



United City of Yorkville

651 Prairie Pointe Drive

Yorkville, Illinois 60560

Telephone: 630-553-4350

www.yorkville.il.us

PLANNING AND ZONING

COMMISSION AGENDA

Wednesday, June 12, 2024

7:00 PM

Yorkville City Hall Council Chambers

651 Prairie Pointe Drive

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

Roll Call:

Previous meeting minutes: May 8, 2024

Citizen's Comments

Public Hearings

- PZC 2024-07 Kelaka, LLC**, Green Door Capital, petitioner/contract purchaser, and Kelaka, LLC, owners, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting rezoning classification. The real property is generally located south of the Burlington Northern Santa Fe railroad line, southeast of Faxon Road. The petitioner is requesting rezoning approval from R-1 Single-Family Suburban Residential District to M-2 General Manufacturing District (contingent on approval of annexation by the City Council) consisting of approximately 148.56 acres.
- PZC 2024-08 Hagemann Trust**, Green Door Capital, petitioner/contract purchaser, and Hagemann Family Trust, owners, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting rezoning classification. The real property is generally located immediately east of Eldamain, north of Corneils Road, and west of West Beecher Road. The petitioner is requesting rezoning approval from R-1 Single-Family Suburban Residential District to M-2 General Manufacturing District (contingent on approval of annexation by the City Council) for three (3) parcels, consisting of approximately 138.441 acres.
- PZC 2024-15 C1 Yorkville, LLC**, petitioner, and Yorkville Nexus LLC, owners, have filed applications with the United City of Yorkville, Kendall County, Illinois, requesting special use authorization for a Planned Unit Development (PUD) and preliminary PUD Plan approval for a data center campus. The real property is generally located immediately east of Eldamain Road, north of the Burlington Northern Santa Fe railroad and Faxon Road, and west of Beecher Road consisting of approximately 230 acres.

Unfinished Business

New Business

1. **PZC 2024-07 Kelaka, LLC**, Green Door Capital, petitioner/contract purchaser, and Kelaka, LLC, owners, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting rezoning classification. The real property is generally located south of the Burlington Northern Santa Fe railroad line, southeast of Faxon Road. The petitioner is requesting rezoning approval from R-1 Single-Family Suburban Residential District to M-2 General Manufacturing District (contingent on approval of annexation by the City Council) consisting of approximately 148.56 acres.

Action Item

Rezone

2. **PZC 2024-08 Hagemann Trust**, Green Door Capital, petitioner/contract purchaser, and Hagemann Family Trust, owners, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting rezoning classification. The real property is generally located immediately east of Eldamain, north of Corneils Road, and west of West Beecher Road. The petitioner is requesting rezoning approval from R-1 Single-Family Suburban Residential District to M-2 General Manufacturing District (contingent on approval of annexation by the City Council) for three (3) parcels, consisting of approximately 138.441 acres.

Action Item

Rezone

3. **PZC 2024-15 C1 Yorkville, LLC**, petitioner, and Yorkville Nexus LLC, owners, have filed applications with the United City of Yorkville, Kendall County, Illinois, requesting special use authorization for a Planned Unit Development (PUD) and preliminary PUD Plan approval for a data center campus. The real property is generally located immediately east of Eldamain Road, north of the Burlington Northern Santa Fe railroad and Faxon Road, and west of Beecher Road consisting of approximately 230 acres.

Action Item

PUD & Preliminary PUD Plan

Additional Business

1. Appointment of Vice Chair

2. City Council Action Updates

- a. **PZC 2024-06 Corneils Road Solar, LLC**, petitioner, on behalf of Gary L. and Betty S. Bennett, owners, has filed applications with the United City of Yorkville, Kendall County, Illinois, requesting rezoning classification and special use authorization. The real property is generally located immediately north of Corneils Road, approximately 1,700 feet east of Beecher Road, and approximately 4,300 feet west of IL. Route 47 (N. Bridge Street) consisting of 94 acres. The petitioner is requesting rezoning approval from R-1 Single-Family Suburban Residential District to A-1 Agricultural District (contingent on approval of annexation by the City Council). The petitioner is also requesting special use permit approval in pursuant to Section 10-8-5 of the Yorkville City Code for a solar farm.

Action Item

Rezone and Special Use

- b. **PZC 2024-09 Kendall County Petition 24-04** Larry Nelson, petitioner, on behalf of the Fox Valley Family YMCA, Inc. (owner), is requesting site plan approval to construct a YMCA recreational facility, parking, and related infrastructure to a property at 1520 Cannonball Trail

in Bristol Township. The real property and is located at the southeast corner of Cannonball Trail and Galena Road in unincorporated Kendall County.

Action Item

1.5 Mile Review

- c. **PZC 2024-10 Kendall County Petition 24-05** George S. and Heidi R. Oliver, are requesting approval of a Plat of Vacation to vacate the public easements between two (2) parcels (Lots 223 and 224) within the Whitetail Ridge subdivision. The real property is located at 7709 and 7731 Bentgrass Circle in unincorporated Kendall County.

Action Item

1.5 Mile Review

- d. **PZC 2024-11 Kendall County Petition 24-06** Jerry Styrzczula, petitioner, on behalf of A&D Properties, LLC is requesting an approval of a map amendment (rezoning) 16.4 +/- acres located on the west side of Route 47, commonly known as addressed 7789 Route 47, from B-3 Highway Business District to M-1 Limited Manufacturing District. The purpose of the request is to operate a trucking business for the sale and storage of semi-trailers, small trailers, semi-tractors, and similar uses at the subject property.

Action Item

1.5 Mile Review

- e. **PZC 2024-13 United City of Yorkville**, petitioner, is proposing to amend Section 10-7-9 Park and Recreation Land and School Site Dedication of the Unified Development Ordinance related to criteria and formula for determining the minimum required park and recreation and school site dedication. The proposed text amendment will revise Table 10-7-9(A)(1): Parkland Dedication Requirements, Table 10-7-9(B)(1): School Dedication Requirements, and Table 10-7-9(D): Estimated Population Per Dwelling Unit within the United City of Yorkville's Unified Development Ordinance.

Action Item

Text Amendment

Adjournment

PLANNING & ZONING COMMISSION

City Council Chambers

651 Prairie Pointe Drive, Yorkville, IL

Wednesday, May 8, 2024 7:00pm

Meeting Called to Order

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

Roll Call

Ryan Forristall-yes, Rusty Hyett-yes, Greg Millen-yes, Daniel Williams-yes

Absent: Reagan Goins, Richard Vinyard

City Staff

Krysti Barksdale-Noble, Community Development Director

Sara Mendez, Planner I

Other Guests

Lynn Dubajic Kellogg, City Consultant (via Zoom)

Chris Vitosh, Vitosh Reporting Service

Matt Asselmeier, Kendall County PBZ

Dan Kramer, Attorney (via Zoom)

David Petesch, *Kendall County Record* (via Zoom)

Previous Meeting Minutes April 10, 2024

Motion by Mr. Millen and second by Mr. Hyett to approve the minutes as presented.

Roll call: Hyett-yes, Millen-yes, Williams-present, Forristall-yes Carried 3-0 yes and 1-present.

Citizen's Comments None

Public Hearings

Commissioner Williams informed the Board that Public Hearings PZC 2024-07 Kelaka and PZC 2024-08 Hagemann Trust would not be heard tonight since the property owners within 500 feet had not been notified of the scheduled Hearing.

A motion was made and seconded by Mr. Hyett and Mr. Millen, respectively, to move Public Hearings PZC 2024-07 and PZC 2024-08 to the June 12, 2024 PZC meeting.

Roll call: Millen-yes, Williams-yes, Forristall-yes, Hyett-yes. Carried 4-0.

Mr. Williams stated the procedure for the remaining Hearing. At approximately 7:04pm, a motion was made by Mr. Millen and seconded by Mr. Forristall to open the Public

Hearing PZC 2024-13 United City of Yorkville. Roll call: Millen-yes, Williams-yes, Forristall-yes, Hyett-yes. Carried 4-0.

3. PZC 2024-13 United City of Yorkville, petitioner, is proposing to amend Section 10-7-9 Park and Recreation Land and School Site Dedication of the Unified Development Ordinance related to criteria and formula for determining the minimum required park and recreation and school site dedication. The proposed text amendment will revise Table 10-7-9(A)(1): Parkland Dedication Requirements, Table 10-7-9(B)(1): School Dedication Requirements and Table 10-7-9(D): Estimated Population Per Dwelling Unit within the United City of Yorkville's Unified Development Ordinance.

(See Court Reporter's Transcript)

Since there was no further testimony or comment regarding this Hearing, a motion to close the Public Hearing was made by Mr. Forristall, (no second) at approximately 7:11pm. Roll call: Williams-yes, Forristall-yes, Hyett-yes, Millen-yes. Carried 4-0.

Unfinished Business None

New Business

(out of sequence)

6. PZC 2024-13 United City of Yorkville. A motion was made by Mr. Hyett and seconded by Mr. Millen to move Item #6, PZC 2024-13, amendment, to be the first item under New Business. Roll call: Williams-yes, Forristall-yes, Hyett-yes, Millen-yes. Carried 4-0.

Action Item

Text Amendment

There was no discussion and Mr. Millen moved and Mr. Forristall seconded the motion to approve PZC 2024-13 Text Amendment regarding Park and Recreation Land and School Site Dedication. Roll call: Williams-yes, Forristall-yes, Hyett-yes, Millen-yes. Carried 4-0.

(resume agenda as printed)

1. PZC 2024-07 Kelaka, LLC, Green Door Capital
(moved to June 12th PZC meeting)

2. PZC 2024-08 Hagemann Trust, Green Door Capital
(moved to June 12th PZC meeting)

3. PZC 2024-09 Kendall County Petition 24-04 Larry Nelson, petitioner, on behalf of the Fox Valley Family YMCA, Inc. (owner), is requesting site plan approval to construct a YMCA recreational facility, parking and related infrastructure to a property at 1520 Cannonball Trail in Bristol Township. The real property is located at the southeast corner of Cannonball Trail and Galena Road in unincorporated Kendall County.

