF	_____	003-BKF BACKFILL	20180848	3112 MATLOCK DR	680		01/07/2019
		Comments1: GR UPLAND					
PR	_____	004-ESS ENGINEERING - STORM					01/11/2019
PR	_____	005-WAT WATER					01/11/2019

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INSPECTOR	TIME	TYPE OF INSPECTION	PERMIT	ADDRESS	LOT	SCHED. DATE	COMP. DATE
BC	_____	013-INS INSULATION	20180849	4274 E MILLBROOK CIR	280		01/02/2019
BF	_____	015-STP STOOP Comments1: MIDWEST INSPECTION NOTES: COLD WEATHER P Comments2: ROTECTION REQ, MAINTAIN CONCRETE AT 50F Comments3: FOR 72 HRS, TEMP MUST BE 25F AND RISING Comments4: TO POUR					01/11/2019
EEI	_____	014-EFL ENGINEERING - FINAL INSPE Comments1: WINTER CONDITIONS	20180852	3356 CALEDONIA DR	144		01/17/2019
BF	_____	015-FIN FINAL INSPECTION					01/17/2019
PR	_____	016-PLF PLUMBING - FINAL OSR READ					01/17/2019
BC	_____	004-RFR ROUGH FRAMING	20180854	1131 GRACE DR	62		01/23/2019
BC	_____	005-REL ROUGH ELECTRICAL					01/23/2019
BC	_____	006-RMC ROUGH MECHANICAL					01/23/2019
PR	_____	007-PLR PLUMBING - ROUGH					01/23/2019
PR	_____	008-PLU PLUMBING - UNDERSLAB Comments1: STACK					01/23/2019
BC	_____	006-BSM BASEMENT FLOOR	20180861	1041 BLACKBERRY SHORE LN	38		01/04/2019
BC	_____	007-REL ROUGH ELECTRICAL					01/17/2019
BC	_____	008-RFR ROUGH FRAMING Comments1: R802.11 INSTALL TIES FROM RAFTERS TO SUP Comments2: PORT BEAMS ON FRONT OF PORCH. WILL REINS Comments3: PECT AT INSULATION INSPECTION.					01/17/2019
BC	_____	009-RMC ROUGH MECHANICAL					01/17/2019
PR	_____	010-PLR PLUMBING - ROUGH				01/17/2019	
BC	_____	011-INS INSULATION					01/23/2019
PR	_____	005-PLU PLUMBING - UNDERSLAB	20180869	2431 FITZHUGH TURN	148		01/23/2019
BC	_____	002-FIN FINAL INSPECTION	20180900	1212 EVERGREEN LN	152		01/07/2019
BF	_____	001-FIN FINAL INSPECTION Comments1: SOLAR PANELS MARK 708-879-3688	20180906	2177 MEADOWVIEW LN			01/10/2019

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BC	_____	006-FIN FINAL INSPECTION	20180909	2142 BLUEBIRD LN	254		01/29/2019
PR	_____	007-PLF PLUMBING - FINAL OSR READ					01/29/2019
BC	_____	001-FIN FINAL INSPECTION Comments1: WINDOWS	20180921	505 W DOLPH ST			01/04/2019
BC	_____	001-OCC OCCUPANCY INSPECTION	20180925	2645 N BRIDGE ST			01/02/2019
BC	_____	002-FIN FINAL INSPECTION	20180926	400 BLAINE ST			01/29/2019
BC	_____	010-RFR ROUGH FRAMING	20180927	4282 E MILLBROOK CIR	279		01/02/2019
BC	_____	011-REL ROUGH ELECTRICAL					01/02/2019
BC	_____	012-RMC ROUGH MECHANICAL					01/02/2019
PBF	_____	013-PLR PLUMBING - ROUGH Comments1: GR RYAN					01/02/2019
BC	_____	014-INS INSULATION					01/04/2019
BF	_____	015-STP STOOP Comments1: INSPECTION NOTES: COLD WEATHER PROTECTIO Comments2: N REQ, MAINTAIN CONCRETE AT 50F FOR 72 H Comments3: RS, TEMP MUST BE 25F AND RISING TO POUR					01/11/2019
BC	_____	001-FIN FINAL INSPECTION	20180931	402 E SOMONAUK ST			01/15/2019
BC	_____	001-FIN FINAL INSPECTION	20180933	1210 N BRIDGE ST			01/18/2019
PBF	_____	004-ESW ENGINEERING - SEWER / WAT Comments1: PRESTWICK	20180935	1911 WREN RD	14		01/02/2019
BC	_____	005-ELS ELECTRIC SERVICE Comments1: COM ED INSPECTS				01/17/2019	
PR	_____	006-PLU PLUMBING - UNDERSLAB					01/24/2019
PR	_____	007-BSM BASEMENT FLOOR Comments1: CRAWL UPLAND					01/24/2019
PBF	_____	004-ESW ENGINEERING - SEWER / WAT Comments1: PRESTWICK SERV 1ST	20180936	1901 WREN RD	13		01/02/2019
BC	_____	005-ELS ELECTRIC SERVICE Comments1: COM ED INSPECTS				01/17/2019	

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INSPECTOR	TIME	TYPE OF INSPECTION	PERMIT	ADDRESS	LOT	SCHED. DATE	COMP. DATE
PR	_____	006-PLU PLUMBING - UNDERSLAB					01/24/2019
PR	_____	007-BSM BASEMENT FLOOR					01/24/2019
		Comments1: CRAWL, PW UPLAND					
PR	_____	005-PLU PLUMBING - UNDERSLAB	20180949	4254 E MILLBROOK CIR	283	01/17/2019	
BC	_____	006-PPS PRE-POUR, SLAB ON GRADE					01/18/2019
BC	_____	007-GAR GARAGE FLOOR					01/24/2019
PR	_____	008-PLR PLUMBING - ROUGH					02/01/2019
BC	_____	009-REL ROUGH ELECTRICAL					02/01/2019
BC	_____	010-RMC ROUGH MECHANICAL					02/01/2019
BC	_____	011-RFR ROUGH FRAMING					02/01/2019
PR	_____	005-PLU PLUMBING - UNDERSLAB	20180950	4242 E MILLBROOK CIR	285		01/18/2019
BC	_____	006-PPS PRE-POUR, SLAB ON GRADE					01/22/2019
		Comments1: GR MIDWEST					
BC	_____	007-GAR GARAGE FLOOR					01/22/2019
PR	_____	007-PLR PLUMBING - ROUGH	20180956	4234 E MILLBROOK CIR	286		01/16/2019
BC	_____	008-RFR ROUGH FRAMING					01/16/2019
BC	_____	009-REL ROUGH ELECTRICAL					01/16/2019
BC	_____	010-RMC ROUGH MECHANICAL					01/16/2019
BC	_____	011-INS INSULATION					01/18/2019
BF	_____	012-GAR GARAGE FLOOR					01/11/2019
		Comments1: STOOPS, MIDWEST INSPECTION NOTES: COLD W					
		Comments2: EATHER PROTECTION REQ, MAINTAIN CONCRETE					
		Comments3: AT 50F FOR 72 HRS, TEMP MUST BE 25F AND					
		Comments4: RISING TO POUR					
BC	_____	007-GAR GARAGE FLOOR	20180957	4228 E MILLBROOK CIR	287		01/03/2019
BC	_____	008-STP STOOP					01/03/2019
BC	_____	009-STP STOOP					01/03/2019

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BC	_____	010-RFR ROUGH FRAMING					01/14/2019
BC	_____	011-REL ROUGH ELECTRICAL					01/14/2019
BC	_____	012-RMC ROUGH MECHANICAL					01/14/2019
PR	_____	013-PLR PLUMBING - ROUGH Comments1: GR RYAN					01/14/2019
BC	_____	014-INS INSULATION					01/16/2019
BC	_____	002-FOU FOUNDATION Comments1: GR UPLAND	20180964	3101 REHBEHN CT	637		01/15/2019
BF	_____	003-BKF BACKFILL Comments1: UPLAND				01/18/2019	
PR	_____	004-ESS ENGINEERING - STORM					01/24/2019
PR	_____	005-WAT WATER					01/24/2019
BF	_____	001-FTG FOOTING	20180965	3102 REHBEHN CT	650		01/18/2019
BC	_____	002-FOU FOUNDATION Comments1: GR UPLAND	20180966	3105 REHBEHN CT	638		01/15/2019
BF	_____	003-BKF BACKFILL Comments1: UPLAND					01/18/2019
PR	_____	004-ESS ENGINEERING - STORM					01/24/2019
PR	_____	005-WAT WATER					01/24/2019
BF	_____	001-FTG FOOTING	20180967	3108 REHBEHN CT	649		01/18/2019
BC	_____	002-FOU FOUNDATION Comments1: GR UPLAND	20180968	3109 REHBEHN CT	639		01/22/2019
PR	_____	004-WAT WATER					01/28/2019
PR	_____	005-ESS ENGINEERING - STORM					01/28/2019
BF	_____	002-FOU FOUNDATION Comments1: GR UPLAND	20180969	3121 REHBEHN CT	640		01/23/2019
BF	_____	001-FTG FOOTING Comments1: UPLAND	20180970	3122 REHBEHN CT	648		00/01/1719

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BF	_____	001-FTG FOOTING Comments1: GR UPLAND	20180972	3126 REHBEHN CT	647		01/17/2019
BF	_____	002-FOU FOUNDATION Comments1: GR UPLAND	20180973	3129 REHBEHN CT	642		01/03/2019
PR	_____	003-ESS ENGINEERING - STORM					01/11/2019
PR	_____	004-WAT WATER					01/11/2019
BF	_____	005-BKF BACKFILL Comments1: GR - UPLAND					01/14/2019
BF	_____	001-FTG FOOTING Comments1: GR UPLAND	20180974	3132 REHBEHN CT	646		01/17/2019
BF	_____	002-FOU FOUNDATION Comments1: GR UPLAND					01/23/2019
BF	_____	002-FOU FOUNDATION Comments1: GR UPLAND	20180975	3133 REHBEHN CT	643		01/09/2019
BF	_____	003-BKF BACKFILL Comments1: GR UPLAND					01/16/2019
PR	_____	004-ESS ENGINEERING - STORM				01/17/2019	
PR	_____	005-WAT WATER				01/17/2019	
BF	_____	001-FTG FOOTING Comments1: GR UPLAND	20180976	3136 REHBEHN CT	645		01/08/2019
BF	_____	002-FOU FOUNDATION Comments1: GR UPLAND INSPECTION NOTES: COLD WEATHE Comments2: R PROTECTION REQ, MAINTAIN CONCRETE AT 5 Comments3: 0F FOR 72 HRS, TEMP MUST BE 25F AND RISI Comments4: NG TO POUR					01/11/2019
BF	_____	003-BKF BACKFILL Comments1: GR UPLAND					01/16/2019
PR	_____	004-ESS ENGINEERING - STORM				01/17/2019	
PR	_____	005-WAT WATER				01/17/2019	
BF	_____	002-FOU FOUNDATION Comments1: GR UPLAND INSPECTION NOTES: COLD WEATHER Comments2: PROTECTION RQD MAINTAIN CONCRETE AT 50F Comments3: FOR 72 HRS, POUR AT 25-32F AND RISING - Comments4: OKAY TO POUR	20180977	3137 REHBEHN CT	644		01/14/2019

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BF	_____	003-BKF BACKFILL Comments1: UPLAND					01/18/2019
PR	_____	004-WAT WATER					01/28/2019
PR	_____	005-ESS ENGINEERING - STORM					01/28/2019
BC	_____	002-FIN FINAL INSPECTION	20180978	772 HAYDEN DR	63		01/03/2019
BC	_____	002-FIN FINAL INSPECTION	20180979	794 HAYDEN DR	62		01/03/2019
BC	_____	001-FIN FINAL INSPECTION	20180984	106 W FOX ST			01/08/2019
BC	_____	001-REL ROUGH ELECTRICAL Comments1: BASEMENT FINISH	20180991	572 PARKSIDE LN	105		01/16/2019
BC	_____	002-RFR ROUGH FRAMING Comments1: BASEMENT FINISH					01/16/2019
BC	_____	003-RMC ROUGH MECHANICAL Comments1: BASEMENT FINISH					01/16/2019
BC	_____	004-INS INSULATION Comments1: BASEMENT FINISH					01/18/2019
PBF	_____	005-PLU PLUMBING - UNDERSLAB	20180992	2093 SQUIRE CIR	218		01/03/2019
BC	_____	006-BSM BASEMENT FLOOR					01/03/2019
BF	_____	007-GAR GARAGE FLOOR Comments1: STOOPS				01/19/2019	
PR	_____	008-PLR PLUMBING - ROUGH Comments1: STACK					01/18/2019
BC	_____	009-REL ROUGH ELECTRICAL					01/22/2019
BC	_____	010-RFR ROUGH FRAMING					01/22/2019
BC	_____	011-RMC ROUGH MECHANICAL					01/22/2019
BC	_____	012-INS INSULATION					01/24/2019
BC	_____	001-PHF POST HOLE - FENCE	20180993	464 E BARBERRY CIR	138		01/03/2019
BC	_____	002-FIN FINAL INSPECTION					01/15/2019
BF	_____	004-BKF BACKFILL Comments1: CAL MIDWEST	20180996	3287 BOOMBAH BLVD	143		01/08/2019

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PR	_____	005-SEW SEWER INSPECTION Comments1: HUNG SEWER					01/09/2019
BC	_____	006-BSM BASEMENT FLOOR					01/22/2019
BC	_____	001-FIN FINAL INSPECTION	20181001	1004 STATE ST			01/09/2019
BF	_____	001-FTG FOOTING Comments1: CAL MIDWEST	20181003	3162 LAUREN DR	113		01/09/2019
PR	_____	002-ESW ENGINEERING - SEWER / WAT					01/09/2019
BF	_____	003-FOU FOUNDATION Comments1: MIDWEST INSPECTION NOTES: COLD WEATHER Comments2: PROTECTION REQ, MAINTAIN CONCRETE AT 50F Comments3: FOR 72 HRS, TEMP MUST BE 25F AND RISING Comments4: TO POUR					01/11/2019
BF	_____	004-BKF BACKFILL Comments1: MIDWEST CAL					01/17/2019
PR	_____	005-SEW SEWER INSPECTION					01/18/2019
BC	_____	002-FOU FOUNDATION Comments1: GR COX	20181005	2501 LYMAN LOOP	62		01/02/2019
BC	_____	003-BKF BACKFILL					01/08/2019
PR	_____	004-PLU PLUMBING - UNDERSLAB					01/10/2019
PR	_____	005-WAT WATER Comments1: PM Inspection					01/11/2019
BC	_____	001-FIN FINAL INSPECTION Comments1: FINAL SIDING	20181006	1439 CHESTNUT LANE			01/08/2019
PR	_____	001-ESW ENGINEERING - SEWER / WAT	20181014	3212 LAUREN DR	117		01/09/2019
BF	_____	002-FTG FOOTING					01/09/2019
BF	_____	004-BKF BACKFILL					01/17/2019
PR	_____	005-SEW SEWER INSPECTION					01/18/2019
BC	_____	002-FIN FINAL INSPECTION	20181018	1409 ASPEN LN			01/16/2019
PR	_____	001-WAT WATER	20181019	4210 E MILLBROOK CIR	289		01/16/2019

DATE: 02/08/2019
TIME: 13:57:51
ID: PT4A0000.WOW

UNITED CITY OF YORKVILLE
CALLS FOR INSPECTION REPORT

PAGE: 15

INSPECTIONS SCHEDULED FROM 01/01/2019 TO 01/31/2019

INSPECTOR	TIME	TYPE OF INSPECTION	PERMIT	ADDRESS	LOT	SCHED. DATE	COMP. DATE
BF		002-FTG FOOTING Comments1: GR MIDWEST					01/16/2019
BC		003-FOU FOUNDATION					01/18/2019
BF		004-BKF BACKFILL Comments1: MIDWEST GR					01/23/2019
BF		001-FTG FOOTING Comments1: RANDA 630-816-5519 INSPECTION NOTES: CO Comments2: LD WEATHER PROTECTION REQ, MAINTAIN CONC Comments3: RETE AT 50F FOR 72 HRS, TEMP MUST BE 25F Comments4: AND RISING TO POUR	20181025	1101 BLACKBERRY SHORE LN	44		01/11/2019
BC		002-FOU FOUNDATION					01/18/2019
BC		001-FTG FOOTING	20181026	901 BLACKBERRY SHORE LN	24		01/15/2019
BC		PM 001-FIN FINAL INSPECTION	20181028	2765 CROOKER PL	60		01/09/2019
BF		001-FTG FOOTING Comments1: CAL MIDWEST	20190003	3141 LAUREN DR	89		01/16/2019
PR		002-ESW ENGINEERING - SEWER / WAT					01/16/2019
BC		004-FOU FOUNDATION					01/17/2019
PR		005-SUM SUMP					01/28/2019
BC		006-BKF BACKFILL					01/24/2019
BC		001-RFR ROUGH FRAMING	20190008	542 SHADOW WOOD DR	98		01/09/2019
BC		002-REL ROUGH ELECTRICAL					01/09/2019
BC		003-INS INSULATION					01/09/2019
PR		001-WAT WATER	20190017	1093 REDWOOD DR	47	01/17/2019	
PR		002-SEW SEWER INSPECTION				01/17/2019	
BC		001-PHF POST HOLE - FENCE Comments1: 10AM-12PM	20190019	1973 MEADOWLARK LN	121		01/18/2019
BC		002-FIN FINAL INSPECTION				01/25/2019	
BC	09:00	001-OCC OCCUPANCY INSPECTION	20190024	1002 S MAIN ST			01/22/2019

DATE: 02/08/2019
TIME: 13:57:51
ID: PT4A0000.WOW

UNITED CITY OF YORKVILLE
CALLS FOR INSPECTION REPORT

PAGE: 16

INSPECTIONS SCHEDULED FROM 01/01/2019 TO 01/31/2019

INSPECTOR	TIME	TYPE OF INSPECTION	PERMIT	ADDRESS	LOT	SCHED. DATE	COMP. DATE
BKBF	_____	002-OCC OCCUPANCY INSPECTION				01/22/2019	

INSPECTIONS SCHEDULED FROM 01/01/2019 TO 01/31/2019

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

PERMIT TYPE SUMMARY:							
		BDO COMMERCIAL BUILD-OUT			2		
		BIP BUILD INCENTIVE PROGRAM SFD			5		
		BSM BASEMENT REMODEL			10		
		CCO COMMERCIAL OCCUPANCY PERMIT			3		
		COM COMMERCIAL BUILDING			1		
		CRM COMMERCIAL REMODEL			11		
		ESN ELECTRIC SIGN			2		
		FNC FENCE			8		
		GAR GARAGE			2		
		MIS MISCELLANEOUS			1		
		ROF ROOFING			2		
		SFA SINGLE-FAMILY ATTACHED			6		
		SFD SINGLE-FAMILY DETACHED			235		
		SID SIDING			2		
		SOL SOLAR PANELS			1		
		WIN WINDOW REPLACEMENT			3		
INSPECTION SUMMARY:							
		ABC ABOVE CEILING			1		
		BKF BACKFILL			16		
		BSM BASEMENT FLOOR			9		
		EFL ENGINEERING - FINAL INSPECTION			18		
		ELS ELECTRIC SERVICE			2		
		ESS ENGINEERING - STORM			13		
		ESW ENGINEERING - SEWER / WATER			5		
		FIN FINAL INSPECTION			35		
		FOU FOUNDATION			16		
		FTG FOOTING			12		
		GAR GARAGE FLOOR			9		
		INS INSULATION			16		
		OCC OCCUPANCY INSPECTION			3		
		PHD POST HOLE - DECK			3		
		PHF POST HOLE - FENCE			2		
		PLF PLUMBING - FINAL OSR READY			14		
		PLR PLUMBING - ROUGH			15		
		PLU PLUMBING - UNDERSLAB			12		
		PPS PRE-POUR, SLAB ON GRADE			2		
		REI REINSPECTION			10		
		REL ROUGH ELECTRICAL			18		
		RFR ROUGH FRAMING			17		
		RMC ROUGH MECHANICAL			17		
		SEW SEWER INSPECTION			4		
		STP STOOP			6		
		SUM SUMP			3		
		WAT WATER			16		
INSPECTOR SUMMARY:		BC BOB CREADEUR			115		

DATE: 02/08/2019
TIME: 13:57:51
ID: PT4A0000.WOW

UNITED CITY OF YORKVILLE
CALLS FOR INSPECTION REPORT

PAGE: 18

INSPECTIONS SCHEDULED FROM 01/01/2019 TO 01/31/2019

INSPECTOR	TIME	TYPE OF INSPECTION	PERMIT	ADDRESS	LOT	SCHED. DATE	COMP. DATE
		BF	B&F INSPECTOR CODE SERVICE	70			
		BKF	BRISTOL KENDALL FIRE DEPT	1			
		EEI	ENGINEERING ENTERPRISES	20			
		GH	GINA HASTINGS	1			
		PBF	BF PLUMBING INSPECTOR	13			
		PR	PETER RATOS	74			
STATUS SUMMARY:	C	BC		21			
	C	BF		2			
	C	BKF		1			
	C	GH		1			
	C	PBF		1			
	C	PR		3			
	I	BC		93			
	I	BF		52			
	I	PBF		7			
	I	PR		62			
	T	BC		1			
	T	BF		16			
	T	EEI		20			
	T	PBF		5			
	T	PR		9			

REPORT SUMMARY: 294



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

Agenda Item Number

New Business #3

Tracking Number

EDC 2019-21

Agenda Item Summary Memo

Title: Property Maintenance Report for December 2018 and January 2019

Meeting and Date: Economic Development Committee – March 5, 2019

Synopsis: _____

Council Action Previously Taken:

Date of Action: _____ Action Taken: _____

Item Number: _____

Type of Vote Required: Informational

Council Action Requested: None

Submitted by: Pete Ratos Community Development
Name Department

Agenda Item Notes:

Have a question or comment about this agenda item?

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Memorandum

To: Economic Development Committee
From: Pete Ratos, Code Official
CC: Bart Olson, Krysti Barksdale-Noble, Lisa Pickering
Date: December 27, 2018
Subject: December Property Maintenance

Property Maintenance Report December 2018

Adjudication:

1 Property Maintenance Case heard in December

12/26/2018

N 0428	608 Tower Ln	Exterior Property Area	Dismissed
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Case Report

12/1/2018 - 12/31/2018

Case #	Case Date	ADDRESS OF COMPLAINT	TYPE OF VIOLATION	STATUS	VIOLATION LETTER SENT	FOLLOW UP STATUS	CITATION ISSUED
20180473	12/31/2018	1332	MOLD				
20180472	12/28/2018	4508 Marquette St	Trailer	IN VIOLATION	12/31/2018		
20180471	12/27/2018	1878 Columbine Dr	Boat/Trailer	IN VIOLATION	12/28/2018		
20180470	12/27/2018	906 S. Bridge St	Vehicle	IN VIOLATION	12/28/2018		
20180469	12/26/2018	2302 Iroquois Ln	Vehicle	IN VIOLATION	12/27/2018		
20180468	12/26/2018	403 E Kendall Dr	Boat/Trailer	IN VIOLATION	12/27/2018		
20180467	12/20/2018	197 Veterns	Sign	CLOSED	12/19/2018	COMPLIANT	
20180466	12/20/2018	716 N Bridge St	Vehicle Parking	CLOSED	12/20/2018	COMPLIANT	
20180465	12/19/2018	321 Bertram Dr	Vehicle	IN VIOLATION	12/20/2018		
20180464	12/19/2018	803 Prairie Crossing Dr	Vehicle	IN VIOLATION	12/20/2018		
20180463	12/19/2018	927 N Carly Cr	Vehicle	IN VIOLATION	12/19/2018		
20180462	12/19/2018	567 Parkside	Travel Trailer	CLOSED		COMPLIANT	
20180461	12/19/2018	42 W COUNTRYSIDE PKWY	POLE LIGHTS SHINING DIRECTLY INTO RESIDENTIAL ACROSS THE E KENDALL DR	CLOSED		COMPLIANT	

20180460	12/19/2018	706 State St	Lack of Permit	IN VIOLATION	12/19/2018		
20180459	12/17/2018	125 W HYDRAULIC	TRASH AND DEBRIS	IN VIOLATION	12/19/2018		
20180458	12/14/2018	2765 Crooker Dr	Lack of Permit	IN VIOLATION	12/14/2018		
20180457	12/12/2018	0208100006	NOXIOUS ODOR COMING FROM GREEN ORGANICS	CLOSED		COMPLIANT	
20180456	12/11/2018	338 Timbalier	Vehicle	CLOSED	12/12/2018	COMPLIANT	
20180455	12/11/2018	231 Burnett St	Vehicle	CLOSED	12/12/2018	COMPLIANT	
20180454	12/11/2018	102 Claremont Ct	Vehicle	IN VIOLATION	12/12/2018		
20180453	12/11/2018	1874	Vehicle	CLOSED	12/12/2018	COMPLIANT	
20180452	12/11/2018	307 Olsen St	Trailer	IN VIOLATION	12/12/2018		
20180451	12/11/2018	103 W Kendall Dr	Trailer	IN VIOLATION	12/12/2018		
20180450	12/11/2018	103 W. Spring St	Boat/Trailer	IN VIOLATION	12/11/2018		
20180449	12/10/2018	2398 Iroquois Ln	Vehicle	IN VIOLATION	12/11/2018		
20180448	12/10/2018	601 Greenfield Turn	Vehicle	IN VIOLATION	12/11/2018		
20180447	12/10/2018	2074 Ingemunson	Vehicle	IN VIOLATION	12/11/2018		
20180446	12/10/2018	843 Parkside Ln	Accessory building too close to home	IN VIOLATION	12/11/2018		
20180445	12/10/2018	661 Denise Ct	Vehicle	CLOSED	12/11/2018	COMPLIANT	
20180444	12/7/2018	894 Purcell St	Sump Discharge	CLOSED		COMPLIANT	

20180443	12/7/2018	311A Olsen St	Vehicle	IN VIOLATION	12/7/2018		
20180442	12/7/2018	305 Walter St	Vehicle	CLOSED	12/7/2018	COMPLIANT	
20180441	12/7/2018	410 Ridge St	Vehicle	IN VIOLATION	12/7/2018		
20180439	12/7/2018	608 Redtail Court	Vehicle	IN VIOLATION	12/7/2018		
20180438	12/5/2018	2374 Titus Dr	Vehicle	IN VIOLATION	12/6/2018		
20180437	12/5/2018	1033 N CARLY CIR	SHED TOO CLOSE TO PROPERTY LINE	PENDING	12/6/2018		
20180436	12/4/2018	504 W	Trailer	CLOSED	12/5/2018	COMPLIANT	
20180435	12/4/2018	509 W Madison Ct	Trailer	IN VIOLATION	12/5/2018		
20180434	12/4/2018	306 W Main St	Refuse	CLOSED	12/5/2018	COMPLIANT	
20180433	12/3/2018	904 Adrian St	Sump/drainage	CLOSED		COMPLIANT	
20180432	12/3/2018	491 Barberry	Boat/Trailer	CLOSED	12/3/2018	COMPLIANT	
20180431	12/3/2018	905 Adrian St	Boat/Trailer	CLOSED	12/3/2018	COMPLIANT	
20180430	12/3/2018	315 W Kendall	Boat/Trailer	CLOSED	12/3/2018	COMPLIANT	
20180429	12/3/2018	119 Strawberry Ln	Refuse	IN VIOLATION	12/3/2018		
20180428	12/3/2018	116 Conover	Trailer	CLOSED	12/3/2018	COMPLIANT	
20180416	12/7/2018	575 Yellowstone Ln	Lack of Permit	PENDING			

Total Records: 46

12/31/2018



Memorandum

To: Economic Development Committee
From: Pete Ratos, Code Official
CC: Bart Olson, Krysti Barksdale-Noble, Lisa Pickering
Date: January 29, 2019
Subject: January Property Maintenance

Property Maintenance Report January 2019

Adjudication:

4 Property Maintenance Cases heard in January

1/7/2019

N 0430	1508 N Bridge St	Weeds	Liabe \$680
N 0431	1508 N Bridge St	Junk, Trash	Liabe \$680

1/23/2019

N 0435	410 W Ridge St	Motor Vehicle	Dismissed
N 0436	410 W Ridge St	Tent non-recreational use	Dismissed

Case Report

1/1/2019 - 1/31/2019

Case #	Case Date	ADDRESS OF COMPLAINT	TYPE OF VIOLATION	STATUS	VIOLATION LETTER SENT	FOLLOW UP STATUS	CITATION ISSUED	DATE OF HEARING	FINDINGS
20190045	1/31/2019	2412 Fitzhugh Turn	TRASH AND DEBRIS	IN VIOLATION	2/1/2019				
20190044	1/29/2019	1742 John St	Snow Deposit on Street	IN VIOLATION	1/29/2019				
20190043	1/29/2019	1742 John St	Snow Deposit on Street	IN VIOLATION	1/29/2019				
20190042	1/29/2019	2197 Meadowview Ln	Snow Deposit on Street	IN VIOLATION	1/29/2019				
20190041	1/29/2019	1182 Taus Cir	Snow Deposit on Street	IN VIOLATION	1/30/2019				
20190040	1/29/2019	1473 CRIMSON LN	GARAGE FULL OF TRASH & VERMIN	CLOSED					
20190039	1/25/2019	422 Windette Ridge Rd	Vehicle	IN VIOLATION	1/28/2019				
20190038	1/25/2019	322 Sutton St	Trailer	IN VIOLATION	1/28/2019				
20190037	1/25/2019	284 Windette Ridge Rd	Vehicle	IN VIOLATION	1/28/2019				
20190036	1/22/2019	14 Maple St	TRASH AND DEBRIS	CLOSED					
20190035	1/18/2019	1508 N BRIDGE ST	JUNK REFUSE DUMPING	IN VIOLATION	1/18/2019	IN VIOLATION			NOTICE OF VIOLATION
20190034	1/18/2019	2001 S Bridge St	Lack of Permit - Wind Feathers	IN VIOLATION	1/18/2019				
20190033	1/18/2019	1945 Marketview Pkwy	Lack of Permit - Wind Feathers	IN VIOLATION	1/18/2019				
20190032	1/17/2019	3935 Havenhill Ct	Vehicle	IN VIOLATION	1/18/2019				
20190031	1/17/2019	2848 McLellan	Vehicle	CLOSED	1/18/2019	COMPLIANT			
20190030	1/17/2019	2772 Hobbs Ct	Vehicle	IN VIOLATION	1/18/2019				
20190029	1/17/2019	2282 Emerald Ln	Vehicle	IN VIOLATION	1/18/2019				
20190028	1/16/2019	Bristol Bay	Mold	CLOSED					
20190027	1/16/2019	416 Walnut Dr	Lighting	CLOSED		COMPLIANT			
20190026	1/16/2019	1078, 1089 & 1092 Stillwater Ct	Basketball hoops in street	CLOSED		PENDING			
20190025	1/16/2019	713 CLOVER CT	TRASH AND DEBRIS	CLOSED		COMPLIANT			

20190024	1/15/2019	1611 Cottonwood Tr	Vehicle	IN VIOLATION	1/16/2019				
20190023	1/15/2019	2238 Beresford Dr	Vehicle	IN VIOLATION	1/16/2019				
20190022	1/15/2019	4056 Brady St	Vehicle	IN VIOLATION	1/29/2019				
20190021	1/15/2019	3836 Bailey Rd	Vehicle	CLOSED	1/16/2019	COMPLIANT			
20190020	1/15/2019	603 Center Pkwy	Lack of Permit - Wind Feathers	IN VIOLATION	1/16/2019				
20190019	1/15/2019	1789 Marketview Dr	Lack of Permit - Wind Feathers	IN VIOLATION	1/16/2019				
20190018	1/15/2019	1845 Marketview Dr	Lack of Permit - Wind Feathers	IN VIOLATION	1/16/2019				
20190017	1/14/2019	507 Blaine St	Vehicle	CLOSED		COMPLIANT			
20190015	1/7/2019	332 E Veterans Pkwy	Working without permit	CLOSED		COMPLIANT			
20190014	1/9/2019	3178 Boombah Blvd	TRASH AND DEBRIS	CLOSED					
20190013	1/9/2019	404 W Van Emmon St	Vehicle	IN VIOLATION	1/10/2019				
20190012	1/8/2019	707 S Bridge St	Off Street Parking	CLOSED	1/9/2019	COMPLIANT			
20190011	1/8/2019	467 E. Barberry Cir	Vehicle	IN VIOLATION	1/8/2019				
20190010	1/8/2019	196 Burnett St	Vehicle	CLOSED	1/8/2019	COMPLIANT			
20190009	1/8/2019	2051 Raintree Rd	Vehicle	CLOSED	1/8/2019	COMPLIANT			
20190008	1/8/2019	Rt 126 & Penman	Working without permit - wind feathers	CLOSED		COMPLIANT			
20190007	1/7/2019	113 E Orange St	Off Street Parking	CLOSED	1/8/2019	COMPLIANT			
20190006	1/7/2019	404 W Van Emmon St	Vehicle	IN VIOLATION	1/8/2019				
20190005	1/7/2019	1111 S Bridge St	Off Street Parking	CLOSED	1/8/2019	COMPLIANT			
20190004	1/7/2019	1543 Montrose Ct	Disabled vehicle on street	CLOSED		IN VIOLATION			
20190003	1/2/2019	101 Strawberry Ln	Off Street Parking	CLOSED	1/3/2019	COMPLIANT			
20190001	1/2/2019	1835 Marketview Dr	Working without permit - wind feathers	CLOSED	1/2/2019	COMPLIANT			

Total Records: 43

1/31/2019



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

Agenda Item Number

New Business #4

Tracking Number

EDC 2019-22

Agenda Item Summary Memo

Title: Economic Development Report for February 2019

Meeting and Date: Economic Development Committee – March 5, 2019

Synopsis: See attached.

Council Action Previously Taken:

Date of Action: N/A Action Taken: _____

Item Number: _____

Type of Vote Required: _____

Council Action Requested: _____

Submitted by: Bart Olson Administration
Name Department

Agenda Item Notes:

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Phone 630-553-0843 • FAX 630-553-0889

Monthly Report – for March 2019 EDC Meeting of the United City of Yorkville

February 2019 Activity

Downtown Redevelopment:

- Worked with a variety of land and building owners to discuss potential development and redevelopment opportunities. This includes the inducement resolutions for the “Corner Liquor” building at Route 47 & Fox; and “Casa Santiago” building at VanEmmon & Huestis.
- Worked with a variety of businesses looking at Yorkville’s downtown for their new home.

Development south of Fox River:

- Continue working with Eleno Silva on banquet center. Eleno is completing both exterior and interior construction in Stagecoach Crossing. Official name of the business is “**Martini Banquets**”. He is focusing on opening in spring of 2019.
- Continue working with “**Yorkville Animal Hospital**” as they prepare for a major expansion of services to the community, which will include a large capital investment.
- Continue working with “**Popeyes Louisiana Kitchen**”, who is leasing the former Subway space along with a portion of adjacent vacant space for a new restaurant with a drive-up at Fountain Village. Aby Sidi, who is the franchisee, is a resident of Kendall County and is eager to obtain final approvals from Popeyes Corporate Office in Miami.
- Also worked with three other perspectives tenants for Fountain Village.

Development north of the Fox River:

- **Kendall Crossing**...Construction is in full swing for the “**Hacienda Real**” building, the “**Flight Tasting Room & Bottle Shoppe**” building, and of course the “**Holiday Inn Express & Suites**” and “**Kendall Banquets**”. Continue to meet with other complementary business for the new 7000 square foot building
- **Kendall Marketplace**...Continue to work with specialist consultants from “**Bespoke**” who have been hired by center owner, Alex Berman, to work through a plan to determine new options and opportunities for the remainder of the project. Also working with perspective inline tenants, and a national restaurant for new construction on an outlot.
- “**Arby’s**” has submitted their building plans for remodel of the former Hardee’s location on Route 47 in early 2019. Yonas Hagos, Yorkville resident, will be the owner. Remodel will begin shortly.
- Working with new broker, Daniel Bessey, who is taking over the “**Prairie Point Executive Center**”.
- “**Baird & Warner Real Estate**” is opening a location at the office building in Heartland Center. The exact address is 608 East Veterans Parkway. This office will be the home to approximately 12 employees and will also accommodate closings through Baird & Warner title service.
- “**Gas N Wash**” has a 3 plus acre property under contract at the southeast corner of Route 34 and Sycamore. They will begin the process to obtain a special use for fuel shortly. This project will include fuel, car wash, dog wash, convenient store, drive through Dunkin Donuts and other hot food service. Cost of construction is approximately \$7 million dollars and there will be 60 jobs created.
- Working with a variety of retail and service based businesses that are exploring opportunities in Yorkville. Some of these businesses are negotiating their leases and, I expect to be able to provide details in the near future.
- “**Cedarhurst Assisted Living & Memory Care**” is preparing to open in April 2019. They are conducting tours and have a significant number of units leased.

Industrial Development:

- Continue working with “**Morton Buildings**” who is building a construction center in Yorkville Business Center. This new business will create approximately 30 jobs. They desire to start construction in late Spring and have the facility open by the end of the year.

Recreation:

- **Go for it Sports**...continue working with the center. “Go For It Sports” continues to work with JC Health and Fitness to provide core based functional training; Lil’ Kickers soccer and instructional program; and Chad Johansen and his Golf Academy.

Other Activity:

- Attended strategic planning meetings for Waubensee Community College and Rush Copley.
- Attended a workshop on Foreign Direct Investment in Elk Grove Village, to learn how our business and development community would be able to utilize this program.

Respectfully submitted,

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



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

Agenda Item Number

New Business #5

Tracking Number

EDC 2019-23

Agenda Item Summary Memo

Title: Downtown Form Based Code and Master Streetscape Plan

Meeting and Date: Economic Development Committee - March 5, 2019

Synopsis: Details proposed planning documents for the downtown overlay district

Council Action Previously Taken:

Date of Action: _____ Action Taken: _____

Item Number: _____

Type of Vote Required: _____

Council Action Requested: _____

Submitted by: Jason Engberg Community Development
Name Department

Agenda Item Notes:

See attached memo.



Memorandum

To: Economic Development Committee
From: Jason Engberg, Senior Planner
CC: Bart Olson, City Administrator
Krysti J. Barksdale-Noble, Community Development Director
Date: February 26, 2019
Subject: **Downtown Form Based Code and Streetscape Master Plan**

SUMMARY:

Ever since its adoption in 2016, the City has been working towards completing the goals and objectives set forth in the Comprehensive Plan. As part of the strategies toward implementing the identified planning goals in the Comprehensive Plan, there was a recommendation that the City enhance the visual appearance, pedestrian environment and functionality of downtown Yorkville.

The following strategies/initiatives were listed as actionable items that should be ongoing or accomplished within 2 years of the adoption of the plan:

- Enhance Streetscape appearance and improve walkability of Hydraulic, Main and Van Emmon Streets.
- Create Public Parking Areas.
- Facilitate building rehabilitation and façade improvements.
- Implement gateway finding, wayfinding, landscaping, and other placemaking treatments.
- Promote high quality development design.
- Consider zoning overlays, new design standards or other tools to promote desired corridor character.

As the Economic Development Committee (EDC) will recall, in September 2017 staff solicited Request for Proposals (RFP) for a Downtown Overlay District and Streetscape Master Plan with Form-Based Code criteria. Farr Associates was retained to complete a Master Streetscape Plan and Downtown Form-Based Code. Below is an overview of the planning process as well as a summary of the final draft documents for EDC review.

PLANNING PROCESS:

Farr Associates were retained at the end of 2017 and began working on the project in January of 2018. Below is a brief timeline of the planning process and a summary of events for each stage of development:

STAGE	DATE	SUMMARY
Site & Background Analysis	Jan. 2018	Gathering information and creating a project boundary; setting up a project website
Public Workshop #1	Feb. 15, 2018	Gather public input to begin development
Streetscape and Form-Based Code Development	Mar.-Jun. 2018	Creation of initial draft
Public Workshop #2	Jun. 22, 2018	Showcase of initial draft and continue to take public input
Streetscape and Form-Based Code Revisions	Jul.-Aug. 2018	Revise from comments made at meeting
Staff Review #1	Sept. 2018	Staff review draft document and makes edits/suggestions

Streetscape and Form-Based Code Revisions	Oct.-Dec. 2018	Revise from comments made at meeting
Staff Review #2	Jan. 2019	Staff review draft document and makes edits/suggestions
Streetscape and Form-Based Code Revisions	Jan.-Feb. 2019	Revise from comments made at meeting
EDC Review	Mar. 5, 2019	EDC reviews documents prior to public release
Streetscape and Form-Based Code Revisions	Mar. 2019	Revise from comments made at meeting
Public Open House	Apr. 10, 2019	Provide the public a chance to review exhibits and plans
PZC Review	Apr. 10, 2019	PZC reviews documents and makes recommendation to City Council
Streetscape and Form-Based Code Revisions	Apr. 2019	Revise from comments made at meeting
City Council	May 14, 2019	City Council review and possible adoption

DOCUMENT SUMMARY:

Attached is a draft for the Yorkville Downtown Overlay District Plan. The drafts focus on both the Streetscape Master Plan of the overlay district and the Form-Based Code. As presented, the plans are intended to establish the broader guidance for street character and development opportunities within the downtown which can be facilitated through public capital improvement projects and private redevelopment.

Streetscape Master Plan

The Streetscape Master Plan identifies the street type and classification for the four major roadways in the downtown: Bridge Street, Hydraulic Street, Van Emmon Street and Main Street (“B” Street). The plan walks through existing, near term and long-term planning solutions for each street and identifies tactical intervention opportunities (meaningful, planning/design related measures at a small cost which adds vitality and interest in the area) for each such as community art, public space lighting, painted crosswalks, outdoor restaurant seating, wall murals, etc.

A notable change to the previous draft version of the Streetscape Master Plan is that the catenary lights have been removed from Bridge Street and have been added to Van Emmon Street. After the preliminary plans were reviewed in June, staff moved forward with getting quotes and conducting feasibility assessments on pole and light locations. The Illinois Department of Transportation (IDOT) was contacted and staff was explicitly told that lights above Bridge Street would be prohibited. Staff then suggested a move to Hydraulic Street as its long-term plan would be more pedestrian oriented. With the railway right-of-way and the existing utilities above and below ground cause several issues when trying to locate the lighting. Staff conferred with Farr Associates and decided the best location would be along Van Emmon Road. This is now illustrated on pages 27 and 29.

Form-Based Code

The Form-Based Code portion of the overlay district is intended to establish codified development standards for downtown and neighboring redevelopment areas. As presented in the draft of the form-based code, the proposed standards will:

1. **GUIDE** the development of a mix of uses and a pedestrian-oriented environment as established in the Yorkville Streetscape Master Plan.
2. **PROVIDE** for a mix of housing types within the overlay district and adjacent areas for people of all ages and lifestyles.
3. **ACHIEVE** development that is appropriate in scale and intensity for the Downtown Overlay District and adjacent neighborhoods.

The major components of the form-based code are the identified districts, uses, building types and site development standards. The attached draft version provides information on all of these components.

STAFF COMMENTS:

Staff is seeking input from the Economic Development Committee regarding these two documents. The Master Streetscape Plan and Downtown Form-Based Code will be reviewed at a public open house on April 10, 2019 at 6:00pm before the regularly scheduled Planning and Zoning Commission Meeting. It will then be reviewed by the Planning and Zoning Commission at that meeting. Revisions will be made between each meeting before being brought in front of City Council.

ATTACHMENTS:

1. Yorkville Master Streetscape Plan
2. Yorkville Downtown Form-Based Code

YORKVILLE

Downtown Overlay District

Streetscape Master Plan



United City of
Yorkville ILLINOIS

FARR ASSOCIATES



Yorkville, Illinois

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Acknowledgements

United City of Yorkville
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Introduction

A streetscape master plan provides guidance of the direction and character of future street related capital improvement projects. As downtown Yorkville continues to evolve, so too should its streets and public spaces to support the changing land uses over time. Downtown has experienced multiple moments of transition, from center of town to a concentration of light industry along a rail line to a stretch cars drive by at 40 miles per hour without a second thought. But recently, downtown has experienced a renaissance of sorts with desirable new restaurants and small local businesses building on top of the few that already existed. An improved

Fox River-oriented park and other riverfront recreational improvements add another layer to downtown's assets.

At its heart, Yorkville is a small-town on a sleepy river with residents committed to making a better city for all. What better places to start that improving a downtown that should be the center of the community, where events, festivals, and family gatherings take place regularly. The streets of downtown Yorkville should be the armature that supports these functions and helps contribute to building community and quality of life.

Downtown Overlay District

Streetscape Master Plan

Street Type Classification p. 08

Bridge Street p. 10

Hydraulic Street p. 16

Van Emmon Street p. 24

‘B’ Street p. 32

Wayfinding and Signage p. 40

General Streetscape Guidance p. 42

Streetscape Master Plan

Why a Streetscape Master Plan?



Figure 1 - Bridge Street (Farr Associates)

Because downtown Yorkville needs one. Investors and property owners interested in improving their downtown assets may think twice if they do not sense a commitment from the City. The downtown TIF I was certainly an effort to encourage redevelopment within downtown and TIF II is an added incentive for owners to invest; however, the lack of an inspiring plan that presents future capital improvement priorities for the City leaves much to be desired. This streetscape master plan is intended to get people excited about the potential of downtown. Knowing that improvements are in the pipeline, investors can get out in front and establish a presence prior to downtown realizing its full potential.

A streetscape master plan's focus is on the public realm - most notably the streets, furnishing zones, and sidewalks. It helps to establish what role each street will play moving forward. For example, it establishes which streets are 'A' Streets; meaning a street that should be accompanied by building frontages, glazing, signage, and activity. They are the

streets that residents come to downtown to stroll along and enjoy a sunny Saturday afternoon. Alternatively, a 'B' Street supports the 'A' Street. Parking access, sides of buildings, and service oriented functions should be accessed off 'B' Streets. Like 'A' Streets, they are critical to the functioning successes of places we love. Accommodating both within downtown, while defining which is which, can help property owners prioritize where their future front entry is located or where that new cafe tenant should face.

Downtown was identified as a primary concern in the 2016 Yorkville Comprehensive Plan for good reason. Despite its current downfalls, downtown packs exciting assets to build upon. Restaurants, old building packed with potential, plenty of building infill and redevelopment opportunities, and a fantastic recreational amenity in the Fox River bode well for the future of downtown. This plan demonstrates some of the strategies the City can implement to pave the way for the future of downtown.

Providing Framework for the FBC

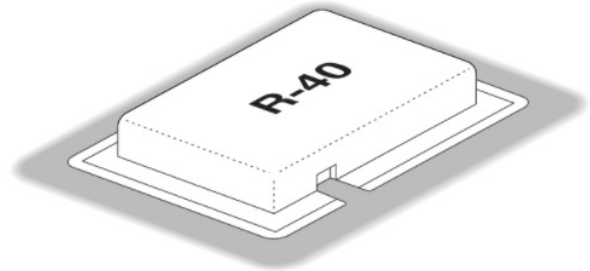
The streetscape master plan is structured to inform the complimentary [Downtown Yorkville Form-Based Code](#). Form-based codes (FBC) are land development regulations that seek to produce predictable built results that prioritize building form over building use as a distinguishing factor. Often times, a regulatory zone or framework is applied at the block level, much like zoning, where parcels fall into a specific FBC classification.

The [Downtown Yorkville Form-Based Code](#) uses the street types as a regulatory framework. The parcels that front a specific street type identified in this plan use that street type as the underlying FBC classification. If a parcel fronts more than one street, the FBC articulates the process of discerning which FBC zone takes precedent. The FBC includes further instruction on how to identify a parcel, determine the underlying regulatory zone, and easily interpret the zone's requirements for redevelopment.

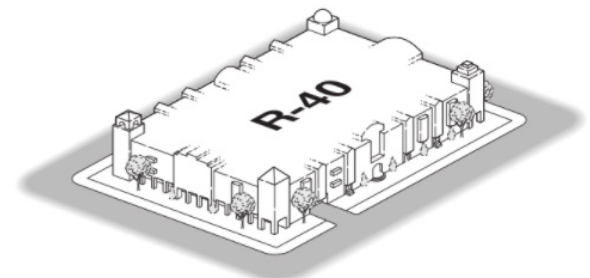
The streetscape master plan brings a visual interpretation of what form and character future capital improvements will look like, so to better understand how a FBC zone relates to its adjacent streets. Though this streetscape master plan and the FBC are intended to be stand-alone documents, they are coordinated efforts that provide layers of detail to collectively envision the future of downtown Yorkville.

The series of diagrams on the right is from the Form-Based Codes Institute (FBCI) and meant to visualize the physical consequences that stem from conventional zoning (top), conventional zoning with supporting design guidelines (middle), and form-based codes (right). Standards that prioritize form over use have the capabilities of encouraging a more fine-grained outcome.

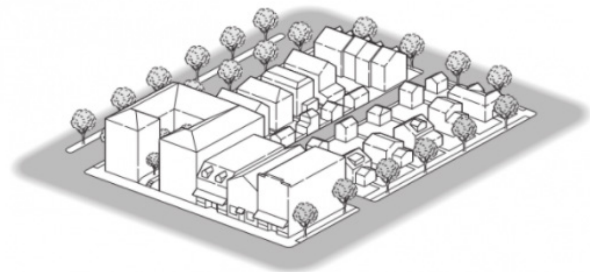
Conventional Zoning (FBCI)



Zoning Design Guidelines (FBCI)



Form-Based Codes (FBCI)



Street Type Classification

Street Type Classification

The following street types represent what will be the guiding framework guiding the of form-based code (FBC) parcel classifications. Parcels fronting their respective street type should follow the form-based guidelines outlined in the Downtown Yorkville Form-Based Code.

The four different street types - 'B' Street includes one street type with a modifier - are represented on the following pages with the existing condition, proposed near-term improvements, and proposed long-term vision. The street types are represented at typical segments along

key stretches; therefore, minor variations will occur where applicable. The four street types include Bridge Street, Hydraulic Street, and Van Emmon Street, which can each be classified as downtown Yorkville's 'A' streets. The 'B' Street is the fourth type and includes a typical residential and non-residential character.

This Streetscape Master Plan is intended to envision the character and role each street contributes to the future of downtown Yorkville and does not represent finalized landscape and construction details.

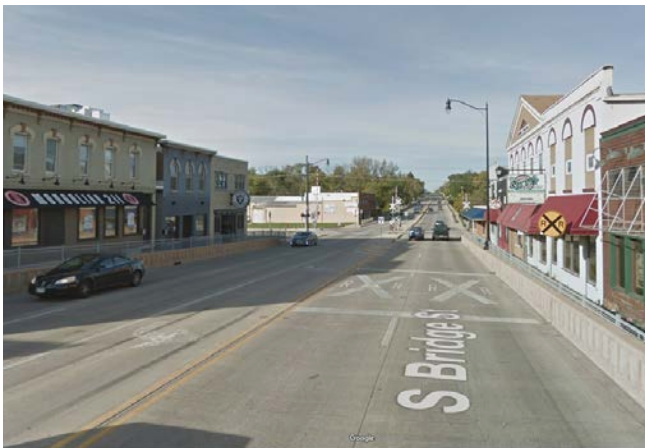


Figure 2 - Bridge Street (Google Maps)



Figure 3 - Hydraulic Street (Google Maps)



Figure 4 - Van Emmon Street (Google Maps)



Figure 5 - Main Street (Google Maps)



Bridge Street (Existing)

IDOT's Improvements

Bridge Street, between Hydraulic Street to the north and Van Emmon Street to the south, was clearly the historic downtown core of Yorkville. Though this stretch is only one block long, it retains much of the historic scale and character of the past. Bridge Street was historically a two travel-lane street with parallel parking on either side to serve the businesses. Traffic became congested, because Bridge Street is State Route 47 and the main truck route through Yorkville, so the Illinois Department of Transportation (IDOT) studied widening street along with other improvements to alleviate the congestion. Many years after the initial proposal of a five-lane Bridge Street, the proposal was finally taken to construction to the desperation of Yorkville residents anxious to speed up flow through a downtown long removed from representing the heart of the community.

Since the IDOT improvements, the buildings have failed to recover. Travel lanes replaced parallel parking and concrete barriers were placed between street and sidewalk. The combination of road widening, increased speed, lack of parallel parking, and other factors drove many of the primary building entries around to the backs of the Bridge Street buildings. The increased speeds and lack of pedestrian traffic along Bridge Street have effectively drained downtown of any potential for vitality. Residents have mixed opinions about the impacts of IDOT's improvements; however, it is clear that the term "improvements" may not be the correct expression for Bridge Street's new character.

This stretch of Bridge Street may be considered the gateway into downtown Yorkville and retains potential to become the iconic stretch that helps draw people into local businesses and displays an attractive image that represents the people of Yorkville.



Figure 6 - Bridge Street Facades (Farr Associates)

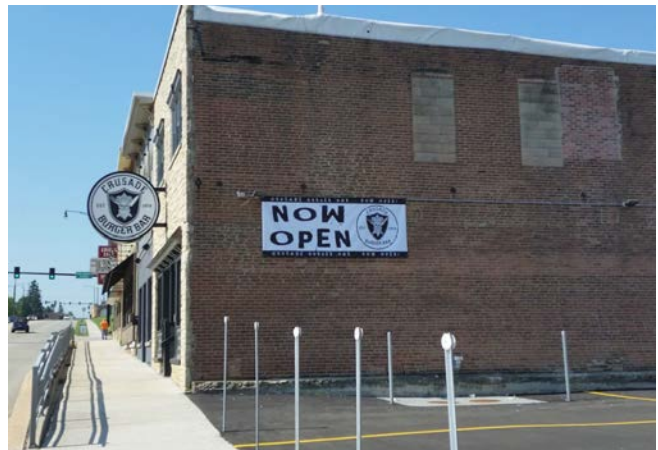
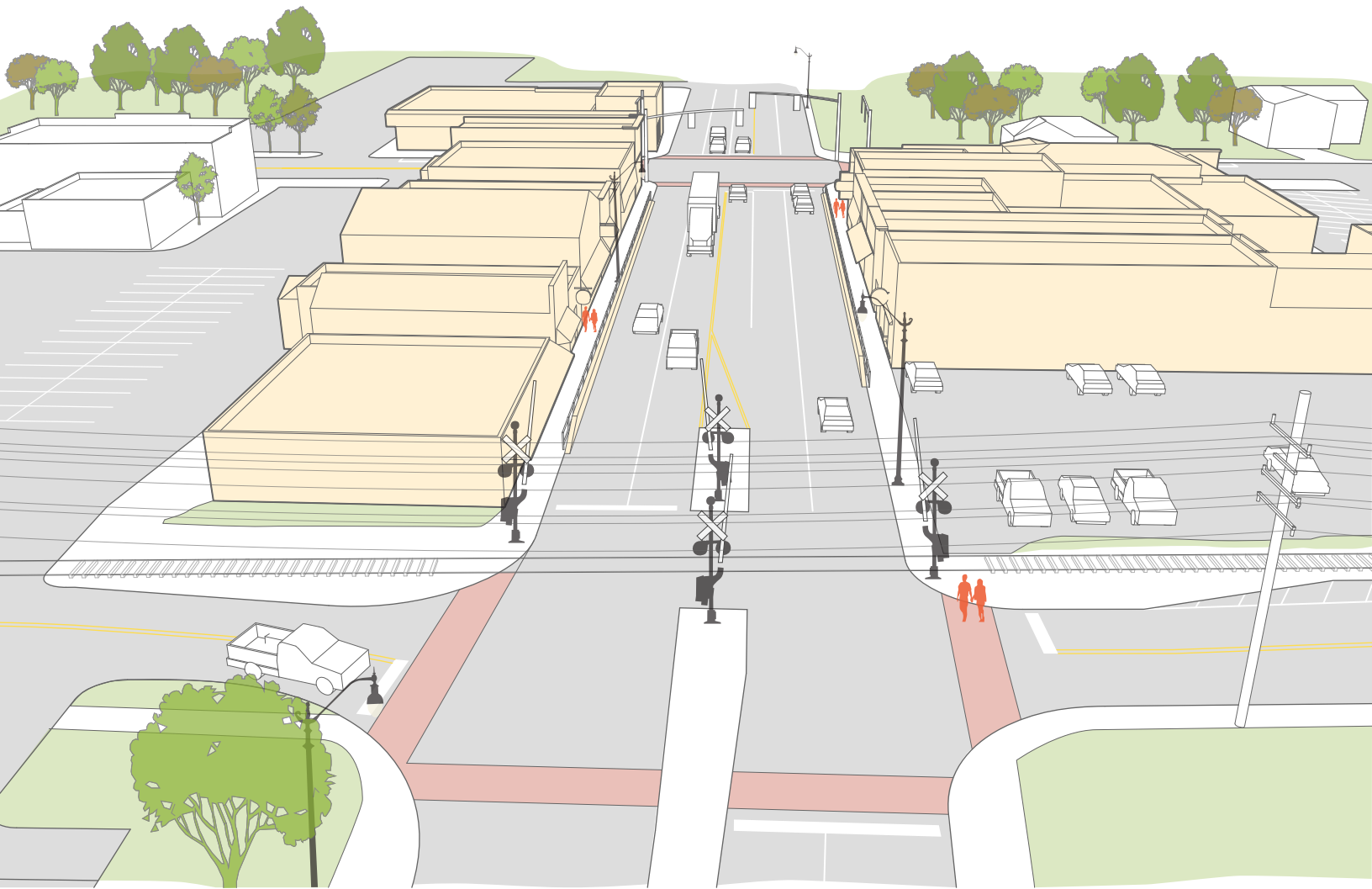


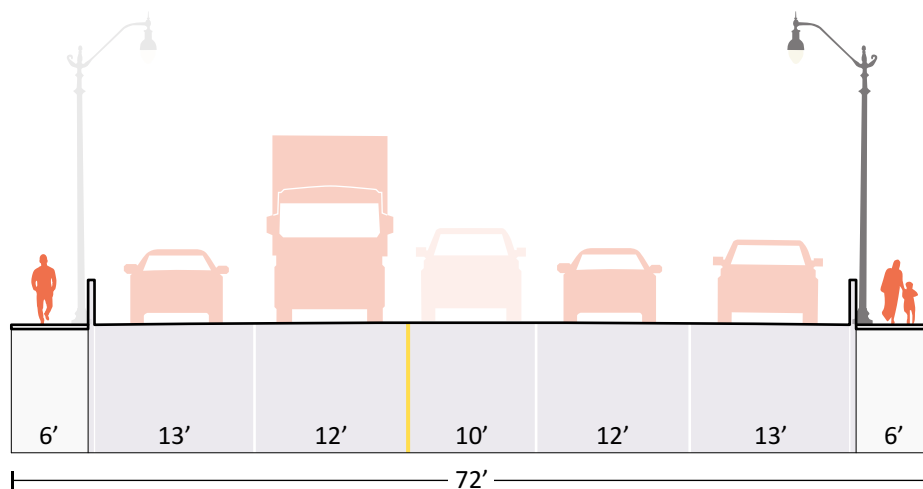
Figure 7 - Bridge Street Blank Wall (Farr Associates)



Figure 8 - Bridge Street Sidewalk/Barrier (Farr Associates)



Bridge Street (Existing)



Bridge Street (Near-Term)

Tactical Interventions

Meaningful measures to display an image of vitality and interest can be taken with a cost sensitive approach. For example, instead of temporary narrowing traffic lanes or tearing down the now important concrete barriers flanking Bridge Street, beautification strategies might include painting the concrete barriers and hand rails with a custom design or painting large iconic murals on the blank downtown building walls. Each of these interventions could contribute to the overall character of downtown and play a dual purpose of encouraging traffic to be extra aware and slow down.

Because this segment of Bridge Street is such an important gateway for the City, concentrating multiple interventions on this location within the greater downtown should take priority over other streets and locations. Drivers would recognize that downtown could be worth pulling over and parking for. The larger scale of these proposed interventions caters to the car and the brief moment downtown has to catch a new customer's attention.

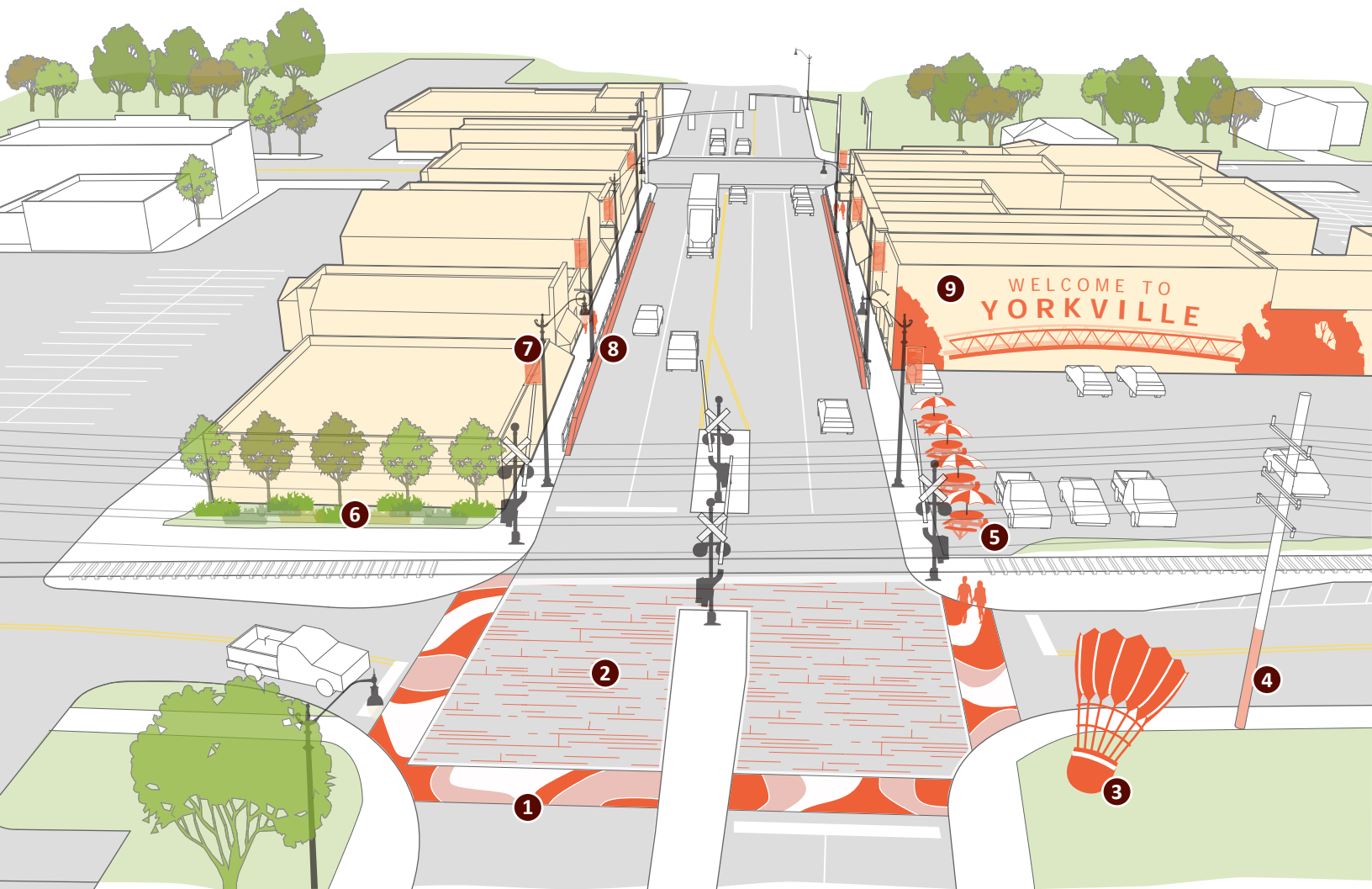
- ① Painted Crosswalks
- ② Seasonal Banners
- ③ Public Art/Sculpture
- ④ Painted Light Poles
- ⑤ Outdoor Restaurant Seating
- ⑥ Entry Landscape Improvements
- ⑦ Seasonal Banners
- ⑧ Painted Bridge Street Barrier/Railing
- ⑨ Yorkville Entry Wall Mural



Figure 9 - Wall Mural (Philly Magazine)



Figure 5 - Outdoor Restaurant Seating (Pictures Boss)



Bridge Street (Near-Term)



Figure 11 - Painted Concrete Barrier (NYC Parks)



Figure 12 - Public Art / Sculpture (Designboom)

Bridge Street (Long-Term)

Minor Upgrades Go a Long Way

The existing Bridge Street right-of-way affords very little flexibility for major improvements; however, that does not mean that meaningful upgrades would not make a positive impact. Squeezing in improvements where possible, such as the addition of seasonal banners to the light poles, repaving the sidewalks with high-quality and interesting materials for pedestrians, or replacing the damaged handrail with a feature handrail that may be an art installation, can make a surprisingly dramatic impact for both drivers and pedestrians. Additionally, if the buildings better engage the sidewalks through accessible entrances, signage, and outdoor seating options, this would improve this highly visible stretch of downtown Yorkville.

A reduction in lane width would require a reclassification from IDOT to remove its truck route status. With alternative routes already being considered, it may simply be a matter of time and funding before truck traffic is rerouted off of Bridge Street. In the meantime, it will be critical for the City to address the perception issues with Bridge Street through near-term solutions that may last many years.

If IDOT does not provide an alternative route for truck traffic, a five-lane street may be the long-term reality. Though it would not be living up to its potential as Yorkville's iconic street, near-term strategies can add value to downtown Yorkville through amplified crosswalks, branding and wayfinding elements, visible outdoor seating, and much more.



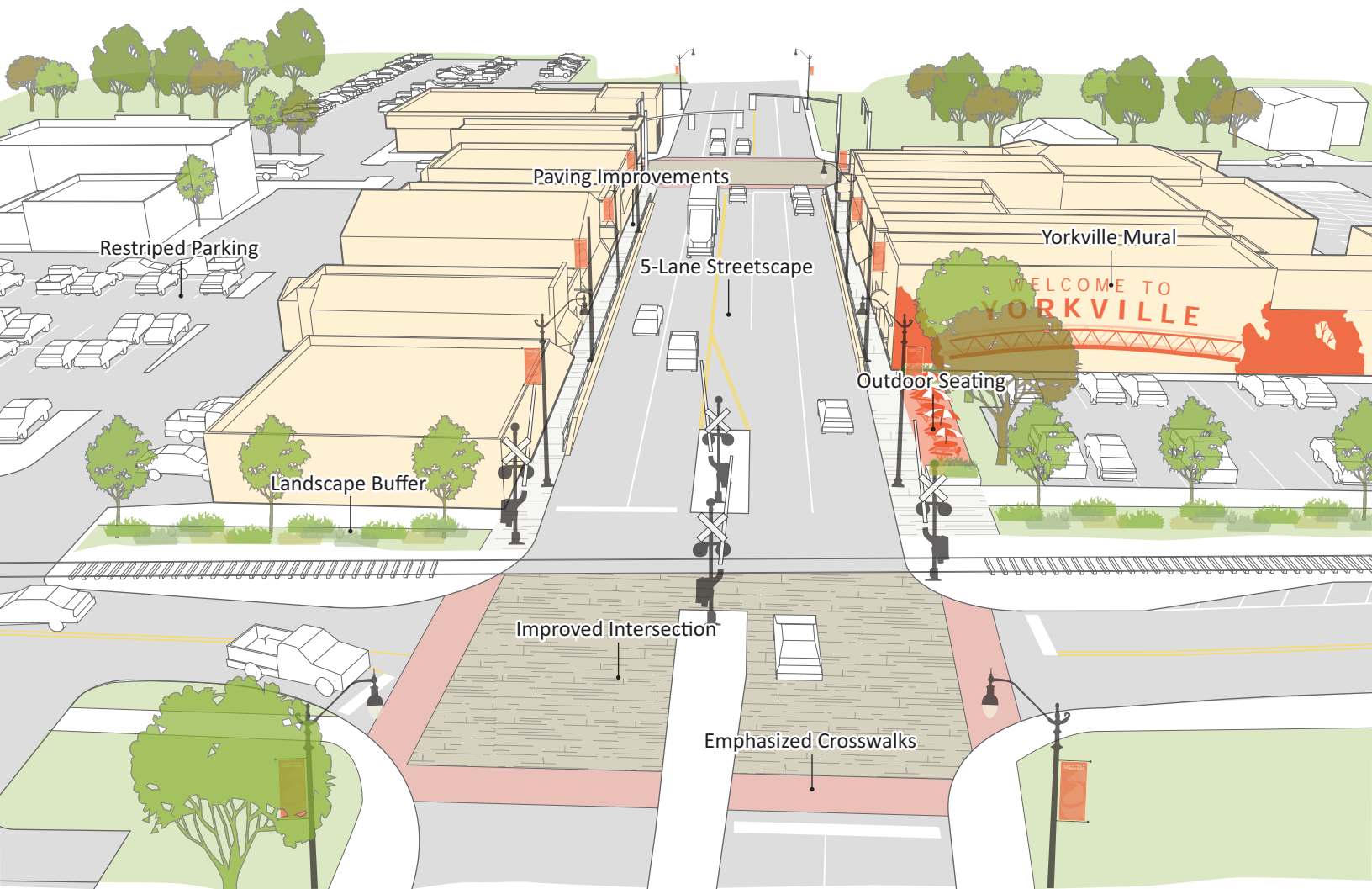
Figure 13 - Improved, Feature Handrail (Hype Science)



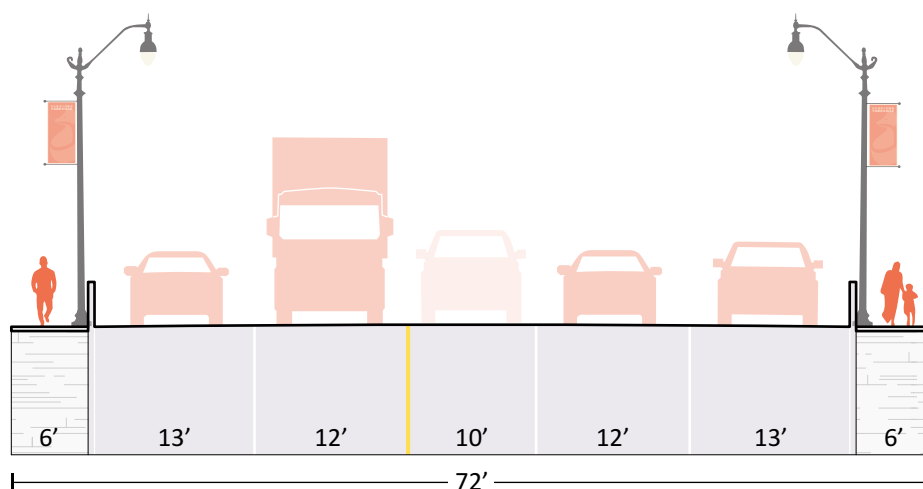
Figure 14 - Seasonal Banners (Farr Associates)



Figure 15 - Improved Sidewalk Pavement (California DOT)



Bridge Street (Long-Term)



Hydraulic Street (Existing)

Unique Industrial Character

Hydraulic Street includes complex conditions, including utility poles landing in the street, a tapering right-of-way that narrows from west to east, and an active freight rail line that runs parallel to the street surface within the right-of-way. Because it runs parallel to the Fox River, there are multiple access and view corridors that connect pedestrians on Hydraulic Street to one of Yorkville's most important assets.

The freight rail line tracks are immediately adjacent to the southern edge of the street. The close proximity could be a safety issue; however, residents did not voice much concern over the rail, except the noise complaints and potential for trains to back up traffic along Bridge Street. Though only one rail company uses the line, it is very important to the natural gas industry because it accesses select sand used for the fracking process. Any expectations of the rail line closure should be curbed, at least in the near-term. The active rail line will remain something that any redesigns, current, or future uses must deal with.

Hydraulic Street features a unique industrial character because of the rail and adjacent buildings and uses. The short, utilitarian buildings, as well as agricultural relics, such as the inactive grain elevator, create an eclectic mix of land uses and character. Multiple popular businesses and parks exist along Hydraulic Street, and the existing character seems to support the types of businesses. As improvements occur to make Hydraulic Street a more attractive, safe, and usable street, a respect for its industrial past and present should be retained.



Figure 16 - Hydraulic Street (Farr Associates)



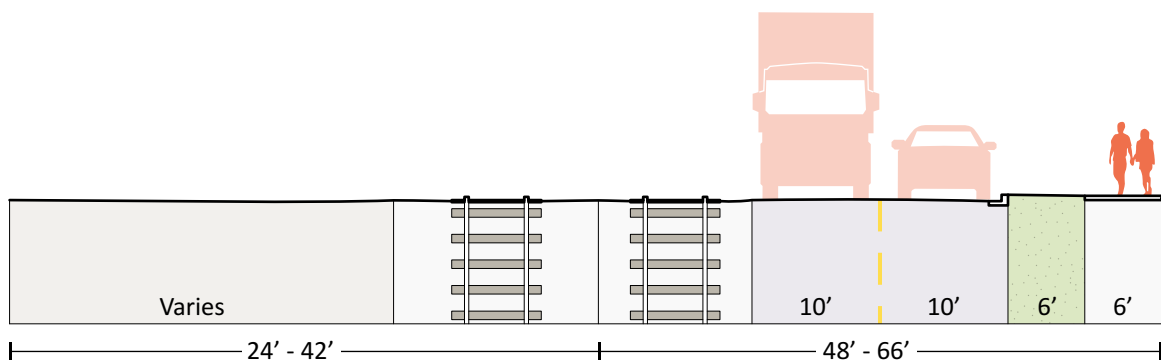
Figure 17 - Hydraulic Street (Farr Associates)



Figure 18 - Inactive Grain Elevator (Farr Associates)



Hydraulic Street (Existing)



Hydraulic Street (Near-Term)

Tactical Interventions

Hydraulic Street's character will remain unique and interesting whether interventions are done or not. The low traffic counts and limited number of businesses that currently front onto Hydraulic Street suggest that limited resources should be placed in its near-term improvements.

A few key improvements that help support the current businesses should be prioritized. This could include allowing outdoor seating areas either in the parking lots or at the edge of the street and sidewalk, painting the existing light poles with unique artwork, adding seasonal banners to the existing light poles, and improving the rear facade of Bridge Street, particularly because that has effectively become the primary entry to many of those businesses. The rear facade of the Bridge Street buildings is highly visible because no structures now exist to block views into the middle of the block.

Additionally, moveable planters with trees and other vegetation could bring life, shade, and color to an otherwise utilitarian Hydraulic Street.

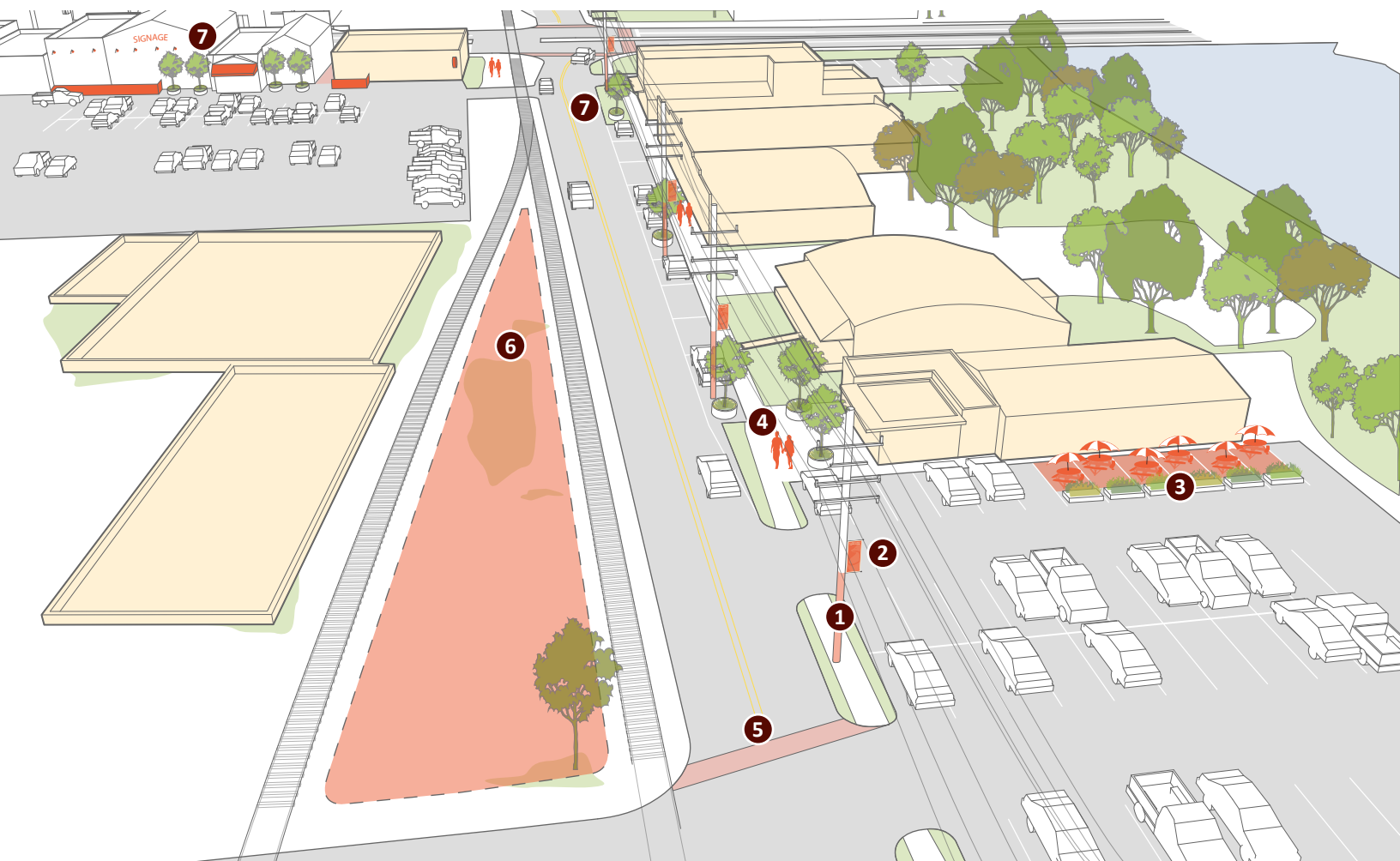
- ① Painted Light Poles
- ② Seasonal Banners
- ③ Outdoor Restaurant Seating
- ④ Temporary Tree Planters
- ⑤ Painted Crosswalks
- ⑥ Maintain Gravel Between Tracks
- ⑦ Bridge Street Rear Facade Improvements
- ⑧ Street Surface Lane Striping



Figure 19 - Painted Light Pole (Tops Images)



Figure 20 - Well Maintained Gravel Surface (Dare Inc.)



Hydraulic Street (Near-Term)



Figure21 - Rear Facade Lighting and Signage (House St. Clair)



Figure22 - Outdoor Restaurant Seating (South Milwaukee)

Hydraulic Street (Long-Term)

Conversion to a Shared Street

The unique qualities of Hydraulic Street with its irregular street section, limited traffic count, paralleling of the Fox River, and already funky, casual character lends itself well to becoming a woonerf, or “shared street”. This long-term vision would allow Hydraulic Street to be closed down for festivals or events between the current driveway aligning with the rear entrances of the Bridge Street buildings and Heustis or Mill Street. Circulation around the block would still be possible through the use of a “slip lane” or access lane that would run along the south edge of the railroad tracks in order to access future redevelopment on those parcels.

Hydraulic Street could take on a unique design that includes permeable pavers that add character and stormwater management benefits. Being adjacent to the Fox River, an effort to minimize stormwater runoff and encourage percolation would be an environmentally conscious solution. Continuous pavers spanning between vehicular travel areas and traditional pedestrian areas would effectively blur the line between pedestrian and car right-of-way. This would encourage slow moving traffic on non-event days when Hydraulic Street is open and add an attractive frontage for the businesses along Hydraulic Street.

A shared street deserves a custom design. When City budget is allocated towards Hydraulic Street capital improvements, an emphasis should be placed on hiring highly-qualified landscape architects experienced in right-of-way redesign.



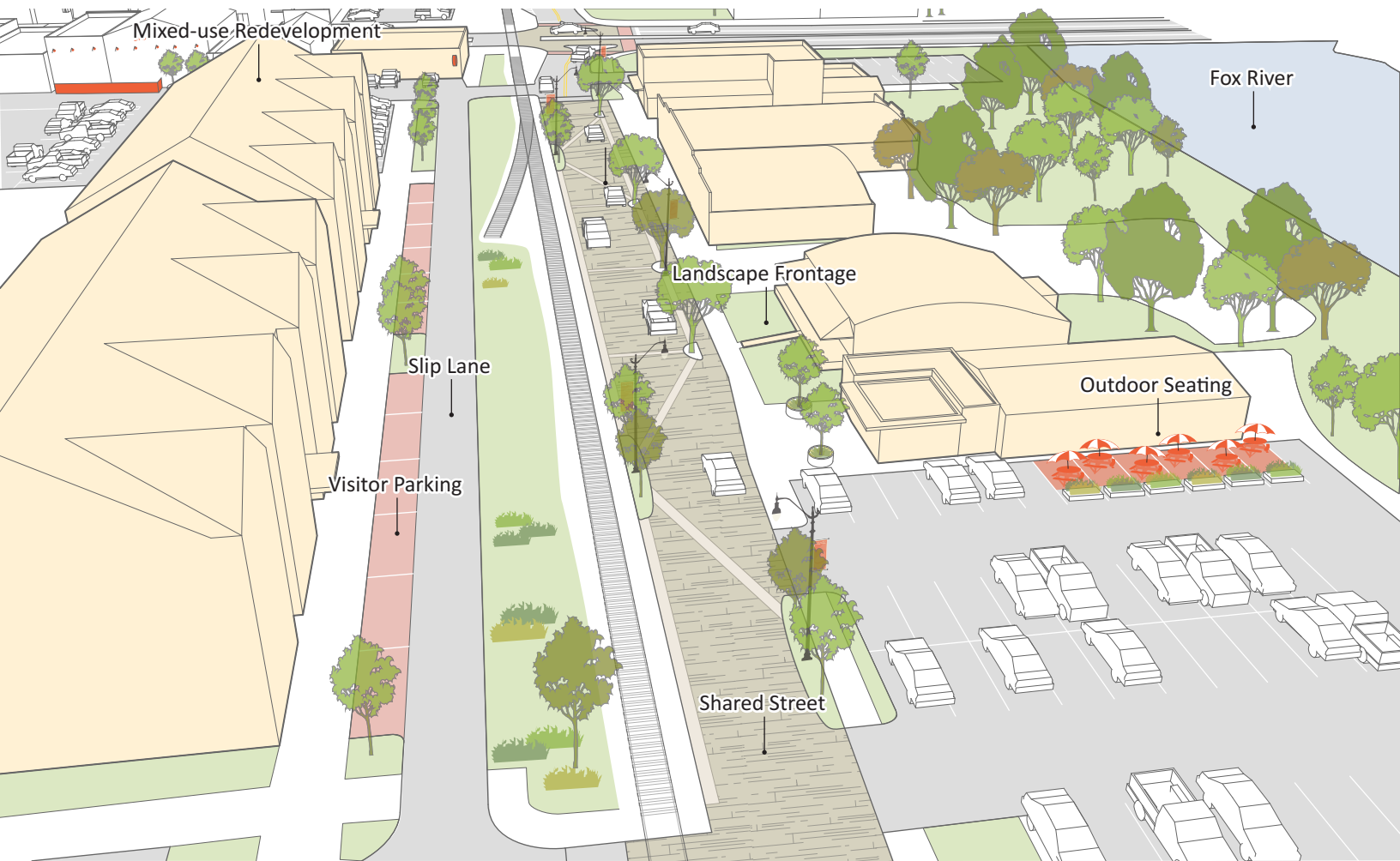
Figure 23 - Catenary Lighting (Rope and Cable Canada)



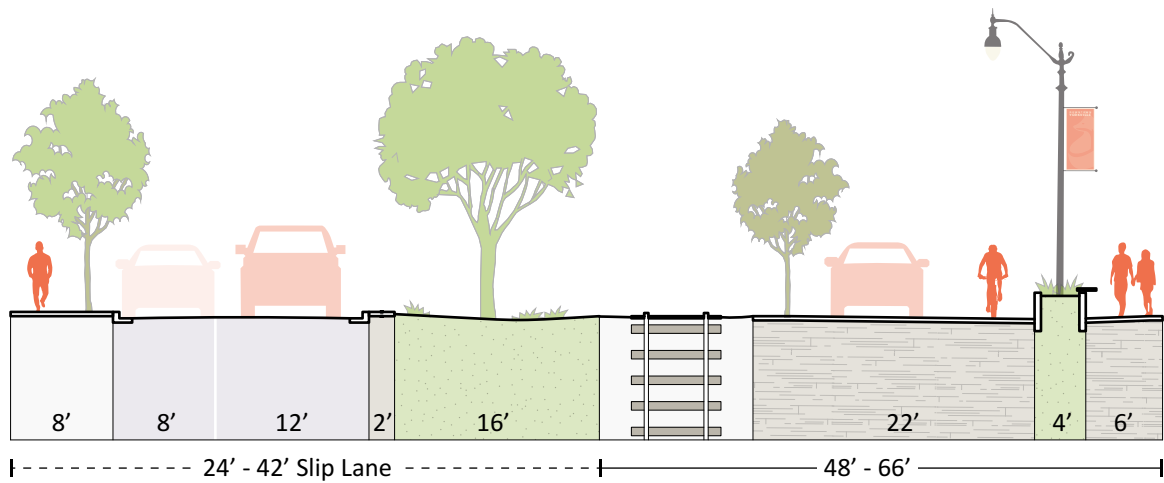
Figure 24 - Funky Outdoor Seating (Asik Site)



Figure 25 - Shared Street (Ithaca College)



Hydraulic Street (Long-Term)



Hydraulic Street Shared Street

A shared street should blur the lines between vehicle and pedestrian zone. Subtle changes to paving materials and the use of planters, street furnishings, markings can define where cars should or should not drive. Because Hydraulic Street runs parallel with the Fox River, a street section that sheet flows stormwater into a continuous drainage channel that is integrated with a paving change is an example of integrated street design. The details are important, as this will become downtown's event location.

- ❶ Paving Texture or Material Change
- ❷ Chicane Planting Beds
- ❸ Maintain Existing Distance from Tracks
- ❹ Raised Planting Beds
- ❺ Planter Seating Ledge
- ❻ Continuous Drainage Channel on One Side

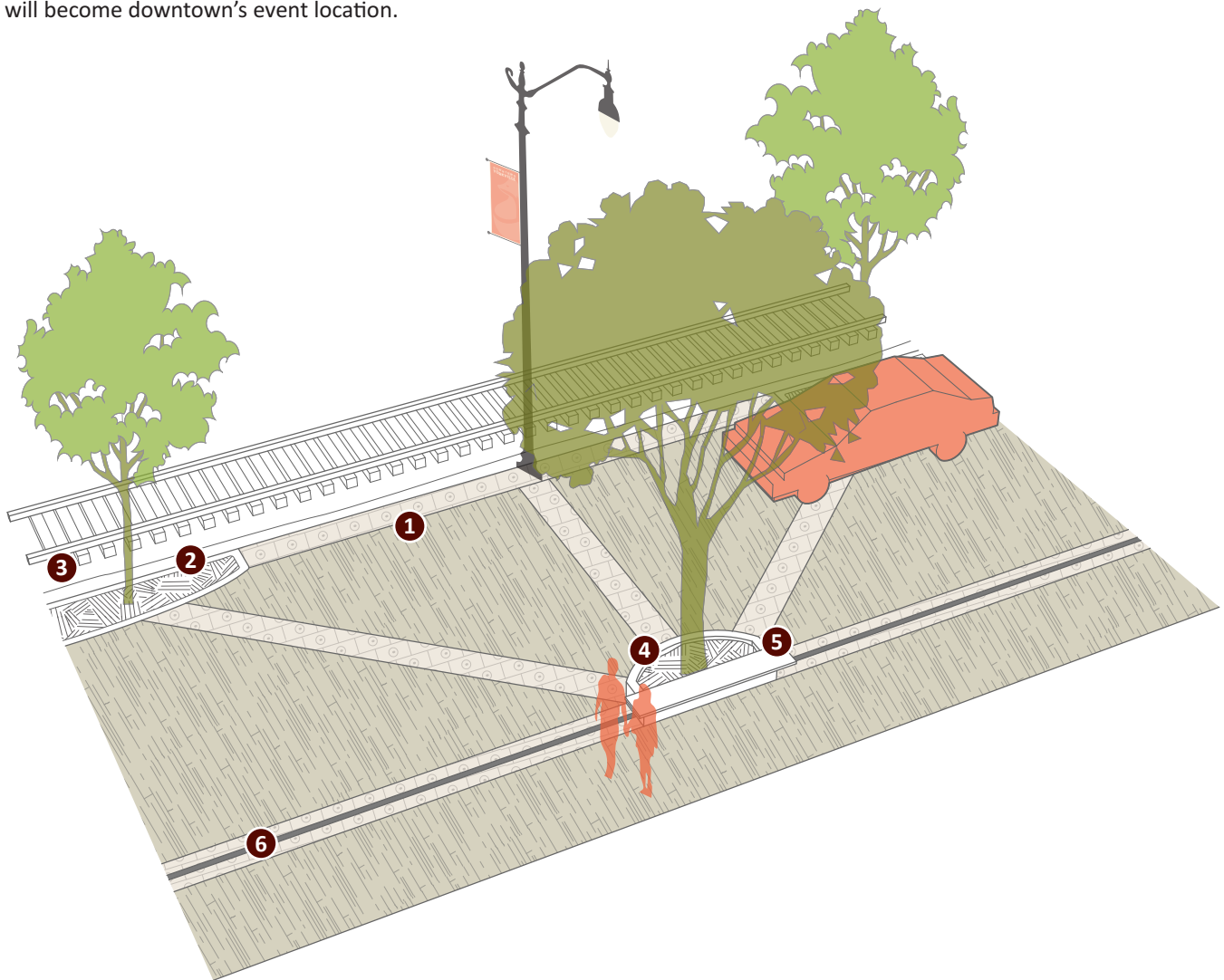


Figure 26 - Hydraulic Street Diagram (Farr Associates)

Material Contrast

Subtle paving details, such as a change in material, texture, or orientation, contribute interest to the pedestrian environment. Minor variations can help make a design unique to a specific location and help brand the place. Paving details may be used to delineate where vehicles are allowed to drive or park. These variations may help inform the location of custom street furniture, emphasize locations for tree plantings or signage locations, or simply add aesthetic appeal.



