



## United City of Yorkville

800 Game Farm Road

Yorkville, Illinois 60560

Telephone: 630-553-4350

[www.yorkville.il.us](http://www.yorkville.il.us)

### PLANNING AND ZONING

### COMMISSION AGENDA

Wednesday, March 11, 2020

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: February 12, 2020

Citizen's Comments

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#### Public Hearings

1. **PZC 2020-03** Luz M. Padilla, Abby Properties, LLC, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting amendment to the Kendall Marketplace Planned Unit Development Agreement to permit a revision to Article III of said agreement regarding Design Standards for new construction residential lots within the Kendall Marketplace development. The petitioner is requesting to adapt the requirements to their design standards for potential single-family attached homes (townhomes). The real property is generally located north of US 34, west of Cannonball Trail, immediately south of Blackberry Shore Lane in Yorkville, Illinois.
2. **PZC 2020-05** United City of Yorkville, Kendall County, Illinois, petitioner, is proposing a text amendment to Section 10-19-4F of Chapter 19: Alternative Energy Systems within the United City of Yorkville Zoning Ordinance regarding signage for wind and solar energy systems. The amendment proposes to eliminate the restriction of commercial signage on alternative energy systems.

#### Unfinished Business

#### New Business

1. **PZC 2020-02** Tyler Edwards, petitioner, on behalf of Menard, Inc. has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting final plat approval to resubdivide Lots 1 & 2 of the Menard's Commercial Commons, an approximately 37-acre parcel, located in the northeast quadrant of Marketview Drive and E. Countryside Parkway in Yorkville, Illinois.

#### Action Item:

Final Plat Approval

2. **PZC 2020-03** Luz M. Padilla, Abby Properties, LLC, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting amendment to the Kendall Marketplace Planned Unit Development Agreement to permit a revision to Article III of said agreement regarding Design Standards for new construction residential lots within the Kendall Marketplace development. The petitioner is requesting to adapt the requirements to their design standards for potential single-family attached homes (townhomes). The real property is generally located north of US 34, west of Cannonball Trail, immediately south of Blackberry Shore Lane in Yorkville, Illinois.

Luz M. Padilla, Abby Properties, LLC, petitioner, has also filed an application with the United City of Yorkville, Kendall County, Illinois, requesting final plat approval for an approximately 26.2-acre site consisting of 48 lots for single-family attached dwelling units and 2 lots for open space and future phases of development.

**Action Item:**

PUD Amendment & Final Plat

3. **PZC 2020-05** United City of Yorkville, Kendall County, Illinois, petitioner, is proposing a text amendment to Section 10-19-4F of Chapter 19: Alternative Energy Systems within the United City of Yorkville Zoning Ordinance regarding signage for wind and solar energy systems. The amendment proposes to eliminate the restriction of commercial signage on alternative energy systems.

**Action Item:**

Text Amendment

4. **PZC 2019-30** CalAtlantic Group, Inc. (a fully subsidiary of Lennar Homes), petitioner filed an application for Final Plat approval of Raintree Village, Unit Four 1<sup>st</sup> Resubdivision as presented to the Planning and Zoning Commission at the January 8, 2020 meeting and in plans prepared by Mackie Consultants, LLC dated last revised 11-11-19, which was recommended for approval subject to review comments provided by the City Engineer, EEI, Inc. dated November 13, 2019.

**Action Item:**

Confirmation of Approval of Final Plat

## **Additional Business**

### **1. City Council Action Updates:**

**PZC 2020-01** The United City of Yorkville, Kendall County, Illinois, petitioner, is proposing to amend the Yorkville Comprehensive Plan to include a new appendix which identifies locations where the future land use designations are recommended for reclassification along U.S. Route 34 (Veterans Parkway), Route 71 (Stagecoach Trail), and Eldamain Road. The proposed amendments are a result of rezoning and development approvals made by the City Council between 2017 and 2019, as well as aligning the potential future industrial development along the Eldamain Corridor.

**City Council Action:**

Approved

**PZC 2020-04** Ronald Smrz, petitioner, on behalf of the Ronald Smrz Trust, is requesting special use authorization from Kendall County to establish a storage business for non-motorized pull behind campers. The real property is located at 7821 Route 71, Kendall County, Illinois.

**City Council Action:**

No Objection

2. **Planning Training Series 2019:** “Economic Development & Planning” presented by Lynn Dubajic, DLK, LLC.
3. **Planning & Zoning Commissioner’s Training Series 2020**

**Adjournment**

# DRAFT

## PLANNING & ZONING COMMISSION

City Council Chambers

800 Game Farm Road, Yorkville, IL

Wednesday, February 12, 2020 7:00pm

### Meeting Called to Order

Commissioner Danny Williams called the meeting to order at 7:00pm, roll was called and a quorum was established.

### Roll Call:

Deborah Horaz-yes, Don Marcum-yes, Greg Millen-yes, Danny Williams-yes

Absent: Rusty Hyett, Jeff Olson, Richard Vinyard

### City Staff

Krysti Barksdale-Noble, Community Development Director

### Other Guests

Christine Vitosh, Vitosh Reporting Service

Lynn Dubajic, City Consultant

Ron Smrz

Katie Finlon-Kendall County Record

Michele Breyne

Linden Breyne

Len Pfaff

Laurie Pfaff

Nancy Zier

Ron Zier

Nick Cordell

Shannon Moverod

### Previous Meeting Minutes January 8, 2020

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

Roll call: Marcum-abstain, Millen-yes, Williams-yes, Horaz-yes. Carried 3-yes, 1-abstain

### Citizen's Comments None

### Public Hearings

Commissioner Williams explained the procedure for the Hearing and swore in those who would speak. At approximately 7:02pm a motion was made and seconded by Mr.

Marcum and Ms. Horaz, respectively, to open the Hearings.

Roll call: Marcum-yes, Millen-yes, Williams-yes, Horaz-yes Carried 4-0.

Mr. Williams read the Public Hearing as follows:

1. **PZC 2020-01** The United City of Yorkville, Kendall County, Illinois, petitioner, is proposing to amend the Yorkville Comprehensive Plan to include a new appendix which identifies locations where the future land use designations are recommended for reclassification along U.S. Route 34 (Veterans Parkway), Route



71 (Stagecoach Trail), and Eldamain Road. The proposed amendments are a result of rezoning and development approvals made by the City Council between 2017 and 2019, as well as aligning the potential future industrial development along the Eldamain Corridor.

*(See Court Reporter Transcript)*

The Hearings were closed at approximately 7:16pm on a motion by Mr. Marcum and second by Ms. Horaz. Roll call: Williams-yes, Horaz-yes, Marcum-yes, Millen-yes. Carried 4-0.

**Unfinished Business** None

**New Business**

**1. PZC 2020-01 Text Amendments** (see full description above)

Ms. Noble said that since there are numerous amendments, the changes will be done as an addendum. There was no further discussion. Mr. Williams entertained a motion to vote for approval of PZC 2020-01 Map and Text Amendment. Roll call: Williams-yes, Horaz-yes, Marcum-yes, Millen-yes. Carried 4-0.

**Action Item:**

**Text Amendment**

Ms. Horaz read the two separate motions for PZC 2020-01 Yorkville Comprehensive Plan Amendment:

1<sup>st</sup> motion: In consideration of testimony presented during a Public Hearing on February 12, 2020, and discussions conducted at that meeting, the Planning and Zoning Commission recommends approval to the City Council of a request to amend the United City of Yorkville's 2016 Comprehensive Plan Update future land use for the five identified land use changes and the single potential road extension as presented in a staff memorandum dated February 5, 2020.

2<sup>nd</sup> motion: In consideration of testimony presented during a Public Hearing on February 12, 2020, the Planning and Zoning Commission recommends approval to the City Council of a request to amend the United City of Yorkville's 2016 Comprehensive Plan Update future land use designation of unincorporated areas on the east side of Eldamain Road from the BNSF rail line north to Galena Road from "Estate/Conservation Residential (ECR)" to "General Industrial (GI)" as presented by staff in a memorandum dated February 4, 2020 and a map entitled "Eldamain Road Corridor Future Land Use Map"

A motion was made Mr. Marcum to approve both text amendments. Roll call: Millen-yes, Marcum-yes, Horaz-yes, Williams-yes. Carried 4-0.

2. **PZC 2020-04** Ronald Smrz, petitioner, on behalf of the Ronald Smrz Trust, is requesting special use authorization from Kendall County to establish a storage business for non-motorized pull behind campers. The real property is located at 7821 Route 71, Kendall County, Illinois.

Ms. Noble presented the details for this petition which was before the Commission for a 1.5 mile review. Mr. Smrz is requesting to build a 51-space storage facility for pull behind campers on a 17-acre site owned by him. There had been comments that the property could be annexed to the City, however, that is not anticipated. He said there has been some concern from neighbors and he is working on solutions.

**Action Item:**

**1.5 Mile Review**

Commissioners Marcum and Horaz, respectively, moved and seconded to recommend approval of this petition. Ms. Horaz read the motion as follows: In consideration of the information presented at the February 12, 2020 meeting, the Planning and Zoning Commission recommends approval of County Case 19-34 – 7821 Route 71 special use request for a non-motorized storage business.

Roll call: Marcum-yes, Horaz-yes, Williams-yes, Millen-yes. Carried 4-0.

**Additional Business**

**1. Year in Review 2019**

Ms. Noble presented the summary for 2019. She said 2,100 building permits were issued in 2019 with 178 of those for residential housing and foreclosures are down. She also listed some of the larger commercial projects and City projects that are or will be underway. The UDO (Unified Development Ordinance) was also kicked off this year and the City approved the 2018 adoption of the international codes. Ms. Noble also reviewed some of the goals for the coming year. Training for Commissioners will also continue and there is a state conference if any PZC members which to attend. The City will cover the \$50 fee.

**2. City Council Action Updates**

Ms. Noble summarized PZC cases that were recently approved by the City Council including a text amendment and a special use permit for Wrigley.

**3. Planning Training Series:**

The training scheduled for tonight will be continued to the next meeting so all Commissioners can attend.

**Adjournment**

There was no further business and the meeting was adjourned at 7:35pm on a voice vote.

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, February 12, 2020

7:00 p.m.

1       PRESENT:

2               Mr. Danny Williams, Chairman,

3               Mr. Donald Marcum,

4               Ms. Deborah Horaz,

5               Mr. Greg Millen.

6  
7       ALSO PRESENT:

8               Ms. Krysti Barksdale-Noble, Community

9               Development Director;

10              Ms. Marlys Young, Minute Taker.

11                       - - - - -

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

4 CHAIRMAN WILLIAMS: There is one  
5 planning -- or, I'm sorry, there is one public  
6 hearing scheduled for tonight's Planning and  
7 Zoning Commission meeting.

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

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

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

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

24 MS. NOBLE: Yours is not a public

1 hearing item, but you can feel free to be sworn  
2 in anyways --

3 UNIDENTIFIED AUDIENCE MEMBER: Oh, okay.

4 (Discussion had off the  
5 record.)

6 CHAIRMAN WILLIAMS: Looks like that's a  
7 no. Thank you, folks.

8 The order for receiving testimony  
9 during the public hearing will be as follows:  
10 The petitioner will present, those who wish to  
11 speak in favor of the request will present, and  
12 those who wish to speak in opposition of the  
13 request.

14 May I have a motion to open the  
15 public hearing on petition number PZC 2020-01,  
16 Yorkville Comprehensive Plan map and text  
17 amendment?

18 MR. MARCUM: So moved.

19 MS. HORAZ: Second.

20 CHAIRMAN WILLIAMS: Roll call vote on  
21 the motion, please.

22 MS. YOUNG: Yes. Marcum.

23 MR. MARCUM: Yes.

24 MS. YOUNG: Mr. Millen.

1 MR. MILLEN: Yes.

2 MS. YOUNG: Williams.

3 CHAIRMAN WILLIAMS: Yes.

4 MS. YOUNG: Horaz.

5 MS. HORAZ: Yep.

6 CHAIRMAN WILLIAMS: The public hearing  
7 up for discussion tonight is the following: PZC  
8 2020-01, the United City of Yorkville, Kendall  
9 County, Illinois, petitioner, is proposing to  
10 amend the Yorkville Comprehensive Plan to include  
11 a new appendix which identifies locations for the  
12 future land use designations recommended for  
13 classification along U.S. Route 34, Veteran's  
14 Parkway, Route 71, Stagecoach Trail, and Eldamain  
15 Road. The proposed amendments are a result of  
16 rezoning and development approvals made by City  
17 Council between 2017 and 2019, as well as  
18 aligning the potential future industrial  
19 development along the Eldamain Corridor.

20 Krysti, please present PZC 2020-01,  
21 Yorkville Comprehensive Planning map and text  
22 amendment.

23 MS. NOBLE: Good evening, everyone. As  
24 it was mentioned in the introduction, this is a

1 two-part request. The first part of the request  
2 is actually perfunctory; it has to do with  
3 several entitlements that were granted through  
4 the public hearing and City Council approval  
5 process, and at that time their request did not  
6 line up with our Comprehensive Plan, so after the  
7 approval, staff went through all of the proposed  
8 developments as they were developed and are now  
9 aligning our Comprehensive Plan to reflect the  
10 development.

11 So what happens when you look at a  
12 Comprehensive Plan, you base off of existing  
13 conditions, trends in development, economic  
14 market, you make the best guess of what that  
15 future land use will grow into eventually within  
16 a horizon of the plan, and our plan was adopted  
17 in 2016, it has a ten-year horizon, so we are  
18 looking at 2026, and at that time there were  
19 areas in the development of the city that we felt  
20 would remain as-is or not be developed within  
21 that time frame.

22 As business came to Yorkville, or  
23 changes in some of the locations regarding  
24 transportation to a site, utilities available,



1 these sites were developed and now we are  
2 re-aligning them, so the sites that are in your  
3 packet for this first part of the conversation  
4 have to do with the Cedarhurst Living  
5 development.

6 Originally the Comprehensive Plan  
7 had the future land use as suburban neighborhood;  
8 again, that was a blank slate of land at that  
9 point, we didn't see any development happening.  
10 There had to be some adjustments to the roadway  
11 and some easements given.

12 Well, the developer came in, was  
13 approved, and developed the site to a senior kind  
14 of assisted living facility, and so we are  
15 changing the Comprehensive Plan future land use  
16 to commercial office.

17 And the reason why it's commercial  
18 office even though it's a residential living  
19 facility, as an assisted living facility, it is  
20 zoned as business and so that is why that  
21 category suits it best.

22 It also has the ability per their  
23 Planned Unit Development Agreement to have an  
24 office use ancillary to the senior living

1 facility.

2 The second property was a Casey's  
3 General Store. If you recall, that location had  
4 an apartment complex where people were actually  
5 living there on the site.

6 The owner sold the site, the  
7 apartment was torn down, and then there was  
8 construction of a gas station, so the  
9 Comprehensive Plan had it originally designated  
10 as mid-density residential, which was consistent  
11 with its current land use at the time, and now we  
12 are changing the future land use to destination  
13 commercial, which would fit with a gas station.

14 Adjacent to that Casey's property is  
15 the Coffman Carpets. As part of Casey's  
16 proposal, they needed to annex the Coffman Carpet  
17 site; the reason being is because --

18 MS. HORAZ: It wasn't on the sales tax  
19 rolls?

20 MS. NOBLE: Well, the reason being is  
21 because the underground tanks, they needed to be  
22 able to locate them and they needed to kind of  
23 squeeze closer to the Coffman Carpet site, and so  
24 Coffman requested that they extend utilities to

1       them, so we annexed, and that's why that parcel  
2       came in.

3               We also had that as mid-density  
4       residential, and we are requesting to revise that  
5       to destination commercial to reflect its current  
6       land use.

7               Heartland Business, we had a request  
8       recently from that developer to develop an empty  
9       site. Due to its configuration, it's a very odd  
10      configuration, its location and size, we felt  
11      that it would not develop, so we kind of went  
12      with the mid-density residential thinking that  
13      that would maybe become a part -- come to be a  
14      part of the apartment complex, maybe someone  
15      would develop somewhere along with that. That  
16      did not happen, and the petitioner came in to  
17      build an office use, and so they are requesting  
18      an office kind of business district zoning, which  
19      they have, and so we are proposing to change the  
20      designation to commercial office as well.

21              And the last one is Hively. That  
22      was part of an overall PUD. The developer came  
23      in and took out a couple of sites, parcels,  
24      within that overall development to do a nursery

1 annex as well as an agricultural site.

2 We originally had it as estate  
3 residential. Because we didn't feel it was going  
4 to develop within that ten-year horizon, we did  
5 rezone that property and so we are looking to  
6 maintain that future land use as destination  
7 commercial.

8 The other request as part of this is  
9 there -- due to development on the City's  
10 southeast side, there is an additional potential  
11 roadway coming in, the realignment at that  
12 intersection for Ashley for the school.

13 MS. HORAZ: Right.

14 MS. NOBLE: In our plan we do have it  
15 indicated on our transportation map that there  
16 could be a future connection north on Ashley, but  
17 the actual owner has requested that the City look  
18 at that, so that -- to reassign its future land  
19 use for that site. We haven't gotten a petition  
20 request yet, but when we do, we will bring that  
21 in there.

22 MS. HORAZ: You said more students,  
23 right?

24 MS. NOBLE: Correct. So 2021 is when

1 that road intersection is supposed to be  
2 completed, so with that in mind, we decided to  
3 show on the land use map that future connection  
4 going north as well.

5 Again, that may change if the  
6 petitioner -- or the owner rather comes in with a  
7 petition to look at maybe commercial for that  
8 area, so that is something the City is proposing,  
9 but they may come in and seek that. We are just  
10 asking to show that future extension on the map.

11 And if you look in your packet,  
12 there is prepared -- for each of these sections  
13 it shows color changes as well as the description  
14 of what those land uses will be.

15 And with that, if you have any  
16 questions, I'd be happy to answer them.

17 CHAIRMAN WILLIAMS: There was a  
18 petitioner last year who wanted to build offices  
19 right on the corner by Casey's. Does that affect  
20 them in any way?

21 MS. NOBLE: That is the Heartland  
22 Business.

23 CHAIRMAN WILLIAMS: Oh, that's  
24 Heartland. Okay.

1 MS. NOBLE: That is the Heartland, yes.

2 CHAIRMAN WILLIAMS: I am sorry, I was  
3 thinking Heartland Blood Center, which is around  
4 the corner. Thank you.

5 MS. HORAZ: Are they going through with  
6 that?

7 MS. NOBLE: We have not received an  
8 application for that, so we don't know if they're  
9 going to move forward with that, but we had to  
10 reflect that in the Comprehensive Plan because  
11 the entitlement was granted.

12 CHAIRMAN WILLIAMS: Okay. Perfect.  
13 That's all I had.

14 MS. HORAZ: Are they working with IDOT  
15 at all?

16 MS. NOBLE: I have not heard anything  
17 since that --

18 CHAIRMAN WILLIAMS: I think it's going  
19 to be hard for them to get anything built there.  
20 It's very cramped. All right. Thank you,  
21 Krysti.

22 MS. NOBLE: You are welcome.

23 CHAIRMAN WILLIAMS: Is there anyone  
24 present who wishes to speak in favor of the

1 request?

2 Looks like that's a no.

3 MS. NOBLE: Oh, I do have a second  
4 section.

5 CHAIRMAN WILLIAMS: Oh, I'm sorry. My  
6 apologies.

7 MS. NOBLE: Just any questions for that  
8 section.

9 So the second part of the request  
10 has to do with the area around Eldamain Road. So  
11 if you notice in our current Comprehensive Plan,  
12 we do have land that is designated, about 400  
13 acres, for industrial land use.

14 Those are acres that are actively  
15 within our corporate boundaries, so there is no  
16 need to annex these properties, there is no  
17 need -- they are actually zoned for  
18 manufacturing, so there is nothing affecting  
19 those properties, but Kendall County requested  
20 that we look at the area north of our current  
21 boundary there to Galena and kind of align with  
22 their Comprehensive Plan or future land use, as  
23 industrial --

24 MS. HORAZ: Is that where Menards is at?

1 MS. NOBLE: It's across the street from  
2 Menards, but north.

3 So this was a request that they made  
4 to us shortly after we adopted our Comprehensive  
5 Plan in 2016, and at that time we brought it to  
6 City Council and to you guys at the Planning and  
7 Zoning Commission and we felt that there was no  
8 need to make a change at that point.

9 There was kind of some ambiguity if  
10 the Eldamain Road would ever be funded within the  
11 horizon of the plan for the connection with the  
12 bridge over Fox River. The county's plan did  
13 rely heavily on a future prairie parkway, which  
14 is not a viable option anymore, not only  
15 planning, but just funding-wise, so we kind of  
16 held off on that.

17 So within that time, since 2016, a  
18 couple of things have happened. IDOT -- the --  
19 METRA has engaged in a study of where we're going  
20 to locate a METRA station if Yorkville does, in  
21 fact, receive that.

22 One of those locations is right  
23 there at Eldamain right next to BNSF rail line,  
24 so that's a potential location, so that



1 interested us as a different change in focus,  
2 transportation plan in that area.

3 The second item -- I began to tell  
4 you about IDOT. IDOT did fund the 40 million for  
5 the extension of Eldamain Road going over the Fox  
6 River, so that's another north/south arterial  
7 that the City can utilize, so that may be  
8 bringing more industrial or any number of types  
9 of land uses available in that area, and the  
10 third was one of the parcels that is not annexed  
11 into Yorkville at this time, which is designated  
12 as certified site by BNSF, meaning that they are  
13 actively out there with our site promoting it,  
14 advertising it as a great site for industrial, so  
15 that may happen in that area.

16 What the site doesn't have at this  
17 point is utilities, so we don't have water, we  
18 don't have sewer, some of the area that's  
19 unincorporated that we're looking to change is  
20 not within Yorkville-Bristol Sanitary District's  
21 FPA, which is future planning area, so there are  
22 some curves, but we felt this would be a good  
23 opportunity to kind of recognize that there are  
24 things happening, there are conditions that are

1 changing that would require us to have a second  
2 look, and that's what the Comprehensive Plan  
3 does. It kind of gives you a snapshot where the  
4 City is at that time based off the information we  
5 have at that time, and then as things change, we  
6 have the ability to do a refresh and kind of  
7 adjust as we go along, so City Council was  
8 supportive of this change, Kendall County was  
9 supportive of this change, staff is not opposed  
10 to it, so we are asking for your input and  
11 recommendation if we should, in fact, change this  
12 area from estate/conservation residential, which  
13 is what's pretty much there, into industrial,  
14 future land use.

15 MS. HORAZ: I was wondering if the train  
16 station goes in there it might be more convenient  
17 to have condos over in that area, too.

18 MS. NOBLE: So we do have a plan that  
19 has a transit-oriented development site. It  
20 would be actually east of our identified  
21 industrial properties so that it could be right  
22 there where the station lands, but not further  
23 north, so I don't -- I wouldn't foresee condos  
24 going far north of that area.

1 MS. HORAZ: I don't have any issues.

2 CHAIRMAN WILLIAMS: Just to be safe,  
3 I'll say it again, is there anyone present who  
4 wishes to speak in favor of those requests?

5 (No response.)

6 CHAIRMAN WILLIAMS: Anyone present who  
7 wishes to speak in opposition to the requests?

8 (No response.)

9 CHAIRMAN WILLIAMS: Any questions from  
10 Commissioners for the petitioner?

11 (No response.)

12 CHAIRMAN WILLIAMS: Since all public  
13 testimony regarding the petition has been taken,  
14 may I have a motion to close the taking of  
15 testimony and this public hearing?

16 MR. MARCUM: So moved.

17 MS. HORAZ: Second.

18 CHAIRMAN WILLIAMS: Roll call vote on  
19 the motion, please.

20 MS. YOUNG: Yes. Williams.

21 CHAIRMAN WILLIAMS: Yes.

22 MS. YOUNG: Horaz.

23 MS. HORAZ: Yes.

24 MS. YOUNG: Marcum.

1 MR. MARCUM: Yes.

2 MS. YOUNG: And Millen.

3 MR. MILLEN: Yes.

4 CHAIRMAN WILLIAMS: Public hearing  
5 portion of tonight's meeting is closed.

6 (Which were all the  
7 proceedings had in  
8 public hearing portion  
9 of the meeting.)

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

4 I, Christine M. Vitosh, a Certified Shorthand  
5 Reporter, do hereby certify that I transcribed  
6 the proceedings had at the public hearing and that  
7 the foregoing, Pages 1 through 19 inclusive, is a  
8 true, correct and complete computer-generated  
9 transcript of the proceedings had at the time and  
10 place aforesaid.

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

17 As certification thereof, I have hereunto set  
18 my hand this 25th day of February, A.D., 2020.  
19

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

## PZC - Public Hearing - February 12, 2020

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## PZC - Public Hearing - February 12, 2020

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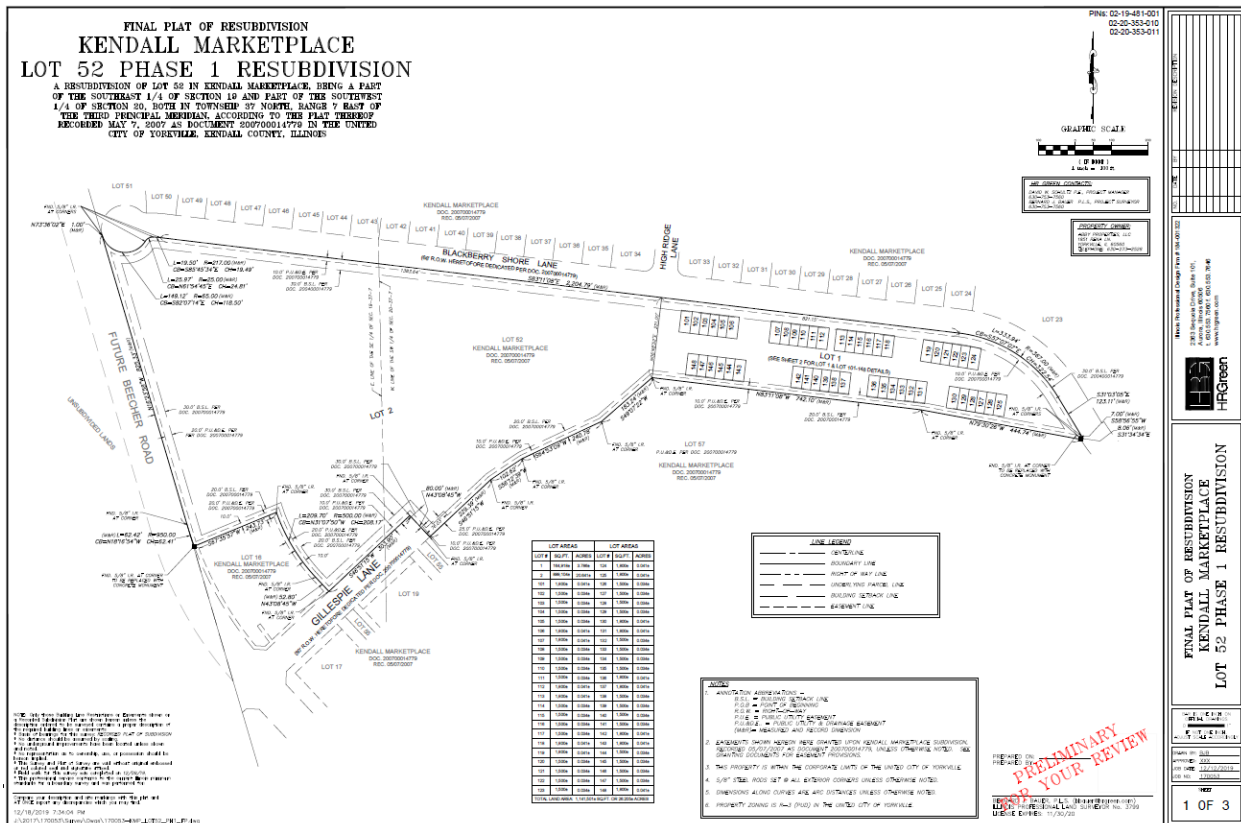


# Memorandum

To: Planning and Zoning Commission  
From: Jason Engberg, Senior Planner  
CC: Krysti Barksdale-Noble, Community Development Director  
Bart Olson, City Administrator  
Date: March 4, 2020  
Subject: **PZC 2020-03 Kendall Marketplace Lot 52 – Phase 1 (PUD Amendment, Final Plat)**

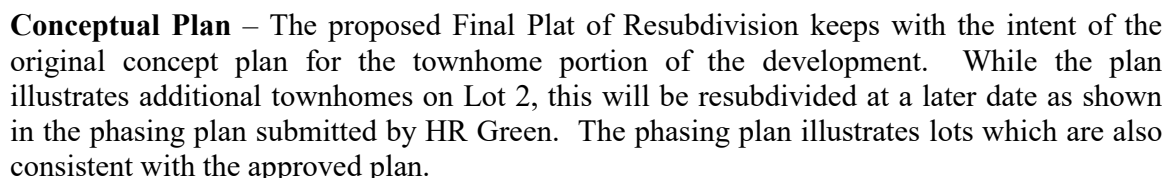
## PROPOSED REQUEST:

The petitioner, Luz M. Padilla, Abby Properties, LLC is seeking to amend Article III, Part 2 of Ordinance 2006-125 to modify the design standards for single-family attached homes. The petitioner is seeking to change the language to align with the approved single-family detached requirements approved in 2018. Additionally, the petitioner is seeking Final Plat approval for an approximately 26.2-acre site consisting of 48 lots for single-family attached dwelling units and 2 lots for open space and future phases of development.



The subject property is currently zoned as R-3 Multi-Family Attached Residence District as part of the Kendall Marketplace Planned Unit Development. The following are the current immediate surrounding zoning and land uses:

Per Article II of the Development Agreement (Ord. 2006-125) for Kendall Marketplace, “[t]he development of the property shall be generally pursuant to the Conceptual Plans attached hereto and incorporated herein as Exhibit “B” as illustrated below:



## **PROPOSED AGREEMENT AMENDMENT:**

The petitioner is seeking to modify the language in the Development Agreement regarding single family attached residential unit design standards. The petitioner is requesting to remove the following language in the existing Development Agreement, Article III, Part 2:

### **Single Family Attached Residential Unit Design Standards:**

- a. Masonry products\* shall be incorporated on the front facade\* of 100% of the total townhome buildings.
- b. A minimum of 50% of the front facade\* of each building shall incorporate masonry products\*.
- c. A minimum of 50% of each building elevation shall incorporate premium siding material\*.
- d. Each unit shall include two (2) enclosed parking spaces.

The petitioner would like to replace the original language with the following standards:

### ***Single Family Attached Residential Unit Design Standards:***

- a. *All homes shall have some type of covered entry point.*
- b. *All homes shall have a 2-car garage with raised panel garage doors.*
- c. *All front elevation windows shall have grilles in the windows.*
- d. *All homes shall have architectural shingles.*
- e. *100% of the homes shall have at least 20% brick or stone (cultured) on the first floor elevation on the walls that run parallel to the street.*

Below is an example of a potential elevation:



Below is an example of the elevations for the single-family homes (Ord. 2018-30):

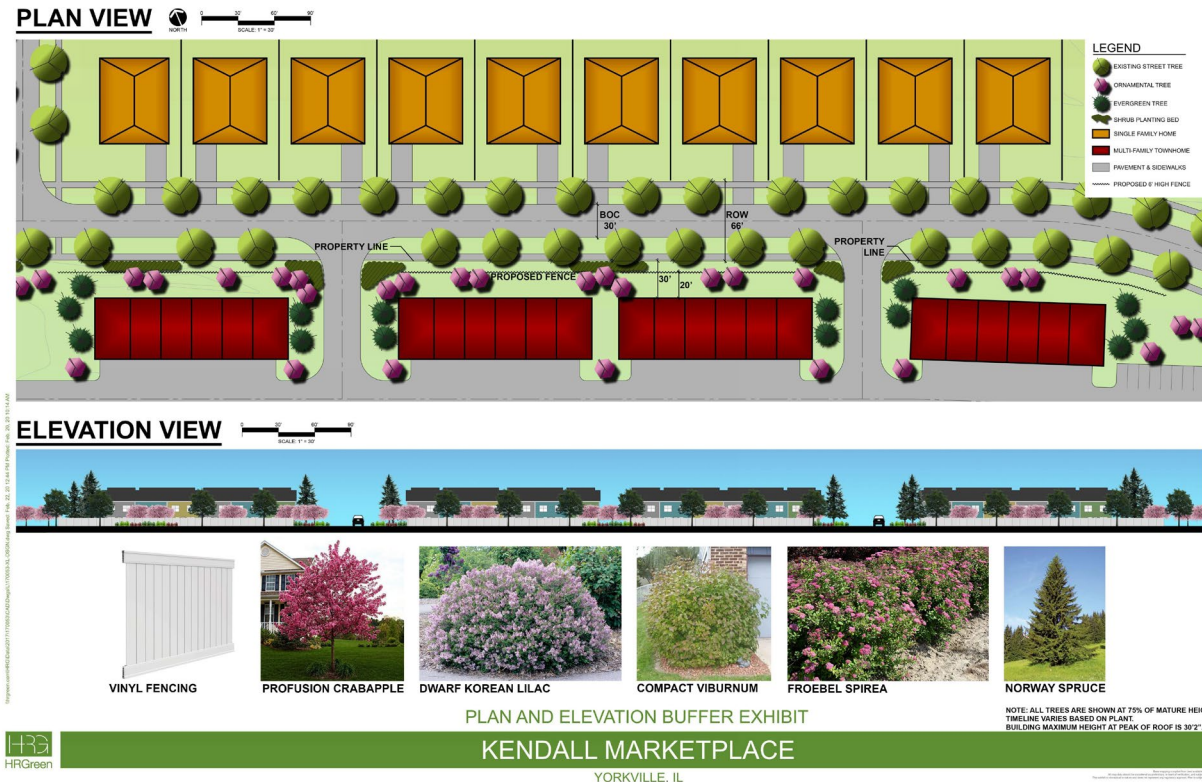




## ECONOMIC DEVELOPMENT COMMITTEE COMMENTS

This item was taken to the Economic Development Committee on February 4, 2020. During the committee's review, committee members expressed concern over the four townhome structures in Phase 1 which would have the rear of the building fronting Blackberry Shore Lane. The lots across the street are single-family detached homes which would face the rear of these buildings. The committee asked the petitioner to provide some type of mitigation to this issue.

After hearing these comments, the petitioner provided a conceptual landscape plan and potential language to ease the view for adjacent neighbors (see below and attached).



In response, the petitioner has provided the following language which is proposed to be added to the residential design standards (additions in bold):

### Single Family Attached Residential Unit Design Standards:

- All homes shall have some type of covered entry point.
- All homes shall have a 2-car garage with raised panel garage doors.
- All front elevation windows shall have grilles in the windows.
- All homes shall have architectural shingles.
- 100% of the homes shall have at least 20% brick or stone (cultured) on the first-floor elevation on the walls that run parallel to the street.
- All units where the rear façade is adjacent to and faces Blackberry Shore Lane shall have a six-foot (6') tall vinyl fence which runs parallel with Blackberry Shore Lane. The fence must span the entirety of the rear façade except for access drives where a twenty-foot (20') distance from the drive must be maintained for site vision clearance. The areas between the end of the fence and**

access drive must be landscaped with a shrub planting bed with a minimum of ten (10) shrubs. The Fence will be offset ten feet (10') from the property line along public right-of-way (Blackberry Shore Lane).

- g. All units where the rear or side façade are adjacent to and face Blackberry Shore Lane shall provide three (3) ornamental trees in the required yard adjacent to Blackberry Shore Lane for every one-hundred feet (100') of frontage.
- h. All units where the rear or side façade are adjacent to and face Blackberry Shore Lane shall provide one (1) evergreen trees in the required side yard for every one-hundred feet (100') of frontage.
- i. Landscaping must be aligned with the conceptual Plan and Elevation Buffer Exhibit provided by HR Green and attached as Exhibit G.

Additionally, there were comments given from some committee members and alderman which alluded to a change in layout of the site regarding access drives. The meeting minutes from this Economic Development Committee Meeting have been attached to this memorandum for additional context.

#### **STAFF COMMENTS:**

The proposed Final Plat of Resubdivision meets the original conceptual plan for the attached single-family homes of this development. Additionally, the potential phasing exhibit also shows future phases will align with the plan as well.

In terms of the request to modify the development agreement, many of the modifications are in line with the already approved changes for the single family detached units adjacent to the site (Ord. 2018-30). Both the materials proposed and percentages of masonry products on the buildings are similar. The petitioner is providing more masonry product as all their units will incorporate the material and the detached homes are only required to have masonry on 75% of the total units. The garages, windows, and shingles are the same as the approved detached home requirements. Also, these proposed requirements exceed the existing appearance code requirements within the City Code.

