



United City of Yorkville

800 Game Farm Road

Yorkville, Illinois 60560

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PLANNING AND ZONING COMMISSION AGENDA

Wednesday, August 14, 2019

7:00 PM

Yorkville City Hall Council Chambers
800 Game Farm Road

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

Roll Call:

Previous meeting minutes: July 10, 2019

Citizen's Comments

Public Hearings

1. **PZC 2019-16** The United City of Yorkville, Kendall County, Illinois, petitioner, is proposing to amend Title 8, Chapter 2: Building Codes of the Municipal Code for the purpose of adopting the 2018 International Code Council series, inclusive of the International Fuel Gas Code (IFGC), International Plumbing Code (IPC), International Mechanical Code (IMC), International Property Maintenance Code (IPMC), International Fire Code (IFC), International Residential Code (IRC), International Building Code (IBC), International Existing Building Code (IEBC), Illinois Energy Conservation Code (IECC), International Swimming Pool and Spa Code (ISPSA), 2014 Illinois State Plumbing Code, Illinois State Accessibility Code and the 2017 National Electric Code (NEC).
2. **PZC 2019-19** Leonard McEnery, on behalf of Lenny's Gas N Wash, LLC, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting special use permit approval for a gasoline service station with accessory convenience store and ancillary car wash. Additionally, the petitioner is seeking sign variance approval to increase the maximum sign area for a monument sign in a business district from 64 square feet to 107 square feet. The property is zoned B-3 General Business District and is located at the northeast corner of the State Route 47 Waterpark Way intersection.

Unfinished Business

1. **PZC 2019-17** Margaret LeGrand, petitioner, has filed applications with the United City of Yorkville, Kendall County, Illinois, requesting rezoning classification and bulk regulation variance approval for the property located at 701 N Bridge Street. The petitioner is requesting rezoning approval from B-1 Local Commerce Business District to R-2 Single-Family Traditional Residence District. Additionally, the petitioner is requesting variance approval for minimum lot size, lot coverage, and front yard setback requirements within the R-2 Single-Family Traditional Residence District to allow the existing dwelling to remain on the property.

Action Item

Variance Request

New Business

1. **PZC 2019-16** The United City of Yorkville, Kendall County, Illinois, petitioner, is proposing to amend Title 8, Chapter 2: Building Codes of the Municipal Code for the purpose of adopting the 2018 International Code Council series, inclusive of the International Fuel Gas Code (IFGC), International Plumbing Code (IPC), International Mechanical Code (IMC), International Property Maintenance Code (IPMC), International Fire Code (IFC), International Residential Code (IRC), International Building Code (IBC), International Existing Building Code (IEBC), Illinois Energy Conservation Code (IECC), International Swimming Pool and Spa Code (ISPSC), 2014 Illinois State Plumbing Code, Illinois State Accessibility Code and the 2017 National Electric Code (NEC).

Action Item

Amendment Request

2. **PZC 2019-19** Leonard McEnery, on behalf of Lenny's Gas N Wash, LLC, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting special use permit approval for a gasoline service station with accessory convenience store and ancillary car wash. Additionally, the petitioner is seeking sign variance approval to increase the maximum sign area for a monument sign in a business district from 64 square feet to 107 square feet. The property is zoned B-3 General Business District and is located at the northeast corner of the State Route 47 Waterpark Way intersection. The petitioner is also seeking Final Plat approval.

Action Item

Special Use Request, Sign Variance Request, Final Plat Approval

Additional Business

1. City Council Action Updates:

PZC 2019-15 Ivaylo Gramatikov, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting rezoning classification. The real properties are located at the southwest and southeast corner of the E Van Emmon Street and Benjamin Street intersection. The petitioner is requesting rezoning approval from B-2 Retail Commerce Business District to R-1 Single-Family Suburban Residence District for the property at the southwest corner of the intersection

and rezoning approval from O Office District to R-1 Single-Family Suburban Residence District for the property at the southeast corner of the intersection.

City Council Action

Approved

PZC 2019-17 Margaret LeGrand, petitioner, has filed applications with the United City of Yorkville, Kendall County, Illinois, requesting rezoning classification and bulk regulation variance approval for the property located at 701 N Bridge Street. The petitioner is requesting rezoning approval from B-1 Local Commerce Business District to R-2 Single-Family Traditional Residence District. Additionally, the petitioner is requesting variance approval for minimum lot size, lot coverage, and front yard setback requirements within the R-2 Single-Family Traditional Residence District to allow the existing dwelling to remain on the property.

City Council Action

Approved

PZC 2019-18 United City of Yorkville, Kendall County, Illinois, petitioner, is proposing a text amendment to two Chapters of the United City of Yorkville Zoning Ordinance including “Chapter 2: Definitions” and “Chapter 3: General Zoning Provisions.” The amendment to Chapter 2 revises the definition for a “Zoning Lot” to include contiguous parcels under single ownership. The Chapter 3 amendment will provide that accessory buildings or uses located on a contiguous zoning lot which have an existing primary structure and is under single ownership, are permitted, as long as the building or use is located within the rear, corner or side yard setback as stipulated in the zoning ordinance for that district.

City Council Action

Approved

Adjournment

DRAFT

PLANNING & ZONING COMMISSION

City Council Chambers
800 Game Farm Road, Yorkville, IL
Wednesday, July 10, 2019 7:00pm

Meeting Called to Order

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

Roll Call:

Jeff Olson-present, Richard Vinyard-present, Danny Williams-present, Deborah Horaz-present, Rusty Hyett-present

Absent: Don Marcum

City Staff

Krysti Barksdale-Noble, Community Development Director
Jason Engberg, Senior Planner
Tim Paulson, Engineer/EEI

Other Guests

Christine Vitosh, Vitosh Reporting Service	Carol Frey, Heartland Circle
Lynn Dubajic, City Consultant	Angie Cramer, Coldwell Banker
Richard Barbieri, Van Emmon Road	Dick Heath, Van Emmon Road
Ralph LeGrand, Bridge St.	Margaret LeGrand, Bridge St.
Carrie Steinmann	

Previous Meeting Minutes May 8, 2019

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

Roll call: Olson-yes, Vinyard-yes, Williams-yes, Horaz-yes, Hyett-yes. Carried 5-0.

Citizen's Comments None

Public Hearings

Chairman Olson explained the procedure for the Hearings and swore in those who would speak. At approximately 7:03pm a motion was made and seconded by Mr. Williams and Mr. Vinyard, respectively, to open the Hearing.

Roll call: Vinyard-yes, Williams-yes, Horaz-yes, Olson-yes, Hyett-yes. Carried 5-0.

Chairman Olson read each of the Public Hearings as follows:

1. **PZC 2019-15** Ivaylo Gramatikov, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting rezoning

classification. The real properties are located at the southwest and southeast corner of the E. Van Emmon Street and Benjamin Street intersection. The petitioner is requesting rezoning approval from B-2 Retail Commerce Business District to R-1 Single-Family Suburban Residence District for the property at the southwest corner of the intersection and rezoning approval from O Office District to R-1 Single-Family Suburban Residence District for the property at the southeast corner of the intersection.

2. **PZC 2019-17** Margaret LeGrand, petitioner, has filed applications with the United City of Yorkville, Kendall County, Illinois, requesting rezoning classification and bulk regulation variance approval for the property located at 701 N. Bridge St. The Petitioner is requesting rezoning approval from B-1 Local Commerce Business District to R-2 Single-Family Traditional Residence District. Additionally, the petitioner is requesting variance approval for minimum lot size, lot coverage, and front yard setback requirements within the R-2 Single-Family Traditional Residence District to allow the existing dwelling to remain on the property.
3. **2019-18** United City of Yorkville, Kendall County, Illinois, petitioner, is proposing a text amendment to two Chapters of the United City of Yorkville, Zoning Ordinance including “Chapter 2: Definitions” and “Chapter 3: General Zoning Provisions.” The amendment to Chapter 2 revises the definition for a “Zoning Lot” to include contiguous parcels under single ownership. The Chapter 3 amendment will provide that accessory buildings or uses located on a contiguous zoning lot which have an existing primary structure and is under single ownership are permitted as long as the building or use is located within the rear, corner or side yard setback as stipulated in the zoning ordinance for that district.

(See Court Reporter Transcripts)

(Responses to Standards for Case #2/LeGrand, to be entered into public record)

The Hearings were closed at approximately 7:19pm on a motion by Mr. Vinyard and second by Mr. Williams.

Roll call: Olson-yes, Vinyard-yes, Williams-yes, Horaz-yes, Hyett-yes. Carried 5-0.

Unfinished Business None

New Business

1. PZC 2019-15 Ivaylo Gramatikov (see narrative #1 above)

Mr. Engberg said the lot at the SW corner of Van Emmon and Benjamin was originally zoned B-2 and the development agreement expired in 2015. The lot at the SE corner was zoned office. The petitioner wishes to rezone both lots to R-1. Currently there is no water at the sites.

Action Item

Rezone Request

Chairman Olson read the Findings of Fact and a motion to approve the Findings and the petition, was made by Mr. Vinyard and seconded by Ms. Horaz.

Motion read by Mr. Vinyard: In consideration of testimony presented during a Public Hearing on July 10, 2019 and approval of the Findings of Fact, the Planning and Zoning Commission recommends approval to the City Council of a request for a map amendment to rezone the property stated in the staff memorandum dated July 1, 2019 from a B-2 Retail Commerce Business District to R-1 Suburban Residence District and from O Office District to R-1 Suburban Residence District.

Roll call: Vinyard-yes, Williams-yes, Horaz-yes, Hyett-yes, Olson-yes. Carried 5-0.

2. PZC 2019-17 LeGrand (see narrative #2 above)

This property was originally a residential property and later rezoned to be operated as a business. It is now being requested to be used as a home again with R-2 zoning. Three variances are also needed to become compliant with the R-2 zoning: 1) minimum lot size reduced to 11,000 square feet from the required 12,000 square feet, 2) maximum lot coverage increased from 45% to 48%, 3) minimum front yard setback reduced to 10 feet from 30 feet. Some of these changes occurred during the Rt. 47 widening project. It was noted there are other instances like this due to the widening.

Action Item

Rezone Request

Chairman Olson reviewed the Findings of Fact. A motion was made and seconded by Commissioners Vinyard and Horaz, respectively.

Motion read by Mr. Vinyard: In consideration of testimony presented during a Public Hearing on July 10, 2019 and approval of the Findings of Fact, the Planning and Zoning Commission recommends approval to the City Council of a request for a map amendment to rezone the property stated in the staff memorandum dated July 1, 2019 from B-1 Local Commerce Business District to R-2 Single-Family Traditional Residence District.

Chairman Olson noted that this motion is for the rezoning and there will be a separate motion and vote for each variance request.

Roll call: Williams-yes, Horaz-yes, Hyett-yes, Olson-yes, Vinyard-yes. Carried 5-0.

Action Item

Lot Size Variance

Chairman Olson entertained a motion for approval of the Findings of Fact and lot size variance. So moved by Mr. Vinyard and seconded by Ms. Horaz.

Motion read by Mr. Vinyard: In consideration of testimony presented during a Public Hearing on July 10, 2019 and approval of the Findings of Fact, the Planning and Zoning Commission authorizes approval of a request to vary the minimum lot size for the R-2 District contained in Section 10-7-1 of the United City of Yorkville Zoning code from 12,000 square feet to 11,041 square feet as stated in the staff memorandum dated July 1, 2019.

Roll call: Horaz-yes, Hyett-yes, Olson-yes, Vinyard-yes, Williams-yes. Carried 5-0.

Action Item

Lot Coverage Variance

Commissioners Vinyard and Horaz moved and seconded, respectively, to approve the Findings of Fact and lot coverage variance.

(motion below was read in error, see correction in Additional Business)

Motion ready by Mr. Vinyard: In consideration of testimony presented during a Public Hearing on July 10, 2019, the Planning and Zoning Commission recommends approval to the City Council of a request to amend the United City of Yorkville Zoning Ordinance as presented by Staff in a memorandum dated June 11, 2019.

Roll call: Vinyard-yes, Williams-yes, Horaz-yes, Hyett-yes, Olson-yes. Carried 5-0.

Action Item

Front Yard Setback Variance

Chairman Olson entertained a motion to approve the Findings of Fact and front yard setback variance request. So moved by Commissioner Vinyard and seconded by Commissioner Horaz.

Motion ready by Mr. Vinyard In consideration of testimony presented during a Public Hearing on July 10, 2019 and approval of the Findings of Fact, the Planning and Zoning Commission recommends approval to the City Council of a request to vary the minimum front yard setback for the R-2 District contained in Section 10.7.1 of the United City of Yorkville Zoning Code from 30 feet to 10.1 feet as stated in the staff memorandum dated July 1, 2019.

Roll call: Williams-yes, Horaz-yes, Hyett-yes, Olson-yes, Vinyard-yes. Carried 5-0.

3. 2019-18 Text Amendment (see narrative #3 above)

The facts for this amendment were presented in the Public Hearing and there was brief discussion on the size of sheds and that they should be smaller than the primary structure. A permit is required if the structure/shed is over 100 square feet.

Action Item

Text Amendment

Mr. Vinyard moved and Mr. Williams seconded the motion to approve the text amendment.

Motion read by Mr. Williams: In consideration of testimony presented during a Public Hearing on July 10, 2019, the Planning and Zoning Commission recommends approval to the City Council of a request to amend the United City of Yorkville Zoning Ordinance as presented by staff in a memorandum dated June 11, 2019.

Roll call: Horaz-no, Hyett-yes, Olson-yes, Vinyard-yes, Williams-yes.

Carried 4 yes, 1 no

Additional Business

Mr. Engberg noted an incorrect motion had been read for the LeGrand rezoning request. A motion to make a correction was made by Mr. Vinyard and seconded by Mr. Williams.

Roll call: Hyett-yes, Olson-yes, Vinyard-yes, Williams-yes, Horaz-yes. Carried 5-0.

Action Item (correction to earlier motion)

Rezone Request

A motion was made by Mr. Vinyard and seconded by Mr. Williams to approve the Findings of Fact and Rezoning Request. Mr. Williams read the motion as follows:

Motion: In consideration of testimony presented during a Public Hearing on July 10, 2019 and approval of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council of a request for a map amendment to rezone the property stated in the staff memorandum dated July 1, 2019 from B-1 Local

Commerce Business District to R-2 Single-Family Traditional Residence District.
Roll call: Olson-yes, Vinyard-yes, Williams-yes, Horaz-yes, Hyett-yes. Carried 5-0.

1. City Council Action Updates

Mr. Engberg noted that Morton Buildings PZC 2019-10 rezoning has been approved by City Council.

(Back to) New Business

Ms. Noble said a new Planning and Zoning Chairman is usually selected at this time of year, however, there was no meeting in June. Since Mr. Olson just became Chairman, a new Vice-Chair is needed. Ms. Horaz nominated Mr. Vinyard as the new Vice-Chairman and he was approved on a unanimous voice vote.

2. Planning Training Series: Basic Drainage and Site Engineering Presentation from EEI

As part of the ongoing training for the PZC Commission, Tim Paulson from EEI presented this topic. He said EEI's role is to review plans, engineering, work with developers and approve plans. He showed a Powerpoint presentation, discussed each point and addressed some questions from the Commissioners. Ms. Noble also said Mr. Paulson will be part of the Unified Development Ordinance (UDO) committee.

Adjournment

There was no further business and the meeting was adjourned at 8:20pm on a motion by Mr. Vinyard and second by

Respectfully submitted by Marlys Young, Minute Taker

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UNITED CITY OF YORKVILLE
YORKVILLE, ILLINOIS

PLANNING AND ZONING COMMISSION
PUBLIC HEARING

800 Game Farm Road
Yorkville, Illinois

Wednesday, July 10, 2019

7:00 p.m.

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PRESENT:

Mr. Jeff Olson, Chairman,
Ms. Deborah Horaz,
Mr. Richard Vinyard,
Mr. Danny Williams,
Mr. Rusty Hyett.

ALSO PRESENT:

Ms. Krysti Barksdale-Noble, Community
Development Director;
Mr. Jason Engberg, Senior Planner,
Ms. Marlys Young, Minute Taker.

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

4 CHAIRMAN OLSON: We will move on to the
5 next item on the agenda, which is public
6 hearings. There are three public hearings
7 scheduled for tonight's Public and Zoning
8 Commission meeting.

9 The purpose of this hearing is to
10 invite testimony from members of the public
11 regarding the proposed requests that are being
12 considered before this commission tonight.

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

17 Those persons who wish to testify
18 tonight are asked to speak clearly, one at a
19 time, state your name at the podium, sign in at
20 the podium, and state who you represent, if
21 anyone other than yourself. You are also asked
22 to sign in. I said that.

23 If you plan to speak during
24 tonight's hearing as a petitioner or as a member

1 of the public -- so if you are going to give a
2 presentation or are going to ask questions --
3 please stand now, raise your right hand and
4 repeat after me.

5 (Witnesses sworn.)

6 CHAIRMAN OLSON: Thank you. The order
7 for receiving testimony during the public hearing
8 portion of tonight will be as follows: First
9 we'll have the petitioner present; then we will
10 have those who speak in favor of the
11 presentation; and then those who speak in
12 opposition. And with that, we will get started.

13 May I have a motion to open up the
14 public hearing on petition number PZC 2019-15?

15 MR. WILLIAMS: So moved.

16 MR. VINYARD: Second.

17 CHAIRMAN OLSON: Roll call on the
18 motion, please.

19 MS. YOUNG: Yes.

20 Vinyard.

21 MR. VINYARD: Yes.

22 MS. YOUNG: Williams.

23 MR. WILLIAMS: Yes.

24 MS. YOUNG: Horaz.

1 MR. HORAZ: Yes.

2 MS. YOUNG: Olson.

3 CHAIRMAN OLSON: Yes.

4 MS. YOUNG: And Hyett.

5 MR. HYETT: Yes.

6 CHAIRMAN OLSON: The public hearings up
7 for discussion tonight are PZC 2019-15, Ivaylo
8 Gramatikov, petitioner, has filed an application
9 with the United City of Yorkville, Kendall
10 County, requesting rezoning classification.

11 The real properties are located at
12 the southwest and southeast corner of the East
13 Van Emmon Street and Benjamin Street
14 intersection.

15 The petitioner is requesting
16 rezoning approval from B-2 Retail Commerce
17 Business District to R-1 Single Family Suburban
18 Residence District for the property at the
19 southwest corner of the intersection and rezoning
20 from O Office District to R-1 Single Family
21 Suburban Residence District for the property at
22 the southeast corner of the intersection.

23 The second one for tonight is PZC
24 2019-17, Margaret LeGrand, petitioner, has filed

1 applications with the United City of Yorkville,
2 Kendall County, Illinois, requesting rezoning
3 classification and bulk regulation variance
4 approval for the property located at 701 North
5 Bridge Street.

6 The petitioner is requesting
7 rezoning approval from B-1 Local Commerce
8 Business District to R-2 Single Family
9 Traditional Residence District.

10 Additionally, the petitioner is
11 requesting variance approval for minimum lot
12 size, lot coverage, and front yard setback
13 requirements within the R-2 Single Family
14 Traditional Residence District to allow the
15 existing dwelling to remain on the property.

16 The third proposal up tonight is
17 from the City, United City of Yorkville, Kendall
18 County, petitioner, is proposing a text amendment
19 to two chapters of the United City of Yorkville
20 Zoning Ordinance, including "Chapter 2:
21 Definitions" and "Chapter 3: General Zoning
22 Provisions."

23 The amendment to Chapter 2 revises
24 the definition for a zoning lot to include

1 contiguous parcels under single ownership. The
2 Chapter 3 amendment will provide that accessory
3 buildings or uses located on a contiguous zoning
4 lot which have an existing primary structure and
5 is under single ownership are permitted as long
6 as the building or use is located within the
7 rear, corner or side yard setback as stipulated
8 in the zoning ordinance for that district.

9 Is the petitioner for PZC 2019-15
10 present and prepared to make its presentation of
11 their proposed request?

12 MS. CRAMER: Is that me?

13 MR. ENGBERG: Yes.

14 MS. CRAMER: Oh, yes.

15 CHAIRMAN OLSON: Come on up.

16 MS. Cramer: The PZC got me.

17 CHAIRMAN OLSON: Sorry. I should have
18 helped you along by telling you what it was. If
19 you would please sign in at the podium and let us
20 know your name, please.

21 ANGIE CRAMER,
22 having been first duly sworn, testified from the
23 podium as follows:

24 MS. CRAMER: I am Angie Cramer from

1 Coldwell Banker and I represent Ivaylo, and don't
2 ask me to spell his or say his last name. It's
3 very hard.

4 He has the two lots at Van Emmon
5 that are on the corner of Benjamin; one is a 1.5
6 acre and a 2.0 acre, and they are in front of the
7 Kendall Woods development. At one time I believe
8 they were residential and then they became
9 business commercial, and we are just asking for
10 them to be brought back and encompassed into a
11 residential for the neighborhood, so...

12 We have had it on -- for sale for
13 about a year and we've had no interest with it
14 being zoned the way it is, but we've had
15 potential people asking for residential, so...
16 Any questions?

17 CHAIRMAN OLSON: All right. We will
18 probably get back to that at a later part, so
19 thank you.

20 MS. CRAMER: Okay.

21 CHAIRMAN OLSON: Is there anyone present
22 who wishes to speak in favor of the request?

23 UNIDENTIFIED SPEAKER: Can I ask a
24 question? I didn't swear in. Are you guys just

1 talking about the property on top of the hill,
2 the 85 acre -- the 85 lots --

3 CHAIRMAN OLSON: No, sir, it's the two
4 properties --

5 MS. CRAMER: That's actually the
6 frontage --

7 CHAIRMAN OLSON: -- at the bottom of the
8 hill.

9 MS. CRAMER: That's actually the back of
10 this property.

11 CHAIRMAN OLSON: South side of Van
12 Emmon, there is the --

13 MS. CRAMER: It's right in the front of
14 Van Emmon.

15 UNIDENTIFIED SPEAKER: Van Emmon?

16 CHAIRMAN OLSON: Yes, it's the two
17 properties on either side of the access road
18 that used to go up to the five acres up there,
19 wherever it was, it's probably on either side of
20 that.

21 UNIDENTIFIED SPEAKER: It's all
22 residential, is that what you're asking for?

23 MS. CRAMER: Yes.

24 UNIDENTIFIED SPEAKER: So you will go

1 single family or multi family?

2 MS. CRAMER: Yes. No, single family.

3 CHAIRMAN OLSON: Is there anyone who
4 wishes -- Is there anyone who wishes to speak in
5 opposition of the request?

6 (No response.)

7 CHAIRMAN OLSON: Is there any questions
8 from the commissioners for the petitioner?

9 (No response.)

10 CHAIRMAN OLSON: So there is standards
11 that we have to meet in order to grant that.
12 Would you like those responses to those standards
13 entered into the public record for your case?

14 MS. CRAMER: Yeah, just so we know.

15 CHAIRMAN OLSON: All right. Move on to
16 the next one. Thank you.

17 Is the petitioner for PZC 2019-17,
18 which is the North Bridge Street rezoning
19 variance request, prepared to make their
20 presentation?

21 MARGARET LEGRAND,
22 having been first duly sworn, testified from the
23 podium as follows:

24 MS. LEGRAND: Hi. We are looking at --

1 CHAIRMAN OLSON: What's your name,
2 ma'am? I'm sorry.

3 MS. LEGRAND: I'm sorry. My name is
4 Margaret LeGrand and I own the property at 701
5 North Bridge and we are looking at rezoning it to
6 residential.

7 Due to my husband's health, we sold
8 the property on the Town Square Park and decided
9 to downsize, and we already own this property, so
10 we're trying to just do it residential, so we
11 could no longer keep up with the other property,
12 so --

13 CHAIRMAN OLSON: How long have you owned
14 that property?

15 MS. LEGRAND: Huh?

16 CHAIRMAN OLSON: How long have you owned
17 that property?

18 MS. LEGRAND: Five years. Might be
19 four, but I think it's five.

20 CHAIRMAN OLSON: Anything else you'd
21 like to add, ma'am?

22 MS. LEGRAND: Huh-uh, unless you have
23 any questions.

24 CHAIRMAN OLSON: I'll get to that in one

1 second. Is there anyone who wishes to speak in
2 favor of the request?

3 (No response.)

4 CHAIRMAN OLSON: Is there anyone who
5 wishes to speak in opposition to the request?

6 (No response.)

7 CHAIRMAN OLSON: Are there any questions
8 from the commissioners for Mrs. LeGrand?

9 (No response.)

10 CHAIRMAN OLSON: Thank you. Would you
11 like your -- I'm sorry, would you like your --
12 our responses to the standards entered into the
13 public record as well?

14 MS. LEGRAND: Yes.

15 CHAIRMAN OLSON: Thank you, ma'am.
16 Okay.

17 Krysti and Jason, please present the
18 memo for PZC 2019-18, Accessory Buildings and
19 Structures.

20 MS. NOBLE: Okay. Over the past few
21 months we've been working with a homeowner who
22 has two lots that they purchased in one of our
23 residential subdivisions, and one of the lots
24 they are using for their home, the adjacent lot

1 they are using as open space.

2 They had requested to have a
3 basketball court installed on the open parcel,
4 but the way that our ordinance reads now, there
5 is a stipulation that says a primary structure
6 must exist prior to you putting in an accessory
7 structure, so it doesn't clearly address if you
8 can have an accessory structure on a lot without
9 having a primary structure, or anticipating a
10 primary structure, so the staff did some research
11 of surrounding communities, kind of a request
12 that we've had like this in the past, and we've
13 had a few, but we've kind of directed residents
14 to consolidate the lots to a plat consolidation
15 or to not build the accessory structure.

16 Most of the time the people went
17 ahead and consolidated the lot, but this
18 particular homeowner found that it was more of a
19 financial burden to have the lot surveyed and
20 then recorded with the county, so we felt that we
21 need to address this in our code to make it a
22 little bit more friendly to residents that are
23 trying do this, and we know that there is a lot
24 of lots out there that are purchased for this

1 purpose.

2 So when we looked at other
3 communities, we looked at if they outright permit
4 accessory structures to be built on adjacent
5 parcels that do not have a primary structure, and
6 we found that out of the five that we surveyed,
7 that two -- which is the City of Plano and the
8 Village of Sugar Grove -- outright prohibit them,
9 and then Montgomery right now actually has a very
10 similar code to what the City of Yorkville has
11 now, and they are looking to update their zoning
12 ordinance to permit these uses.

13 CHAIRMAN OLSON: Do you know what the
14 historical basis is for why we wouldn't allow it?

15 MS. NOBLE: Well, you run into a couple
16 of issues if you allow an accessory structure to
17 be built on a lot that doesn't have a primary
18 building. One, the accessory structure could be
19 located in a place on the lot that would prohibit
20 a future primary structure from being built
21 because it may move into the --

22 CHAIRMAN OLSON: On the lot or
23 something.

24 MS. NOBLE: Correct. Also, when you

1 have lots that are purchased for this manner,
2 typically what triggers the installation of
3 sidewalk and parkway trees is a final occupancy,
4 so what you tend to find, if people do purchase
5 these lots and they don't put in a sidewalk or
6 the parkway trees, you have a gap in your
7 frontage along the street.

8 CHAIRMAN OLSON: Or right-of-way
9 improvements.

10 MS. NOBLE: In the right way. So those
11 are the issues.

12 So what we tried to do is provide
13 some stipulations that we would allow these
14 particular uses to happen, but we would then
15 require that they install the sidewalk and the
16 parkway tree, that it's situated in -- where it
17 would normally be if it was with a primary
18 structure -- and what else would be required --
19 and we also required that they only have one
20 accessory structural building on that vacant lot.

21 This is similar to how Oswego has
22 treated their ordinances for lots that are
23 contiguous, they have to have the same ownership
24 as well, and that way we can track when these

1 particular uses happen.

2 Now, the only -- this is only
3 required for those accessory structures that
4 require a building permit, so if you are just
5 putting like a swing set or trampoline or
6 something, it would not require this, so if you
7 have any questions for me, I am available to
8 answer.

9 MS. HORAZ: The only issue that I see is
10 like a large pole building in a subdivision where
11 it's mostly homes just piling up.

12 MS. NOBLE: So we have two recourses to
13 that; one is mostly most accessory buildings,
14 especially in a yard, would exceed the 15-foot
15 height, so you are really not going to get pole
16 buildings that are less than 15 feet in height,
17 and, secondly, most communities where you have
18 this additional lot are within HOAs, so HOAs
19 would have some type of --

20 MS. HORAZ: Most of them?

21 MS. NOBLE: Most of them, right, would
22 have some type of restriction on an accessory
23 structure as well.

24 MS. HORAZ: So that doesn't affect the

1 neighbors as well as far as value?

2 MS. NOBLE: No, it would not affect
3 value because it's visually seen as a
4 continuation of the yard.

5 The only difference that you would
6 know is if you were to pull up a plat and just
7 see that there is two separate PINs associated
8 with that.

9 MS. HORAZ: Like if it was on a corner,
10 what side would the accessory building be?

11 MS. NOBLE: It depends where the primary
12 building is. So they bought the corner lot --

13 MS. HORAZ: Yeah, if they put a house.
14 Are they going to make some of them that big,
15 could they be?

16 MS. NOBLE: No. Again, there are
17 setbacks for corner yards, which are similar to
18 front yards, so if you have a corner yard of
19 30 feet, you have a corner side of 30 feet, so
20 you are not going to be any closer with a
21 building.

22 CHAIRMAN OLSON: It would have to be
23 tucked in a corner.

24 MS. NOBLE: It would have to be tucked

1 in a very finite area, and also again, because it
2 would be a required yard -- rear yard actually or
3 side yard, it can't be taller than 15 feet.

4 So we have -- we have homes that are
5 not in this situation, but they have one lot that
6 are corner lots where you may see a shed in the
7 corner or a pool in the corner, but they -- they
8 have some kind of --

9 MS. HORAZ: So it can't be in the middle
10 of the extra lot.

11 CHAIRMAN OLSON: Right.

12 MS. NOBLE: No, it can't be in the
13 middle. It would have to maintain whatever
14 setback was --

15 MS. HORAZ: That was my concern, what I
16 was trying to drive at.

17 CHAIRMAN OLSON: With that immediate
18 primary structure.

19 MR. ENGBERG: The only way they could --

20 CHAIRMAN OLSON: You're trying to build
21 a she-shed in the middle.

22 MS. NOBLE: No, it couldn't be in the
23 center, it would have to be in the rear.

24 MR. ENGBERG: They could consolidate the

1 lots now, and then possibly, but this way these
2 are required yard setbacks.

3 MS. HORAZ: I just don't want to be a
4 stickler for certain -- so it doesn't look out of
5 place.

6 MS. NOBLE: Absolutely.

7 CHAIRMAN OLSON: Is there a homeowner's
8 association in White Oak?

9 MS. HORAZ: Yes.

10 CHAIRMAN OLSON: Would they have
11 appearance standards if they were to build --

12 MS. HORAZ: We don't even allow sheds.

13 CHAIRMAN OLSON: Okay.

14 MS. HORAZ: We're actually thinking
15 about changing that --

16 CHAIRMAN OLSON: Are there any --

17 MS. HORAZ: Got to get 50 percent of the
18 vote.

19 CHAIRMAN OLSON: Which subdivisions --
20 which, I would say in the last 20 years,
21 subdivisions in Yorkville don't have homeowner's
22 associations?

23 MS. NOBLE: There is two, Fox Hill and
24 Sunflower.

1 MS. HORAZ: They don't have somebody to
2 take care of the pond over there.

3 MS. NOBLE: Yeah.

4 MS. HORAZ: I don't know if there is any
5 lots over there.

6 MS. NOBLE: Yeah.

7 MS. HORAZ: Are there?

8 MS. NOBLE: Yeah, there is two, I think
9 one or two left.

10 MS. HORAZ: Are they together?

11 MS. NOBLE: I don't know. I just get
12 the data. I think there is one or two lots
13 there.

14 CHAIRMAN OLSON: Any other questions?

15 MR. WILLIAMS: Krysti, would this only
16 be for adjacent lots or could you, say, buy a lot
17 that's half a mile down the road?

18 MS. NOBLE: It's only for contiguous
19 lots, so they are adjacent and have to be under
20 the single ownership.

21 MR. WILLIAMS: Thank you.

22 MS. HORAZ: Does it say what corner it
23 has to be in?

24 MS. NOBLE: Does what say?

1 MS. HORAZ: Away from the street?

2 CHAIRMAN OLSON: The setback, yeah,
3 would make it, right?

4 MS. NOBLE: The setback will dictate
5 where the structure can be located, so sheds can
6 only be in the rear.

7 MS. HORAZ: Yeah, but not -- can it be
8 closer to the street or --

9 MS. NOBLE: No.

10 MS. HORAZ: That's another concern.

11 CHAIRMAN OLSON: Picture that lot as you
12 first come into White Oak, right, that lot with
13 all those pretty white oak trees. Let's say
14 that's a lot you could build on, right? Because
15 you have the street -- What is that first street,
16 White Oak Way?

17 MS. HORAZ: Norway.

18 CHAIRMAN OLSON: Norway.

19 MS. HORAZ: And there is a lot empty
20 right there.

21 CHAIRMAN OLSON: That Norway is a
22 30-foot setback, right, the front?

23 MS. NOBLE: Corner side.

24 CHAIRMAN OLSON: And they call -- is it

1 White Oak Way that's the first street in there?

2 MS. HORAZ: White Oak goes straight.

3 CHAIRMAN OLSON: Yeah. That also would
4 have a 30-foot setback, right, because that whole
5 street facing --

6 MS. HORAZ: They're all the same.

7 CHAIRMAN OLSON: Let's say that was a
8 buildable lot, that would stick that back in that
9 corner because it's a corner lot.

10 MS. HORAZ: See, I can't imagine in my
11 subdivision where they just don't allow sheds and
12 berming because the neighbors would go crazy,
13 even though it's, you know, contiguous with the
14 other structure.

15 MS. NOBLE: Right. So how this works,
16 because a permit would be triggered, we would get
17 the application and Jason and I would look at it,
18 and what we would do is we would determine what a
19 typical primary structure depth would be on the
20 lot and then we would then draw what the rear
21 yard and the required rear yard locations would
22 be. And again, this is only for accessory
23 structures, and most if not all accessory
24 structures are only limited to the rear and side

1 yard setbacks.

2 MS. HORAZ: What about architectural
3 controls on what goes in?

4 MS. NOBLE: We do not as a city
5 exercise --

6 CHAIRMAN OLSON: Not as a city, we
7 can't.

8 MS. NOBLE: We could if we enacted
9 one --

10 CHAIRMAN OLSON: We don't.

11 MS. NOBLE: -- but we don't. We do not.

12 MS. HORAZ: That's another discussion.

13 MS. NOBLE: Unless it's part of an
14 existing annexation agreement for that
15 subdivision.

16 MS. HORAZ: Right.

17 CHAIRMAN OLSON: That's another --
18 that's another committee.

19 MS. HORAZ: New chapter. Okay. Thank
20 you.

21 CHAIRMAN OLSON: Is there anyone present
22 who wishes -- I'm sorry. Any other questions?

23 MR. VINYARD: No. Thank you.

24 CHAIRMAN OLSON: Is there anyone present

1 who wishes to speak in favor of the request?

2 (No response.)

3 CHAIRMAN OLSON: Is there anyone present
4 who wishes to speak in opposition to the
5 request?

6 (No response.)

7 CHAIRMAN OLSON: Since all public
8 testimony regarding these petitions has been
9 taken, may I have a motion, please, to close the
10 taking of testimony in this public hearing?

11 MR. VINYARD: So moved.

12 MR. WILLIAMS: Second.

13 CHAIRMAN OLSON: Roll call vote on the
14 motion, please.

15 MS. YOUNG: Olson.

16 CHAIRMAN OLSON: Yes.

17 MS. YOUNG: Vinyard.

18 MR. VINYARD: Yes.

19 MS. YOUNG: Williams.

20 MR. WILLIAMS: Yes.

21 MS. YOUNG: Horaz.

22 MS. HORAZ: Yes.

23 MS. YOUNG: And Hyett.

24 MR. HYETT: Yes.

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CHAIRMAN OLSON: The public hearing
portion of tonight's meeting is closed.

(Which were all the
proceedings had in the
public hearing portion
of the meeting.)

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

4 I, Christine M. Vitosh, a Certified Shorthand
5 Reporter, do hereby certify that I transcribed
6 the proceedings from the audio recording taken at
7 the meeting and that the foregoing, Pages 1
8 through 26, inclusive, is a true, correct and
9 complete computer-generated transcript of the
10 proceedings had at the time and place aforesaid.

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

17 As certification thereof, I have hereunto set
18 my hand this 30th day of July, A.D., 2019.

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Christine M. Vitosh, CSR
Illinois CSR No. 084-002883

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Memorandum

To: Planning and Zoning Commission
 From: Peter Ratos Building Code Official
 CC: Bart Olson, City Administrator
 Krysti J. Barksdale-Noble, Community Development Director
 Date: July 30, 2019
 Subject: **2018 ICC Building Code Update – Proposed Recommendations**

SUMMARY

As the Planning and Zoning Commission may recall, the City Council last adopted the 2009 International Code Council cycle of building codes on July 26, 2011. This Code update replaced the 2000 International Code Council cycle that was previously in place. The 2009 Codes were amended to better serve the growing community's needs. Attached is a detailed memo of each code in the 2018 series and the proposed amendments, if any, as prepared by staff. A copy of the current building code ordinance is also included in the packet for comparison to the newly proposed amendments.

BACKGROUND & REQUEST

The 2018 International Codes represent the most current building standards available for adoption. City staff working in conjunction with our consultants from Building and Fire Code Academy has recommended some amendments to the Code to insure they meet the needs of our community and maintain the cohesiveness of the Codes with nearby communities. The amended Codes for the Commission's consideration are the:

<u>Current Code</u>	<u>Proposed Code</u>
2009 International Building Code	2018 International Building Code
2009 International Residential Code	2018 International Residential Code
2009 International Mechanical Code	2018 International Mechanical Code
2009 International Property Maintenance Code	2018 International Property Maintenance Code
2009 International Fire Code	2018 International Fire Code
2009 International Fuel Gas Code	2018 International Fuel Gas Code
2009 Existing Building Code	2018 Existing Building Code
Illinois State Accessibility Code	Illinois State Accessibility Code
2014 Illinois State Plumbing Code	2014 Illinois State Plumbing Code
2008 National Electric Code	2017 National Electric Code
2018 International Energy Code	2018 International Energy Code
	2018 International Swimming Pool and Spa Code

COMMUNITY OUTREACH

In order to ensure that every member of our community has a chance to participate in this process and provide staff with input, a webpage on the City's website was created to provide a single

source of information regarding the adoption process and document resources located at <https://www.yorkville.il.us/692/2018-ICC-Building-Code-Adoption-Process>.

In addition, staff has also distributed a digital flyer to all the contractors that regularly work within the City of Yorkville. A hardcopy newsletter has also been available at the front counter of the Building Department accessible to residents who drop off/pick up building related permits. Social media posts and press releases of upcoming meetings and open house have also been provided to the public. In addition, the City Building Department held an open house on June 13, 2019 in order to facilitate a dialog between the building community, residents and the Building Department staff.

The purpose of the community outreach is to solicit comments, propose revisions and ask questions regarding the proposed code adoption. Feedback has been submitted via a standard form available on the website and accepted by the Building Department. This will continue until late August, just before formal City Council consideration.

SCHEDULE

Below is the tentative meeting schedule for the 2018 ICC Building Code Update adoption process:

DATE	MEETING	DESCRIPTION
August 14, 2019	Planning & Zoning Commission	Public Hearing of proposed 2018 Code with amendments.
September 10, 2019	City Council	First reading of 2018 Code with amendments adoption ordinance.
September 24, 2019	City Council	Final determination on adoption ordinance.

EXEMPT AREAS

In the past, the City has had many residential areas that were being held to differing editions of the International Building Codes. At this time most of the code locks have expired or the subdivision has been built out. The only remaining development that has a viable code lock is the Ashley Pointe (former Prestwick) subdivision located along Route 126. Ashley Point will continue to be locked into the 2009 International Codes until the expiration of the agreement on October 28, 2023.

With this one exception, the proposed Code would be applicable to the entire community and help eliminate confusion as to what building requirements would apply in each area of the City. However, the City Council may elect, on a case-by-case basis, to lock or extend building code locks in the future for new annexations and amendments to existing annexation agreements.

STAFF COMMENTS/RECOMMENDATION

Staff is requesting a recommendation from the Planning and Zoning Commission regarding the proposed adoption of the 2018 International Codes and the proposed amendments to that Code. It is the belief of the City staff that this update is necessary to maintain the high level of safety and quality in construction within the City of Yorkville.

PROPOSED MOTION:

In consideration of testimony presented during a Public Hearing on August 14, 2019 and discussions conducted at that meeting, the Planning and Zoning Commission recommends approval to the City Council a request to adopt the proposed 2018 series of International Codes, the Illinois State Accessibility Code, the 2014 Illinois State Plumbing Code, and the 2017 National Electric Code as summarized in a staff memorandum dated July 30, 2019 and further subject to {insert any additional conditions of the Planning and Zoning Commission}...



Memorandum

To: Planning and Zoning Committee
From: Peter Ratos Building Code Official
Krysti J. Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Date: July 30, 2019
Subject: **2018 ICC Fire Sprinkler Recommendation**

Background

In May, of 2018, the United City of Yorkville's Building and Zoning Division of the Community Development Department began the process of thoroughly reviewing and analyzing our current building code ordinance. A major part of this process was reviewing the requirements for fire suppression in single family homes in the 2018 ICC Codes. Currently the City enforces the 2009 International Code Council (ICC) series which were adopted by Yorkville on July 26, 2011. The requirement for fire suppression in single family detached homes was removed from the 2009 ICC Codes during the adoption process. Concerns of the cost to install the fire sprinkler systems and the cost to homeowners in maintaining the system had been raised by builders and residents during the adoption of the 2009 ICC Codes.

Summary

The 2018 IRC Code is a comprehensive guide to the proper construction of residential property. While the Code does require fire sprinklers in all residential structures, the writers of the Code did understand that the cost and feasibility of the installation of sprinklers would vary between communities. For that reason, the Code still contains provisions for the construction of single family detached homes without fire sprinklers. The provisions are a mixture of increased protection for the structure and alternative building planning methods to ensure the safety of the occupants of non-sprinklered homes. There are four (4) provisions in the Code which requires this increased level of protection, and they are as follows:

1. Exterior Walls - Section R302.1(1) - Non-fire rated exterior walls may not be within five (5) feet of the property line and must maintain a one-hour fire rating. Openings in the exterior wall may not exceed 25% of the wall area. Projections in an exterior wall must maintain a one-hour fire rating on the underside of the projection.

(Explanation) – In the home being built today there is no requirement for fire rating of exterior walls or projections unless the wall is adjacent from another property. The 2018 IRC requires all walls within five (5) feet of the property line or within five (5) feet of any structure to have a one-hour fire rating. Also, any projections of the exterior wall (cantilevers, bay windows, etc.) require the same one-hour fire rating as the exterior wall.

2. Protection of Floors - Section- R302.13- Light framed floor assemblies that are not fire rated are required to be provided with a ½ inch gypsum wall-board or 5/8 wood structural panel.

(Explanation) - Floors constructed out of materials such as I-joists, open web trusses, laminated veneer plywood and dimensional lumber smaller than 2x10 are now required to have a minimum of one layer of drywall. The major area of impact for this provision would be the first-floor to basement floor assembly. In the current 2009 Code, there is no requirement to fire protect the floor system.

3. A. Flame Spread Index - Section R302.9.1- Walls and ceiling finishes shall have a flame spread index of not greater than 200.

B. Smoke Development Index - Walls and ceiling finishes shall have a smoke development index of not greater than 450.

(Explanation)- In the 2018 Code, the need to control the amount and type of combustible material used to finish the building is addressed. As part of this effort, the amount of smoke the materials create when burning is also taken into consideration. All approved materials have been tested in accordance with the American Society for Testing and Materials (ASTM) E84 or the Underwriters Laboratories (UL) 723. During the testing process the product is given a flame spread rating and a smoke development rating. These ratings are reviewed to ensure that the finishings in the home do not cause a hazard if a fire occurs. The most common materials that are reviewed include wall paper and natural and synthetic wall texturing systems.

