



United City of Yorkville

800 Game Farm Road

Yorkville, Illinois 60560

Telephone: 630-553-4350

www.yorkville.il.us

PLANNING AND ZONING

COMMISSION AGENDA

Wednesday, December 8, 2021

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: June 9, 2021

Citizen's Comments

Public Hearings

Unfinished Business

New Business

1. **PZC 2021-08** The petitioner, Brian Henrichs on behalf of Baka Properties, LLC, is requesting to rezone their property from the A-1 Agricultural District to R-3 One Family Residential District in unincorporated Kendall County. The property is generally located at the southeast of the Heartland Circle subdivision in Yorkville at the intersection of Tuma Road and Riverside Street.

Action Item

Mile and One-Half Review

Additional Business

1. Appointment of Vice Chairperson

Adjournment

DRAFT

PLANNING & ZONING COMMISSION

City Council Chambers
800 Game Farm Road, Yorkville, IL
Wednesday, June 9, 2021 7:00pm

NOTE: In accordance with Public Act 101-0640 and Gubernatorial Disaster Proclamation issued by Governor Pritzker pursuant to the powers vested in the Governor under the Illinois Emergency Management Agency Act, the City of Yorkville is allowing remote attendance at this meeting. Social distancing is being encouraged due to the current Covid-19 pandemic.

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: Deborah Horaz-yes/remote, Don Marcum-yes/remote, Greg Millen-yes/remote, Jeff Olson-yes/in-person, Danny Williams-yes/remote

Absent: Richard Vinyard, Rusty Hyett

City Staff

Krysti Barksdale-Noble, Community Development Director/remote
Jason Engberg, Senior Planner/in-person

Other Guests

Matt Asselmeier, Kendall County/remote
Lynn Dubajic, City Consultant/remote (joined 6:31pm)

Previous Meeting Minutes March 10, 2021

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

Roll call: Marcum-yes, Millen-yes, Olson-yes, Williams-yes, Horaz-yes. Carried 5-0.

Citizen's Comments None

Public Hearings None

Unfinished Business None

New Business

1. **PZC 2021-04** Staff is seeking input from the Planning and Zoning Commission on a request from the Kendall County Comprehensive Land Plan and Ordinance Committee. The future extension of Eldamain Road south of the river brings

potential development opportunities to the area. The County is seeking input from the City on the possibility of amending the city's future land use map.

Mr. Engberg said representatives from Yorkville, Millbrook and Plano recently attended a meeting with the County to discuss the future South Eldamain Rd. which will eventually connect to Rte. 71. The committee wanted to discuss Yorkville's future land use projections while the County is changing some of their plans. The west side of Eldamain is Plano's planning area while the east side is Yorkville. Estate residential is the current use and the County asked if the City would be willing to change to some type of business use as well. Mr. Engberg said this discussion has been held at an EDC meeting and the full City Council. Council members made no commitment at this time, but they would like to keep the residential designated near the forest preserves.

Considerations:

Mr. Engberg said the scope of the original Comp Plan is 10 years. It was approved in 2016 and an update will begin in '23/'24. Metra Rail is also conducting a study for a future train station which could change the land uses. He asked for comments from the Commissioners.

Comments:

Ms. Noble said that an industrial user would likely annex either to Plano or Yorkville. She believes the County is trying to align all the communities with the same vision so all will have an expectation of how South Eldamain develops. Staff's concern is that the Comp Plan went through a Public Hearing process and engaged area property owners for their visions. It is not known if the property owners are involved in the current process and staff hesitates to make changes without their input.

Mr. Olson noted that some past suggested uses were voted down because they were not in the Comp Plan. He also said the last big bridge built was over Orchard Road and no major changes occurred there. He added that it is unfortunate the bridge will be built between Hoover and Silver Springs.

Mr. Asselmeier said Eldamain will have multiple access points to remove truck traffic from Yorkville and decrease congestion. He added that the County has not engaged with property owners yet. Ms. Noble said S. Eldamain might be higher density residential which would be appropriate next to a more intensive land use. She also said the City must be sure that YBSD can support extra housing and businesses and that utility plans for industrial users should be started now. Ms. Noble said perhaps a commitment or incentive plan among municipalities is needed to bring development.

Mr. Marcum said he favors development, but utilities are an issue. Ms. Horaz said it is hard to make a recommendation at this time.

Landowners on North Eldamain are being approached by developers and Ms. Noble said she would like to determine who is making inquiries. School districts also need to be involved since they may lose residential development to commercial resulting in less tax.

Mr. Williams said he is OK with waiting for the next Comp Plan before making firm decisions. He asked if Metra has a preference for their station location which is believed to be Rt. 47 near Wrigley. Ms. Noble said the terminus of a train station may also predict what happens to land uses on Eldamain. Ms. Noble added that the building permits have increased during/since the pandemic which could impact the Metra ridership.