Figure 27 - Paving Texture Change (Site Design Group)

Street to Woonerf Transition

Shared streets typically have vehicular travel routes and parking at the same elevation as a sidewalk. This means that the street section will not have its typical curb and gutter condition and will also need to reconcile where a regular street meets the woonerf. Raised intersections and crosswalks commonly feature short ramp transition zones to raise travel lanes to the desired shared height. The transition zones can also help alert drivers that they are entering a special zone and a heightened awareness for pedestrians is necessary.



Figure 28 - Raised Intersection (NACTO)

Planter Seating Ledge

A custom street design can include custom street planters and seating. In the instance of a shared street, raised planters made of a durable material could house low plantings and street trees, accommodate one or multiple built in seating ledges, and play a role in vehicular circulation by delineating the travel lanes, narrowing travel lanes to encourage slower travel speeds, or creating chicanes that slow-traffic to a greater degree.



Figure 29 - Planter Seating Ledge (Transform KC)

Van Emmon Street (Existing)

Downtown's Second Gateway

Traveling east from downtown Yorkville, Van Emmon Street eventually becomes Van Emmon Road and meets Route 73, which connects Yorkville with Oswego. After Bridge Street, Van Emmon Street acts as the second gateway into downtown, particularly its intersection with Bridge Street. Recently, buildings have been torn down along Van Emmon Street and potential redevelopment is not unreasonable.

The approach traveling west into downtown along Van Emmon does not best represent Yorkville. Vegetation overgrowth between Mill Street and Heustis Street and an imbalanced street section of residential buildings with parking in front, a concrete retaining wall, and multiple “missing teeth” in the urban fabric leave much to be desired. Additionally, the intersection of Van Emmon Street and Bridge Street is not particularly inspiring, as each corner does not activate the intersection. Businesses are making an effort at providing visible programming at the intersection, but improvements are needed to establish the image the downtown Yorkville deserves.

Van Emmon Street west of Bridge Street has a different character. It becomes more residential quickly after the first half block. Naturally, the street section adjusts as its entering the neighborhood.



Figure 30 - View West Down Van Emmon Street (Google)



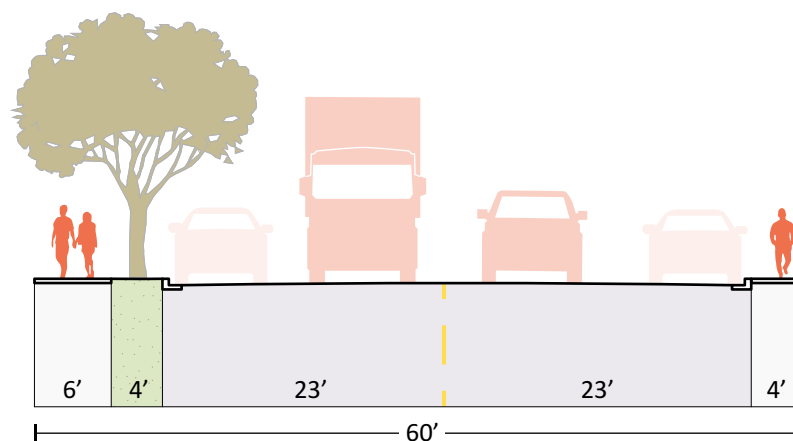
Figure 31 - View West Down Van Emmon Street (Google)



Figure 32 - View West Down Van Emmon Street (Google)



Van Emmon Street (Existing)



Van Emmon Street (Near-Term)

Tactical Interventions

Interventions should be focused at the intersection of Van Emmon Street and Bridge Street. Businesses on either side of the intersection are already considering providing outdoor seating options, which would add visible energy to downtown when approaching from the south. This is a positive direction and can be amplified with the removal of parking spaces to construct a temporary or permanent parklet, providing a canopy or other form of weather protection, or introducing outdoor space heaters to extend seating months.

This intersection is also the primary crossing to move between the east and west sides of Bridge Street because it has a traffic light and pedestrian crossing signals. Painting the crosswalk and intersection would be an opportunity to brand downtown, enhance safety and visibility for crossing pedestrians, and draw attention to its businesses.

In addition to intersection treatments, the southwest corner of the intersection could be used for signage that greets residents and visitors traveling into downtown. Plans are already underway to improve the County Courthouse slope.

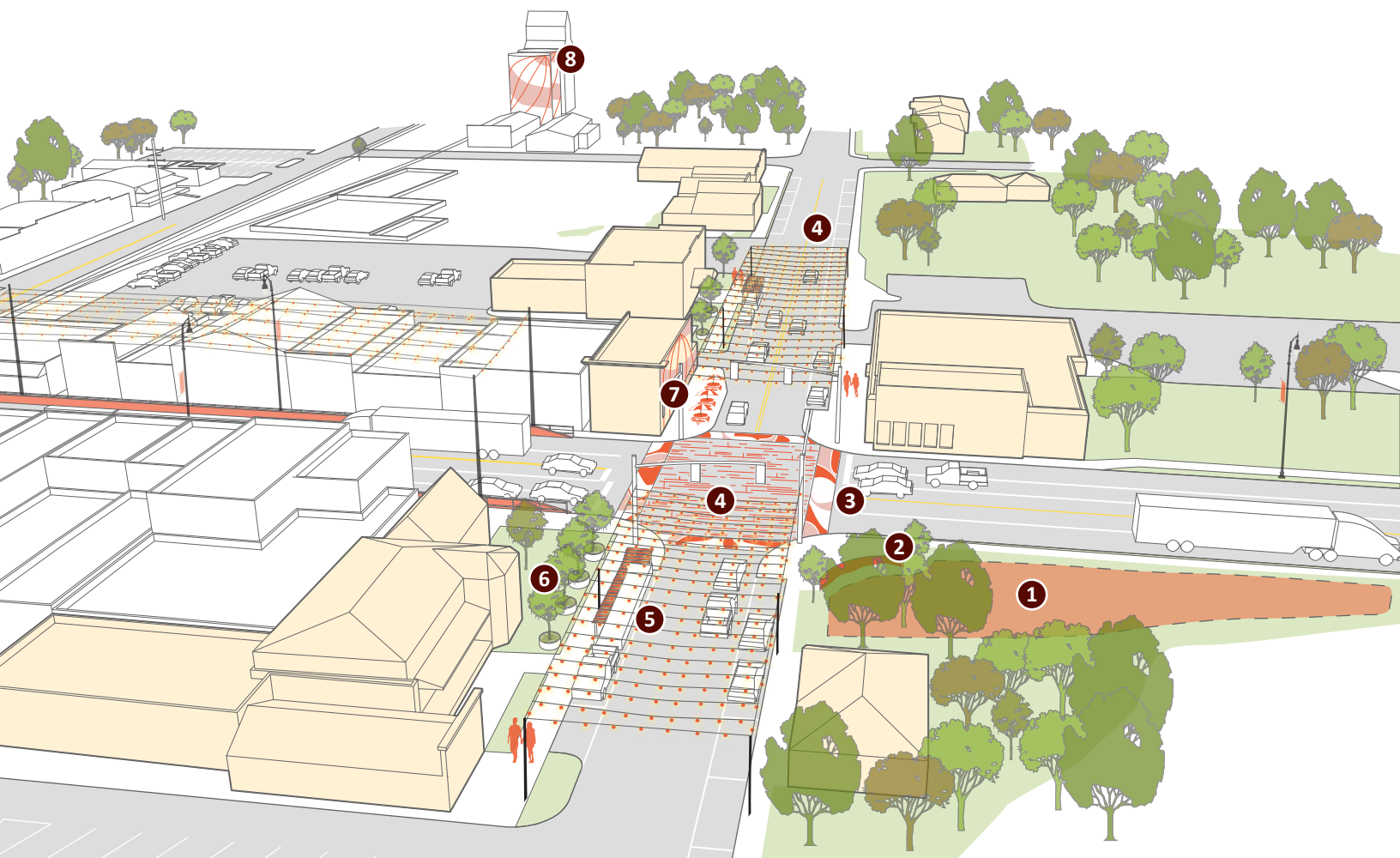
- 1 County Courthouse Landscape Beautification
- 2 Gateway Monument Signage
- 3 Painted Crosswalks
- 4 Painted Intersection
- 5 Parklet
- 6 Temporary Street Trees
- 7 Outdoor Seating
- 8 Painted Grain Elevator
- 9 Catenary Lights



Figure 33 - Landscape Beautification (Cedrus Landscaping)



Figure 34 - Painted Grain Elevator (News OK)



Van Emmon Street (Near-Term)



Figure 35 - Temporary Street Trees (ASLA)



Figure 36 - Painted Crosswalk (Broward Palm Beach)

Van Emmon Street (Long-Term)

Greeting Visitors with Beauty

Van Emmon Street should be beautiful to establish a first impression to visitors, particularly east of Bridge Street. The mix of topography and building forms can be challenging when the desired outcome is a pleasant street; however, the asymmetry can be accommodated through careful design considerations.

Some of these considerations might include where stormwater is flowing. With elevated parcels on the south edge of Van Emmon Street, surface water will flow towards the street and sidewalk. Utilizing rain gardens that temporarily store rainwater before discharge or percolation and using permeable pavers that allow water to dissipate through the parking surface are ways to accommodate the increased runoff. Also helping with stormwater, street trees should be planted on either side of the approach from the east to create a block long gateway when driving into Yorkville from Oswego.

Downtown branding elements, such as seasonal banners and wayfinding signage, can add to the cohesion of downtown. The historic Kendall County Courthouse slope can act as a gateway feature that can include signage or some built element at the intersection to establish a four-sided Van Emmon and Bridge Street intersection. These improvements could be done in the near-term with the expectation that they would be around as other capital improvements take place.



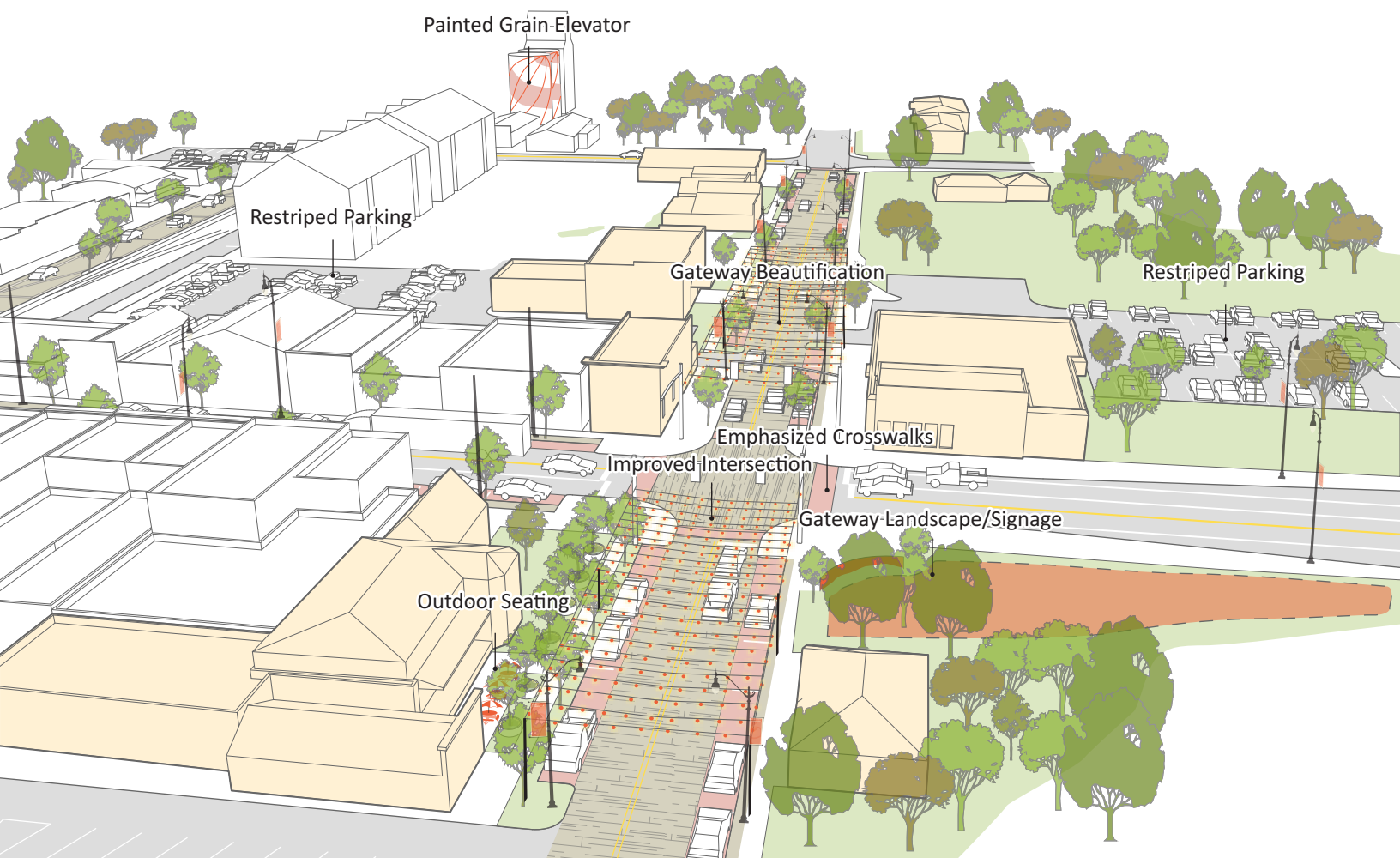
Figure 37 - Stormwater Streetscape (novitalas.com)



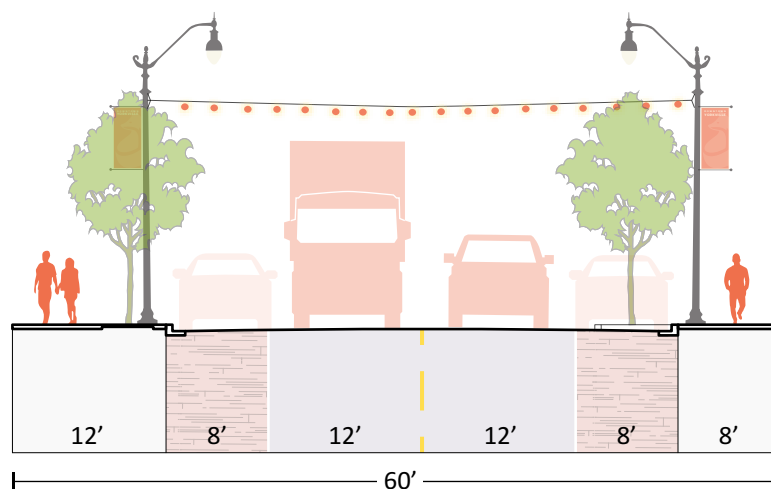
Figure 38 - Intersection Improvements (PicSnaper)



Figure 39 - Permeable Parking Pavers (Village of Shorewood)



Van Emmon Street (Long-Term)



Stormwater Bulb-Outs

Bulb-outs typically narrow roadways to direct traffic, slow speeds down, expand the sidewalk, or simply accommodate plantings. Integrating bulb-outs that also performing a stormwater management function would be an attractive design feature along Van Emmon Street. Bulb-out curbs should be slotted, or notched with openings, to allow surface stormwater to enter and exit the planting zone of the bulb-out.



Figure 40 - Stormwater Bulb-Out (Toni Best)

Sidewalk Rain Gardens

Stormwater rain gardens could be used to improve stormwater quality and provide detention for significant storm events. Like bulb-outs, they can accommodate a variety of planting types and should have inlets allowing water to flow in and out from the street. Trees and a variety of plantings that provide color and texture would add to the beautification of Van Emmon Street.



Figure 41 - Rain Garden (Vava)

Permeable Parking Pavers

Tying designs back to other streets within downtown, Van Emmon Street could feature open grid permeable pavers that both define the parking areas and increase stormwater capacity. Coordinating pavers between Van Emmon Street, Hydraulic Street, and any other location they are used in the greater downtown would support a cohesive design and branding language.



Figure 42 - Permeable Pavers (Terran Capital)

Sustainable Street Section

Van Emmon Street can represent Yorkville's demonstration of a sustainable street section. The right-of-way width provides plenty of flexibility for a two-lane street. Additionally, the asymmetrical street section that has a higher elevation on one side is an ideal candidate to display sustainable stormwater strategies.

- ❶ Slotted Curbs
- ❷ Stormwater Bulb-Out Planter
- ❸ Parallel Parking
- ❹ Rain Garden Planter
- ❺ Permeable Pavers

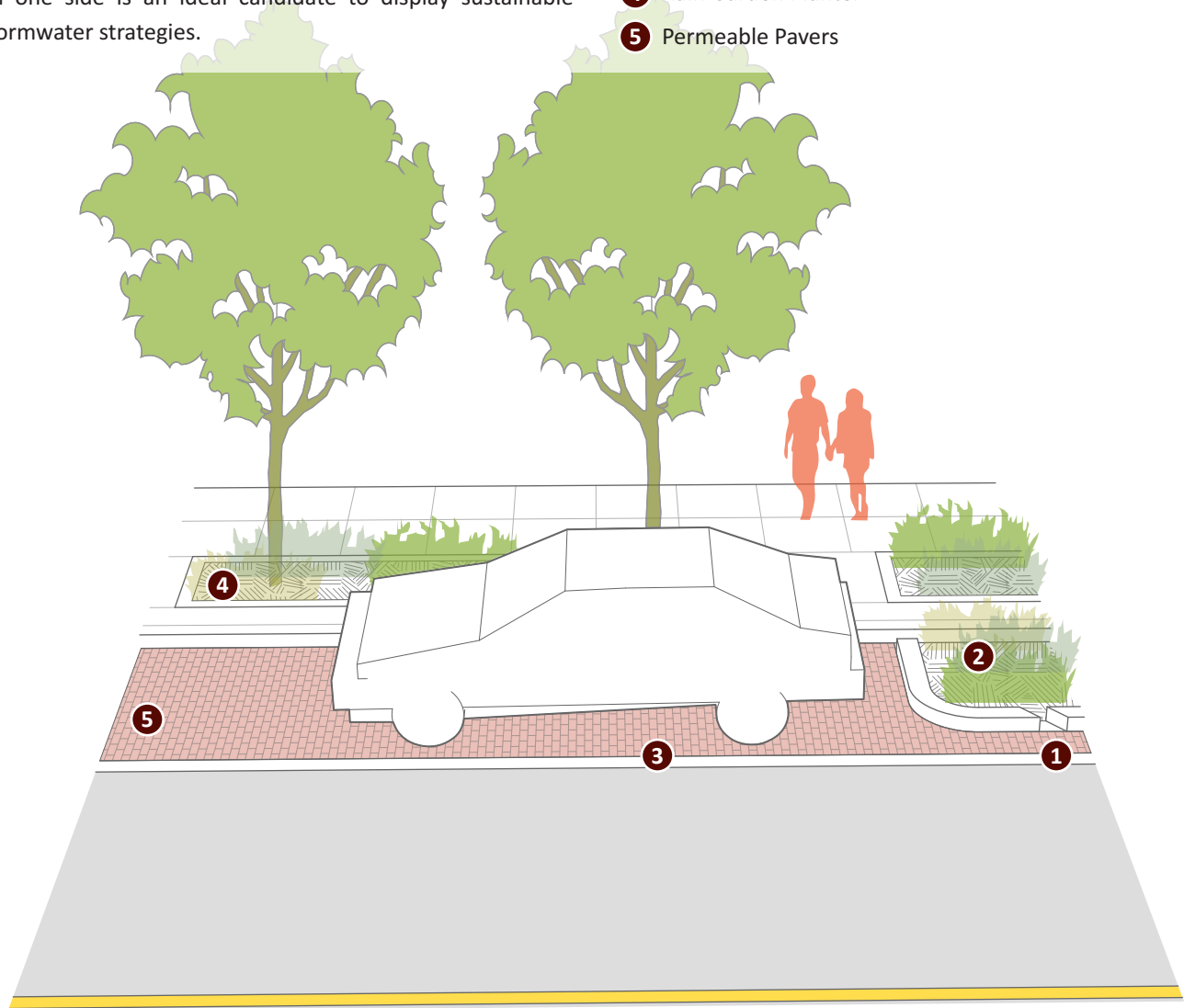


Figure 43 - Van Emmon Street Diagram (Farr Associates)

'B' Street (Existing)

Small-Town Character

One of the most charming aspects of Yorkville, is the historic, small-town character inherent in the City's streets and buildings. These streets may have narrow or no sidewalks, are often curbless, and exhibit a casual feel that may slightly change between each individual property. Many of these streets are both the front door and driveway access to homes and buildings. These types of streets that serve buildings through parking and service access are vital to the functionality of neighborhoods.

Around downtown the north/south streets that run parallel with Bridge Street act as 'B' Streets. These streets that feature a small-town character should continue to support the downtown uses, as well as provide a framework for future development to take place.

Because future development will likely be limited to an extent and single-family homes exist immediately adjacent to the downtown blocks, the 'B' Streets should maintain a small-town character that aligns with many future uses but does not negatively affect existing single-homes.



Figure 44 - View North Down Main Street (Google)



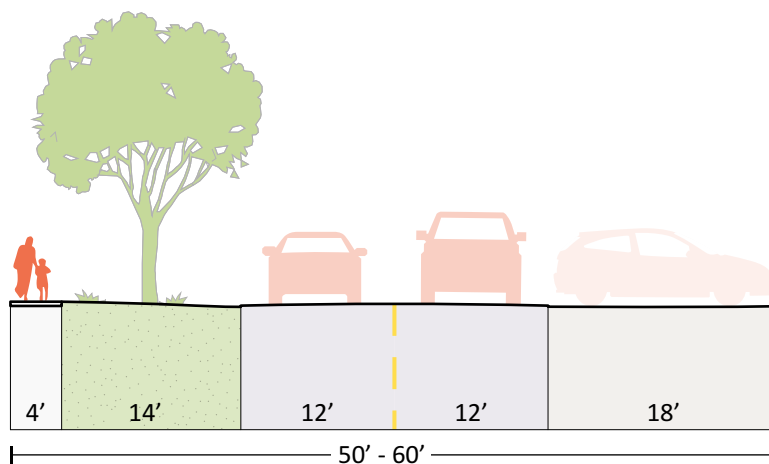
Figure 45 - View North Down Main Street (Google)



Figure 46 - View North Down Main Street (Google)



'B' Street (Existing)



'B' Street (Near-Term)

Tactical Interventions

The 'B' Streets should be less of an investment priority. They receive less of the pedestrian and vehicular traffic compared to Bridge Street, Hydraulic Street, and Van Emmon Street. It is important that they play a supporting role, but resource allocation should be minimal.

Ensuring sidewalk continuity and basic maintenance should be the top priority. Having overgrown landscape shoulders, missing portions of the sidewalk, poorly maintained sidewalks, and poor road surfacing would be examples of issues that should be addressed. Downtown's 'B' Streets should be eligible for resurfacing and landscape maintenance.

One unique aspect of downtown's 'B' Streets, which primarily run north/south, is how they terminate into the Fox River. Each of these moments where drivers and pedestrians can look down the street and have a visual connection to the river is an opportunity that should be taken advantage of by not allowing parking, providing a point of interest, and trimming back overgrown vegetation to reveal the water.

- ➊ Added Crosswalks Towards River
- ➋ Roadside Swale Improvements
- ➌ Additional Street Trees
- ➍ Road Resurfacing
- ➎ River Access Signage
- ➏ Public Art/Sculpture at Main Street Terminus
- ➐ Trim Vegetation for View Towards Water



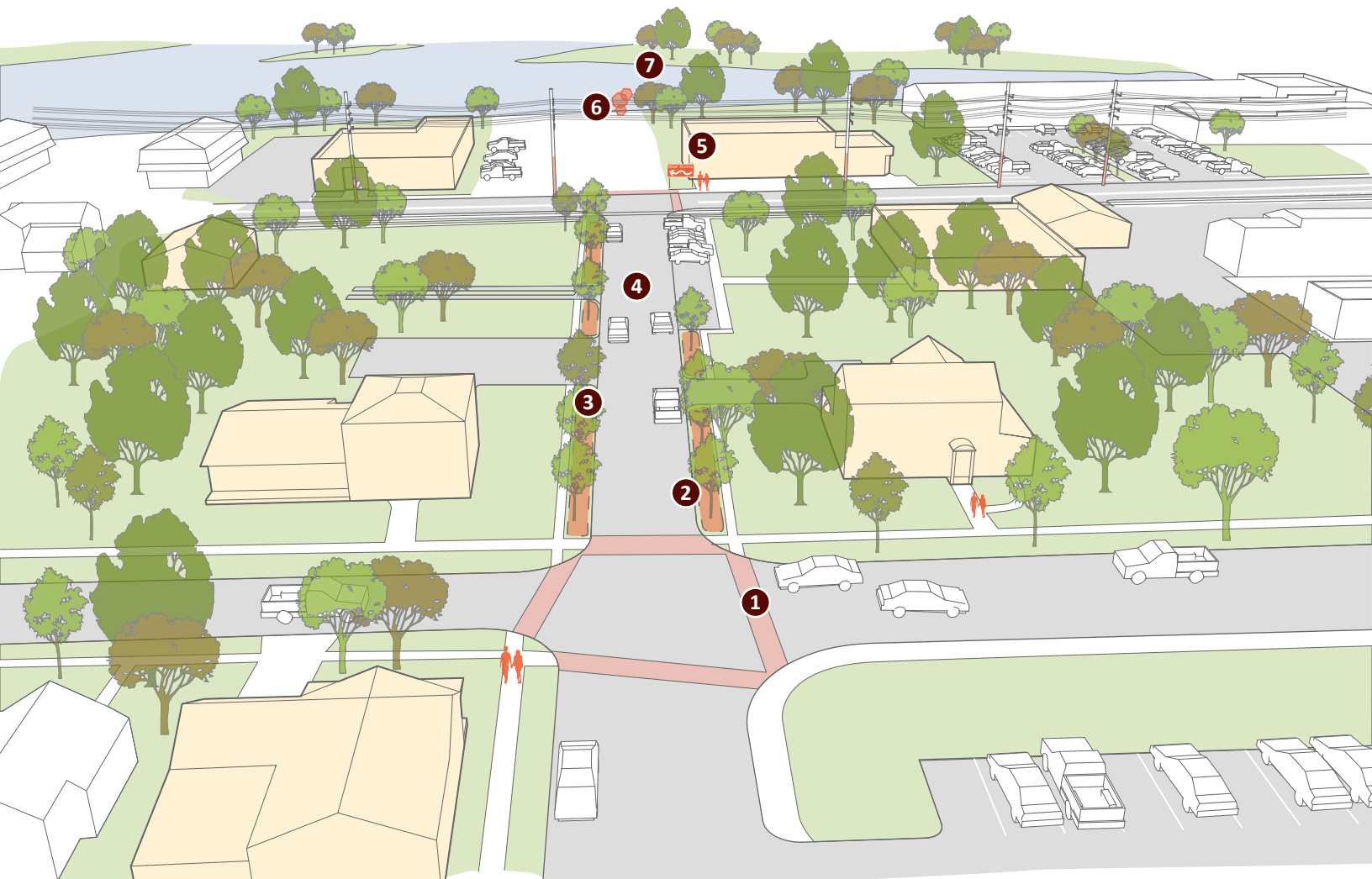
Figure 47 - River Access Signage (Google)



Figure 48 - Road Resurfacing (Decatur Daily)



Figure 49 - View Towards Water (Google)



'B' Street (Near-Term)



Figure 50 - Basic Roadside Swale (NACTO)

'B' Street (Long-Term)

Redefining Small Town Streets

As streets are rebuilt to support a changing downtown, it will remain important to minimize impact on the pleasant, historic character of the surrounding neighborhood. Careful design consideration to not over-correct the 'B' Streets should be maintained. Community members have expressed how they value the small-town character that brought many of them to Yorkville, or kept them there, in the first place.

Roadside swales can be used to both direct and detain stormwater. Plantings can include a mixture of City contributions and resident contributions. This will allow the property owner to make some customizations to the extension of their front lawn. For example, small wooden bridges might connect the street with the sidewalk to their front door. These small customizations add to the character that already exists.

Small details can make these streets more attractive, such as having a curbless intersection that allows stormwater runoff to enter the roadside swales. The edge of the street pavement can be a gravel transition that delineates between travel lane and shoulder. Trees could be planted irregularly or even provided by the property owners from an approved landscape palette. Sidewalks should be narrow, but continuous to have minimal impact while providing maximum connectivity.



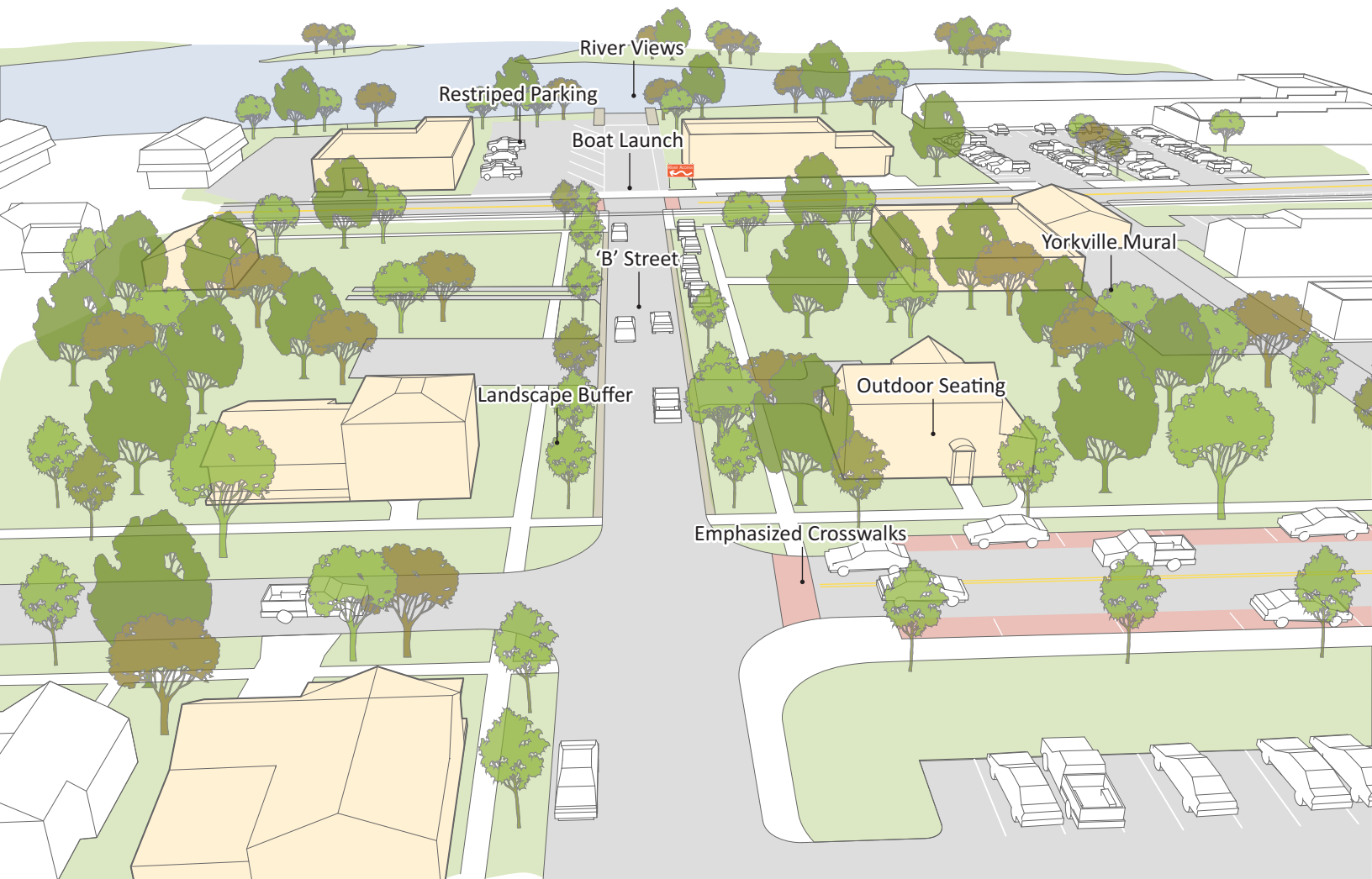
Figure 51 - Roadside Swale (Green Infrastructure Digest)



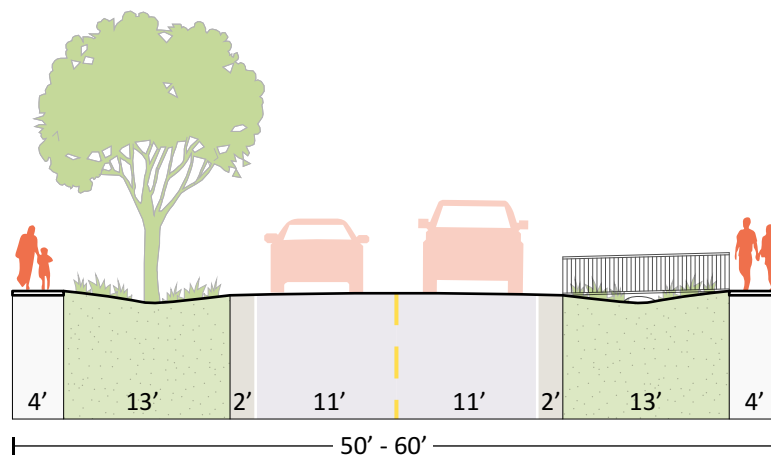
Figure 52 - Roadside Swale (Mithun)



Figure 53 - Roadside Swale (IPFS)



'B' Street (Long-Term)



Gravel Street Apron

Curbless streets often become unkempt with grass, weeds, and dirt loosely defining the edge between roadway and shoulder. To maintain visual tidiness, an 18" - 24" gravel edge may be used to transition from roadway to landscape. This can be maintained more easily and provides clear delineation of the roadway and amenity zone.



Figure 54 - Gravel Street Apron (OttawaVeloOutaouais)

Roadside Swales

Fitting with the character, roadside swales are often seen along rural or small-town streets or highways. They can take many forms and be aesthetically pleasing or simply utilitarian. They help detain and direct stormwater runoff from the roadway and provide a layer of buffer between sidewalk and street. Swales can be personalized by adjacent property owners or fully planted and maintained by the City.



Figure 55 - Personalized Swale (City of Seattle)

Over-Swale Pedestrian Bridges

Small pedestrian bridges can connect the street to sidewalk at each property. Each can take on a slightly different design language or be required to adhere to design guidelines. These bridges could be a unique contribution to a 'B' Street that features minimal design qualities.



Figure 56 - Bridge Over Swale (Chesapeake Dock)

Maintaining Small Town Charm

Each component from curbless street, to swale, to narrow residential sidewalk works together to maintain a small town feel. No improvements should look over-engineered or oversized on Yorkville's quaint neighborhood streets. These 'B' Streets should feel like a place where kids can play in the street and parents can take a quiet nighttime stroll.

- ❶ Resurfaced Travel Lane
- ❷ Flood Tolerant Street Trees
- ❸ Continuous Swale Along N/S Streets
- ❹ Gravel Transition Apron/Edge
- ❺ Private Property

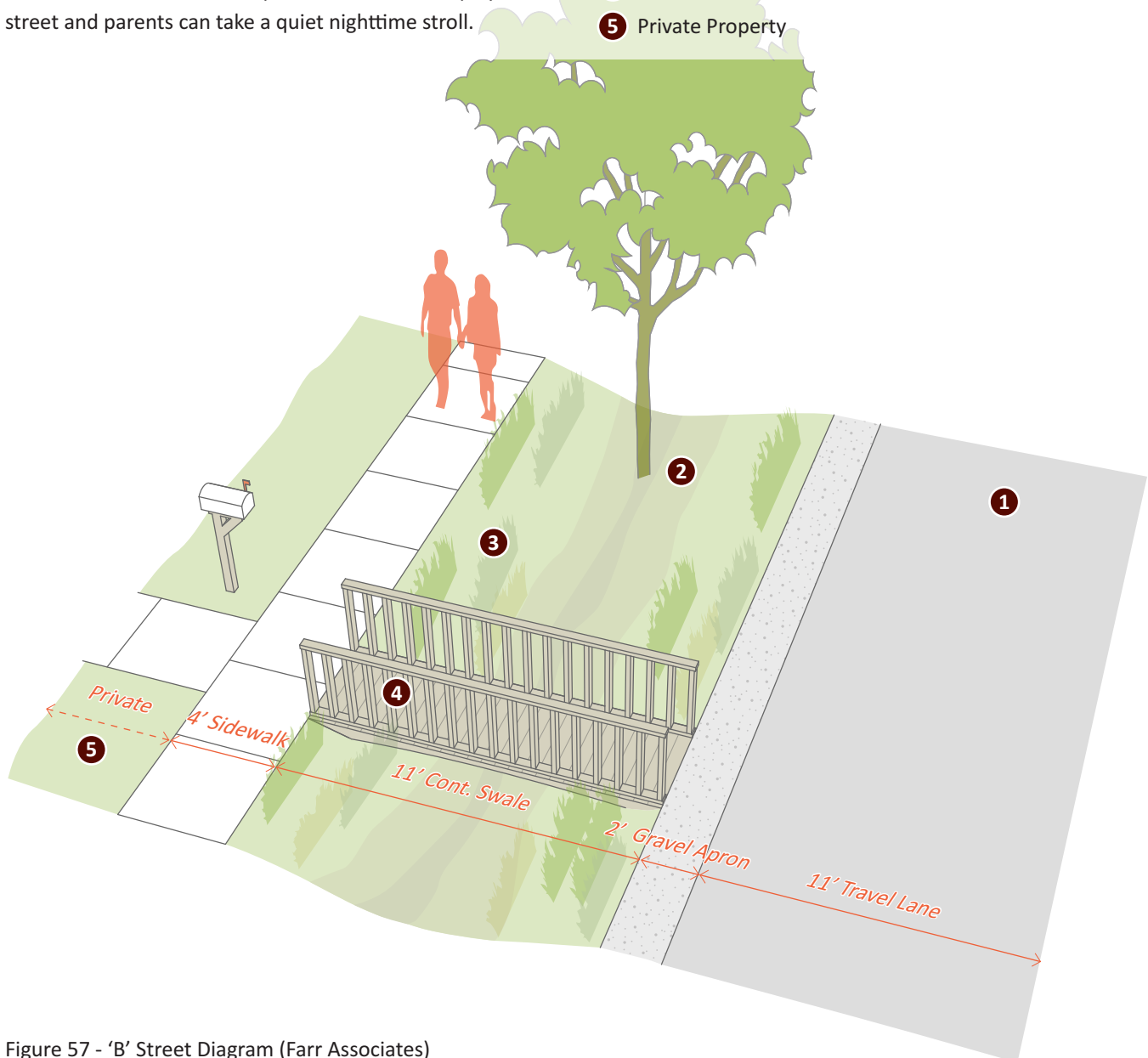


Figure 57 - 'B' Street Diagram (Farr Associates)

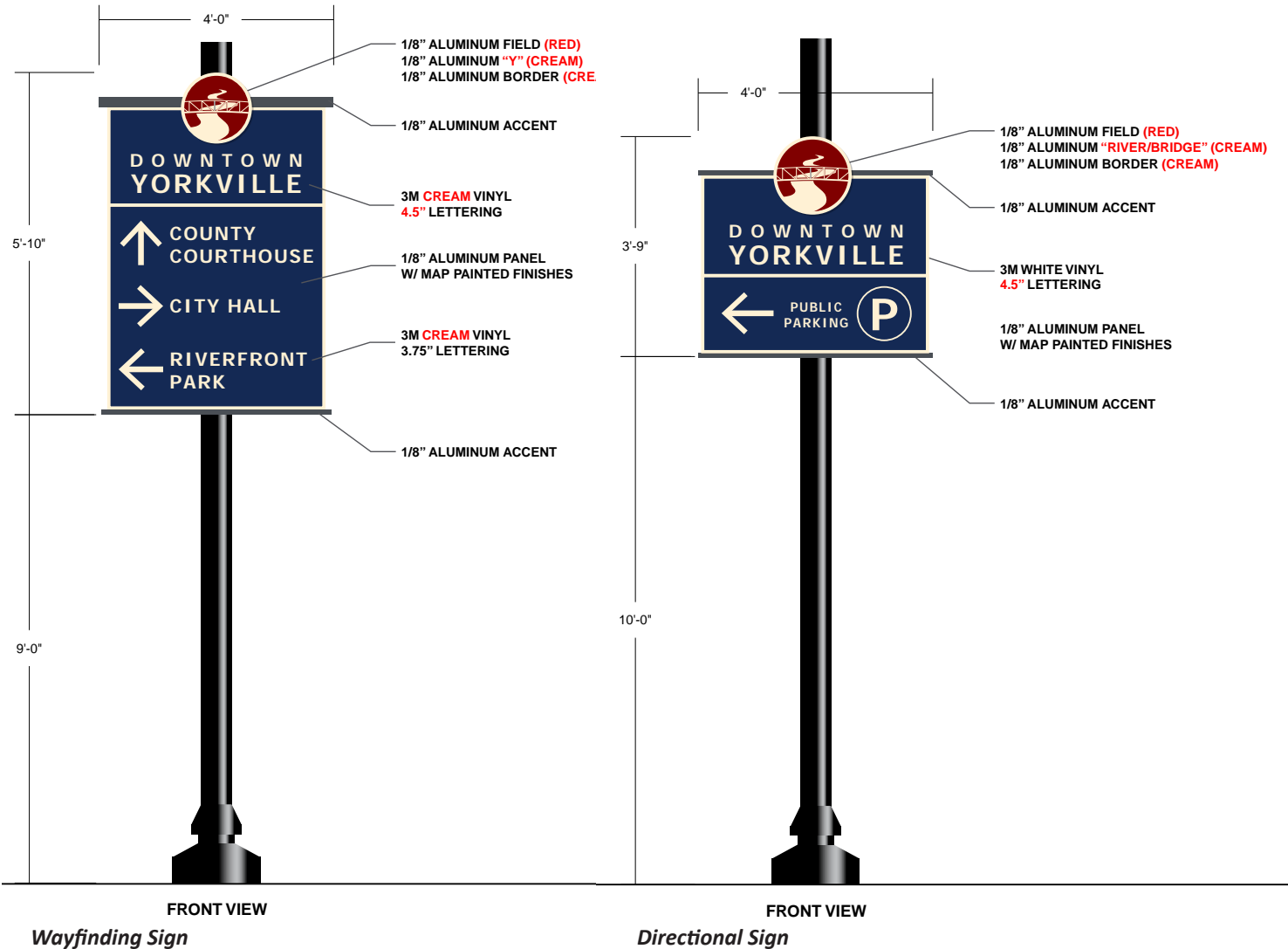
Downtown Signage and Wayfinding

Cohesive Downtown Signage

Effectively navigating downtown is consistently one of the major recommendations of what can be improved. For example, there is currently sufficient parking to accommodate patrons of the downtown uses; however, that parking is dispersed unevenly throughout downtown and is difficult to locate unless you already know exactly where you are going. Additionally, situations such as no left turns allowed at the Bridge Street and Hydraulic Street intersection make it difficult to determine where to go next

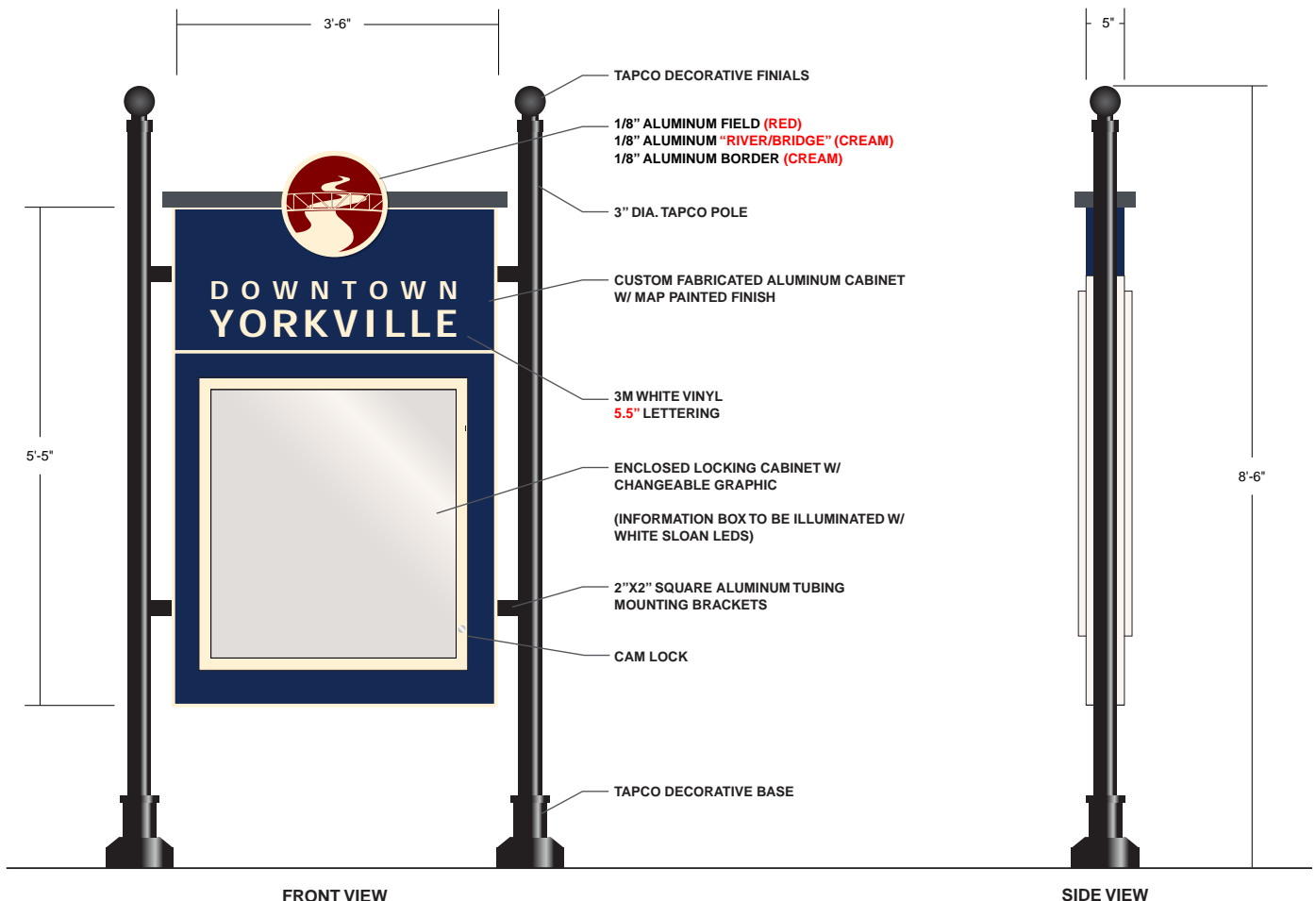
after you missed an opportunity to turn where one might expect it to be allowed.

One way to help alleviate this problem is through providing downtown signage. This signage can make a statement and solidify a cohesive brand and image for the area as a whole. From signage to banners to emblems, consistent, beautiful signage shows visitors that this place cares about providing an inviting user experience.





Seasonal Banners



Information Kiosk

Downtown Wayfinding

Starting with three different wayfinding sign types - an informational kiosk, pole mounted directional signage, and branded wayfinding signage - Yorkville can make a near-term impact on how users navigate the area.

Informational kiosks can house either rotating content or stationary content, such as maps, historic information, or general information. Maps can help pedestrians identify where they are in relation to other nearby destinations and help them discover what they are seeking. These kiosks would be sidewalk mounted and cater to the pedestrian over vehicles.

Directional signage may be most effective mounted on the existing light poles in locations that help drivers know when to turn for parking or riverfront access. The directional signage should have a specific purpose of getting someone from point A to point B. Though these signs should be pole mounted high enough to be visible for passing cars, they may be easily visible to pedestrians.

As with each type of sign, wayfinding signage should be both branded and informative to let users know that they are located in the proper area or neighborhood and provide markers for points of interest. Points of interest within downtown Yorkville may include specific restaurants, the historic Kendall County Courthouse, County offices, Bicentennial Riverfront Park, and parking lots.



Figure 58 - Informational Kiosk (Trans Associates)



Figure 59 - Directional Signage (Flickr)



Figure 60 - Branded Wayfinding Signage (Google)



Downtown Signage

Lighting Strategies

Implement Lighting Best Practices

Lighting is a key component of walkability, as it lends itself to creating a more safe environment for pedestrians. There are several streets where street lighting exists, but the lighting is inconsistent and is not always human-scaled. Lighting in the downtown can serve multiple functions, including branding the area, creating more vibrancy, and increasing safe conditions for residents and visitors. The increase and consistency of lighting gives people a sense of street character and trust of what is to come, encouraging walking and biking.

Nancy Clanton of Clanton & Associates has provided lighting best-practices for municipalities by creating some “dos and don’ts” for street and facade lighting. In general, well-designed lighting strategies should not only light the area, but take into account all view angles while creating a beautiful ambiance without glare and annoyance. The list on page 47 expands on Nancy Clanton’s strategies.

High color temperature (CCT) light sources have the highest concentration of blue light. Many municipalities are limiting the CCT of their street and pedestrian lighting to 3000K or less which is similar to the color of the setting sun. Dimming or turning off lighting is another strategy to reduce over-lighting an area.

Ideally, light sources should change color over the course of the evening and into the late night. Blue light will enhance visibility during the rush hour, but as vehicular and pedestrian traffic decreases at night, the spectrum can minimize blue light and switch to the red range.



Figure 61 - Street Lighting “Do” (American City and County)



Figure 62 - Building Lighting “Do” (Houzz)



Figure 63 - Public Space Lighting “Do” (Google)



Figure 64 - Street Lighting “Don’t” (Farr Associates)



Figure 65 - Building Lighting “Don’t” (Farr Associates)



Figure 66 - Public Space Lighting “Don’t” (Google)

Lighting “Dos”

Street Lighting

- Light sidewalks and streets appropriately for the neighborhood and explicitly where needed
- Use low-glare streetlights
- Minimize uplight of all kinds (cobra lights, etc.)

Building Lighting

- Mount light at the top of facades and aim inward
- Emphasize architectural features such as columns and arches using beam distributions
- Use warm-colored, dim light

Public Space Lighting

- Define the space with lighting of a consistent type and brightness
- Dimly light the features where people gather: seating areas, outdoor dining, public parks and plazas

Lighting “Don’ts”

Street Lighting

- Use streetlights to light yards and private property
- Overlight
- Use high-glare streetlights

Building Lighting

- Aim across a visual path with a floodlight
- Aim up a façade
- Overlight
- Select glaring luminaries

Public Space Lighting

- Light individual elements unless they are features
- Flood the public space with heavy lighting
- Appear messy and unorganized
- Include multiple types of lighting accomplishing the same goal

Stormwater Management

Green Infrastructure

It is widely understood that stormwater runoff from roofs, pavement, and other urban surfaces are contributing to water body degradation and flooding. Minimizing this impact, particularly in urban contexts, is often difficult because of the amount of land dedicated to dense buildings, supportive surface parking lots, and wide streets with generous sidewalks; however, there are strategies to accommodate both the urban and green infrastructure solutions.

Yorkville has been a settlement for a long time - even longer than many other cities and villages in the greater Chicago area. The Fox River was the main reason for locating Yorkville where it is today, so taking measures to preserve the water quality, beauty, and function of the river should be a priority. The City has old stormwater infrastructure, so removing some of the burden would hope to lengthen its useful life. As capital improvements occur, there is an opportunity to do two things: 1) updated the stormwater infrastructure and 2) construct green infrastructure in the public rights-of-way to reduce potential negative impacts of storm surges and surface runoff degradation the Fox River. Strategies such as rain gardens, bioswales on the sloped streets, or even green roofs could all contribute to beauty and utility.

Signage Encouraging Awareness

Green infrastructure is not familiar to everyone, so these can be excellent education opportunities for the public. Signage and story-telling of why the City is placing rain gardens next to sidewalks and bioswales cascading down slopes could encourage residents to invest in doing the same on their properties. Additionally, the City could incentivize rain gardens or rain water cisterns for private residences to minimize negative impacts on natural resources and reduce flooding.



Figure 67 - Residential Rain Garden (Metro Blooms)



Figure 68 - Rain Garden Off Curbless Street (Prairie Rivers)



Figure 69 - Rain Garden Signage (City of Springfield, MO)



Figure 70 - Pervious Pavers (Techniseal)



Figure 71 - Pervious Pavers (MWMO)



Figure 72 - Paver Laying Machine (Detroit News)

Pervious Pavement

Permeable paving products, such as porous asphalt and concrete, as well as permeable pavers allow water to pass through the surface and into a stone storage layer below.

The water stored in the stone layer either infiltrates into the soil below or is slowly released to a sewer or other drainage system to reduce stormwater runoff volumes and rates. Sediment, metals, and organic compounds are filtered and/or biologically treated as the runoff moves through and is stored in the system.

Properly designed permeable paving systems are applicable to both pedestrian and vehicular areas. Permeable paving should be avoided in the through lanes of high traffic areas (such as County and State highway routes) and areas of high sediment or other pollutant loading that could clog the system or overwhelm the system's ability to treat typical urban runoff pollutants.

Ideal locations for pervious pavement might be Hydraulic Street, parallel parking lanes, mid-block alleys, and surface parking lots.

Installing Pervious Pavers

Pavers appear laborious to lay down in large quantities, such as a street or sidewalk; however, technology advancements have bred paver laying machines that lay down entire swaths of pavers in one motion. This drastically minimizes installation times, but still provides that hand-laid, classic look that is often loved for its character. Pavers can be cost competitive concrete, because of the external impact it has on sizing stormwater infrastructure systems.

Public Art and Sculpture

The Role of Public Art

Yorkville's downtown will not compete well with some of the loved downtowns nearby, such as Oswego and Plainfield; however, it should not need to directly compete. Yorkville can distinguish itself with its own identity and unique character as a community. There are few better ways to do this than through public art.

Public art is free first and foremost. Anyone can experience and enjoy it. It also adds a layer of uniqueness when so many downtowns attempt to emulate each other with all becoming one and the same. Yorkville can avoid this by encouraging its, at times, funky nature to shine through. There are plenty of opportunities for public art, from blank walls on the sides of buildings, to vacant parcels and parking lots, to a grain elevator. Each can become a canvas for community expression.

The City should seek to commission works in addition to allowing community members to contribute pieces to the collection through interactive events for residents of all ages. When everyone can get involved, there is more of a sense of ownership over the end product. Public art is a medium to show visitors what Yorkville is all about.

Make it Interactive!

Not only can art be something to experience visually, but interactive. This can be done through sculptures that encourage climbing or provide a backdrop for a photograph. Art can cater to children and adults alike and should remain informal enough to fit into Yorkville's beloved small-town character.



Figure 73 - Wall Mural on Blank Wall (City of Missouri City)



Figure 74 - Interactive Sculpture (ISU College of Design)



Figure 75 - Temporary Installation (Playscapes)



Potential Public Art Locations

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Appendix

Supplemental Content

Context Scale Analysis Mapping	p. 52
Site Scale Analysis Mapping	p. 60
Website Survey Results	p. 68

Downtown Overlay

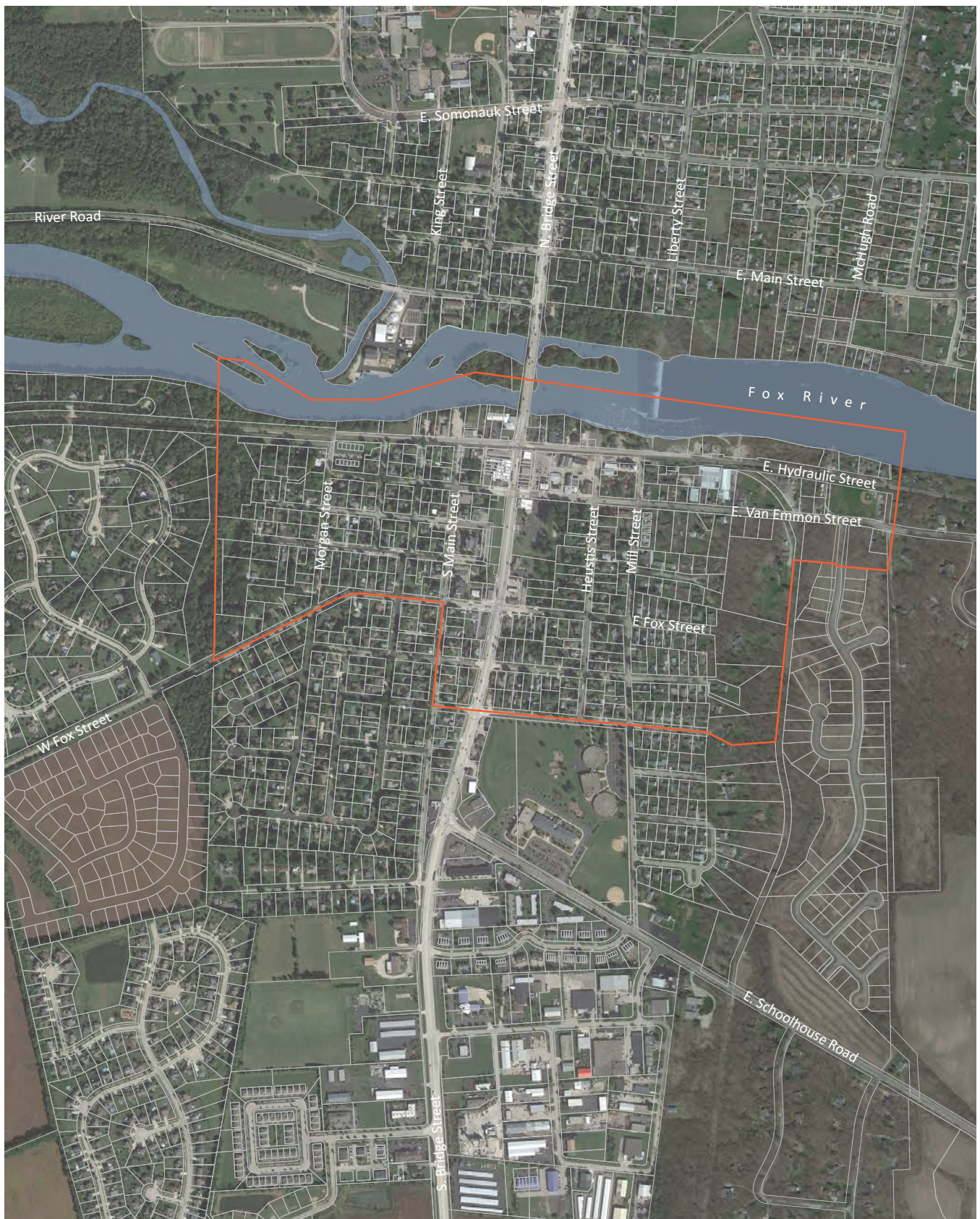
Context Scale

Downtown Overlay District

The Downtown Overlay District context scale includes both the defined downtown from the 2016 Comprehensive Plan and the immediate surrounding areas, which includes the north banks of the Fox River. The following series of analysis maps reveals that downtown Yorkville includes a variety of commercial, industrial, and public land uses surrounded by primarily lower density single-family housing. The underlying zoning allows for a more intense development pattern than currently exists; therefore, downtown has potential to densify and redevelop to more intensely use the land. With relatively high traffic counts along Bridge Street, downtown experiences crosstown traffic that makes it visible and accessible by visitors and residents, and it could take advantage of higher traffic through non-residential uses.

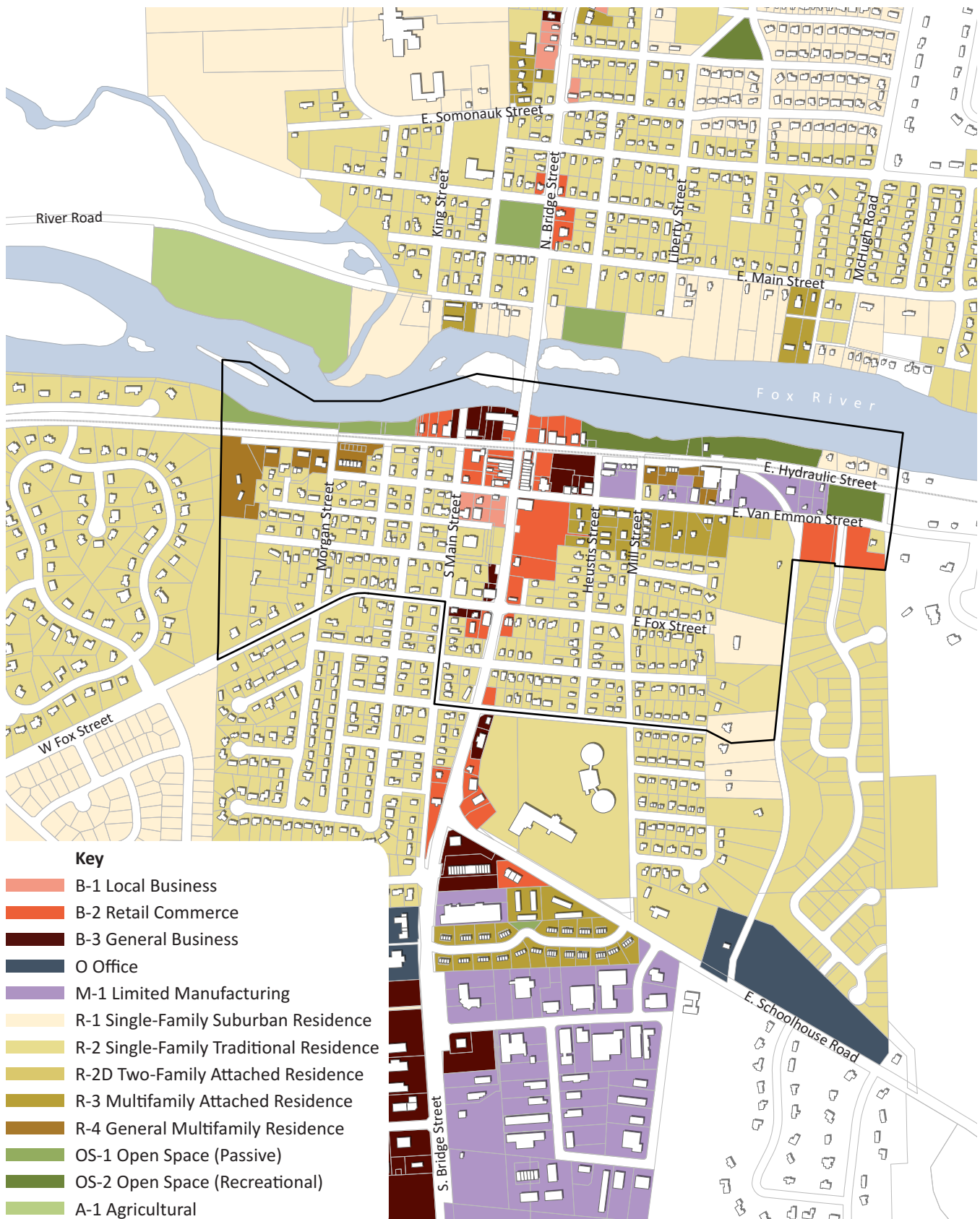
A TIF 1 and 2 are current and future strategies that seek to encourage reinvestment in the downtown. Though the TIF boundaries are not consistent with the downtown boundary defined in the map, it does include much of the downtown land and parcels along the Fox River. Parcels along the Fox River may be the most attractive to investors because of the views towards the river and access to recreation.

Investment in public space along the river has helped provide a destination for visitors and residents alike. Additionally, recreational bicycle facilities, trails, and connections to the greater trail system offer opportunities to improve quality of life and may become a catalyst for future real estate investment.



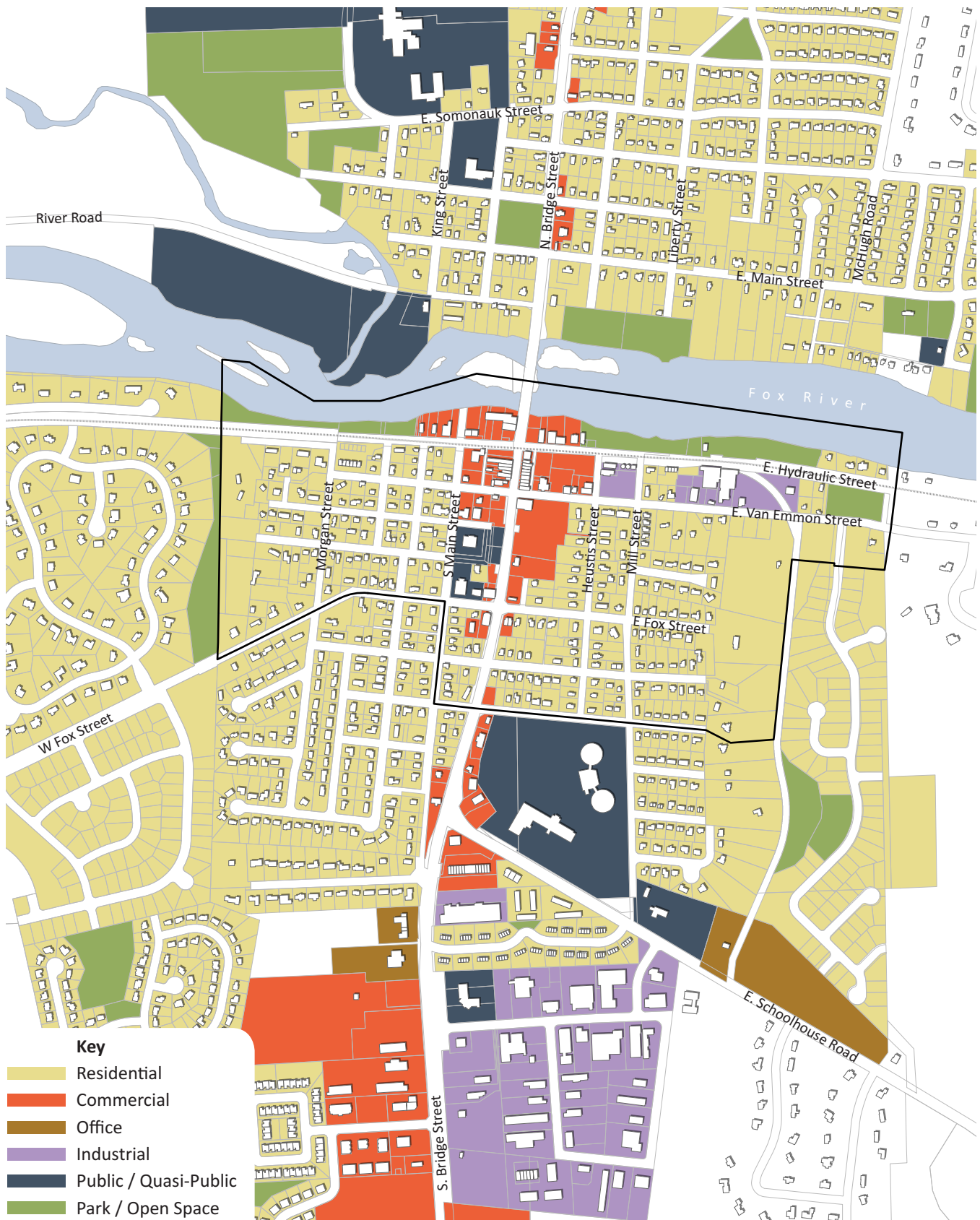
Area Scale Map (Aerial)





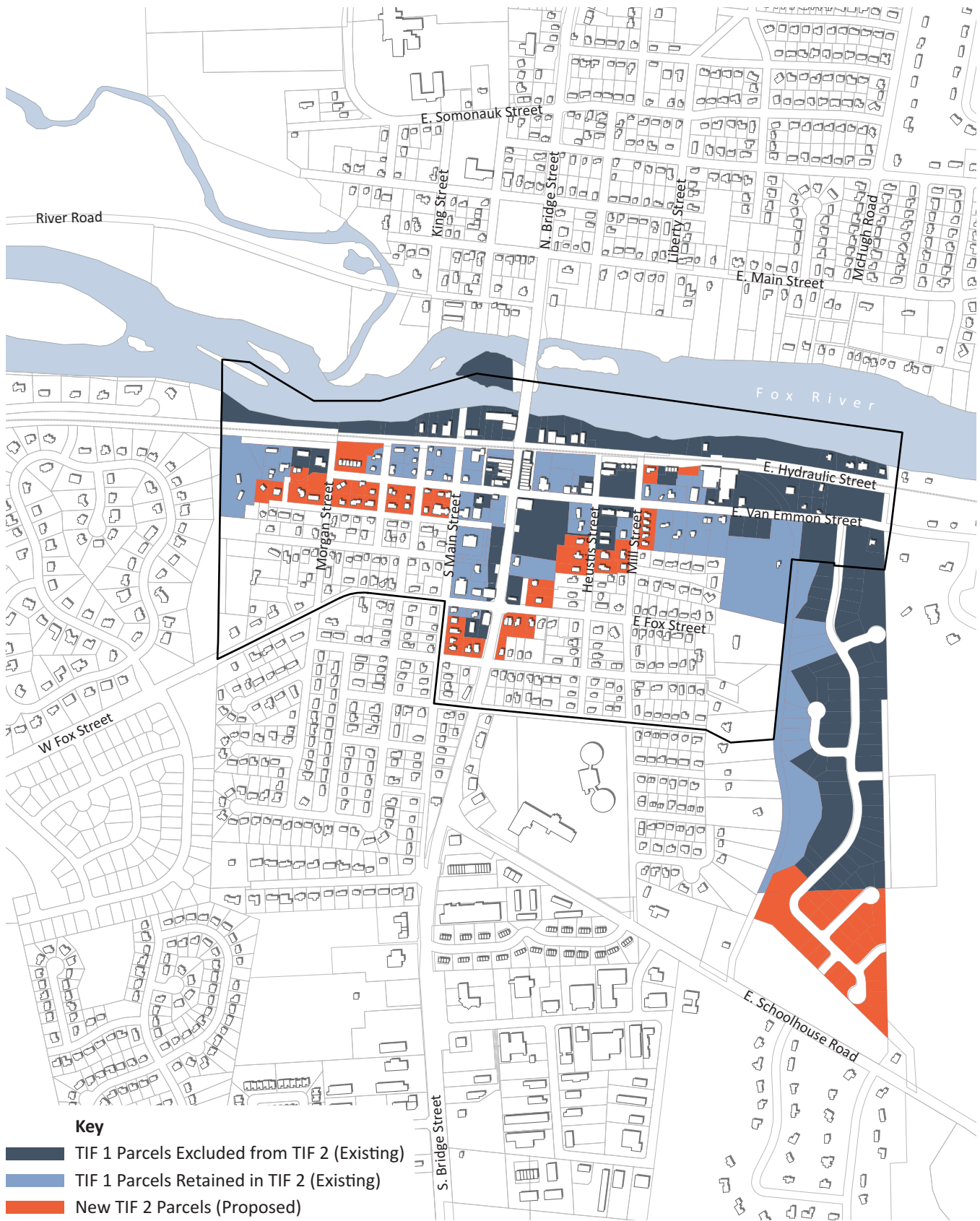
Existing Zoning Classifications





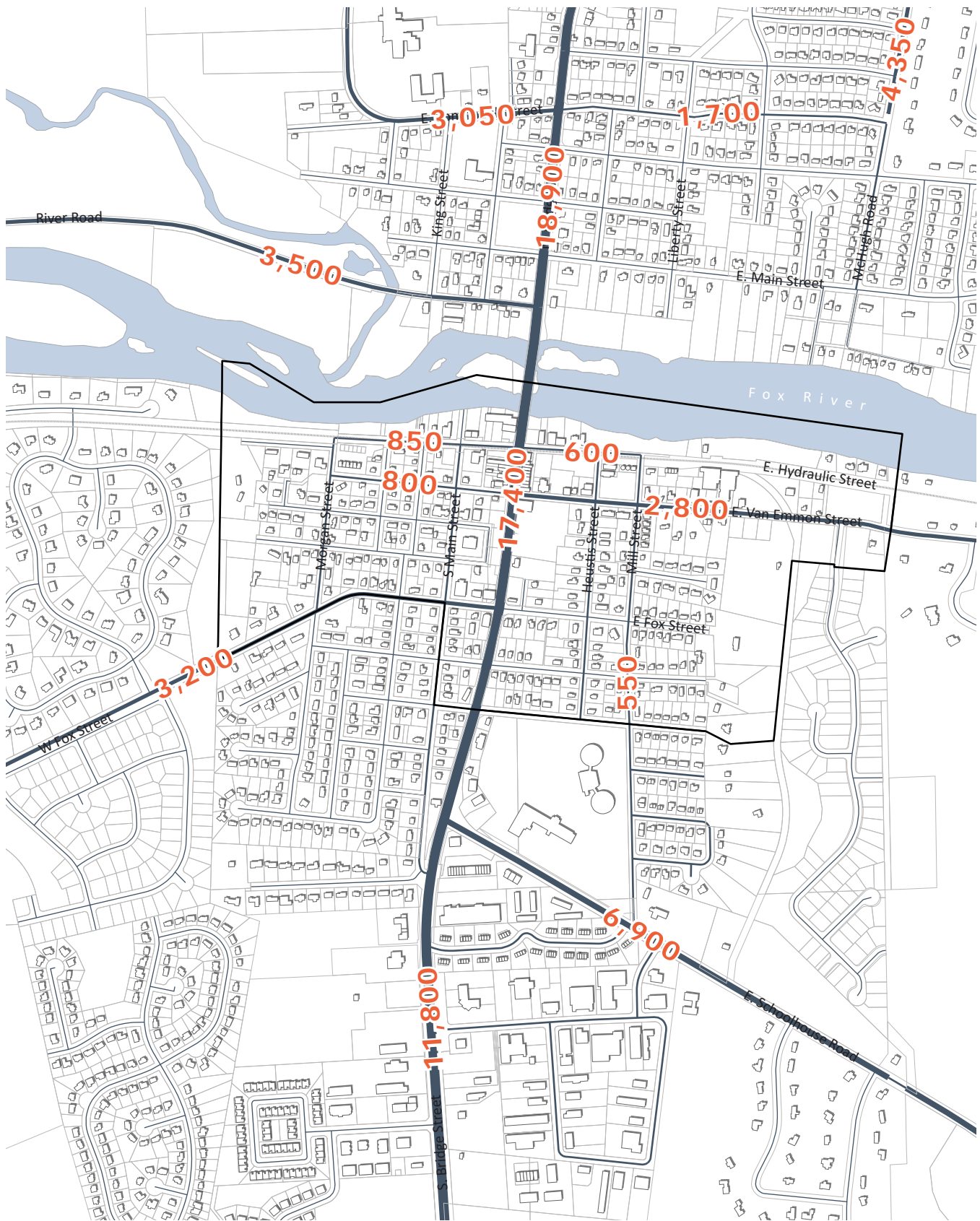
Existing Land Uses





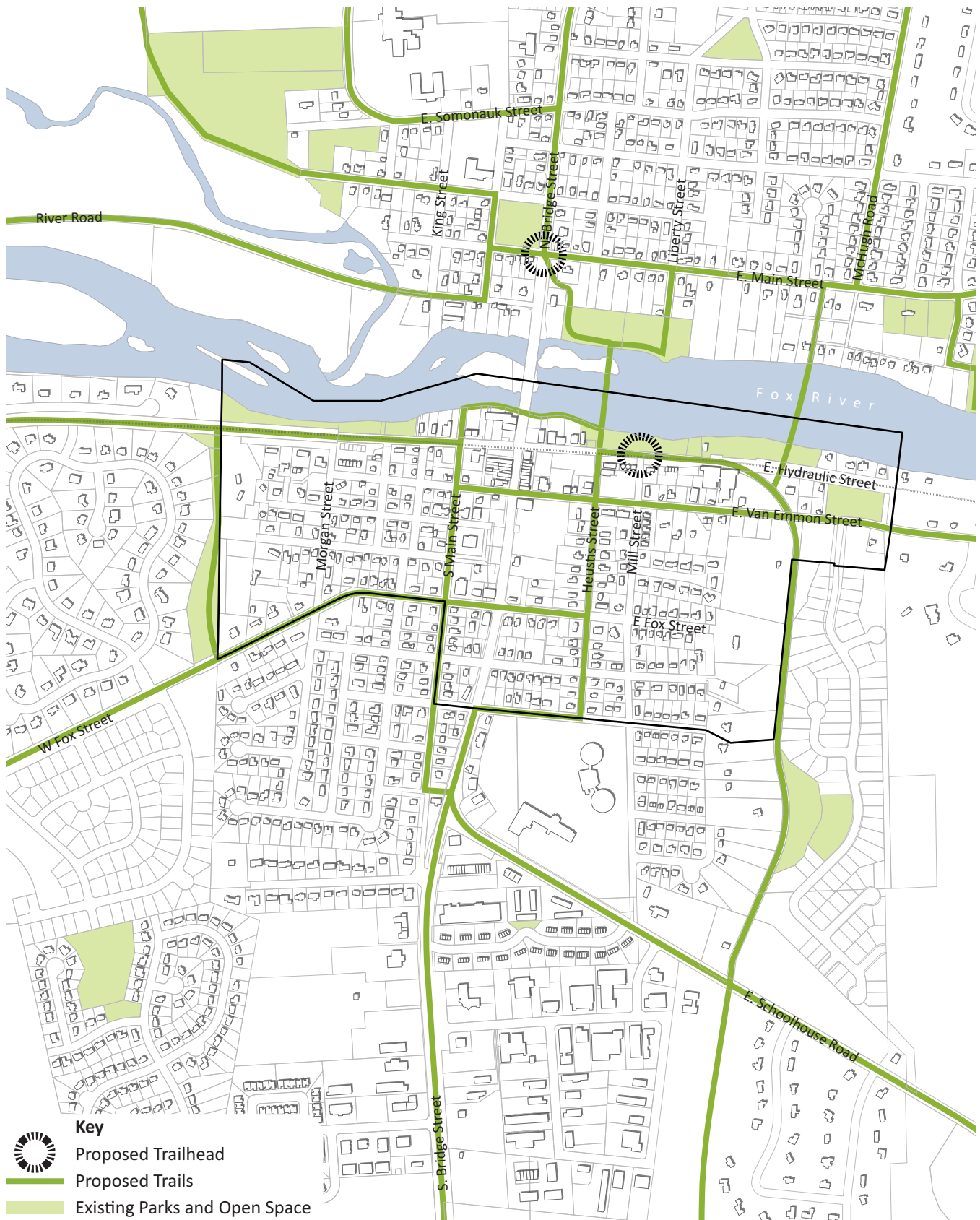
Existing TIF Boundaries



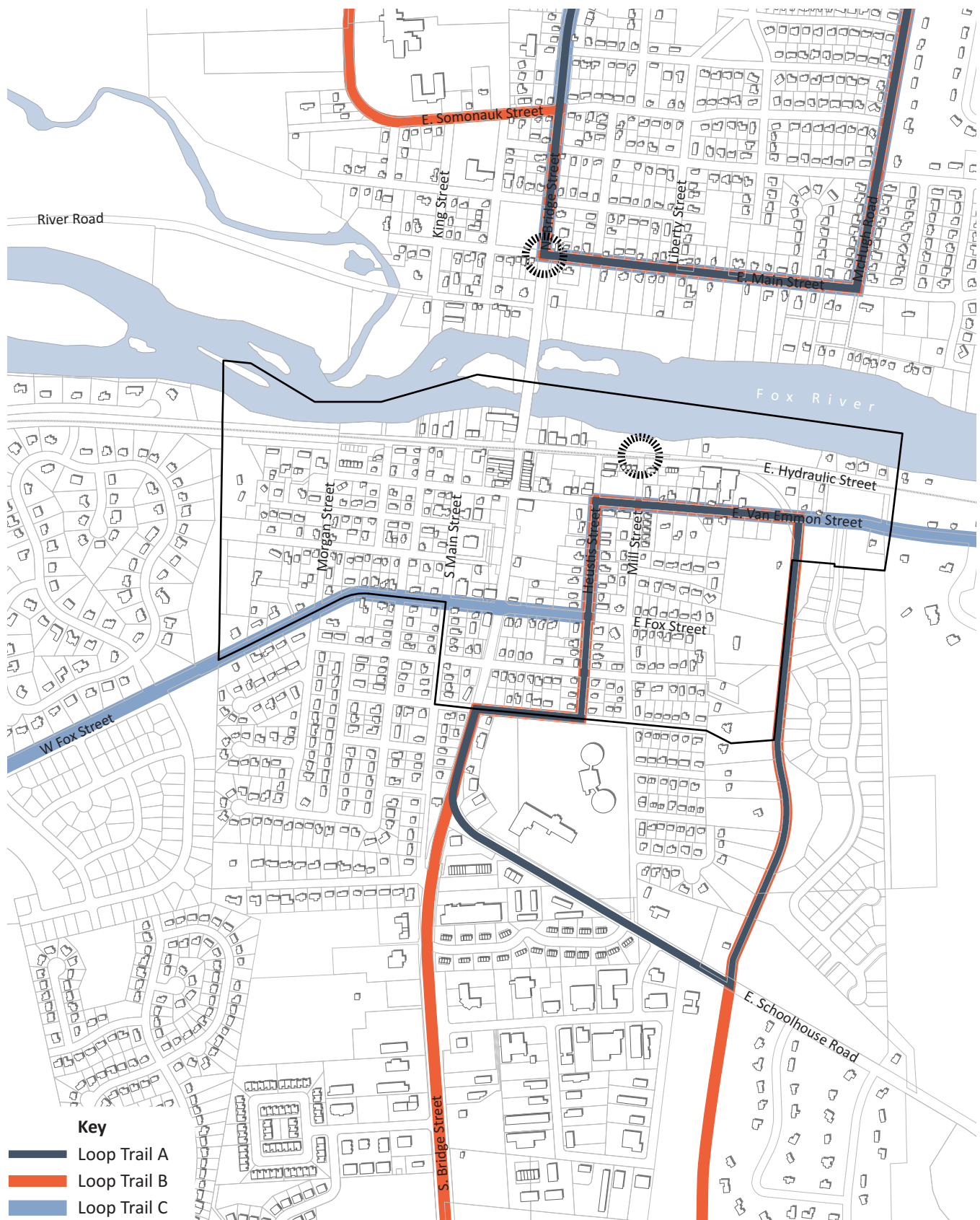


Average Annual Daily Traffic (AADT)





Parks and Proposed Trail Network



Proposed Loop Trail System

Downtown Overlay

Site Scale

Downtown Overlay District

The Downtown Overlay District site scale includes much the defined downtown from the 2016 Comprehensive Plan and the immediate areas to the north and south, which includes the north banks of the Fox River with an emphasis on the Bridge Street corridor. The following series of analysis maps reveals that downtown Yorkville features a walkable grid; however, certain factors are minimizing this strength. Notable contributing factors include segments of non-continuous sidewalks, primary building entries being oriented towards parking lots, as opposed to sidewalks, and blocks that feature highly visible surface parking, vacant lots, or are not maintained.

The primary stretch of downtown is defined by buildings that are built to the sidewalk in a continuous row along Bridge Street; however, Bridge Street's priority as a truck route has added to an anti-pedestrian feel. With only a small stretch of downtown being defined by urban building types, it limits downtown as a walkable destination.

Few buildings are taller than two-stories, most notably the historic courthouse building that is highly visible when traveling into downtown along Bridge Street. This reduces visual cues that downtown Yorkville is in fact a downtown. Large, vacant or underutilized parcels are ripe for redevelopment and with a generous underlying zoning, should be attractive investments with modified guidelines.



Area Scale Map (Aerial)





Parcel Ownership



Commercial Buildings & Frontages



Existing Sidewalks



ROW Width and Ownership



Parcel Area



Building Heights

Website Survey Results

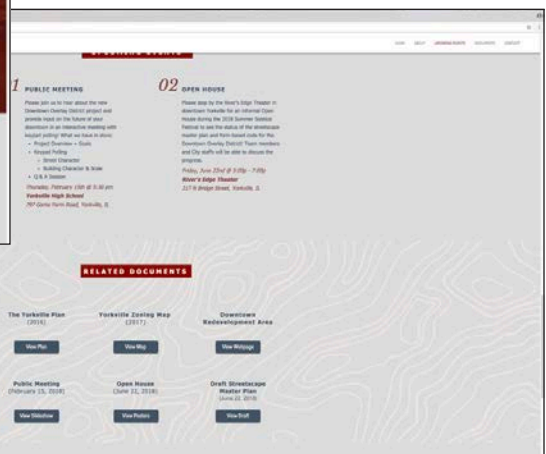
www.downtownyorkville.com/

The Yorkville Downtown Overlay District website survey was posted between February 19, 2018, and March 12, 2018. The survey gathered **473 responses**. The survey participants were concentrated in the 18 - 49 years old range. Key takeaways from the online survey include:

- A faster driving speed on Bridge Street is revealed
- People seem to feel safer than expected walking along Bridge Street; however, online comments conflict
- There is a perceived or real lack of parking
- Bridge Street is clearly important from a downtown image standpoint
- All gateway elements seem popular; however, the lights are leading
- Bridge Street, Hydraulic Street, and Van Emmon Street are the focus
- The form-based code should not regulate architectural

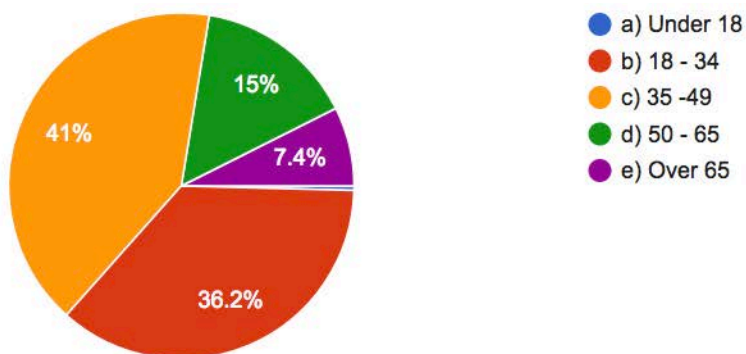
style to leave flexibility

- The “step back” question was difficult to comprehend in the survey format
- The front of Bridge Street needs a makeover



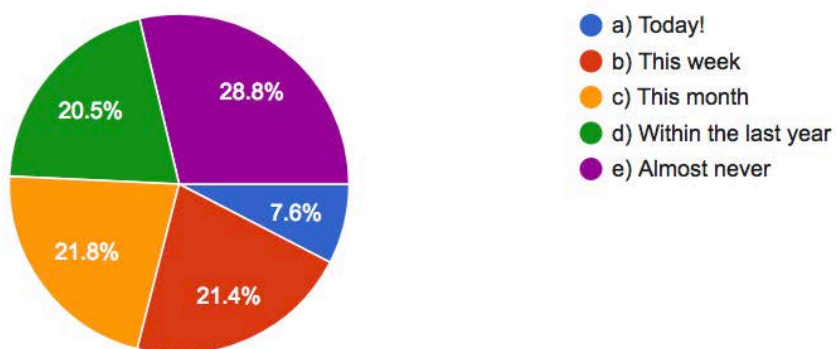
Question 1

Which is our age group?



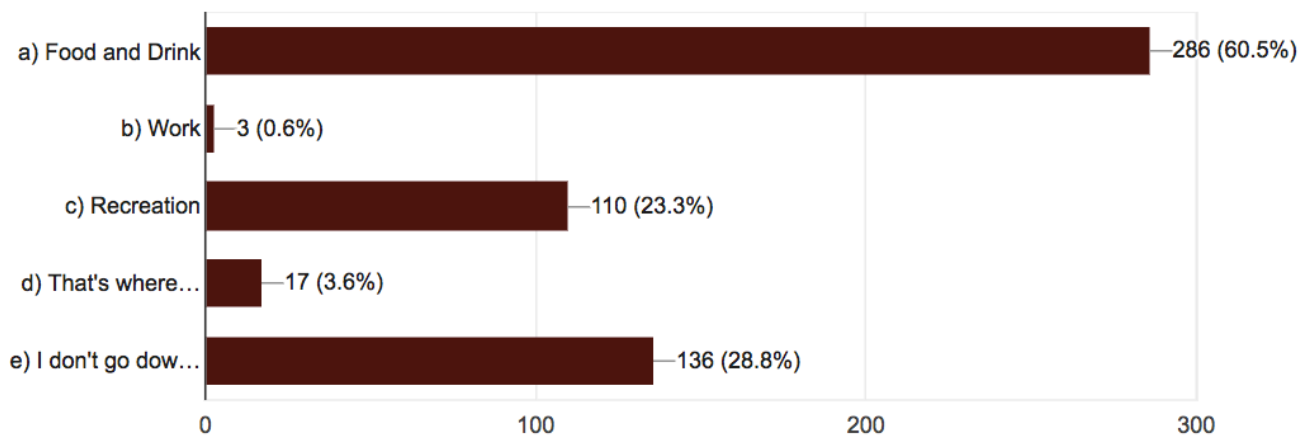
Question 2

When was the last time you visited downtown?