4. Egress - Section R310 - Basements, habitable attics and every sleeping room shall have not less than one emergency escape and rescue opening.

(Explanation)- Under the 2018 Code, a house with a fire sprinkler system needs only one way in or out of a basement, attic living area or bedroom. This provision would require an approved emergency exit and rescue opening (9 sq. ft window well or 5.7 sq. ft openable area window) from every sleeping area or living area.

Cost of sprinkler systems

The cost of the installation of a fire suppression system has been estimated between \$2 to \$4 per square foot of building area. The building area is established by adding all the condition space together in the home including unfinished spaces. This translates to a cost of between \$8,000 and \$16,000 for the average 2000 sq. ft ranch home with a full basement.

The cost of maintaining a fire system includes the certification of the back-flow preventer every year at a cost of \$100 to \$225. All fire systems are recommended to be inspected by a State Licensed fire installer every 5 to 7 years. Sprinkler heads are recommended to be replaced ever 10 years at a cost of \$5 to \$20 per sprinkler head.

Additionally, some areas in the City do not possess an adequate water supply to properly supply both domestic potable water and a fire suppression system. The cost to increase the water tap size per dwelling is between \$3,000 and \$5,000, depending on the conditions that exist on each site.

Surrounding Communities

At the onset of the adoption process we have endeavored to make sure that Yorkville's building code requirements were in keeping with our neighboring communities. Oswego, Plano, Sandwich, Plainfield, Morris, and Minooka do not require the installation of fire sprinklers in single family detached homes.

The following chart provides more details related to the fire suppression requirements in residential homes in nearby communities:

Municipality	Sprinkled	Code or Ordinance	Explanation				
Plano	No	2015 IRC	R313 Sprinkler Requirements Deleted				
Sandwich	No	2006 IRC	Does not contain SFR sprinkler requirements				
Oswego	Exemptions	2009 IRC Ord. 17-20 5-2-2017	Underside of all interior stairs are protected with 5/8" gypsum board or equal SFD & Duplex has at least 2 means of egress All engineered floor joist and or trusses shall be protected with at least 1/2" gypsum board or equivalent				
Plainfield	No	2015 IRC	R313 Sprinkler Requirements Deleted				
Naperville	Exemptions	2018 IRC	Underside of all interior stairs are protected with 1/2" gypsum board or equal SFD & Duplex has at least 2 means of egress				
Aurora		IRC	(Unclear Version)				
Minooka	No	2009 IRC	R313 Sprinkler Requirements Deleted				
Kendall County	No	2012 IRC	R313 Sprinkler Requirements Deleted				
Elgin	Exemptions	2015 IRC	Multiple Exemptions				
North Aurora		2009 IRC					
Kane County	Amended	2012 IRC	R313 Amended from shall to may				
Morris	No	2003 IRC	Does not contain SFR sprinkler requirements				
Sugar Grove	Modified	2015 IRC	Does not contain SFR sprinkler requirements				

Recommendation

It is the recommendation of the Building and Zoning Division, in coordination with the Bristol Kendall Fire Department, that the requirement for fire sprinklers in single family homes be removed from the 2018 International Residential Code at this time. We believe that requiring the installing of fire suppression in all residential housing would increase the costs of construction beyond our community's limits. Furthermore, we believe that the provisions provided for non-sprinklered homes within the 2018 ICC Code will increase the safety of the homes being built for the residents and first responders.

Ordinance No. _____

AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS, ADOPTING BY REFERENCE CERTAIN BUILDING, MECHANICAL, PLUMBING, ENERGY CONSERVATION, FIRE, FUEL GAS, PROPERTY MAINTENANCE, RESIDENTIAL, EXISTING BUILDING, SWIMMING POOL AND ACCESSIBILITY CODES REGULATING AND GOVERNING THE CONSTRUCTION, CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES IN THE CITY

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

WHEREAS, pursuant to Section 5/1-3-2 of the Illinois Municipal Code (65 ILCS 5/1-3-2) the City may adopt by reference compilations of rules and regulations for the construction, alteration and maintenance of all property, buildings and structures in the City; and

WHEREAS, one copy of each code to be adopted ~~has been~~^{were} filed in the office of the City Clerk and kept available for public use, inspection and examination for a period of 30 days before the adoption of this ordinance; and

WHEREAS, the Village pursuant to Section 1-2-3.1 of the Illinois Municipal Code (65 ILCS 5/1-2-3.1) has given notice of the intended adoption of these codes to the Division of Building Codes and Regulations of the Capital Development Board more than 30 days before the adoption of this ordinance; and

WHEREAS, the Mayor and City Council find and hereby declare that it is in the best interests of the City and its residents to adopt updated codes including 2018 International Building Codes and other building, fire, construction, electrical and property maintenance codes, which ~~establishes~~^{establish} minimum standards to regulate the design, construction, alteration, enlargement, repair, demolition, removal, maintenance and use of all buildings and structures as well as to provide for the issuance of permits, collection of fees, and the making of inspections to promote and preserve the public health, safety and welfare.

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 Title 8, Chapter 2, Section 8-2-1 of the Yorkville City Code, as amended, be and is hereby amended to read as follows:

8-2-1 BUILDING CODE

- A. Adopted. The regulations of the 2018 Edition of the International Building Code, as recommended and published by the International Code Council, Inc., published in pamphlet form, are adopted as the regulations governing the constructions, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances

connected or attached to such buildings or structures with such amendments as are hereafter set forth in this Section.

B. Building Code Amendments.

1. Section 101.1 shall be amended to insert the name of jurisdiction – “United City of Yorkville”

2. Section 105.2 work which is exempt from permit shall be amended to read, in part, as follows:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 100 square feet (9.29 m²).

2. Decorative, temporary, or similar type fences not over 4 feet (1829 mm) high.

3. Section 113.1 Add the following: The Planning and Zoning Commission function as the Building Board of Appeals.

4. Section 901.6.3.1 Records, shall be amended to read as follows:

The most recent records of all system inspections, tests, and maintenance required shall be maintained on premises and a copy shall be forward to the Fire Prevention Bureau via e-mail, mail, or fax within 14 days after completion of inspection.

5. Section 903.7 Commercial multi-tenant occupancies, shall be amended to add the following: All sprinklered multi-tenant occupancies hereafter constructed shall have an isolation control valve and water flow switch installed for each tenant space.

6. Section 907.1.2 Fire alarm shop drawings shall be amended to add the following:

(a) All fire alarm systems shall be of the addressable type.

(b) All multi-tenant occupancies shall be provided with a weather proof amber strobe light at the entrance of each the tenant space that activate upon an alarm condition in that tenant space.

7. Section 903.2.1.1 Group A-1, shall be amended as follows:

An automatic sprinkler system shall be provided for Group A-1 occupancies when the fire area exceeds 5,000 square feet.

8. Section 903.2.1.3 Group A-3, shall be amended as follows:

An automatic sprinkler system shall be provided for Group A-3 occupancies when the fire area exceeds 5,000 square feet.

9. Section 903.2.1.4 Group A-4, shall be amended as follows:

An automatic sprinkler system shall be provided for Group A-4 occupancies when the fire area exceeds 5,000 square feet.

10. Section 903.2.2 Group B ambulatory health care facilities, shall be amended to read as follows:

Section 903.2.2 Group B. An automatic sprinkler system shall be provided throughout all Group B occupancies when the fire area exceeds 5,000 square feet.

11. Section 903.2.3 Group E, shall be amended as follows:

An automatic sprinkler system shall be provided throughout all Group E occupancies when the fire area exceeds 5,000 square feet.

12. Section 903.2.7 Group M, shall be amended as follows:

An automatic sprinkler system shall be provided throughout all Group M occupancies when the fire area exceeds 10,000 square feet or the fire area is located more than three stories above the grade plane.

13. Section 903.2.8 Group R, shall be amended as follows:

An automatic sprinkler system shall be required throughout Groups R-1, R-2, and R-4 occupancies. An automatic sprinkler system shall be required throughout Group R-3 occupancies, with the following exceptions:

1. Adult care facilities that provide accommodations for five or fewer persons of any age for less than 24 hours.
2. Child care facilities that provide accommodations for five or fewer persons of any age for less than 24 hours.
3. Single-family detached homes shall be required to follow Section R313 of the 2018 International Residential Code (IRC), as amended.

14. Section 903.3.5 Water Supplies, shall be amended to read as follows:

Water supplies for automatic sprinkler systems shall comply with this section and the standards referenced in Section 903.3.1. The potable water supply shall be protected against backflow in accordance with the requirements of this section and the Illinois Plumbing Code.

15. Section 905.3.1 Height, shall be amended to read as follows:

An approved standpipe system shall be installed in all buildings three (3) stories or more in height in each stairwell at each level. Standpipe systems shall be installed in all buildings where any portion of the building floor area is more than 200 feet travel distance from the nearest point of the fire department vehicle access.

16. Section 907.1.4 Equipment, shall be added.

1. Location of the annunciator panel shall be approved by the Fire Code Official.
2. An annunciator panel or the main fire panel shall be placed near the fire sprinkler main riser.
3. A red strobe light shall be installed by the annunciator panel or above the closest entrance to the fire alarm control panel as approved by the Fire Code Official
4. The annunciator panel shall indicate and have all of the functions of the fire alarm panel.
5. The annunciator shall be properly marked to show each zone.
6. A detailed floor plan illustrating each zone shall be provided on each fire alarm control panel and located adjacent to each annunciator panel.

17. Section 907.2.1 Group A, shall be amended to read, in part, as follows:

A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group A occupancies having an occupant load of 100 or more persons. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

18. Section 907.2.2 Group B, shall be amended to read, in part, as follows:

A manual fire alarm system shall be installed in Group B occupancies where one of the following conditions exists:

1. The combined Group B occupant load of all floors is 250 persons or more, or
2. The Group B occupant load is more than 100 persons above or below the lowest level of exit discharge, or, or
3. The Group B fire area contains a Group B ambulatory health care facility.

19. Section 907.2.4 Group F, shall be amended to read, in part, as follows:

A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group F occupancies where both of the following conditions exist:

1. The Group F occupancy is two or more stories in height; and
2. The Group F occupancy has a combined occupant load of 250 or more above or below the lowest level of exit discharge.

20. Section 907.2.5 Group H, shall be amended to read as follows:

A complete fire alarm system shall be installed in all group H occupancies. Any listed special detection devices approved for the specific hazard shall be approved by the Fire Code Official, such detection devices shall be connected to the fire alarm.

21. Section 907.2.7 Group M, shall be amended to read as follows:

A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group M occupancies where one of the following conditions exists:

1. The combined Group M occupant load of all floors is 250 or more persons.
2. The Group M occupant load is more than 100 persons above or below the lowest level of exit discharge.

22. Section 907.2.11.5 Group S, a new section shall be added to read as follows:

A complete fire alarm system shall be installed in all Group S occupancies or as otherwise approved by the Fire Code Official.

23. Section 912.5 Backflow Protection, shall be amended to read as follows:

The potable water supply to automatic sprinkler and standpipe systems shall be protected against backflow as required by the Illinois Plumbing Code.

24. Section 912.1 Installation, shall be amended to read as follows:

Fire department connections shall be installed in accordance with the NFPA standard applicable to the system design and shall comply with Sections 912.2 through 912.6. The fire department connection shall be an approved five-inch (5") connection with a thirty (30) degree down turn. A white strobe light shall be placed above the fire department

connection and the white strobe light shall indicate on water flow only. A two and one-half inch (2 ½”) NST single fire department connection shall be acceptable where piped to a three inch (3”) or smaller riser.

25. Section 1101.1 Add the following: When there is a conflict between this code and the Illinois Accessibility Code, the stricter of the requirements shall apply.

26. Roof drainage Add the following: The roof drainage system ((primary and secondary shall be designed and installed per Chapter 11 Storm Drainage of the International Plumbing Code 2018 Edition.

27. Section 1612.3 Establishment of flood hazard areas, shall be amended by inserting “Kendall County” as the name of jurisdiction and to insert the Flood Insurance Rate Map effective date of “February 4, 2009.”

28. Section 2901.1 Scope, shall be amended to read as follows:

This chapter and the Illinois State Plumbing Code shall govern the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing equipment and systems.

29. Section 3002.4 Elevator car, is amended to read as follows:

Where elevators are provided in buildings two or more stories above, or two or more stories below grade plane, at least one elevator shall be provided for fire department emergency access to all floors. The elevator car shall be of such a size and arrangement to accommodate an ambulance stretcher 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5-inch (127 mm) radius corners, in the horizontal, open position and shall be identified by the international symbol for emergency medical services (star of life). The symbol shall not be less than 3 inches (76 mm) high and shall be placed inside on both sides of the hoist way door frame. The inside hand rail shall be set at the maximum thirty six (36”) inch height allowed under ADA standards to better accommodate the ambulance stretcher. The cab size is to be a minimum five (5’) foot by seven (7’) foot platform and minimum 2500 lb capacity with a 42” side slide door. Exception: Single-family homes.

30. Chapter 35 Referenced Standards – ICC Delete all references to the International Plumbing Code.

31. Appendices – Adopt the following appendices: C, F, G, I, J, K, N

Section 2. That Title 8, Chapter 2, Section 8-2-2 of the Yorkville City Code, as amended, be and is hereby amended to read as follows:

8-2-2 ELECTRICAL CODE

A. Adopted: The regulations of the 2017 edition of the national electrical code (NEC), as recommended and published by the National Fire Protection Agency (NFPA), published in pamphlet form, are adopted as the regulations for the installation of electrical conductors, equipment, and raceways; signaling and communication conductors, equipment and raceways;

and optical fiber cables and raceways in all occupancy types and structures in the city with such amendments as are hereafter set forth in this section.

B. Electrical Code Amendments

Section 210.8 Ground Fault Circuit interrupter

Exception to (4) and (5) GFCI protection is not required for sump pumps if all the following are met:

- (1) No other appliance, fixture or device is on the circuit
- (2) Simplex receptacle
- (3) A GFCI receptacle shall be located within 6 feet

Section 2. This Ordinance shall be in full force and effect upon its passage, approval, and publication as provided by law.

C. Certificate Of Occupancy: Whenever a certificate of occupancy for a business use is required pursuant to subsection 10-4-12B of this code, it shall be unlawful for a public electric utility service provider in the city to transfer the electrical service to a new or different business customer without receiving notice from the city that the city has issued a certificate of occupancy for the building or portion thereof to be occupied by that business customer's use.

Section 3. That Title 8, Chapter 2, Section 8-2-3 of the Yorkville City Code, as amended, be and is hereby amended to read as follows:

8-2-3 MECHANICAL CODE

- A. Adopted. The regulations of the 2018 edition of the International Mechanical Code, as recommended and published by the International Code Council, Inc., published in pamphlet form, are adopted as the regulations governing the design, construction, quality of materials, erection, installation, alteration, repair, locations, relocation, replacement, additions to, use or maintenance of mechanical systems in the City with such amendments as are hereafter set forth in this Section.
- B. Mechanical Code amendments.

1. Section 109.1 Add the following: The Planning and Zoning Commission shall function as the Building Board of Appeals.
2. Delete in their entirety 109.2 – 109.7
3. Chapter 15 Referenced Standards – ICC Delete all references to the International Plumbing Code.
4. The following subsection shall be added to Section 901:
901.5 Any penetration of the firebox area made by a gas pipe shall be sealed by mortar caulk or other method approved by the Building Code Official.
5. Appendix A. Chimney Connector Pass-Throughs shall be adopted.

Section 4. That Title 8, Chapter 2, Section 8-2-4 of the Yorkville City Code, as amended, be and is hereby amended to read as follows:

8-2-4 ILLINOIS PLUMBING CODE

A. Adopted

(1) The Illinois Plumbing Code, as amended, published by the Illinois Department of Public Health, is adopted and incorporated by reference as the rules and regulations for the installation, repair and alteration of plumbing, private water supply systems, private storms drainage systems and private sewage disposal systems.

1. The following subsection shall be added as required sump pit discharge piping: All sump pump discharges shall be in conformance with one of the following:

- 1) Discharge to the public storm sewer may occur at any time in conformance with the United City of Yorkville's Standard Specifications for Improvements, or
- 2) Discharge to grade, when not prohibited above, may be permitted provided that the sump pumps do not discharge directly onto any street, sidewalk, bike path, or in any manner that will cause icing, flooding or a nuisance.

Sump pit required: Crawl spaces under buildings used for human habitation shall be provided with a sump pit in accordance the applicable codes. When both a basement and crawl space are provided under a building used for human habitation, only the basement must be provided with a sump pit. When a basement exists without a sump pit and a crawl space is being constructed immediately adjacent thereto, the crawl space shall not require a sump pit.

Section 5. That Title 8, Chapter 2, Section 8-2-5 of the Yorkville City Code, as amended, be and is hereby amended to read as follows:

8-2-5 ILLINOIS ENERGY CONSERVATION CODE

The Illinois Energy Conservation Code, as amended and published by the Capital Development Board pursuant to the Capital Development Board Act (20 ILCS 3105/10.09-5) in Title 71, Chapter 1, Subchapter d, Part 600 of the Illinois Administrative Code is adopted as the City's Energy Conservation Code to regulate energy efficient buildings standards for new construction, addition, alteration, renovation or repair.

Section 6. That Title 8, Chapter 2, Section 8-2-6 of the Yorkville City Code, as amended, be and is hereby amended to read as follows:

8-2-6 FIRE CODE

A. Adopted. The regulations of the 2018 Edition of the International Fire Code, as recommended and published by the International Code Council, Inc., published in pamphlet form, are adopted as the regulations governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or

property in the occupancy of buildings and premises in the City with such amendments as hereafter set forth in this Section.

B. Fire Code Amendments

1. Section 101.1 Title, shall be amended to insert the name of jurisdiction – “United City of Yorkville”

2. Section 103.1 General, shall be amended to read as follows:

In accordance with the provisions set forth in the current inter-governmental agreement with the Bristol-Kendall Fire Protection District, the department of fire prevention is established within the jurisdiction under the direction of the Fire Code Official. The function of the department shall be the implementation, administration and enforcement of the provisions of this Code.

3. Section 103.2 Appointment, shall be amended to read as follows:

The Fire Marshal of the Bristol-Kendall Fire Protection District shall be the Fire Code Official as appointed by the Fire Chief. The Fire Chief shall appoint personnel of the Bristol-Kendall Fire Protection District to assist in enforcing this Code. Such appointments shall include, but not be limited to a Fire Marshal, and as many inspectors, investigators, and public safety educators as may be needed. For the purposes of this Code, the Fire Marshal is the same as the Fire Code Official.

4. Section 104.8 Modifications, shall be amended to include the following:

A signed copy of the Fire Chief’s decision shall be kept in the permit file and furnished to the permit applicant.

5. Section 105.1.1 Permits Required, shall be amended to read as follows:

Permits required by this Code shall be obtained from the Fire Code Official. Permit and plan review fees, if any, shall be paid in accordance with the current inter-governmental agreement prior to issuance of the permit. Permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the Fire Code Official.

6. Section 105.4.1 Submittals, shall be amended to read as follows:

Construction documents and supporting data shall be sealed with a “NICET III” or higher certification and submitted for review and approval by the Fire Code Official. A minimum of two sets of plans and specifications shall be included in the submittal along with two copies of an approved electronic file. Upon approval by the Fire Code Official, one set of approved plans and specifications shall be provided to the United City of Yorkville Community Development Department.

7. Section 105.6 Required operational permits, shall be amended to read as follows:

The Fire Code Official is authorized to issue operational permits for the operations set forth in sections 105.6.1 through 105.6.46. Any fees associated with the issuance of an operational permit shall be paid in accordance with the approved fee schedule in the current inter-governmental agreement with the Bristol-Kendall Fire Protection District. All operational permits shall be kept on file with the Fire Code Official.

8. Section 105.6.2 Amusement buildings, shall be deleted in its entirety and replaced with the following:

Amusement buildings. An operational permit it is required to operate a special amusement building.

9. Section 105.6.11 Cutting and welding, shall be deleted in its entirety and replace with the following:

Cutting and welding. An operational permit is required to conduct cutting or welding operations within the [United City of Yorkville Jurisdiction](#).

10. Section 105.6.30 Open burning, shall be amended to read as follows:

All open burning shall comply with Section 4-1-1 of this Code providing for the regulation of open burning.

11. Section 105.6.32 Open flames and candles, shall be deleted in its entirety and replaced with the following:

Open flames and candles. An operational permit is required to use open flames or candles in connection with assembly areas, dining areas of restaurants or drinking establishments.

12. Section 105.6.34 Places of assembly, shall be deleted in its entirety and replaced with the following:

Places of assembly. An operational permit is required to operate a place of assembly.

13. Section 105.6.47 Laboratory/research facility, shall be added as follows:

An operational permit is required to operate any laboratory or research facility which conducts testing or experimentation.

14. Section 105.6.48 Child Care (home occupation), shall be added as follows:

An operational permit is required to operate a child care facility as a “home occupation” for 6 or more children that are cared for at any one time. The operational permit shall not include provisions for permanent residence or overnight accommodations. All local and state laws shall be adhered to in conjunction with the registration and licensing requirements of the Department of Children and Family Services (DCFS).

15. Section 109.1 Add the following: The Planning and Zoning Commission shall function as the Building Board of Appeals.

16. Section 110.4 Violations, shall be amended to read as follows:

Persons who violate a provision of this Code or fail to comply with any of the requirements thereof or who erects, installs, alters, repairs, or performs work in violation of the approved construction documents or directive of the Fire Code Official, or of a permit or certificate used under provisions of this Code, shall be subject to a penalty according to this Code. The fine shall be as set forth by City Ordinance 1-4-1. Each day that a violation continues after due notice shall be deemed a separate offense.

17. Section 110.4.2 False Alarm, shall be added to read as follows:

An alarm signal given needlessly, which indicates the existence of any emergency situation; when in fact, no such emergency exists, shall constitute a false alarm and shall be subject to penalty as prescribed in the schedule of fees set forth in the current inter-

governmental agreement. A false alarm shall include any alarm signal generated by any fire protection system by whatever means, but shall not include alarms resulting from any of the following causes:

1. A fire causing structural damage to the protected premises - verified by the fire district.
2. A tornado or hurricane winds causing structural damage to the protected premises – verified by the fire district.
3. Flooding to the protected premises due to overflow of natural drainage – verified by the fire district.
4. Telephone line malfunction verified to the fire district by an authorized telephone company supervisor within seven days of the occurrence.
5. Electrical service interruption verified to the fire district by the local power company within seven days of the occurrence.
6. Plumbing or electrical malfunctions unrelated to the fire protection system – verified by the fire district.

18. Section 104.4.3 False Alarm, schedule of fees, shall be added as follows:

Fees assessed for the improper use of a fire alarm system shall be subject to the schedule of fees in accordance with the current inter-governmental agreement with the Bristol-Kendall Fire Protection District. These fees shall be collected by the Bristol-Kendall Fire Protection District and reported to the United City of Yorkville. As new fees are created, or old fees are changed, the schedule of fees associated with the inter-governmental agreement shall be reviewed and approved by the United City of Yorkville.

19. Section 112.4 Failure to comply, shall be amended to read as follows:

Any person, who continues to work after having been served with a “stop work order,” except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to a penalty as prescribed by this Code. Each and every day a person continues to work shall constitute a separate offense and shall be subject to fines as set forth by City Ordinance 1-4-1.

20. Section 106.2 Schedule of permit fees, shall be amended to read as follows:

A fee for each permit shall be paid (as required) in accordance with the fee schedule as established by the applicable governing authority and the current inter-governmental agreement with the Bristol-Kendall Fire Protection District. As new fees are created, or old fees are changed, the schedule of fees associated with the inter-governmental agreement shall be reviewed and approved by the United City of Yorkville.

21. Section 202 General Definitions, shall be amended to include the following definition:

Fire Alarm User – the owner of the property from which the false alarm originates, including but not limited to, any individual, partnership, corporation, organization or other entity occupying the property with the permission of the owner.

22. Section 505.3 Lightweight construction, shall be added to read as follows:

Buildings erected using lightweight construction systems to include: Wooden I-beams, wood trusses, metal trusses, or any combination thereof, shall provide signage identifying the structural system used on the exterior of the building as approved by the Fire Marshal.

23. Section 505.3.1 Emblem required, shall be added to read as follows:

An all-weather emblem identifying lightweight truss construction shall be provided, located and designed as follows:

- (a) Emblem shall be provided by the property owner.
- (b) Emblem shall be located within 6” inches of the fire department key box or fire department connection or at the discretion of the Fire Marshal.
- (c) The truss emblem shall be a sign consisting of an isosceles triangle not less than 10 inches by 6 inches vertical made of reflective material with a white background and red lettering containing the following: type of construction (type I, II, III, IV, V), the letter(s) “F” to signify a building or structure having a floor with truss construction; “R” to signify a building or structure having a roof with truss construction: or “FR” to signify a building or structure having both floor and roof with truss construction. Exception: Single family homes.

24. Section 507.5.7 Hydrant spacing, shall be added to read:

A fire hydrant shall not be more than 100 feet travel distance from the fire department connection that serves, unless approved by the Fire Marshall.

25. Section 507.8 Hydrant Marking, shall be added to read as follows:

On all private parking areas of multiple-family residential, commercial and industrial uses, a “No Parking...Fire Hydrant” sign shall be placed in a conspicuous location to identify the restricted parking area. In addition to the required sign, the curb or pavement (only when a curb is not present) directly in front of the fire hydrant, shall be painted yellow with an approved material. The designated area shall be 15 feet (7.5 feet on each side of the fire hydrant) in total length.

26. Section 901.6.3.1 Records, shall be amended to read as follows:

The most recent records of all system inspections, tests, and maintenance required shall be maintained on premises and a copy shall be forward to the Fire Prevention Bureau via e-mail, mail, or fax within 14 days after completion of inspection.

27. Section 903.7 Commercial multi-tenant occupancies, shall be amended to add the following:

All sprinklered multi-tenant occupancies hereafter constructed shall have an isolation control valve and water flow switch installed for each tenant space.

28. Section 907.1.2 Fire alarm shop drawings shall be amended to add the following:

- (a) All fire alarm systems shall be of the addressable type.
- (b) All multi-tenant occupancies shall be provided with a weather proof amber strobe light at the entrance of the tenant space that activate upon an alarm condition in that tenant space.

29. Section 903.2.1.1 Group A-1, shall be amended as follows:

An automatic sprinkler system shall be provided for Group A-1 occupancies when the fire area exceeds 5,000 square feet.

30. Section 903.2.1.3 Group A-3, shall be amended as follows:

An automatic sprinkler system shall be provided for Group A-3 occupancies when the fire area exceeds 5,000 square feet.

31. Section 903.2.1.4 Group A-4, shall be amended as follows:

An automatic sprinkler system shall be provided for Group A-4 occupancies when the fire area exceeds 5,000 square feet.

32. Section 903.2.2 Group B ambulatory health care facilities, shall be amended to read as follows:

Section 903.2.2 Group B. An automatic sprinkler system shall be provided throughout all Group B occupancies when the fire area exceeds 5,000 square feet. Section 903.2.3 Group E, shall be amended as follows:

An automatic sprinkler system shall be provided throughout all Group E occupancies when the fire area exceeds 5,000 square feet.

33. Section 903.2.7 Group M, shall be amended as follows:

An automatic sprinkler system shall be provided throughout all Group M occupancies when the fire area exceeds 10,000 square feet or the fire area is located more than three stories above the grade plane.

34. Section 903.2.8 Group R, shall be amended as follows:

An automatic sprinkler system shall be required throughout Groups R-1, R-2, and R-4 occupancies. An automatic sprinkler system shall be required throughout Group R-3 occupancies, with the following exceptions:

1. Adult care facilities that provide accommodations for five or fewer persons of any age for less than 24 hours.
2. Child care facilities that provide accommodations for five or fewer persons of any age for less than 24 hours.
3. Single-family detached homes shall be required to follow Section R313 of the 2018 International Residential Code (IRC), as amended.

35. Section 903.3.5 Water Supplies, shall be amended to read as follows:

Water supplies for automatic sprinkler systems shall comply with this section and the standards referenced in Section 903.3.1. The potable water supply shall be protected against backflow in accordance with the requirements of this section and the Illinois Plumbing Code.

36. Section 905.3.1 Height, shall be amended to read as follows:

An approved standpipe system shall be installed in all buildings three (3) stories or more in height in each stairwell at each level. Standpipe systems shall be installed in all buildings where any portion of the building floor area is more than 200 feet travel distance from the nearest point of the fire department vehicle access.

37. Section 907.1.4 Equipment, shall be added.

1. Location of the annunciator panel shall be approved by the Fire Code Official.
2. An annunciator panel or the main fire panel shall be placed near the fire sprinkler main riser.
3. A red strobe light shall be installed by the annunciator panel or above the closest entrance to the fire alarm control panel as approved by the Fire Code Official
4. The annunciator panel shall indicate and have all of the functions of the fire alarm panel.
5. The annunciator shall be properly marked to show each zone.
6. A detailed floor plan illustrating each zone shall be provided on each fire alarm control panel and located adjacent to each annunciator panel.

38. Section 907.2.1 Group A, shall be amended to read, in part, as follows:

A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group A occupancies having an occupant load of 100 or more. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

39. Section 907.2.2 Group B, shall be amended to read, in part, as follows:

A manual fire alarm system shall be installed in Group B occupancies where one of the following conditions exists:

1. The combined Group B occupant load of all floors is 250 persons or more, or
2. The Group B occupant load is more than 100 persons above or below the lowest level of exit discharge, or
3. The Group B fire area contains a Group B ambulatory health care facility.

40. Section 907.2.4 Group F, shall be amended to read, in part, as follows:

A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group F occupancies where both of the following conditions exist:

1. The Group F occupancy is two or more stories in height; and
2. The Group F occupancy has a combined occupant load of 250 persons or more above or below the lowest level of exit discharge.

41. Section 907.2.5 Group H, shall be amended to read as follows:

A complete fire alarm system shall be installed in all group H occupancies. Any listed special detection devices approved for the specific hazard shall be approved by the Fire Marshal, such detection devices shall be connected to the fire alarm.

42. Section 907.2.7 Group M, shall be amended to read as follows:

A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group M occupancies where one of the following conditions exists:

1. The combined Group M occupant load of all floors is 250 or more persons.
2. The Group M occupant load is more than 100 persons above or below the lowest level of exit discharge.

43. Section 907.2.11.5 Group S, a new section shall be added to read as follows:

A complete fire alarm system shall be installed in all Group S occupancies or as otherwise approved by the Fire Marshal.

44. Section 912.5 Backflow Protection, shall be amended to read as follows:

The potable water supply to automatic sprinkler and standpipe systems shall be protected against backflow as required by the Illinois Plumbing Code.

45. Section 912.1 Installation, shall be amended to read as follows:

Fire department connections shall be installed in accordance with the NFPA standard applicable to the system design and shall comply with Sections 912.2 through 912.6. The fire department connection shall be an approved five-inch (5") connection with a thirty (30) degree down turn. A white strobe light shall be placed above the fire department connection and the white strobe light shall indicate on water flow only. A two and one-half inch (2 ½") NST single fire department connection shall be acceptable where piped to a three inch (3") or smaller riser.

46. Section 5601.1.6 Storage of Fire and Explosive Hazards, shall be added as follows:

The storage of fire and explosive hazards such as: detonable materials, hazardous solids, liquids, and gases shall comply with the Performance Standards established in the City's Zoning Ordinance, as amended from time to time.

47. Chapter 80 Referenced Standards – ICC Delete all references to the International Plumbing Code

48. Section 5704.2.9.6.1 – See Local Zoning Restrictions

49. Section 5706.2.4.4 – See Local Zoning Restrictions

50. Section 5806.2 – See Local Zoning Restrictions

51. Section 6104.2 – See Local Zoning Restrictions

52. Appendix D – Figure D103.1 Dead-End Fire Apparatus Access Road Turnaround, shall be amended to read as follows:

96' Diameter Cul-de-sac as illustrated shall be amended to a minimum of 130 ft. ROW diameter and 100 ft. pavement diameter, per the City's Subdivision Control Ordinance.

53. Adopt the following appendices: B, C, D, E, F, G, H, K, N

Section 7. That Title 8, Chapter 2, Section 8-2-7 of the Yorkville City Code, as amended, be and is hereby amended to read as follows:

8-2-7 FUEL GAS CODE

- A. Adopted. The regulations of the 2018 Edition of the International Building Code, as recommended and published by the International Code Council, Inc., published in pamphlet form, are adopted as the regulations governing fuel gas systems and gas-

fired appliances in the City with such amendments as are hereafter set forth in this Section.

B. Fuel Gas Code Amendments

1. Section 109.1 Add the following: The Planning and Zoning Commission shall function as the Building Board of Appeals.
2. Delete in their entirety 109.2 – 109.7
3. Section 502.6 shall be amended by adding the following:
 B Vent Support shall be provided at a minimum of every five (5) feet with no screw penetrations unless specifically permitted by the vent manufacturer.
4. Adopt appendices A, B, C
5. Chapter 8 Referenced Standards – ICC Delete all references to the International Plumbing Code.

Section 8. That Title 8, Chapter 2, Section 8-2-8 of the Yorkville City Code, as amended, be and is hereby amended to read as follows:

8-2-8 RESIDENTIAL CODE

A. Adopted. The regulations of the 2018 Edition of the International Residential Code, as recommended and published by the International Code Council, Inc., published in pamphlet form, are adopted as the regulations governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one-and two-family dwellings and multiple single-family dwellings not more than three stories in height with separate means of egress in the City with such amendments as are hereafter set forth in this Section.

B. Residential Code Amendments

1. Section R101.1 Title, shall be amended to insert the name of jurisdiction – “*United City of Yorkville*”.
2. Section R105.2 Work exempt from permit, shall be amended to read as follows:
 Building: Delete items 1, 5, and 10 as these items shall require permitting.
3. Table R301.2(1) Climatic and Geographic Design Criteria, shall be completed with the following insertions.

Ground Snow Load.....	25 lbs./sq.ft.
Wind Design (Speed).....	90 mph
Wind Design (Topographic effects).....	NO
Seismic Design Category.....	B
Subject to Damage from (Weathering).....	Severe
Subject to Damage from (Frost line depth).....	42” below grade
Subject to Damage from (Termite).....	Moderate to Heavy
Winter Design Temperature.....	-5 degrees F
Ice Barrier Underlayment Required.....	YES
Flood Hazards.....	Refer to local designations

Air Freezing Index.....	2000
Mean Annual Temperature.....	48 degrees F
Elevation.....	758
Latitude.....	42
Winter heating.....	1
Summer cooling.....	88 degrees
Altitude correction factor98
Indoor design temperature	72° F
Design temperature cooling	75° F
Heating temperature differential	(72)
Cooling temperature differential	15
Wind velocity heating	15
Wind velocity cooling	7 1/2
Coincident wet bulb	74
Daily range	M
Winter humidity	40
Summer differential	2.25

4. Section R310.4 Bars, grilles, covers and screens, shall be amended to require safety covers capable of supporting at least 250 pounds of load.

5. Section R313.1 Townhouse automatic fire sprinkler systems, shall be amended to read as follows:

Section R313.1 Townhouse and two-family dwellings automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in townhouses and two-family dwellings.

6. Section R313.2 One- and two-family dwellings automatic fire sprinkler systems, shall apply only to newly constructed one-family dwellings that are more than 3,500 square feet in area.

7. Chapter 11 Energy Efficiency. Shall be amended to read as follows:

Compliance shall be determined by the current IECC adopted in 8-2-5.

8. Section P2501.1 Scope, shall be amended adding the following:

All plumbing work shall conform to the current edition of the State of Illinois Plumbing Code.

9. Appendices to be included with the adoption of this Residential Code shall include:

Appendix A, B, C, E, F, G, H, J, K, M, O, Q

10. Section R202, Definitions, shall be amended to add the following definition:

Fence. A permanent enclosure or barrier, such as wooden posts, wire, iron, or any other allowable material erected for the purpose of providing a boundary or as a means of protection, or to prevent uncontrolled access, or for privacy screening or confinement, or for decorative purposes (such as an ornamental gate). Materials used to contain or separate a garden area, an earthen stockpile, a storm water basin, or any other similar temporary use shall not be classified as a fence.

11. Sections E3902.4 and E3902.5 Ground Fault Circuit –interrupter

Add exception for GFCI protection, It is not required for sump pumps if all the following are met:

- (4) No other appliance, fixture or device is on the circuit
- (5) Simplex receptacle
- (6) A GFCI receptacle shall be located within 6 feet

Section 9. That Title 8, Chapter 2, Section 8-2-9 of the Yorkville City Code, as amended, be and is hereby amended to read as follows:

8-2-9 PROPERTY MAINTENANCE CODE

a. Adopted. The regulations of the 2018 Edition of the International Property Maintenance Code, as recommended and published by the International Code Council, Inc., published in pamphlet form, are adopted as the regulations governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures in the City with such amendments as are hereafter set forth in this Section.

b. Property Maintenance Code Amendments

(1) The following subsections shall be added to Section 302.2 Grading and Drainage:

302.2.1 Individual Earthen Stockpiles. Stockpiles of earthen materials in excess of two (2) feet above grade located on a single vacant lot that causes a nuisance, with the exception of City approved landscaped berms, shall be flattened and maintained per City Ordinance.

302.2.2 Developer Community Earthen Stockpiles. Upon substantial completion of mass grading, stockpiles of earthen material in excess of ten (10) feet above grade located on a vacant lot will require a six (6) foot temporary galvanized chain link fence.

(2) Section 302.4 Weeds, shall be amended to add the language as follows:

Exception: City approved native prairie planting areas are exempt from the maximum height requirement.

Section 302.10 Nuisance Tree Abatement, shall be added.

302.10.1 Nuisance declared

In the event it is determined by the Building Official, or designee or the municipal arborist, that any part of a tree is dead and any part of the tree imposes an imminent danger to a person or property, and/or any tree is in fact, diseased or infected or infested with a condition creating a substantial risk of spreading such condition that would significantly be injurious to other trees, persons, or animals, including without limitation, the Dutch Elm disease, infested with Emerald Ash Borer, affected with oak wilt, or infected with conifer bark beetles, all as determined by the Building Official, or designee, or municipal arborist, said tree or trees shall forthwith be and hereby declared to be a nuisance

302.10.2 Duty of Owner/occupant to Abate

Ash and Oak Trees: When requested in writing by the Village or its agent, each owner or occupant of private property shall be requested, within 30 days after such request has been delivered or mailed to them by the Building Official, or designee, to have an inspection on any tree(s) located on such private property by a qualified forestry professional in order to determine whether any diseased elm tree(s) and/or tree(s) infested with Emerald Ash Borer, or any tree of the species of oak having the appearance of or suspected of being affected with fungus *Ceratocytis fagacearum*, commonly called “oak wilt” and/or trees infested with conifer bark beetles exist on such parcel of land. Written report(s) of the result of the inspection and report shall include the marking and photographing of any tree(s) found to be diseased with elm tree(s), tree infested with Emerald Ash Borer, and/or any tree affected with the oak wilt and/or trees infested with conifer bark beetles.

302.10.2.1 Tree, parts of trees: The owner or occupant(s) of private property on which tree (or part of a tree) constituting a nuisance exist shall forthwith remove and destroy said tree (or part of a tree or trees) and shall chip the same or cause the same to be removed, destroyed and ground, milled, chipped or otherwise disposed of consistent with the provisions of the applicable state and federal quarantine within 10 days of notification to such owner, occupant or agent that said dead, diseased, infected and /or infested tree is, in fact, dead, diseased, infected and/or infested. No chips or other particles resulting from such removal operation shall exceed one inch in any dimension, unless allowed pursuant to the provisions of any applicable state or federal quarantine. All stumps of such dead, diseased, infected, and/or infested trees shall be removed to a depth of not less than eight inches below the ground surface and then covered with soil of the same depth. No ash tree material shall be removed from any quarantine zone as imposed from time to time by any state or federal agency, unless such removal is done consistent with the provisions of state and federal quarantine. Notwithstanding any other provision in this section to the contrary, all removal operations for such dead, diseased and/or infected tree(s) or part of a tree shall fully comply with all applicable state and federal statutes and/or regulations as exist from time to time.

302.10.3 Notice to Abate

Whenever the owner or occupant of any property contain~~ing~~ a dead, diseased, infected and/or infested tree permits the dead, diseased, infected and/or infested tree to remain on such premises, the municipality shall proceed as follows:

- (A) A notice shall be sent by ~~certified~~ mail, ~~return receipt requested~~, or delivered to the occupant and to the person to whom was sent the property tax bill for the general taxes for the last year preceding on the subject parcel of land.
- (B) Such notice shall state that there is a tree constituting a nuisance on the premises. The notice shall describe the subject parcel of land by legal description or the street address, and shall state that unless the dead, diseased, infected or infested tree is removed at the property owner’s expense. The date stated in the notice shall not be less than the 30 days after the date of delivery or mailing of the notice.
- (C) The notice shall include a copy of this Section 302.10.

302.10.4 Abatement by the Municipality; certain cost constitutes a lien.

In all cases where the owner, occupant or agent of the subject parcel of land on which said dead, diseased, infected, or infested tree is located cannot be found, or if found and notified as aforesaid neglects or refuses to abate said nuisance, it shall be lawful for the municipality to abate the same by removal, destruction, and chipping of said dead, diseased, infected or infested tree, and in that event said owner, occupant, and agent, or any of them shall be charged with those expenses which may be incurred by the municipality in the removal or abatement of the dead, diseased, infected, or infested tree as aforesaid, which expense shall be collected by the municipality ~~as permitted by law by suit or otherwise~~ in addition to a fine or penalty provided. Such expenses incurred for the removal of a tree or trees, if not paid, shall be a lien upon the affected subject parcel of land.

302.10.5 Failure to remove tree prohibited

It shall be unlawful for the owner of any parcel of land in the municipality to permit any tree or portion thereof, determined to be a nuisance, as determined by the Administrator or designee and/or municipal arborist, to remain on such premises or anywhere within the municipality

Section 302.7, Accessory Structures, is amended by adding:

All repairs shall be made with the same or similar material to the existing structure.

Section 304.1, Exterior Structure, is amended by adding:

The exterior structure shall be kept free from peeling paint, rot, and treated with a protective material to prohibit water infiltration.

Section 304.7, Roof and Drainage, is amended by adding:

All repairs to roofs and drainage components shall be made with materials in compliance with the current adopted version of the International Building Code and International Residential Code, as applicable.

Section 304.15, Doors, is amended by adding:

All exterior doors shall be constructed of wood, metal, or polymer material and shall be capable of locking and securing the structure.

Section 304.18.2, Windows, is amended by adding:

All windows shall comply with Section 8-2-5, Illinois Energy Conservation Code. Replacement windows shall be sized to closely match the size and style of the window being replaced.

(3) Section 602.2 Residential Occupancies, shall be amended to delete the following exception.

Exception: In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

C. Downtown Property Maintenance District:

1) District Defined. The Downtown Property Maintenance District shall be that area within the area described in Ordinance No. 2014-74.

2) Property Maintenance Regulations. In addition to the property maintenance regulations in this Section, it shall be unlawful for any person, firm or corporation in

the Downtown Property Maintenance District to be in violation of any of the following additions to the City' s property maintenance regulations:

a) Section 304.2 is amended by adding:

All exterior surfaces of buildings and accessory structures, excluding roofs, shall be properly maintained and protected from the elements by paint or other protective coating applied in a workmanlike fashion as required by Section 102. 5. Painted or protective coatings shall be without blemishes throughout the exterior and shall be uniform in color. Trim paint shall also be without blemishes and be uniform in color or have a consistent color palette throughout.

Every foundation, exterior wall, window and all other exterior surfaces shall be free of holes, cracks, breaks, loose or rotted wood and any condition which might allow rain or moisture, vermin, pests or insects to enter the interior portions of the walls or to the occupied spaces of any dwelling, commercial building or structure.

b) Section 304.7 is amended by adding:

Roofs shall be structurally sound, water tight and shall prevent rainwater or moisture from entering the walls, ceiling or any other portion of the dwelling, commercial building or structure. All building roofs and gutters shall be kept free of faded and chipped paint and shall be maintained in good repair and in good condition to prevent deterioration.