Commissioner Millen noted that with the forest preserves by the bridge there should be less pollution near the river since industry is usually not located near preserves. Mr. Olson said he would not want industry adjacent to the river but would rather have residential.

Summary:

Mr. Engberg will compile the comments and send to the County. Homeowners in the area will be contacted for their input. Ms. Horaz also referred to a *Kendall County Record* article in which homeowners stated no one had reached out to them about the bridge project.

Additional Business None

Adjournment

There was no further business and the meeting was adjourned at 7:36pm on a motion and second by Commissioners Williams and Horaz, respectively. Unanimous voice vote.

Respectfully submitted by
Marlys Young, Minute Taker/remote



Memorandum

To: Planning and Zoning Commission
From: Jason Engberg, Senior Planner
CC: Bart Olson, City Administrator
Krysti J. Barksdale-Noble, Community Development Director
Date: December 1, 2021
Subject: **PZC 2021-08 55 Riverside Street 1.5 Mile Review (Rezone)**

SUMMARY:

Staff has reviewed a request from Kendall County Planning and Zoning Department along with the subsequent documents attached. The property is located within one and a half miles of the planning boundary for Yorkville, allowing the City the opportunity to review and provide comments to Kendall County. The petitioner, Brian Henrichs on behalf of Baka Properties, LLC, is requesting to rezone their property from the A-1 Agricultural District to R-3 One Family Residential District. The purpose of this request is to eventually subdivide the property and build two single-family dwelling units on the exiting 2.7-acre property. The property is generally located at the southeast of the Heartland Circle subdivision in Yorkville at the intersection of Tuma Road and Riverside Street.

PROJECT SUMMARY:

The petitioner is requesting to rezone their property from A-1 Agricultural District to R-3 One Family Residential District. As stated in the Kendall County Zoning Ordinance, properties zoned A-1 may construct a detached single-family home on properties greater than forty (40) acres. Since it is the petitioner's intention to build two (2) single-family detached residences on the property, they need to rezone the property to make it a conforming use. The R-3 One Family Residence District allows for detached single-family homes on a property no smaller than 45,000 square feet in size. The petitioner is planning on later subdividing the parcel into two separate properties which meet these criteria.



The property is located at the intersection of Tuma Road and Riverside Street. It is approximately eight hundred (800) feet from the current Yorkville Municipal Boundary which is the Heartland Circle residential subdivision. The property is currently surrounded by residential uses which are zoned either A-1 Agricultural District or R-3 One Family Residence District.

Location	Adjacent Land Use	Kendall County Zoning
North	Single-Family Home	A-1 and R-3
East	Single-Family Home	A-1
South	Single-Family Home	A-1
West	Single-Family Home	A-1

It should also be noted that many of the unincorporated properties along Tuma Road to the north of this property are also zoned R-3 One Family Residence District.

YORKVILLE COMPREHENSIVE PLAN:

Yorkville's 2016 Comprehensive Plan designation for this property is Estate/Conservation Residential. This future land use is intended to provide flexibility for residential design in areas of Yorkville that can accommodate low-density detached single-family housing but also include sensitive environmental and scenic features that should be retained and enhanced. The most typical form of development within this land use will be detached single family homes on large lots.

The request to rezone this property from an agricultural district to a large lot residential district is in line with the City's future land use plans within the Comprehensive Plan. The County's R-3 District is similar to the City's E-1 Estate District which is designed to accommodate detached dwelling units on large lots (minimum of 1 acre). Therefore, even when this property is eventually divided into two lots, it will still be consistent with the City's long-term plans for the area.

STAFF COMMENTS

Staff has reviewed the request for rezoning and generally does not oppose the rezoning of this property. The one-and-a-half-mile review allows for the City to make comments and requests to the petitioner and the County before their County public meetings. This review will also be brought to the City Council at the January 11, 2021 meeting. This item was delivered to the City on November 16, 2021. Staff is seeking feedback from members regarding the request.

ATTACHMENTS

1. Application with Attachments



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 21-48**Brian Henrichs on Behalf of Baka Properties, LLC
Map Amendment Rezoning Property from A-1 to R-3****INTRODUCTION**

The Petitioner is requesting a map amendment rezoning the subject property from A-1 Agricultural District to R-3 One Family Residential District.

The Petitioner plans to submit preliminary and final plats dividing the property into two (2) parcels in order to construct one (1) house on each new parcel.

The application materials are included as Attachment 1. The plat of survey is included as Attachment 2. The topographic survey of the property is included as Attachment 3. The aerial of the property is included as Attachment 4.