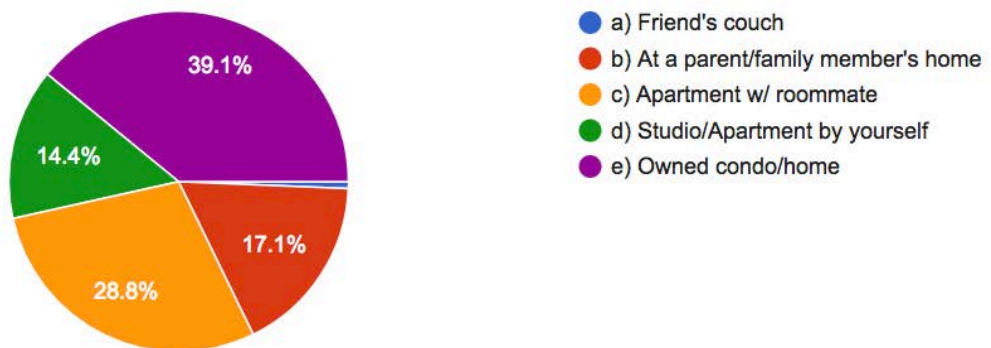
Question 3

What is the primary reason you come to downtown? (Check multiple)



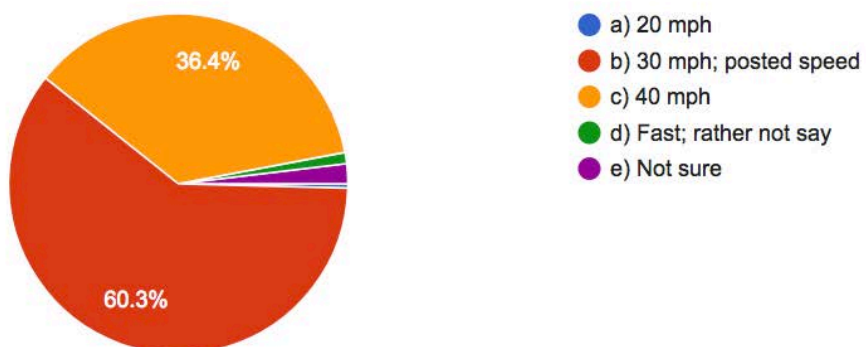
Question 4

Where was the first place you lived as an adult?



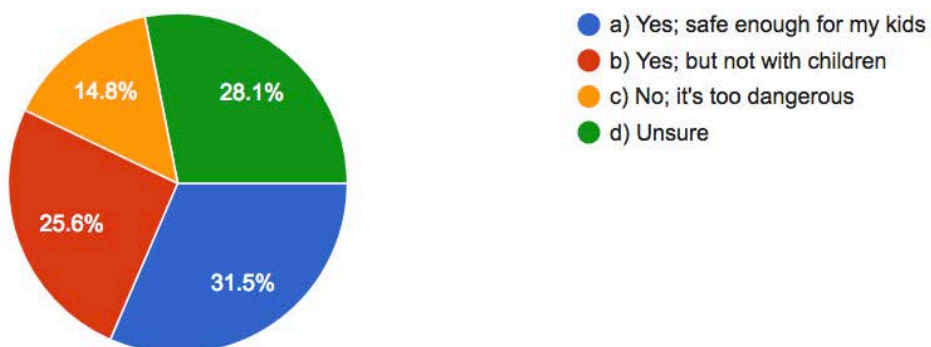
Question 5

How fast do you drive through downtown on Bridge Street?



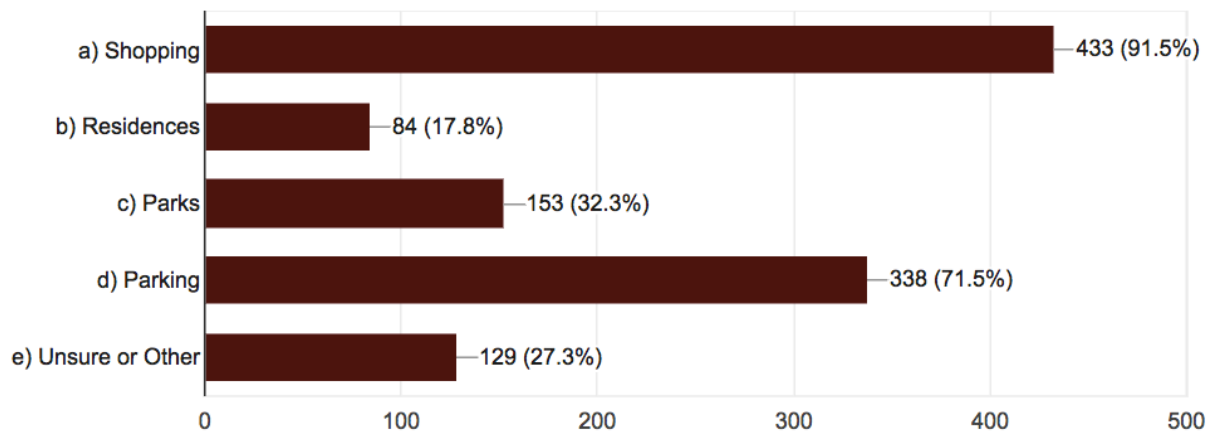
Question 6

Would you feel safe walking along Bridge Street?



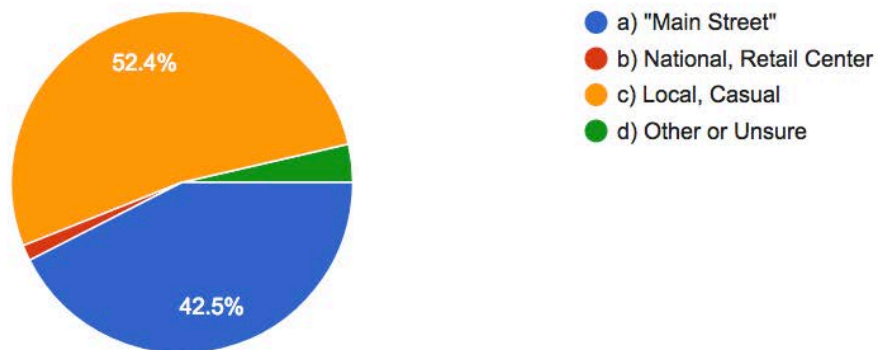
Question 7

What is missing most from downtown? (Check multiple)



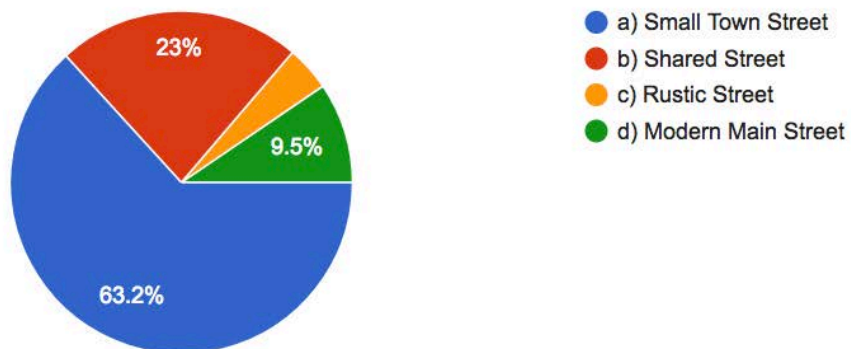
Question 8

Which image most represents your vision of downtown?



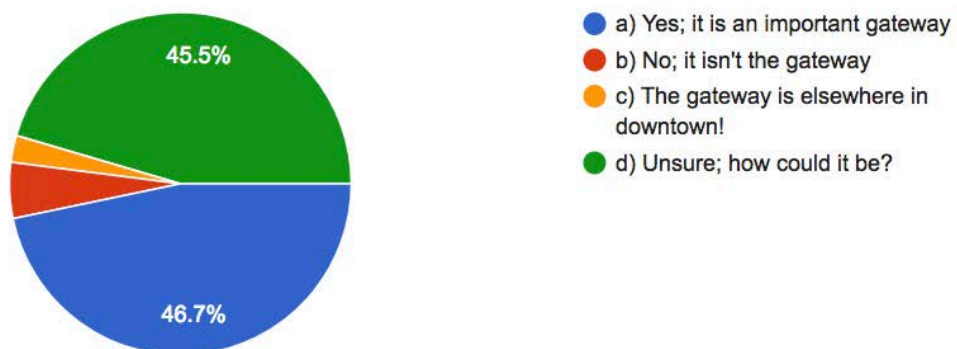
Question 9

Which street character do you prefer?



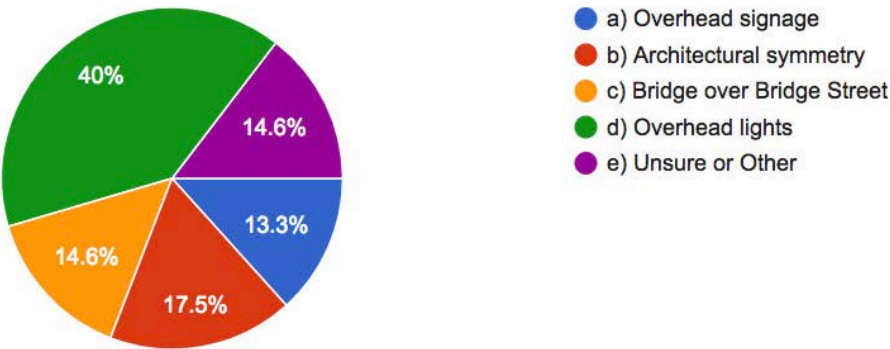
Question 10

Should Bridge Street be a gateway to downtown?



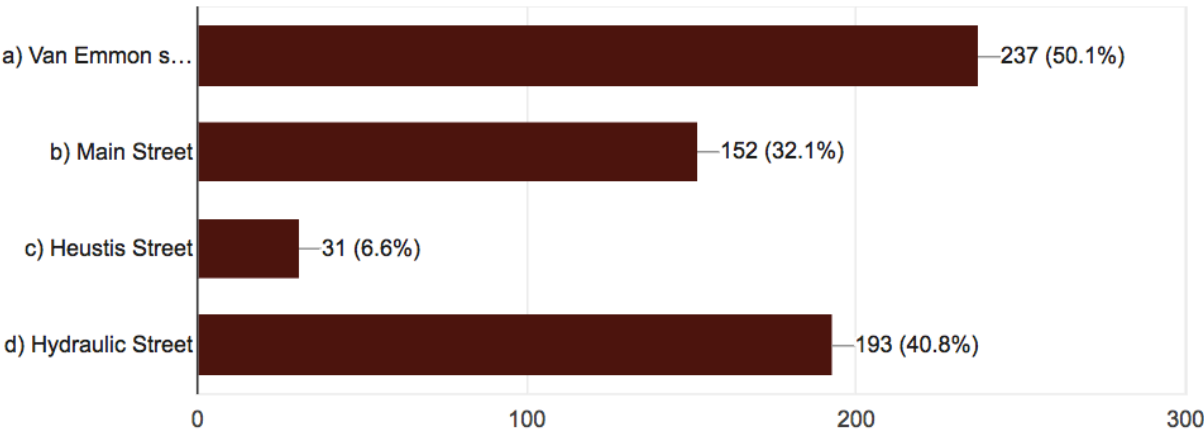
Question 11

Which is a preferred gateway element into downtown?



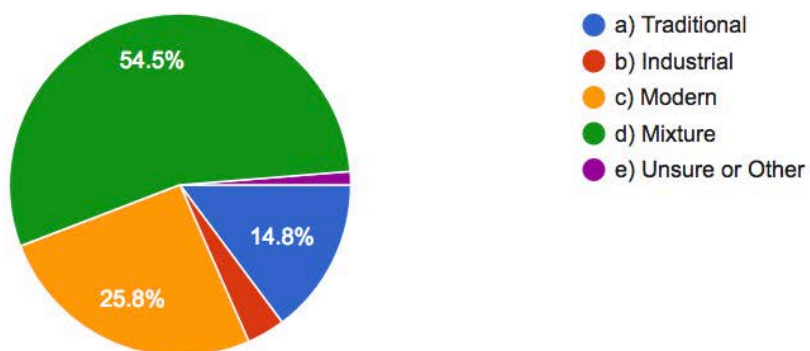
Question 12

Which street do you most consider an 'A' Street? (Check multiple)



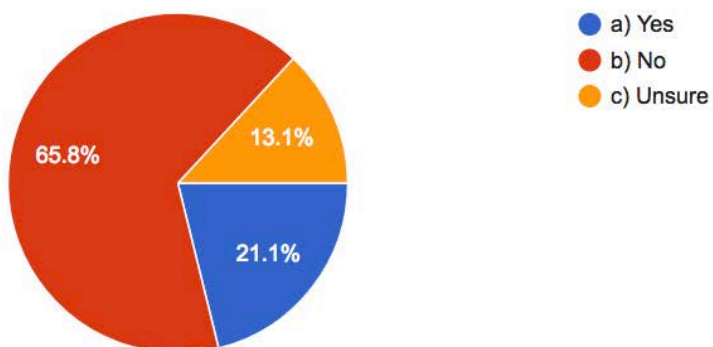
Question 13

Which architectural character do you prefer?



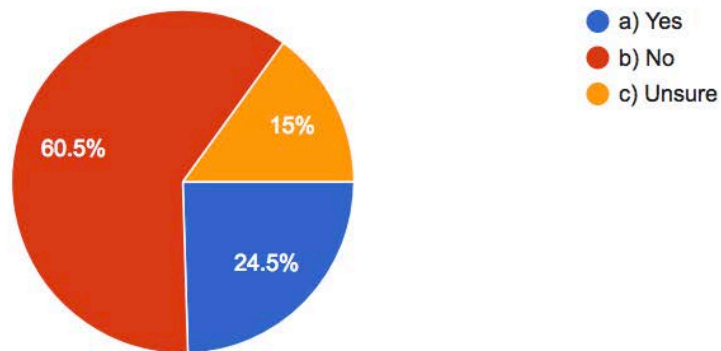
Question 14

Would attached housing be a good fit downtown?



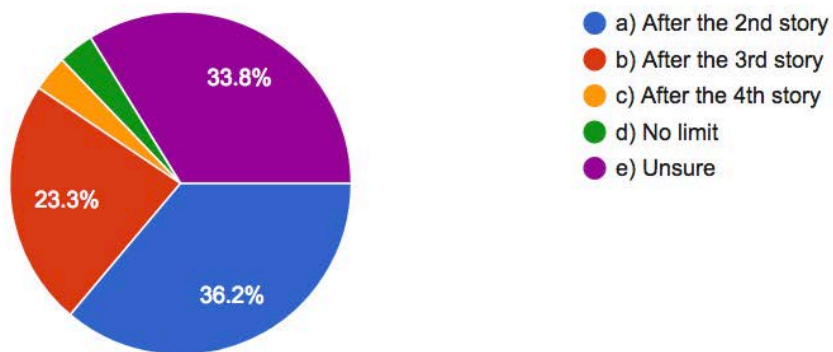
Question 15

Would multi-family housing be a good fit downtown?



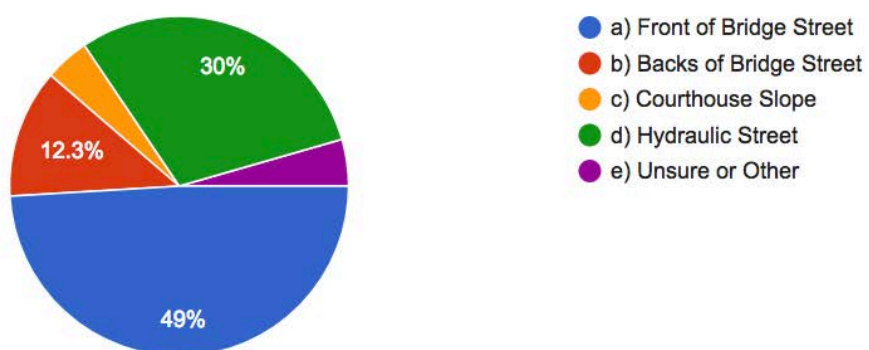
Question 16

After how many stories should upper levels “step back” from the facade?



Question 17

Which place would you invest in first?



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YORKVILLE

Downtown Overlay District

Form-Based Code



United City of
Yorkville ILLINOIS

FARR ASSOCIATES

Acknowledgments

United City of Yorkville
Farr Associates
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Bart Olson, *City Administrator*
Erin Willrett, *Assistant City Administrator*
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United City of
Yorkville ILLINOIS



FARR ASSOCIATES

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10-21-1 Introduction

A. Title

This Article 10-21 shall be known, cited, and referred to as the Downtown Overlay District code. Any reference to this Article following its effective date shall mean this entire Article as it may hereafter be amended.

B. Intent

It is the intent of this Article to provide development standards to the United City of Yorkville for downtown and adjacent redevelopment areas that promote public health, safety, and general welfare of the community, including, but not limited to the specific purposes set forth below.

- 1. To guide the development of a mix of uses and a pedestrian-oriented environment established in the United City of Yorkville Comprehensive Plan Update, adopted September 2016, and the 2018 Yorkville Downtown Overlay District Streetscape Master Plan.
- 2. To provide for a mix of housing types within the Downtown Overlay District and adjacent areas for people of all ages and lifestyles.
- 3. To achieve development that is appropriate in scale and intensity for the Downtown Overlay District and adjacent neighborhoods.

C. Overview of the Code

- 1. **Section 10-21-2: Districts.** These regulations are organized within street types for adoption into the City's existing code. These zoning districts shall be mapped on the City's Zoning Map; however, the Primary Streets designation shall be referenced from the attached map, Figure 10-21-2G (4). The following Districts are established for mixed use, commercial, and residential development within downtown and adjacent redevelopment areas. Figure 10-21-1B (1) illustrates the locations for the districts.

S1: Bridge Street District

S2: Hydraulic Street District

S3: Van Emmon Street District

S4: 'B' Street District

S5: 'B' Street - Residential District
- 3. **Section 10-21-3: Uses.** Use requirements are defined in Section 10-21-3 for each of the Street Districts. Uses may also be further limited by the Building Types. Refer to Section 10-21-2 Building Types and the "Uses" section in the tables per building type.
- 4. **Section 10-21-4: Building Types.** Six (6) Building Types are defined for use in the Street Districts. A mix of building types are typically permitted per district. These Building Types outline the desired building forms for the new construction and renovation of structures and contain regulations that determine physical building elements such as build-to-zones, transparency levels, entrance location, and parking location. Refer to Figure 10-21-4A (1) for a typical Building Type page layout.
- 5. **Section 10-21-5: Site Development Standards.** The site development standards provide references to other City ordinances or parts of the zoning ordinance and may include additional information or revision to those ordinances applicable only to the Street Districts. These include signage, parking, and landscape.

D. Applicability

These regulations apply to the downtown and adjacent redevelopment areas within the City as mapped on the City's zoning map. Refer to Figure 10-21-1B (1) for affected parcels.

E. How to Use the Code.

Refer to Figure 10-21-1D (1) for a step by step illustration about applying the code to a parcel. Throughout the Yorkville Code, call out boxes titled "How to Use the Code" appear with code application instructions.

F. Development Approval Process

- 1. **Site Plan Review.** An approved site plan is required for the development or redevelopment of all parcels in any District (refer to 10-4 of the Zoning Ordinance) with the following revisions:
 - (a) The Community Development Director may approve a major site plan if the site plan complies with all requirements of the city's zoning ordinance. If the Community Development Director denies approval of a major site plan, including the provision of written comments as to the reason for such denial, the denial may be appealed by the applicant to the Planning and Zoning Commission for review. The Planning and Zoning Commission shall then recommend approval to City Council the major site plan, recommend approval to City Council of the major site plan with conditions, or recommend denial of the site plan to City Council.
- 2. **Deviations.** The Applicant shall submit requested deviations to the Community Development Director with the Site Plan application. The Director may approve deviations to a site plan for the following:
 - (a) Minor Deviations. The Community Development Director may approve minor deviations to any dimension or percentage as follows:
 - i. The location of the building within up to one foot from any minimum yard requirement or build-to zone width/ location.
 - ii. Up to five percent increase in total impervious coverage, not to exceed the total amount of permitted impervious plus semi-pervious coverage.
 - iii. Up to five percent decrease in Front Property Line coverage.
 - iv. Additional height of any story up to two feet, as long as the overall building height does not exceed the allowable height of all floors at their maximum permitted height.
 - (b) Design Deviations. The Community Development Director shall review and make a recommendation for the following deviations:
 - i. Alternative Building Materials. The Director may approve alternative building materials from the requirements of Section 10-21-5, with the exception of the prohibited materials. For approval, the Applicant shall submit samples and local examples of the material a minimum of four weeks prior to the review, to allow site visits to the location.
 - ii. Facade Variety Alternative. The Director may approve a reprieve from the facade variety requirements in Section

10-21-4. The Applicant shall submit fully rendered elevations and three (3) dimensional drawings of all street facades with materials samples for all surfaces to prove a higher quality building design with variation and relief from monotony.

- (c) Existing Building Deviations. The Planning and Zoning Commission shall review and make a recommendation to City Council for the following deviations, when applied to the renovation of an existing building(s):
 - i. For renovation of existing buildings, the maximum front property line coverage may be waived with an existing coverage of 60%; however, any expansion on the ground story shall contribute to the extension of the front property line coverage.
 - ii. For renovation of existing buildings, the location of the building within up to five (5) feet from any minimum yard requirement or build-to zone width/location.
 - iii. For renovation of existing buildings, the minimum height of the ground story and upper story may be increased or decreased by up to two (2) feet for existing stories.
 - iv. For renovation of existing buildings, other required dimensions may be modified up to five (5) feet or 10%, whichever is less, unless otherwise modified by this section.

G. Nonconforming Structures

- 1. **Nonconforming Uses.** Refer to 10-15 of this Article for Non-Conforming Uses requirements with the following exception and addition.
- 2. **Nonconforming Structures.** The following regulations allow for the continuation of occupation of a structure that was legally constructed prior to the adoption or amendment to this code, but that could not occur under the provisions of this code.
 - (a) All Building Type standards apply to all new construction and renovation of existing structures, where the renovation includes an addition of more than 60% in gross building square footage.
 - (b) When the existing front or corner facade is located within the build-to zone and a renovation of the front facade occurs with or without any added building square footage, the Street Facade Requirements and Entrance Type Requirements of any permitted Building Type shall be met when the renovation includes any of the following:
 - i. Installation of additional doors or a change in location of a door;
 - ii. Expansion or change in location of 30% of windows on any street façade; or
 - iii. Replacement of 30% or more of facade materials on any street facade with a different facade material.
 - (c) When the existing building front or corner facade is located within the build-to zone and a renovation of the shape or style of the roof occurs with or without added building square footage, the Roof Type Requirements of any permitted Building Type shall be met.
 - (d) Under all circumstances, no portion of the Building Type

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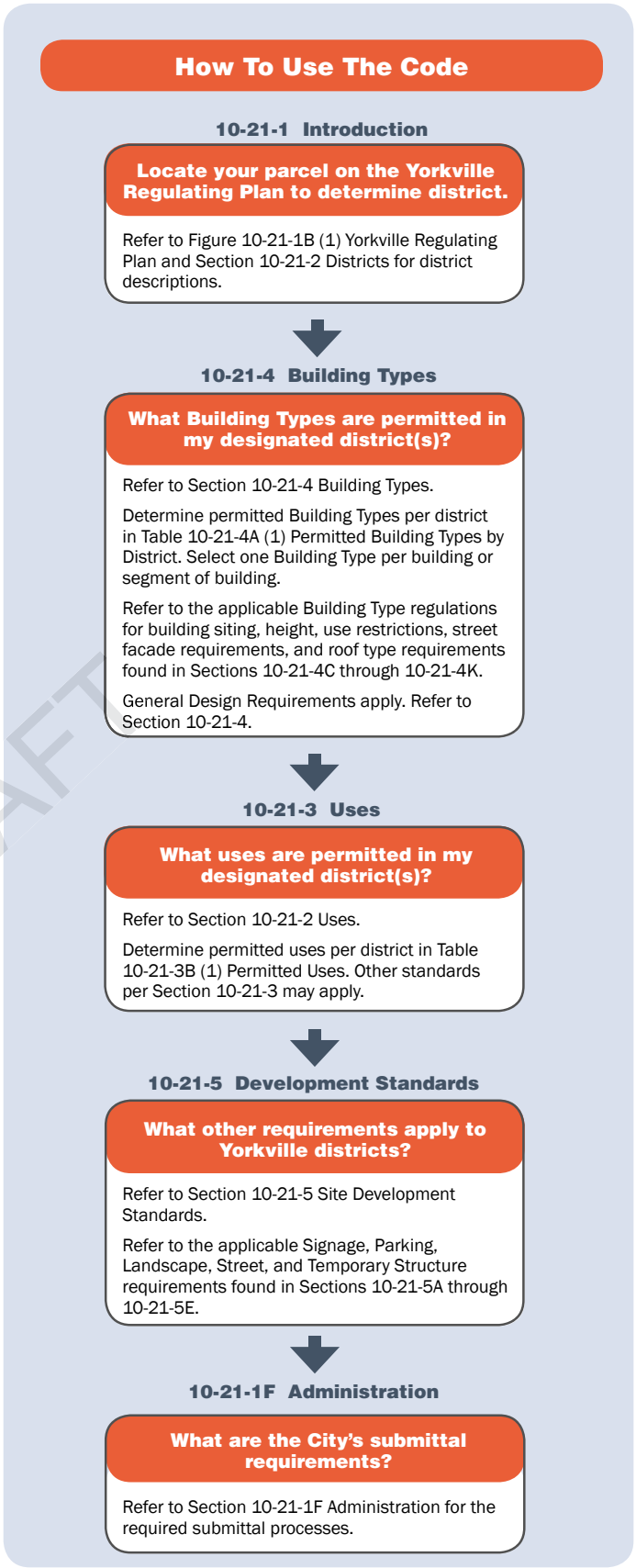


Figure 10-21-1D (1). Yorkville Code Flow Chart.



Figure 10-21-1B (1). Yorkville Form-Based Districts Regulating Plan.

standards must be met in the case of normal repairs required for safety and continued use of the structure, such as replacement of window or door glass.

H. Definitions

- For the purposes of this document, the following terms shall have the following meanings:
- Applicant. The Owner of a subject property or the authorized representative of the Owner on which a land development application is being made.
- Block. Refer to Section 10-2-3 for definition.
- Block Depth. A Block measurement that is the horizontal distance between the Front Lot Line on a Block Face and the Front Lot Line of the parallel or approximately parallel Block Face.
- Block Ends. The Lots located on the end of a Block; these Lots are often larger than the Lots in the interior of the Block or those at the opposite end of the Block and can be located on a more intense Street Type. They are typically more suitable for more intensive development, such as multiple family or mixed Use development.
- Block Face. The aggregate of all the building Facades on one side of a Block.
- Block Length. A Block measurement that is the horizontal distance along the Front Lot Lines of the Lots comprising the Block.
- Building Type. The Facade of a structure defined by the combination of configuration, form, and function as it relates to the adjacent street. Refer to 10-21-4B Building Type Standards for more information and the list of permitted Building Types.
- Build-to Zone. An area in which the front or corner side facade of a building shall be placed; it may or may not be located directly adjacent to a lot line. The zone dictates the minimum and maximum distance a structure may be placed from a lot line. Refer to Figure 10-21-1H (3).
- Courtyard. An outdoor area enclosed by a building on at least three sides and is open to the sky.
- Coverage, Building. The percentage of a Lot developed with a Principal or Accessory Structure.
- Coverage, Impervious Site. The percentage of a Lot developed with Principal or Accessory Structures and Impervious Surfaces, such as driveways, sidewalks, and patios. Refer to "Lot Coverage" in Section 10-2-3.
- Eave. The edge of a pitched roof, typically overhangs beyond the side of a building.
- Entrance Type. The permitted treatment types of the Ground Floor Facade of a Building Type. Refer to Section 10-21-4I for more information and a list of permitted Entrance Types.
- Expression Line. An architectural feature consisting of a decorative, three (3) dimensional, linear element, horizontal or vertical, protruding or indented at least two (2) inches from the exterior facade of a building typically utilized to delineate the top or bottom of floors or stories of a building.

- Facade. The exterior face of a building, including but not limited to the wall, windows, windowsills, doorways, and design elements such as Expression Lines. The front facade is any building face adjacent to the Front Lot Line.
- Frontage District. A type of zoning district specific to this Article, where the location, height and bulk of structures is defined by Building Types. Refer to Section 10-21-4.
- Landscape Area. Area on a Lot not dedicated to a structure, parking or loading facility, frontage buffer, side and rear buffer, or interior parking lot landscaping. Landscape Areas may include landscape, sidewalks, patios, or other pedestrian amenities.
- Lot, Flag. Refer to Section 10-2-3 for definition. Refer to Figure 10-21-1H (2).
- Lot, Interior. For the purposes of this Chapter, a parcel of land abutting a vehicular Right-of-Way, excluding an Alley, along one Lot Line; surrounded by Lots along the remaining Lot Lines.
- Lot, Through. Refer to Section 10-2-3 for definition. Refer to Figure 10-21-1H (2).
- Lot Area. Refer to Section 10-2-3 for definition; it is typically denoted in square feet or acres.
- Lot Depth. For the purposes of this Chapter, the smallest horizontal distance between the Front and Rear Lot Lines measured approximately parallel to the Corner and/or Side Lot Line. Refer to Figure 10-21-1H (2).
- Lot Frontage. Refer to Section 10-2-3 for definition.
- Lot Line, Corner. For the purposes of this Chapter, a boundary of a Lot that is approximately perpendicular to the Front Lot Line and is directly adjacent to a public Right-of-Way, other than an Alley or railroad. Refer to Figure 10-21-1H (2).
- Lot Line, Front. For the purposes of this Chapter, the boundary abutting a Right-of-Way, other than an Alley, from which the required Setback or Build-to Zone is measured, with the following exceptions.
- (a) Corner and through Lots that abut a Primary Street (refer to Figure 10-21-2G (4)) shall have the Front Lot Line on that Primary Street.
 - (b) Corner and Through Lots that abut two Primary Streets or do not abut a Primary Street shall utilize the orientation of the two (2) directly adjacent lots, or shall have the Front Lot Line determined by the Director.
 - (c) Lot Line, Rear. Refer to Section 10-2-3 for definition. Refer to Figure 10-21-1H (2).
- Occupied Space. Interior building space regularly occupied by the building users. It does not include storage areas, utility space, or parking.
- Open Space. Refer to Section 10-2-3 (Public Open Space and Usable Open Space) for definitions. Open space may also be utilized to host temporary private or community events, such as a farmer's market or art fair.
- Pedestrianway. A pathway designed for use by pedestrians; it can be located mid-block allowing pedestrian movement from one street

10-21-1 Introduction

to another without traveling along the block’s perimeter.

Pervious Surface. Also referred to as pervious material. A material or surface that allows for the absorption of water into the ground or plant material, such as permeable pavers or a vegetated roof.

Primary Street. A street that receives priority over other streets in terms of setting front lot lines and locating building entrances. Refer to Figure 10-21-2G (4) for mapped Primary Streets.

Roof Type. The detail at the top of a building that finishes a Facade, including a pitch roof with various permitted slopes and a parapet. Refer to 10-21-4I for more information and a list of the permitted Roof Types.

Scale. The relative size of a building, street, sign, or other element of the built environment.

Semi-Pervious Surface. Also referred to as semi-pervious material. A material that allows for at least 40% absorption of water into the ground or plant material, such as pervious pavers, permeable asphalt and concrete, or gravel.

Setback. For the purposes of this Chapter, the horizontal distance from a Lot Line inward, beyond which a structure may be placed. For the purposes of this Chapter, structures and parking lots are not permitted within a Setback, unless specifically stated otherwise in this Chapter. Refer to Figure 10.21.1H (1).

Solar Reflectance Index (SRI). A measure of a constructed surface’s ability to reflect solar heat, as shown by a small temperature rise. The measure utilizes a scale from 0 to 100 and is defined so that a standard black surface is 0 and a standard white surface is 100. To calculate for a given material, obtain the reflectance value and emittance value for the material; calculate the SRI according to ASTM E 1980-01 or the latest version.

Story. For the purposes of this Chapter, a habitable level within a building measured from finished floor to finished floor. Refer to Section 10-21-4 for dimensions.

Story, Ground. Also referred to as ground floor. The first floor of a building that is level to or elevated above the finished Grade on the Front and Corner Facades, excluding basements or cellars.

Story, Half. For the purposes of this Chapter, a story either in the base of the building, partially below grade and partially above grade, or a story fully within the roof structure with transparency facing the street.

Story, Upper. Also referred to as upper floor. The floors located above the Ground Story of a building.

Street Face. The Facade of a building that faces a public Right-of-Way.

Street Frontage. Also refer to Lot Frontage. The portion of a building or Lot directly adjacent to a vehicular Right-of-Way.

Street Termini. At a three-way or “T” intersection, it is the location where one street terminates at the other street.

Streetwall. The vertical plane created by building Facades along a street. A continuous Streetwall occurs when buildings are located in a row next to the sidewalk without vacant Lots or significant Setbacks.

Transparency. The measurement of the percentage of a facade that has

highly transparent, low reflectance windows. Mirrored glass is not permitted.

Yard. Refer to Section 10-2-3 for definition. Refer to Figure 10-21-1H (3) Illustration of Yards. Note that the Rear Yard is fully screened from the street by the Structure.

(a) Yard, Corner Side. A Yard extending from the corner side building Facade along a Corner Side Property Line between the Front Yard and Rear Property Line.

(b) Yard, Front. Refer to Section 10-2-3 for definition.

(c) Yard, Rear. Refer to Section 10-2-3 for definition.

(d) Yard, Side. Refer to Section 10-2-3 for definition.

Visible Basement. A half story partially below grade and partially exposed above with required transparency on the street facade.

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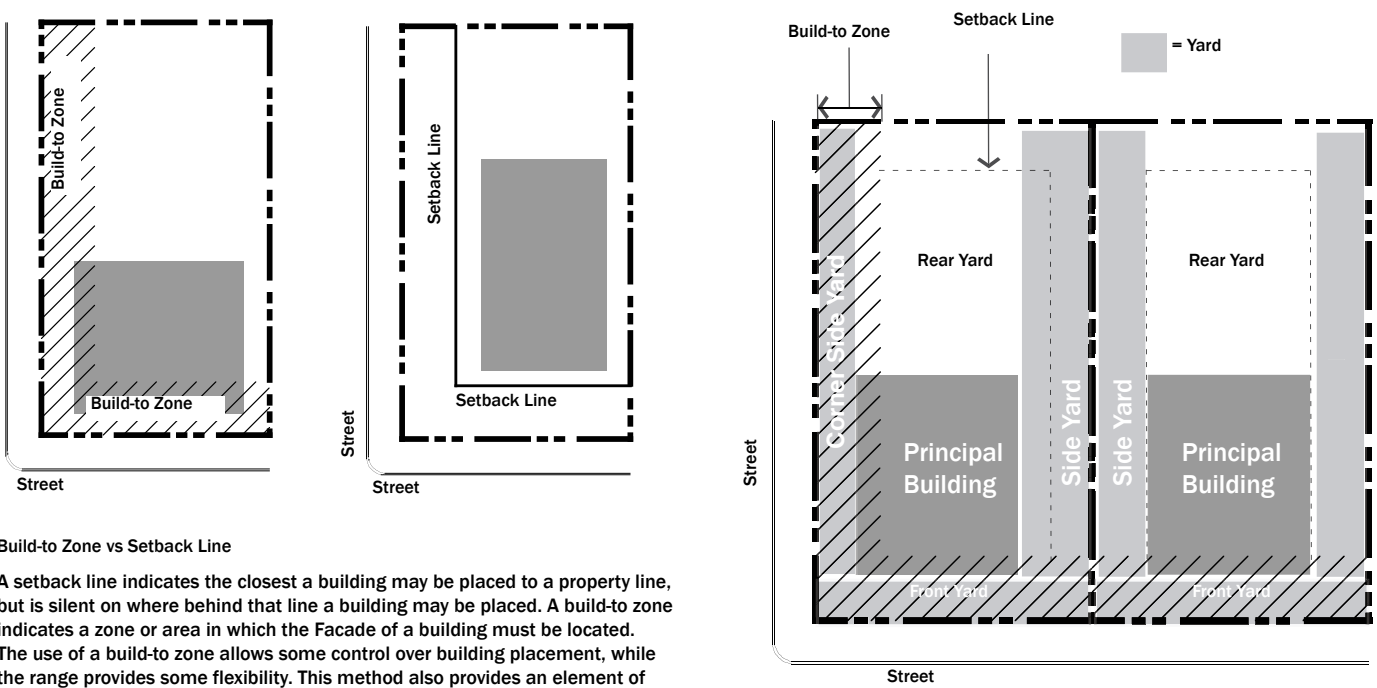


Figure 10.21.1H (1). Build-to Zone vs. Setback Line.

Figure 10-21-1H (3). Illustration of Yards.

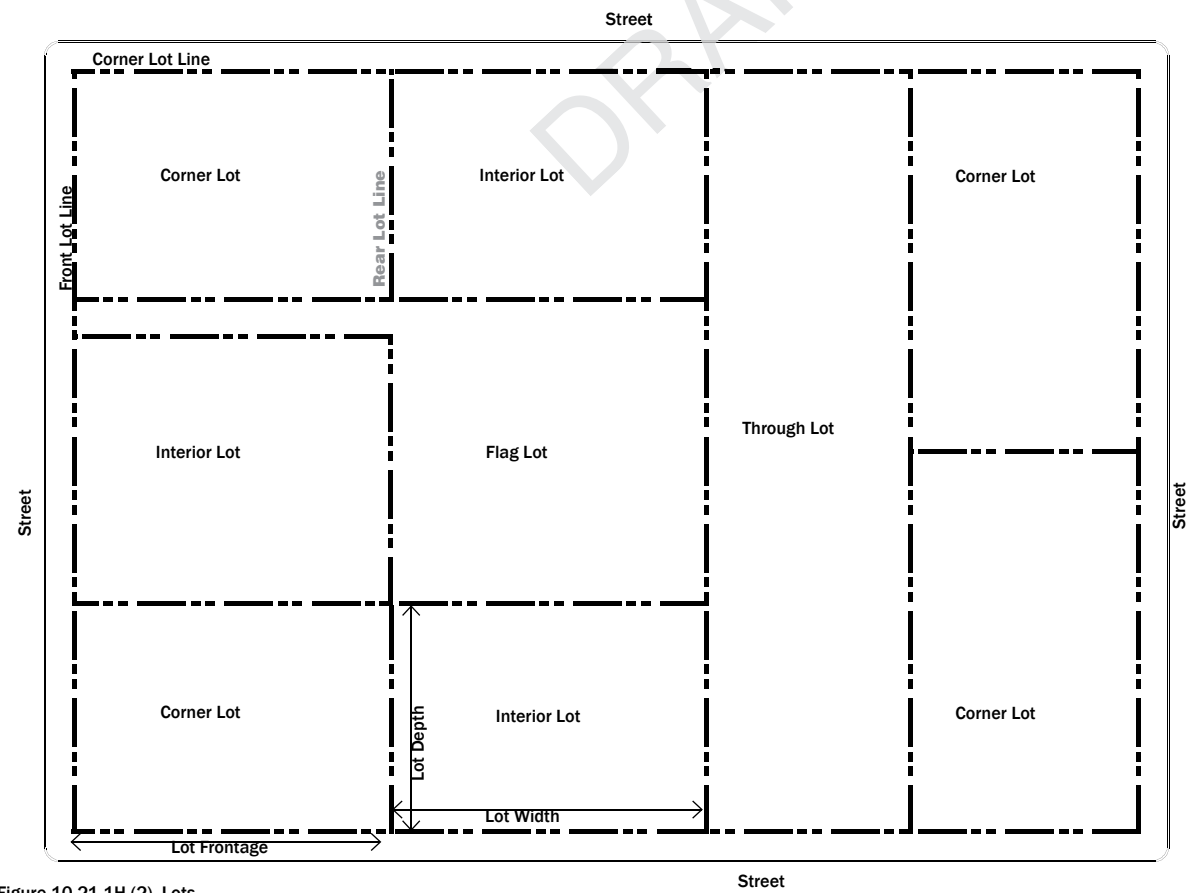


Figure 10-21-1H (2). Lots.

10-21-2 Districts

The following Districts are established for mixed use, commercial, and residential development within downtown and adjacent redevelopment areas. Figure 10-21-1B (1) illustrates the locations for the districts.

- S 1: Bridge Street District
- S 2: Hydraulic Street District
- S 3: Van Emmon Street District
- S 4: 'B' Street District
- S 5: 'B' Street - Residential District

10-21-2 Districts

A. S1: Bridge Street District

The Bridge Street District may be considered the gateway into downtown Yorkville and retains potential to become the iconic stretch that helps draw people into local businesses and displays an attractive image that represents the people of Yorkville. The form of this retail and service-centered area establishes a street wall of storefront style-building facades with shallow build-to-zones along the sidewalk and parking in the rear or off-site. It focuses pedestrian-friendly retail and service uses on the ground story with office uses in upper stories.

Bridge Street	
Building Placement	
Build-to Zone	0' to 10'
Space Between Buildings	
Attached	0'
Detached	5' to 10'
Building Volume	
Maximum Building Height	80'
Maximum Stories	6
Minimum Ground Floor Height	14'
Typical Street Attributes	
Typical ROW Width	72'
Number of Travel Lanes	4
Lane Width	10' to 12'
Dedicated Turn Lanes	1
Parking Lanes	none
Pavement Width	60'
Dedicated Bicycle Facilities	none
Pedestrian Realm	
Pedestrian Facilities	6' wide sidewalk
Street Buffer	concrete barrier

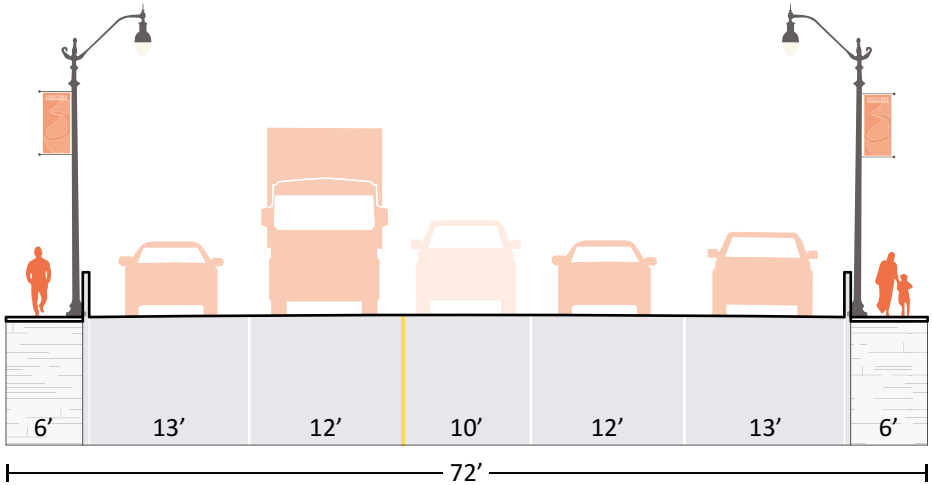


Figure 10-21-2A (1). Bridge Street (Long-term).

10-21-2 Districts

B. S2: Hydraulic Street District

The Hydraulic Street District includes complex conditions, including a tapering right-of-way that narrows from west to east and an active freight rail line that runs parallel to the street surface within the right-of-way. Hydraulic Street features short, utilitarian buildings, as well as agricultural relics, such as the inactive grain elevator, that create an eclectic mix of land uses and character. The form of this area remains pedestrian-centered but storefront-style buildings focus a broader spectrum of retail and service uses on the ground story with residential and/or office uses in upper stories.

Hydraulic Street	
Building Placement	
Build-to Zone	0' to 15'
Space Between Buildings	
Attached	0'
Detached	10'
Building Volume	
Maximum Building Height	80'
Maximum Stories	5
Minimum Ground Floor Height	14'
Typical Street Attributes ¹	
Typical ROW Width	48' to 66'
Number of Travel Lanes	2
Lane Width	10' to 12'
Dedicated Turn Lanes	none
Parking Lanes	1 lane of parallel parking on south side of street
Pavement Width	22'
Dedicated Bicycle Facilities	Multi-purpose lane on north side of street
Pedestrian Realm	
Pedestrian Facilities	6' to 8' wide sidewalk
Street Buffer	1 lane of parallel parking on south side of street; 4' planter on north side of multi-purpose street

Notes:

¹ The Streetscape Master Plan includes a proposed slip lane on the south side of Hydraulic Street between Bridge Street and Heustis Street. This table includes dimensions for the public right-of-way section of the street.

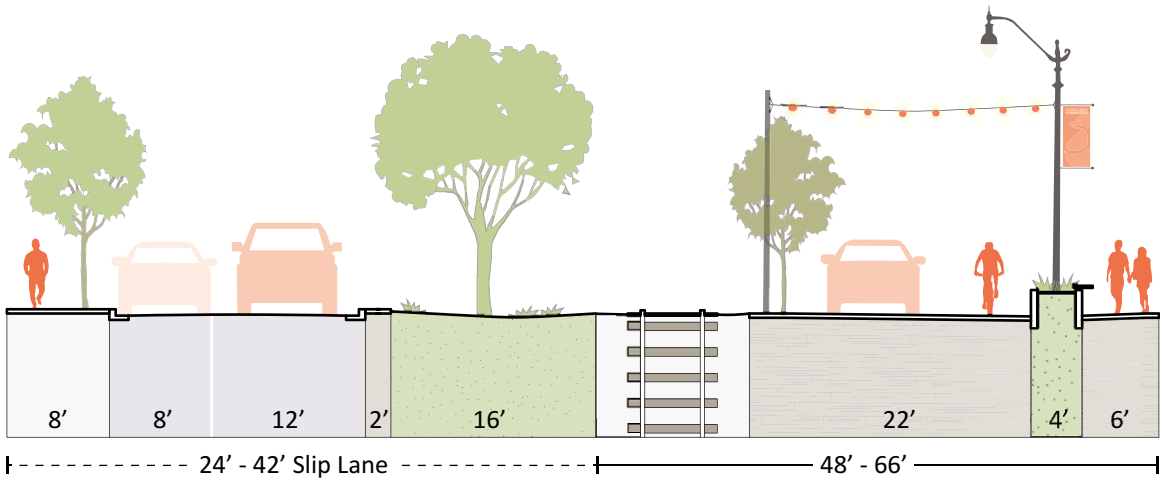


Figure 10-21-2B (1). Hydraulic Street (Long-term).

10-21-2 Districts

C. S3: Van Emmon Street District

The Van Emmon Street District is a lower scale district. Commercial, residential, and mixed use buildings make up this district in variety of building types. A broader spectrum of retail, service, and office uses support the Bridge Street and Hydraulic Street Districts and ground floor residential is permitted. The form of this area is pedestrian-centered, but allows for more vehicular access and off-street parking options.

Van Emmon Street	
Building Placement	
Build-to Zone	0' to 20'
Space Between Buildings	
Attached	0'
Detached	10'
Building Volume	
Maximum Building Height	80'
Maximum Stories	5
Minimum Ground Floor Height	12'
Typical Street Attributes	
Typical ROW Width	60'
Number of Travel Lanes	2
Lane Width	12'
Dedicated Turn Lanes	none
Parking Lanes	1 lane of parallel parking on each side of street; permeable paving 1 lane of parallel parking each side of street (intermittent planting on south side to accommodate parking)
Pavement Width	24' to 40'
Dedicated Bicycle Facilities	none
Pedestrian Realm	
Pedestrian Facilities	8' to 12' wide sidewalk
Street Buffer	1 lane of parallel parking on north side of street; street trees or 1 lane of parallel parking on south side of street

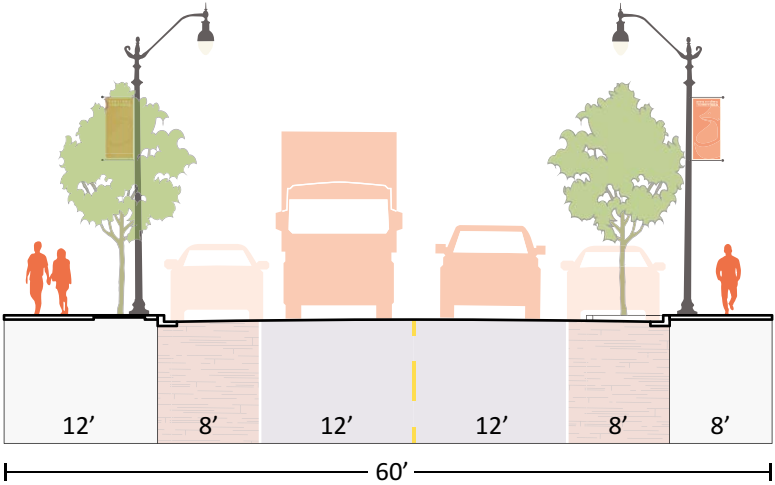


Figure 10-21-2C (1). Van Emmon Street (Long-term).

2.0 Districts

D. S4: 'B' Street District

The 'B' Street District is a lower scale commercial district designed to serve adjacent neighborhoods and the greater community. Flanked by the Hydraulic and Van Emmon Districts, a wider range of residential uses is permitted. As one of the main street types between primary thoroughfares, pedestrian access and safety remains a priority.

'B' Street	
Building Placement	
Build-to-line Location	0' to 20'
Space Between Buildings	
Attached	0'
Detached	10'
Building Volume	
Maximum Building Height	80'
Maximum Stories	5
Minimum Ground Floor Height	9'
Typical Street Attributes	
Typical ROW Width	50'-60'
Number of Travel Lanes	2
Lane Width	11'
Dedicated Turn Lanes	none
Parking Lanes	1 lane of parallel parking each side of street (reduce planting where appropriate to accommodate parking)
Pavement Width	26'
Dedicated Bicycle Facilities	none
Pedestrian Realm	
Pedestrian Facilities	4' wide sidewalk
Street Buffer	13' swale and/or stormwater buffer; optional parking

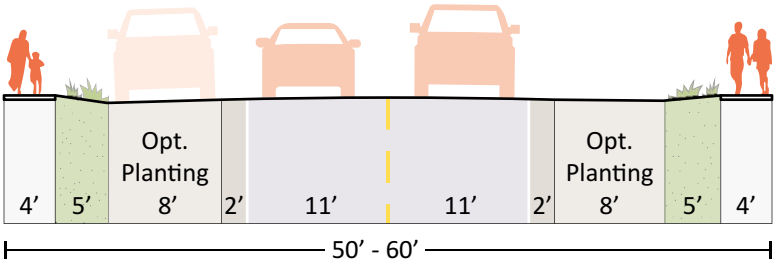


Figure 10-21-2D (1). 'B' Street (Long-term).

2.0 Districts

E. S5: 'B' Street - Residential District

The 'B' Street Residential District is a lower-scale residential district with a mix of townhouses and yard buildings. With a maximum height of 6 stories under the general provision of the zoning code, this area provides for a mix of housing types adjacent to downtown for people of all ages and lifestyles.

'B' Street - Residential	
Building Placement	
Build-to-line Location	0' to 15'
Space Between Buildings	
Attached	0'
Detached	10'
Building Volume	
Maximum Building Height	80'
Maximum Stories	3.5
Minimum Ground Floor Height	9'
Typical Street Attributes	
Typical ROW Width	50' to 60'
Number of Travel Lanes	2
Lane Width	11'
Dedicated Turn Lanes	none
Parking Lanes	1 lane of parallel parking each side of street (reduce planting where appropriate to accommodate parking)
Pavement Width	26'
Dedicated Bicycle Facilities	none
Pedestrian Realm	
Pedestrian Facilities	4' wide sidewalk
Street Buffer	13' swale and/or stormwater buffer; optional parking

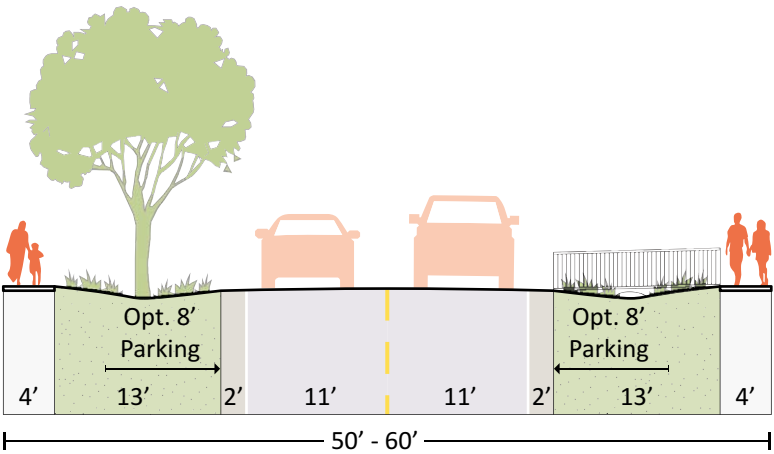


Figure 10-21-2E (1). 'B' Street - Residential (Long-term).

F. Hierarchy of Districts

Development under this code is regulated by street type. The various street types are related to each other in a hierarchical manner. When these streets intersect, the primary street frontage is determined by its higher order in the hierarchy. The front of a building and its main entrance must face the primary street. Figure 10.21.2G (1) illustrates the hierarchy of street types.

G. Primary Streets

The Primary Streets Map designates Primary, Secondary, and Tertiary Streets within the Downtown Overlay District. These designations prioritize the street frontages for locating the Front Lot Line for required amounts building frontage and allowable amounts of parking frontage. Refer to Figure 10.21.2G (4).

1. **Vehicular Access.** Vehicular access is also managed through this street prioritization within the Building Type requirements (refer to Section 10-21-4). See Figure 10.21.2G (2) and Figure 10.21.2G (3) for illustration of permitted vehicular access locations.
- (a) The order of access is typically as follows, unless otherwise permitted by Building Type:
- i. Lane (Tertiary Street) or Alley (un-mapped) permits unlimited access.

ii. If no Lane or Alley exists, one driveway per secondary street frontage is permitted.

iii. If no tertiary or secondary street abuts the parcel, one driveway is permitted off the Primary Street and shared access with adjacent properties is encouraged.
- (b) Refer to the Subdivision Control Ordinance for additional requirements of vehicular access off adjacent streets. Interparcel Access requirements shall be met.
2. Primary, Secondary, and Tertiary Street Designations.
- (a) **Primary Streets.** Primary streets require the most intact and continuous streetwall with few, if any, driveway access. The Front Lot Line shall always be located on the Primary Street. When a parcel is fronted by more than two primary streets, the Director shall determine which is the appropriate street for the Front Lot Line. The determination should be based on locations of existing and other proposed development Front Lot Lines.
- i. Vehicular access should not be located off a primary street, unless no other options exists. Refer to Section 10-21-4 Building Type requirements for allowances of vehicular access, if applicable.
- (b) **Secondary Streets.** Secondary streets are intended to have a fairly continuous streetwall, but will likely have a driveway for each parcel. If no tertiary street exists, access will likely be off the secondary street.

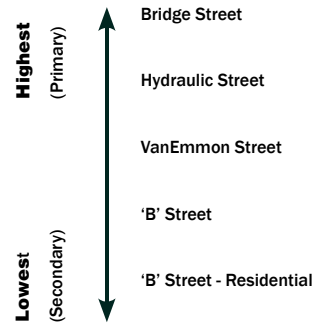


Figure 10-21-2G (1). Hierarchy of Street Types.

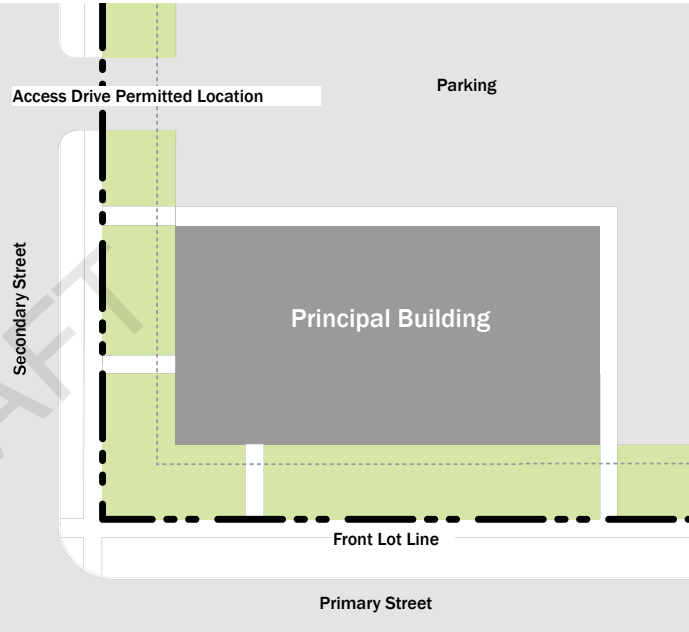


Figure 10-21-2G (2). Secondary Street Frontage: Access Drive Permitted Location

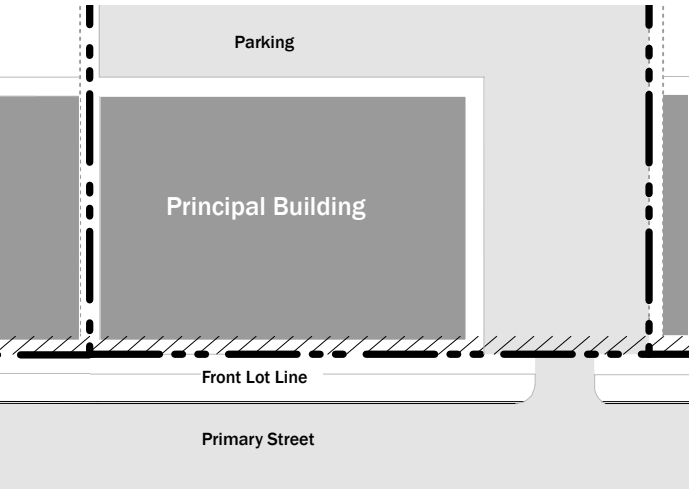


Figure 10-21-2G (3). Primary Street Frontage Only: Access Drive Permitted Location



Figure 10-21-2G (4). Primary Streets Map.

10-21-3 Uses

A. General Provisions

The following establishes a simplified set of uses permitted within the Building Forms of each downtown form-based zoning district.

1. **Uses by District.** Permitted and special uses available in each form-based district are shown in Table 10-21-3B (1).
2. **Use Definitions.** Uses listed in Tables 10-21-3C (1) - 10-21-3C (4) are defined in Section 10-2-3 of the Zoning Ordinance. Further definitions applicable only to the Yorkville Form-Based Districts are located in Section 10-21-3C.
3. **Permitted Use (“●”).** These uses are permitted by-right in the form districts in which they are listed.
4. **Permitted in Upper Stories Only (“◐”).** These uses are permitted by-right in the districts in which they are listed, provided that the uses are located in the upper stories of a structure. These uses may also be located in the ground story provided that they are located beyond a depth of at least twenty feet from the front primary facade.
5. **Requires a Special Use Permit (“○”).** These uses require a Special Use Permit (refer to Section 10-6 Special Use Regulations) in order to occur in the districts in which they are listed and must follow any applicable development standards associated with the use as well as meet the requirements of the special use.
6. **Permitted with Development Standards (“◑”).** These uses are permitted in the districts in which they are listed, provided that they are developed utilizing the listed development standards. These standards, combined with the Building Type requirements, are intended to alleviate any negative impacts associated with the use, making it appropriate in a district where it otherwise might not have been appropriate.
7. **Prohibited Use.** A blank cell or an unlisted use in the use table indicates that the land use is prohibited in that district.
8. **City Determination.** When a proposed land use is not explicitly listed in Table 10-21-3B (1), the Director shall determine whether or not it is included in the definition of a listed use or is so consistent with the size, scale, operating characteristics and external impacts of a listed use that it should be treated as the same use. Any such determination may be appealed to the Planning and Zoning Commission.
9. **Temporary Accessory Uses.** Temporary accessory uses are permitted in all Downtown Overlay Districts, including outdoor displays, seasonal displays and sales, festivals, and vendors. The following requirements apply:

(a) Outdoor displays are permitted up to eight hours per day, no more than three consecutive days in any one month.

(b) Build-to Zone. Temporary outdoor displays of merchandise are permitted in the Build-to Zone without a permit, subject to all other requirements of Section 10-21-3.

(c) Right-of-way. Any temporary outdoor display or occupation in the right-of-way requires a review approval by the Community Development Director.

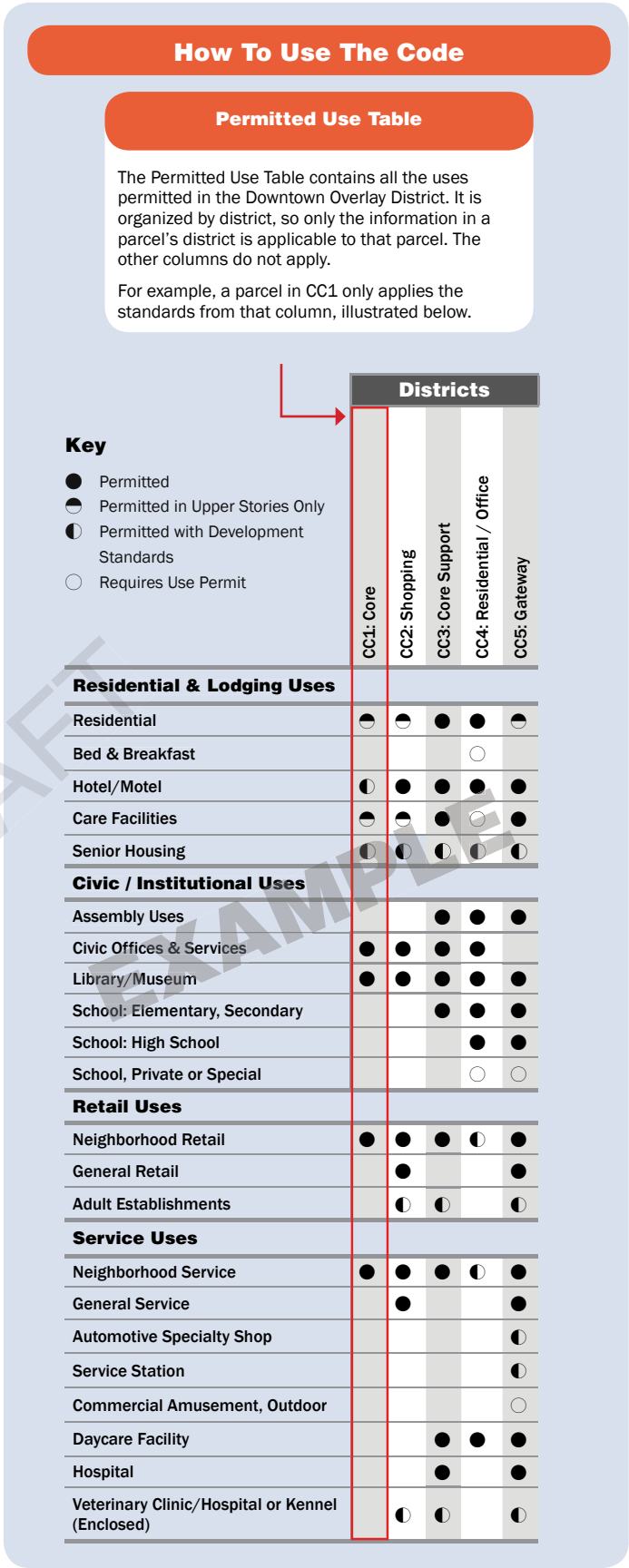


Figure 10-21-3A (1). Yorkville Code Permitted Uses How-To.

10-21-3 Uses

Districts					
S 1: Bridge Street	S 2: Hydraulic Street	S 3: Van Emmon Street	S 4: 'B' Street	S 5: 'B' Street - Residential	
Residential & Lodging Uses Category					
Residential Dwelling	◐	●	●	●	●
Hotel/Motel	◐	◐	◐	○	
Bed & Breakfast Inn	◐	◐	○	○	○
Residential Care Facility				○	○
Senior Housing		◐	◐	◐	○
Civic & Institutional Uses Category					
Civic Offices & Services	●	●	●	●	●
Library/Museum	●	●	●	○	○
Police & Fire	◐	◐	◐		
Post Office (no distribution)	●	●	●		
Religious & Organization Assembly	●	●	●	●	●
School: Public or Private	○	○	○	○	○
School: College	○	○	○	○	○
Retail & Service Uses Category					
Neighborhood Retail (<8,000 sf)	●	●	●	●	○
General Retail	◐	◐	◐		
Neighborhood Service	●	●	●	○	○
General Service	◐	◐	◐		
Recreation/Entertainment	●	●	◐	○	
Automotive Services		○	○	○	
Food Services & Drinking Places	●	●	●	●	○
Office & Industrial Uses Category					
Office	◐	●	●	●	
Small-Scale Industry	◐	◐	◐	●	
Infrastructure Uses Category					
Communication Antennae & Towers	○	○	○	○	○
Parking Lot	◐	◐	◐	◐	◐
Parking Structure	◐	◐	◐	◐	◐
Public Utility & Infrastructure	●	●	●	●	●
Open Space Uses Category					
Open Space	◐	◐	◐	◐	◐

Table 10-21-3B (1). Permitted Uses Table.

Districts					
S 1: Bridge Street	S 2: Hydraulic Street	S 3: Van Emmon Street	S 4: 'B' Street	S 5: 'B' Street - Residential	
Accessory Uses					
Alternative Energy Generation	◐	◐	◐	◐	◐
Amphitheater		◐		○	
Car Washes, Detail Shops, and/or Service Stations		○	○	○	
Drive Through Facility		○	○	○	
Home Occupation	●	●	●	●	●
Outdoor Storage of Goods		◐	◐	◐	
Outdoor Restaurant Dining	●	●	●	●	
Parking Lot (Accessory)	◐	◐	◐	○	
Parking Structure (Accessory)	◐	◐	◐		
Roadside Produce Stand/Vending		◐		◐	
Sidewalk Sales	◐	◐	◐	○	○
Temporary Storage Containers		◐	◐	◐	◐
Mobile Food Vendors	◐	◐	◐	◐	◐
Temporary Structures	◐	◐	◐	◐	◐

Key

● Permitted

◐ Permitted in Upper Stories Only

◑ Permitted with Development Standards

○ Requires Special Use Permit

B. Permitted Use Table

See Table 10-21-3B (1) for a list of permitted and special uses.

C. Use Requirements.

1. **Residential and Lodging Uses.** A category of uses that include several residence types.
- (a) Refer to 10-2-3 for the following definitions.
 - i. Residential.
 - ii. Bed & Breakfast Inn.
 - (b) Hotel/Motel. Refer to 10-2-3 for definition. In the districts where a hotel/motel requires development standards (“**●**”), rooms shall be located in the upper stories. Lobbies and eating facilities shall be located on the ground floor.
 - (c) Residential Care Facility. A facility offering temporary or permanent lodging to the public consisting of an unlimited number of sleeping rooms with or without in-room kitchen facilities. Includes such uses as independent and assisted living facilities, nursing homes, residential care homes, and transitional treatment facilities. Assistance with daily activities may be provided for residents. Secondary service uses may also be provided, such as dining and meeting rooms. Rooms shall be accessed from the interior of the building. In the districts where this use requires a special use permit (“**○**”), refer to Section 10-21-1F for procedure and development standards.
 - (d) Senior Housing. In the districts where Senior Housing requires development standards (“**●**”), the following shall apply:
 - i. Housing shall be designed, constructed and operated in accordance with the Fair Housing Amendments Act.
 - ii. The Property shall comply with all applicable local, state, and federal regulations and copies of any applicable permits shall be provided to the Department prior to the issuance of a Certificate of Occupancy.
 - (e) Use Permits. When a use is listed as permitted with a Use Permit “**○**,” refer to Section 10-21-1F for procedure and development standards.
2. **Civic & Institutional Uses.** A category of uses related to fulfilling the needs of day-to-day community life including assembly, public services, educational facilities, and hospitals.
- (a) Civic Offices & Services. Any use that involves transactions between the City government and residents, property owners, or others doing business with the City or other activities related to the function of the municipality.
 - (b) Library/Museum. A structure open to the general public housing educational, cultural, artistic, or historic information, resources, and exhibits. May also include food service and a gift shop.
 - (c) Police & Fire. A facility providing public safety and emergency services; training facilities, locker rooms, and limited overnight accommodations may also be included. The facilities shall be housed in a permitted building, but shall have the following additional allowances:
 - i. Garage doors are permitted on the front facade.
 - ii. Exempt from maximum driveway widths.

- (d) Post Office. A publicly accessed facility for the selling of supplies and mail related products and the small scale collection and distribution of mail and packages. Large-scale postal sorting and distribution is not permitted.
 - (e) Religious & Organization Assembly. Assembly Uses include Assembly Hall; Church, Temple, or Other Place of Worship; and Clubs.
 - (f) Use Permits. When a use is listed as permitted with a Use Permit “**○**,” refer to Section 10-21-1F for procedure and development standards.
3. **Retail & Service Uses.** A category of uses that include several retail and service types. Refer to Section 10-2-3 for definitions.
- (a) Neighborhood Retail. A use in this category occupies a space of less than 8,000 square feet. Neighborhood retail includes such uses as those listed in Table 10-21-3C (1).
 - i. When Neighborhood Retail is permitted with development standards “**●**”, it is limited to 8,000 square feet.
 - (b) General Retail. A use in this category includes all Neighborhood Retail uses occupying a space of greater than 8,000 square feet and such uses as those listed in Table 10-21-3C (1).
 - (c) Service Uses. A category of uses that provide patrons services and limited retail products related to those services. Visibility and accessibility are important to these uses, as most patrons do not utilize scheduled appointments.
 - (d) Neighborhood Service. A use in this category occupies a space of less than 8,000 square feet. Neighborhood service includes such uses as those listed in Table 10-21-3C (2).
 - i. When Neighborhood Service is permitted with development standards “**●**”, it is limited to 6,000 square feet.
 - (e) General Service. A use in this category includes all Neighborhood Service uses occupying a space of greater than 8,000 square feet and such uses as those listed in Table 10-21-3C (2).
 - (f) Recreation/Entertainment. Refer to Table 10-21-3C (3).
 - (g) Automotive Services. Refer to Section 10-2-3 for definition. In the districts where this use requires a special use permit (“**○**”), the following applies:
 - i. The use shall meet all of the requirements of the Building Type, refer to Section 10-21-4.
 - ii. Service doors shall all be located on the rear or interior side facade of the building.
 - iii. The showroom or retail space shall be located in the front storefront of the building and shall occupy a minimum of 20% of the gross floor area.
 - (h) Food Services & Drinking Places. Food Services & Drinking Places include only the following:
 - i. Full Service Restaurants
 - ii. Carry-out Food Service Stores
 - iii. Quick Service Restaurants
 - iv. Banquet Centers & Caterers
 - v. Drinking Places (Alcoholic Beverages)

- vi. Brewpubs. A microbrewery that brews beer for both on and off-premise consumption, and may include a bar and/or restaurant.
 - vii. Wine Establishments. A properly licensed business which sells wine only (not liquor or beer) for both on and off-premise consumption, as well as wine accessories and/or merchandise.
4. **Office & Industrial Uses.** A category of uses for businesses that involve the transaction of affairs of a profession, service, industry, or government. Patrons of these businesses usually have set appointments or meeting times; the businesses do not typically rely on walk-in customers. Office uses include those listed in Table 10-21-3C (4), List of Typical Uses in Office Category.
- (a) Office. Office uses include those listed in Table 10-21-3C (4), List of Typical Uses in Office Category.
 - (b) Small-Scale Industry. A use involving small scale manufacturing, production, assembly, and/or repair with little to no noxious by-products that includes a showroom or small retail outlet. Small-Scale Industry includes such uses as those found in Table 10-21-3C (5). List of Typical Uses in Cottage Industry Category. The following development standards apply:
 - i. This use may also include associated facilities such as offices and small scale warehousing, but distribution is limited to vans and small trucks. Distribution access shall be from the rear.
 - ii. The maximum overall gross floor area is limited to 10,000 square feet, unless otherwise noted.
 - iii. The showroom or retail outlet shall be located in the front storefront of the building and shall occupy a minimum of 25% of the gross floor area.
5. **Infrastructure & Open Space Uses.**
- (a) Communication Antennae & Towers. Refer to Section 10-18. Communication Antennae & Towers located within the right-of-way or on utility poles are premitted.
 - (b) Parking Lot. A lot that does not contain a permitted building and is solely used for the parking of vehicles. In the districts where a parking lot requires a special use permit (“**○**”), the following applies:
 - i. Corner Lots. A corner lot shall not be used as a parking lot.
 - ii. Adjacent Parking Lots. Two parking lots cannot be located directly adjacent to one another.
 - iii. Single Family. Parking lot cannot be associated with a single family use.
 - iv. Distance. Parking lot must be within 1,300 feet of the principal entrance to the associated use unless:
 - (i) At least 75% of the spaces are dedicated for public use.
 - (ii) An approved joint parking agreement is in place.
 - v. Pedestrian Access. Must be connected to associated use by a dedicated, public pedestrian pathway.
 - vi. Commercial Vehicles. Parking lots for commercial

- vehicles are not permitted in Downtown Overlay Districts.
- (c) Parking Structure. A parking structure on a lot that does not contain a permitted Building Type and is solely used for the parking of vehicles. In the districts where a parking lot requires a special use permit (“**○**”), the following applies:
 - i. Corner Lots. A corner lot shall not be used for a parking structure.
 - ii. Adjacent Parking Lots. Two parking facilities (lots or structures) cannot be located directly adjacent to one another.
 - iii. Primary Street. No facade of the Parking Structure shall be located on a Primary Street. Refer to Figure 10-21-2G (4). For Parking Structures located on a Primary Street, the Main Street Building Type shall be utilized, requiring occupation of the building in the front 30 feet of the facade on any Primary Street.
 - iv. Distance. Parking lot must be within 1,300 feet of the principal entrance to the associated use unless:
 - (i) At least 75% of the spaces are dedicated for public use.
 - (ii) An approved parking agreement is in place (refer to Section 10-16).
 - v. Pedestrian Access. Must be connected to associated use by a dedicated, public pedestrianway.
 - vi Commercial Vehicles. Parking structures for commercial vehicles are not permitted in these districts.
 - (d) Utility and Infrastructure. A lot that is primarily utilized for the City’s infrastructure needs. Utility and infrastructure includes such uses as electric or gas services, sewage treatment, water treatment and storage, and energy conversion systems.
6. **Open Space Uses.** A use of land for active or passive, public or private, outdoor space, including such uses as parks, plazas, greens, playgrounds, or community gardens. Open space uses may also be utilized to host temporary private or community events, such as a farmer’s market or art fair. In the districts where open space is permitted with development standards (“**●**”), the following apply:
- i. Stormwater Accommodations. Open space that incorporates stormwater management on a site or district scale is encouraged.
 - (i) Stormwater facilities shall be designed to accommodate additional uses, such as an amphitheater or a sports field.
 - (ii) Stormwater facilities shall be designed not to be fenced and shall not impede public use of the land they occupy.
 - ii. This use may involve small scale food and beverage service, no more than 200 square feet in space, located in a kiosk, with no service access.
 - iii. Buildings located directly adjacent to an open space use shall treat facades facing this use with street facade requirements.
7. **Accessory Uses.** A category of uses that are not permitted to serve as the principal use on a zoning lot. These uses are incidental to

- and customary in connection with the principal building or use and located on the same lot with such principal building or use.
- (a) Alternative Energy Generation. Refer to Section 10-19. Alternative energy generation includes structures for solar, wind, and geothermal. The following development standards apply:
 - i. Roof or Building Mounted Solar panels are permitted with the following requirements:
 - (i) Panels mounted at the same angle of the roof or flush on the building facade are permitted on any roof or building face.
 - (ii) Panels projecting off the roof or building at a different angle are limited to the rear and side facing roofs, unless solar access is limited in these locations.
 - (iii) Panels shall not extend more than ten (10) feet at maximum pitch/tilt above the surface of the roof to which they are attached. On pitched roofs, panels shall not extend more than three feet.
 - ii. Roof Mounted Small Wind Energy Systems are permitted with the following requirements:
 - (i) Maximum rated capacity of five kW is permitted per turbine.
 - (ii) One turbine is permitted for each 750 square feet of roof area.
 - (iii) Maximum height is 15 feet above the surface of the roof.
 - iii. Geothermal Energy is permitted in any yard with the following requirements:
 - (i) Any related above ground structure shall be located in a side or rear yard with a maximum height of 10 feet, subject to all requirements of the Building Type.
 - (b) Amphitheater. Refer to Section 10-2-3 for definition. In the districts where an amphitheater is permitted with development standards (“●”), the following apply:
 - i. Location. The amphitheater shall be located within an Open Space District (refer to Section 10-10).
 - ii. The hours of operation shall be posted and limited to the hours of 8:00 a.m. to 11:00 p.m.
 - (c) Car Washes, Detail Shops and/or Service Stations. Refer to Section 10-2-3 for definitions. In the districts where car washes, detail shops and/or service stations are permitted with a special use permit (“○”), the following apply:
 - i. Location. Use must be located inside a parking garage and not visible from the exterior of the parking garage.
 - (d) Drive-through Facility. In the districts where drive-through structures are permitted with development standards (“●”), the following applies. Refer to Figure 10-21-3C (1) for one illustration of the following requirements.
 - i. Structure/Canopy. Drive-through structures or canopies shall be located on the rear facade of the building or in the rear of the lot behind the building, where permitted by use. The structure shall not be visible from any Primary Street.

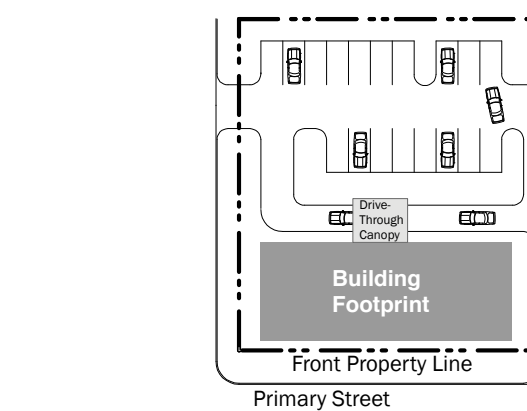


Figure 10-21-3C (1). Recommended drive-through Facility layout.

- ii. Stacking Lanes. Stacking lanes shall be located perpendicular to the Primary Street or behind the building.
 - iii. The canopy and structure shall be constructed of the same materials utilized on the building.
 - (e) Home Occupation. An occupational use that is clearly subordinate to the principal use as a residence and does not require any alteration to the exterior of a building.
 - (f) Outdoor Storage of Goods.
 - i. Commercial Uses. This use includes outdoor storage of goods not typically housed or sold indoors, such as large scale materials and building and landscape supplies. In the districts where Outdoor Storage of Goods is permitted with development standards (“●”), the following apply:
 - (i) Loose materials shall not be stacked higher than six feet.
 - (ii) Loose materials shall at a minimum be stored in a three sided shelter and shall be covered.
 - (iii) Materials shall be set back a minimum of 10 feet from any property line.
 - (iv) Materials shall not be located on required parking spaces or associated drive aisles.
 - (v) All outdoor storage areas shall be screened from view of adjacent parcels and vehicular rights-of-way using the Side or Rear Buffer.
 - ii. Residential Uses. This use includes temporary storage of personal or household goods in personal on demand storage (PODS) containers. In the districts where outdoor storage of goods is permitted with development standards (“●”), the following development standards apply:
 - (i) One storage container can be located on a lot at a time.
 - (ii) On site storage of a container is permitted for up to two months per year.
 - (iii) Containers shall not be located in the Front Yard, but permitted on a driveway.
- (g) Outdoor Restaurant Dining. Commercial outdoor dining, serviced by an adjacent service use, and permitted in any

- yard. When in a side yard along the front Lot Line, the Patio Frontage buffer is required.
- (h) Parking Lot. An uncovered paved surface used solely for the parking of vehicles, intended for use by the occupants in an adjacent building on the lot. Parking lot locations are regulated by Building Type. Refer to Section 10-21-4.
 - (i) Parking Structure. A structure used solely for the parking of vehicles, intended for use by the occupants in an adjacent building on the lot. Parking Structures within the buildings are regulated per Building Type. Refer to Section 10-21-4.
 - (j) Roadside Produce Stand or Vending. Refer to Section 10-21-1 for definition.
 - (k) Sidewalk Sales. A temporary outdoor sale of merchandise by retail businesses, typically occurring on the sidewalk within the public right-of-way for a limited period of time. In the districts where a Sidewalk Sale is permitted with development standards (“●”), the following apply:
 - i. A minimum of four feet of the sidewalk must remain available for passing pedestrians.
 - ii. Sidewalk Sales are permitted for up to three days no more than six times per calendar year.
 - iii. Merchandise must be stored inside the building during non-business hours.
 - iv. Merchandise sold shall either be regularly carried within the store, or have been regularly carried within the store in the past year.
 - (l) Temporary Storage Containers. Outdoor storage of personal or retail stock materials on a temporary basis within a portable storage container. When a Temporary Outdoor Storage use is permitted with development standards (“●”), the following apply:
 - i. One storage container may be located on a lot at a time.
 - ii. On site storage of a container is permitted for up to two weeks; up to four weeks is permitted with approval of the Director.
 - iii. The container shall be located in the rear yard, screened by the building from any primary or secondary street.
 - (m) Mobile Food Vendors. A motorized or towed wheeled vehicle that is designed and equipped to sell food. Shall include both “hot trucks” upon which food is cooked and prepared for vending, and “cold trucks” from which only ready to eat or packaged foods are handled. Refer to Section 10-21-5E.

10-21-3 Uses

Neighborhood Retail		General Retail	
(less than 8,000 square feet)		All Neighborhood Retail (over 8,000 square feet)	
Antique Shop		Appliance Sales & Service	
Art & Education Supplies		Department Store	
Art Gallery		Drug Store/Pharmacy	
Bakery, Retail		Furniture & Home Furnishings	
Bicycle Sales & Repair		General Merchandise Stores	
Book, Magazine, & Newspaper Store		Grocery Store	
Camera & Photo Supply Store		Medical Supply Store	
Candy Store		Used Merchandise Stores (not including books, clothing & antiques)	
China & Glassware Shop			
Clothing & Clothing Accessories			
Coffee Shop			
Computer Software Sales			
Delicatessen			
Electronic Sales & Service			
Fabric & Craft Store			
Florist			
Garden Center/Plant Nursery			
Gift, Novelty, & Souvenir Shop			
Hardware Store			
Hobby Shop			
Jewelry Sales & Repair			
Luggage & Leather Goods			
Microbreweries, Microwineries			
Music Store & Instruction			
Musical Instrument Repair & Sales			
Office Supply			
Optical Goods			
Paint & Wallpaper			
Party Supply Shop			
Pet & Pet Supply			
Specialty Food Market (Butcher, Fish Market, Produce, etc.), with no alcohol sales			
Sporting Goods Sales & Rental			
Stationary & Paper Store			
Toy Shop			
Video/Game Sales			
Wine Establishment (no liquor/beer)			
Table 10-21-3C (1). List of Typical Uses in Retail Category.			
Neighborhood Service		General Service	
(less than 8,000 square feet)		All Neighborhood Services (over 8,000 square feet)	
Amusement Arcade		Bowling Alley	
Barber Shop & Beauty Salon			
Catering/Carry-Out & Delivery			
Communication Service			
Childcare Centers			
Dance/Fitness Studio			
Dry Cleaning & Laundry			
Emergency Care Clinic			
Framing			
Health & Fitness Center			
Home Furniture & Equipment Repair			
Locksmith			
Mailing Services			
Massage Establishments			
Nail Salon & Specialty Body			
Pet Grooming			
Photocopying & Printing			
Photography Studio & Supplies			
Physical Therapy/Physical Rehabilitation			
Repair of Small Goods & Electronics			
Restaurant/Bar			
Services (Spa)			
Shoe Repair			
Tailor & Seamstress			
Theater			
Travel Agency, Ticketing & Tour Operator			
Veterinarian (no outdoor training, boarding or kennels)			
Table 10-21-3C (2). List of Typical Uses in Service Category.			

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10-21-3 Uses

Recreation/Entertainment	
Billiard Parlor Boat Sales & Rental Boat Storage Indoor Playground Indoor Shooting Gallery/ Gun Range Marina Outdoor Music Venue Railroad Passenger Station Skating Rink Stadium Swimming Pool	
Table 10-21-3C (3). List of Typical Uses in Recreation/Entertainment Category	
Office	
Architecture/Engineering/Design Broadcasting & Telecommunications Studio Building Contractor (office only) Business Consulting Charitable Institutions Clinic Computer Programming & Support Detective Services Educational Services (tutor & testing) Employment Agency Financial & Insurance Government Offices Legal Services Management Services Medical & Dental with Laboratory Motion Picture & Sound Recording Studio	PR & Advertising Professional Services Property Development Real Estate Research & Development Research Agency Surveying Tax Services
Table 10-21-3C (4). List of Typical Uses in Office Category.	
Small-Scale Industry	
Apparel & Finished Fabric Products Bakery & Confections Beverages, including Beer, Wine, Coffee Botanical Products Brooms & Brushes Canning & Preserving Food Dairy Products Electrical Fixtures Engraving Fabricated Metal Products Film Making Furniture & Fixtures Glass Jewelry, Watches, Clocks, & Silverware Leather Products Microbreweries, Microwineries Musical Instruments & Parts Pottery, Ceramics, & Related	Products Research Laboratory Shoes & Boots Signs & Advertising Smithing Taxidermy Toys & Athletic Goods Upholstery Woodworking
Table 10-21-3C (5). List of Typical Uses in Small-Scale Industry Category.	

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4.0 Building Types

A. Introduction to Building Type Standards

The buildings detailed in this section outline the Building Types permitted for new construction and renovated structures within the Districts defined in Section 10-21-2.

1. General. All Building Types shall meet the following requirements to achieve the intents defined for the districts.
- (a) Zoning Districts. Each Building Type shall be constructed only within its designated districts. Refer to Table 10-21-4A (1) Permitted Building Types by Districts.

(b) Uses. Each Building Type can house a variety of uses depending on the district in which it is located. Refer to 15.3 for uses permitted per district. Some Building Types have additional limitations on permitted uses.

(c) No Other Building Types. All buildings constructed shall meet the standards of one of the Building Types within the zoning district of the lot.

(d) Permanent Structures. All buildings constructed shall be permanent construction without a chassis, hitch, or wheels, or other features that would make the structure mobile, unless otherwise noted.

(e) Accessory Structures.

i. Attached accessory structures are considered part of the

- principal structure.
- ii. Detached accessory structures are allowed per each Building Type and shall comply with all setbacks except the following:

(i) Detached accessory structures are not permitted in the front yard.

(ii) Detached accessory structures shall be located behind the principal structure in the rear yard.

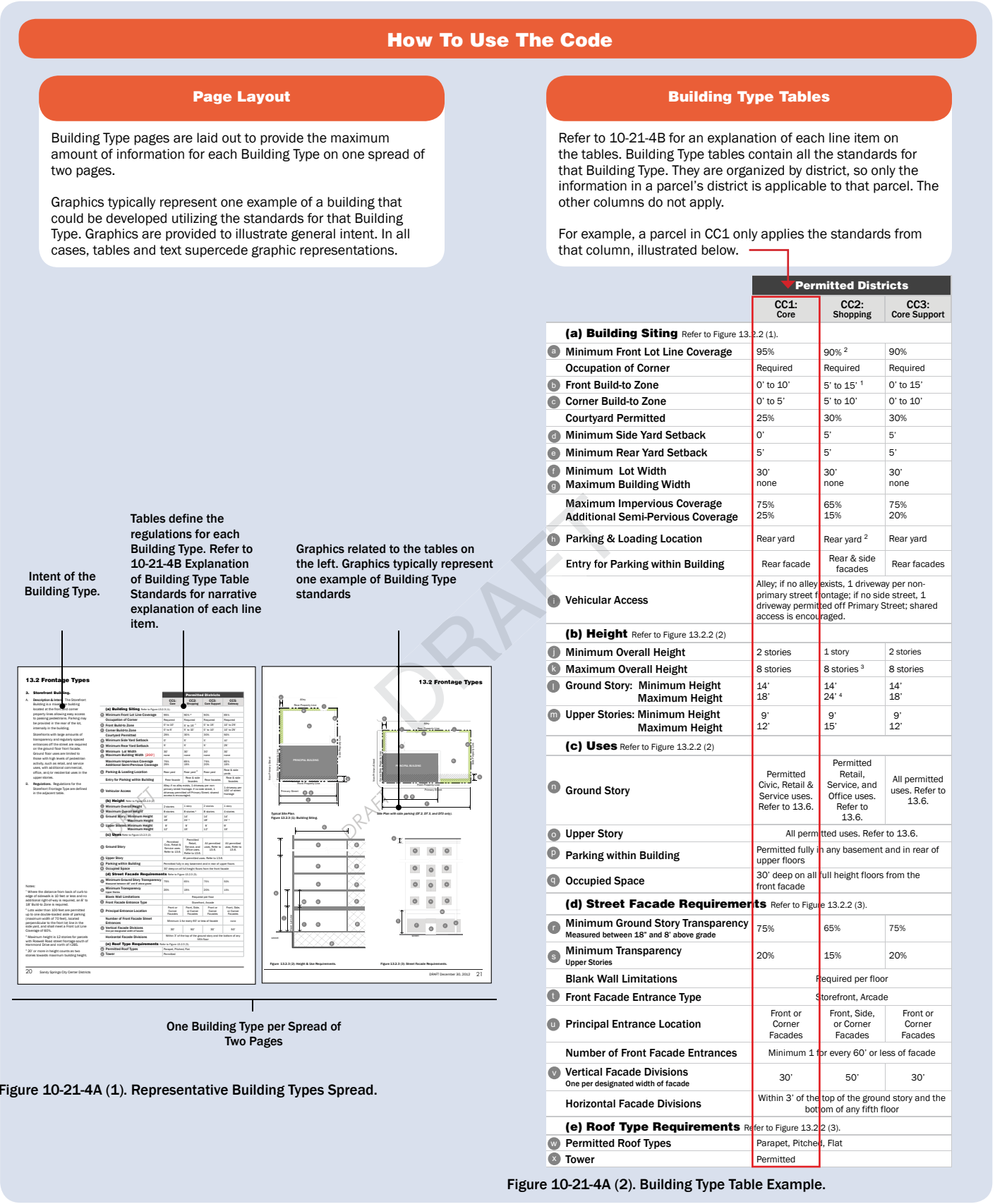
(iii) Detached accessory structures shall not exceed the height or size (area) of the principal structure.