Discussion: Ms. Noble presented the background for this 1.5 Mile Review. Mr. Nelson wishes to build a new facility in unincorporated area, which was previously annexed in

2001 and de-annexed in 2020. The petitioner acquired the property in 2015. Currently it has B-4 zoning. The facility would be built in 2 phases and she described the amenities. The city engineer had some questions regarding stormwater management and staff noted that the facility would be served by septic and well. There are existing water main and sanitary sewer hookups adjacent to the property. If the project moves forward, staff will re-evaluate the Comprehensive Plan.

Commissioner Hyett asked if Cannonball Trail will be re-directed due to accidents and Mr. Asselmeier said Cannonball and Dickson Rd. will be aligned. Mr. Williams briefly commented about the facility having their own water systems.

Action Item

1.5 Mile Review

Commissioner Williams entertained a motion of approval for PZC 2024-09 YMCA, Kendall County Petition 24-04. So moved by Mr. Hyett and seconded by Mr. Millen. Roll call: Forristall-yes, Hyett-yes, Millen-yes, Williams-yes. Carried 4-0.

4. PZC 2024-10 Kendall County Petition 24-05 George S. and Heidi R. Oliver are requesting approval of a Plat of Vacation to vacate the public easements between two (2) parcels (Lots 223 and 224) within the Whitetail Ridge subdivision. The real property is located at 7709 and 7731 Bentgrass Circle in unincorporated Kendall County.

Discussion: Ms. Mendez provided background for this petition. The petitioners are seeking a Plat of Vacation on the 10-foot drainage and utility easement on the 2 parcels located in the Whitetail subdivision, where they plan to construct a house. The HOA and city staff are OK with this.

Action Item

1.5 Mile Review

There was no discussion by the Commissioners and a motion was made by Mr. Hyett and seconded by Mr. Millen to approve this petition PZC 2024-10, county petition 24-05. Roll call: Forristall-yes, Hyett-yes, Millen-yes, Williams-yes. Carried 4-0.

5. PZC 2024-11 Kendall County Petition 24-06 Jerry Styrzula, petitioner, on behalf of A&D Properties, LLC is requesting approval of a map amendment (rezoning) 16.4 +/- acres located on the west side of Route 47, commonly known as address 7789 Route 47, from B-3 Highway Business District to M-1 Limited Manufacturing District. The purpose of the request is to operate a trucking business for the sale and storage of semi-trailers, small trailers, semi-tractors and similar uses at the subject property.

Discussion: Ms. Mendez provided the background and said the petitioner, Jerry Styrzula, is seeking a map amendment to rezone from B-3 to M-1 for a trucking business. There are 2 parcels totaling 16.4 acres with 2 existing buildings. The petitioner would be selling semi-trailers only (a change from previously submitted information).

She described the property and said a new site plan is being compiled. An amendment was also made to the Kendall County Land Use Plan. Attorney Kramer commented

briefly and said the project would provide a large amount of tax to the school district and he asked for a positive recommendation.

Action Item

1.5 Mile Review

It was moved and seconded by Mr. Hyett and Mr. Forristall, respectively, to approve the map amendment (rezoning) of this project, PZC 2024-11, Kendall County petition 24-06. Roll call: Forristall-yes, Hyett-yes, Millen-yes, Williams-yes. Carried 4-0.

Additional Business

1. Appointment of Vice Chair

Ms. Noble stated that the ordinance requires a Vice-Chairman be selected annually. Currently, Mr. Vinyard is serving as Vice-Chairman. A motion was made and seconded by Mr. Hyett and Mr. Millen, respectively, to move this selection to the June 12th meeting. Roll call: Hyett-yes, Millen-yes, Williams-yes, Forristall-yes. Carried 4-0.

2. City Council Action Updates

a. PZC 2024-06 Corneils Road Solar, LLC. Ms. Noble said this item will be on the May 14th City Council agenda. They have had their Public Hearing with no objections and written comments were received from one individual.

Adjournment

There was no further business and the meeting was adjourned at 7:32pm on a motion by Mr. Hyett and second by Mr. Millen Unanimous voice vote approval.

Respectfully submitted by
Marlys Young, Minute Taker

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UNITED CITY OF YORKVILLE
YORKVILLE, ILLINOIS

PLANNING AND ZONING COMMISSION
PUBLIC HEARING

651 Prairie Pointe Drive
Yorkville, Illinois

Wednesday, May 8, 2024
7:00 p.m.

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PRESENT:

Mr. Danny Williams, Chairman,
Mr. Greg Millen,
Mr. Rusty Hyett.
Mr. Ryan Forristall.

ALSO PRESENT:

Ms. Krysti Barksdale-Noble, Community
Development Director;
Ms. Sara Mendez, Planner;
Ms. Marlys Young, Minute Taker.

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

4 CHAIRMAN WILLIAMS: There are three
5 public hearings scheduled for tonight's Planning
6 and Zoning Commission meeting; however, the
7 Petitioners for PZC 2024-07 and PZC 2024-08 have
8 not notified the surrounding property owners of
9 the scheduled hearing.

10 Therefore, the agenda items for the
11 Kelaka and Hagemann Trust rezoning requests will
12 not be open for discussion and testimony will not
13 be taken at tonight's meeting.

14 Due to the absence of required
15 notification to property owners within 500 feet
16 of the subject properties, may I have a motion to
17 move the public hearing scheduled for PZC 2024-07
18 and PZC 2024-08 from May 8th, 2024 Planning and
19 Zoning Commission meeting until June 12th, 2024,
20 Planning and Zoning Commission meeting at the
21 same time and place as the originally planned
22 hearing?

23 MR. HYETT: I so move.

24 CHAIRMAN WILLIAMS: I believe that

1 was --

2 MS. YOUNG: Motion, so Hyett.

3 MS. NOBLE: Seconded.

4 MR. HYETT: I made the motion.

5 MS. NOBLE: Oh, you made the motion.

6 MR. HYETT: Yes.

7 MR. MILLEN: Second.

8 CHAIRMAN WILLIAMS: Sorry about that.

9 Roll call vote on the motion, please.

10 MS. YOUNG: Yes. Millen.

11 MR. MILLEN: Yes.

12 MS. YOUNG: Williams.

13 CHAIRMAN WILLIAMS: Yes.

14 MS. YOUNG: Forristall.

15 MR. FORRISTALL: Yes.

16 MS. YOUNG: And Hyett.

17 MR. HYETT: Yes.

18 CHAIRMAN WILLIAMS: The public hearings
19 for PZC 2024-07 and PZC 2024-08 have been moved
20 to the June 12th, 2024 Planning and Zoning
21 Commission meeting.

22 There is now one public hearing
23 scheduled for tonight's Planning and Zoning
24 Commission meeting. The purpose of this hearing

1 is to invite testimony from members of the
2 community regarding the proposed request that is
3 being considered before this Commission
4 tonight.

5 Public testimony from persons
6 present who wish to speak may be for or against
7 the motion -- or for or against the request, or
8 to ask questions of the petitioner regarding the
9 request being heard.

10 Those persons wishing to testify are
11 asked to speak clearly, one at a time, and state
12 your name and who you represent, if anyone. You
13 are also asked to sign in at the podium.

14 If you plan to speak during
15 tonight's public hearing as a petitioner or as a
16 member of the public, please stand, raise your
17 right hand, and repeat after me. Seeing as I
18 don't believe there is anyone, I will move on
19 from there.

20 May I have a motion to open the
21 public hearing on petition number PZC 2024-13,
22 United City of Yorkville, for a text amendment to
23 the Unified Development Ordinance?

24 MR. MILLEN: So moved.

1 CHAIRMAN WILLIAMS: Second, please?

2 MR. FORRISTALL: Second.

3 CHAIRMAN WILLIAMS: Thank you. Roll
4 call vote on the motion, please.

5 MS. YOUNG: Yes. Millen.

6 MR. MILLEN: Yes.

7 MS. YOUNG: Williams.

8 CHAIRMAN WILLIAMS: Yes.

9 MS. YOUNG: Forristall.

10 MR. FORRISTALL: Yes.

11 MS. YOUNG: And Hyett.

12 MR. HYETT: Yes.

13 CHAIRMAN WILLIAMS: The public hearing
14 up for discussion tonight is as follows: The
15 United City of Yorkville, Petitioner, is
16 proposing to amend Section 10-7-9, Park and
17 Recreation Land and School Site Dedication of
18 the Unified Development Ordinance related to
19 criteria and formula for determining the minimum
20 required park and recreation and school site
21 dedication.

22 The proposed text amendment will
23 revise Tables 10-7-9(A)(1), Parkland Dedication
24 Requirements; Table 10-7-9(B)(1), School

1 Dedication Requirements; and Table 7 -- I'm
2 sorry, Table 10-7-9(D), Estimated Population Per
3 Dwelling Unit within the United City of
4 Yorkville's Unified Development Ordinance.

5 Staff, please present on behalf of
6 the city for PZC 2024-13, Text Amendment to the
7 Yorkville Unified Development Ordinance.

8 MS. NOBLE: Okay. Just a brief
9 refresher if you all don't recall, last year,
10 last couple of years, we were going through the
11 Unified Development Ordinance process. It's a
12 four-year process.

13 Members of this committee were part
14 of that advisory committee, and we came up with
15 some modernization standards for our zoning
16 ordinance and combining all of our
17 development-related ordinances, and the land cash
18 ordinance is one of those ordinances.

19 So history about the land cash. In
20 January, 1996 the city adopted its land cash
21 ordinance, and that ordinance derived
22 calculations based off of at that time the
23 Illinois State Board of Education's
24 recommendations for, you know, site criteria for

1 a school, what would be a middle school ideal
2 size, what would be the, you know, average
3 population of residents that would utilize the
4 middle school, like what are the school-age kids,
5 and that information ended up becoming part of a
6 formula of how we calculate the minimum acreage
7 required to be dedicated for new residential
8 developments.

9 So every time a residential
10 development comes in, we have a subdivision, we
11 estimate based off of the unit type, if it's
12 single family, if it's multi family, if it's a
13 townhome, how many people will be generated from
14 that site and how many would be school-age kids.

15 So around that time there was a
16 model that all communities used, it was called
17 the Naperville model, and this is what we based
18 off our standards, and that model was created or
19 utilized the formula from 1993, so we adopted it
20 in 1996 and we hadn't changed it in almost
21 30 years.