SITE INFORMATION

PETITIONER Brian Henrichs on Behalf of Baka Properties, LLC

ADDRESS 55 Riverside Street, Yorkville (Lot 183 Fox River Gardens)

LOCATION Intersection of Riverside Street and Yorkville Road



TOWNSHIP Bristol

PARCEL # 02-34-130-004

LOT SIZE 2.7 +/- Acres

EXISTING LAND USE Vacant (Former Horse Pasture Site)

ZONING A-1 Agricultural District

LRMP	Current Land Use	Vacant (Former Horse Pasture Site)
	Future Land Use	Suburban Residential (Max 1.00 Du/Acre) (County) Estate/Conservation Residential (Yorkville)
	Roads	Riverside Street and Yorkville Road are Private Streets.
	Trails	None
	Floodplain/ Wetlands	There is floodplain on the property, see Attachments 5 and 6. There are no wetlands on the property.

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

APPLICABLE REGULATIONS Section 13:07 – Map Amendment Procedures

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Single-Family Residential	A-1 and R-3	Suburban Residential (Max 1.00 DU/Acre) (County) Estate/Conservation Residential (Yorkville)	A-1 SU and R-3 (County) R-2 and OS-2 (Yorkville)
South	Single-Family Residential	A-1	Suburban Residential (County) Estate/Conservation Residential (Yorkville)	A-1 and R-3
East	Single-Family Residential	A-1	Suburban Residential (County) Estate/Conservation Residential (Yorkville)	A-1 and R-2
West	Single-Family Residential	A-1	Suburban Residential (County) Estate/Conservation Residential (Yorkville)	A-1, R-1, R-2, and R-3

The A-1 special use to the north is for a campground (Hide-A-Way Lakes).

PHYSICAL DATA

ENDANGERED SPECIES REPORT

EcoCat submitted on November 10, 2021. Protected resources may be in the vicinity, but adverse impacts were unlikely and consultation was terminated (see Attachment 1, Page 7).

NATURAL RESOURCES INVENTORY

NRI application submitted on November 12, 2021 (see Attachment 1, Page 6).

ACTION SUMMARY

BRISTOL TOWNSHIP

Bristol Township was emailed information on November 16, 2021.

UNITED CITY OF YORKVILLE

The United City of Yorkville was emailed information on November 16, 2021.

BRISTOL-KENDALL FIRE PROTECTION DISTRICT

The Bristol-Kendall Fire Protection District was emailed information on November 16, 2021.

GENERAL INFORMATION

The Petitioner desires to rezone the subject property in order to subdivide the property into (2) parcels and construct one (1) house on each of the two (2) new parcels created for a total of two (2) new houses.

Section 8:07.H of the Kendall County Zoning Ordinance does not allow properties larger than ten (10) acres in size to rezone to the R-3 One Family Residential District. The subject property is less than ten (10) acres in size.

The minimum lot size in the R-3 One Family Residential District is forty-five thousand (45,000) square feet.

BUILDING CODES

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

According to the Plat of Survey (Attachment 2), there is one (1) existing steel and frame pole building and one (1) frame stable on the property.

UTILITIES

No public or private utilities are onsite. Electricity is at Yorkville Road and Riverside Street.

ACCESS

The property fronts Yorkville Road and Riverside Street, two (2) private roads.

PARKING AND INTERNAL TRAFFIC CIRCULATION

Any new driveways constructed would be for residential purposes. Any new driveways would have to meet applicable regulations and secure proper permits.

ODORS

No new odors are foreseen.

LIGHTING

Any new lighting would be for residential use only.

LANDSCAPING AND SCREENING

Any fencing, landscaping, or screening would be for residential purposes.

SIGNAGE

Any signage would be residential in nature.

NOISE CONTROL

No noise is anticipated.

STORMWATER

Any new homes would have to be constructed per Kendall County's Stormwater Management Ordinance.

FINDINGS OF FACT

§13:07.F of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to recommend in favor of the applicant on map amendment applications. They are listed below in *italics*. Staff has provided findings in **bold** below based on the recommendation:

Existing uses of property within the general area of the property in question. **The surrounding properties are used for used for single-family residential uses.**

The Zoning classification of property within the general area of the property in question. **The surrounding properties are zoned A-1 or R-3.**

The suitability of the property in question for the uses permitted under the existing zoning classification. **The property is presently zoned A-1. The property is less than forty (40) acres and does not qualify for any agricultural housing allocations. No new single-family homes can be constructed on the subject property without a map amendment.**

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. **The trend of development in the area is single-family residential uses found in rural settings with wooded lots.**

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **The Future Land Use Map in the Land Resource Management Plan classifies this property as Suburban Residential. The maximum density for the Suburban Residential classification is one density unit per acre (1.00 DU/Acre). The minimum lot size for R-3 One Family Residential District zoned land is slightly over one (1) acre at forty-five thousand (45,000) square feet. Accordingly, the R-3 One Family Residential District is consistent with the Suburban Residential classification.**

RECOMMENDATION

Staff recommends approval of the proposed map amendment because the proposal is consistent with the Land Resource Management Plan.