2. Page Layout. Document pages are laid out to provide the maximum amount of information for each building type on one spread of two pages. Refer to Figure 10-21-4A (1) for a typical Building Type layout page.
- (a) Tables. Refer to Section 10-21-4B for further information on each Table.

(b) Graphics typically represent one example of a building that could be developed utilizing the standards for that building type. Graphics are provided to illustrate general intent. In all cases, tables and text supercede graphic representations.

Building Types by Districts						
		Districts				
		S1: Bridge Street	S2: Hydraulic Street	S3: Van Emmon Street	S4: 'B' Street	S5: 'B' Street - Residential
Building Types	Downtown Commercial	●	●	●	●	
	Downtown Living		●	●	●	
	Cottage Commercial	●	●	●	●	
	Civic Building	●	●	●	●	●
	Attached Building			●	●	○
	Yard Building				○	●
		● Permitted	○ Requires Permit / Review			

Table 10-21-4A (1). Permitted Building Types by District



10-21-4 Building Types

B. Explanation of Building Type Table Standards

The following explains and further defines the standards outlined on the tables for each Building Type, refer to Sections 10-21-4C through 10-21-4H.

1. **Building Siting.** The following explains the line item requirements for each Building Type Table within the first section entitled “Building Siting”. Table 10-21-4B (1) illustrates an example of a Building Siting Table from a typical Building Type.

- (a) Multiple Principal Structures. The allowance of more than one principal structure on a lot.
- (b) Minimum Front Lot Line Coverage. Refer to Figure 10-21-4B (1). Measurement defining the minimum percentage of street wall or building facade along the street. The width of the principal structure(s) (as measured within the front build-to zone) shall be divided by the maximum width of the front build-to zone (BTZ).
- i. Certain buildings have this number set to also allow the development of a courtyard along the front lot line.
 - ii. Some frontage types allow side yard parking to be exempted from the front lot line coverage calculation. If such an exemption is permitted, the width of up to one double loaded aisle of parking, located with the drive perpendicular to the street and including adjacent sidewalks and landscaping, may be exempted, to a set maximum in feet.
 - iii. When driveway is located at the front lot line (Figure 10-21-4B (1)) and a side yard parking is not utilized, a driveway width of 20 feet may be deducted from the width of the BTZ and is not included in the calculation of the minimum front lot line.
- (c) Occupation of Corner. Occupying the intersection of the front and corner build-to zones with a principal structure.
- (d) Front Build-to Zone. The build-to zone or setback parallel to the front lot line. Building components, such as awnings or signage, are permitted to encroach beyond the build-to zone.
 - i. All build-to zone and setback areas not covered by building shall contain either landscape, patio space, or sidewalk space.
- (e) Corner Build-to Zone. The build-to zone or setback parallel to the corner side property line.
 - i. All build-to zone and setback areas not covered by building shall contain either landscape, patio space, or sidewalk space.
- (f) Minimum Side Yard Setback. The minimum required setback along a side property line.
 - i. All build-to zone and setback areas not covered by building shall contain either landscape, patio space, or sidewalk space.
- (g) Minimum Rear Yard Setback. The minimum required setback along a rear property line.
 - i. All build-to zone and setback areas not covered by building shall contain either landscape, patio space, or sidewalk space.
- (h) Minimum Lot Width. The minimum width of a lot, measured at the build-to zone.

	Permitted Districts	
	District A	District B
(a) Building Siting		
Multiple Principal Buildings	Not permitted	Not permitted
Minimum Front Lot Line Coverage	95%	65%
Occupation of Corner	Required	Required
Front Build-to Zone	0' to 20' ¹	5' to 20' ¹
Corner Build-to Zone	0' to 5'	0' to 10'
Minimum Side Yard Setback	0'	5'
Minimum Rear Yard Setback	5'; 25' if located adjacent to residential	
Minimum Lot Width	30'	30'
Maximum Building Width	none	none
Maximum Impervious Coverage	75% ³	65% ³
Additional Semi-Pervious Coverage	25%	15%
Parking & Loading Location	Rear yard	Rear yard
Entry for Parking within Building	Rear & Side Facades	
Vehicular Access	Alley; if no alley exists, 1 driveway per street frontage	

Table 10-21-4B (1). Example Building Siting Requirements Table from a Typical Building Type.

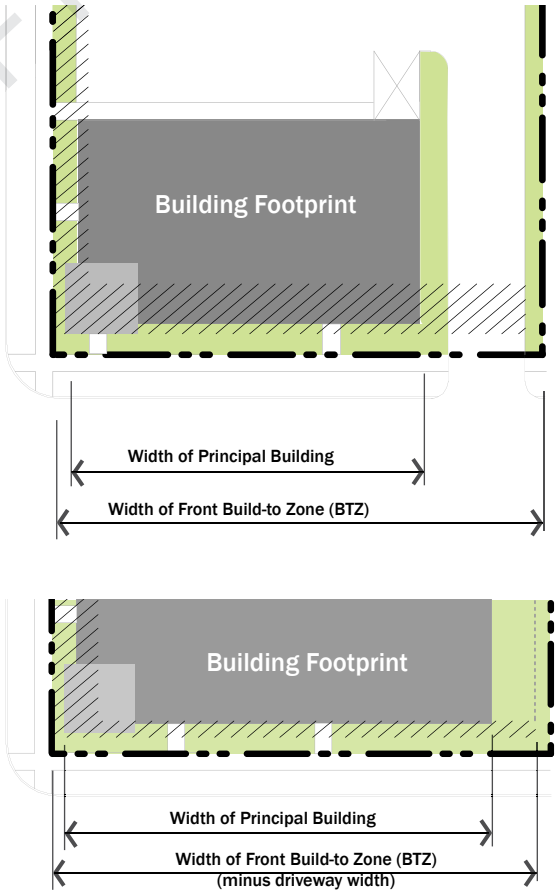


Figure 10-21-4B (1). Measuring Front Lot Line Coverage

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	Permitted Districts	
	District A	District B
(b) Height		
Minimum Overall Height	2 stories	2 story
Maximum Overall Height	5 stories	5 stories
Ground Story: Minimum Height	14'	14'
Maximum Height	18'	18'
Upper Stories: Minimum Height	9'	9'
Maximum Height	12'	12'

Table 10-21-4B (2). Example Height Requirements Table from a Typical Building Type.

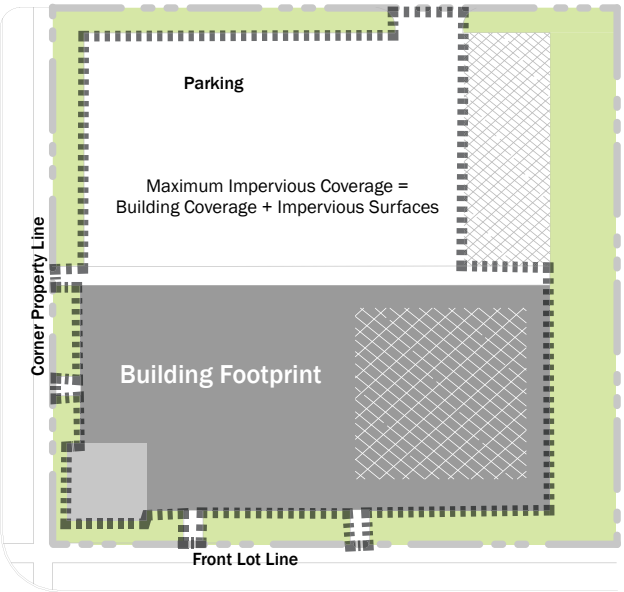


Figure 10-21-4B (2). Maximum Impervious & Additional Semi-Pervious Coverage.

- (i) Maximum Building Width. The maximum width of a building, measured across the front facade.
 - (j) Maximum Impervious Coverage. (Refer to Figure 10-21-4B (2)). The maximum percentage of a lot permitted to be covered by principal structures, accessory structures, pavement, and other impervious surfaces.
 - (k) Additional Semi-Pervious Coverage. The additional percentage of a lot beyond the Maximum Impervious Coverage, which may be surfaced in a semi-pervious material, including a green roof or pavers.
 - (l) Parking & Loading Location. The yard in which a surface parking lot, detached garage, attached garage door access, loading and unloading, and associated drive is permitted.
 - (m) Entry for Parking within Building. Permitted garage door location for parking entrance when parking is located within building.
 - (n) Vehicular Access. The permitted means of vehicular ingress and egress to the lot.
 - i. Alleys, when present, shall always be the primary means of access.
 - ii. When alleys are not present, a driveway may be permitted per Building Type and, if an alternative is available, shall not be located off a Primary Street.
2. **Height.** The following explains the line item requirements for each Building Type Table within the second section entitled “Height”. Table 10-21-4B (2), illustrates an example of a Height Requirements Table from a typical Building Type.
- (a) Minimum Height (in Stories). The minimum overall height for

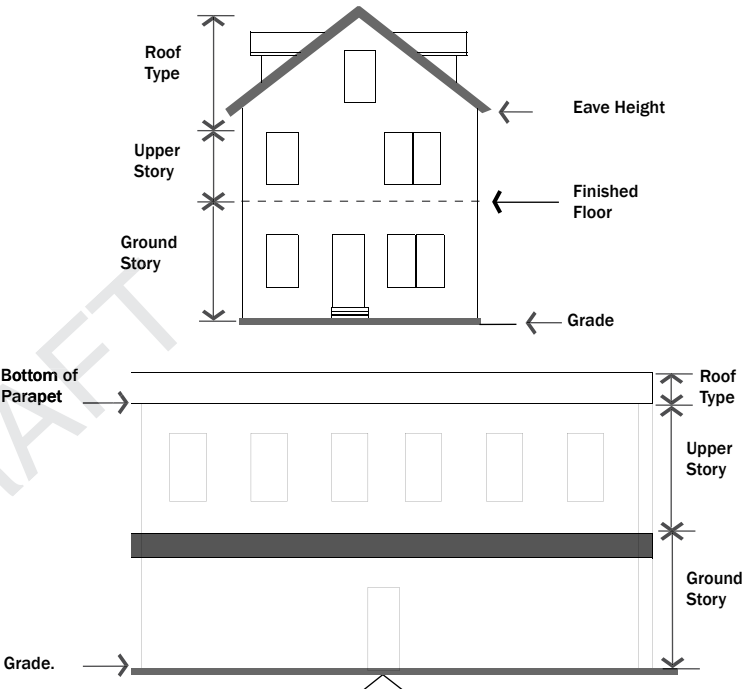


Figure 10-21-4B (3). Measuring Height

- the building shall be located within the build-to zone; stories above the minimum height may be stepped back from the facade.
- (b) Maximum Height (in Stories). The sum of a building's total number of stories.
 - i. Half stories are located either completely within the roof structure with street-facing windows or in a visible basement exposed a maximum of one half story above grade.
 - ii. A building incorporating both a half story within the roof and a visible basement shall count the height of the two half stories as one full story.
 - iii. Some Building Types require a building facade to step back as its height increases. The upper stories of any building facade with street frontage shall be setback a designated amount beyond the building facade of the lower stories.

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- iv. Floors within the building shall be visibly designated on the street facades by the use of expression lines or the layout of the windows.
- (c) Ground Story and Upper Story, Minimum and Maximum Height. (Refer to Figure 10-21-4B (3)). Each frontage type includes a permitted range of height in feet for each story. Additional information is as follows:
 - i. Floor height is measured in feet between the floor of a story to the floor of the story above it.
 - ii. For single story buildings and the uppermost story of a multiple story building, floor to floor height shall be measured from the floor of the story to the tallest point of the ceiling.
 - iii. Double height spaces may be located along any non-street facade or in the entrance way to the building. The entrance way shall not exceed 50% of the street facade.

3. **Uses.** The following explains the line item requirements for each Building Type Table within the third section entitled “Uses.” Refer to Section 10-21-3 for uses permitted within each District. The requirements in this section of the Building Type Tables may limit those uses within a specific Building Type. Table 10-21-4B (3) illustrates an example of the Uses table from a typical Building Type.
- (a) Ground and Upper Story. The uses or category of uses which may occupy the ground and/or upper story of a building.
 - (b) Parking Within Building. The area(s) of a building in which parking is permitted within the structure.
 - (c) Occupied Space. The area(s) of a building that shall be designed as occupied space, defined as interior building space regularly occupied by the building users. It does not include storage areas, utility space, or parking.

4. **Street Facade Requirements.** The following explains the line item requirements for each Building Type Table within the fourth section entitled “Street Facade Requirements.” These requirements apply only to facades facing a public or private street right-of-way. The rear or interior side yard facades are not required to meet these standards unless otherwise stated. Table 10-21-4B (4) illustrates an example of a Street Facade Requirements Table from a typical Building Type.
- (a) Minimum Ground Story and Upper Floor Transparency. (Refer to Figure 10-21-4B (5)). The minimum amount of transparency on street facades with street frontage.
 - i. Transparency is any glass in windows and/or doors, including any mullions, that is highly transparent with low reflectance.
 - (i) Ground Story Transparency, when defined separately from the overall minimum transparency, shall be measured between two feet and eight feet from the base of the front facade.
 - (ii) A general Minimum Transparency requirement shall be measured from floor to floor of each story.
 - (b) Blank Wall Limitations. A restriction of the amount of windowless area permitted on a facade with street frontage. If required, the following shall both be met for each story:
 - i. No rectangular area greater than 30% of a story's

- facade, as measured from floor to floor, may be windowless; and
 - ii. No horizontal segment of a story's facade greater than 15 feet in width may be windowless.
5. **Entrance Type.**
- (a) Front Facade Entrance Type. The Entrance Type(s) permitted for the entrance(s) of a given Building Type. A mix of permitted Entrance Types may be utilized. Refer to 10-21-4I Entrance Types for definition of and additional requirements for each.
 - (b) Principal Entrance Location. The facade on which the primary building entrance is to be located.
 - (c) Number of Street Entrances. The minimum number of and maximum spacing between entrances on the ground floor

	Permitted Districts	
	District A	District B
(c) Uses		
Ground Story	Per Section 15.3 Uses	
Upper Story	Per Section 15.3 Uses	
Parking within Building	Permitted fully in any basement and in rear of upper floors	
Occupied Space	20' deep on all full height floors from the front facade	

Table 10-21-4B (3). Example Uses Table from a Typical Building Type.

Permitted Districts		
	District A	District B
(d) Street Facade Requirements		
Minimum Ground Story Transparency <small>Measured between 2' and 8' above grade</small>	65%	65%
Minimum Transparency <small>Upper Stories</small>	20%	20%
Blank Wall Limitations	Required per floor	
Front Facade Entrance Type	Storefront, Arcade	
Principal Entrance Location	Front or Corner Facades	
Number of Street Entrances	Minimum 1 for every 50' or less of facade	
Ground Story Vertical Divisions	One per every 30' of facade width	
Horizontal Facade Divisions	Within 3' of the top of the ground story and the bottom of any fifth floor	
Facade Variety Required <small>Refer to 15.4B.4(h) for requirements.</small>	Every 80' of facade width	

Table 10-21-4B (4). Example Street Facade Requirements Table from a Typical Building Type.

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- building facade with street frontage.
 - (d) Ground Story Vertical Divisions. The use of a vertically oriented expression line or form to divide the ground floor facade into increments no greater than the dimension shown in Figure 10-21-4I (1), as measured along the base of the facade, and extending a minimum of 80% from the average grade of the facade elevation to the interior ceiling. Elements may include a column, pilaster, or other continuous vertical ornamentation.
 - (e) Horizontal Facade Divisions. The use of a horizontally oriented expression line or form to divide portions of the facade into horizontal divisions, extending a minimum of 90% of the full width of the facade. Elements may include a cornice, belt course, molding, string courses, or other continuous horizontal ornamentation a minimum of one and a half inch depth.
 - (f) Facade Variety Requirements. Building design shall vary between designated vertical facade divisions, where required per the Building Type, and from adjacent buildings by the type of dominant material or color, scale, or orientation of that material and at least two of the following. Refer to Figure 10-21-4B (5) for one illustration of this requirement.
 - i. The proportion of recesses and projections.
 - ii. The location of the entrance and window placement, unless storefronts are utilized.
 - iii. Roof type, plane, or material, unless otherwise stated in the Building Type requirements.
6. **Roof Type.** The following explains the line item requirements for each Building Type Table in Sections 10-21-4C through 10-21-4H, within the fifth section entitled “Roof Types.” Table 10-21-4B (5) illustrates an example of a Roof Type Requirements Table from a typical Building Type.
- (a) Permitted Roof Type. The roof type(s) permitted for a given Building Type. Refer to Section 10-21-4J for more specific requirements.
 - (b) Tower. A vertical building extension that may be permitted in conjunction with another roof type on certain Building Types. Refer to Section 10-21-4J.



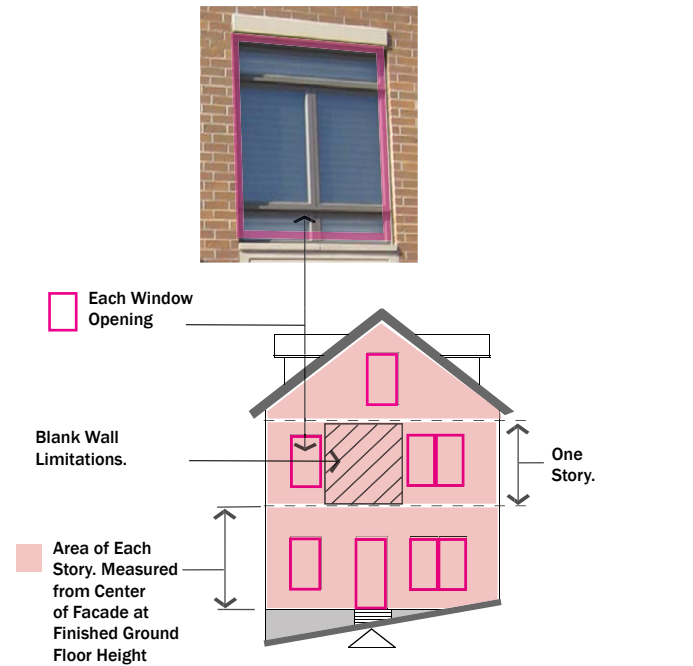
Figure 10-21-4B (4). Building Variety.

(e) Roof Type Requirements	Permitted Districts	
	District A	District B
Permitted Roof Types	Parapet, Pitched, Flat	
Tower	Permitted	

Table 10-21-4B (5). Example Roof Type Requirements Table from a Typical Building Type.



Measuring Ground Floor Transparency on a Storefront Base.



Measuring Transparency on Each Story with Slope.

Figure 10-21-4B (5). Measuring Transparency.

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C. Downtown Commercial Building.

1.

Description & Intent. The Downtown Commercial Building is a building located at the front and corner property lines allowing easy access to passing pedestrians. Parking may be provided in the rear of the lot, internally in the building, or, in some cases, no off-street parking is required.

Storefronts with large amounts of transparency and regularly spaced entrances off the street are utilized on the ground floor front facade. Ground floor uses are limited to those with high levels of pedestrian activity, such as retail, service, and office uses, with additional commercial, office, and/or residential uses in the upper stories.
2.

Regulations. Regulations for the Downtown Commercial Building Type are defined in the adjacent table.

Notes:

¹ Each building shall meet all requirements of the Building Type.

² A max. 6 foot gap is allowed if it serves as a walkable passage.

³ If located adjacent to flood hazard area, refer to requirements of the Yorkville Stormwater Ordinance No. 2012-56. Refer to FEMA National Flood Hazard Layer FIRMette maps for all flood hazard areas.

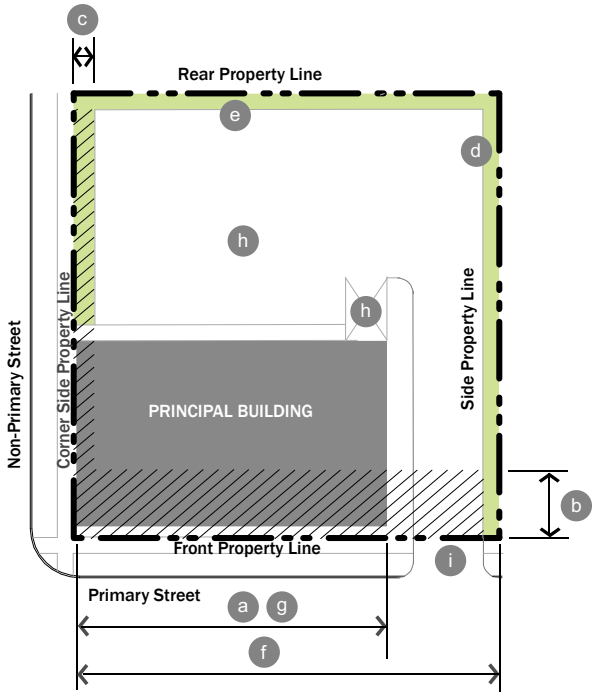
⁴ Maximum Impervious Coverage shall be applied only to all non-flood hazard areas. Refer to FEMA National Flood Hazard Layer FIRMette maps for all flood hazard areas.

⁵ Lots wider than 100 feet are permitted one double-loaded aisle of parking (maximum width of 70 feet), located perpendicular to the front lot line and shall meet a Front Lot Line Coverage of 60 percent.

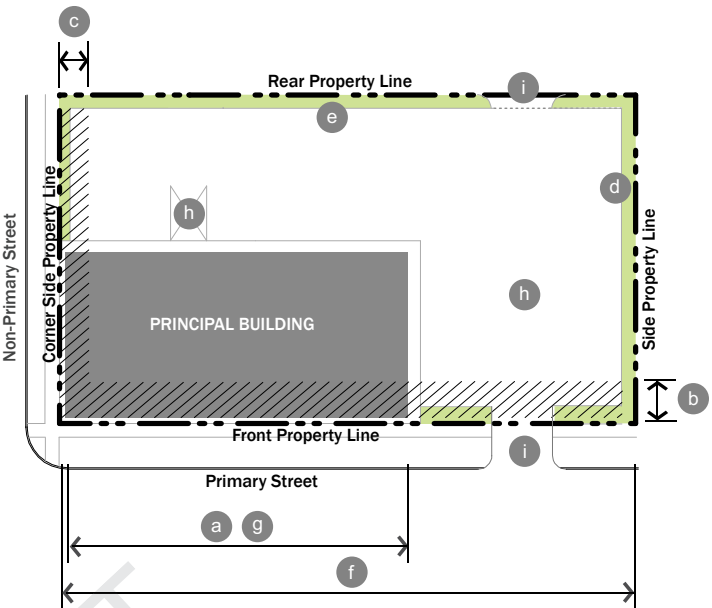
⁶ 18 feet or more in height counts as two stories towards maximum building height.

		Permitted Districts			
		S 1: Bridge Street	S 2: Hydraulic Street	S 3: Van Emmon Street	S 4: 'B' Street
(a) Building Siting Refer to Figures 10-21-4C (1) and 10-21-4C(2)					
Multiple Principal Buildings		Permitted ¹			
a	Minimum Front Lot Line Coverage	100% ²	75%	90% ²	65%
Occupation of Corner		Required			
b	Front Build-to Zone	0' to 5'			0' to 10'
c	Corner Build-to Zone	0' to 5'	0' to 10'		
d	Minimum Side Yard Setback	0'; 5' if adjacent to other Building Type		5'	
e	Minimum Rear Yard Setback	5'; 25' if located adjacent to residential ³			
f	Minimum Lot Width	none	16'		
g	Maximum Building Width	none	none		
Maximum Impervious Coverage		95% ⁴	80% ⁴		
Additional Semi-Pervious Coverage		5%	20%		
h	Parking & Loading Location	Rear yard; existing developed sites require no add'l parking and/or loading facilities	Rear Yard & Side Yard ⁵		
Entry for Parking within Building		Rear & Side Facades			All Sides
i	Vehicular Access	none	Alley; if no alley exists, 1 driveway per every 80' of frontage is permitted off non-Primary street; if no side street, 1 driveway permitted off Primary Street; shared access is encouraged.		
(b) Height Refer to Figure 10-21-4C (3)					
j	Minimum Overall Height	2 stories	1 story		
k	Maximum Overall Height	6 stories (with min. 3' setback at 3 stories)	4 stories		
l	Ground Story: Minimum Height	14'	12'	14'	12'
	Maximum Height	24' ⁶	24' ⁶	24' ⁶	24' ⁶
m	Upper Stories: Minimum Height	9'			
	Maximum Height	14'			
(c) Uses Refer to Figure 10-21-4C (3)					
n	Ground Story	Per Section 10-21-3 Uses; residential permitted provided that it is located at least 20' from the front primary facade			
o	Upper Story	Per Section 10-21-3 Uses			
p	Parking within Building	Permitted fully in any basement and in rear of all floors			
q	Occupied Space	20' deep on all full height floors from the front facade			
(d) Street Facade Requirements Refer to Figure 15.4C (4)					
r	Minimum Ground Story Transparency	50%			30%
Measured between 2' and 8' above grade					
s	Minimum Upper Story Transparency	20%		15%	
Street-Facing Stories					
t	Front Facade Entrance Type	Storefront, Elevated Storefront (permitted only on parcels in flood hazard areas per Section 18 of the City's Code of Ordinances)			
u	Principal Entrance Location	Front or Corner Facades			
Number of Street Entrances		Minimum 1 for every 30' or less of facade	Minimum 1 for every 50' or less of facade		Minimum 1 for every 80' or less of facade
Ground Story Vertical Divisions		One per every 20-40' of facade width			
Horizontal Facade Divisions		Within 3' of top of ground story and the bottom of any fifth floor		Within 3' of top of ground story	
Facade Variety Required		Every 80' of facade width		Every 100' of facade width	
Refer to 10-21-4B(4)(h) for requirements.					
(e) Roof Type Requirements Refer to Figure 10-21-4C (4)					
v	Permitted Roof Types	Parapet, Pitched, Flat			
Tower		Permitted			

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Typical Site Plan.
Figure 10-21-4C (1): Building Siting.



Site Plan with side parking (S 2 and S4 only).
Figure 10-21-4C (2): Building Siting.

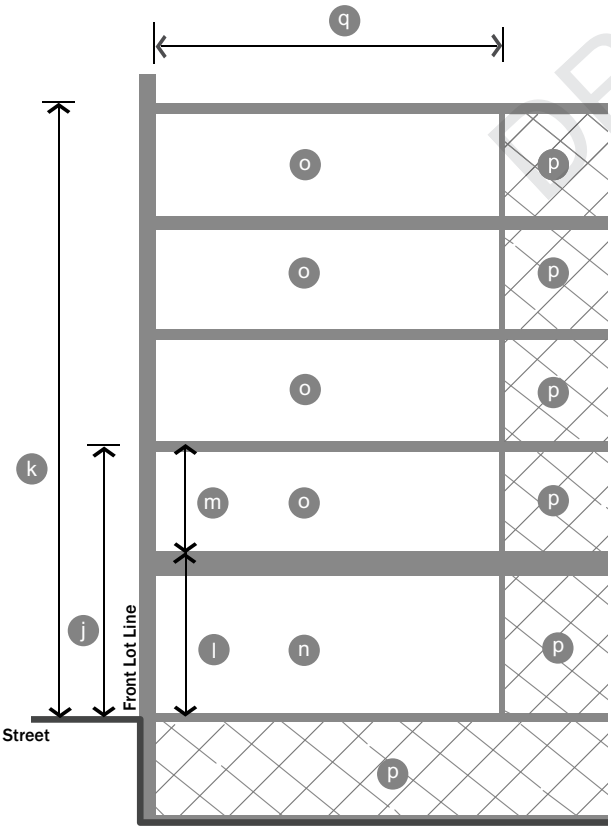


Figure 10-21-4C (3): Height & Use Requirements.

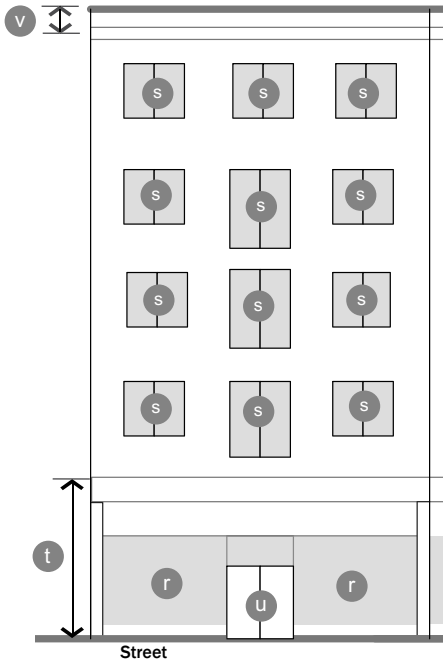


Figure 10-21-4C (4): Street Facade Requirements.

D. Downtown Living Building.

1. **Description & Intent.** The Downtown Living Building Type is limited in terms of uses by the district within which it is located, generally housing office and/or residential uses. Similar to the Downtown Commercial Building, the Downtown Living building is intended to be built close to the front and corner property lines, but generally allows for more landscape space between the building and the street. Parking may be provided in the rear of the lot, internally in the building, or, in some cases, one double loaded aisle of parking is permitted in the interior or the side yard at the front lot line.
2. **Regulations.** Regulations for the Downtown Living Building Type are defined in the adjacent table.

		Permitted Districts		
		S 2: Hydraulic Street	S 3: Van Emmon Street	S 4: 'B' Street
(a) Building Siting Refer to Figures 10-21-4D (1) and 10-21-4D (2)				
Multiple Principal Buildings		Permitted ¹		
a	Minimum Front Lot Line Coverage	75%		50%
Occupation of Corner		Required		
b	Front Build-to Zone	5' to 15'		5' to 20'
c	Corner Build-to Zone	0' to 10'		5' to 20'
d	Minimum Side Yard Setback	5'		10'
e	Minimum Rear Yard Setback	5'; 25' if located adjacent to residential ²		
f	Minimum Lot Width	16'		
g	Maximum Building Width	none		
Maximum Impervious Coverage		65% ³	75% ³	65% ³
Additional Semi-Pervious Coverage		20%	20%	20%
h	Parking & Loading Location	Rear yard ⁴ , Side Yard		
Entry for Parking within Building		Rear & Side Facades		
i	Vehicular Access	Alley; if no alley exists, 1 driveway per every 80' of frontage is permitted off non-Primary street; if no side street, 1 driveway permitted off Primary Street; shared access is encouraged.		
(b) Height Refer to Figure 10-21-4D (3)				
j	Minimum Overall Height	1 story		
k	Maximum Overall Height	4 stories		
l	All Stories: Minimum Height	9'		
	Maximum Height	14'		
(c) Uses Refer to Figure 10-21-4D (3).				
m	All Stories	Per Section 10-21-3 Uses; residential dwelling allowed provided that it is located at least 20' from the front primary facade		
n	Parking within Building	Permitted fully in any basement and in rear of all floors		
o	Occupied Space	20' deep on all full height floors from the front facade		
(d) Street Facade Requirements Refer to Figure 10-21-4D (4).				
p	Minimum Transparency Per each Story	20%		
q	Front Facade Entrance Type	Stoop, Porch		
r	Principal Entrance Location	Front facade or corner facade		
Number of Street Entrances		Minimum 1 for every 100' or less of facade		
Ground Story Vertical Divisions		Every 60' of facade width		
Horizontal Facade Divisions		Within 3' of the top of the ground story and any visible basement		
Facade Variety Required Refer to 10-21-4B(4)(h) for requirements.		Every 100' of facade width		
(e) Roof Type Requirements Refer to Figure 10-21-4D (4)				
s	Permitted Roof Types	Parapet, pitched, flat		
t	Tower	Permitted		

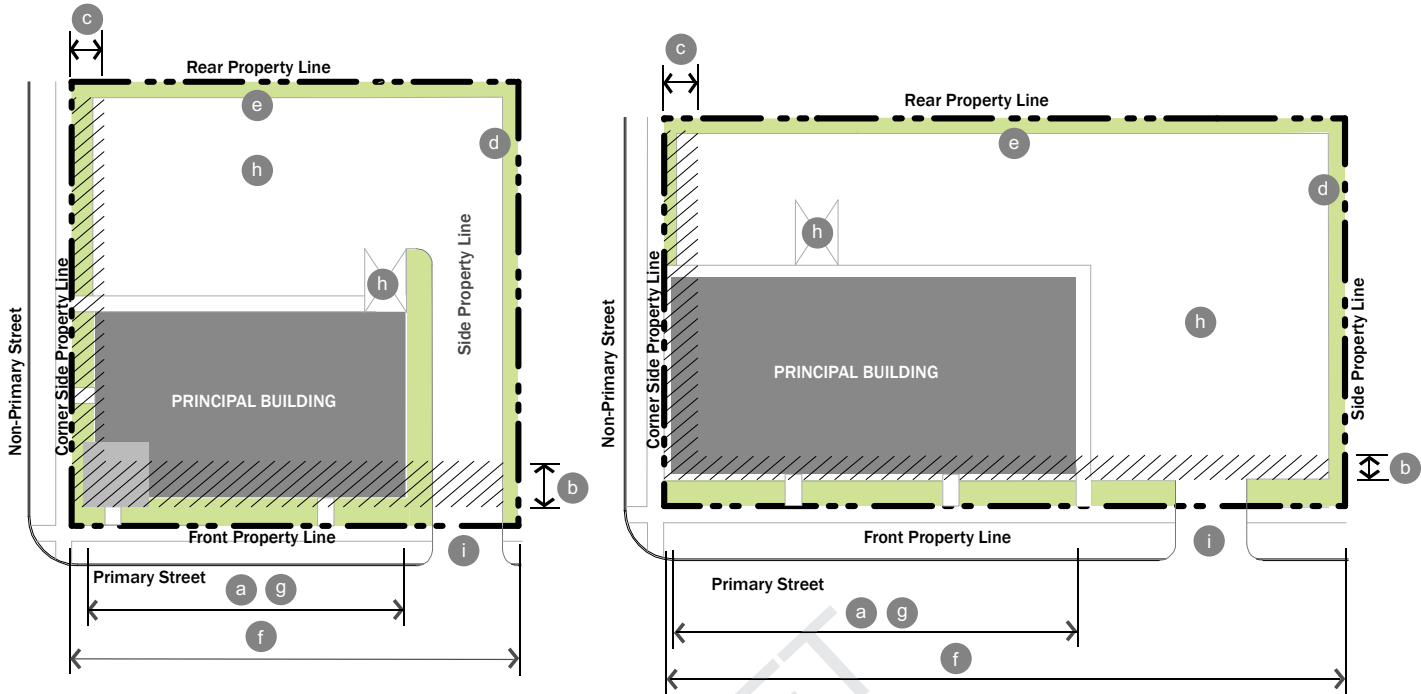
Notes:

¹ Each building shall meet all requirements of the Building Type.

² If located adjacent to flood hazard area, refer to requirements of the Yorkville Stormwater Ordinance No. 2012-56. Refer to FEMA National Flood Hazard Layer FIRMette maps for all flood hazard areas.

³ Maximum Impervious Coverage shall be applied only to all non-flood hazard areas. Refer to FEMA National Flood Hazard Layer FIRMette maps for all flood hazard areas.

⁴ Lots wider than 100 feet are permitted one double-loaded aisle of parking (maximum width of 70 feet), located perpendicular to the front lot line and shall meet a Front Lot Line Coverage of 60 percent.



Typical Site Plan.
Figure 10-21-4D (1): Building Siting.

Site Plan with side parking (S 3 and S 4 only).
Figure 10-21-4D (2): Building Siting.

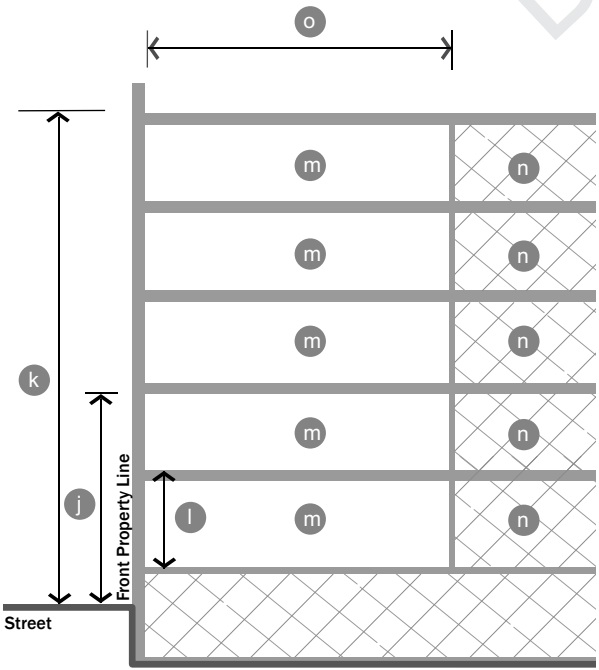


Figure 10-21-4D (3): Height & Use Requirements.

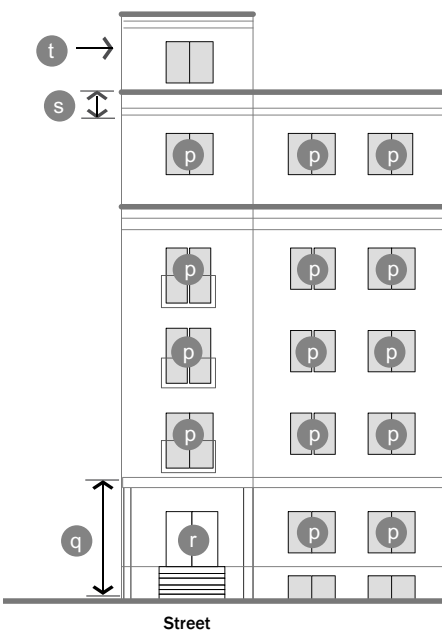


Figure 10-21-4D (4): Street Facade Requirements.

E. Cottage Commercial Building

1. **Description & Intent.** The Cottage Commercial Building combines characteristics of the Downtown Commercial Building Type with physical characteristics of a residential cottage, such as a pitched roof and a front stoop or porch.

This lower-scale building has a pedestrian-friendly storefront, stoop, or porch entrance type with moderate transparency and a primary entrance that faces the street. Constructed with Setbacks similar to a residential cottage, this building typically has more landscape area than the Downtown Commercial Building Types. Parking is permitted in the rear of the lot or a side aisle (with conditions).

The Cottage Commercial Building may contain a mix of uses, including retail, service, and office uses on the ground floor, with residential uses on upper floors.

2. **Regulations.** Regulations for the Cottage Commercial building type are defined in the adjacent table.

Notes:

¹ Each building shall meet all requirements of the Building Type.

² If located adjacent to flood hazard area, refer to requirements of the Yorkville Stormwater Ordinance No. 2012-56. Refer to FEMA National Flood Hazard Layer FIRMette maps for all flood hazard areas.

³ Maximum Impervious Coverage shall be applied only to all non-flood hazard areas. Refer to FEMA National Flood Hazard Layer FIRMette maps for all flood hazard areas.

⁴ Lots wider than 80 feet are permitted one single-loaded aisle of parking (maximum width of 40 feet), located perpendicular to the front lot line, and shall meet a Front Lot Line Coverage of 50 percent.

⁵ Attached garages are considered part of the principal building and shall meet all setbacks. Detached garages shall meet all setbacks unless an alley is present. When an alley is present, detached garages shall have a minimum rear setback of 5 feet.

		Permitted Districts			
		S 1: Bridge Street	S 2: Hydraulic Street	S 3: Van Emmon Street	S 4: 'B' Street
(a) Building Siting Refer to Figure 10-21-4E (1)					
Multiple Principal Buildings		Refer to District Street Details			
a	Minimum Front Lot Line Coverage	60%	50%	40%	
Occupation of Corner		Required			
b	Front Build-to Zone	5' to 10'	5' to 20'		
c	Corner Build-to Zone	5' to 10'	5' to 25'	5' to 15'	
d	Minimum Side Yard Setback	10'	15'		
e	Minimum Rear Yard Setback	25' ²			
f	Minimum Lot Width	25'			
g	Maximum Building Width	50'			
Maximum Impervious Coverage		70% ³		60% ³	
Additional Semi-Pervious Coverage		15%		15%	
h	Parking & Loading Location	Rear yard; attached garages access off rear facade only. ^{4,5}			
Entry for Parking within Building		Not Permitted on Primary Street			
i	Vehicular Access	Alley; if no alley exists, 1 driveway permitted off non-Primary street; if no side street, 1 driveway permitted off Primary Street; shared access is encouraged.			
(b) Height Refer to Figure 10-21-4E (2)					
j	Minimum Overall Height	none			
k	Maximum Overall Height	3.5 stories			
l	Minimum Ground Story Height	10'			
(c) Uses Refer to Figure 10-21-4E (2)					
m	Ground Story	Per Section 10-21-3 Uses			
n	Upper Stories	Per Section 10-21-3 Uses			
o	Parking within Building	Not Permitted on Primary Street			
p	Occupied Space	20' deep on all full height floors from the front facade			
(d) Street Facade Requirements Refer to Figure 10-21-4E (3)					
q	Minimum Ground Story Transparency <small>Measured between 2' and 8' above grade</small>	40%	30%		
r	Minimum Transparency <small>Upper Stories</small>	15%			
Blank Wall Limitations		Required per floor			
s	Front Facade Entrance Type	Porch (Storefront, Elevated Storefront permitted only on parcels in flood hazard areas per Section 18 of the City's Code of Ordinances; Stoop permitted with design review			
t	Principal Entrance Location	Front or corner side facade			
Number of Street Entrances		Minimum 1 per Building			
Ground Story Vertical Divisions		Not required			
Horizontal Facade Divisions		Within 3' of the top of any visible basement			
Facade Variety Required <small>Refer to 10-21-4B(4)(h) for requirements.</small>		Between adjacent buildings			
(e) Roof Type Requirements Refer to Figure 10-21-4E (3)					
u	Permitted Roof Types	Pitched			
Tower		Permitted			

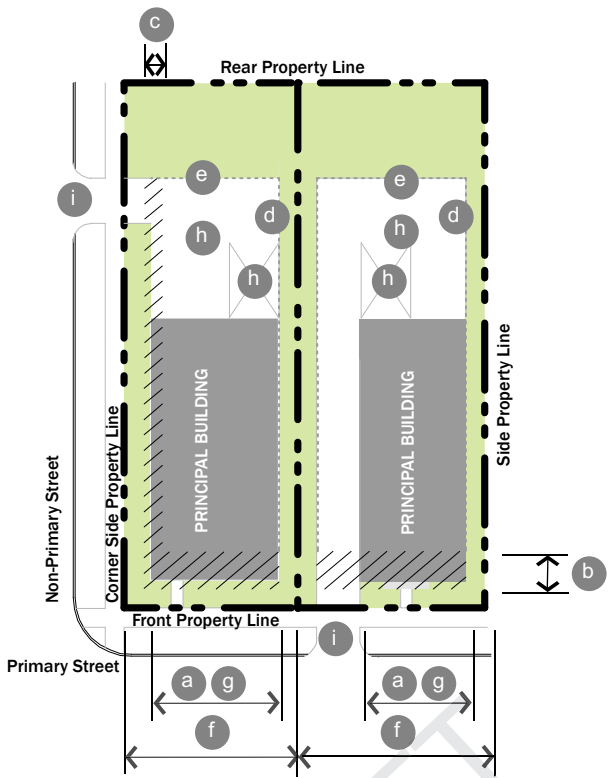


Figure 10-21-4E (1). Building Siting.

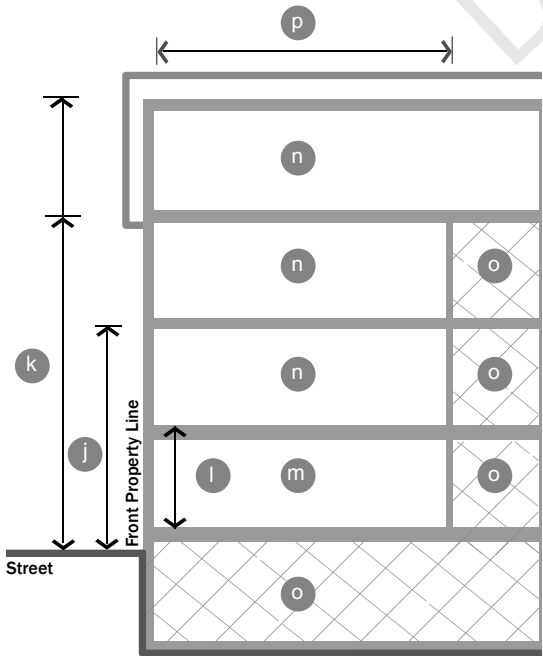


Figure 10-21-4E (2) Height & Use Requirements.

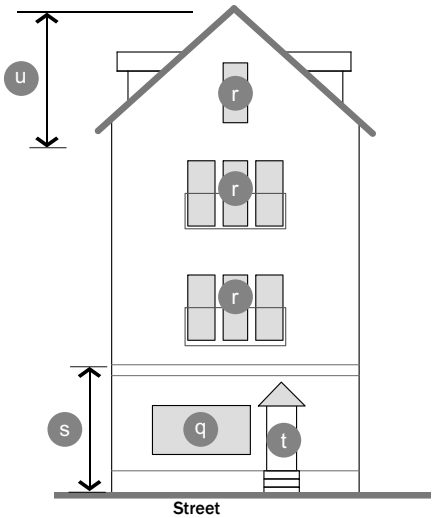


Figure 10-21-4E (3). Street Facade Requirements.

10-21-4 Building Types

F. Civic Building.

1.

Description & Intent. The Civic Building Type is a more flexible Building Type intended only for civic and institutional types of uses. These buildings are distinctive within the community fabric created by the other Building Types. Parking is limited to the rear in most cases. The maximum heights of this Building Type depend on the district within which it is located.
2.

Regulations. Regulations for the Civic Building Type are defined in the adjacent table.

Notes:

¹ If located adjacent to flood hazard area, refer to requirements of the Yorkville Stormwater Ordinance No. 2012-56. Refer to FEMA National Flood Hazard Layer FIRMette maps for all flood hazard areas.

² Maximum Impervious Coverage shall be applied only to all non-flood hazard areas. Refer to FEMA National Flood Hazard Layer FIRMette maps for all flood hazard areas.

³ Lots wider than 100 feet are permitted one double-loaded aisle of parking (maximum width of 70 feet), located perpendicular to the front lot line.

⁴ 18 feet or more in height counts as two stories towards maximum building height.

		Permitted Districts			
		S 1: Bridge Street	S 2: Hydraulic Street	S 3: Van Emmon Street	S 4: 'B' Street
(a) Building Siting Refer to Figure 10-21-4F (1)					
Multiple Principal Buildings		Refer to District Street Details			
Minimum Front Lot Line Coverage		Refer to District Street Details			
Occupation of Corner		Required			
a	Front Build-to Zone	0' to 10'	0' to 15'		
b	Corner Build-to Zone				
c	Minimum Side Yard Setback	5'		10'	
d	Minimum Rear Yard Setback	5'; 25' if located adjacent to residential ¹			
e	Minimum Lot Width	16'	30' none		
	Maximum Building Width	none			
Maximum Impervious Coverage		70% ²		70% ²	
Additional Semi-Pervious Coverage		20%		10% 50% ² 20%	
f	Parking & Loading Location	Rear yard ³			
Entry for Parking within Building		Rear & Side Facades			
g	Vehicular Access	Alley	Alley; if no alley exists, 1 driveway is permitted per street frontage		
(b) Height Refer to Figure 10-21-4F (2)					
h	Minimum Overall Height	1 story			
i	Maximum Overall Height	6 stories (with min. 3' setback at 3 stories)	4 stories		3 stories
j	Ground Story: Minimum Height	14'	12'	14'	12'
	Maximum Height	24' ⁴	24' ⁴	24' ⁴	18' ⁴
k	Upper Stories: Minimum Height	9'	12'		
	Maximum Height	14'			
(c) Uses Refer to Figure 10-21-4F(2)					
l	All Stories	Limited to uses in the Civic category and Entertainment Uses by Special Use. Refer to 15.3 Uses.			
m	Parking within Building	Permitted fully in any basement and in rear of all floors			
n	Occupied Space	30' deep on all full height floors from the front facade			
(d) Street Facade Requirements Refer to Figure 10-21-4F (3)					
o	Minimum Transparency Per each Story	12%			
Blank Wall Limitations		None			
p	Front Facade Entrance Type	None required			
q	Principal Entrance Location	Front or corner Facade			
Number of Street Entrances		1 per each 150' of front facade			
Ground Story Vertical Divisions		none required			
Horizontal Facade Divisions		none required			
Facade Variety Required Refer to 10-21-4B(4)(h) for requirements.		none required			
(e) Roof Type Requirements Refer to Figure 10-21-4F (3)					
r	Permitted Roof Types	Parapet, Pitched, Flat, Other Roofs with approval per 10-21-4J			
s	Tower	Permitted			
		Pitched			

10-21-4 Building Types

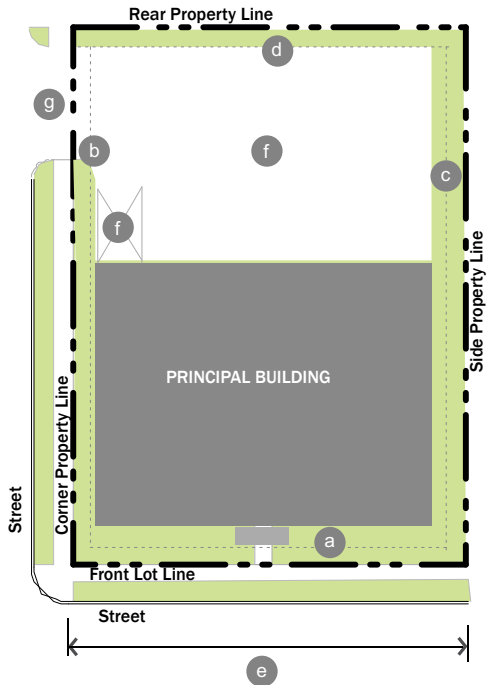


Figure 10-21-4F (1). Building Siting.

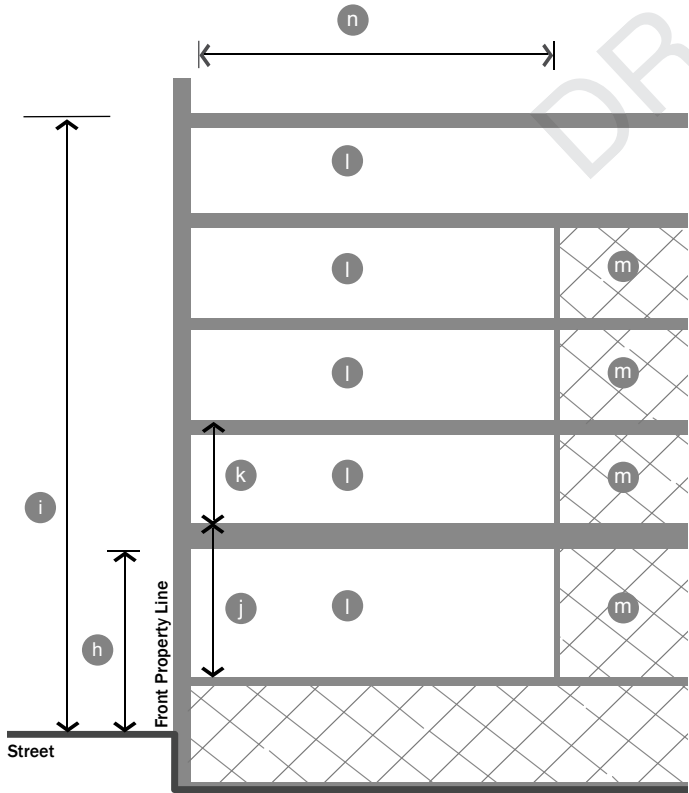


Figure 10-21-4F (2). Height & Use Requirements.

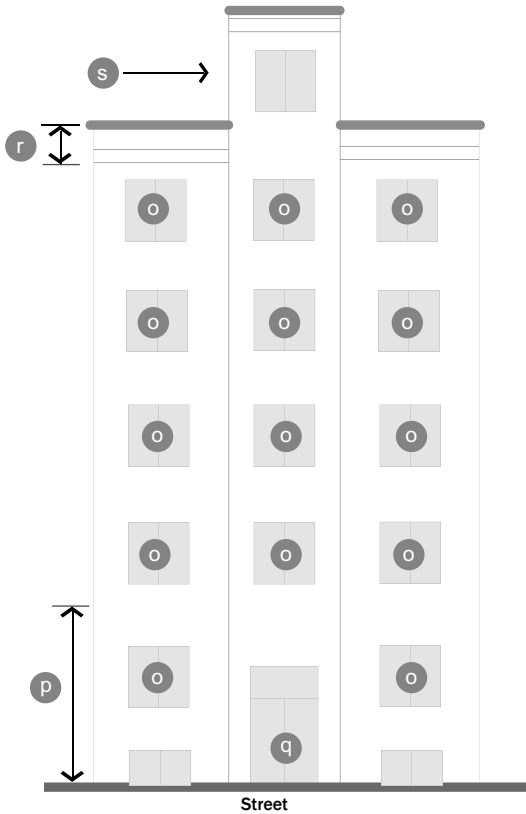


Figure 10-21-4F (3). Street Facade Requirements.

10-21-4 Building Types

G. Attached Building.

1. **Description & Intent.** The Attached Building is a building comprised of multiple vertical units, each with its own entrance to the street. This Building Type may be organized as townhouses or rowhouses.

Parking is required to be located in the rear yard and may be incorporated either into a detached garage or in an attached garaged accessed from the rear of the building. However, when the garage is located within the building, a minimum level of occupied space is required on the front facade to ensure that the street facade is active.

2. **Regulations.** Regulations for the Attached Building Type are defined in the adjacent table.

		Permitted Districts		
		S 3: Van Emmon Street	S 4: 'B' Street	S 5: 'B' Street Residential
(a) Building Siting Refer to Figures 10-21-4G (1) and 10-21-4G (2)				
Multiple Principal Buildings		Permitted ¹		
a	Minimum Front Lot Line Coverage	75% ²	70% ²	65% ²
Occupation of Corner		Required		
b	Front Build-to Zone	5' to 20'	10' to 20'	10' to 25'
c	Corner Build-to Zone	5' to 10'	10' to 15'	
d	Minimum Side Yard Setback	0' per unit; 10' between buildings'		0' per unit; 15' between buildings'
e	Minimum Rear Yard Setback	15', if alley present 5'		20', if alley present 5'
f	Minimum Unit Width	16' per unit	16' per unit	18' per unit
g	Maximum Building Width	Maximum 8 units per building	Maximum 6 units per building; maximum 120' width	Maximum 6 units per building; maximum 120' width
Maximum Impervious Coverage Additional Semi-Pervious Coverage		65% ³ 20%	60% ³ 20%	50% ³ 20%
h	Parking & Garage Location	Rear yard; attached garages access off rear facade only. ⁴		
i	Vehicular Access	Alley; if no alley exists, one driveway is permitted per building		
(b) Height Refer to Figure 10-21-4G (3)				
j	Minimum Overall Height	1 story		
k	Maximum Overall Height	4 stories	3.5 stories	
l	Minimum Ground Floor Height:	12'		
(c) Uses Refer to Figure 10-21-4G (3)				
m	All Stories	Residential only		
n	Parking within Building	Permitted fully in any basement and in rear of all floors		
o	Occupied Space	30' deep on all full height floors from the front facade		
(d) Street Facade Requirements Refer to Figure 10-21-4G (4)				
p	Minimum Transparency per each Story	15%	12%	
q	Front Facade Entrance Type	Stoop, Porch		
Principal Entrance Location		Front or Corner Side Facade		
r	Number of Street Entrances	1 per unit		
Ground Story Vertical Divisions		none required		
Horizontal Facade Divisions		none required		
Facade Variety Required Refer to 10-21-4B(4)(h) for requirements.		Between adjacent buildings		
(e) Roof Type Requirements Refer to Figure 10-21-4G (4)				
s	Permitted Roof Types	Parapet, Pitched, Flat		
Tower		Permitted		

Notes:

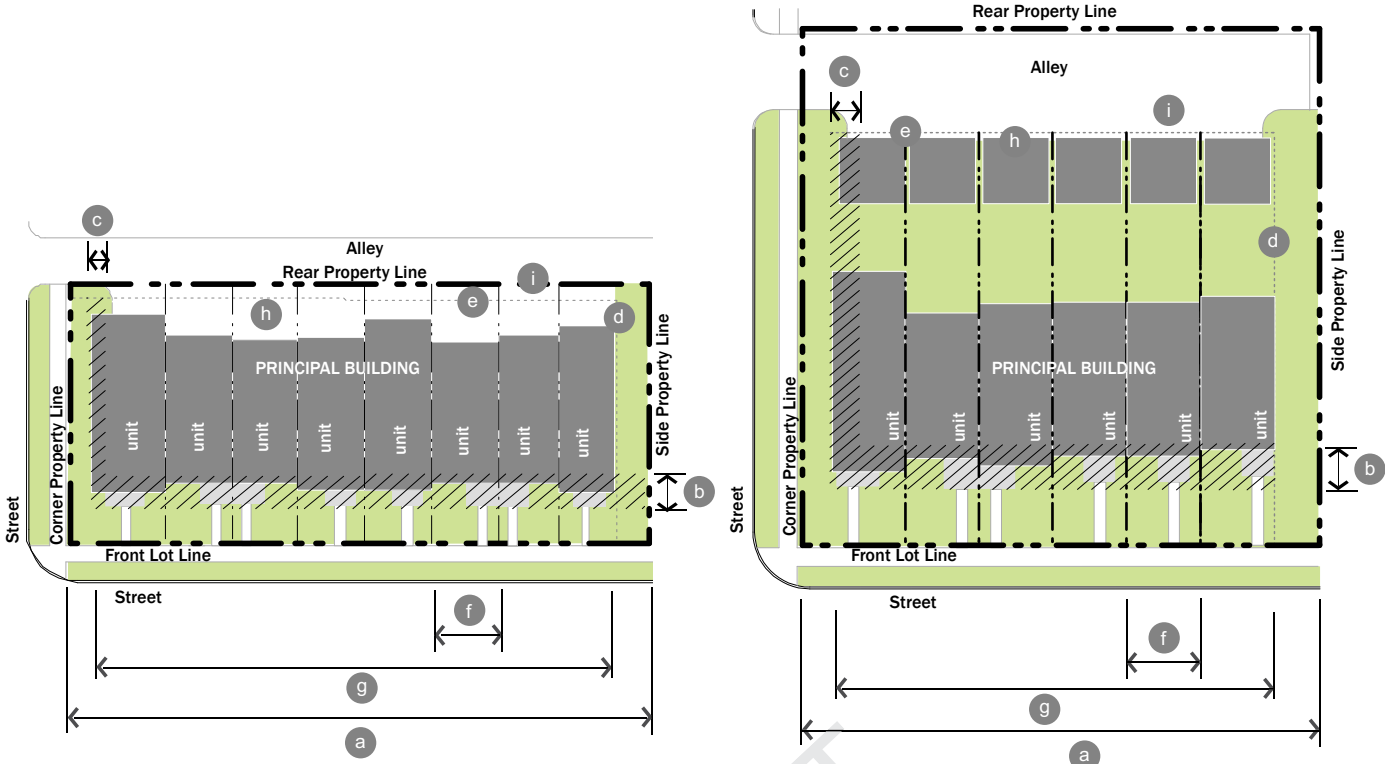
¹ For the purposes of the Attached Building, a building consists of a series of units. When permitted, multiple buildings may be located on a lot within the minimum space between them. However, each building shall meet all requirements of the Building Type.

² Each building shall meet the front lot line coverage requirement, except one of every five units may front a courtyard with a minimum width of 30 feet. The courtyard shall be defined on three sides by units.

³ Maximum Impervious Coverage shall be applied only to all non-flood hazard areas. Refer to FEMA National Flood Hazard Layer FIRMette maps for all flood hazard areas.

⁴ Attached garages are considered part of the principal building and shall meet all setbacks. Detached garages shall meet all setbacks unless an alley is present. When an alley is present, detached garages shall have a minimum rear setback of 5 feet.

10-21-4 Building Types



Site Plan without Rear Yard
Figure 10-21-4G (1): Building Siting.

Site Plan with Rear Yard
Figure 10-21-4G (2): Building Siting.

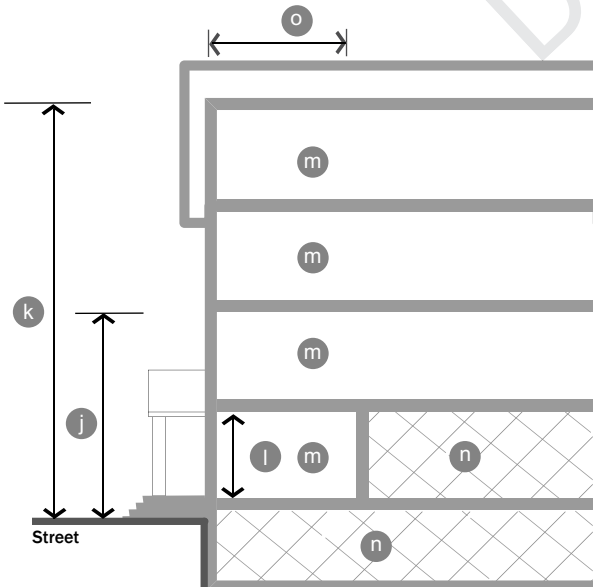


Figure 10-21-4G (3): Height & Use Requirements.

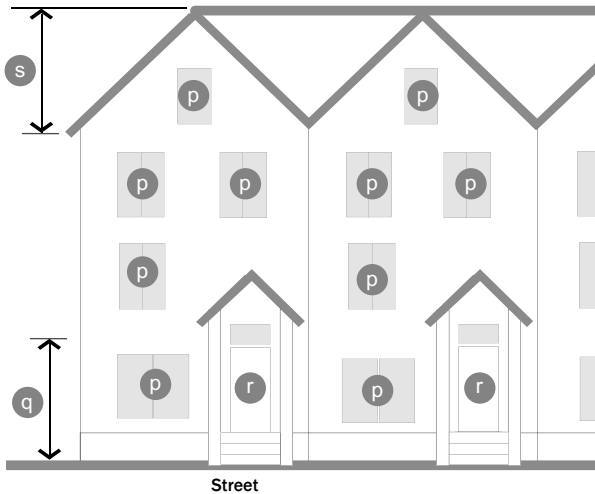


Figure 10-21-4G (4): Street Facade Requirements.

H. Yard Building

1. **Description & Intent.** The Yard Building is a residential building, incorporating a landscaped yard surrounding all sides of the building. Parking and garages are limited to the rear only with preferred access from an alley.
2. **Regulations.** Regulations for the Yard Building Type are defined in the adjacent table.

		Permitted Districts	
		S 4: 'B' Street	S 5: 'B' Street Residential
(a) Building Siting Refer to Figure 10-21-4H (1)			
Multiple Principal Buildings		Permitted ¹	
a	Minimum Front Lot Line Coverage	50% ²	40%
b	Occupation of Corner	Required	
c	Front Build-to Zone	10' to 20'	10' to 25'
	Corner Build-to Zone	10' to 20'	10' to 25'
d	Minimum Side Yard Setback	5'	7.5'
e	Minimum Rear Yard Setback	35', if alley present 5'	
f	Minimum Lot Width	30'	30'
	Maximum Lot Width	50'	70'
g	Maximum Impervious Coverage	60% ³	50% ³
	Additional Semi-Pervious Coverage	20%	20%
h	Parking & Garage Location	Rear yard; attached garages access off rear or side facade only. ⁴	
Vehicular Access		Alley; if no alley exists, one driveway is permitted per building	
(b) Height Refer to Figure 10-21-4H (2)			
i	Minimum Overall Height	1 story	
j	Maximum Overall Height	3.5 stories	
k	All Stories: Minimum Height	9'	
	Maximum Height	14'	
(c) Uses Refer to Figure 10-21-4H (2)			
l	All Stories	Residential only	
m	Parking within Building	Permitted	
n	Occupied Space	30'	
(d) Street Facade Requirements Refer to Figure 10-21-4H (3)			
o	Minimum Transparency per each Story	12%	
p	Front Facade Entrance Type	Stoop, porch	
q	Principal Entrance Location	Front or side facade	
Number of Street Entrances		Any	
Ground Story Vertical Divisions		None required	
Horizontal Facade Divisions		None required	
Facade Variety Required Refer to 10-21-4B(4)(h) for requirements.		Between adjacent buildings	
(e) Roof Type Requirements Refer to Figure 10-21-4H (3)			
r	Permitted Roof Types	Parapet, Pitched, Flat	Pitched
Tower		Not permitted	

Notes

¹ Each building shall meet all requirements of the Building Type.

² When multiple buildings are located on a single lot, the buildings shall collectively meet the front lot line coverage requirement. Buildings located internal to the lot may be arranged with a courtyard or bungalow court that is a minimum of 20 feet in width. The width of the courtyard shall be exempt from minimum front lot line coverage requirements. The courtyard or bungalow court shall be defined on three sides by units. This layout shall not be allowed on corner lots, only lots internal to a block segment.

³ Maximum Impervious Coverage shall be applied only to all non-flood hazard areas. Refer to FEMA National Flood Hazard Layer FIRMette maps for all flood hazard areas.

⁴ Attached garages are considered part of the principal building and shall meet all setbacks. Detached garages shall meet all setbacks unless an alley is present. When an alley is present, detached garages shall have a minimum rear setback of 5 feet.

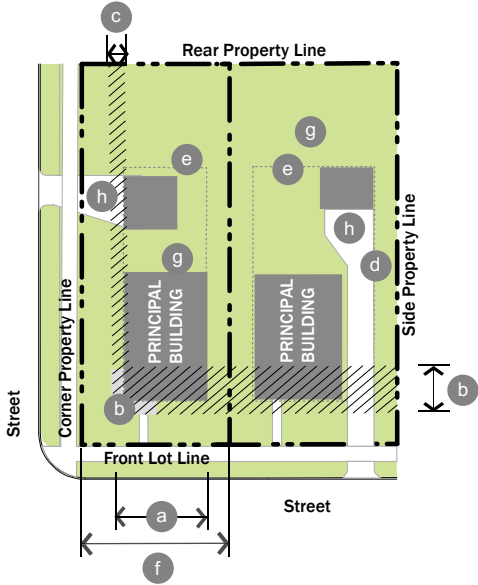


Figure 10-21-4H (1). Building Siting.

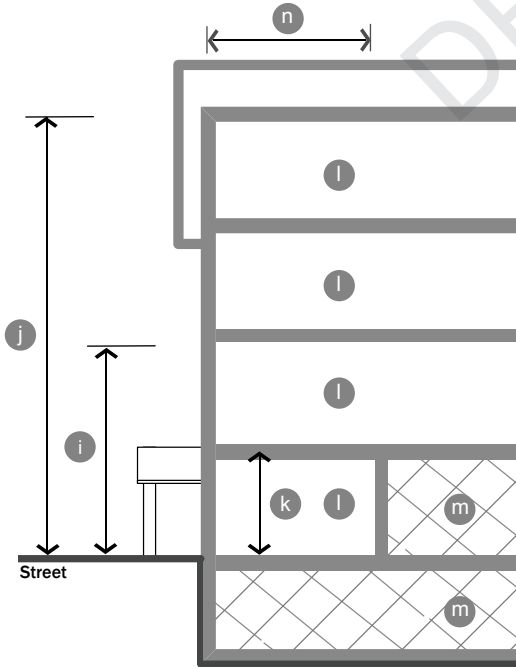


Figure 10-21-4H (2). Height and Use Requirements.

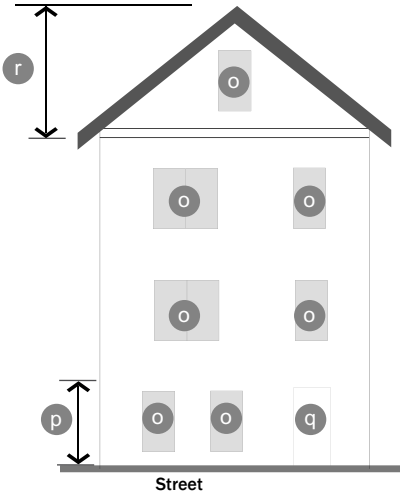


Figure 10-21-4H (3). Street Facade Requirements.

10-21-4 Building Types

I. Entrance Types

Entrance type standards apply to the ground story and visible basement of front facades of all Building Types as defined in this Section. Refer to the Building Type Table Requirements, Sections 10-21-4C through 10-21-4H.

- 1. **General.** The following provisions apply to all entrance types.
 - (a) Intent. To guide the design of the ground story of all buildings to relate appropriately to pedestrians on the street. Treatment of other portions of the building facades is detailed in each Building Type standard (refer to Building Types 10-21-4C through 10-21-4H).
 - (b) Applicability. The entire ground story street-facing facade(s) of all buildings shall meet the requirements of at least one of the permitted entrance types, unless otherwise stated.
 - (c) Measuring Transparency. Refer to Section 10-21-4B Explanation of Building Type Table Standards, for information on measuring building transparency.
 - (d) Visible Basements. Visible basements, permitted by entrance type, are optional. The visible basement shall be a maximum of one-half the height of the tallest story.
- 2. **Storefront Entrance Type.** Refer to Figure 10-21-4I (1). The Storefront entrance type is a highly transparent ground story treatment designed to serve primarily as the display area and primary entrance for retail or service uses.
 - (a) Transparency. Minimum transparency is required per Building Type.
 - (b) Elevation. Storefront elevation shall be between zero and one foot above street sidewalk.

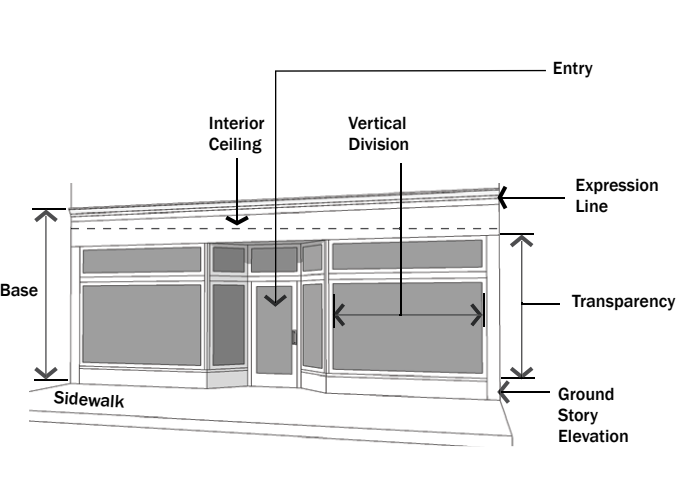


Figure 10-21-4I (1). Storefront Entrance Type.

- (c) Visible Basement. A visible basement is not permitted.
 - (d) Horizontal Facade Division. Horizontally define the ground story facade from the upper stories.
 - (e) Entrance. All entries shall be recessed from the front facade closest to the street.
 - i. Recess shall be a minimum of three feet and a maximum of eight feet deep, measured from the portion of the front facade closest to the street.
 - ii. When the recess falls behind the front build-to zone, the recess shall be no wider than eight feet.
- 3. **Elevated Storefront Entrance Type.** Refer to Figure 10-21-4I (2). The Elevated Storefront entrance type is a highly transparent ground story treatment similar to the Storefront, but permitted to be elevated above the sidewalk for buildings located on parcels with flood hazard areas.
 - (a) Transparency. Minimum transparency is required per Building Type.
 - (b) Elevation. Storefront elevation may be a half story above the street sidewalk elevation.
 - (c) Visible Basement. A visible basement is permitted and does not require Occupied Space.
 - (d) Horizontal Facade Division. Horizontally define the ground story facade from the upper stories and any Visible Basement from the ground story.
 - (e) Entrance. All entries shall be located off a secondary walk along the building face within the build-to zone.
 - i. The secondary sidewalk shall be elevated above and essentially parallel to the street sidewalk to provide

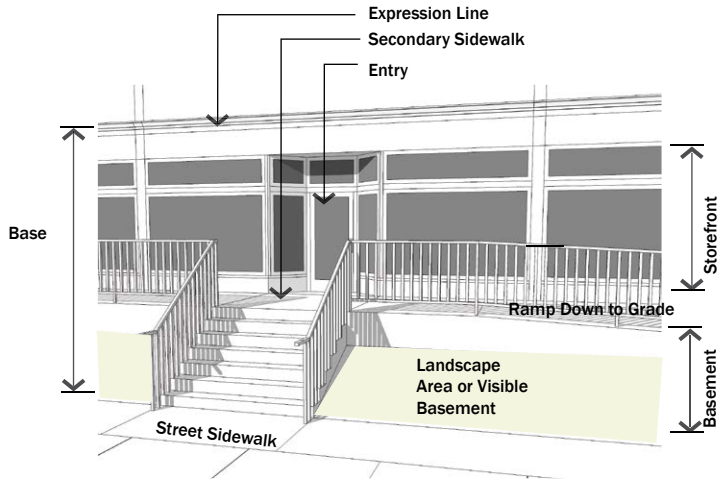


Figure 10-21-4I (2). Elevated Storefront Entrance Type.

- continuous walking along the facade of the building.
 - ii. The secondary sidewalk shall be continuous along the facade of the building and shall connect to the street sidewalk by steps and ramps every 50 feet.
 - iii. The secondary sidewalk shall connect to any other adjacent developments secondary sidewalks, when feasible. Drive crossings shall be of the same material as the secondary walk.
 - iv. The transition between the secondary sidewalk and street sidewalk shall include landscape, patios, and connecting walks.
 - v. The visible basement shall be located a minimum of five feet from the street sidewalk to allow softening of the transition.
 - vi. The street and the secondary sidewalks shall be a minimum of eight feet in width.
- 4. **Stoop Entrance Type.** Refer to Figure 10-21-4I (3). A stoop is an unroofed, open platform.
 - (a) Transparency. Minimum transparency is required per Building Type.
 - (b) Stoop Size. Stoops shall be a minimum of five feet deep by six feet wide.
 - (c) Elevation. Stoop elevation shall be located a maximum of two feet six inches (2' 6") above the sidewalk without visible basement and a maximum of four feet six inches (4' 6") above the sidewalk with a visible basement.
 - (d) Visible Basement. A visible basement is permitted and shall be separated from the ground story by an expression line.

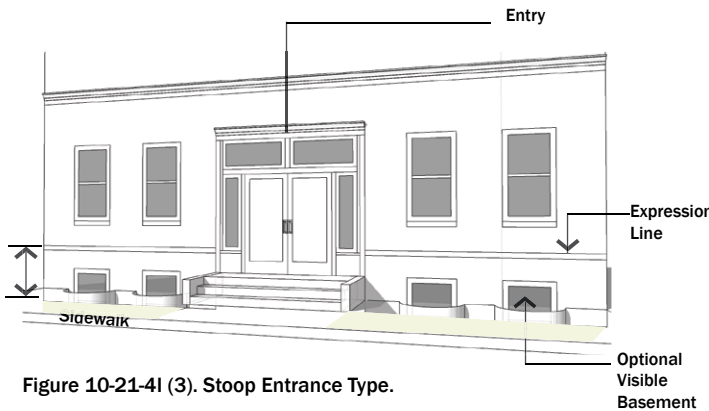


Figure 10-21-4I (3). Stoop Entrance Type.

- (e) Entrance. All entries shall be located off a stoop. The stoop may be continuous along the facade of the building.
 - (f) Landscape Area. A minimum five (5) foot wide landscape area is required within the build-to zone along the length of this entrance type with the exception of walks accessing the building.
- 5. **Porch Entrance Type.** Refer to Figure 10-21-4I (4). A porch is a raised, roofed platform that may or may not be enclosed on all sides. If enclosed, the space shall not be climate controlled.
 - (a) Transparency.
 - i. Minimum transparency per Building Type is required.
 - ii. If enclosed, a minimum of 40% of the enclosed porch shall be comprised of highly transparent, low reflectance windows.
 - (b) Porch Size. The porch shall be a minimum of five feet deep and eight feet wide.
 - (c) Elevation. Porch elevation shall be located a maximum of two feet six inches (2' 6") above the sidewalk without a visible basement and a maximum of four feet six inches (4' 6") above the sidewalk with a visible basement.
 - (d) Visible Basement. A visible basement is permitted.
 - (e) Height. Porch may be two stories to provide a balcony on the second floor.
 - (f) Entrance. All entries shall be located off a porch.

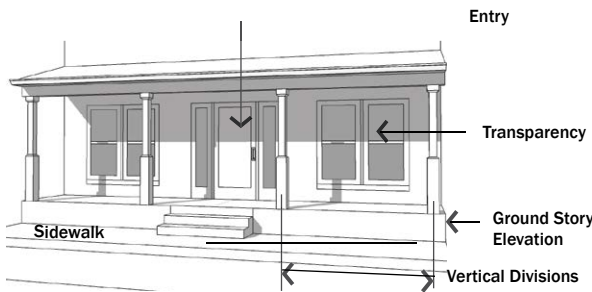


Figure 10-21-4I (4). Porch Entrance Type.

10-21-4 Building Types

J. Roof Types

Roof type standards apply to the roof and cap of all Building Types as defined in this Section. Refer to the Building Type Table Requirements, Sections 10-21-4C through 10-21-4H.

- 1. General Provisions. The following provisions apply to all roof types.
 - (a) Intent. To guide the design of the cap of all buildings.
 - (b) Applicability. All buildings shall meet the requirements of one of the roof types permitted for the Building Type.
 - (c) Measuring Height. Refer to Section 10-21-4B for information on measuring building height.
 - (d) Other roof types. Other building caps not listed as a specific type may be requested with the following requirements:
 - i. The roof type shall not create additional occupiable space beyond that permitted by the Building Type.
 - ii. The shape of the Roof Type shall be significantly different from those defined in this section 10-21-4J, i.e. a dome, spire, vault.
 - iii. The building shall warrant a separate status within the community from the fabric of surrounding buildings, with a correspondence between the form of the roof type and the meaning of the building use.

- 2. Parapet Roof Type. Refer to Figure 10-21-4J (1). A parapet is a low wall projecting above a building’s roof along the perimeter of the building. It can be utilized with a flat or low pitched roof and also serves to limit the view of roof-top mechanical systems from the street.
 - (a) Parapet Height. Height is measured from the top of the upper story to the top of the parapet.
 - i. Minimum height is two feet with a maximum height of six feet.

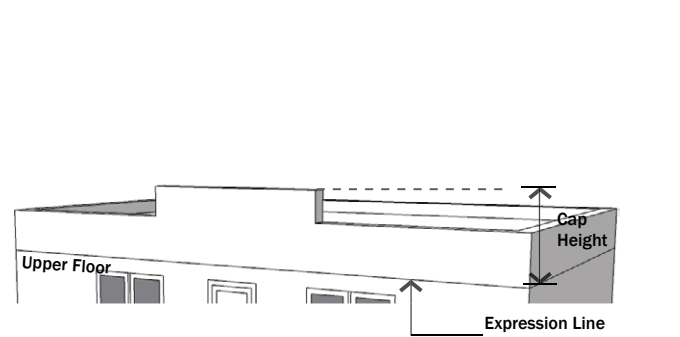


Figure 10-21-4J (1). Parapet Roof Type

- ii. The parapet shall be high enough to screen the roof and any roof appurtenances from view of the street(s).
- (b) Horizontal Expression Lines. An expression line shall define the parapet from the upper stories of the building and shall also define the top of the cap.
- (c) Occupied Space. Occupied space shall not be incorporated behind this roof type.
- 3. Pitched Roof Type. Refer to Figure 10-21-4J (2). This roof type has a sloped or pitched roof. Slope is measured with the vertical rise divided by the horizontal span or run.
 - (a) Pitch Measure. The roof may not be sloped less than a 4:12 (rise:run) or more than 16:12.
 - i. Slopes less than 4:12 are permitted to occur on second story or higher roofs. Refer to Figure 10-21-4J (2).
 - (b) Configurations.
 - i. Hipped, gabled, and combination of hips and gables with or without dormers are permitted.
 - ii. Butterfly roofs (inverted gable roof) are permitted with a maximum height of eight feet, inclusive of overhang.
 - iii. Gambrel and mansard roofs are not permitted.
 - (c) Parallel Ridge Line. A gabled end or perpendicular ridge line shall occur at least every 100 feet of roof when the ridge line runs parallel to the front lot line. Refer to Figure 10-21-4J (3).
 - (d) Roof Height. Roofs without occupied space and/or dormers shall have a maximum height on street-facing facades equal to the maximum floor height permitted for the Building Type.
 - (e) Occupied Space. Occupied space may be incorporated behind this roof type.
- 4. Flat Roof Type. Refer to Figure 10-21-4J (5), Flat Roof Type. This roof type has a flat roof with overhanging eaves.

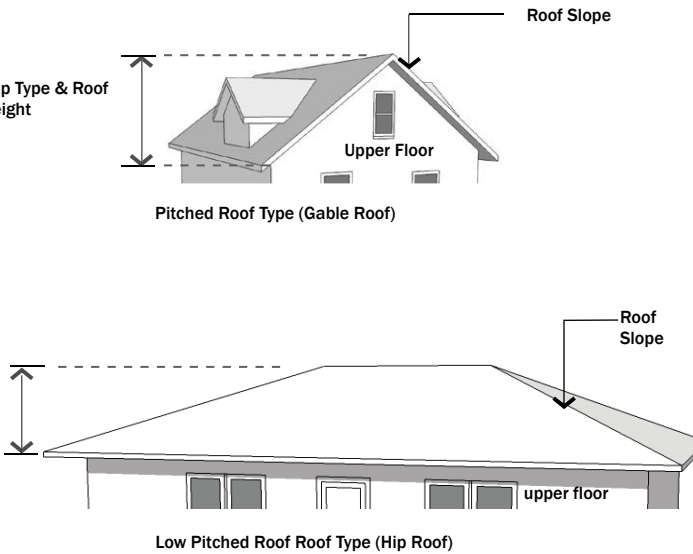


Figure 10-21-4J (2). Pitched Roof Type

- (a) Configuration. Roofs with no visible slope are acceptable. Eaves are recommended on all street facing facades.
- (b) Eave Depth. Eave depth is measured from the building facade to the outside edge of the eave. Eaves shall have a depth of at least 14 inches.
- (c) Eave Thickness. Eave thickness is measured at the outside edge of the eave, from the bottom of the eave to the top of the eave. Eaves shall be a minimum of eight inches thick.
- (d) Interrupting Vertical Walls. Vertical walls may interrupt the eave and extend above the top of the eave with no discernible cap.
 - i. No more than one-half of the front facade can consist of an interrupting vertical wall.
 - ii. Vertical walls shall extend no more than four feet above the top of the eave.
- (e) Occupied Space. Occupied space shall not be incorporated behind this roof type.
- (f) No mechanical equipment on roof shall be visible from the adjacent sidewalk.
- 5. Towers. Refer to Figure 10-21-4J (4). A tower is a rectilinear or cylindrical, vertical element, that shall be used with other roof types.
 - (a) Quantity. All Building Types, with the exception of the Civic Building, are limited to one tower per building.
 - (b) Tower Height. Maximum height, measured from the top of the parapet or eave to the top of the tower, is the equivalent of the height of one upper floor of the building to which the tower is applied.
 - (c) Tower Width. Maximum width along all facades is one-third the width of the front facade or 30 feet, whichever is less.

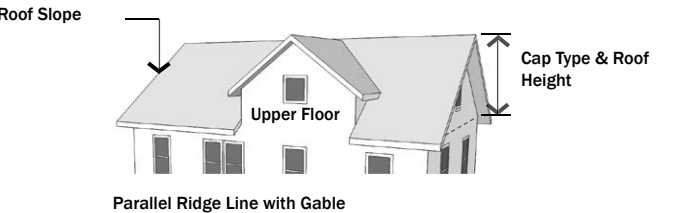


Figure 10-21-4J (3). Parallel Ridge Line

- (d) Occupied Space. Towers may be occupied by the same uses allowed in upper stories of the Building Type to which it is applied.
- (e) Application. May be combined with all other roof types.
- (f) Tower Cap. The tower may be capped by the parapet, pitched, low pitched, or flat roof roof types, or the spire may cap the tower.

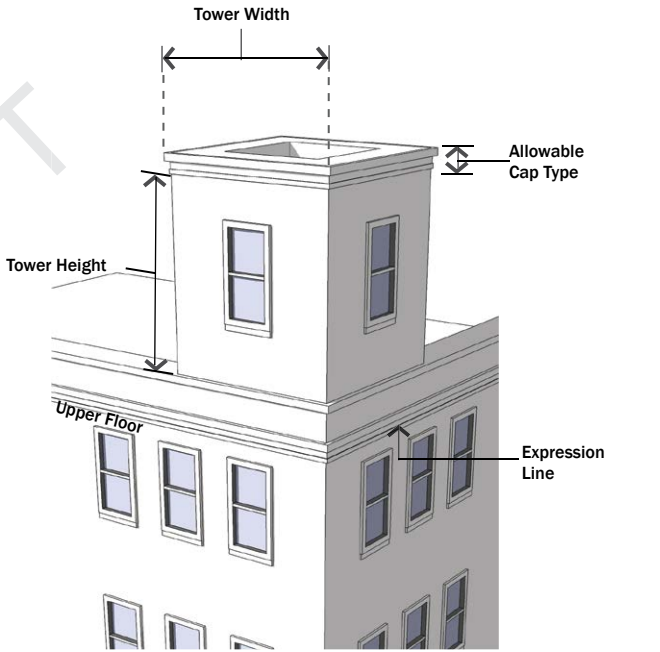


Figure 10-21-4J (4). Tower

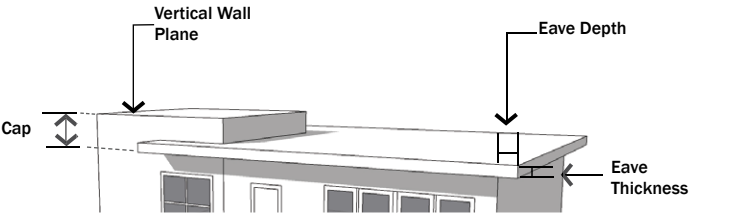


Figure 10-21-4J (5). Flat Roof Type

10-21-4 Building Types

K. Additional Design Requirements.

The following outlines the district design requirements that affect a building’s appearance and district cohesiveness. They improve the physical quality of buildings, enhance the pedestrian experience, and protect the character of the neighborhood.

1. Materials and Color.

- (a) Primary Facade Materials. 80 percent of each street facade shall be constructed of primary materials. Street facade materials shall continue around the corner a minimum depth of 20 feet onto the side facade.
 - i. Permitted primary building materials include high quality, durable, natural materials, such as stone, brick; wood lap siding; fiber cement board lapped, shingled, or panel siding; glass. Other high quality synthetic materials may be approved during the site plan process with an approved sample and examples of successful, high quality local installations. Refer to Figure 10-21-4K (1).
- (b) Secondary Facade Materials. Secondary materials are limited to details and accents and include gypsum reinforced fiber concrete for trim and cornice elements; metal for beams, lintels, trim, and ornamentation, and exterior architectural metal panels and cladding.
 - i. Exterior Insulation and Finishing Systems (EIFS) is permitted on upper floor facades only.



Primary Materials: Brick



Primary Materials: Stone



Primary Materials: Painted Wood

Figure 10-21-4K (1). Primary Materials.

- (c) Roof Materials. Acceptable roof materials include 300 pound or better, dimensional asphalt composite shingles, wood shingles and shakes, metal tiles or standing seam, slate, and ceramic tile. “Engineered” wood or slate may be approved during the site plan process with an approved sample and examples of successful, high quality local installations. Refer to Figure 10-21-4K (2).
- (d) Color. Main building colors shall utilize any historic palettes from any major paint manufacturer. Other colors may be utilized or details and accents, not to exceed a total area larger than 10 percent of the facade surface area.
- (e) Appropriate Grade of Materials. Commercial quality doors, windows, and hardware shall be used on all ground floor Building Types with the exception of the Attached Building and the Yard Building. Refer to Figure 10-21-4K (3).

2. Windows, Awnings, and Shutters.

- (a) Windows. All upper story windows on all historic, residential, and mixed use buildings shall be recessed, and either casement or double hung. Percent of transparency is required per Building Type. Horizontal or vertical strip windows, tinted or reflective glass, and glass block (Figure 10-21-4K (4)) are prohibited on street facades.
- (b) Security Grills. Grills shall be fully retractable and completely within the interior of the building and inconspicuous to the



Roof Materials: Asphalt Composite Shingles



Roof Materials: Metal



Roof Materials: Ceramic Tile

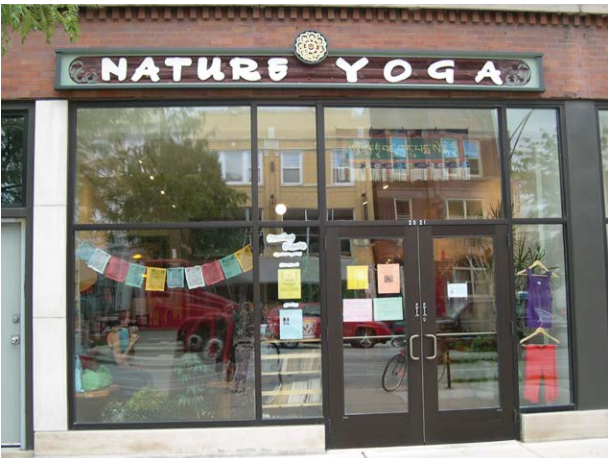
Figure 10-21-4K (2). Roof Materials.

extent possible. Exterior bars are prohibited on any window. Refer to Figure 10-21-4K (5).