The issue of screening along Blackberry Shore Lane was reviewed and researched by staff. The petitioner is proposing language that only screens the properties within Phase 1 of development. Staff is recommending that the language include all properties along Blackberry Shore Lane provide this screening similar to what the petitioner has proposed for all phases of development. There are several units in Phase 2 of development where the side façade and parking areas will be visible. Therefore, the increase in screening and landscaping would be beneficial to all property owners on the north side of Blackberry Shore Lane. **The language staff is proposing for this is as follows (underlined):**

#### Single Family Attached Residential Unit Design Standards:

- a. All homes shall have some type of covered entry point.
- b. All homes shall have a 2-car garage with raised panel garage doors.
- c. All front elevation windows shall have grilles in the windows.
- d. All homes shall have architectural shingles.
- e. 100% of the homes shall have at least 20% brick or stone (cultured) on the first floor elevation on the walls that run parallel to the street.

- f. All units where the rear or side façade are adjacent to and face Blackberry Shore Lane shall have a six foot (6') tall vinyl fence which runs parallel with Blackberry Shore Lane. The fence must span the entirety of Blackberry Shore Lane except for access drives where a twenty-foot (20') distance from the drive must be maintained for site vision clearance. The areas between the end of the fence and access drive must be landscaped with a shrub planting bed with a minimum of ten (10) shrubs. The Fence will be offset ten feet (10') from the property line along public right-of-way (Blackberry Shore Lane).
- g. All units where the rear or side façade are adjacent to and face Blackberry Shore Lane shall provide three (3) ornamental trees in the required yard adjacent to Blackberry Short Lane for every one-hundred feet (100') of frontage.
- h. All units where the rear or side façade are adjacent to and face Blackberry Shore Lane shall provide one (1) evergreen trees in the required side yard for every one-hundred feet (100') of frontage.
- i. Landscaping must be aligned with the conceptual Plan and Elevation Buffer Exhibit provided by HR Green and attached as Exhibit G.

Additionally, staff recommends the petitioner to clarify within the agreement what type of material they will be using for siding that is not masonry. The petitioner has stated that they will be using a premium non-vinyl siding material for these units, but a more specific material is requested to be added to the standards, such as cementitious based siding product.

#### **PLANNED UNIT DEVELOPMENT STANDARDS:**

The planning and zoning commission may recommend approval of a special use for planned unit development or amendments to the preliminary or final planned unit development plat for the proposed development or amendment upon considering the following:

1. In what respect does the design of the planned unit development meet the requirements and design standards of the development standards and design criteria,
2. The extent to which the proposed plan deviates and/or requires waivers of the bulk regulations in the zoning ordinance and how the modifications in design standards from the subdivision control regulations fulfill the intent of those regulations.
3. The extent of public benefit produced by the planned unit development, such as, but not limited to, the adequacy of common open space and/or public recreational facilities provided; sufficient control over vehicular traffic; provision of public services; provision and protection of the reasonable enjoyment of the land.
4. The relationship and compatibility, beneficial or adverse, of the planned unit development to the adjacent properties and nearby land uses.
5. The extent to which the planned unit development fulfills the objectives of the future planning objectives or other planning policies of the city.
6. The plan commission finds that the planned unit development satisfactorily meets the standards for special use as defined in section 10-4-9 of this title. (Ord. 2014-73, 11-25-2014)

## **STAFF RECOMMENDATIONS:**

Staff is generally supportive of the request for final plat and the proposed amendments to the Planned Unit Development. However, staff recommends the following additional amendments to the petitioner's PUD request:

- All siding must be made of a premium non-vinyl material.
- All units where the rear or side façade are adjacent to and face Blackberry Shore Lane shall have a six foot (6') tall vinyl fence which runs parallel with Blackberry Shore Lane. **The fence must span the entirety of Blackberry Shore Lane** except for access drives where a twenty-foot (20') distance from the drive must be maintained for site vision clearance. The areas between the end of the fence and access drive must be landscaped with a shrub planting bed with a minimum of ten (10) shrubs. The Fence will be offset ten feet (10') from the property line along public right-of-way (Blackberry Shore Lane).

## **PROPOSED MOTIONS:**

Since there are different options to move forward with a recommendation, staff has provided two motions to choose from for the Planned Unit Development Amendment request. One motion recommends approval of the petitioner's proposed language and another recommends approval of staff's language. Finally, there is a separate motion to approve the final plat of subdivision.

### **Recommend Petitioner's Request:**

***In consideration of testimony presented during a Public Hearing on March 11, 2020 and the standards for PUD approval and amendment, the Planning and Zoning Commission recommends approval of an amendment to the Kendall Marketplace Planned Unit Development Agreement to permit a revision to Article III, Part 2 Single Family Attached Residential Unit Design Standards within the Kendall Marketplace Development Agreement, as follows:***

- a. All homes shall have some type of covered entry point.***
- b. All homes shall have a 2-car garage with raised panel garage doors.***
- c. All front elevation windows shall have grilles in the windows.***
- d. All homes shall have architectural shingles.***
- e. 100% of the homes shall have at least 20% brick or stone (cultured) on the first-floor elevation on the walls that run parallel to the street.***
- f. All units where the rear façade is adjacent to and faces Blackberry Shore Lane shall have a six-foot (6') tall vinyl fence which runs parallel with Blackberry Shore Lane. The fence must span the entirety of the rear façade except for access drives where a twenty-foot (20') distance from the drive must be maintained for site vision clearance. The areas between the end of the fence and access drive must be landscaped with a shrub planting bed with a minimum of ten (10) shrubs. The Fence will be offset ten feet (10') from the property line along public right-of-way (Blackberry Shore Lane).***
- g. All units where the rear or side façade are adjacent to and face Blackberry Shore Lane shall provide three (3) ornamental trees in the required yard adjacent to Blackberry Shore Lane for every one-hundred feet (100') of frontage.***
- h. All units where the rear or side façade are adjacent to and face Blackberry Shore Lane shall provide one (1) evergreen trees in the required side yard for every one-hundred feet (100') of frontage.***



- i. *Landscaping must be aligned with the conceptual Plan and Elevation Buffer Exhibit provided by HR Green and attached as Exhibit G.*

*and further subject to {insert any additional conditions of the Planning and Zoning Commission}...*

Recommend Staff's Request:

*In consideration of testimony presented during a Public Hearing on March 11, 2020 and the standards for PUD approval and amendment, the Planning and Zoning Commission recommends approval of an amendment to the Kendall Marketplace Planned Unit Development Agreement to permit a revision to Article III, Part 2 Single Family Attached Residential Unit Design Standards within the Kendall Marketplace Development Agreement, as follows:*

- a. *All homes shall have some type of covered entry point.*
- b. *All homes shall have a 2-car garage with raised panel garage doors.*
- c. *All front elevation windows shall have grilles in the windows.*
- d. *All homes shall have architectural shingles.*
- e. *100% of the homes shall have at least 20% brick or stone (cultured) on the first-floor elevation on the walls that run parallel to the street.*
- f. *All siding must be made of a premium non-vinyl material.*
- g. *All units where the rear or side façade are adjacent to and face Blackberry Shore Lane shall have a six foot (6') tall vinyl fence which runs parallel with Blackberry Shore Lane. The fence must span the entirety of Blackberry Shore Lane except for access drives where a twenty-foot (20') distance from the drive must be maintained for site vision clearance. The areas between the end of the fence and access drive must be landscaped with a shrub planting bed with a minimum of ten (10) shrubs. The Fence will be offset ten feet (10') from the property line along public right-of-way (Blackberry Shore Lane).*
- h. *All units where the rear or side façade are adjacent to and face Blackberry Shore Lane shall provide three (3) ornamental trees in the required yard adjacent to Blackberry Short Lane for every one-hundred feet (100') of frontage.*
- i. *All units where the rear or side façade are adjacent to and face Blackberry Shore Lane shall provide one (1) evergreen trees in the required side yard for every one-hundred feet (100') of frontage.*
- j. *Landscaping must be aligned with the conceptual Plan and Elevation Buffer Exhibit provided by HR Green and attached as Exhibit G.*

*and further subject to {insert any additional conditions of the Planning and Zoning Commission}...*

Motion to Approve Final Plat:

*In consideration of the proposed Final Plat of Subdivision for the Kendall Marketplace Development Lot 52, the Planning and Zoning Commission recommends approval of the plat to the City Council as presented by the Petitioner in a plan prepared by HR Green, dated last revised February 27, 2020, and further subject to {insert any additional conditions of the Planning and Zoning Commission}...*

**ATTACHMENTS:**

1. Petitioner Applications
2. Lot 52 Phase 1 Final Plat (February 27, 2020 submittal)
3. Kendall Marketplace Phasing Exhibit
4. Unit Elevations and Building Plans
5. Ordinance 2006-15
6. Ordinance 2018-30
7. EEI Comments – January 22, 2020
8. HR Green Engineering Response – February 27, 2020
9. Plan and Elevation Buffer Exhibit – HR Green
10. February 4, 2020 Economic Development Committee Meeting Minutes



United City of Yorkville  
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Website: [www.yorkville.il.us](http://www.yorkville.il.us)

# APPLICATION FOR AGREEMENT AMENDMENT

## INTENT AND PURPOSE:

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

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

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

## APPLICATION PROCEDURE:



## STAGE 1: APPLICATION SUBMITTAL

The following must be submitted to the Community Development Department:

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

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

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



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# APPLICATION FOR AGREEMENT AMENDMENT

## STAGE 2: PLAN COUNCIL REVIEW

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

## STAGE 3: ECONOMIC DEVELOPMENT COMMITTEE

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

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

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

## STAGE 5: CITY COUNCIL PUBLIC HEARING

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

## DORMANT APPLICATIONS

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

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

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

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



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# APPLICATION FOR AGREEMENT AMENDMENT

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



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# APPLICATION FOR AGREEMENT AMENDMENT

DATE: December 18, 2019	PZC NUMBER:	DEVELOPMENT NAME: Townes of Kendall Market Place	
<b>PETITIONER INFORMATION</b>			
NAME: Luz M. Padilla, Manager		COMPANY: Abby Properties, LLC	
MAILING ADDRESS: 12347 Woodview Drive			
CITY, STATE, ZIP: Plano, IL 60545		TELEPHONE: 630-273-2528	
EMAIL: <a href="mailto:abbypropertiesllc@gmail.com">abbypropertiesllc@gmail.com</a>		FAX: 630-273-2146	
<b>PROPERTY INFORMATION</b>			
NAME OF HOLDER OF LEGAL TITLE: Abby Properties, LLC			
IF LEGAL TITLE IS HELD BY A LAND TRUST, LIST THE NAMES OF ALL HOLDERS OF ANY BENEFICIAL INTEREST THEREIN: N/A			
PROPERTY STREET ADDRESS: 1000 Blackberry Shore (Lot 52) , Yorkville, IL 60560			
DESCRIPTION OF PROPERTY'S PHYSICAL LOCATION: Located north of Kendall Marketplace commercial property. South of single family homes and Yorkville Parks and Recreation Department property.			
CURRENT ZONING CLASSIFICATION: Attached homes			
LIST ALL GOVERNMENTAL ENTITIES OR AGENCIES REQUIRED TO RECEIVE NOTICE UNDER ILLINOIS LAW:			
<b>ZONING AND LAND USE OF SURROUNDING PROPERTIES</b>			
NORTH: Single family homes			
EAST: Single family homes			
SOUTH: Commercial			
WEST: Single family homes			
<b>KENDALL COUNTY PARCEL IDENTIFICATION NUMBER(S)</b>			
02-19-481-001	02-20-353-010	02-20-353-001	



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# APPLICATION FOR AGREEMENT AMENDMENT

## PROPERTY INFORMATION

NAME OF AGREEMENT: Development Agreement "Kendall Marketplace"

DATE OF RECORDING: 1/19/2007

SUMMARIZE THE ITEMS TO BE AMENDED FROM THE EXISTING AGREEMENT:

Single Family Attached Residential Unit Design Standards:

All homes shall have some type of covered entry point.

All homes shall have a 2-car garage with raised panel garage doors.

All front elevation windows shall have grilles in the windows.

All homes shall have architectural shingles.

100% of the homes shall have at least 20% brick or stone (cultured) on the first floor elevation on the walls that run parallel to the street.

Requesting \$1,500.00 for CUSD 115 transition fees. Lennar Homes in Raintree subdivision has \$1,500.00 for attached homes.

## ATTACHMENTS

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

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

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

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



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# APPLICATION FOR AGREEMENT AMENDMENT

## ATTORNEY INFORMATION

NAME: Mark Metzger COMPANY: Law Office of Mark C. Metzger

MAILING ADDRESS: 1807 W. Diehl Rd. #105

CITY, STATE, ZIP: Naperville, IL 60563 TELEPHONE: 630-615-6380

EMAIL: Mark@MarkMetzger.net FAX: 630-225-5056

## ENGINEER INFORMATION

NAME: David Schultz COMPANY: HR Green

MAILING ADDRESS: 2363 Sequoia Drive Suite 101

CITY, STATE, ZIP: Aurora, IL 60506 TELEPHONE: 630-553-7560

EMAIL: dschultz@hrgreen.com FAX: 630-553-7646

## LAND PLANNER/SURVEYOR INFORMATION

NAME: Bernard Bauer COMPANY: HR Green

MAILING ADDRESS: 2363 Sequoia Drive Suite 101

CITY, STATE, ZIP: Aurora, IL 60506 TELEPHONE: 630-553-7560

EMAIL: bbauer@hrgreen.com FAX: 630-553-7646

## AGREEMENT

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

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

*Ashley Rhea Shields*

dotloop verified  
12/20/19 10:48 AM CST  
UZOG-GVVH-HNGW-FOHZ

PETITIONER SIGNATURE

DATE

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

*Luz M. Padilla for Abby Properties LLC*

dotloop verified  
12/20/19 10:46 AM CST  
PXUJ-CN42-EHBW-JLPJ

OWNER SIGNATURE

DATE





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## PETITIONER DEPOSIT ACCOUNT/ ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY

PROJECT NUMBER: <b>Luz M. Padilla, Manager</b>	FUND ACCOUNT NUMBER: <b>Abby Properties, LLC</b>	PROPERTY ADDRESS: <b>12347 Woodview Dr.</b>
APPLICATION/APPROVAL TYPE ( <i>check appropriate box(es) of approval requested</i> ): <div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;"><input type="checkbox"/> CONCEPT PLAN REVIEW</div> <div style="width: 33%;"><input checked="" type="checkbox"/> AMENDMENT (TEXT)</div> <div style="width: 33%;"><input type="checkbox"/> ANNEXATION</div> <div style="width: 33%;"><input type="checkbox"/> REZONING</div> <div style="width: 33%;"><input type="checkbox"/> SPECIAL USE</div> <div style="width: 33%;"><input type="checkbox"/> MILE AND 1/2 REVIEW</div> <div style="width: 33%;"><input type="checkbox"/> ZONING VARIANCE</div> <div style="width: 33%;"><input type="checkbox"/> PRELIMINARY PLAN</div> <div style="width: 33%;"><input type="checkbox"/> FINAL PLANS</div> <div style="width: 33%;"><input type="checkbox"/> PLANNED UNIT DEVELOPMENT</div> <div style="width: 33%;"><input type="checkbox"/> FINAL PLAT</div> </div>		
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 <b>INVOICE &amp; WORKSHEET PETITION APPLICATION</b> . 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.		
<b>ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY</b>		
NAME: <b>Luz M. Padilla, Manager</b>		COMPANY: <b>Abby Properties, LLC</b>
MAILING ADDRESS: <b>12347 Woodview Dr.</b>		
CITY, STATE, ZIP: <b>Plano, IL 60545</b>		TELEPHONE: <b>6302732012</b>
EMAIL: <b>abbyproperties.llc@gmail.com</b>		FAX: <b>6302732146</b>
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.		
<b>Luz M Padilla</b> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;"> <i>Luz M. Padilla for Abby Properties LLC</i>  <small>dotloop verified 12/20/19 10:46 AM CST ITC5-B6Q4-ONJL-CY8X</small> </div>		<b>Manager</b> TITLE <b>12202019</b> DATE
SIGNATURE		DATE
<b>ACCOUNT CLOSURE AUTHORIZATION</b>		
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.



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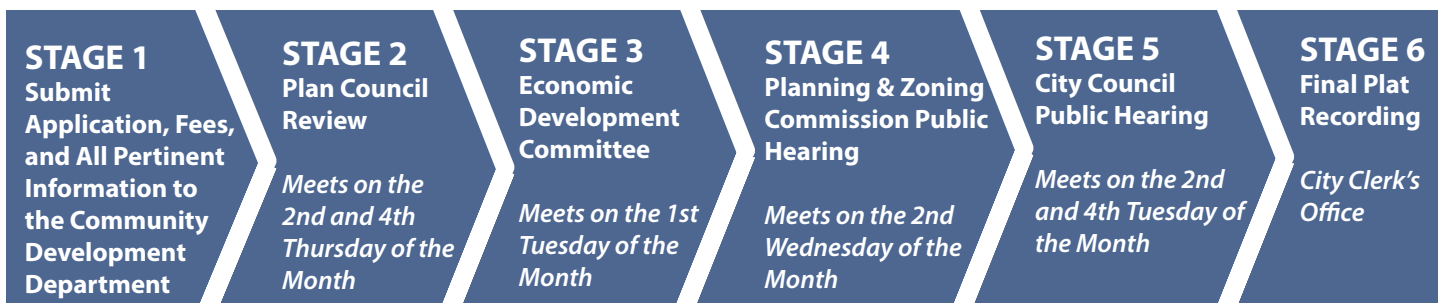
# APPLICATION FOR PRELIMINARY PLAN & FINAL PLAT

## 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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# APPLICATION FOR PRELIMINARY PLAN & FINAL PLAT

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- 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.
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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.

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# APPLICATION FOR PRELIMINARY PLAN & FINAL PLAT

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



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# APPLICATION FOR PRELIMINARY PLAN & FINAL PLAT

DATE:	PZC NUMBER:	DEVELOPMENT NAME:
<b>PETITIONER INFORMATION</b>		
NAME: Luz M. Padilla		COMPANY: Abby Properties, LLC
MAILING ADDRESS: <del>1951 Rona Lane</del> 12347 Woodview		
CITY, STATE, ZIP: <del>Yorkville, IL 60560</del> Plano, IL 60545		TELEPHONE: 630-273-2528
EMAIL: abbyproperties.llc@gmail.com		FAX: 630-273-2146
<b>PROPERTY INFORMATION</b>		
NAME OF HOLDER OF LEGAL TITLE: Abby Properties, LLC		
IF LEGAL TITLE IS HELD BY A LAND TRUST, LIST THE NAMES OF ALL HOLDERS OF ANY BENEFICIAL INTEREST THEREIN: N/A		
PROPERTY STREET ADDRESS: 1000 Blackberry Shore (Lot 52) , Yorkville, IL 60560		
TYPE OF REQUEST: <input type="checkbox"/> PRELIMINARY PLAN <input checked="" type="checkbox"/> FINAL PLAT <input type="checkbox"/> AMENDED PREMILINARY PLAN <input type="checkbox"/> AMENDED FINAL PLAT		
TOTAL LOT ACREAGE:		CURRENT ZONING CLASSIFICATION:
<b>ATTACHMENTS</b>		
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: Mark Metzger COMPANY: Law Office of Mark C. Metzger  
MAILING ADDRESS: 1807 W. Diehl Rd. #105  
CITY, STATE, ZIP: Naperville, IL 60563 TELEPHONE: 630-615-6380  
EMAIL: Mark@MarkMetzger.net FAX: 630-225-5056

## ENGINEER INFORMATION

NAME: David Schultz COMPANY: HR Green  
MAILING ADDRESS: 2363 Sequoia Drive Suite 101  
CITY, STATE, ZIP: Aurora, IL 60506 TELEPHONE: 630-553-7560  
EMAIL: dschultz@hrgreen.com FAX: 630-553-7646

## LAND PLANNER/SURVEYOR INFORMATION

NAME: Bernard Bauer COMPANY: HR Green  
MAILING ADDRESS: 2363 Sequoia Drive Suite 101  
CITY, STATE, ZIP: Aurora, IL 60506 TELEPHONE: 630-553-7560  
EMAIL: bbauer@hrgreen.com FAX: 630-553-7646

## AGREEMENT

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

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

*Ashley Rhea Shields*

dotloop verified  
12/20/19 10:43 AM CST  
MR29-BHPS-QRLV-CG3I

PETITIONER SIGNATURE

DATE

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

*Luz M. Padilla for Abby Properties LLC*

dotloop verified  
12/20/19 10:44 AM CST  
TRA1-VRRZ-V8MG-RG2H

OWNER SIGNATURE

DATE



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

## PETITIONER DEPOSIT ACCOUNT/ ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY

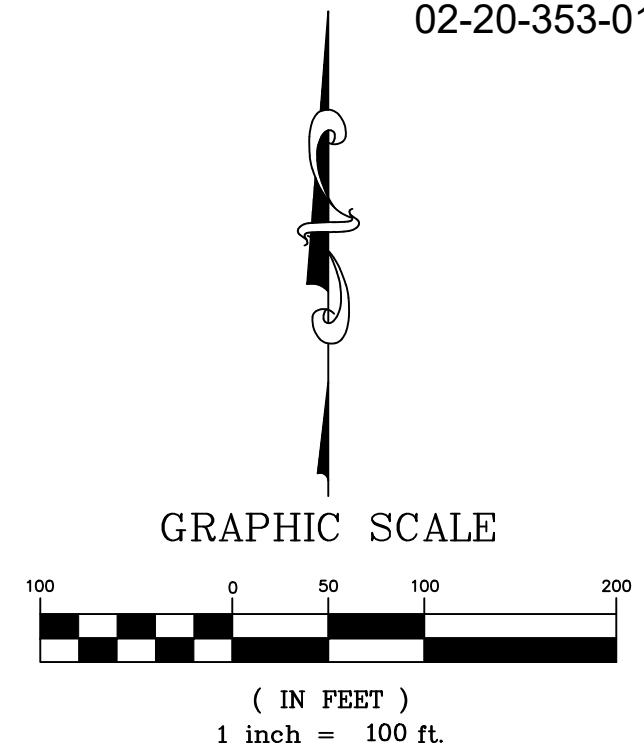
PROJECT NUMBER:	FUND ACCOUNT NUMBER:	PROPERTY ADDRESS:
APPLICATION/APPROVAL TYPE ( <i>check appropriate box(es) of approval requested</i> ): <div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"><input type="checkbox"/> CONCEPT PLAN REVIEW</div> <div style="width: 50%;"><input type="checkbox"/> AMENDMENT (TEXT)</div> <div style="width: 50%;"><input type="checkbox"/> ANNEXATION</div> <div style="width: 50%;"><input type="checkbox"/> REZONING</div> <div style="width: 50%;"><input type="checkbox"/> SPECIAL USE</div> <div style="width: 50%;"><input type="checkbox"/> MILE AND 1/2 REVIEW</div> <div style="width: 50%;"><input type="checkbox"/> ZONING VARIANCE</div> <div style="width: 50%;"><input type="checkbox"/> PRELIMINARY PLAN</div> <div style="width: 50%;"><input type="checkbox"/> FINAL PLANS</div> <div style="width: 50%;"><input type="checkbox"/> PLANNED UNIT DEVELOPMENT</div> <div style="width: 50%;"><input type="checkbox"/> FINAL PLAT</div> </div>		
<b>PETITIONER DEPOSIT ACCOUNT FUND:</b> 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 <b>INVOICE &amp; WORKSHEET PETITION APPLICATION</b> . 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.		
<b>ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY</b>		
NAME:		COMPANY:
MAILING ADDRESS:		
CITY, STATE, ZIP: Yorkville, IL 60560		TELEPHONE: 630-273-2528
EMAIL: <a href="mailto:abbyproperties.llc@gmail.com">abbyproperties.llc@gmail.com</a>		FAX: 630-273-2146
<b>FINANCIALLY RESPONSIBLE PARTY:</b> 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.		
Luz M. Padilla <hr/> PRINT NAME <div style="border: 1px solid black; padding: 2px; font-size: 8px; margin-top: 5px;">             dotloop verified              12/20/19 10:44 AM CST              UEJM-OLAW-MS4Q-D3C8           </div>		President <hr/> TITLE 12/20/2019 <hr/> DATE
SIGNATURE		
<b>ACCOUNT CLOSURE AUTHORIZATION</b>		
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.



FINAL PLAT OF RESUBDIVISION  
KENDALL MARKETPLACE  
LOT 52 PHASE 1 RESUBDIVISION

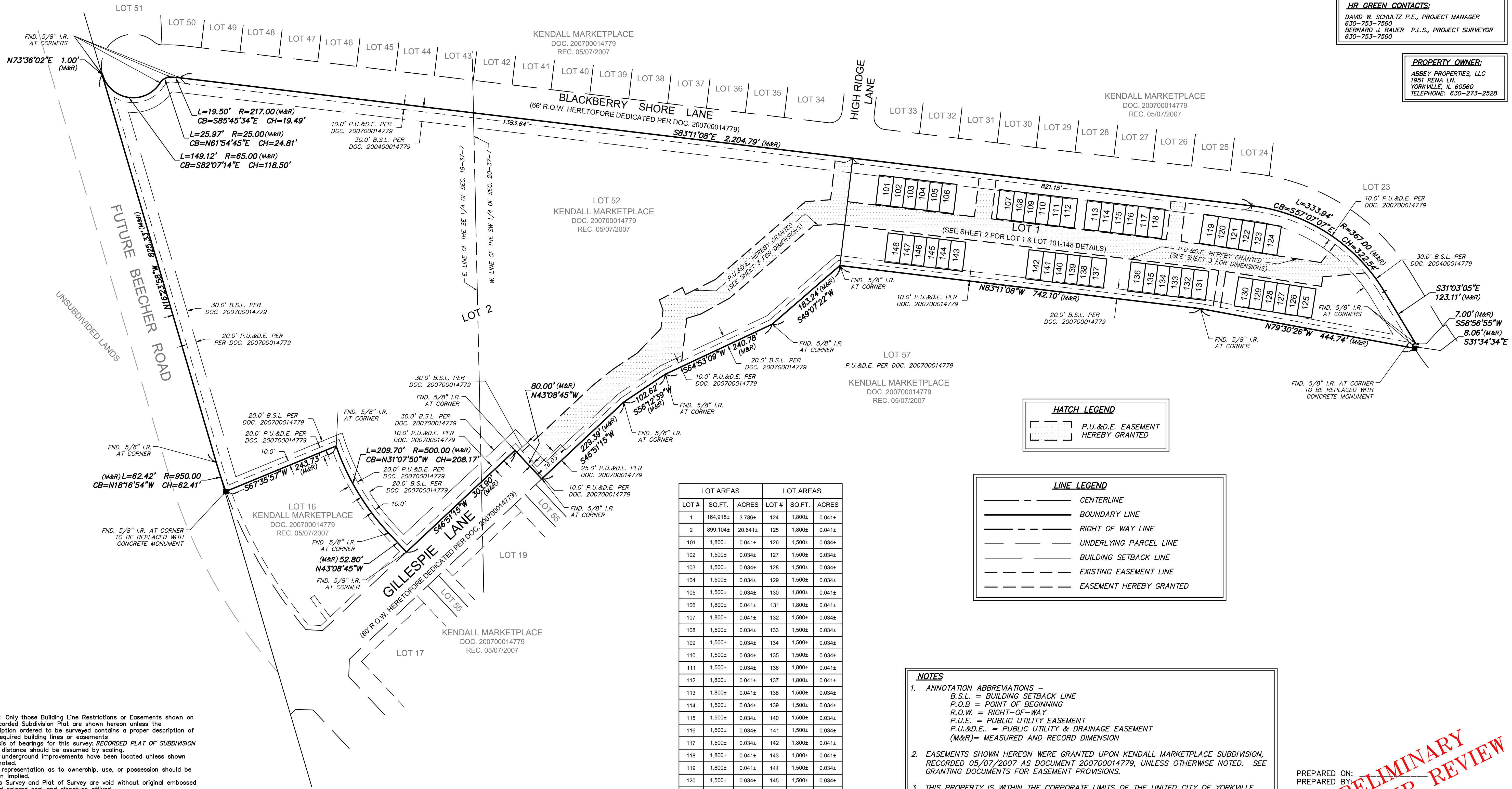
A RESUBDIVISION OF LOT 52 IN KENDALL MARKETPLACE, BEING A PART OF THE SOUTHEAST 1/4 OF SECTION 19 AND PART OF THE SOUTHWEST 1/4 OF SECTION 20, BOTH IN TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 7, 2007 AS DOCUMENT 200700014779 IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS

PINs: 02-19-481-001  
02-20-353-010  
02-20-353-011



**HR GREEN CONTACTS:**  
DAVID W. SCHULTZ P.E., PROJECT MANAGER  
630-753-7560  
BERNARD J. BAUER P.L.S., PROJECT SURVEYOR  
630-753-7560

**PROPERTY OWNER:**  
ABBEY PROPERTIES, LLC  
1951 RENA LN.  
YORKVILLE, IL 60560  
TELEPHONE: 630-273-2528



LOT AREAS			LOT AREAS		
LOT #	SQ.FT.	ACRES	LOT #	SQ.FT.	ACRES
1	164,918±	3.786±	124	1,800±	0.041±
2	899,104±	20.641±	125	1,800±	0.041±
101	1,800±	0.041±	126	1,500±	0.034±
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121	1,500±	0.034±	146	1,500±	0.034±
122	1,500±	0.034±	147	1,500±	0.034±
123	1,500±	0.034±	148	1,800±	0.041±
TOTAL LAND AREA: 1,141,501± SQ.FT. OR 26.205± ACRES					

**HATCH LEGEND**  
P.U.&D.E. EASEMENT  
HEREBY GRANTED

**LINE LEGEND**  
CENTERLINE  
BOUNDARY LINE  
RIGHT OF WAY LINE  
UNDERLYING PARCEL LINE  
BUILDING SETBACK LINE  
EXISTING EASEMENT LINE  
EASEMENT HEREBY GRANTED

**NOTES**  
1. ANNOTATION ABBREVIATIONS -  
B.S.L. = BUILDING SETBACK LINE  
P.O.B. = POINT OF BEGINNING  
R.O.W. = RIGHT-OF-WAY  
P.U.E. = PUBLIC UTILITY EASEMENT  
P.U.&D.E. = PUBLIC UTILITY & DRAINAGE EASEMENT  
(M&R) = MEASURED AND RECORD DIMENSION  
2. EASEMENTS SHOWN HEREON WERE GRANTED UPON KENDALL MARKETPLACE SUBDIVISION, RECORDED 05/07/2007 AS DOCUMENT 200700014779, UNLESS OTHERWISE NOTED. SEE GRANTING DOCUMENTS FOR EASEMENT PROVISIONS.  
3. THIS PROPERTY IS WITHIN THE CORPORATE LIMITS OF THE UNITED CITY OF YORKVILLE.  
4. 5/8" STEEL RODS SET @ ALL EXTERIOR CORNERS UNLESS OTHERWISE NOTED.  
5. DIMENSIONS ALONG CURVES ARE ARC DISTANCES UNLESS OTHERWISE NOTED.  
6. PROPERTY ZONING IS R-3 (PUD) IN THE UNITED CITY OF YORKVILLE.

NOTE: Only those Building Line Restrictions or Easements shown on a Recorded Subdivision Plat are shown hereon unless the description ordered to be surveyed contains a proper description of the required building lines or easements.  
\* Basis of bearings for this survey, RECORDED PLAT OF SUBDIVISION  
\* No distance should be assumed by scaling.  
\* No underground improvements have been located unless shown and noted.  
\* No representation as to ownership, use, or possession should be hereon implied.  
\* This Survey and Plat of Survey are void without original embossed or red colored seal and signature affixed.  
\* Field work for this survey was completed on 12/09/19.  
\* This professional service conforms to the current Illinois minimum standards for a boundary survey and was performed for:

Compare your description and site markings with this plat and AT ONCE report any discrepancies which you may find.  
2/27/2020 1:23:23 PM  
J:\2017\170053\Survey\DWGs\170053-KMP\_LOT52\_PH1\_FP.dwg

FINAL PLAT OF RESUBDIVISION  
KENDALL MARKETPLACE  
LOT 52 PHASE 1 RESUBDIVISION

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

DRAWN BY: BJB  
APPROVED: XXX  
JOB DATE: 12/12/2019  
JOB NO: 170053

SHEET  
1 OF 4

PREPARED BY: BJB  
PREPARED BY: BJB  
BERNARD J. BAUER, P.L.S. (bbauer@hrgreen.com)  
ILLINOIS PROFESSIONAL LAND SURVEYOR No. 3799  
LICENSE EXPIRES: 11/30/20

Illinois Professional Design Firm # 184-001322  
2363 Sequoia Drive, Suite 101,  
Aurora, Illinois 60506  
t. 630.553.7560 f. 630.553.7646  
www.hrgreen.com

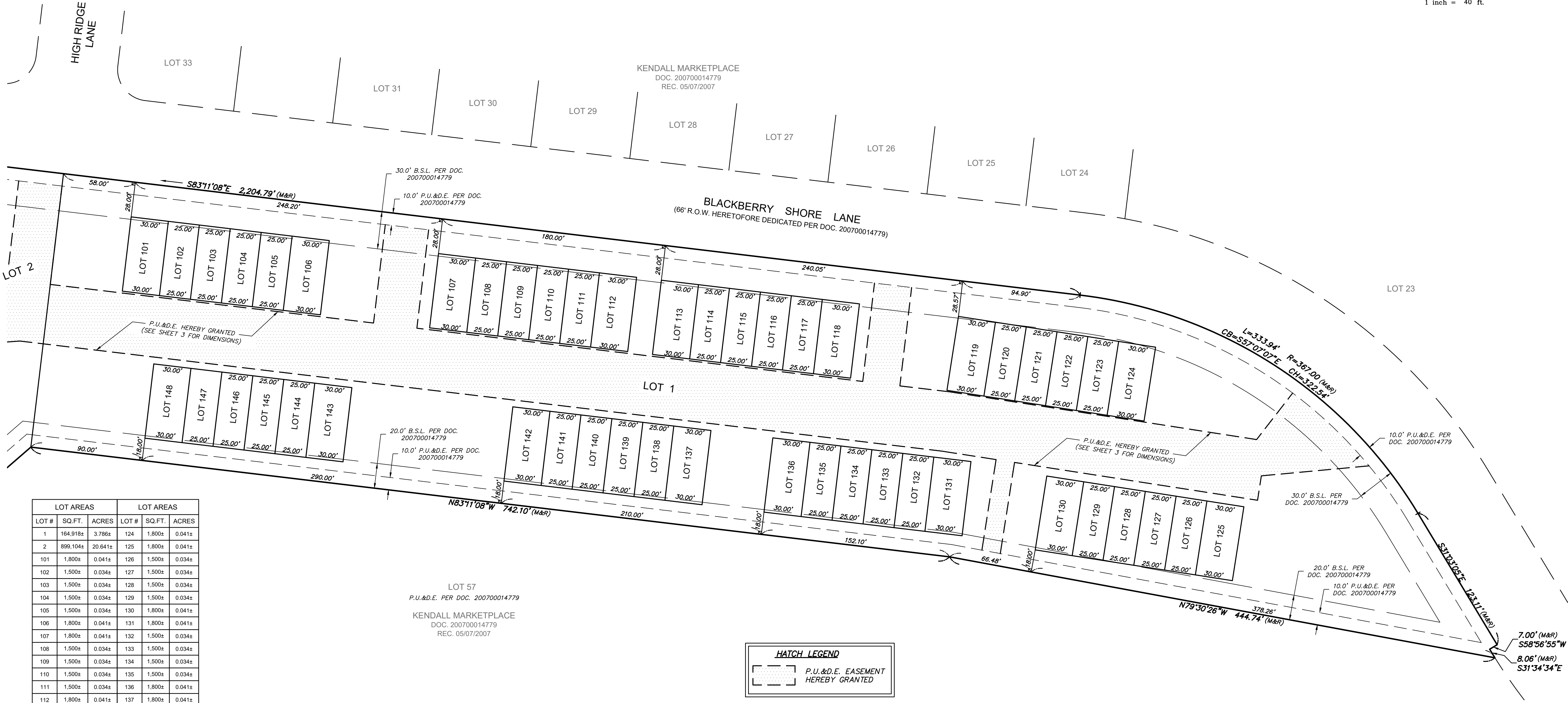
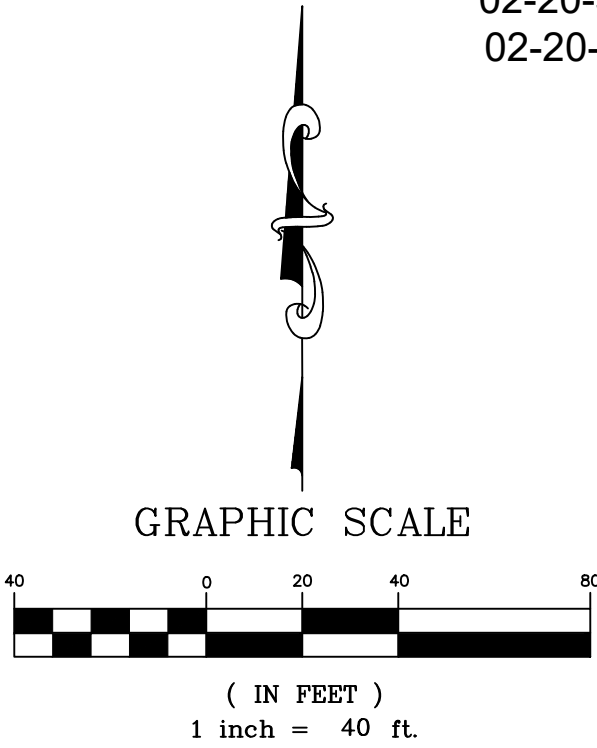