ATTACHMENTS

1. Application Materials
2. Plat of Survey
3. Topographic Survey
4. Aerial
5. November 13, 2021, WBK Email
6. Approximate Floodplain Aerial


DEPARTMENT OF PLANNING, BUILDING & ZONING

 111 West Fox Street • Yorkville, IL • 60560
 (630) 553-4141 Fax (630) 553-4179

APPLICATION

PROJECT NAME _____

FILE #: 21-48

NAME OF APPLICANT		
BRIAN HENRICHS		
CURRENT LANDOWNER/NAME(s)		
BRIAN AND KELLEY HENRICHS		
SITE INFORMATION		
ACRES	SITE ADDRESS OR LOCATION	ASSESSOR'S ID NUMBER (PIN)
2.7 AC	YORKVILLE ROAD	02-34-130-004
EXISTING LAND USE	CURRENT ZONING	LAND CLASSIFICATION ON LRMP
AGRICULTURE	A-1	SUBURBAN RESIDENTIAL - MAX DENSITY 1.00 DU ACRES
REQUESTED ACTION (Check All That Apply):		
<input type="checkbox"/> SPECIAL USE	<input checked="" type="checkbox"/> MAP AMENDMENT (Rezone to <u>R-3</u>)	<input type="checkbox"/> VARIANCE
<input type="checkbox"/> ADMINISTRATIVE VARIANCE	<input type="checkbox"/> A-1 CONDITIONAL USE for: _____	<input type="checkbox"/> SITE PLAN REVIEW
<input type="checkbox"/> TEXT AMENDMENT	<input type="checkbox"/> RPD (<input type="checkbox"/> Concept; <input type="checkbox"/> Preliminary; <input type="checkbox"/> Final)	<input type="checkbox"/> ADMINISTRATIVE APPEAL
<input type="checkbox"/> PRELIMINARY PLAT	<input type="checkbox"/> FINAL PLAT	<input type="checkbox"/> OTHER PLAT (Vacation, Dedication, etc.)
AMENDMENT TO A SPECIAL USE (<input type="checkbox"/> Major; <input type="checkbox"/> Minor)		
¹PRIMARY CONTACT	PRIMARY CONTACT MAILING ADDRESS	PRIMARY CONTACT EMAIL
BRIAN HENRICHS	[REDACTED]	[REDACTED]
PRIMARY CONTACT PHONE #	PRIMARY CONTACT FAX #	PRIMARY CONTACT OTHER #(Cell, etc.)
[REDACTED]	[REDACTED]	[REDACTED]
²ENGINEER CONTACT	ENGINEER MAILING ADDRESS	ENGINEER EMAIL
[REDACTED]	[REDACTED]	[REDACTED]
ENGINEER PHONE #	ENGINEER FAX #	ENGINEER OTHER # (Cell, etc.)
[REDACTED]	[REDACTED]	[REDACTED]
I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.		
I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES.		
SIGNATURE OF APPLICANT		DATE
[REDACTED]		11/10/2021

 FEE PAID: \$ 500.00
 CHECK #: 1440
¹Primary Contact will receive all correspondence from County

²Engineering Contact will receive all correspondence from the County's Engineering Consultants

Please fill out the following findings of fact to the best of your capabilities. § 13:07.F of the Zoning Ordinance lists the Finding of Fact criteria the Zoning Board of Appeals must answer in order to make a recommendation to the County Board on any **map amendment** request. They are as follows:

Existing uses of property within the general area of the property in question.

RESIDENTIAL USE / SINGLE FAMILY

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

EXISTING ZONING IS A-1 WANT TO REZONE TO R-3 IN WHICH THE WHOLE
NORTHERN PORTION OF THE SUBDIVISION IS ZONE R-3

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

EXISTING USE IS A-1 WAS USED AS A HORSE PASTURE, HORSES ARE GONE
NOW

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification.