Building roofs and gutters must be cleaned (pressure and/ or chemical), repainted or recovered in its entirety with like material(s) when twenty- five percent (25%) or more of any exposed roof surface or gutter becomes discolored or is scaling. In the event a roof shingle or tile is replaced, the replacement shingle or tile shall be of the closest possible color and shade to the existing roofing shingles or tiles.

c) Section 304.15 is amended by adding:

Fences, exterior walls, exterior doors, exterior windows, dumpster enclosures, decorative walls and accessory structures shall be maintained in good state of repair.

d) Section 304.6 is amended by adding:

Each exterior wall surface of buildings and structures shall be kept free of fading and chipped paint and must be cleaned (pressure and/or chemical), repainted or recovered in its entirety with like material(s) when twenty- five percent (25%) or more of any exposed surfaces becomes discolored or is peeling.

e) Section 304.9 is amended by adding:

Any awning or marquee and its supporting members shall be maintained in a good state of repair. Awning or marquees made of cloth, plastic or of a similar material shall not show evidence of excessive weathering, discoloration, ripping, tearing or other damage.

Loose or overhanging objects which constitute a danger of falling on a person or property shall be removed.

f) Section 302.4 is amended by adding:

Weeds, grasses, plants or vegetation, other than trees, bushes, cultivated flowers, vegetable garden crops or other ornamental plants, shall not be grown to a height exceeding six (6) inches.

Shrubs shall be kept trimmed to a height not to exceed four (4) feet and provide unrestricted visibility at driveways and street intersections. Overhanging branches of trees extending into the public right-of-way shall be pruned to a height of at least twelve feet (12') above grade. Landscaping shall be maintained in a good condition so as to present a healthy, neat and orderly appearance at least equal to the original installation and shall be mowed or trimmed in a manner and at a frequency so as not to detract from the appearance of the general area including disease free plants, weed-free mulch, turf trimming and removal of root systems which shows evidence of destroying public or private property.

g) Section 302.1 is amended by adding:
All trash containers and trash enclosures shall be maintained in a manner which prevents the accumulation of trash, debris, rubbish and litter by providing sufficient containers. All trash containers and dumpsters shall be located and maintained in such a manner so as to provide screening from public view.

h) Section 304.18 is amended by adding:
Any means of securing a property including crime prevention devices shall be subject to review by the Building Code Official for safety and compliance with the building code. In no instance shall safety bars, grating, or other similar apparatus be allowed over any window, door, or other opening of any building. Any boards, panels or other means of securing structural openings shall be uniform in color and painted to match the exterior color of the building."

Section 10. That Title 8, Chapter 2, Section 8-2-10, of the Yorkville City Code, as amended, be and is hereby added to read as follows:

8-2-10 EXISTING BUILDING CODE

- A. Adopted. The regulations of the 2018 Edition of the International Existing Building Code, as recommended and published by the International Code Council, Inc., published in pamphlet form, are adopted as the regulations governing the repair, alteration, change of occupancy, addition and relocation of existing buildings, including historic buildings, in the City with such amendments as are hereafter set forth in this Section.
- B. Existing Building Code Amendments
(Reserved)

Section 11. That Title 8, Chapter 2, Section 8-2-11 of the Yorkville City Code, as amended, be and is hereby amended to read as follows:

8-2-11 SWIMMING POOL AND SPA CODE

- A. Adopted. The regulations of the 2018 Edition of the International Swimming Pool and Spa Code, as recommended and published by the International Code Council, Inc., published in pamphlet form, are adopted as the regulations of the design, construction, alteration, renovation, replacement, repair and maintenance of swimming pools, spas, hot tubs, aquatic facilities and related equipment in the City with such amendments as are hereafter set forth in this Section.

B. Swimming Pool and Spa Code Amendments

- (1) Section 108.1 Add the following: The Planning and Zoning Commission function as the Building Board of Appeals.
- (2) Delete in their entirety 108.2 – 108.7
- (3) Chapter 11 Referenced Standards – ICC delete all references to the International Plumbing Code.

Section 12. That Title 8, Chapter 2, Section 8-2-12 of the Yorkville City Code, as amended, be and is hereby amended to read as follows:

8-2-12 ILLINOIS ACCESSIBILITY CODE

- A. Adopted. The regulations of the Illinois Accessibility Code, as published enforced by the State of Illinois, published in pamphlet form, are adopted as the regulations governing accessibility in the City with such amendments as are hereafter set forth in this Section.
- B. Accessibility Code Amendments
 - (1) Any conflicts between this code and Chapter 11 of the IBC shall require the enforcement of the strictest requirement.

Section 13. This Ordinance shall be in full force and effect on January 1, 2020 upon its passage, approval, and publication as provided by law.

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

CITY CLERK

DAN TRANSIER	_____	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



Memorandum

To: Planning and Zoning Commission
 From: Jason Engberg, Senior Planner
 Date: August 7, 2019
 Subject: **PZC 2019-19 Lenny’s Gas N Wash – Waterpark Way**
 Proposed New Fuel Station & Convenience Store
 (Special Use, Sign Variance & Final Plat)

SUMMARY:

The petitioner, Leonard McEnery, on behalf of Lenny’s Gas N Wash, LLC, has filed an application requesting special use permit and final plat approval pursuant to Section 10-6-0 of the Yorkville City Code for a gasoline service station with accessory convenience store and ancillary car wash. The petitioner is also seeking sign variance approval to increase the maximum sign area for a monument sign in a business district from 64 square feet to 107 square feet. The property is zoned B-3 General Business District and is located at the northeast corner of the State Route 47 (Bridge Street) and Waterpark Way intersection. This property will be a subdivision of the larger, approximately 72-acre, O’Keefe property which was originally annexed into the City in 2006 via Ordinances 2006-101 and 2006-102.

PROPERTY INFORMATION:

The 5.04-acre property is currently being utilized for agricultural purposes and is currently zoned as B-3 General Business District. The following are the current immediate surrounding zoning and land uses:

	Zoning	Land Use
North	B-3 General Business District	Undeveloped Land
East	B-3 General Business District	Raging Waves/Farmland
South	B-3 General Business District	Raging Waves Parking
West	R-2/R-4 PUD (Westbury East)	Undeveloped Land



PROJECT DESCRIPTION:

As proposed, the Gas N Wash will be a full-service gas station for personal vehicles and large semi-trucks. The project will also include an automated car wash and convenience store for its patrons. Two potential fast food establishment will be attached to the convenience store and both will be accessible internally and one will be accessible externally via a drive-through lane.

SITE PLAN:

The proposed 3.43-acre site plan was reviewed by various City departments and outside agencies to ensure compliance with applicable ordinances, regulations and standards with regard to building setbacks, parking/parking setbacks, circulation/access roads, stormwater management/utilities, landscaping and signage. Below are the summaries of those reviews.

Bulk Regulations

The petitioner has depicted the following property’s building setback locations:

Building Setback	Required Minimum	Proposed Setback
Front Yard	20 feet	95.5 feet (Car Wash)
Interior Side Yard	50 feet	128.8 feet (Car Wash)
Corner Side Yard	30 feet	82 feet (C-Store)
Rear Yard	20 feet	145 feet (C-Store)

Section 10-3-5-B states that “No accessory building or structure shall be closer than ten feet (10’) to any main building or closer to the public way than the principal building on the lot.” Therefore, due to its location on the property, the Car Wash will be deemed as the primary structure since it is located closer to the public way than the C-Store.

The maximum building height in the B-3 District is 80 feet. The overall height of the primary building is about 34 feet at its peak (Car Wash) and the accessory building maximum height is about 21 feet. The maximum lot coverage for the B-3 General Business District including all impervious surfaces is 80 percent. As stated on the site data table, the proposed impervious lot coverage is 67 percent. Therefore, the petitioner meets all bulk regulations according to the submitted materials.

Parking and Loading

The submitted plans show a total of 31 parking spaces including 2 handicap accessible spaces. Additionally, there are 15 parking spots detailed as “vacuum stalls” to accommodate the car wash with another 1 handicap accessible spot. The total minimum required parking spaces needed per the Yorkville Zoning Ordinance is 21 spaces (Section 10-16-3). Therefore, the proposed 31 spaces exceed the required minimum.

Due to the overall gross floor area of the C-Store, the petitioner is not required to locate a loading berth as designated in Section 10-16-9. While it is not required, the petitioner has designated an area away from the main structure for box car deliveries. This space is adequate in size and location to allow for deliveries without interfering with onsite traffic and parking.

The petitioner meets the required parking lot setback of 20 feet from arterial roadways and 10 feet from non-arterial roadways (Section 10-7-1).

Stacking

All drive-in and drive-through facilities shall provide vehicle stacking in accordance with table 10.16.05 of the Yorkville Zoning Ordinance:

Use	Minimum Number of Vehicles
Car Wash, Automatic	5 vehicles per bay at entrance 2 vehicles per bay at exit
Restaurant, Fast Food	3 vehicles behind menu board 3 vehicles behind first window

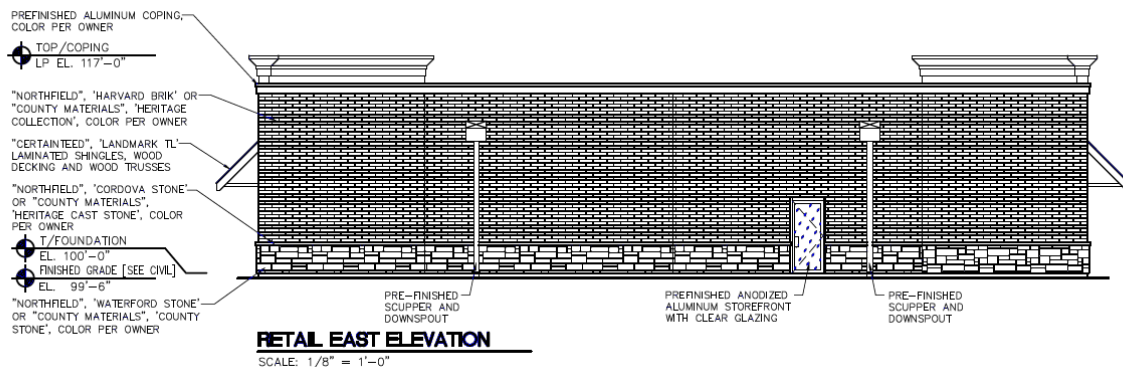
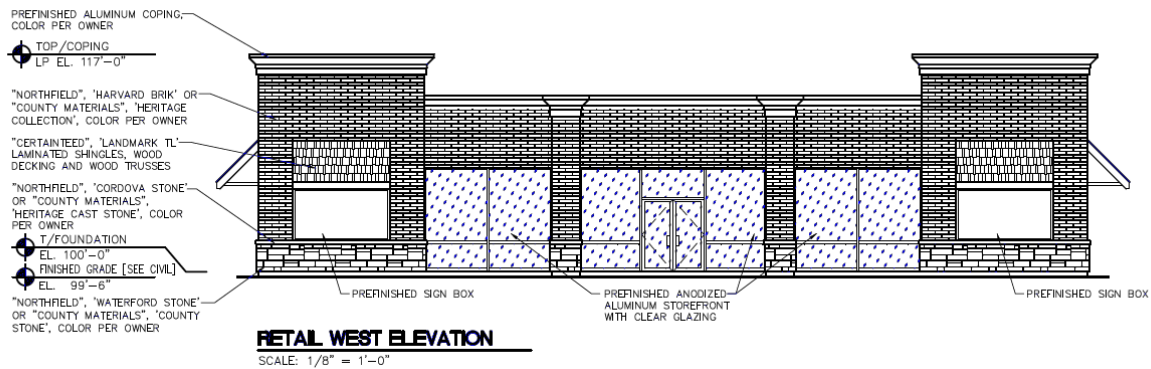
The petitioner meets these requirements by providing 5 vehicle spots at the entrance and 2 vehicle spots at the exit of the car wash. Additionally, the petitioner is providing 7 vehicle spots behind the menu board and 3 vehicle spots before the first window.

Appearance Code

The petitioner has submitted elevations and renderings which illustrate that the project will comply with the City’s Appearance Code (Section 8-15-5):

Criteria for Appearance of the City Code, new non-residential structures shall have at least fifty percent (50%) of the total building constructed of masonry products or precast concrete incorporated as follows:

- i. Front Façade: At least 50% shall incorporate masonry products or precast concrete.
- ii. Any other facade that abuts a street shall incorporate masonry products or precast concrete.



Signage

The petitioner has submitted a sign package for the entire project and is requesting a sign variance for the size of the monument sign. Per Section 10-20-9-A of the Yorkville Zoning Ordinance, free standing monument signs on lots three (3) acres or larger with more than one street frontage, one freestanding sign sixty-four (64) square feet or less in area and twelve feet (12') or less in height per street frontage with an entrance/exit is allowed.

The petitioner is requesting a single monument sign which is just under 12 feet in height and is 107 square feet in area. The sign height meets the City's standards, but the area of the sign is 40% larger than the City's maximum allowable area. Therefore, the petitioner is requesting a sign variance to increase the maximum allowable sign area.



The most recent gas station developed within Yorkville, Casey's Gas Station, also requested a variance for their monument sign which requested a 32% increase in size due to state laws requiring the E-85 price to be shown. This request was recommended for approval by Planning and Zoning Commission and approved by City Council. Staff supports the sign variance request due to the increased right-of-way acquired for Illinois Route 47 (55 feet) and the State regulations requiring the E-85 pricing being shown.

Driveways

Per Section 10-16-3-D of the Yorkville Zoning Ordinance, nonresidential driveways shall be a minimum of two hundred feet (200') when from the driveway edge to the nearest intersecting street right of way line. Driveways not meeting the minimum distances may be approved administratively by the city administrator with a recommendation to approve made by the city engineer. If administrative approval is not granted, the petitioner must request a variance for this item. The proposed driveways meet this standard, but staff is recommending providing a "Do Not Block Entrance" sign at both southern driveway entrances with pavement striping on Waterpark Way to avoid potential conflicts with vehicles in turning lanes exiting the waterpark and/or gas station.

Lighting

A photometric plan has been provided along with manufacturers cut sheets of the proposed light standards to be installed within the parking lot area. Maximum illumination at the property line shall not exceed 0.1 foot-candle and no glare shall spill onto adjacent properties or rights of way. Section 10-16-3-D-7 of the Zoning Code requires the average foot candle to be between 2.0 and 2.5. Proposed average is 2.31. However, the maximum to minimum light intensity ratio should be no more than 20:1. The petitioner's submission meets these standards except for the light intensity ration which is a proposed 22.1:1. The petitioner is aware of this requirement and is revising the lighting plan.

Truck Turning Template

A truck turning template demonstrating the maneuverability of standard sized semitrucks within the site layout has been provided. It appears that there are a few spots where a truck may breach the curbs. Specifically, the right-in-right-out access point off Route 47 shows interference on both northbound ingress and egress. The petitioner will need to address this issue by enlarging the lanes or by making the island mountable to avoid damage to the curbs.

Sidewalks

Existing sidewalks are located along the southern side of Waterpark Way and the site plans show a sidewalk on the north side of Waterpark Way from Route 47 to the eastern edge of the property.

Stormwater Detention Area

A backup/dormant Special Service Area will be required per the Stormwater Ordinance to ensure future maintenance of the detention facility.

COMPREHENSIVE PLAN:

The 2016 Comprehensive Plan designates this for neighborhood retail. This land use is designated for small to medium scale auto-oriented commercial uses, such as retail centers and restaurants located near residential areas. Additionally, this land use should have landscaping treatments between front parking lots and right-of-ways as well as containing high quality signage which is scaled appropriately. Therefore, the proposed use is consistent with the designated future land use plan.

ENGINEERING REVIEW:

The City Engineer has reviewed the plans and continues to work with the petitioner in updating the plans as comments are given. All requests made will be required as part of the special use request.

ECONOMIC DEVELOPMENT COMMITTEE COMMENTS:

The Economic Development Committee reviewed the petitioner's requests at the August 6, 2019 meeting. The following comments were made and will be added as a condition to the special use authorization:

1. Move the landscaping adjacent to Route 47 eastward to ensure no landscaping is within the future 55-foot IDOT dedication.
2. Provide a scaled sign location of the monument sign on the site plans or separate exhibit.
3. Provide walkways on site that connect to the proposed sidewalk on the southern boundary of the property to provide safe passage for pedestrians on site.

STANDARDS FOR GRANTING A SPECIAL USE:

Section 10-4-9-F of the City's Zoning Ordinance establishes standards for special use requests. These standards shall apply to both the request for Special Use authorization of a fuel/gasoline service station and Planned Unit Development (PUD) modification. No special use shall be recommended by the Plan Commission unless said commission shall find that:

1. The establishment, maintenance or operation of the special use will not be unreasonably detrimental to or endanger the public health, safety, morals, comfort or general welfare.
2. The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood.
3. The establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage or other necessary facilities have been or are being provided.
5. Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
6. The special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the City Council pursuant to the recommendations of the Plan Commission.

The petitioner has provided written responses to these standards as part of their application (see attached) and requests inclusion of those responses into the public record at the August 14, 2019 Plan Commission meeting.

STANDARDS FOR GRANTING A VARIANCE:

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

1. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations was carried out.
2. The conditions upon which the petition for a variation is based are unique to the property for which the variation is sought and are not applicable, generally, to other property within the same zoning classification.
3. The alleged difficulty or hardship is caused by this title and has not been created by any person presently having an interest in the property.
4. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
5. The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger to the public safety, or substantially diminish or impair property values within the neighborhood.
6. The proposed variation is consistent with the official comprehensive plan and other development standards and policies of the city.

In addition to the procedures and standards listed above regarding variations from the requirements, the planning and zoning commission shall also consider the following factors in hearing testimony and making decisions regarding sign variance requests:

1. If the sign was erected legally with a sign permit.
2. If there are any unique physical characteristics of the property.
3. If there are limited available locations for signage on the property.
4. The cost to the applicant of complying with the requirements of this chapter.
5. If the sign is on or faces a street with a forty (40) mile per hour or higher speed limit.
6. If the sign is on a street with twenty thousand (20,000) or higher vehicle trips per day.
7. If the sign would be blocked by existing or required landscaping.
8. If it is a wall sign facing a public right of way without a public entrance.

The petitioner has provided written responses to these standards as part of their application (see attached) and requests inclusion of those responses into the public record at the August 14, 2019 Plan Commission meeting.

STAFF COMMENTS:

Staff is supportive of each requested action from Lenny's Gas N Wash including the special use authorization, sign variance, and final plat approval. The petitioner has provided staff with all the required documents and is completing additional requests by staff and committees. Staff recommends that the following conditions be attached to the special use request:

1. Amend photometric plan to provide light intensity ratio within the City's standards.
2. Amend truck turning template to remove obstructions at northern Route 47 access point.
3. Comply with all comments given by EEI in memorandums dated July 9, 2019 and August 7, 2019.
4. Amend the landscape plan by moving the landscaping adjacent to Route 47 eastward to ensure no landscaping is within the future 55-foot IDOT dedication.
5. Provide a scaled sign location of the monument sign on the site plans or separate exhibit.
6. Amend the site plan by providing walkways on site that connect to the proposed sidewalk on the southern boundary of the property to provide safe passage for pedestrians on site.

PROPOSED MOTIONS:

1. Special Use for Fuel/Gasoline Service Station
In consideration of testimony presented during a Public Hearing on August 14, 2019 and approval of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council of a request for Special Use authorization for a fuel/gasoline service station with accessory car wash to be located at the northeast corner of State Route 47 and Waterpark Way subject to the conditions enumerated in a staff memorandum dated August 7, 2019 and further subject to {insert any additional conditions of the Plan Commission}...
2. Sign Variance
In consideration of testimony presented during a Public Hearing on August 14, 2019 and approval of the findings of fact, the Planning and Zoning Commission recommends approval of a request to vary the sign regulations contained in Section 10-20-9-A of the United City of Yorkville Zoning Ordinance to permit a free standing monument sign in a business district to be larger than 64 square feet in sign area subject to the conditions enumerated in a staff memorandum dated August 7, 2019 and further subject to {insert any additional conditions of the Zoning Board of Appeals}...
3. Final Plat
The Planning and Zoning Commission recommends approval to the City Council of a request for Final Plat of Subdivision of the Lenny's Gas N Wash in Yorkville subject to final engineering approval as enumerated in a letter from Engineering Enterprise Incorporated dated June 9, 2019 and August 7, 2019 and subject to the conditions enumerated in a staff memorandum dated August 7, 2019 and further subject to {insert any additional conditions of the Plan Commission}...

ATTACHMENTS:

1. Petitioner Applications
2. ALTA Survey
3. Gas N Wash Final Plat (8-7-19 submission)
4. Gas N Wash Preliminary Site Plans (7-19-19 submission)
5. Gas N Wash Landscape Plan (7-19-19 submission)
6. Gas N Wash Elevations (7-19-19 submission)
7. Gas N Wash Photometric Plan (6-21-19 submission)
8. Gas N Wash Renderings (7-19-19 submission)
9. Gas N Wash Sign Package (7-19-19 submission)
10. Engineering Enterprise Review June 9, 2019
11. Engineering Enterprise Review August 7, 2019



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APPLICATION FOR SPECIAL USE

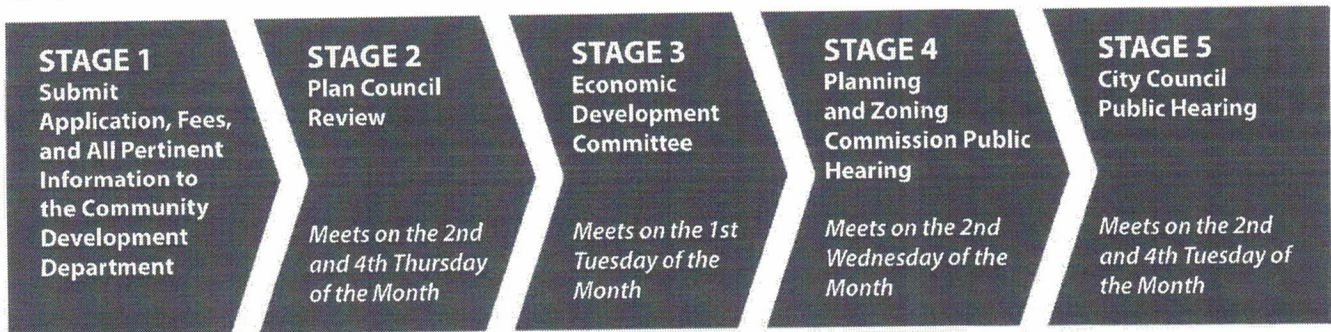
INTENT AND PURPOSE:

The purpose of the zoning code is based upon the authority of the city to divide its land into districts by use, bulk, location of building and structures, in a substantially uniform manner. It is recognized that while some uses are permitted under the zoning code to keep uniformity, a case-by-case analysis must be conducted for certain permitted uses to discover the impact of those uses on neighboring land and of the public need for the particular use at the particular location. In these cases a special use must be granted.

This packet explains the process to successfully submit and complete an Application for Special Use. 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 Special Use process, please refer to "Title 10, Chapter 4, Section 9 Special Uses" 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 and 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/Acknowledgment of Financial Responsibility form is attached to this document and must be submitted with the application.



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APPLICATION FOR SPECIAL USE

STAGE 2: PLAN COUNCIL

Petitioner must present the proposed 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 and Zoning Commission hearing.

STAGE 3: ECONOMIC DEVELOPMENT COMMITTEE

Applicant must present the proposed plan to the Economic Development Committee. Economic Development Committee meets at 7:00 p.m. on the 1st Tuesday of each month. 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 AND ZONING COMMISSION

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 Planning and Zoning Commission will conduct a public hearing on the request, take public comments, discuss the request, and make a recommendation to City Council. No special use shall be recommended by the Planning and Zoning Commission unless it follows the standards set forth in City's Zoning Ordinance. The Certified Mailing Affidavit form is attached to this document and must be submitted prior to the scheduled Planning and Zoning Commission meeting.

STAGE 5: CITY COUNCIL

Petitioner will attend the City Council meeting where the recommendation of the special use 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 special use.



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APPLICATION FOR SPECIAL USE

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 applicant 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 applicant has not responded in writing to a request for information or documentation from the initial plan commission review within six (6) months from the date of that request.
- The applicant 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 applicant 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 applicant'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 applicant. (Ord. 2011-34, 7-26-2011)



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APPLICATION FOR SPECIAL USE

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		Total: \$
	$\underline{\hspace{2cm}} - 5 = \underline{\hspace{2cm}}$ # of Acres Acres over 5	$\times \$10 = \underline{\hspace{2cm}}$ Amount for Extra Acres	$+ \$250 = \$ \underline{\hspace{2cm}}$ Total Amount
REZONING	<input type="checkbox"/> \$200.00 + \$10 per acre for each acre over 5 acres		Total: \$
<i>If annexing and rezoning, charge only 1 per acre fee; if rezoning to a PUD, charge PUD Development Fee - not Rezoning Fee</i>			
	$\underline{\hspace{2cm}} - 5 = \underline{\hspace{2cm}}$ # of Acres Acres over 5	$\times \$10 = \underline{\hspace{2cm}}$ Amount for Extra Acres	$+ \$200 = \$ \underline{\hspace{2cm}}$ Total Amount
SPECIAL USE	<input checked="" type="checkbox"/> \$250.00 + \$10 per acre for each acre over 5 acres		\$250.00 Total: \$
	$\underline{5.0} - 5 = \underline{\hspace{2cm}}$ # of Acres Acres over 5	$\times \$10 = \underline{\hspace{2cm}}$ Amount for Extra Acres	$+ \$250 = \$ \underline{250.00}$ Total Amount
ZONING VARIANCE	<input type="checkbox"/> \$85.00 + \$500.00 outside consultants deposit		Total: \$
PRELIMINARY PLAN FEE	<input type="checkbox"/> \$500.00		Total: \$
PUD FEE	<input type="checkbox"/> \$500.00		Total: \$
FINAL PLAT FEE	<input type="checkbox"/> \$500.00		Total: \$
ENGINEERING PLAN REVIEW DEPOSIT	<input type="checkbox"/> Less than 1 acre <input checked="" type="checkbox"/> Over 1 acre, less than 10 acres <input type="checkbox"/> Over 10 acres, less than 40 acres <input type="checkbox"/> Over 40 acres, less than 100 acres <input type="checkbox"/> Over 100 acres	\$5,000.00 \$10,000.00 \$15,000.00 \$20,000.00 \$25,000.00	\$10,000.00 Total: \$
OUTSIDE CONSULTANTS DEPOSIT	<i>Legal, land planner, zoning coordinator, environmental services</i> For Annexation, Subdivision, Rezoning, and Special Use:		\$2,500.00 Total: \$
	<input type="checkbox"/> Less than 2 acres <input checked="" type="checkbox"/> Over 2 acres, less than 10 acres <input type="checkbox"/> Over 10 acres	\$1,000.00 \$2,500.00 \$5,000.00	
TOTAL AMOUNT DUE:			\$12,750.00



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APPLICATION FOR SPECIAL USE

DATE:	PZC NUMBER:	DEVELOPMENT NAME:
PETITIONER INFORMATION		
NAME: LEONARD MCENERY, MANAGER		COMPANY: LENNY'S GAS N WASH YORKVILLE, LLC
MAILING ADDRESS: 8200 W. 185TH ST., UNIT K		
CITY, STATE, ZIP: TINLEY PARK, IL 60487		TELEPHONE: 708-444-0117 CELL: 708-805-2525
EMAIL: LENMCENERY@AOL.COM		FAX: 708-444-0159
PROPERTY INFORMATION		
NAME OF HOLDER OF LEGAL TITLE: BETTY O'KEEFE FAMILY LIMITED PARTNERSHIP C/O BETTY O'KEEFE PROPERTIES, LLC		
IF LEGAL TITLE IS HELD BY A LAND TRUST, LIST THE NAMES OF ALL HOLDERS OF ANY BENEFICIAL INTEREST THEREIN:		
PROPERTY STREET ADDRESS:		
DESCRIPTION OF PROPERTY'S PHYSICAL LOCATION: NORTHEAST CORNER RTE. 47 AND WATERPARK WAY		
CURRENT ZONING CLASSIFICATION: B-3 GENERAL BUSINESS DISTRICT		COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION: COMMERCIAL
REQUESTED SPECIAL USE: GASOLINE SERVICE STATION. NO OVERNIGHT TRUCK PARKING WILL BE PERMITTED.		
ZONING AND LAND USE OF SURROUNDING PROPERTIES		
NORTH: B-3 VACANT AG USE		
EAST: B-3 VACANT AG USE		
SOUTH: B-3 VACANT AG USE		
WEST: R-4 VACANT AG USE		
KENDALL COUNTY PARCEL IDENTIFICATION NUMBER(S)		
PART OF O2-09-100-015		



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APPLICATION FOR SPECIAL USE

ATTORNEY INFORMATION

NAME: LYMAN C. TIEMAN

COMPANY: LAW OFFICE OF LYMAN C. TIEMAN

MAILING ADDRESS: 12417 TAHOE LANE

CITY, STATE, ZIP: MOKENA, IL 60448

TELEPHONE: 815-370-3383

EMAIL: LCTIEMAN@YAHOO.COM

FAX: 815-717-6352

ENGINEER INFORMATION

NAME: BRIAN HERTZ

COMPANY: M. GINGERICH GEREAX & ASSOC. MG2A

MAILING ADDRESS: 25620 S GOUGAR RD.

CITY, STATE, ZIP: MANHATTAN, IL 60442

TELEPHONE: 815-478-9680

EMAIL: BHERTZ@MG2A.COM

FAX: 815-478-9685

LAND PLANNER/SURVEYOR INFORMATION

NAME: SCOTT PRITCHETT

COMPANY: ARSA SCHNEIDER ARCHITECTS

MAILING ADDRESS: 1411 W PETERSON AVE., STE 203

CITY, STATE, ZIP: PARK RIDGE, IL 60068

TELEPHONE: 847-698-4438

EMAIL: ARSA@ENTERACT.COM

FAX: 847-698-9889

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".



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APPLICATION FOR SPECIAL USE

SPECIAL USE STANDARDS

PLEASE STATE HOW THE ESTABLISHMENT, MAINTENANCE OR OPERATION OF THE SPECIAL USE WILL NOT BE UNREASONABLY DETRIMENTAL TO OR ENDANGER THE PUBLIC HEALTH, SAFETY, MORALS, COMFORT OR GENERAL WELFARE:

APPLICANT PROPOSES THE DEVELOPMENT OF A GASOLINE SERVICE STATION WITH CONVENIENCE STORE AND ANCILLARY CAR WASH. THE SUBJECT PROPERTY IS CURRENTLY ZONED B-3 AND APPLICANT'S USE IS A DESIGNATED SPECIAL USE IN THE B-3 ZONING DISTRICT. THE SUBJECT PROPERTY IS BORDERED ON THE NORTH, EAST AND SOUTH BY EXISTING B-3 ZONED PROPERTY. THE PROPERTY IS BORDERED ON THE WEST SIDE BY R-4 ZONED PROPERTY. ALL SURROUNDING PROPERTIES ARE CURRENTLY BEING FARMED. THE PROPERTY WILL BE DEVELOPED IN SUCH A FASHION AS TO MINIMIZE THE IMPACT ON NEIGHBORING PROPERTIES WITH RESPECT TO NOISE, LIGHT AND TRAFFIC FLOW AND WILL BE IN FULL CONFORMITY WITH EXISTING STATE AND CITY LAWS, ORDINANCES AND DESIGN STANDARDS. NO VARIATIONS FROM THE ZONING ORDINANCE ARE ANTICIPATED. NO OVERNIGHT TRUCK PARKING WILL BE PERMITTED ON THE PROPERTY.

PLEASE STATE HOW THE SPECIAL USE WILL NOT BE INJURIOUS TO THE USE AND ENJOYMENT OF OTHER PROPERTY IN THE IMMEDIATE VICINITY FOR THE PURPOSE ALREADY PERMITTED, NOR SUBSTANTIALLY DIMINISH AND IMPAIR PROPERTY VALUES WITHIN THE NEIGHBORHOOD:

SUBJECT PROPERTY WILL BE DEVELOPED WITH DIRECT INGRESS AND EGRESS FROM AND TO WATERPARK WAY AND ROUTE 47 WITH LITTLE OR NO IMPACT UPON NEIGHBORING PROPERTIES. APPLICANT IS MAKING A SUBSTANTIAL MONETARY INVESTMENT IN THIS PROJECT AND ALL FACILITIES WILL BE DESIGNED AND CONSTRUCTED TO BE COMPATIBLE WITH THE EXISTING AND PROPOSED USES OF SURROUNDING PROPERTIES.

PLEASE STATE HOW THE ESTABLISHMENT OF THE SPECIAL USE WILL NOT IMPEDE THE NORMAL AND ORDERLY DEVELOPMENT AND IMPROVEMENT OF SURROUNDING PROPERTY FOR USES PERMITTED IN THE DISTRICT:

ALL SURROUNDING PROPERTIES ARE CURRENTLY VACANT AND ARE BEING FARMED. PROPERTIES TO THE NORTH, SOUTH AND EAST ARE ZONED B-3 (SAME AS SUBJECT PROPERTY). PROPERTY ON THE WEST SIDE OF RTE. 47 IS ZONED R-4 MULTIFAMILY. BECAUSE OF THE PROPOSED INGRESS AND EGRESS TO WATERPARK WAY AND RTE. 47, THE DEVELOPMENT OF THE SUBJECT PROPERTY WILL HAVE NO DIRECT IMPACT ON SURROUNDING PROPERTIES.

PLEASE STATE HOW ADEQUATE UTILITIES, ACCESS ROADS, DRAINAGE OR OTHER NECESSARY FACILITIES HAVE BEEN OR ARE BEING PROVIDED:
ACCESS IS PROPOSED IN ACCORDANCE WITH THE ATTACHED SITE PLAN FROM ROUTE 47 AND WATERPARK WAY. UTILITIES ARE CURRENTLY AVAILABLE IN CLOSE PROXIMITY TO THE SITE.



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APPLICATION FOR SPECIAL USE

SPECIAL USE STANDARDS

PLEASE STATE HOW ADEQUATE MEASURES HAVE BEEN OR WILL BE TAKEN TO PROVIDE INGRESS OR EGRESS SO DESIGNED AS TO MINIMIZE TRAFFIC CONGESTION IN THE PUBLIC STREETS:

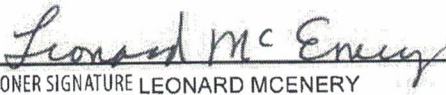
A RIGHT-IN RIGHT-OUT ACCESS WILL BE PROVIDED TO IDOT STANDARDS FOR ACCESS TO ROUTE 47. TWO FULL ACCESS POINTS WILL BE PROVIDED TO WATERPARK WAY ALL IN ACCORDANCE WITH STATE AND CITY DESIGN STANDARDS AS PROPOSED ON THE ATTACHED SITE PLAN.

PLEASE STATE HOW THE SPECIAL USE SHALL IN ALL OTHER RESPECTS CONFORM TO THE APPLICABLE REGULATIONS OF THE DISTRICT IN WHICH IT IS LOCATED, EXCEPT AS SUCH REGULATIONS MAY IN EACH INSTANCE BE MODIFIED BY THE CITY COUNCIL PURSUANT TO THE RECOMMENDATIONS OF THE PLANNING AND ZONING COMMISSION:
 A GASOLINE SERVICE STATION IS DESIGNATED AS A SPECIAL USE IN THE B-3 ZONING DISTRICT. NO VARIANCES TO THE ZONING ORDINANCE ARE BEING REQUESTED BY THE APPLICANT.

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 LEONARD MCENERY

DATE MAY 28, 2019

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

OWNER SIGNATURE O'KEEFE FAMILY LIMITED PARTNERSHIP, BY
 BETTY O'KEEFE PROPERTIES, LLC, BY
 KIM W O'KEEFE, SOLE MEMBER

DATE

**THIS APPLICATION MUST BE
NOTARIZED PLEASE NOTARIZE HERE:**



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SPECIAL USE STANDARDS

PLEASE STATE HOW ADEQUATE MEASURES HAVE BEEN OR WILL BE TAKEN TO PROVIDE INGRESS OR EGRESS SO DESIGNED AS TO MINIMIZE TRAFFIC CONGESTION IN THE PUBLIC STREETS:

A RIGHT-IN RIGHT-OUT ACCESS WILL BE PROVIDED TO IDOT STANDARDS FOR ACCESS TO ROUTE 47. TWO FULL ACCESS POINTS WILL BE PROVIDED TO WATERPARK WAY ALL IN ACCORDANCE WITH STATE AND CITY DESIGN STANDARDS AS PROPOSED ON THE ATTACHED SITE PLAN.

PLEASE STATE HOW THE SPECIAL USE SHALL IN ALL OTHER RESPECTS CONFORM TO THE APPLICABLE REGULATIONS OF THE DISTRICT IN WHICH IT IS LOCATED, EXCEPT AS SUCH REGULATIONS MAY IN EACH INSTANCE BE MODIFIED BY THE CITY COUNCIL PURSUANT TO THE RECOMMENDATIONS OF THE PLANNING AND ZONING COMMISSION: A GASOLINE SERVICE STATION IS DESIGNATED AS A SPECIAL USE IN THE B-3 ZONING DISTRICT. NO VARIANCES TO THE ZONING ORDINANCE ARE BEING REQUESTED BY THE APPLICANT.

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 LEONARD MCENERY

 DATE MAY 28, 2019

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

Kim W O'Keefe

 OWNER SIGNATURE O'KEEFE FAMILY LIMITED PARTNERSHIP, BY
 BETTY O'KEEFE PROPERTIES, LLC, BY
 KIM W O'KEEFE, SOLE MEMBER

 DATE

5/29/19

**THIS APPLICATION MUST BE
NOTARIZED PLEASE NOTARIZE HERE:**



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PETITIONER DEPOSIT ACCOUNT/ ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY

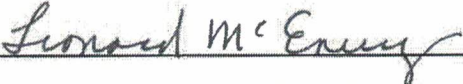
PROJECT NUMBER:	FUND ACCOUNT NUMBER:	PROPERTY ADDRESS:
PETITION/APPROVAL TYPE (check appropriate box(es) of approval requested): <input type="checkbox"/> CONCEPT PLAN REVIEW <input type="checkbox"/> AMENDMENT (TEXT) <input type="checkbox"/> ANNEXATION <input type="checkbox"/> REZONING <input checked="" type="checkbox"/> SPECIAL USE <input type="checkbox"/> MILE AND 1/2 REVIEW <input type="checkbox"/> ZONING VARIANCE <input type="checkbox"/> PRELIMINARY PLAN <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: LEONARD MCENERY		COMPANY LENNY'S GAS N WASH YORKVILLE, LLC
MAILING ADDRESS: 8200 W. 185TH ST., UNIT K		
CITY, STATE, ZIP: TINLEY PARK, IL 60487		TELEPHONE: 708-444-0117
EMAIL: LENMCENERY@AOL.COM		FAX: 708-444-0159
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 LEONARD MCENERY		TITLE MANAGER
 SIGNATURE		DATE MAY 28, 2019
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.

EXHIBIT A
LEGAL DESCRIPTION
LENNY'S GAS N WASH
RTE.47 AND WATERPARK WAY
UNITED CITY OF YORKVILLE, ILLINOIS

THAT PART OF THE WEST HALF OF SECTION 9, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 3 IN O'KEEFE SUBDIVISION UNIT ONE, RECORDED AS DOCUMENT 200800012915, THENCE NORTH 87 DEGREES 00 MINUTES 59 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 3 55.01 FEET; THENCE SOUTH 47 DEGREES 30 MINUTES 51 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 3 70.14 FEET TO THE NORTH RIGHT OF WAY OF ROSEWINKEL STREET; THENCE NORTH 87 DEGREES 00 MINUTES 59 SECONDS EAST ALONG SAID RIGHT OF WAY 108.35 FEET TO A CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 315.00 FEET, A CHORD OF 285.32 FEET AND A CHORD BEARING OF NORTH 60 DEGREES 05 MINUTES 15 SECONDS EAST; THENCE ALONG SAID CURVE AND SAID RIGHT OF WAY 296.10 FEET TO A CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 385.00 FEET, A CHORD OF 82.31 FEET, AND A CHORD BEARING OF NORTH 39 DEGREES 17 MINUTES 42 SECONDS EAST; THENCE ALONG SAID CURVE AND SAID RIGHT OF WAY 82.47 FEET; THENCE NORTH 02 DEGREES 02 MINUTES 41 SECONDS WEST 324.93 FEET; THENCE SOUTH 87 DEGREES 00 MINUTES 59 SECONDS WEST 520.01 FEET TO THE WEST RIGHT OF WAY OF ROUTE 47; THENCE SOUTH 02 DEGREES 02 MINUTES 41 SECONDS EAST ALONG SAID RIGHT OF WAY 465.06 FEET TO THE POINT OF BEGINNING.



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

APPLICATION FOR PRELIMINARY PLAN & FINAL PLAT

INTENT AND PURPOSE:

The purpose of this application is to allow land to be divided and distributed in a way that conforms to the City of Yorkville's standards and enhances the land's value. Preliminary Plans and Final Plats allow the City Staff and local government to review how land will be developed and if it is ideal for that location within the city. This application is used to submit new preliminary plans and final plats but may also be used to amend either of those documents.

This packet explains the process to successfully submit and complete an Application for a Preliminary Plan and Final Plat. 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 applicant. The only item that needs to be submitted from this packet is the application. The rest of the packet is to help guide you through the process unto completion.

APPLICATION PROCEDURE:



STAGE 1: APPLICATION SUBMITTAL

The following must be submitted to the Community Development Department:

- One (1) original signed application with legal description.
- Two (2) 11" x 17" copies each of the 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 an electronic copy (pdf) of each of the signed application (complete with exhibits), proposed drawings, location map, and site plan.
- Subdivision Plats: Three (3) full size copies and one (1) 11" by 17" copy depicting the originally platted lots, the proposed new lots, the proposed modifications and adjustments.

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 and Zoning Commission meeting. An incomplete submittal could delay the scheduling of the project.

Applicant is responsible for making submittals to other review agencies such as Kendall County, Illinois Department of Transportation, Illinois Department of Natural Resources, U.S. Army Corps of Engineers, etc., to allow timely review by the City.

Applicant 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 applicant will be required to establish a deposit account with the city to cover these fees. The Petitioner Deposit Account/Acknowledgement of Financial Responsibility form is attached to this document and must be submitted with the application.



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APPLICATION FOR PRELIMINARY PLAN & FINAL PLAT

STAGE 2: PLAN COUNCIL REVIEW

Applicant must present the proposed 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, applicant will move forward to the Planning and Zoning Commission meeting.

STAGE 3: ECONOMIC DEVELOPMENT COMMITTEE

Applicant must present the proposed plan to the Economic Development Committee. Economic Development Committee meets at 7:00 p.m. on the 1st Tuesday of each month. 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

Applicant will attend a meeting conducted by the Planning & Zoning Commission. The Planning & Zoning Commission meets on the 2nd Wednesday of the Month at 7:00pm. The Planning & Zoning Commission will conduct a meeting on the request, discuss the request, and make a recommendation to City Council.

STAGE 5: CITY COUNCIL PUBLIC HEARING

Applicant must present the proposed subdivision replat to the City Council. The City Council meets the 2nd and 4th Tuesdays of every month at 7:00 p.m. in the Yorkville City Hall Council Chambers. The proposal will be discussed at the City Council hearing where formal voting takes place. City Council will make the final approval of the replatting.

STAGE 6: FINAL PLAT RECORDING

Once the final subdivision plat is approved by the City Council and all required documents, bonds, and letters of credit are submitted to the city, the final plat must be recorded with Kendall County. Submit the final plat mylar to the Deputy Clerk for signatures. When all city signatures are in place, the developer or his surveyor may take the mylar to the Kendall County Clerk for their signature. The next step is to have six (6) paper prints made and return to the Kendall County Recorder's office for recording. Kendall County requires the mylar and four (4) paper copies. The City of Yorkville requires that you submit two (2) recorded paper copies to the Deputy Clerk.