- (c) Awnings. All awnings shall be canvas or metal. Plastic awnings and canopy awnings that extend from the front facade into the right-of-way are prohibited. Awning types and colors for each building face shall be coordinated. Refer to Figure 10-21-4K (6).
 - (d) Shutters. If installed, shutters, whether functional or not, shall be sized for the windows. If closed, the shutters shall not be too small for complete coverage of the window. Shutters shall be wood. “Engineered” wood may be approved during the site plan process with an approved sample and examples of successful, high quality local installations.
3. Rear Parking Facade Design. The following applies in all locations where a public building entrance occurs on the rear facade adjacent to a parking lot. Refer to Figure 15.4K (7).
- (a) Entrance Type. An Entrance Type shall be utilized for a minimum of 20 feet of rear facade. Refer to 10-21-4(2)-(5).
 - (b) Transparency Requirement. Public building entrance facade area, minimum 20 feet wide, shall utilize one of the following:
 - i. When the Storefront Entrance Type is utilized, a minimum 45 percent transparency is required for the ground floor facade entrance, and the door shall be a



Prohibited: Residential Grade Doors on Commercial Buildings.



Permitted: Commercial Grade Doors & Windows on Commercial Buildings.

Figure 10-21-4K (3).Commercial Grade Doors & Windows.



Prohibited: Glass block windows on front facade.

Figure 10-21-4K (4).Windows.



Permitted: Fully retractable, interior security grills.

Figure 10-21-4K (5).Security Grills.



Prohibited: Exterior grills and bars.



Permitted Awnings: Metal (left) and Canvas (right)



Prohibited Awnings: Canopy awnings that extend from the front facade into the right-of-way

Figure 10-21-4K (6). Awnings.



Front Facade Example. Rear Facade Example.
Figure 10-21-4K (7).Rear Parking Facade Design.

- minimum of 45 percent transparent.
 - ii. When any other Entrance Type is utilized, the minimum transparency required for upper floors of the street facade shall apply to the rear ground floor entrance area, and the door shall be a minimum of 45 percent transparent.
 - (c) Awnings and signage are encouraged.
4. **Balconies.** The following applies in all locations where balconies are incorporated into the facade design facing any street or parking lot. Refer to Figure 10-21-4K (8).
- (a) Size. Balconies shall be a minimum of six feet deep and five feet wide.
 - (b) Connection to Building. Balconies shall be integral to the facade at the street line. Balconies on stepbacked stories shall be independently secured and unconnected to other balconies.
 - (c) Facade Coverage. A maximum of 40 percent of the front and corner side facades, as calculated separately, may be covered with balconies, including street-facing railing and balcony structure.



Figure 10-21-4K (8). Balconies Integral to Facade.

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10-21-5 Site Development Standards

A. Signage

- 1. **General Requirements.** Refer to Section 10-20 of the Yorkville City Code for all signage regulations applicable to the Downtown Overlay Districts.
- 2. **Revisions to the Signage Regulations.** The following revises Section 10-20 of the Yorkville City Code specific to the S Districts.
 - (a) Freestanding Low Monument Signs. (Refer to Section 10-20-4) Low Monument Signs are permitted only in the S 4 District.

B. Parking Requirements.

- 1. **Applicability.** This section shall apply to all new development and changes in use or intensity of use for existing development in any S Districts.
- 2. **General Requirements.** Off-street parking spaces shall be provided in conformance with Section 10-16 Off-Street Parking and Loading Regulations, unless revised in this Section 10-21-5B.
 - (a) Required Vehicle Parking. The Required Vehicle Parking Table 10-21-5B (1) indicates the maximum vehicle parking ratio for a given use.
- 3. **Parking Credits.** Vehicular parking standards within Section 10-16 may be reduced by achieving one or all of the following credits.
 - (a) On-Street Parking Credit. For all non-residential uses, on-street parking spaces that meet the following shall be credited against the parking requirement.
 - i. Spaces shall be designated on-street parking available 24 hours of every day.
 - ii. On-street space located a minimum of 50 percent adjacent to the property line of the lot.
 - (b) Public Parking Credit. For all non-residential uses, public parking spaces located within 660 feet of any property line may be credited against the parking requirement at a rate of one credit for every three public parking spaces.
 - (c) Car-Share Parking Credit. The vehicular parking requirements can be reduced with the inclusion of car-share parking spaces as follows.
 - i. Per each car-share parking space provided, required parking spaces shall be reduced by four spaces.
 - ii. Required parking spaces may be reduced up to 40 percent.
 - iii. Approval. Applicant must provide documentation of an agreement with a car-share company. If this agreement should terminate at any point, applicant shall be required to provide parking as otherwise required herein.
 - (d) Shared Parking. Required Parking may be reduced to the lower amount if at least 80% of non-residential parking is available as publicly shared parking. Otherwise, the higher standard parking requirement shall apply.
 - (e) Other Parking Reductions. Additional reductions may be approved by the Planning and Zoning Commission with the submittal of a parking study illustrating the reduction.
- 4. **Bicycle Parking.**
 - (a) Required Bicycle Parking. The Required Bicycle Parking Table 10-21-5B (2) indicates the minimum bicycle parking ratio for a

- given use.
- i. Bicycle parking is not required for uses not listed.
 - ii. Bicycle parking is not required for uses less than 2,500 square feet in size.
 - iii. No Use, other than Civic is required to accommodate more than 20 bicycles.
- (b) Bicycle Parking Dimensions.
- i. Required bicycle parking spaces shall have minimum dimensions of two feet in width and six feet in length.
 - ii. An aisle a minimum of five feet wide shall be provided behind bicycle parking facilities to allow for maneuvering.
 - iii. A minimum of two feet shall be provided beside each parked bicycle to allows access. This access may be shared by adjacent bicycles.
 - iv. Racks shall be installed a minimum of two feet from any wall or other obstruction.
- (c) Location. Bicycle parking should be located within 50 feet of the entrance of the Use.
- i. Indoor or outdoor spaces are permitted, provided they are located on the lot with which they are associated.
 - ii. Bicycle parking facilities shall be separated from vehicular parking areas to protect parked bicycles from damage. The separation may be accomplished through grade separation, distance or physical barrier, such as curbs, wheel stops, poles or other similar features.

Land Use	Vehicle Spaces
Residential (Studio and 1 bedroom)	1 per unit
Residential (2 or more bedrooms)	1.5 per unit
Civic/Institutional	max. 2 per 1,000 square feet
Retail/Services (less than 8,000 square feet, excluding Restaurants)	no min. or max. parking requirements
Retail/Services (8,000 square feet or more, excluding Restaurants)	max. 2 per 1,000 square feet
Restaurants	max. 4 per 1,000 square feet
Office	max. 2 per 1,000 square feet

Table 10-21-5B (1). Required Vehicle Parking.

Land Use	Bicycle Spaces
Multifamily	1 per 2 Vehicular Spaces for buildings with 8+ units
Civic/Institutional	1 per 10 Vehicular Spaces, min. of 4
Retail	1 per 10 Vehicular Spaces
Services	1 per 10 Vehicular Spaces
Office	1 per 10 Vehicular Spaces

Table 10-21-5B (1). Required Bicycle Parking.

10-21-5 Site Development Standards

- (d) Racks and Structures. Racks and structures shall be provided for each unprotected parking space, and shall be designed to accommodate both chain and U-shaped locking devices supporting the bicycle frame at two points.

C. Landscape.

- 1. **General Requirements.** Refer to Section 10-17 Fencing and Screening for all landscaping and screening requirements.
- 2. **Build-to Zones and Setbacks.** All build-to zone and setback areas not covered by building shall contain either landscape, patio space, or sidewalk space.
 - (a) Driveways are permitted to cross the front and corner build-to zone and rear setbacks perpendicularly at a maximum of 25 feet in width.
 - (b) Driveways may encroach upon the side setbacks longitudinally on parcels 50 feet or less in width.
 - (c) Parking lots shall not encroach upon any setbacks. Side and rear yard parking lots shall not be located closer to the front or corner lot line than the building.

Frontage Buffer Requirements	
Buffer Depth & Location ¹	
Depth	7'
Location on Site	Between street facing property line and vehicular areas ²
Buffer Landscape Requirements	
Uses & Materials	Uses and materials other than those indicated are prohibited in the buffer
Shade Trees	Medium or large shade tree with full, spreading canopies required at least every 40'; Locate on the street side of the fence; Spacing should alternate with street trees
Hedge	Required continuous hedge on street side of fence, between shade trees & in front of parking areas
Hedge Composition	Individual shrubs with a minimum width of 24", spaced no more than 36" on center
Existing Vegetation	May be credited toward buffer area
Fence	
Location	2' from back of curb of vehicular area
Materials	Non-galvanized steel or painted PVC; Masonry Columns (maximum width 2'6") and Low Wall (maximum 18" height) permitted
Minimum Height	3' for Steel or Painted PVC
Maximum Height	4' for Steel or Painted PVC, 18" for Low Wall
Colors	Black, gray, or dark green for Steel or Painted PVC
Opacity	Minimum 30%; Maximum 60% for Steel or Painted PVC
Gate/Opening	One gate permitted per street frontage; Opening width maximum 6'

- Notes:
- ¹ This screening requirement does not prohibit the installation of or provision for openings necessary for allowable access drives and walkways connecting to the public sidewalk.
 - ² In Front and Corner Yards, when the parking area is located adjacent to any building on the lot, the buffer must be located so that it aligns with or is behind the face of the adjacent building back to the vehicular area. The area between the buffer and the property line must be landscaped.

Table 10-21-5C (1). Frontage Buffer Requirements.

- 3. **Frontage Buffer Requirements.** Refer to Figure 10-21-5C (1). The following additional requirements are specific to the S Districts and is in addition to information within Section 10-17 Fencing and Screening guidelines.
 - (a) Intent. To lessen the visual impact of parking areas visible from the street.
 - (b) General Applicability. Applies to properties in all S Districts where a parking area is located adjacent to a right-of-way.
 - (c) Exceptions. Parking areas along alleys, except when a residential district is located across the alley. Single and two family residences are also excepted.

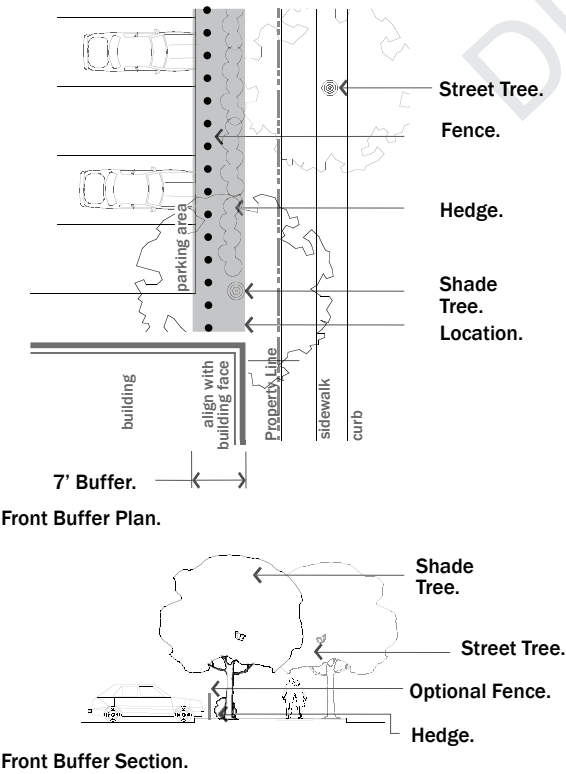


Figure 10-21-5C (1). Frontage Buffer Plan and Section.

D. Street Guidelines.

1. **General Street Guidelines.** The following guidelines should apply to all new streets within S Districts with the intent of creating pedestrian oriented, multimodal streets.
- (a) Typical Street Elements. All street rights-of-way should include the following vehicular and pedestrian realm considerations. Refer to Figure 10-21-5D (1).

(1) Vehicular Realm. The vehicular realm is comprised of the travel lanes, bicycle lanes, and parking lanes.

(2) Pedestrian Realm. The pedestrian realm is comprised of pedestrian facilities, such as sidewalk. A buffer area that serves to buffer pedestrians or bicyclists from the movements of higher speed vehicles in the vehicular realm shall consist of one of the following:

(i) Landscape Zone. A landscape area between the back of curb to the sidewalk in which street trees, stormwater swales, lighting, and signage may be located. Typically used adjacent to residential ground floor uses.

(ii) Furnishings Zone. A hardscape area that extends from the sidewalk to the back of curb, in which street trees, street furniture, lighting, and signage may be located. Typically used adjacent to commercial or office ground floor uses.

(b) Bicycle Facilities. Bicycle facilities, such as dedicated lanes and dedicated shared lanes should be included on any streets based on the City’s bicycle plan. New streets within S districts shall utilize shared lanes. A shared lane refers to a street that does not have bicycle lanes or a designated shared lane, but the speed and configuration of the street is such that bicycles could comfortably share lanes with traffic.

(c) Vehicular On-Street Parking. On-street parking, whether parallel or diagonal, shall be included according to the District Street Details for that street.

2. **Street Trees.** Street trees are required along all existing and new street frontages.
- (a) All planting material requirements within Landscaping and Screening Guidelines shall be utilized.

(b) Street trees shall be located in either a Landscape Zone (within a planting bed or lawn) or a Furnishings Zone (in trees wells with grate as required).

(c) Permeable Surface. For each tree preserved or planted, a minimum amount of permeable surface area is recommended.

i. Preserved trees should have a permeable surface area equal to the critical root zone. The critical root zone is equal to half of the radius of the tree’s mature canopy, measured from the trunk out to the dripline.

ii. Planted trees have a suggested minimum permeable area and soil volume based upon tree size; refer to Table 10-21-5D (1) for details.

iii. Permeable area for one tree cannot count toward that of another tree.

(d) Structural Soil. When the critical root zone of an existing tree or the suggested permeable surface area requirement of a newly planted tree extends below any pavement, structural soil is required underneath the pavement.
3. **Pedestrian Lighting.** Pedestrian light fixtures shall be installed per the street requirements of the City’s Department of Public Works and any streetscape master plan adopted by the City.

4. **New Streets and Subdivision.** For all developments with total parcel acreage larger than five acres, subdivision and construction of a new street will yield the most buildings. (Building Types require buildings to front streets). Refer to Figure 10-21-5D (2) for an example of a typical new block and street configuration. The following recommendations apply:
- (a) Interconnected Street Pattern. Streets shall connect and continue existing streets from adjoining areas and cul-de-sac and dead end streets should be avoided.

(b) Blocks.

i. The shape of a block shall be generally rectangular, but may vary due to natural features or site constraints.

ii. Blocks shall typically be two lots deep with the exception of blocks containing open space. Blocks may also include an alley. Blocks may include existing lots within an existing zoning district.

iii. Blocks shall typically be fronted with lots on at least two faces, preferably on the longest street faces.

iv. Consider lot and block orientation for maximum energy efficiency. For example, block orientation along an east-west longitudinal axis will encourage development of buildings oriented along an east-west axis, with smaller east and west facing facades, able to take advantage of passive solar technology.

v. Block size should be less than 400 feet.

(c) Access Points. A minimum of two access points should be provided for each development, with a minimum of one per every 1,500 feet of boundary recommended.

(d) Primary Streets. Designate primary streets so that all buildings front at least one primary street. Vehicular access should not be located off a Primary Street, unless the parcel is fronted by more than two primary streets.

(e) Blocks may include interior alleys or lanes.

(f) Typical Lot Configuration. All lots shall have frontage along a public street unless otherwise specified in Building Type requirements. Flag lots are prohibited.

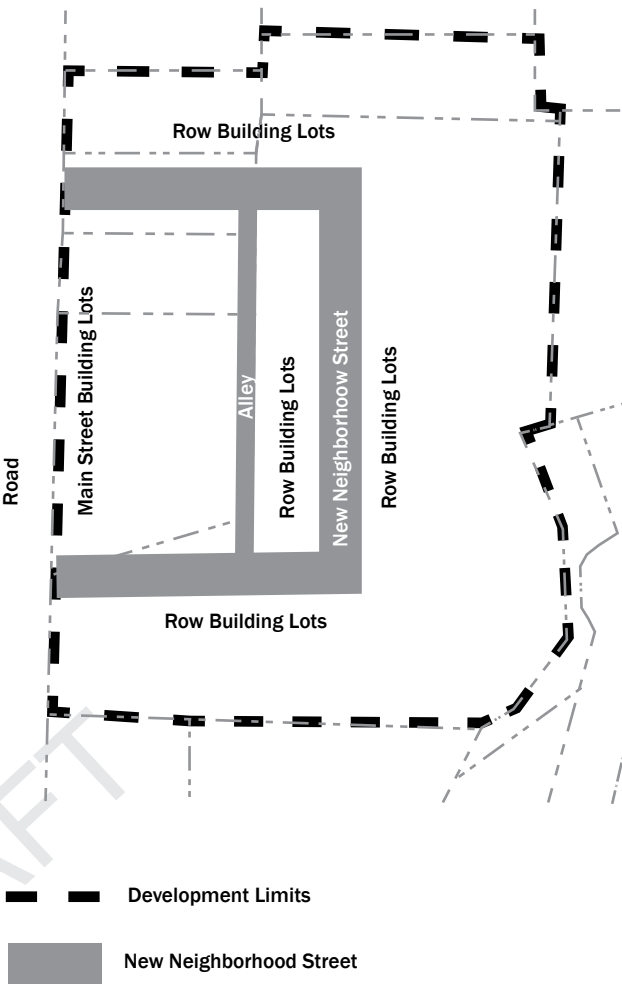


Figure 10-21-5D (2). Example of New Street and Block Configuration for Large Parcels or When Multiple Parcels are Combined.

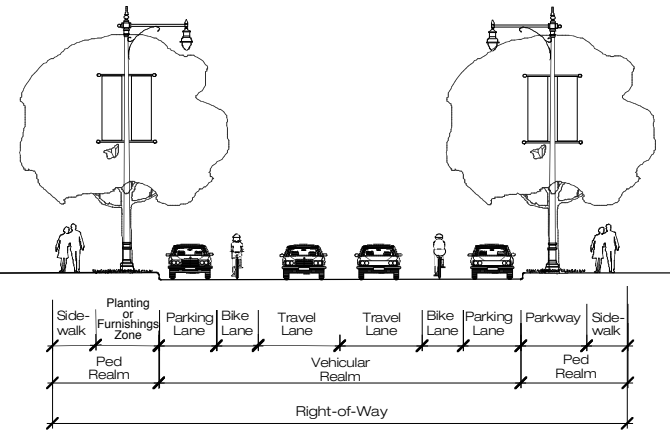


Figure 10-21-5D (1). Typical Right-of-Way Elements.

Tree Size Type	Soil Volume (cubic ft)	Soil Surface Area (sq ft) with 2.5' Soil Depth	Permeable Surface Area Requirement (sq ft)
Medium	2,852	1141 (approx. 34' x 34')	225 (15' x 15')
Large	6,532	2681 (approx. 50' x 50')	400 (20' x 20')

Table 10-21-5D (1). Minimum Recommended Soil Volumes and Permeable Area per Planted Tree.

E. Temporary Structures.

1. **General Requirements.** Refer to 10-17 Fencing and Screening for all landscaping and screening requirements.
2. **Description and intent.** Temporary Structures are allowed in all Districts according to the following guidelines.

The small scale activity or display area can be a patio for outdoor eating or display of goods and should constitute the majority of the site. The frontage required continues the streetwall of the adjacent buildings, allowing a continuous pedestrian experience from the street with views into the outdoor space.

Two accessory structures are permitted. A temporary building may be erected in the rear of the Lot and allows patrons to enter the building. A permanent kiosk may be located anywhere on the Lot, but allows employees only in the interior.

3. **Regulations.** Regulations for Temporary Structures are defined in the adjacent table.
4. **Mobile Food Vendors.** Refer to Section 10-3-14 Mobile Food Vendor Vehicles & Retail Vendor Vehicles for all mobile food vendor requirements.

(a) No more than one mobile food vendor may be located on a lot at a time except with a Mobile Food Vending permit.

(b) Mobile food vendors may vend in the public right-of-way, provided the vehicle is parked legally.

(c) The vehicle shall be located at least fifteen feet from any fire hydrant and at least five feet from any driveway, sidewalk, utility box or vault, handicapped ramp, building entrance or exit, or emergency call box.

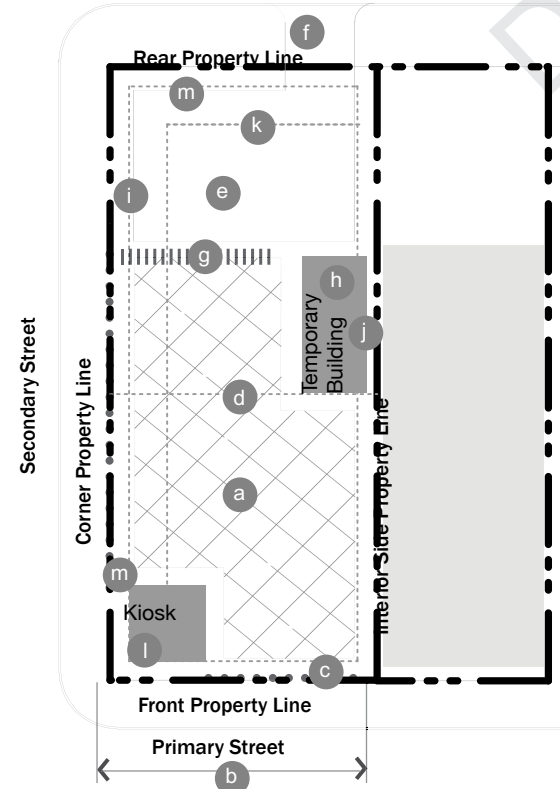


Figure 10-21-5E (1). Temporary Structure Siting

- (d) Drive-through vending is prohibited.
- (e) All food vendors subject to Kendall County Health Department requirements.

Temporary Structures Requirements			
1. Siting			
Minimum area of Unenclosed, Fully or Partially Paved Outdoor Activity/Display Area	45% of parcel		a
Min Lot Width	none		b
Max Lot Width	50'		
Max Impervious Coverage	80%		
Additional Semi-pervious Coverage	15%		
Required Front & Corner Side Frontage Type	0' to 5'		c
Parking Setbacks			d
Front	75'		
Corner, Side, Rear	5'		
Parking & Loading Facility Location			e
Access	From Alley or Side Street		f
Required Buffer between Parking & Activity/Display Area	none		g
2. Accessory Buildings			
Number of Permitted Accessory Buildings	2		
Max Building Coverage	20%		h
Temporary Building			
Front Yard Setback	75'		i
Corner Side Setback	15'		j
Side Yard Setback	0'		
Rear Yard Setback	5'		k
Kiosk Building			
Front, Corner, Side, Read Setback	5'		l
Max Size	500 sf		m
Max Height	one story or 15'		
Min Front Facade Transparency	20%		
Roof Type	Pitched, Flat, Parapet		
Existing Vegetation	May be credited toward buffer area		
3. Uses			
Permitted Uses	Assembly		
	General Retail		
	General Service		

Notes:

- ¹ This screening requirement does not prohibit the installation of or provision for openings necessary for allowable access drives and walkways connecting to the public sidewalk.
- ² In Front and Corner Yards, when the parking area is located adjacent to any building on the lot, the buffer must be located so that it aligns with or is behind the face of the adjacent building back to the vehicular area. The area between the buffer and the property line must be landscaped.

Table 10-21-5E (1). Temporary Structures Requirements.

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Administrator Checklist: Pre-Application Meeting

☐ **1. Determine the Project's District**

Refer to:
Figure 10-21-1B (1) Yorkville Form-Based Districts Regulating Plan.

Provide to Applicant:

☐ Portion of the Regulating Plan that shows Applicant's parcel.

Discuss with Applicant:

☐ Intent of Districts

☐ **2. Determine the Project's Building Type**

Refer to:
Table 10-21-4A (1) Permitted Building Types per District

Provide to Applicant:

☐ Portion of Section 10-21-4 that applies to the building types proposed in the project.

Discuss with Applicant:

☐ Intent of Building Types

☐ **3. Determine the Project's Intended Use**

Refer to:
Table 10-21-3B (1) Permitted Uses Table.

Provide to Applicant:

☐ Portion of Section 10-21-3 that applies to the uses proposed in the project.

Discuss with Applicant:

☐ Permitted uses within the project.

☐ Development Standards and Special Uses applicable to the project.

☐ **4. Assemble Applicable Supplemental Guidelines**

Refer to:
Section 10-21-5 Site Development Standards, as well as any other relevant code guidelines (Stormwater Ordinance 2012-56, Health Department Requirements, etc.).

Provide to Applicant:

☐ Portion of Section 10-21-4 that applies to the building types proposed in the project.

Discuss with Applicant:

☐ Concepts and Intent of Site Development Standards

☐ Parking

☐ **5. Retain Copies of All Documents Provided to Applicant**
(for use in the review of the Applicant's submission)



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

Agenda Item Number

New Business #6

Tracking Number

EDC 2019-24

Agenda Item Summary Memo

Title: Raging Waves Annexation Agreement Amendment

Meeting and Date: Economic Development Committee - March 5, 2019

Synopsis: Request for 5th amendment to the Raging Waves Annexation Agreement

Council Action Previously Taken:

Date of Action: 5-16-2013 Action Taken: Approval of Road Name Change

Item Number: EDC 2013-18

Type of Vote Required: 2/3 vote of Corporate Authorities (6 of 9 including Mayor)

Council Action Requested: Vote

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

Agenda Item Notes:

Please see attached memo.



Memorandum

To: Economic Development Committee
From: Krysti J. Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Date: February 19, 2019
Subject: **Raging Waves Waterpark
Proposed 3rd Amendment to Annexation Agreement**

Background

The property on which Raging Waves Waterpark is located was annexed into the City in 2006 as part of the O'Keefe property via Ordinance 2006-101. In 2008, the annexation agreement was amended to include a 5% admissions tax of which a portion would be rebated to Raging Waves to offset their costs of construction the public roadway throughout the entire O'Keefe parcel. Raging Waves' share of the 5% admission tax collected by the City was set at 55%. While the collection of the admission tax was approved for twenty years, the rebate to Raging Waves was for a period of ten (10) years or through 2018. After the expiration of the tax share with Raging Waves, the City would receive 100% of the admission tax collected for the remaining 10 years or through 2028.

In 2011, the annexation agreement was again amended via Ordinance 2011-31 (agreement was not executed until May 1, 2012), to reduce the admissions tax from 5% to 2.75% and limit the tax collection term from 20 years to 10 years. This second amendment eliminated the City's share of the tax collected, thereby allowing Raging Waves to collect 100% of the admission tax generated for ten (10) years, commencing August 1, 2011 and ending September 30, 2021. After 2018, the tax would then completely cease.

Proposed Request

The current proposed agreement amendment is seeking extend the termination date of the admission tax and the rebate period an additional five (5) years, from September 30, 2021 to September 30, 2026. The proposed in effect would increase the term of the agreement from an overall ten (10) year time frame to a fifteen (15) year time frame. The proposed amended language is provided in the attached draft agreement prepared by the City Attorney for your consideration.

Staff Comments

Since the request is an amendment to an annexation agreement, a public hearing before the City Council is required. Staff has tentatively scheduled the public notice to be published in the March 8th edition of the Beacon Newspaper for March 26, 2019 public hearing before the City Council. Final determination of the request will be considered at the April 9th City Council meeting with approval requiring two-thirds (2/3) of the corporate authorities' favorable vote (6 out of 9 including the Mayor). Staff and representatives from Raging Waves will be available at Tuesday night's meeting to answer any questions.

**THIRD AMENDMENT TO THE
AMENDED ANNEXATION AGREEMENT AND PLANNED
UNIT DEVELOPMENT AGREEMENT**
(O’Keefe Subdivision)

This Third Amendment to an Annexation Agreement, dated September 26, 2006, by and among the Betty O’Keefe Family Limited Partnership (the “*Owner*”), Lundmark Group, LLC, an Illinois limited liability company (“*Lundmark*”) and the United City of Yorkville, Kendall County (the “*City*”), a municipal corporation organized and existing under and by virtue of the laws of the State of Illinois (the “*Original Agreement*”), as amended June 10, 2008 (the “*First Amendment*”) and May 1, 2012 (the “*Second Amendment*”) is entered into this ____ day of _____, 2019 by and between the City and Raging Waves, LLC, Series A, a Delaware Series limited liability company, as successor-in-interest to Lundmark (the “*Developer*”).

RECITALS:

WHEREAS, the Owner, Lundmark and the City entered into the Original Agreement which provided for the annexation of approximately 140.9 acres of real estate located east of Illinois Route 47 and south of Galena Road in Bristol Township, Kendall County, Illinois (the “*Annexed Parcel*”); and,

WHEREAS, the Original Agreement provided that Lundmark was the contract purchaser of lots 2 and 3 of the Annexed Parcel (the “*Water Park Parcel*”) and, after its acquisition thereof, would develop said property to create a water park facility identified as a commercial recreation park within the B-3 Service Business District (the “*Water Park*”), with certain modifications and deviations from applicable City ordinances, rules and codes; and,

WHEREAS, in accordance with the Original Agreement, the Developer became subject to all of the obligations of Lundmark, as set forth therein, when it became the record owner of the Water Park Parcel; and,

WHEREAS, in addition to the terms and conditions pertaining to the development of the Water Park, Paragraph 9 of the Original Agreement provided that the City would impose a five percent (5%) admissions tax on the total net collection of admission revenues generated from the operation of the Water Park (the “*Admissions Tax*”) for a period of twenty (20) years and rebate fifty-five percent (55%) of the City’s collections of the Admissions Tax to the Developer for a period of ten (10) years in order to offset its cost of constructing a public east/west road through lots 2 and 3; and,

WHEREAS, after approval and execution of the Original Agreement, the City imposed a three percent (3%) amusement tax pursuant to Section 11-42-5 of the Illinois Municipal Code (65 ILCS 5/11-42-5) which applies to the Water Park and resulted in a total tax of eight percent (8%) to be applied to the cost of admission, which total tax was deemed to be excessive; and,

WHEREAS, the Second Amendment addressed the excessive imposition of taxes by amending Paragraph 9 of the Original Agreement to provide (1) that the Admissions Tax would be reduced from five percent (5%) to two and three quarters percent (2.75%), (2) said tax would be imposed for a period of ten (10) years, commencing August 1, 2011 and terminating September 30, 2021, and (3) that one hundred percent (100%) of the Admissions Tax received by the City from the Developer would be rebated during said ten (10) year period; and,

WHEREAS, the Corporate Authorities and the Developer now desire to further amend Paragraph 9 of the Original Agreement, as amended, by extending the termination date of the

Admissions Tax and the rebate thereof to the Developer from September 30, 2021 to September 30, 2026; and,

WHEREAS, a legal notice of publication of a public hearing on this Third Amendment was duly published in the *Beacon News*, being a newspaper of general circulation in the City, not more than thirty (30) nor less than fifteen (15) days prior to the public hearing which was held by the Corporate Authorities on _____, 2019, at 7:00 p.m. at City Hall; and,

WHEREAS, the Corporate Authorities believe the Third Amendment is in the best interests of the City and the health, safety and welfare of its residents.

NOW, THEREFORE, in consideration of the foregoing Recitals and the mutual covenants hereinafter set forth, the parties hereto agree as follows:

Section 1. The foregoing recitals are hereby incorporated into this Third Amendment as if fully restated herein.

Section 2. All references in the Original Agreement, First Amendment, and Second Amendment to “Developer” shall be deemed a reference to Raging Waves, LLC, Series A, a Delaware Series limited liability company.

Section 3. Paragraph 9 of the Original Agreement, as amended by the First Amendment and Second Amendment, is hereby amended to provide that the Admissions Tax of two and three quarters percent (2.75%), as established by the Second Amendment, shall be imposed for a period of fifteen (15) years, which period commenced August 1, 2011 and terminates September 30, 2026 (the “*Admissions Tax Term*”), and that one hundred percent (100%) of the Admissions Tax received by the City from the Developer during the Admissions Tax Term shall be rebated to the Developer.

Section 4. All matters, covenants, obligations and commitments as set forth in the Original Agreement and any amendments thereto, other than the amendments to Paragraph 9 thereof pertaining to the imposition and rebate of the Admissions Tax as set forth above, are hereby affirmed as if restated herein.

Section 5. This Third Amendment may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same document.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals to this
Third Amendment to the Original Agreement as of the day and year first above written.

United City of Yorkville, an Illinois
municipal corporation

By: _____
Mayor

Attest:

City Clerk

Raging Waves, LLC, Series A, a Delaware Series
limited liability company

By: _____
President

Attest:

Secretary

AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS, APPROVING A THIRD AMENDMENT TO THE AMENDED ANNEXATION AGREEMENT AND PLANNED UNIT DEVELOPMENT AGREEMENT (O'Keefe Subdivision)

WHEREAS, the United City of Yorkville, Kendall County, Illinois (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, Section 11-15.1-1 *et seq.* of the Illinois Municipal Code (65 ILCS 5/11-15.1-1 *et. seq.*) grants the City with authority to enter into an annexation agreement with one or more owners of land in an unincorporated territory; and,

WHEREAS, on September 26, 2006, the Betty O’Keefe Family Limited Partnership (the “Owner”), Lundmark Group, LLC (the “Lundmark”) and the City entered into an Annexation Agreement (the “Original Agreement”) which provided for the annexation of approximately 140.9 acres of real estate located east of Illinois Route 47 and south of Galena Road in Bristol Township, Kendall County, Illinois (the “Annexed Parcel”); and,

WHEREAS, Raging Waves, LLC, Series A, a Delaware Series limited liability company (the “Developer”) is the successor-in-interest to Lundmark and, in accordance with the Original Agreement, is subject to all of the obligations of Lundmark as set forth therein; and,

WHEREAS, the Original Agreement provided for the development, by the Developer, after its acquisition of lots 2 and 3 of the Annexed Parcel, of a water park facility identified as a commercial recreation park within the B-3 Service Business District (the “Water Park”), with certain modifications and deviations from applicable City ordinances, rules and codes as set forth in the Original Agreement; and,

WHEREAS, in addition to the terms and conditions pertaining to the development of the Water Park, Paragraph 9 of the Original Agreement provided that the City would impose a five percent (5%) admissions tax on the total net collection of admission revenues generated from the operation of the Water Park (the “*Admissions Tax*”) for a period of twenty (20) years and rebate fifty-five percent (55%) of the City’s collections of the Admissions Tax to the Developer for a period of ten (10) years in order to offset its cost of constructing a public east/west road through lots 2 and 3; and,

WHEREAS, after approval and execution of the Original Agreement, the City imposed a three percent (3%) amusement tax pursuant to Section 11-42-5 of the Illinois Municipal Code (65 ILCS 5/11-42-5) which applies to the Water Park and resulted in a total tax of eight percent (8%) to be applied to the cost of admission, which total tax was deemed to be excessive; and,

WHEREAS, to address the excessive tax, on May 1, 2012, the Corporate Authorities executed an amendment to the Original Agreement (the “*Second Amendment*”), which amended Paragraph 9 of the Original Agreement to provide (1) that the Admissions Tax would be reduced from five percent (5%) to two and three quarters percent (2.75%), (2) said tax would be imposed for a period of ten (10) years, commencing August 1, 2011 and terminating September 30, 2021, and (3) that one hundred percent (100%) of the Admissions Tax received by the City from the Developer would be rebated during said ten (10) year period; and,

WHEREAS, the Corporate Authorities and the Developer now desire to further amend Paragraph 9 of the Agreement by extending the termination date of the Admissions Tax and the rebate thereof to the Developer from September 30, 2021 to September 30, 2026; and,

WHEREAS, a legal notice of publication of a public hearing on the proposed third amendment to the Original Agreement was duly published in the *Beacon News*, being a newspaper

of general circulation in the City, not more than thirty (30) nor less than fifteen (15) days prior to the public hearing which was held by the Corporate Authorities on _____, 2019, at 7:00 p.m. at City Hall; and,

WHEREAS, the Corporate Authorities believe it to be in the best interests of the City and the health, safety and welfare of its residents to extend the term for which the Admissions Tax collected by the City from operation of the Waterpark will be rebated to the Developer in accordance with a third amendment to the Original Agreement.

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

Section 1. That the recitals in the preambles to this Ordinance are incorporated into this Section 1 as if fully set forth herein.

Section 2. That the Third Amendment to the Amended Annexation Agreement and Planned Unit Development Agreement (O’Keefe Subdivision), attached hereto and made a part hereof, is hereby approved and the Mayor, City Clerk, and City Administrator are hereby authorized to execute and deliver said Third Amendment and undertake any and all actions as may be required to implement its terms on behalf of the City.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois, this _____ day of _____, A.D. 2019.

CITY CLERK

CARLO COLOSIMO _____

KEN KOCH _____

JACKIE MILSCHEWSKI _____

ARDEN JOE PLOCHER _____

CHRIS FUNKHOUSER _____

JOEL FRIEDERS _____

SEAVAR TARULIS _____

JASON PETERSON _____

APPROVED by me, as Mayor of the United City of Yorkville, Kendall County, Illinois,
this _____ day of _____, A.D. 2019.

MAYOR

Attest:

CITY CLERK

PUBLIC NOTICE
NOTICE OF PUBLIC HEARING
BEFORE
THE UNITED CITY OF YORKVILLE
CITY COUNCIL

NOTICE OF PUBLIC HEARING CONCERNING A THIRD AMENDMENT TO THE ANNEXATION AGREEMENT BY AND AMONG THE BETTY O'KEEFE FAMILY LIMITED PARTNERSHIP (OWNER), THE LUNDMARK GROUP,LLC (DEVELOPER) AND THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

NOTICE IS HEREBY GIVEN that the United City of Yorkville, Kendall County, Illinois will hold a public hearing at City Hall, 800 Game Farm Road, Yorkville, Illinois on the **26th of March, 2019**, at 7:00 p.m. for the purpose of receiving comments on the proposed Third Amendment to the Annexation Agreement (O'Keefe Subdivision) dated September 26, 2006, amended June 10, 2008 and May 1, 2012 by and between Raging Waves, LLC, Series A, and the United City of Yorkville, Kendall County, Illinois pertaining to the real estate legally described as:

PARCEL ONE:

LOT 2 IN O'KEEFE SUBDIVISION UNIT ONE, BEING A SUBDIVISION OF PART OF THE WEST 1/2 OF SECTION 9, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 22, 2008 AS DOCUMENT NUMBER 200800012915, IN KENDALL COUNTY, ILLINOIS.

PARCEL TWO:

THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP, 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE EAST LINE OF ILLINOIS ROUTE 47 AND THE SOUTH LINE OF SAID NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER; THENCE NORTH 01 DEGREE, 06 MINUTES, 54 SECONDS WEST ALONG SAID EAST LINE, A DISTANCE OF 642.49 FEET; THENCE NORTH 87 DEGREES, 56 MINUTES, 46 SECONDS EAST, A DISTANCE OF 1452.82 FEET (ALONG SOUTH LINE OF O'KEEFE SUBDIVISION UNIT ONE) TO THE EAST LINE OF LANDS DESCRIBED IN DOCUMENT 2005035985; THENCE SOUTH 15 DEGREES, 34 MINUTES, 22 SECONDS WEST ALONG SAID EAST LINE OF LANDS DESCRIBED IN DOCUMENT 2005035985, A DISTANCE OF 674.18 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 87 DEGREES, 57 MINUTES, 05 SECONDS WEST ALONG SAID SOUTHLINE, A

DISTANCE OF 1259.20 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF BRISTOL, KENDALL COUNTY, ILLINOIS.

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

All interested parties are invited to attend the public hearing and will be given an opportunity to be heard. Any written comments should be addressed to the United City of Yorkville Community Development Department, City Hall, 800 Game Farm Road, Yorkville, Illinois 60560, and will be accepted up to the date of the public hearing.

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

BETH WARREN
City Clerk

BY: Lisa Pickering
Deputy Clerk



201200019900

DEBBIE
GILLETTE
KENDALL COUNTY, IL

RECORDED: 10/12/2012 2:06 PM
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THIS IS A COVER PAGE
FOR RECORDING PURPOSES ONLY

ORDINANCE NO. 2011-31

ORDINANCE APPROVING A SECOND AMENDMENT TO THE
AMENDED ANNEXATION AGREEMENT AND PLANNED
UNIT DEVELOPMENT AGREEMENT
(O'Keefe Subdivision)

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

**ORDINANCE APPROVING A SECOND AMENDMENT TO THE
AMENDED ANNEXATION AGREEMENT AND PLANNED
UNIT DEVELOPMENT AGREEMENT
(O'Keefe Subdivision)**

WHEREAS, the Betty O'Keefe Family Limited Partnership (the "Owner"), Lundmark Group, LLC (the "Developer") and the United City of Yorkville entered into an Annexation Agreement on September 26 2006, as amended June 10, 2008 (the "*Original Agreement*") which provided for the annexation of approximately 140.9 acres of real estate located east of Illinois Route 47 and south of Galena Road in Bristol Township, Kendall County, Illinois (the "*Annexed Parcel*"); and,

WHEREAS, the Original Agreement provided, among other things, for the development, by the Developer, of a water park facility within the B-3 Service Business District on Lots 2 and 3 of the Annexed Parcel and the imposition of an admission tax of five percent (5%) of the total net revenues with a rebate of fifty-five percent (55%) of said admissions tax to the Developer as reimbursement of the Developer's cost of constructing a public east/west road through Lots 2 and 3 pursuant to the terms and conditions stated therein; and,

WHEREAS, since the approval and execution of the Original Agreement and the Amendment, the City has imposed a three percent (3%) amusement tax pursuant to Section 11-42-5 of the Illinois Municipal Code (65 ILCS 5/11-42-5) which applies to the water park facility thereby requiring a reconsideration of the imposition of the admissions tax on the operations of the water park facility and an amendment to the Original Agreement; and,

WHEREAS, a legal notice of publication of a public hearing on the amendment to the Original Agreement was duly published in the *Beacon News*, being a newspaper of general

circulation in the City, not more than thirty (30) nor less than fifteen (15) days prior to the public hearing which was held by the Corporate Authorities on July 26, 2011, at 7:00 p.m. at City Hall; and,

WHEREAS, the Mayor and City Council after the public hearing, have determined that the approval of the proposed amendment in the form as presented to this meeting of the City Council is in the best interests of the health, safety and welfare of its citizens.

NOW, THEREFORE, in consideration of the foregoing Recitals and the mutual covenants hereinafter set forth, the parties hereto agree to the follows:

Section 1. The foregoing recitals are hereby incorporated into this Second Amendment to the Annexation Agreement as if fully restated herein.

Section 2. That the Second Amendment to the Amended Annexation Agreement and Planned Unit Development Agreement (O'Keefe Subdivision) attached hereto and made a part hereof, is hereby approved and the Mayor and City Clerk are hereby authorized to execute and deliver said Agreement.

Section 3. This Ordinance shall be in full force and effect immediately upon its passage by the President and Board of Trustees and approval as provided by law.

United City of Yorkville, Kendall County, Illinois, this 26 day of July, A.D. 2011.

CHRIS FUNKHOUSER

Y

CARLO COLOSIMO

Y

JACKIE MILSCHEWSKI

Y

ROSE SPEARS

Y

GEORGE GILSON, JR.

Y

DIANE TEELING

Y

MARTY MUNNS

Y

LARRY KOT

Y

APPROVED by me, as Mayor of the United City of Yorkville, Kendall County, Illinois, this
2 day of August, A.D. 2011.

Nancy J. Holinski
Mayor

Attest:
Beth Wanen
City Clerk

**SECOND AMENDMENT TO THE
AMENDED ANNEXATION AGREEMENT AND PLANNED
UNIT DEVELOPMENT AGREEMENT
(O'Keefe Subdivision)**

This Second Amendment to the Annexation Agreement by and among the Betty O'Keefe Family Limited Partnership (the "*Owner*"), Lundmark Group, LLC, an Illinois limited liability company (the "*Developer*") and the United City of Yorkville, Kendall County, a municipal corporation organized and existing under and by virtue of the laws of the State of Illinois (the "*City*") acting through its Mayor and City Council (the "*Corporate Authorities*") dated September 26, 2006 (the "*Original Agreement*") and amended June 10, 2008 (the "*Amendment*") is entered into this 1 day of MAY, 2013.

RECITALS:

WHEREAS, the Owner, Developer and the City entered into the Original Agreement which provided for the annexation of approximately 140.9 acres of real estate located east of Illinois Route 47 and south of Galena Road in Bristol Township, Kendall County, Illinois (the "*Annexed Parcel*"); and,

WHEREAS, the Original Agreement provided, among other things, for the development, by the Developer, of a water park facility identified as a commercial recreation park within the B-3 Service Business District, with certain modifications and deviations from the City's ordinances, rules and codes as set forth in the Original Agreement after acquisition by the Developer of lots 2 and 3 of the Annexed Parcel; and,

WHEREAS, in addition to the terms and conditions pertaining to the development of a water park facility on the Annexed Parcel, the Original Agreement further provided at paragraph

9 that the City would impose a five percent (5%) admissions tax on the total net collection of admission revenues generated from the operation of said water park facility (the "*Admissions Tax*") for a period of twenty (20) years and to rebate fifty-five percent (55%) of the City's collections of the Admissions Tax to offset the Developer's cost of constructing a public east/west road through lots 2 and 3 for a period of ten (10) years; and,

WHEREAS, since the approval and execution of the Original Agreement and the Amendment, the City has imposed a three percent (3%) amusement tax pursuant to Section 11-42-5 of the Illinois Municipal Code (65 ILCS 5/11-42-5) which applies to the water park facility and thereby resulting in a total tax of eight percent (8%) to be applied to the cost of admission, which total tax has been deemed to be excessive; and,

WHEREAS, the Corporate Authorities have determined that in order to address this excessive imposition of taxes, the Original Agreement should be amended to impose the Admissions Tax for a period of twenty (20) years which commenced June 10, 2008 and terminates June 10, 2028; to reduce the Admissions Tax to two and three quarters percent (2.75%) commencing August 1, 2011; and, to remit to the Developer one hundred percent (100%) of the Admissions Tax for a 10 year period; and,

WHEREAS, a legal notice of publication of a public hearing on this Second Amendment to the Original Agreement, as amended, was duly published in the *Beacon News*, being a newspaper of general circulation in the City, not more than thirty (30) nor less than fifteen (15) days prior to the public hearing which was held by the Corporate Authorities on July 26, 2011, at 7:00 p.m. at City Hall; and,

WHEREAS, the Mayor and City Council deem the approval of the proposed amendment to be in the best interests of the health, safety and welfare of its citizens.

NOW, THEREFORE, in consideration of the foregoing Recitals and the mutual covenants hereinafter set forth, the parties hereto agree to the follows:

Section 1. The foregoing recitals are hereby incorporated into this Second Amendment to the Annexation Agreement as if fully restated herein.

Section 2. The parties hereto hereby agree that Paragraph 9 of the Original Agreement is hereby amended to provide that the Admissions Tax shall be imposed for a period of ten (10) years, which period commenced August 1, 2011 and terminates September 30, 2021 (the "*Admissions Tax Term*"), and is further amended to reduce said Admissions Tax from five percent (5%) to two and three quarters percent (2.75%), and that one hundred percent (100%) of the Admissions Tax received by the City from the Developer shall be rebated to the Developer for the duration of the Admissions Tax Term.

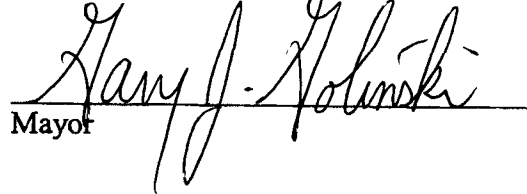
Section 3. All other matters, covenants, obligations and commitments as set forth in the Original Agreement and in the Amendment other than that part of paragraph 9 pertaining to the imposition and rebate of the Admission Tax, are hereby affirmed as if restated herein.

Section 4. This Second Amendment may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same document.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals to this
Second Amendment to Annexation Agreement as of the day and year first above written.

United City of Yorkville, an Illinois
municipal corporation

By:

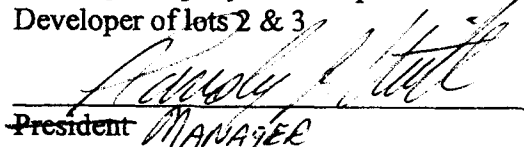

Mayor

Attest:


DEPUTY City Clerk

Lundmark Group, LLC, an Illinois limited
Liability company contract purchaser and
Developer of lots 2 & 3

By:


~~President~~ MANAGER

Attest:

Secretary

LEGAL DESCRIPTION

That part of the west half of Section 9, Township 37 north, Range 7 east of the Third Principal Meridian described as follows: commencing at the southeast corner of the northwest quarter of said Section; thence west along the south line of said northwest quarter, 14.28 chains for a point of beginning; thence N14°50'E, 30.14 chains to the center line of Galena Road; thence northwesterly along the center line of said Galena Road to the west line of said Section; thence south along said west line to the southwest corner of the northwest quarter of the southwest quarter of said Section; thence east along the south line of said northwest quarter of the southwest quarter, 19.75 chains to a point 1 rod west of the southeast corner of said quarter quarter; thence northeasterly to the point of beginning (except that part lying westerly of the center line of Illinois Route 47) in the Township of Bristol, Kendall County, Illinois.

That part of the west half of Section 9, Township 37 north, Range 7 east of the Third Principal Meridian described as follows: commencing at the southeast corner of the northwest quarter of said Section; thence west along the south line of said northwest quarter, 14.28 chains for a point of beginning; thence S 15°34'22"W along the east line of lands described in Document 2005035985, 716.99 feet; thence S87°56'46"W, 1452.82 feet to the east line of Illinois Route 47; thence N1°06'54"W along said east line of Route 47, 100.38 feet; thence N0°19'02"E along said east line of Route 47, 200.05 feet; thence N1°06'54"W along said east line of Route 47, 373.63 feet; thence N87°56'46"E, 213.36 feet; thence northeasterly along a circular curve having a radius of 315.00 feet concave to the northwest, the chord of which bears N61°01'02"E, 296.10 feet; thence northeasterly along a circular curve having a radius of 385.00 feet concave to the southeast, the chord of which bears N55°35'01"E, 288.88 feet; thence N77°04'45"E, 476.89 feet; thence easterly along a circular curve having a radius of 315.00 feet concave to the north, the chord of which bears N70°39'36"E, 70.58 feet to a point on a line 500 feet westerly of and parallel with said east line of lands described in Document 2005035985; thence N13°37'14"E along said parallel line, 828.19 feet; thence S76°22'46"E, 500.00 to said east line of lands described in Document 2005035985; thence S13°37'14"W along said east line of lands described in Document 2005035985, 1084.23 feet to the point of beginning in the Township of Bristol, Kendall County, Illinois.

Excepting there from:

That part of the west half of Section 9, Township 37 north, Range 7 east of the Third Principal Meridian described as follows: commencing at the southeast corner of the northwest quarter of said Section; thence west along the south line of said northwest quarter, 14.28 chains to the east line of lands described in Document 2005035985; thence N13°37'14"E along said east line, 1084.23 feet; thence N76°22'46"W, 500.00 feet; thence S13°37'14"W, 828.19 feet; thence westerly along a circular curve having a radius of 315.00 feet concave to the north, the chord of which bears S70°39'36"W, 70.58 feet; thence S77°04'45"W, 476.89 feet; thence southwesterly along a circular curve having a radius of 385.00 feet concave to the southeast, the chord of which bears S55°35'01"W, 288.88 feet; thence southwesterly along a circular curve having a radius of 315.00 feet concave to the northwest, the chord of which bears S61°01'02"W, 296.10 feet; thence S87°56'46"W, 213.36 feet to the east line of Illinois Route 47 for a point of beginning; thence N1°06'54"W along said east line of Route 47, 50.01 feet; thence N87°56'46"E, 55.01 feet; thence S45°36'04"E, 70.14 feet; thence S87°56'46"W, 105.01 feet to the point of beginning in the Township of Bristol, Kendall County, Illinois.



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

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.



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

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)



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 type="checkbox"/> P.U.D.	\$500.00 \$500.00 \$500.00 \$500.00	Total: \$
ANNEXATION	<input type="checkbox"/> \$250.00 + \$10 per acre for each acre over 5 acres $\begin{array}{rcl} \text{\# of Acres} & - 5 = & \text{Acres over 5} \\ 58 & - 5 = & 53 \\ & \times \$10 = & 530 \\ & + \$250 = & \$ 780.00 \end{array}$		Total: \$ 780.00
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>		Total: \$
SPECIAL USE	<input type="checkbox"/> \$250.00 + \$10 per acre for each acre over 5 acres $\begin{array}{rcl} \text{\# of Acres} & - 5 = & \text{Acres over 5} \\ & \times \$10 = & \\ & + \$250 = & \$ \end{array}$		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 type="checkbox"/> Less than 2 acres <input type="checkbox"/> Over 2 acres, less than 10 acres <input checked="" type="checkbox"/> Over 10 acres		Total: \$ 5000.00
TOTAL AMOUNT DUE:			5,780.00



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: 2/20/19	PZC NUMBER:	DEVELOPMENT NAME: Raging Waves Water Park	
PETITIONER INFORMATION			
NAME: Randall Witt		COMPANY: Raging Waves, LLC	
MAILING ADDRESS: 4000 N. Bridge Street			
CITY, STATE, ZIP: Yorkville, IL, 60560		TELEPHONE: 630-882-6575	
EMAIL: dawnw@ragingwaves.com		FAX:	
PROPERTY INFORMATION			
NAME OF HOLDER OF LEGAL TITLE: Raging Waves, LLC, Series A, a Delaware series limited liability company			
IF LEGAL TITLE IS HELD BY A LAND TRUST, LIST THE NAMES OF ALL HOLDERS OF ANY BENEFICIAL INTEREST THEREIN:			
PROPERTY STREET ADDRESS: see above			
DESCRIPTION OF PROPERTY'S PHYSICAL LOCATION: Approximately 53 acres east of Route 47, south of Rosenwinkle			
CURRENT ZONING CLASSIFICATION: B-3			
LIST ALL GOVERNMENTAL ENTITIES OR AGENCIES REQUIRED TO RECEIVE NOTICE UNDER ILLINOIS LAW:			
ZONING AND LAND USE OF SURROUNDING PROPERTIES			
Except as to the Raging Waves' parcels, all land adjacent to Lot 2 of O'Keefe Subdivision, except Route 47 is			
currently unsubdivided farmland			
KENDALL COUNTY PARCEL IDENTIFICATION NUMBER(S)			
02-09-300-013	02-09-300-012		



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APPLICATION FOR AGREEMENT AMENDMENT

PROPERTY INFORMATION

NAME OF AGREEMENT: Third Amendment to Amended Annexation Agreement

DATE OF RECORDING: original Annexation Agreement dated 9/26/2006

SUMMARIZE THE ITEMS TO BE AMENDED FROM THE EXISTING AGREEMENT:

Further amend Paragraph 9 of the original Annexation Agreement to extend the Admissions Tax Term through September 30, 2026.

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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Yorkville, Illinois, 60560
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Website: www.yorkville.il.us

APPLICATION FOR AGREEMENT AMENDMENT

ATTORNEY INFORMATION

NAME: Kate L. McCracken COMPANY: Hoscheit, McGuirk, McCracken
& Cuscaden, P.C.
MAILING ADDRESS: 1001 E. Main St., Ste G
CITY, STATE, ZIP: St. Charles, IL 60174 TELEPHONE: 630-513-8700
EMAIL: kate@hmcpc.com FAX: 630-513-8799

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

DATE

2/20/19

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

OWNER SIGNATURE

DATE

2/20/19



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 type="checkbox"/> AMENDMENT (TEXT)	<input checked="" type="checkbox"/> ANNEXATION (Amendment)
<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
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: Randall Witt	COMPANY: Raging Waves, LLC	
MAILING ADDRESS: 4000 N. Bridge Street		
CITY, STATE, ZIP: Yorkville, IL 60560	TELEPHONE: 630-882-6575	
EMAIL: dawnw@ragingwaves.com	FAX: 630-513-8799	
FINANCIALLY RESPONSIBLE PARTY: I acknowledge and understand that as the Financially Responsible Party, expenses may exceed the estimated initial deposit and, when requested by the United City of Yorkville, I will provide additional funds to maintain the required account balance. Further, the sale or other disposition of the property does not relieve the individual or Company/ Corporation of their obligation to maintain a positive balance in the fund account, unless the United City of Yorkville approves a Change of Responsible Party and transfer of funds. Should the account go into deficit, all City work may stop until the requested replenishment deposit is received.		
PRINT NAME: RANDALL WITT	TITLE: Manager of Lundmark Group, LLC, as Manager of Raging Waves, LLC	
SIGNATURE:	DATE: 2/20/19	
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.	



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

Agenda Item Number

New Business #7

Tracking Number

EDC 2019-25

Agenda Item Summary Memo

Title: Windmill Farms – 1st Amendment to Annexation Agreement

Meeting and Date: Economic Development Committee - March 5, 2019

Synopsis: Proposed amendment to the Windmill Farms Annexation Agreement.

Council Action Previously Taken:

Date of Action: _____ Action Taken: _____

Item Number: _____

Type of Vote Required: Majority

Council Action Requested: Vote

Submitted by: Krysti J. Barksdale-Noble, AICP

Community Development

Name

Department

Agenda Item Notes:

See attached memorandum.

Have a question or comment about this agenda item?

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

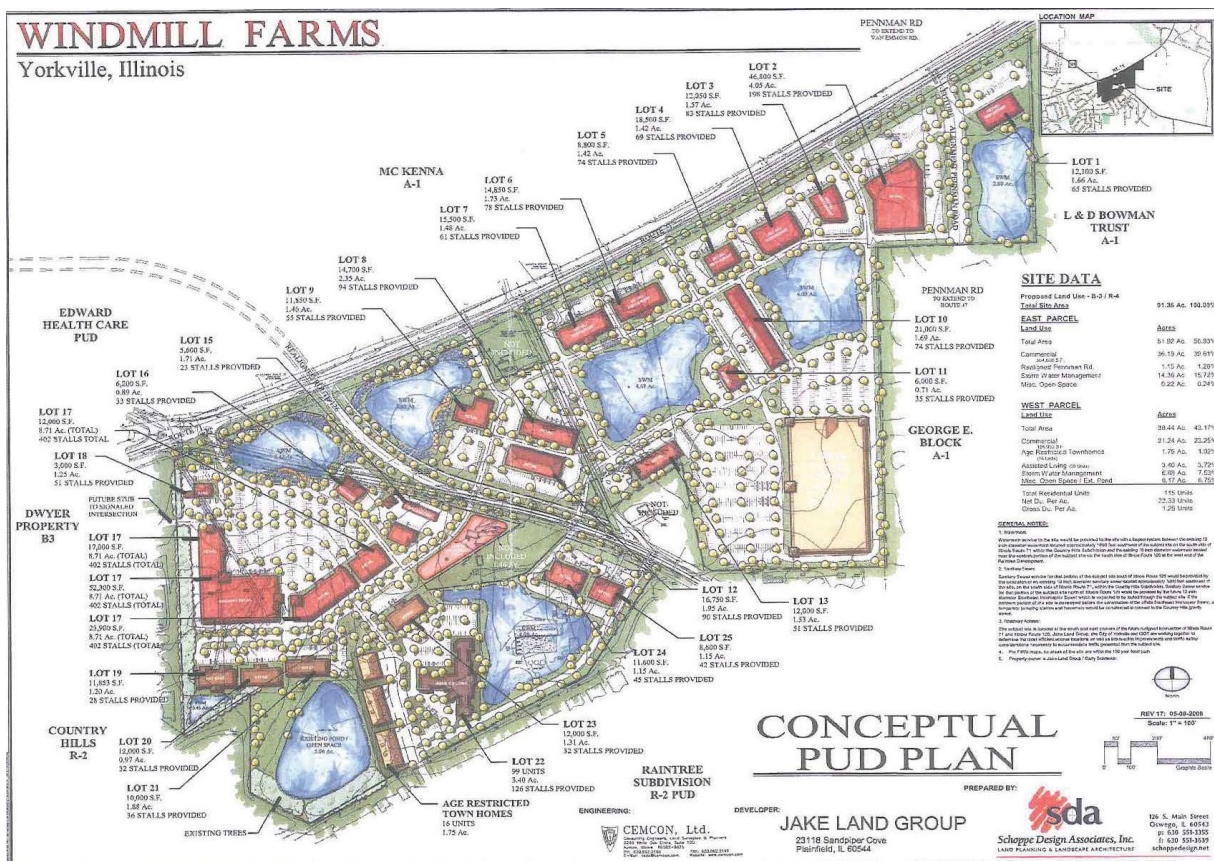


Memorandum

To: Economic Development Committee
From: Krysti J. Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Date: February 20, 2019
Subject: **Windmill Farms – 1st Amendment to Annexation Agreement**
Regarding Zoning of Certain Properties within Original Development

SUMMARY:

The request is for an amendment to an existing annexation agreement for the Windmill Farms development approved in 2008. The amendment seeks to correct the previous status of the property as zoned into a Planned Unit Development Zone and allow for the petitioner's parcels to be rezoned to A-1 Agricultural District and B-3 General Business District, as requested by Hively Landscaping, and currently under consideration by the Planning and Zoning Commission. Since the original annexation and zoning ordinance associated with the Windmill Farms development affected the property holistically, the legally recommended entitlement process is to consider each requested rezoning for parcels within the development separately by annexation agreement amendments initiated by the current landowner.



DEVELOPMENT BACKGROUND:

In 2008, Windmill Farms was annexed into Yorkville and zoned within the Planned Unit Development (PUD) District via ordinances 2008-40 and 2008-42. The developer at that time, Jake Land Group, LLC, annexed eight (8) parcels totaling roughly 78-acres and assembled those with already annexed

parcels to create a thirteen (13) parcel approximately 91-acre site with a mix of residential and commercial land uses. Some of the parcels were purchased by the developer, while others were under contract. As part of the annexation agreement, certain B-3 General Business District and R-4 General Multi-Family Residence District land uses were permitted and development was subject to a concept land plan which was attached as an exhibit.

The annexation and zoning were the only approvals granted for the Windmill Farm development. Since that time, the Jake Land Group, LLC parcels were foreclosed upon and the contracts with the owners of the other parcels fell through. The property has remained vacant and undeveloped since the original approvals in 2008. Additionally, some parcels have been further subdivided. The current ownership of the parcels is depicted in the following map:



Windmill Farms Properties

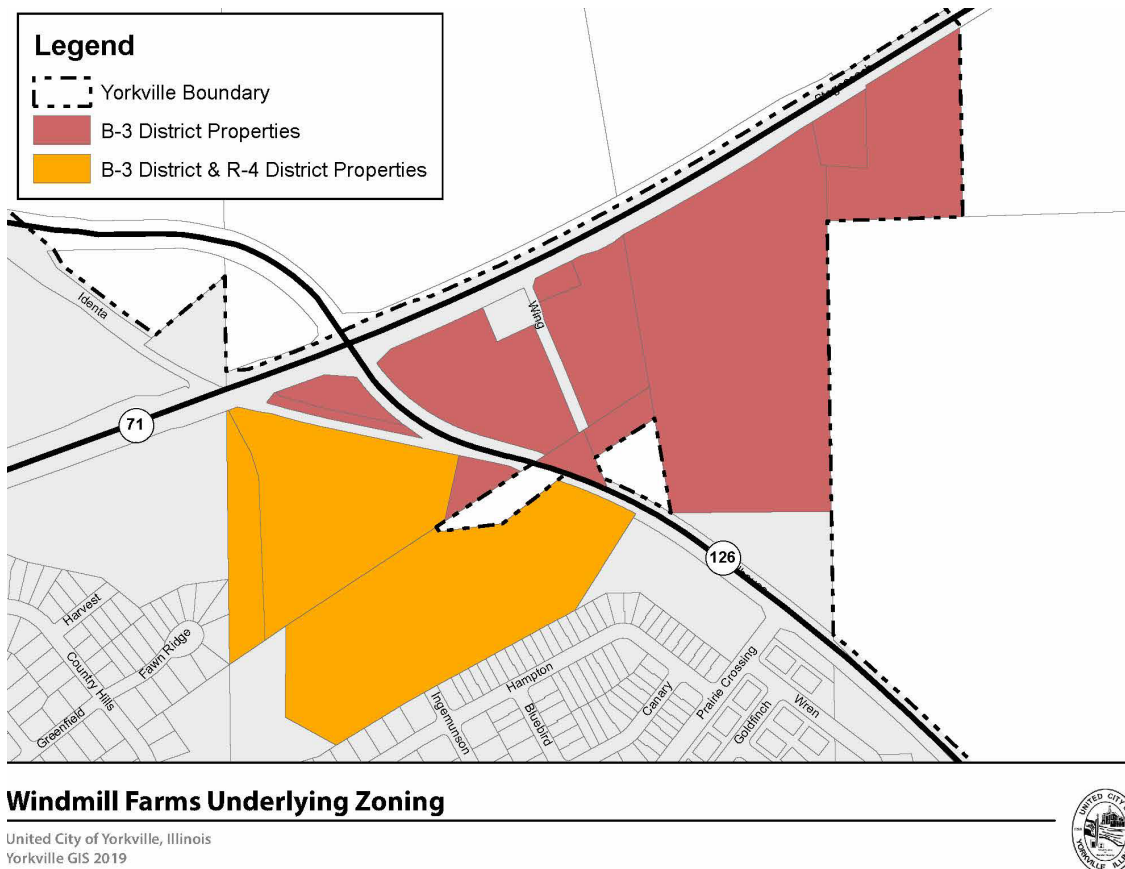
United City of Yorkville, Illinois
Yorkville GIS 2019



	PIN	OWNER
1	05-03-300-035	SYNERGY PROPERTY HOLDINGS LLC
2	05-30-300-036	SYNERGY PROPERTY HOLDINGS LLC
3	05-03-300-039	SYNERGY PROPERTY HOLDINGS LLC
4	05-03-300-007	BIG SKY MANAGEMENT LLC
5	05-03-300-008	D'ARCY, TERRANCE
6	05-03-300-033	RESTORE CHURCH INC DBA OSWEGO FAMILY CHURCH INC
7	05-03-300-031	RESTORE CHURCH INC DBA OSWEGO FAMILY CHURCH INC
8	05-03-300-029	RESTORE CHURCH INC DBA OSWEGO FAMILY CHURCH INC
9	05-03-200-023	WALLIS, STEVEN J, WEILAND, MARGARET
10	05-03-200-022	SYNERGY PROPERTY HOLDINGS LLC
11	05-03-300-037	SYNERGY PROPERTY HOLDINGS LLC
12	05-03-300-038	SYNERGY PROPERTY HOLDINGS LLC
13	05-03-300-006	SYNERGY PROPERTY HOLDINGS LLC
14	05-03-300-016	SYNERGY PROPERTY HOLDINGS LLC

ZONING ANALYSIS:

The existing Windmill Farms Annexation and Planned Unit Development Agreement presents some interesting development, specifically zoning related, issues that now have a direct impact on the proposed sale and development of the individual parcels. The annexation agreement, which is midway through its 20-year term, provided for zoning into a Planned Unit Development (PUD) zoning district with portions of the property subject to certain B-3 business and R-4 residential land uses as depicted in the map below:



According to the agreement, a preliminary process for the approval of a PUD as a special use was anticipated with the adoption of the concept plan. However, the concept plan was never subsequently formalized as a special use by a Planned Unit Development (PUD) final plat, and with the passage of time, the concept plan for the Windmill Farm development is no longer valid. Therefore, it is staff and the City Attorney's recommendation that to clarify and resolve the issue of the property being zoned PUD and not imposed with a PUD special use, to rezone the property. Further, the rezoning will have no effect on the validity of the annexation itself.

Due to Matt Hively's, owner of Hively Landscaping, desire to move forward with his rezoning request for three (3) parcels in Windmill Farms he currently has under contract for a proposed retail nursery and landscaping business, this amendment would remove the provisions of the annexation agreement's concept plan to allow for this property to develop into a more suitable land use designation.

PROPOSED AMENDMENT:

As prepared by the City Attorney, the proposed amendment deletes Paragraph 1: Annexation and Zoning of the original annexation agreement and replaces it with the following:

The City has adopted an ordinance annexing to the City the Subject Property and shall adopt an ordinance zoning the Subject Property into the A-1 Agricultural and B-3 General Business zoning districts, which may be further changed without amendment of this Agreement pursuant to the procedures of the Zoning Code.

Additionally, Paragraph 2 A of the annexation agreement is proposed to be deleted, as it relates solely to the concept plan that was never adopted into a final plat for a special use PUD.

STAFF COMMENTS:

Staff is highly supportive of the proposed annexation agreement amendment based upon legal counsel and in consideration of the length of time the area has remained undeveloped under the current concept plan and zoning. The other owners of property within the Windmill farms development have been contacted and all are agreeable to clarify the zoning of their property by entering into a similar annexation agreement amendment and rezoning. This is in addition to the existing annexation agreement not correctly approving a special use authorizing a PUD for the Windmill Farm development.

This annexation agreement amendment request is tentatively scheduled for a public hearing before the City Council on March 26, 2019. Staff will be available at Tuesday night's meeting to answer any questions.

**FIRST AMENDMENT
TO THE ANNEXATION AGREEMENT
BETWEEN JAKE LAND GROUP LLC AND THE UNITED CITY OF YORKVILLE
(*Windmill Farms*)**

This First Amendment (the “Amendment”) to the Annexation Agreement dated May 27, 2008, pertaining to the Windmill Farms properties, is entered into this ____ day of March, 2019, by and between the United City of Yorkville, Illinois, a municipal corporation (the “City”) and Matthew Hively, the contract purchaser of a portion of the Windmill Farms properties (the “DEVELOPER”); and,

WHEREAS, Jake Land Group, LLC (the “Original Owner”) entered into an *ANNEXATION AND PLANNED UNIT DEVELOPMENT AGREEMENT TO THE UNITED CITY OF YORKVILLE WINDMILL FARMS* (the “Original Annexation Agreement”) dated May 27, 2008 that was approved by the Mayor and City Council (the “Corporate Authorities”) by Ordinance No. 2008-40 on May 27, 2008 and recorded with the Kendall County Recorder on July 17, 2008 as document 200800016874; and,

WHEREAS, the Original Annexation Agreement provided for the annexation of approximately 62.82 acres of land to the City and the development of 15.32 acres already annexed to the City (the “Property”), when due to the changes in the economic conditions in the country and most particularly in the region, the Original Owner lost ownership of the Property; and,

WHEREAS, OWNER/DEVELOPER is the contract purchaser of approximately 16.21 acres of the Windmill Farms property that is legally described on Exhibit A attached hereto and made a part hereof (the “Subject Property”) with PIN Numbers: 05-03-200-022; 05-03-300-039; 05-03-300-035; and,

WHEREAS, DEVELOPER has petitioned the City to rezone the Subject Property pursuant to the current United City of Yorkville Zoning Ordinance (the “Zoning Code”) in order to permit the DEVELOPER to proceed with development under the City’s A-1 Agricultural District for parcel 05-03-200-022 and B-3 General Business District for parcels 05-03-300-039 and 05-03-300-035; and,

WHEREAS, the DEVELOPER is prepared to participate in all public hearings as required by law to accomplish this Amendment to the Original Annexation Agreement and as may be required to rezone the Property under the Zoning Code.

NOW, THEREFORE, the parties hereto agree as follows:

1. The above recitals are incorporated herein and made a part of this Agreement.
2. That the fifth whereas clause be and is hereby repealed.
3. That Paragraph 1 of the Original Annexation Agreement is hereby deleted and replaced with the following:

ANNEXATION AND ZONING

The City has adopted an ordinance annexing to the City the Subject Property and shall adopt an ordinance zoning the Subject Property into the A-1 Agricultural District for parcel 05-03-200-022 and B-3 General Business District for parcels 05-03-300-039 and 05-03-300-035, which may be further changed without amendment of this Agreement pursuant to the procedures of the Zoning Code.

4. That Paragraph 2A of the Original Annexation Agreement is hereby deleted in its entirety

5. That Paragraph 9, Notice, of the Original Annexation Agreement is hereby amended by deleting the person named to receive notice for the Developer and insert the following:

To Developer:

Name

Address

With a copy to:

Name

Address

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to the Original Annexation Agreement to be executed by their duly authorized officers on the above date at Yorkville, Illinois.

United City of Yorkville, an Illinois municipal
Corporation

By: _____
Mayor

Attest:

City Clerk

OWNER/DEVELOPER

By: _____
President

Attest:

Secretary

STATE OF ILLINOIS)
) ss.
COUNTY OF KENDALL)

200800016874
Filed for Record in
KENDALL COUNTY, ILLINOIS
RENNETTA S MICKELSON
07-17-2008 At 09:50 am.
ORDINANCE 102.00
RHSP Surcharge 10.00

Ordinance No. 2008- 40

**AN ORDINANCE AUTHORIZING THE EXECUTION OF AN ANNEXATION
AND
PLANNED UNIT DEVELOPMENT AGREEMENT
(Windmill Farms)**

WHEREAS, it is prudent and in the best interest of the United City of Yorkville, Kendall County, Illinois, to enter into a certain Annexation and Planned Unit Development Agreement pertaining to the annexation of real estate described on Exhibit A attached thereto and made a part hereof; and,

WHEREAS, said Annexation and Planned Unit Development Agreement has been reviewed, discussed and considered by the City Council; and,

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

WHEREAS, the statutory procedures as set forth in 65 ILCS 5/11-15.1-1, pertaining to the approval and execution of annexation and planned unit development agreement have been fully satisfied; and,

WHEREAS, the property is contiguous to the existing boundaries of the City.

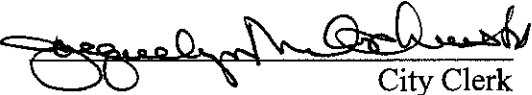
NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the United City of Yorkville that the City Code of the City of Yorkville be amended as follows:



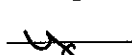

Section 1. The Mayor and City Council hereby approve the Annexation and Planned Unit Development Agreement a copy of which is attached to this Ordinance (the “*Annexation and Planned Unit Development Agreement*”), pertaining to the real estate legally described on *Exhibit A* also attached hereto.

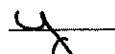
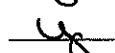

Section 2. The Mayor and City Clerk are herewith authorized and directed to execute, on behalf of the City, said Annexation and Planned Unit Development Agreement and the Clerk is further directed to file said Annexation and Planned Unit Development Agreement with the Kendall County Recorder’s Office.

Section 3. This Ordinance shall be in full force and effect immediately from and after its passage and approval according to law.

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois, this 27 day of May, A.D. 2008.


City Clerk

ROBYN SUTCLIFF	
ARDEN JOE PLOCHER	
GARY GOLINSKI	
ROSE SPEARS	

JOSEPH BESCO	
WALLY WERDERICH	
MARTY MUNNS	

APPROVED by me, as Mayor of the United City of Yorkville, Kendall County, Illinois,
this 27 day of may, A.D. 2008.

Valerie Burd
Mayor

**EXHIBIT A
LEGAL DESCRIPTION**

THAT PART OF THE WEST HALF OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE CENTER OF SAID SECTION 3; THENCE SOUTH 00°14'45" EAST, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3, 1284.36 FEET; THENCE SOUTH 89°50'00" WEST, 684.42 FEET; THENCE NORTH 09°30'00" WEST, 592.27 FEET; THENCE SOUTH 57°33'55" WEST, 327.57 FEET TO THE EASTERLY LINE OF WING ROAD; THENCE NORTH 21°52'29" WEST, ALONG SAID EASTERLY LINE, 705.85 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 71 FOR THE POINT OF BEGINNING; THENCE SOUTH 21°52'29" EAST, ALONG SAID EASTERLY LINE, 119.0 FEET; THENCE NORTH 68°07'31" EAST, PERPENDICULAR TO SAID EASTERLY LINE, 211.0 FEET; THENCE NORTH 21°52'29" WEST, PARALLEL WITH SAID EASTERLY LINE, 131.87 FEET TO SAID SOUTHERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 71; THENCE SOUTHWESTERLY, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, BEING A CURVE TO THE RIGHT WITH A RADIUS OF 11509.16 FEET, AN ARC DISTANCE OF 211.39 FEET TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS AND CONTAINING 0.6060 ACRE.

THAT PART OF THE WEST HALF OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE CENTER OF SAID SECTION 3; THENCE SOUTH 00°14'45" EAST, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3, 1284.36 FEET; THENCE SOUTH 89°50'00" WEST, 684.42 FEET; THENCE NORTH 09°30'00" WEST, 592.27 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 57°33'55" WEST, 327.57 FEET TO THE EASTERLY LINE OF WING ROAD; THENCE NORTH 21°52'29" WEST, ALONG SAID EASTERLY LINE, 586.85 FEET TO A POINT ON SAID EASTERLY LINE WHICH IS 119.0 FEET (MEASURED ALONG SAID EASTERLY LINE) SOUTHEASTERLY OF THE SOUTHERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 71; THENCE NORTH 68°07'31" EAST, PERPENDICULAR TO SAID EASTERLY LINE, 211.0 FEET; THENCE NORTH 21°52'29" WEST, PARALLEL WITH SAID EASTERLY LINE, 131.87 FEET TO SAID SOUTHERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 71; THENCE NORTHEASTERLY, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, BEING A CURVE TO THE LEFT WITH A RADIUS OF 11509.16 FEET, AN ARC DISTANCE OF 261.03 FEET TO A LINE DRAWN NORTH 09°30'00" WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 09°30'00" EAST, ALONG SAID LINE, 695.72 FEET TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS AND CONTAINING 5.6041 ACRES.

THAT PART OF THE NORTH 1/2 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 3; THENCE SOUTH 0 DEGREES, 07 MINUTES, 44 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTHWEST 1/4, 1284.36 FEET; THENCE NORTH 89 DEGREES, 47 MINUTES, 31 SECONDS WEST, 684.42 FEET; THENCE NORTH 09 DEGREES, 32 MINUTES, 39 SECONDS WEST, 590.03 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO ELSIE BOYD BY A DEED DATED MARCH 25, 1929 AND RECORDED DECEMBER 14, 1938 IN DEED RECORD BOOK 88 ON PAGE 399; THENCE NORTH 09 DEGREES, 05 MINUTES, 46 SECONDS WEST, 748.40 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE TIC. 71; THENCE NORTHEASTERLY ALONG SAID CENTER LINE, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11,459.20 FEET AND A RADIAL BEARING OF NORTH 26 DEGREES, 50 MINUTES, 30 SECONDS WEST AT THE LAST DESCRIBED POINT, 627.46; THENCE NORTH 60 DEGREES, 02 MINUTES, 30 SECONDS EAST ALONG SAID CENTER LINE, 332.0 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 12 DEGREES, 27 MINUTES, 30 SECONDS EAST, 264.0 FEET; THENCE SOUTH 84 DEGREES, 27 MINUTES, 30 SECONDS EAST, 202.0 FEET; THENCE NORTH 0 DEGREES, 47 MINUTES, 30 SECONDS WEST, 423.02 FEET TO SAID CENTER LINE; THENCE SOUTH 60 DEGREES, 02 MINUTES, 30 SECONDS WEST ALONG CENTER LINE, 291.76 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS.

THAT PART OF THE NORTHEAST, NORTHWEST AND SOUTHWEST QUARTERS OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 10 MINUTES 48 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER 1284.36 FEET; THENCE SOUTH 89 DEGREES 29 MINUTES 40 SECONDS WEST 680.30 FEET; THENCE NORTH 09 DEGREES 33 MINUTES 27 SECONDS WEST 10.0 FEET FOR A POINT OF BEGINNING; THENCE NORTH 09 DEGREES, 33 MINUTES 27 SECONDS WEST 579.63 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO ELSIE BOYD BY A DEED DATED MARCH 25, 1929 AND RECORDED DECEMBER 14, 1938 IN DEED RECORD BOOK 88 ON PAGE 399; THENCE NORTH 09 DEGREES 05 MINUTES 24 SECONDS WEST ALONG THE EAST LINE OF SAID BOYD TRACT 748.57 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 71; THENCE NORTHEASTERLY ALONG SAID CENTER LINE, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11,459.20 FEET AND A RADIAL BEARING OF NORTH 26 DEGREES 49 MINUTES 16 SECONDS WEST AT THE LAST DESCRIBED POINT 627.46 FEET; THENCE NORTH 60 DEGREES 02 MINUTES 30 SECONDS EAST ALONG SAID CENTER LINE 332.0 FEET; THENCE SOUTH 12 DEGREES 27 MINUTES 30 SECONDS EAST 264.0 FEET; THENCE SOUTH 84 DEGREES 27 MINUTES 30 SECONDS EAST 202.0 FEET; THENCE NORTH 00 DEGREES 42 MINUTES 30 SECONDS WEST 423.02 FEET TO SAID CENTER LINE; THENCE NORTH 60 DEGREES 02 MINUTES 30 SECONDS EAST ALONG SAID CENTER LINE 412.69 FEET TO A LINE DRAWN NORTH 00 DEGREES 10 MINUTES 46 SECONDS EAST PARALLEL WITH THE WEST LINE OF SAID NORTHEAST QUARTER, FROM A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER WHICH IS 598.62 FEET EASTERLY OF THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 00 DEGREES 10 MINUTES 48 SECONDS WEST ALONG SAID PARALLEL LINE 880.56 FEET TO SAID SOUTH LINE; THENCE SOUTH 89 DEGREES 34 MINUTES 48 SECONDS WEST ALONG SAID SOUTH LINE 598.62 FEET TO SAID SOUTHWEST CORNER; THENCE SOUTH 00 DEGREES 10 MINUTES 48 SECONDS WEST ALONG SAID EAST LINE 1275.36 FEET TO A LINE DRAWN SOUTH 89 DEGREES 40 MINUTES 33 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 40 MINUTES 33 SECONDS WEST 681.94 FEET TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4; THENCE NORTH 0 DEGREES 08 MINUTES 09 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, 798.60 FEET TO AN OLD CLAIM LINE; THENCE NORTH 57 DEGREES 59 MINUTES 05 SECONDS EAST ALONG SAID OLD CLAIM LINE 299.00 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 1 DEGREE 51 MINUTES 32 SECONDS WEST, 402.10 FEET; THENCE SOUTH 59 DEGREES 55 MINUTES., 25 SECONDS EAST, 256.51 FEET; THENCE NORTH 59 DEGREES 55 MINUTES 25 SECONDS EAST 355.65 FEET; THENCE NORTH 62 DEGREES 43 MINUTES 29 SECONDS EAST, 853.57 FEET; THENCE NORTH 33 DEGREES 24 MINUTES 40 SECONDS EAST, . 542.27 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE NUMBER 126; THENCE NORTHWESTERLY ALONG SAID CENTER LINE, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2292 .01 FEET AND A RADIAL BEARING OF SOUTH 29 DEGREES 23 MINUTES 51 SECONDS WEST AT THE LAST DESCRIBED POINT, 358.41 FEET TO A POINT WHICH IS 151.00 FEET, AS MEASURED ALONG SAID CENTER LINE, SOUTHEASTERLY OF THE INTERSECTION OF SAID CENTER LINE AND SAID OLD CLAIM LINE; THENCE SOUTH 45 DEGREES 05 MINUTES 49 SECONDS WEST, 265 .70 FEET; THENCE SOUTH 73 DEGREES 54 MINUTES 28 SECONDS WEST, 102.86 FEET; THENCE SOUTH 84 DEGREES 11 MINUTES 54 SECONDS WEST, 280.96 FEET; THENCE NORTH 32 DEGREES 00 MINUTES 55 SECONDS WEST, 24.19 FEET TO SAID OLD CLAIM LINE; THENCE SOUTH 87 DEGREES 59 MINUTES 05 SECONDS WEST ALONG SAID OLD CLAIM LINE 789.92 FEET TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

A PERPETUAL EASEMENT FOR THE OPERATION, MAINTENANCE AND USE OF A SEPTIC FIELD FOR THE BENEFIT OF PARCEL ONE HEREINABOVE DESCRIBED, UNDER AND UPON THE FOLLOWING DESCRIBED PARCEL OF REAL ESTATE CONTIGUOUS TO PARCEL ONE TO WIT:

COMMENCING AT THE MOST NORTHERLY CORNER OF PARCEL ONE HEREINABOVE DESCRIBED ON THE CENTER LINE OF ILLINOIS STATE ROUTE NUMBER 126; THENCE SOUTH 45 DEGREES 05 MINUTES 49 SECONDS WEST, 47.12 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF ILLINOIS STATE ROUTE NUMBER 126, FOR THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 45 DEGREES 05 MINUTES 49 SECONDS WEST, 105.0 FEET; THENCE NORTH 32 DEGREES 08 MINUTES 38 SECONDS WEST, 152.18 FEET; THENCE SOUTH 76 DEGREES 09 MINUTES 49 SECONDS EAST, 5.28 PEEP; THENCE SOUTH 70 DEGREES 39 MINUTES 49 SECONDS EAST, 158.65 FEET, TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, ALL IN KENDALL COUNTY ILLINOIS.

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, 798.60 FEET TO AN OLD CLAIM LINE; THENCE NORTHERLY ALONG SAD WEST LINE, 1118.27 FEET A POINT OF BEGINNING THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 28 DEGREES 33 MINUTES 54 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 228.53 FEET; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 178 DEGREES 11 MINUTES 35 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 112.67 FEET TO A LINE DRAWN PARALLEL WITH AND 160.0 FEET NORMALLY DISTANT, EASTERLY OF SAID WEST LINE; THENCE SOUTHERLY ALONG SAID PARALLEL LINE, 717.44 FEET TO SAID CLAIM LINE; THENCE NORTHEASTERLY ALONG SAD CLAIM LINE, 941.92 FEET TO A POINT ON A LINE DRAWN SOUTHWESTERLY, PERPENDICULAR TO THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 126 FROM A POINT ON SAID CENTER LINE WHICH IS 1049.70 FEET, AS MEASURED ALONG SAID CENTER LINE, SOUTHEASTERLY OF THE INTERSECTION OF SAD CENTER LINE WITH THE CENTER LINE OF ILLINOIS STATE ROUTE 71; THENCE NORTHEASTERLY TO SAID POINT ON SAID CENTER LINE OF ILLINOIS ROUTE 126 AFORESAID; THENCE NORTHWESTERLY ALONG SAID ROUTE 126 CENTER LINE AND TO SAID ROUTE 71 CENTER LINE; THENCE SOUTHWESTERLY ALONG SAID ROUTE 71 CENTER LINE, 30.58 FEET TO SAID WEST LINE; THENCE SOUTHERLY ALONG SAID WEST LINE, 78.83 FEET, TO THE POINT OF BEGINNING (EXCEPTING THEREFROM THAT PART OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT HE SOUTHWEST CORN R OF SAID SECTION. 3; THENCE NORTH 00 DEGREES 00 MINUTES 38 SECONDS EAST, ON A BEARING REFERENCED TO AN ASSUMED NORTH, 1925.21 FEET ON THE WEST LINE OF SAID SOUTHWEST 1/4; THENCE SOUTH 89 DEGREES 59 MINUTES 22 SECONDS EAST 58.55 FEET TO THE EXISTING SOUTHEASTERLY RIGHT OF WAY LINE-OF A.F.A.P. ROUTE 311 (IL ROUTE 71) AND THE POINT OF BEGINNING; THENCE NORTH 72 DEGREES 34 MINUTES 00 SECONDS EAST 35.28 FEET ON SAID SOUTHEASTERLY RIGHT OF WAY LINE TO THE SOUTHERLY RIGHT OF WAY LINE OF S.B.I. ROUTE 66 (IL ROUTE 126); THENCE SOUTH 70 DEGREES 08 MINUTES 35 SECONDS EAST 125.66 FEET ON SAID SOUTHERLY RIGHT OF WAY LINE; THENCE NORTH 81 DEGREES 09 MINUTES 04 SECONDS WEST 51.85 FEET; THENCE NORTH 76 DEGREES 30 MINUTES 40 SECONDS WEST 103.47 FEET TO THE POINT OF BEGINNING), IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, 798.60 FEET TO AN OLD CLAIM LINE FOR A POINT OF BEGINNING; THENCE NORTHERLY ALONG SAID WEST LINE, 1118.27 FEET; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AND ANGLE OF 28 DEGREES 33 MINUTES 54 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 228.53 FEET; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 178 DEGREES 11 MINUTES 35 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 112.67 FEET TO A LINE DRAWN PARALLEL WITH AN) 160.0 FEET NORMALLY DISTANT, EASTERLY OF SAID WEST LINE; THENCE SOUTHERLY ALONG SAID PARALLEL LINE, 717.44 FEET TO SAID CLAIM LINE; THENCE SOUTHWESTERLY ALONG SAID CLAIM LINE, 188.42 FEET TO THE POINT OF BEGINNING, IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER 1995.6 FEET TO THE CENTER LINE OF ILLINOIS

ROUTE 71; THENCE NORTHEASTERLY ALONG THE SAID CENTER LINE OF ILLINOIS ROUTE 71, 1411.3 FEET TO THE CENTER LINE EXTENDED NORTHWESTERLY OF THE PUBLIC ROAD RUNNING SOUTHEASTERLY FROM SAID ILLINOIS ROUTE 71, COMMONLY KNOWN AS WING ROAD; THENCE SOUTHEASTERLY ALONG THE EXTENDED CENTER LINE AND THE CENTER LINE OF SAID PUBLIC ROAD, BEING ALONG A LINE THAT FORMS AN ANGLE OF 93 DEGREES 25' TO THE RIGHT WITH THE PROLONGATION NORTHEASTERLY OF THE TANGENT TO THE CENTER LINE OF SAID ILLINOIS ROUTE 71 AT THE LAST DESCRIBED POINT, 761 FEET FOR THE POINT OF BEGINNING; THENCE SOUTHWESTERLY ALONG A LINE THAT FORMS AN ANGLE OF 79 DEGREES 47' TO THE RIGHT WITH THE PROLONGATION OF THE LAST DESCRIBED LINE 265.6 FEET TO THE CENTER LINE OF ILLINOIS ROUTE 126; THENCE SOUTHEASTERLY ALONG SAID CENTER LINE OF ILLINOIS ROUTE 126 TO THE CENTER LINE OF THE EASTERLY FORK OF THE PUBLIC ROAD AFORESAID WHICH RUNS SOUTHEASTERLY FROM SAID ILLINOIS ROUTE 71; THENCE NORTHWESTERLY ALONG THE CENTER LINE OF SAID PUBLIC ROAD TO THE POINT OF BEGINNING; TO THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS.