THE WHOLE NORTHERN PORTION (75+ HOMES) ZONED R-3 AND WE MEET
YOUR FUTURE ZONING

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

Legal Description

Lot 183 in Fox River Gardens in Bristol Township, Kendall County, Illinois



QUIT CLAIM DEED
(Illinois Statutory)

After Recording Mail To
Joshua A. Nesser
Lavelle Law, Ltd
180 N LaSalle #2503
Chicago, IL 60601

Send Subsequent Tax Bills To
Baka Properties, LLC - Series 5
55 Riverside St
Yorkville, IL 60560

201600006850

**DEBBIE
GILLETTE**
KENDALL COUNTY, IL

RECORDED: 5/17/2016 9:05 AM
DCD: 49.00 RHSPS FEE: 10.00
PAGES: 2

THE GRANTORS, **BRIAN A HENRICHS AND KELLEY J HENRICHS**, husband and wife, as joint tenants, of 55 Riverside Street, City of Yorkville, County of Kendall, State of Illinois, for and in consideration of Ten and 00/100 Dollars, and other good and valuable consideration in hand paid, CONVEY and QUIT CLAIM to **BAKA PROPERTIES, LLC - SERIES 5**, an Illinois series limited liability company, all interest in the following described Real Estate situated in Kendall County, Illinois, to wit

Legal Description attached

Permanent Real Estate Index Number. 02-34-130-003

Address of Real Estate Vacant Lot 183, Yorkville Road, Yorkville, IL 60560

SUBJECT TO General real estate taxes not due and payable at the time of Closing, covenants, conditions and restrictions of record, and building lines and easements, if any, provided they do not interfere with the current use and enjoyment of the Real Estate

TO HAVE AND TO HOLD said premises forever

Brian A. Henrichs

Dated this 22 day of April, 2016

Kelley J. Henrichs

Dated this 22 day of April, 2016

STATE OF ILLINOIS, COUNTY OF COOK, SS.

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, CERTIFY THAT Brian A Henrichs and Kelley J Henrichs, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead

Given under my hand and official seal, this 22nd day of April, 2016

(SEAL)
NOTARY PUBLIC

State of Illinois

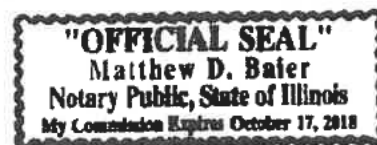
DEPARTMENT OF REVENUE

STATEMENT OF EXEMPTION UNDER REAL ESTATE TRANSFER TAX ACT

I hereby declare that the attached deed represents a transaction exempt under provisions of paragraph e, Section 4, of the real Estate Transfer Tax Act. Dated this 22nd day of April, 2016

Signature of Buyer-Seller or their Representative

Prepared by Lavelle Law, Ltd., 180 N LaSalle #2503, Chicago, IL 60601
S:\7751 8000\7751\601 Corp Formation\Quit Claim Deeds\QCD Lot 183 Baka 5.doc



LOT 183 IN FOX RIVER GARDENS IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS





Kendall County Soil & Water
Conservation District

7775A Route 47, Yorkville, Illinois 60560 • (630)553-5821 extension 3



www.kendallswcd.org

NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

Petitioner: Brian Henrichs Contact Person: _____
 Address: _____
 City, State, Zip: _____
 Phone Number: () _____
 Email: _____

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

Site Location & Proposed Use

Township Name BRISTOL Township 37N N, Range R7E E, Section(s) 34
 Parcel Index Number(s) 02-34-130-004
 Project or Subdivision Name FOX RIVER GARDENS Number of Acres 2.7
 Current Use of Site FIELD Proposed Use RESIDENTIAL
 Proposed Number of Lots 2 Proposed Number of Structures 4
 Proposed Water Supply WELL Proposed type of Wastewater Treatment SEPTIC
 Proposed type of Storm Water Management N/A

Type of Request

- ☐ Change in Zoning from A1 to R3
☐ Variance (Please describe fully on separate page)
☐ Special Use Permit (Please describe fully on separate page)

Name of County or Municipality the request is being filed with: KENDALL

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

- ☒ Plat of Survey/Site Plan – showing location, legal description and property measurements
☐ Concept Plan - showing the locations of proposed lots, buildings, roads, stormwater detention, open areas, etc.
☐ If available: topography map, field tile map, copy of soil boring and/or wetland studies
☒ NRI fee (Please make checks payable to Kendall County SWCD)

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

Full Report: \$375.00 for five acres and under, plus \$18.00 per acre for each additional acre or any fraction thereof over five.
Executive Summary Report: \$300.00 (KCSWCD staff will determine when a summary or full report will be necessary.)

Fee for first five acres and under	\$ 375.00
Additional Acres at \$18.00 each	\$ 0
Total NRI Fee	\$ 375.00

NOTE: Applications are due by the 1st of each month to be on that month's SWCD Board Meeting Agenda. Once a completed application is submitted, please allow 30 days for inspection, evaluation and processing of this report.

I (We) understand the filing of this application allows the authorized representative of the Kendall County Soil and Water Conservation District (SWCD) to visit and conduct an evaluation of the site described above. The completed NRI report expiration date will be 3 years after the date reported.