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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 applicant 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 applicant has not responded in writing to a request for information or documentation from the initial plan commission review within six (6) months from the date of that request.
- The applicant 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 applicant 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 applicant'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 applicant. (Ord. 2011-34, 7-26-2011)



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APPLICATION FOR PRELIMINARY PLAN & FINAL PLAT

INVOICE & WORKSHEET PETITION APPLICATION			
CONCEPT PLAN REVIEW	<input type="checkbox"/> Engineering Plan Review deposit	\$500.00	Total: \$
AMENDMENT	<input type="checkbox"/> Annexation <input type="checkbox"/> Plan <input 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		Total: \$
	$\underline{\hspace{2cm}} - 5 = \underline{\hspace{2cm}}$ # of Acres Acres over 5	$\times \$10 = \underline{\hspace{2cm}}$ Amount for Extra Acres	$+ \$250 = \$ \underline{\hspace{2cm}}$ Total Amount
REZONING	<input type="checkbox"/> \$200.00 + \$10 per acre for each acre over 5 acres		Total: \$
<i>If annexing and rezoning, charge only 1 per acre fee; if rezoning to a PUD, charge PUD Development Fee - not Rezoning Fee</i>			
	$\underline{\hspace{2cm}} - 5 = \underline{\hspace{2cm}}$ # of Acres Acres over 5	$\times \$10 = \underline{\hspace{2cm}}$ Amount for Extra Acres	$+ \$200 = \$ \underline{\hspace{2cm}}$ Total Amount
SPECIAL USE	<input type="checkbox"/> \$250.00 + \$10 per acre for each acre over 5 acres		Total: \$
	$\underline{\hspace{2cm}} - 5 = \underline{\hspace{2cm}}$ # of Acres Acres over 5	$\times \$10 = \underline{\hspace{2cm}}$ Amount for Extra Acres	$+ \$250 = \$ \underline{\hspace{2cm}}$ Total Amount
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 checked="" 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	\$5,000.00 \$10,000.00 \$15,000.00 \$20,000.00 \$25,000.00	Total: \$
OUTSIDE CONSULTANTS DEPOSIT	<i>Legal, land planner, zoning coordinator, environmental services</i> For Annexation, Subdivision, Rezoning, and Special Use:		Total: \$
	<input type="checkbox"/> Less than 2 acres <input type="checkbox"/> Over 2 acres, less than 10 acres <input type="checkbox"/> Over 10 acres	\$1,000.00 \$2,500.00 \$5,000.00	
TOTAL AMOUNT DUE:			500



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APPLICATION FOR PRELIMINARY PLAN & FINAL PLAT

DATE:	PZC NUMBER:	DEVELOPMENT NAME:
PETITIONER INFORMATION		
NAME: LEONARD McENERY, MANAGER		COMPANY: LENNY'S GAS N WASH YORKVILLE, LLC
MAILING ADDRESS: 8200 W. 185th ST., UNIT K		
CITY, STATE, ZIP: TINLEY PARK, IL 60487		TELEPHONE: 708-444-0117
EMAIL: lenmcenery@aol.com		FAX: 708-444-0159
PROPERTY INFORMATION		
NAME OF HOLDER OF LEGAL TITLE: BETTY O'KEEFE FAMILY LIMITED PARTNERSHIP C/O BETTY O'KEEFE PROPERTIES, LLC		
IF LEGAL TITLE IS HELD BY A LAND TRUST, LIST THE NAMES OF ALL HOLDERS OF ANY BENEFICIAL INTEREST THEREIN:		
PROPERTY STREET ADDRESS:		
TYPE OF REQUEST:		
<input type="checkbox"/> PRELIMINARY PLAN <input checked="" type="checkbox"/> FINAL PLAT <input type="checkbox"/> AMENDED PRELIMINARY PLAN <input type="checkbox"/> AMENDED FINAL PLAT		
TOTAL LOT ACREAGE: 5.63		CURRENT ZONING CLASSIFICATION: B-3 GENERAL BUSINESS DISTRICT
ATTACHMENTS		
Petitioner must attach a legal description of the property to this application and title it as "Exhibit A".		



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APPLICATION FOR PRELIMINARY PLAN & FINAL PLAT

ATTORNEY INFORMATION

NAME: LYMAN C. TIEMAN COMPANY: LAW OFFICE OF LYMAN C. TIEMAN
 MAILING ADDRESS: 12417 TAHOE LANE
 CITY, STATE, ZIP: MOKENA, IL 60448 TELEPHONE: 815-370-3383
 EMAIL: lctieman@yahoo.com FAX: 815-717-6352

ENGINEER INFORMATION & LAND SURVEYOR

NAME: BRIAN HERTZ, P.E. COMPANY: M. GINGERICH, GEREAX & ASSOC. (MG2A)
 MAILING ADDRESS: 25620 S. GOUGAR ROAD
 CITY, STATE, ZIP: MANHATTAN, IL 60442 TELEPHONE: 815-478-9680
 EMAIL: bhertz@mg2a.com FAX: 815-478-9685

LAND PLANNER/SURVEYOR INFORMATION

NAME: SCOTT PRITCHETT COMPANY: ARSA SCHNEIDER ARCHITECTS
 MAILING ADDRESS: 1411 W. PETERSON AVE., SUITE 203
 CITY, STATE, ZIP: PARK RIDGE, IL 60068 TELEPHONE: 847-698-4438
 EMAIL: arsa@enteract.com FAX: 847-698-9889

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.

Leonard McEnery
 PETITIONER SIGNATURE

June 5, 2019
 DATE

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

K.W. Keefe
 OWNER SIGNATURE

June 5, 2019
 DATE



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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 type="checkbox"/> ANNEXATION <input type="checkbox"/> REZONING <input type="checkbox"/> SPECIAL USE <input type="checkbox"/> MILE AND 1/2 REVIEW <input type="checkbox"/> ZONING VARIANCE <input type="checkbox"/> PRELIMINARY PLAN <input type="checkbox"/> FINAL PLANS <input type="checkbox"/> PLANNED UNIT DEVELOPMENT <input checked="" type="checkbox"/> FINAL PLAT			
PETITIONER DEPOSIT ACCOUNT FUND: It is the policy of the United City of Yorkville to require any petitioner seeking approval on a project or entitlement request to establish a Petitioner Deposit Account Fund to cover all actual expenses occurred as a result of processing such applications and requests. Typical requests requiring the establishment of a Petitioner Deposit Account Fund include, but are not limited to, plan review of development approvals/engineering permits. Deposit account funds may also be used to cover costs for services related to legal fees, engineering and other plan reviews, processing of other governmental applications, recording fees and other outside coordination and consulting fees. Each fund account is established with an initial deposit based upon the estimated cost for services provided in the INVOICE & WORKSHEET PETITION APPLICATION . This initial deposit is drawn against to pay for these services related to the project or request. Periodically throughout the project review/approval process, the Financially Responsible Party will receive an invoice reflecting the charges made against the account. At any time the balance of the fund account fall below ten percent (10%) of the original deposit amount, the Financially Responsible Party will receive an invoice requesting additional funds equal to one-hundred percent (100%) of the initial deposit if subsequent reviews/fees related to the project are required. In the event that a deposit account is not immediately replenished, review by the administrative staff, consultants, boards and commissions may be suspended until the account is fully replenished. If additional funds remain in the deposit account at the completion of the project, the city will refund the balance to the Financially Responsible Party. A written request must be submitted by the Financially Responsible Party to the city by the 15th of the month in order for the refund check to be processed and distributed by the 15th of the following month. All refund checks will be made payable to the Financially Responsible Party and mailed to the address provided when the account was established.			
ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY			
NAME: LEONARD McENERY, MANAGER		COMPANY: LENNY'S GAS N WASH YORKVILLE, LLC	
MAILING ADDRESS: 8200 W. 185th ST., UNIT K			
CITY, STATE, ZIP: TINLEY PARK, IL 60487		TELEPHONE: 708-444-0117	
EMAIL: lenmcenery@aol.com		FAX: 708-444-0159	
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.			
LEONARD McENERY		MANAGER	
<small>PRINT NAME</small>		<small>TITLE</small>	
		June 5, 2019	
<small>SIGNATURE</small>		<small>DATE</small>	
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.	

EXHIBIT A

THAT PART OF THE WEST HALF OF SECTION 9, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 3 IN O'KEEFE SUBDIVISION UNIT ONE, RECORDED AS DOCUMENT 200800012915, THENCE NORTH 87 DEGREES 00 MINUTES 59 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 3 55.01 FEET; THENCE SOUTH 47 DEGREES 30 MINUTES 51 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 3 70.14 FEET TO THE NORTH RIGHT OF WAY OF ROSEWINKEL STREET; THENCE NORTH 87 DEGREES 00 MINUTES 59 SECONDS EAST ALONG SAID RIGHT OF WAY 108.35 FEET TO A CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 315.00 FEET, A CHORD OF 285.32 FEET AND A CHORD BEARING OF NORTH 60 DEGREES 05 MINUTES 15 SECONDS EAST; THENCE ALONG SAID CURVE AND SAID RIGHT OF WAY 296.10 FEET TO A CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 385.00 FEET, A CHORD OF 82.31 FEET, AND A CHORD BEARING OF NORTH 39 DEGREES 17 MINUTES 42 SECONDS EAST; THENCE ALONG SAID CURVE AND SAID RIGHT OF WAY 82.47 FEET; THENCE NORTH 02 DEGREES 02 MINUTES 41 SECONDS WEST 324.93 FEET; THENCE SOUTH 87 DEGREES 00 MINUTES 59 SECONDS WEST 520.01 FEET TO THE WEST RIGHT OF WAY OF ROUTE 47; THENCE SOUTH 02 DEGREES 02 MINUTES 41 SECONDS EAST ALONG SAID RIGHT OF WAY 465.06 FEET TO THE POINT OF BEGINNING.



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APPLICATION FOR SIGN VARIANCE

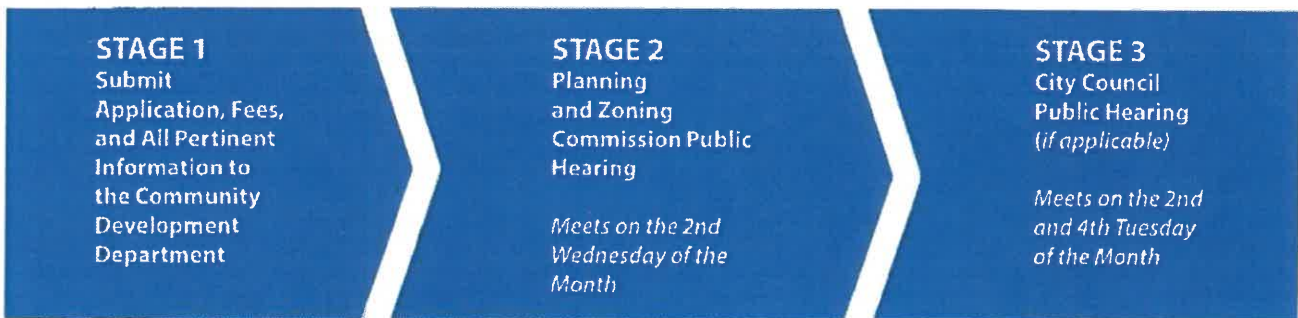
INTENT AND PURPOSE:

The purpose of a variance is to provide relief from certain regulations of the zoning ordinance to permit the use of land in a way that is not otherwise permitted under the ordinance. A variance is granted when the terms of the zoning ordinance, if literally applied, would create an unreasonable hardship on the landowner, making the property virtually useless.

This packet explains the process to successfully submit and complete an Application for a Variance Request. 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 be 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 Variance Request process, please refer to "Title 10, Chapter 20, Section 13 Sign Variations" 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 and 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/Acknowledgment of Financial Responsibility form is attached to this document and must be submitted with the application.



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APPLICATION FOR SIGN VARIANCE

STAGE 2: PLANNING AND ZONING COMMISSION

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 Planning and Zoning Commission meeting.

STAGE 3: CITY COUNCIL

If necessary, the petitioner will attend a City Council public hearing where the Planning and Zoning Commission decision will be discussed and reviewed. The City Council meets on the 2nd and 4th Tuesdays of the month at 7:00pm. Variations may be granted by the City Council, but only after a public hearing for an authorized variation. The concurring vote of two-thirds (2/3) of all members of the City Council shall be necessary to reverse the recommendations of the Planning and Zoning Commission.

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 plan commission review within six (6) months from the date of that request.
- The petitioner has not responded to a request for legal or engineering deposit replenishment for city incurred costs and fees within ninety (90) days from the date of the request.

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

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



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APPLICATION FOR SIGN VARIANCE

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		Total: \$
$\underline{\hspace{2cm}} - 5 = \underline{\hspace{2cm}} \times \$10 = \underline{\hspace{2cm}} + \$250 = \$ \underline{\hspace{2cm}}$ <p style="text-align: center;"> <small># of Acres Acres over 5 Amount for Extra Acres Total Amount</small> </p>			
REZONING	<input type="checkbox"/> \$200.00 + \$10 per acre for each acre over 5 acres		Total: \$
<i>If annexing and rezoning, charge only 1 per acre fee; if rezoning to a PUD, charge PUD Development Fee not Rezoning Fee</i>			
$\underline{\hspace{2cm}} - 5 = \underline{\hspace{2cm}} \times \$10 = \underline{\hspace{2cm}} + \$200 = \$ \underline{\hspace{2cm}}$ <p style="text-align: center;"> <small># of Acres Acres over 5 Amount for Extra Acres Total Amount</small> </p>			
SPECIAL USE	<input type="checkbox"/> \$250.00 + \$10 per acre for each acre over 5 acres		Total: \$
$\underline{\hspace{2cm}} - 5 = \underline{\hspace{2cm}} \times \$10 = \underline{\hspace{2cm}} + \$250 = \$ \underline{\hspace{2cm}}$ <p style="text-align: center;"> <small># of Acres Acres over 5 Amount for Extra Acres Total Amount</small> </p>			
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	\$5,000.00 \$10,000.00 \$15,000.00 \$20,000.00 \$25,000.00	Total: \$
OUTSIDE CONSULTANTS DEPOSIT	<i>Legal, land planner, zoning coordinator, environmental services</i> For Annexation, Subdivision, Rezoning, and Special Use:		Total: \$
<input type="checkbox"/> Less than 2 acres <input type="checkbox"/> Over 2 acres, less than 10 acres <input type="checkbox"/> Over 10 acres			\$1,000.00 \$2,500.00 \$5,000.00
TOTAL AMOUNT DUE:			



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APPLICATION FOR SIGN VARIANCE

DATE:	PZC NUMBER:	DEVELOPMENT NAME:
-------	-------------	-------------------

PETITIONER INFORMATION

NAME: ^{McENERY} LEONARD McHENRY, MANAGER COMPANY: LENNY'S GAS N WASH YORKVILLE, LLC

MAILING ADDRESS 8200 W. 185th St., UNIT K

CITY, STATE, ZIP: TINLEY PARK, IL 60487 TELEPHONE: (708) 444-0117 CELL: (708) 805-2525

EMAIL: LENMCGENERY@AOL.COM FAX: (708) 444-0159

PROPERTY INFORMATION

NAME OF HOLDER OF LEGAL TITLE: BETTY O'KEEFE FAMILY LIMITED PARTNERSHIP % BETTY O'KEEFE PROPERTIES LLC

IF LEGAL TITLE IS HELD BY A LAND TRUST, LIST THE NAMES OF ALL HOLDERS OF ANY BENEFICIAL INTEREST THEREIN:

PROPERTY STREET ADDRESS:

DESCRIPTION OF PROPERTY'S PHYSICAL LOCATION. NORTHEAST CORNER RTE. 47 AND WATERPARK WAY

CURRENT ZONING CLASSIFICATION: B-3 GENERAL BUSINESS DISTRICT

ZONING AND LAND USE OF SURROUNDING PROPERTIES

NORTH: B-3 VACANT AG USE

EAST: B-3 VACANT AG USE

SOUTH: B-3 VACANT AG USE

WEST: R-4 VACANT AG USE

KENDALL COUNTY PARCEL IDENTIFICATION NUMBER(S)

PART OF 02-09-100-015



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 SIGN VARIANCE

ATTORNEY INFORMATION

NAME: **LYMAN C. TIEMAN** COMPANY: **LAW OFFICE OF LYMAN C. TIEMAN**
 MAILING ADDRESS: **12417 TAHOE LN.**
 CITY, STATE, ZIP: **MOKENA, IL 60448** TELEPHONE: **(815) 370-3383**
 EMAIL: **LCTIEMAN@YAHOO.COM** FAX: **(815) 717-6352**

ENGINEER INFORMATION

NAME: **BRIAN HERTZ** COMPANY: **M. GINGERICH GEREUX & ASSOC. INC. MGR2A**
 MAILING ADDRESS: **25620 S. GOUGAR RD.**
 CITY, STATE, ZIP: **MANHATTAN, IL 60442** TELEPHONE: **(815) 478-9680**
 EMAIL: **BHERTZ@MG2A.COM** FAX: **(815) 478-9685**

LAND PLANNER/SURVEYOR INFORMATION

NAME: **SCOTT PRITCHETT** COMPANY: **ARSA SCHNEIDER ARCHITECTS**
 MAILING ADDRESS: **1411 W. PETERSON AVE., STE 203**
 CITY, STATE, ZIP: **PARK RIDGE, IL 60068** TELEPHONE: **(847) 698-4438**
 EMAIL: **ARSA@ENTERACT.COM** FAX: **(847) 698-9889**

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".



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APPLICATION FOR SIGN VARIANCE

SIGN VARIANCE STANDARDS

- | | | |
|--|---|--|
| WAS THE SIGN ERECTED LEGALLY WITH A SIGN PERMIT? | <input type="checkbox"/> YES | <input checked="" type="checkbox"/> NO |
| ARE THERE LIMITED AVAILABLE LOCATIONS FOR SIGNAGE ON THE PROPERTY? | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| DOES THE SIGN FACE A STREET WITH A FORTY (40) MILE PER HOUR OR HIGHER SPEED LIMIT? | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| IS THE SIGN ON A STREET WITH TWENTY THOUSAND (20,000) OR HIGHER VEHICLE TRIPS PER DAY? | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| IS THE SIGN ON A WALL FACING A PUBLIC RIGHT-OF-WAY WITHOUT A PUBLIC ENTRANCE? | <input type="checkbox"/> YES | <input checked="" type="checkbox"/> NO |
| WOULD THE SIGN BE BLOCKED BY EXISTING OR REQUIRED LANDSCAPING? | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |

PLEASE STATE THE VARIANCE REQUESTED AND THE CITY ORDINANCE INCLUDING THE SECTION NUMBERS TO BE VARIED:

Requesting a square footage variance regarding section 10-20-9: A
 The variance would allow for (1) 107 square foot monument sign.

PLEASE STATE HOW THE PROPOSED VARIATION WILL NOT IMPAIR AN ADEQUATE SUPPLY OF LIGHT AND AIR TO ADJACENT PROPERTY, OR SUBSTANTIALLY INCREASE THE CONGESTION IN THE PUBLIC STREETS, OR INCREASE THE DANGER TO THE PUBLIC SAFETY, OR SUBSTANTIALLY DIMINISH OR IMPAIR PROPERTY VALUES WITHIN THE NEIGHBORHOOD:

The proposed variation will not impair an adequate supply of light and air to adjacent properties. The variation will not increase congestion in the streets, nor will it increase the danger to the public. The variation may increase property values within the surrounding area.

PLEASE CONFIRM THE PROPOSED VARIATION IS CONSISTENT WITH THE OFFICIAL COMPREHENSIVE PLAN AND OTHER DEVELOPMENT STANDARDS AND POLICIES OF THE CITY.

The proposed variation & monument sign is consistent with the official comprehensive plan and other standards & policies of the city.



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Yorkville, Illinois, 60560
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APPLICATION FOR SIGN VARIANCE

SIGN VARIANCE STANDARDS

PLEASE DESCRIBE THE COST TO THE PETITIONER OF COMPLYING WITH THE SIGN ORDINANCE REQUIREMENTS:

This Gas station must communicate several items, like 3 gas prices units, the name of the station, any food service offered within, and any special items available inside. If the sign were to conform, the square footage would be too small to properly display all items.

IF THERE ARE ANY UNIQUE PHYSICAL CHARACTERISTICS OF THE PROPERTY, PLEASE DESCRIBE THEM BELOW:

The property has a 55' R.O.W. dedication along Rt.47 which will force the sign a good distance away from the main road.

PLEASE STATE HOW THE GRANTING OF THE VARIATION WILL NOT BE DETRIMENTAL TO THE PUBLIC WELFARE OR INJURIOUS TO OTHER PROPERTY OR IMPROVEMENTS IN THE NEIGHBORHOOD IN WHICH THE PROPERTY IS LOCATED:

Granting the variance will enhance public welfare, + neighboring properties.

PLEASE STATE HOW THE PARTICULAR SURROUNDINGS, SHAPE OR TOPOGRAPHICAL CONDITIONS OF THE SPECIFIC PROPERTY INVOLVED, A PARTICULAR HARDSHIP TO THE OWNER WOULD RESULT, AS DISTINGUISHED FROM A MERE INCONVENIENCE, IF THE STRICT LETTER OF REGULATIONS WAS CARRIED OUT:

A hardship would result from strict regulation as in not being able to effectively display the appropriate information customers need to know.



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APPLICATION FOR SIGN VARIANCE

SIGN VARIANCE STANDARDS

PLEASE STATE HOW THE CONDITIONS UPON WHICH THE APPLICATION FOR A VARIATION IS BASED ARE UNIQUE TO THE PROPERTY FOR WHICH THE VARIATION IS SOUGHT AND ARE NOT APPLICABLE, GENERALLY, TO OTHER PROPERTY WITHIN THE SAME ZONING CLASSIFICATION:

A gas station must display gas prices in an effective manner, along with the name of the station, and any addition tenants inside.

PLEASE STATE HOW THE ALLEGED DIFFICULTY OR HARDSHIP IS CAUSED BY THIS TITLE AND HAS NOT BEEN CREATED BY ANY PERSON PRESENTLY HAVING AN INTEREST IN THE PROPERTY:

The hardship is caused by the ordinance as stated, and has not been created by any person having an interest in the property.

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.

Samuel McEneaney
 PETITIONER SIGNATURE

June 14, 2019
 DATE

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

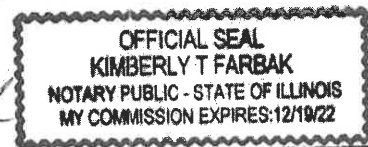
Betty O'Keefe Family Limited Partnership

By: K. W. O'Keefe
 OWNER SIGNATURE

June 17, 2019
 DATE

THIS APPLICATION MUST BE NOTARIZED PLEASE NOTARIZE HERE:

Kimberly T. Farbak





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 SIGN VARIANCE

SIGN VARIANCE STANDARDS

PLEASE STATE HOW THE CONDITIONS UPON WHICH THE APPLICATION FOR A VARIATION IS BASED ARE UNIQUE TO THE PROPERTY FOR WHICH THE VARIATION IS SOUGHT AND ARE NOT APPLICABLE, GENERALLY, TO OTHER PROPERTY WITHIN THE SAME ZONING CLASSIFICATION:

A gas station must display gas prices in an effective manner, along with the name of the station, and any addition tenants inside.

PLEASE STATE HOW THE ALLEGED DIFFICULTY OR HARDSHIP IS CAUSED BY THIS TITLE AND HAS NOT BEEN CREATED BY ANY PERSON PRESENTLY HAVING AN INTEREST IN THE PROPERTY:

The hardship is caused by the ordinance as stated, and has not been created by any person having an interest in the property.

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.

Leonard McEneaney
 PETITIONER SIGNATURE

June 14, 2019
 DATE

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

 OWNER SIGNATURE

 DATE

THIS APPLICATION MUST BE NOTARIZED PLEASE NOTARIZE HERE:

Kimberly T. Farbak





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 type="checkbox"/> ANNEXATION	<input type="checkbox"/> REZONING
<input type="checkbox"/> SPECIAL USE	<input type="checkbox"/> MILE AND 1/2 REVIEW	<input checked="" type="checkbox"/> ZONING VARIANCE	<input type="checkbox"/> PRELIMINARY PLAN
<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: <u>LEONARD MCENERY</u>	COMPANY: <u>LENNY'S GAS N WASH YORKVILLE, LLC</u>
MAILING ADDRESS: <u>8200 W. 185TH ST, UNIT K</u>	
CITY, STATE, ZIP: <u>TINLEY PARK, IL 60487</u>	TELEPHONE: <u>(708) 444-0117</u>
EMAIL: <u>LENMCENERY@AOL.COM</u>	FAX: <u>(708) 444-0159</u>

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.

<u>Leonard McEnery</u>	<u>owner - messaging member</u>
PRINT NAME	TITLE
<u>Leonard McEnery</u>	<u>June 14, 2019</u>
SIGNATURE	DATE

ACCOUNT CLOSURE AUTHORIZATION

DATE REQUESTED: _____	<input type="checkbox"/> COMPLETED	<input type="checkbox"/> INACTIVE			
PRINT NAME: _____	<input type="checkbox"/> WITHDRAWN	<input type="checkbox"/> COLLECTIONS			
SIGNATURE: _____	<input type="checkbox"/> OTHER				
DEPARTMENT ROUTING FOR AUTHORIZATION:	<input type="checkbox"/> COM. DEV.	<input type="checkbox"/> BUILDING	<input type="checkbox"/> ENGINEERING	<input type="checkbox"/> FINANCE	<input type="checkbox"/> ADMIN.

ALTA/NSPS LAND TITLE SURVEY

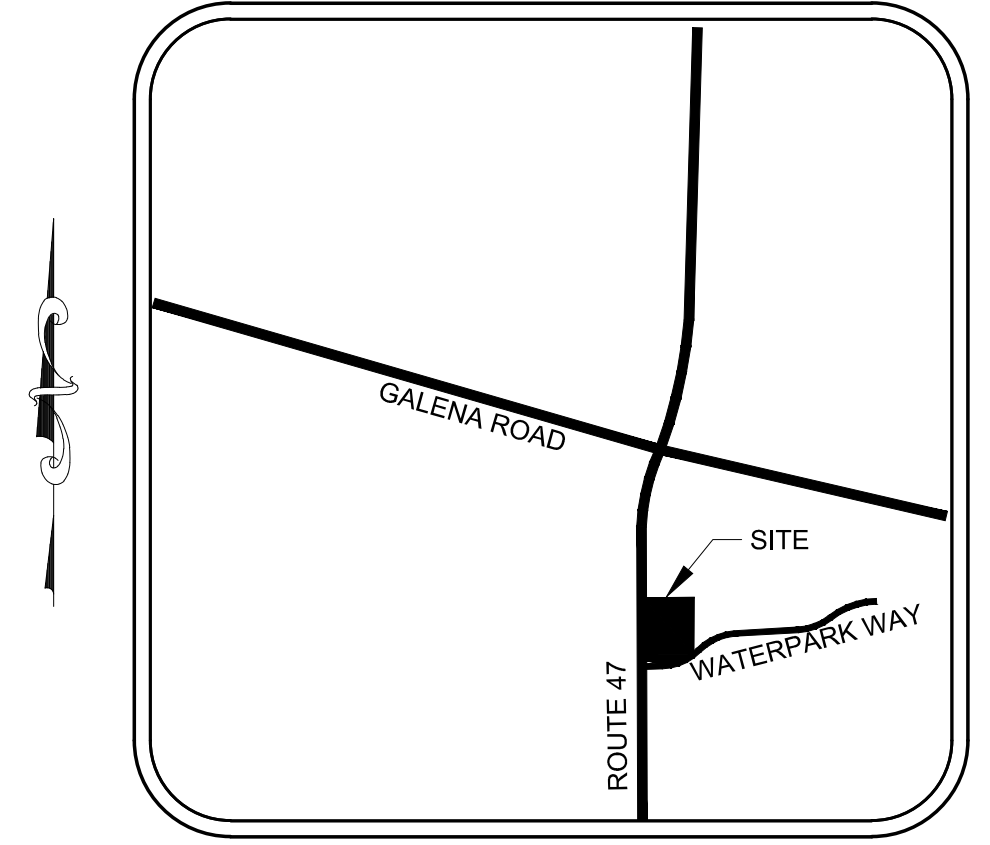
Items Corresponding to Schedule B

THE FOLLOWING ARE ITEMS IN SCHEDULE B IN TITLE INSURANCE COMPANY TITLE COMMITMENT NO. WITH AN EFFECTIVE DATE OF _____, 2019

Utility Notes

- UN1** THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE OF ABOVE GROUND APPURTENANCES ONLY. THE SURVEYOR WAS NOT PROVIDED WITH UNDERGROUND PLANS OR SURFACE GROUND MARKINGS TO DETERMINE THE LOCATION OF ANY SUBTERRANEAN USES.
 - UN2** CALL "J.U.L.L.E." FOR FIELD LOCATIONS OF UNDERGROUND UTILITY LINES 1-800-892-0123
- ## Miscellaneous Notes
- MN1** DIMENSIONS ON THIS PLAT ARE EXPRESSED IN FEET AND DECIMAL PARTS THEREOF UNLESS OTHERWISE NOTED.
 - MN2** AREA = 245,233 SQ. FT. OR 5.63 ACRES
 - MN3** PART OF PIN # 02-09-100-003-0000
 - MN4** BEARING BASIS PER SUBDIVISION PLAT
 - MN5** AT THE TIME OF THE SURVEY THERE WAS NO OBSERVABLE EVIDENCE OF CHANGES IN STREET RIGHT-OF-WAY LINES OR STREET AND SIDEWALK REPAIRS OR CONSTRUCTION.
 - MN6** AT THE TIME OF THE SURVEY THERE WAS NO OBSERVABLE EVIDENCE OF EARTH MOVING, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS WITHIN RECENT MONTHS.

Vicinity Map

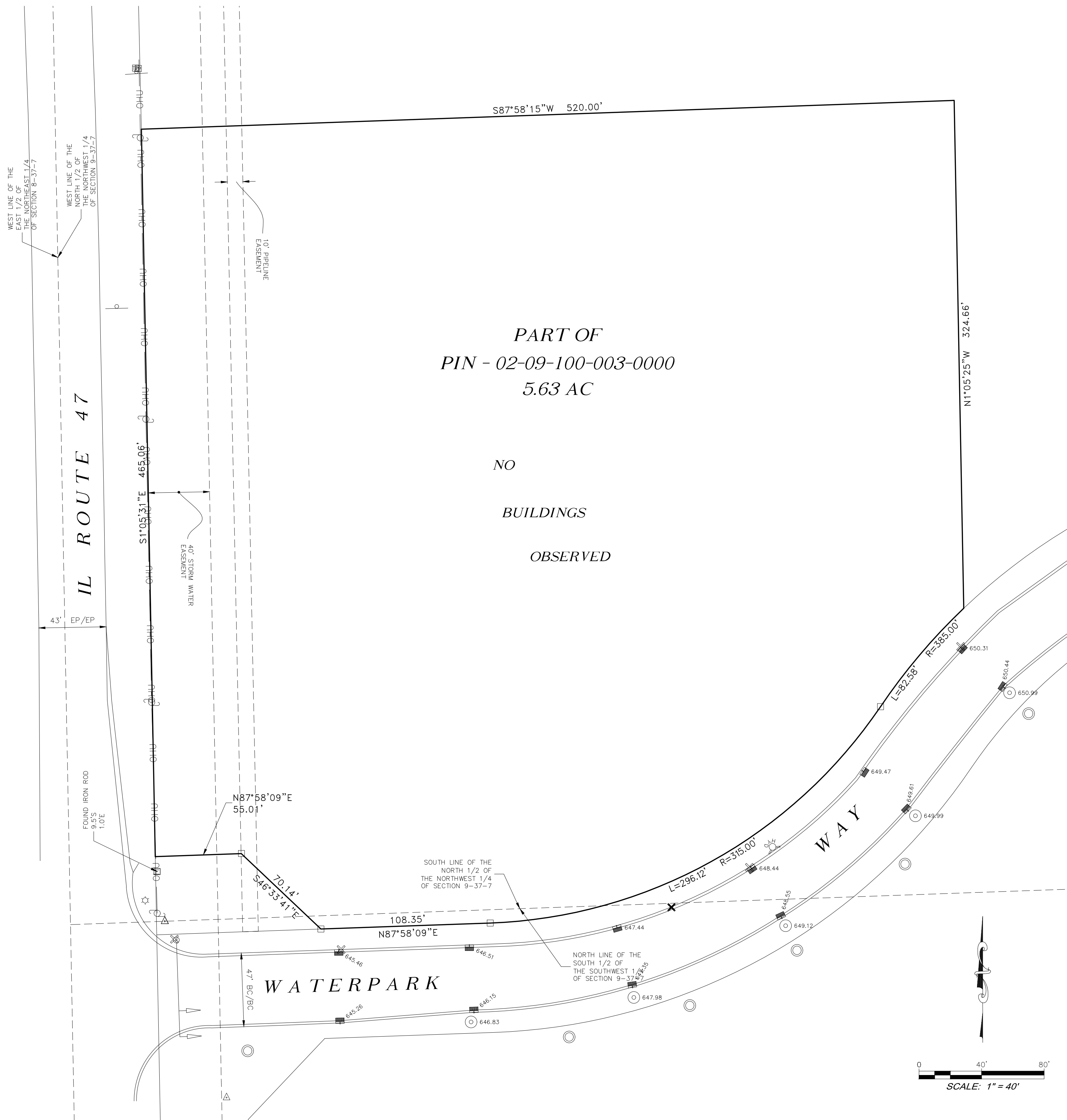


Legend of Symbols & Abbreviations

- | | | |
|---|--|---|
| <ul style="list-style-type: none"> ■ SET IRON ROD □ FOUND IRON ROD ▲ SET MAG NAIL 7.77 MEASURED DATA (7.77) RECORDED DATA P.U.E. PUBLIC UTILITY EASEMENT D.E. DRAINAGE EASEMENT L.E. LANDSCAPE EASEMENT B.S.L. BUILDING SETBACK LINE | <ul style="list-style-type: none"> ○ STORM SEWER MANHOLE ○ SANITARY SEWER MANHOLE ○ FIRE HYDRANT ○ POWER POLE ○ GUY WIRE ○ SIGN ○ UNKNOWN MANHOLE ○ TRAFFIC SIGNAL | <ul style="list-style-type: none"> □ ELECTRIC METER □ TRANSFORMER □ TELEPHONE PEDESTAL ▨ ASPHALT SURFACE ▨ AGGREGATE SURFACE ▨ CONCRETE SURFACE |
|---|--|---|

LAND DESCRIPTION

THAT PART OF THE WEST HALF OF SECTION 9, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 3 IN O'KEEFE SUBDIVISION UNIT ONE, RECORDED AS DOCUMENT 200800012915, THENCE NORTH 87 DEGREES 58 MINUTES 09 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 3 55.01 FEET; THENCE SOUTH 46 DEGREES 33 MINUTES 41 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 3 70.14 FEET TO THE NORTH RIGHT OF WAY OF ROSEWINKEL STREET; THENCE NORTH 87 DEGREES 58 MINUTES 09 SECONDS EAST ALONG SAID RIGHT OF WAY 108.35 FEET TO A CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 315.00 FEET, A CHORD OF 285.34 FEET AND A CHORD BEARING OF NORTH 61 DEGREES 00 MINUTES 09 SECONDS EAST; THENCE ALONG SAID CURVE AND SAID RIGHT OF WAY 296.12 FEET TO A CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 385.00 FEET, A CHORD OF 82.42 FEET, AND A CHORD BEARING OF NORTH 40 DEGREES 15 MINUTES 11 SECONDS EAST; THENCE ALONG SAID CURVE AND SAID RIGHT OF WAY 82.58 FEET; THENCE NORTH 01 DEGREES 05 MINUTES 25 SECONDS WEST 324.66 FEET; THENCE SOUTH 87 DEGREES 58 MINUTES 15 SECONDS WEST 520.00 FEET TO THE WEST RIGHT OF WAY OF ROUTE 47; THENCE SOUTH 01 DEGREES 05 MINUTES 31 SECONDS EAST ALONG SAID RIGHT OF WAY 465.06 FEET TO THE POINT OF BEGINNING.



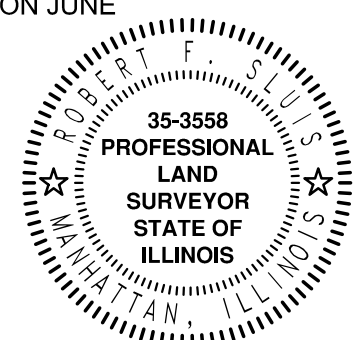
SCALE: 1" = 40'

TO: INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS () OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JUNE 08, 2019.

DATED: 06/08/2019

ROBERT F. SLUIS
ILLINOIS PROFESSIONAL LAND SURVEYOR #35-3558
LICENSE EXPIRES NOVEMBER 30, 2020



**DRAFT
FOR REVIEW**
REV 7 / 18 / 19

REVISIONS		
DATE	BY	DESCRIPTION

MGA CIVIL ENGINEERING SURVEYING

M GINGERICH GEREUX & ASSOCIATES
Professional Design Firm License # 184.005003
P. 815-478-9680 www.mg2a.com F. 815-478-9685
25620 S. GOUGAR RD | MANHATTAN, IL. 60442

ORDERED BY: **GAS N WASH**

DATE: 06-08-2019 DR: B1/NIB CK: B1/RFS TITLE: _____

CD: 19-451 PLOT 1 of 1

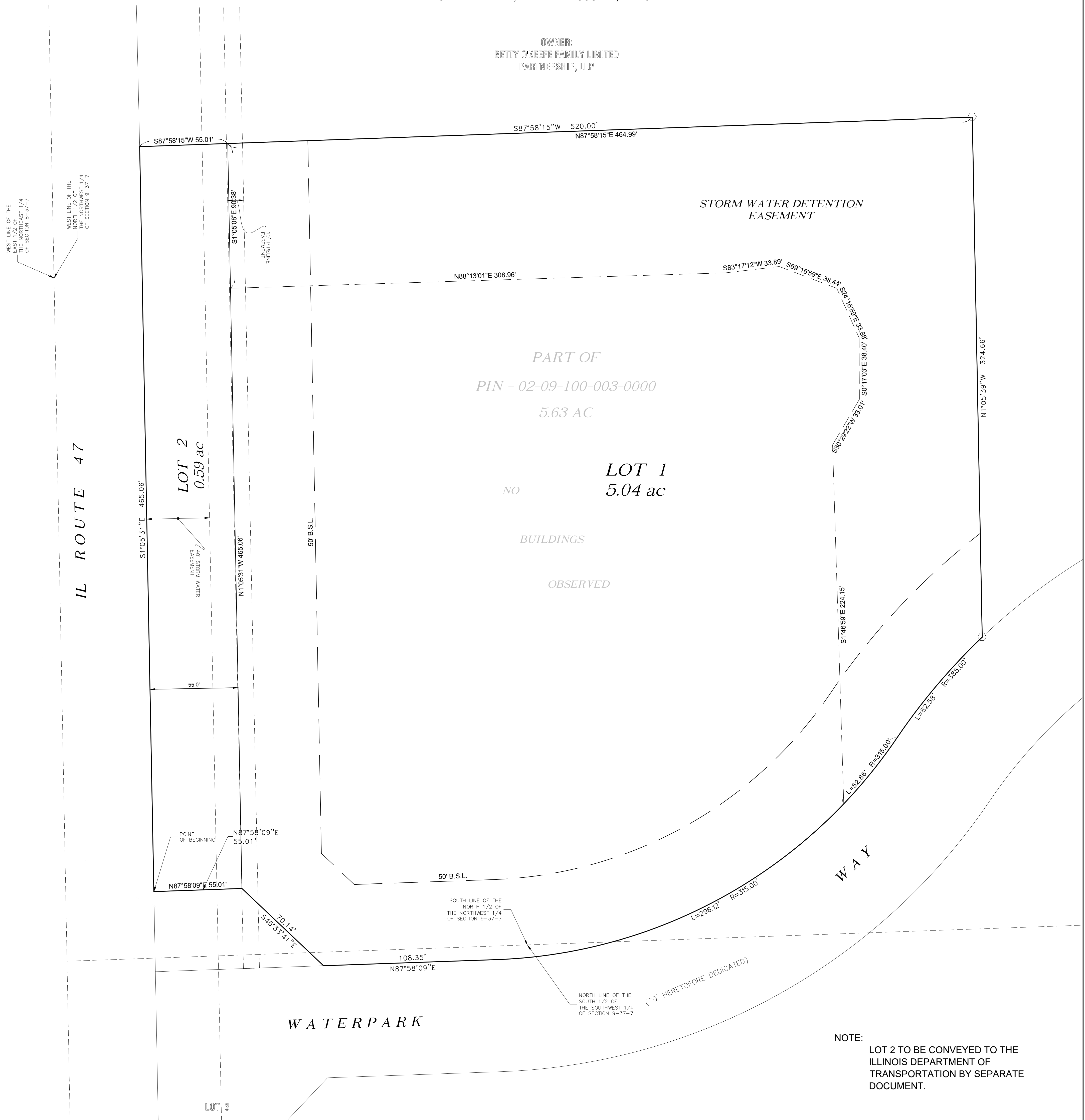
FINAL PLAT

of

GAS N WASH ROUTE 47 YORKVILLE SUBDIVISION

BEING A SUBDIVISION OF PART OF THE WEST HALF OF SECTION 9, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KENDALL COUNTY, ILLINOIS.

OWNER:
BETTY O'KEEFE FAMILY LIMITED
PARTNERSHIP, LLP



NOTE:
LOT 2 TO BE CONVEYED TO THE ILLINOIS DEPARTMENT OF TRANSPORTATION BY SEPARATE DOCUMENT.

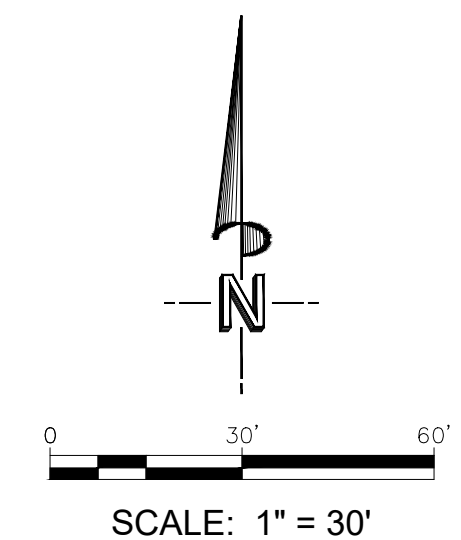
SURVEYORS CERTIFICATION
STATE OF ILLINOIS)
COUNTY OF WILL) SS
THIS IS TO CERTIFY THAT I, ROBERT F. SLUIS, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HAVE SURVEYED AND SUBDIVIDED THE BELOW DESCRIBED PROPERTY:

THAT PART OF THE WEST HALF OF SECTION 9, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 3 IN O'KEEFE SUBDIVISION UNIT ONE, RECORDED AS DOCUMENT 200800012915, THENCE NORTH 87 DEGREES 58 MINUTES 09 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 3 55.01 FEET; THENCE SOUTH 46 DEGREES 33 MINUTES 41 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 3 70.14 FEET TO THE NORTH RIGHT OF WAY OF ROSENWINKEL STREET (ALSO KNOWN AS WATERPARK WAY); THENCE NORTH 87 DEGREES 58 MINUTES 09 SECONDS EAST ALONG SAID RIGHT OF WAY 108.35 FEET TO A CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 315.00 FEET, A CHORD OF 285.34 FEET AND A CHORD BEARING OF NORTH 61 DEGREES 00 MINUTES 09 SECONDS EAST; THENCE ALONG SAID CURVE AND SAID RIGHT OF WAY 296.12 FEET TO A CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 385.00 FEET, A CHORD OF 82.42 FEET, AND A CHORD BEARING OF NORTH 40 DEGREES 15 MINUTES 11 SECONDS EAST; THENCE ALONG SAID CURVE AND SAID RIGHT OF WAY 82.58 FEET; THENCE NORTH 01 DEGREES 05 MINUTES 39 SECONDS WEST 324.66 FEET; THENCE SOUTH 87 DEGREES 58 MINUTES 15 SECONDS WEST 520.00 FEET TO THE WEST RIGHT OF WAY OF ROUTE 47; THENCE SOUTH 01 DEGREES 05 MINUTES 31 SECONDS EAST ALONG SAID RIGHT OF WAY 465.06 FEET TO THE POINT OF BEGINNING.