FINAL PLAT OF RESUBDIVISION  
KENDALL MARKETPLACE  
LOT 52 PHASE 1 RESUBDIVISION

A RESUBDIVISION OF LOT 52 IN KENDALL MARKETPLACE, BEING A PART OF THE SOUTHEAST 1/4 OF SECTION 19 AND PART OF THE SOUTHWEST 1/4 OF SECTION 20, BOTH IN TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 7, 2007 AS DOCUMENT 200700014779 IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS

PINs: 02-19-481-001  
02-20-353-010  
02-20-353-011



LOT AREAS			LOT AREAS		
LOT #	SQ.FT.	ACRES	LOT #	SQ.FT.	ACRES
1	164,918±	3.786±	124	1,800±	0.041±
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122	1,500±	0.034±	147	1,500±	0.034±
123	1,500±	0.034±	148	1,800±	0.041±
TOTAL LAND AREA: 1,141,501± SQ.FT. OR 26.205± ACRES					

HATCH LEGEND	
	P.U.&D.E. EASEMENT HEREBY GRANTED

LINE LEGEND	
	CENTERLINE
	BOUNDARY LINE
	RIGHT OF WAY LINE
	UNDERLYING PARCEL LINE
	BUILDING SETBACK LINE
	EXISTING EASEMENT LINE
	EASEMENT HEREBY GRANTED

PREPARED ON:  
PREPARED BY:

BERNARD J. BAUER, P.L.S. (bbauer@hrgreen.com)  
ILLINOIS PROFESSIONAL LAND SURVEYOR No. 3799  
LICENSE EXPIRES: 11/30/20

FINAL PLAT OF RESUBDIVISION  
KENDALL MARKETPLACE  
LOT 52 PHASE 1 RESUBDIVISION

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

DRAWN BY: BJB  
APPROVED: XXX  
JOB DATE: 12/12/19  
JOB NO: 170053

SHEET  
2 OF 4

Illinois Professional Design Firm # 184-001322  
2363 Sequoia Drive, Suite 101,  
Aurora, Illinois 60506  
t. 630.553.7560 f. 630.553.7646  
www.hrgreen.com



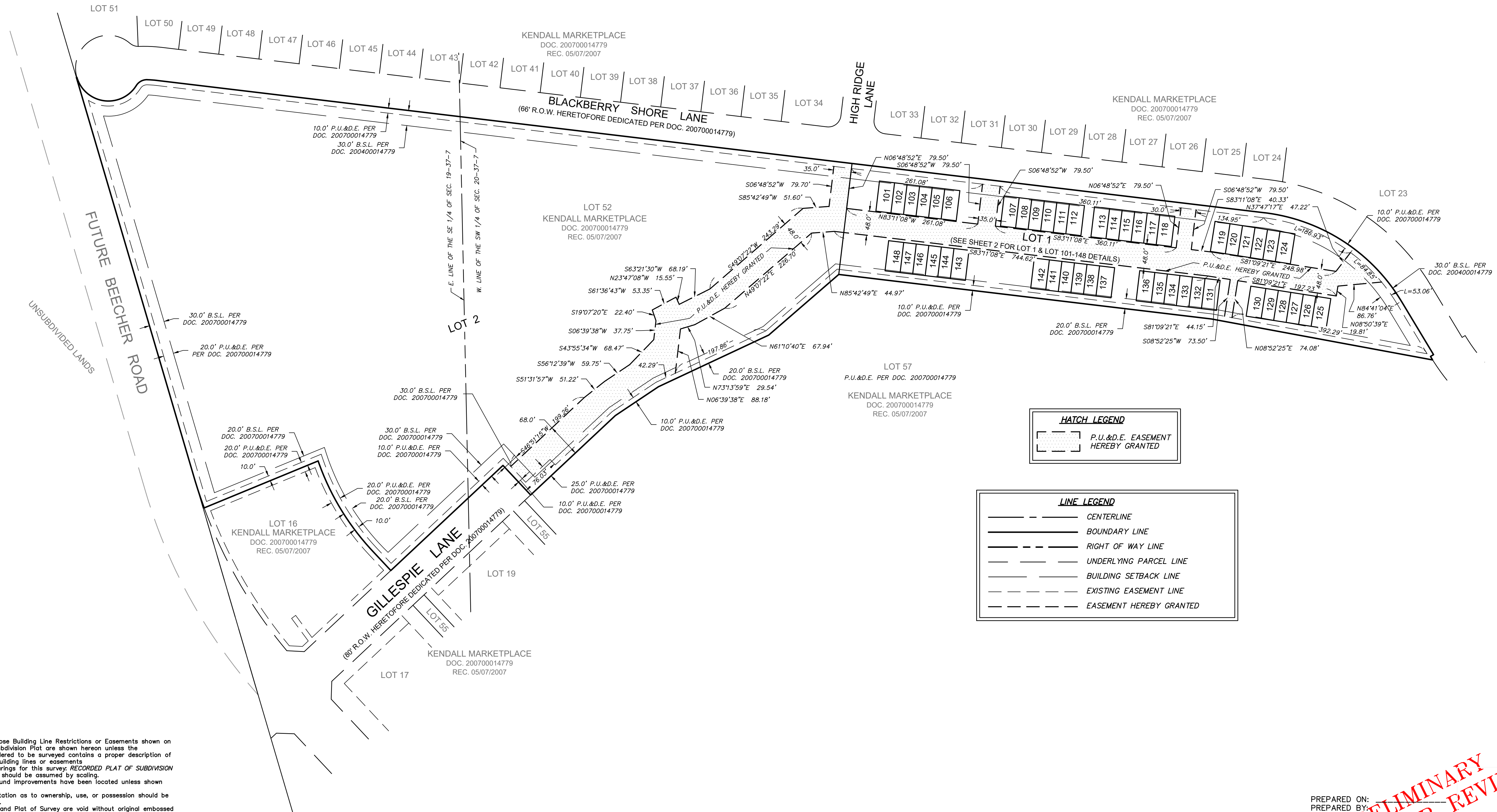
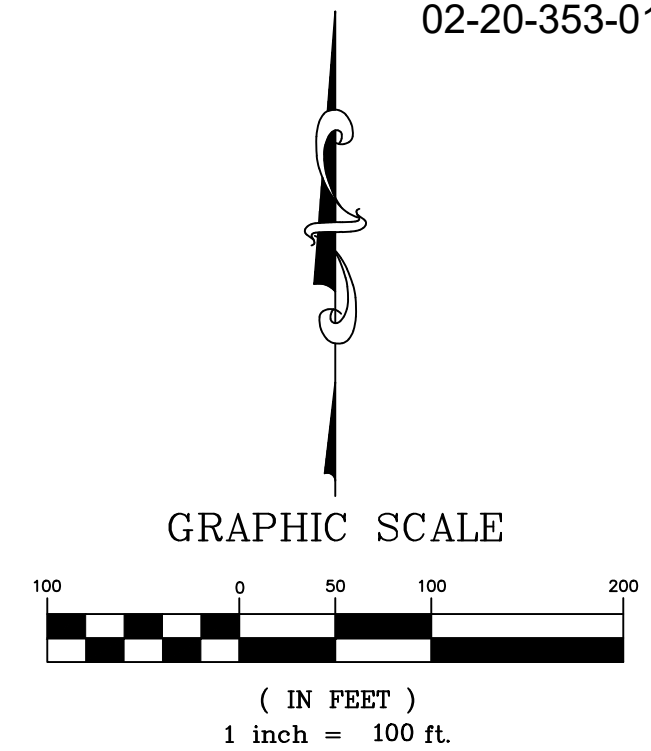
REVISION DESCRIPTION	
NO.	DATE
1	02/04/20
2	02/27/20



FINAL PLAT OF RESUBDIVISION  
KENDALL MARKETPLACE  
LOT 52 PHASE 1 RESUBDIVISION

A RESUBDIVISION OF LOT 52 IN KENDALL MARKETPLACE, BEING A PART OF THE SOUTHEAST 1/4 OF SECTION 19 AND PART OF THE SOUTHWEST 1/4 OF SECTION 20, BOTH IN TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 7, 2007 AS DOCUMENT 200700014779 IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS

PINs: 02-19-481-001  
02-20-353-010  
02-20-353-011



HATCH LEGEND	
[Hatched Box]	P.U.&D.E. EASEMENT HEREBY GRANTED

LINE LEGEND	
[Solid Line]	CENTERLINE
[Dashed Line]	BOUNDARY LINE
[Long Dash Short Dash Line]	RIGHT OF WAY LINE
[Thin Solid Line]	UNDERLYING PARCEL LINE
[Thick Solid Line]	BUILDING SETBACK LINE
[Dotted Line]	EXISTING EASEMENT LINE
[Dash Dot Line]	EASEMENT HEREBY GRANTED

NOTE: Only those Building Line Restrictions or Easements shown on a Recorded Subdivision Plat are shown hereon unless the description ordered to be surveyed contains a proper description of the required building lines or easements.  
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\* This Survey and Plat of Survey are void without original embossed or red colored seal and signature affixed.  
\* Field work for this survey was completed on 12/09/19.  
\* This professional service conforms to the current Illinois minimum standards for a boundary survey and was performed for:

Compare your description and site markings with this plat and AT ONCE report any discrepancies which you may find.  
2/27/2020 1:23:23 PM  
J:\2017\170053\Survey\Drawings\170053-KMP\_LOT52\_PH1\_FP.dwg

REVISION DESCRIPTION	
NO.	DATE
1	02/04/20
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Illinois Professional Design Firm # 184-001322  
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FINAL PLAT OF RESUBDIVISION  
KENDALL MARKETPLACE  
LOT 52 PHASE 1 RESUBDIVISION

BAR IS ONE INCH ON  
OFFICIAL DRAWINGS  
0' 1"  
IF NOT ONE INCH,  
ADJUST SCALE ACCORDINGLY

DRAWN BY: BJB  
APPROVED: XXX  
JOB DATE: 12/12/2019  
JOB NO: 170053

SHEET  
3 OF 4

PREPARED BY: BJB  
PREPARED BY: BJB  
BERNARD J. BAUER, P.L.S. (bbauer@hrgreen.com)  
ILLINOIS PROFESSIONAL LAND SURVEYOR No. 3799  
LICENSE EXPIRES: 11/30/20



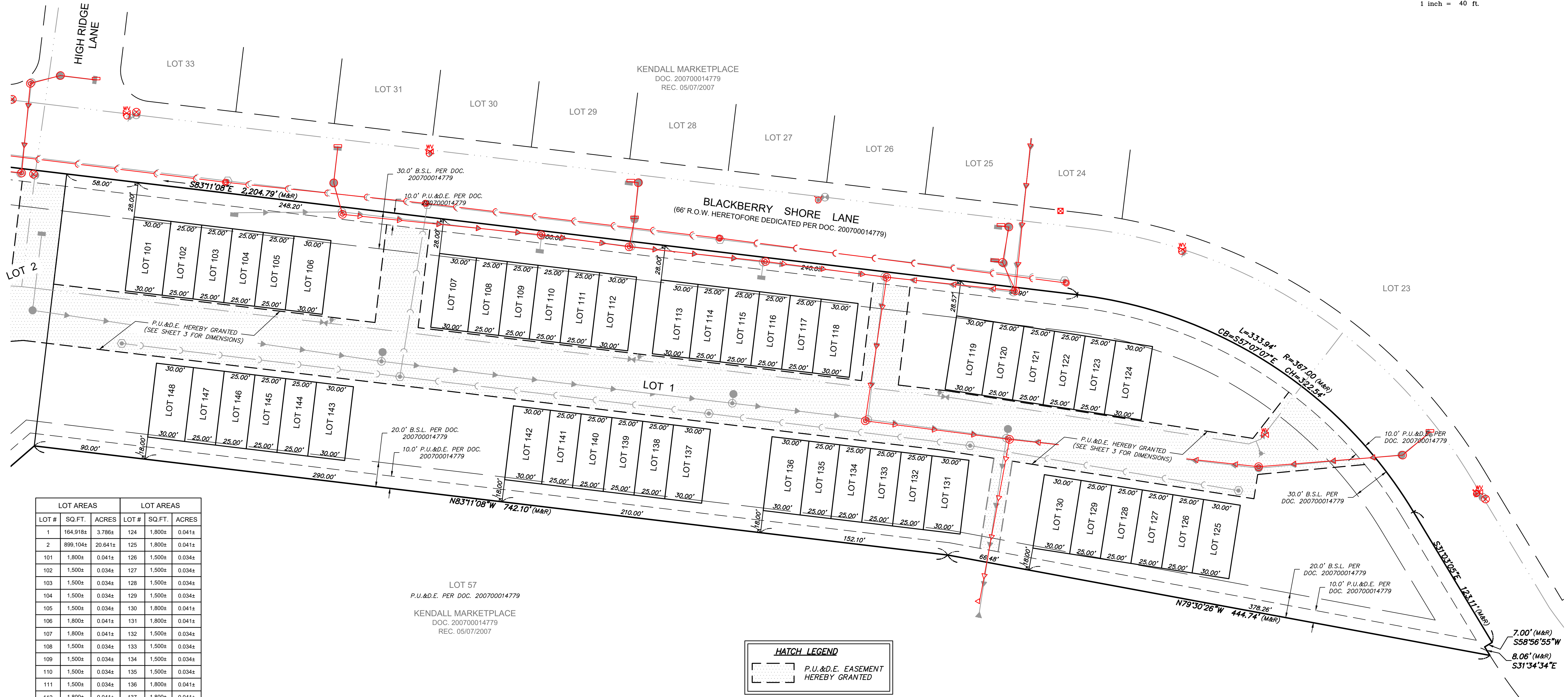
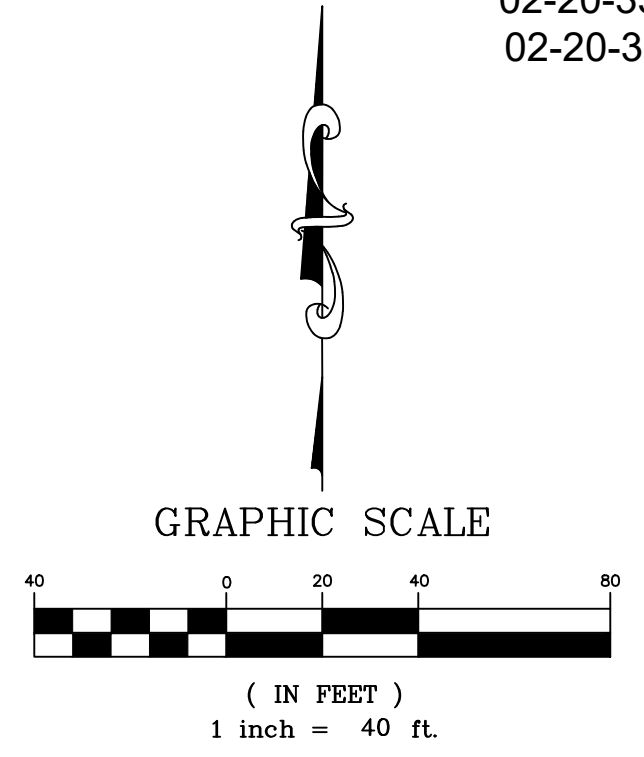




**FINAL PLAT OF RESUBDIVISION  
KENDALL MARKETPLACE  
LOT 52 PHASE 1 RESUBDIVISION**

A RESUBDIVISION OF LOT 52 IN KENDALL MARKETPLACE, BEING A PART OF THE SOUTHEAST 1/4 OF SECTION 19 AND PART OF THE SOUTHWEST 1/4 OF SECTION 20, BOTH IN TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 7, 2007 AS DOCUMENT 200700014779 IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS

PINs: 02-19-481-001  
02-20-353-010  
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TOTAL LAND AREA: 1,141,501± SQ.FT. OR 26.2505± ACRES					

### HATCH LEGEND

**P.U.&D.E. EASEMENT  
HEREBY GRANTED**


LINE LEGEND

\_\_\_\_\_ CENTERLINE  
 \_\_\_\_\_ BOUNDARY LINE  
 \_\_\_\_\_ RIGHT OF WAY LINE  
 \_\_\_\_\_ UNDERLYING PARCEL LINE  
 \_\_\_\_\_ BUILDING SETBACK LINE  
 \_\_\_\_\_ EXISTING EASEMENT LINE  
 \_\_\_\_\_ EASEMENT HEREBY GRANTED

PREPARED ON:  
PREPARED BY:

BERNARD J. BAUER, P.L.S. (bbauer@hrgreen.com)  
ILLINOIS PROFESSIONAL LAND SURVEYOR No. 3799  
LICENSE EXPIRES: 11/30/20

**FINAL PLAT OF RESUBDIVISION  
KENDALL MARKETPLACE  
LOT 52 PHASE 1 RESUBDIVISION**

BAR IS ONE INCH ON  
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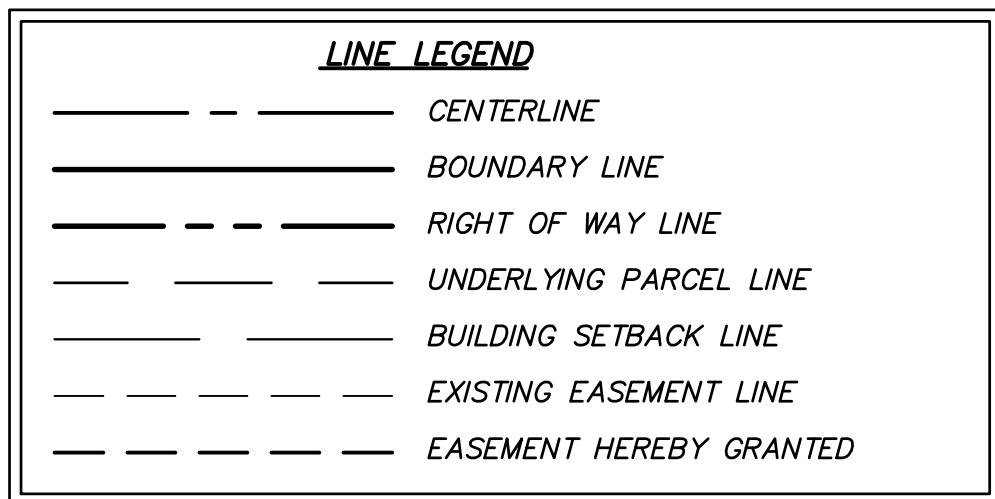
AWN BY: BJB  
PROVED: XXX  
B DATE: 12/12/19  
B NO: 170053

SHEET

2 OF 4



A RESUBDIVISION OF LOT 52 IN KENDALL MARKETPLACE, BEING A PART OF THE SOUTHEAST 1/4 OF SECTION 19 AND PART OF THE SOUTHWEST 1/4 OF SECTION 20, BOTH IN TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 7, 2007 AS DOCUMENT 200700014779 IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS




Compare your description and site markings with this plat and  
AT ONCE report any discrepancies which you may find.

2/27/2020 3:20:17 PM  
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BERNARD J. BAUER, P.L.S. (bbauer@hrgreen.com)  
ILLINOIS PROFESSIONAL LAND SURVEYOR No. 3799  
LICENSE EXPIRES: 11/30/20

[illegible]

1437-IRGreen

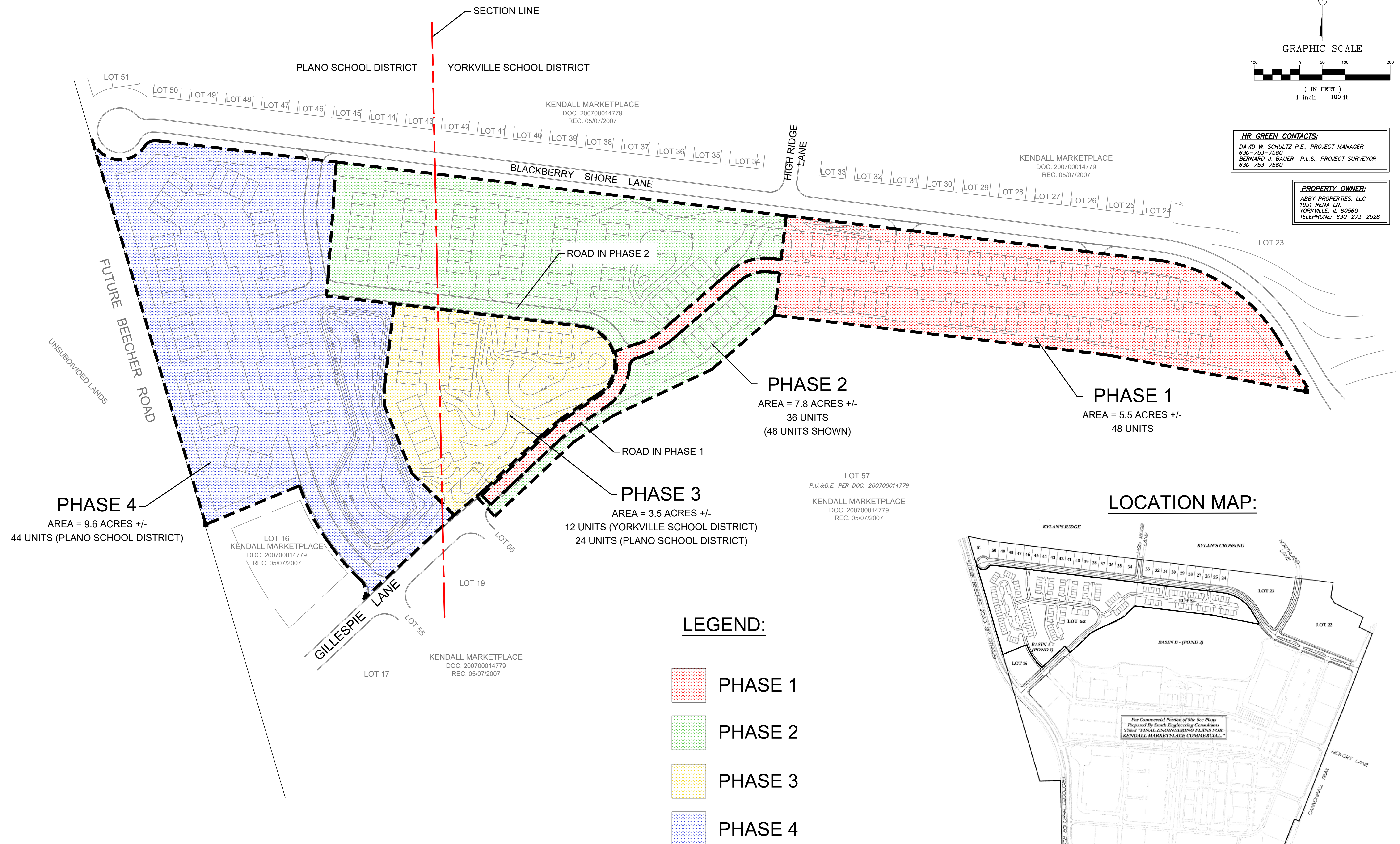
BAR IS ONE INCH ON  
OFFICIAL DRAWINGS  
0  1"  
IF NOT ONE INCH,  
ADJUST SCALE ACCORDINGLY

DRAWN BY: BJB  
APPROVED: XXX  
JOB DATE: 12/12/2019  
JOB NO: 170053

SHEET  
3 OF 4

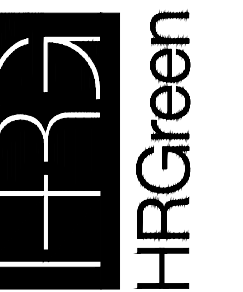


# KENDALL MARKETPLACE POTENTIAL PHASING EXHIBIT


[illegible]

Illinois Professional Design Firm # 184-0013222

2363 Sequoia Drive, Suite 101,  
Aurora, Illinois 60506  
t. 630.553.7560 f. 630.553.7646  
[www.hirgreen.com](http://www.hirgreen.com)



**KENDALL MARKETPLACE  
POTENTIAL PHASING EXHIBIT**

BAR IS ONE INCH ON  
OFFICIAL DRAWINGS  
0  1"  
IF NOT ONE INCH,  
USE SCALE ACCORDINGLY

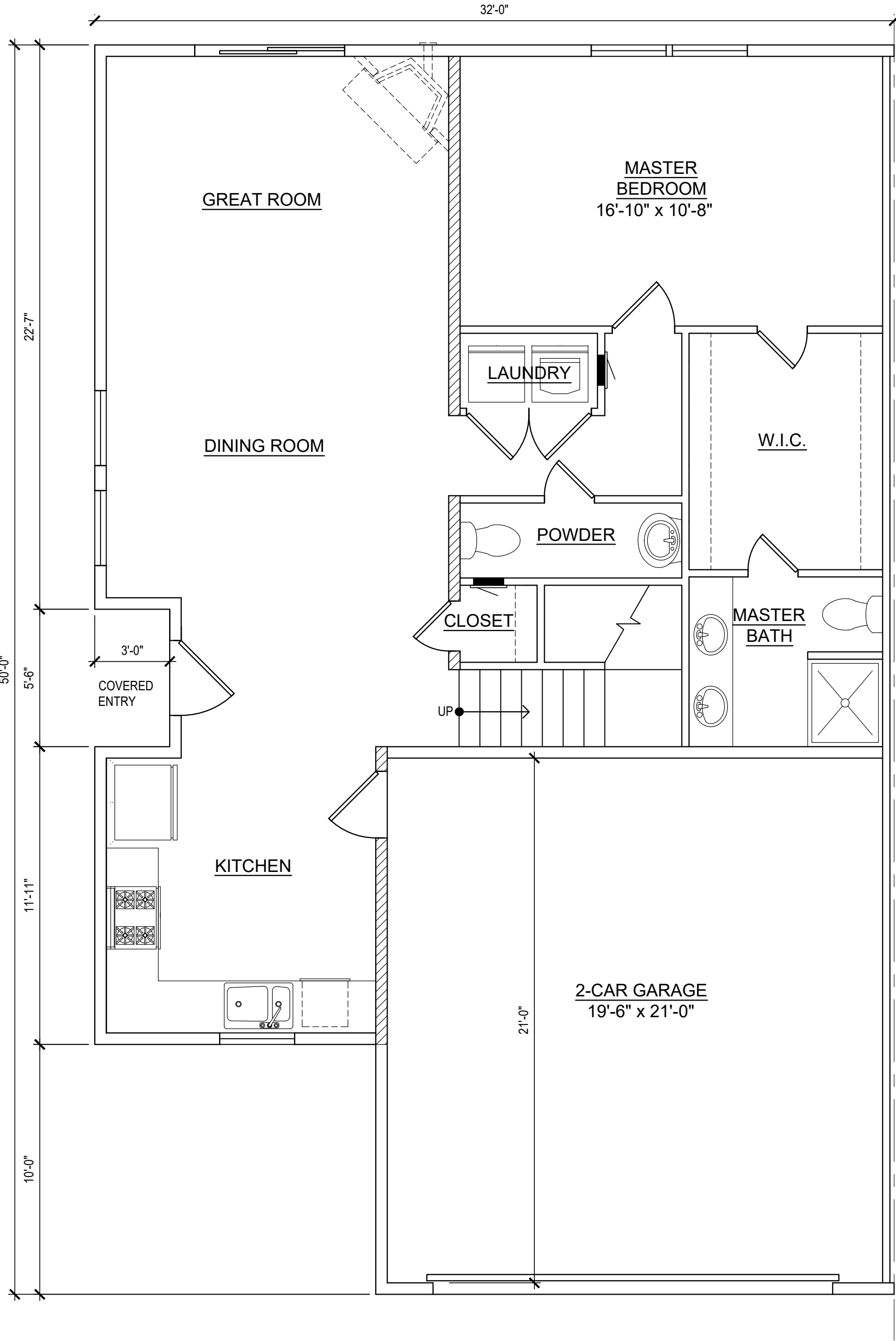
DRAWN BY: NRS  
 APPROVED: DWS  
 JOB DATE: 12/20/2019  
 JOB NO: 170053

EET

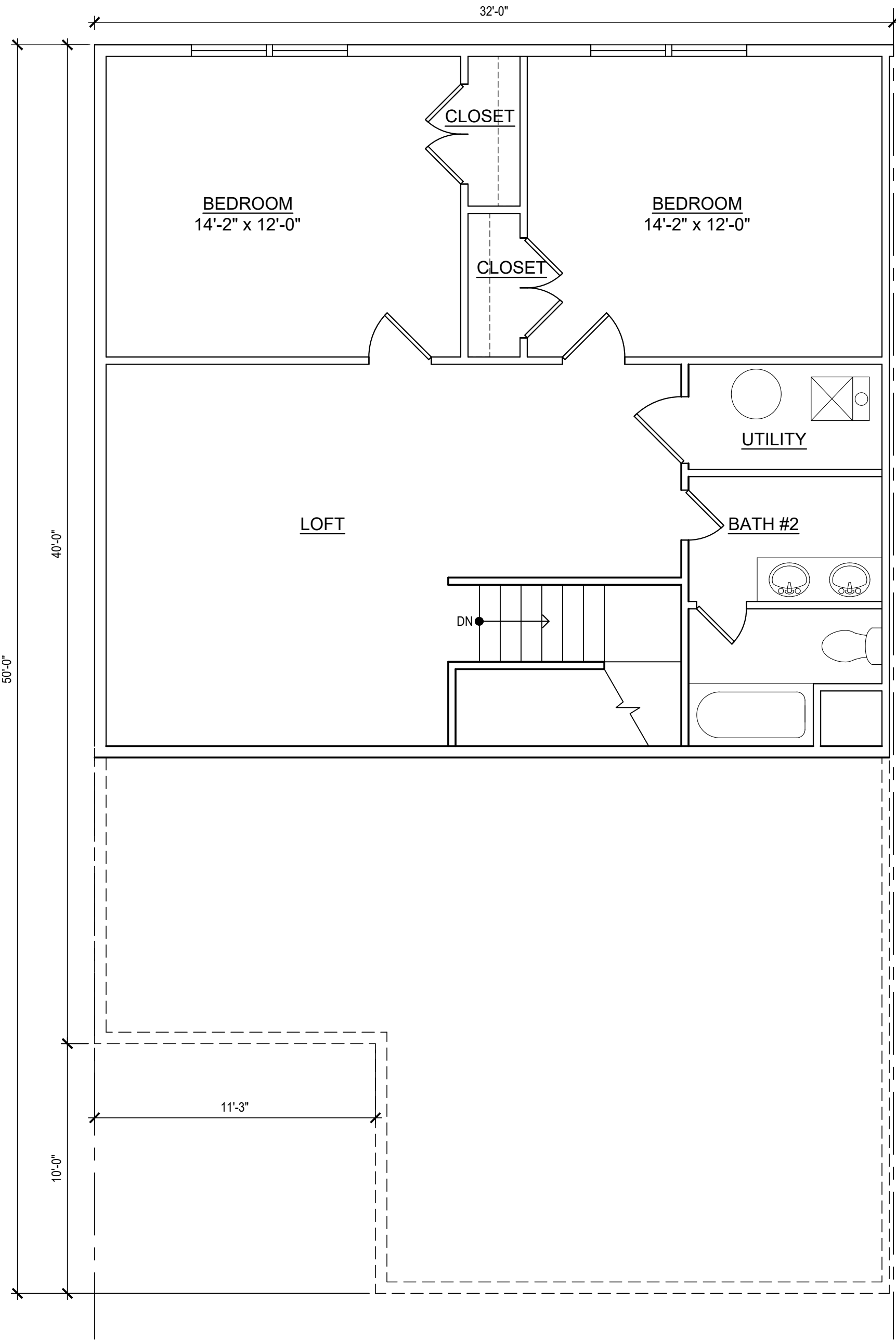
1 OF 1



UNIT 'A'	
FIRST FLOOR	1,026 SF
SECOND FLOOR	909 SF
TOTAL LIVING	1,935 SF
GARAGE	417 SF



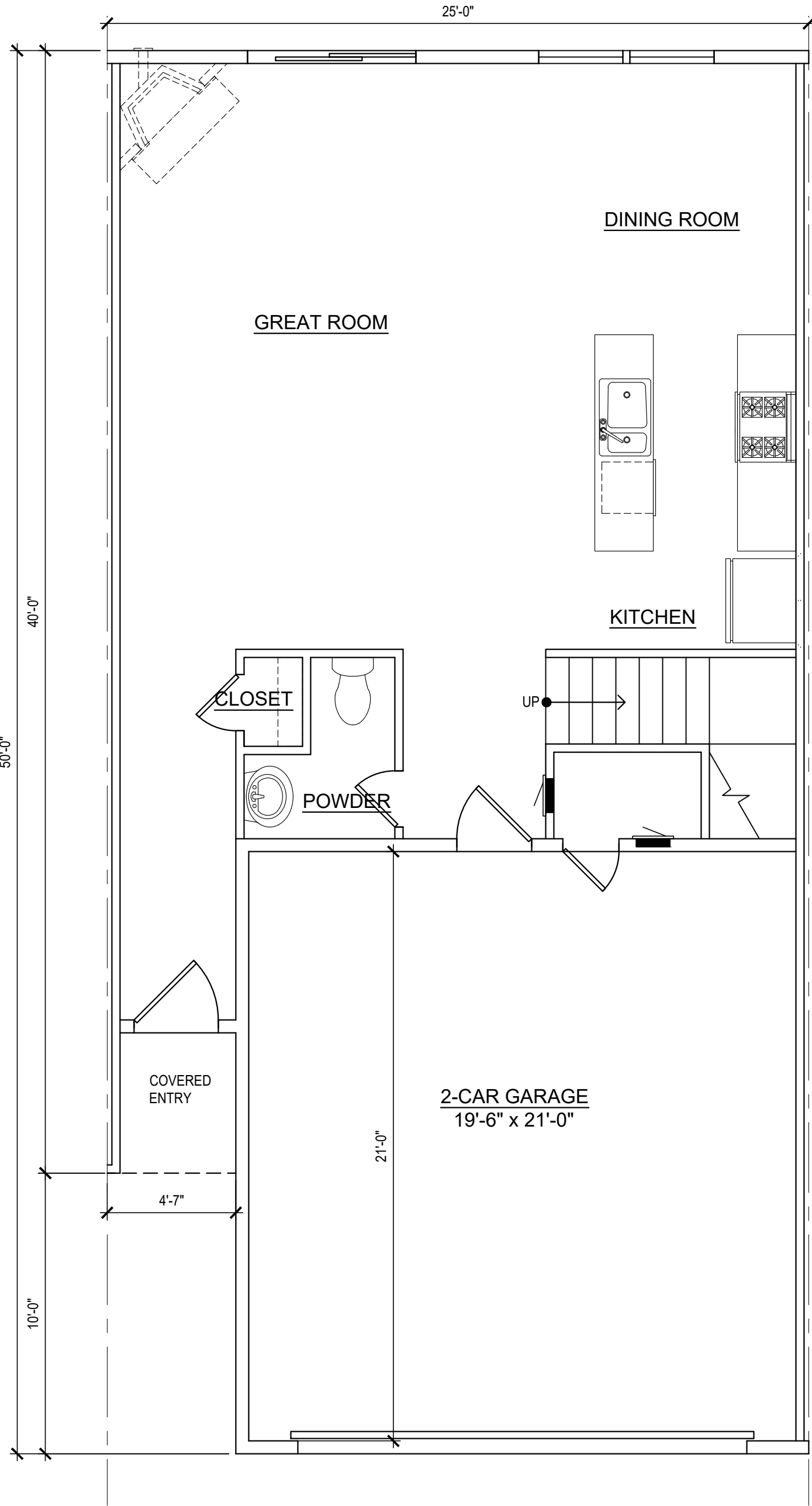
LOWER LEVEL - UNIT 'A'