Petitioner or Authorized Agent

11/10/2021

Date

RECEIVED

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

BY: _____

FOR OFFICE USE ONLY

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



Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
<http://dnr.state.il.us>

JB Pritzker, Governor

Colleen Callahan, Director

November 10, 2021

Brian Henrichs
brian.henrichs

RE: lot 183 fox river gardens subdivision
Project Number(s): 2206927 [001]
County: Kendall



Dear Applicant:

This letter is in reference to the project you recently submitted for consultation. The natural resource review provided by EcoCAT identified protected resources that may be in the vicinity of the proposed action. The Department has evaluated this information and concluded that adverse effects are unlikely. Therefore, consultation under 17 Ill. Adm. Code Part 1075 is terminated.

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

The natural resource review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, you must comply with the applicable statutes and regulations. Also, note that termination does not imply IDNR's authorization or endorsement of the proposed action.

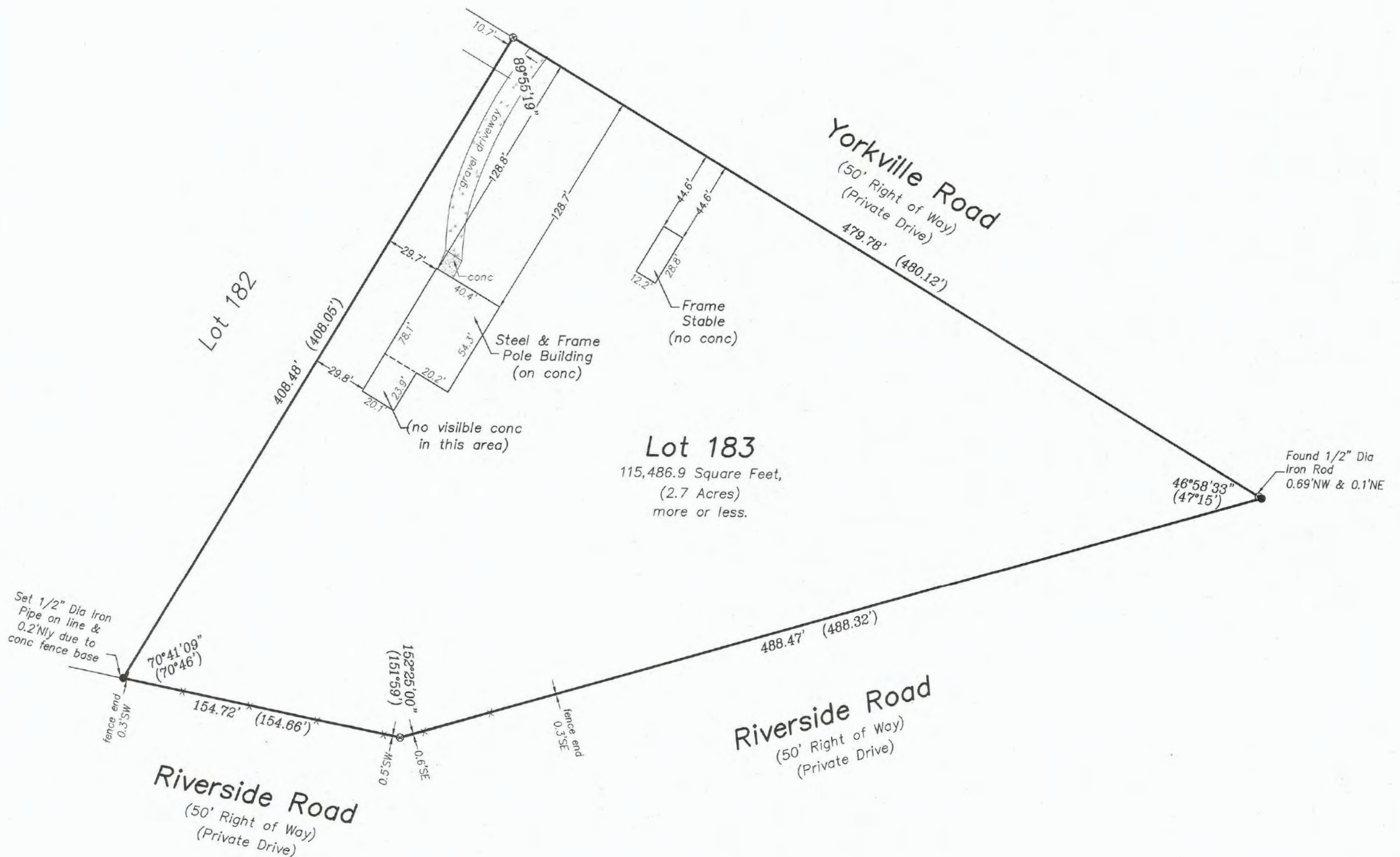
Please contact me if you have questions regarding this review.



Kyle Burkwald
Division of Ecosystems and Environment
217-785-5500

PLAT OF SURVEY

LOT 183 IN FOX RIVER GARDENS, IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 55 RIVERSIDE ROAD, YORKVILLE, ILLINOIS.



STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

WE, CORNERSTONE SURVEYING, P.C., AN ILLINOIS PROFESSIONAL DESIGN FIRM LAND SURVEYOR CORPORATION NO. 184.006522, DO HEREBY CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS WHICH AN ACCURATE TITLE SEARCH MAY DISCLOSE.

DATED AT YORKVILLE, ILLINOIS ON NOVEMBER 03, 2021.



Michel C. Ensalaco, P.L.S. Exp. 11/30/2022
Eric C. Pokorny, P.L.S. Exp. 11/30/2022

TODD SURVEYING
Professional Land Surveying Services

"Cornerstone Surveying PC"
759 John Street, Suite D
Yorkville, IL 60560
Phone: 630-892-1309 Fax: 630-892-5544

Survey is only valid if original seal is shown in red.

Client: BAKA Properties
Book # sheets Drawn By: J.H.J.H. Plat #: 1751
Reference:
Field Work Completed: 11/02/2021
Rev. Date Rev. Description
Project Number:
2021-1486

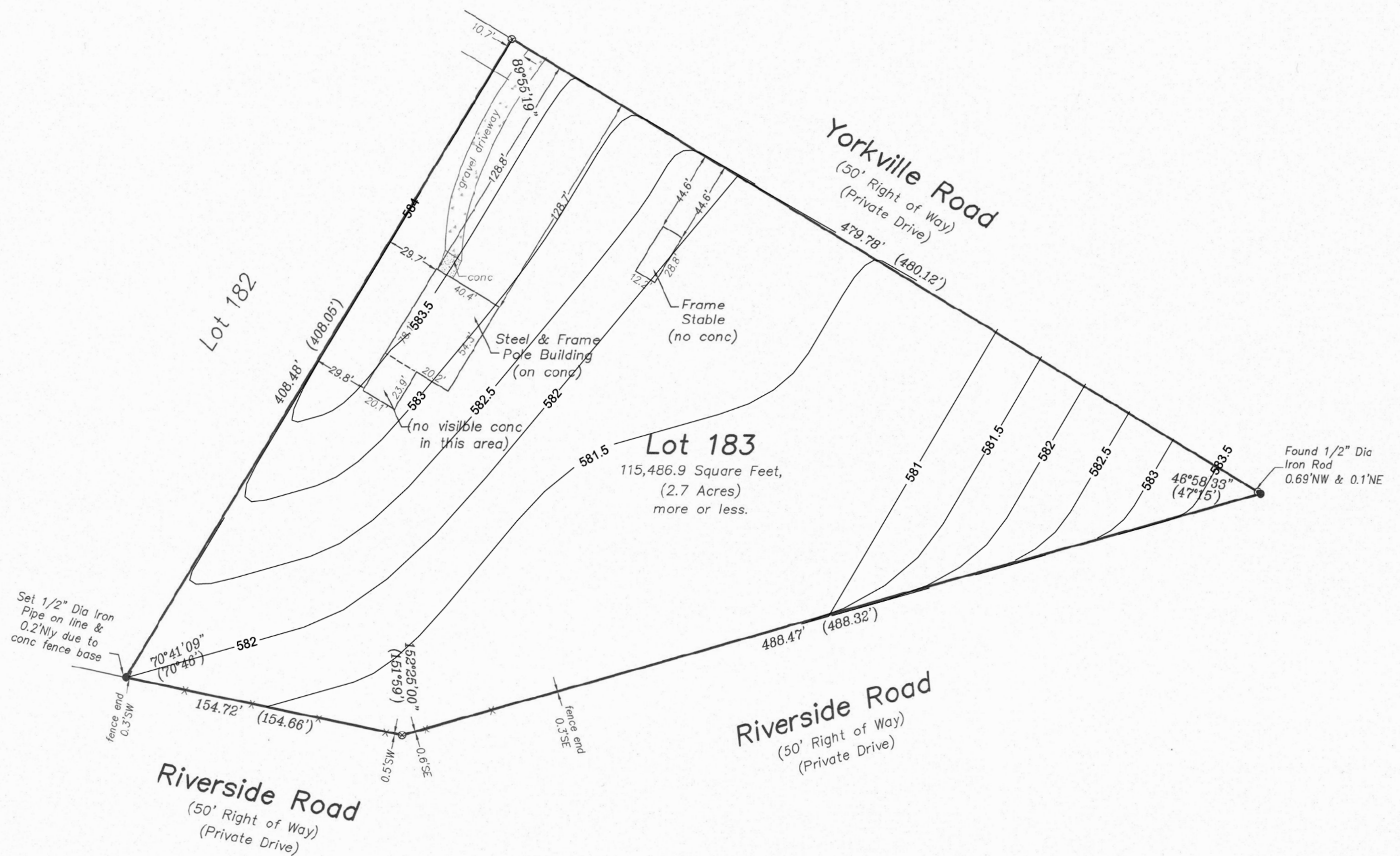
Scale: 1" = 50'