- I DO FURTHER CERTIFY THAT:
- NO PART OF THIS SUBDIVISION IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FIRM MAP NUMBER 17093C00300, EFFECTIVE DATE FEBRUARY 4, 2009.
 - THE ACCOMPANIED PLAT IS TRUE AND CORRECT REPRESENTATION OF SAID SURVEY.
 - ALL LOTS CORNERS WILL BE STAKED WITH 5/8 INCH BY 24 INCH IRON RODS OR MONUMENTED ACCORDING TO THE PLAT ACT AS AMENDED.
 - DISTANCES ARE IN FEET AND DECIMAL PARTS THEREOF.
 - THIS SUBDIVISION CONTAINS 5.63 ACRES.
 - PART OF PIN # 02-09-100-003
 - THE PROPERTY LIES WITHIN CORPORATE LIMITS OF THE UNITED CITY OF YORKVILLE.

Dated this _____ day of _____, 2019.

Robert F. Sluis
Illinois Professional Land Surveyor #035-003558
License Expires November 30, 2020



P.U.E. - PUBLIC UTILITY EASEMENT
D.E. - DRAINAGE EASEMENT
B.S.L. - BUILDING SETBACK LINE
○ - CONCRETE MONUMENT

DRAFT FOR REVIEW
REV 8 / 7 / 2019

REVISIONS		
DATE	BY	DESCRIPTION

M GINGERICH GEREAX & ASSOCIATES
Professional Design Firm License # 184.005003
P. 815-478-9680 www.mg2a.com F. 815-478-9685
25620 S. GOUGAR RD | MANHATTAN, IL. 60442

DATE: 8/14/2019
JOB NO.: 19-451

DR. BY: NIB
CK. BY: RFS

PROJECT: GAS N WASH
PAGE: 1 of 2

X:\Projects\2019\19-451 - NEC Waterpark Way & Rte. 47 Yorkville - Gas N Wash\DWG\Final\Final_Plat.dwg, Sheet 1, 8/7/2019, 4:45:33 PM, sluis

FINAL PLAT of GAS N WASH ROUTE 47 YORKVILLE SUBDIVISION

BEING A SUBDIVISION OF PART OF THE WEST HALF OF SECTION 9, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KENDALL COUNTY, ILLINOIS.

OWNERSHIP CERTIFICATE

STATE OF ILLINOIS)
)SS
COUNTY OF _____)

_____ IS THE OWNER OF THE LAND DESCRIBED IN THE ATTACHED PLAT HAS CAUSED THE SAME TO BE SURVEYED, SUBDIVIDED AND PLATED AS SHOWN BY THE PLAT FOR USES AND PURPOSES AS INDICATED THEREON, AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.

DATED THIS _____ DAY OF _____, A.D. 2019.

BY _____ OWNER:
(OWNER) GAS N WASH YORKVILLE LLC
8200 185TH ST. - UNIT K
TINLEY PARK, IL 60487

NOTARY CERTIFICATE

STATE OF ILLINOIS)
)SS
COUNTY OF _____)

I, _____, A NOTARY PUBLIC, IN AND FOR SAID COUNTY, IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT THE PEOPLE WHOSE SIGNATURES APPEAR IN THE "OWNERSHIP CERTIFICATE" ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED ON THE FOREGOING INSTRUMENT AS SUCH OWNERS AND THAT THEY APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED THE ANNEXED PLAT AS THEIR OWN FREE AND VOLUNTARY ACT FOR PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTORIAL SEAL

THIS _____ DAY OF _____, A.D. 2019.

(NOTARY PUBLIC)

SCHOOL DISTRICT CERTIFICATE

STATE OF ILLINOIS)
)SS
COUNTY OF _____)

TO THE BEST OF THE UNDERSIGNED OWNER'S KNOWLEDGE, THE ABOVE DESCRIBED SUBDIVISION KNOWN AS _____ GAS N WASH YORKVILLE SUBDIVISION

LIES WITHIN _____ SCHOOL DISTRICT # _____ AND
_____ HIGH SCHOOL DISTRICT # _____.

DATED THIS _____ DAY OF _____, A.D. 2019.

BY _____
(OWNER)

NOTARY CERTIFICATE

STATE OF ILLINOIS)
)SS
COUNTY OF _____)

I, _____, A NOTARY PUBLIC, IN AND FOR SAID COUNTY, IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT THE PEOPLE WHOSE SIGNATURES APPEAR IN THE "SCHOOL DISTRICT CERTIFICATE" ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED ON THE FOREGOING INSTRUMENT AS SUCH OWNERS AND THAT THEY APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED THE ANNEXED PLAT AS THEIR OWN FREE AND VOLUNTARY ACT FOR PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTORIAL SEAL

THIS _____ DAY OF _____, A.D. 2019.

(NOTARY PUBLIC)

CITY CLERK CERTIFICATE

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

I, _____, CITY CLERK OF THE UNITED CITY OF YORKVILLE ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS APPORTIONED AGAINST THE TRACT INCLUDED IN THIS PLAT, DATED AT YORKVILLE, KENDALL COUNTY ILLINOIS

THIS _____ DAY OF _____, A.D., 2019.

CITY CLERK

CITY ADMINISTRATOR CERTIFICATE

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

APPROVED BY THE CITY ADMINISTRATOR OF THE UNITED CITY OF YORKVILLE,

ILLINOIS THIS _____ DAY OF _____, A.D., 2019.

CITY ADMINISTRATOR

PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

APPROVED BY THE PLAN COMMISSION OF THE UNITED CITY OF YORKVILLE, ILLINOIS,

AT A MEETING HELD ON THE _____ DAY OF _____, A.D., 2019.

CHAIRMAN

SECRETARY

CITY COUNCIL CERTIFICATE

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

APPROVED BY THE CITY COUNCIL OF THE UNITED CITY OF YORKVILLE, ILLINOIS,

AT A MEETING HELD ON THE _____ DAY OF _____, A.D., 2019.

PRESIDENT

CLERK

COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

I, _____, COUNTY CLERK OF KENDALL COUNTY, ILLINOIS, AND CUSTODIAN OF THE RECORDS AND FILES OF SAID OFFICE, DO HEREBY CERTIFY THAT I FIND FROM SUCH RECORDS AND FILES, NO DELINQUENT GENERAL TAXES, NO UNPAID CURRENT GENERAL TAXES, NO DELINQUENT SPECIAL ASSESSMENTS ON FILE AGAINST THE TRACT OF LAND DESCRIBED ON THE ATTACHED PLAT OF

_____ GAS N WASH ROUTE 47 YORKVILLE SUBDIVISION, AND THAT THERE ARE NO UNPAID DEFERRED INSTALLMENTS OF SPECIAL ASSESSMENTS AGAINST THE SAID PROPERTY OR ANY PART THEREOF.

DATED THIS _____ DAY OF _____, A.D. 2019.

COUNTY CLERK

SURFACE WATER STATEMENT

STATE OF ILLINOIS)
)SS
COUNTY OF WILL)

TO THE BEST OF OUR KNOWLEDGE AND BELIEF, THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF SUCH IMPROVEMENTS OR ANY PART THEREOF, OR THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED, REASONABLE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH WATERS INTO PUBLIC AREAS, OR DRAINS WHICH THE PROPERTY OWNER HAS A RIGHT TO USE, AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH THE GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE IMPROVEMENTS.

DATED THIS _____ DAY OF _____, A.D. 2019.

ILLINOIS REGISTERED P.E. #062-054935

CITY ENGINEER CERTIFICATE

STATE OF ILLINOIS)
)SS
COUNTY OF _____)

I, _____, CITY ENGINEER FOR THE UNITED CITY OF YORKVILLE DO HEREBY CERTIFY THE REQUIRED IMPROVEMENTS HAVE BEEN INSTALLED OR THE REQUIRED GUARANTEE COLLATERAL HAS BEEN POSTED FOR THE COMPLETION OF ALL REQUIRED IMPROVEMENTS, DATED AT YORKVILLE,

ILLINOIS THIS _____ DAY OF _____, A.D., 2019.

CITY ENGINEER

DEPARTMENT OF TRANSPORTATION

STATE OF ILLINOIS)
)SS
COUNTY OF _____)

THIS PLAT HAS BEEN APPROVED BY THE ILLINOIS DEPARTMENT OF TRANSPORTATION WITH RESPECT TO ROADWAY ACCESS PURSUANT OF §2 OF "AN ACT TO REVISE THE LAW IN RELATION TO PLATS," AS AMENDED. A PLAN THAT MEETS THE REQUIREMENTS CONTAINED IN THE DEPARTMENT'S "POLICY ON PERMITS FOR ACCESS DRIVEWAYS TO STATE HIGHWAYS" WILL, BE REQUIRED BY THE DEPARTMENT.

_____ DAY OF _____, A.D. 2019.

ANTHONY J. QUIGLEY, P.E., REGION ONE ENGINEER

EASEMENT PROVISIONS

An easement for serving the subdivision and other property with electric and communication service is hereby reserved for and granted to:

Commonwealth Edison Company, Ameritech Illinois a.k.a. Illinois Bell Telephone Company, Grantees,

Their respective licensees, successors, and assigns, jointly and severally, to construct, operate, repair, maintain, modify, reconstruct, replace, supplement, relocate and remove, from time to time, poles, guys, anchors, wires, cables, conduits, manholes, transformers, pedestals, equipment cabinets or other facilities used in connection with overhead and underground transmission and distribution of electricity, communications, sounds and signals in, over, under, across, along and upon the surface of the property shown within the dashed or dotted lines (or similar designation) on the plat and marked "Easement", "Utility Easement", "Public Utility Easement", "P.U.E." (or similar designation), the property designated in the Declaration of Condominium and/or on this plat as "Common Elements", and the property designated on the plat as "common area or areas", and the property designated on the plat for streets and alleys, whether public or private, together with the rights to install required service connections over or under the surface of each lot and common area or areas, to serve improvements thereon, or on adjacent lots, and common area or areas, the right to cut, trim or remove trees, bushes, roots and saplings and to clear obstructions from the surface and subsurface as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes. Obstructions shall not be placed over Grantees' facilities or in, upon or over the property within the dashed or dotted lines (or similar designation) marked "Easement", "Utility Easement", "Public Utility Easement", "P.U.E." (or similar designation) without the prior written consent of Grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered in a manner so as to interfere with the proper operation and maintenance thereof. Further, any utility company at fault of creating or causing damage to existing field tile drainage systems, damage or disruption of other neighboring utilities, etc. shall be responsible for returning and performing repair or replacement work, at the sole expense of the utility company at fault. No expense or compensation will be provided by the developer for damage or repairs caused by the installation or maintenance of said utilities.

An easement is hereby reserved for and granted to NORTHERN ILLINOIS GAS COMPANY, its successors and assigns, in all platted "easement" areas, streets, alleys, other public ways and places shown on this plat, said easement to be for the installation, maintenance, relocation, renewal and removal of gas mains and appurtenances for the purpose of serving all areas shown on this plat as well as other property, whether or not contiguous thereto. No buildings or other structures shall be constructed or erected in any such "easement" areas, streets, alleys, or other public ways or places nor shall any other use be made thereof which will interfere with the easements reserved and granted hereby.

DRAINAGE EASEMENT (D.E.) PROVISIONS

AN EASEMENT FOR SERVING THE SUBDIVISION, AND OTHER PROPERTY WITH STORM DRAINAGE, IS HEREBY RESERVED AND GRANTED TO THE UNITED CITY OF YORKVILLE AND ITS RESPECTIVE SUCCESSORS AND ASSIGNS, JOINTLY AND SEPARATELY, TO INSTALL, OPERATE, MAINTAIN AND REMOVE, FROM TIME TO TIME, FACILITIES AND EQUIPMENT USED IN THE CONNECTION WITH THE STORM DRAINAGE SYSTEM, AND THEIR APPURTENANCES, EITHER ON, OVER, ACROSS, BELOW OR THROUGH THE GROUND SHOWN WITHIN THE DOTTED LINES ON THE PLAT MARKED "DRAINAGE EASEMENT" AND THE PROPERTY DESIGNATED ON THE PLAT FOR DRAINAGE TOGETHER WITH THE RIGHT TO CUT, TRIM OR REMOVE TREES, BUSHED AND ROOTS AS MAY BE REASONABLE REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES. OBSTRUCTIONS SHALL NOT BE PLACED OVER GRANTEE'S FACILITIES OR IN, UPON OR OVER, THE PROPERTY WHICH WILL INTERFERE WITH ITS PROPOSED USE WITHIN THE DOTTED LINES MARKED "DRAINAGE EASEMENT" WITHOUT THE PRIOR WRITTEN CONSENT OF THE GRANTEE'S. AFTER THE INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE SUBDIVIDED PROPERTY SHALL NOT BE ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF.

DETENTION EASEMENT PROVISIONS

ALL EASEMENTS INDICATED AS "EASEMENT FOR DETENTION PURPOSES" ON THIS PLAT ARE RESERVED FOR AND GRANTED TO THE UNITED CITY OF YORKVILLE AND TO ITS SUCCESSORS AND ASSIGNS. NO BUILDINGS SHALL BE PLACED ON SAID DETENTION EASEMENT AREAS, BUT THE SAME MAY BE USED FOR OTHER PURPOSES THAT DO NOT ADVERSELY AFFECT THE STORAGE/FREE FLOW OF STORM WATER. EACH OWNER OR SUBSEQUENT PURCHASER SHALL BE EQUALLY RESPONSIBLE FOR MAINTAINING THE DETENTION EASEMENT AREAS AND SHALL NOT DESTROY OR MODIFY GRADES OR SLOPES WITHOUT HAVING FIRST RECEIVED PRIOR WRITTEN APPROVAL OF THE UNITED CITY OF YORKVILLE.

IN THE EVENT ANY OWNER OR SUBSEQUENT PURCHASER FAILS TO PROPERLY MAINTAIN THE EASEMENT AREAS, THE UNITED CITY OF YORKVILLE, ILLINOIS, OR ANY OTHER UNIT OF LOCAL GOVERNMENT HAVING JURISDICTION OVER DRAINAGE, SHALL UPON TEN (10) DAYS PRIOR WRITTEN NOTICE, RESERVE THE RIGHT TO PERFORM, OR HAVE PERFORMED ON ITS BEHALF, ANY MAINTENANCE WORK TO OR UPON THE WATER DETENTION AREA REASONABLY NECESSARY TO INSURE ADEQUATE STORM WATER STORAGE AND FREE FLOW OF STORM WATER THROUGH THE DETENTION EASEMENT AREAS.

PUBLIC UTILITY EASEMENT (P.U.E.) PROVISIONS

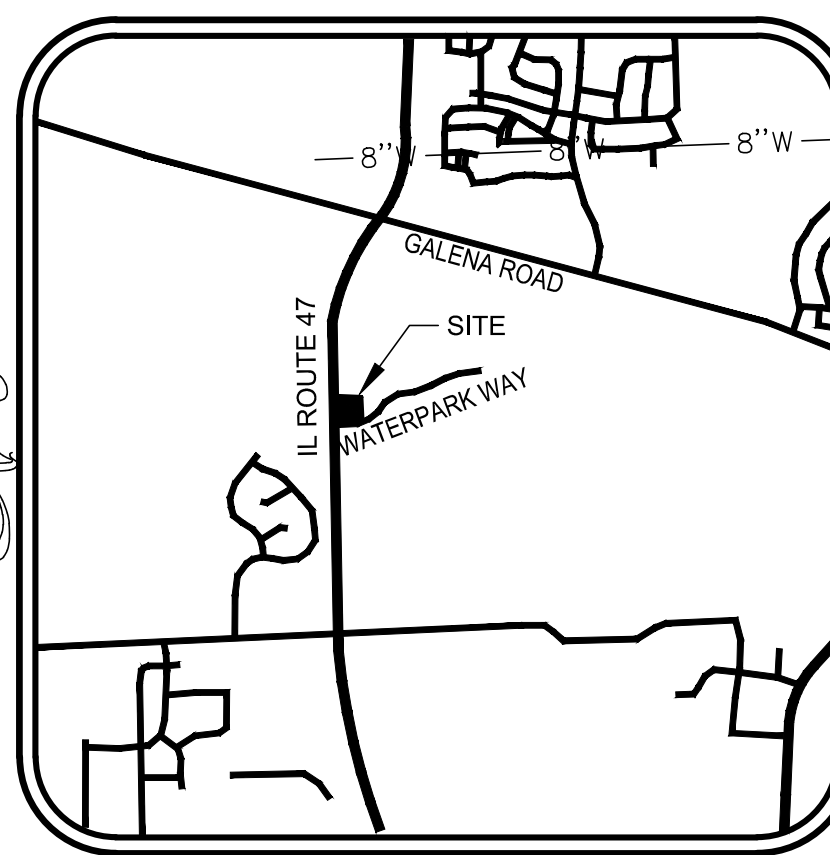
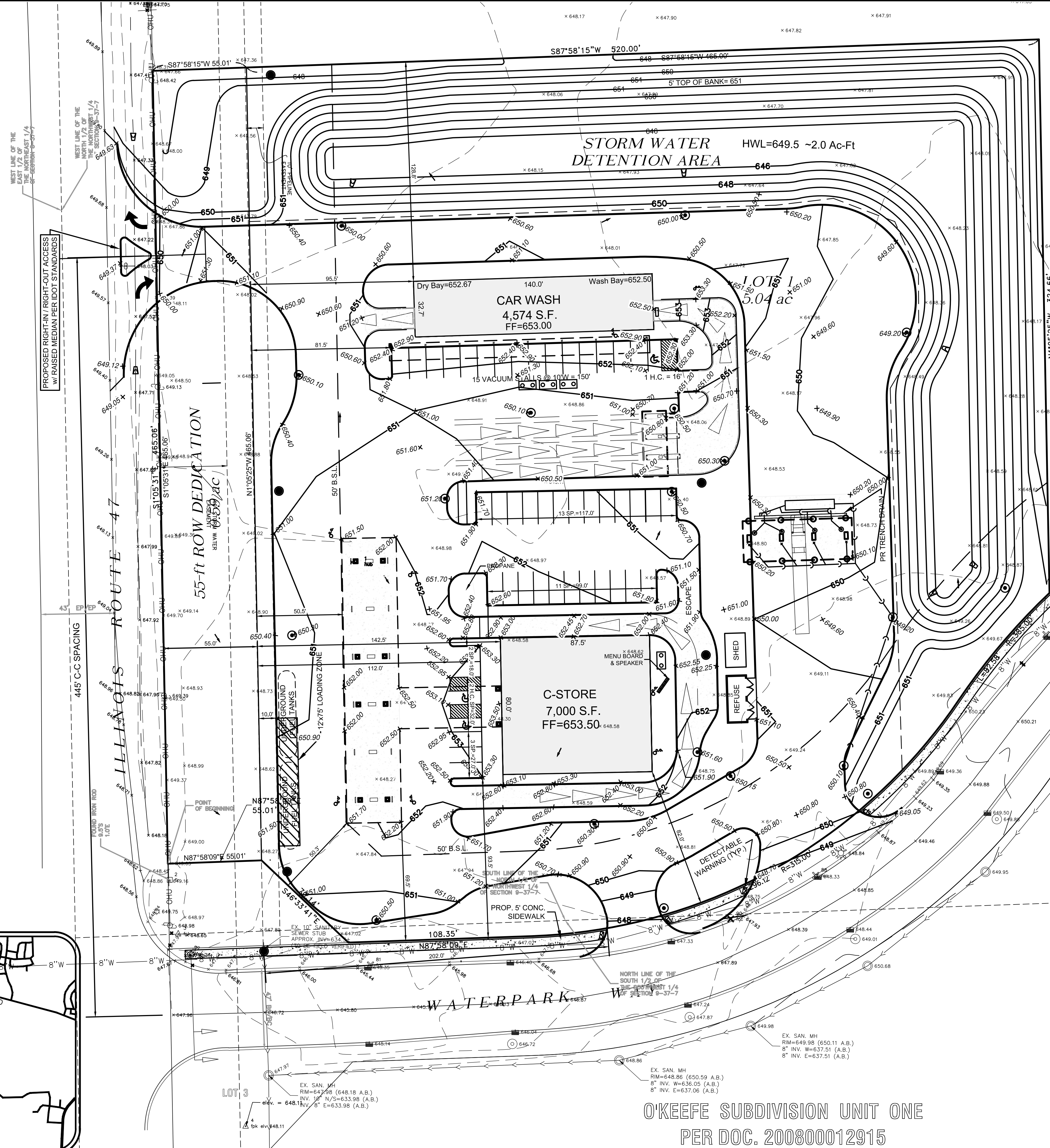
AN EASEMENT FOR SERVING THE SUBDIVISION, AND OTHER PROPERTY WITH STORM DRAINAGE, SANITARY SEWER, STREET LIGHTING, PORTABLE WATER SERVICE AND OTHER PUBLIC UTILITIES, IS HEREBY RESERVED AND GRANTED TO THE UNITED CITY OF YORKVILLE AND ITS RESPECTIVE SUCCESSORS AND ASSIGNS, JOINTLY AND SEPARATELY, TO INSTALL, OPERATE, MAINTAIN AND REMOVE, FROM TIME TO TIME, FACILITIES AND EQUIPMENT USED IN THE CONNECTION WITH THE PUBLIC WATER SUPPLY, TRANSMISSION LINES, SANITARY SEWERS, STORM DRAINAGE SYSTEM, STREET LIGHTING SYSTEM, OR OTHER PUBLIC UTILITY SERVICE, AND THEIR APPURTENANCES, EITHER ON, OVER, ACROSS, BELOW OR THROUGH THE GROUND SHOWN WITHIN THE DOTTED LINES ON THE PLAT MARKED "PUBLIC UTILITY EASEMENT" AND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS TOGETHER WITH THE RIGHT TO CUT, TRIM OR REMOVE TREES, BUSHED AND ROOTS AS MAY BE REASONABLE REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES. OBSTRUCTIONS SHALL NOT BE PLACED OVER GRANTEE'S FACILITIES OR IN, UPON OR OVER, THE PROPERTY WHICH WILL INTERFERE WITH ITS PROPOSED USE WITHIN THE DOTTED LINES MARKED "PUBLIC UTILITY EASEMENT" WITHOUT THE PRIOR WRITTEN CONSENT OF THE GRANTEE'S. AFTER THE INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE SUBDIVIDED PROPERTY SHALL NOT BE ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF.

INGRESS/EGRESS EASEMENT PROVISIONS

INGRESS/EGRESS EASEMENT IS HEREBY CREATED AND GRANTED FOR THE BENEFIT OF THE UNITED CITY OF YORKVILLE, THE PUBLIC AND THE OWNERS OF ALL LOTS WITHIN THE SUBDIVISION, THEIR SUCCESSORS AND OR ASSIGNS AND CUSTOMERS, THE RIGHT OF PEDESTRIAN AND VEHICULAR ACCESS ACROSS AND OVER ALL PARKING, ROAD(S), ALLEY(S), STREETS AND OTHER INGRESS AND EGRESS EASEMENTS SHOWN ON THE PLAT DESIGNATED AS "INGRESS/EGRESS EASEMENT".

REVISIONS		
DATE	BY	DESCRIPTION

M GINGERICH GEREUX & ASSOCIATES Professional Design Firm License # 184.005003 P. 815-478-9680 www.mg2a.com F. 815-478-9685 25620 S. GOUGAR RD MANHATTAN, IL. 60442	
09/25/2019 BY: _____	
PROJECT: GAS N WASH	
DATE: 6/14/2019	DR. BY: NIB
JOB NO.: 19-451	PG: 2 of 2



SITE DATA

Area: 219,693.83 sq.ft. (5.04 ac)
 Current Zoning: B-3
 Building Area: 11,813 sq.ft.
 Building Coverage: 5.4%
 Pavement Area*: 104,505 sq.ft.
 Pavement Coverage*: 47.6%
 Landscaping Area: **TBD sq.ft.±
 Landscaping Coverage: **TBD %±
 Impervious Coverage: 67%

* Fueling Canopies are included in Pavement Area.
 **To be verified with Landscape Architect Plan

Height of Proposed C-Store: 34'
 Height of Proposed Car Wash: 21'-2"

PARKING DATA

Gas Station & Convenience Store (7,000 sf):
Convenience Store
 Number of Parking Stalls Provided: 31
 Number of Parking Stalls Req'd: 21
 (3 spaces /1,000 s.f.)

Drive Thru / Behind Menu Board
 Number of Stacking Stalls Provided: 7
 Number of Stacking Stalls Req'd: 3

Drive Thru / Menu to 1st Window
 Number of Stacking Stalls Provided: 3
 Number of Stacking Stalls Req'd: 3

Automatic Car Wash:
Entrance
 Number of Stacking Stalls Provided: 5
 Number of Stacking Stalls Req'd: 5
 (5 stalls per bay)

Exit
 Number of Stacking Stalls Provided: 2
 Number of Stacking Stalls Req'd: 2
 (2 stalls per bay)

Pay Station
 Number of Stacking Stalls Provided: 15
 Number of Stacking Stalls Req'd: n/a

Vacuum Stalls / Parking
 Number of Parking Stalls Provided: 16
 Number of Parking Stalls Req'd: n/a

LEGAL DESCRIPTION

THAT PART OF THE WEST HALF OF SECTION 9, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 3 IN O'KEEFE SUBDIVISION UNIT ONE, RECORDED AS DOCUMENT 200800012915, THENCE NORTH 87 DEGREES 58 MINUTES 09 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 3 55.01 FEET; THENCE SOUTH 46 DEGREES 33 MINUTES 41 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 3 70.14 FEET TO THE NORTH RIGHT OF WAY OF ROSEWINKLE STREET; THENCE NORTH 87 DEGREES 58 MINUTES 09 SECONDS EAST ALONG SAID RIGHT OF WAY 108.35 FEET TO A CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 315.00 FEET, A CHORD OF 285.34 FEET AND A CHORD BEARING OF NORTH 61 DEGREES 00 MINUTES 09 SECONDS EAST; THENCE ALONG SAID CURVE AND SAID RIGHT OF WAY 296.12 FEET TO A CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 385.00 FEET, A CHORD OF 82.42 FEET, AND A CHORD BEARING OF NORTH 40 DEGREES 15 MINUTES 11 SECONDS EAST; THENCE ALONG SAID CURVE AND SAID RIGHT OF WAY 82.58 FEET; THENCE NORTH 01 DEGREES 05 MINUTES 25 SECONDS WEST 324.66 FEET; THENCE SOUTH 87 DEGREES 58 MINUTES 15 SECONDS WEST 520.00 FEET TO THE WEST RIGHT OF WAY OF ROUTE 47; THENCE SOUTH 01 DEGREES 05 MINUTES 31 SECONDS EAST ALONG SAID RIGHT OF WAY 465.06 FEET TO THE POINT OF BEGINNING.

O'KEEFE SUBDIVISION UNIT ONE
 PER DOC. 200800012915

PLAN EDITION	DATE	DESCRIPTION
1	6/20/19	BPH
2	7/18/19	RFV

CIVIL ENGINEERING SURVEYING

MGA

M GINGERICH GEREUX & ASSOCIATES
 Professional Design Firm License # 184.0050003
 P. 815-478-9680 www.mg2a.com F. 815-478-9685
 25620 S. GOUGAR RD. | MANHATTAN, IL. 60442

OWNER DATA
 Gas N Wash - Yorkville LLC
 8200 185th Street, Unit K
 Tinley Park, IL 60487

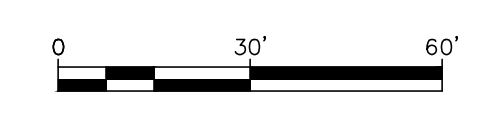
DESIGN:	BPH
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CHECKED:	BPH/RFV
APPROVED:	BPH

GAS n WASH
 NE CORNER IL RTE 47 & WATERPARK WAY
 YORKVILLE, ILLINOIS

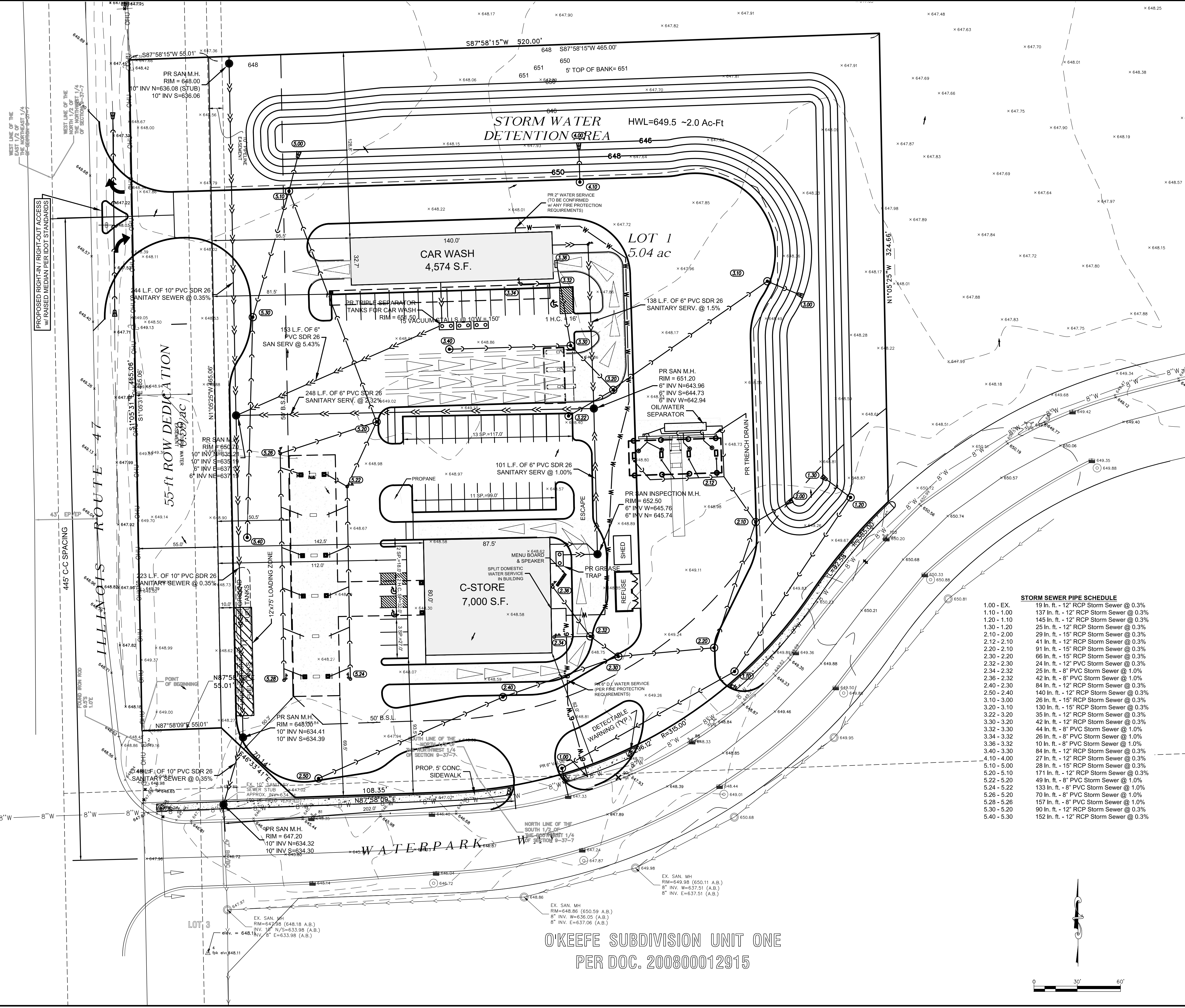
PRELIMINARY SITE PLAN (GEOMETRIC & GRADING)

SHEET NO.
1 OF **4**

JOB NO. 19-451
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- 1.30 F.E.S.
12" INV SE=646.00
- 1.20 CB Ty A, 6" Dia. w/ Restrictor
w/ EJIW 1050 Fr / M1 Gr
RIM=650.00
12" INV NW=645.94
2.5" Restr. INV =646.00
3.5" Restr. INV =647.10
12" INV SW =645.66
- 1.10 MH Ty A, 4" Dia
w/ EJIW 1050 Fr / M1 Gr
RIM=651.00
12" INV NE=645.22
12" INV SW=645.20
- 1.00 MH Ty A, 4" Dia
w/ EJIW 1050 Fr / M1 Gr
RIM=650.00
12" INV NE=644.78
12" INV S=644.76
- EX. EX. INLET - PROP. INV.
NORTH
12" INV N=644.70
EX. INV. S=644.64
- 2.50 INL A, 2" Dia
w/ EJIW 1050 Fr / M1 Gr
RIM=650.50
12" INV E=647.51
- 2.40 MH Ty A, 4" Dia
w/ EJIW 1050 Fr / M1 Gr
RIM=650.30
12" INV NE=647.09
12" INV E=647.07
- 2.36 D.S. CONNECTION
FIG = 653.00
12" INV E=647.07
- 2.34 D.S. CONNECTION
FIG = 653.00
12" INV S=646.99
- 2.32 MH Ty A, 4" Dia
w/ EJIW 1050 Fr / M1 Gr
RIM=651.50
12" INV N=646.81
12" INV S=646.89
- 2.30 MH Ty A, 4" Dia
w/ EJIW 1050 Fr / M1 Gr
RIM=650.15
12" INV N=646.81
12" INV S=646.79
- 2.20 MH Ty A, 4" Dia
w/ EJIW 1050 Fr / M1 Gr
RIM=650.10
15" INV SW=646.59
15" INV NE=646.57
- 2.12 TRENCH DRAIN
w/ EJIW V-7384 Gate or similar
RIM = 650.10
12" INV SE=646.24
- 2.10 MH Ty A, 4" Dia
w/ EJIW 1050 Fr / M1 Gr
RIM=649.50
12" INV NW=646.11
15" INV SW=646.11
15" INV NE=646.09
- 2.00 F.E.S.
15" INV SW=646.00
- 3.40 INL A, 2" Dia
w/ EJIW 1050 Fr / M1 Gr
RIM=650.10
12" INV E=646.79
- 3.36 TRENCH DRAIN
w/ EJIW V-7384 Gate or similar
RIM = 652.20
12" INV SE=647.28
- 3.34 D.S. CONNECTION
FIG = 652.90
12" INV E=647.33
- 3.32 CLEANOUT
RIM = 652.80
2.5" Restr. INV =647.25
3.5" Restr. INV =647.25
12" INV S=647.23
- 3.30 MH Ty A, 4" Dia
w/ EJIW 1050 Fr / M1 Gr
RIM=651.00
12" INV NE=646.79
12" INV S=646.77
- 3.22 INL A, 2" Dia
w/ EJIW 1050 Fr / M1 Gr
RIM=650.50
12" INV E=646.67
- 3.20 MH Ty A, 4" Dia
w/ EJIW 1050 Fr / M1 Gr
RIM=650.30
12" INV NW=646.56
12" INV SW=646.56
15" INV NE=646.54
- 3.10 MH Ty A, 4" Dia
w/ EJIW 1050 Fr / M1 Gr
RIM=649.20
15" INV SW=646.15
15" INV E=646.13
- 3.00 F.E.S.
15" INV E=646.00
- 4.10 INL A, 2" Dia
w/ EJIW 1050 Fr / M1 Gr
RIM=650.00
15" INV N=646.14
- 4.00 F.E.S.
12" INV S=646.00
- 5.40 INL A, 2" Dia
w/ EJIW 1050 Fr / M1 Gr
RIM=650.40
12" INV N=647.34
- 5.30 MH Ty A, 4" Dia
w/ EJIW 1050 Fr / M1 Gr
RIM=650.10
12" INV S=646.94
12" INV NE=646.92
- 5.28 CLEANOUT
RIM = 651.70
12" INV N=648.03
- 5.26 CLEANOUT
RIM = 651.40
12" INV S=647.24
12" INV NE=647.22
- 5.24 CLEANOUT
FIG = 652.10
12" INV N=647.81
- 5.22 CLEANOUT
RIM = 652.00
12" INV S=647.14
12" INV NE=647.12
- 5.20 MH Ty A, 4" Dia
w/ EJIW 1050 Fr / M1 Gr
RIM=651.20
8" INV SW=646.87
8" INV S=646.87
15" INV NW=646.85
- 5.10 MH Ty A, 4" Dia
w/ EJIW 1050 Fr / M1 Gr
RIM=650.00
12" INV SW=646.16
15" INV N=646.14
- 5.00 F.E.S.
12" INV S=646.00



PLAN EDITION	DATE	DESCRIPTION
1	6/20/19	ISSUE FOR REVIEW
2	7/18/19	REV
		CITY COMMENTS

CIVIL ENGINEERING SURVEYING

MGA

M GINGERICH GEREUX & ASSOCIATES
Professional Design Firm License # 184.0050003
P. 815-478-9680 www.mg2a.com F. 815-478-9685
25620 S. GOUGAR RD. | MANHATTAN, IL. 60442

OWNER DATA
Gas N Wash - Yorkville LLC
8200 185th Street, Unit K
Tinley Park, IL 60487

DESIGN:	BPH
DRAWING:	NB
CHECKED:	BPH/RFV
APPROVED:	BPH

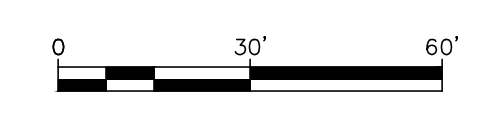
GAS N WASH
NE CORNER IL RTE 47 & WATERPARK WAY
YORKVILLE, ILLINOIS

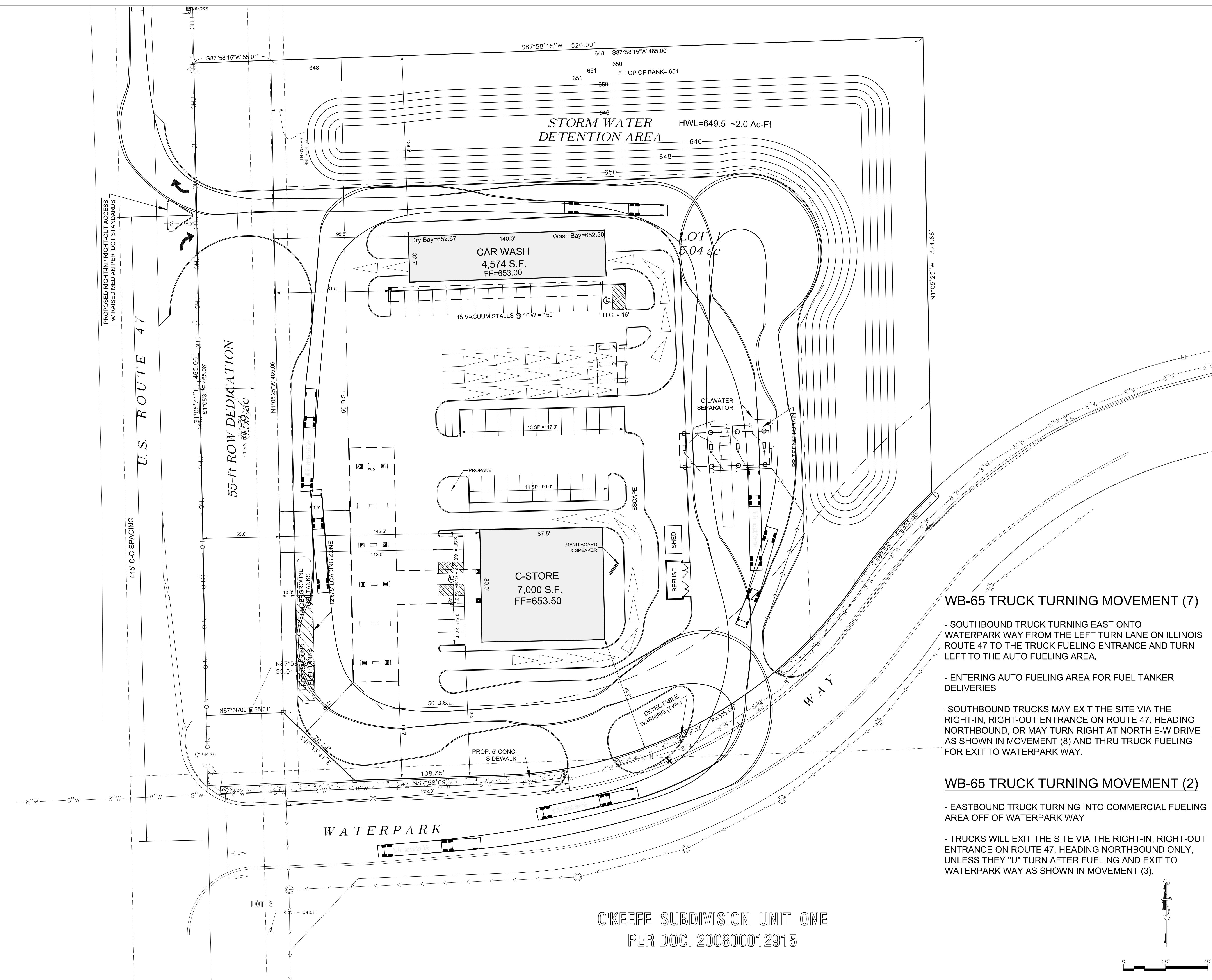
PRELIMINARY SITE PLAN (UTILITY & STORMWATER)

SHEET NO.
2 OF **4**

JOB NO. 19-451
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O'KEEFE SUBDIVISION UNIT ONE
PER DOC. 200800012915





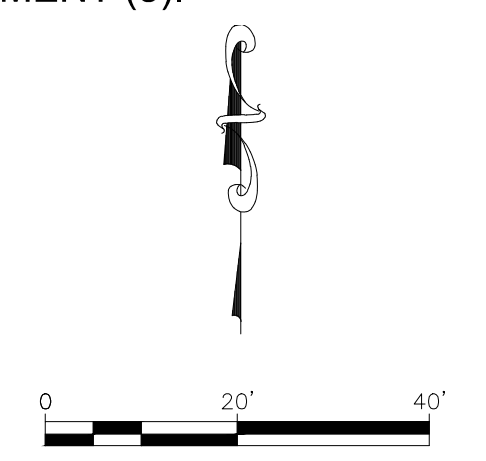
O'KEEFE SUBDIVISION UNIT ONE
PER DOC. 200800012915

WB-65 TRUCK TURNING MOVEMENT (7)

- SOUTHBOUND TRUCK TURNING EAST ONTO WATERPARK WAY FROM THE LEFT TURN LANE ON ILLINOIS ROUTE 47 TO THE TRUCK FUELING ENTRANCE AND TURN LEFT TO THE AUTO FUELING AREA.
- ENTERING AUTO FUELING AREA FOR FUEL TANKER DELIVERIES
- SOUTHBOUND TRUCKS MAY EXIT THE SITE VIA THE RIGHT-IN, RIGHT-OUT ENTRANCE ON ROUTE 47, HEADING NORTHBOUND, OR MAY TURN RIGHT AT NORTH E-W DRIVE AS SHOWN IN MOVEMENT (8) AND THRU TRUCK FUELING FOR EXIT TO WATERPARK WAY.

WB-65 TRUCK TURNING MOVEMENT (2)

- EASTBOUND TRUCK TURNING INTO COMMERCIAL FUELING AREA OFF OF WATERPARK WAY
- TRUCKS WILL EXIT THE SITE VIA THE RIGHT-IN, RIGHT-OUT ENTRANCE ON ROUTE 47, HEADING NORTHBOUND ONLY, UNLESS THEY "U" TURN AFTER FUELING AND EXIT TO WATERPARK WAY AS SHOWN IN MOVEMENT (3).