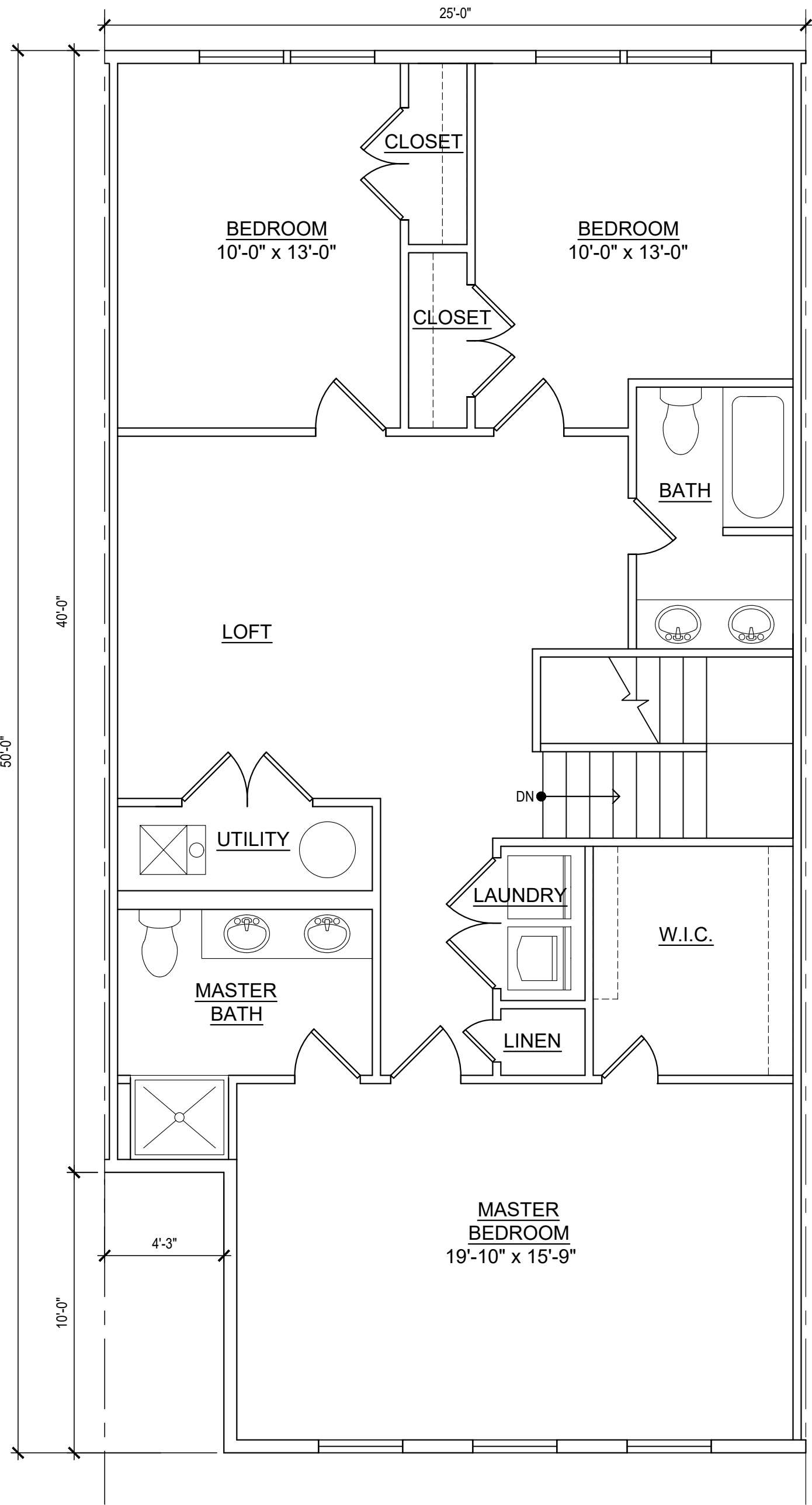
SECOND LEVEL - UNIT 'A'



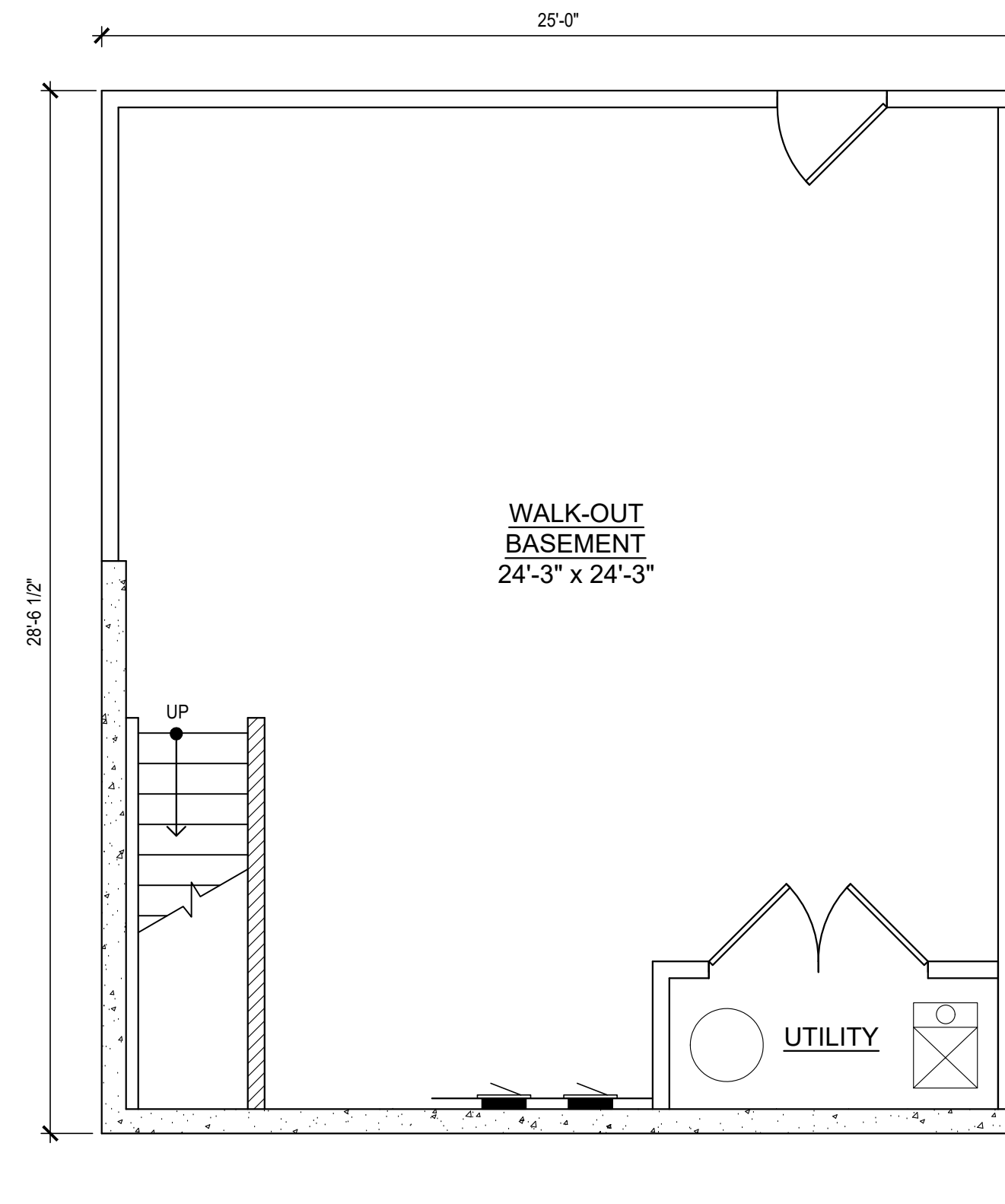
UNIT 'B'	
FIRST FLOOR	760 SF
SECOND FLOOR	1,192 SF
TOTAL LIVING	1,952 SF
GARAGE	417 SF



LOWER LEVEL - UNIT 'B'

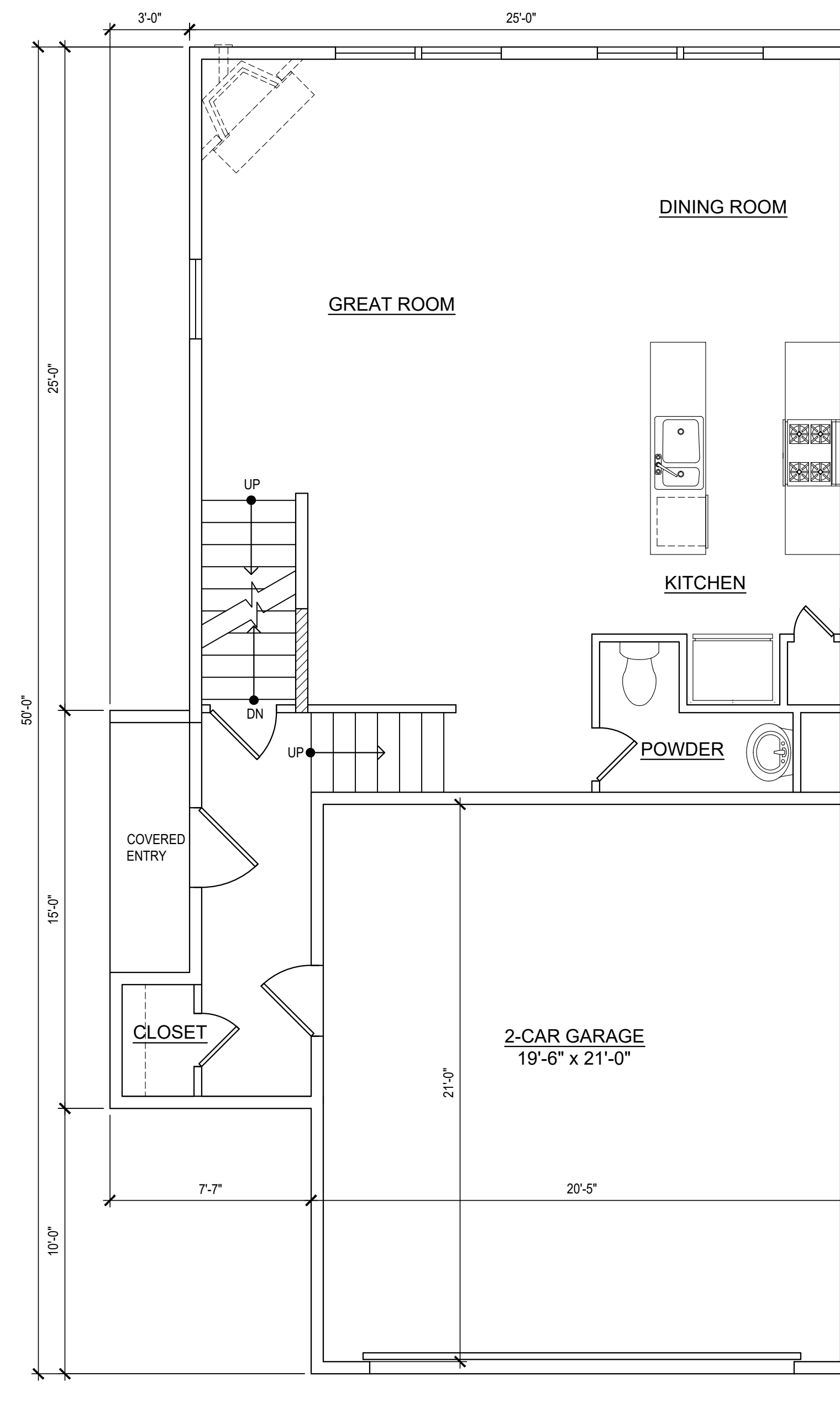


SECOND LEVEL - UNIT 'B'

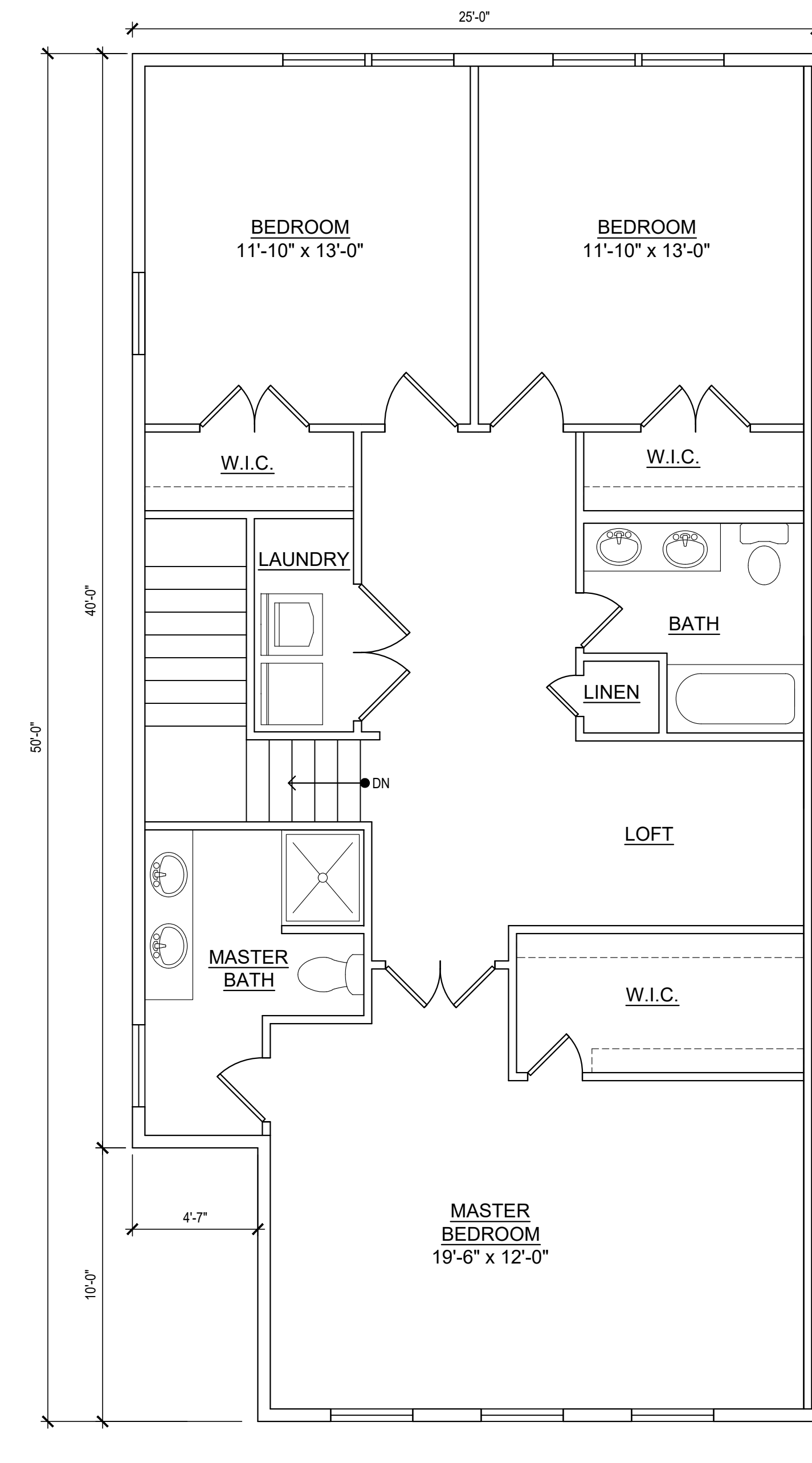


**BASEMENT LEVEL - UNIT 'C'**

UNIT 'C'	
BASEMENT	708 SF
FIRST FLOOR	767 SF
SECOND FLOOR	1,195 SF
TOTAL LIVING	2,670 SF
GARAGE	417 SF

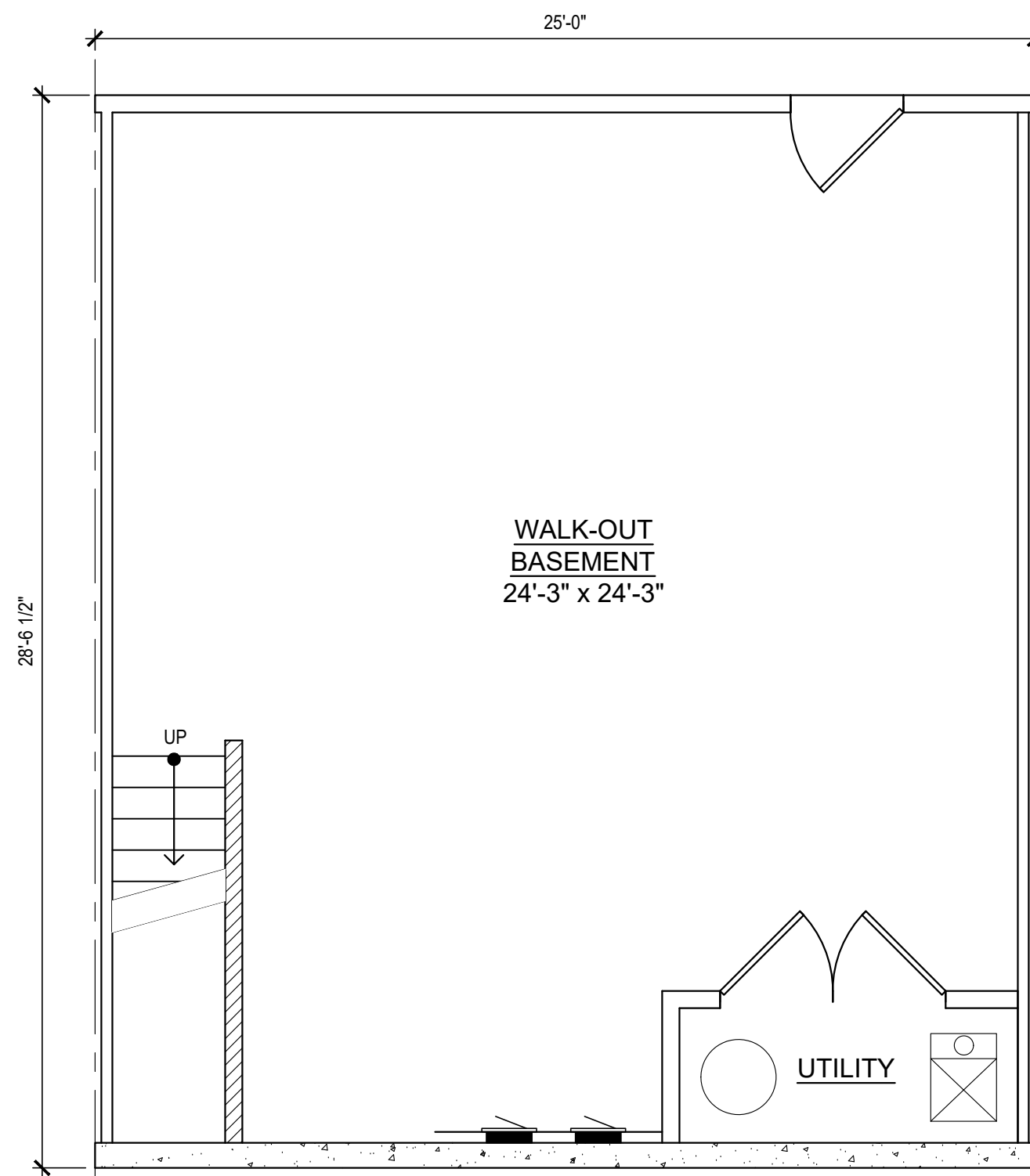


**LOWER LEVEL - UNIT 'C'**



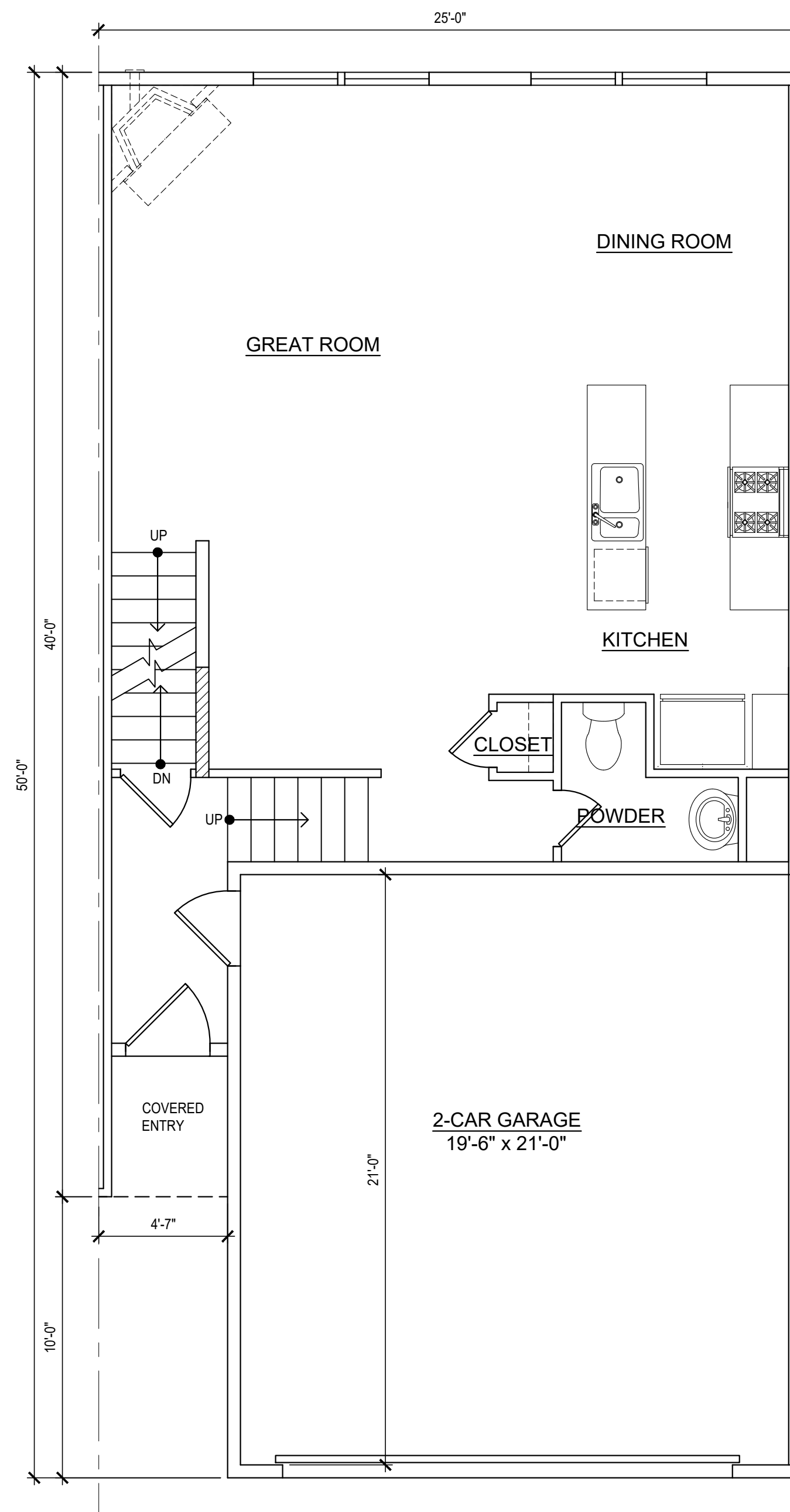
**SECOND LEVEL - UNIT 'C'**

JANUARY 28, 2020

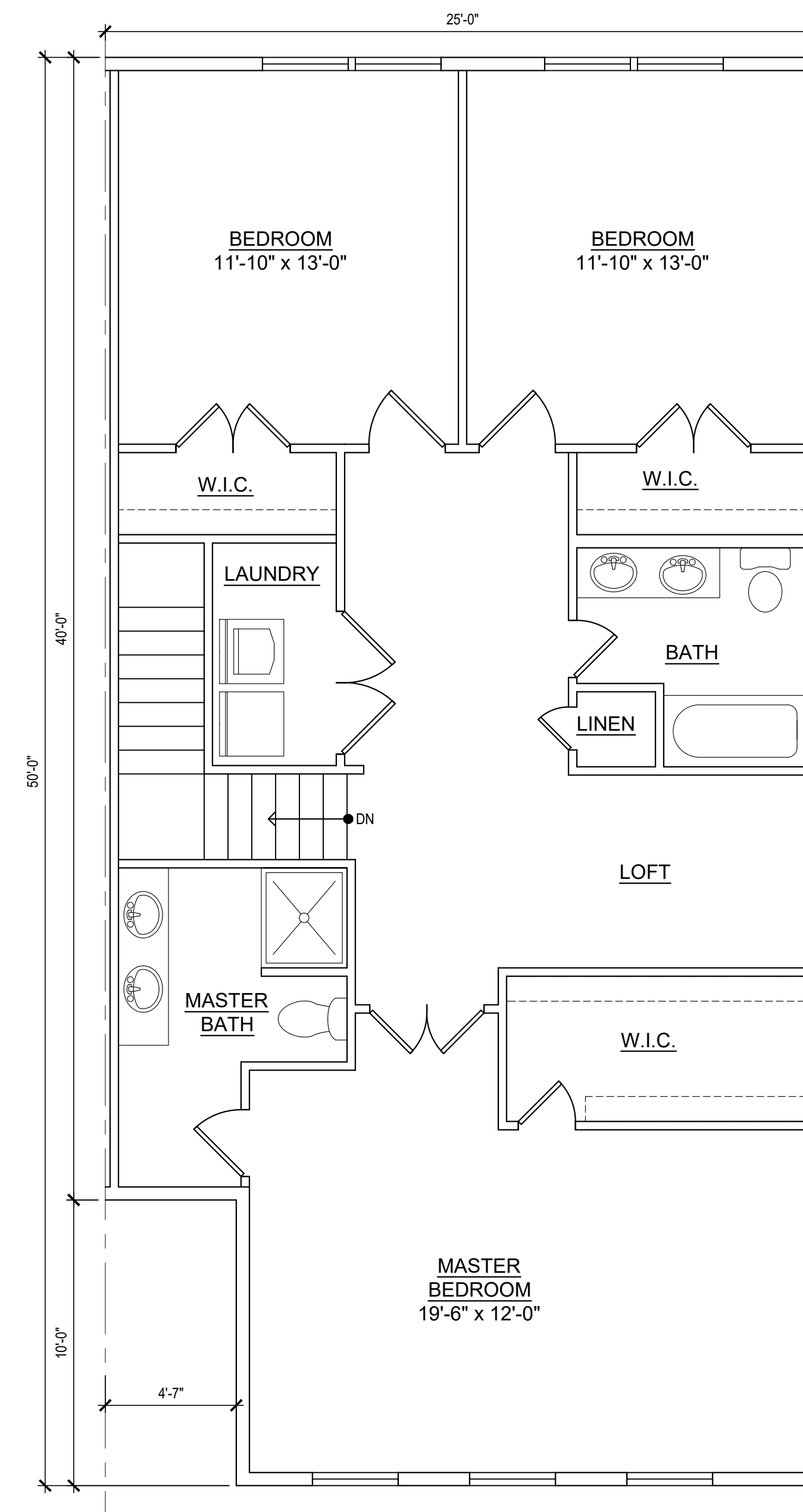


**BASEMENT LEVEL - UNIT 'D'**

UNIT 'D'	
BASEMENT	708 SF
FIRST FLOOR	760 SF
SECOND FLOOR	1,190 SF
TOTAL LIVING	2,658 SF
GARAGE	417 SF



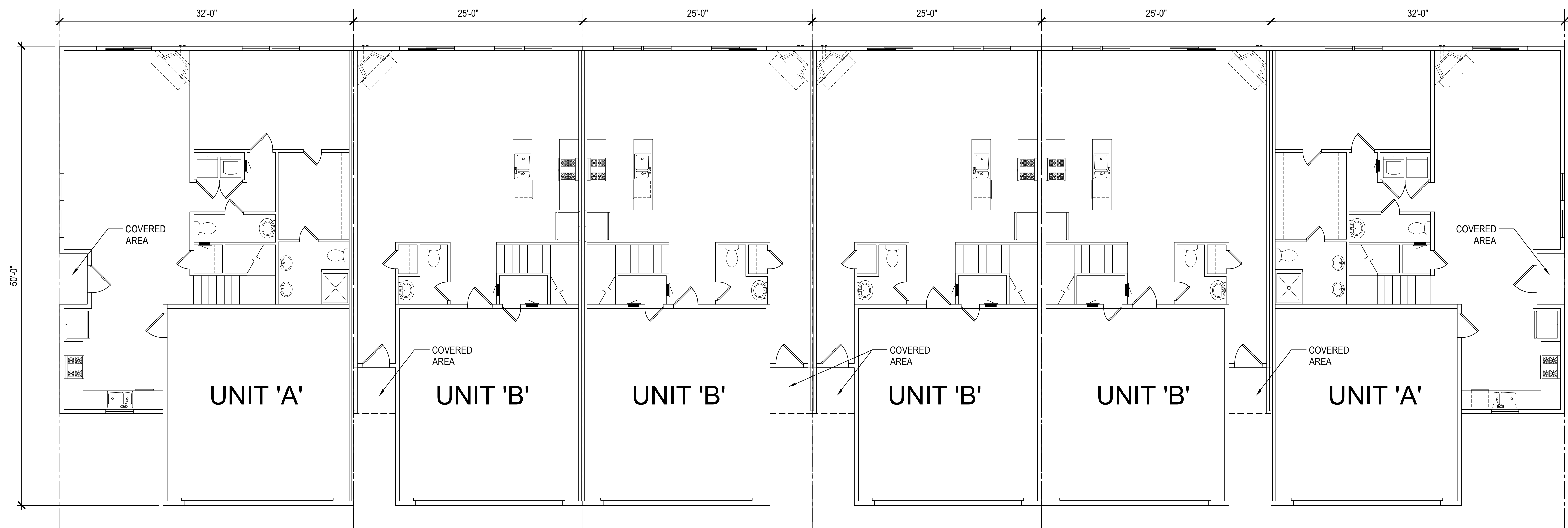
**LOWER LEVEL - UNIT 'D'**



**SECOND LEVEL - UNIT 'D'**



**FRONT ELEVATIONS - UNIT 'A' & 'B'**



**FLOOR PLAN - LOWER LEVEL - UNIT 'A' & 'B'**

JANUARY 28, 2020



UNIT 'A'                      UNIT 'B'                      UNIT 'B'                      UNIT 'B'                      UNIT 'B'                      UNIT 'A'




REAR ELEVATIONS - UNIT 'A' & 'B'

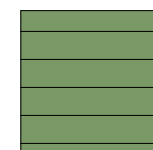
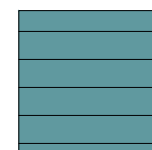
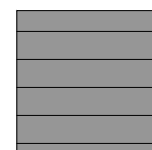
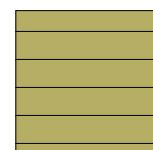


SIDE ELEVATIONS - UNIT 'A'

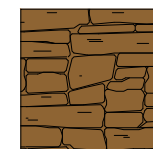
ROOF SHINGLES (ARCHITECTURAL)

 DARK GREY

SIDING (PREMIUM / NON-VINYL)

 SCOTTISH THISTLE     EVEREST     VICTORIAN GREY     PEBBLESTONE CLAY

CULTURED STONE VENEER

 RANDOM TILES / BROWN SHADE

CULTURED STONE TO BE 20% (MIN.) OF FIRST FLOOR ELEVATION MATERIAL.

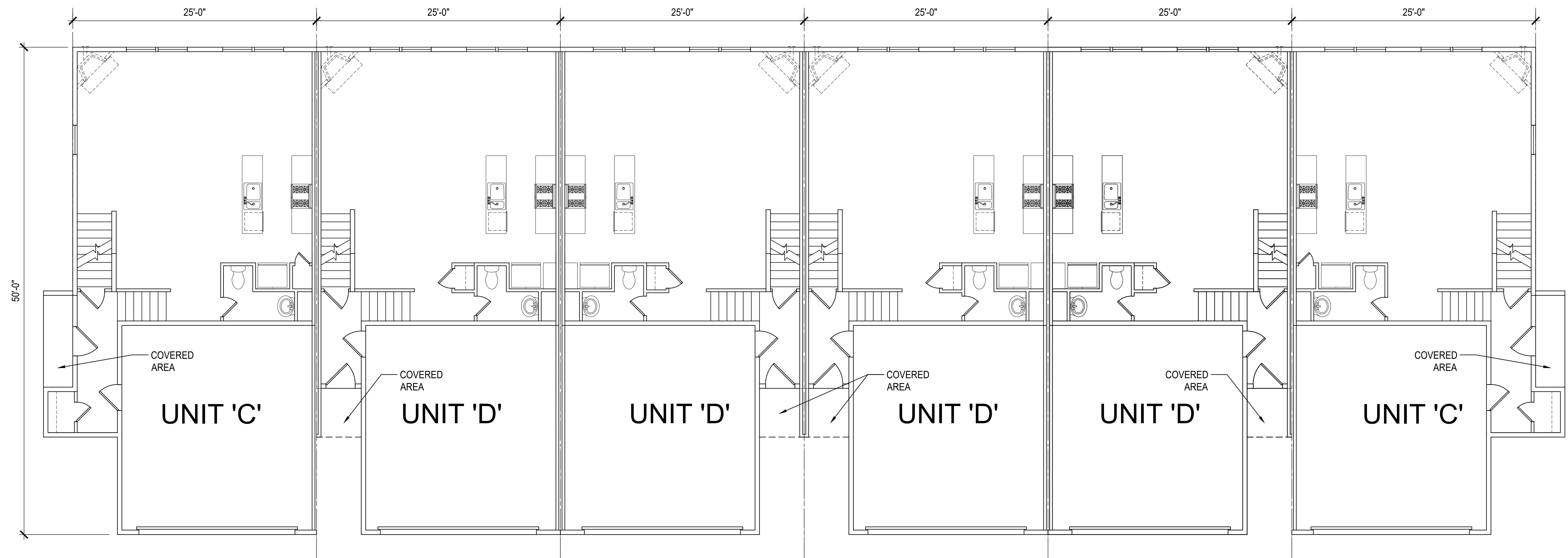
MATERIAL LEGEND

JANUARY 28, 2020



**FRONT ELEVATIONS - UNIT 'C' & 'D'**

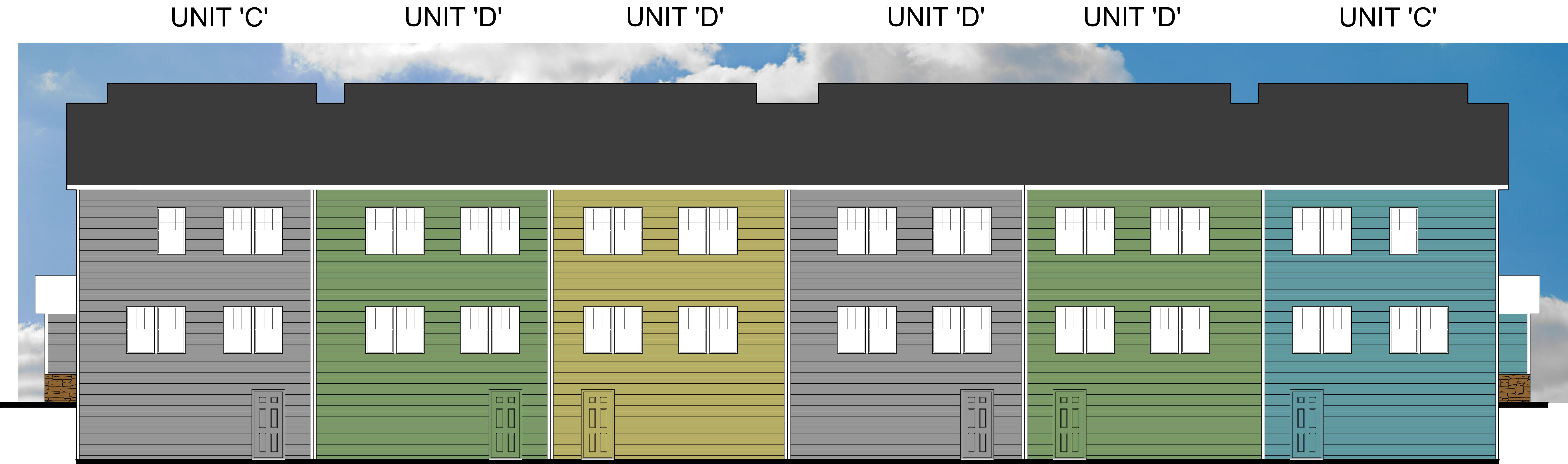
CULTURED STONE TO BE 20% (MIN.) OF FIRST FLOOR ELEVATION MATERIAL.



**FLOOR PLAN - LOWER LEVEL - UNIT 'C' & 'D'**

JANUARY 28, 2020





REAR ELEVATIONS - UNIT 'C' & 'D'



SIDE ELEVATIONS - UNIT 'C'

ROOF SHINGLES (ARCHITECTURAL)

DARK GREY

SIDING (PREMIUM / NON-VINYL)

SCOTTISH THISTLE

EVEREST

VICTORIAN GREY

PEBBLESTONE CLAY

CULTURED STONE VENEER

RANDOM TILES / BROWN SHADE

CULTURED STONE TO BE 20% (MIN.) OF FIRST FLOOR ELEVATION MATERIAL.