22 So as a part of the UDO, we thought
23 that there needed to be an update to the land
24 cash methodology, and even the ordinance itself,

1 the '96 ordinance, recognized that the formula
2 for land cash dedication, a fee in lieu of, was
3 going to be periodically renewed and updated, and
4 hadn't been in 30 years.

5 So we undertook that process and we
6 created criteria and formulas based off of a
7 2010 model of the Illinois Capital Development
8 Board. This is a board that regulates the
9 construction of schools for Illinois, and most
10 schools follow these standards when they are
11 deciding to construct a new facility, how many
12 students, what's the minimum acreage, that
13 information.

14 And so we researched other
15 communities, and other communities use this
16 technology as well. Some local around here would
17 be Oswego, St. Charles, Joliet, Elgin, New Lenox,
18 Woodridge, so on.

19 So once we adopted it, a comparison
20 was done on a random generic subdivision, and
21 what we found was that the numbers ended up
22 reducing the land dedication and the cash
23 dedication required by half, so the current
24 ordinance, if you look in the memo, there is a

1 generic subdivision, residential subdivision, of
2 about 100 single-family dwellings, 50 townhomes
3 and 20 duplexes, so total 170 dwelling units.

4 Under our previous ordinance, they
5 would be required to -- the subdivision would
6 have to dedicate about 5.3 acres of land for park
7 and 7.1 acres of land for a school, and if they
8 couldn't do that, then they would have to pay the
9 equivalent of that, and the equivalent value for
10 the park, that five-acre park, would be 537,000,
11 and the equivalent of that seven-acre school site
12 would be 717,000, so the city would collect for
13 the park half a million and the school would
14 collect about 700,000.

15 Well, under our new formula, the
16 school would collect about \$350,000 or 3.5 acres
17 of land, which nothing can be done with
18 three acres of land for a school, and the city
19 would get about 2.8 acres for a park, or about
20 280 acres -- \$288,000 for cash donation.

21 With this in mind, we felt that it
22 would be best to revisit this and do a deeper
23 dive, one more specific to Yorkville rather than
24 using a formula that everyone has used over a

1 couple of years because of the impact it had on
2 development, and so some developments have fee
3 lots, so some would be subject to this
4 regulation, some wouldn't.

5 We just felt we would revert back to
6 our original methodology and formula and then
7 revisit this in the future and get a better
8 understanding of what our population generation
9 really is rather than use a model.

10 So if you have any questions for me,
11 I will be happy to answer them or we can wait
12 until we get to the deliberation period.

13 CHAIRMAN WILLIAMS: Thank you, Krysti.
14 All right. Is there anyone present who wishes to
15 speak in favor of the request? I'm going to say
16 no.

17 (No response.)

18 CHAIRMAN WILLIAMS: Is there anyone
19 present who wishes to speak in opposition to the
20 request?

21 (No response.)

22 CHAIRMAN WILLIAMS: Again, going to say
23 no. Are there any questions from the
24 petitioners at this time -- or I'm sorry. Are

1 there any questions from the commissioners at
2 this time for the petitioner?

3 (No response.)

4 CHAIRMAN WILLIAMS: I figure we can just
5 save them for open session later on.

6 Since all public testimony regarding
7 this petition has been taken, may I have a motion
8 to close the taking of testimony in this public
9 hearing?

10 MR. MILLEN: So moved.

11 MR. HYETT: So moved.

12 CHAIRMAN WILLIAMS: Okay. Thank you.
13 Roll call vote on the motion, please.

14 MS. YOUNG: Williams.

15 CHAIRMAN WILLIAMS: Yes.

16 MS. YOUNG: Forristall.

17 MR. FORRISTALL: Yes.

18 MS. YOUNG: Hyett.

19 MR. HYETT: Yes.

20 MS. YOUNG: And Millen.

21 MR. MILLEN: Yes.

22 MS. YOUNG: Thank you.

23 CHAIRMAN WILLIAMS: The public hearing
24 portion of tonight's meeting is closed.

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(Which were all the proceedings had
in the public hearing portion of
the meeting, concluding at 7:12
p.m.)

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1 STATE OF ILLINOIS)
) SS:
2 COUNTY OF LASALLE)

3 I, CHRISTINE M. VITOSH, a Certified
4 Shorthand Reporter of the State of Illinois, do
5 hereby certify:

6 That previous to the commencement
7 of any testimony heard, the witnesses were duly
8 sworn to testify the whole truth concerning the
9 matters herein;

10 That the foregoing public hearing
11 transcript, Pages 1 through 15, was reported
12 stenographically by me by means of machine
13 shorthand, was simultaneously reduced to
14 typewriting via computer-aided transcription
15 under my personal direction, and constitutes a
16 true record of the testimony given and the
17 proceedings had;

18 That the said public hearing was taken
19 before me at the time and place specified;

20 That I am not a relative or employee or
21 attorney or counsel, nor a relative or employee
22 of such attorney or counsel for any of the
23 parties hereto, nor interested directly or
24 indirectly in the outcome of this action.

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I further certify that my certificate attached hereto applies to the original transcript and copies thereof signed and certified under my hand only. I assume no responsibility for the accuracy of any reproduced copies not made under my control or direction.

IN WITNESS WHEREOF, I do hereunto set my hand at Leland, Illinois, this 10th day of May, 2024.

/s/ Christine M Vitosh

CHRISTINE M. VITOSH,
C.S.R. Certificate No. 084-02883



Memorandum

To: Planning and Zoning Commission
From: Krysti Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Sara Mendez, Planner I
Date: June 5, 2024
Subject: **PZC 2024-07 Kelaka, LLC (Green Door Nexus South)**
Annexation and Rezoning Requests

SUMMARY:

The petitioner/contract purchaser, Green Door Capital, and Kelaka, LLC, owner, are seeking to annex and rezone approximately 148-acres of unincorporated farmland. Generally located south of the Burlington Santa Fe railroad line, just southeast of Faxon Road, the subject property consists of a portion of an existing 191-acre parcel (#02-19-100-011). The petitioner is also requesting rezoning approval from R-1 Single-Family Suburban Residential District to M-2 General Manufacturing District, contingent on approval of annexation by the City Council. The area to be annexed is outlined below.



KELAKA, LLC ANNEXATION MAP

United City of Yorkville, Illinois
Date: April 8, 2024
File Location: I:\ARCGIS TEMPLATES\KELAKA, LLC ANNEXATION MAP



PROPERTY BACKGROUND:

The approximately 148-acre subject property is currently unincorporated and zoned A-1 Agriculture in Kendall County. It is part of a larger 191-acre parcel which is irregularly shaped and located immediately west of an existing homestead. The subject property is currently utilized for farmland and is bound by the Rob Roy Creek to the east. The property is also part of the Rob Roy Drainage District.

ANNEXATION REQUEST/CONTIGUITY:

As mentioned, the applicant seeks annexation of a portion of an unincorporated parcel (#02-19-100-011) totaling approximately 148-acres for the purpose of constructing and operating a future industrial/data center land use. Contiguity of the subject parcels and Yorkville’s current corporate boundary is established immediately south of the Burlington Northern Santa Fe railroad abutting the Lincoln Prairie Parcel and the recently annexed New Leaf southern parcel to the east. Both the Lincoln Prairie and New Leaf developments are unimproved but are entitled for industrial and agricultural/solar farm, respectively.

The city engineer will prepare a Plat of Annexation as an exhibit to the annexation agreement. A public hearing for the proposed annexation was held on May 14, 2024 before the City Council.

REZONING REQUEST:

Per Section 10-3-4 of the Yorkville Unified Development Ordinance (UDO), any territory annexed to the city shall automatically be classified within the R-1 Single-Family Suburban Residential District. Therefore, the petitioner is seeking rezoning within the M-2 General Manufacturing District for a proposed future industrial/data center. Data centers are defined as a facility comprised of networked computers, storage systems, and computing infrastructure which organizations use to assemble, process, store and disseminate data.

Table 10-3-12(B) Energy Industrial Uses of the United City of Yorkville’s Unified Development Ordinance identifies data centers as a permitted land uses in the M-2 District. The Unified Development Ordinance also states specific standards for rezoning which all recommendation bodies will review. The petitioner has provided responses to the established standards for each of the criteria provided in the application.

To understand the impact of the proposed rezoning and future land use of the subject property, staff has prepared the following chart summarizing the current immediate surrounding zoning and land uses:

	Zoning	Land Use
North	BNSF Rail Road M-2 General Manufacturing	Transportation Green Door Nexus (Lincoln Prairie)
South	A-1 (Unincorporated Kendall County)	Agriculture/Undeveloped
East	R-2 Single Family (Whispering Meadows) Rob Roy Creek A-1 Agriculture District	Agriculture/Undeveloped Residential/Tributary Agriculture/New Leaf Solar
West	A-1 (Unincorporated Kendall County)	Residential/Agriculture

THE COMPREHENSIVE PLAN:

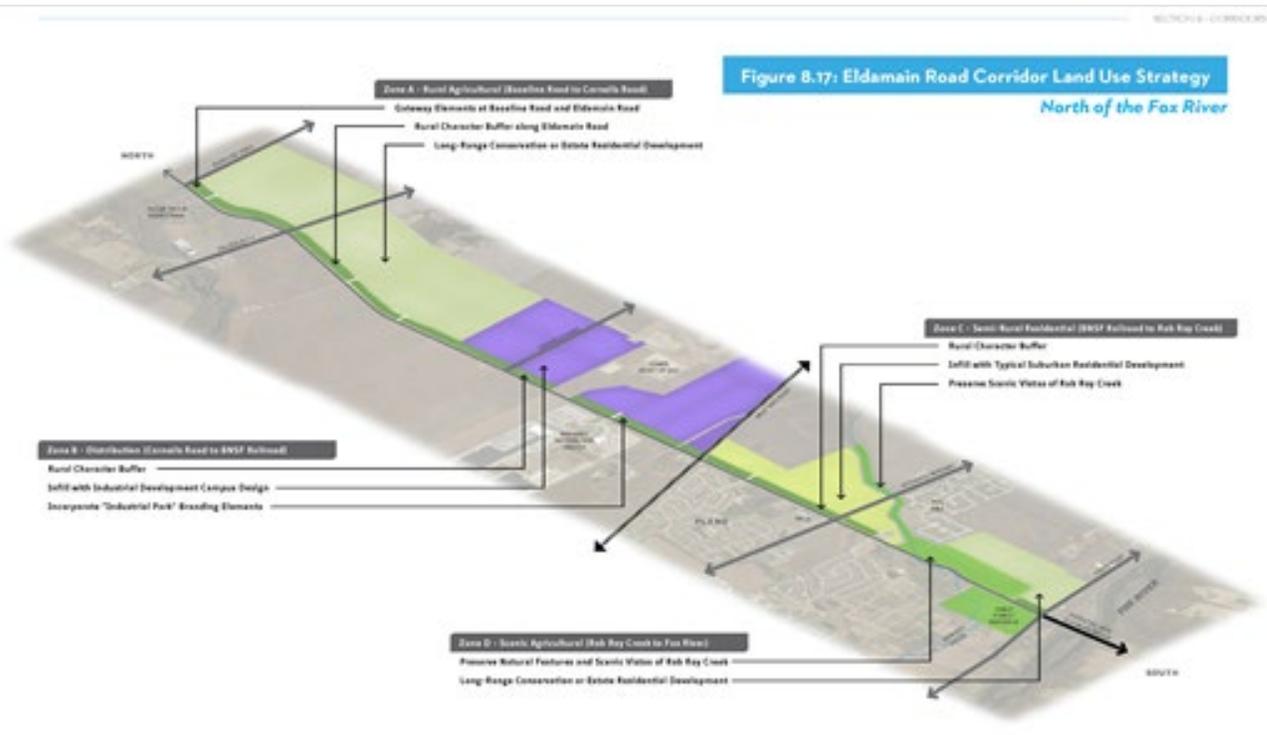
The 2016 Comprehensive Plan Update designates the future land use for this property as Estate/Conservation Residential. The Estate/Conservation Residential (ECR) designation is generally intended for future neighborhood developments that promotes flexibility in residential design, accommodates low density detached single family housing, and is sensitive to environmental and scenic features of the area.

The 2016 Comprehensive Plan utilized this land use designation as a “holding” classification for those areas, particularly on the outskirts or along the perimeter of the City’s corporate boundaries that lacked the public infrastructure to support the development of the land within the 10-year timeline of the plan.

While a data center and the requested M-2 General Manufacturing District is not consistent with the current future land use designation in the 2016 Comprehensive Plan Update, the parcels immediately north of the subject parcels are designated for “General Industrial” future land uses and planned for industrial development. General Industrial land uses accommodate a broad range of warehousing, manufacturing and energy/industrial land uses which are typically serviced by both rail and truck transportation located along identified industrial corridors such as Eldmain Road (see image below). If the annexation is approved by the City, an amendment will be required to the current comprehensive plan.



Figure 4.1 - Future Land Uses North of the Fox River



STAFF COMMENTS:

Staff is supportive of the request for annexation and rezoning approval as it would advance the Comprehensive Plan's future land use strategy of creating an Eldamain Road industrial corridor.

REZONING STANDARDS

Section 10-8-12 Map Amendments establishes criteria for findings of fact related to rezoning (map amendment) requests. When the purpose and affect is to change the zoning of a property and amend the City's Zoning Map, the Planning and Zoning Commission shall consider each of the following facts before rendering a decision on the request. The petitioner has provided answers to each of the criteria in the application these standards which are included in the packet for your review and will be entered into the public record as part of the public hearing process. The standards are:

1. The existing uses and zoning of nearby property.
2. The extent to which the property values are diminished by the particular zoning restrictions.
3. The extent to which the destruction of the property values of plaintiff promotes the health, safety, morals, or general welfare of the public.
4. The relative gain to the public as compared to the hardship imposed upon the individual property owner.
5. The suitability of the subject property for the zoned purpose.
6. The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the subject property.
7. The community need for the proposed use.
8. The care to which the community has undertaken to plan its land use development.

Additional UDO standards:

1. The proposed Map Amendment is consistent with the Comprehensive Plan and the purposes of the UDO.
2. The proposed Map Amendment is consistent with the existing and planned uses and zoning of the nearby properties.
3. The subject property is suitable for the purposes of the proposed district.
4. The proposed Map Amendment will not result in an individual parcel zoned in one zoning district that is not shared by the adjacent parcels.
5. The proposed parcel(s) to be rezoned shall meet the minimum frontage and area requirements of the requested rezoning district as specified in Section 10-3-9(A).

Proposed Motion:

In consideration of testimony presented during a Public Hearing on June 12, 2024 and discussion of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council a request for rezoning from R-1 Single-Family Residential to M-2 General Manufacturing District for a proposed future industrial/data center, contingent upon approval of annexation by the City Council, for a property generally located south of the Burlington Santa Fe railroad line, just southeast of Faxon Road, subject to {insert any additional conditions of the Planning and Zoning Commission}...

ATTACHMENTS:

1. Draft Rezoning Ordinance
2. Rezoning Application
3. Public Hearing Notice

ORDINANCE NO. _____

**AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS
APPROVING THE REZONING TO M-2 GENERAL MANUFACTURING DISTRICT
FOR THE PROPERTY LOCATED SOUTH OF THE BURLINGTON NORTHERN SANTA FE
RAILROAD RIGHT OF WAY AND EAST OF ELDAMAIN ROAD IN YORKVILLE, ILLINOIS
(Kelaka Property)**

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

WHEREAS, the Kelaka, LLC and Green Door Capital, are jointly the owners (the “Owner”) of real property identified and legally described on Exhibit A, attached hereto and made a part hereof by reference (the “Subject Property”), and are seeking rezoning of the Subject Property to M-2 General Manufacturing District; and

WHEREAS, the Planning Commission convened and held a public hearing on the 12th day of June, 2024, to consider the rezoning after publication of notice and notice to property owners within five hundred (500) feet of the Subject Property; and

WHEREAS, the Planning Commission reviewed the standards set forth in Section 10-4-11 and made findings of fact and recommendation to the Corporate Authorities for approval of the rezoning; and

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 rezoning of the Subject Property, legally described on Exhibit A, from the R-1 One Family Residence District to the M-2 General Manufacturing District.

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

[Remainder of Page Intentionally Left Blank, Roll Call Vote to Follow]

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois this
____ day of _____, A.D. 2024.

CITY CLERK

KEN KOCH _____

DAN TRANSIER _____

ARDEN JOE PLOCHER _____

CRAIG SOLING _____

CHRIS FUNKHOUSER _____

MATT MAREK _____

SEAVER TARULIS _____

RUSTY CORNEILS _____

APPROVED by me, as Mayor of the United City of Yorkville, Kendall County, Illinois
this ____ day of _____, A.D. 2024.

MAYOR

Attest:

CITY CLERK



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 ANNEXATION

DATE: 1/31/2024	PZC NUMBER:	DEVELOPMENT NAME: Green Door Nexus South	
PETITIONER INFORMATION			
NAME: Matt Gilbert		COMPANY: Green Door Capital	
MAILING ADDRESS: 837 W Junior Ter			
CITY, STATE, ZIP: Chicago, IL 60613		TELEPHONE: <input checked="" type="radio"/> BUSINESS <input type="radio"/> HOME 312-622-8300	
EMAIL: matt@greendoorcapital.com		FAX:	
PROPERTY INFORMATION			
NAME OF HOLDER OF LEGAL TITLE: Kelaka LLC			
IS THE PROPERTY OCCUPIED OR VACANT: Vacant with seasonal farming			
IF OCCUPIED, PLEASE LIST ALL NAMES OF ELECTORS (THOSE REGISTERED TO VOTE) RESIDING ON THE PROPERTY:			
IF LEGAL TITLE IS HELD BY A LAND TRUST, LIST THE NAMES OF ALL HOLDERS OF ANY BENEFICIAL INTEREST THEREIN: Dave, Jim & Joe Hamman			
PROPERTY STREET ADDRESS: South of Faxon Road, East of Eldamain Road, IL			
DESCRIPTION OF PROPERTY'S PHYSICAL LOCATION: Approximately 148.56 acres of farmland lying South of Faxon Road, South of the BNSF railway and East of Eldamain Road in Yorkville, IL			
CURRENT ZONING CLASSIFICATION: Unincorporated Bristol Township			
ZONING AND LAND USE OF SURROUNDING PROPERTIES			
NORTH: M-2			
EAST: Unincorporated Bristol Township			
SOUTH: Unincorporated Bristol Township			
WEST: Unincorporated Bristol Township			
KENDALL COUNTY PARCEL IDENTIFICATION NUMBER(S)			
02-19-200-011	02-19-200-006		



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 ANNEXATION

PLEASE DESCRIBE IN DETAIL ANY ADDITIONAL REQUESTS TO BE MADE UPON ANNEXATION APPROVAL.

ATTORNEY INFORMATION

NAME: Kevin Kearney COMPANY: Pedersen Houpt
 MAILING ADDRESS: 161 N Clark St, Ste. 2700
 CITY, STATE, ZIP: Chicago, IL 60601 TELEPHONE: 312-261-2291
 EMAIL: kkearney@pedersenhoupt.com FAX:

ENGINEER INFORMATION

NAME: TBD COMPANY:
 MAILING ADDRESS:
 CITY, STATE, ZIP: TELEPHONE:
 EMAIL: FAX:

LAND PLANNER/SURVEYOR INFORMATION

NAME: David Lee COMPANY: ASM Consultants, Inc.
 MAILING ADDRESS: 16 E Wilson
 CITY, STATE, ZIP: Batavia, IL 60510 TELEPHONE: 630-879-0200
 EMAIL: advanced@advct.com FAX:

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 provide a written petition signed by a majority of the owners of record of land in the territory and also by a majority of the electors, if any, residing in the territory. Attach as a separate petition titled as "Exhibit C".



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 ANNEXATION

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.

DocuSigned by:

Matthew Gilbert

2/9/2024

E3771CAA44E3444...