PLAN EDITION MILESTONES		
DATE	BY	DESCRIPTION
6/20/19	BPH	ISSUE FOR REVIEW
7/18/19	RFV	CITY COMMENTS

MGA CIVIL ENGINEERING SURVEYING

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Professional Design Firm License # 184.005003
P. 815-478-9680 www.mga2a.com F. 815-478-9685
25620 S. GOUGAR RD. | MANHATTAN, IL. 60442

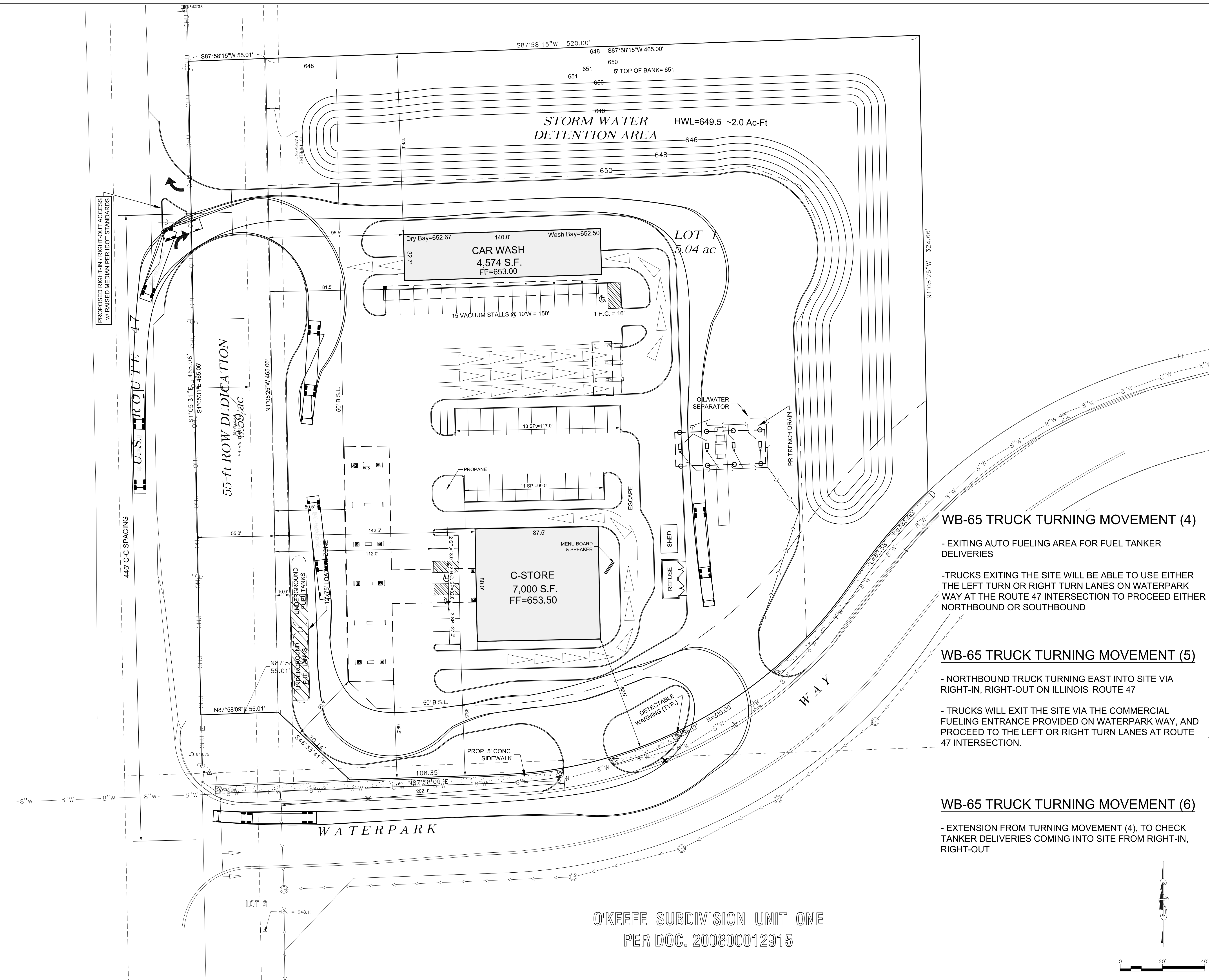
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Gas N Wash - Yorkville LLC
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CHECKED:	BPH
APPROVED:	BPH

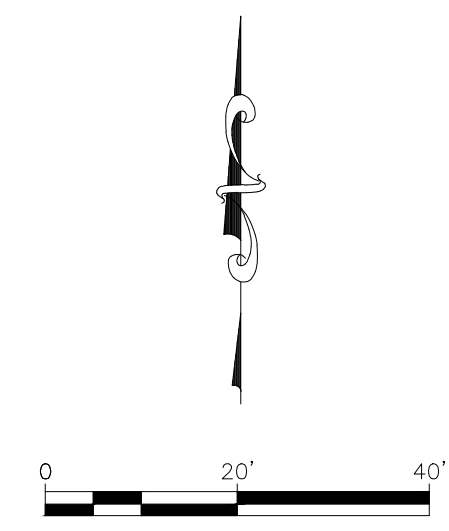
GAS N WASH
YORKVILLE, ILLINOIS

TRUCK TURNING PLAN

SHEET NO.	3	OF	4
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O'KEEFE SUBDIVISION UNIT ONE
PER DOC. 200800012915



PLAN EDITION MILESTONES		
DATE	BY	DESCRIPTION
6/20/19	BPH	ISSUE FOR REVIEW
7/18/19	RFV	CITY COMMENTS

MGA CIVIL ENGINEERING SURVEYING

M GINGERICH GEREUX & ASSOCIATES
Professional Design Firm License # 184.005003
P. 815-478-9680 www.mg2a.com F. 815-478-9685
25620 S. GOUGAR RD. | MANHATTAN, IL. 60442

OWNER DATA
Gas N Wash - Yorkville LLC
8200 185th Street, Unit K
Tinley Park, IL 60487

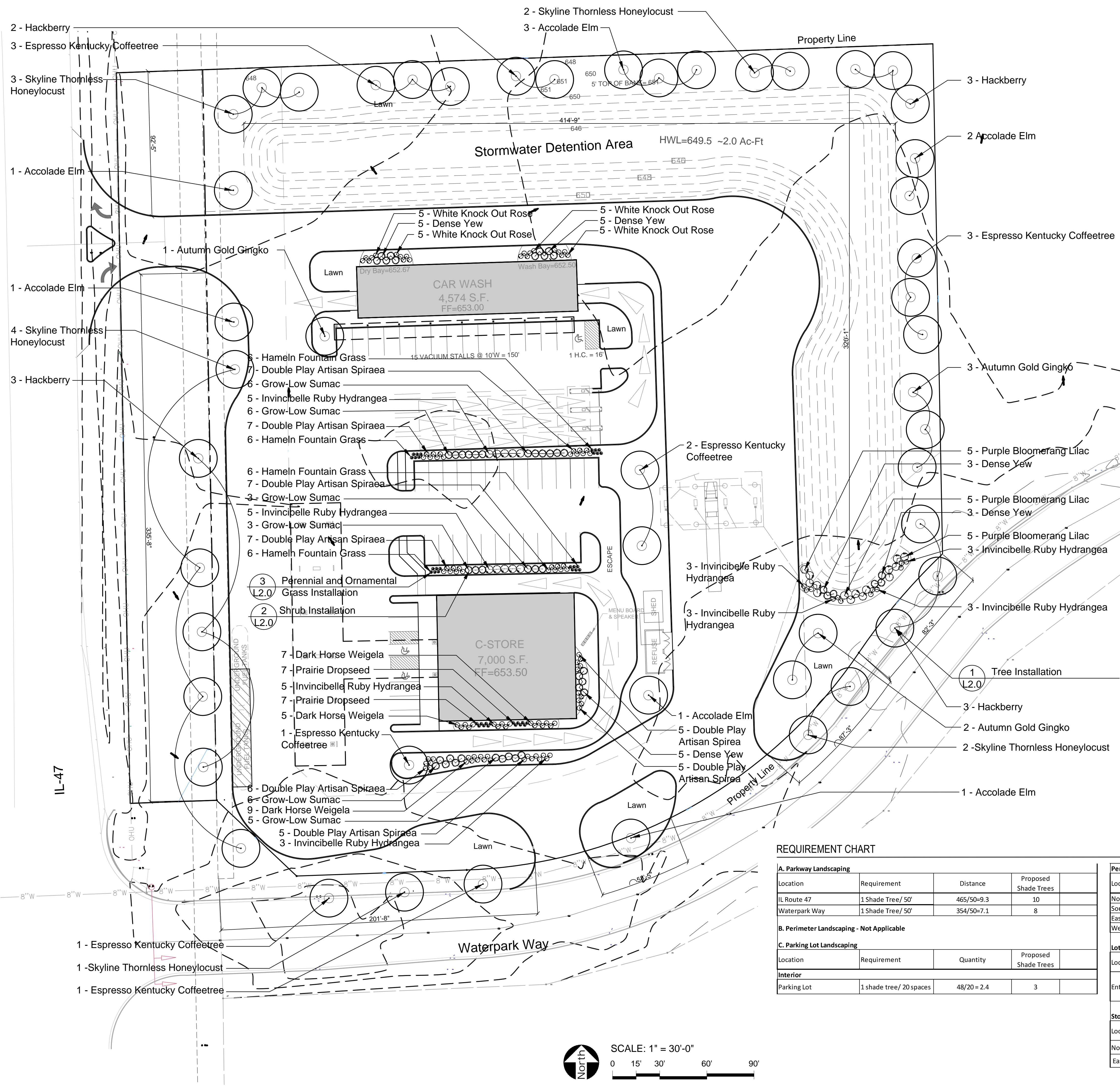
DESIGN:	BPH
DRAWING:	NB
CHECKED:	BPH
APPROVED:	BPH

GAS N WASH
YORKVILLE, ILLINOIS

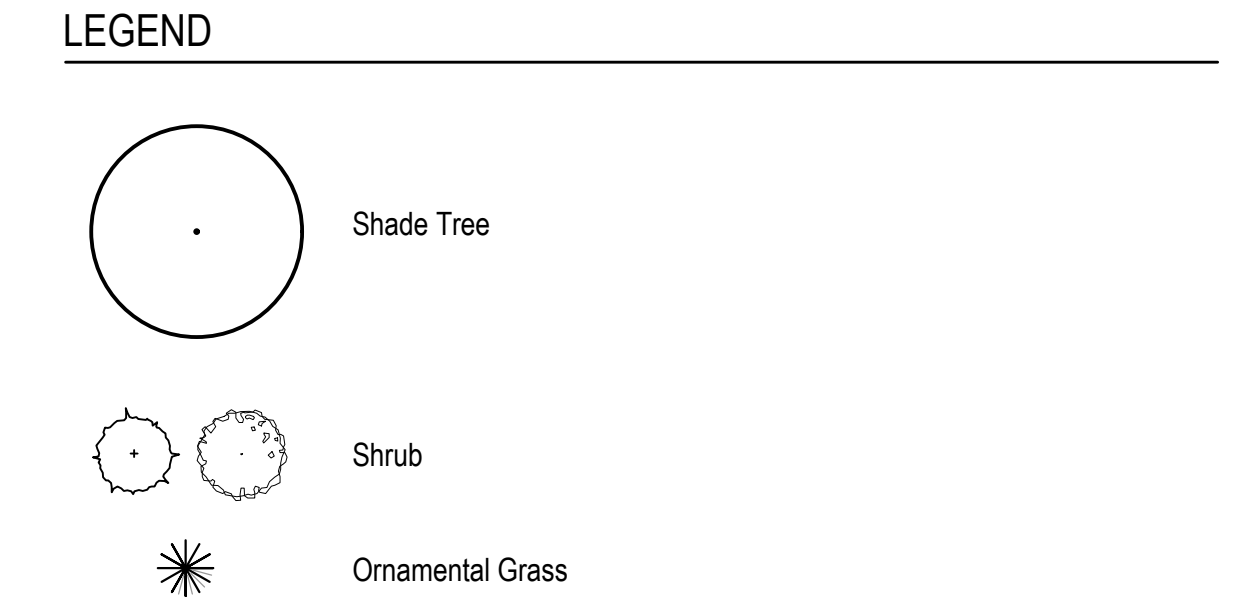
TRUCK TURNING PLAN

SHEET NO.
4 OF **4**

JOB NO. 19-451
© 2018 M. GINGERICH, GEREUX & ASSOCIATES



- GENERAL NOTES: LANDSCAPE**
- Notes indicated on grading plans shall pertain to landscape plans. Final grade of planting beds shall be as per grading plan.
 - The landscape contractor shall be responsible for making themselves familiar with all underground utilities and structures.
 - All existing plant material and trees shall be saved and protected unless otherwise noted. Contractor to protect new and existing trees and landscaping from damage and shall restore all areas disturbed as a result of construction.
 - Plant material shall be supplied from Northern Illinois nursery stock, shall be dug the planting season it is installed, and shall conform to the American Association of Nurseryman's standards.
 - Plant material shall be size and type specified. Substitution of plant material shall be on a case by case basis and approved in writing by the Owner's Representative. In no case shall plant material be smaller than indicated in the plans.
 - Do not willfully proceed with plantings as designed when it is obvious that obstructions and/or grade differences exist that may not have been known during the design process. Such conditions shall be immediately brought to the attention of the Owner's Representative.
 - All plant material shall be inspected and approved by the Owner's Representative prior to the installation of any and all plant material.
 - Plant locations shall be flagged in field with Owner's Rep. Final location of all plant material shall be subject to approval of the Owner's Representative prior to digging any holes. The landscape contractor is responsible for providing Owner's Representative with 48 hour minimum advance notice prior to planting.
 - Plants shall be watered on the day they are planted and maintained with watering until final acceptance of the project.
 - Apply a pre-emergent as per manufacturer's specification prior to installing mulch.
 - Beds and tree rings (6' diameter) shall have 3" of hardwood shredded mulch applied and a 4" deep spade edge at lawn. Trees that are not located in beds, shall have a tree ring.
 - Landscape plant material shall be guaranteed for 12 months from final acceptance. Any plant 1/3 dead or more shall be replaced under the guarantee.
 - Contractor to prepare landscape beds by roto-tilling 2" of Mushroom Compost into new beds. Do not add compost nor roto-till within drip line of existing trees.
 - Lawn Seeding shall be under favorable weather conditions, and shall follow dates in specification.
 - Turf mixes shall be installed and lawn established at all disturbed areas.
 - Do not overseed into mulch beds and paving.
 - Contractor shall restore all areas disturbed as a result of construction.



PLANT LIST

Shade Trees - Balled and Burlap			
11	2.5' cal	<i>Celtis occidentalis</i>	Hackberry
6	2.5' cal	<i>Ginkgo biloba 'Autumn Gold'</i>	Autumn Gold Ginkgo
12	2.5' cal	<i>Gleditsia triacanthos var. inermis 'Skycole'</i>	Skyline Honeylocust
11	2.5' cal	<i>Gymnocladus dioica 'Espresso'</i>	Espresso Kentucky Coffeetree
9	2.5' cal	<i>Ulmus 'Morton'</i>	Accolade Elm
49	Total		

Evergreen Shrubs - Balled and Burlap or Pot			
21	24" Ht. x 24" Spr.	<i>Taxus x media 'Densaformis'</i>	Dense Yew
21	Total		

Deciduous Shrubs - Balled and Burlap or Pot			
30	24" Ht. x 24" Spr.	<i>Hydrangea arborescens 'NCHA3'</i>	Invincibelle Ruby Hydrangea
29	24" Ht. x 36" Spr.	<i>Rhus aromatica 'Grow-Low'</i>	Grow-Low Sumac
20	24" Ht. x 24" Spr.	<i>Rosa 'Radwile'</i>	White Knock Out Rose
49	24" Ht. x 24" Spr.	<i>Spiraea japonica 'Galen'</i>	Spiraea Double Play Artisan
15	36" Ht. x 24" Spr.	<i>Syringa x 'Penda'</i>	Purple Bloomerang Lilac
21	18" Ht. x 24" Spr.	<i>Weigela x 'Dark Horse'</i>	Dark Horse Weigela
164	Total		

Perennials, Ornamental Grasses, and Groundcovers			
24	#/cont.	<i>Panicum alopurpureoides 'Hameln'</i>	Hameln Fountain Grass
14	#/cont.	<i>Sporobolus heterolepis</i>	Prairie Dropseed
38	Total		

REQUIREMENT CHART

A. Parkway Landscaping			
Location	Requirement	Distance	Proposed Shade Trees
IL Route 47	1 Shade Tree / 50'	465/50=9.3	10
Waterpark Way	1 Shade Tree / 50'	354/50=7.1	8

B. Perimeter Landscaping - Not Applicable

C. Parking Lot Landscaping

Location	Requirement	Quantity	Proposed Shade Trees
Interior			
Parking Lot	1 shade tree / 20 spaces	48/20 = 2.4	3

Perimeter Parking Lot Landscape

Location	Requirement	Quantity	Proposed Shade Trees	Proposed Shrubs
North	N/A	N/A	N/A	N/A
South - Waterpark Way	N/A	N/A	N/A	N/A
East - Adjacent Property	N/A	N/A	N/A	N/A
West - IL Route 47	N/A	N/A	N/A	N/A

Lot Landscaping

Location	Requirement	Distance	Proposed Shade Trees	Proposed Shrubs
Entire Lot	2 trees & 15 shrubs / 20,000 sf of lot	219,542/20000=10.9 10.9*2=21.8 10.9*15=163.5	49	164

Stormwater Detention Landscaping

Location	Requirement	Distance	Proposed Shade Trees
North Property Edge	1 tree / 30 LF	414.75/30=13.83	14
East Property Edge	1 tree / 30 LF	320.08/30 = 10.67	11

PROJECT
Gas N Wash
Yorkville, Illinois

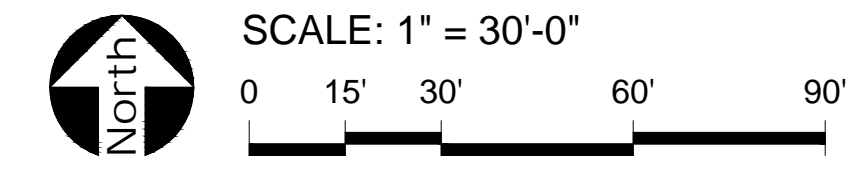


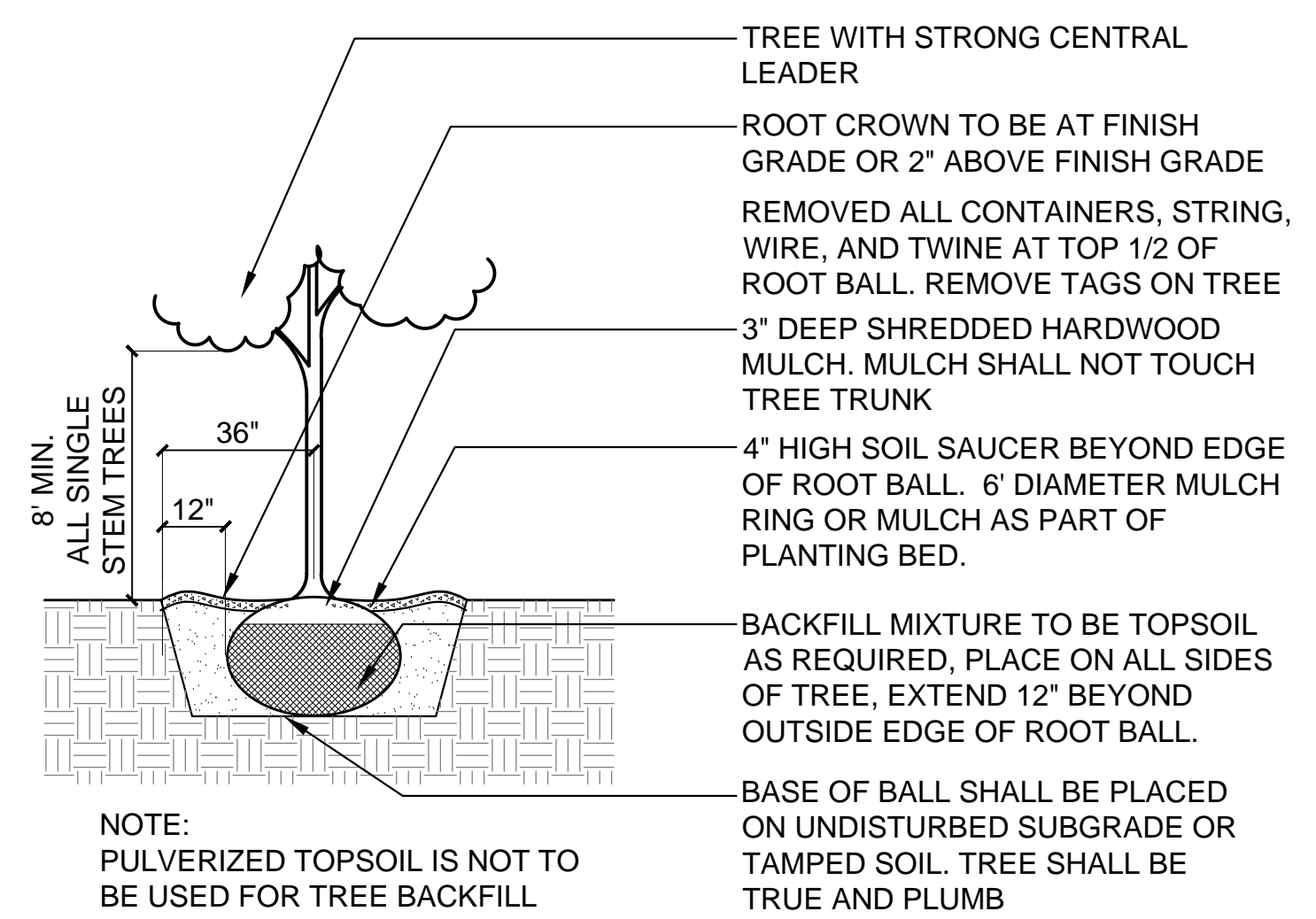
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Landscape Plan

SHEET NUMBER **L1.0**

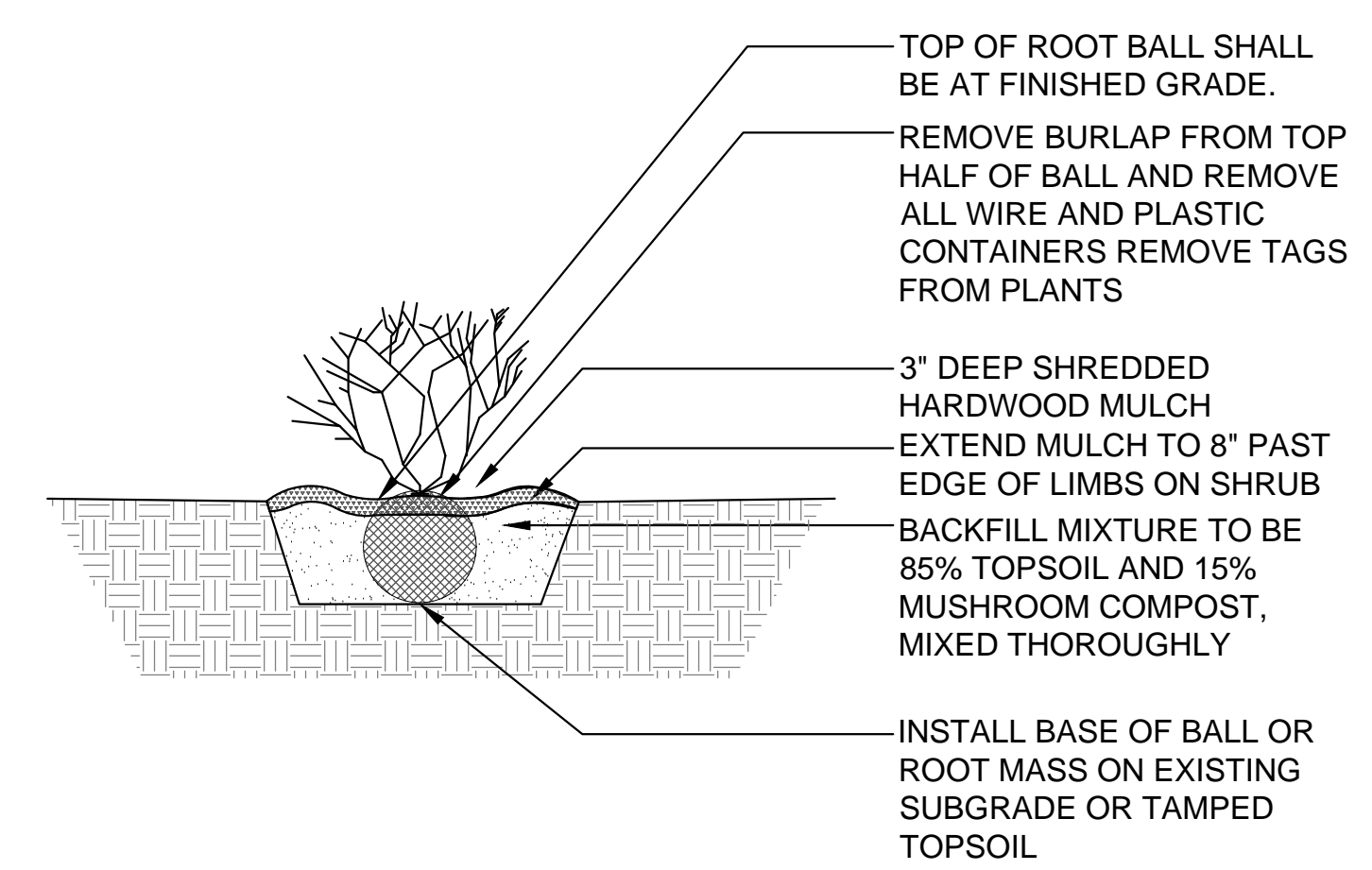
DRAW / REVISION

LD/VT	Review	21JUN2019

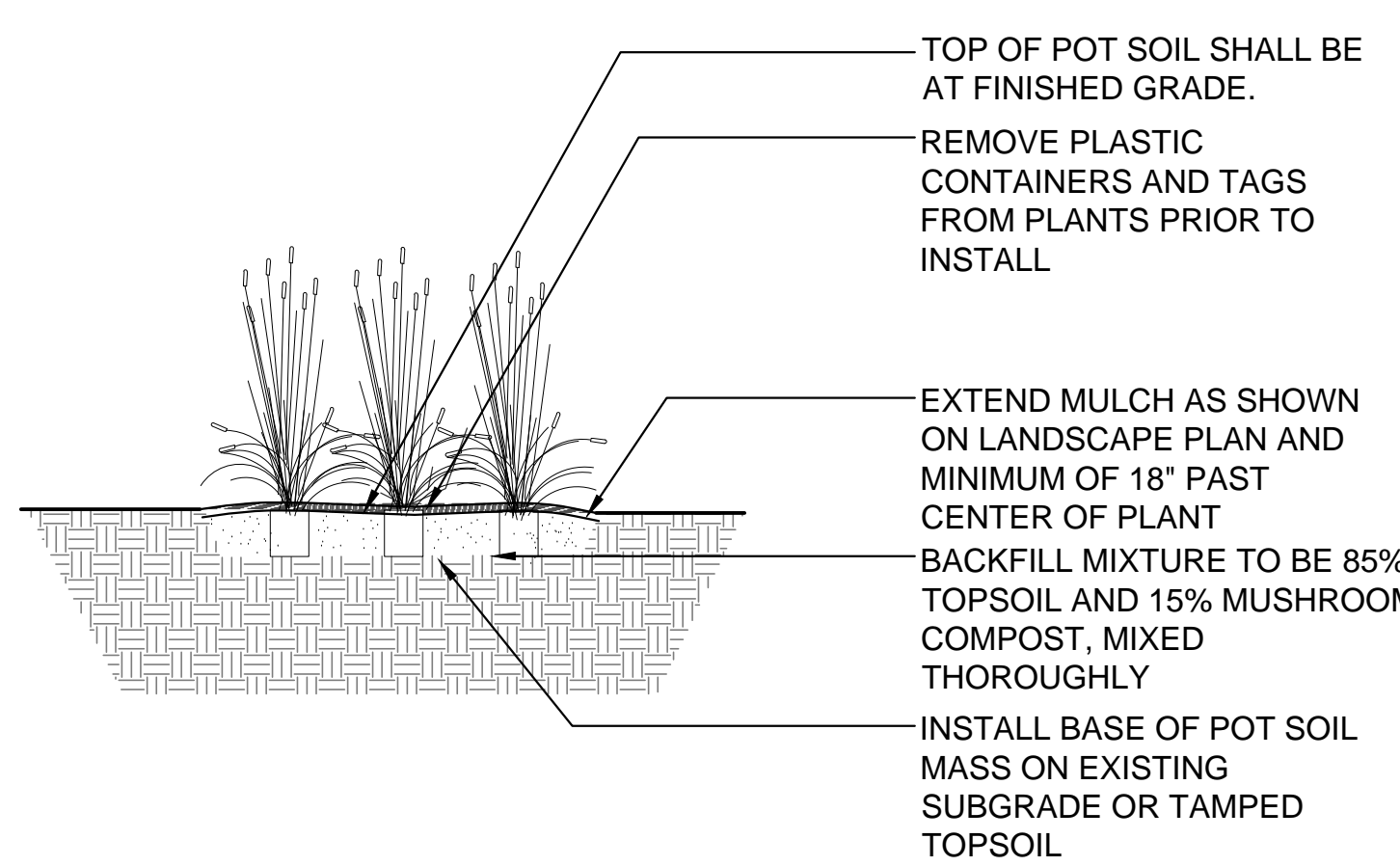




1 Tree Installation
 SCALE: N.T.S. d-plant-tree_12



2 Shrub Installation
 SCALE: N.T.S. d-plant-shrub_12



3 Perennial & Ornamental Grass Installation
 SCALE: 1" = 1'-0" d-perennials

PROJECT
Gas N Wash
 Yorkville, Illinois

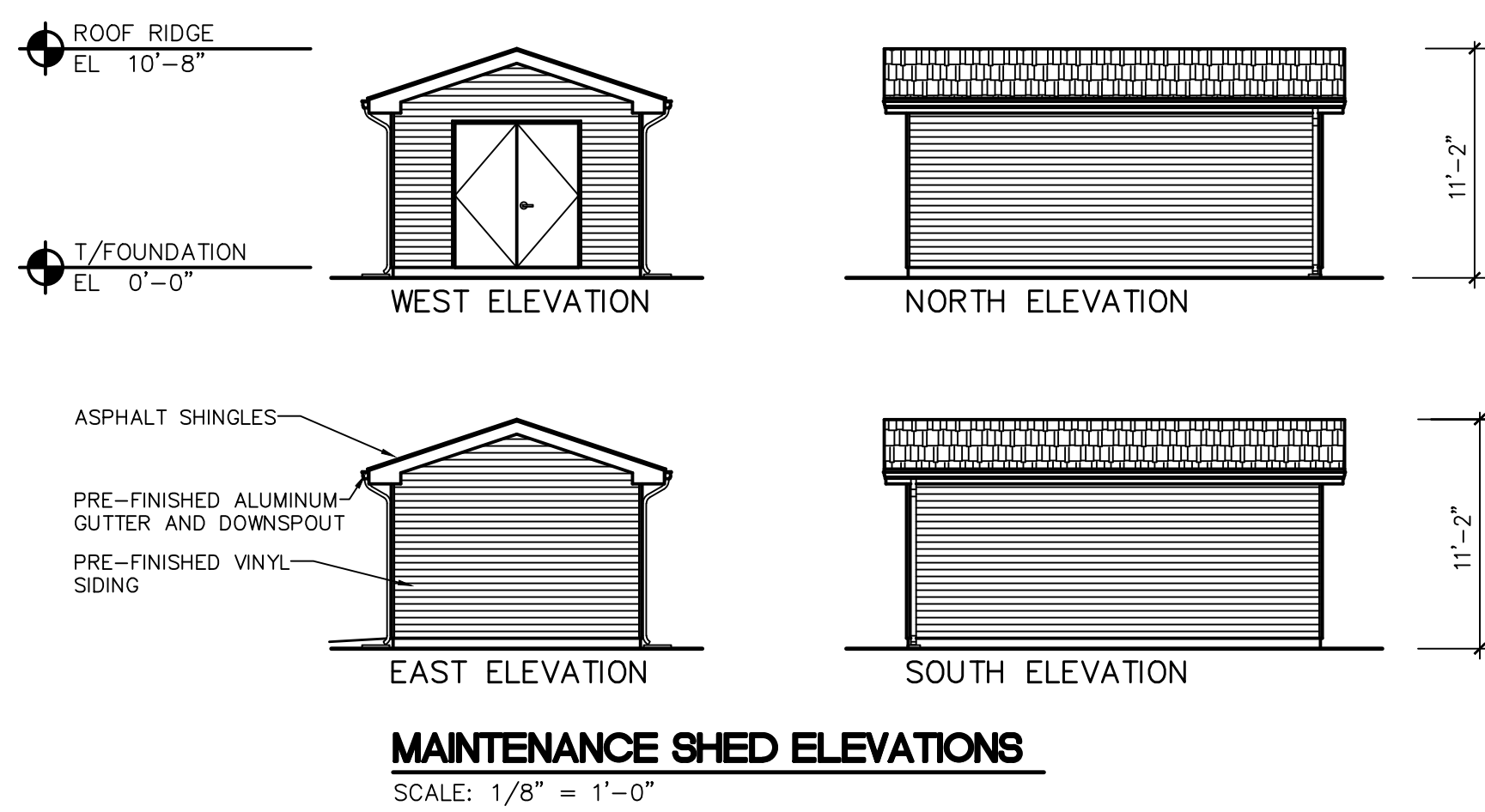
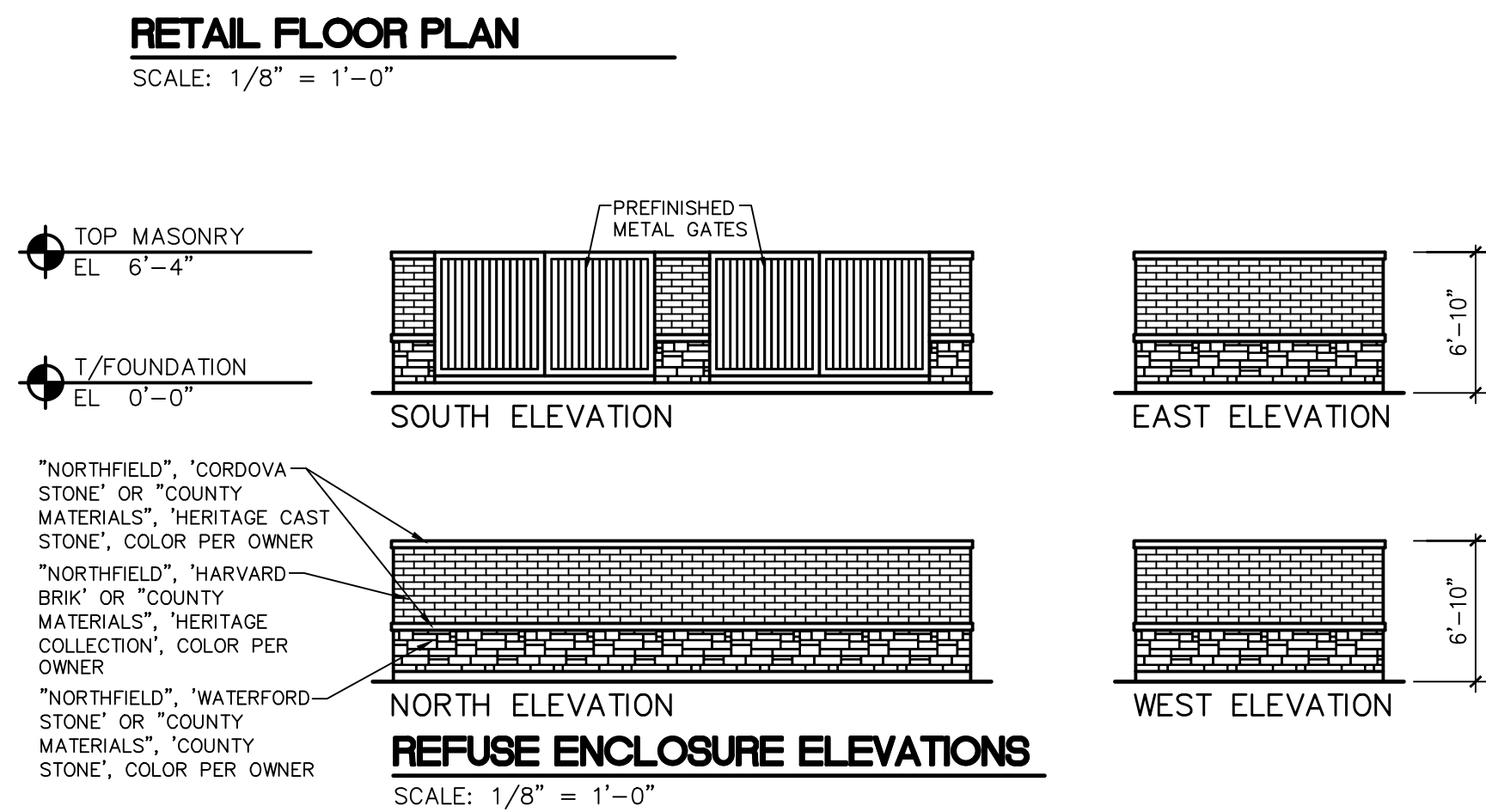
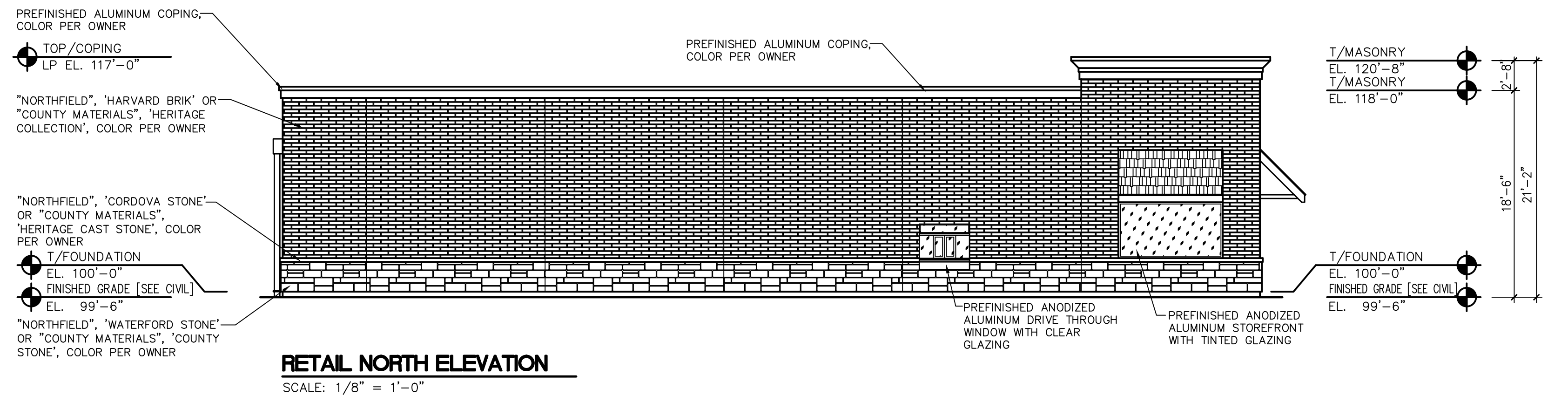
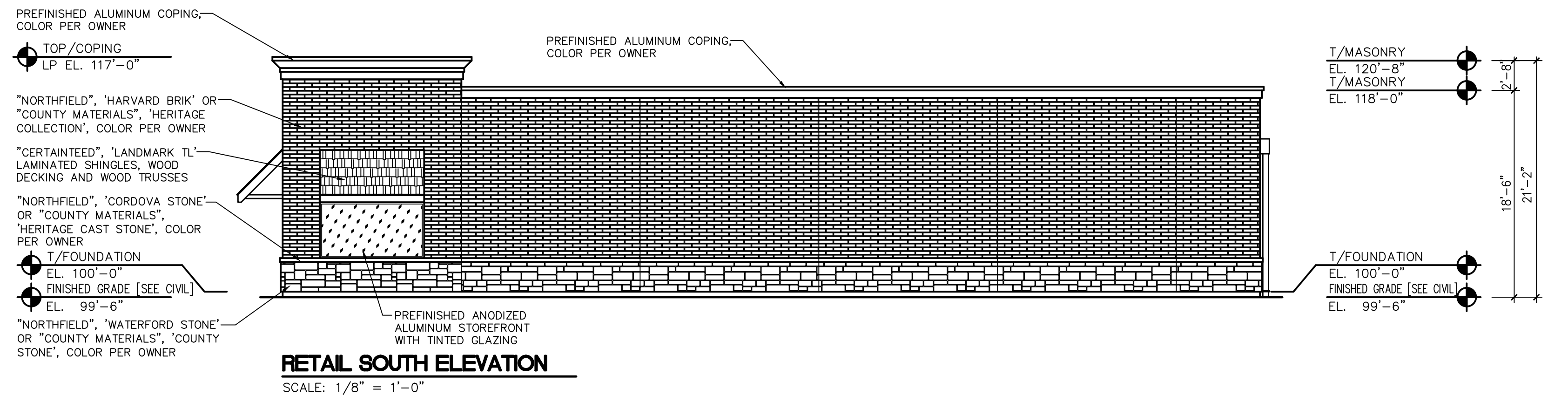
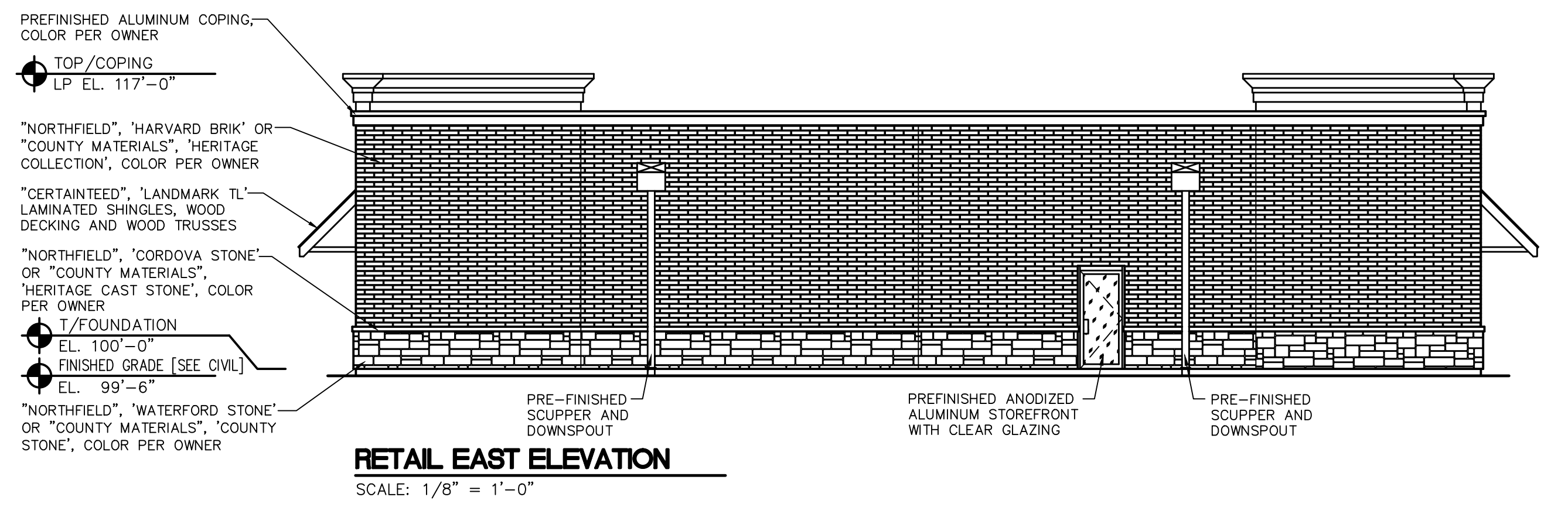
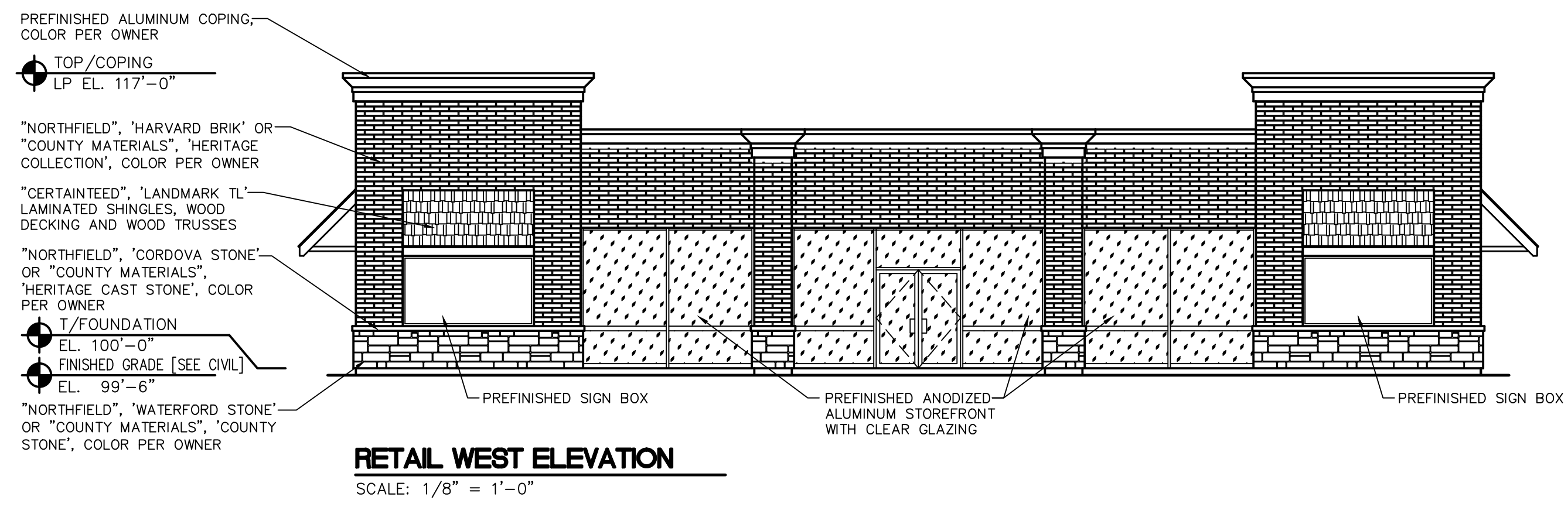
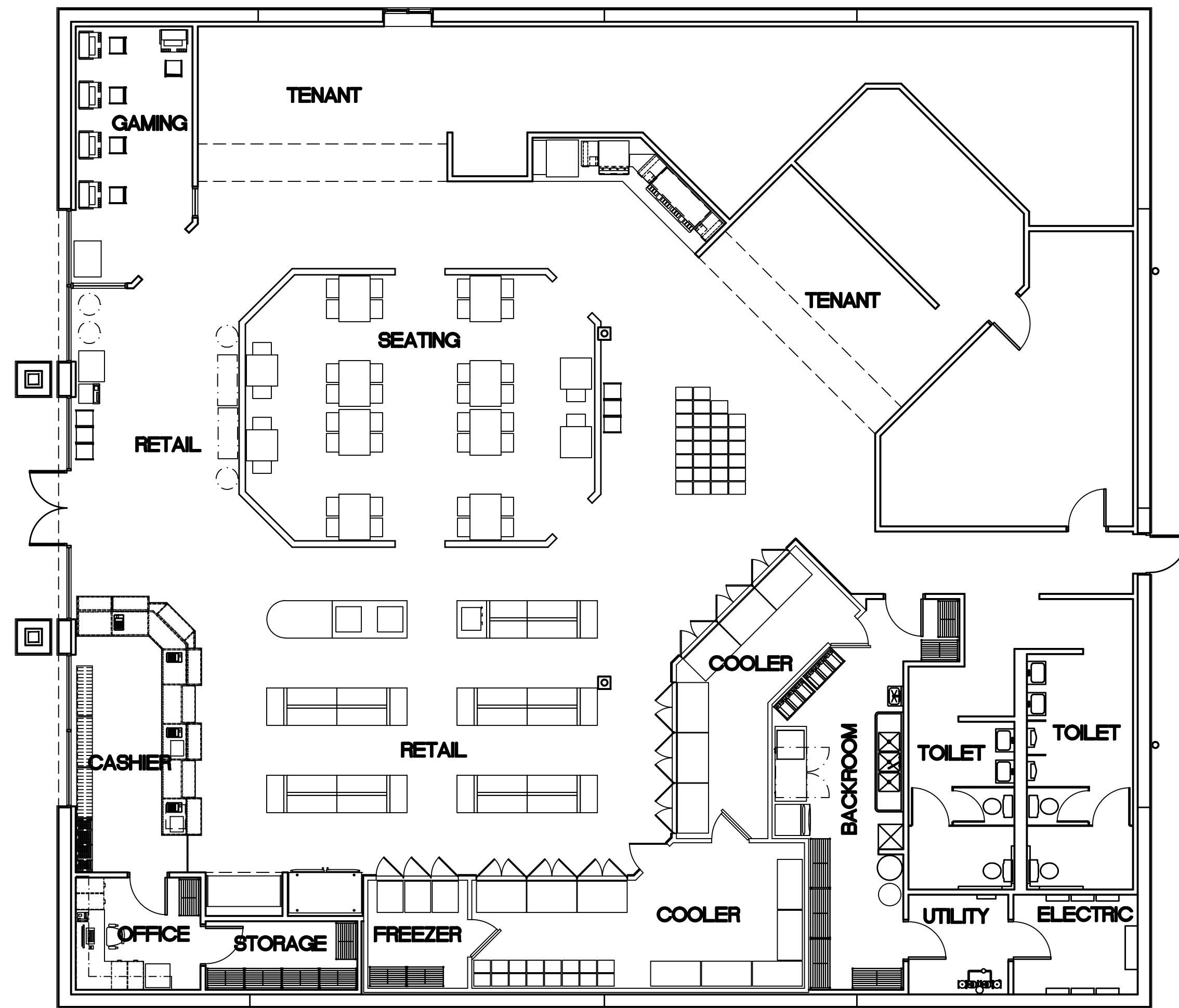