MATERIAL LEGEND

STATE OF ILLINOIS                 )  
  ) ss  
COUNTY OF KENDALL             )

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

**ORDINANCE NO. 2006- 125**

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

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

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

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


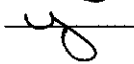
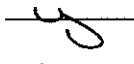

WHEREAS, the procedures for the execution of said Development Agreement have been fully complied with; and

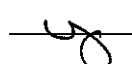
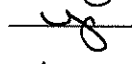
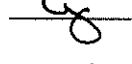

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS, AS FOLLOWS;



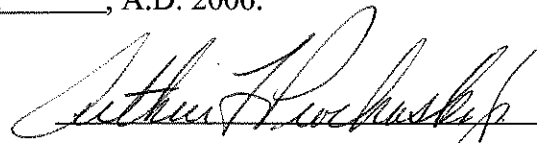
Section 1: The Mayor and the City Clerk are herewith authorized and directed to execute, on behalf of the City, the amended and restated Development Agreement, a copy of which is attached hereto and made a part hereof as Exhibit "A"

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

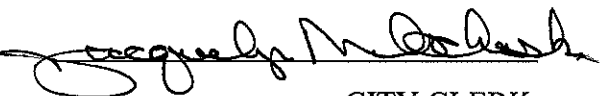
JAMES BOCK   
VALERIE BURD   
JASON LESLIE   
ROSE SPEARS 

JOSEPH BESCO   
PAUL JAMES   
MARTY MUNNS   
DEAN WOLFER 

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

  
MAYOR

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

ATTEST:   
CITY CLERK

Prepared by:

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

**DEVELOPMENT AGREEMENT**  
**'Kendall Marketplace'**

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

**WITNESSETH**

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

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

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

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

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

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

**ARTICLE I**

**GENERAL COMPLIANCE WITH ORDINANCES**

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

## ARTICLE II

### PROPERTY DEVELOPMENT

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

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

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

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

## ARTICLE III

### SPECIAL PROVISIONS

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

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

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

#### RESIDENTIAL FEES

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

#### CANNONBALL TRAIL OFF-SITE LANDSCAPING

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

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

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

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

#### SIGNAGE

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

#### ARTICLE IV

##### EFFECTIVE DATE

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

#### CITY:

UNITED CITY OF YORKVILLE,  
an Illinois municipal corporation

By: 

Title: Mayor

Attest: 

Title: City Clerk

Deputy

Dated: 11/19/07

#### DEVELOPER:

CANNONBALL, LLC

By: The Harlem Irving Companies,  
Inc.

an Illinois corporation, Manager

By: 

DONALD W. BAILEY, VICE PRESIDENT

Attest: 

GREGORY E. FIX, GENERAL COUNSEL

Dated: 11/17/07



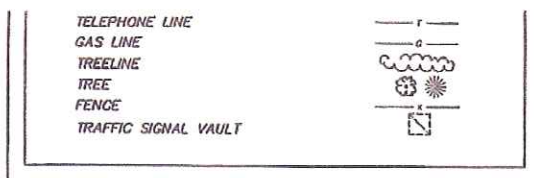


Exhibit "A"

1  
14

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

To Mid America, and Chicago Title Insurance Company:

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

Dated at Yorkville, Illinois, March 22, 2006.

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



PROJECT:

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

OWNER/DEVELOPER:

**MIDAMERICA**  
DEVELOPMENT PARTNERS, LLC



NO.	DATE	DESCRIPTION
1	10/1/00	PRELIMINARY SITE PLAN
2	10/1/00	REVISED SITE PLAN
3	10/1/00	REVISED SITE PLAN
4	10/1/00	REVISED SITE PLAN
5	10/1/00	REVISED SITE PLAN
6	10/1/00	REVISED SITE PLAN
7	10/1/00	REVISED SITE PLAN
8	10/1/00	REVISED SITE PLAN
9	10/1/00	REVISED SITE PLAN
10	10/1/00	REVISED SITE PLAN

SITE PLAN

**SP2**

JOB NO. 10000

**GENERAL PROJECT DATA :**

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

**RESIDENTIAL SITE DATA :**

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

**SINGLE FAMILY PARCEL :**

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

**MULTI - FAMILY PARCEL :**

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

**COMMERCIAL SITE DATA :**

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

**HOME DEPOT PARCEL:**

PARCEL AREA ..... +/- 10.59 ACRES  
TOTAL G.L.A. .... 102,167 S.F.  
TOTAL PARKING REQD. .... 511 CARS  
BASED ON 3 CARS PER 1000 S.F. OF FLOOR AREA FOR RETAIL  
TOTAL PARKING PROVIDED ..... 484 CARS

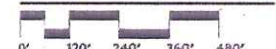
**KOHL'S PARCEL:**

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

**SUPER TARGET PARCEL:**

PARCEL AREA ..... +/- 15.80 ACRES  
TOTAL G.L.A. .... 165,000 S.F.  
TOTAL PARKING REQD. .... 925 CARS  
BASED ON 3 CARS PER 1000 S.F. OF FLOOR AREA FOR RETAIL  
TOTAL PARKING PROVIDED ..... 957 CARS

**PROPOSED SITE PLAN**



**EXHIBIT B**

PROPOSED  
TRAFFIC SIGNAL

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

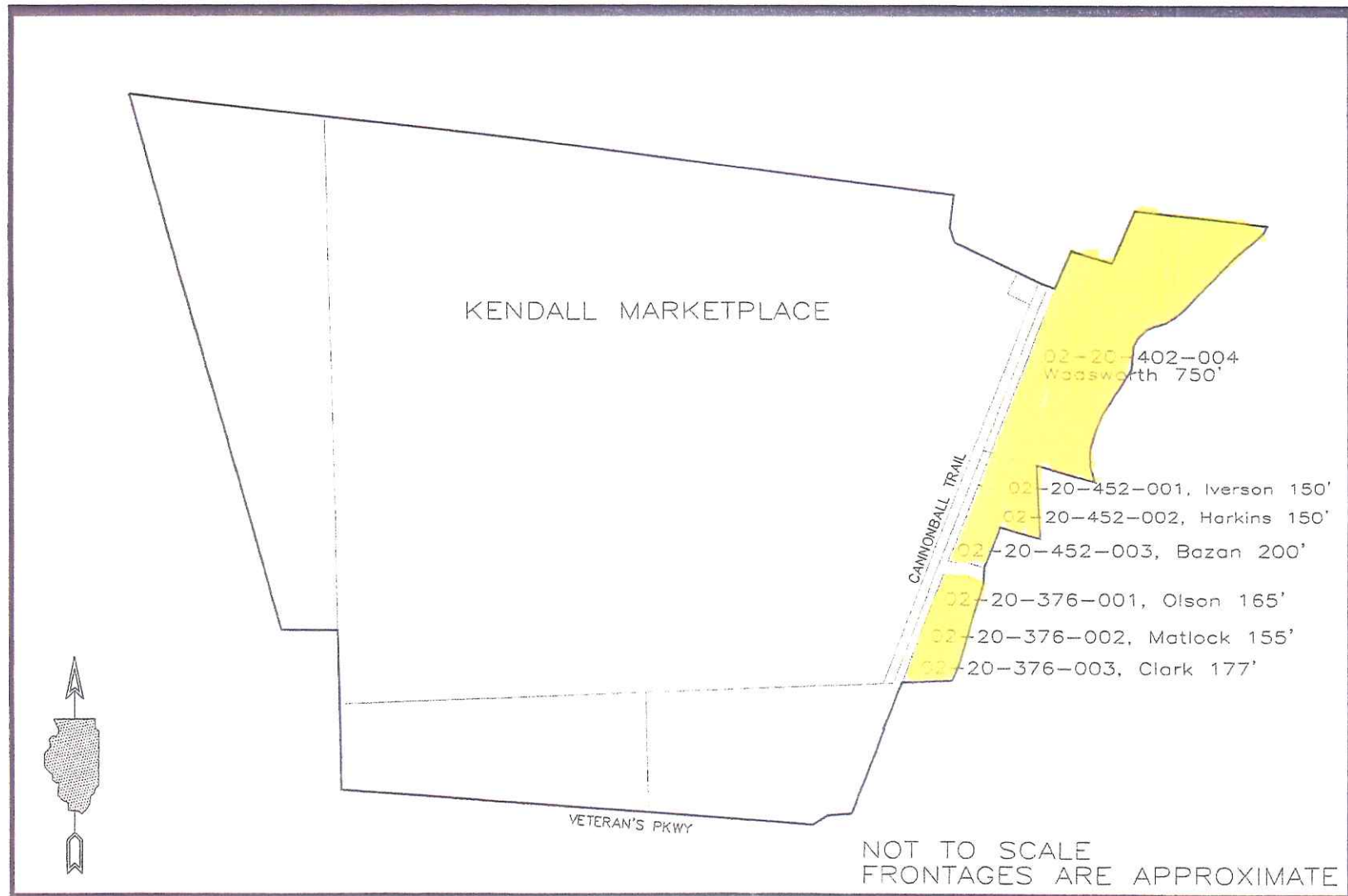
PROPOSED  
TRAFFIC SIGNAL

PROPOSED  
TRAFFIC SIGNAL



# CANNONBALL TRAIL PROPER

Exhibit C





**EXHIBIT D - RESIDENTIAL DEVELOPMENT FEES**

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



# United City of Yorkville

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

EXHIBIT E

## COMMERCIAL PERMIT FEES

### Permit/Plan Review

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

### Contributions

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

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

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

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

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

## EXHIBIT E

### MULTIPLE-FAMILY RESIDENTIAL USE GROUPS

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

### ALL OTHER USE GROUPS

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

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

# EXHIBIT E

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

### BUILDING CODE

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

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

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

### FIRE DETECTION/ALARM SYSTEMS

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

### FIRE SPRINKLER SYSTEMS

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

### ALTERNATE FIRE SUPPRESSION SYSTEMS

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

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

STATE OF ILLINOIS        )  
                                      )ss.  
COUNTY OF KENDALL     )

ORDINANCE 2004 - 55

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

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

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

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

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

## EXHIBIT E

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

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

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

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

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

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

## EXHIBIT E

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

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

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

## EXHIBIT E

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

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



## EXHIBIT E

- zoned, and platted within the United City of Yorkville effective from May 1, 2006 up and to April 30, 2007, payable at the time of issuance of building permit, or payable at the time of building permit for each unit annexed and zoned within the United City of Yorkville on and subsequent to the aforementioned effective date.
- c. The sum of 15.0 cents per square foot, with a minimum fee of One Thousand Five Hundred and 00/00 Dollars (\$1,500.00) for any real property annexed, zoned, and platted within the United City of Yorkville effective from May 1, 2007 forward, payable at the time of issuance of building permit for each unit annexed and zoned within the United City of Yorkville on and subsequent to the aforementioned effective date.
- 4. This Ordinance shall be contingent upon receipt by the UNITED CITY OF YORKVILLE of a written agreement in the form satisfactory to the UNITED CITY OF YORKVILLE which holds the UNITED CITY OF YORKVILLE harmless, including it and agreeing to defend the UNITED CITY OF YORKVILLE of any claim made as a result of the imposition or collection of said fees.
- 5. The various parts, sections, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a Court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

EXHIBIT E

PAUL JAMES \_\_\_\_\_

MARTY MUNNS Y

RICHARD STICKA Y

WANDA OHARE Y


VALERIE BURD Y

ROSE SPEARS Y

LARRY KOT Y

JOSEPH BESCO Y

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

  
MAYOR

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

Attest:   
CITY CLERK

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

9/10/96

STATE OF ILLINOIS       )  
                                  ) ss.  
COUNTY OF KENDALL     )

96-11

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

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

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

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

DEFINITIONS

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

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

PROVISIONS

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

## EXHIBIT E

charges by any other entity including the applicable sanitary district.

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

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

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

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

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

## EXHIBIT E

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

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

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

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

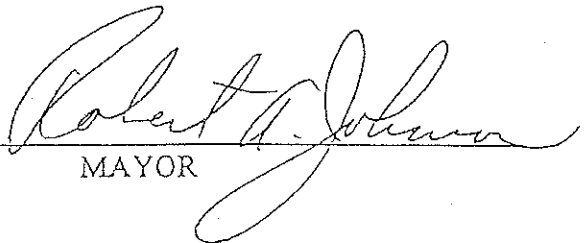
10. All Excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City of Yorkville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

EXHIBIT E

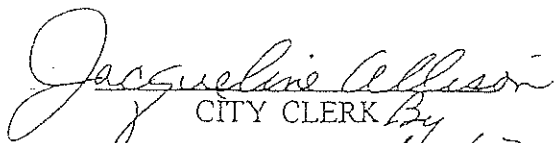
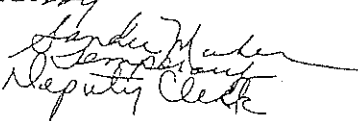
11: This Ordinance will be effective November, 1 1996.

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

Passed this 12<sup>th</sup> day of September, 1996

  
MAYOR

ATTESTED:

  
CITY CLERK By   
Sandra Mader  
Deputy Clerk

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

SCHEDULE "A"

EXHIBIT E

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

## EXHIBIT E

### MOBILE TRAILER PARKS

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

### LAUNDRIES

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

### SELF-SERVICE CAR WASH

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

### AUTOMATIC CAR WASH

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

### NURSING HOMES AND HOSPITALS

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

### SCHOOLS

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

### DORMITORIES, FRATERNITIES AND SORORITIES

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



STATE OF ILLINOIS     )  
                                  )ss  
COUNTY OF KENDALL )

EXHIBIT E

**ORDINANCE NO. 2006- 32**

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

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

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

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

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

## EXHIBIT E

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

JAMES BOCK



VALERIE BURD



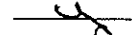
DEAN WOLFER



ROSE SPEARS



JOSEPH BESCO



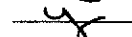
PAUL JAMES



MARTY MUNNS

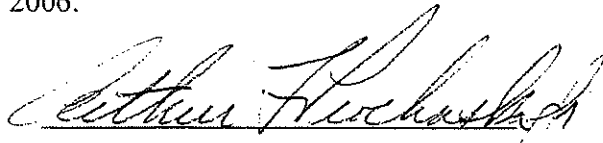


JASON LESLIE



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

25 Day of April, A.D. 2006.



MAYOR

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

25 day of April, A.D. 2006.

ATTEST:



CITY CLERK

Prepared by:

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

**EXHIBIT A: RESIDENTIAL CONNECTION FEE**

2006 WATER SYSTEM CONNECTION FEE UPDATE

United City of Yorkville, Kendall Co., IL

**EXHIBIT E**

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



**Engineering  
Enterprises,  
Inc.**

## EXHIBIT E

### EXHIBIT B: NON-RESIDENTIAL CONNECTION FEE

2006 WATER SYSTEM CONNECTION FEE UPDATE

United City of Yorkville, Kendall Co., IL

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

#### Legend

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

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

**EEI**  
Engineering  
Enterprises,  
Inc.

EXHIBIT E

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

97-11

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

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

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

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

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

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

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

## EXHIBIT E

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

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

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

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

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

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

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

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

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

## EXHIBIT E

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

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

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

Passed and approved this 22<sup>nd</sup> day of May, 1997.

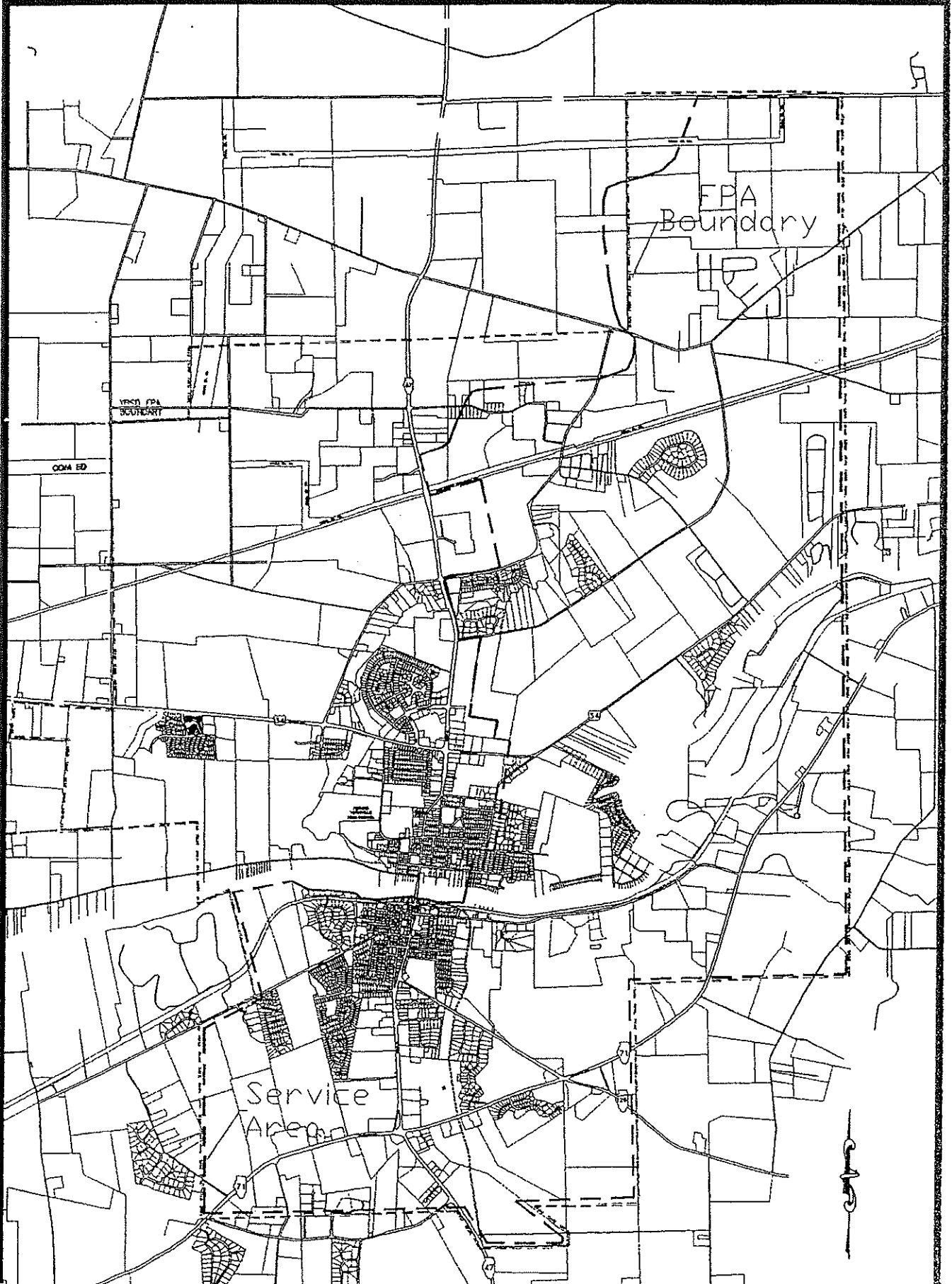
Robert A. Johnson  
MAYOR

ATTEST: Deborah K. Simmons  
CITY CLERK

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

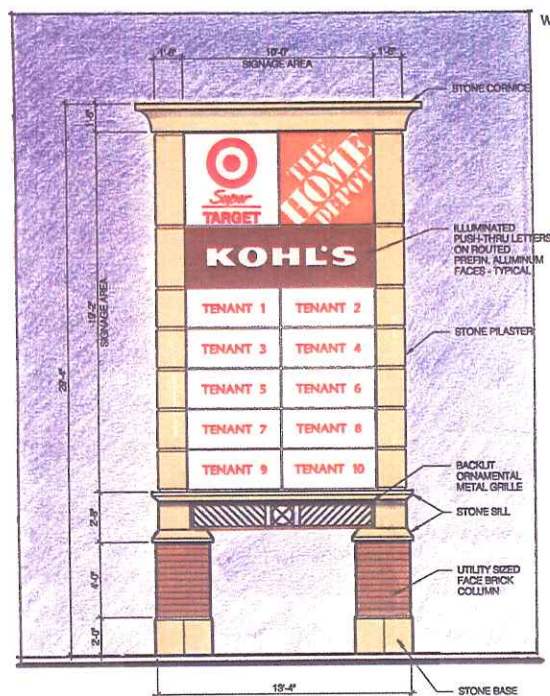
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# Sanitary Sewer River Crossing Service Area

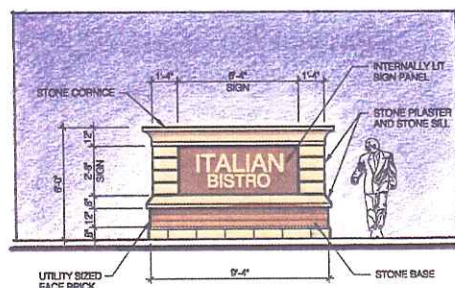
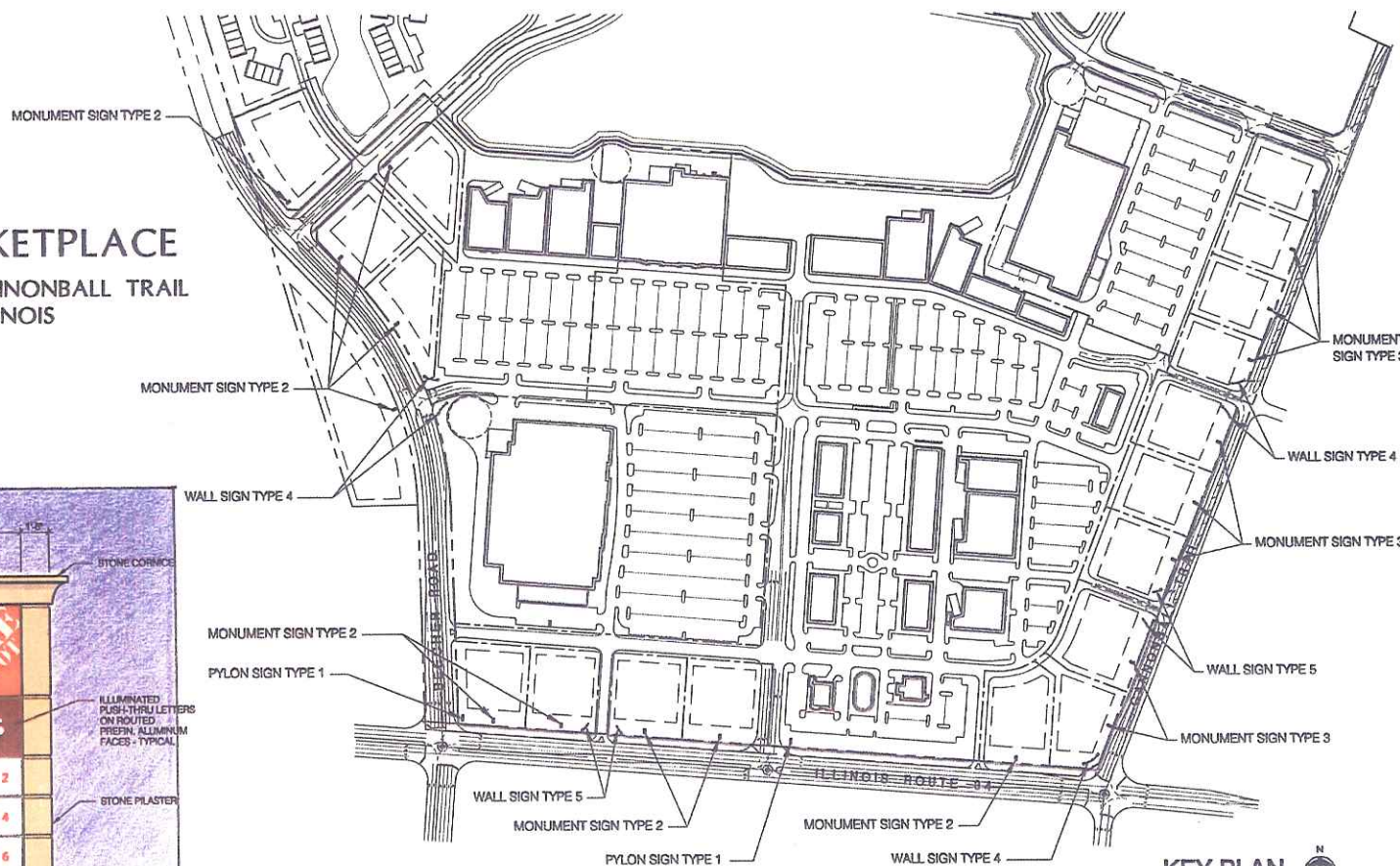




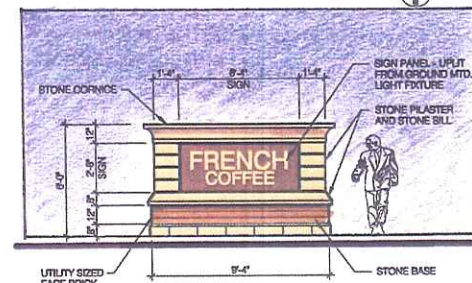
PROJECT:  
KENDALL MARKETPLACE  
ILLINOIS ROUTE 34 & CANNONBALL TRAIL  
YORKVILLE, ILLINOIS



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



**MONUMENT SIGN - TYPE (2)**  
(OUTLOT SIGN)



**MONUMENT SIGN - TYPE 3**  
(OUTLOT SIGN)

**PFDA**  
ARCHITECTS, INC.

30 N. WACKER DRIVE  
SUITE 1900  
CHICAGO, ILLINOIS 60606  
TEL: (312) 799-3336  
FAX: (312) 799-3399

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

OWNER/DEVELOPER:

 **MIDAMERICA**  
DEVELOPMENT PARTNERS LLC

[illegible]

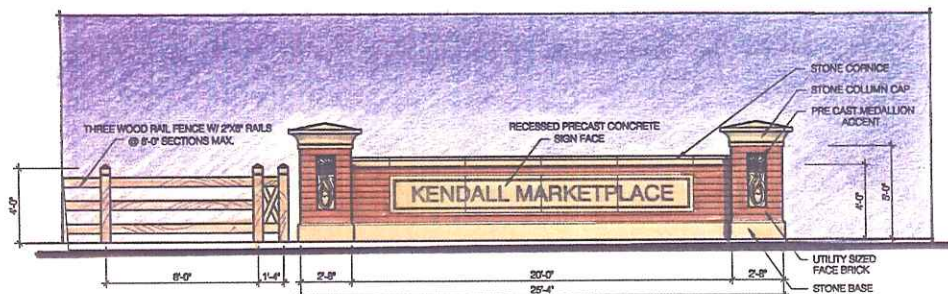
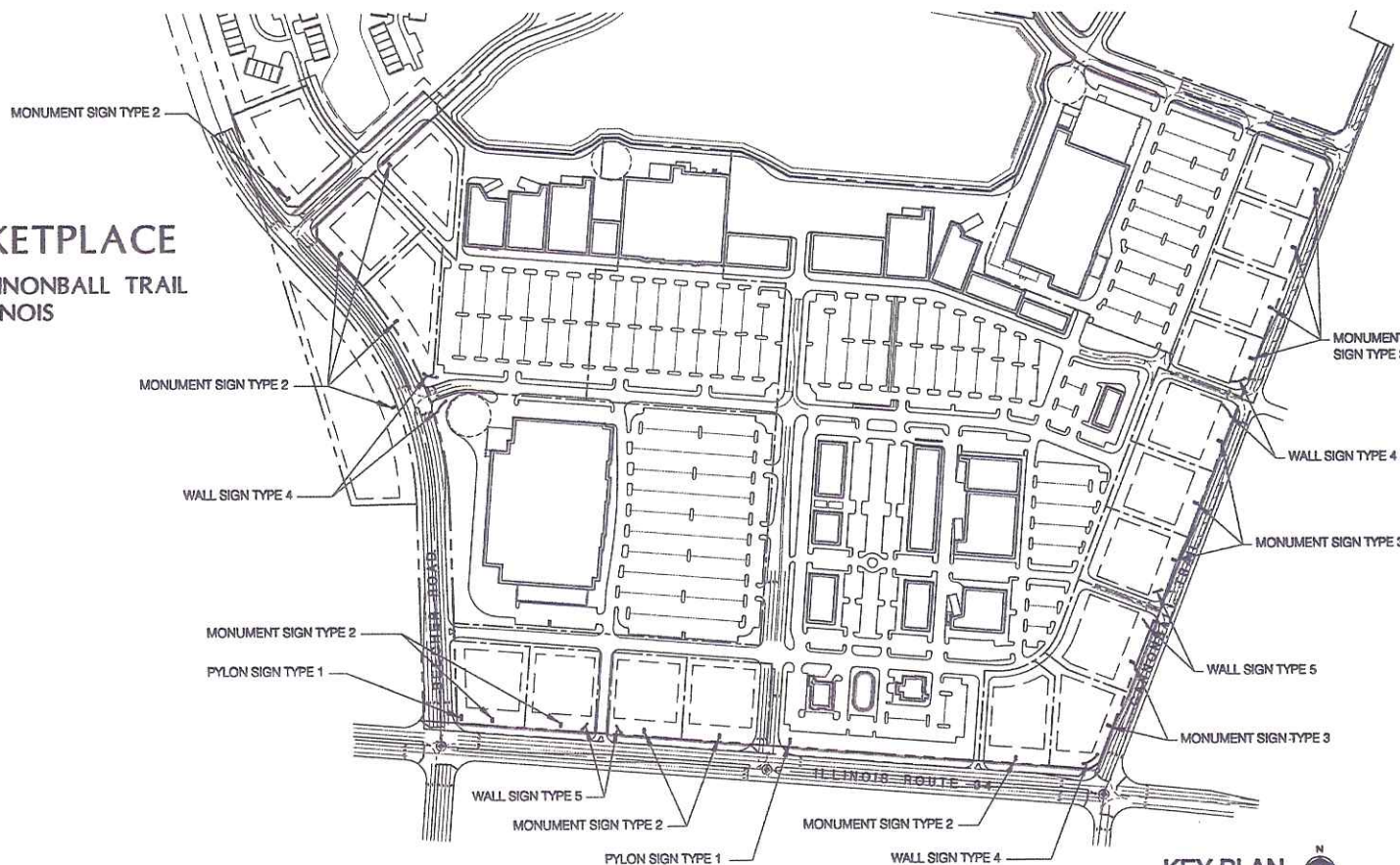
### SITE PLAN

S1

JOB NO.	XXXX
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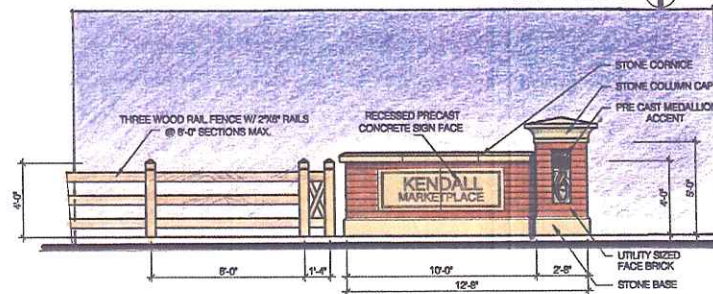


PROJECT:  
**KENDALL MARKETPLACE**  
ILLINOIS ROUTE 34 & CANNONBALL TRAIL  
YORKVILLE, ILLINOIS



### SECONDARY ENTRANCE WALL SIGN - TYPE ④

(CURVED WALL SIGN)



### MINOR ENTRANCE WALL SIGN - TYPE (5)



201800007714

DEBBIE GILLETTE  
RECORDER - KENDALL COUNTY, IL

RECORDED: 6/7/2018 11:34 AM  
ORDI: 39.00 RHSPS FEE: 10.00  
PAGES: 4

**UNITED CITY OF YORKVILLE  
KENDALL COUNTY, ILLINOIS**

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**ORDINANCE NO. 2018-30**

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AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS,  
APPROVING AMENDED CONDITIONS FOR  
THE KENDALL MARKETPLACE PLANNED UNIT DEVELOPMENT

Passed by the City Council of the  
United City of Yorkville, Kendall County, Illinois  
This 24<sup>th</sup> day of April, 2018

---

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

Published in pamphlet form by the  
authority of the Mayor and City Council  
of the United City of Yorkville, Kendall  
County, Illinois on May 24, 2018.

STATE OF ILLINOIS       )  
                                      ) ss.  
COUNTY OF KENDALL    )

**Ordinance No. 2018-30**

**AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS,  
APPROVING AMENDED CONDITIONS FOR  
THE KENDALL MARKETPLACE PLANNED UNIT DEVELOPMENT**

**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**, the Mayor and City Council approved by Ordinance Number 2006-125 dated October 26, 2006, AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR KENDALL MARKETPLACE, establishing an amendment to the Kendall Marketplace planned unit development which was recorded in the office of the Kendall County Recorder as document 200700002839 on January 24, 2007; and,

**WHEREAS**, McCue Builders Inc. (the “Developer”) has filed an application to amend the final planned unit development single-family detached residential unit design standards for Kendall Marketplace contained in the planned unit Development Agreement; and,

**WHEREAS**, the Planning and Zoning Commission convened and held a public hearing on the 11<sup>th</sup> day of April, 2018, to consider the request for the approval of the amended conditions of the planned unit development; and,

**WHEREAS**, the Planning and Zoning Commission reviewed the standards set forth in Section 10-8-10 of the Zoning Ordinance in the Yorkville City Code and made a recommendation to the Mayor and City Council (“the Corporate Authorities”) for approval of the amended planned unit development conditions.

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

**Section 1:** The above recitals are incorporated herein and made a part of this Ordinance.

**Section 2:** That the Corporate Authorities hereby approve the amendment of Article III paragraph 1 of the planned unit Development Agreement by deleting said paragraph and adding the following:

**“1. Single-family Detached Residential Unit Design Standards:**

- a. All homes shall have some type of covered porch on the front elevation,
- b. All homes shall have a 2-car garage with raised panel garage doors,
- c. All front elevation windows shall have grilles in the windows,
- d. All homes shall have architectural shingles,
- e. At least 75% of the homes shall have at least a 7/12 pitch on the main roof,
- f. At least 75% of the homes shall have at least 25% brick or stone on the first floor elevation on the walls that run parallel to the street, and
- g. Homes that do not have any brick or stones on the front elevation shall be required to have the following:
  - 1) All windows on the front elevation shall have shutters or be wrapped with 4 inch trim,
  - 2) Windows in the upper panel of the garage door, and
  - 3) Some type of Shake siding or Batten Board siding on the front elevation.”

for the Subject Property, legally described as:

Lots 24 through 51, in Kendall Marketplace Subdivision, being a subdivision of part of Sections 19, 20, and 29, Township 37 North, Range 7 East of the third principal meridian, recorded May 7, 2007 as document number 200700014779 in the United City of Yorkville, Kendall County, Illinois,

with Property Index Number(s) of 02-20-354-006; 02-20-354-005; 02-20-354-004; 02-20-354-003; 02-20-354-002; 02-20-380-002; 02-20-380-001; 02-20-380-003; 02-20-354-001; 02-20-352-010; 02-20-380-004; 02-19-480-008; 02-19-480-007; 02-19-480-006; 02-19-480-005; 02-19-480-004; 02-19-480-003; 02-20-352-009; 02-20-352-008; 02-20-352-007; 02-20-352-005; 02-20-352-004; 02-20-352-003; 02-20-352-001; 02-19-480-002; 02-19-480-009; 02-20-352-002; 02-20-352-006; 02-19-480-001.

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

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois this 24 day of April, 2018.

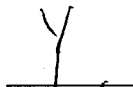
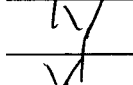
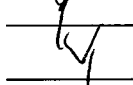

  
CITY CLERK

CARLO COLOSIMO

JACKIE MILSCHEWSKI

CHRIS FUNKHOUSER

SEAVAR TARULIS

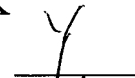
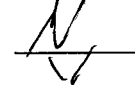
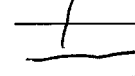
  
  
  


KEN KOCH

ARDEN JOE PLOCHER

JOEL FRIEDERS

ALEX HERNANDEZ


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

16 day of MAY, 2018.

  
\_\_\_\_\_  
MAYOR



*Engineering Enterprises, Inc.*

January 22, 2020

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

**Re: *Kendall Marketplace – Lot 52***  
***Final Plat Review***  
***United City of Yorkville, Kendall County, Illinois***

Dear Krysti:

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

- Final Plat for Resubdivision of Kendall Marketplace Lot 52 Phase 1 dated December 12, 2019 and prepared by HR Green

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:

1. The title for the surveyor's certificate should be moved off the venue section of the certificate.
2. The document number should be listed on the plat that granted the ingress egress easement that is referenced in the Final Plat of Subdivision Kendall Marketplace subdivision.
3. A blanket easement on Lot 1 is needed for the existing storm sewer, sanitary sewer and watermain.
4. All final engineering items will need to be addressed, including confirmation of planned improvements, permitting, updated engineer's estimate and performance security, etc.

Ms. Krysti Barksdale-Noble  
January 22, 2020  
Page 2 of 2

The plat should be revised and resubmitted for further review. If you have any questions or require additional information, please contact our office.

Respectfully Submitted,

ENGINEERING ENTERPRISES, INC.

A handwritten signature in black ink, appearing to read 'B. Sanderson', with a long horizontal stroke extending to the right.

Bradley P. Sanderson, P.E.  
Chief Operating Officer / President

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. Luz Padilla, Abby Properties, Inc (via e-mail)  
Mr. David Schultz, HRGreen (via e-mail)  
TNP, NLS EEI (Via e-mail)





▷ 2363 Sequoia Drive | Suite 101 | Aurora, IL 60506  
Main 630.553.7560 + Fax 630.553.7646

▷ [HRGREEN.COM](http://HRGREEN.COM)

February 27, 2020

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

RE: Kendall Marketplace – Lot 52 Preliminary Engineering Review  
United City of Yorkville  
Response to Final Engineering Comments No. 1  
HR Green Job No.: 170053

Dear Ms. Barksdale-Noble:

Please see below our responses to Engineering Enterprise, Inc. (EEI) review comment letter dated January 22, 2020. Responses to each comment are shown in **bold** following the comment.

1. The title for the surveyor's certificate should be moved off the venue section of the certificate.  
**RESPONSE:**  
**Revised as requested.**
2. The document number should be listed on the plat that granted the ingress egress easement that is referenced in the Final Plat of Subdivision Kendall Marketplace subdivision.  
**RESPONSE:**  
**Not applicable to Lot 52 as that granted easement pertains to cross access of the commercial properties of the Kendall Marketplace Final Plat. Lot 52 was or is not included.**
3. A blanket easement on Lot 1 is needed for the existing storm sewer, sanitary sewer and watermain.  
**RESPONSE:**  
**Revised to include PU & DE easements for the utilities mentioned. Easement provisions have also been added to the plat as well.**
4. All Final Engineering Items will need to be addressed, including confirmation of planned improvements, permitting, updated engineer's estimate and performance security, etc.  
**RESPONSE:**  
**Noted.**

If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

HR GREEN, INC.