PETITIONER SIGNATURE

DATE

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

KELAKA LLC

James D. Hamman

FEB 8, 2024

OWNER SIGNATURE

*JAMES D. HAMMAN
MANAGER*

DATE

I, John P. Duggan, a Notary Public, hereby certify that JAMES D. HAMMAN, personally known by me to be a Manager of owner KELAKA LLC, appeared before me and executed the Application for Annexation for the use and purposes therein on Feb. 8, 2024

John P. Duggan
JOHN P. DUGGAN



THIS APPLICATION MUST BE NOTARIZED PLEASE NOTARIZE HERE:

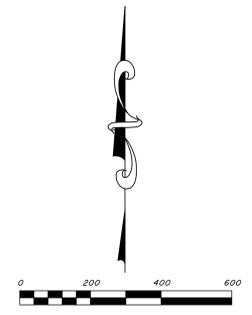


United City of Yorkville
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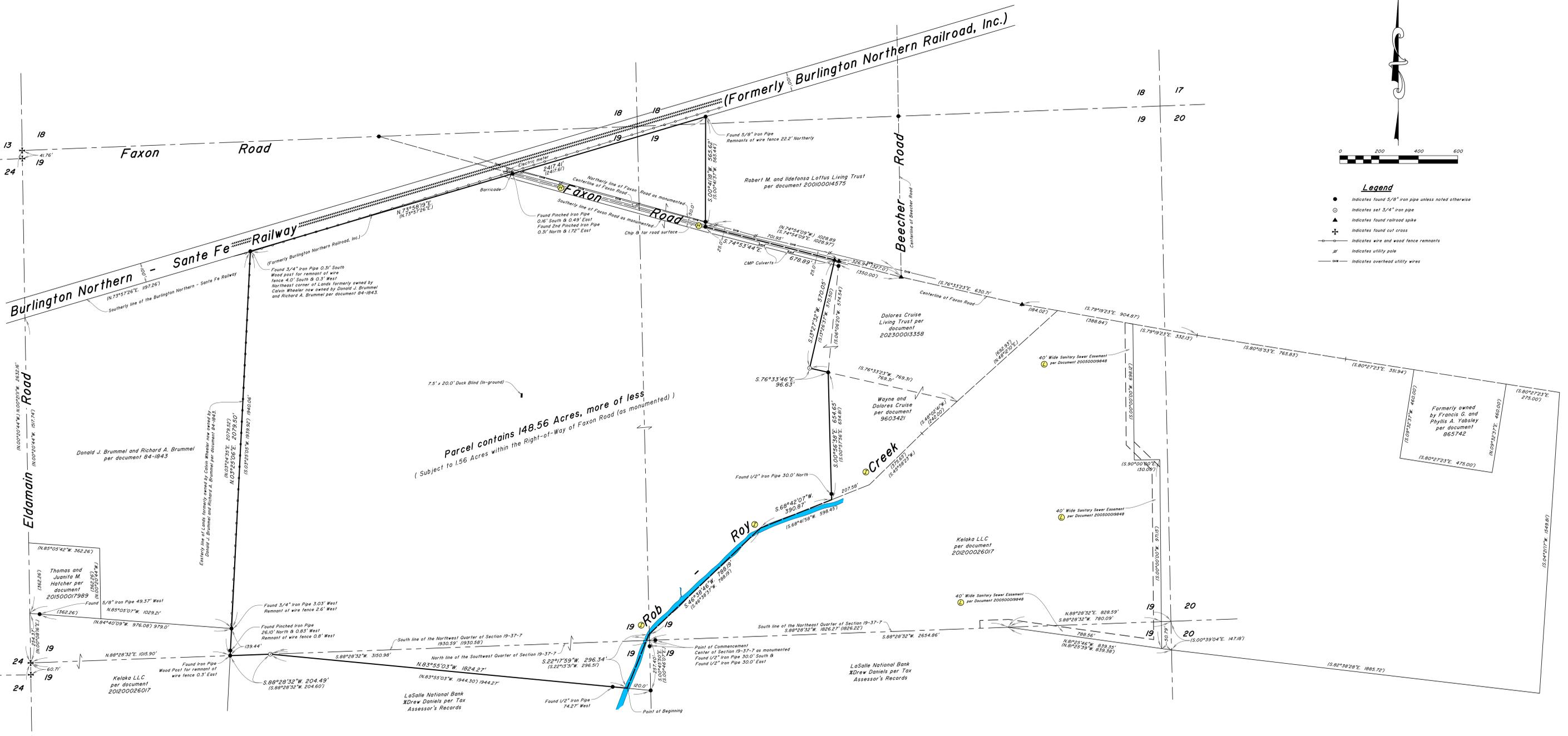
APPLICANT DEPOSIT ACCOUNT/ ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY

PROJECT NUMBER:	FUND ACCOUNT NUMBER:	PROPERTY ADDRESS:	
<p>PETITIONER DEPOSIT ACCOUNT FUND:</p> <p>It is the policy of the United City of Yorkville to require any petitioner seeking approval on a project or entitlement request to establish a Petitioner Deposit Account Fund to cover all actual expenses occurred as a result of processing such applications and requests. Typical requests requiring the establishment of a Petitioner Deposit Account Fund include, but are not limited to, plan review of development approvals/engineering permits. Deposit account funds may also be used to cover costs for services related to legal fees, engineering and other plan reviews, processing of other governmental applications, recording fees and other outside coordination and consulting fees. Each fund account is established with an initial deposit based upon the estimated cost for services provided in the INVOICE & WORKSHEET PETITION APPLICATION. This initial deposit is drawn against to pay for these services related to the project or request. Periodically throughout the project review/approval process, the Financially Responsible Party will receive an invoice reflecting the charges made against the account. At any time the balance of the fund account fall below ten percent (10%) of the original deposit amount, the Financially Responsible Party will receive an invoice requesting additional funds equal to one-hundred percent (100%) of the initial deposit if subsequent reviews/fees related to the project are required. In the event that a deposit account is not immediately replenished, review by the administrative staff, consultants, boards and commissions may be suspended until the account is fully replenished. If additional funds remain in the deposit account at the completion of the project, the city will refund the balance to the Financially Responsible Party. A written request must be submitted by the Financially Responsible Party to the city by the 15th of the month in order for the refund check to be processed and distributed by the 15th of the following month. All refund checks will be made payable to the Financially Responsible Party and mailed to the address provided when the account was established.</p>			
ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY			
NAME: Matt Gilbert	COMPANY: Green Door Capital		
MAILING ADDRESS: 837 W Junior Ter			
CITY, STATE, ZIP: Chicago, IL 60613	TELEPHONE: 312-622-8300		
EMAIL: matt@greendoorcapital.com	FAX:		
<p>FINANCIALLY RESPONSIBLE PARTY:</p> <p>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.</p>			
Matt Gilbert	Manager		
PRINT NAME	DocuSigned by: <i>Matthew Gilbert</i> E3771CAA44E3444...	TITLE	
SIGNATURE*		DATE 2/9/2024	
<p><i>*The name of the individual and the person who signs this declaration must be the same. If a corporation is listed, a corporate officer must sign the declaration (President, Vice-President, Chairman, Secretary or Treasurer)</i></p>			
INITIAL ENGINEERING/LEGAL DEPOSIT TOTALS			
ENGINEERING DEPOSITS:		LEGAL DEPOSITS:	
Up to one (1) acre	\$5,000	Less than two (2) acres	\$1,000
Over one (1) acre, but less than ten (10) acres	\$10,000	Over two (2) acres, but less than ten (10) acres	\$2,500
Over ten (10) acres, but less than forty (40) acres	\$15,000	Over ten (10) acres	\$5,000
Over forty (40) acres, but less than one hundred (100)	\$20,000		
In excess of one hundred (100.00) acres	\$25,000		

ALTA/NSPS Land Title Survey
Part of Section 19-37-7
Bristol Township
Kendall County
Illinois



- Legend**
- Indicates found 5/8" iron pipe unless noted otherwise
 - Indicates set 3/4" iron pipe
 - ▲ Indicates found railroad spike
 - ⊕ Indicates found cut cross
 - Indicates wire and wood fence remnants
 - Indicates utility pole
 - Indicates overhead utility wires



Title Commitment Reference:

This survey was prepared with the benefit of Fidelity National Title Insurance Company ALTA Commitment for Title Insurance, Commitment No. YK23003764, effective March 17, 2023.

Schedule B, Part II Exceptions: Items 1-9 are not survey related.

- D 10. Rights of Way for drainage files, ditches, feeders, laterals and underground pipes, if any.
- E 11. Rights of the public, the State of Illinois and the municipality in and to that part of the Land, if any, taken or used for road purposes.
- F 12. Terms of a Planned Unit Development and Association Agreement dated January 26, 1999 and recorded July 19, 1999 as Document 9910715 made by and between the United City of Yorkville, James Spitz and Arthur Sheridan and Associates, Ltd. (Affects Parcel 1)
- M 13. Recapture fees contained in Recapture Agreement recorded September 11, 2003 as Document No. 200300032976 between Paul R. Dresden and the United City of Yorkville and First Amendment recorded August 3, 2006 as Document No. 200600033728. Subject to terms and conditions therein contained. Note: Collateral Assignment of Recapture Agreement recorded March 25, 2011 as Document No. 201100005288. (Affects Parcel 1)
- N 14. Resolution No. 03-09 recorded June 30, 2003 as Document 200300021850 providing public notice to interested persons regarding the future construction of an extension of Eldamain Road across the Fox River in Kendall County, Illinois. (Affects Parcel 1)
- O 15. Plot of Right-of-Way for U.S. Route 34, Eldamain Road, Illinois Department of Transportation dated November 21, 2017 affecting the Southwest 1/4 of Section 19, Township 37 North, Range 7 East of the Third Principal Meridian, recorded November 21, 2017 as Document No. 201700018493. (Affects Parcel 1)
- G 16. The land appears to fall within the boundaries of Drainage District No. 1, Bristol Township, and may be subject to assessments levied by said district. (Affects Parcel 2)
- G 17. Rights of the public, the State of Illinois and the County of Kendall in and to that part of the land taken or used for road purposes, being that part thereof falling within Faxon Road, which runs along the northerly line of the Land. (Affects Parcel 2)
- 18. Rights of the owners of adjoining and contiguous property through which Rob Roy Creek flows to have maintained the uninterrupted flow of the waters of said Rob Roy Creek. (Affects Parcel 2)
- * J 19. Rights of the Illinois Bell Telephone Company and the Commonwealth Edison Company in and to underground and overhead existing public utility facilities located within the southerly 1/2 of the Right of Way of Faxon Road and within the northerly 1/2 of the Right of Way of Faxon Road and as shown on a Plat of Survey made by American Surveying Consultants dated December, 1989 and revised February 16, 1990; also buried cables along the Right of Way as disclosed by a letter from the Illinois Bell Telephone Company dated February 15, 1990.
- K 20. Lease made by Inland Land Appreciation Fund, L.P. to Hinsdale Nurseries, Inc. Dated November 21, 2000 and recorded January 8, 2001 as Document No. 200100000300, demising the land for a term of years beginning December 1, 2000 and ending November 30, 2008, and all rights thereunder of, and all acts done or suffered thereunder by, said lessee or by any party claiming by, through, or under said lessee. Note: we should be informed whether the aforesaid lease is terminated by its terms or is still in force and effect. (Affects Parcel 2)
- 21. Grant of Sanitary Sewer Easement to the Yorkville-Bristol Sanitary District from Firstar Bank Illinois Trust No. 949 as Trustee under the provisions of a Trust Agreement dated October 23, 1989, dated June 23, 2005 and recorded July 14, 2005 as Document 200500019848, and the terms, provisions and conditions contained therein. For further particulars, see record. (Affects Parcel 2)

End of Schedule B, Part II

* Documents referred to in J 19 were not provided for this survey and as thus are not shown hereon.