SHEET TITLE
Landscape Plan

SHEET NUMBER **L2.0**

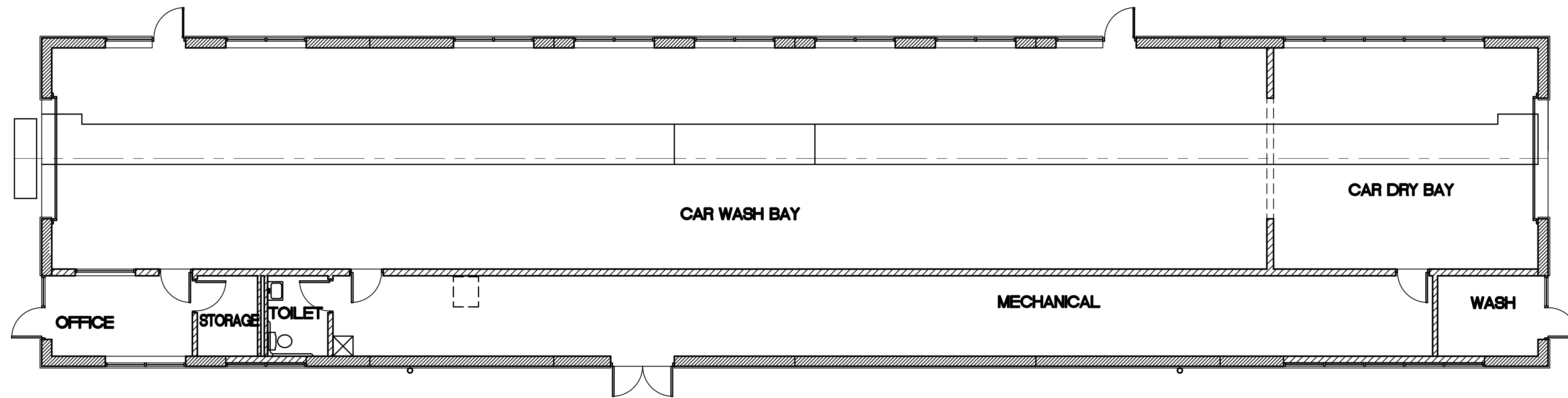
DRAW / REVISION

LD/VT	Review	21JUN2019

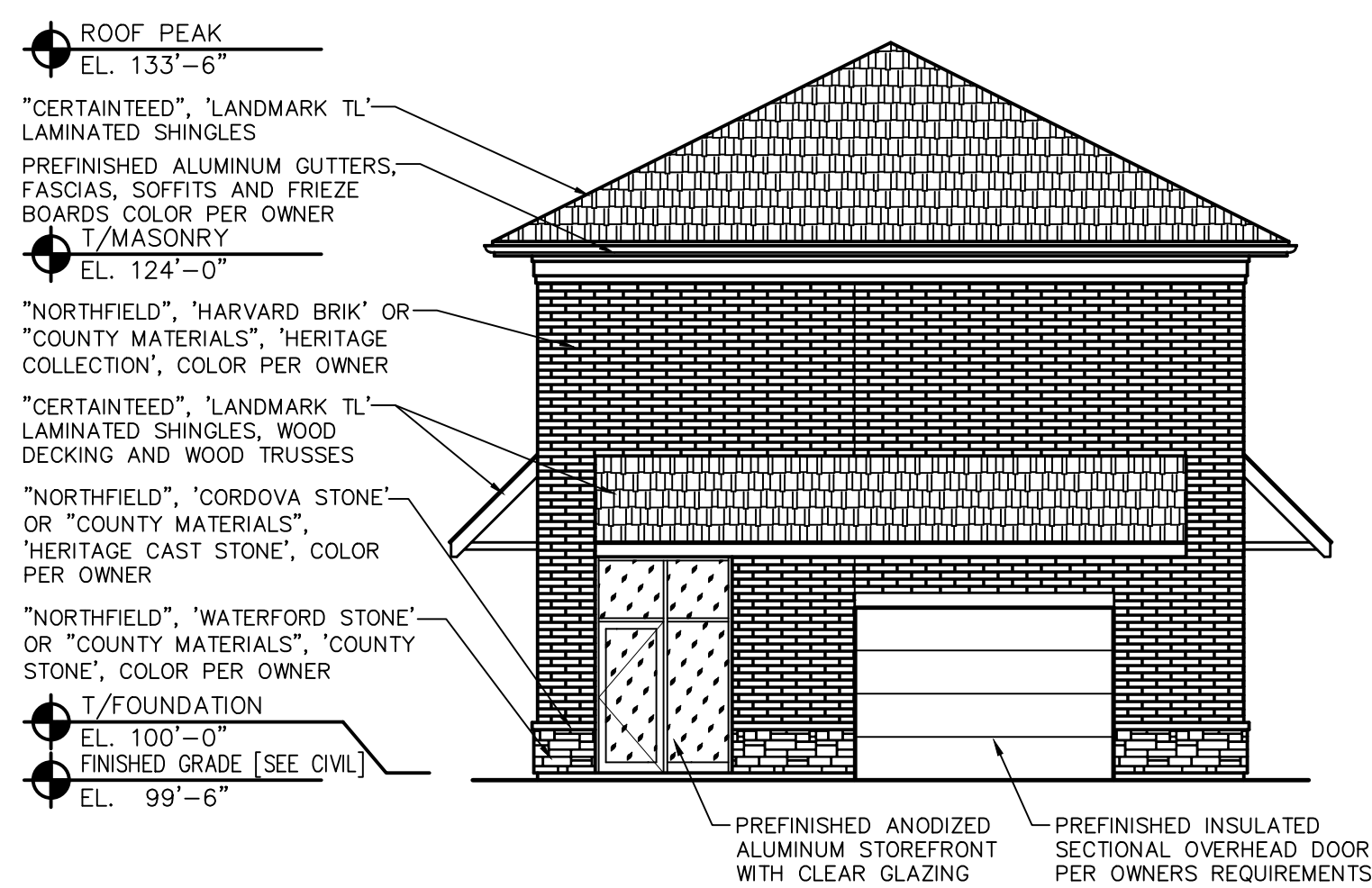


GAS AND WASH

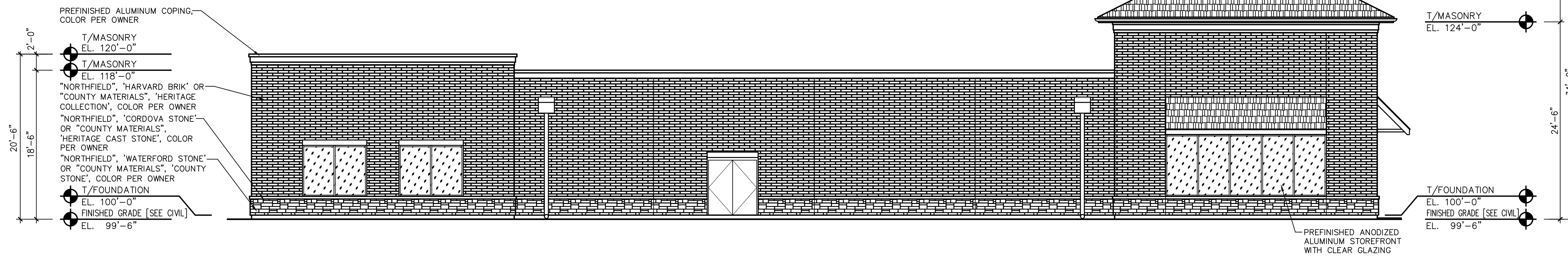
NEC STATE ROUTE 47 AND WATERPARK WAY
YORKVILLE, ILLINOIS



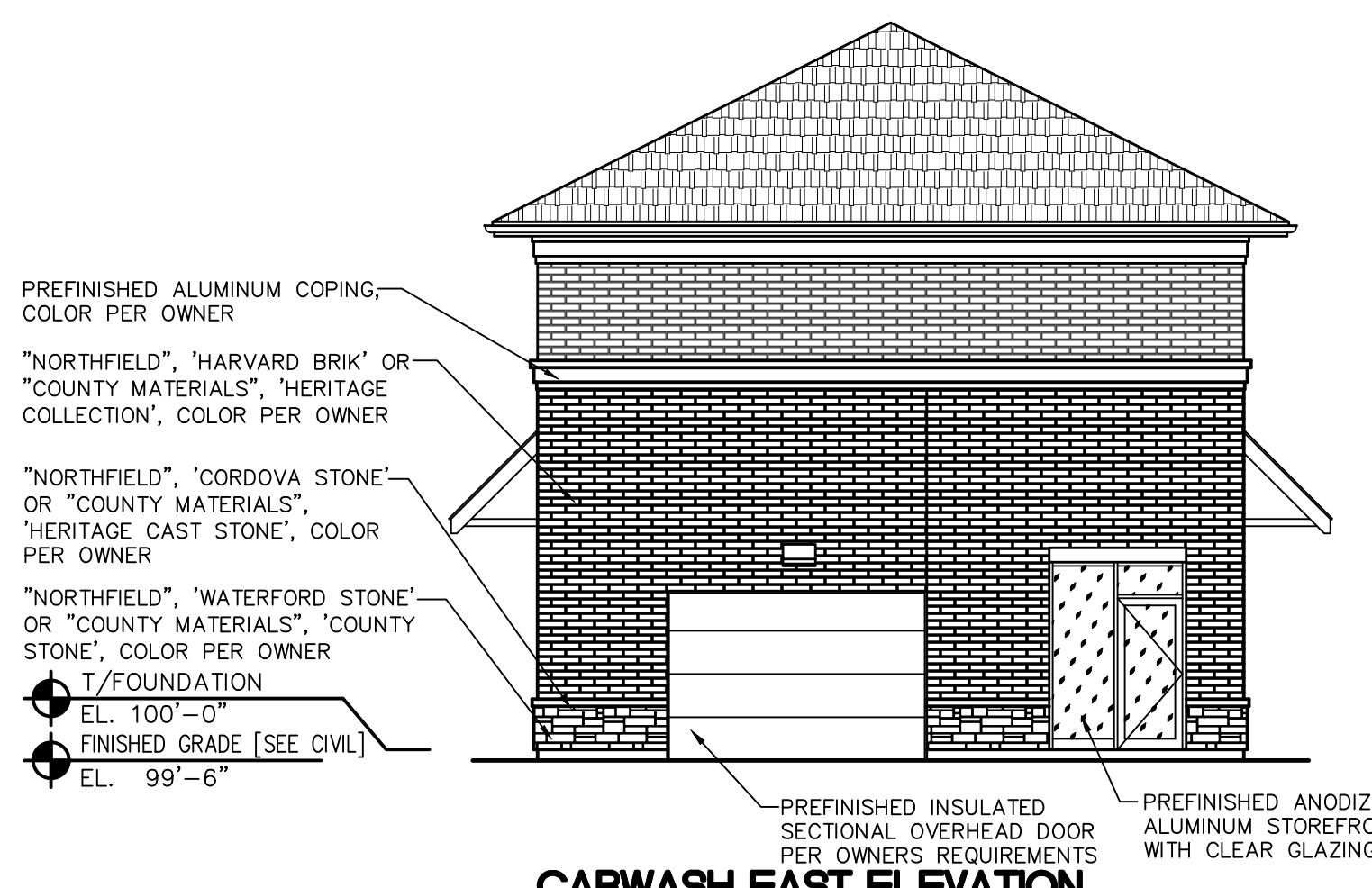
CARWASH FLOOR PLAN
SCALE: 1/8" = 1'-0"



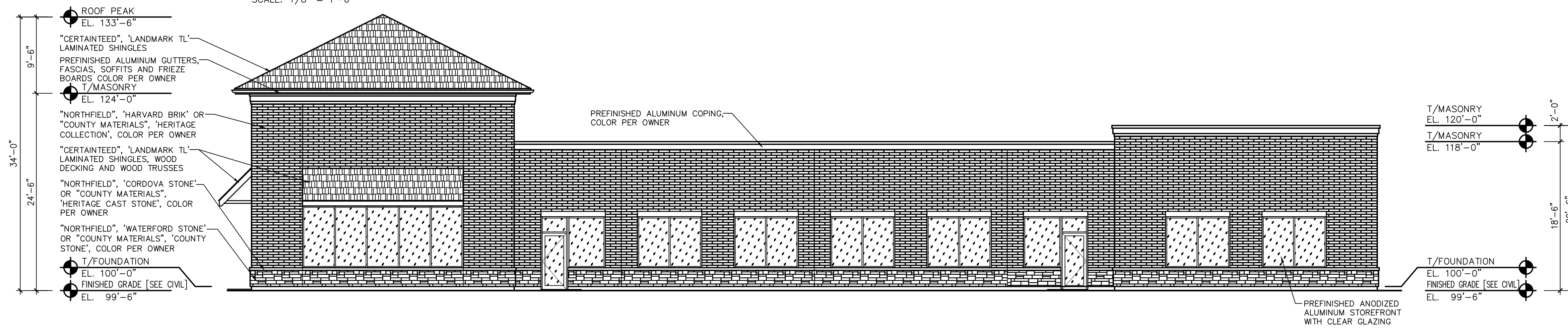
CARWASH WEST ELEVATION
SCALE: 1/8" = 1'-0"



CARWASH NORTH ELEVATION
SCALE: 1/8" = 1'-0"



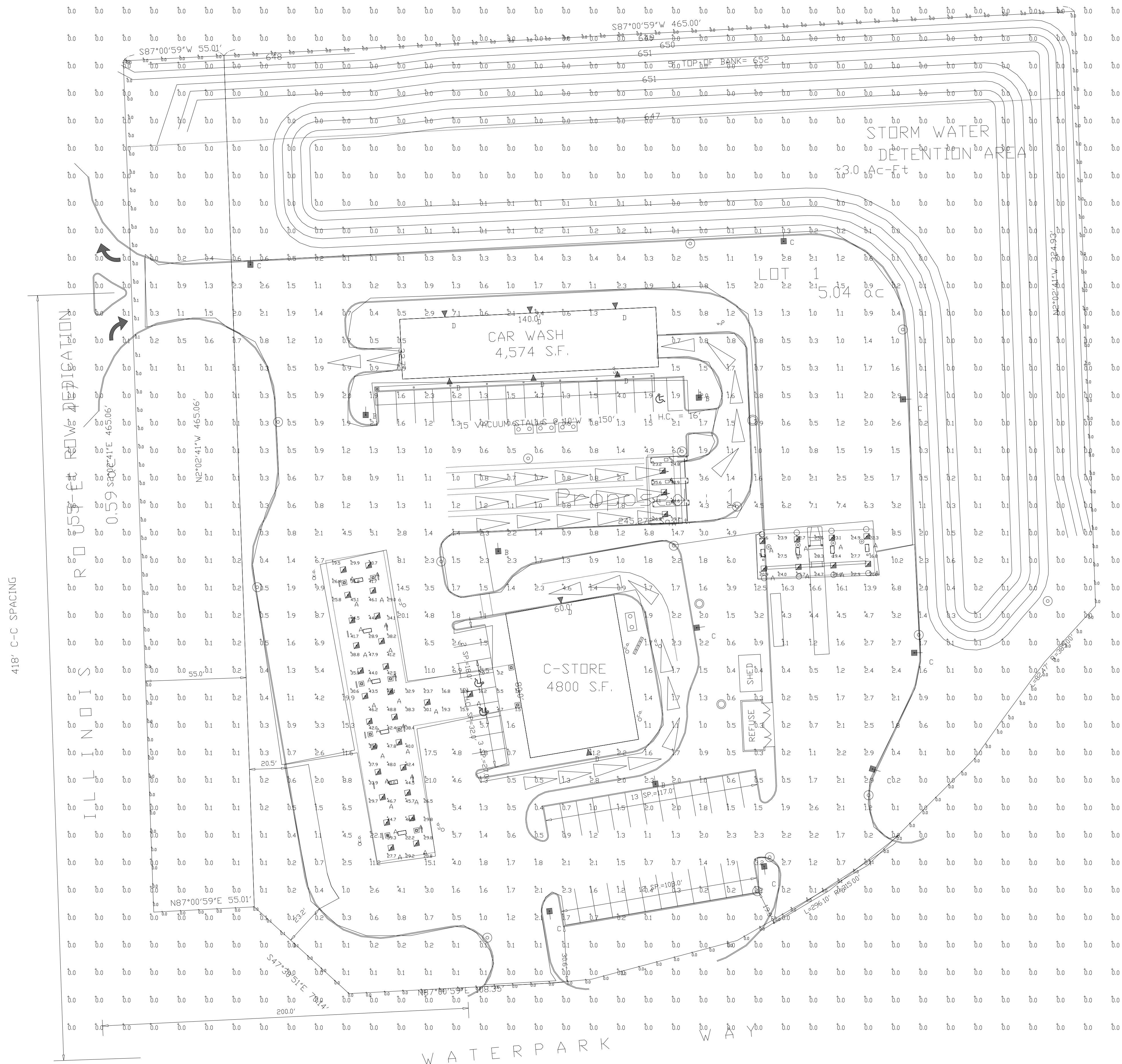
CARWASH EAST ELEVATION



CARWASH SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

GAS AND WASH

NEC STATE ROUTE 47 AND WATERPARK WAY
YORKVILLE, ILLINOIS



SCV



SLM



TMWP

Click image to open Product Page

Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
ALL CALCS @ GRADE	Illuminance	Fc	0.81	22.1	0.0	N.A.	N.A.
DIESEL CANOPY	Illuminance	Fc	21.68	28.3	0.0	N.A.	N.A.
GAS CANOPY	Illuminance	Fc	32.48	48.8	1.5	21.65	32.53
PAY CANOPY	Illuminance	Fc	33.71	44.6	23.2	1.45	1.92
PROPERTY LINE	Illuminance	Fc	0.00	0.1	0.0	N.A.	N.A.
INSIDE CURB	Illuminance	Fc	2.31	22.1	0.0	N.A.	N.A.

Symbol	Qty	Label	Arrangement	Description	LLD	UDF	LLF	Arr. Lum. Lumens	Arr. Watts
▲	37	A	SINGLE	SCV-LED-13L-SC-50 MTD @ 10'PAY,15'GAS,18'DIESEL	1.000	1.000	1.000	12933	84.3
■	4	B	SINGLE	SLM-LED-09L-SIL-SW-50-70CRI-SINGLE-17'POLE+3'BASE	1.000	1.000	1.000	9262	68.2
■	8	C	SINGLE	SLM-LED-09L-SIL-FT-50-70CRI-IL-SINGLE-17'POLE+3'BASE	1.000	1.000	1.000	6351	68.2
▲	8	D	SINGLE	TMWP-LED-04L-50 MTD @ 10'	1.000	1.000	1.000	4044	31.23

Based on the information provided, all dimensions and luminaire locations shown represent recommended positions. The engineer and/or architect must determine the applicability of the layout to existing or future field conditions.

This lighting plan represents illumination levels calculated from laboratory data taken under controlled conditions in accordance with The Illuminating Engineering Society (IES) approved methods. Actual performance of any manufacturer's luminaires may vary due to changes in electrical voltage, tolerance in lamps/LED's and other variable field conditions. Calculations do not include obstructions such as buildings, curbs, landscaping, or any other architectural elements unless noted. Fixture nomenclature noted does not include mounting hardware or poles. This drawing is for photometric evaluation purposes only and should not be used as a construction document or as a final document for ordering product.

Total Project Watts
Total Watts = 4187.34

1800 ALLIANCE RD. CHICAGO, ILL 60640 USA
(708) 793-2000 • FAX (708) 793-6000

LIGHTING PROPOSAL LD-148118

GAS 'N' WASH
NE CORNER IL RT47 & WATER PKWY
YORKVILLE, IL

Blank DATE6/21/19 REV SHEET 1 OF 1

SCALE: 1"=30'



Yorkville IL

Jul 17, 2019





Yorkville IL

Jul 17, 2019

1411 W. Peterson Avenue, Suite 203 • Park Ridge, IL 60068 • tel 847-698-4438 / fax 847-698-9889





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SIGN
A



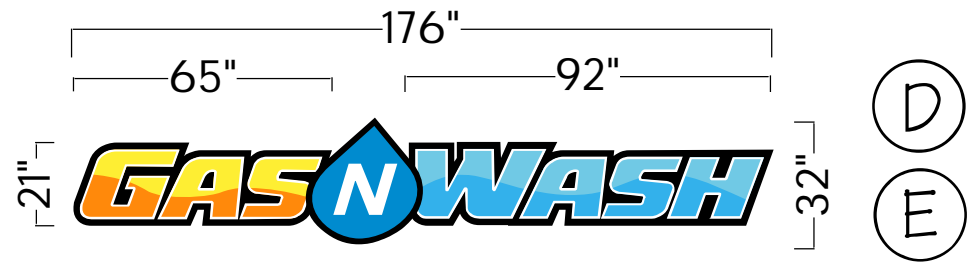
13401 SOUTHWEST HWY.,
ORLAND PARK, ILLINOIS
708-448-0826 FAX 708-448-9092

Notes _____

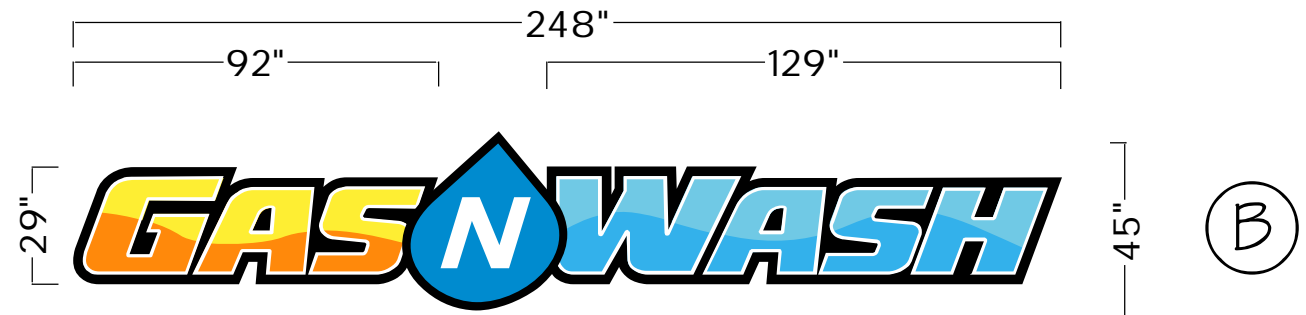
Approved _____ Date _____

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Scale	1/2"	Title	GAS N WASH - YORKVILLE			
Date	4-18-19	Description	MONUMENT SIGN 16"			
Drawn By	ED	Revisions By	ED		Drawing No.	19-109.2CA
		Date	6-13-19			



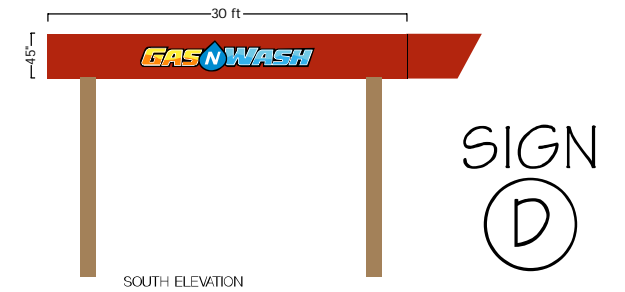
1/4" SCALE (x2 SETS) ILLUMINATED CHANNEL LETTERS - 28 SQ. FT.



1/4" SCALE ILLUMINATED CHANNEL LETTERS - 57.5 SQ. FT.

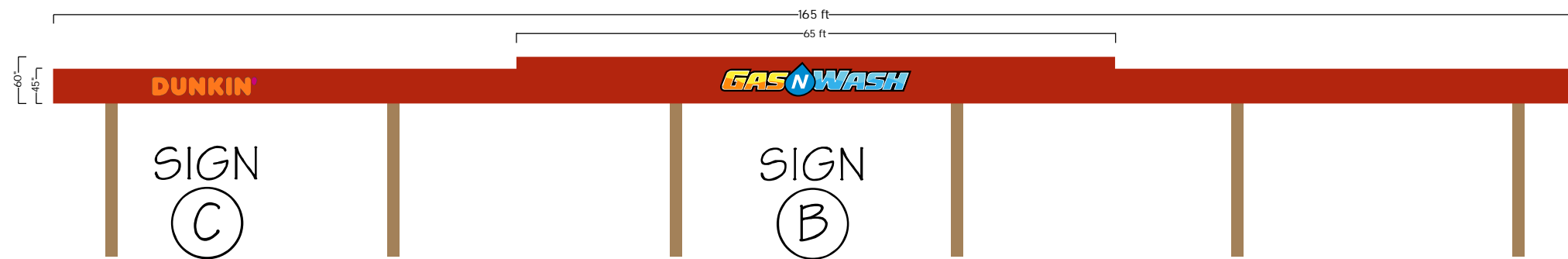


1/4" SCALE ILLUMINATED CHANNEL LETTERS - 23 SQ. FT.

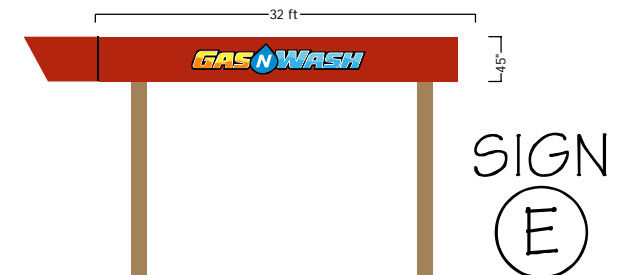


SOUTH ELEVATION

SIGN
D



WEST ELEVATION 1/16" SCALE



NORTH ELEVATION 1/16" SCALE

SIGN
E



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ORLAND PARK, ILLINOIS

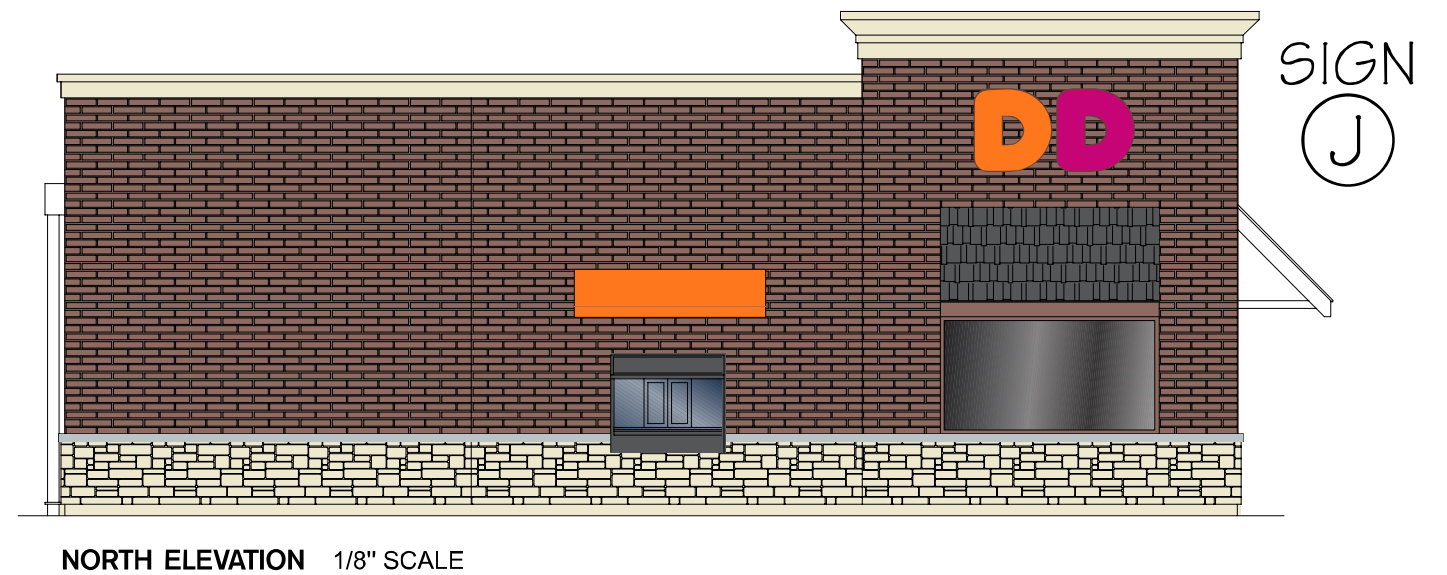
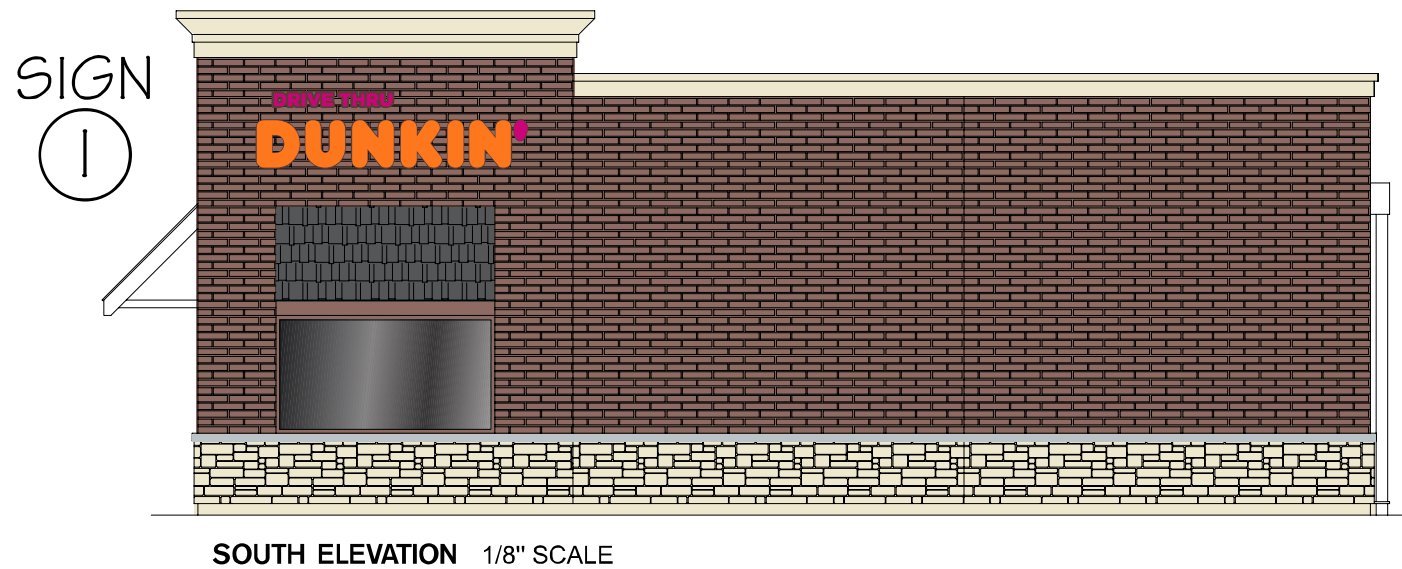
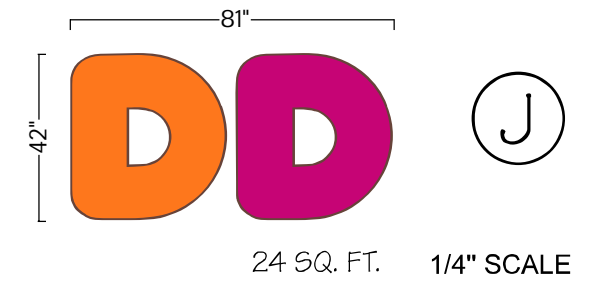
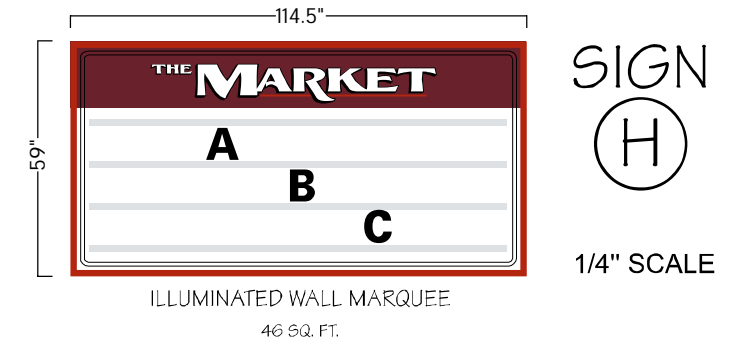
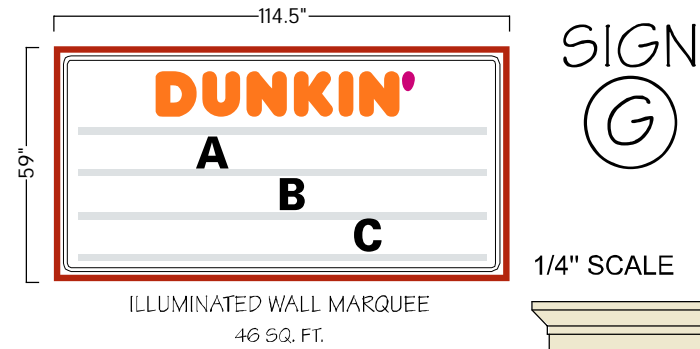
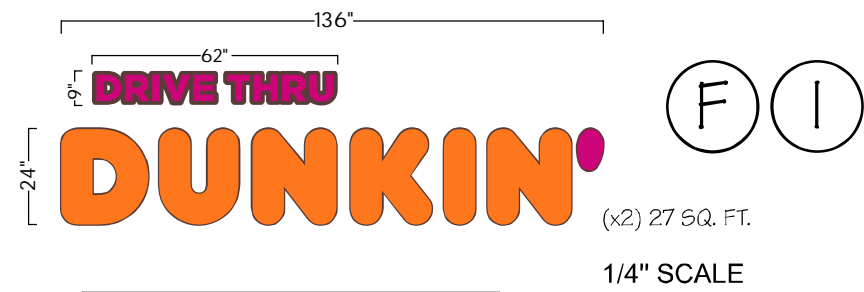
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Scale	NOTED	Title				GAS N WASH - YORKVILLE	
Date	4-23-19	Description				CAR CANOPY	
Drawn By	ED	Revisions By	ED		Drawing No.	19-109.6C	
		Date	6-13-19				



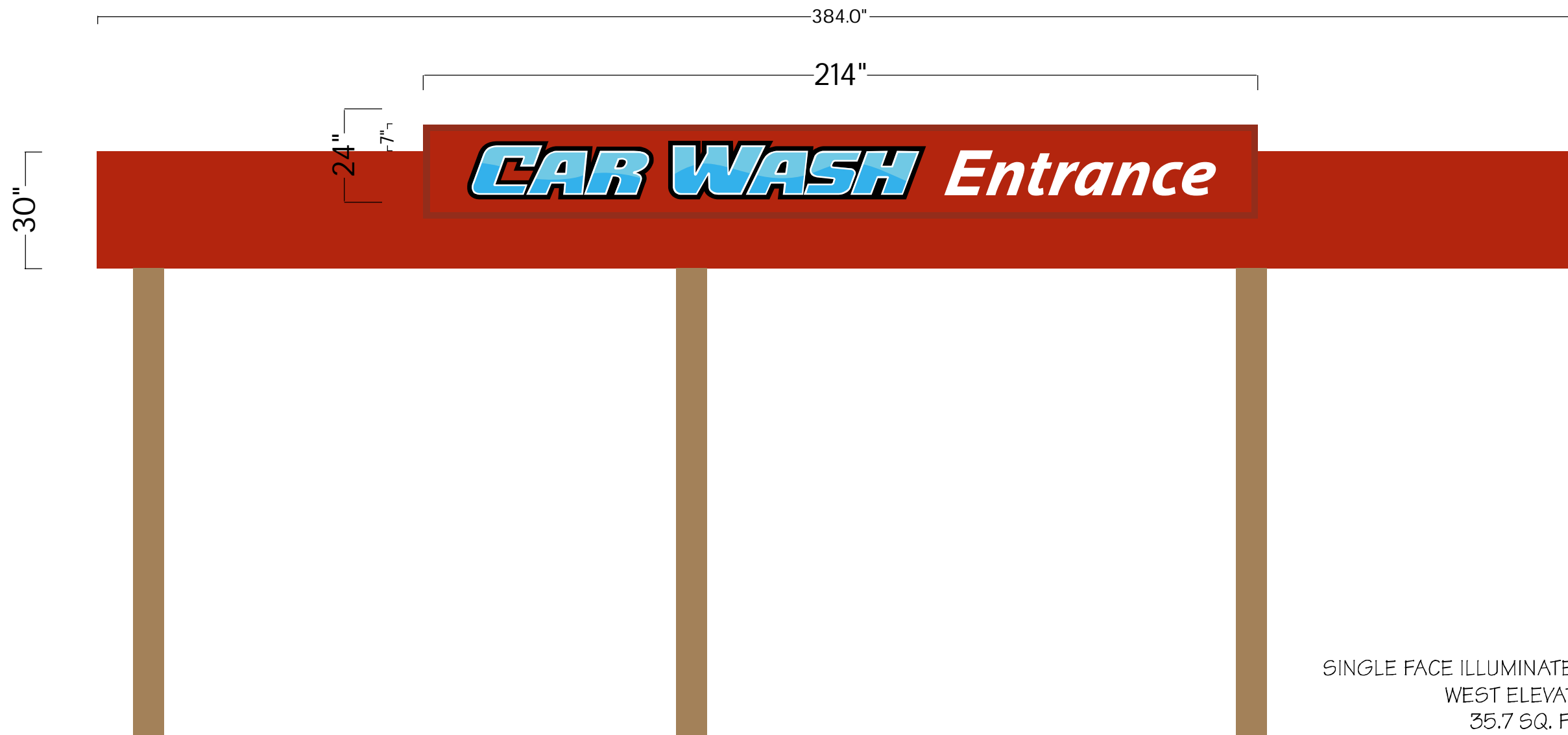
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Scale	NOTED	Title	GAS N WASH - YORKVILLE			
Date	4-22-19	Description	C-STORE SIGNAGE			
Drawn By	ED	Revisions By	ED		Drawing No.	19-109.3C
		Date	6-13-19			

SIGN
 (K)



SINGLE FACE ILLUMINATED CANOPY SIGN
 WEST ELEVATION
 35.7 SQ. FT.