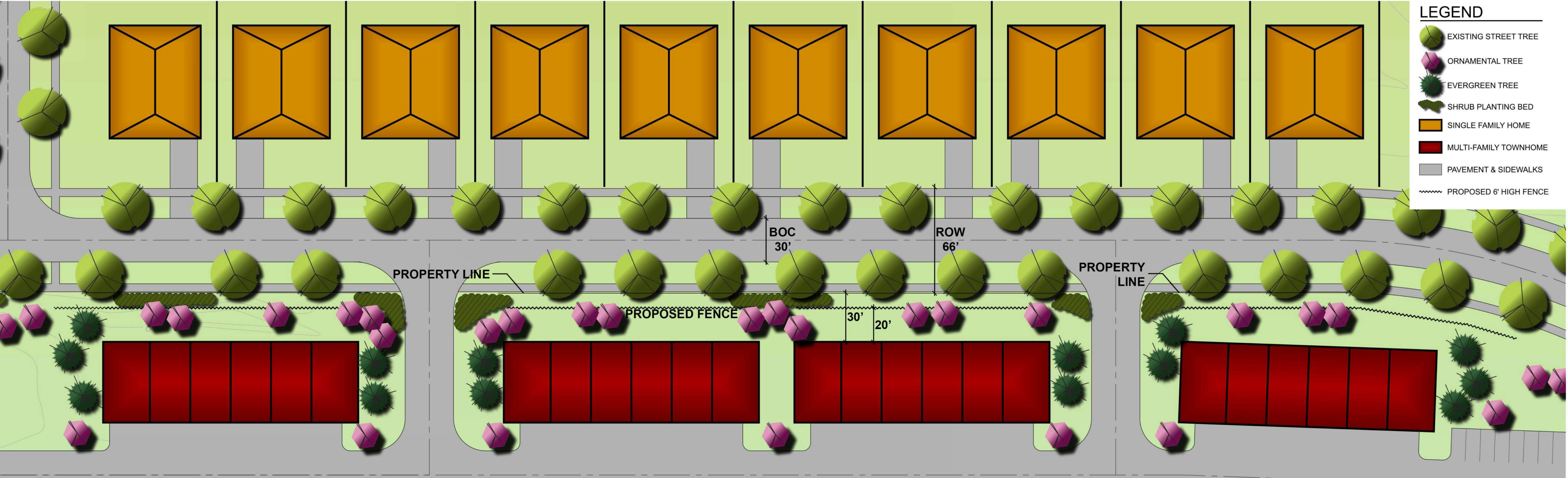
A handwritten signature in black ink, appearing to read 'David Schultz'.

David Schultz, PE, LEED AP  
Project Manager

DS/cm

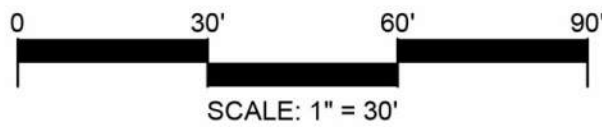


PLAN VIEW



- LEGEND**
- EXISTING STREET TREE
  - ORNAMENTAL TREE
  - EVERGREEN TREE
  - SHRUB PLANTING BED
  - SINGLE FAMILY HOME
  - MULTI-FAMILY TOWNHOME
  - PAVEMENT & SIDEWALKS
  - PROPOSED 6' HIGH FENCE

ELEVATION VIEW



VINYL FENCING



PROFUSION CRABAPPLE



DWARF KOREAN LILAC



COMPACT VIBURNUM



FROEBEL SPIREA



NORWAY SPRUCE

PLAN AND ELEVATION BUFFER EXHIBIT

KENDALL MARKETPLACE

YORKVILLE, IL

NOTE: ALL TREES ARE SHOWN AT 75% OF MATURE HEIGHT.  
TIMELINE VARIES BASED ON PLANT.  
BUILDING MAXIMUM HEIGHT AT PEAK OF ROOF IS 30'2".

\\hrgreen.com\hrg\Drawings\2017\170053\CAD\Drawings\170053-XL-DSGN.dwg Saved: Feb. 22, 20 12:44 PM Plotted: Feb. 20, 20 10:14 AM



**APPROVED 3/3/20**

**UNITED CITY OF YORKVILLE  
ECONOMIC DEVELOPMENT COMMITTEE  
Tuesday, February 4, 2020, 6:00pm  
City Conference Room**

**In Attendance:**

**Committee Members**

Chairman Jackie Milschewski	Alderman Ken Koch
Alderman Jason Peterson	Alderman Joel Frieders

**Other City Officials**

Mayor John Purcell (arr. 6:03pm)  
City Administrator Bart Olson (arr. 6:05pm)  
Community Development Director Krysti Barksdale-Noble  
Senior Planner Jason Engberg  
Code Official Pete Ratos  
Alderman Chris Funkhouser

**Other Guests**

Dave Schultz, HR Green	Katie Finlon, <i>Kendall County Record</i>
Lynn Dubajic, City Consultant	Ashley Shields/Abby Properties
Ron Smrz	Cole Helfrich, Knoche/Menard's
Tyler Bachman, WSPY	Matthew Cain, Signature Fitness
Lexi McDermid, Signature Fitness	Sheldon Botha, Signature Fitness
Jim Bateman, BKFD	

The meeting was called to order at 6:00pm by Chairman Jackie Milschewski.

**Citizen Comments** None

**Minutes for Correction/Approval** January 7, 2020

The minutes were approved by a unanimous voice vote.

**New Business**

***1. EDC 2020-07 Building Permit Report for December 2019***

Mr. Ratos reported 65 permits issued with 6 of those for single family homes, 6 commercial and 2 roofs. No further discussion.

***2. EDC 2020-08 Building Inspection Report for December 2019***

There were 391 total inspections for the month. No further discussion.

***3. EDC 2020-09 Property Maintenance Report for December 2019***

Mr. Ratos reported 8 cases were heard with varying outcomes. He said his department has a new procedure for violations whereby a door hanger is left for the violator.

There has been a good response to the new procedure initiated when the new Mayor took office. Many violators come into compliance before the case moves forward. Alderman Frieders questioned the fence standards on Allandale. Mr. Ratos said the violation occurred due to the use of zip ties to secure it.

#### ***4. EDC 2020-10 Economic Development Report for January 2020***

Ms. Dubajic noted her report in the packet and also highlighted other items:

1. Starbucks is remodeling and will be closed a short time.
2. Introduced representatives of Signature Fitness which will move into the former Dick's Sporting Goods space. Approximately 50-70 new jobs will be created and they will be open 24 hours. They also have a location in Naperville.

#### ***5. EDC 2020-11 Menard's – Final Plat of Resubdivision***

Ms. Noble said last year a final plat of resubdivision was approved for Menard's and they are now coming back to re-align a parcel they have for sale on the north. Mr. Cole Helfrich from Menard's was present to answer questions and he said the lot line was moved to accommodate the new gate they installed. This will move to PZC in March and then to City Council.

#### ***6. EDC 2020-12 Kendall Marketplace – Final Plat and PUD Amendment***

Mr. Engberg said this request pertains to the multi-family attached homes located behind the former Dick's Sporting Goods. Abby Properties is seeking a final plat and to amend the architectural standards in the PUD agreement. He listed the facade and architectural changes being requested. David Schultz and Ashley Rhea Shields were present to address questions.

Alderman Frieders requested verification on what is actually being replatted. At this time, there is one lot, which the petitioner will divide into 2 lots. The committee also discussed why Gillespie Lane (private street) was not continued for better traffic flow. Staff felt it would encourage cars to cut through and would need to be wider for a city street. Ms. Noble said underground work has already occurred in this area and would be very costly to relocate. The committee also discussed buffering between the existing homes and the proposed development since the back view of the proposed housing will face the homes. The lack of parking for the nearby baseball field was also noted. Ms. Noble said a landscaping plan and/or buffer plan could be recommended by this committee.

Alderman Koch asked if the proposed townhomes can be rented and Ms. Shields said they will not encourage rentals at this time due to financing and HOA rules. However, Mr. Olson added the current zoning code would not prevent someone from purchasing all the units for rental purposes. Ms. Shields said the HOA will not be turned over to a management company until about 75% of the units are sold, allowing her company to have more control.

This amendment will proceed to the March PZC. There will be a Public Hearing for the PUD and the final plat is only for review. The Petitioner will also be requesting some fee reductions, however the specific reductions have not been decided, said Mr. Engberg.

**7. EDC 2020-13 Renewal of Intergovernmental Agreement with Kendall County for Building Inspection Services**

Ms. Noble said this is the annual renewal of services which has been in place since May 2013. The County and City are both OK with the agreement and it will move to the February 10<sup>th</sup> County PZC meeting for approval and to the County Board for final approval on February 18<sup>th</sup>. The EDC committee recommended approval.

**8. EDC 2020-14 7821 Route 71 (Special Use) 1.5 Mile Review**

This project is located on Rt. 71 south of VanEmmon Rd./Reservation Rd. intersection where the petitioner is proposing a storage area for pull-behind trailers only. Mr. Engberg described the fencing, landscaping and other details. There were some resident concerns at a County meeting and changes were made. He said it is unlikely to be annexed into the City and staff has no objection.

Chairman Milschewski was contacted by a resident in a nearby subdivision who spoke on behalf of other residents there to express their displeasure, fearing the property would be annexed into the City. The project developer, Mr. Smrz, commented on annex misinformation that had been shared which caused some of the concern. Alderman Frieders stressed that buffers will be needed. Mr. Smrz said there are 1,700 feet and several trees between him and the neighbors. He also said the County requires lights which the neighbors do not favor. This will move to PZC next week and then to City Council.

**Old Business:** None

**Additional Business:** None

There was no further business and the meeting adjourned at 6:44pm.

Minutes respectfully submitted by Marlys Young, Minute Taker



# Memorandum

To: Planning and Zoning Commission  
From: Krysti J. Barksdale-Noble, Community Development Director  
CC: Bart Olson, City Administrator  
Date: February 21, 2020  
Subject: **PZC 2020-05 Alternative Energy Systems (Text Amendment)**  
Proposal to Eliminate the Restriction of Commercial Signage

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## Summary

Last month, the City of Yorkville received a special use application requesting the approval of a single free-standing wind energy system (vertical wind turbine) at the Wrigley manufacturing site. As part of that application, the turbine had graphic signage of products produced by Wrigley such as Hubba Bubba and Skittles on the blades (see image). Currently, regulations found in Chapter 19: Alternative Energy Systems of the Zoning Ordinance prohibits “*commercial signage or attention getting device*” on any such system.

At the time of request by Wrigley for the Special Use to install the wind energy system, review by the Planning & Zoning Commission and the City Council found the graphic signage on the blades to be tasteful and attractive. Therefore, staff is proposing to amend Section 10-19-4F of the Zoning Ordinance to eliminate the prohibition of commercial signage on wind energy systems (wind turbines) and allow graphics, color, corporate logos and text on such systems located within business or manufacturing zoned properties, subject to the discretion of the City Council.

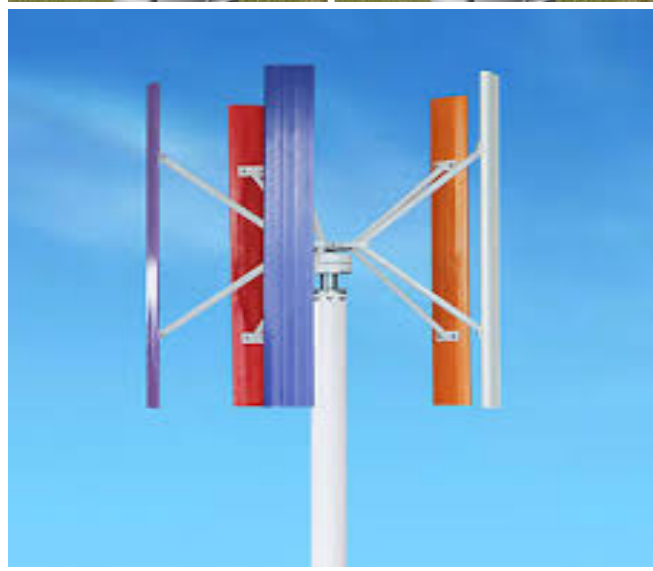


## Background

In 2014, when staff proposed revisions to the City’s Zoning Ordinance which were eventually adopted by the City Council, there was significant discussion regarding alternative energy systems (wind and solar). As part of our research on wind energy systems during that time, an emerging green energy company, WePower, proposed advertising on wind energy systems as potential revenue source. Termed “*Windvertising*” these platforms allowed advertisements to be placed on the blades of the wind turbine and with each turn the image, would be seen and essentially appear to create an animated ad.

While this means of product/service marketing did not take off, most communities pre-empted regulations within their zoning ordinances to prohibit signage, logos and even color on alternative energy systems, particularly large wind turbines. However, over the past few years, companies have employed small wind and solar systems to generate power for illuminated signs and save few dollars on energy costs. This has led businesses to seek opportunities for branding through graphics, logos and even coordination of blade colors to reflect their corporate identity.

Below are examples of the type of coverage signs and/or graphics, including color, possible on various wind energy systems:



## **Other Communities**

Considering the recent industry changes, staff researched other area communities of various sizes to determine if their zoning ordinances continued to restrict commercial signage on small wind energy systems. Below is table of the results of that research:

**Table of Area Communities Regulations on Signage for Alternative Energy Systems**

<b>Municipality</b>	<b>Permits Commercial Signage on Alternative Energy Systems (Yes/No)</b>	<b>Zoning Regulations for Commercial Signage on Alternative Energy Systems</b>
<b>City of Aurora</b>	<b>No</b>	Signage may include emergency contact information only, including the manufacturer's name, address, and phone number. No advertising is permitted.
<b>Village of Sugar Grove</b>	<b>No</b>	Signs: No sign, other than a warning sign or installer, owner, or manufacturer identification sign as permitted by Chapter 14 of this title, shall be placed on any component of a small wind energy system.
<b>Village of Lisle</b>	<b>No</b>	Small Wind Energy Systems shall have a nonreflective finish and shall be neutral in color.
<b>City of Naperville</b>	<b>No</b>	No commercial signage or attention-getting device is permitted on any renewable energy system.  A sign of a plain white background with black lettering not exceeding four (4) square feet in size shall be provided on each small wind energy system which indicates the emergency contact information of the property owner or operator.
<b>Village of Oswego</b>	<b>No</b>	Small Wind Energy Systems shall be painted a nonreflective, non-obtrusive color or a color that conforms to the environment and architecture of its surroundings.
<b>Village of Montgomery</b>	<b>No</b>	No signage shall be permitted on the WET or its tower with the exception of the manufacturer's safety signage. A "No Trespassing" sign not to exceed three (3) square feet may be placed on the tower of the WET or on the fence surrounding the WET if present.

As provided in the table, **none** of the local communities researched currently allows commercial signage on wind energy systems and some specifically restrict the color of the turbine itself to neutral or "non-obtrusive" color. Additionally, most of the communities listed above have revised their Zoning Ordinances related to Wind Energy systems since the City of Yorkville adopted its regulations in 2014, with Aurora as recently as October 2019.



### **Proposed Text Amendment**

In light of the City Council approving commercial signage on the blades of the vertical wind turbine installed at the Wrigley Manufacturing site and to afford that same opportunity to future petitioners seeking a special use for similar installations of wind energy systems, staff has proposed the following text amendment revisions in red to Section 10-19-4F of the Zoning Ordinance:

#### **10-19-4: GENERAL REQUIREMENTS:**

F. Signage: No ~~commercial signage or~~ attention getting device is permitted on any alternative energy system. One sign shall be permitted to indicate the emergency contact information of the property owner or operator. Said sign shall not exceed two (2) square feet in size. **Graphics, colors, corporate logos and text on wind energy systems located within business or manufacturing zoned properties are permitted, subject to the discretion of the City Council.**

### **Staff Recommendation:**

Staff believes the proposed text amendment to the Zoning Ordinance allowing graphics, colors, corporate logos and text on alternative energy systems located within business and manufacturing districts could be beneficial property owners. While no other local communities allow commercial signage on wind energy systems and we have only issued two (2) special uses permits for such uses in the last 5 years (Yorkville Middle School and Wrigley Manufacturing), only one (1) has requested commercial branding. By amending the text to give discretion by the City Council in approving any imagery, color or text on wind turbines, it will allow for additional opportunities of commercial identification should the City land a large corporation of industrial user.

### **Proposed Motion for Amendment:**

*In consideration of testimony presented during a Public Hearing on March 11, 2020 and discussions conducted at that meeting, the Planning and Zoning Commission recommends approval to the City Council a request for a text amendment to Section 10-19-4: General Regulations for Alternative Energy Systems of the United City of Yorkville Zoning Ordinance regarding commercial signage on wind turbines, as recommended in a staff memo dated February 21, 2020, and further subject to {insert any additional conditions of the Planning and Zoning Commission}...*

### **Attachments**

1. Chapter 19: Alternative Energy Systems
2. Public Hearing Notice

# Chapter 19

## ALTERNATIVE ENERGY SYSTEMS

### 10-19-1: PURPOSE:

The purpose of this chapter is to regulate alternative energy systems and to promote their effective and efficient use. The regulations are intended to achieve the following:

- A. Provide zoning regulations to guide the installation and operation of renewable energy systems;
- B. Accommodate sustainable energy production from renewable energy sources;
- C. Preserve the aesthetics of the zoning districts in the interest of property values, public health, safety, and general welfare. (Ord. 2014-73, 11-25-2014)

### 10-19-2: PERMITTED AND SPECIAL USES:

Alternative energy systems which are deemed special uses shall be approved in accordance with section [10-4-9](#) of this title. (Ord. 2014-73, 11-25-2014)

### 10-19-3: DEFINITIONS:

**SOLAR FARMS:** More than one freestanding solar energy system on a given site, constructed for the commercial generation of electrical power.

**Building Mounted Solar Energy Systems (BSES):** A solar energy system that is an integral part of a principal or accessory building, rather than a separate mechanical device, replacing or substituting for an architectural or structural component of the building. Building mounted systems include, but are not limited to, solar energy systems contained within roofing materials, windows, skylights and awnings.

**Freestanding Solar Energy Systems (FSES):** Freestanding, ground mounted solar energy system, including appurtenances, which converts solar energy to a usable form of energy to meet all or part of the energy requirements of the on site user.

**WIND FARM:** More than one freestanding wind energy system on a given site, constructed for the commercial generation of electrical power.

**Building Mounted Wind Energy Systems (BWES):** Wind energy systems that are structurally attached either onto the roof of or to the side of a building.

**Freestanding Wind Energy System (FWES):** Freestanding, tower mounted wind energy systems with a system height measuring less than one hundred seventy five feet (175') from the ground. These facilities are accessory structures that generate power for local distribution and consumption.

Generators typically range from one kW to one hundred (100) kW in nameplate wattage. (Ord. 2014-73, 11-25-2014)

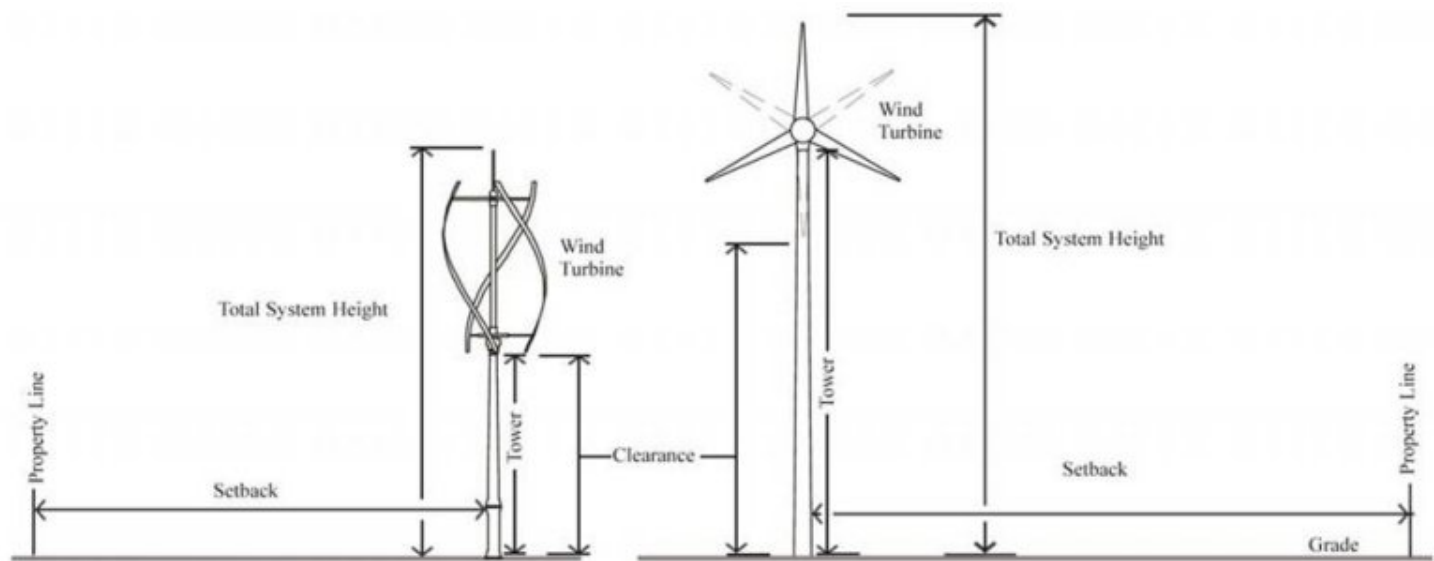
#### **10-19-4: GENERAL REQUIREMENTS:**

- A. Applicability: The provisions of this chapter are to establish zoning parameters by which solar and wind energy systems may be installed in the city. Additional renewable energy solutions not mentioned herein may be authorized subject to compliance with the applicable codes and standards of the city.
- B. Approval Process: All alternative energy systems shall require a building permit prior to installation. Installation of alternative energy systems may require a special use permit; refer to section [10-6-0](#), table 10.06.07 of this title.
- C. Standards For Granting A Special Use:
1. The city council shall determine that the application has met all of the general requirements of this chapter.
  2. The proposed energy system shall further the intent of this chapter and provide renewable energy to the property on which it is proposed.
  3. The proposed alternative energy system is located in such a manner as to minimize intrusions on adjacent residential uses through siting on the lot, selection of appropriate equipment, and other applicable means.
  4. The establishment for the proposed alternative energy system will not prevent the normal and orderly use, development or improvement of the adjacent property for uses permitted in the district.
- D. Use: Alternative energy systems shall be an accessory to the principal permitted use of a site.
- E. Abandoned Systems: All alternative energy systems inactive or inoperable for twelve (12) continuous months shall be deemed abandoned. If the system is deemed abandoned, the owner is required to repair or remove the system from the property at the owner's expense within ninety (90) days after notice from the city. If the owner does not comply with said notice, the building code official shall enforce this as a violation of the Yorkville zoning ordinance.
- F. Signage: No commercial signage or attention getting device is permitted on any alternative energy system. One sign shall be permitted to indicate the emergency contact information of the property owner or operator. Said sign shall not exceed two (2) square feet in size.
- G. Utility Service Provider: Evidence that the electric utility service provider that serves the proposed site has been notified of the owner's intent to install an interconnected customer owned electricity generator.
- H. Safety: All wind energy systems shall be equipped with manual and/or automatic controls and mechanical brakes to limit rotation of blades to prevent uncontrolled rotation.
- I. Lighting: Alternative energy systems shall not be illuminated, except as required by the FAA or those used in commercial applications such as streetlights.

- J. Shadow Flicker: Defined as the on and off strobe light effect caused by the shadow of moving turbine blades cast by the sun passing through the rotating turbine. No habitable portion of an existing adjacent structure shall be subject to shadow flicker from a wind turbine. Shadow flicker onto an adjacent roof and/or exterior wall which does not contain any windows, doors, and like openings shall be acceptable. If shadow flicker occurs, the operation of the wind turbine shall cease during those times which cause the shadow flicker.
- K. Screening: There shall be no required mechanical screening for alternative energy systems.
- L. Design: Wind energy systems and associated tower shall be a nonreflective color. The city council may impose such conditions as are necessary to eliminate, if at all possible, any adverse affects such system may have on surrounding properties.
- M. Compliance: Wind energy systems shall meet or exceed current standards of the international building code and federal aviation administration (FAA) requirements, any other agency of the state or federal government with the authority to regulate wind energy systems, and all city codes.
- N. Building Code/Safety Standards: Any owner or operator of an alternative energy system shall maintain said system in compliance with the standards contained in the current and applicable state or local building codes and any applicable standards for said energy systems that are published by the international building code, as amended from time to time. If, upon inspection, the United City Of Yorkville concludes that an alternative energy system fails to comply with such codes and standards and constitutes a danger to persons or property, the city code official shall require immediate removal of the system at the owner's expense. (Ord. 2014-73, 11-25-2014)

#### **10-19-5: FREESTANDING WIND ENERGY SYSTEMS:**

- A. Location: Please refer to section [10-6-0](#), table 10.06.07 of this title for placement of alternative energy systems within each specified zoning district.
- B. Clearance: In all zoning districts, the minimum clearance between the lowest tip of the rotor or blade and the ground is fifteen feet (15'). See figure 10-19-5A of this section.



**Figure 10-19-5A**

*Figure 10-19-5A*

- C. Permitted Yard Locations: Freestanding wind energy systems shall not be located within the required front yard or corner side yard. They shall not be permitted within any utility, storm or drainage, water, sewer, or other type of public easement. The use of guywires as supports for a freestanding wind energy system shall be prohibited.
- D. Height: The maximum height for a freestanding wind energy system shall be one hundred seventy five feet (175') measured from the base to the highest edge of the system.
- E. Setbacks: The base of the system shall be set back 1.1 times (110%) the height of the highest edge of the system from all property lines, overhead utility line poles, communication towers, public sidewalks or trails, public rights of way, and other freestanding wind energy systems. Any system or any ancillary equipment shall not be located within any required setbacks of the respective zoning district.
- F. Access: Freestanding wind energy systems and all components shall be protected against unauthorized access by the public. Climbing access to the tower shall not start until twelve feet (12') above grade.
- G. Noise: Freestanding wind energy systems shall not exceed the following:
1. Fifty five (55) dBA when in or adjacent to all residential districts.
  2. Sixty (60) dBA when in or adjacent to all nonresidential districts. (Ord. 2014-73, 11-25-2014)

## **10-19-6: BUILDING MOUNTED WIND ENERGY SYSTEMS:**

- A. Location: Please refer to section [10-6-0](#), table 10.06.07 of this title for placement of alternative energy systems within each specified zoning district. Building mounted wind energy systems are allowed on all principal and accessory structures and shall be affixed to the roof deck of a flat roof or to the ridge or slope of a pitched roof and may not be affixed to the parapet or chimney of any structure. The systems must be set back a minimum of five feet (5') from the edge or eave of the roof.

- B. Quantity: One turbine is allowed for every five hundred (500) square feet of the combined roof area. For a pitched roof, each surface of the roof shall be included in the roof area calculation.
- C. Noise: Building mounted wind energy systems shall not exceed the following:
1. Fifty five (55) dBA when in or adjacent to all residential districts.
  2. Sixty (60) dBA when in or adjacent to all nonresidential districts.
- D. Height: The maximum height for a building mounted wind energy system is fifteen feet (15'). The system is measured from the roof surface on which the system is mounted to the highest edge of the system with the exception of any roof pitches ten to twelve (10:12) or greater. The system shall not exceed fifteen feet (15') above the maximum permitted height of the zoning district. Refer to figure 10-19-6A of this section.

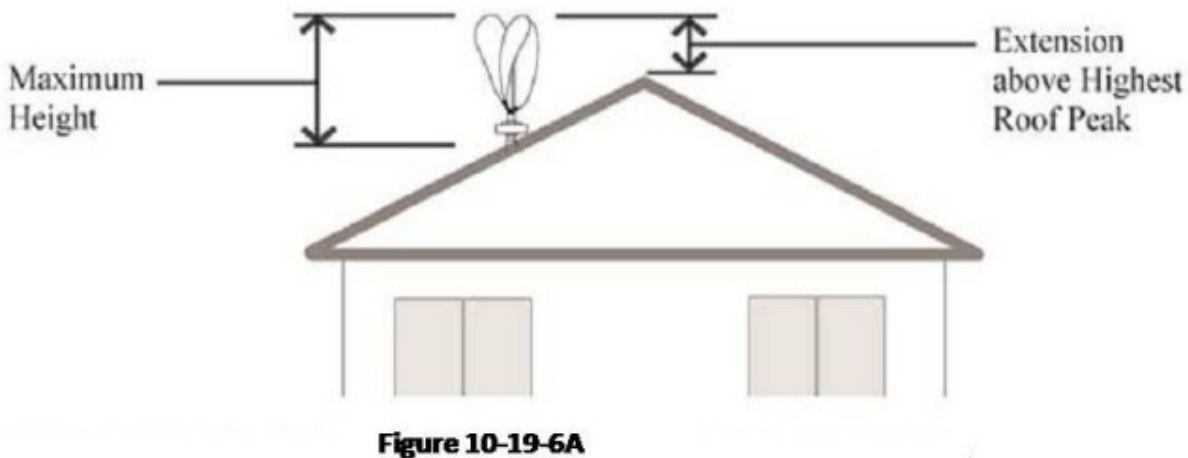


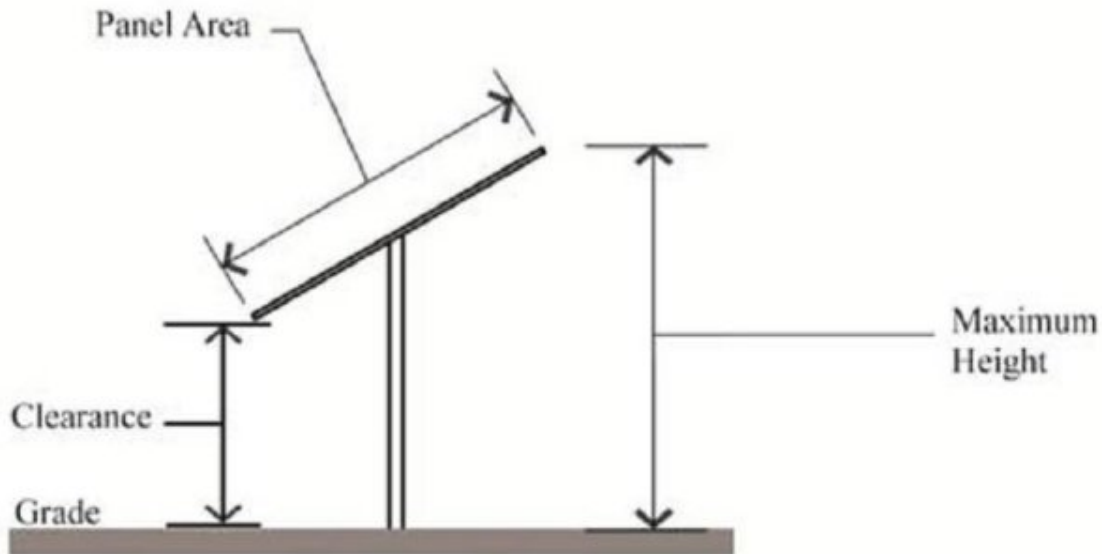
Figure 10-19-6A

(Ord. 2014-73, 11-25-2014)

#### **10-19-7: FREESTANDING SOLAR ENERGY SYSTEMS:**

- A. Location: Please refer to section [10-6-0](#), table 10.06.07 of this title for placement of alternative energy systems within each specified zoning district.
- B. Setbacks: All parts of any freestanding solar energy system shall be set back eight feet (8') from the interior side and interior rear property lines.
- C. Permitted Yard Locations: Freestanding solar energy systems shall not be located within the required front yard or corner side yard. They shall not be permitted within any utility, storm or drainage, water, sewer, or other type of public easement. The use of guywires as supports for a freestanding solar energy system shall be prohibited.

- D. Clearance: Minimum clearance between the lowest point of the system and the surface on which the system is mounted is ten feet (10'). Refer to figure 10-19-7A of this section.



**Figure 10-19-7A**

*Figure 10-19-7A*

- E. Solar Glare: Solar panels shall be placed such that concentrated solar radiation or glare shall not be directed onto nearby properties or roadways.
- F. Maximum Height: Maximum height of freestanding solar energy systems shall be subject to special use conditions. (Ord. 2014-73, 11-25-2014)

### **10-19-8: BUILDING MOUNTED SOLAR ENERGY SYSTEMS:**

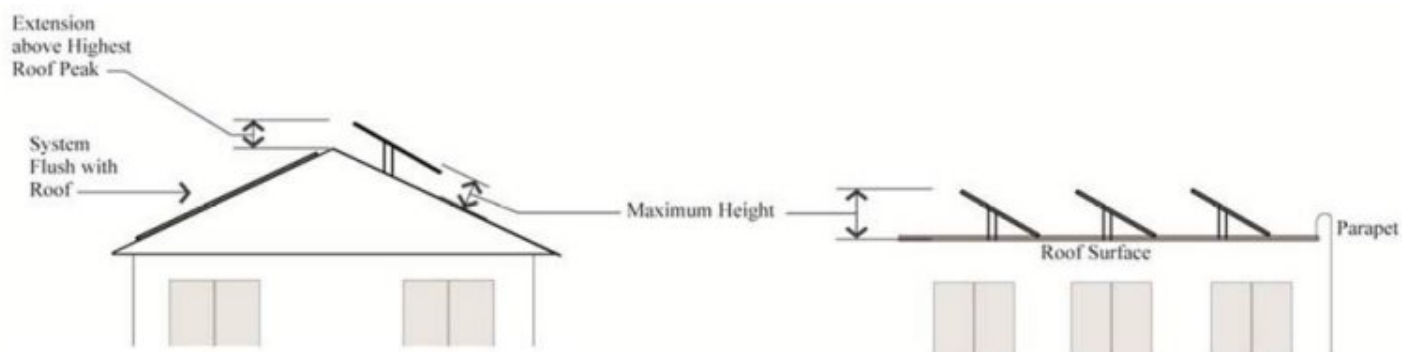
- A. Location: Please refer to section [10-6-0](#), table 10.06.07 of this title for placement of alternative energy systems within each specified zoning district. Building mounted solar energy systems are allowed on the principal and accessory structures, any roof face and side and rear building facades. The systems are allowed on the front or exterior side building facades if the following conditions are met:
1. Solar access is optimized on the front and exterior side facades.
  2. Systems are simultaneously used to shade the structure's doors or windows. See figure 10-19-8C of this section.



**Figure 10-19-8C**

*Figure 10-19-8C*

- B. Height: Systems shall not extend beyond three feet (3') parallel to the roof surface of a pitched roof. Nor shall the system extend beyond four feet (4') parallel to the roof surface of a flat roof unless completely concealed or equal to the height of the parapet wall, whichever is greater. If the system is flush mounted, the system must be less than eight inches (8") from the roof surface. Refer to figure 10-19-8A of this section.

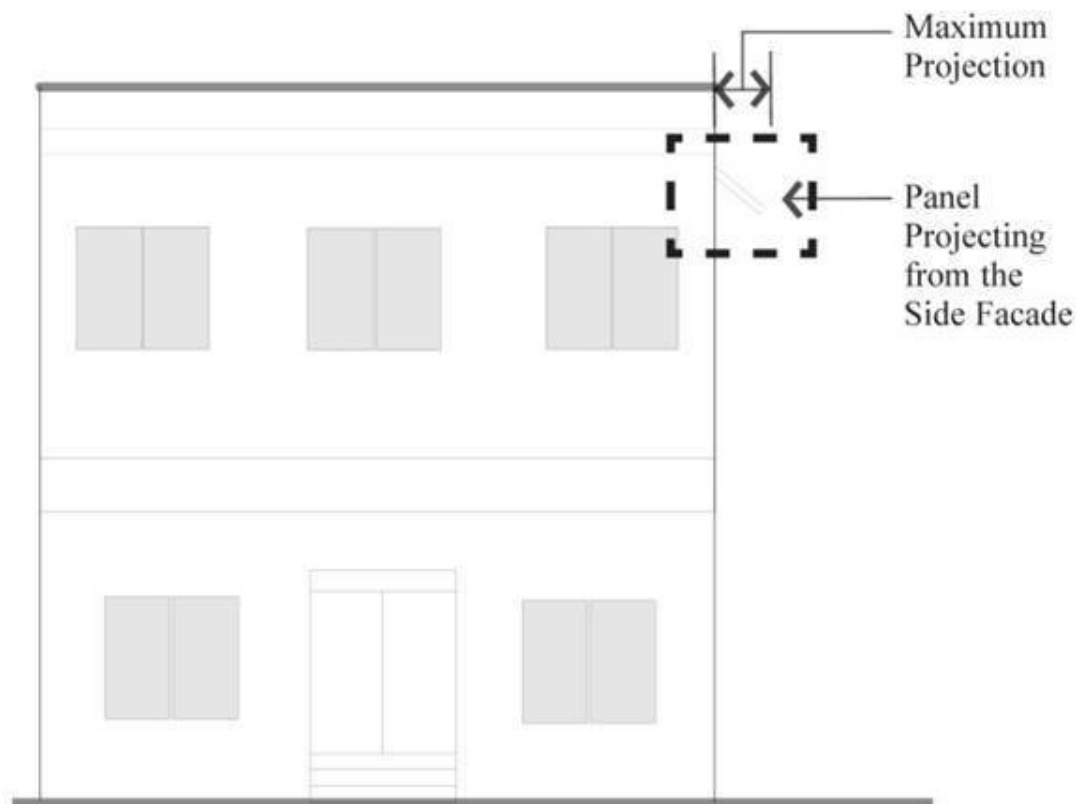


**Figure 10-19-8A**

*Figure 10-19-8A*



- C. Quantity: The total square footage may not exceed the total area of the roof surface of the structure to which the system is attached.
- D. Projection: The system may project up to four feet (4') from a building facade or roof edge. The system may project into an interior side or interior rear setback, but shall be no closer than five feet (5') to the interior side or interior rear property line. Refer to figure [10-19-8B](#) of this section.