ALTA/NSPS Table A Items included:

1. Monuments found and set are shown hereon.
2. Unimproved land on Faxon Road south of the Burlington Northern - Sante Fe Railway.
3. The Flood Insurance Rate Map shows the properties described hereon as falling within Zone "X", according to Community Panel No. 170341 00-40 G, Kendall County, found on FIRM Map No. 170300040G, Kendall County Illinois and incorporated areas, with an Effective Date of February 4, 2009. Zone "X" are Areas of Minimal Flood Hazard.
4. Parcel contains 148.56 Acres, more or less (subject to 1.56 Acres within the Right-of-Way of Faxon Road, as monumented).
5. See sheet 2 of 2 for topography.
6. Substantial features observed are shown hereon.
9. No identifiable parking spaces were observed.
- 11(a) Evidence of underground utilities are shown on sheet 2 of 2.
15. No remote measurements were used for this survey.

Legal Description:

That part of Section 19, Township 37 North, Range 7 East of the Third Principal Meridian, in Bristol Township, Kendall County, Illinois, described as follows: Commencing at the Center of said Section 19; thence South 00 Degrees 46 Minutes 07 Seconds East, along the quarter section line, a distance of 257.40 feet; thence North 83 Degrees 55 Minutes 03 Seconds West, 120.00 feet to the Point of Beginning; thence North 83 Degrees 55 Minutes 03 Seconds West, 1924.30 feet to a point on the north line of the Southwest Quarter of said Section 19, which is 1930.58 feet South 89 Degrees 28 Minutes 32 Seconds West from the Center of said Section 19; thence South 89 Degrees 28 Minutes 32 Seconds West along said north line, 204.49 feet; thence North 03 Degrees 24 Minutes 35 Seconds East, 2079.52 feet to the southerly Right-of-Way line of the Burlington Northern - Sante Fe Railway; thence North 73 Degrees 57 Minutes 26 Seconds East along said southerly Right-of-Way line, 2417.61 feet; thence South 00 Degrees 41 Minutes 37 Seconds West, 565.44 feet to the centerline of Faxon Road; thence South 74 Degrees 54 Minutes 09 Seconds East along the centerline, 678.89 feet to a point that is 320.00 feet North 74 Degrees 54 Minutes 09 Seconds West of the centerline of Beecher Road; thence South 13 Degrees 26 Minutes 37 Seconds West, 570.50 feet; thence South 76 Degrees 33 Minutes 23 Seconds East, 96.63 feet; thence South 00 Degrees 57 Minutes 56 Seconds East, 634.01 feet; thence South 68 Degrees 41 Minutes 58 Seconds West, 390.87 feet; thence South 46 Degrees 39 Minutes 37 Seconds West, 758.19 feet; thence South 22 Degrees 13 Minutes 31 Seconds West, 296.51 feet to the Point of Beginning.

Survey Notes:

This survey was prepared with the benefit of Fidelity National Title Insurance Company ALTA Commitment for Title Insurance, Commitment No. YK23003764, effective March 17, 2023. Parcel 1 of this commitment was not part of this survey.

All distances are given in feet and decimal parts thereof.

Surveyor's Certificate:

Certification to: Fidelity National Title Insurance Company, Green Door Capital Investments, LLC and Keloka LLC

State of Illinois } This is to certify that this plat and the survey on which it is based were made in accordance
County of Kane } with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys,
jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 8, 9, 11(a)
and 15 of Table A thereof. The field work was completed on December 20, 2023.

Dated at Batavia, Illinois, January 17, 2024
Preliminary

Illinois Professional Land Surveyor No. 035-2710

Advanced Surveying & Mapping

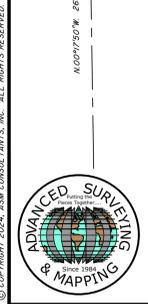
(Illinois Professional Design Firm No. 6014)

16 E. Wilson Street Batavia, Illinois 60510

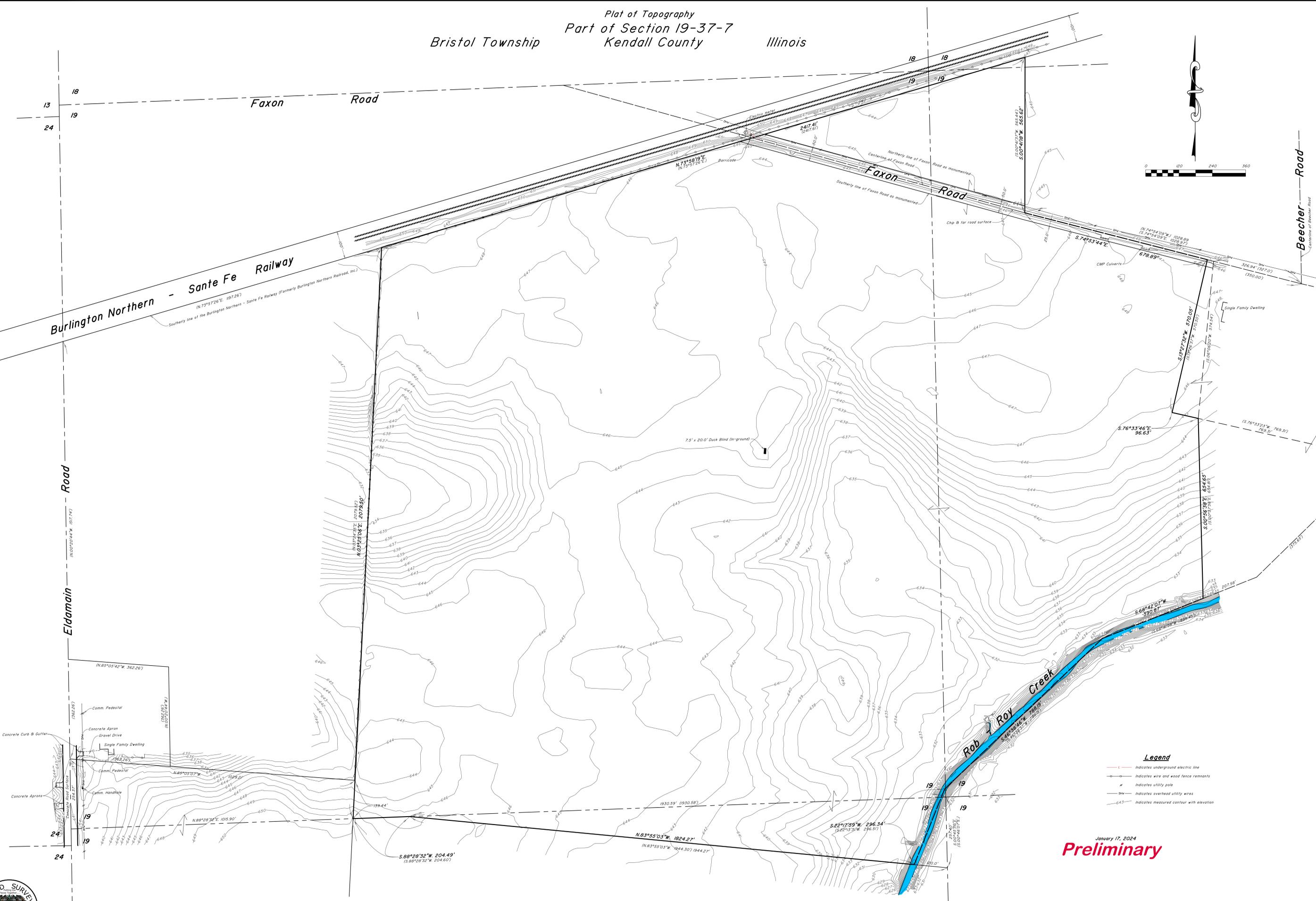
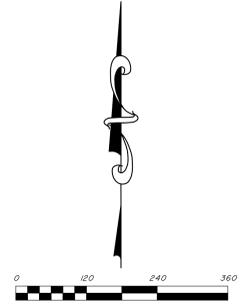
(630) 879-0200



License Renewal/Date of Expiration = 1/30/2024



Plat of Topography
 Bristol Township
 Part of Section 19-37-7
 Kendall County Illinois



- Legend**
- Indicates underground electric line
 - Indicates wire and wood fence remnants
 - Indicates utility pole
 - Indicates overhead utility wires
 - Indicates measured contour with elevation

January 17, 2024
Preliminary

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495023

1/17/2024 dl

New Legal Description:

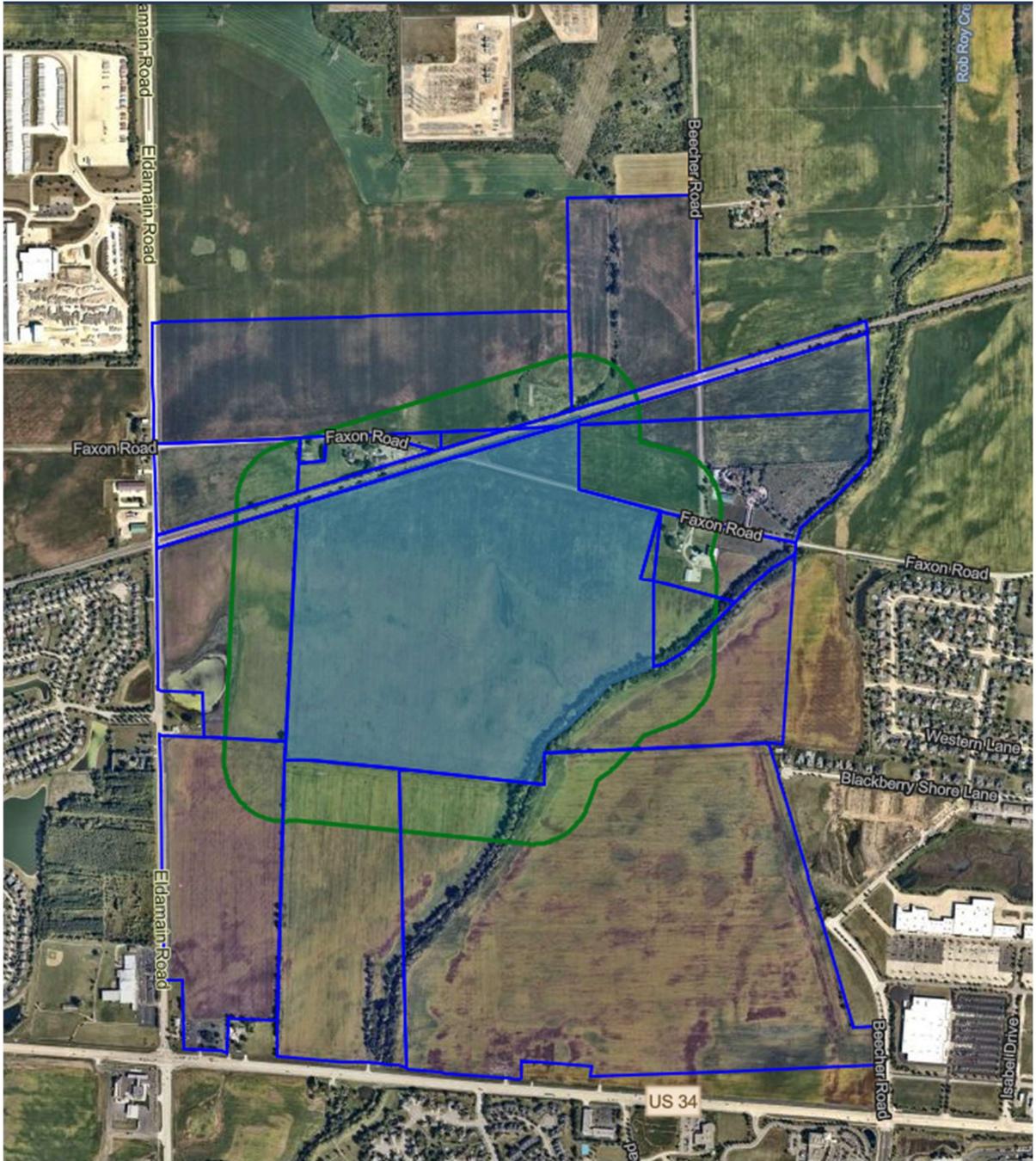
That part of Section 19, Township 37 North, Range 7 East of the Third Principal Meridian, in Bristol Township, Kendall County, Illinois, described as follows:

Commencing at the Center of said Section 19; thence South 00 Degrees 46 Minutes 07 Seconds East, along the quarter section line, a distance of 257.40 feet; thence North 83 Degrees 55 Minutes 03 Seconds West, 120.00 feet to the Point of Beginning; thence North 83 Degrees 55 Minutes 03 Seconds West, 1824.30 feet to a point on the north line of the Southwest Quarter of said Section 19, which is 1930.58 feet South 88 Degrees 28 Minutes 32 Seconds West from the Center of said Section 19; thence South 88 Degrees 28 Minutes 32 Seconds West along said north line, 204.49 feet; thence North 03 Degrees 24 Minutes 35 Seconds East, 2079.52 feet to the southerly Right-of-Way line of the Burlington Northern - Sante Fe Railway; thence North 73 Degrees 57 Minutes 26 Seconds East along said southerly Right-of-Way line, 2417.61 feet; thence South 00 Degrees 41 Minutes 37 Seconds West, 565.44 feet to the centerline of Faxon Road; thence South 74 Degrees 54 Minutes 09 Seconds East along the centerline, 678.89 feet to a point that is 350.00 feet North 74 Degrees 54 Minutes 09 Seconds West of the centerline of Beecher Road; thence South 13 Degrees 26 Minutes 37 Seconds West, 570.50 feet; thence South 76 Degrees 33 Minutes 23 Seconds East, 96.63 feet; thence South 00 Degrees 57 Minutes 56 Seconds East, 654.81 feet; thence South 68 Degrees 41 Minutes 58 Seconds West, 390.87 feet; thence South 46 Degrees 38 Minutes 37 Seconds West, 788.19 feet; thence South 22 Degrees 13 Minutes 31 Seconds West, 296.51 feet to the Point of Beginning.

Parcel contains 148.56 acres, more or less (subject to 1.56 Acres within the Right-of-Way of Faxon Road, as monumented).

YORKVILLE NEXUS LLC	% GREEN DOOR CAPITAL INVESTMENTS LLC
BN&SF RAILWAY CO	PROPERTY TAX DEPARTMENT
YORKVILLE NEXUS LLC	% GREEN DOOR CAPITAL INVESTMENTS LLC
DOLORES CRUISE LIV TRUST	% CONNIE L MCMAHON
ROBERT M & ILDEFONSA LIV TRUST LOFTUS	11159 FAXON RD
KELAKA LLC	181 S LINCOLNWAY
YORKVILLE NEXUS LLC	% GREEN DOOR CAPITAL INVESTMENTS LLC
PETER & CHERYL SCHMIT	11800 FAXON RD
MIGUEL & SANDRA E CAMACHO	11728 FAXON RD
BN&SF RAILWAY CO	PROPERTY TAX DEPARTMENT
% DREW DANIELS LASALLE NATIONAL BANK	405 E. SHERIDAN RD
DONALD J & RICHARD A BRUMMEL	12340 FAXON RD
ROBERT M & ILDEFONSA LIV TRUST LOFTUS	11159 FAXON RD
DOLORES CRUISE LIV TRUST	% CONNIE L MCMAHON
YORKVILLE NEXUS LLC	% GREEN DOOR CAPITAL INVESTMENTS LLC
DONALD J & CAROL S HAMMAN	13351 B FAXON RD
BRUMMEL FAMILY TRUST 4	13349 C FAXON RD
% DREW DANIELS LASALLE NATIONAL BANL	405 E. SHERIDAN RD
KELAKA LLC	181 S LINCOLNWAY

145 S WELLS ST STE 1800	CHICAGO, IL, 60606
PO BOX 961089	FORT WORTH, TX, 761610089
145 S WELLS ST STE 1800	CHICAGO, IL, 60606
2515 VERSAILLES AVE APT 105	NAPERVILLE, IL, 60540
	YORKVILLE, IL, 60560
	NORTH AURORA, IL, 60542
145 S WELLS ST STE 1800	CHICAGO, IL, 60606
	PLANO, IL, 60545
	PLANO, IL, 60545
PO BOX 961089	FORT WORTH, TX, 761610089
	LAKE BLUFF, IL, 60044
	PLANO, IL, 60545
	YORKVILLE, IL, 60560
2515 VERSAILLES AVE APT 105	NAPERVILLE, IL, 60540
145 S WELLS ST STE 1800	CHICAGO, IL, 60606
	PLANO, IL, 60545
	PLANO, IL, 60545
	LAKE BLUFF, IL, 60044
	NORTH AURORA, IL, 60542





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 REZONING

DATE: 1/31/2024	PZC NUMBER:	DEVELOPMENT NAME:	
PETITIONER INFORMATION			
NAME: Matt Gilbert		COMPANY: Green Door Capital	
MAILING ADDRESS: 837 W Junior Ter			
CITY, STATE, ZIP: Chicago, IL 60613		TELEPHONE: <input checked="" type="radio"/> BUSINESS <input type="radio"/> HOME 312-622-8300	
EMAIL: matt@greendoorcapital.com		FAX:	
PROPERTY INFORMATION			
NAME OF HOLDER OF LEGAL TITLE: Kelaka LLC			
IF LEGAL TITLE IS HELD BY A LAND TRUST, LIST THE NAMES OF ALL HOLDERS OF ANY BENEFICIAL INTEREST THEREIN: Dave, Jim & Joe Hamman			
PROPERTY STREET ADDRESS: South of Faxon Road, Ease of Eldamain Road, IL			
DESCRIPTION OF PROPERTY'S PHYSICAL LOCATION: Approximately 148.56 acres of farmland lying South of Faxon Road, South of the BNSF railway and East of Eldamain Road in Yorkville, IL			
CURRENT ZONING CLASSIFICATION: Unincorporated Bristol Township		REQUESTED ZONING CLASSIFICATION: M-2	
COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION: Industrial / Data Center		TOTAL ACREAGE: 148.56	
ZONING AND LAND USE OF SURROUNDING PROPERTIES			
NORTH: M-2			
EAST: Unincorporated Bristol Township			
SOUTH: Unincorporated Bristol Township			
WEST: Unincorporated Bristol Township			
KENDALL COUNTY PARCEL IDENTIFICATION NUMBER(S)			
02-19-200-011	02-19-200-006		



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APPLICATION FOR REZONING

ATTORNEY INFORMATION

NAME: Kevin Kearney COMPANY: Pedersen Houpt

MAILING ADDRESS: 161 N Clark St, Ste. 2700

CITY, STATE, ZIP: Chicago, IL 60601 TELEPHONE: 312-261-2291

EMAIL: kkearney@pedersenhoupt.com FAX:

ENGINEER INFORMATION

NAME: TBD COMPANY:

MAILING ADDRESS:

CITY, STATE, ZIP: TELEPHONE:

EMAIL: FAX:

LAND PLANNER/SURVEYOR INFORMATION

NAME: David Lee COMPANY: ASM Consultants, Inc.