GRANTEE HEREBY ASSUMES AND AGREES TO PAY THE UNPAID BALANCE ON THE EXISTING MORTGAGE RECORDED IN BOOK PAGE, THE DEBT SECURED THEREBY AND ALSO HEREBY ASSUMES -THE OBLIGATIONS UNDER THE TERM OF THE INSTRUMENTS CREATING THE LOANS DOCUMENT NO. 79—1053.

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE - NORTH 00 DEGREES 08 MINUTES 14 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, - 1,995.75 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 71; THENCE NORTH 71 DEGREES 23 MINUTES 59 SECONDS EAST ALONG SAID CENTER LINE 30.45 FEET TO THE POINT OF INTERSECTION OF SAID CENTER LINE WITH CENTER LINE OF ILLINOIS STATE ROUTE NO. 126 FOR THE POINT OF BEGINNING; THENCE NORTH 71 DEGREES 23 MINUTES 59 SECONDS EAST ALONG SAID ROUTE 71 CENTER LINE 230.67 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11,459.20 FEET WHICH IS TANGENT TO THE LAST DESCRIBED COURSE AT THE LAST DESCRIBED POINT AT THE LAST DESCRIPTION POINT, 1,141.60 FEET TO THE INTERSECTION WITH THE CENTER LINE EXTENDED NORTHWESTERLY OF WING ROAD; THENCE SOUTH 21 DEGREES 30 MINUTES 13 SECONDS EAST ALONG SAID WING ROAD CENTER LINE 761.0 FEET; THENCE SOUTH 58 DEGREES 16 MINUTES 47 SECONDS WEST 265.35 FEET TO SAID ROUTE 126 CENTER LINE; THENCE NORTHWESTERLY ALONG SAID ROUTE 126 CENTER LINE BEING ALONG A CURVE TO THE LEFT AND HAVING A RADIUS OF 2,292.01 FEET WHICH IS TANGENT TO A LINE DRAWN NORTH 72 DEGREES 57 MINUTES 06 SECONDS WEST FROM THE LAST DESCRIBED POINT 147.93 FEET; THENCE NORTH 16 DEGREES 38 MINUTES 49 SECONDS WEST ALONG SAID ROUTE 126 CENTERLINE 850.98 FEET; THENCE NORTHWESTERLY ALONG SAID ROUTE 126 CENTERLINE BEING ALONG A CURVE TO THE RIGHT AND HAVING A RADIUS OF 2,148.79 FEET WHICH IS TANGENT TO THE LAST DESCRIBED COURSE AT THE LAST DESCRIBED POINT, 383.53 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PART DESCRIBED AS FOLLOWS: THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36- NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 00 DEGREES 08 MINUTES 14 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER 1995.75 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE 71; THENCE NORTH 71 DEGREES 23 MINUTES 59 SECONDS EAST ALONG SAID ROUTE 71 CENTER LINE 261.12 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 15,459.20 FEET WHICH IS TANGENT TO THE LAST DESCRIBED COURSE 1141.60 FEET TO THE INTERSECTION WITH THE CENTER LINE EXTENDED NORTHWESTERLY OF WING ROAD FOR THE POINT OF BEGINNING; THENCE SOUTH 21 DEGREES 30 MINUTES 13 SECONDS EAST ALONG SAID WING ROAD CENTER LINE 258.05 FEET; THENCE SOUTH 58 DEGREES 29 MINUTES 47 SECONDS WEST 200.0 FEET; THENCE NORTH 21 DEGREES 30 MINUTES 13 SECONDS WEST PARALLEL WITH SAID WING ROAD CENTER LINE 250.0 FEET TO SAID ROUTE 71 CENTER LINE; THENCE NORTHEASTERLY ALONG SAID ROUTE 71 CENTER LINE 200.16 FEET TO THE POINT OF BEGINNING, IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, (ILLINOIS, AND ALSO EXCEPTING, THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3 IN TOWNSHIP 38 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE (NAD83):

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 3; THENCE NORTH 01 DEGREE 35 MINUTES 30 SECONDS WEST, 1,995.04 FEET ALONG THE WEST LINE OF SAID SOUTHWEST 1/4 TO THE CENTERLINE OF A PUBLIC HIGHWAY DESIGNATED IL 71; THENCE NORTH 69 DEGREES 55 MINUTES 19 SECONDS EAST, 31.52 FEET ALONG SAID CENTERLINE TO THE POINT OF BEGINNING FROM THE POINT OF BEGINNING; THENCE NORTH 69 DEGREES 55 MINUTES 19 SECONDS EAST, 230.66 FEET ALONG SAID CENTERLINE; THENCE NORTHEASTERLY, 940.56 FEET ALONG AN 11,479.02 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING NORTH 67 DEGREES 34 MINUTES 29 SECONDS EAST, 940.31 FEET; THENCE SOUTH 22 DEGREES 56 MINUTES 31 SECONDS EAST, 60.03 FEET; THENCE SOUTHWESTERLY, 418.10 FEET ON AN 11,539.02 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING SOUTH 66 DEGREES 16 MINUTES 29 SECONDS WEST, 418.08 FEET; THENCE SOUTH 59 DEGREES 24 MINUTES 09 SECONDS WEST, 71.10 FEET; THENCE SOUTH 25 DEGREES 14 MINUTES 24 SECONDS WEST, 60.52 FEET; THENCE SOUTHEASTERLY, 570.87 FEET ON AN 675.00 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING SOUTH 55 DEGREES 22 MINUTES 46 SECONDS EAST, 560.80 FEET; THENCE SOUTH 74 DEGREES 04 MINUTES 13 SECONDS EAST, 274.41 FEET; THENCE SOUTH 64 DEGREES 05 MINUTES 29 SECONDS EAST, 35.85 FEET; THENCE SOUTH 55 DEGREES 49 MINUTES 00 SECONDS WEST, 64.56 FEET TO THE CENTERLINE OF A PUBLIC HIGHWAY DESIGNATED IL 126; THENCE NORTHWESTERLY, 162.08 FEET ON SAID CENTERLINE BEING A 2,291.64 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING NORTH 76 DEGREES 16 MINUTES 12 SECONDS WEST, 162.05 FEET; THENCE NORTH 78 DEGREES 17 MINUTES 46 SECONDS WEST, 357.37 FEET ON SAID CENTERLINE; THENCE NORTH 53 DEGREES 52 MINUTES 46 SECONDS WEST, 96.76 FEET TO THE EXISTING NORTHERLY RIGHT OF WAY LINE OF IL 126; THENCE NORTHWESTERLY, 297.03 FEET ON A 990.00 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING NORTH 45 DEGREES 17 MINUTES 03 SECONDS WEST, 295.92 FEET; THENCE NORTH 36 DEGREES 39 MINUTES 21 SECONDS WEST, 23.77 FEET; THENCE NORTH 77 DEGREES 19 MINUTES 36 SECONDS WEST, 64.74 FEET; THENCE SOUTH 69 DEGREES 03

MINUTES 36 SECONDS WEST, 100.61 FEET; THENCE SOUTH 69 DEGREES 55 MINUTES 52 SECONDS WEST, 149.98 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SAID IL 71; THENCE SOUTH 65 DEGREES 32 MINUTES 40 SECONDS WEST, 113.94 FEET TO THE CENTERLINE OF SAID IL 126; THENCE NORTHWESTERLY, 119.55 FEET ON SAID CENTERLINE BEING A 2,170.59 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING NORTH 69 DEGREES 20 MINUTES 17 SECONDS WEST, 119.54 FEET TO THE POINT OF BEGINNING.

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 07°44' WEST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER 1236.84 FEET TO A POINT ON SAID EAST LINE WHICH IS 1284.36 FEET SOUTH OF THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 89°47'31" WEST, 684.42 FEET; THENCE NORTH 09°32'39" WEST, 590.03 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO ELSIE BOYD BY DEED DATED MARCH 25, 1929 AND RECORDED DECEMBER 14, 1938 IN DEED RECORD 88 ON PAGE 399, FOR THE POINT OF BEGINNING; THENCE SOUTH 57°58'56" WEST ALONG THE SOUTHERLY LINE OF SAID BOYD TRACT AND SAID SOUTHERLY LINE EXTENDED 352.89 FEET TO THE CENTER LINE OF WING ROAD; THENCE SOUTH 21°28'35" EAST ALONG SAID CENTERLINE 131.00 FEET; THENCE NORTH 57°58'56" EAST PARALLEL WITH SAID SOUTHERLY LINE 323.58 FEET TO A POINT WHICH IS SOUTH 09°32'39" EAST, 139.37 FEET FROM THE POINT OF BEGINNING; THENCE NORTH 09°32'39" WEST, 139.37 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS.

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER 1995.6 FEET TO THE CENTER LINE OF ILLINOIS ROUTE 71; THENCE EASTERLY ALONG SAID CENTER LINE 32.2 FEET TO THE CENTER LINE OF ILLINOIS ROUTE 126; THENCE SOUTHEASTERLY ALONG SAID CENTER LINE OF ILLINOIS ROUTE 126, 1049.7 FEET FOR THE POINT, OF BEGINNING; THENCE SOUTHWESTERLY AT RIGHT ANGLES TO SAID CENTER LINE, 339.9 FEET TO AN OLD CLAIM LINE; THENCE NORTHEASTERLY ALONG SAID OLD CLAIM LINE WHICH MAKES AN ANGLE OF 44°21' (MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE) 468.6 FEET TO THE CENTER LINE OF SAID ILLINOIS ROUTE 126; THENCE NORTHWESTERLY ALONG SAID CENTER LINE 328.1 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS. EXCEPT THEREFROM THE BELOW DESCRIBED PARCEL:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE (NAD83):

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE NORTH 01 DEGREE 35 MINUTES 30 SECONDS WEST, 1,995.04 FEET ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3 TO THE 'CENTERLINE OF A PUBLIC HIGHWAY DESIGNATED IL 71; THENCE NORTH 69 DEGREES 55 MINUTES 19 SECONDS EAST, 31.52 FEET ALONG SAID CENTERLINE TO THE CENTERLINE OF A PUBLIC HIGHWAY DESIGNATED IL 126; THENCE SOUTHEASTERLY ALONG SAID CENTERLINE, 399.15 FEET ALONG A 2,170.59 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING OF SOUTH 73 DEGREES 01 MINUTE 41 SECONDS EAST, 398.58 FEET THENCE SOUTH 78 DEGREES 17 MINUTES 46 SECONDS EAST, 649.36 FEET ALONG SAID CENTERLINE TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING, THENCE SOUTH 78 DEGREES 17 MINUTES 46 SECONDS EAST, 172.16 FEET ALONG SAID CENTERLINE; THENCE SOUTHEASTERLY ALONG SAID CENTERLINE, 162.08 FEET ALONG A 2,291.64 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING OF SOUTH 76 DEGREES 16 MINUTES 12 SECONDS EAST, 162.05 FEET; THENCE SOUTH 56 DEGREES 32 MINUTES 11 SECONDS WEST, 65.63 FEET; THENCE NORTH 74 DEGREES 04 MINUTES 13 SECONDS WEST, 5.13 FEET; THENCE NORTH 65 DEGREES 29 MINUTES 14 SECONDS WEST, 50.57 FEET, TO THE SOUTHERLY RIGHT OF WAY LINE OF IL 126; THENCE NORTHWESTERLY, 61.11 FEET ON SAID RIGHT OF WAY LINE BEING ON A 2,251.64 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING OF NORTH 77 DEGREES 31 MINUTES 09 SECONDS WEST, 61.11 FEET; THENCE NORTH 78 DEGREES 17 MINUTES 46 SECONDS WEST, 172.27 FEET ALONG SAID SOUTH RIGHT OF WAY LINE; THENCE NORTH 11 DEGREES 52 MINUTES 19 SECONDS EAST, 40.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.297 ACRE MORE OR LESS, OF WHICH 0.290 ACRE, MORE OR LESS, IS LYING WITHIN PUBLIC ROAD RIGHT OF WAY, SITUATED IN THE COUNTY OF KENDALL AND STATE OF ILLINOIS, HEREBY RELEASING AND WAIVING ALL RIGHTS UNDER AND BY VIRTUE OF THE HOMESTEAD EXEMPTION LAWS OF THE STATE.

WHEREAS, OWNER/DEVELOPER desires to annex into the CITY the PROPERTY described in the attached Exhibit "A-1" and depicted in the Annexation Plat which is attached hereto and incorporated herein as Exhibit "B" The CITY Plan Commission has considered the Petition to Annex and Zone and positively recommended the same and the City Council has heretofore both requested and approved the proposed land use and the zoning of the same at the request of OWNER/DEVELOPER; and

WHEREAS, with certain limitations, the CITY agrees to allow the real property described in the attached Exhibit "A" to be zoned for Planned Unit Development (PUD) allowing uses permitted within the B-3 Service Business District on a maximum of thirty-five (35) acres located on the East Parcel as depicted on the Concept PUD Plan prepared by Schoppe Design Associates, Inc. and dated revision 17, May 8, 2008; and, the CITY agrees to allow uses permitted within the B-3 Service Business District for the real property described in Exhibit "C" on a maximum of twenty-one (21) acres located on the West Parcel; and the CITY agrees to allow uses permitted within the R-4 General Residence District for the real property described in the attached Exhibit "D" on a maximum of two (2) acres of the real property allowing an age-restricted age fifty-five and over single story townhomes; and the area located south of the B-3 and immediately east of the aforementioned age restricted area allowing a multi-story assisted living facility consisting of approximately three and one-half (3 ½) acres with a minimum of ninety-nine (99) assisted living units allowed on the West Parcel as depicted on the Schoppe Design Associates, Inc. Concept PUD Plan (Exhibit "E"), and

WHEREAS, the City's Comprehensive Plan, Design Guidelines identifies Illinois State Route 71 and Illinois State Route 126 as 'Gateway Corridors'; and

WHEREAS, all parties to this Agreement desire to set forth certain terms and conditions upon which the land heretofore described will be annexed to the CITY in an orderly manner; and

WHEREAS, OWNER/DEVELOPER and its representatives have discussed the proposed annexation and have held a Public Hearing with the Plan Commission, and The City Council, prior to the execution hereof, duly published and held a public hearing was held to consider this Agreement in front of the City Council, as required by the statutes of the State of Illinois in such case made; and

WHEREAS, in accordance with the powers granted to the CITY by the provisions of 65 ILCS 5/11-15.1-1 through 5/11-15.1-5 (2006), inclusive, relating to Annexation Agreements, the parties hereto wish to enter into a binding agreement with respect to the annexation and zoning of the subject Property and to provide for various other matters related directly or indirectly to the annexation of the Property in the future, as authorized by, the provisions of said statutes; and

WHEREAS, pursuant to due notice and publication in the manner provided by law, the appropriate zoning authorities of the CITY have taken all further action required by the provisions of 65 ILCS 5/11-15.1.3 (2006) and the ordinances of the CITY relating to the

procedure for the authorization, approval and execution of this Annexation/Planned Unit Development Agreement by the CITY.

NOW THEREFORE, for and in consideration of the mutual promises and covenants herein contained, the parties agree, under the terms and authority provided in 65 ILCS 5/11-15.1-1 through 65 ILCS 5/11-15.1-5 (2006), as follows:

1. ANNEXATION AND ZONING.

- A. The CITY shall adopt an ordinance annexing to the City all of the real property described herein in the attached Exhibit "A-1"; furthermore, the City shall adopt an ordinance zoning the real property designated in the attached Exhibit "A" to PUD subject to all of the terms of this Agreement and as follows:
 - i. The real property described in Exhibit "C" is allowed uses permitted within the B-3 Service Business Zoning District subject to the alterations described by Exhibit "C-1". Said alterations include the removal of several uses as well as the allowance for one (1) bank, one (1) daycare and one (1) gasoline filling station/gas station as depicted on the Concept PUD Plan (Exhibit "E").
 - ii. The real property described in Exhibit "D" is allowed uses permitted within the R-4 General Residence Zoning District.

2. SITE DEVELOPMENT

A. OWNER/DEVELOPER shall develop the subject property including the preservation of open space, protection of the existing evergreen tree line on the west boundary of the West Parcel, and installation of a trail system, stormwater management facilities and roadway access points in general conformity with the Planned Unit Development Concept Plan dated May 8, 2008, prepared by Schoppe Design Associates, Inc. and which is attached hereto and incorporated by reference as Exhibit "E".

B. OWNER/DEVELOPER shall be responsible for providing landscaping, in conformance with CITY standards along all perimeter boundaries of the subject property.

C. OWNER/DEVELOPER shall establish the landscape buffer along Illinois State Route 71 and Illinois State Route 126 outside of the proposed Right-of-Way expansion line of the Illinois Department of Transportation. Said buffer shall be a minimum of 25 feet in width.

D. OWNER/DEVELOPER shall incorporate and apply all 'Site Planning Principles' as defined by the CITY's "Comprehensive Land Use Plan Update Southern Study Area" Design Guidelines a copy of which sections are attached in Exhibit "F" hereto and made

a part hereof.

E. OWNER/DEVELOPER shall relocate the existing overhead utility lines along the Illinois State Route 71 and Illinois State Route 126 frontage of the Subject Real Property prior to issuance of any building permit for the property. Said relocation shall include obtaining any and all necessary permits and approvals for the utility relocation and OWNER/DEVELOPER shall be responsible for all costs associated with said relocation.

F. OWNER/DEVELOPER agrees to provide a cross-access easement allowing all adjacent properties to access to and across the commercial portions of subject PROPERTY as described by Exhibit "C" at the time of Final Plat of Subdivision.

G. OWNER/DEVELOPER agrees to construct and fund the trail depicted on the Concept PUD Plan (Exhibit "E") at time of Final Plat of Subdivision.

H. OWNER/DEVELOPER agrees that in all respects, the subject PROPERTY shall be developed in conformance with the terms and conditions of the Yorkville Zoning Ordinance, Subdivision Control Ordinance, Stormwater, and all other applicable Ordinances.

I. OWNER/DEVELOPER, and successors, heirs, and assigns hereby agree that prior to development taking place on the PROPERTY, a site development plan shall be submitted along with approval of Preliminary Plat of Subdivision and Preliminary Engineering as well as Final Plats of Subdivision and Final Engineering prior to OWNER/DEVELOPER commencing construction on said PROPERTY.

J. The OWNER shall construct off-site right-of-way improvements within the Raintree Village subdivision to provide connection to infrastructure on Hampton Lane. The location of the said infrastructure shall be consistent with the location and typical pavement section depicted on Exhibit "G" of this Agreement.

K. OWNER agrees within 45 days of a written request from the CITY, which includes legal descriptions and exhibits as necessary, the OWNER/DEVELOPER shall grant permanent and temporary construction easements as necessary for the construction of extension of City utilities and appurtenances and/or other utilities to serve the subject property and other properties within the City of Yorkville.

L. Owner agrees within 45 days of a written request from the United City of Yorkville, which includes legal descriptions and exhibits as necessary, the OWNER/DEVELOPER shall convey by Warranty Deed, fee simple title of future highway or road right of way to the State of Illinois, Kendall County or the United City of Yorkville as necessary, regardless of whether or not these right of way needs have been previously identified in this agreement. Such request for conveyance of right of way shall have no impact on any previously entitled land development density.

3. CITY'S AGREEMENTS.

A.

- (i) The CITY agrees that as to any of the non-residential use and zoning classification parcels, OWNER/DEVELOPER has no obligation to pay School Transition Fees or School-Park Land-Cash Fees.
- (ii) The OWNER/DEVELOPER shall pay Land-Cash Fees for schools and parks at the time of Building Permit Application. For each dwelling unit all fees listed on attached Exhibit "H" shall be charged and paid likewise at the time of application for each respective building permit. The amounts listed in Exhibit "H" will remain for a period of 5 years commencing on the date of this Agreement. Following said five (5) year period, the OWNER/DEVELOPER shall be responsible to pay said fees at a rate currently required by the CITY.

B. OWNER/DEVELOPER shall be required by THE UNITED CITY OF YORKVILLE to hook-on to the City Water at the time of improving the subject property, and shall be responsible for the cost of main extensions to the PROPERTY if said mains do not touch the PROPERTY.

C. Upon annexation to the CITY, the OWNER/DEVELOPER will receive police protection, 911 service, , and all services as provided by CITY to its property owners and residents.

D. The CITY will require the OWNER/DEVELOPER to annex to Yorkville Bristol Sanitary District prior to the time of applying for a building permit seeking to hook up to the Sanitary District and the CITY Sanitary Sewer System. The OWNER/DEVELOPER shall be responsible for the cost of utility extensions to the PROPERTY if said utilities do not touch the PROPERTY.

E. CITY will use its best efforts to support issuance of a highway access permit by IDOT to the CITY and OWNER/DEVELOPER permitting access cuts onto Illinois State Routes 126 and 71 at the approximate locations shown on the Preliminary PUD Conceptual Plan as prepared by Shoppe Design Associates, Inc. and dated January 30, 2008.

4. RIGHTS AND OBLIGATIONS OF SUCCESSORS AND ASSIGNS.

It is specifically understood and agreed that OWNER/DEVELOPER and its successors and assigns shall have the right to sell transfer, mortgage and assign all or any part of the

subject property and the improvements thereon to other persons, trusts, partnerships, firms, or corporations, for investment, building, financing, developing and all such purposes, and that said persons, trusts, partnerships, firms, or corporations shall be entitled to the same rights and privileges and shall have the same obligations as OWNER/DEVELOPER under this Agreement and upon such transfer, the obligations pertaining to the property transferred or sold shall be the sole obligations of the transferee, except for any performance bonds or guaranties posted by OWNER/DEVELOPER on any subdivided or unimproved property for which an acceptable substitute performance bond or letter of credit has not been submitted to the CITY.

5. DORMANT SPECIAL SERVICE AREA and PROPERTY OWNER ASSOCIATION

Owner/Developer agrees to incorporate covenants into the final subdivision plat that provide for the formulation of a Property Owners Association to be responsible to maintain all common facilities, including, but not limited to, private common areas, detention ponds, perimeter landscaping features and entrance signage within the Subject Realty.

Owner/Developer agrees to the City enacting at the time of final plat approval, or anytime thereafter, a Dormant Special Service Area (DSSA) to act as a back up in the event that the Property Owners' Association fails to maintain the Common Facilities, including, but not limited to, private common areas, detention ponds, perimeter landscaping features and entrance signage within the Subject Realty. Owner/Developer agrees to execute any and all documentation necessary or proper to create the Dormant Special Service Area and pay any and all fees, including legal expenses, for the preparation and approval of said documentation.

6. TIME OF THE ESSENCE.

It is understood and agreed by the parties hereto that time is of the essence of this Agreement and that all of the parties will make every reasonable effort, to expedite the subject matter hereof. It is further understood and agreed by the parties that the successful consummation of this Agreement requires their continued cooperation.

7. COVENANTS AND AGREEMENTS.

The covenants and agreements contained in this Agreement shall be deemed to be covenants running with the land during the term of this Agreement shall inure to the benefit of and be binding upon the heirs, successors and assigns of the parties hereto, including the CITY, its corporate authorities and their successors in office, and is enforceable by order of the court pursuant to its provisions and the applicable statutes of the State of Illinois.

8. BINDING EFFECT AND TERM.

This Annexation Agreement shall be binding upon and inure to the benefit of the parties hereto, and their successors and owners of record of land which is the subject of this Agreement, assignee, lessees, and upon any successor municipal authorities of said city, so long as development is commenced within a period of twenty years from the date of execution of this Agreement by the CITY.

9. NOTICE.

Any notices required hereunder shall be in writing and shall be served upon any other party in writing and shall be delivered personally or sent by registered or certified mail, return receipt requested, postage prepaid, addressed as follows:

If to the CITY:

City Clerk
800 Game Farm Road
Yorkville, IL 60560

With a copy to:

Kathleen Field Orr
800 Game Farm Road
Yorkville, IL 60560

To OWNER/DEVELOPER:

Jake Land Group, LLC
c/o 25615 Plantation Road
Plainfield, IL 60544

With a copy to:

Tony Perino
608 Lookery Ln.
Joliet, IL 60431

And with a copy to:

Law Offices of Daniel J. Kramer
1107A S. Bridge St.
Yorkville, IL 60560

or to such other addresses as any party may from time to time designate in a written notice to the other parties.

10. ENFORCEABILITY.

This Agreement shall be enforceable in any court of competent jurisdiction by any of the parties hereto by an appropriate action of law or in equity to secure the performance of the covenants herein contained.

In the event any portion of said agreement becomes unenforceable due to any change in Illinois Compiled Statutes or court decisions, said unenforceable portion of this Agreement shall be excised here from and the remaining portions thereof shall remain in full force and effect.

11. ENACTMENT OF ORDINANCES.

The CITY agrees to adopt any ordinances which are required to give legal effect to the matters contained in this Agreement or to correct any technical defects which may arise after the execution of this Agreement.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals this 27th day of May, 2008.

UNITED CITY OF YORKVILLE

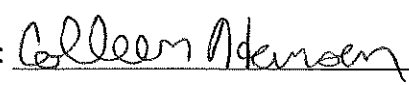
By: Valerie Burd
Valerie Burd, Mayor

Attest: [Signature]
City Clerk

JAKE LAND GROUP, LLC

OWNER/DEVELOPER:

By:  MEMBER

Attest:  Gideon Adeney

Prepared by and Return to:

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

EXHIBIT LIST

Exhibit "A"	Legal Description – Subject Property
Exhibit "A-1"	Unincorporated Portion of Subject Property – Legal Description
Exhibit "A-2"	City of Yorkville Portion of Subject Property – Legal Description
Exhibit "B"	Annexation Plat
Exhibit "C"	B-3 Service Business District – Legal Description
Exhibit "C-1"	B-3 Service Business District Allowable Uses
Exhibit "D"	R-4 General Residence District – Legal Description
Exhibit "E"	Concept PUD Plan - Schoppe Design Associates Plan dated May 8, 2008
Exhibit "F"	Design Guidelines of the Comprehensive Land Use Plan Update Southern Study Area
Exhibit "G"	Offsite Infrastructure Improvements – Raintree Village/Hampton Lane Connection
Exhibit "H"	Fee Schedule

**EXHIBIT A
LEGAL DESCRIPTION**

THAT PART OF THE WEST HALF OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE CENTER OF SAID SECTION 3; THENCE SOUTH 00°14'45" EAST, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3, 1284.36 FEET; THENCE SOUTH 89°50'00" WEST, 684.42 FEET; THENCE NORTH 09°30'00" WEST, 592.27 FEET; THENCE SOUTH 57°33'55" WEST, 327.57 FEET TO THE EASTERLY LINE OF WING ROAD; THENCE NORTH 21°52'29" WEST, ALONG SAID EASTERLY LINE, 705.85 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 71 FOR THE POINT OF BEGINNING; THENCE SOUTH 21°52'29" EAST, ALONG SAID EASTERLY LINE, 119.0 FEET; THENCE NORTH 68°07'31" EAST, PERPENDICULAR TO SAID EASTERLY LINE, 211.0 FEET; THENCE NORTH 21°52'29" WEST, PARALLEL WITH SAID EASTERLY LINE, 131.87 FEET TO SAID SOUTHERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 71; THENCE SOUTHWESTERLY, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, BEING A CURVE TO THE RIGHT WITH A RADIUS OF 11509.16 FEET, AN ARC DISTANCE OF 211.39 FEET TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS AND CONTAINING 0.6060 ACRE.

THAT PART OF THE WEST HALF OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE CENTER OF SAID SECTION 3; THENCE SOUTH 00°14'45" EAST, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3, 1284.36 FEET; THENCE SOUTH 89°50'00" WEST, 684.42 FEET; THENCE NORTH 09°30'00" WEST, 592.27 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 57°33'55" WEST, 327.57 FEET TO THE EASTERLY LINE OF WING ROAD; THENCE NORTH 21°52'29" WEST, ALONG SAID EASTERLY LINE, 586.85 FEET TO A POINT ON SAID EASTERLY LINE WHICH IS 119.0 FEET (MEASURED ALONG SAID EASTERLY LINE) SOUTHEASTERLY OF THE SOUTHERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 71; THENCE NORTH 68°07'31" EAST, PERPENDICULAR TO SAID EASTERLY LINE, 211.0 FEET; THENCE NORTH 21°52'29" WEST, PARALLEL WITH SAID EASTERLY LINE, 131.87 FEET TO SAID SOUTHERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 71; THENCE NORTHEASTERLY, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, BEING A CURVE TO THE LEFT WITH A RADIUS OF 11509.16 FEET, AN ARC DISTANCE OF 261.03 FEET TO A LINE DRAWN NORTH 09°30'00" WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 09°30'00" EAST, ALONG SAID LINE, 695.72 FEET TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS AND CONTAINING 5.6041 ACRES.

THAT PART OF THE NORTH 1/2 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 3; THENCE SOUTH 0 DEGREES, 07 MINUTES, 44 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTHWEST 1/4, 1284.36 FEET; THENCE NORTH 89 DEGREES, 47 MINUTES, 31 SECONDS WEST, 684.42 FEET; THENCE NORTH 09 DEGREES, 32 MINUTES, 39 SECONDS WEST, 590.03 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO ELSIE BOYD BY A DEED DATED MARCH 25, 1929 AND RECORDED DECEMBER 14, 1938 IN DEED RECORD BOOK 88 ON PAGE 399; THENCE NORTH 09 DEGREES, 05 MINUTES, 46 SECONDS WEST, 748.40 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE TIC. 71; THENCE NORTHEASTERLY ALONG SAID CENTER LINE, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11,459.20 FEET AND A RADIAL BEARING OF NORTH 26 DEGREES, 50 MINUTES, 30 SECONDS WEST AT THE LAST DESCRIBED POINT. 627.46; THENCE NORTH 60 DEGREES, 02 MINUTES, 30 SECONDS EAST ALONG SAID CENTER LINE, 332.0 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 12 DEGREES, 27 MINUTES, 30 SECONDS EAST, 264.0 FEET; THENCE SOUTH 84 DEGREES, 27 MINUTES, 30 SECONDS EAST, 202.0 FEET; THENCE NORTH 0 DEGREES, 47 MINUTES, 30 SECONDS WEST, 423.02 FEET TO SAID CENTER LINE; THENCE SOUTH 60 DEGREES, 02 MINUTES, 30 SECONDS WEST ALONG CENTER LINE, 291.76 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS.

THAT PART OF THE NORTHEAST, NORTHWEST AND SOUTHWEST QUARTERS OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 10 MINUTES 48 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER 1284.36 FEET; THENCE SOUTH 89 DEGREES 29 MINUTES 40 SECONDS WEST 680.30 FEET; THENCE NORTH 09 DEGREES 33 MINUTES 27 SECONDS WEST 10.0 FEET FOR A POINT OF BEGINNING; THENCE NORTH 09 DEGREES 33 MINUTES 27 SECONDS WEST 579.63 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO ELSIE BOYD BY A DEED DATED MARCH 25, 1929 AND RECORDED DECEMBER 14, 1938 IN DEED RECORD BOOK 88 ON PAGE 399; THENCE NORTH 09 DEGREES 05 MINUTES 24 SECONDS WEST ALONG THE EAST LINE OF SAID BOYD TRACT 748.57 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 71; THENCE NORTHEASTERLY ALONG SAID CENTER LINE, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11,459.20 FEET AND A RADIAL BEARING OF NORTH 26 DEGREES 49 MINUTES 16 SECONDS WEST AT THE LAST DESCRIBED POINT 627.46 FEET; THENCE NORTH 60 DEGREES 02 MINUTES 30 SECONDS EAST ALONG SAID CENTER LINE 332.0 FEET; THENCE SOUTH 12 DEGREES 27 MINUTES 30 SECONDS EAST 264.0 FEET; THENCE SOUTH 84 DEGREES 27 MINUTES 30 SECONDS EAST 202.0 FEET; THENCE NORTH 00 DEGREES 42 MINUTES 30 SECONDS WEST 423.02 FEET TO SAID CENTER LINE; THENCE NORTH 60 DEGREES 02 MINUTES 30 SECONDS EAST ALONG SAID CENTER LINE 412.69 FEET TO A LINE DRAWN NORTH 00 DEGREES 10 MINUTES 46 SECONDS EAST PARALLEL WITH THE WEST LINE OF SAID NORTHEAST QUARTER, FROM A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER WHICH IS 598.62 FEET EASTERLY OF THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 00 DEGREES 10 MINUTES 48 SECONDS WEST ALONG SAID PARALLEL LINE 880.56 FEET TO SAID SOUTH LINE; THENCE SOUTH 89 DEGREES 34 MINUTES 48 SECONDS WEST ALONG SAID SOUTH LINE 598.62 FEET TO SAID SOUTHWEST CORNER; THENCE SOUTH 00 DEGREES 10 MINUTES 48 SECONDS WEST ALONG SAID EAST LINE 1275.36 FEET TO A LINE DRAWN SOUTH 89 DEGREES 40 MINUTES 33 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 40 MINUTES 33 SECONDS WEST 681.94 FEET TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4; THENCE NORTH 0 DEGREES 08 MINUTES 09 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, 798.60 FEET TO AN OLD CLAIM LINE; THENCE NORTH 57 DEGREES 59 MINUTES 05 SECONDS EAST ALONG SAID OLD CLAIM LINE 299.00 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 1 DEGREE 51 MINUTES 32 SECONDS WEST, 402.10 FEET; THENCE SOUTH 59 DEGREES 55 MINUTES, 25 SECONDS EAST, 256.51 FEET; THENCE NORTH 59 DEGREES 55 MINUTES 25 SECONDS EAST 355.65 FEET; THENCE NORTH 62 DEGREES 43 MINUTES 29 SECONDS EAST, 853.57 FEET; THENCE NORTH 33 DEGREES 24 MINUTES 40 SECONDS EAST, 542.27 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE NUMBER 126; THENCE NORTHWESTERLY ALONG SAID CENTER LINE, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2292.01 FEET AND A RADIAL BEARING OF SOUTH 29 DEGREES 23 MINUTES 51 SECONDS WEST AT THE LAST DESCRIBED POINT, 358.41 FEET TO A POINT WHICH IS 151.00 FEET, AS MEASURED ALONG SAID CENTER LINE, SOUTHEASTERLY OF THE INTERSECTION OF SAID CENTER LINE AND SAID OLD CLAIM LINE; THENCE SOUTH 45 DEGREES 05 MINUTES 49 SECONDS WEST, 265.70 FEET; THENCE SOUTH 73 DEGREES 54 MINUTES 28 SECONDS WEST, 102.86 FEET; THENCE SOUTH 84 DEGREES 11 MINUTES 54 SECONDS WEST, 280.96 FEET; THENCE NORTH 32 DEGREES 00 MINUTES 55 SECONDS WEST, 24.19 FEET TO SAID OLD CLAIM LINE; THENCE SOUTH 87 DEGREES 59 MINUTES 05 SECONDS WEST ALONG SAID OLD CLAIM LINE 789.92 FEET TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

A PERPETUAL EASEMENT FOR THE OPERATION, MAINTENANCE AND USE OF A SEPTIC FIELD FOR THE BENEFIT OF PARCEL ONE HEREINABOVE DESCRIBED, UNDER AND UPON THE FOLLOWING DESCRIBED PARCEL OF REAL ESTATE CONTIGUOUS TO PARCEL ONE TO WIT:

COMMENCING AT THE MOST NORTHERLY CORNER OF PARCEL ONE HEREINABOVE DESCRIBED ON THE CENTER LINE OF ILLINOIS STATE ROUTE NUMBER 126; THENCE SOUTH 45 DEGREES 05 MINUTES 49 SECONDS WEST, 47.12 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF ILLINOIS STATE ROUTE NUMBER 126, FOR THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 45 DEGREES 05 MINUTES 49 SECONDS WEST, 105.0 FEET; THENCE NORTH 32 DEGREES 08 MINUTES 38 SECONDS WEST, 152.18 FEET; THENCE SOUTH 76 DEGREES 09 MINUTES 49 SECONDS EAST, 5.28 FEET; THENCE SOUTH 70 DEGREES 39 MINUTES 49 SECONDS EAST, 158.65 FEET, TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, ALL IN KENDALL COUNTY ILLINOIS.

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, 798.60 FEET TO AN OLD CLAIM LINE; THENCE NORTHERLY ALONG SAID WEST LINE, 1118.27 FEET A POINT OF BEGINNING THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 28 DEGREES 33 MINUTES 54 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 228.53 FEET; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 178 DEGREES 11 MINUTES 35 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 112.67 FEET TO A LINE DRAWN PARALLEL WITH AND 160.0 FEET NORMALLY DISTANT, EASTERLY OF SAID WEST LINE; THENCE SOUTHERLY ALONG SAID PARALLEL LINE, 717.44 FEET TO SAID CLAIM LINE; THENCE NORTHEASTERLY ALONG SAID CLAIM LINE, 941.92 FEET TO A POINT ON A LINE DRAWN SOUTHWESTERLY, PERPENDICULAR TO THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 126 FROM A POINT ON SAID CENTER LINE WHICH IS 1049.70 FEET, AS MEASURED ALONG SAID CENTER LINE, SOUTHEASTERLY OF THE INTERSECTION OF SAID CENTER LINE WITH THE CENTER LINE OF ILLINOIS STATE ROUTE 71; THENCE NORTHEASTERLY TO SAID POINT ON SAID CENTER LINE OF ILLINOIS ROUTE 126 AFORESAID; THENCE NORTHWESTERLY ALONG SAID ROUTE 126 CENTER LINE AND TO SAID ROUTE 71 CENTER LINE; THENCE SOUTHWESTERLY ALONG SAID ROUTE 71 CENTER LINE, 30.58 FEET TO SAID WEST LINE; THENCE SOUTHERLY ALONG SAID WEST LINE, 78.83 FEET, TO THE POINT OF BEGINNING (EXCEPTING THEREFROM THAT PART OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 3; THENCE NORTH 00 DEGREES 00 MINUTES 38 SECONDS EAST, ON A BEARING REFERENCED TO AN ASSUMED NORTH, 1925.21 FEET ON THE WEST LINE OF SAID SOUTHWEST 1/4; THENCE SOUTH 89 DEGREES 59 MINUTES 22 SECONDS EAST 58.55 FEET TO THE EXISTING SOUTHEASTERLY RIGHT OF WAY LINE OF A.F.A.P. ROUTE 311 (IL ROUTE 71) AND THE POINT OF BEGINNING; THENCE NORTH 72 DEGREES 34 MINUTES 00 SECONDS EAST 35.28 FEET ON SAID SOUTHEASTERLY RIGHT OF WAY LINE TO THE SOUTHERLY RIGHT OF WAY LINE OF S.B.I. ROUTE 66 (IL ROUTE 126); THENCE SOUTH 70 DEGREES 08 MINUTES 35 SECONDS EAST 125.66 FEET ON SAID SOUTHERLY RIGHT OF WAY LINE; THENCE NORTH 81 DEGREES 09 MINUTES 04 SECONDS WEST 51.85 FEET; THENCE NORTH 76 DEGREES 30 MINUTES 40 SECONDS WEST 103.47 FEET TO THE POINT OF BEGINNING), IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, 798.60 FEET TO AN OLD CLAIM LINE FOR A POINT OF BEGINNING; THENCE NORTHERLY ALONG SAID WEST LINE, 1118.27 FEET; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 28 DEGREES 33 MINUTES 54 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 228.53 FEET; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 178 DEGREES 11 MINUTES 35 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 112.67 FEET TO A LINE DRAWN PARALLEL WITH AND 160.0 FEET NORMALLY DISTANT, EASTERLY OF SAID WEST LINE; THENCE SOUTHERLY ALONG SAID PARALLEL LINE, 717.44 FEET TO SAID CLAIM LINE; THENCE SOUTHWESTERLY ALONG SAID CLAIM LINE, 188.42 FEET TO THE POINT OF BEGINNING, IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER 1995.6 FEET TO THE CENTER LINE OF ILLINOIS

ROUTE 71; THENCE NORTHEASTERLY ALONG THE SAID CENTER LINE OF ILLINOIS ROUTE 71, 1411.3 FEET TO THE CENTER LINE EXTENDED NORTHWESTERLY OF THE PUBLIC ROAD RUNNING SOUTHEASTERLY FROM SAID ILLINOIS ROUTE 71, COMMONLY KNOWN AS WING ROAD; THENCE SOUTHEASTERLY ALONG THE EXTENDED CENTER LINE AND THE CENTER LINE OF SAID PUBLIC ROAD, BEING ALONG A LINE THAT FORMS AN ANGLE OF 93 DEGREES 25' TO THE RIGHT WITH THE PROLONGATION NORTHEASTERLY OF THE TANGENT TO THE CENTER LINE OF SAID ILLINOIS ROUTE 71 AT THE LAST DESCRIBED POINT, 761 FEET FOR THE POINT OF BEGINNING; THENCE SOUTHWESTERLY ALONG A LINE THAT FORMS AN ANGLE OF 79 DEGREES 47' TO THE RIGHT WITH THE PROLONGATION OF THE LAST DESCRIBED LINE 265.6 FEET TO THE CENTER LINE OF ILLINOIS ROUTE 126; THENCE SOUTHEASTERLY ALONG SAID CENTER LINE OF ILLINOIS ROUTE 126 TO THE CENTER LINE OF THE EASTERLY FORK OF THE PUBLIC ROAD AFORESAID WHICH RUNS SOUTHEASTERLY FROM SAID ILLINOIS ROUTE 71; THENCE NORTHWESTERLY ALONG THE CENTER LINE OF SAID PUBLIC ROAD TO THE POINT OF BEGINNING; TO THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS.

GRANTEE HEREBY ASSUMES AND AGREES TO PAY THE UNPAID BALANCE ON THE EXISTING MORTGAGE RECORDED IN BOOK PAGE , THE DEBT SECURED THEREBY AND ALSO HEREBY ASSUMES -THE OBLIGATIONS UNDER THE TERM OF THE INSTRUMENTS CREATING THE LOANS DOCUMENT NO. 79—1053.

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE - NORTH 00 DEGREES 08 MINUTES 14 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, - 1,995.75 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 71; THENCE NORTH 71 DEGREES 23 MINUTES 59 SECONDS EAST ALONG SAID CENTER LINE 30.45 FEET TO THE POINT OF INTERSECTION OF SAID CENTER LINE WITH CENTER LINE OF ILLINOIS STATE ROUTE NO. 126 FOR THE POINT OF BEGINNING; THENCE NORTH 71 DEGREES 23 MINUTES 59 SECONDS EAST ALONG SAID ROUTE 71 CENTER LINE 230.67 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11,459.20 FEET WHICH IS TANGENT TO THE LAST DESCRIBED COURSE AT THE LAST DESCRIBED POINT AT THE LAST DESCRIPTION POINT, 1,141.60 FEET TO THE INTERSECTION WITH THE - CENTER LINE EXTENDED NORTHWESTERLY OF WING ROAD; THENCE SOUTH 21 DEGREES 30 MINUTES 13 SECONDS EAST ALONG SAID WING ROAD CENTER LINE 761.0 FEET; THENCE SOUTH 58 DEGREES 16 MINUTES 47 SECONDS WEST 265.35 FEET TO SAID ROUTE 126 CENTER LINE; THENCE NORTHWESTERLY ALONG SAID ROUTE 126 CENTER LINE BEING ALONG A CURVE TO THE LEFT AND HAVING A RADIUS OF 2,292.01 FEET WHICH IS TANGENT TO A LINE DRAWN NORTH 72 DEGREES 57 MINUTES 06 SECONDS WEST FROM THE LAST DESCRIBED POINT 147.93 FEET; THENCE NORTH 16 DEGREES 38 MINUTES 49 SECONDS WEST ALONG SAID ROUTE 126 CENTERLINE 850.98 FEET; THENCE NORTHWESTERLY ALONG SAID ROUTE 126 CENTERLINE BEING ALONG A CURVE TO THE RIGHT AND HAVING A RADIUS OF 2,148.79 FEET WHICH IS TANGENT TO THE LAST DESCRIBED COURSE AT THE LAST DESCRIBED POINT, 383.53 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PART DESCRIBED AS FOLLOWS: THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36- NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 00 DEGREES 08 MINUTES 14 SECONDS WEST ALONG -THE WEST LINE OF SAID SOUTHWEST QUARTER 1995.75 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE 71; THENCE NORTH 71 DEGREES 23 MINUTES 59 SECONDS EAST ALONG SAID ROUTE 71 CENTER LINE 261.12 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 15,459.20 FEET WHICH IS TANGENT TO THE LAST-DESCRIBED COURSE 1141.60 FEET TO THE INTERSECTION WITH THE CENTER LINE EXTENDED NORTHWESTERLY OF WING ROAD FOR THE POINT OF BEGINNING; THENCE SOUTH 21 DEGREES 30 MINUTES 13 SECONDS EAST ALONG SAID WING ROAD CENTER LINE 258.05 FEET; THENCE SOUTH 58 DEGREES 29 MINUTES 47 SECONDS WEST 200.0 FEET; THENCE NORTH 21 DEGREES 30 MINUTES 13 SECONDS WEST PARALLEL WITH SAID WING ROAD CENTER LINE 250.0 FEET TO SAID ROUTE 71 CENTER LINE; THENCE NORTHEASTERLY ALONG SAID ROUTE 71 CENTER LINE 200.16 FEET TO THE POINT OF BEGINNING, IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, (ILLINOIS, AND ALSO EXCEPTING, THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3 IN TOWNSHIP 38 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE (NAD83): COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 3; THENCE NORTH 01 DEGREE 35 MINUTES 30 SECONDS WEST, 1,995.04 FEET ALONG THE WEST LINE OF SAID SOUTHWEST 1/4 TO THE CENTERLINE OF A PUBLIC HIGHWAY DESIGNATED IL 71; THENCE NORTH 69 DEGREES 55 MINUTES 19 SECONDS EAST, 31.52 FEET ALONG SAID CENTERLINE TO THE POINT OF BEGINNING FROM THE POINT OF BEGINNING; THENCE NORTH 69 DEGREES 55 MINUTES 19 SECONDS EAST, 230.66 FEET ALONG SAID CENTERLINE; THENCE NORTHEASTERLY, 940.56 FEET ALONG AN 11,479.02 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING NORTH 67 DEGREES 34 MINUTES 29 SECONDS EAST, 940.31 FEET; THENCE SOUTH 22 DEGREES 56 MINUTES 31 SECONDS EAST, 60.03 FEET; THENCE SOUTHWESTERLY, 418.10 FEET ON AN 11,539.02 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING SOUTH 66 DEGREES 16 MINUTES 29 SECONDS WEST, 418.08 FEET; THENCE SOUTH 59 DEGREES 24 MINUTES 09 SECONDS WEST, 71.10 FEET; THENCE SOUTH 25 DEGREES 14 MINUTES 24 SECONDS WEST, 60.52 FEET; THENCE SOUTHEASTERLY, 570.87 FEET ON AN 675.00 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING SOUTH 55 DEGREES 22 MINUTES 46 SECONDS EAST, 560.80 FEET; THENCE SOUTH 74 DEGREES 04 MINUTES 13 SECONDS EAST, 274.41 FEET; THENCE SOUTH 64 DEGREES 05 MINUTES 29 SECONDS EAST, 35.85 FEET; THENCE SOUTH 55 DEGREES 49 MINUTES 00 SECONDS WEST, 64.56 FEET TO THE CENTERLINE OF A PUBLIC HIGHWAY DESIGNATED IL 126; THENCE NORTHWESTERLY, 162.08 FEET ON SAID CENTERLINE BEING A 2,291.64 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING NORTH 76 DEGREES 16 MINUTES 12 SECONDS WEST, 162.05 FEET; THENCE NORTH 78 DEGREES 17 MINUTES 46 SECONDS WEST, 357.37 FEET ON SAID CENTERLINE; THENCE NORTH 53 DEGREES 52 MINUTES 46 SECONDS WEST, 96.76 FEET TO THE EXISTING NORTHERLY RIGHT OF WAY LINE OF IL 126; THENCE NORTHWESTERLY, 297.03 FEET ON A 990.00 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING NORTH 45 DEGREES 17 MINUTES 03 SECONDS WEST, 295.92 FEET; THENCE NORTH 36 DEGREES 39 MINUTES 21 SECONDS WEST, 23.77 FEET; THENCE NORTH 77 DEGREES 19 MINUTES 36 SECONDS WEST, 64.74 FEET; THENCE SOUTH 69 DEGREES 03

MINUTES 36 SECONDS WEST, 100.61 FEET; THENCE SOUTH 69 DEGREES 55 MINUTES 52 SECONDS WEST, 149.98 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SAID IL 71; THENCE SOUTH 65 DEGREES 32 MINUTES 40 SECONDS WEST, 113.94 FEET TO THE CENTERLINE OF SAID IL 126; THENCE NORTHWESTERLY, 119.55 FEET ON SAID CENTERLINE BEING A 2,170.59 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING NORTH 69 DEGREES 20 MINUTES 17 SECONDS WEST, 119.54 FEET TO THE POINT OF BEGINNING.

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 07°44' EAST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER 1236.84 FEET TO A POINT ON SAID EAST LINE WHICH IS 1284.36 FEET SOUTH OF THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 89°47'31" WEST, 684.42 FEET; THENCE NORTH 09°32'39" WEST, 590.03 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO ELSIE BOYD BY DEED DATED MARCH 25, 1929 AND RECORDED DECEMBER 14, 1938 IN DEED RECORD 88 ON PAGE 399, FOR THE POINT OF BEGINNING; THENCE SOUTH 57°58'56" WEST ALONG THE SOUTHERLY LINE OF SAID BOYD TRACT AND SAID SOUTHERLY LINE EXTENDED 352.89 FEET TO THE CENTER LINE OF WING ROAD; THENCE SOUTH 21°28'35" EAST ALONG SAID CENTERLINE 131.00 FEET; THENCE NORTH 57°58'56" EAST PARALLEL WITH SAID SOUTHERLY LINE 323.58 FEET TO A POINT WHICH IS SOUTH 09°32'39" EAST, 139.37 FEET FROM THE POINT OF BEGINNING; THENCE NORTH 09°32'39" WEST, 139.37 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS.

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER 1995.6 FEET TO THE CENTER LINE OF ILLINOIS ROUTE 7L; THENCE EASTERLY ALONG SAID CENTER LINE 32.2 FEET TO THE CENTER LINE OF ILLINOIS ROUTE 126; THENCE SOUTHEASTERLY ALONG SAID CENTER LINE OF ILLINOIS ROUTE 126, 1049.7 FEET FOR THE POINT, OF BEGINNING; THENCE SOUTHWESTERLY AT RIGHT ANGLES TO SAID CENTER LINE, 339.9 FEET TO AN OLD CLAIM LINE; THENCE NORTHEASTERLY ALONG SAID OLD CLAIM LINE WHICH MAKES AN ANGLE OF 44°21' (MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE) 468.6 FEET TO THE CENTER LINE OF SAID ILLINOIS ROUTE 126; THENCE NORTHWESTERLY ALONG SAID CENTER LINE 328.1 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS. EXCEPT THEREFROM THE BELOW DESCRIBED PARCEL:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE (NAD83):

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE NORTH 01 DEGREE 35 MINUTES 30 SECONDS WEST, 1,995.04 FEET ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3 TO THE 'CENTERLINE OF A PUBLIC HIGHWAY DESIGNATED IL 71; THENCE NORTH 69 DEGREES 55 MINUTES 19 SECONDS EAST, 31.52 FEET ALONG SAID CENTERLINE TO THE CENTERLINE OF A PUBLIC HIGHWAY DESIGNATED IL 126; THENCE SOUTHEASTERLY ALONG SAID CENTERLINE, 399.15 FEET ALONG A 2,170.59 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING OF SOUTH 73 DEGREES 01 MINUTE 41 SECONDS EAST, 398.58 FEET THENCE SOUTH 78 DEGREES 17 MINUTES 46 SECONDS EAST, 649.36 FEET ALONG SAID CENTERLINE TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING, THENCE SOUTH 78° DEGREES 17 MINUTES 46 SECONDS EAST, 172.16 FEET ALONG SAID CENTERLINE; THENCE SOUTHEASTERLY ALONG SAID CENTERLINE, 162.08 FEET ALONG A 2,291.64 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING OF SOUTH 76 DEGREES 16 MINUTES 12 SECONDS EAST, 162.05 FEET; THENCE SOUTH 56 DEGREES 32 MINUTES 11 SECONDS WEST, 65.63 FEET; THENCE NORTH 74 DEGREES 04 MINUTES 13 SECONDS WEST, 5.13 FEET; THENCE NORTH 65 DEGREES 29 MINUTES 14 SECONDS WEST, 50.57 FEET, TO THE SOUTHERLY RIGHT OF WAY LINE OF IL 126; THENCE NORTHWESTERLY, 61.11 FEET ON SAID RIGHT OF WAY LINE BEING ON A 2,251.64 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING OF NORTH 77 DEGREES 31 MINUTES 09 SECONDS WEST, 61.11 FEET; THENCE NORTH 78 DEGREES 17 MINUTES 46 SECONDS WEST, 172.27 FEET ALONG SAID SOUTH RIGHT OF WAY LINE; THENCE NORTH 11 DEGREES 52 MINUTES 19 SECONDS EAST, 40.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.297 ACRE MORE OR LESS, OF WHICH 0.290 ACRE, MORE OR LESS, IS LYING WITHIN PUBLIC ROAD RIGHT OF WAY, SITUATED IN THE COUNTY OF KENDALL AND STATE OF ILLINOIS, HEREBY RELEASING AND WAVING ALL RIGHTS UNDER AND BY VIRTUE OF THE HOMESTEAD EXEMPTION LAWS OF THE STATE.

EXHIBIT A-1

PARCEL "B" DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 0 DEGREES 7 MINUTES 44 SECONDS EAST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER 1,236.84 FEET TO A POINT ON SAID EAST LINE WHICH IS 1284.36 FEET SOUTH OF THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 89 DEGREES 47 MINUTES 31 SECONDS WEST, 684.42 FEET; THENCE NORTH 09 DEGREES 32 MINUTES 39 SECONDS WEST, 590.03 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO ELSIE BOYD BY DEED DATED MARCH 25, 1929 AND RECORDED DECEMBER 14, 1938 IN DEED RECORD 88 ON PAGE 399 FOR THE POINT OF BEGINNING; THENCE SOUTH 57 DEGREES 58 MINUTES 56 SECONDS WEST ALONG THE SOUTHERLY LINE OF SAID BOYD TRACT AND SAID SOUTHERLY LINE EXTENDED 352.89 FEET TO THE CENTER LINE OF WING ROAD; THENCE SOUTH 21 DEGREES 28 MINUTES 35 SECONDS EAST ALONG SAID CENTER LINE 131.0 FEET; THENCE NORTH 57 DEGREES 58 MINUTES 56 SECONDS EAST PARALLEL WITH SAID SOUTHERLY LINE 323.58 FEET TO A POINT WHICH IS SOUTH 09 DEGREES 32 MINUTES 39 SECONDS EAST, 139.37 FEET FROM THE POINT OF BEGINNING; THENCE NORTH 09 DEGREES 32 MINUTES 39 SECONDS WEST, 139.37 FEET TO THE POINT OF BEGINNING; IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS.

PARCEL "D" DESCRIPTION

THAT PART OF THE NORTHEAST, NORTHWEST AND SOUTHWEST QUARTERS OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 10 MINUTES 48 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, 1,284.36 FEET; THENCE SOUTH 89 DEGREES 29 MINUTES 40 SECONDS WEST, 680.30 FEET; THENCE NORTH 09 DEGREES 33 MINUTES 27 SECONDS WEST, 10.0 FEET FOR A POINT OF BEGINNING; THENCE NORTH 09 DEGREES 33 MINUTES 27 SECONDS WEST, 579.53 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO ELSIE BOYD BY A DEED DATED MARCH 25, 1929 AND RECORDED DECEMBER 14, 1938 IN DEED RECORD BOOK 88 ON PAGE 399; THENCE NORTH 09 DEGREES 05 MINUTES 24 SECONDS WEST ALONG THE EAST LINE OF SAID BOYD TRACT, 748.57 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 71; THENCE NORTHEASTERLY ALONG SAID CENTER LINE, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11,459.20 FEET AND A RADIAL BEARING OF NORTH 26 DEGREES 49 MINUTES 16 SECONDS WEST AT THE LAST DESCRIBED POINT, 627.46 FEET; THENCE NORTH 60 DEGREES 02 MINUTES 30 SECONDS EAST ALONG SAID CENTER LINE, 332.0 FEET; THENCE SOUTH 12 DEGREES 27 MINUTES 30 SECONDS EAST, 264.0 FEET; THENCE SOUTH 84 DEGREES 27 MINUTES 30 SECONDS EAST, 202.0 FEET; THENCE NORTH 00 DEGREES 42 MINUTES 30 SECONDS WEST, 423.02

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FEET TO SAID CENTER LINE; THENCE NORTH 60 DEGREES 02 MINUTES 30 SECONDS EAST ALONG SAID CENTER LINE, 472.59 FEET TO A LINE DRAWN NORTH 00 DEGREES 10 MINUTES 48 SECONDS EAST PARALLEL WITH THE WEST LINE OF SAID NORTHEAST QUARTER, FROM A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER WHICH IS 598.62 FEET EASTERLY OF THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 00 DEGREES 10 MINUTES 48 SECONDS WEST ALONG SAID PARALLEL LINE, 880.56 FEET TO SAID SOUTH LINE; THENCE SOUTH 89 DEGREES 34 MINUTES 48 SECONDS WEST ALONG SAID SOUTH LINE, 598.62 FEET TO SAID SOUTHWEST CORNER; THENCE SOUTH 00 DEGREES 10 MINUTES 48 SECONDS WEST ALONG SAID EAST LINE, 1275.36 FEET TO A LINE DRAWN SOUTH 89 DEGREES 40 MINUTES 33 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 40 MINUTES 33 SECONDS WEST, 681.94 FEET TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

PARCEL "E" DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 0 DEGREES 08 MINUTES 09 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, 798.60 FEET TO AN OLD CLAIM LINE; THENCE NORTH 57 DEGREES 59 MINUTES 05 SECONDS EAST ALONG SAID OLD CLAIM LINE, 299.00 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 1 DEGREE 51 MINUTES 32 SECONDS WEST, 402.10 FEET; THENCE SOUTH 59 DEGREES 25 MINUTES 54 SECONDS EAST, 256.51 FEET; THENCE NORTH 59 DEGREES 55 MINUTES 25 SECONDS EAST, 355.65 FEET; THENCE NORTH 62 DEGREES 43 MINUTES 29 SECONDS EAST, 853.57 FEET; THENCE NORTH 33 DEGREES 24 MINUTES 40 SECONDS EAST, 542.27 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE NUMBER 126; THENCE NORTHWESTERLY ALONG SAID CENTER LINE, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2,292.01 FEET AND A RADIAL BEARING OF SOUTH 29 DEGREES 23 MINUTES 51 SECONDS WEST AT THE LAST DESCRIBED POINT, 358.41 FEET TO A POINT WHICH IS 151.00 FEET, AS MEASURED ALONG SAID CENTER LINE, SOUTHEASTERLY OF THE INTERSECTION OF SAID CENTER LINE AND SAID OLD CLAIM LINE; THENCE SOUTH 45 DEGREES 05 MINUTE 49 SECONDS WEST, 265.70 FEET; THENCE SOUTH 73 DEGREES 54 MINUTES 28 SECONDS WEST, 102.86 FEET; THENCE SOUTH 84 DEGREES 11 MINUTES 54 SECONDS WEST, 280.96 FEET; THENCE NORTH 32 DEGREES 00 MINUTES 55 SECONDS WEST, 24.19 FEET TO SAID OLD CLAIM LINE; THENCE SOUTH 87 DEGREES 59 MINUTES 05 SECONDS WEST ALONG SAID OLD CLAIM LINE, 789.92 FEET TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

EXHIBIT A-1

PARCEL "F" DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, 798.60 FEET TO AN OLD CLAIM LINE; THENCE NORTHERLY ALONG SAID WEST LINE, 1118.27 FEET FOR A POINT OF BEGINNING; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 28 DEGREES 33 MINUTES 54 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 228.53 FEET; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 178 DEGREES 11 MINUTES 35 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 112.67 FEET TO A LINE DRAWN PARALLEL WITH AND 160.0 FEET NORMALLY DISTANT, EASTERLY OF SAID WEST LINE; THENCE SOUTHERLY ALONG SAID PARALLEL LINE, 717.44 FEET TO SAID CLAIM LINE; THENCE NORTHEASTERLY ALONG SAID CLAIM LINE, 941.92 FEET TO A POINT ON A LINE DRAWN SOUTHWESTERLY, PERPENDICULAR TO THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 126 FROM A POINT ON SAID CENTER LINE WHICH IS 1,049.70 FEET, AS MEASURED ALONG SAID CENTER LINE, SOUTHEASTERLY OF THE INTERSECTION OF SAID CENTER LINE WITH THE CENTER LINE OF ILLINOIS STATE ROUTE 71, THENCE NORTHEASTERLY TO SAID POINT ON SAID CENTER LINE OF ILLINOIS ROUTE 126 AFORESAID; THENCE NORTHWESTERLY ALONG SAID ROUTE 126 CENTER LINE AND TO SAID ROUTE 71 CENTER LINE; THENCE SOUTHWESTERLY ALONG SAID ROUTE 71 CENTER LINE, 30.58 FEET TO SAID WEST LINE; THENCE SOUTHERLY ALONG SAID WEST LINE, 78.83 FEET, TO THE POINT OF BEGINNING (EXCEPTING THEREFROM THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 3; THENCE NORTH 00 DEGREES 00 MINUTES 38 SECONDS EAST, ON A BEARING REFERENCED TO AN ASSUMED NORTH, 1,925.21 FEET ON THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 89 DEGREES 59 MINUTES 22 SECONDS EAST, 58.55 FEET TO THE EXISTING SOUTHEASTERLY RIGHT OF WAY LINE OF A F.A.P. ROUTE 311 (IL ROUTE 71) AND THE POINT OF BEGINNING; THENCE NORTH 72 DEGREES 34 MINUTES 00 SECONDS EAST, 35.28 FEET ON SAID SOUTHEASTERLY RIGHT OF WAY LINE TO THE SOUTHERLY RIGHT OF WAY LINE OF S.B.I. ROUTE 66 (IL ROUTE 126); THENCE SOUTH 70 DEGREES 08 MINUTES 35 SECONDS EAST, 125.66 FEET ON SAID SOUTHERLY RIGHT OF WAY LINE; THENCE NORTH 81 DEGREES 09 MINUTES 04 SECONDS WEST, 51.85 FEET; THENCE NORTH 76 DEGREES 30 MINUTES 40 SECONDS WEST, 103.47 FEET TO THE POINT OF BEGINNING, IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

PARCEL "G" DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

EXHIBIT A-1

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, 798.60 FEET TO AN OLD CLAIM LINE FOR A POINT OF BEGINNING; THENCE NORTHERLY ALONG SAID WEST LINE, 1,118.27 FEET; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 28 DEGREES 33 MINUTES 54 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 228.53 FEET; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 178 DEGREES 11 MINUTES 35 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 112.67 FEET TO A LINE DRAWN PARALLEL WITH AND 160.0 FEET NORMALLY DISTANT, EASTERLY OF SAID WEST LINE; THENCE SOUTHERLY ALONG SAID PARALLEL LINE, 717.44 FEET TO SAID CLAIM LINE; THENCE SOUTHWESTERLY ALONG SAID CLAIM LINE, 188.42 FEET TO THE POINT OF BEGINNING, IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

PARCEL "J" DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER 1995.6 FEET TO THE CENTER LINE OF ILLINOIS ROUTE 71; THENCE NORTHEASTERLY ALONG THE SAID CENTER LINE OF ILLINOIS ROUTE 71, A DISTANCE OF 1411.3 FEET TO THE CENTER LINE EXTENDED NORTHWESTERLY OF THE PUBLIC ROAD RUNNING SOUTHEASTERLY FROM SAID ILLINOIS ROUTE 71, COMMONLY KNOWN AS WING ROAD; THENCE SOUTHEASTERLY ALONG THE EXTENDED CENTER LINE AND THE CENTER LINE OF SAID PUBLIC ROAD, BEING ALONG A LINE THAT FORMS AN ANGLE OF 93 DEGREES 25 MINUTES TO THE RIGHT WITH THE PROLONGATION NORTHEASTERLY OF THE TANGENT TO THE CENTER LINE OF SAID ILLINOIS ROUTE 71 AT THE LAST DESCRIBED POINT, 761 FEET FOR THE POINT OF BEGINNING; THENCE SOUTHWESTERLY ALONG A LINE THAT FORMS AN ANGLE OF 79 DEGREES 47 MINUTES TO THE RIGHT WITH THE PROLONGATION OF THE LAST DESCRIBED LINE, 265.6 FEET TO THE CENTER LINE OF ILLINOIS ROUTE 126; THENCE SOUTHEASTERLY ALONG SAID CENTER LINE OF ILLINOIS ROUTE 126 TO THE CENTER LINE OF THE EASTERLY FORK OF THE PUBLIC ROAD AFORESAID WHICH RUNS SOUTHEASTERLY FROM SAID ILLINOIS ROUTE 71; THENCE NORTHWESTERLY ALONG THE CENTER LINE OF SAID PUBLIC ROAD TO THE POINT OF BEGINNING; IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS.

PARCEL "K" DESCRIPTION

THAT PART OF THE NORTH HALF OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

EXHIBIT A-1

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE SOUTH 0 DEGREES 07 MINUTES 44 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, 1284.36 FEET; THENCE NORTH 89 DEGREES 47 MINUTES 31 SECONDS WEST, 684.42 FEET; THENCE NORTH 09 DEGREES 32 MINUTES 39 SECONDS WEST, 590.03 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO ELSIE BOYD BY A DEED DATED MARCH 25, 1929 AND RECORDED DECEMBER 14, 1938 IN DEED RECORD BOOK 88 ON PAGE 399; THENCE NORTH 09 DEGREES 05 MINUTES 46 SECONDS WEST, 748.40 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 71; THENCE NORTHEASTERLY ALONG SAID CENTER LINE, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11,459.20 FEET AND A RADIAL BEARING OF NORTH 26 DEGREES 50 MINUTES 30 SECONDS WEST AT THE LAST DESCRIBED POINT, 627.46 FEET; THENCE NORTH 60 DEGREES 02 MINUTES 30 SECONDS EAST ALONG SAID CENTER LINE, 332.0 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 12 DEGREES 27 MINUTES 30 SECONDS EAST, 264.0 FEET; THENCE SOUTH 84 DEGREES 27 MINUTES 30 SECONDS EAST, 202.0 FEET; THENCE NORTH 0 DEGREES 42 MINUTES 30 SECONDS WEST, 432.02 FEET TO SAID CENTER LINE; THENCE SOUTH 60 DEGREES 02 MINUTES 30 SECONDS WEST, ALONG CENTER LINE, 291.76 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS.

PARCEL "L" DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER 1995.6 FEET TO THE CENTER LINE OF ILLINOIS ROUTE 71; THENCE EASTERLY ALONG SAID CENTER LINE 32.2 FEET TO THE CENTER LINE OF ILLINOIS ROUTE 126; THENCE SOUTHEASTERLY ALONG SAID CENTER LINE OF ILLINOIS ROUTE 126, 1049.7 FEET FOR THE POINT OF BEGINNING; THENCE SOUTHWESTERLY AT RIGHT ANGLES TO SAID CENTER LINE, 339.9 FEET TO AN OLD CLAIM LINE; THENCE NORTHEASTERLY ALONG SAID OLD CLAIM LINE WHICH MAKES AN ANGLE OF 44 DEGREES 21 MINUTES (MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE) 468.6 FEET TO THE CENTER LINE OF SAID ILLINOIS ROUTE 126; THENCE NORTHWESTERLY ALONG SAID CENTER LINE 328.1 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS, EXCEPT THAT PREVIOUSLY ANNEXED.

(PARCELS CONTAIN 78.145 ACRES MORE OR LESS.)

EXHIBIT A-2

PARCEL "A" DESCRIPTION

THAT PART OF THE WEST HALF OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 3; THENCE SOUTH 00 DEGREES 14 MINUTES 45 SECONDS EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3, 1,284.36 FEET; THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, 684.42 FEET; THENCE NORTH 09 DEGREES 30 MINUTES 00 SECONDS WEST, 592.27 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 57 DEGREES 33 MINUTES 55 SECONDS WEST, 327.57 FEET TO THE EASTERLY LINE OF WING ROAD; THENCE NORTH 21 DEGREES 52 MINUTES 29 SECONDS WEST ALONG SAID EASTERLY LINE 705.85 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF ILLINOIS ROUTE 71; THENCE NORTHEASTERLY ALONG SAID SOUTHERLY LINE, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11,509.16 FEET; A DISTANCE OF 472.39 FEET TO A LINE DRAWN NORTH 09 DEGREES 30 MINUTES 00 SECONDS WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 09 DEGREES 30 MINUTES 00 SECONDS EAST ALONG SAID LINE, 695.72 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS.

PARCEL "H" DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 00 DEGREES 08 MINUTES 14 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, 1,995.75 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 71; THENCE NORTH 71 DEGREES 23 MINUTES 59 SECONDS EAST ALONG SAID CENTER LINE, 30.45 FEET TO THE POINT OF INTERSECTION OF SAID CENTER LINE WITH CENTER LINE OF ILLINOIS STATE ROUTE NO. 126 FOR THE POINT OF BEGINNING; THENCE NORTH 71 DEGREES 23 MINUTES 59 SECONDS EAST ALONG SAID ROUTE 71 CENTER LINE, 230.67 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11,459.20 FEET WHICH IS TANGENT TO THE LAST DESCRIBED COURSE AT THE LAST DESCRIBED POINT AT THE LAST DESCRIPTION POINT, 1,141.60 FEET TO THE INTERSECTION WITH THE CENTER LINE EXTENDED NORTHWESTERLY OF WING ROAD; THENCE SOUTH 21 DEGREES 30 MINUTES 13 SECONDS EAST ALONG SAID WING ROAD CENTER LINE, 761.0 FEET; THENCE SOUTH 58 DEGREES 16 MINUTES 47 SECONDS WEST, 265.38 FEET TO SAID ROUTE 126 CENTER LINE; THENCE NORTHWESTERLY ALONG SAID ROUTE 126 CENTER LINE, BEING ALONG A CURVE TO THE LEFT AND HAVING A RADIUS OF 2,292.01 FEET WHICH IS TANGENT TO A LINE DRAWN NORTH 72 DEGREE

EXHIBIT A-2

57 MINUTES 06 SECONDS WEST FROM THE LAST DESCRIBED POINT, 147.83 FEET; THENCE NORTH 76 DEGREES 38 MINUTES 49 SECONDS WEST ALONG SAID ROUTE 126 CENTER LINE, 850.98 FEET; THENCE NORTHWESTERLY ALONG SAID ROUTE 126 CENTER LINE, BEING ALONG A CURVE TO THE RIGHT AND HAVING A RADIUS OF 2,148.79 FEET WHICH IS TANGENT TO THE LAST DESCRIBED COURSE AT THE LAST DESCRIBED POINT, 383.53 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PART DESCRIBED AS FOLLOWS: THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 00 DEGREES 08 MINUTES 14 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, 1,995.75 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE 71; THENCE NORTH 71 DEGREES 23 MINUTES 59 SECONDS EAST ALONG SAID ROUTE 71 CENTER LINE, 261.12 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11,459.20 FEET WHICH IS TANGENT TO THE LAST DESCRIBED COURSE, 1,141.60 FEET TO THE INTERSECTION WITH THE CENTER LINE EXTENDED NORTHWESTERLY OF WING ROAD FOR THE POINT OF BEGINNING; THENCE SOUTH 21 DEGREES 30 MINUTES 13 SECONDS EAST ALONG SAID WING ROAD CENTER LINE, 258.05 FEET; THENCE SOUTH 68 DEGREES 29 MINUTES 47 SECONDS WEST, 200.0 FEET; THENCE NORTH 21 DEGREES 30 MINUTES 13 SECONDS WEST, PARALLEL WITH SAID WING ROAD CENTER LINE, 250.0 FEET TO SAID ROUTE 71 CENTER LINE; THENCE NORTHEASTERLY ALONG SAID ROUTE 71 CENTER LINE, 200.16 FEET TO THE POINT OF BEGINNING, IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS, AND ALSO EXCEPTING,

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3 IN TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE (NAD83).

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE NORTH 01 DEGREE 35 MINUTES 30 SECONDS WEST, 1,995.04 FEET ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER TO THE CENTER LINE OF A PUBLIC HIGHWAY DESIGNATED IL 71; THENCE NORTH 69 DEGREES 55 MINUTES 19 SECONDS EAST, 31.52 FEET ALONG SAID CENTER LINE TO THE POINT OF BEGINNING; THENCE NORTH 69 DEGREES 55 MINUTES 19 SECONDS EAST, 230.66 FEET ALONG SAID CENTER LINE; THENCE NORTHEASTERLY, 940.58 FEET ALONG AN 11,479.02 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING NORTH 67 DEGREES 34 MINUTES 29 SECONDS EAST, 940.31 FEET; THENCE SOUTH 22 DEGREES 56 MINUTES 31 SECONDS EAST, 60.03 FEET; THENCE SOUTHWESTERLY, 418.10 FEET ON AN 11,539.02 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING SOUTH 66 DEGREES 16 MINUTES 29 SECONDS WEST, 418.08 FEET; THENCE SOUTH

EXHIBIT A-2

59 DEGREES 24 MINUTES 09 SECONDS WEST, 71.10 FEET; THENCE SOUTH 25 DEGREES 14 MINUTES 24 SECONDS WEST, 60.52 FEET; THENCE SOUTHEASTERLY, 570.87 FEET ON AN 875.00 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING SOUTH 55 DEGREES 22 MINUTES 46 SECONDS EAST, 560.80 FEET; THENCE SOUTH 74 DEGREES 04 MINUTES 13 SECONDS EAST, 274.41 FEET; THENCE SOUTH 64 DEGREES 05 MINUTES 29 SECONDS EAST, 35.85 FEET; THENCE SOUTH 56 DEGREES 49 MINUTES 00 SECONDS WEST, 64.56 FEET TO THE CENTER LINE OF A PUBLIC HIGHWAY DESIGNATED IL 126; THENCE NORTHWESTERLY, 162.08 FEET ON SAID CENTER LINE BEING A 2,291.64 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING NORTH 76 DEGREES 16 MINUTES 12 SECONDS WEST, 162.05 FEET; THENCE NORTH 78 DEGREES 17 MINUTES 46 SECONDS WEST, 357.37 FEET ON SAID CENTER LINE; THENCE NORTH 53 DEGREES 52 MINUTES 46 SECONDS WEST, 96.76 FEET TO THE EXISTING NORTHERLY RIGHT OF WAY LINE OF IL 126; THENCE NORTHWESTERLY, 297.03 FEET ON A 990.00 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING NORTH 45 DEGREES 17 MINUTES 03 SECONDS WEST, 295.92 FEET; THENCE NORTH 36 DEGREES 39 MINUTES 21 SECONDS WEST, 23.77 FEET; THENCE NORTH 77 DEGREES 19 MINUTES 38 SECONDS WEST, 84.74 FEET; THENCE SOUTH 69 DEGREES 03 MINUTES 36 SECONDS WEST, 100.61 FEET; THENCE SOUTH 69 DEGREES 55 MINUTES 52 SECONDS WEST, 149.98 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SAID IL 71; THENCE SOUTH 65 DEGREES 32 MINUTES 40 SECONDS WEST, 113.94 FEET TO THE CENTER LINE OF SAID IL 126; THENCE NORTHWESTERLY, 119.55 FEET ON SAID CENTER LINE BEING A 2,170.59 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING NORTH 69 DEGREES 20 MINUTES 17 SECONDS WEST, 119.54 FEET TO THE POINT OF BEGINNING.

(PARCELS CONTAIN 15.323 ACRES MORE OR LESS.)

IN PART OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 7 EAST OF THE THIRD
PRINCIPAL MERIDIAN IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.


VICINITY MAP


**HEREBY ANNEXED TO THE
UNITED CITY OF YORKVILLE**


**HEREBY ANNEXED TO THE
UNITED CITY OF YORKVILLE**


[illegible]


LEGEND


 IMMEDIATELY ADJACENT L. (Heavy Solid Line)


 EXISTING UNITED CITY CORPORATE LIMITS (Solid Line)

 ADJACENT PROPERTY LINE (Light Solid Line)

 CENTERLINE (Single Dashed Line)

 QUARTER SECTION LINE (Double Dashed Line)

 SECTION LINE (Triple Dashed Line)

 SECTION CORNER OR QUARTER CORNER

THE SHEET 1

EXHIBIT B

THAT PART OF THE WEST HALF OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE CENTER OF SAID SECTION 3; THENCE SOUTH $00^{\circ}14'45''$ EAST, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3, 1284.36 FEET; THENCE SOUTH $89^{\circ}50'00''$ WEST, 684.42 FEET; THENCE NORTH $09^{\circ}30'00''$ WEST, 592.27 FEET; THENCE SOUTH $57^{\circ}33'55''$ WEST, 327.57 FEET TO THE EASTERLY LINE OF WING ROAD; THENCE NORTH $21^{\circ}52'29''$ WEST, ALONG SAID EASTERLY LINE, 705.85 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 71 FOR THE POINT OF BEGINNING; THENCE SOUTH $21^{\circ}52'29''$ EAST, ALONG SAID EASTERLY LINE, 119.0 FEET; THENCE NORTH $68^{\circ}07'31''$ EAST, PERPENDICULAR TO SAID EASTERLY LINE, 211.0 FEET; THENCE NORTH $21^{\circ}52'29''$ WEST, PARALLEL WITH SAID EASTERLY LINE, 131.87 FEET TO SAID SOUTHERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 71; THENCE SOUTHWESTERLY, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, BEING A CURVE TO THE RIGHT WITH A RADIUS OF 11509.16 FEET, AN ARC DISTANCE OF 211.39 FEET TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS AND CONTAINING 0.6060 ACRE.

THAT PART OF THE WEST HALF OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE CENTER OF SAID SECTION 3; THENCE SOUTH $00^{\circ}14'45''$ EAST, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3, 1284.36 FEET; THENCE SOUTH $89^{\circ}50'00''$ WEST, 684.42 FEET; THENCE NORTH $09^{\circ}30'00''$ WEST, 592.27 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH $57^{\circ}33'55''$ WEST, 327.57 FEET TO THE EASTERLY LINE OF WING ROAD; THENCE NORTH $21^{\circ}52'29''$ WEST, ALONG SAID EASTERLY LINE, 586.85 FEET TO A POINT ON SAID EASTERLY LINE WHICH IS 119.0 FEET (MEASURED ALONG SAID EASTERLY LINE) SOUTHEASTERLY OF THE SOUTHERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 71; THENCE NORTH $68^{\circ}07'31''$ EAST, PERPENDICULAR TO SAID EASTERLY LINE, 211.0 FEET; THENCE NORTH $21^{\circ}52'29''$ WEST, PARALLEL WITH SAID EASTERLY LINE, 131.87 FEET TO SAID SOUTHERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 71; THENCE NORTHEASTERLY, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, BEING A CURVE TO THE LEFT WITH A RADIUS OF 11509.16 FEET, AN ARC DISTANCE OF 261.03 FEET TO A LINE DRAWN NORTH $09^{\circ}30'00''$ WEST FROM THE POINT OF BEGINNING; THENCE SOUTH $09^{\circ}30'00''$ EAST, ALONG SAID LINE, 695.72 FEET TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS AND CONTAINING 5.6041 ACRES.

THAT PART OF THE NORTH 1/2 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 3; THENCE SOUTH 0 DEGREES, 07 MINUTES, 44 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTHWEST 1/4, 1284.36 FEET; THENCE NORTH 89 DEGREES, 47 MINUTES, 31 SECONDS WEST, 684.42 FEET; THENCE NORTH 09 DEGREES, 32 MINUTES, 39 SECONDS WEST, 590.03 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO ELSIE BOYD BY A DEED DATED MARCH 25, 1929 AND RECORDED DECEMBER 14, 1938 IN DEED RECORD BOOK 88 ON PAGE 399; THENCE NORTH 09 DEGREES, 05 MINUTES, 46 SECONDS WEST, 748.40 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 71; THENCE NORTHEASTERLY ALONG SAID CENTER LINE, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11,459.20 FEET AND A RADIAL BEARING OF NORTH 26 DEGREES, 50 MINUTES, 30 SECONDS WEST AT THE LAST DESCRIBED POINT, 627.46; THENCE NORTH 60 DEGREES, 02 MINUTES, 30 SECONDS EAST ALONG SAID CENTER LINE, 332.0 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 12 DEGREES, 27 MINUTES, 30 SECONDS EAST, 264.0 FEET; THENCE SOUTH 84 DEGREES, 27 MINUTES, 30 SECONDS EAST, 202.0 FEET; THENCE NORTH 0 DEGREES, 47 MINUTES, 30 SECONDS WEST, 423.02 FEET TO SAID CENTER LINE; THENCE SOUTH 60 DEGREES, 02 MINUTES, 30 SECONDS WEST ALONG CENTER LINE, 291.76 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS.

THAT PART OF THE NORTHEAST, NORTHWEST AND SOUTHWEST QUARTERS OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 10 MINUTES 48 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER 1284.36 FEET; THENCE SOUTH 89 DEGREES 29 MINUTES 40 SECONDS WEST 680.30 FEET; THENCE NORTH 09 DEGREES 33 MINUTES 27 SECONDS WEST 10.0 FEET FOR A POINT OF BEGINNING; THENCE NORTH 09 DEGREES, 33 MINUTES 27 SECONDS WEST 579.63 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO ELSIE BOYD BY A DEED DATED MARCH 25, 1929 AND RECORDED DECEMBER 14, 1938 IN DEED RECORD BOOK 88 ON PAGE 399; THENCE NORTH 09 DEGREES 05 MINUTES 24 SECONDS WEST ALONG THE EAST LINE OF SAID BOYD TRACT 748.57 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 71; THENCE NORTHEASTERLY ALONG SAID CENTER LINE, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11,459.20 FEET AND A RADIAL BEARING OF NORTH 26 DEGREES 49 MINUTES 16 SECONDS WEST AT THE LAST DESCRIBED POINT 627.46 FEET; THENCE NORTH 60 DEGREES 02 MINUTES 30 SECONDS EAST ALONG SAID CENTER LINE 332.0 FEET; THENCE SOUTH 12 DEGREES 27 MINUTES 30 SECONDS EAST 264.0 FEET; THENCE SOUTH 84 DEGREES 27 MINUTES 30 SECONDS EAST 202.0 FEET; THENCE NORTH 00 DEGREES 42 MINUTES 30 SECONDS WEST 423.02 FEET TO SAID CENTER LINE; THENCE NORTH 60 DEGREES 02 MINUTES 30 SECONDS EAST ALONG SAID CENTER LINE 412.69 FEET TO A LINE DRAWN NORTH 00 DEGREES 10 MINUTES 46 SECONDS EAST PARALLEL WITH THE WEST LINE OF SAID NORTHEAST QUARTER, FROM A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER WHICH IS 598.62 FEET EASTERLY OF THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 00 DEGREES 10 MINUTES 48 SECONDS WEST ALONG SAID PARALLEL LINE 880.56 FEET TO SAID SOUTH LINE; THENCE SOUTH 89 DEGREES 34 MINUTES 48 SECONDS WEST ALONG SAID SOUTH LINE 598.62 FEET TO SAID SOUTHWEST CORNER; THENCE SOUTH 00 DEGREES 10 MINUTES 48 SECONDS WEST ALONG SAID EAST LINE 1275.36 FEET TO A LINE DRAWN SOUTH 89 DEGREES 40 MINUTES 33 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 40 MINUTES 33 SECONDS WEST 681.94 FEET TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS

A PERPETUAL EASEMENT FOR THE OPERATION, MAINTENANCE AND USE OF A SEPTIC FIELD FOR THE BENEFIT OF PARCEL ONE HEREINABOVE DESCRIBED, UNDER AND UPON THE FOLLOWING DESCRIBED PARCEL OF REAL ESTATE CONTIGUOUS

TO PARCEL ONE TO WIT:

COMMENCING AT THE MOST NORTHERLY CORNER OF PARCEL ONE HEREINABOVE DESCRIBED ON THE CENTER LINE OF ILLINOIS STATE ROUTE NUMBER 126; THENCE SOUTH 45 DEGREES 05 MINUTES 49 SECONDS WEST, 47.12 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF ILLINOIS STATE ROUTE NUMBER 126, FOR THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 45 DEGREES 05 MINUTES 49 SECONDS WEST, 105.0 FEET; THENCE NORTH 32 DEGREES 08 MINUTES 38 SECONDS WEST, 152.18 FEET; THENCE SOUTH 76 DEGREES 09 MINUTES 49 SECONDS EAST, 5.28 FEET; THENCE SOUTH 70 DEGREES 39 MINUTES 49 SECONDS EAST, 158.65 FEET, TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, ALL IN KENDALL COUNTY ILLINOIS.

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, 798.60 FEET TO AN OLD CLAIM LINE; THENCE NORTHERLY ALONG SAID WEST LINE, 1118.27 FEET A POINT OF BEGINNING THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 28 DEGREES 33 MINUTES 54 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 228.53 FEET; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 178 DEGREES 11 MINUTES 35 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 112.67 FEET TO A LINE DRAWN PARALLEL WITH AND 160.0 FEET NORMALLY DISTANT, EASTERLY OF SAID WEST LINE; THENCE SOUTHERLY ALONG SAID PARALLEL LINE, 717.44 FEET TO SAID CLAIM LINE; THENCE NORTHEASTERLY ALONG SAID CLAIM LINE, 941.92 FEET TO A POINT ON A LINE DRAWN SOUTHWESTERLY, PERPENDICULAR TO THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 126 FROM A POINT ON SAID CENTER LINE WHICH IS 1049.70 FEET, AS MEASURED ALONG SAID CENTER LINE, SOUTHEASTERLY OF THE INTERSECTION OF SAID CENTER LINE WITH THE CENTER LINE OF ILLINOIS STATE ROUTE 71; THENCE NORTHEASTERLY TO SAID POINT ON SAID CENTER LINE OF ILLINOIS ROUTE 126 AFORESAID; THENCE NORTHWESTERLY ALONG SAID ROUTE 126 CENTER LINE AND TO SAID ROUTE 71 CENTER LINE; THENCE SOUTHWESTERLY ALONG SAID ROUTE 71 CENTER LINE, 30.58 FEET TO SAID WEST LINE; THENCE SOUTHERLY ALONG SAID WEST LINE, 78.83 FEET, TO THE POINT OF BEGINNING (EXCEPTING THEREFROM THAT PART OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION. 3; THENCE NORTH 00 DEGREES 00 MINUTES 38 SECONDS EAST, ON A BEARING REFERENCED TO AN ASSUMED NORTH, 1925.21 FEET ON THE WEST LINE OF SAID SOUTHWEST 1/4; THENCE SOUTH 89 DEGREES 59 MINUTES 22 SECONDS EAST 58.55 FEET TO THE EXISTING SOUTHEASTERLY RIGHT OF WAY LINE OF A.F.A.P. ROUTE 311 (IL ROUTE 71) AND THE POINT OF BEGINNING; THENCE NORTH 72 DEGREES 34 MINUTES 00 SECONDS EAST 35.28 FEET ON SAID SOUTHEASTERLY RIGHT OF WAY LINE TO THE SOUTHERLY RIGHT OF WAY LINE OF S.B.I. ROUTE 66 (IL ROUTE 126); THENCE SOUTH 70 DEGREES 08 MINUTES 35 SECONDS EAST 125.66 FEET ON SAID SOUTHERLY RIGHT OF WAY LINE; THENCE NORTH 81 DEGREES 09 MINUTES 04 SECONDS WEST 51.85 FEET; THENCE NORTH 76 DEGREES 30 MINUTES 40 SECONDS WEST 103.47 FEET TO THE POINT OF BEGINNING), IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, 798.60 FEET TO AN OLD CLAIM LINE FOR A POINT OF BEGINNING; THENCE NORTHERLY ALONG SAID WEST LINE, 1118.27 FEET; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 28 DEGREES 33 MINUTES 54 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 228.53 FEET; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 178 DEGREES 11 MINUTES 35 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 112.67 FEET TO A LINE DRAWN PARALLEL WITH AND 160.0 FEET NORMALLY DISTANT, EASTERLY OF SAID WEST LINE; THENCE SOUTHERLY ALONG SAID PARALLEL LINE, 717.44 FEET TO SAID CLAIM LINE; THENCE SOUTHWESTERLY ALONG SAID CLAIM LINE, 188.42 FEET TO THE POINT OF BEGINNING, IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER 1995.6 FEET TO THE CENTER LINE OF ILLINOIS ROUTE 71; THENCE NORTHEASTERLY ALONG THE SAID CENTER LINE OF ILLINOIS ROUTE 71, 1411.3 FEET TO THE CENTER LINE EXTENDED NORTHWESTERLY OF THE PUBLIC ROAD RUNNING SOUTHEASTERLY FROM SAID ILLINOIS ROUTE 71, COMMONLY KNOWN AS WINO ROAD; THENCE SOUTHEASTERLY ALONG THE EXTENDED CENTER LINE AND THE CENTER LINE OF SAID PUBLIC ROAD, BEING ALONG A LINE THAT FORMS AN ANGLE OF 93 DEGREES 25' TO THE RIGHT WITH THE PROLONGATION NORTHEASTERLY OF THE TANGENT TO THE CENTER LINE OF SAID ILLINOIS ROUTE 71 AT THE LAST DESCRIBED POINT, 761 FEET FOR THE POINT OF BEGINNING; THENCE SOUTHWESTERLY ALONG A LINE THAT FORMS AN ANGLE OF 79 DEGREES 47' TO THE RIGHT WITH THE PROLONGATION OF THE LAST DESCRIBED LINE 265.6 FEET TO THE CENTER LINE OF ILLINOIS ROUTE 126; THENCE SOUTHEASTERLY ALONG SAID CENTER LINE OF ILLINOIS ROUTE 126 TO THE CENTER LINE OF THE EASTERLY FORK OF THE PUBLIC ROAD AFORESAID WHICH RUNS SOUTHEASTERLY FROM SAID ILLINOIS ROUTE 71; THENCE NORTHWESTERLY ALONG THE CENTER LINE OF SAID PUBLIC ROAD TO THE POINT OF BEGINNING; TO THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS.