**Figure 10-19-8B**

Figure [10-19-8B](#)

(Ord. 2014-73, 11-25-2014)

### **10-19-9: PERMITTING AND FEES:**

#### **A. Permitting:**

1. The installation of any alternative energy system requires a building permit from the United City Of Yorkville.
2. In order to receive a permit, alternative energy systems must be approved by an alternative energy certification program.

3. Prior to permit issuance, the owner shall sign an acknowledgment that said owner will be responsible for any and all enforcement costs and remediation costs resulting from any violations of this chapter. These costs include, but are not limited to, removal of system, property restoration necessary upon removal of the system, city legal expenses and hearing costs associated with violations of this chapter.
4. A permit is valid for two (2) years following issuance or renewal. At the end of the two (2) year period, the alternative energy system must be inspected by the city code official. Following inspection, the code official will:
  - a. Renew the permit if found to be in compliance with this chapter; or
  - b. Order any actions necessary for the alternative energy system to be in compliance with this chapter; or
  - c. Determine the system abandoned per section [10-19-4](#) of this chapter.

#### B. Engineering:

1. Manufacturer's engineering specifications of the tower, turbine and foundation, detailed drawing of electrical components and installation details, and expected noise level production.
2. For turbines greater than twenty (20) kilowatts of nameplate capacity, an Illinois licensed structural engineer's seal shall be required.
3. All FWES facilities shall be designed to withstand a minimum wind velocity of one hundred (100) miles per hour, with an impact pressure of forty (40) pounds per square foot.
4. Each FWES shall conform to applicable industry standards, including those of the American National Standards Institute (ANSI). Applicants shall submit certificates of design compliance that equipment manufacturers have obtained from Underwriters Laboratories (UL), National Renewable Energy Laboratories (NREL), Det Norske Veritas (DNV), Germanischer Lloyd Wind Energie (GL), or an equivalent third party.
5. Turbines greater than one hundred feet (100') total height or greater than five thousand (5,000) pounds structural weight shall require a soil analysis at base of the tower and a stamped drawing by an Illinois licensed structural engineer. Structural weight shall be defined as the tower, wind turbine generator, and any other component(s) otherwise supported by the base foundation.
6. Proof of homeowner, farm or business insurance, as appropriate, shall be submitted.

#### C. Fees:

1. If applicable, alternative energy systems will be subject to the fee schedule for special use applications as defined by section [1-7-9](#) of this code. Said fee will be payable per alternative energy system at the time of the application submittal by the petitioner.
2. In addition, alternative energy systems will be subject to a one hundred fifty dollar (\$150.00) building permit fee. The permit fee will be payable at the time of the application submittal by the petitioner. (Ord. 2014-73, 11-25-2014)

PUBLIC NOTICE OF A HEARING BEFORE  
THE UNITED CITY OF YORKVILLE  
PLANNING AND ZONING COMMISSION  
PZC 2020-05

NOTICE IS HEREWITH GIVEN THAT the United City of Yorkville, Kendall County, Illinois, petitioner, is proposing a text amendment to Section 10-19-4F of Chapter 19: Alternative Energy Systems within the United City of Yorkville Zoning Ordinance regarding signage for wind and solar energy systems. The amendment proposes to eliminate the restriction of commercial signage on alternative energy systems.

NOTICE IS HEREWITH GIVEN THAT the Planning and Zoning Commission for the United City of Yorkville will conduct a public hearing at a meeting on said amendments on **Wednesday, March 11, 2020 at 7 p.m.** at the Yorkville City Hall, located at 800 Game Farm Road, Yorkville, Illinois 60560.

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

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

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

LISA PICKERING  
City Clerk



# Memorandum

To: Planning and Zoning Commission  
From: Krysti J. Barksdale-Noble, Community Development Director  
CC: Bart Olson, City Administrator  
Date: February 12, 2020  
Subject: **PZC 2020-02 Menards – Lots 1&2 of Menard’s Commercial Commons  
Final Plat of Resubdivision Approval**

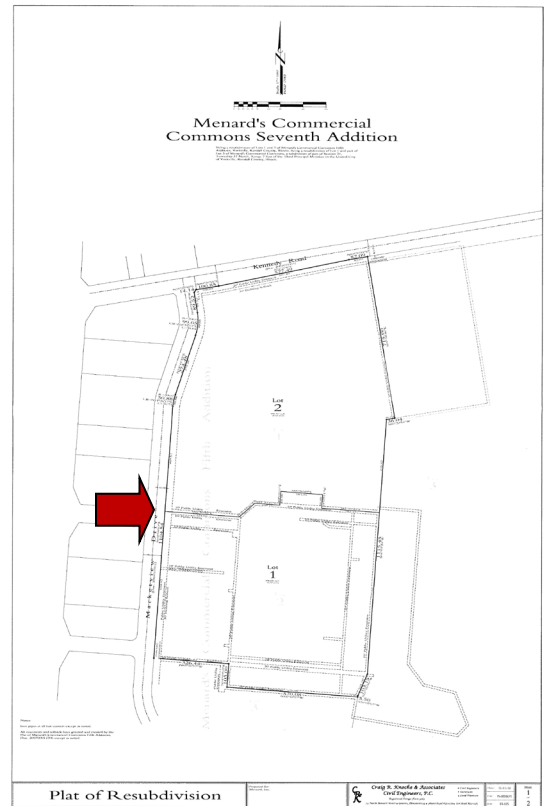
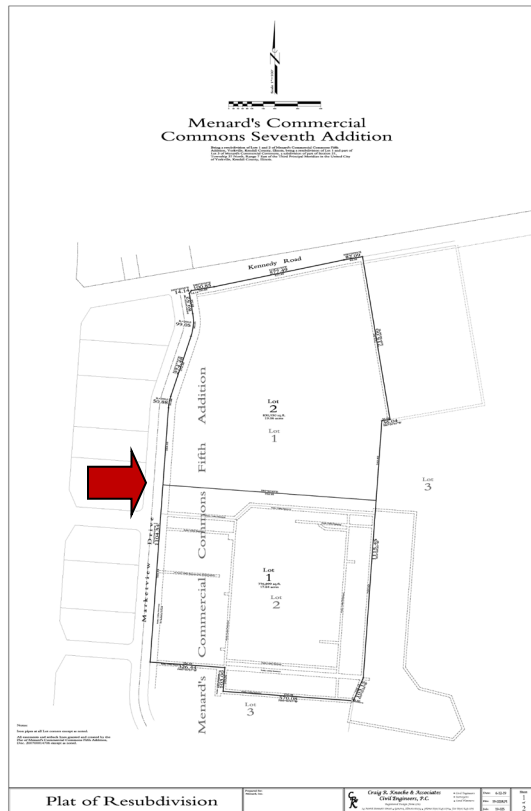
## **Proposed Request:**

The petitioner, Tyler Edwards, on behalf of Menard., Inc. is seeking to again resubdivide Lots 1 & 2 of the recently approved final plat for the Menard’s Commercial Commons. This is an approximately 37-acre parcel located in the northeast quadrant of Marketview Drive and E. Countryside Parkway. Lot 1 is improved with the Menards big-box home improvement retail store and Lot 2 is utilized for agricultural purposes, as permitted by the annexation agreement. Both lots are zoned B-3 General Business District and owned by Menard, Inc.



## **Proposed Final Plat of Resubdivision:**

The recently approved final plat adjusted the parcel line northward separating the existing Lots 1 and 2 to allow an addition to the yard gate for an automatic express entrance lane being implemented at all of Menard’s store locations. However, the petitioner is seeking to realign the parcel line again to position Lot 2 for immediate sale. While the previously approved addition of the gate will move forward, the plat is being revised to reduce the lot line to the minimum distance needed for the project and leave enough land for a future development. The images on the following page illustrates the recently approved Final Plat (left) and the proposed Final Plat (right), for your reference:



The proposed Final Plat of Resubdivision has been reviewed by the City's engineering consultant, Engineering Enterprises Inc., for compliance with the Subdivision Control Ordinance's Standards for Specification. Comments dated January 17, 2019 (*note: the letter was issued on 1-17-2020 with the incorrect year of 2019 provided*) were provided to the applicant (see attached) and states general compliance with our standards has been achieved with the proposed new Final Plat.

#### **Staff Comments:**

Based upon the review of the proposed Final Plat of Resubdivision of Lots 1 & 2 of the Menard's Commercial Commons Seventh Addition, staff believes the submitted plans are consistent with the approved development site plan and the current subdivision control regulations. Therefore, we recommend **approval** of the final plat of resubdivision as currently presented.

#### **Proposed Motion:**

*In consideration of the proposed Final Plat of Resubdivision of Lots 1 & 2 of the Menard's Commercial Commons Seventh Addition, the Planning and Zoning Commission recommends approval of the plat to the City Council as presented by the Petitioner in a plan prepared by Craig R. Knoche & Associates, dated December 1, 2019, and further subject to {insert any additional conditions of the Planning and Zoning Commission}...*

#### **Attachments:**

1. Copy of Petitioner's Application
2. ***Proposed*** Final Plat of Resubdivision of Menard's Commercial Commons Seventh Addition prepared by Craig R. Knoche & Associates dated 12-1-19.
3. ***Recently Approved*** Final Plat of Resubdivision of Menard's Commercial Commons Seventh Addition prepared by Craig R. Knoche & Associates dated 06-12-19.
4. EEI Letter to the City dated January 17, 2019 (sic January 17, 2020) re: Menards Plat of Resubdivision.
5. PZC packet materials from September 11, 2019.





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

## APPLICATION FOR PRELIMINARY PLAN & FINAL PLAT

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



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


## APPLICATION FOR PRELIMINARY PLAN & FINAL PLAT

DATE:	PZC NUMBER:	DEVELOPMENT NAME:
<b>PETITIONER INFORMATION</b>		
NAME: Tyler Edwards		COMPANY: Menard, Inc.
MAILING ADDRESS: 5101 Menard Drive		
CITY, STATE, ZIP: Eau Claire WI 54703		TELEPHONE: 715-876-2143
EMAIL: <a href="mailto:tedwards@menard-inc.com">tedwards@menard-inc.com</a>		FAX:
<b>PROPERTY INFORMATION</b>		
NAME OF HOLDER OF LEGAL TITLE: Menard, Inc.		
IF LEGAL TITLE IS HELD BY A LAND TRUST, LIST THE NAMES OF ALL HOLDERS OF ANY BENEFICIAL INTEREST THEREIN:		
PROPERTY STREET ADDRESS: 1800 Marketview Drive		
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: 36.9		CURRENT ZONING CLASSIFICATION: B2
<b>ATTACHMENTS</b>		
Petitioner must attach a legal description of the property to this application and title it as "Exhibit A".		



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

## APPLICATION FOR PRELIMINARY PLAN & FINAL PLAT

ATTORNEY INFORMATION	
NAME:	COMPANY:
MAILING ADDRESS:	
CITY, STATE, ZIP:	TELEPHONE:
EMAIL:	FAX:
ENGINEER INFORMATION	
NAME:	COMPANY:
MAILING ADDRESS:	
CITY, STATE, ZIP:	TELEPHONE:
EMAIL:	FAX:
LAND PLANNER/SURVEYOR INFORMATION	
NAME:	COMPANY:
MAILING ADDRESS:	
CITY, STATE, ZIP:	TELEPHONE:
EMAIL:	FAX:
AGREEMENT	
<p>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.</p> <p>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.</p>	
<hr/>	
PETITIONER SIGNATURE	DATE
OWNER HEREBY AUTHORIZES THE PETITIONER TO PURSUE THE APPROPRIATE ENTITLEMENTS ON THE PROPERTY.	
<hr/>	
OWNER SIGNATURE	DATE
 Real Estate Rep Menoid, Inc.	11/15/19

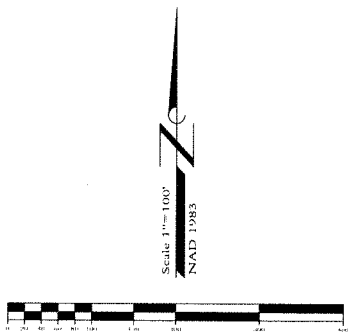




United City of Yorkville  
800 Game Farm Road  
Yorkville, Illinois, 60560  
Telephone: 630-553-4350  
Fax: 630-553-7575  
Website: www.yorkville.il.us

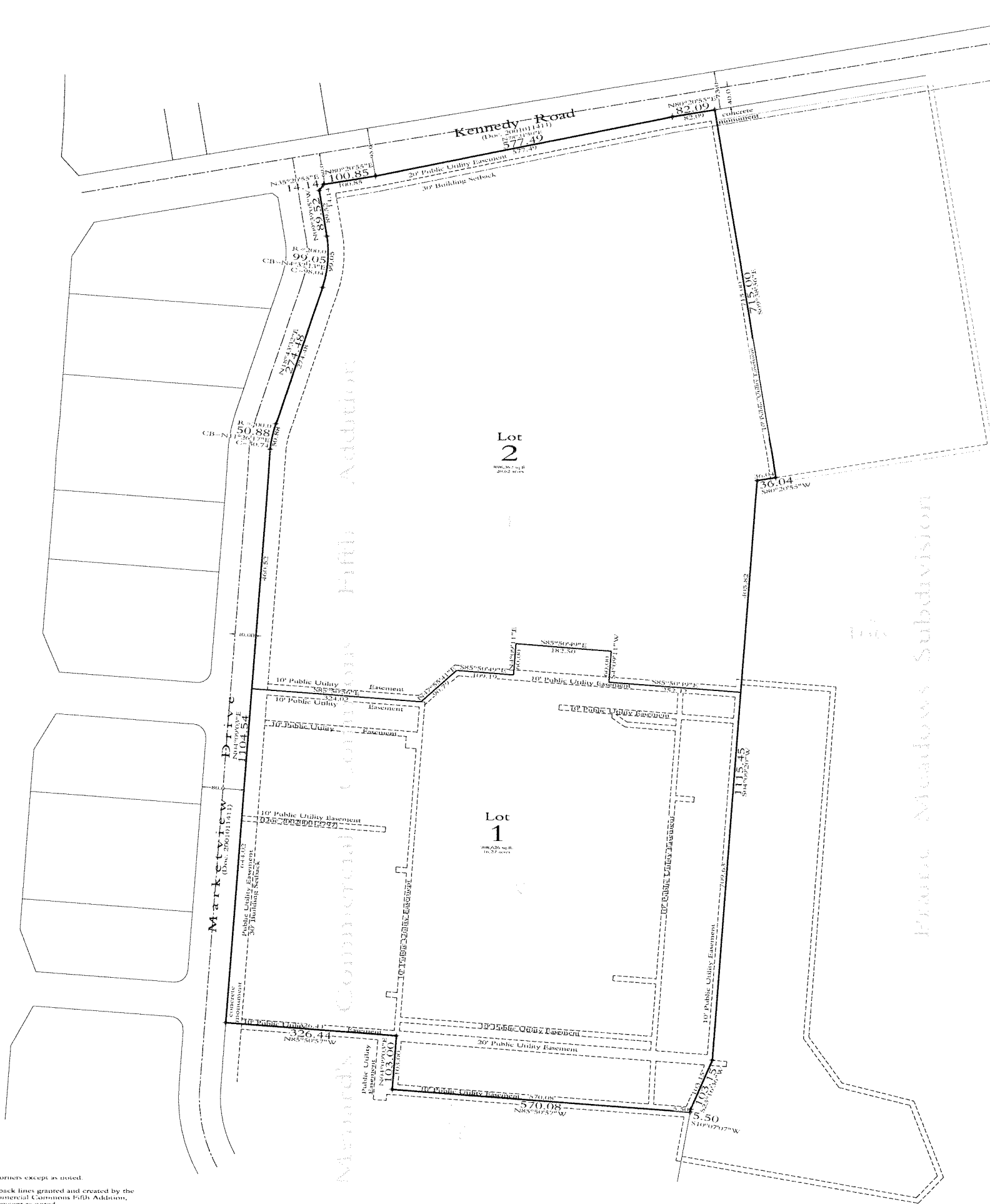
## PETITIONER DEPOSIT ACCOUNT/ ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY

PROJECT NUMBER:	FUND ACCOUNT NUMBER:	PROPERTY ADDRESS:
APPLICATION/APPROVAL TYPE (check appropriate box(es) of approval requested):		
<input type="checkbox"/> CONCEPT PLAN REVIEW	<input type="checkbox"/> AMENDMENT (TEXT)	<input type="checkbox"/> ANNEXATION
<input type="checkbox"/> SPECIAL USE	<input type="checkbox"/> MILE AND 1/2 REVIEW	<input type="checkbox"/> ZONING VARIANCE
<input type="checkbox"/> FINAL PLANS	<input type="checkbox"/> PLANNED UNIT DEVELOPMENT	<input checked="" type="checkbox"/> FINAL PLAT
<input type="checkbox"/> REZONING		
<input type="checkbox"/> PRELIMINARY PLAN		
PETITIONER DEPOSIT ACCOUNT FUND: It is the policy of the United City of Yorkville to require any petitioner seeking approval on a project or entitlement request to establish a Petitioner Deposit Account Fund to cover all actual expenses occurred as a result of processing such applications and requests. Typical requests requiring the establishment of a Petitioner Deposit Account Fund include, but are not limited to, plan review of development approvals/engineering permits. Deposit account funds may also be used to cover costs for services related to legal fees, engineering and other plan reviews, processing of other governmental applications, recording fees and other outside coordination and consulting fees. Each fund account is established with an initial deposit based upon the estimated cost for services provided in the <b>INVOICE &amp; WORKSHEET PETITION APPLICATION</b> . 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.		
<b>ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY</b>		
NAME: <u>Tyler Edwards Real Estate Rep</u>		COMPANY: <u>McNard, Inc.</u>
MAILING ADDRESS: <u>5101 McNard Dr</u>		
CITY, STATE, ZIP: <u>East Claire WI 54703</u>		TELEPHONE: <u>715-876-2143</u>
EMAIL: <u>tedwards@mcnard-inc.com</u>		FAX:
FINANCIALLY RESPONSIBLE PARTY: I acknowledge and understand that as the Financially Responsible Party, expenses may exceed the estimated initial deposit and, when requested by the United City of Yorkville, I will provide additional funds to maintain the required account balance. Further, the sale or other disposition of the property does not relieve the individual or Company/ Corporation of their obligation to maintain a positive balance in the fund account, unless the United City of Yorkville approves a Change of Responsible Party and transfer of funds. Should the account go into deficit, all City work may stop until the requested replenishment deposit is received.		
<u>Tyler Edwards</u> PRINT NAME		<u>Real Estate Rep McNard, Inc.</u> TITLE
<u>[Signature]</u> SIGNATURE		<u>11/15/16</u> DATE
<b>ACCOUNT CLOSURE AUTHORIZATION</b>		
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.	



# Menard's Commercial Commons Seventh Addition

Being a resubdivision of Lots 1 and 2 of Menard's Commercial Commons Fifth Addition, Yorkville, Kendall County, Illinois, being a resubdivision of Lot 1 and part of Lot 3 of Menard's Commercial Commons, a subdivision of part of Section 21, Township 37 North, Range 7 East of the Third Principal Meridian in the United City of Yorkville, Kendall County, Illinois.



Notes:  
Iron pipes at all Lot corners except as noted.  
All easements and setback lines granted and created by the Plat of Menard's Commercial Commons Fifth Addition, Doc. 200700014206 except as noted.

Plat of Resubdivision

Prepared for:  
Menard, Inc.



Craig R. Knoche & Associates  
Civil Engineers, P.C.

Registered Design Firm #263

24 North Bennett Street • Geneva, Illinois 60134 • phone (630) 845-1270 • fax (630) 845-0225

- Civil Engineers
- Surveyors
- Land Planners

Date: 12-1-19

File: 19-025R.P1

Job: 19-025

Sheet

1 of

2

Menard's Commercial Commons Seventh Addition

State of Wisconsin } S.S.  
County of Eau Claire }

This is to certify that Menard, Inc. is the owner of the lands shown and described on the annexed plat and by its duly elected officers has as such owner caused the same to be surveyed, resubdivided and platted as shown thereon for the uses and purposes therein set forth and does hereby acknowledge and adopt the same under the style and title thereon shown.

It is further certified that the lands platted herein fall within the boundaries of Yorkville Community Unit School District 115.

Given this \_\_\_\_ day of \_\_\_\_\_, A.D. 2019.

by: \_\_\_\_\_  
(title)

attest: \_\_\_\_\_  
(title)

Menard, Inc.  
5101 Menard Drive  
Eau Claire, WI 54703  
715.876.2143

State of Wisconsin } S.S.  
County of Eau Claire }

I, \_\_\_\_\_, a notary public in and for the County and State aforesaid do hereby certify that \_\_\_\_\_ and \_\_\_\_\_ of Menard, Inc., who are personally known to me to be the same persons whose names are subscribed to the foregoing certificate, appeared before me this day in person and acknowledged the execution of the annexed plat of resubdivision and accompanying instrument as being pursuant to authority given and as their free and voluntary act and as the free and voluntary act of Menard, Inc.

Given under my hand and notarial seal this \_\_\_\_ day of \_\_\_\_\_, A.D. 2019.

\_\_\_\_\_  
notary public

State of Illinois } S.S.  
County of Kendall }

Approved by the City Administrator of the United City of Yorkville, Illinois this \_\_\_\_ day of \_\_\_\_\_, A.D., 2019.

\_\_\_\_\_  
City Administrator

State of Illinois } S.S.  
County of Kendall }

I, \_\_\_\_\_, City Engineer for the United City of Yorkville, do hereby certify that the required improvements have been installed or the required guarantee collateral has been posted for the completion of all required improvements.

Given at Yorkville, Illinois this \_\_\_\_ day of \_\_\_\_\_, A.D. 2019

\_\_\_\_\_  
City Engineer

State of Illinois } S.S.  
County of Kendall }

Approved and accepted by Planning and Zoning Commission of the United City of Yorkville, Illinois, this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Chairman

State of Illinois } S.S.  
County of Kendall }

Approved and accepted by the Mayor and the City Council of the United City of Yorkville, Illinois, this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

State of Illinois } S.S.  
County of Kendall }

Approved and accepted by the Mayor and City Council of the United City of Yorkville, Illinois by Ordinance, \_\_\_\_\_ at a meeting held this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
City Clerk

State of Illinois } S.S.  
County of DuPage }

This is to certify that I, John Cole Helfrich, an Illinois Professional Land Surveyor, have surveyed, resubdivided and platted those lands described as follows:

Lots 1 and 2 of Menard's Commercial Commons Fifth Addition, Yorkville, Kendall County, Illinois, being a resubdivision of Lot 1 and part of Lot 3 of Menard's Commercial Commons, a subdivision of part of Section 21, Township 37 North, Range 7 East of the Third Principal Meridian in the United City of Yorkville, Kendall County, Illinois.

Area: 1,607,049 sq.ft., 36.89 acres

I further certify that the lands described above fall in "Zone X, Area of Minimal Flood Hazard" as defined by the Federal Emergency Management Agency based on reference to Flood Insurance Rate Maps 17083003711 and 17083004511, both with effective dates of January 8, 2014.

I further certify that all subdivision monuments will be set, and I have described them on this final plat as required by the plat act (765 ILCS 203/7). The exterior subdivision monuments have been set and interior monuments will be set within 12 months of the recording of this plat (section 1270-56 of the Illinois Professional Land Surveyor act of 1989).

I further certify that the lands described above lie within the corporate limits of the United City of Yorkville, which has adopted a Comprehensive Plan and Map and is exercising the special powers authorized by Division 12 of Article 11 of the Illinois Municipal Code as now or hereafter amended.

I further certify that the platted lands do not border on or include any public waters of the state in which the state has property rights or interests.

I further certify that this professional service conforms to the current Illinois standards for a Boundary Survey.

All dimensions are given in feet and decimal parts thereof and are correct at 62° Fahrenheit.

Given under my Hand and Seal this \_\_\_\_ day of \_\_\_\_\_, A.D. 2019.

\_\_\_\_\_  
Illinois Professional Land Surveyor 2967

exp. 11-30-20



State of Illinois } S.S.  
County of Kendall }

I, \_\_\_\_\_, County Clerk in Kendall County, Illinois, do hereby certify that there are no delinquent general taxes, no unpaid current general taxes, no unpaid forfeited taxes, and no redeemable tax sales against any of the land included in the annexed plat. I further certify that I have received all statutory fees in connection with the annexed plat. Given under my hand and seal of the County at Yorkville, Illinois this \_\_\_\_ day of \_\_\_\_\_, A.D., 2019.

\_\_\_\_\_  
County Clerk

State of Illinois } S.S.  
County of Kendall }

This Instrument No. \_\_\_\_\_ was filed for record in the Recorder's Office of Kendall County, Illinois, on the \_\_\_\_ day of \_\_\_\_\_, 2007 at \_\_\_\_\_ O'Clock \_\_\_\_ M. and was recorded in Plat Envelope No. \_\_\_\_\_.

Given under my hand and seal of the County at Yorkville, Illinois this \_\_\_\_ day of \_\_\_\_\_, A.D., 2019.

\_\_\_\_\_  
County Recorder

Plat of Resubdivision

Prepared for:  
Menard, Inc.



Craig R. Knoche & Associates  
Civil Engineers, P.C.

Registered Design Firm #263

24 North Bennett Street • Geneva, Illinois 60134 • phone (630) 845-1204 fax (630) 845-1225

- Civil Engineers
- Surveyors
- Land Planners

Date: 12-1-19

Title: 19-025RP2

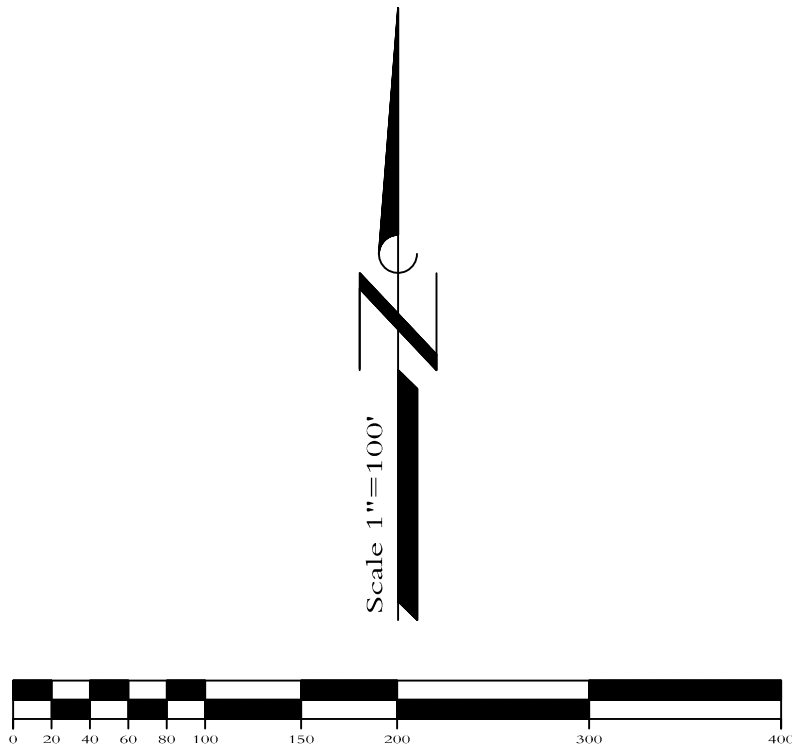
Job: 19-025

Sheet

2

of

2



# Menard's Commercial Commons Seventh Addition

Being a resubdivision of Lots 1 and 2 of Menard's Commercial Commons Fifth Addition, Yorkville, Kendall County, Illinois, being a resubdivision of Lot 1 and part of Lot 3 of Menard's Commercial Commons, a subdivision of part of Section 21, Township 37 North, Range 7 East of the Third Principal Meridian in the United City of Yorkville, Kendall County, Illinois.



Notes:  
Iron pipes at all Lot corners except as noted.  
All easements and setback lines granted and created by the Plat of Menard's Commercial Commons Fifth Addition, Doc. 200700014706 except as noted.



*Engineering Enterprises, Inc.*

November 26, 2019

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

**Re:    *Menards Plat of Resubdivision***  
***United City of Yorkville, Kendall County, Illinois***

Dear Krysti:

We are in receipt of the Plat of Resubdivision dated November 11, 2019 and prepared by Craig Knoche & Assoc. for the above referenced project:

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:

1. The text size for the existing Lots 1 and 2 needs be scaled down so they are not the same size as the new Lots 1 and 2.
2. Remove the Lot 3 callout on the east side of the subdivision since it is no longer Lot 3 and is now Lot 166 in Prairie Meadows Subdivision

The plat should be revised and resubmitted for further review. If you have any questions or require additional information, please contact our office.

Respectfully Submitted,

ENGINEERING ENTERPRISES, INC.

Bradley P. Sanderson, P.E.  
Vice President

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. Tyler Edwards, Menard, Inc. (via e-mail)  
       TNP, NLS EEI (Via e-mail)

\\Milkyway\\EEI\_Storage\\Docs\\Public\\Yorkville\\2019\\YO1923-DR Menards, Inc. - Plat of Resubdivision\\Docs\\lcoy\_Review03.doc

52 Wheeler Road, Sugar Grove, IL 60554 ~ (630) 466-6700 tel ~ (630) 466-6701 fax ~ [www.eeiweb.com](http://www.eeiweb.com)





*Engineering Enterprises, Inc.*

January 17, 2019

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

**Re: *Menards Plat of Resubdivision  
United City of Yorkville, Kendall County, Illinois***

Dear Krysti:

We are in receipt of the Plat of Resubdivision dated December 1, 2019 and prepared by Craig Knoche & Assoc. for the above referenced project:

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:

We have reviewed the revised Plat of Resubdivision and find them to be in general conformance with the City ordinances and standards.

If you have any questions or require additional information, please contact our office.

Respectfully Submitted,

ENGINEERING ENTERPRISES, INC.

Bradley P. Sanderson, P.E.  
Chief Operating Officer / President

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. Tyler Edwards, Menard, Inc. (via e-mail)  
TNP, NLS EEI (Via e-mail)

# Memorandum





# Memorandum

To: Planning and Zoning Commission  
From: Krysti J. Barksdale-Noble, Community Development Director  
CC: Jason Engberg, Senior Planner  
Date: March 4, 2020  
Subject: **PZC 2019-30 Raintree Village – Unit 4 (PUD & Final Plat)**  
Proposed PUD & Final Plat Amendment for Duplexes and Townhomes

---

## **Proposed Request:**

Staff is seeking confirmation by the Planning and Zoning Commission approving the proposed Final Plat of Raintree Village, Unit Four 1<sup>st</sup> Resubdivision as presented by the petitioner, CalAtlantic Homes (Lennar) during the January 8, 2020 meeting. This is requested due to the January meeting agenda not clearly stating the Final Plat approval was an actionable item.

## **Proposed Motions:**

*In consideration of the proposed Final Plat of Raintree Village, Unit Four 1<sup>st</sup> Resubdivision, the Planning and Zoning Commission confirms approval of the plat to the City Council as presented by the Petitioner in plans prepared by Mackie Consultants, LLC dated last revised 11-11-19, subject to review comments provided by the City Engineer, EEI, Inc. dated November 13, 2019.*

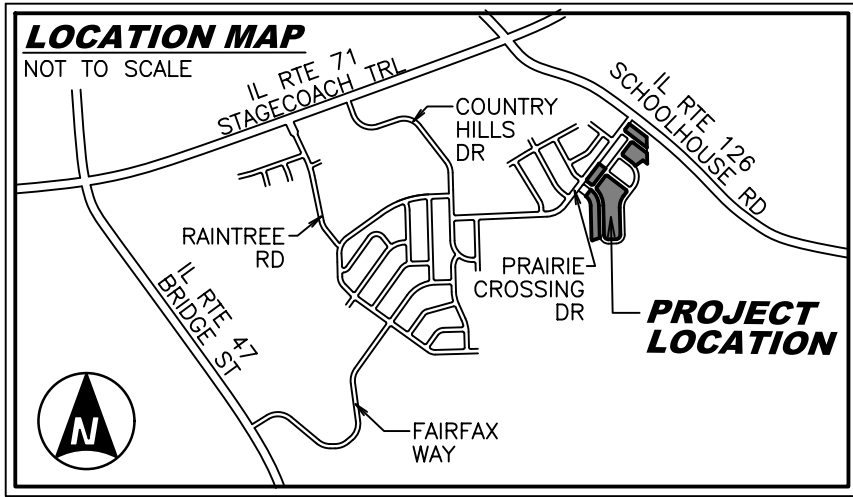
## **Attachments:**

1. Final Plat of Raintree Village, Unit Four 1<sup>st</sup> Resubdivision prepared by Mackie Consultants, LLC and dated last revised 11-11-19.
2. Meeting minutes from 01-08-20 re: Final Plat of Raintree Village.



# FINAL PLAT OF RAINTREE VILLAGE, UNIT FOUR 1ST RESUBDIVISION

BEING A RESUBDIVISION IN PART OF THE SOUTHWEST QUARTER OF SECTION 3 AND PART OF THE NORTHWEST QUARTER OF SECTION 10, ALL IN TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.



## P.I.N.'s OF LOTS & EBE's BEING RESUBDIVIDED:

05-03-382-003  
05-03-382-004  
05-03-381-001  
05-03-381-002  
05-03-381-003  
05-03-381-004  
05-03-381-006  
05-03-379-001  
05-03-379-006(PART)  
05-10-126-001  
05-10-127-001  
05-10-127-002  
05-10-127-003  
05-10-127-004  
05-10-127-005  
05-10-127-006  
05-10-127-007  
05-10-127-008  
05-10-127-009  
05-10-127-010  
05-10-127-011  
05-10-127-012  
05-10-127-013  
05-10-127-014  
05-10-127-015  
05-10-128-019  
05-10-128-020  
05-10-128-021  
05-10-128-022  
05-10-128-023  
05-10-128-025(PART)

## NOTES:

- THIS PLAT IS BASED IN PART ON INFORMATION CONTAINED IN COMMITMENT FOR TITLE INSURANCE ISSUED BY CHICAGO TITLE INSURANCE COMPANY ORDER NUMBER 1809329WF WITH A COMMITMENT DATE OF JUNE 7, 2018, RECEIVED ON AUGUST 13, 2018 AND HAS BEEN USED FOR LEGAL DESCRIPTION AND APPLICABLE EXCEPTIONS TO TITLE.
- BEARINGS BASED ON NAD83 (2011) ILLINOIS STATE PLANE, EAST ZONE AND ARE IN THE SAME ANGULAR RELATIONSHIP AS RAINTREE VILLAGE, UNIT FOUR RECORDED MAY 30, 2006 AS DOCUMENT NUMBER 200600015999.
- ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF.
- NO DIMENSIONS SHALL BE DERIVED FROM SCALE MEASUREMENT.
- UPON COMPLETION OF CONSTRUCTION, 5/8" REBAR SHALL BE PLACED AT ALL CORNERS OF THE EXTERIOR BOUNDARY, LOT CORNERS AND CRITICAL POINTS ALONG THE RIGHTS-OF-WAY, UNLESS NOTED OTHERWISE.
- ALL EASEMENTS SHOWN HEREON WERE GRANTED BY RAINTREE VILLAGE, UNIT FOUR RECORDED MAY 30, 2006 AS DOCUMENT NUMBER 200600015999 UNLESS SHOWN OTHERWISE.
- NO NEW EASEMENTS ARE BEING GRANTED ON THIS RESUBDIVISION.
- FOR ADDITIONAL INFORMATION PERTAINING TO DEFINITIONS/USES OF EXISTING EASEMENTS AND OTHER MATTERS, SEE RAINTREE VILLAGE, UNIT FOUR RECORDED MAY 30, 2006 AS DOCUMENT NUMBER 200600015999 AND DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED BY SEPARATE DOCUMENT.
- ALL AREAS ARE MORE OR LESS.
- ALL CURVES ARE TANGENT TO ADJOINING COURSES UNLESS DEFINED BY CHORD BEARING.
- ALL LOT TIES ARE PERPENDICULAR OR RADIAL TO PROPERTY LINES.