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Notes _____

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Scale	3/8"	Title	GAS N WASH - YORKVILLE				
Date	4-23-19	Description	CAR WASH ENTRANCE				
Drawn By	ED	Revisions By	ED			Drawing No.	19-109.7C
		Date	6-13-19				

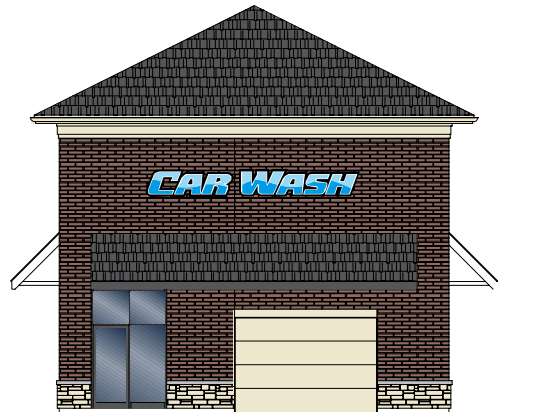
215.5"
CAR WASH
 25"
 27.5"

1/4" SCALE ILLUMINATED CHANNEL LETTERS - 41 SQ. FT.

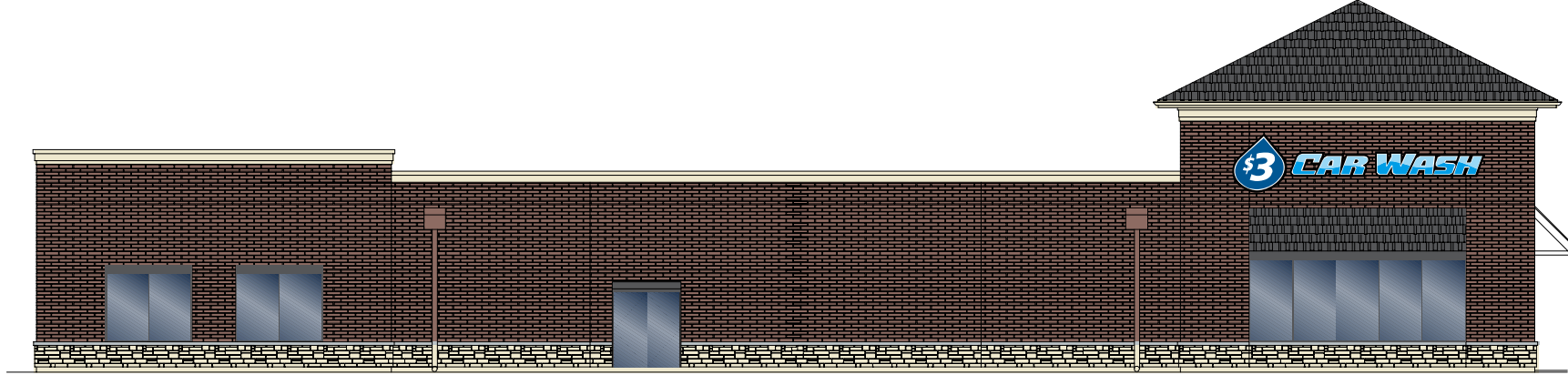
(L)

60.5" (M)
 215.5"
 65.5"
\$3 CAR WASH
 25"
 27.5"
 1/4" SCALE ILLUMINATED CHANNEL LETTERS - 68 SQ. FT.

SIGN (L)

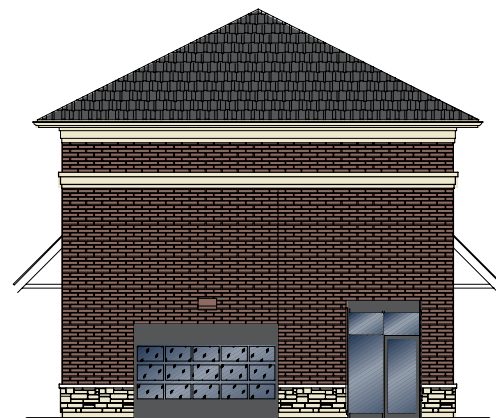


CARWASH WEST ELEVATION



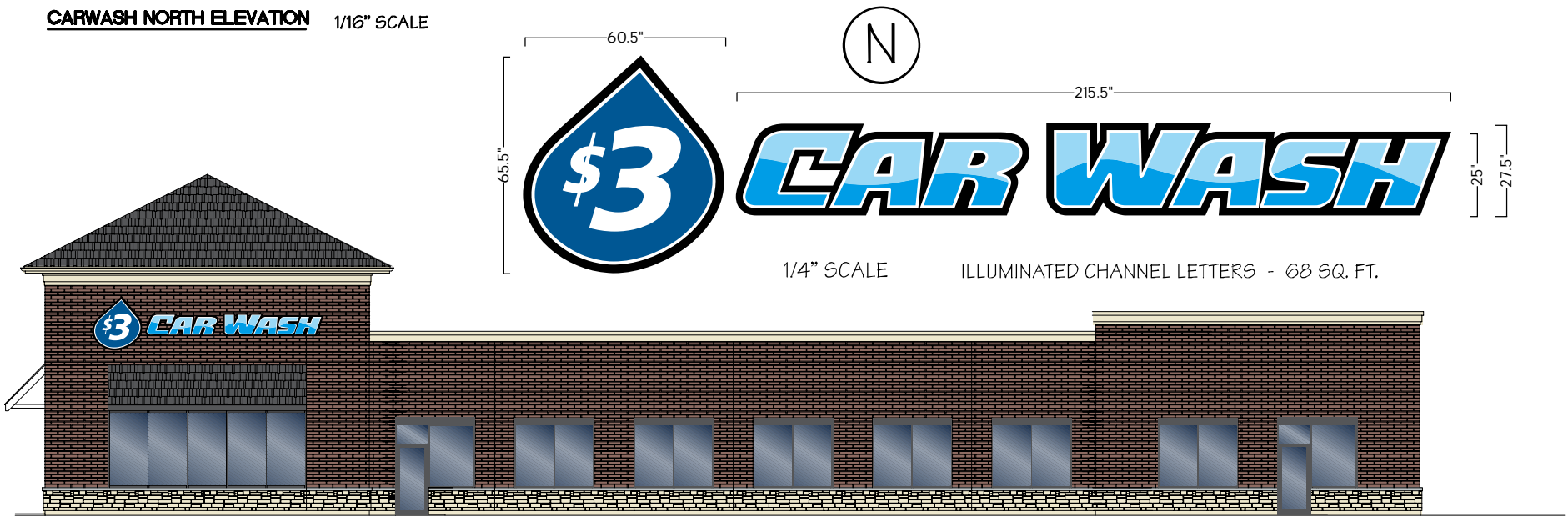
CARWASH NORTH ELEVATION 1/16" SCALE

SIGN (M)



CARWASH EAST ELEVATION

SIGN (N)



CARWASH SOUTH ELEVATION 1/16" SCALE



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Scale	NOTED	Title	GAS N WASH - YORKVILLE		
Date	4-22-19	Description	CAR WASH BUILDING SIGNAGE		
Drawn By	ED	Revisions By	ED	_____	Drawing No.
		Date	6-13-19	_____	19-109.4C

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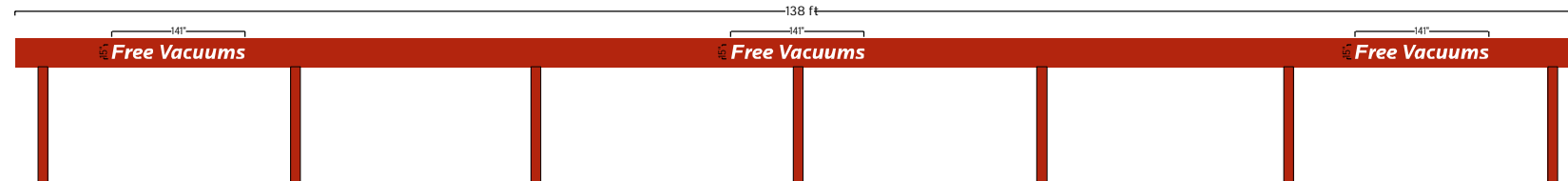
141"

15" **Free Vacuums**

1/2" SCALE

SIGN

0



SOUTH ELEVATION - VACUUM CANOPY - YORKVILLE 1/16" SCALE



13401 SOUTHWEST HWY.,
ORLAND PARK, ILLINOIS

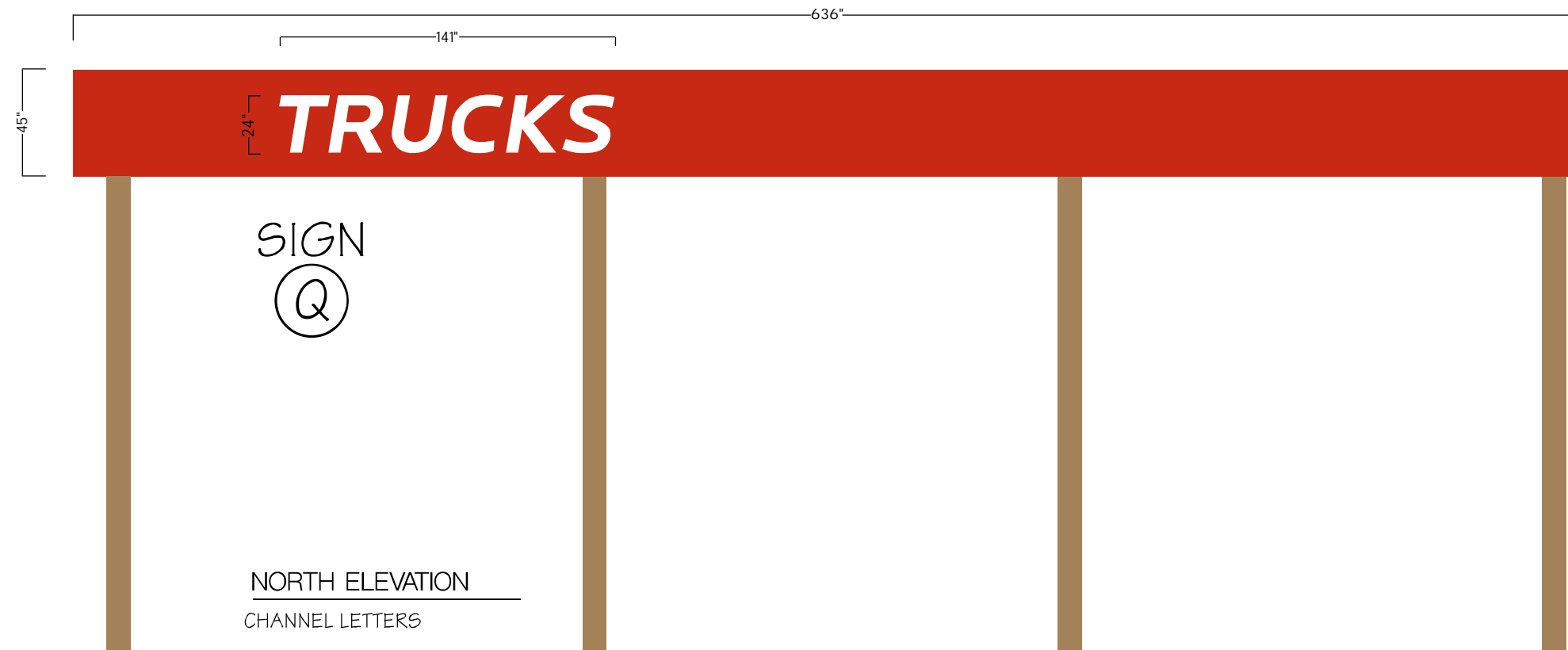
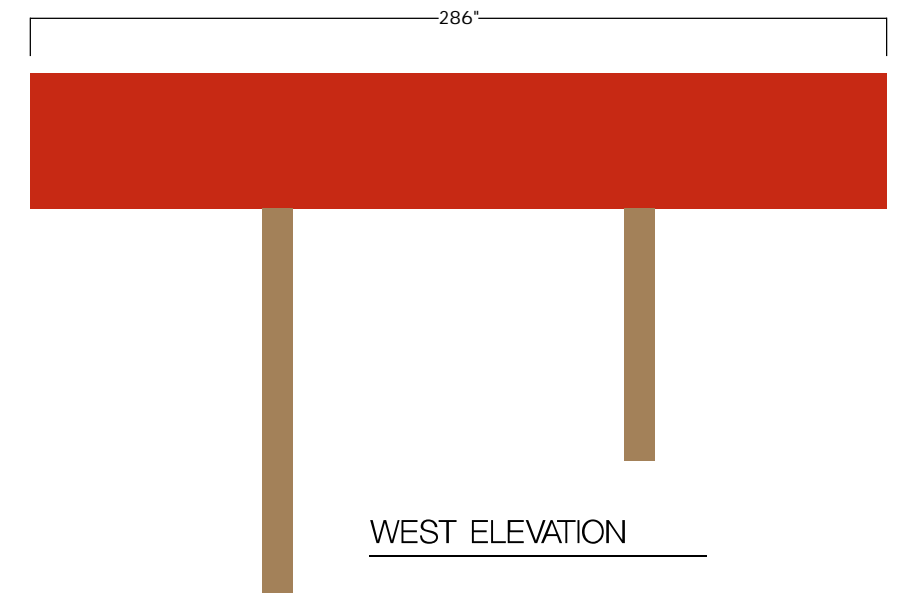
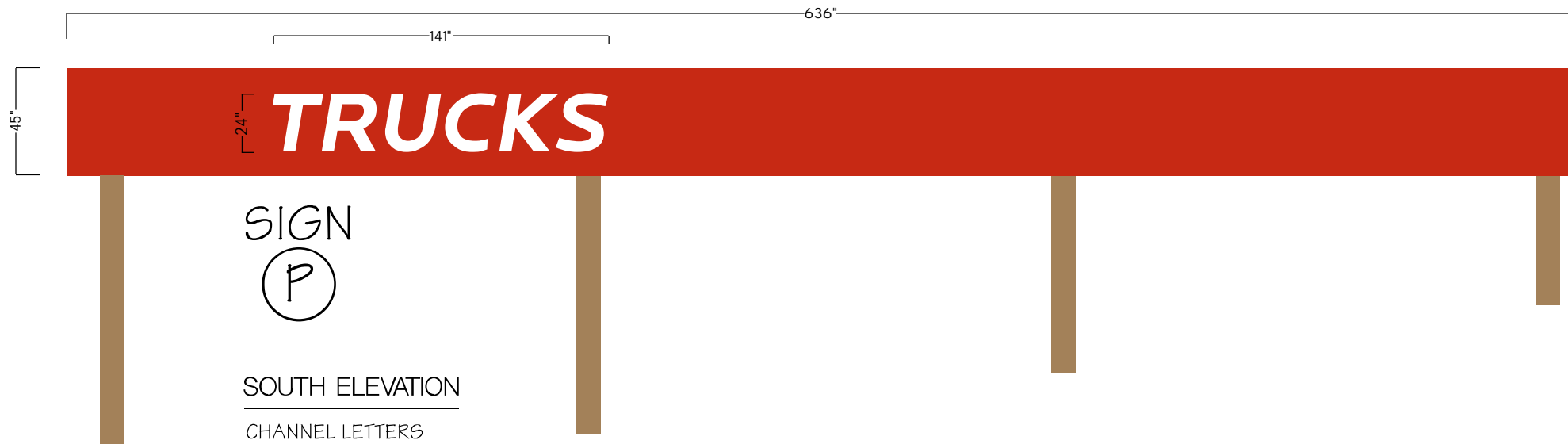
708-448-0826 FAX 708-448-9092

Notes _____

Approved _____ Date _____

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Scale	NOTED	Title	GAS N WASH - YORKVILLE			
Date	4-23-19	Description	VACUUM CANOPY			
Drawn By	ED	Revisions By	ED			Drawing No.
		Date	6-13-19			19-020.8C



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ORLAND PARK, ILLINOIS

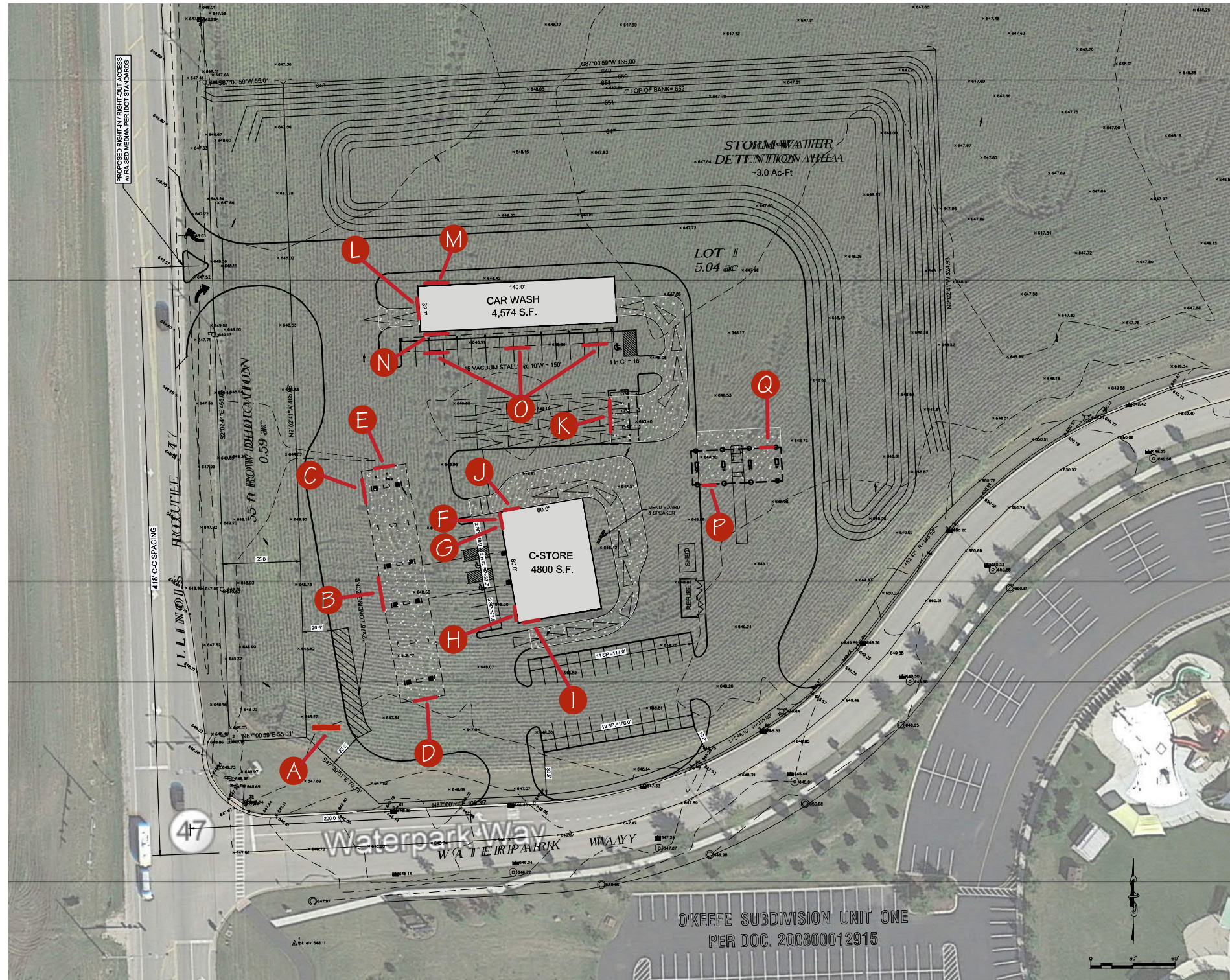
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Scale	3/16"	Title	GAS N WASH - YORKVILLE			
Date	4-23-19	Description	TRUCK CANOPY			
Drawn By	ED	Revisions By	ED		Drawing No.	19-109.5C
		Date	6-13-19			



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Scale	NTS	Title	GAS N WASH - YORKVILLE		
Date	6-13-19	Description	SITE PLAN		
Drawn By	ED	Revisions By			Drawing No.
		Date			19-109.9C

SIGN
A



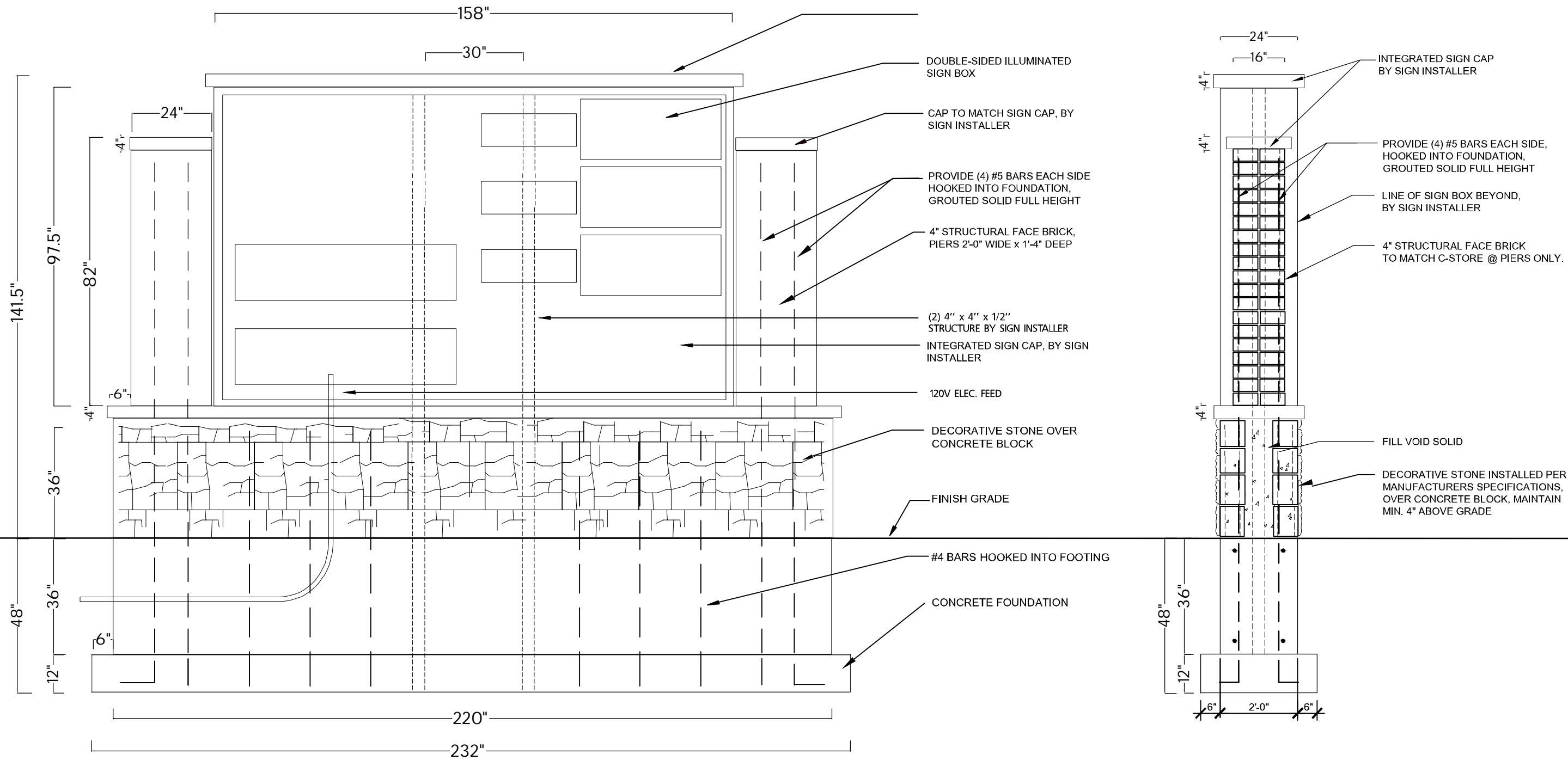
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Scale	1/2"	Title	GAS N WASH - YORKVILLE		
Date	4-18-19	Description	MONUMENT SIGN 16"		
Drawn By	ED	Revisions By	ED	_____	Drawing No.
		Date	6-13-19	_____	19-109.2CA



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Scale	3/8"	Title	GAS N WASH - YORKVILLE		
Date	4-18-19	Description	MONUMENT SIGNS FOUNDATION		
Drawn By	ED	Revisions By	ED		Drawing No.
		Date	6-13-19		19-109.2C



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Scale	NTS	Title	GAS N WASH - YORKVILLE		
Date	6-13-19	Description	MONUMENT SIGN - SITE PLAN		
Drawn By	ED	Revisions By			Drawing No.
		Date			19-109.9C



Engineering Enterprises, Inc.

July 9, 2019

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

**Re: Gas N Wash
Preliminary Site Plan
United City of Yorkville, Kendall County, Illinois**

Dear Krysti:

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

- Preliminary Site Plans (2 sheets) dated June 20, 2019 and prepared by MG²A.
- Preliminary Stormwater Report dated June 20, 2019 and prepared by MG²A.
- Photometric Plan (1 sheet) dated June 21, 2019.
- Landscape Plan (1 sheet) dated June 1, 2019 and prepared by Upland Design Ltd.
- Sign Plan (8 sheets) dated June 13, 2019 and prepared by VanBruggen Signs Inc.
- Monument Sign Plan (3 sheets) dated June 13, 2019 and prepared by VanBruggen Signs Inc.
- Architectural Building Plan (1 sheet) dated June 20, 2019 and prepared by Alan R. Schneider Architects P.C.
- Land Title Survey (1 sheet) dated June 8, 2019 and prepared by MG²A.
- Final Plat (2 sheet) dated June 14, 2019 and prepare by MG²A.

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

General

1. The following permits may be required and should be provided to the City when obtained. The City and EEI should be copied on all correspondence with the agencies.
 - YBSD approval is needed for the connection of the proposed sanitary lines to the existing sanitary sewer.
 - IEPA Sanitary Permit is required for the 10" sanitary sewer.
 - IEPA NPDES General Construction Permit is required. The Notice of Intent must be filed with IEPA 30 days prior to start of construction.

- IDNR and IHPA permits should be obtained, and the City and EEI should be copied on all correspondence.
 - IDOT approval of the right-in/right-out on IL Route 47 will be needed.
2. An engineer's estimate for the public and soil erosion control improvements should be provided. This will be used to determine the construction guarantee amount. In addition, a cost estimate needs to be provided for all site improvements which will be used to calculate the building permit fees.
 3. The plans should be reviewed and approved by the Fire District for emergency vehicle access, turning movements, and fire protection coverage.
 4. The proposed parking provided should be confirmed by the City.
 5. The Landscape Plan has been reviewed by the City's landscaping consultant. Please see the attached comment letter.

Photometric Plan

6. The proposed light fixtures should be approved by the City.

Engineering Plans

7. The Final Engineering plans should include the following:
 - Title Sheet
 - Construction Notes, Specifications and Details
 - Existing Conditions
 - Erosion Control Plan and Details
 - 10" Sanitary Sewer Plan and Profile
 - Striping and Signage Plan
 - Pavement Plan

Geometric & Grading Plan (Sheet 1 of 4)

8. The pavement plan to be provided should include sidewalk, curb, and pavement sections.
9. Entrance details should be provided for connection to the existing curb and gutter.
10. Emergency overland flow routes should be clearly marked on the grading plan.
11. Proposed storm sewer lines should be shown on the grading plans.
12. Per Section 10-16-3 of the City Code, Nonresidential driveways shall be a minimum of two hundred feet (200') when from the driveway edge to the nearest intersecting street right of way line.

Utility and Stormwater Plan (Sheet 2 of 4)

13. All utility conflicts should be called out on the plans with the top and bottom of pipe elevations identified at the crossings. The utility conflict details should be provided.
14. All water main fittings should be called out on the plans.
15. A detail should be provided for the 6" water service connection to the 8" main and for the corresponding 6" valve.
16. The size and material should be confirmed for the proposed water service to the car wash and called out on the plans.
17. Details should be provided for all storm catch basins, manholes, inlets, and frames and grates as well as the oil & water separator, cleanouts, the trench drain, and for storm sewer pipe and trench.
18. Details should be provided for the triple separator tanks, sanitary manholes, the sanitary core and boot connection, and the grease trap.
19. The sanitary sewer should be extended to the northern property line.

Truck Turning Plan (Sheet 3 of 4)

20. WB-65 Truck Movements (1) and (2) show areas where the truck appears to be over the proposed curb.

Truck Turning Plan (Sheet 4 of 4)

21. WB-65 Truck Movements (4) show areas where the truck appears to be over the proposed curb.

Preliminary Stormwater Report

22. The Preliminary Stormwater Report detention calculations are in general conformance with the City's ordinance. The Final Report should include a storm water permit application along with storm sewer calculations, in accordance with the Yorkville Storm Water Management Ordinance (Kendall Countywide Ordinance).
23. Off-Site Flows should be addressed in the Final Stormwater Report.
24. The plan should demonstrate that all fueling areas are tributary to an oil and water separator or similar water quality control structures. Details and supporting calculations should be provided for the separator.
25. The connection of the detention basin outfall is shown connecting to an inlet on Water Park Way. The capacity of this outfall location needs to be confirmed at final engineering.

Final Plat

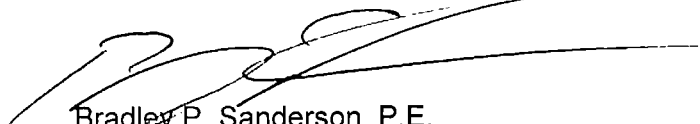
26. City certificates and provisions need to be used. Those can be provided to the surveyor upon request.
27. It does not appear that Lot 3 has been conveyed to the state and is still owned by Raging Waves. Documentation needs to be provided showing it has been transferred to the state.
28. It is our understanding that the state will not except the right of way dedication on the plat and will want it conveyed by warranty deed.
29. The legal description calls out the existing road as Rosenwinkel Street however the correct name is Waterpark Way.
30. The 10" sanitary sewer needs to be in an easement.
31. The legal description does not close. It is also missing several commas.
32. The north line of lot one needs to be dimensioned.
33. "Heretofore Dedicated" needs to be added to Waterpark Way.
34. Label all widths of existing right of ways along with the recording document numbers.
35. Label all adjacent subdivisions along with the recording document numbers.
36. Show all chord bearings and chord lengths on the plat.
37. Show the recording document numbers for the existing easements.
38. Route 47 is a state route and not a U.S. route please change the label to State Route 47 or Illinois Route 47.
39. Remove all existing features on the plat. i.e. curb, storm and pavement.
40. The Storm Water Detention Easement needs to be changed to Storm Water Management Easement.
41. The stormwater easement geometry does not match what is shown on the engineering plans.
42. A final, signed copy of the Alta survey should be submitted.

Ms. Krysti Barksdale-Noble
July 9, 2019
Page 5

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

Sincerely,

ENGINEERING ENTERPRISES, INC.



Bradley P. Sanderson, P.E.
Vice President

BPS/nls

pc: Mr. Bart Olson, City Administrator (Via e-mail)
Ms. Erin Willrett, Assistant City Administrator (Via e-mail)
Mr. Jason Engberg, Senior Planner (Via e-mail)
Mr. Eric Dhuse, Director of Public Works (Via e-mail)
Mr. Pete Ratos, Building Department (Via e-mail)
Ms. Dee Weinert, Admin Assistant (Via e-mail)
Ms. Lisa Pickering, City Clerk (Via e-mail)
Mr. Brian Hertz, P.E., MG²A (Via e-mail)
TNP, JAM, EEI (Via e-mail)



**PLANNING
RESOURCES INC.**

913 Parkview Boulevard
Lombard, Illinois 60148

Web: www.planres.com

P: 630.668.3788

F: 630.668.4125

Memorandum

PP13032-46

To: Tim Paulson, P.E., CFM
Engineering Enterprises, Inc.

From: Joseph Murphy, PLA, ASLA, CLARB
Planning Resources, Inc.

Date: July 2, 2019

Subject: Gas 'N Wash #2 – Waterpark Way
Landscape Review #1

This review is based on the following documents, pursuant to requirements of the City of Yorkville's Ordinance Section 8-12 (Landscape Ordinance)

- Landscape Plan (Sheet L1.0) prepared by UplandDesign; dated 6/21/19.

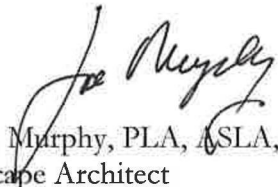
Review Comments

1. Need to provide a details sheet showing all planting details applicable to the plan. Note: the detail for the canopy tree needs to have branches to 'start no less than 8' above the pavement' to maintain proper sitelines. Sheet L1.0 refers to sheet L2.0; this has not been provided.
2. Show all dimensions on plans for linear feet of frontages (measurements appear slightly off from lengths provided in Requirement Chart).
3. See Section 8-12-2 (F) "Stormwater Storage Basin Landscaping" – add the calculations for the buffer to the Requirement Chart. There needs to be a buffer to the pond that fronts IL-47. Label pond either 'retention' or 'detention' on Landscape Plan. Show dimensions of buffer for pond.

At this time, Planning Resources does not recommend the approval of the Landscape Plan as submitted.

END OF COMMENTS

Respectfully submitted,


Joseph Murphy, PLA, ASLA, CLARB
Landscape Architect



Engineering Enterprises, Inc.

August 7, 2019

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

**Re: *Gas N Wash
Preliminary Site Plan – 2nd Review
United City of Yorkville, Kendall County, Illinois***

Dear Krysti:

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

- Preliminary Site Plans (4 sheets) dated July 18, 2019 and prepared by MG²A.
- Photometric Plan (1 sheet) dated July 29, 2019.
- Landscape Plan (2 sheets) dated June 21, 2019 and prepared by Upland Design Ltd.
- Final Plat (2 sheet) dated July 18, 2019 and prepare by MG²A.

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

General

1. This is a review of the revised preliminary plans and is supplemental to our review letter, dated July 9, 2019, of the petitioner's Plan Council Submittal. All of the items from the July 9, 2009 must be addressed as the project moves to final engineering.
2. The revised Landscape Plan is under review by the City's landscaping consultant. Comments will be provided under separate cover.

Photometric Plan

3. The current photometric plan does not meet the ordinance requirements for average intensity (2.0 to 2.5 foot candles) or max to min intensity (no more than 20:1) and should be revised.

Preliminary Engineering Site Plan

4. The driveway location has been moved so that it meets the minimum standard of two hundred feet (200') from the driveway edge to the nearest intersecting street right of way line.

Final Plat

5. Revisions were made to the Final Plat; however, the majority of the comments in our July 9, 2019 letter still need to be addressed.

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

Sincerely,

ENGINEERING ENTERPRISES, INC.



Bradley P. Sanderson, P.E.
Vice President

BPS/nls

pc: Mr. Bart Olson, City Administrator (Via e-mail)
Ms. Erin Willrett, Assistant City Administrator (Via e-mail)
Mr. Jason Engberg, Senior Planner (Via e-mail)
Mr. Eric Dhuse, Director of Public Works (Via e-mail)
Mr. Pete Ratos, Building Department (Via e-mail)
Ms. Dee Weinert, Admin Assistant (Via e-mail)
Ms. Lisa Pickering, City Clerk (Via e-mail)
Mr. Brian Hertz, P.E., MG²A (Via e-mail)
TNP, JAM, EEI (Via e-mail)



Memorandum

To: Planning and Zoning Commission
From: Jason Engberg, Senior Planner
CC: Bart Olson, City Administrator
Krysti J. Barksdale-Noble, Community Development Director
Date: August 8, 2019
Subject: **PZC 2019-17 701 N Bridge Street Rezone and Variance Requests**

SUMMARY:

At the previous meeting, “PZC 2019-17 N Bridge Street Rezone and Variance Requests” was reviewed by the commission. At that meeting the motions being read and voted on were out of order and upon review of the minutes, the motion for lot coverage was read incorrectly and therefore a vote was not recorded. Staff is requesting the motion be read and voted on at this meeting for the official record.

PROPOSED MOTIONS:

Motion for Lot Coverage Variance

In consideration of testimony presented during a Public Hearing on July 10, 2019 and approval of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council of a request to vary the maximum lot coverage for the R-2 District contained in Section 10-7-1 of the United City of Yorkville Zoning Code from 45 percent to 48 percent as stated in the staff memorandum dated July 1, 2019 and further subject to {insert any additional conditions of the Planning and Zoning Commission}...

ATTACHMENTS:

1. PZC Memorandum 7-10-19



Memorandum

To: Planning and Zoning Commission
From: Jason Engberg, Senior Planner
CC: Bart Olson, City Administrator
Krysti J. Barksdale-Noble, Community Development Director
Date: July 1, 2019
Subject: **PZC 2019-17 701 N Bridge Street Rezone and Variance Requests**

PROPOSED REQUEST:

The petitioner, Margaret LeGrand is seeking rezoning classification and bulk regulation variance approval for 701 N Bridge Street. The property is located on the west side of N Bridge Street south of the Apple Tree Court intersection and north of the E Park Street intersection. The petitioner is requesting rezoning approval from B-1 Local Commerce Business District to R-2 Single-Family Traditional Residence District. Additionally, the petitioner is requesting variance approval for minimum lot size, lot coverage, and front yard setback requirements within the R-2 Single-Family Traditional Residence District to allow the existing dwelling to remain on the property without any non-conformities.



PROPERTY BACKGROUND:

The structure on the subject property was originally built as a single-family home site (Kendall County data states it was built in 1930). The property was used as a residential use until 2002 when the property was rezoned to the B-1 zoning district (Ordinance 2002-41). The property's overall lot size and front lot line were reduced in 2015 due to the IDOT expansion of State Route 47.

SITE ANALYSIS:

The following are the current immediate surrounding zoning and land uses:

	Zoning	Land Use
North	R-2 Single-Family Traditional Residence District	Multi-Family Dwelling
South	B-1 Local Commerce Business District	Small Business (Counselor)
East	R-2 Single-Family Traditional Residence District R-3 Multi-Family Attached Residence District	Accessory Garage, Multi-Family Dwelling
West	R-2 Single-Family Traditional Residence District	Yorkville Public Works Facilities

Land Use Request

The petitioner is requesting that this property be rezoned to a residential district, so she may live in the existing house. She has no plans of running a business or home occupation at this location. The R-2 Single-Family Traditional Residence District permits single-family detached homes as well as accessory garages. The R-2 District is the most appropriate residential district due to the size of the lot, dwelling unit density, and proximity to other R-2 zoned properties.

It should be noted that the petitioner is currently living in the house during this rezoning process. They are aware that if rezoning to the R-2 District is not approved, they will not be compliant with the Yorkville Zoning Code.

Bulk Regulations

The following are the bulk regulations for the R-2 District compared to the petitioner’s actual measurements:

	Min. Lot Size	Max. Lot Coverage	Min. Front Yard Setback	Min. Side Yard Setback	Min. Rear Yard Setback
Required Regulations	12,000 sq. ft.	45%	30 ft.	10 ft.	40 ft.
Petitioner’s Measurements	11,041 sq. ft.	48%	10.1 ft.	27 ft.	49 ft.

The three highlighted measurements are not in compliance with the R-2 District. The petitioner is requesting to vary these regulations to the existing measurements so the structure will be compliant in the zoning district. The following lists the requested variances:

Minimum Lot Size to be reduced to 11,041 square feet

The petitioner is requesting to reduce the minimum lot size by 959 square feet (8%). Before the State Route 47 expansion in 2015, the 12,000 square foot minimum lot size would have been met and the only reason to apply for a variance is because of that expansion.

Minimum Front Yard Setback to be reduced to 10.1 feet

The petitioner is requesting to reduce the required front yard setback by 19.9 feet (66%). Before the State Route 47 expansion in 2015, the structure was set back 27 feet to the front property line. The front yard setback in the B-1 District is also 30 feet, which means even before the expansion, this property was legally non-conforming. With a 10.1-foot front yard setback, this property contains a legally non-conforming structure and the requested variance would make this structure legally conforming.

Maximum Lot Coverage to be increased to 48 percent

The petitioner is requesting to increase the maximum allowable lot coverage by three (3%) percent. The existing structures and paved surfaces take up 48 percent of the property. The petitioner has no intention to add any additional structures or accessories that will increase their lot coverage ratio.

Section 10-4-7-D of the Yorkville Zoning Ordinance lists authorized variances which the Planning and Zoning Commission may approve without City Council review. Of the three requested variances, only the reduction in minimum lot size is an authorized variance. Section 10-4-7-D-h states:

“To exceed any of the authorized variations allowed under this subsection when a lot of record or a zoning lot, vacant or legally used on the effective date hereof, is, by reason of the exercise of the right of eminent domain by any authorized governmental domain proceeding, reduced in size so that the remainder of said lot of record or zoning lot or structure on said lot does not conform with one or more of the regulations of the district in which said lot of record or zoning lot or structure is located.”

Since the sole reason for the request to reduce the minimum lot size requirement is the result of IDOT’s widening of Route 47, this request will be authorized by the Planning and Zoning Commission. The other two variance requests must be reviewed and approved by the City Council. The front yard setback is not an authorized variance because the structure was already non-conforming to the 30 foot required front yard setback and the widening did not cause the non-conformity. Additionally, there are no authorized variations in the code which address lot coverage variances.

Comprehensive Plan (Future Land Use)

The subject property’s future land use is classified as “Traditional Neighborhood Residential.” This land use category is designated to generally provide detached single-family homes with existing or enhanced infrastructure. This category emphasizes maintaining existing densities and preserving or rehabilitating existing housing. The proposed land use and R-2 zoning classification are in line with the Comprehensive Plan’s future land use designation for this property.

FINDINGS OF FACT FOR REZONING:

Section 10-4-10-B of the City’s Zoning Ordinance establishes criteria for findings of fact related to rezoning (map amendment) requests. No rezoning shall be recommended by the Planning and Zoning Commission without each of the following considered:

1. The existing uses and zoning of nearby property.
2. The extent to which the property values are diminished by the particular zoning restrictions.
3. The extent to which the destruction of the property values of plaintiff promotes the health, safety, morals or general welfare of the public.
4. The relative gain to the public as compared to the hardship imposed upon the individual property owner.
5. The suitability of the subject property for the zoned purpose.
6. The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the subject property.
7. The community need for the proposed use.
8. The care to which the community has undertaken to plan its land use development.

STANDARDS FOR GRANTING A VARIANCE:

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

1. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations was carried out.
2. The conditions upon which the petition for a variation is based are unique to the property for which the variation is sought and are not applicable, generally, to other property within the same zoning classification.
3. The alleged difficulty or hardship is caused by this title and has not been created by any person presently having an interest in the property.
4. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
5. The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger to the public safety, or substantially diminish or impair property values within the neighborhood.
6. The proposed variation is consistent with the official comprehensive plan and other development standards and policies of the city.

The petitioner has provided written responses to these standards as part of their application (see attached) and requests inclusion of those responses into the public record at the July 10, 2019 Plan Commission meeting.

PROPOSED MOTIONS:

Motion for Rezoning

In consideration of testimony presented during a Public Hearing on July 10, 2019 and approval of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council of a request for a map amendment to rezone the property stated in the staff memorandum dated July 1, 2019 from B-1 Local Commerce Business District to R-2 Single-Family Traditional Residence District and further subject to {insert any additional conditions of the Planning and Zoning Commission}...

Motion for Lot Size Variance

In consideration of testimony presented during a Public Hearing on July 10, 2019 and approval of the findings of fact, the Planning and Zoning Commission authorizes approval of a request to vary the minimum lot size for the R-2 District contained in Section 10-7-1 of the United City of Yorkville Zoning Code from 12,000 square feet to 11,041 square feet as stated in the staff memorandum dated July 1, 2019 and further subject to {insert any additional conditions of the Planning and Zoning Commission}...

Motion for Front Yard Setback Variance

In consideration of testimony presented during a Public Hearing on July 10, 2019 and approval of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council of a request to vary the minimum front yard setback for the R-2 District contained in Section 10-7-1 of the United City of Yorkville Zoning Code from 30 feet to 10.1 feet as stated in the staff memorandum dated July 1, 2019 and further subject to {insert any additional conditions of the Planning and Zoning Commission}...

Motion for Lot Coverage Variance

In consideration of testimony presented during a Public Hearing on July 10, 2019 and approval of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council of a request to vary the maximum lot coverage for the R-2 District contained in Section 10-7-1 of the United City of Yorkville Zoning Code from 45 percent to 48 percent as stated in the staff memorandum dated July 1, 2019 and further subject to {insert any additional conditions of the Planning and Zoning Commission}...

ATTACHMENTS:

1. Rezoning Application
2. Variance Application
3. Plat of Survey
4. Public Hearing Notice