⊗ = Found 1/2" Dia. Iron Pipe
● = Set Iron Pipe 1/2" Dia. x 24"
(XX.XX') = Record Distance
XX.XX' = Measured Distance
N = North E = East
S = South W = West
-X-X-X- = Fence
[] = Concrete/Asphalt

PLAT OF SURVEY

LOT 183 IN FOX RIVER GARDENS, IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 55 RIVERSIDE ROAD, YORKVILLE, ILLINOIS.



STATE OF ILLINOIS)
COUNTY OF KENDALL) SS


WE, CORNERSTONE SURVEYING, P.C., AN ILLINOIS PROFESSIONAL DESIGN FIRM LAND SURVEYOR CORPORATION NO. 184.006522, DO HEREBY CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS WHICH AN ACCURATE TITLE SEARCH MAY DISCLOSE.

DATED AT YORKVILLE, ILLINOIS ON NOVEMBER 03, 2021.



Scale: 1" = 50'



⊗=Found 1/2" Dia. Iron Pipe
 ●=Set Iron Pipe 1/2" Dia. x 24"
 (XX.XX)= Record Distance
 XX.XX= Measured Distance
 N= North E= East
 S= South W= West
 -X-X-X- Fence
 = Concrete/Asphalt

Michel C. Ensalaco, P.L.S. [REDACTED] Exp. 11/30/2022
Eric C. Pokorny, P.L.S. [REDACTED] Exp. 11/30/2022

TODD SURVEYING

Professional Land Surveying Services
"Cornerstone Surveying PC"

Cornerstone Surveying PC
759 John Street, Suite D
Yorkville, IL 60560
Phone: 630-892-1309 Fax: 630-892-5544

Survey is only valid if original seal is shown in red.

Client: *BAKA Properties*

Book #: sheets	Drawn By: J.L.H. J.J.H	Plat #: 1751
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Reference:

Field Work Completed: 11/02/2021

Rev. Date	Rev. Description
-----------	------------------

Project Number:

2021-1486

Attachment 4



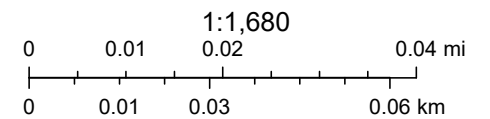
November 12, 2021



Kendall County Address Points

Parcels

Ownership Parcel



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Kendall County Web GIS

View GIS Disclaimer at <https://www.co.kendall.il.us/departments/geographic-information-systems/gis-disclaimer-page/>.

Matt Asselmeier

From: Greg Chismark <gchismark@wbkengineering.com>
Sent: Saturday, November 13, 2021 4:29 PM
To: Matt Asselmeier
Subject: RE: [External]RE: Unincorporated Kendall County

Yes, I have a comment.

The base flood elevation of the Fox River in proximity to this lot is 582. The County GIS contours indicates there is hydraulic connectivity from the Fox River to the property. The survey submitted shows elevations lower than 582 which documents floodplain exists on the property.

Unless the petitioner can provide a survey that depicts ground elevation at or above 582 between the lot and the Fox River, my opinion is that there is floodplain on the lot. Let me know if you need anything formal on this.

Greg

Greg Chismark, PE
President
Direct: (630) 338-8527 | Main: (630) 443-7755
gchismark@wbkengineering.com

WBK Engineering, LLC
116 W. Main Street, Suite 201, St. Charles, IL 60174

Part of Bodwé Professional Services

From: Matt Asselmeier <masselmeier@co.kendall.il.us>
Sent: Friday, November 12, 2021 8:49 AM
To: Greg Chismark <gchismark@wbkengineering.com>
Subject: RE: [External]RE: Unincorporated Kendall County

Greg:

The owner of Lot 183 in Fox River Gardens is submitting an application to rezone the property R-3 in order to build 2 houses.

The Petitioner submitted the attached topographic survey and is claiming no floodplain and no BFE on the property.

Do you have any comments on this?

Thanks,

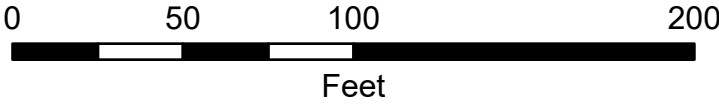
Matthew H. Asselmeier, AICP, CFM
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179



**Aerial for
02-34-130-004**



Approximate floodplain area
below 582'. Please see topographic
survey for exact area.



Kendall County GIS
111 West Fox Street - Room 308
Yorkville, Illinois 60560
630.553.4212