GRANTEE HEREBY ASSUMES AND AGREES TO PAY THE UNPAID BALANCE ON THE EXISTING MORTGAGE RECORDED IN BOOK PAGE , THE DEBT SECURED THEREBY AND ALSO HEREBY ASSUMES -THE OBLIGATIONS UNDER THE TERM OF THE INSTRUMENTS CREATING THE LOANS DOCUMENT NO. 79-1053.

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER;

THENCE - NORTH 00 DEGREES 08 MINUTES 14 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, - 1,995.75 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 71; THENCE NORTH 71 DEGREES 23 MINUTES 59 SECONDS EAST ALONG SAID CENTER LINE 30.45 FEET TO THE POINT OF INTERSECTION OF SAID CENTER LINE WITH CENTER LINE OF ILLINOIS STATE ROUTE NO. 126 FOR THE POINT OF BEGINNING; THENCE NORTH 71 DEGREES 23 MINUTES 59 SECONDS EAST ALONG SAID ROUTE 71 CENTER LINE 230.67 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11,459.20 FEET WHICH IS TANGENT TO THE LAST DESCRIBED COURSE AT THE LAST DESCRIBED POINT, 1,141.60 FEET TO THE INTERSECTION WITH THE CENTER LINE EXTENDED NORTHWESTERLY OF WING ROAD; THENCE SOUTH 21 DEGREES 30 MINUTES 13 SECONDS EAST ALONG SAID WING ROAD CENTER LINE 761.0 FEET; THENCE SOUTH 58 DEGREES 16 MINUTES 47 SECONDS WEST 265.35 FEET TO SAID ROUTE 126 CENTER LINE; THENCE NORTHWESTERLY ALONG SAID ROUTE 126 CENTER LINE BEING ALONG A CURVE TO THE LEFT AND HAVING A RADIUS OF 2,292.01 FEET WHICH IS TANGENT TO A LINE DRAWN NORTH 72 DEGREES 57 MINUTES 06 SECONDS WEST FROM THE LAST DESCRIBED POINT 147.93 FEET; THENCE NORTH 16 DEGREES 38 MINUTES 49 SECONDS WEST ALONG SAID ROUTE 126 CENTERLINE 850.98 FEET; THENCE NORTHWESTERLY ALONG SAID ROUTE 126 CENTERLINE BEING ALONG A CURVE TO THE RIGHT AND HAVING A RADIUS OF 2,148.79 FEET WHICH IS TANGENT TO THE LAST DESCRIBED COURSE AT THE LAST DESCRIBED POINT, 383.53 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PART DESCRIBED AS FOLLOWS: THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 00 DEGREES 08 MINUTES 14 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER 1995.75 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE 71; THENCE NORTH 71 DEGREES 23 MINUTES 59 SECONDS EAST ALONG SAID ROUTE 71 CENTER LINE 261.12 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 15,459.20 FEET WHICH IS TANGENT TO THE LAST DESCRIBED COURSE 1141.60 FEET TO THE INTERSECTION WITH THE CENTER LINE EXTENDED NORTHWESTERLY OF WING ROAD FOR THE POINT OF BEGINNING (THENCE SOUTH 21 DEGREES 30 MINUTES 13 SECONDS EAST ALONG SAID WING ROAD CENTER LINE 258.05 FEET; THENCE SOUTH 58 DEGREES 29 MINUTES 47 SECONDS WEST 200.0 FEET; THENCE NORTH 21 DEGREES 30 MINUTES 13 SECONDS WEST PARALLEL WITH SAID WING ROAD CENTER LINE 250.0 FEET TO SAID ROUTE 71 CENTER LINE; THENCE NORTHEASTERLY ALONG SAID ROUTE 71 CENTER LINE 200.16 FEET TO THE POINT OF BEGINNING, IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, (ILLINOIS, AND ALSO EXCEPTING, THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3 IN TOWNSHIP 38 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE (NAD83):

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 3; THENCE NORTH 01 DEGREE 35 MINUTES 30 SECONDS WEST, 1,995.04 FEET ALONG THE WEST LINE OF SAID SOUTHWEST 1/4 TO THE CENTERLINE OF A PUBLIC HIGHWAY DESIGNATED IL 71; THENCE NORTH 69 DEGREES 55 MINUTES 19 SECONDS EAST, 31.52 FEET ALONG SAID CENTERLINE TO THE POINT OF BEGINNING FROM THE POINT OF BEGINNING; THENCE NORTH 69 DEGREES 55 MINUTES 19 SECONDS EAST, 230.66 FEET ALONG SAID CENTERLINE; THENCE NORTHEASTERLY, 940.56 FEET ALONG AN 11,479.02 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING NORTH 67 DEGREES 34 MINUTES 29 SECONDS EAST, 940.31 FEET; THENCE SOUTH 22 DEGREES 56 MINUTES 31 SECONDS EAST, 60.03 FEET; THENCE SOUTHWESTERLY, 418.10 FEET ON AN 11,539.02 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING SOUTH 66 DEGREES 16 MINUTES 29 SECONDS WEST, 418.08 FEET; THENCE SOUTH 59 DEGREES 24 MINUTES 09 SECONDS WEST, 71.10 FEET; THENCE SOUTH 25 DEGREES 14 MINUTES 24 SECONDS WEST, 60.52 FEET; THENCE SOUTHEASTERLY, 570.87 FEET ON AN 675.00 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING SOUTH 55 DEGREES 22 MINUTES 46 SECONDS EAST, 560.80 FEET; THENCE SOUTH 74 DEGREES 04 MINUTES 13 SECONDS EAST, 274.41 FEET; THENCE SOUTH 64 DEGREES 05 MINUTES 29 SECONDS EAST, 35.85 FEET; THENCE SOUTH 55 DEGREES 49 MINUTES 00 SECONDS WEST, 64.56 FEET TO THE CENTERLINE OF A PUBLIC HIGHWAY DESIGNATED IL 126; THENCE NORTHWESTERLY, 162.08 FEET ON SAID CENTERLINE BEING A 2,291.64 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING NORTH 76 DEGREES 16 MINUTES 12 SECONDS WEST, 162.05 FEET; THENCE NORTH 78 DEGREES 17 MINUTES 46 SECONDS WEST, 357.37 FEET ON SAID CENTERLINE; THENCE NORTH 53 DEGREES 52 MINUTES 46 SECONDS WEST, 96.76 FEET TO THE EXISTING NORTHERLY RIGHT OF WAY LINE OF IL 126; THENCE NORTHWESTERLY, 297.03 FEET ON A 990.00 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING NORTH 45 DEGREES 17 MINUTES 03 SECONDS WEST, 295.92 FEET; THENCE NORTH 36 DEGREES 39 MINUTES 21 SECONDS WEST, 23.77 FEET; THENCE NORTH 77 DEGREES 19 MINUTES 36 SECONDS WEST, 64.74 FEET; THENCE SOUTH 69 DEGREES 03 MINUTES 36 SECONDS WEST, 100.61 FEET; THENCE SOUTH 69 DEGREES 55 MINUTES 52 SECONDS WEST, 149.98 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SAID IL 71; THENCE SOUTH 65 DEGREES 32 MINUTES 40 SECONDS WEST, 113.94 FEET TO THE CENTERLINE OF SAID IL 126; THENCE NORTHWESTERLY, 119.55 FEET ON SAID CENTERLINE BEING A 2,170.59 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING NORTH 69 DEGREES 20 MINUTES 17 SECONDS WEST, 119.54 FEET TO THE POINT OF BEGINNING.

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 07°44' EAST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER 1236.84 FEET TO A POINT ON SAID EAST LINE WHICH IS 1284.36 FEET SOUTH OF THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 89°47'31" WEST, 684.42 FEET; THENCE NORTH 09°32'39" WEST, 590.03 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO ELSIE BOYD BY DEED DATED MARCH 25, 1929 AND RECORDED DECEMBER 14, 1938 IN DEED RECORD 88 ON PAGE 399, FOR THE POINT OF BEGINNING; THENCE SOUTH 57°58'56" WEST ALONG THE SOUTHERLY LINE OF SAID BOYD TRACT AND SAID SOUTHERLY LINE EXTENDED 352.89 FEET TO THE CENTER LINE OF WING ROAD; THENCE SOUTH 21°28'35" EAST ALONG SAID CENTERLINE 131.00 FEET; THENCE NORTH 57°58'56" EAST PARALLEL WITH SAID SOUTHERLY LINE 323.58 FEET TO A POINT WHICH IS SOUTH 09°32'39" EAST, 139.37 FEET FROM THE POINT OF BEGINNING; THENCE NORTH 09°32'39" WEST, 139.37 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS.

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER 1995.6 FEET TO THE CENTER LINE OF ILLINOIS ROUTE 71; THENCE EASTERLY ALONG SAID CENTER LINE 32.2 FEET TO THE CENTER LINE OF ILLINOIS ROUTE 126; THENCE SOUTHEASTERLY ALONG SAID CENTER LINE OF ILLINOIS ROUTE 126, 1049.7 FEET FOR THE POINT, OF BEGINNING; THENCE SOUTHWESTERLY AT RIGHT ANGLES TO SAID CENTER LINE, 339.9 FEET TO AN OLD CLAIM LINE; THENCE NORTHEASTERLY ALONG SAID OLD CLAIM LINE WHICH MAKES AN ANGLE OF 44°21' (MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE) 468.6 FEET TO THE CENTER LINE OF SAID ILLINOIS ROUTE 126; THENCE NORTHWESTERLY ALONG SAID CENTER LINE 328.1 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS. EXCEPT THEREFROM THE BELOW DESCRIBED PARCEL:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE (NAD83):

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE NORTH 01 DEGREE 35 MINUTES 30 SECONDS WEST, 1,995.04 FEET ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3 TO THE CENTERLINE OF A PUBLIC HIGHWAY DESIGNATED IL 71; THENCE NORTH 69 DEGREES 55 MINUTES 19 SECONDS EAST, 31.52 FEET ALONG SAID CENTERLINE TO THE CENTERLINE OF A PUBLIC HIGHWAY DESIGNATED IL 126; THENCE SOUTHEASTERLY ALONG SAID CENTERLINE, 399.15 FEET ALONG A 2,170.59 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING OF SOUTH 73 DEGREES 01 MINUTE 41 SECONDS EAST, 398.58 FEET THENCE SOUTH 78 DEGREES 17 MINUTES 46 SECONDS EAST, 649.36 FEET ALONG SAID CENTERLINE TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING, THENCE SOUTH 78 DEGREES 17 MINUTES 46 SECONDS EAST, 172.16 FEET ALONG SAID CENTERLINE; THENCE SOUTHEASTERLY ALONG SAID CENTERLINE, 162.08 FEET ALONG A 2,291.64 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING OF SOUTH 76 DEGREES 16 MINUTES 12 SECONDS EAST, 162.05 FEET; THENCE SOUTH 56 DEGREES 32 MINUTES 11 SECONDS WEST, 65.63 FEET; THENCE NORTH 74 DEGREES 04 MINUTES 13 SECONDS WEST, 5.13 FEET; THENCE NORTH 65 DEGREES 29 MINUTES 14 SECONDS WEST, 50.57 FEET, TO THE SOUTHERLY RIGHT OF WAY LINE OF IL 126; THENCE NORTHWESTERLY, 61.11 FEET ON SAID RIGHT OF WAY LINE BEING ON A 2,251.64 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING OF NORTH 77 DEGREES 31 MINUTES 09 SECONDS WEST, 61.11 FEET; THENCE NORTH 78 DEGREES 17 MINUTES 46 SECONDS WEST, 172.27 FEET ALONG SAID SOUTH RIGHT OF WAY LINE; THENCE NORTH 11 DEGREES 52 MINUTES 19 SECONDS EAST, 40.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.297 ACRE MORE OR LESS, OF WHICH 0.290 ACRE, MORE OR LESS, IS LYING WITHIN PUBLIC ROAD RIGHT OF WAY, SITUATED IN THE COUNTY OF KENDALL AND STATE OF ILLINOIS, HEREBY RELEASING AND WAVING ALL RIGHTS UNDER AND BY VIRTUE OF THE HOMESTEAD EXEMPTION LAWS OF THE STATE.

EXHIBIT "C-1"
Windmill Farms - B-3 Service Business Permitted Uses

This exhibit lists all permitted uses within the B-3 Service Business District as they exist in the current Zoning Ordinance. Uses excluded and not permitted by this Agreement are crossed out as follows: (~~not permitted use~~)

OFFICE DISTRICT (O)

Advertising agency.

Bank (allowable by provisions of Windmill Agreement)

Barber shop.

Beauty shop.

Bookkeeping service.

~~Club - private indoor.~~

Coffee shop.

College, university or junior college.

Commercial school, trade school - offering training in classroom study.

Detective agency.

Employment office.

Engineering office.

Government office.

Income tax service.

Insurance office.

Library.

Manufacturing agent's office.

Medical clinic.

Park.

Professional offices.

Public accountant.

Real estate office.

Stenographic service.

Stock broker.

Telegraph office.

~~Ticket office.~~

Title company.

Travel agency.

Utility office. (Ord. 1973-56A, 3-28-74)

Special Uses

~~Solid waste disposal site (Ord. 1973-56A, 3-28-1974; amd. Ord. 1995-20, 8-10-1995)~~

LIMITED BUSINESS DISTRICT (B-1)

All uses permitted in the O district.

Antique sales.

~~Apartments, single family, located in business buildings.~~

Bakery - retail.

Barbershop.
Beauty shop.
Bookstore.
Cafeteria (diner).
Camera shop.
Church or other place of worship.
~~Cigar, cigarette and tobacco store.~~
Clothes - pressing and repair.
~~Club - private indoor.~~
~~Club - private outdoor.~~
Community center.
Dressmaker - seamstress.
Drugstore.
Florist sales.
Fruit and vegetable market - retail.
Gift shop.
Grocery store - supermarket.
Gymnasium.
Health food store.
Hobby shop.
Hospital (general).
Hospital or treatment center.
Household furnishing shop.
Ice cream shop.
Jewelry - retail.
Laundry, cleaning and dyeing - retail.
Library.
~~Magazine and newsstand.~~
Meat market.
Medical clinic.
Mortuary - funeral home.
Park.
Photography studio.
Playground.
Post office.
Professional building.
Recreation center.
Restaurant.
Shoe and hat repair.
~~Substation.~~
Swimming pool - indoor.
Tennis club - private or daily fee.
~~Trailer. (Ord. 1973-56A, 3-28-1974; amd. 1994 Code; Ord. 1994-1A, 2-10-1994; Ord. 2003-41, 7-22-2003)~~

GENERAL BUSINESS DISTRICT (B-2)

All uses permitted in the O and B-1 Districts.

Appliances - sales.

Army/Navy surplus sales.

Art gallery - art studio sales.

Art supply store.

~~Auditorium.~~

Automatic food service.

Automobile accessory store.

Automobile rental.

Bicycle shop.

Billiard parlor.

Blueprint and photostat shop.

~~Bowling alley.~~

Carry-out food service.

Catalog sales office.

Clothing store - all types.

~~Dance hall.~~

Department store.

Discount store.

Drygoods store - retail.

Floor covering sales.

Furniture sales - new/used.

Hardware store.

Health club or gymnasium.

Hotel.

Interior decorating studio.

Junior department store.

Leather goods.

Locksmith.

Motel.

Music, instrument and record store.

Newspaper publishing.

Office equipment and supply sales.

Paint/wallpaper store.

~~Pawnshop.~~

Personal loan agency.

Pet store.

Picture frame store.

Radio and television studios.

~~Reducing salon, masseur and steam bath.~~

Sporting goods.

Stationery.

Taxidermist.

Theater.

Toy store.

Typewriter - sales and repair.

Variety store.

Watch and clock sales and repair.

Weaving and mending - custom. (Ord. 1973-56A, 3-28-1974; amd. 1994 Code)

SERVICE BUSINESS DISTRICT (B-3)

All uses permitted in the B-2 district.

Agricultural implement sales and service.

Appliance - service only.

Automotive sales and service.

~~Boat sales.~~

Building material sales.

Business machine repair.

Car wash without mechanical repair on the premises.

Catering service.

Daycare (allowable by provisions of Windmill Agreement)

Drive-in restaurant.

Electrical equipment sales.

Feed and grain sales.

Frozen food locker.

Furniture repair and refinishing.

Gasoline Filling Station (allowable by provisions of Windmill Agreement)

Golf driving range.

Greenhouse.

~~Kenel.~~

Miniature golf.

Motorcycle sales and service.

Nursery.

Orchard.

Park - commercial recreation.

Plumbing supplies and fixture sales.

Pump sales.

Recreational vehicle sales and service.

~~Skating rink.~~

~~Sports arena.~~

~~Taxicab garage.~~

Tennis court - indoor.

~~Trailer rental.~~

~~Truck rental.~~

~~Truck sales and service.~~

Upholstery shop.

Veterinary clinic. (Ord. 1973-56A, 3-28-1974; amd. Ord. 1986-1, 1-9-1986; Ord. 1988-7, 4-14-1988; Ord. 1995-19, 8-10-1995; Ord. 1998-21, 6-25-1998; Ord. 2005-58, 7-12-2005)

EXHIBIT "D" R-4 GENERAL RESIDENCE DISTRICT

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4; THENCE NORTH 0 DEGREES 08 MINUTES 09 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, 798.60 FEET TO AN OLD CLAIM LINE; THENCE NORTH 57 DEGREES 59 MINUTES 05 SECONDS EAST ALONG SAID OLD CLAIM LINE 299 .00 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 1 DEGREE 51 MINUTES 32 SECONDS WEST, 402.10 FEET; THENCE SOUTH 59 DEGREES 55 MINUTES, 25 SECONDS EAST, 256.51 FEET; THENCE NORTH 59 DEGREES 55 MINUTES 25 SECONDS EAST 355.65 FEET; THENCE NORTH 62 DEGREES 43 MINUTES 29 SECONDS EAST, 853.57 FEET; THENCE NORTH 33 DEGREES 24 MINUTES 40 SECONDS EAST, 542.27 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE NUMBER 126; THENCE NORTHWESTERLY ALONG SAID CENTER LINE, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2292 .01 FEET AND A RADIAL BEARING OF SOUTH 29 DEGREES 23 MINUTES 51 SECONDS WEST AT THE LAST DESCRIBED POINT, 358.41 FEET TO A POINT WHICH IS 151.00 FEET, AS MEASURED ALONG SAID CENTER LINE, SOUTHEASTERLY OF THE INTERSECTION OF SAID CENTER LINE AND SAID OLD CLAIM LINE; THENCE SOUTH 45 DEGREES 05 MINUTES 49 SECONDS WEST, 265 .70 FEET; THENCE SOUTH 73 DEGREES 54 MINUTES 28 SECONDS WEST, 102.86 FEET; THENCE SOUTH 84 DEGREES 11 MINUTES 54 SECONDS WEST, 280.96 FEET; THENCE NORTH 32 DEGREES 00 MINUTES 55 SECONDS WEST, 24.19 FEET TO SAID OLD CLAIM LINE; THENCE SOUTH 87 DEGREES 59 MINUTES 05 SECONDS WEST ALONG SAID OLD CLAIM LINE 789.92 FEET TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

Yorkville, Illinois

PERGAMAN R
TO EXHIBIT TO
VACATION

LOCATION MAP

MC KENNA
A-1

L & D BOWMAN
TRUST
A-1

**EDWARD
HEALTH CARE
PUD**

PENNMAN RD
TO EXETER TO
ROSTER

GEORGE E.
BLOCK
A-1

DWYER
PROPERTY
E3

**COUNTRY
HILLS
R-2**


**RAINTREE
SUBDIVISION
R-2 PUD**

CONCEPTUAL BUBBLE PLAN 1.

PREPARED BY:

ENGINEERING

DEVELOPER:

 **CEMCON, Ltd.**
Contracting Engineers, Land Reclamation & Piers
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JAKE LAND GROUP
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WINDMILL FARMS

Yorkville, Illinois



Site Planning Principles

The Site Planning Principles address issues that affect the way that individual sites should be developed in order to blend in with the existing character of the City.

- PRINCIPLE 4: *Incorporate existing site conditions into development plans*
PRINCIPLE 5: *Provide a sense of architectural interest and unique identity throughout the City*
PRINCIPLE 6: *Enhance pedestrian experience and establish sense of place through careful design and location of open spaces*
PRINCIPLE 7: *Thoughtful consideration of vehicular and pedestrian circulation within individual developments*
PRINCIPLE 8: *Appropriate design of parking lots, utilities, service areas and detention areas to reduce the negative impact of typically unattractive site components*

■ **Desirable Elements:**

The following elements shall be incorporated into development within the City:

- Richness of building surface and texture
- Articulated mass and bulk
- Clear visibility of entrances
- Well organized commercial signage
- Landscaped and screened parking
- Special paving identifying intersections and crosswalks
- Pedestrian friendly streetscapes and open spaces
- Thoughtful consideration of circulation
- Screening of mechanical equipment, service areas, parking lots and any undesirable elements
- Step-down of building scale along pedestrian routes and building entrances
- Recognition of building hierarchy
- Formal entry plazas and courtyards
- Detention used as an amenity
- Existing trees incorporated into development
- Multi-planed, pitched roofs
- Roof overhangs and arcades
- Provide defined entrance roads into developments and provide adequate vehicle storage bays at egress drives



Richness of building materials creates visual interest



Landscaping softens the view of parking

■ Undesirable Elements:

The following elements are discouraged in developments within the City:

- Concrete detention basins
- Large, blank, unarticulated wall surfaces
- Visible outdoor storage, loading, equipment and mechanical areas
- Disjointed parking areas and confusing circulation patterns
- Large expanses of parking/asphalt
- Service areas near major entries and/or that are easily visible from roadway
- Poorly defined site access points
- Large "boxlike" structures



Avoid large expanses of parking lots



Avoid large blank wall surfaces

PRINCIPLE 4: Incorporate existing site conditions into development plans

New development shall protect the existing environmental features throughout the City and minimize the impact of the development on the site and the surrounding land.

■ Drainage Patterns

Proposed site plans shall incorporate existing drainage patterns on site in an effort to avoid significantly altering the manner in which drainage flows offsite. At the time of site plan submittal to the City, a drainage and detention plan must be submitted. The location and type of drainage facilities must be shown.



Drainage swale utilizes natural drainage patterns

■ Topography and Soils

- Minimize cut and fill on site to reduce effects upon the natural drainage pattern and natural character of the site.
- Minimize disturbance in areas of significant existing vegetation. If necessary for site development, consider using tree wells and retaining walls to preserve existing trees where possible.



Work with existing topography to avoid large cut and fill

- Development on unsuitable soils is prohibited. Incorporate unsuitable soils into an open space component of the site plan.
- Stockpile top soil for later use in landscape areas.
- **Vegetation**
 - Preserve existing trees

Every effort should be made in the planning process to incorporate quality, existing trees into the site plan design. Any quality, existing tree that occurs within the specific buffer yard as required per *PRINCIPLE 9* shall remain undisturbed and be protected as part of the landscape buffer.



Preservation of existing vegetation as buffer

PRINCIPLE 5: Provide a sense of architectural interest and unique identity throughout the City

The Architectural standards are provided to preserve and guide the character of architecture throughout the City while allowing for individual architectural interpretation. All architectural proposals must be compatible with the vernacular of the northern Illinois region. In order to ensure compliance with the following architectural guidelines, the City requires that building elevations, plans, materials samples, color samples and illustrations be submitted for review and approval prior to the commencement of building construction.



Building orientation creates central open space on axis with the main entry drive

▪ **Buildings**

- Orientation

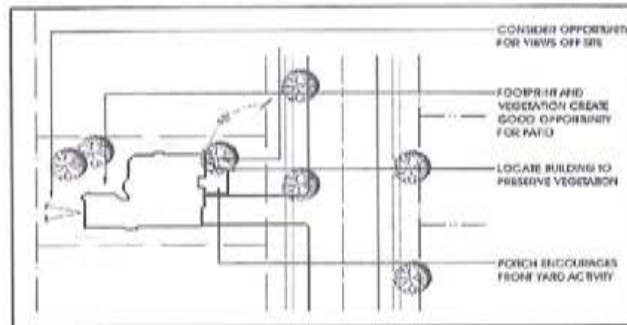
Building orientation should take advantage of the building to site relationship. The orientation and location of buildings defines open spaces and circulation corridors.

- Align focal architectural elements along major view or circulation axis.
- Define pedestrian spaces and streetscapes with building orientation.



Orient primary buildings on axis and use as focal points

- Create view corridors between buildings, plazas, courtyards and adjacent buildings.
- Create pedestrian spaces and plazas by varying building facades.
- Cluster buildings whenever possible, creating opportunities for plazas and pedestrian malls. Prevent long, linear facades from dominating the view.



Residential building orientation creates private, intimate backyard space

- Buildings adjacent to Routes 47, 71 and 126 must face the primary roadway. No service access, storage, etc. is allowed to face Routes 47, 71 and 126.
- Develop sites in a comprehensive and coordinated manner to provide order and compatibility (especially in the case of large sites which will be developed in phases).



Building orientation can define main activity areas

- The exterior character and orientation of all buildings and the spaces they define should encourage and enhance pedestrian activity.
- Attention should be given to the quality and usability of the outdoor spaces formed by the exterior of a dwelling and adjacent dwellings. Avoid locating the private area of one dwelling adjacent to the public area of an adjacent dwelling.



Rear and side facades should incorporate architectural design elements

- In multi-family residential developments, buildings should be oriented to create functional outdoor spaces.
- In residential neighborhoods, consideration should also be given to the views from adjacent dwellings and public spaces.
- Facades

Building facades should achieve a high level of visual interest when viewed from automobile and pedestrian vantage points.

- In residential developments, front yards and porches should be used to create a sense of place and community.
- Natural stone and masonry materials are to be used on the lower portions of buildings to create a visual anchor to the ground and provide interest at the pedestrian level.
- Vary the planes of exterior walls in depth and/or direction.
- Wall planes shall not run in a continuous direction more than 65 feet without an offset of at least 3 feet.
- Wall planes of more than 20 feet high are prohibited without incorporating meaningful techniques, such as awnings or a change in building material, to break up the perceived building mass.
- Awnings are encouraged along facades to provide color, shade and architectural interest. Where awnings are used along a row of contiguous buildings, a consistent form, material, color, location and mounting arrangement must be used.
- Awnings should be located to provide a consistent minimum 8 feet vertical clearance, with a maximum generally not to exceed 12 feet.
- Colors of awnings must complement the buildings.



Awnings along facade



Awnings provide pedestrian scale element

- Incorporate the awnings along with any signage to provide a uniformly designed building façade.
- Signs on awnings are permitted.
- Internally illuminated awnings are prohibited.



Garage doors oriented to side

- Awnings and canopies may be made of sheet metal or canvas membrane. Plastic or vinyl awnings are not permitted.
- In new residential neighborhoods, houses shall not repeat the same elevations without two lots of separation. Houses across the street from each other and back-to-back corner lots shall not be of the same elevation.
- In residential areas, garages should not dominate the street view. Rather, provide parking and garages to the side or rear of lots or set the garage face back from the primary façade of the house. Avoid allowing the garage to become the primary architectural feature.

▪ Roof Treatment

Rooftops should be considered important design elements as viewed from a variety of vantage points such as at ground level, from other buildings and from adjacent perimeter roadways. A well-composed "roofscape" achieves an interesting skyline without becoming overly busy or contrived. Roof forms should serve as natural transitions from the ground level to intermediate masses to the tallest masses and back to the ground. Form should also be interesting when seen from above in adjacent buildings.



Variation in roof treatments creates an interesting 'roofscape'

▪ Materials & Colors

Visual continuity in major building materials and colors is desired throughout the City. Specific criteria include the following:

- Material samples of all proposed buildings must be provided for review and be approved by the City.
- Materials should be consistent with the Community Character principles outlined in these guidelines.

- Wall materials that are muted, earth tone in color and have texture are to be used.
 - Reserve the use of strongly contrasting materials and colors for accents, such as building entrances, railings and trim. Avoid an excessive variety of façade materials.
 - Avoid using highly reflective materials and surfaces, such as polished metal, that generate glare, particularly at the pedestrian level.
 - Materials which may be incorporated include: native stone, brick, stucco and textured concrete. Alternative materials that achieve similar looks and are of high quality and low maintenance may be considered.
 - Common materials shall be located on all sides of the building with the exception of service areas not visible from a public street.
 - Coordinating materials within a development can tie together buildings of different sizes, uses and forms.
 - In new residential neighborhoods at the time of initial building permit, houses shall not be the same color unless there are at least two lots of separation. Houses across the street from each other are not permitted to be the same color.
 - Use contrasting but compatible building materials and textures to unify exterior building elements and to create depth, proportion and scale.
 - In residential developments, buildings should complement each other by using materials and colors within the same "family".
 - Building colors should be derived from, and related to, the finishes of primary building materials.
- Height
- The overall appearance of development shall be low and horizontal, with building heights throughout the community generally low to medium scale. Building heights are expected (and desired) to vary to ensure visual interest.
- Consider the use of taller buildings and/or elements to highlight significant intersections and pedestrian nodes.
 - Building heights shall be determined in a manner which enhances an overall residential quality.



Varying roofline breaks up long expanse of building facade



Taller buildings help identify intersections

- Maintain compatible relationships with adjacent dwellings and street frontages.
- Building heights shall be responsive to heights of homes located on slopes above and below the dwelling.
- Sight lines to greenbelts, open areas, water features and scenic horizon views are to be optimized and maintained to the fullest extent possible by minimizing the building height and obstruction.



Front porch provides one-story element

- Scenic view compatibility shall be considered in determining building height.
- Within a neighborhood, a combination of one, one and a half and two story dwellings is encouraged to add diversity to the streetscape. Entire neighborhoods or blocks of continuous two story dwellings are discouraged.
- For multilevel dwellings on corner lots, locate a one-story element of the dwelling at the street corner to help reduce the feeling of enclosure in the neighborhood.



Front porch roof provides human scale element

- A two-story dwelling can best relate to a neighboring one story if it contains a one-story element.

▪ Scale

Buildings should appear to be of a "pedestrian" or "human" scale. When components in the built environment are designed in such a way that people feel comfortable, then human scale has been achieved. In general, this means that the size, patterns, textures, forms and overall three-dimensional composition can be appreciated at the pedestrian level.



Varied building scale provides distinction between masses

- Vary the height of buildings, and/or building elements where feasible, so they appear to be divided into distinct elements or masses.

- Avoid large-scale buildings that are "box-like" and typically dominate a site.
- Use building mass appropriate to the site. Place buildings with larger footprints, height and massing in core activity areas or in the heart of the development near similar densities. By doing so, the impact on adjacent land uses will be reduced.



Pedestrian scale elements located along building facade

- In residential areas, the relationship between the lot size, street width and building scale are important to creating a human scale. Elements such as trees, pedestrian path lighting and porches can aid in achieving human scale.
- Hierarchy

It is important to recognize that future projects will be developed using a variety of buildings with various uses. Vehicular and pedestrian traffic should be able to recognize the hierarchy of buildings and be able to decipher primary buildings from secondary buildings.



Avoid 'box like' building scale

- Primary Buildings

Primary buildings; such as major anchors, public buildings or major attractions, shall be located at prominent locations, anchoring a major view axis and serving as focal points in the community.

- Gateway Buildings

- Buildings at major entrances, corners, intersections or along significant roads should use special architectural elements to help identify that location as a "gateway". These elements also begin to define the sense of place for the community.



Primary buildings located on axis and create focal point

- Special architectural features may include corner towers, cupolas, clock towers, balconies, colonnades or spires.
- The use of vertical elements helps to frame the entrance and guide people into and through the development.



Gateway buildings

- Entrances
 - Primary entrances should be easily identifiable and relate to both human scale as well as the scale of the building(s) they serve.
 - Wherever possible, entrances should be inviting without becoming dark.
 - Main building entrances should be designed to be clearly identifiable from primary driveways and drop-offs. Additionally, they should be visible from parking areas.



Main entry to store clearly identifiable

▪ Retaining walls

- All retaining walls must be faced (veneered) with masonry (stone, brick, stucco or approved equal).
- Retaining walls adjacent to or visible from any street shall not exceed 4 feet in height. Grade changes that require retaining walls exceeding 4 feet must be terraced with a minimum of 4 feet clear separation between each wall. Exceptions may be reviewed and approved by the City in order to preserve existing tree stands.

- Walls should be designed as an integral part of the dwelling design. Stone sizes should be consistent and laid in a horizontal course. Masonry materials shall match or complement the facade of surrounding buildings.
- Walls at intersections must not interfere with safe sight distances.

PRINCIPLE 6: Enhance pedestrian experience and establish sense of place through careful design and location of open spaces

The creation of open space throughout the City is an essential technique used to break up building facades. The use of such pockets of interest creates views into the various developments. A wide range of open spaces such as public gathering plazas, open "greens", common play areas, neighborhood parks and natural preserves can be incorporated into development plans.

▪ **View Corridors**

- Open space is considered a valuable amenity, therefore careful consideration of vistas into open spaces from residential lots, streets and drives is required.
- Maintain view corridors to provide vistas of amenities, natural features, open spaces and other significant elements.
- Create focal points at main entries, on axis with major circulation route and pedestrian corridors to establish a strong identity and structure for the project.



Community Park



View of amenity feature is framed by use of vegetation and road alignment, creating a signature element

Parks and Trails

- In residential areas, parks should be located within a 5 minute walk (approximately 1,000 feet) from each home.
- Trail linkages should be provided from proposed neighborhoods to the City's comprehensive trail system, forest preserve trails and adjacent developments.

*Neighborhood Park*

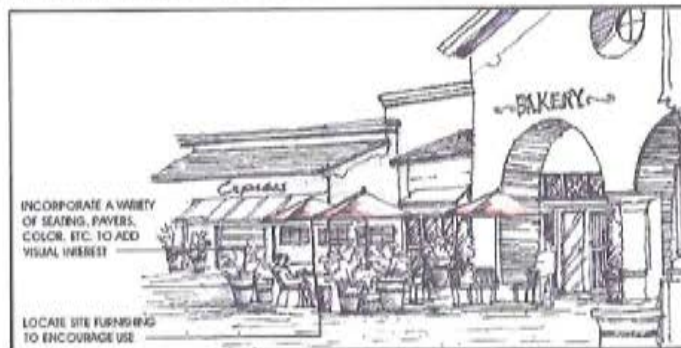
- **Courtyards and Plazas**

Courtyards, plazas and terraces should be designed at a human scale and incorporated as public amenities around non-residential buildings. Interrupting building facades to create "outdoor rooms" as well as varying the width of walkways will help create pedestrian spaces. These pedestrian spaces will create opportunities for comfortable outdoor experiences and are critical in defining plazas and courtyards.

- Orient plazas and courtyards to views of site amenities such as open space, water features, sculptural elements or landscaped areas.
- Consider opportunities to orient plazas and courtyards toward views of significant buildings or down long corridors.
- Wherever possible, create a sense of enclosure for outdoor seating areas. Such areas should be light and airy while providing a sense of safety from the elements.

*Landscaping and special paving give the seating area a sense of enclosure*

- Add elements such as trees, water features, a variety of seating areas and landscape color to give the public spaces an inviting appearance and visual interest.
- Incorporate pedestrian scaled lighting for safety and to promote use in the evening.
- Incorporate pavers and paving patterns to add interest and enhance the aesthetic quality of the spaces.
- Allow for outdoor tables and seating to promote use of the space. By doing so, an energy is created along the structure.

*Plazas and courtyards offer spaces for outdoor cafes*

PRINCIPLE 7: Thoughtful consideration of vehicular and pedestrian circulation within individual developments

The purpose of the circulation standards is to minimize hazards and conflicts and establish logical circulation patterns. The appropriate integration of vehicular and pedestrian circulation is intended to provide safe and convenient access to all sites while being attractive, efficient and functional.

- **Vehicular Circulation**

- **Primary Site Entrances**

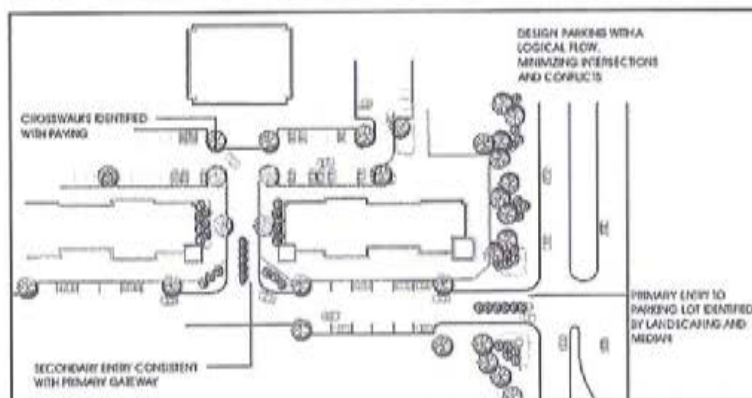
Each entrance to a parcel, individual building site or residential neighborhood from a primary roadway should be designed as a "gateway" to the area it serves. Design elements should be visually interesting and consistent with other streetscape materials used throughout the City.



Primary residential entrance highlighted with signage, landscaping and water elements

When designing entries into residential and non-residential tracts, developers shall:

- Coordinate with adjacent properties to consolidate entries and minimize access points along major roadways
- Minimize pedestrian and vehicle conflicts by reducing the quantity of crosswalks.
- Clearly identify site entries and provide a clear entry/arrival sequence.
- Provide "secondary" entries to parking lots and smaller residential neighborhoods from adjacent perpendicular minor roadways to major roadways. Paving material, plants, signs and lighting should match primary entrance treatments, although landscaping intensity and signage may be reduced in scale.
- Provide at least one "primary" entry to parking lots or residential communities. The use of medians and/or special paving or landscaping to identify primary entries is required.



Single primary entrance reduces access points along Corridor

- Internal Drives

All internal drives should visually lead drivers to building entries, site amenities or focal elements.

- Design drives and parking areas to fit the natural contours of the site in order to minimize cut and fill and maintain natural drainage.

- Align streets and drives to offer views to significant architectural features and site amenities and to direct drivers.

- Internal streets shall be separated from parking lots by landscape islands and walkways.

- Drop-Off Areas

Drop-off areas for vehicle passengers shall be incorporated into development plans and should provide safe, convenient access to building entries, pedestrian plazas and public open spaces. Drop-off areas must conform to all ADA regulations and standards.

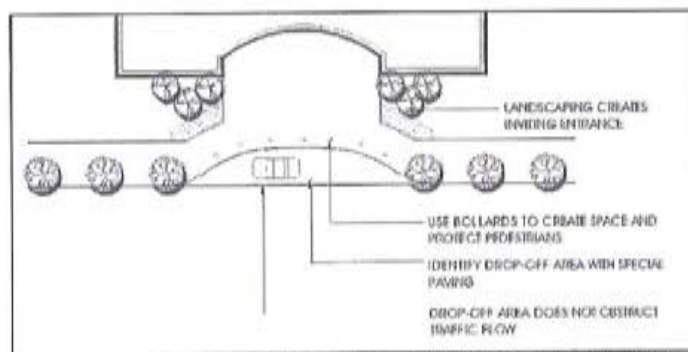
- Emphasize drop-off areas with special paving material.
- Design drop-off lanes so they do not obstruct traffic flow when vehicles are stopped.
- Install bollards at drop-offs to provide protection for buildings and pedestrian walkways.



Street alignment offers views of significant architectural feature



Landscaped island separates parking lot from internal drive



Drop-off area doesn't conflict with regular traffic and is identified with paving and bollards

▪ Service Areas

Service vehicle circulation throughout the City shall be designed to provide safe and efficient delivery routes for all anticipated service and delivery vehicles. The design of individual parcels to accommodate truck access shall meet all regulatory requirements for turning movements without sacrificing other important design objectives.

- Locate service areas away from major streets and building entrances.
- A noise barrier is required in situations where service areas are adjacent to a residential land use.
- Minimize pedestrian and service vehicle conflicts.
- Hide/screen views into service areas. Screening can be provided with landscaping or screen walls. Screen walls shall repeat materials and elements of the primary building.
- Adjoining uses should share service drives where possible.
- Design service drives to accommodate the traffic intended to use them including all entrance roads and access aisles that will be used to access the service areas.



Service area screened with landscaping

▪ Pedestrian Circulation

The purpose of pedestrian circulation standards is to establish guidelines for creating a pedestrian circulation system that is safe and efficient. Good walking environments include: continuous routes between sites, clearly defined access from parking areas, a variety of connected destinations and a feeling of safety and security. In essence, creating a sense of comfort.

▪ Sidewalks

Sidewalks must be constructed to provide pedestrian access to adjacent development and connections to the pedestrian trails throughout the City. Within specific developments, sidewalks shall provide access to and from parking lots, neighborhoods, schools, parks and open spaces.

- Create distinct pedestrian corridors, which funnel pedestrians to logical gateways, plazas or other destinations.



Path provides access to park and adjacent neighborhood

- Place special emphasis on pedestrian connections that link schools, recreation areas and other major activity areas.
- Neighborhoods should have access to open space and pocket parks by way of sidewalks and trails.
- In residential areas, sidewalks should be located on both sides of the street.
- Pavers or other changes in material should be used for walks adjacent to buildings and at street intersections to identify and enhance pedestrian routes.



Pavers next to building enhance appearance

▪ Crosswalks

Crosswalks are required at all intersections and key pedestrian crossings. Crosswalks must be identified by a change in color, height, width, texture, or materials. Refer to ADA regulations and standards for any specific criteria regarding crosswalks and ramps.



Enhanced paving delineates crosswalk

▪ Pedestrian Circulation in Parking Lots

Walkways that lead pedestrians from parking areas to buildings or plazas should be designed to facilitate easy movement and minimize crossing conflicts with vehicles. Pedestrians should feel comfortable about their walkways to buildings and pedestrian corridors should be clearly identified.

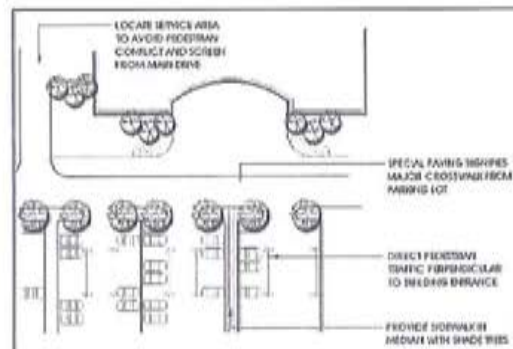


Landscaped median with sidewalk

- Pedestrians should not be required to cross service drives to reach major entrances from primary parking lots.
- Where major pedestrian routes within parking lots cross roadways and drives, use textured or colored paving materials to distinguish the route.
- Medians with sidewalks allow for safe circulation and reduce circulation conflicts.
- Wherever feasible orient parking aisles perpendicular to building entrances.



Crosswalk delineated with paving and bollards



Median with sidewalk allows safe access to building entry

▪ Accessibility

Owners and developers are expected to meet or exceed all requirements of the Americans with Disabilities Act (ADA), 1992, and all amendments thereto in the design and development of individual parcels, sites, buildings, and facilities. To the greatest extent possible, provide equal access in a manner that integrates ADA accessibility with ordinary accessibility, rather than separately.

PRINCIPLE 8: Appropriate design of parking lots, utilities, service areas and detention areas to reduce the negative impact of typically unattractive site components

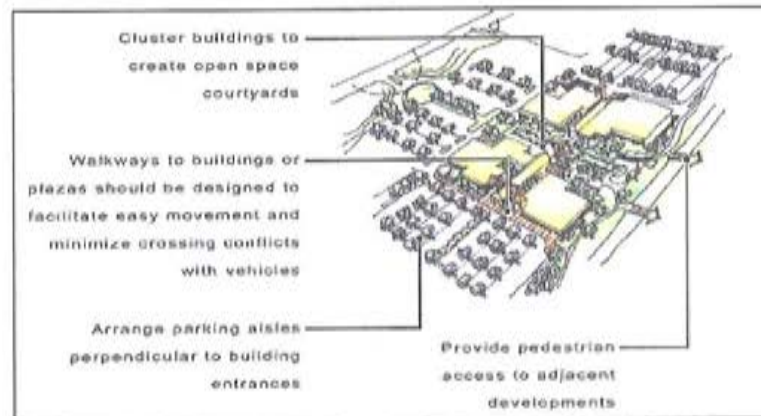
This section provides standards for the siting and layout of parking lots, service and loading areas, utilities, trash, storage and detention facilities. Specific landscaping criteria for these areas are included in the Landscape Principles section. Site plans specifying parking and circulation designs, utility and detention requirements shall be submitted to the City for review.

▪ Parking

- Parking ratios and quantity of spaces shall comply with the criteria set forth in the United City of Yorkville Zoning Ordinance.
- Parking areas should be designed and located so they provide safe and efficient vehicular and pedestrian circulation within a site.
- Minimize negative visual impacts from adjacent roadways.
- Break large expanses of pavement with landscape medians and islands.
- Divide parking areas which accommodate a large number of vehicles into a series of smaller, connected lots.
- Avoid situations where parking spaces directly abut structures.
- Separate parking aisles from interior collectors and entry drives whenever possible.



Minimize negative visual impacts of parking from roadways



- **Shared Parking**

Where opportunities exist for shared parking between uses with staggered peak parking demands, consider reducing the total number of parking spaces within each site or parcel. Parking should be shared between complementary uses such churches and office buildings.

- **Store Front & Street Parking Requirements**

All store front parking areas shall use angled parking or parallel parking. Areas shall be provided for sidewalks and landscaping between the store front and the edge of parking stall.

- **Bicycle**

To encourage and accommodate alternative transportation modes, provide bicycle parking within each building site. Locate bicycle parking areas so they are visible from building entrances and convenient for riders. Parking areas shall be landscaped in a manner consistent with pedestrian plazas. Also, bike racks should be of a style consistent with other site elements.

- **Substations/Water/Wastewater Stations**

Proposed electric substations, water pump stations and wastewater lift stations shall be screened from public views by a means of a 6 foot masonry wall on all sides with the exception of the area for gate access to the facility combined with landscaping. Service access shall be considered and incorporated into the screening program.

- **Detention**

- Drainage facilities should be used as an amenity to a development. If the existing topography allows, the location can be incorporated into an entry feature or can be the foundation for a park with trails and open space.
- Natural and/or vegetated drainage swales provide open space connections, filter runoff and improve the aesthetic appearance of development.
- Detention facilities should not be designed as to require chain link fencing or concrete walls. If such designs are required due to engineering requirements, consider using decorative modular stone to give the appearance of a retaining wall.
- Detention ponds located in the front yard building setback shall be designed as a curvilinear, contoured shape.



Lake serves as main entry feature



Naturalistic drainage channel provides opportunities for trail connection

▪ Location of Utilities

Visual and sound impacts of utilities, mechanical equipment, data transmission dishes, towers and other equipment should be minimized in all development plans.

- Design and install all permanent utility service lines underground.
- During construction and maintenance, minimize disruptions to other sites and businesses within the City.
- Temporary overhead distribution power and telephone lines are permitted during construction but shall be removed immediately upon completion of site and building construction.
- Wherever possible, mount data transmission and receiving telecommunication devices at ground level to the rear of structures and screen views from adjacent roadways, pedestrian paths and building sites.
- Screen all electrical transformers, gas meters and other utility cabinets from view.
- Structures are prohibited from being located in utility easements. Avoid locating signs, special landscape features, etc. in utility easements.
- Air conditioning units, vent systems and other mechanical systems that must be located on building roofs shall be screened from sight at the ground plane.
- In residential communities:
 - Items requiring screening should be located on the rear or side yards when possible and should be integrated into the unit design.
 - Air conditioning units must be located behind a screen wall or planting hedge.
 - Utility meters must be located on side or rear elevations of the dwelling.

▪ Location of Service/Delivery/Trash/Storage Areas

The visual impacts of service, delivery, trash and outdoor equipment or storage areas should be minimized, particularly relative to views from public roadways and pedestrian corridors. Thoughtful placement and integration into the architecture and site design is a priority for all sites.

- Orient service entrances, loading docks, waste disposal areas and other similar uses toward service roads and away from major streets and primary building entrances.
- Locate loading, service, trash and delivery areas so they do not encroach on any setbacks.



Screen dumpsters with walls and materials that match architecture of primary building

- Avoid locating service areas where they are visible from adjacent buildings or where they may impact view corridors. Such facilities are more appropriate at the rear of buildings or sites.
- Trash enclosures must be located away from residential property lines.
- Wherever possible, coordinate the locations of service areas between adjacent users or developments, so that service drives can be shared.



Screen dumpsters with walls and materials that match architecture of primary building

- Locate parking areas for outdoor equipment, trucks, trailers, service vehicles, etc. away from public parking lots and major pedestrian circulation routes. Unless totally out of view, screen these areas architecturally and with landscaping.
- All proposed dumpsters, trash receptacles, refuse storage containers, outdoor storage, and ground mounted equipment should be located within an enclosure providing screening along with landscaping along the perimeter. Such enclosures shall repeat materials and elements on the primary building.

The Data is provided without warranty or any representation of accuracy, timeliness, or completeness. It is the responsibility of the "Requester" to determine accuracy, timeliness, completeness, and appropriateness of its use. The United City of Yorkville makes no warranties, expressed or implied, to the use of the Data.
-Parcel Data provided by Kendall County GIS

General Location of
Offsite Improvements



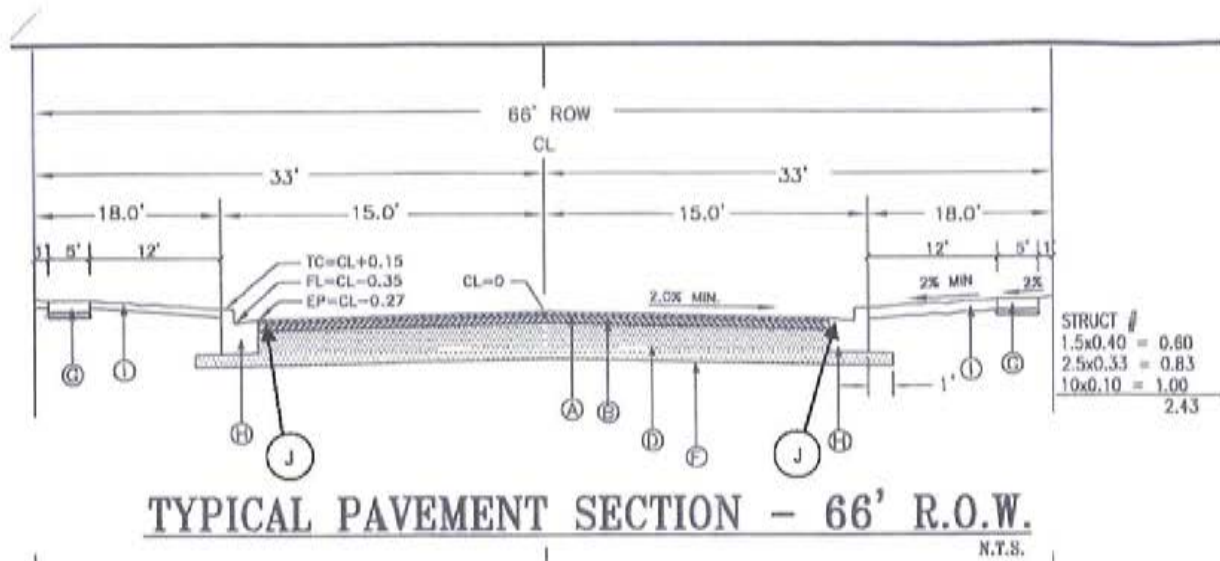
Windmill Farms Exhibit "G"

0 25 50 100 150 200
Feet
1 inch equals 100 feet



Exhibit "G"

Page 2 of 2



- (A) 1.5" BITUMINOUS CONCRETE SURFACE COURSE, CL 1, TY. 2, MIX. D
- (B) 2.5" BITUMINOUS CONCRETE BINDER COURSE, CL 1, TY. 2
- (C) 4.5" BITUMINOUS CONCRETE BINDER COURSE, CL 1, TY. 2 (2 LIFTS)
- (D) 10" CRUSHED AGGREGATE SUB-BASE, TY. B.
- (E) 12" CRUSHED AGGREGATE SUB-BASE, TY. B.
- (F) COMPACTED SUBGRADE WITH GEO-TEXTILE FABRIC, AMOCO 4551 OR APPROVED EQUAL
- (G) 5" PCC SIDEWALK WITH W/4" CRUSHED AGG. SUB-BASE
- (H) COMB. CONC. CURB AND GUTTER, TYPE B-6.12
- (I) 6" TOP SOIL AND SEEDING

(J) Joint filling with hot-poured rubberized asphalt cement

EXHIBIT H - WINDMILL FARMS ANNEXATION - RESIDENTIAL FEE SCHEDULE			
	<u>Name of Fee</u>	<u>Amount</u>	<u>Time of Payment</u>
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	3806 per acre	Paid for entire development, at time of annexation to sanitary district
4	Yorkville Bristol Sanitary District Infrastructure Fee	3806 per acre	Paid for entire development, at time of annexation to sanitary district
5	Residential Building Permit Fee	\$650 + \$0.20 per square foot	Building Permit
6	Residential Water Connection Fee	\$3,700 per unit	Building Permit
7	Water Meter Cost (not applicable to fee lock)	\$390 per unit for SF	Building Permit
8	Residential 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)	\$1,000 per unit	Building Permit
12	Parks Land Cash Fee	Calculated by ordinance, \$101,000 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, \$101,000 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	\$1,707 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
19	Engineering Coordination Fee	0.35% of Approved Engineer's Estimate of Cost of Land Improvements	Final Plat



United City of Yorkville

EXHIBIT H - COMMERCIAL PERMIT FEES

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

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 H - MULTI-FAMILY PERMIT FEES

MULTI-FAMILY RESIDENTIAL USE GROUP

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.

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.

**PUBLIC NOTICE
NOTICE OF PUBLIC HEARING
BEFORE
UNITED CITY OF YORKVILLE
CITY COUNCIL**

NOTICE IS HEREBY GIVEN a public hearing shall be held on an amendment to that certain Annexation Agreement (Windmill Farms) dated May 27, 2008, by and among Jake Land Group, LLC ("*Original Owner*"), and the United City of Yorkville, Kendall County, Illinois, on **March 26, 2019** at 7:00 p.m. at City Hall at the United City of Yorkville, 800 Game Farm Road, Yorkville, Illinois for the purpose of amending the Windmill Farms Annexation Agreement related to the zoning of certain parcels into the B-3 General Business District and the A-1 Agricultural District. The purpose of the amendment is to allow for the future rezoning to establish and operate a nursery and garden center with retail store on the proposed B-3 zoned parcels and an accessory building for the storage of equipment and landscape materials in the proposed A-1 zoned parcel.

The legal description is as follows:

PARCEL 3

That part of the Northeast quarter of Section 3, Township 36 North, range 7 East of the third principal meridian described as follows: Beginning at the Southwest corner of said Northeast quarter; thence North 01 degrees 34 minutes 52 seconds West along the West line of said Northeast quarter 245.12 feet; thence South 84 degrees 27 minutes 30 seconds East 198.51 feet; thence North 00 degrees 42 minutes 30 seconds West 423.02 feet to the center line of Illinois State Route No. 71; thence North 60 degrees 02 minutes 30 seconds East along said center line 472.59 feet to a line drawn North 00 degrees 10 minutes 48 seconds East parallel with the West line of said Northeast $\frac{1}{4}$, from a point on the South line of said Northeast $\frac{1}{4}$ which is 598.62 feet Easterly of the Southwest corner of said Northeast $\frac{1}{4}$; thence South 00 degrees 10 minutes 48 seconds West along said parallel line 880.56 feet to said South line; thence South 89 degrees 34 minutes 48 seconds West along said South line 598.62 feet to the point of beginning, being a portion of a larger parcel of land described as parcel 3 in Quit Claim Deed recorded on April 24, 2017 as Document 2001700006075, in Kendall County, Illinois.

PARCEL 8

That part of the Southwest quarter of Section 3, Township 36 North, Range 7 East of the third principal meridian, described as follows: Commencing at the Southwest corner of said Southwest quarter; thence North 00 degrees 08 minutes 14 seconds West along the West line of said Southwest quarter, 1,995.75 feet to the center line of Illinois State Route No. 71; thence North 71 degrees 23 minutes 59 seconds East along said center line 30.45 feet to the point of intersection of said center line with center line of Illinois State Route No. 126 for the point of beginning; thence North 71 degrees 23 minutes 59 seconds East along said Route 71 center line 230.67 feet to a point of curvature; thence Northeasterly along a curve to the left having a radius of 11,459.20 feet which is tangent to the last described course at the last described point at the last description point, 1,141.60 feet to the intersection with the center line extended Northwesterly of Wing Road; thence South 21 degrees 30 minutes 13 seconds East along said Wing Road center line 761.0 feet; thence South 58 degrees 16 minutes 47 seconds West 265.38 feet to said Route 126 center line; thence Northwesterly along said Route 126 center line being along a curve to the left and having a radius of 2292.01 feet which is tangent to a line drawn North 72 degrees 57 minutes 06 seconds West from the last described point 147.83 feet; thence North 76 degrees 38 minutes 49 seconds West along said Route 126 center line 850.98 feet thence Northwesterly along said Route 126 center line being along a curve to the right and having a radius of 2,148.79 feet which is tangent to the last described course at the last described point, 383.53 feet to the point of beginning, excepting therefrom that part described as follows: that part of the Southwest quarter of Section 3, Township 36 North, Range 7 East of the third principal meridian described as follows:

Commencing at the Southwest corner of said Southwest quarter; thence North 00 degrees 08 minutes 14 seconds West along the West line of said Southwest quarter 1,995.75 feet to the center line of Illinois State Route 71; thence North 71 degrees 23 minutes 59 seconds East along said Route 71 center line 261.12 feet to a point of curvature; thence Northeasterly along a curve to the left having a radius of 11,459.20 feet which is tangent to the last described course 1,141.60 feet to the intersection with the center line extended Northwesterly of Wing Road for the point of beginning; thence South 21 degrees 30 minutes 13 seconds East along said Wing Road center line 258.05 feet; thence South 68 degrees 29 minutes 47 seconds West 200.0 feet; thence North 21 degrees 30 minutes 13 seconds West parallel with said Wing Road center line 250.0 feet to said Route 71 center line; thence Northeasterly along said Route 71 center line 200.16 feet to the point of beginning, in the United City of Yorkville, Kendall County, Illinois.

And also excepting, that part of the Southwest quarter of Section 3 in Township 36 North, Range 7 East of the third principal meridian, Kendall County, Illinois, described as follows with bearings referenced to the Illinois State Plane Coordinate System East Zone (NAD83); commencing at the Southwest corner of the Southwest quarter of said Section 3; thence North 01 degree 35 minutes 30 seconds West, 1995.04 feet along the West line of said Southwest quarter to the centerline of a public highway designated IL 71; thence North 69 degrees 55 minutes 19 seconds East, 31.52 feet along said centerline to the point of beginning, from the point of beginning; thence North 69 degrees 55 minutes 19 seconds East, 230.66 feet along said centerline; thence Northeasterly, 940.58 feet along an 11,479.02 foot radius curve to the left having a chord bearing North 67 degrees 34 minutes 29 seconds East, 940.31 feet; thence South 22 degrees 56 minutes 31 seconds East, 60.03 feet; thence Southwesterly, 418.10 feet on an 11,539.02 foot radius curve to the right having a chord bearing South 66 degrees 16 minutes 29 seconds West, 418.08 feet; thence South 59 degrees 24 minutes 09 seconds West, 71.10 feet; thence South 25 degrees 14 minutes 24 seconds West, 60.52 feet; thence Southeasterly, 570.87 feet on an 875.00 foot radius curve to the left having a chord bearing South 55 degrees 22 minutes 46 seconds East, 560.80 feet; thence South 74 degrees 04 minutes 13 seconds East, 274.41 feet; thence South 64 degrees 05 minutes 29 seconds East, 35.85 feet; thence South 56 degrees 49 minutes 00 seconds West 64.56 feet to the center line of a public highway designated IL 126; thence Northwesterly, 162.08 feet on said centerline being a 2,291.64 foot radius curve to the left having a chord bearing North 76 degrees 16 minutes 12 seconds West, 162.05 feet thence North 78 degrees 17 minutes 46 seconds West, 357.37 feet on said centerline; thence North 53 degrees 52 minutes 46 seconds West, 96.76 feet to the existing Northerly right of way line of IL 126, thence Northwesterly, 297.03 feet on a 990.00 foot radius curve to the right having a chord bearing North 45 degrees 17 minutes 03 seconds West, 295.92 feet; thence North 36 degrees 39 minutes 21 seconds West, 23.77 feet; thence North 77 degrees 19 minutes 38 seconds West, 84.74 feet; thence South 69 degrees 03 minutes 36 seconds West, 100.61 feet; thence South 69 degrees 55 minutes 52 seconds West, 149.98 feet to the Southerly right of way line of said IL 71; thence South 65 degrees 32 minutes 40 seconds West, 113.94 feet to the centerline of said IL 126; thence Northwesterly, 119.55 feet on said centerline being a 2170.59 foot radius curve to the right having a chord bearing North 69 degrees 20 minutes 17 seconds West, 119.54 feet to the point of beginning.

Parcel 8A (included in parcel 8 but separated out for title vesting purposes only):

That part of the Southwest quarter of Section 3 in Township 36 North, Range 7 East of the third principal meridian, Kendall County, Illinois, described as follows with bearings referenced to the Illinois State Plane Coordinate System East Zone (NAD83): Commencing at the Southwest corner of the Southwest quarter of said section 3; thence North 01 degree 35 minutes 30 seconds West, 1995.04 feet along the West line of said Southwest quarter to the centerline of a public highway designated IL 71; thence North 69 degrees 55 minutes 19 seconds East, 31.52 feet along said centerline to the centerline of pavement SBI Route 66 (IL 126); thence South 69 degrees 20 minutes 17 seconds East, 119.54 feet along said centerline of pavement to the point of beginning; thence North 65 degrees 32 minutes 40 seconds East, 113.94 feet to the Southeasterly right of way line of FA Route 97 (IL 71); thence Southerly 44.66 feet on said right of way line being a 20.00 foot radius curve to the left whose chord bears South 03 degrees 27 minutes 31 seconds East, 35.94 feet to the Northeasterly existing right of way line of SBI Route 66 (IL 126); thence South 74 degrees 54 minutes 15 seconds East, 177.74 feet on said right of way line; thence South 78 degrees 17 minutes 46 seconds East, 376.03 feet on said right of way line; thence South 53 degrees 52 minutes 46 seconds East, 96.76 feet to the Centerline of SBI Route 66 (IL 126); thence North 78 degrees 17 minutes 46 seconds West, 464.15 feet

along said centerline; thence Northwesterly 279.59 feet along the center pavement of SBI Route 66 (IL 126), being a 2,170.59 foot radius curve to the right whose chord bears North 74 degrees 36 minutes 21 seconds West, 279.40 feet to the point of beginning situated in Kendall County, Illinois.

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

All interested parties are invited to attend the public hearing and will be given an opportunity to be heard. Any written comments should be addressed to the United City of Yorkville Community Development Department, City Hall, 800 Game Farm Road, Yorkville, Illinois 60560, and will be accepted up to the date of the public hearing.

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

BETH WARREN
City Clerk

BY: Lisa Pickering
Deputy Clerk



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

Agenda Item Number

New Business #8

Tracking Number

EDC 2019-26

Agenda Item Summary Memo

Title: Short-Term Rental Regulations

Meeting and Date: Economic Development Committee - March 5, 2019

Synopsis: Details proposed text amendments regarding short-term rentals

Council Action Previously Taken:

Date of Action: _____ Action Taken: _____

Item Number: _____

Type of Vote Required: _____

Council Action Requested: _____

Submitted by: Jason Engberg Community Development
Name Department

Agenda Item Notes:

See attached memo.



Memorandum

To: Economic Development Committee
From: Jason Engberg, Senior Planner
CC: Bart Olson, City Administrator
Krysti J. Barksdale-Noble, Community Development Director
Date: February 14, 2019
Subject: **PZC 2019-05 Short Term Rental Regulations**

BACKGROUND:

Over the past decade, technological innovations have driven the availability of sharing services to the public through the use of smart phones and web applications. Some examples include vehicle sharing, ride sharing, payment sharing, and home sharing services. The home sharing service is one that cities and communities around the country are struggling to understand and properly regulate. In terms of zoning, the biggest issue with these “short-term rental” properties is determining if and when the land use changes from residential to commercial.

A majority of municipalities do not allow hotels and motels, typically considered a commercial use, in their single family residential districts, as these uses tend to increase traffic, noise, and activity. The debate over short-term rentals of residential properties is whether these uses are considered residential, commercial or something new entirely. This memorandum details the City’s current regulations and how staff recommends addressing short-term rentals to maintain the health and safety in our residentially zoned areas.

EXISTING REGULATIONS:

Currently, the City of Yorkville has no official regulations regarding short-term rental properties. The Zoning Ordinance does define “bed and breakfast inn” as well as “hotels/motel,” and permits each in the following districts:

Land Use	A-1	OS-1	OS-2	E-1	R-1	R-2	R-2D	R-3	R-4	O	B-1	B-2	B-3	B-4	M-1	M-2
Bed and Breakfast Inn	S	-	-	S	S	-	-	-	-	-	S	S	S	-	-	-
Hotel/Motel	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-

* “S” Denotes permitted as a special use

While these uses have definitions and areas where they are allowed, short-term rental properties are not the same as either of these uses. Both of these uses would be considered businesses which provide services to guests and visitors. A bed and breakfast is a type of hotel that typically keeps its residential qualities but provides meals and other activities for its users. Hotels/motels are specific businesses which are expressly used only for transient and temporary living situations. Those who use their primary home as a short term rental property do not personally provide food, services, or entertainment to those staying at their residence as these

businesses would. Therefore, short-term rental properties should be defined as its own use and be regulated separately from these land uses.

At the time of the drafting of this memorandum, there is only one property being advertised for rent in Yorkville on the two largest home-sharing providers: AirBNB and VRBO¹. There are several additional availabilities in Sandwich, Plano, Oswego, and Aurora (search criteria was for the January 19-20, 2019 weekend). While it does not seem like short-term rentals are currently a large issue within Yorkville at the moment, the City is trying to be proactive in its effort with this popular trend. The City needs guidelines and set expectations if this trend grows in the area as to not only react to complaints once it arrives.

LEGAL ISSUES:

The controversy over how to regulate this new industry has caused legal challenges across the country and in the state. Chicago passed an ordinance in 2016 which has been met with many legal challenges. The City of Chicago adopted a large and thorough ordinance which creates a registration program for those who wish to rent out their home, and they must also obtain a license. The complexity and enforcement of this ordinance has created problems for Chicago and its residents. Uneven enforcement and delays in licensing cause home owners renting their property to either not be able to register or result in escalating fines which they cannot afford.

In terms of legal issues nationally, the most contested cases include cities which outright prohibit short term rentals or those that regulate it to the point of nonexistence. This can include regulations which require the owner to live at the property while it is being rented, while also registering for a business license and paying taxes to the local municipality. An 80% drop in short-term rentals was the result of Santa Monica, California enacting these strict rules which were adopted in 2015. Yorkville will have to find a balance between preserving the safety and quality of life for its residents, while allowing the rental market to run smoothly.

Additionally, before suggesting or enacting any city ordinances, potential and current state legislation must be reviewed, as Yorkville is a non-home rule community. There is an Illinois State bill which was filed in February 2017 titled SB1735 which is a statewide short-term rental regulation bill. The bill has not been adopted and currently has no further date for review or adoption. While this bill has not been passed, it is important to plan for its potential passing, as it would affect any language Yorkville adopts.

In SB1735, it provides that **units of local government may not enact or enforce an ordinance, regulation, or plan that has the express or practical effect of prohibiting short-term rentals.** The bill does, however, allow for a municipality to regulate short-term rentals to protect the public health and safety. This would allow local governments to impose zoning regulations if the government can demonstrate that the regulation is necessary to protect the public health and safety, such as fire and building codes, traffic control, and waste control. The bill would also allow local governments to apply sales taxes and hotel/motel taxes on short-term rentals. Also,

¹ www.airbnb.com; www.vrbo.com

the bill includes a home rule preemption, so if this legislation passes, it would apply throughout the state.

Finally, staff has confirmed with our legal counsel that the City is permitted to regulate short-term rentals as a non-home rule community. With the understanding of the current legal issues facing short-term rentals, the City of Yorkville is able to draft regulations which protect the health and safety of the community while allowing short-term rentals to operate properly.

HOW OTHER MUNICIPALITIES REGULATE SHORT-TERM RENTALS

There are four basic ways that local governments have addressed short-term rentals and each contain their inherent positive and negative consequences:

Permit them without any regulations

Permitting short-term rentals without any regulation may cause problems in the future if the amount of short-term rentals grows and potentially impacts single-family communities.

Allow them but make them obtain a license or permit

Making individuals obtain a license or permit gives the municipality some oversight into regulations of rental properties and where they are located. It also allows for those renting their dwellings to be subject to any municipal hotel/motel tax.

Allow them as part of a special use or conditional use

Similar to obtaining a license, by making short-term rentals a special or conditional use, the municipality would make those who would like to rent their dwellings to go through a public hearing process. This allows staff, committees, and board members to add conditions to any short-term rental throughout the process and makes each approval of a short-term rental a case by case basis.

Prohibit them outright

Prohibiting them outright removes all the potential negative impacts short-term rentals may have but opens the municipality to legal challenges and can cause the city to lose potential hotel/motel tax income. Currently, if a use is not identified in the Yorkville City Code, then the use is considered prohibited.

In terms of how Yorkville's neighbors have handled short-term rentals, please view the table below:

Municipality	How is it Addressed?
Montgomery	Short-term rentals are not currently addressed in the zoning ordinance. The Village is currently updating their code and may create some regulations.
Oswego	Short-term rentals are not currently addressed in the zoning ordinance.

Plano	Short-term rentals are not currently addressed in the zoning ordinance.
Sugar Grove	Short-term rentals are not currently addressed in the zoning ordinance.
Plainfield	Short-term rentals are not currently addressed in the zoning ordinance. The Zoning Ordinance has extensive regulations regarding Bed and Breakfast establishments which the City may use if a short-term rental is becoming a frequent nuisance.
Joliet	Short-term rentals are not currently addressed in the zoning ordinance.
Naperville	Short-term rentals are not currently addressed in the zoning ordinance.

As one can see, the adjacent communities have not yet addressed the short-term rental land use and only Plainfield uses its current regulations to somewhat address the issue. The City will have to provide a balanced set of regulations to ensure the process is not too cumbersome, while also giving City staff enforceability and oversight on the short-term rental market.

In terms of communities in Illinois, not many have addressed the short-term rental situation. Although, the Village of Riverside, Illinois in Cook County has recently adopted an ordinance which regulates “vacation rentals” which is defined similarly to short-term rentals. Riverside is a small non-home rule community with a population of about 9,000 people. Their ordinance (attached) includes common definitions for vacation rentals as well as details on their licensing process and procedures. It also covers prohibited acts and potential penalties for violating the ordinance.

DETERMINE GOALS AND OUTCOMES:

Before regulations may be drafted, it is best to determine the goals of the ordinance to ensure language is drafted to produce the desired outcome. Since short-term rentals are not a current issue within the City but could be a concern for single-family home owners, the main purpose of the regulations should be to preserve and maintain the quality of life and safety for those within the residential districts. Additionally, the regulations should support the city’s long term planning goals and support its hotel/motel industry.

It will be important that the City does not prohibit or have the practical effect of prohibiting short-term rentals. Other than the legal challenges the regulations would face, it would be beneficial for the ordinance to regulate and promote short-term rentals, as visitors will likely patronize local businesses.

PROPOSED REGULATIONS:

The two Titles within the Yorkville Municipal Code which will need to be amended are “Title 10 Zoning” and “Title 3 Business and License Regulations.” The amended regulations in the zoning section will outline the requirements to conduct a short-term rental while the amendments in Title 3 will add definition and licensing procedures.

The following regulations are being proposed to be added as Section 10-3-15 (Zoning):

10-3-15 SHORT-TERM RENTALS

- A. *Purpose.* To recognize the desire of some property owners to rent their dwelling on a short-term basis and establish appropriate regulations to mitigate the disruption that short-term and vacation rental dwellings may have on a neighborhood and to maintain the overall quality of life, health, and safety of the City.
- B. *Definition.*
SHORT-TERM RENTAL UNIT: A home occupation of a single-family dwelling unit that is used as a primary residence by owners or renters, or a portion of such unit, that is rented for less than 30 days at a time to transients and temporary guests. This does not include group homes or bed and breakfasts which are defined in Chapter 2 of this title.
- C. *Applicability.* This section shall apply to all rentals of a residential dwelling as a short-term rental. This includes all properties located in the Agricultural, Estate and Residential Districts as well as conforming and non-conforming residential uses in all other districts.
- D. *General Provisions*
1. Performance Standards: All short-term rental units will be subject to the regulations of the Property Maintenance code adopted in Section 8-2-9 and Noise Regulations adopted in Section 4-4 of the Yorkville City Code.
 2. Occupancy: Maximum occupancy of the rental shall be based on the Property Maintenance Code standards. The property owner shall be responsible for ensuring that the dwelling unit is in conformance with its maximum occupancy which shall be stated on the license application.
 3. Parking: The short-term rental unit shall not generate traffic beyond what is normally expected in the zoning district in which it is located.
 4. Dispersal: A permitted short-term rental unit in a detached single-family house shall not be within two-hundred and fifty feet (250') of the property line from another permitted detached single-family short-term rental unit. Multi-family attached dwelling units are exempt from this regulation.
 5. Signage: No outdoor advertising signs related to the rental dwelling shall be allowed on site.

6. Insurance: The property owner shall maintain on file at the city an up-to-date certificate of insurance documenting that the dwelling is insured as a short-term rental unit.
 7. Food: Meal service prepared onsite provided by the license holder or their agents is prohibited.
- E. *Hotel Operators' Occupation Tax.* The owner and/or operator of a short-term rental unit must conform to all regulations in Section 3-2-7.
- F. *License Procedure.* No dwelling unit may be utilized as a short-term rental unit unless the owner of the property obtains a license from the City Clerk. Application requirements and procedures for a license are located in Section 3-14.
- G. *Local Property Representative.* The property owner must designate himself or herself or a local property representative who is located within a thirty (30) mile radius of the short-term rental and shall be available at all times during the rental for the purpose of:
1. Responding within a reasonable time to complaints regarding the condition, operation, or conduct of occupants of the short-term rental; and
 2. Taking action to resolve any such complaints.
- H. *Penalties.* The failure to comply with all of the regulations outlined in this Section or the failure to keep the Local Property Representatives information up to date may result in the suspension or revocation of a license pursuant to the procedures in Section 3-1-12.

The following regulations are being proposed to be amended into Section 3-2-7 (Municipal Taxes):

3-2-7: HOTEL OPERATORS' OCCUPATION TAX

- A. Definitions: For the purposes of this Section the following definitions shall apply:

HOTEL: For purposes of this Section, every building, buildings or structure, kept, used, maintained, advertised and held out to the public to be a place in which the public may, for consideration, obtain living quarters, sleeping, housekeeping accommodations, lodging, lodging and food or apartments or suites or other accommodations offered to the public for rental on a daily basis. The term includes inns, hotels, tourist homes or courts, lodging houses, **short-term rental units**, rooming houses and apartment houses.

The following regulations are being proposed to be added as Section 3-14 (Short-Term Rental License):

**CHAPTER 14
SHORT-TERM RENTAL UNITS**

3-14-1 DEFINITIONS:

For the purpose of this Chapter, the following words and phrases shall have these meanings:

SHORT-TERM RENTAL UNIT: A home occupation of a single-family dwelling unit that is used as a primary residence by owners or renters, or a portion of such unit, that is rented for less than 30 days at a time to transients and temporary guests.

3-14-2 SHORT-TERM RENTAL UNIT LICENSE REQUIRED:

A license is required to operate a short-term rental unit, as defined in this chapter, within the City. Licenses shall be issued by the City Clerk. No license shall be transferable to another person or location or to other short-term rental units.

3-14-3 APPLICATION FOR SHORT-TERM RENTAL UNIT LICENSE:

An application shall be filed for every short-term rental unit in the City that is required to obtain a license on a form provided by the City made under oath with the payment of nonrefundable annual license fees in the amount set forth in section 3-14-4 of this chapter. The applicant must be eighteen (18) years old or older and the owner for which the application is sought or an agent of the owner with authority to bind the owner. The application for a short-term rental unit license shall be accompanied by the following information:

- A. The name, address and phone number of the property owner(s) and proof that it is their primary residence.
- B. The address at which the short-term rental unit is being conducted.
- C. The designation of the local property representative who will be subject to the regulations in Section 10-3-15-G.
- D. If the property is subject to regulations or restrictions by a homeowner's association or condominium association, applicant must provide documentary evidence that the applicable association or board has approved the use of the property as a short-term rental.
- E. Certificate of insurance documenting that the dwelling unit is insured as a short-term rental unit with liability insurance with limits of not less than one million dollars (\$1,000,000) per occurrence, for bodily injury and property damage arising in any way from the issuance of the permit with thirty (30) days' advance notice to the City prior to cancellation or lapse of the policy.

- F. The application shall include consent to perform investigations of the veracity of all of the information and documentation provided, criminal background checks and fingerprinting of the persons required to be identified in the application. The cost of the criminal record check and fingerprint submissions shall be borne by the applicant.

3-14-4 TERMS OF LICENSE; LICENSE FEES; LICENSE RENEWAL:

- A. The term for licenses issued under this chapter is for one year beginning January 1, and ending on December 31.
- B. All license fees required to be paid shall be paid at the time that the initial or renewal application is made. All applicable license fees and any other required fees, including costs of fingerprinting, shall be paid prior to the issuance of any license.
- C. The initial license fee and the annual license renewal fee for a short-term rental unit license shall be one hundred dollars (\$100.00) per calendar year. If at the time of the initial filing, less than six (6) months of the current license year shall have expired, the full license fee shall be charged. If more than six (6) months of such current year shall have expired, a license fee of one-half (1/2) the full fee shall be charged.
- D. In addition to the annual license fee, the applicant is also responsible to pay for the cost of fingerprinting, which is regulated by the State of Illinois. The applicant is also responsible to pay for the cost of a background check which shall be fifty dollars (\$50.00).
- E. A license may be suspended or revoked for failure to pay the fees pursuant to the procedures in Section 3-1-12.

3-14-5 LICENSE REVOCATION; 3 YEAR WAIT FOR NEW LICENSE:

If a vacation rental license is revoked for any cause, no license shall be granted to any person for the operation of a short-term rental at the property described in the revoked license, or to the revoked licensee, and his or her co-owners, or the partners, members, managers, or officers of any owning partnership, limited liability company or corporation, for a period of three (3) years from the date of revocation.

COMMENTS ON PROPOSED REGULATIONS:

Staff has drafted this language in an attempt to provide regulations which meet the previously mentioned goals without deterring potential short-term rental users. The following is an explanation behind the reasoning for why some regulations were included and some were omitted:

Regulation	Included?	Purpose
Dispersal of Units	Yes	Ensures that certain areas of town or a neighborhood are not overrun by short-term rentals. Enforcing this regulation will be on a first come, first serve basis. Those who have a license first will be considered established and all future applicants will need to be dispersed from that dwelling. In the case of two rentals operating illegally and being cited, the first applicant to receive a license legally will be considered established.
Annual License Renewal	Yes	Allows the City to be aware of any change in the license holders information. Also, keeps an up to date list of permitted license holders.
Owner Occupies While Renting	No	While this regulation is used in some places but seems very cumbersome and would be hard to enforce.
Special Use Permit	No	A public hearing process may be too restrictive and deter those from short-term rental opportunities. Additionally, if the trend grows in the area then a significant amount of staff time will be dedicated to determining where these short-term rentals are allowed.

In terms of license fees, reviews were conducted externally as well as internally. The table below illustrates the fee structures for other communities with short-term rental regulations:

Municipality	Fees
Chicago, IL	\$250 annual fee
Riverside, IL	\$500 initial fee, \$250 annual renewal fee
Evanston, IL	\$50 annual fee

Internally, staff reviewed the licensing process being proposed and compared it to other licensing procedures within the City. In terms of amount of staff time and similar requirements for licensees, our recommendation models the same regulations for solicitors, tattoo and body piercing

establishments, and adult business establishments within Yorkville. These each require a \$100 annual fee and require a \$50 background check as the proposed short-term rental regulations.

Staff chose to recommend the fee amount similar to other City license procedures as our staff size and existing practices are known quantities. Additionally, the fees and regulations of other communities may deter potential short-term rental applicants and may not be in proportion to the amount of staff time it will take to process a license application.

NEXT STEPS:

Staff is seeking comments and guidance from the Economic Development Committee regarding the proposed regulations for Short-Term Rental Units. The proposed regulations will be reviewed by the Administration Committee and a public hearing will be held at a regular Planning and Zoning Commission Meeting. Once all parties have seen and reviewed the proposed amendments, a final draft will be reviewed by City Council. The dates have not yet been set for these meetings as staff is seeking direction from the Economic Development Committee on the initial draft before proceeding to the next review stages.

ATTACHMENTS:

1. Zoning Practice – October 2015 Issue 10



American Planning Association

Creating Great Communities for All

January/February 2019

PAS MEMO

Short-Term Rentals: Regulation and Enforcement Strategies

By Jared E. Munster, PHD, AICP

Short-term rentals, home sharing, vacation rentals, Airbnb: regardless of what you call the concept, it is clear that the new sharing economy has worked its way into virtually every residential area in the country.

Short-term rentals (STRs) can be defined as the rental of all or part of a residential dwelling unit for a duration of occupancy of less than 30 days. They have raised the passions of free-market advocates who believe that the government should not regulate property rentals, as well as neighborhood activists who fear that STRs will degrade neighborhood cohesion and price out the very culture and experience visitors are venturing into neighborhoods to embrace. This conflict, as well as the challenge of attempting to regulate what is at its very core a residential occupancy, make the role of the planner critical in developing clear regulations that balance neighborhood concerns with practical limitations on how far local government can intervene in rental agreements for private property.

The City of New Orleans Department of Safety and Permits (DSP) has developed and implemented a regulatory regime that has been internationally cited as a model for balancing the inescapability of this use with the protection of neighborhoods and residents. Over the course of several years, through formal planning studies, zoning ordinance text amendments, and prolonged negotiations with listing platforms, residents, interest groups, and neighborhoods, the city developed a robust package of practical and enforceable regulations that provided the market flexibility required by private industry.

This *PAS Memo* provides a case study of New Orleans's experience with this phenomenon and offers strategies and lessons learned for planners as they navigate this highly contentious issue.

Background and History of Short-Term Rental Regulations in New Orleans

New Orleans's history with transient rentals begins far before the age of digital bookings and informs the conversations of the last several years. In the 1960s, the Vieux Carré, or French



Figure 1. New Orleans's Vieux Carré (French Quarter).
Flickr photo by Pedro Szekeley (CC BY-SA 2.0).

Quarter, the oldest residential neighborhood in the city (Figure 1), was losing its inhabitants at an unsustainable pace. Hotel and tourism-supportive development were destroying the historic buildings that made the area attractive to tourists and pricing out the residents, businesses, and artists that created the unique nature of the neighborhood.

In 1969, a New Orleans City Council moratorium on hotel or transient lodging development in the Vieux Carré stemmed the tidal wave of hotel development and stabilized an otherwise at-risk community. This moratorium was converted to a permanent prohibition on hotel development through subsequent zoning changes. Even today the basis for opposition to tourist lodging in the Vieux Carré is still the nearly 50-year-old moratorium.

Early Attempts to Regulate Short-Term Rentals

As the nature of tourism changed through the years, residents began renting out homes or apartments during major festivals, such as Mardi Gras or the Jazz and Heritage Festival. New Orle-

ans, as a major tourism destination hosting large-scale events on an annual basis, became a laboratory of creative ways to rent property.

The practice benefitted both parties to the transaction. New Orleans residents could vacation out of town during periods of high tourist volume when many businesses temporarily close or become overwhelmed. Visitors had access to a new pool of accommodations that could host families or groups too large to share a single hotel room or afford a traditional hotel.

This very capitalistic pairing of supply and demand naturally coalesced into a local cottage industry with unintended—but certainly not unforeseen—consequences. Over time, local property owners and outside investors noticed the demand for non-hotel accommodations and began acquiring property for the sole purpose of renting to tourists. This began displacing local residents, turning once-thriving neighborhoods into seasonal entertainment venues.

To address this burgeoning concern, the New Orleans City Council adopted Ordinance 21606 M.C.S. in 2004. This strong attempt by the city council to rein in vacation rentals ordained that:

[i]t shall be unlawful for any person to knowingly offer to rent for monetary compensation for a period of less than 30 days or, in the case of premises located in the Vieux Carré District, 60 days, any living accommodations in the city if the premises offered for rent are not lawfully licensed or permitted for such use. (§54-491.1(b))

Should a property owner or lessor be prosecuted for the offense, the publication of such an offer to rent in print or electronic media would “create a rebuttable presumption that the person had knowledge of the offer to rent” (§54-491.1(d)).

At the time, the city’s comprehensive zoning ordinance contained a defined use category of “Transient Vacation Rental” that provided three primary criteria in the classification of the use:

- the property was successfully rented for periods of less than 30 days (not just advertised as such)
- the property was rented to “non-residents”
- these rentals occurred over the course of a year or longer

Transient Vacation Rentals were allowed only within the Central Business District zoning districts, not any residential or business districts.

Unfortunately, however, the construction of these laws made enforcement virtually impossible, which led to growing frustration among neighbors who believed that the city was unwilling to enforce its own regulations regarding these uses.

The language of the 2004 ordinance outlawed only the “offer to rent” a living accommodation—it did not prohibit the action of executing such a rental. Additionally, the restriction was housed within the city’s criminal code, which meant that any citation for the misdemeanor would have to be issued by the police department and the violation adjudicated by a

judge in the city’s municipal court. A second concern was the potential for a constitutional claim that the city was violating the free speech rights of property owners, because the restricted speech was not advertising a service prohibited by law.

DSP had administrative jurisdiction over the Transient Vacation Rental zoning provisions, but as noted above, the city was required to prove that rental actions of less than 30 days had physically occurred over a period of one year or longer.

Even with these limitations, in 2015 DSP chose to bring nine properties known to be in violation through its administrative adjudication process. Success would establish that DSP could build a prosecutable case under existing law where suitable documentation for violations existed and take actions against the hundreds of properties that had received complaints. However, if after years of compiling evidence, building cases, and partnering with neighbors to collect evidence the city was judged unable to meet its burden of proof in the administrative hearings, the cases would be dismissed.

A primary element of DSP’s cases was the user reviews publicly available on websites such as airbnb.com. By matching neighbor complaints and documentation against the dates provided in the published reviews, DSP was confident in its ability to adequately meet the three-pronged burden of proof for operation of a Transient Vacation Rental. Recognizing the limitations of this body of evidence, DSP concentrated its efforts on the most egregious violators for which there was significant documentation.

But the adjudication hearings were never held. Days before the scheduled hearing, one of the property owners filed for a temporary restraining order against further proceedings due to vagueness of the charges and a constitutional challenge to the city’s administrative hearings process. After several weeks of correspondence with the plaintiff’s attorney, the city agreed to suspend prosecution of the nine cases. This agreement marked the end of active enforcement efforts against alleged STRs pending a new body of law.

Developing the New Regulatory Regime

The need for an updated regulatory package was now clear. Beginning in late 2014, a rough framework of reform began to take shape. If transient vacation rentals were legalized, the regulation process would have to be understandable and transparent to inspire confidence in the community. From these guiding principles, DSP, in coordination with the City Planning Commission and community stakeholders, began to formulate a new approach to regulation.

Whatever framework emerged had to be easily enforceable with a readily demonstrable burden of proof. But before the city could create a solution, it had to understand the problem.

The Short-Term Rental Study

In response to the now-demonstrated inability of the city to administratively enforce its transient vacation rental regulatory structure, in August 2015 the New Orleans City Council directed the City Planning Commission to study the regulation of these uses.

Over the course of nearly six months, the commission solicited information from neighborhoods, industry groups, hosting platforms, peer cities, and other agencies within the city to gain a full understanding of the nature of STRs as a land use—from the regulatory issues faced by DSP, to perception and documentable issues from neighborhoods, to the projected benefits of legitimizing the use fostered by the hosting platforms. Staff held more than a dozen meetings and multiple public hearings, and over 400 written comments were submitted to the commission (Rivers 2017).