## KENDALL COUNTY RIGHT TO FARM STATEMENT

### NOTICE:

KENDALL COUNTY HAS A LONG, RICH TRADITION IN AGRICULTURE AND RESPECTS THE ROLE THAT FARMING CONTINUES TO PLAY IN SHAPING THE ECONOMIC VIABILITY OF THE COUNTY. PROPERTY THAT SUPPORTS THIS INDUSTRY IS INDICATED BY A ZONING INDICATOR - A-1 OR AG SPECIAL USE. ANYONE CONSTRUCTING A RESIDENCE OR FACILITY NEAR THIS ZONING SHOULD BE AWARE THAT NORMAL AGRICULTURAL PRACTICES MAY RESULT IN OCCASIONAL SMELLS, DUST, SIGHTS, NOISE, AND UNIQUE HOURS OF OPERATIONS THAT ARE NOT TYPICAL IN OTHER ZONING AREAS.

## OWNER'S CERTIFICATE

STATE OF ILLINOIS }  
COUNTY OF KANE )

THIS IS TO CERTIFY THAT CALATLANTIC GROUP, INC., A DELAWARE CORPORATION, IS THE FEE SIMPLE OWNER OF THE PROPERTY DESCRIBED IN THE FOREGOING SURVEYOR'S CERTIFICATE AND HAS CAUSED THE SAME TO BE SURVEYED, SUBDIVIDED, AND PLATTED AS SHOWN HEREON FOR THE USES AND PURPOSES HEREIN SET FORTH AS ALLOWED AND PROVIDED FOR BY STATUTE, AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.

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

DATED AT EAST DUNDEE, ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_.

CALATLANTIC GROUP, INC., A DELAWARE CORPORATION  
1141 EAST MAIN STREET, SUITE 108  
EAST DUNDEE, ILLINOIS 60118

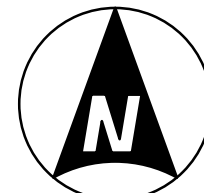
SIGN \_\_\_\_\_ SIGN \_\_\_\_\_  
TITLE \_\_\_\_\_ TITLE \_\_\_\_\_  
PRINTED NAME \_\_\_\_\_ PRINTED NAME \_\_\_\_\_

## EXISTING LOTS & EBE's

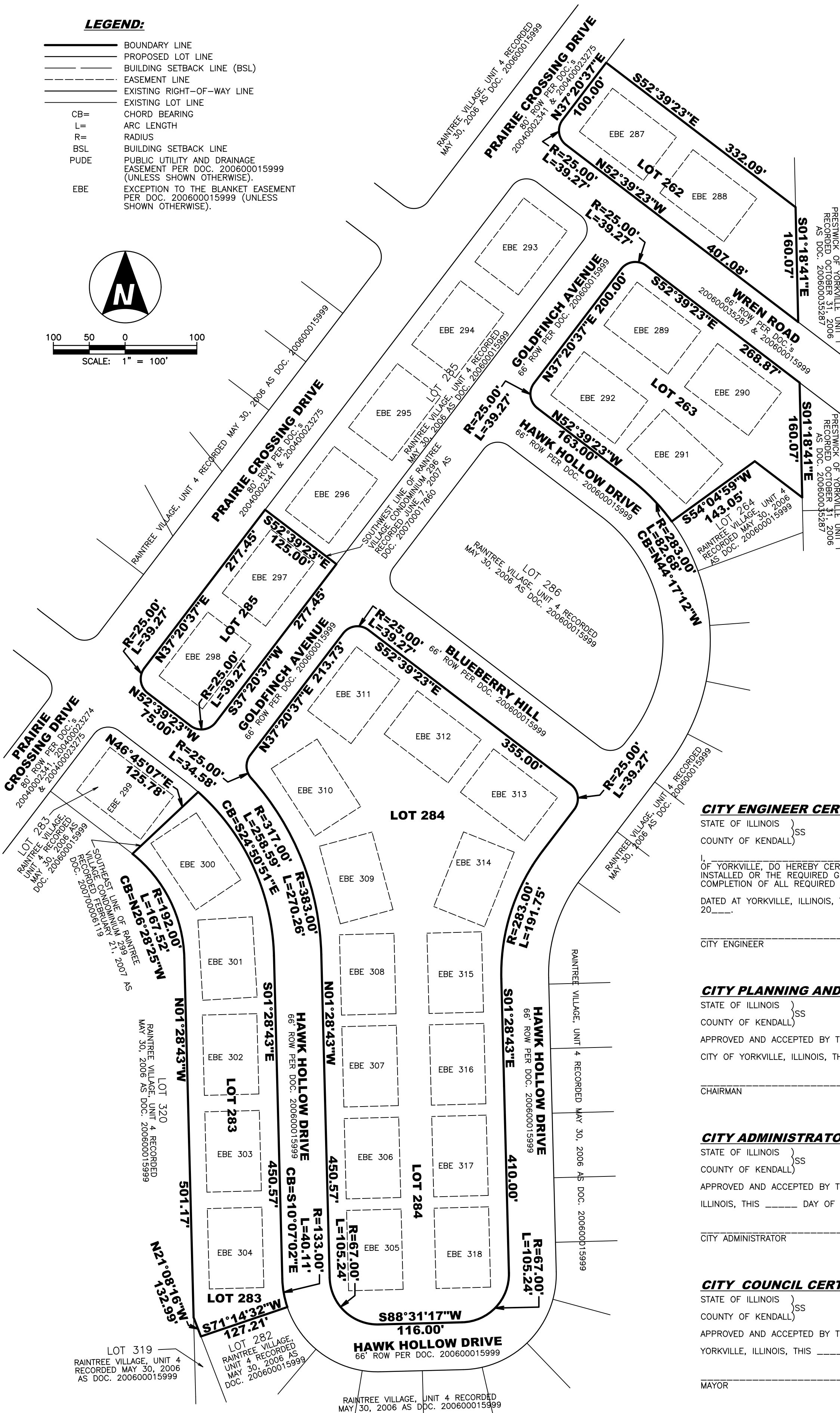
EXISTING LOTS & EBE's AS SHOWN ON THE FINAL PLAT OF SUBDIVISION  
OF RAINTREE VILLAGE, UNIT FOUR PER DOCUMENT 200600015999

## LEGEND:

BOUNDARY LINE  
PROPOSED LOT LINE  
BUILDING SETBACK LINE (BSL)  
EASEMENT LINE  
EXISTING RIGHT-OF-WAY LINE  
EXISTING LOT LINE  
CHORD BEARING  
L= ARCS LENGTH  
R= RADIUS  
BSL BUILDING SETBACK LINE  
PUDE PUBLIC UTILITY AND DRAINAGE EASEMENT PER DOC. 200600015999 (UNLESS SHOWN OTHERWISE)  
EBE EXCEPTION TO THE BLANKET EASEMENT PER DOC. 200600015999 (UNLESS SHOWN OTHERWISE).



100 50 0 100  
SCALE: 1" = 100'



## CITY ENGINEER CERTIFICATE

STATE OF ILLINOIS }  
COUNTY OF KENDALL )

I, \_\_\_\_\_, CITY ENGINEER FOR THE UNITED CITY OF YORKVILLE, DO HEREBY CERTIFY THAT 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., 20\_\_\_\_.

CITY ENGINEER \_\_\_\_\_

## CITY PLANNING AND ZONING COMMISSION CERTIFICATE

STATE OF ILLINOIS }  
COUNTY OF KENDALL )

APPROVED AND ACCEPTED BY THE PLANNING AND ZONING COMMISSION OF THE UNITED CITY OF YORKVILLE, ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_.

CHAIRMAN \_\_\_\_\_

## CITY ADMINISTRATOR'S CERTIFICATE

STATE OF ILLINOIS }  
COUNTY OF KENDALL )

APPROVED AND ACCEPTED BY THE CITY ADMINISTRATOR OF THE UNITED CITY OF YORKVILLE, ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_.

CITY ADMINISTRATOR \_\_\_\_\_

## CITY COUNCIL CERTIFICATE

STATE OF ILLINOIS }  
COUNTY OF KENDALL )

APPROVED AND ACCEPTED BY THE MAYOR AND CITY COUNCIL OF THE UNITED CITY OF YORKVILLE, ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_.

MAYOR \_\_\_\_\_

## CITY CLERK'S CERTIFICATE

STATE OF ILLINOIS }  
COUNTY OF KENDALL )

APPROVED AND ACCEPTED BY THE MAYOR AND CITY COUNCIL OF THE UNITED CITY OF YORKVILLE, ILLINOIS, BY ORDINANCE No. \_\_\_\_\_ AT A MEETING HELD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_.

CITY CLERK \_\_\_\_\_

## AUTHORIZATION TO RECORD CERTIFICATE

STATE OF ILLINOIS }  
COUNTY OF COOK )

WE, MACKIE CONSULTANTS LLC, AN ILLINOIS PROFESSIONAL DESIGN FIRM NUMBER 184-002694,

HEREBY GRANT PERMISSION TO \_\_\_\_\_ TO RECORD THIS PLAT OF SUBDIVISION.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

DALE A. GRAY  
EMAIL: dgray@mackieconsult.com  
ILLINOIS PROFESSIONAL LAND SURVEYOR NUMBER 035-003057  
LICENSE EXPIRES: NOVEMBER 30, 2020

## SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS }  
COUNTY OF COOK )

THIS IS TO CERTIFY THAT WE, MACKIE CONSULTANTS, LLC, AN ILLINOIS PROFESSIONAL DESIGN FIRM NUMBER 184-002694, AT THE REQUEST OF THE OWNER(S) THEREOF, HAVE SURVEYED, SUBDIVIDED AND PLATTED THE FOLLOWING DESCRIBED PROPERTY:

LOTS 262, 263, 283, 284 AND 285 (LESS ANY PART OF SAID LOTS IN RAINTREE VILLAGE CONDOMINIUM) AND INCLUDING "EBE" LOTS 287 TO 292, INCLUSIVE, LOTS 297 AND 298 AND LOTS 300 TO 318, INCLUSIVE, IN RAINTREE VILLAGE UNIT FOUR, BEING A SUBDIVISION IN PART OF THE SOUTHWEST QUARTER OF SECTION 3 AND PART OF THE NORTHWEST QUARTER OF SECTION 10, ALL IN TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED MAY 30, 2006 AS DOCUMENT 200600015999, IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

WE FURTHER CERTIFY THAT THE PLAT HEREON DRAWN IS A CORRECT AND ACCURATE REPRESENTATION OF SAID SURVEY AND SUBDIVISION. ALL DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

WE FURTHER CERTIFY THAT ACCORDING TO OUR INTERPOLATION OF THE FLOOD INSURANCE RATE MAPS THAT COVER THE AREA, THE HEREON DESCRIBED PROPERTY FALLS WITHIN ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AS IDENTIFIED BY THE FLOOD INSURANCE RATE MAP, MAP NUMBER 17093C01256, WITH AN EFFECTIVE DATE OF FEBRUARY 4, 2009, SUBJECT TO MAP INTERPRETATION AND SCALING.

WE FURTHER CERTIFY THAT ALL SUBDIVISION MONUMENTS WILL BE SET, AND I HAVE DESCRIBED THEM ON THIS FINAL PLAT AS REQUIRED BY THE PLAT ACT (765 ILCS 205/). THE EXTERIOR SUBDIVISION MONUMENTS AND INTERIOR MONUMENTS WILL BE SET WITHIN 12 MONTHS OF THE RECORDING OF THIS PLAT (SECTION 1270-56 OF THE ILLINOIS PROFESSIONAL LAND SURVEYOR ACT OF 1989).

WE FURTHER CERTIFY THAT THE PROPERTY SHOWN ON THE PLAT HEREON DRAWN IS SITUATED WITHIN THE CORPORATE LIMITS OF THE UNITED CITY OF YORKVILLE, ILLINOIS, WHICH IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE AS AMENDED.

GIVEN UNDER MY HAND AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, IN ROSEMONT, ILLINOIS,

DALE A. GRAY  
EMAIL: dgray@mackieconsult.com  
ILLINOIS PROFESSIONAL LAND SURVEYOR NUMBER 035-003057  
LICENSE EXPIRES: NOVEMBER 30, 2020

## PLAT PREPARED FOR & MAIL TAX BILL TO:

CLIENT: 1141 EAST MAIN STREET  
SUITE 108  
EAST DUNDEE, IL 60118  
PHONE: 224-293-3100  
FAX: 224-293-3101



Mackie Consultants, LLC  
9575 W. Higgins Road, Suite 500  
Rosemont, IL 60018  
(847)696-1400  
www.mackieconsult.com

			DESIGNED	
			DRAWN	GKF
			APPROVED	DAG
11-11-19	PER CITY REVIEW	GKF		
10-17-19	REVISE LEGALS & OWNER'S CERTIFICATE	GKF	DATE	09-04-19
09-13-19	REVISE LOTS TO OUTLOTS	GKF		
DATE	DESCRIPTION OF REVISION	BY	SCALE	1" = 100'

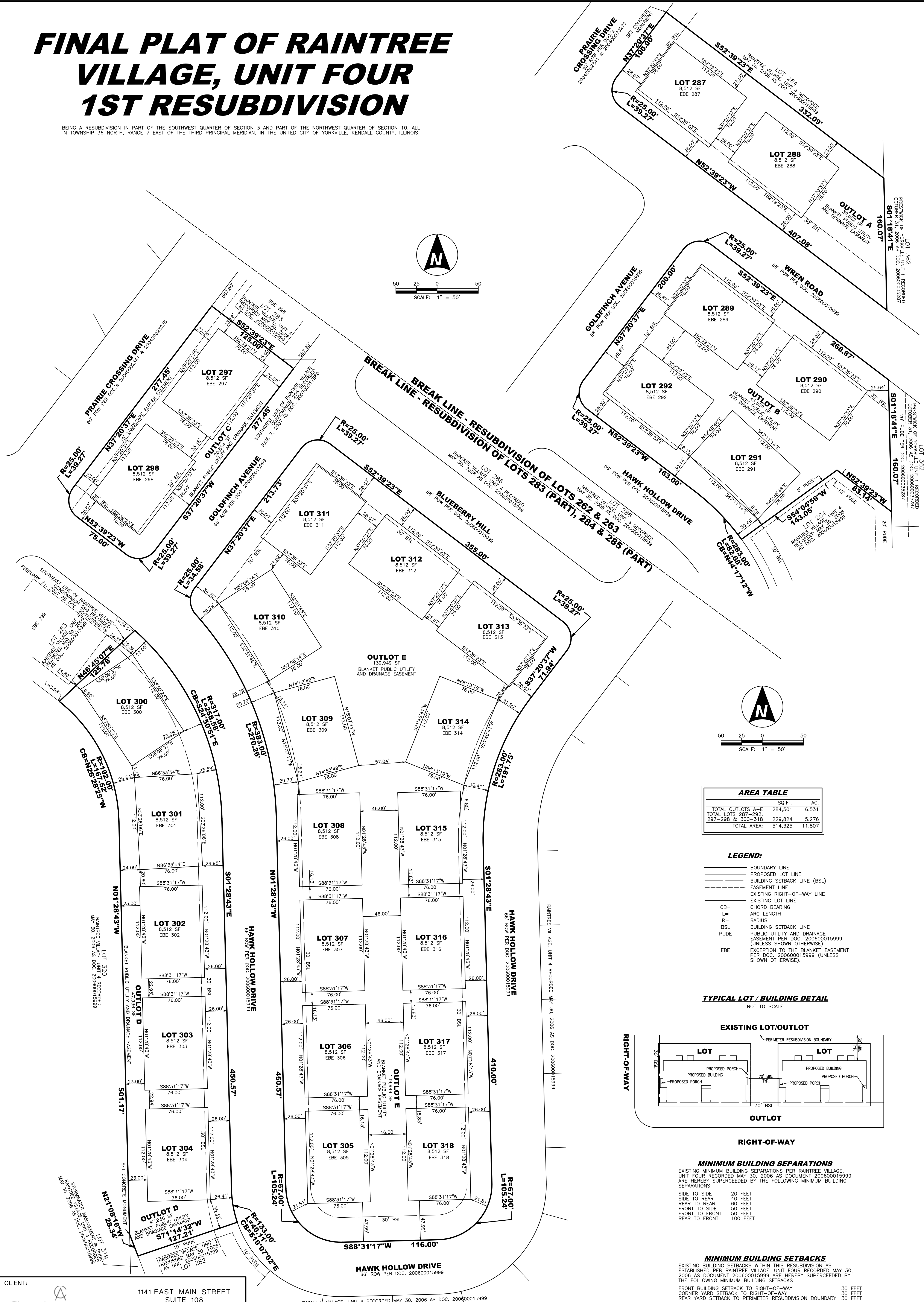
## FINAL PLAT OF RAINTREE VILLAGE, UNIT FOUR 1ST RESUBDIVISION YORKVILLE, ILLINOIS

SHEET	1 OF 2
PROJECT NUMBER:	3459
© MACKIE CONSULTANTS LLC, 2019	
ILLINOIS FIRM LICENSE	184-002694



FINAL PLAT OF RAINTREE VILLAGE, UNIT FOUR 1ST RESUBDIVISION

BEING A RESUBDIVISION IN PART OF THE SOUTHWEST QUARTER OF SECTION 3 AND PART OF THE NORTHWEST QUARTER OF SECTION 10, ALL IN TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

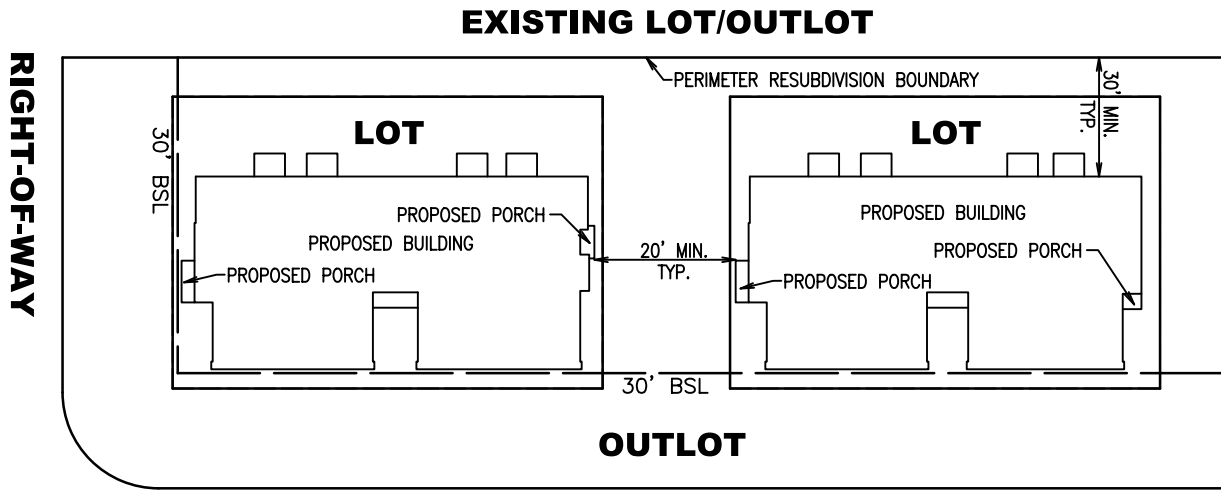


AREA TABLE

	SQ. FT.	AC.
TOTAL OUTLOTS A-E	284,501	6.531
TOTAL LOTS 287-292	229,824	5.276
TOTAL AREA:	514,325	11.807

- LEGEND:
- BOUNDARY LINE
  - PROPOSED LOT LINE
  - BUILDING SETBACK LINE (BSL)
  - EASEMENT LINE
  - EXISTING RIGHT-OF-WAY LINE
  - EXISTING LOT LINE
  - CHORD BEARING
  - ARC LENGTH
  - RADIUS
  - BUILDING SETBACK LINE
  - PUBLIC UTILITY AND DRAINAGE EASEMENT PER DOC. 200600015999 (UNLESS SHOWN OTHERWISE).
  - EXCEPTION TO THE BLANKET EASEMENT PER DOC. 200600015999 (UNLESS SHOWN OTHERWISE).

TYPICAL LOT / BUILDING DETAIL  
NOT TO SCALE



- MINIMUM BUILDING SEPARATIONS
- EXISTING MINIMUM BUILDING SEPARATIONS PER RAINTREE VILLAGE, UNIT FOUR RECORDED MAY 30, 2006 AS DOCUMENT 200600015999 ARE HEREBY SUPERCEDED BY THE FOLLOWING MINIMUM BUILDING SEPARATIONS:
- |                |          |
|----------------|----------|
| SIDE TO SIDE   | 20 FEET  |
| SIDE TO REAR   | 40 FEET  |
| REAR TO REAR   | 60 FEET  |
| FRONT TO SIDE  | 60 FEET  |
| FRONT TO FRONT | 50 FEET  |
| REAR TO FRONT  | 100 FEET |

- MINIMUM BUILDING SETBACKS
- EXISTING BUILDING SETBACKS WITHIN THIS RESUBDIVISION AS ESTABLISHED PER RAINTREE VILLAGE, UNIT FOUR RECORDED MAY 30, 2006 AS DOCUMENT 200600015999 ARE HEREBY SUPERCEDED BY THE FOLLOWING MINIMUM BUILDING SETBACKS
- |   |         |
|---|---------|
| FRONT BUILDING SETBACK TO RIGHT-OF-WAY                | 30 FEET |
| CORNER YARD SETBACK TO RIGHT-OF-WAY                   | 30 FEET |
| REAR YARD SETBACK TO PERIMETER RESUBDIVISION BOUNDARY | 30 FEET |

CLIENT: CAL ATLANTIC GROUP, INC. 1141 EAST MAIN STREET SUITE 108 EAST DUNDEE, IL 60018 PHONE: 224-293-3100 FAX: 224-293-3101

Mackie Consultants, LLC 9575 W. Higgins Road, Suite 500 Rosemont, IL 60018 (847)696-1400 www.mackieconsult.com

			DESIGNED	
			DRAWN	GKF
			APPROVED	DAG
11-11-19	PER CITY REVIEW		GKF	
10-17-19	REVISE LEGALS & OWNER'S CERTIFICATE		GKF	DATE 09-04-19
09-12-19	REVISE LOTS TO OUTLOTS		GKF	
DATE	DESCRIPTION OF REVISION		BY	SCALE 1" = 50'

FINAL PLAT OF RAINTREE VILLAGE, UNIT FOUR 1ST RESUBDIVISION YORKVILLE, ILLINOIS

# DRAFT

## PLANNING & ZONING COMMISSION

City Council Chambers

800 Game Farm Road, Yorkville, IL

Wednesday, January 8, 2020 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:**

Rusty Hyett-yes, Greg Millen-yes, Jeff Olson-yes, Richard Vinyard-yes, Danny Williams-yes

Absent: Deborah Horaz, Don Marcum

### **City Staff**

Krysti Barksdale-Noble, Community Development Director

Jason Engberg, Senior Planner

### **Other Guests**

Christine Vitosh, Vitosh Reporting Service

Lynn Dubajic, City Consultant

Eric Peterman, GRNE

Katie Finlon-Kendall County Record

Beth & Gint Brakauskas, Blackberry Wds.

Brian Werner, CECCO/Wrigley

Mary Snyder, Blackberry Woods

Dan Kramer, Attorney

Jim Smiley, Kendall County

Mr. Chris Childress, Kendall County

Rick Murphy, Lennar Homes

Michael Olszewski, Blackberry Wds.

John Kehoe, Mars Wrigley

Marianne Tomse, Blackberry Woods

### **Previous Meeting Minutes** November 13, 2019

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

Roll call: Hyett-yes, Millen-yes, Olson-yes, Vinyard-yes, Williams-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. Vinyard and Mr. Williams, respectively, to open the Hearings.

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

Chairman Olson read each of the Public Hearings as follows:

1. **PZC 2019-28** The United City of Yorkville, Kendall County, Illinois, petitioner, is proposing a text amendment to Chapter 3: General Zoning Provisions of the

United City of Yorkville Zoning Ordinance regarding mobile food and retail vendor vehicles. The amendment proposes to eliminate the required business registration of the vendor and vehicle for food and retail trucks conducting business on private property.

2. **PZC 2019-29** GRNE Solar, Eric Peterman on behalf of Kendall County, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting special use permit approval to install and operate a solar farm with more than one freestanding solar energy system on approximately 7.4 acres of land consisting of roughly 6,400 solar modules. The real property, zoned in the O Office District, is located at the southeast corner of John Street and Beecher Road at the Kendall County Government Campus in Yorkville, Illinois.
3. **PZC 2019-30** Cal Atlantic Group, Inc. (A fully owned subsidiary of Lennar Homes), petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting amendment to the Raintree Village Planned Unit Development Agreement to reduce the minimum side yard setback for Lots 264-282 from ten feet (10') to six feet (6') for new construction townhomes within the Raintree Village development. The real property is generally located east of IL Route 47, south of IL Route 71, immediately west of IL Route 126 in Yorkville, Illinois.
4. **PZC 2019-31** Brian Werner of Continental Electric representing Wrigley Manufacturing, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting special use permit approval to install and operate a freestanding solar energy system and freestanding wind energy system at 2800 N. Bridge Street. The real property, zoned in the M-1 Limited Manufacturing District, is located on the east side of US Route 47 south of the Burlington Northern & Santa Fe railway and north of Cannonball Trail. The petitioner is requesting for a single stationary solar panel and single vertical wind turbine to be located near the front of the property to power an illuminated sign.

*(See Court Reporter Transcripts)*

*(Petitioner's Responses to #2, GRNE Solar and #4 Wrigley, shall be added to record)*

The Hearings were closed at approximately 7:32pm on a motion by Mr. Vinyard and second by Mr. Williams.

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

**Unfinished Business** None

**New Business**

1. **PZC 2019-28 Text Amendment** (See full description under Public Hearings) Chairman Olson commented that he didn't feel fingerprinting was necessary for food vendors.

**Action Item:**

**Text Amendment**

There was no discussion and a motion to approve was made and seconded by Commissioners Vinyard and Williams, respectively. Mr. Vinyard read the motion as follows: In consideration of testimony presented during a Public Hearing on January 8, 2020 and discussions conducted at that meeting, the Planning and Zoning Commission recommends approval to the City Council a request for a text amendment to Section 10-3-14: Mobile Food Vendor Vehicles and Retail Vendor Vehicles of the United City of Yorkville Zoning Ordinance to remove the requirement for a Certificate of Registration, as recommended in a staff memo dated January 2, 2020.

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

**2. PZC 2019-29 GRNE Solar** (See full description under Public Hearings)

Mr. Engberg said the only changes that will be made are changing the fencing material to treated pine and to modify the landscaping on the west side. The maintenance of the fence was discussed and it was noted the wood is much less expensive than vinyl. The City will conduct windshield inspections twice a year. Cameras will be mounted inside the site per a request from the Kendall County Sheriff. Mr. Olson disagreed with bushes on the west since they will be small and said the west boundary landscaping should be consistent with the other sides. Mr. Engberg added the staff supported the landscaping changes since the neighbor to the west has approved that plan. Mr. Engberg summarized the required conditions including EEI comments. The County will hold a bond for the decommissioning of the property if necessary.

**Action Item:**

**Special Use**

The Commissioners agreed on the fencing material and the revised landscaping. A motion was made by Mr. Vinyard and seconded by Mr. Williams to approve the GRNE special use permit. Attorney Kramer asked to revise the date on the landscaping plan. There was brief discussion of the wood fencing and the potential penalty if the fence is not maintained. Mr. Williams suggested the wood should also be pressure-treated.

Mr. Vinyard read the motion as follows: In consideration of testimony presented during a Public Hearing on January 8, 2020 and discussion of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council a request for Special Use authorization to construct a freestanding solar energy system, or solar farm, on a O Office District zoned property located at the southwest corner of the Kendall County Government Center subject to staff recommendations in a memo dated December 31, 2019 and further subject to the revised landscaping design dated 1-8-20 including wooden fence constructed minimally of pressure-treated materials.

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

**3. PZC 2019-30 CalAtlantic** (See full description under Public Hearings)

Ms. Noble noted there are two motions associated with this petition. The first is the PUD request for a sideyard setback from 10 feet to 6 feet. The builder is offering duplexes and trends are now showing that a one-story ranch is more popular. The ranch is a wider product and results in a reduced sideyard. The staff supports the setback request based on other such requests in the City.

Chairman Olson expressed some concern for the reduced setbacks. Ms. Noble said there were some incentives granted to take over this project. The builder front-funded a park and fees were paid for infrastructure. There was significant revenue brought to the City with this development. Fire suppression systems were also discussed in view of the reduced setbacks. It was requested to not have any flammable plant material such as mulch on the outside. Mr. Vinyard questioned the distance between the units and said that modern materials burn faster and hotter. Lennar rep Rick Murphy said the duplex units will have sprinklers.

The second request for this petition is approval of the final plat.

**Action Item:**

**PUD Amendment for Setbacks**

A motion was made and seconded by Commissioners Vinyard and Williams, respectively, to approve the PUD Amendment. Mr. Vinyard read the motion as follows: In consideration of testimony presented during a Public Hearing on January 8, 2020 and the standards for PUD approval and amendment, the Planning and Zoning Commission recommends approval to the City Council a reduction in side yard setback from ten (10) feet to six (6) feet for lots 262-284 in Unit 4 of the Raintree Village subdivision, as presented by the Petitioner Exhibit F Side Yard Setback.

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

**Action Item:**

**Final Plat**

Commissioners Vinyard and Williams moved and seconded, respectively, to approve the Final Plat for Raintree Village. Mr. Vinyard read the motion as follows: In consideration of the proposed Final Plat of Raintree Village, Unit Four 1<sup>st</sup> Resubdivision, the Planning and Zoning Commission recommends approval of the plat to the City Council as presented by the Petitioner in plans prepared by Mackie Consultant, LLC dated last revised 11-11-19, subject to review comments provided by the City Engineer, EEI, Inc. dated November 13, 2019.

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

**4. PZC 2019-31 Wrigley Manufacturing** (See full description under Public Hearings)

Mr. Engberg reviewed the staff conditions being recommended for the special use and said that both the wind turbine and solar panel meet the setback and location requirements. The height 11 feet 4 inches is a condition of the special use.

The advertising on the blades is technically not allowed under city code, however, Mr. Engberg noted that the Economic Development Committee was in favor of keeping the advertising since it was unique. This is being requested as part of the special use. Ms. Noble said if the Commission votes to approve, the code will need to be amended to allow other businesses the same opportunity. Commissioners said they were in favor of this type of signage and Mr. Williams stated this may open up future expansion for Mars.

Mr. Engberg also listed the four staff recommendations and Chairman Olson read the special use standards.



**Action Item:**

**Special Use**

Mr. Williams moved to approve the petition for special use permit and Mr. Vinyard seconded. Mr. Williams read the motion as follows: In consideration of testimony presented during a Public Hearing on January 8, 2020 and discussion of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council a request for Special Use authorization to construct a freestanding solar energy system and wind turbine, on a M-1 Limited Manufacturing zoned property located at the entrance to the Wrigley Manufacturing Center on the east side of US Route 47, subject to staff recommendations in a memo dated December 31, 2019.

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

**Additional Business**

Mr. Engberg noted City Council approval of a recent Text Amendment and Final Plat.

**Adjournment**

There was no further business and the meeting was adjourned at 8:18pm on a voice vote.

Respectfully submitted by Marlys Young, Minute Taker



# ECONOMIC DEVELOPMENT & PLANNING

Planning and Zoning Commission  
March 11, 2020





# AGENDA

- ☐ Introduction
- ☐ Economic Development Purpose
- ☐ Responsibilities
- ☐ Strategies
- ☐ Business Retention
- ☐ Planning Process
- ☐ PZC Review



# WHO AM I?

- ☐ Lynn Dubajic, DLK LLC
- ☐ Business & Economic Development Consultant
- ☐ Over 20 years experience in Economic Development field
- ☐ I work for Yorkville as an
  - ✓ Advisor
  - ✓ Ambassador
  - ✓ Confidant
  - ✓ Connector
  - ✓ Educator
  - ✓ Facilitator
  - ✓ Moderator
  - ✓ Promoter
  - ✓ Researcher
  - ✓ Supporter

# WHAT IS ECONOMIC DEVELOPMENT?

A program or activity that seeks to improve the economic well-being and quality of life for a community, by creating and/or retaining jobs that facilitate growth and provide a stable tax base.



ENHANCING  
EXISTING  
BUSINESSES



ATTRACTING  
NEW  
BUSINESS



ENCOURAGING  
GROWTH OF NEW  
BUSINESSES THROUGH  
ENTREPRENEURSHIP





# RESPONSIBILITY

- ☐ Identify market and economy trends
- ☐ Identify Yorkville's needs and opportunities
- ☐ Provide informational material online
- ☐ Establish relationships with developers/brokers
- ☐ Have knowledge of available sites and spaces
- ☐ Maintain relationships with financial institutions & programs
- ☐ Facilitate specifically tailored workforce development programs
- ☐ Prepare developers with zoning, site plan, and permit information



# STRATEGIES



**Connect  
businesses &  
property  
owners**



**Work with  
utilities  
to identify  
requirements**



**Find assistance  
through  
government  
programs**



**Constant  
contact with  
potential  
businesses**



**Promote city at  
conferences and  
professional  
events**





# RETENTION

- ☐ Access to financing
- ☐ Access to workforce/workforce education
- ☐ Sustainability & strategic planning
- ☐ Adjusting to trends
- ☐ Local, regional, and global economy
- ☐ Marketing & product awareness
- ☐ Area infrastructure weaknesses
- ☐ Risks & Problem Solving
- ☐ Customer & business development
- ☐ Technology & Innovation
- ☐ Facility obsolescence



# PROCESS

## PRIVATE SECTOR'S ROLE IN DEVELOPMENT



### MARKET ANALYSIS

A private developer determines if their business will be supported and patronized in the area.



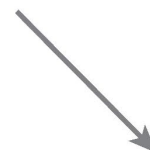
### SITE SELECTION

They will choose a site or existing structure where they think their business will be successful.



### PROPERTY/LAND ACQUISITION

The business will either buy the land or become a contract purchaser depending on their plans for development.



**DOES  
THE BUSINESS  
REQUIRE A  
PUBLIC  
HEARING  
FOR FURTHER  
REVIEW?**



### CONDUCT PUBLIC HEARING PROCESS

If special authorization or relief from the City Code is needed, a public process of review is required.

**APPROVED BY  
CITY COUNCIL**



### APPLY FOR BUILDING PERMIT

The business may now begin construction or apply for commercial occupancy for their new business.



## LOCAL GOVERNMENT'S ROLE IN DEVELOPMENT



### LONG TERM PLANNING

The City creates and adopts long term planning visions with input from the public such as the Comprehensive Plan.



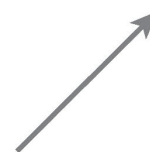
### REGULATORY CODES AND ORDINANCES

The City adopts regulations to make private developers follow certain standards that accomplishes the City's vision.



### GOALS FOR ECONOMIC DEVELOPMENT

The City Council develops goals for economic development annually to guide future decisions.





# PZC REVIEW

- ☐ Does this create jobs?
- ☐ Does this meet a community need?
- ☐ Does this support other businesses?
- ☐ Does this drive adjacent businesses?
- ☐ Does this increase the tax base?
- ☐ Does this advance our economic development goals?



# ECONOMIC DEVELOPMENT & PLANNING

Planning and Zoning Commission  
February 12, 2020



**Lynn Dubajic**

DLK, LLC Business & Economic Development

651 Prairie Pointe Drive, Suite 102

Yorkville, IL 60560

Mobile: 630-209-7151

Email: [lynn@dlkllc.com](mailto:lynn@dlkllc.com)





# Memorandum

To: Planning and Zoning Commission  
From: Krysti J. Barksdale-Noble, Community Development Director  
CC: Bart Olson, City Administrator  
Jason Engberg, Senior Planner  
Date: February 14, 2020  
Subject: **Planning & Zoning Commissioner's Training Series 2020**

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## Summary

The Planning and Zoning Commission expressed an interest in continuing the training series staff developed last year which gave an overview of a various specialized topics to aid in the performance of your duties recommending entitlements for land development, overseeing the Comprehensive Plan and making amendments to the Zoning Ordinance for the City of Yorkville.

In that regard, staff is proposing a new series of planning "primers" specifically tailored to Planning and Zoning Commissioners at the end of each meeting on a quarterly schedule. Each primer will last about 15-20 minutes, will be presented by staff or a qualified professional and cover a different subject matter as tentatively scheduled below:

<u>DATE</u>	<u>SERIES TOPIC</u>	<u>PRESENTER</u>
<i>Spring 2020</i>	Fire Protection Basics for Planning & Zoning Commissioners	Commissioner Richard Vinyard & BKFD Fire Marshal Mike Torrence
<i>Summer 2020</i>	Building Code Basics for Planning & Zoning Commissioners	Pete Ratos, Yorkville Building Code Official
<i>Fall 2020</i>	Community Policing Basics for Planning & Zoning Commissioners	James Jensen, Yorkville Police Chief
<i>Winter 2020</i>	Wastewater Treatment Basics for Planning & Zoning Commissioners	Cyrus McMains, YBSD Executive Director

If you would like to discuss the topics to be covered within these primers or have suggestions for future training sessions, staff will be available at Wednesday night's meeting.