In addition to these outreach efforts, the commission embarked on a study of documentable evidence and national best practices. In evaluating the practices of cities throughout the United States to determine previous regulatory successes and failures, the study found several key points (New Orleans City Planning Commission 2016):

- these uses fall into different categories and should be regulated differently based on location and rental type
- there must be performance standards to which operators can be held responsible to ensure the stability of neighborhoods
- fees and fines must be set at the appropriate level to encourage compliance while being impactful enough to penalize illegal behavior

Based on this study, staff presented four use types to the commission for consideration before a recommendation was made to the City Council: accessory, temporary, principal residential, and commercial (Figure 2). The commission voted to remove the “principal residential” type on the concern that this would cause exactly the scenario community groups feared most—turning residences into hotels and displacing residents.

In consultation with DSP, commission staff also recommended a series of requirements and performance standards creating an easily enforceable, comprehensive list of guidelines to ensure neighborhood compatibility, guest safety, and meaningful regulatory enforcement. These standards also provided many requirements with a low burden of proof for administrative enforcement, considered key to a high rate of compliance with the new regime.

Negotiation and Policy Priorities

The city knew that not gaining buy-in from the listing platforms would be a recipe for failure. Throughout policy negotiations, only Airbnb actively engaged with the process, which created the unintended result that compliance was easier for its platform than others. However, the city would work with other platforms following launch to bring compliance as close as possible in consideration of demonstrated technical and data considerations.

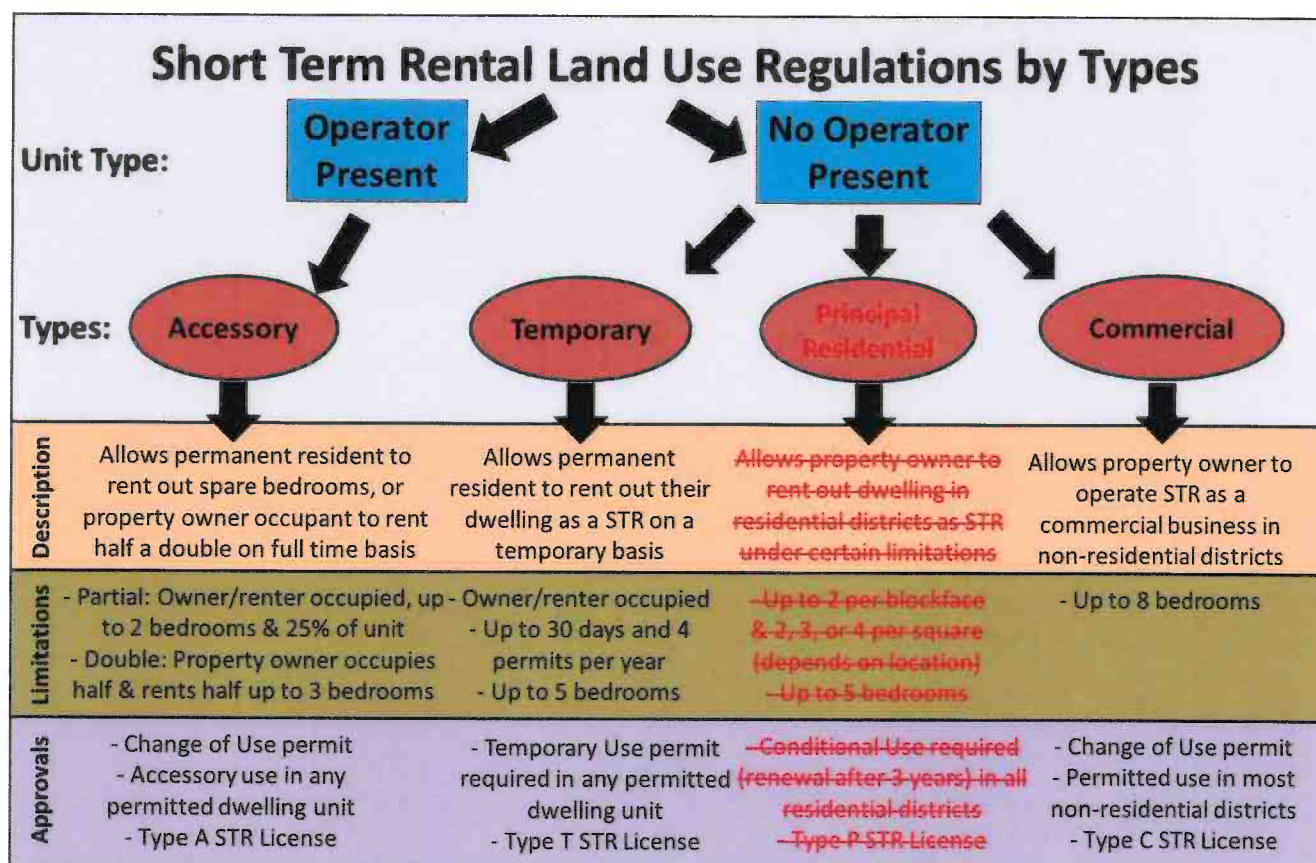


Figure 2. Short-Term Rental Types. Courtesy New Orleans City Planning Commission.

The New Regulations

The four ordinances adopted by the New Orleans City Council in 2016 established the provisions in the city code and zoning ordinance required to successfully implement the recommendations of the City Planning Commission's study and regulate STRs in New Orleans. Ordinances 27209 and 27204 provided the framework of the enforcement regime, including easily enforceable standards to allow swift citations of property owners who did not comply with the regulations. The other two ordinances addressed taxation and investment into the city's Housing Improvement Fund as mechanisms to turn STRs into a benefit to the communities they would be occupying.

Ordinance 27204 M.C.S. This [ordinance](#) (codified as [§26-613 et seq.](#)) established a licensing and enforcement regime, provided for a public registry of licensed STRs as well as provisions for datasharing with the listing platforms, and set fees and penalties for the program. The licensing provisions formally created three license types (accessory, temporary, and commercial) corresponding to concurrently created zoning land-use types, and provided safety and compliance standards by which DSP would evaluate applications for these licenses. To maintain a low barrier to entry into the permitting process, applicants were permitted to comply with these provisions by attestation, with DSP following up to verify compliance. Falsification or misrepresentation of any material information in the application process would result in the immediate revocation of the license.

Ordinance 27209 M.C.S. This [zoning text amendment ordinance](#) implemented the changes outlined in the city planning commission's 2016 study. It defined the STR land use generally, as well as the specific STR subcategories (accessory, temporary, and commercial), and imposed standards and requirements for the three use types. Additionally, this ordinance amended the permitted use tables to designate where STRs would be permitted as by-right or conditional uses. Accessory STRs were permitted within any legal dwelling unit located within an owner-occupied single- or two-family dwelling (except for within the Vieux Carré). Temporary STRs would be permitted in any legal dwelling unit (except within the Vieux Carré) without consideration of owner occupancy but with a 90-night occupancy limitation. Commercial STRs would be permitted in virtually every commercial zoning district, including the Vieux Carré Entertainment District (Bourbon Street) but excluding the remainder of that neighborhood.

The standards can be broken into two primary categories (see table below). Regulatory compliance standards are black-and-white requirements for which the city can easily demonstrate noncompliance, while performance compliance standards are more subjective in nature and require a higher level of documentation to determine noncompliance.

Regulatory Compliance	Performance Compliance
<ul style="list-style-type: none"> • All short-term rentals require a license. • License placard to be prominently displayed in a manner visible from the public right-of-way. • License number to be posted on any rental listing. • Any rental listing must match the occupancy limitations of the approved license. • Any short-term rental has to have the outward appearance of a residential building. • Short-term rentals may not occupy any accessory structure, outdoor space, or recreational vehicle. 	<ul style="list-style-type: none"> • Only one party of guests is allowed in a short-term rental unit. • The number of guests may not exceed occupancy limitations stated on the license. • An in-town contact must be available to address any unruly guests or dangerous situations. • The rental shall not adversely affect the residential character of the neighborhood. • The rental shall not generate noise, vibration, odors, or other effects that unreasonably interfere with any person's enjoyment of their residence.

Ordinance 27210 M.C.S. This [ordinance](#) imposed a \$1.00-per-night fee on STRs above the city's standard tax structure directed to the Neighborhood Housing Improvement Fund, a limited-access fund that can be used only for community development under specific guidelines.

Ordinance 27218 M.C.S. This [ordinance](#) authorized the mayor to enter into a cooperative endeavor agreement with Airbnb, which agreed to collect and remit taxes on behalf of its users by including the required taxes and fees at the time of booking. This saved the city from creating tax accounts for every licensed property and requiring property owners to calculate and remit taxes individually. This was part of the negotiation process with the listing platform that would ease the regulatory burden on both the city and licensees—creating a “win” on both sides of the taxation transaction.

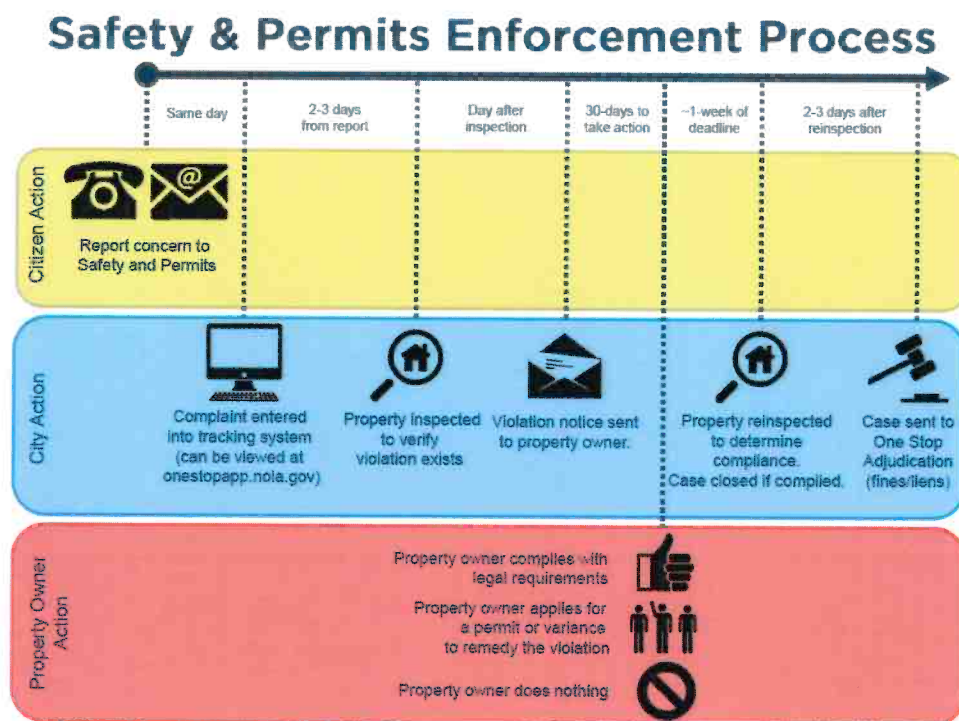


Figure 3. DSP's short-term rental enforcement process. Courtesy City of New Orleans Department of Safety and Permits.

Negotiations at this phase also took place with community leaders, city council members, and interest groups to create a structure that would be acceptable to the majority of stakeholders. Key points were appropriate annual limitations on temporary rentals, the mechanics and scope of data sharing, and the level of control platforms would have over encouraging compliance among their users.

Annual limitations on rental nights was one of the most public points of debate as the legislative process drew to a close. Type A (accessory) and Type C (commercial) licenses would have no limitations on annual rentals, but Type T (temporary) licenses would be subject to an annual cap on the number of nights the property could be rented out. STR advocates pushed for periods as long as 180 nights, while opponents, short of a ban, believed that the spirit of a "temporary" license could be satisfied with a cap of 30 nights per year (which was also the position of the commission). The city council ultimately decided to allow Type T rentals across the city with a maximum annual rental of 90 nights.

The remaining two points of negotiation, data sharing and platform assistance in overall compliance, were resolved as two sides of the same coin. The city would require data on rentals to enforce the 90-night cap on Type T licenses, and the listing platforms agreed that assistance from their side would boost user compliance with the new regulations and provide better data to track rentals, while the new standards would help ensure the safety of guests.

As part of the overall agreement, the platforms would voluntarily remove any unlicensed listings from their platform after a reasonable compliance period. The city would coordinate a pass-through registration program that would

allow applications to be filed through Airbnb's website, then uploaded into the city's permitting and licensing database. Additionally, Airbnb agreed to share certain anonymized data each month: a unique identifier for each listing, the number of nights rented in the last 30 days, and the total nights rented year-to-date. If additional information was required, the platform agreed to an administrative subpoena process, all of which was codified as Section 26-620 of the New Orleans City Code.

Implementation and Enforcement of STR Regulations

On December 1, 2016, the New Orleans City Council adopted four ordinances to implement the new STR program. The ordinances provided for regulation and taxation of STRs, as well as other administrative functions that aided the process (see sidebar).

As a result of the legislative action, DSP created the Short Term Rental Administration to serve as the single point of contact for the public in the licensing and enforcement process. Without this administrative office, the authority of implementation and enforcement would have been spread across several administrative units within DSP.

Building Public Confidence

As the agency responsible for licensing and enforcement, DSP knew that public confidence from day one would be critical for success. To demonstrate the city's intention of complete transparency and full compliance, the website nola.gov/str was launched on December 2, 2016, with all available information on the program: the data available from the 2016 study, the subsequent ordinance adoption process, and approximate timelines for program benchmarks.

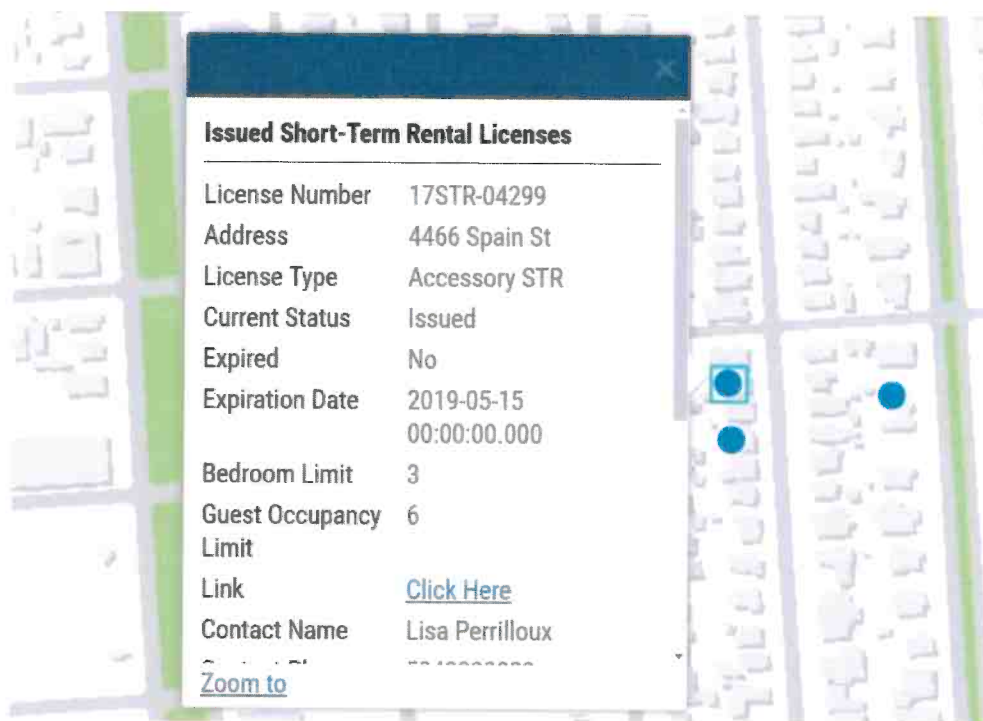


Figure 4. The city's interactive short-term rental registry and map. Courtesy City of New Orleans Department of Safety and Permits.

Within days, staff updated this website with information distilled from the adopted ordinances, simplifying the requirements and creating tables to help users understand the zoning restrictions. There were four months from adoption to the April 1, 2017, effective date to create internal and external processes for something that had never been tried before. DSP would focus its attention on three areas during this period: development of a robust internal process, transparency in process and enforcement, and development of a strong enforcement presence.

Development of Internal Processes

Internal processes were the first focus. Database configuration started early in the legislative process, which then allowed DSP to focus on other areas of internal process standardization: the pass-through connection from the city's database to Airbnb, a comprehensive analysis of license application workflow, and development of the enforcement regime that would be implemented.

Ultimately, the pass-through process was not a panacea of compliance as many hoped. Staff required information for license processing beyond that needed by the listing platform, so separate correspondence with every applicant was still required, and every applicant had to return to the city's permitting and licensing portal (onestopapp.nola.gov) to pay for the license prior to issuance.

A license application workflow needed to be developed and standardized. The expectation of a same-day turnaround, paired with the need to streamline the process to the furthest extent possible for pass-through integration, led DSP to reimagine a number of internal processes and ways staff could be cross-trained to address peak workloads. Printed and digital forms had to balance information that the average applicant

would have available against whether the city was capturing all necessary data in the license review process.

This same level of creativity became necessary in developing enforcement protocols. The new regulations required a methodology for how staff would collect data, record violations, and build cases (Figure 3, p. 5). DSP could then use that standardization to set community expectations for enforcement action.

Transparency in Process and Enforcement

The commitment to providing all available information to the public in an easily digestible format remained the policy of DSP. A public-facing portal for its permitting and licensing database (onestopapp.nola.gov) that allows users to search for activity on a given property in real time was made easily searchable for STR license approvals or enforcement cases.

The ordinances took transparency one step farther in requiring publication of a list of all STR licenses, along with the property address, license holder name, and the contact information for the responsible party. This allows a neighbor to contact someone about a problem with a rental. To fulfill this requirement, DSP coordinated with the city's Office of Information Technology to develop an interactive [STR registry and map](#). This tool allows users not only to search by name or property address, but also to see all license applications on a map of the city (Figure 4).

During this time, DSP leadership participated in numerous neighborhood meetings to outline the process, regulations, guidelines, and enforcement strategies. The focus was on implementing a program that would succeed and deliver on the promise that was made to the council and, more importantly, the community.

City of New Orleans
Department of Safety & Permits
Short Term Rental Administration

Field Warning

Location: _____

Date: _____ Time: _____

This notification is intended to inform the owner/operator of this premises of failure to comply with the City's Short Term Rental requirements. Legislation and information on Short Term Rentals in New Orleans is available at www.nola.gov/str

☐ This property has been reported as an operating short term rental, but our records indicate no application on file.

☐ This property is registered as a licensed short term rental, but no license is posted.

☐ This property is licensed as a Short Term Rental, but we have received a complaint of excessive:

- ☐ Noise
- ☐ Vibration
- ☐ Glare
- ☐ Odors
- ☐ Other effects

Which unreasonably interferes with neighbors enjoyment of their residence.

☐ This property is registered as a licensed short term rental, and there have been reports of unpermitted commercial or social events that may result in license revocation.

☐ This property has a license posted, but our records indicate that the license was issued for a different location/address.

☐ This property has been reported as an operating short term rental, but is located in a portion of the French Quarter where Short Term Rentals are prohibited.

Please contact the Short Term Rental Administration at 504-658-7144 or tr@nola.gov for additional information. A formal violation letter will also be mailed to the owner of record within the week to initiate adjudication procedures.

City of New Orleans
Department of Safety & Permits
Short Term Rental Administration

Figure 5. Field warning tags to flag short-term rental noncompliance. Courtesy City of New Orleans Department of Safety and Permits.

Importance of a Strong Enforcement Presence

DSP needed to assure doubtful residents that enforcement would be both proactive and responsive. To that end, the agency took two new simple, cost-effective actions.

First, DSP developed “field warning” tags to post on STR properties where a violation was believed to have occurred (Figure 5). These were simple half-sheet forms with checkboxes for common violation types, allowing an inspector to post a notice to the property owner on the spot and document the posting via photograph. But most importantly, these documents are hot pink and unmistakable as a “scarlet letter” of STR noncompliance to show neighbors that inspectors were on the job.

The second action was to brand DSP’s vehicles as such. Prior to 2017, all DSP vehicles were tagged as city vehicles, but these markings did not indicate to which department the vehicle belonged. Residents wanted DSP to work into the evenings and late at night during major events to maintain compliance

with the STR performance standards provided in the city code. Based on these community concerns, vehicles were branded as “Department of Safety & Permits” to provide a level of visibility critical to maintaining the confidence of neighbors in the overall regulatory regime.

One last key element of the city’s STR regulations is based on a long-standing provision of the building code that authorizes termination of utility services if a property is found to be in violation of the zoning ordinance. To eliminate any potential challenge to the use of these provisions, the enabling legislation for the licensing regime explicitly states that discontinuance of electrical service is an appropriate penalty for violation of the licensing provisions (§26-618).

Within four months of program launch, the Short Term Rental Administration sought its first utility disconnect order against a property owner in the Vieux Carré who would not remove online listings or stop using the property as a STR. The city’s utility provider terminated electrical service to the dwelling, and from that point compliance was swift and the property was soon sold.

Status of STR Administration After Year One

The STR program in New Orleans celebrated its first anniversary on April 1, 2018, and DSP is proud of the success achieved in the implementation of the program.

In the first 12 months, the Short Term Rental Administration reviewed more than 8,000 applications and issued 4,477 licenses (Figure 6). This generated \$979,274 in permit fees, exceeding expectations and completely covering the administrative costs of the program. Based on the 2016 study’s estimate of 4,000–5,000 STRs operating in New Orleans and the number of licens-

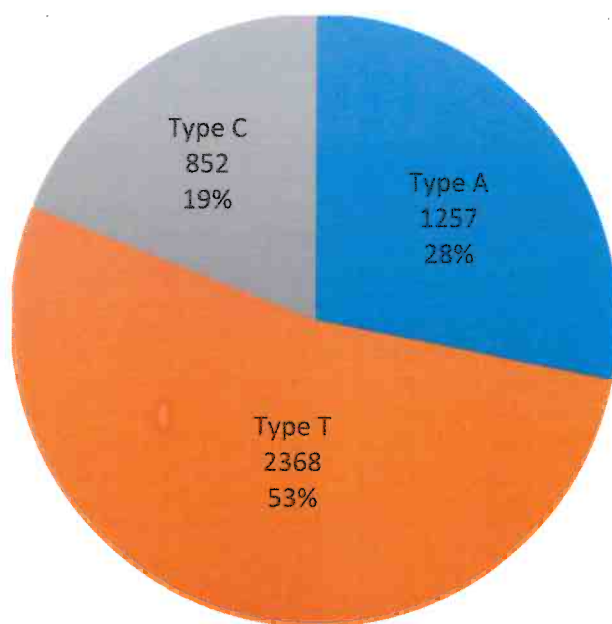


Figure 6. Breakdown of STR licenses by rental type. Courtesy City of New Orleans Department of Safety and Permits.

es issued during the first year of program implementation, DSP believes the compliance rate is in the high 90 percent range.

In terms of enforcement activities, DSP opened 1,719 violation cases between January 1, 2017, and April 1, 2018, from which 280 administrative hearings were held and \$268,538 in total fines assessed.

The mechanisms for identifying and enforcing rentals in prohibited zones and licensing requirements were successful, but challenges remained. Type T rentals made up the largest share of licenses issued, but also proved to be the most problematic from both a regulatory and neighborhood perspective. This became the single largest liability to the program.

Key to administering the Type T license was the ability of the city to monitor and enforce compliance on the 90-night annual rental cap provided in the adopted regulations. While the listing platforms initially represented that they would be supportive of the licensing program and provide the necessary information to DSP, both Airbnb and HomeAway subsequently declined to provide complete rental documentation based on their interpretation of the Stored Communications Act (see sidebar). As a result, while monthly reports could tell the enforcement team how many nights all STRs were rented, those

numbers were not tied to specific properties or listings to allow meaningful, consistent enforcement action.

Because of the problems caused by the Type T STRs, the public was not completely satisfied with the initial iteration of the STR program. While the city was proud of the overall success rate in terms of registration and enforcement effectiveness, the inability to effectively police the annual rental cap led to a public pushback against elected officials who were viewed as being nonresponsive to this inability.

Implemented and Proposed Changes to the Program

The city's municipal elections were held in the fall of 2017, and STRs featured prominently in city council campaigns. Of the three district councilmembers running for reelection, the only one reelected was the sole councilmember to vote against the STR regulations. The new city council came into office with a clear intention of revisiting the regulatory regime.

During the transition period, then-Councilmember LaToya Cantrell (now mayor) initiated two separate actions that would lay the foundation for updating the city's STR regulations. The first was the proposal and ultimate adoption of a zoning text amendment to require conditional use approval for some STRs

The Stored Communications Act and Its Effect on STR Enforcement

As planners negotiate the regulatory and enforcement balance of STR program development, the city or county legal team should be consulted in the early stages of the process about the Stored Communications Act (SCA), an element of the Electronic Communications Privacy Act of 1986 intended to ensure the privacy of electronic records created by a company about its customers. If communities are developing local regulations reliant on data sharing by hosting platforms, they must be aware of the SCA and ensure the proper provisions are in place to minimize its impact on STR enforcement efforts.

New Orleans's data-sharing provision within the new licensing regime required routine reporting of basic rental information to help the city monitor compliance with the 90-night rental limitation for Type T rentals. Key to the effectiveness of this agreement was the provision for issuance of administrative subpoenas to get specific user data based on potential violations identified based on the anonymized data being provided on a monthly basis. While the hosting platforms suggested the administrative subpoena provisions during regulatory negotiation, once these subpoena were issued they became less-than-willing partners in providing the necessary data to match anonymized data to specific properties or licenses.

Under the SCA, platforms have to provide any requested data subject to either a subpoena issued by a court or an administrative subpoena authorized by federal or state statute. In the case of New Orleans, the subpoena authority under which DSP requested this information was the city's home rule charter, which is enabled by the Louisiana Constitution. However, the hosting platforms deemed this insufficient to turn over

anything more than "basic subscriber information" as provided by the SCA and subsequent jurisprudence. (There is currently no legal consensus on how the SCA should be applied to listing platforms.)

The "basic subscriber information" provided illustrates how difficult Internet regulation can be, particularly for a local government. To fill in the gap between specific property and anonymized identification number, HomeAway and Airbnb provided the first and last name of the account holder and their user identification number, email address, and telephone number—but not the license number issued by the city associated with the listing or the property address. As a result, city staff needed to match names, email addresses, and telephone numbers with over 4,000 issued licenses. This highlighted one problem that DSP had not planned for: licenses issued to property owners but listings posted or managed by a third party.

In revisiting the 2016 regulatory structure, deficiency in data production was one of the primary concerns. Had the city been aware of the industry's use of the SCA as a shield against providing the information required to properly implement and enforce the proposed program, the regulations as initially adopted would have likely looked quite a bit different. This would have likely ranged from creating a licensee-reporting requirement to elimination of the Type T license entirely. What is certain is that the changes being evaluated by the city planning commission and the city council in 2018 are keeping the SCA in the forefront as they evaluate how best to modify the STR licensing regime to ensure compliance and enforceability.

in the city's historic urban core business districts. This change was made in response to the concerns of neighbors that structures containing apartments were being converted into "hotels" in otherwise neighborhood-scale commercial corridors. The second action directed the City Planning Commission to conduct a full study of the new STR regulatory regime.

When the new city council took office in May 2018, it wasted no time in delivering on the promises made to its constituents. At the second meeting of the new term, the council adopted Motion M-18-195: a partial moratorium on new STR licenses with a full prohibition on Type T STR licenses in the historic areas of the city, the central business district, and mixed use districts, and a prohibition of new Type C STR licenses on the first floor of mixed use buildings, though they would remain permitted on upper floors. This moratorium was scheduled to last nine months while the commission completed its study and the city's regulations were updated.

The commission completed its updated study in early October 2018 (New Orleans City Planning Commission 2018). While the study makes several recommendations, the most substantial is the elimination of the problematic Type T STRs. Type C STRs would carry on, but the Type A STRs would be redefined to cover nearly any owner-occupied property. A new third type of license, valid for special events only, would allow owners or rental tenants to rent out a permanently occupied dwelling unit for not more than 14 days per year. At the time of writing, the city council has not yet taken action on the report, but it is likely that that will do so within the next several months.

Lessons Learned

STRs are a planning challenge: they are residential units by design but can act like hotels in their impact on a community. A proliferation of these uses—particularly in tourism-heavy cities—can lead to significantly increased housing costs and begin to price out actual residents in favor of residents-for-a-day. New Orleans's experience in studying and regulating STRs highlights several key considerations in dealing with this issue.

Ensure that regulations are clear and enforceable. In developing the STR regulations, planning staff worked closely with DSP to ensure that enforcement was based on the information likely to be available. Compliance is easily provable for regulations such as requiring a license and requiring that license to be posted. Some STR regulations lie in more of a gray area, such as nuisance prohibitions, but with rigid enforcement standards and vigilant neighbors these have also proved enforceable.

Partner with listing platforms when possible. Partnerships can either be formal or informal, but platform buy-in helps ensure consistent communication on regulatory requirements and may aid in enforcement. The city's data-sharing agreement with Airbnb allowed DSP to coordinate actions to de-list unlicensed properties posting on that platform. While this was not a complete solution to illegal rentals, it greatly improved compliance rates throughout the city and helped stop rental listings in the Vieux Carré.

Recognize your limitations. Initially, residents and councilmembers pushed to regulate STR listing platforms in the same way that DSP regulates transportation network companies (TNCs). Where the city has the authority to regulate TNCs due to the long-standing regulation of vehicles-for-hire, that level of regulatory authority was not possible for dwellings, where state law prohibits local governments from regulating contractual transactions relative to real property. To address this lack of direct regulatory authority, the city negotiated data sharing to the extent possible and crafted regulations that could withstand legal scrutiny.

Coordinate STR policy making with policies surrounding affordable housing. While New Orleans began to take this approach by requiring contributions to the City's Neighborhood Housing Improvement Fund, there was no consistent strategy for the investment of those fees. A combination of this and the proliferation of Type T STRs had the effect of pricing out long-time residents and artificially inflating property values due to the expectation of return on investment.

Conclusion

During 2017, the City of New Orleans became a model for STR regulatory compliance across the nation. Thanks to data sharing and some regulatory assistance from Airbnb, DSP was able to successfully license nearly 5,000 short-term rentals. This represents a compliance rate above 90 percent in less than one year, while many peer cities struggle to reach a 20 percent compliance rate after one year.

While the city was proud of this achievement, it understood that the regulatory regime would need to be revisited after the first year to evaluate neighborhood impacts and overall compliance—and indeed, regulatory enforcement proved more difficult, especially for the Type T temporary STR licenses. The city hopes to resume enforcement of licensing standards in cooperation with listing platforms as this regulatory revision comes to a close.

Just as New Orleans is now revisiting the initial regulatory structure to respond to changing dynamics of the industry and public sentiments, planners will need to be prepared to continually address issues like STRs for years to come. There is no formula which can be applied across every jurisdiction to address the impacts of the use and the concerns of residents. Rather, it is our job to understand the implications of decision making, continually observe the effects of those decisions, and recommend change when necessary—recognizing that maybe we were wrong the first time.

Regulation of emerging technologies is not new to planners, and STRs will not be the last challenge of this sort we face as practitioners. Combining best practices and lessons learned in New Orleans can help communities across the country develop and implement regulatory structures that will adapt to emerging technologies and industries while also protecting residents and the stability of communities.

About the Author

Jared E. Munster, PhD, AICP, was the director of the Department of Safety and Permits for the City of New Orleans from No-

vember 2012 through June 2018 and worked closely with the City Planning Commission, City Council, and the Landrieu and Cantrell administrations in shaping the regulatory and enforcement processes of the New Orleans Short Term Rental Program. Munster holds an undergraduate degree in urban studies and planning, a master's degree in urban and regional planning, and a PhD in urban studies from the University of New Orleans. He is also a certified floodplain manager and is presently serving as the interim executive director of the Regional Transit Authority of New Orleans.

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

Agenda Item Number

New Business #9

Tracking Number

EDC 2019-27

Agenda Item Summary Memo

Title: Imperial Investment TIF Inducement Resolution

Meeting and Date: Economic Development Committee - March 5, 2019

Synopsis: Inducement Resolution moving properties from TIF #1 to TIF #2 within the
Downtown TIF Redevelopment Project Areas.

Council Action Previously Taken:

Date of Action: 01-10-2017 Action Taken: Approval of an Inducement Resolution

Item Number:

Type of Vote Required: Majority

Council Action Requested: Approval

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

Agenda Item Notes:

See attached memo.



Memorandum

To: Economic Development Committee
From: Krysti J. Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Date: February 14, 2019
Subject: **Imperial Investment Amended TIF Inducement Resolution**
Inducement Resolution moving properties from TIF #1 to TIF #2

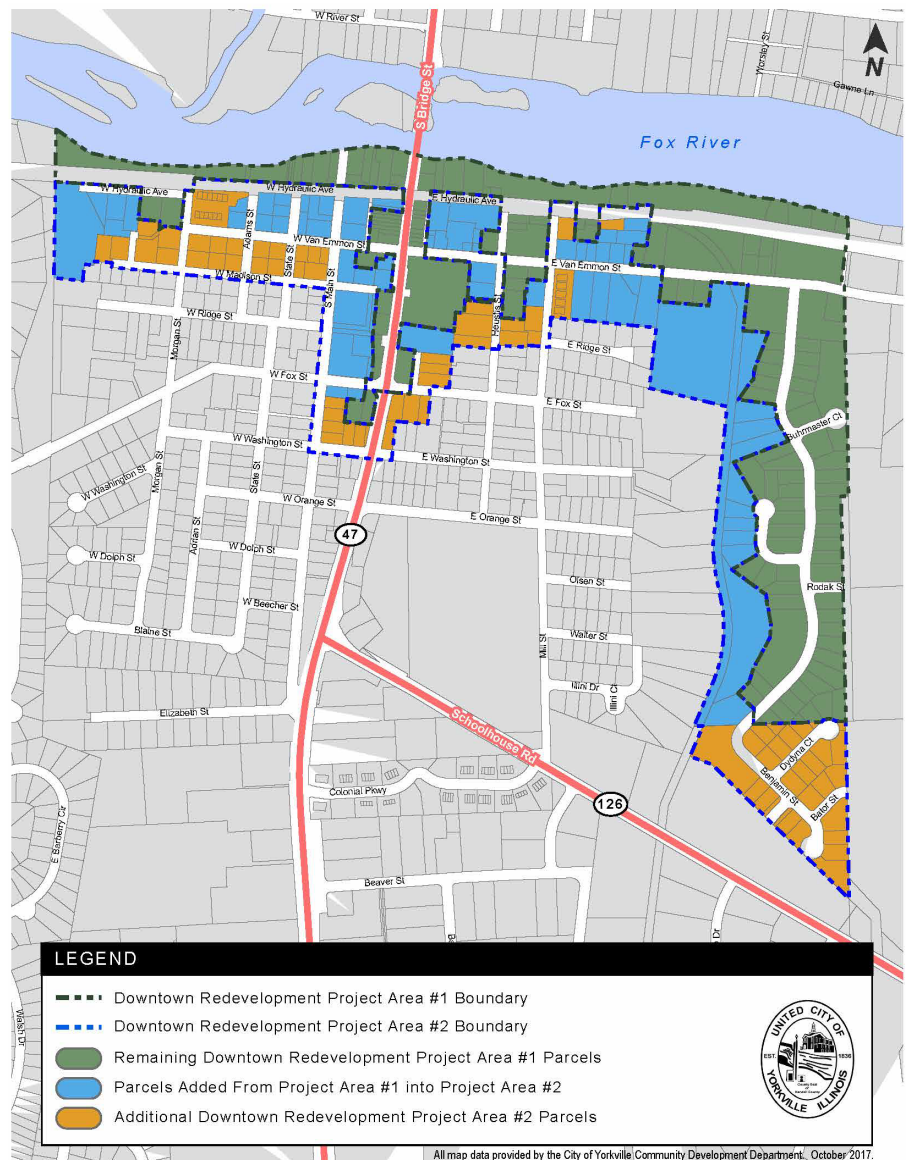
Summary

Approval of an amended Tax Increment Finance (TIF) inducement resolution for Imperial Investments, Inc. moving certain parcels originally included in the Downtown Project Area #1 (TIF #1) to the newly created Downtown Project Area #2 (TIF #2).

Background & Request

As you are aware, in 2006, the City adopted the original Yorkville Downtown Redevelopment Project Area (TIF #1). In January 2017, Imperial Investments, Inc. entered into an inducement resolution with the City covering the former FS parcels, Kendallwood Estates development and various properties on Bridge and Van Emmon streets. The agreement, which included approximately 80 parcels owned by Imperial Investments within the downtown, allowed for the reimbursement of certain eligible expenditures related to the redevelopment of the properties.

Since that time, the City has created and adopted a new Downtown Redevelopment Project Area #2 (TIF #2) in March 2018 which removed 17 parcels owned by Imperial Investments, Inc. from the original TIF #1 and included them in TIF #2. The purpose of this amended inducement resolution is to formally acknowledge and permit those parcels now located in TIF #2 the same reimbursement benefits they had under the original TIF #1.



Recommendation

In order to preserve the right to request future reimbursement of any eligible redevelopment project costs incurred by the previously removed parcels prior to the negotiation and approval of a Development Plan and a Redevelopment Agreement, State law mandates that the Corporate Authority acknowledge that a development plan is being undertaken. Further, this amended TIF inducement resolution makes no guarantee as to the amount or type of assistance to Imperial Investments, as these items will get negotiated with the City at a later date and all undertakings are contingent upon the City's approval of an agreement for the development of the property.

Therefore, staff recommends approval of the amended Tax Increment Finance (TIF) inducement resolution with Imperial Investments, Inc., to acknowledge the move of those parcels originally included in TIF #1 to the newly approved TIF #2. Should you have any questions regarding this item; staff will be available at Tuesday night's meeting to discuss in greater detail.

**A RESOLUTION OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS,
TO INDUCE THE REDEVELOPMENT OF CERTAIN PROPERTIES WITHIN THE
YORKVILLE DOWNTOWN TAX INCREMENT REDEVELOPMENT PROJECT AREA**

WHEREAS, the United City of Yorkville, Kendall County, Illinois (the “*City*”) is a duly organized and validly existing municipality of the State of Illinois pursuant to the 1970 Illinois Constitution and the Illinois Municipal Code, as from time to time amended (the “*Municipal Code*”) (65 ILCS 5/65-1-1-2, *et seq.*); and,

WHEREAS, the Mayor and City Council of the City (the “*Corporate Authorities*”), as authorized by the Municipal Code, undertook an eligibility study and report with respect to a redevelopment project and plan for a certain area and based on said report approved a redevelopment project and plan pursuant to Ordinance No. 2006-46 for said specific area designated by Ordinance No. 2006-47 as the Yorkville Downtown Redevelopment Project Area (the “*Downtown Project Area #1*”) and adopted tax increment financing for the payment and financing of redevelopment project costs incurred within the Downtown Project Area #1 by Ordinance No. 2006-48, adopted by the Corporate Authorities on June 13, 2006, pursuant to the *Tax Increment Allocation Redevelopment Act*, 65 ILCS 5/11-74.4-1, *et seq.*, (the “*TIF Act*”); and,

WHEREAS, the City was informed by Imperial Investments, Inc., an Illinois corporation (the “*Developer*”), that it had acquired certain properties within Downtown Project Area #1, as listed on Exhibit A attached hereto and made a part hereof (the “*Subject Properties*”), and that it intended to develop or redevelop said properties (the “*Projects*”) but that it could not proceed without financial assistance from the City for certain “*Redevelopment Project Costs*,” as defined by the TIF Act, incurred in connection with the Projects; and,

WHEREAS, in order to induce the Developer to proceed with the Projects, on January 10, 2017, the Corporate Authorities adopted Resolution No. 2017-02 (the “*Original Inducement*”

Resolution”) which provided that certain expenditures incurred in connection with the Projects prior to the approval of any redevelopment agreement between the City and Developer could be considered Redevelopment Project Costs that could be reimbursed utilizing incremental taxes in accordance with the TIF Act provided that the redevelopment of the Subject Properties was in furtherance of the redevelopment plan for Downtown Project Area #1 and contingent upon the execution of redevelopment agreements between the City and Developer related to the Subject Properties; and,

WHEREAS, in order to provide for further economic development within the City, the Corporate Authorities undertook a subsequent eligibility study and report with respect to the proposed United City of Yorkville, Kendall County, Illinois Downtown Redevelopment Project Area # 2 (the “*Downtown Project Area #2*”); and,

WHEREAS, by Ordinance No. 2018-10, adopted on March 27, 2018, the Corporate Authorities amended Downtown Project Area #1 by removing therefrom certain of the Subject Properties, as listed on Exhibit B attached hereto and made a part hereof (the “*Removed Properties*”); thereafter, by Ordinance Nos. 2018-23, 2018-24, and 2018-25, respectively, adopted on April 10, 2018, the Corporate Authorities approved a redevelopment project and plan, designated Downtown Project Area #2 as a redevelopment project area under the TIF Act, and adopted tax increment financing therefor all in accordance with the requirements of the TIF Act; and,

WHEREAS, the Removed Properties are now located within Downtown Project Area #2 and the Developer has indicated its desire to continue with the Projects thereon provided that certain expenditures already made and hereafter incurred be eligible Redevelopment Project Costs that can be reimbursed pursuant to redevelopment agreements between the Developer and City if

such costs are Redevelopment Project Costs under the TIF Act and the Projects are in furtherance of the redevelopment project and plan for Downtown Project Area #2; and,

WHEREAS, the Corporate Authorities acknowledge that the Developer advised the City of its need for financial assistance in order to undertake the Projects on the Removed Properties prior to the designation of Downtown Project Area #2 and believe it to be in the best interests of the City for said Projects to proceed; and,

WHEREAS, this Resolution is intended to acknowledge and permit certain costs incurred after adoption of the Original Inducement Resolution relating to the redevelopment of the Removed Properties to be considered Redevelopment Project Costs under the TIF Act that may be reimbursed utilizing incremental real estate taxes derived from the designation of Downtown Project Area #2, prior to the approval of any ordinance authorizing the execution of redevelopment agreements with the City pertaining to the Removed Properties, subject to the conditions set forth in this Resolution.

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

Section 1. That the above recitals are incorporated herein and made a part hereof.

Section 2. That the City Council may consider expenditures that are Redevelopment Project Costs under the TIF Act, in connection with the redevelopment of the Removed Properties incurred prior to the approval and execution of redevelopment agreements with the Developer, or a successor or assignee of the Developer, to be expenditures that are eligible for reimbursement through the TIF Act in accordance with the redevelopment project and plan for Downtown Project Area #2, provided that such costs constitute “redevelopment project costs” as defined by the TIF

Act; and, that the redevelopment of the Removed Properties shall be consistent with the redevelopment project and plan for the overall Downtown Project Area #2.

Section 3. That this Resolution shall relate back to the January 10, 2017 adoption date of the Original Inducement Resolution such that costs incurred by the Developer since that date may be considered expenditures that are eligible for reimbursement from incremental real estate taxes derived from the designation of Downtown Project Area #2, provided said costs are eligible Redevelopment Project Costs under the TIF Act and subject to the conditions set forth in this Resolution.

Section 4. That the Original Inducement Resolution is hereby amended by removing from the list of Developer's Properties (as defined therein) all of the properties defined herein as the Removed Properties as listed on Exhibit B hereto.

Section 5. That all undertakings of the City set forth in this Resolution are specifically contingent upon the City approving and executing redevelopment agreements with the Developer, or a successor or assignee of the Developer which provides for the redevelopment of the Removed Properties in accordance with the terms and conditions to be negotiated by the parties.

Section 6. That any financial assistance rendered to the Developer by the City shall be contingent upon the authority, restrictions, terms and conditions imposed by the TIF Act.

Section 7. That this Resolution shall be in full force and effect from and after its passage and approval as provided by law.

CARLO COLOSIMO	_____	KEN KOCH	_____
JACKIE MILSCHEWSKI	_____	ARDEN JOE PLOCHER	_____
CHRIS FUNKHOUSER	_____	JOEL FRIEDERS	_____
SEAVER TARULIS	_____	JASON PETERSON	_____

Passed by the Mayor and City Council of the United City of Yorkville, Kendall County,
Illinois this _____ day of _____, 2019.

Mayor

Attest:

City Clerk

Exhibit A

All of the FS properties generally located at 121 East Van Emmon and identified by the following permanent index numbers:

02-33-154-013
02-33-154-014
02-33-154-018

Kendallwood Estates lots identified by the following permanent index numbers:

02-33-377-002
02-33-377-003
02-33-377-004
02-33-377-005
02-33-377-006
02-33-377-007
02-33-377-008
02-33-377-009
02-33-377-010
02-33-377-011
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02-33-380-007
02-33-380-008
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02-33-380-011
02-33-380-012
02-33-380-013
02-33-380-014
02-33-380-015
02-33-380-016

Other Downtown Properties:

211 South Bridge	02-32-283-006
215 South Bridge	02-32-283-007
220 South Bridge	02-33-154-031
112 West Van Emmon	02-32-287-002
201 West Van Emmon	02-32-282-006
205 West Van Emmon	02-32-282-004
207 West Van Emmon	02-32-282-003
204 West Hydraulic	02-32-282-005

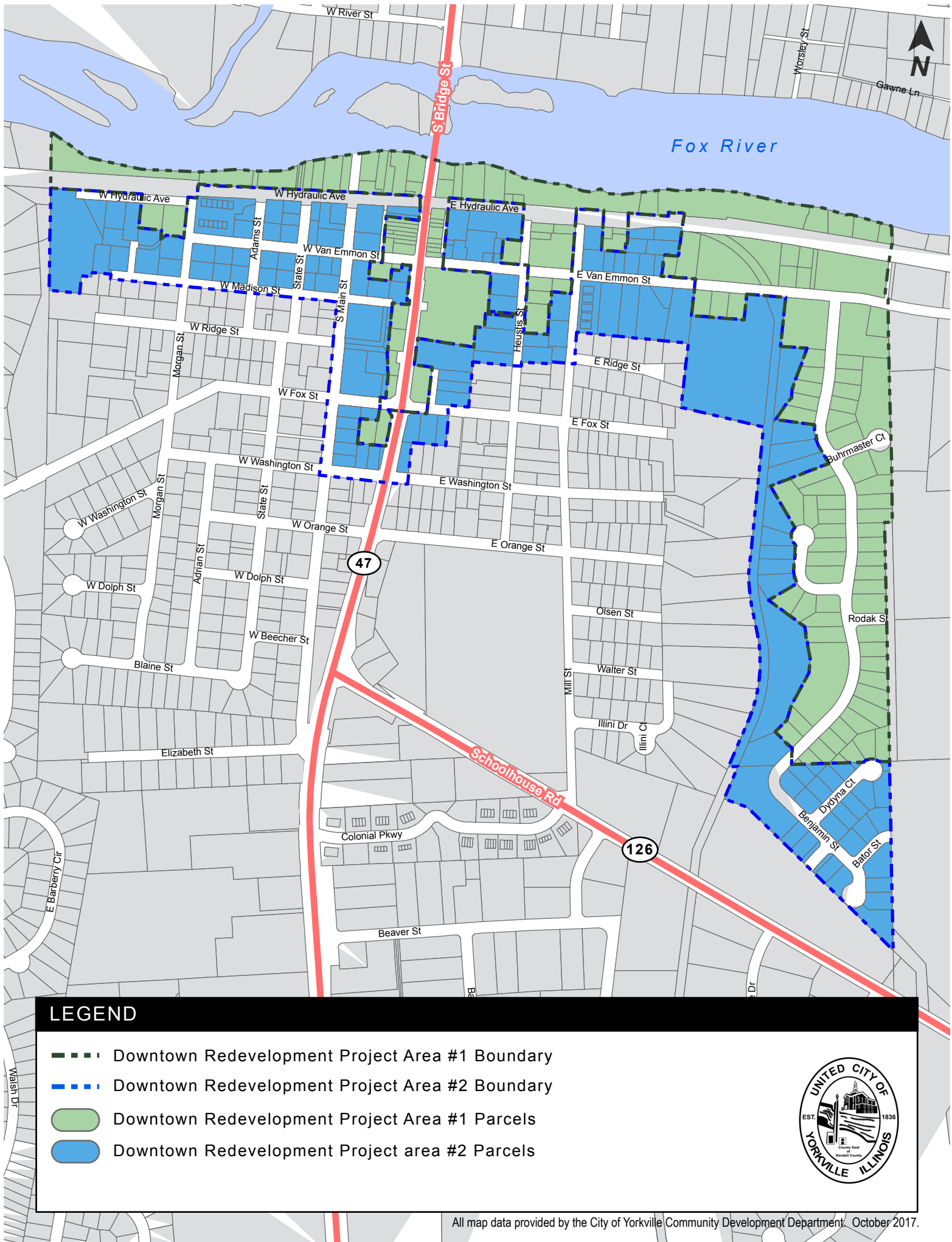
Exhibit B

02-32-282-003
02-32-282-004
02-32-282-005
02-32-282-006
02-33-154-013
02-33-154-014
02-33-154-018
02-33-377-007
02-33-377-008
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02-33-380-010
02-33-380-011
02-33-380-012
02-33-380-013
02-33-380-014
02-33-380-015
02-33-380-016

Other Downtown Properties:

211 South Bridge	02-32-283-006
215 South Bridge	02-32-283-007
220 South Bridge	02-33-154-031
112 West Van Emmon	02-32-287-002
201 West Van Emmon	02-32-282-006
205 West Van Emmon	02-32-282-004
207 West Van Emmon	02-32-282-003
204 West Hydraulic	02-32-282-005





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

Agenda Item Number

New Business #10

Tracking Number

EDC 2019-28

Agenda Item Summary Memo

Title: TIF Inducement Resolution - Casa Santiago Restaurant

Meeting and Date: Economic Development Committee - March 5, 2019

Synopsis: Inducement Resolution for a parcel within the TIF #1 Downtown TIF Redevelopment Project Area.

Council Action Previously Taken:

Date of Action: _____ Action Taken: _____

Item Number: _____

Type of Vote Required: Majority

Council Action Requested: Approval

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

Agenda Item Notes:

See attached memo.

Have a question or comment about this agenda item?

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

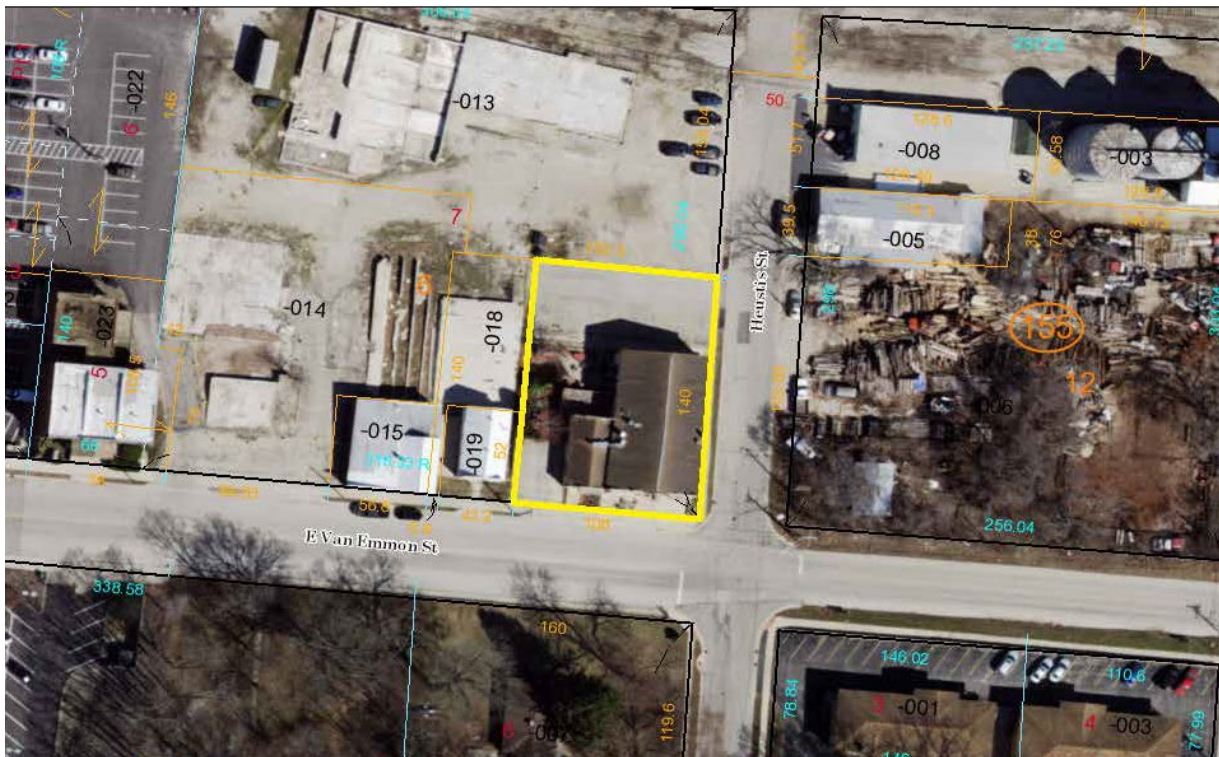


Memorandum

To: Economic Development Committee
From: Krysti J. Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Date: February 26, 2019
Subject: Casa Santiago - TIF Inducement Resolution

Summary

Approval of a TIF inducement resolution in Downtown TIF #1 for the Casa Santiago Mexican restaurant property located at 227 Heustis Street (also 133 - 135 E. Van Emmon), currently under owned by TIG Partners, LLC.



Request

While there are no immediate plans for redevelopment of the property, the owner would like reserve the ability to proceed in the future with any project and benefit from TIF assistance. In order to preserve the right to request future reimbursement of any eligible redevelopment project costs being incurred prior to the negotiation and approval of a Development Plan and a Redevelopment Agreement, State law mandates that the Corporate Authority acknowledge that a development plan is being undertaken in order to permit these expenses to be “potentially” reimbursable from future revenues received as a result of the approved plan and project.

As you are aware, this TIF inducement resolution makes no guarantee as to the amount or type of assistance to the owner, as these items will get negotiated with the City at a later date. Finally, the

resolution specifically states that all undertakings by the City are contingent upon the City's approval of an agreement for the development of the property.

Recommendation

Staff recommends approval of the TIF inducement resolution with TIG Partners, LLC.

**A RESOLUTION OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY,
ILLINOIS, TO INDUCE THE REDEVELOPMENT OF CERTAIN PROPERTY WITHIN
THE YORKVILLE DOWNTOWN REDEVELOPMENT PROJECT AREA
(TIG Partners, L.L.C.)**

WHEREAS, the United City of Yorkville, Kendall County, Illinois (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 its powers and in accordance with the requirements of the Tax Increment Allocation Redevelopment Act of the State of Illinois, 65 ILCS 5/11-74.4-1, *et seq.*, as from time to time amended (the “*TIF Act*”), the Mayor and City Council of the City (collectively, the “*Corporate Authorities*”), pursuant to Ordinance Nos. 2006-46, 2006-47, and 2006-48, respectively, adopted on June 13, 2006, approved a redevelopment plan and project (the “*Redevelopment Plan*”) setting forth a plan for the development, redevelopment and revitalization of the redevelopment project area; designated a redevelopment project area known as the Downtown Redevelopment Project Area (the “*Redevelopment Project Area*”); and adopted tax increment allocation financing for the Redevelopment Project Area; and,

WHEREAS, TIG Partners, L.L.C., an Illinois limited liability company (the “*Developer*”) owns certain property located within the Redevelopment Project Area and commonly known as 227 Heustis Street, 133 E. Van Emmon Street, and 135 E. Van Emmon Street, as identified by parcel index number 02-33-154-017 (the “*Subject Property*”), and has informed the City that it intends to substantially renovate the interior and exterior of the buildings located on the Subject Property (the “*Project*”); and,

WHEREAS, the Developer has also informed the City that the ability to proceed with the Project on the Subject Property requires financial assistance from the City for certain costs that would be incurred in connection with the Project, which costs would constitute “*Redevelopment Project Costs*” as such term is defined in the TIF Act; and,

WHEREAS, the Developer would like to incur certain costs in connection with the Project prior to the adoption of any ordinance authorizing the execution of a redevelopment agreement between the City and the Developer pertaining to the Subject Property, wherein which reimbursement for such costs may be considered between the parties subject to certain conditions; and,

WHEREAS, the Developer desires such costs related to the Project be able to qualify for consideration as Redevelopment Project Costs that can be reimbursed utilizing tax increment financing, provided that such costs constitute Redevelopment Project Costs under the TIF Act; and,

WHEREAS, this Resolution is intended to allow the Developer to incur certain costs relating to the Project that may be considered Redevelopment Project Costs under the TIF Act, prior to the adoption of any ordinance authorizing the execution of a redevelopment agreement between the City and the Developer, subject to the conditions set forth in Section 3 of this Resolution.

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

Section 1. That the above recitals are incorporated herein and made a part hereof.

Section 2. That the City Council may consider expenditures that are “*Redevelopment Project Costs*”, as such term is defined in the TIF Act, in connection with the Project, incurred

prior to the adoption of an Ordinance authorizing the execution of a redevelopment agreement with the Developer, or a successor or assignee of the Developer, to be expenditures that are eligible for reimbursement through the TIF Act to the extent the Project is in furtherance of the Redevelopment Plan for the overall Redevelopment Project Area.

Section 3. That all undertakings of the City set forth in this Resolution are specifically contingent upon the City approving and executing a redevelopment agreement with the Developer, or a successor or assignee of the Developer, which provides for the redevelopment of the Subject Property in accordance with the terms and conditions to be negotiated by the parties.

Section 4. That any financial assistance rendered to the Developer by the City shall be contingent upon the authority, restrictions, terms and conditions imposed by the TIF Act.

Section 5. That this Resolution shall be in full force and effect from and after its passage and approval as provided by law.

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois, this ____ day of _____, A.D. 2019.

CITY CLERK

CARLO COLOSIMO _____

KEN KOCH _____

JACKIE MILSCHEWSKI _____

ARDEN JOE PLOCHER _____

CHRIS FUNKHOUSER _____

JOEL FRIEDERS _____

SEAVER TARULIS _____

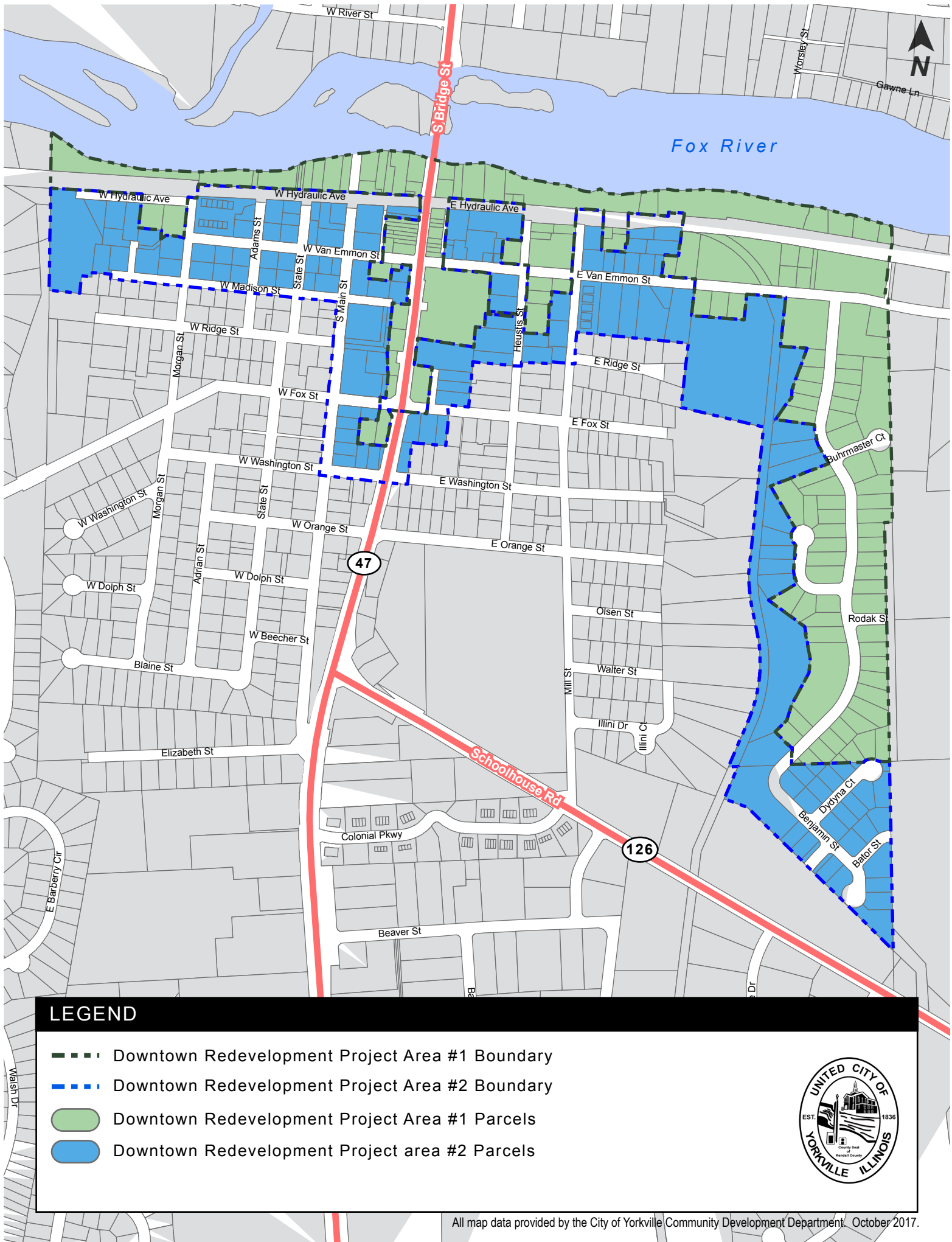
JASON PETERSON _____

APPROVED by me, as Mayor of the United City of Yorkville, Kendall County, Illinois, this ____ day of _____, A.D. 2019.

MAYOR

Attest:

CITY CLERK





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

Agenda Item Number

New Business #11

Tracking Number

EDC 2019-29

Agenda Item Summary Memo

Title: TIF Inducement Resolution – Corner Liquor (102 W. Fox Street)

Meeting and Date: Economic Development Committee - March 5, 2019

Synopsis: Inducement Resolution for a parcel within the TIF #1 Downtown TIF Redevelopment Project Area.

Council Action Previously Taken:

Date of Action: _____ Action Taken: _____

Item Number: _____

Type of Vote Required: Majority

Council Action Requested: Approval

Submitted by: Krysti J. Barksdale-Noble

Community Development

Name

Department

Agenda Item Notes:

See attached memo.

Have a question or comment about this agenda item?

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



As you are aware, this TIF inducement resolution makes no guarantee as to the amount or type of assistance to the owner, as these items will get negotiated with the City at a later date. Finally, the

resolution specifically states that all undertakings by the City are contingent upon the City's approval of an agreement for the development of the property.

Recommendation

Staff recommends approval of the TIF inducement resolution with JBNM Associates LLC.

**A RESOLUTION OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY,
ILLINOIS, TO INDUCE THE REDEVELOPMENT OF CERTAIN PROPERTY WITHIN
THE YORKVILLE DOWNTOWN REDEVELOPMENT PROJECT AREA
(JBNM Associates LLC)**

WHEREAS, the United City of Yorkville, Kendall County, Illinois (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 its powers and in accordance with the requirements of the Tax Increment Allocation Redevelopment Act of the State of Illinois, 65 ILCS 5/11-74.4-1, *et seq.*, as from time to time amended (the “TIF Act”), the Mayor and City Council of the City (collectively, the “Corporate Authorities”), pursuant to Ordinance Nos. 2006-46, 2006-47, and 2006-48, respectively, adopted on June 13, 2006, approved a redevelopment plan and project (the “Redevelopment Plan”) setting forth a plan for the development, redevelopment and revitalization of the redevelopment project area; designated a redevelopment project area known as the Downtown Redevelopment Project Area (the “Redevelopment Project Area”); and adopted tax increment allocation financing for the Redevelopment Project Area; and,

WHEREAS, JBNM Associates LLC, an Illinois limited liability company (the “Developer”) owns certain property located within the Redevelopment Project Area and commonly known as 102 W. Fox Road, as identified by parcel index number 02-32-433-014 (the “Subject Property”), and has informed the City that it intends to substantially renovate the interior and exterior of the Subject Property (the “Project”); and,

WHEREAS, the Developer has also informed the City that the ability to proceed with the Project on the Subject Property requires financial assistance from the City for certain costs that

would be incurred in connection with the Project, which costs would constitute “*Redevelopment Project Costs*” as such term is defined in the TIF Act; and,

WHEREAS, the Developer would like to incur certain costs in connection with the Project prior to the adoption of any ordinance authorizing the execution of a redevelopment agreement between the City and the Developer pertaining to the Subject Property, wherein which reimbursement for such costs may be considered between the parties subject to certain conditions; and,

WHEREAS, the Developer desires such costs related to the Project be able to qualify for consideration as Redevelopment Project Costs that can be reimbursed utilizing tax increment financing, provided that such costs constitute Redevelopment Project Costs under the TIF Act; and,

WHEREAS, this Resolution is intended to allow the Developer to incur certain costs relating to the Project that may be considered Redevelopment Project Costs under the TIF Act, prior to the adoption of any ordinance authorizing the execution of a redevelopment agreement between the City and the Developer, subject to the conditions set forth in Section 3 of this Resolution.

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

Section 1. That the above recitals are incorporated herein and made a part hereof.

Section 2. That the City Council may consider expenditures that are “*Redevelopment Project Costs*”, as such term is defined in the TIF Act, in connection with the Project, incurred prior to the adoption of an Ordinance authorizing the execution of a redevelopment agreement with the Developer, or a successor or assignee of the Developer, to be expenditures that are eligible for

reimbursement through the TIF Act to the extent the Project is in furtherance of the Redevelopment Plan for the overall Redevelopment Project Area.

Section 3. That all undertakings of the City set forth in this Resolution are specifically contingent upon the City approving and executing a redevelopment agreement with the Developer, or a successor or assignee of the Developer, which provides for the redevelopment of the Subject Property in accordance with the terms and conditions to be negotiated by the parties.

Section 4. That any financial assistance rendered to the Developer by the City shall be contingent upon the authority, restrictions, terms and conditions imposed by the TIF Act.

Section 5. That this Resolution shall be in full force and effect from and after its passage and approval as provided by law.

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois, this ____ day of _____, A.D. 2019.

CITY CLERK

CARLO COLOSIMO _____

KEN KOCH _____

JACKIE MILSCHEWSKI _____

ARDEN JOE PLOCHER _____

CHRIS FUNKHOUSER _____

JOEL FRIEDERS _____

SEAVER TARULIS _____

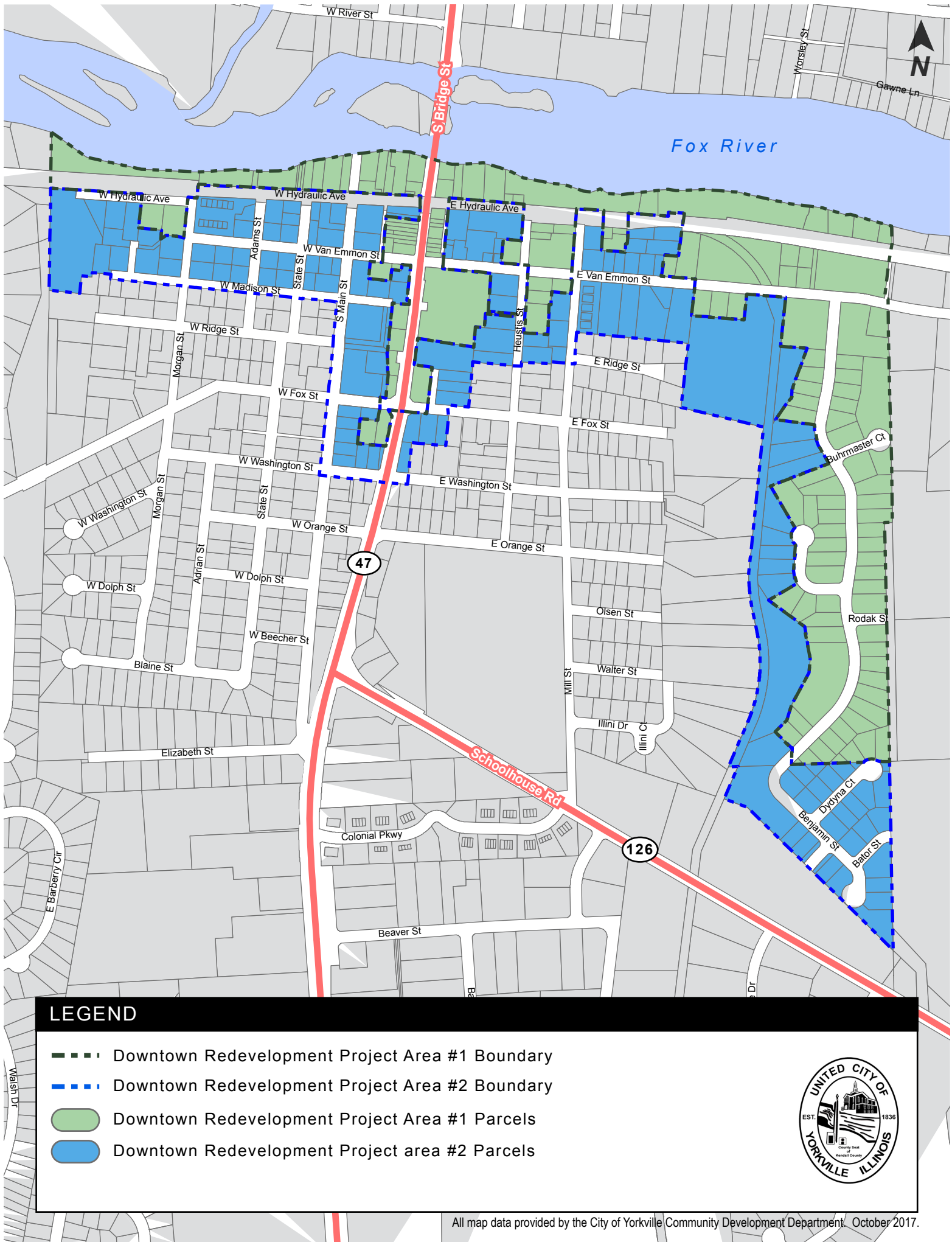
JASON PETERSON _____

APPROVED by me, as Mayor of the United City of Yorkville, Kendall County, Illinois, this ____ day of _____, A.D. 2019.

MAYOR

Attest:

CITY CLERK





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

Agenda Item Number

Old Business #1

Tracking Number

EDC 2019-17

Agenda Item Summary Memo

Title: Kendall County Intergovernmental Agreement Renewal – Inspection Services

Meeting and Date: Economic Development Committee - March 5, 2019

Synopsis: Annual renewal of the Intergovernmental Agreement between the United City of Yorkville and Kendall County related to building & plumbing inspection services.

Council Action Previously Taken:

Date of Action: 2/13/2018 Action Taken: Approval of Renewed Agreement

Item Number: _____

Type of Vote Required: Majority

Council Action Requested: Approval

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

Agenda Item Notes:

See attached memo.



Memorandum

To: Economic Development Committee
From: Krysti J. Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Pete Ratos, Building Code Official
Date: February 14, 2019
Subject: **Renewed Kendall County Intergovernmental Agreement**
Reciprocal Building Inspection and Plumbing Inspection Services

Summary

In May 2013, the City approved Resolution 2013-13 which executed an intergovernmental agreement between the City of Yorkville and Kendall County for shared building inspection services, on an as need basis, for a term of three (3) years. And in 2014, the City approved an amendment to the agreement which added shared plumbing services via Resolution 2014-34 and a renewal to this agreement was approved in March 2016 via Resolution 2016-08 and Resolution 2017-15 in March 2017, each extending the reciprocal service for an additional year. Last year's agreement renewal was approved via Res. 2018-05.

Although the City now outsources some of its inspection services to B&F, staff feels this arrangement has worked very well for both the County and the City over the last several years. The following chart illustrates the number of reciprocal inspections conducted by each governmental entity for calendar years 2016, 2017 and 2018:

	2016	2017	2018
Kendall County inspections conducted by City	148	23	40
City inspections conducted by Kendall County	58	11	0

Since the existing agreement is set to expire on February 27, 2018, the proposed attached draft agreement is intended to continue the existing shared services agreement for an additional year with an option to renew annually upon written agreement between the City and the County.

Proposed Agreement

The basic substance of the agreement offers substitute inspection services for the City of Yorkville and Kendall County should the Code Officials of the respective government agencies be on vacation or otherwise unavailable to conduct their normal duties.

The agreement, which is on an as need basis, consists of the following services when requested: footing inspections; backfill inspections; foundation wall inspections; concrete slab inspections; rough framing inspections; rough electric inspections; underground electric inspections; electrical service inspections; insulation inspections; roofing inspections and final inspections. In addition to these services, the agreement also includes rough plumbing and final plumbing inspections but does not include plan review or permit approval of plumbing work.

The current intergovernmental agreement revised language related to commercial general liability and automobile liability which has been reviewed by the City Attorney and the city's insurance carrier.

Staff Comments/Recommendation

Both Yorkville's Building Department staff and Kendall County's Building Department believes that this back up for inspection services is beneficial. Therefore, we support the extension of the agreement for an additional year. Kendall County's Planning Building and Zoning Committee (PB&Z) will be reviewing this proposed amendment in within the next month, as well. Should you have any specific questions regarding the attached proposal; staff will be available at Tuesday night's meeting.

Resolution No. 2019-_____

**A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT
FOR RECIPROCAL BUILDING INSPECTION SERVICES BETWEEN THE
UNITED CITY OF YORKVILLE AND KENDALL COUNTY**

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

Section 1: That the *Intergovernmental Agreement for Reciprocal Building Inspections Services Between Kendall County, Illinois and the United City of Yorkville, Illinois - 2019*, attached hereto and made a part hereof by reference as Exhibit A, is hereby approved, and Gary Golinski, Mayor, and Beth Warren, City Clerk, be and are hereby authorized to execute said agreement on behalf of the United City of Yorkville.

Section 2: This Resolution shall be in full force and effect upon its passage and approval as provided by law.

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois this _____ day of _____, 2019.

CITY CLERK

CARLO COLOSIMO _____

KEN KOCH _____

JACKIE MILSCHEWSKI _____

ARDEN JOE PLOCHER _____

CHRIS FUNKHOUSER _____

JOEL FRIEDERS _____

SEAVER TARULIS _____

JASON PETERSON _____

Approved by me, as Mayor of the United City of Yorkville, Kendall County, Illinois, this _____ day of _____, 2019.

MAYOR

Exhibit A
INTERGOVERNMENTAL AGREEMENT FOR RECIPROCAL BUILDING
INSPECTION SERVICES BETWEEN KENDALL COUNTY, ILLINOIS
AND THE UNITED CITY OF YORKVILLE, ILLINOIS - 2019

THIS INTERGOVERNMENTAL AGREEMENT (“*the Agreement*”) by and between the County of Kendall, a unit of local government of the State of Illinois (“*Kendall County*”) and the United City of Yorkville, Kendall County, Illinois (the “*City*”) a municipal corporation of the State of Illinois, is as follows:

WITNESSETH:

WHEREAS, the Constitution of the State of Illinois of 1970, Article VII, Section 10, provides that units of local government may contract or otherwise associate among themselves to obtain or share services and to exercise, combine, or transfer any power or function in any manner not prohibited by law or by ordinance and may use their credit, revenues, and other resources to pay costs related to intergovernmental activities; and

WHEREAS, the City and Kendall County are units of local government within the meaning of Article VII, Section 1 of the Illinois Constitution of 1970 who are authorized to enter into intergovernmental agreements pursuant to the Intergovernmental Cooperation Act, 5 ILCS 220/1 *et seq.*; and

WHEREAS, pursuant to the authority granted by the Illinois Counties Code and Illinois Municipal Code (55 ILCS 5/1-1001, *et seq.* and 65 ILCS 5/1-1-1, *et seq.*), the County and City (collectively referred to as the “*Parties*”) are both authorized to perform inspections of buildings within their respective jurisdictions to promote the health and safety of the public; and

WHEREAS, units of local government may establish agreements with other units of local government within the State of Illinois to enforce building codes pursuant to 20 ILCS 3105/10.09-1(f), which is commonly known as the Capital Development Board Act; and

WHEREAS, the County and City wish to share their resources and assist each other in the performance of inspections on an as needed basis, while not surrendering their own jurisdiction or relinquishing any of their rights.

NOW, THEREFORE, in consideration of the premises and the mutual covenants hereafter set forth, the parties agree as follows:

Section 1. The foregoing preambles are hereby incorporated into this Agreement as if fully restated in this Section 1.

Section 2.

- a. The Parties agree that Kendall County Code Official Brian Holdiman and the United City of Yorkville Building Code Official Pete Ratos shall perform the following services on the other party's behalf when requested: footing inspections; backfill inspections; foundation wall inspections; concrete slab inspections; rough framing inspections; rough electric inspections; underground electric inspections; electric service inspections; insulation inspections; roofing inspections and final inspections. In instances where Holdiman or Ratos inspect and find violations and a code enforcement action is required in court or administrative adjudication, Holdiman or Ratos may be requested to be a witness to verify any violations found during their inspection. If it is requested that either Ratos or Holdiman attend an administrative or court hearing in regard to violations, then they shall be given reasonable notice of no less than fourteen (14) days for such hearing and they shall attend as requested.
- b. The Parties agree that the United City of Yorkville Building Code Official Pete Ratos may, in his discretion, perform plumbing inspections on Kendall County's behalf when requested. In instances where Ratos performs plumbing inspections and finds

violations and a code enforcement action is required in court or administrative adjudication, Ratons may be requested to be a witness to verify any violations found during his inspection. If it is requested that Ratons attend an administrative or court hearing in regard to violations, then he shall be given reasonable notice of no less than fourteen (14) days for such hearing and he shall attend as requested.

Section 3. The Parties agree that the following inspection services shall not be provided under this agreement: plan review; permit approval, and; initial site inspections prior to a permit being issued.

Section 4. Upon request, the Parties agree to coordinate and assist each other in the parties' performance of the inspections set forth in Section 2 of this Agreement only under the following circumstances:

- a. If Kendall County Code Official Holdiman or City Building Code Official Ratons is absent from work due to illness, vacation, on an approved leave of absence, or otherwise unavailable to perform one or more of the above listed inspections within Section 2(a) for their respective jurisdiction; and/or
- b. If Kendall County Code Official Holdiman or City Building Code Official has a conflict of interest in performing one or more of the inspections set forth in Section 2(a) for their respective jurisdiction; and/or
- c. If the Kendall County Plumbing Contractor is absent from work due to illness, vacation, on an approved leave of absence, or otherwise unavailable to perform plumbing inspections for his or her respective jurisdiction; and/or
- d. If the Kendall County Plumbing Contractor has a conflict of interest in performing plumbing inspections for his or her respective jurisdiction.

For purposes of this Agreement, the party requesting assistance shall be referred to as “the home jurisdiction” and the party providing the inspection services assistance as set forth in Section 2 shall be referred to as “the visiting inspector”.

Section 5. In the event the visiting inspector is unable to perform the inspection services set forth in Section 2 of this Agreement, the home jurisdiction shall be responsible for performing its inspection or shall be responsible for retaining and payment of a third party to perform the inspection.

Section 6. When the visiting inspector performs an inspection on behalf of the home jurisdiction, the visiting inspector shall utilize the building codes of the home jurisdiction where the inspection is taking place. As such, when an inspection is within the corporate limits of the City, the Kendall County inspector shall use the building codes that are currently adopted and enforced by the City at the time of the inspection. When an inspection is in an unincorporated portion of Kendall County, where the County has jurisdiction, the City inspector shall utilize the building codes that are currently adopted and enforced by Kendall County at the time of the inspection.

Section 7. When a home jurisdiction requests the visiting inspector’s assistance, the home jurisdiction shall provide a minimum of twenty-four (24) hours notice when there is a foreseeable need for the other party’s inspection services. In the event of an illness or other emergency, the parties agree to provide each other with as much advance notice as possible if a visiting inspector’s services are needed pursuant to Section 4.

Section 8. Inspections must be completed using the proper jurisdiction’s forms. Prior to the commencement of any requested inspection, the home jurisdiction requesting assistance will prepare and provide all necessary inspection reports/forms for use by the visiting inspector

and deliver them to the visiting inspector prior to the inspection taking place. Following an inspection, the original, completed inspection reports/forms shall be returned to the home jurisdiction within twenty-four (24) hours after completion of the inspection. After the visiting inspector has returned the original, completed inspection reports/forms to the home jurisdiction, the visiting inspector shall not be required to retain the records of inspections for the home jurisdiction after performing inspections under this Agreement.

Section 9. Neither the City nor Kendall County shall subcontract the services provided to the other under this agreement to a third-party inspector without the prior written consent of the other party.

Section 10. There will be no compensation paid to, or by, either jurisdiction for the sharing of services under this Agreement.

Section 11. When a visiting inspector performs an inspection under this Agreement for the home jurisdiction, the visiting inspector shall use their own equipment, tools and vehicles, and the home jurisdiction shall not be responsible for reimbursing the visiting inspector for mileage or any other expenses incurred by the visiting inspector.

Section 12. The City and Kendall County shall each defend, with counsel of the other party's own choosing, indemnify and hold harmless the other party, including past, present and future board members, elected officials, insurers, employees, and agents from and against any and all claims, liabilities, obligations, losses, penalties, fines, damages, and expenses and costs relating thereto, including but not limited to attorneys' fees and other legal expenses, which the other party, its past, present and future board members, elected officials, insurers, employees, and/or agents may hereafter sustain, incur or be required to pay relating to or arising in any manner out of the inspections to be performed by the other party under this agreement. As such,

when the City performs an inspection for Kendall County, the City will defend with counsel of Kendall County's own choosing, indemnify and hold harmless Kendall County as set forth above relating to the City's and the City Building Code Official's actions in the performance of their duties under this Agreement. When Kendall County performs an inspection for the City, Kendall County will defend with counsel of the City's own choosing, indemnify and hold harmless the City as set forth above relating to Kendall County's and the County Code Official's actions in the performance of their duties under this Agreement.

Section 13. Nothing in this agreement shall be deemed to change or alter the jurisdiction of either the City or Kendall County in any respect, including, but not limited to their building and zoning regulations, powers and duties.

Section 14. This Agreement and the rights of the parties hereunder may not be assigned (except by operation of law), and the terms and conditions of this Agreement shall inure to the benefit of and be binding upon the respective successors and assigns of the parties hereto. Nothing in this Agreement, express or implied, is intended to confer upon any party, other than the parties and their respective successors and assigns, any rights, remedies, obligations or liabilities under or by reason of such agreements.

Section 15. This Agreement shall be interpreted and enforced under the laws of the State of Illinois. Any legal proceeding related to enforcement of this Agreement shall be brought in the Circuit Court of Kendall County, Illinois, Twenty-Third Judicial Circuit. In case any provision of this Agreement shall be declared and/or found invalid, illegal or unenforceable by a court of competent jurisdiction, such provision shall, to the extent possible, be modified by the court in such manner as to be valid, legal and enforceable so as to most nearly retain the intent of the parties, and, if such modification is not possible, such provision shall be severed from this

Agreement, and in either case the validity, legality, and enforceability of the remaining provisions of this Agreement shall not in any way be affected or impaired thereby.

Section 16. All notices required or permitted hereunder shall be in writing and may be given by (a) depositing the same in the United States mail, addressed to the party to be notified, postage prepaid and certified with the return receipt requested, (b) delivering the same in person, or (c) telecopying the same with electronic confirmation of receipt:

If to the County: Director
Kendall County Planning, Building & Zoning
111 West Fox Street, Room 203
Yorkville, Illinois 60560
Fax: 630-553-4179

With copy to:
Kendall County State's Attorney
807 John Street
Yorkville, Illinois, 60560
Fax: 630-553-4204

If to the City: Community Development Director
United City of Yorkville Building Safety and Zoning
800 Game Farm Road
Yorkville, Illinois 60560
Fax: 630-553-7264

Or any such other person, counsel or address as any party hereto shall specify pursuant to this Section from time to time.

Section 17. This Agreement may be executed in counterparts (including facsimile signatures), each of which shall be deemed to be an original and both of which shall constitute one and the same Agreement.

Section 18. This Agreement represents the entire agreement between the parties and there are no other promises or conditions in any other agreement whether oral or written. Except

as stated herein, this agreement supersedes any other prior written or oral agreements between the parties and may not be further modified except in writing acknowledged by both parties.

Section 19. Nothing contained in this Agreement, nor any act of Kendall County or the City pursuant to this Agreement, shall be deemed or construed by any of the parties hereto or by third persons, to create any relationship of third party beneficiary, principal, agent, limited or general partnership, joint venture, or any association or relationship involving Kendall County and the City. Further, nothing in this agreement should be interpreted to give Kendall County or the City any control over the other's employees or imply a power to direct the employees of the other government body, which neither entity may exercise.

Section 20. When performing inspections under the terms of this Agreement, Kendall County and City intend that any injuries to their respective employee shall be covered and handled exclusively by their jurisdiction's own worker's compensation insurance in place at the time of such injury. It is further agreed that all employee benefits, wage and disability payments, pension and worker's compensation claims, damage to or destruction of equipment, facilities, clothing and related medical expenses of the City or Kendall County and their respective inspectors, which may result from their activities under this Agreement, shall be the responsibility of the jurisdiction which employs the inspector making such a claim.

Section 21. The Parties will obtain and continue in force, during the term of this Agreement, all insurance as set forth below: **(a) Commercial General Liability (CGL): Insurance Services Office Form CG 00 01 (or its equivalent) covering CGL on an "occurrence" basis, including products and completed operations, property damage, bodily injury and personal & advertising injury with limits no less than \$1,000,000 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall**

apply separately to this project/location (ISO CG 25 03 or 25 04) or the general aggregate limit shall be twice the required occurrence limit; (b) Automobile Liability: ISO Form Number CA 00 01 covering any auto (Code 1), or if Contractor has no owned autos, hired, (Code 8) and non-owned autos (Code 9), with limit no less than \$1,000,000 per accident for bodily injury and property damage; (c) Workers' Compensation: as required by the State of Illinois, with Statutory Limits, and Employer's Liability Insurance with limit of no less than \$1,000,000 per accident for bodily injury or disease. If the Jurisdiction maintains broader coverage and/or higher limits than the minimums shown above, the both Jurisdictions require and shall be entitled to the broader coverage and/or the higher limits maintained by the contractor. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to both Jurisdictions. The insurance policies are to contain, or be endorsed to contain, the following provisions: (a) Additional Insured Status-Both jurisdictions, its officers, officials, employees, and volunteers are to be covered as additional insureds on the CGL policy with respect to liability arising out of work or operations performed by or on behalf of the jurisdiction including materials, parts, or equipment furnished in connection with such work or operations. General liability coverage can be provided in the form of an endorsement to the jurisdiction's insurance; (b) Notice of Cancellation-Each insurance policy required above shall provide that coverage shall not be canceled, except with notice to the Entity; (c) Verification of Coverage-Each Jurisdiction shall furnish the other with original Certificates of Insurance including all required amendatory endorsements (or copies of the applicable policy language effecting coverage required by this clause) and a copy of the Declarations and Endorsement Page of the CGL policy listing all policy endorsements to other before

work begins. However, failure to obtain the required documents prior to the work beginning shall not waive the other's obligation to provide them. Each Jurisdiction reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.

~~Each insurance policy shall not be cancelled or changed without thirty (30) days prior written notice, given by the respective insurance carrier(s) to the parties at the addresses set forth in Section 16. Before starting inspections hereunder, the parties shall obtain the following insurance at a minimum: (a) Worker's Compensation and Occupational Disease Disability insurance; in compliance with the laws of the jurisdiction where the work is being performed; (b) Employer's comprehensive general liability insurance for both personal injury and property damage in the minimum amount of \$1,000,000 per occurrence and \$2,000,000 aggregate; (c) Comprehensive business automobile liability insurance in the minimum amount of \$1,000,000 combined single limit; and (d) Comprehensive excess liability insurance with a combined minimum single limit of \$1,000,000 for each occurrence and \$5,000,000 aggregate. Certificates of such insurance detailing the coverage therein shall be available to the other party upon execution of this Agreement. Neither party waives its immunities or defenses, whether statutory or common law by reason of the indemnification and insurance provisions contained in this Agreement.~~

Section 22. This Agreement shall be in full force and effect for a period of one (1) year from the date of the last signature below, however it may be renewed upon agreement of the parties in writing.

Section 23. Either party may terminate this Agreement by providing thirty (30) calendar days' advance written notice to the other party. However, any act of bad faith in the execution of duties under this Agreement shall result in immediate termination of the other party's duties as laid out herein. For the purpose of this agreement, "bad faith" is an intentional dishonest act by not fulfilling legal or contractual obligations, misleading another, entering into an agreement without the intention or means to fulfill it, or violating basic standards of honesty in dealing with others. Also, the parties agree to provide prompt written notice within fifteen (15) calendar days to the other party if Kendall County Code Official Brian Holdiman's or City Building Code Official Pete Ratos' employment ceases for whatever reason. In such event, this Agreement shall immediately terminate upon receipt of said written notice.

Section 24. The parties understand and agree that this Agreement in no way creates a joint employment relationship between the Parties. The Parties understand and agree that they are solely responsible for paying all wages, benefits and any other compensation due and owing to its employees for the performance of visiting inspector services set forth in this Agreement. The parties further understand and agree that the parties are solely responsible for making all required payroll deductions and other tax and wage withholdings pursuant to state and federal law for its employees who perform visiting inspector services as set forth in this Agreement.

Section 25. Kendall County and the City each hereby warrant and represent that their respective signatures set forth below have been, and are on the date of this Agreement, duly authorized by all necessary and appropriate corporate and/or governmental action to execute this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Intergovernmental Agreement to be executed by their duly authorized officers on the date below in the United City

of Yorkville, Illinois.

County of Kendall, a unit of local government
of the State of Illinois

United City of Yorkville, Kendall County,
Illinois, a municipal corporation

By: _____
Chair, Kendall County Board

By: _____
Mayor

Date: _____

Date: _____

Attest:

Attest:

County Clerk

City Clerk