MAILING ADDRESS: 16 E Wilson

CITY, STATE, ZIP: Batavia, IL 60510 TELEPHONE: 630-879-0200

EMAIL: advanced@advct.com FAX:

ATTACHMENTS

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

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



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APPLICATION FOR REZONING

REZONING STANDARDS

PLEASE STATE THE EXISTING ZONING CLASSIFICATION(S) AND USES OF THE PROPERTY WITHIN THE GENERAL AREA OF THE PROPOSED REZONED PROPERTY:

N/A - currently in unincorporated Bristol Township, requesting to be annexed into Yorkville and rezoned M-2 per the 2016 Comprehensive Plan.

PLEASE STATE THE TREND OF DEVELOPMENT, IF ANY, IN THE GENERAL AREA OF THE PROPERTY IN QUESTION, INCLUDING CHANGES, IF ANY, WHICH HAVE TAKEN PLACE SINCE THE DAY THE PROPERTY IN QUESTION WAS PLACED IN ITS PRESENT ZONING CLASSIFICATION:

N/A - currently in unincorporated Bristol Township, requesting to be annexed into Yorkville and rezoned M-2 per the 2016 Comprehensive Plan.

PLEASE STATE THE EXTENT TO WHICH PROPERTY VALUES ARE DIMINISHED BY THE PARTICULAR ZONING RESTRICTIONS:

None to our knowledge.

PLEASE STATE THE EXTENT TO WHICH THE DESTRUCTION OF PROPERTY VALUES OF PETITIONER PROMOTES THE HEALTH, SAFETY, MORALS, AND GENERAL WELFARE OF THE PUBLIC:

None.



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APPLICATION FOR REZONING

REZONING STANDARDS

PLEASE STATE THE LENGTH OF TIME THE PROPERTY HAS BEEN VACANT AS ZONED CONSIDERED IN THE CONTEXT OF LAND DEVELOPMENT IN THE AREA IN THE VICINITY OF THE SUBJECT PROPERTY:

Subject property has been farmland in the past.

PLEASE STATE THE COMMUNITY NEED FOR THE PROPOSED LAND USE:

Surrounding area to be developed as industrial / data center, this site should follow behind.

WITH RESPECT TO THE SUBJECT PROPERTY, PLEASE STATE THE CARE WITH WHICH THE COMMUNITY HAS UNDERTAKEN TO PLAN ITS LAND USE DEVELOPMENT:

See 2016 Comprehensive Plan update.

PLEASE STATE THE IMPACT THAT SUCH RECLASSIFICATION WILL HAVE UPON TRAFFIC AND TRAFFIC CONDITIONS ON SAID ROUTES; THE EFFECT, IF ANY, SUCH RECLASSIFICATION AND/OR ANNEXATION WOULD HAVE UPON EXISTING ACCESSES TO SAID ROUTES; AND THE IMPACT OF ADDITIONAL ACCESSES AS REQUESTED BY THE PETITIONER UPON TRAFFIC AND TRAFFIC CONDITIONS AND FLOW ON SAID ROUTES (ORD. 1976-43, 11-4-1976):

The two development scenarios include industrial and data center development. Green Door has completed a traffic study to for the 280 acre development to the north. Both development scenarios would contemplate main traffic ingress/egress to the west on Eldamain Road. Beacher and Faxon Roads to north/east of Subject Site would be secondary/emergency access. Data Center would include significantly less traffic than even traffic study suggests.



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APPLICATION FOR REZONING

REZONING STANDARDS

PLEASE STATE THE RELATIVE GAIN TO THE PUBLIC AS COMPARED TO THE HARDSHIP IMPOSED UPON THE INDIVIDUAL PROPERTY OWNER:

With no known hardship, the development would envision substantial construction jobs as well as long-term jobs, added local residence and substantial local business revenue increases.

PLEASE STATE THE SUITABILITY OF THE SUBJECT PROPERTY FOR THE ZONED PURPOSES:

The planned development is what was envisioned with the 2016 updated Comprehensive Plan for the United City of Yorkville.

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.

DocuSigned by:

Matthew Gilbert

2/9/2024

E3771CAA44E3444...

PETITIONER SIGNATURE

DATE

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

KELAKA LLC

by James D. Hamman

FEBRUARY 8, 2024

OWNER SIGNATURE *JAMES D HAMMAN,*
MANAGER

DATE

THIS APPLICATION MUST BE NOTARIZED PLEASE NOTARIZE HERE:

I am notary public certifying James D Hamman as manager of Kelaka LLC executed this Application for rezoning on Feb 8, 2024





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

APPLICANT DEPOSIT ACCOUNT/ ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY

PROJECT NUMBER:	FUND ACCOUNT NUMBER:	PROPERTY ADDRESS:	
<p>PETITIONER DEPOSIT ACCOUNT FUND:</p> <p>It is the policy of the United City of Yorkville to require any petitioner seeking approval on a project or entitlement request to establish a Petitioner Deposit Account Fund to cover all actual expenses occurred as a result of processing such applications and requests. Typical requests requiring the establishment of a Petitioner Deposit Account Fund include, but are not limited to, plan review of development approvals/engineering permits. Deposit account funds may also be used to cover costs for services related to legal fees, engineering and other plan reviews, processing of other governmental applications, recording fees and other outside coordination and consulting fees. Each fund account is established with an initial deposit based upon the estimated cost for services provided in the INVOICE & WORKSHEET PETITION APPLICATION. This initial deposit is drawn against to pay for these services related to the project or request. Periodically throughout the project review/approval process, the Financially Responsible Party will receive an invoice reflecting the charges made against the account. At any time the balance of the fund account fall below ten percent (10%) of the original deposit amount, the Financially Responsible Party will receive an invoice requesting additional funds equal to one-hundred percent (100%) of the initial deposit if subsequent reviews/fees related to the project are required. In the event that a deposit account is not immediately replenished, review by the administrative staff, consultants, boards and commissions may be suspended until the account is fully replenished. If additional funds remain in the deposit account at the completion of the project, the city will refund the balance to the Financially Responsible Party. A written request must be submitted by the Financially Responsible Party to the city by the 15th of the month in order for the refund check to be processed and distributed by the 15th of the following month. All refund checks will be made payable to the Financially Responsible Party and mailed to the address provided when the account was established.</p>			
ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY			
NAME: Matt Gilbert	COMPANY: Green Door Capital		
MAILING ADDRESS: 837 W Junior Terrance			
CITY, STATE, ZIP: Chicago, IL 60613	TELEPHONE: 312-622-8300		
EMAIL: matt@greendoorcapital.com	FAX:		
<p>FINANCIALLY RESPONSIBLE PARTY:</p> <p>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.</p>			
Matt Gilbert	Manager		
PRINT NAME	TITLE		
DocuSigned by:  E3771CAA44E3444...	2/9/2024		
SIGNATURE*	DATE		
<p><i>*The name of the individual and the person who signs this declaration must be the same. If a corporation is listed, a corporate officer must sign the declaration (President, Vice-President, Chairman, Secretary or Treasurer)</i></p>			
INITIAL ENGINEERING/LEGAL DEPOSIT TOTALS			
ENGINEERING DEPOSITS:	LEGAL DEPOSITS:		
Up to one (1) acre	\$5,000	Less than two (2) acres	\$1,000
Over one (1) acre, but less than ten (10) acres	\$10,000	Over two (2) acres, but less than ten (10) acres	\$2,500
Over ten (10) acres, but less than forty (40) acres	\$15,000	Over ten (10) acres	\$5,000
Over forty (40) acres, but less than one hundred (100)	\$20,000		
In excess of one hundred (100.00) acres	\$25,000		

Order ID: 7640071

* Agency Commission not included

GROSS PRICE * : \$344.87

PACKAGE NAME: IL Govt Legal Aurora Beacon

Product(s): SubTrib_Aurora Beacon News, Publicnotices.com

AdSize(s): 1 Column

Run Date(s): Friday, May 24, 2024

Zone: Full Run

Color Spec. B/W

Preview

**PUBLIC NOTICE
NOTICE OF PUBLIC HEARING
BEFORE
UNITED CITY OF YORKVILLE
PLANNING AND ZONING
COMMISSION
PZC 2024-07**

NOTICE IS HEREBY GIVEN
THAT Green Door Capital, petitioner/contract purchaser, and Kelaka, LLC, owners, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting rezoning classification. The real property is generally located south of the Burlington Northern Santa Fe railroad line, southeast of Faxon Road. The petitioner is requesting rezoning approval from R-1 Single-Family Suburban Residential District to M-2 General Manufacturing District (contingent on approval of annexation by the City Council) consisting of approximately 148.56 acres.

The legal description is as follows:

THAT PART OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 19; THENCE SOUTH 00 DEGREES 46 MINUTES 07 SECONDS EAST, ALONG THE QUARTER SECTION LINE, A DISTANCE OF 257.40 FEET; THENCE NORTH 83 DEGREES 55 MINUTES 03 SECONDS WEST, 120.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 83 DEGREES 55 MINUTES 03 SECONDS WEST, 1824.30 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 19, WHICH IS 1930.58 FEET SOUTH 88 DEGREES 28 MINUTES 32 SECONDS WEST FROM THE CENTER OF SAID SECTION 19; THENCE SOUTH 88 DEGREES 28 MINUTES 32 SECONDS WEST ALONG SAID NORTH LINE, 204.49 FEET; THENCE NORTH 03 DEGREES 24 MINUTES 35 SECONDS EAST, 2079.52 FEET TO THE SOUTH-

Order ID: 7640071

* Agency Commission not included

GROSS PRICE * : \$344.87

PACKAGE NAME: IL Govt Legal Aurora Beacon

ERLY RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN - SANTA FE RAILWAY; THENCE NORTH 73 DEGREES 57 MINUTES 26 SECONDS EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 2417.61 FEET; THENCE SOUTH 00 DEGREES 41 MINUTES 37 SECONDS WEST, 565.44 FEET TO THE CENTERLINE OF FAXON ROAD; THENCE SOUTH 74 DEGREES 54 MINUTES 09 SECONDS EAST ALONG THE CENTERLINE, 678.89 FEET TO A POINT THAT IS 350.00 FEET NORTH 74 DEGREES 54 MINUTES 09 SECONDS WEST OF THE CENTERLINE OF BEECHER ROAD; THENCE SOUTH 13 DEGREES 26 MINUTES 37 SECONDS WEST, 570.50 FEET; THENCE SOUTH 76 DEGREES 33 MINUTES 23 SECONDS EAST, 96.63 FEET; THENCE SOUTH 00 DEGREES 57 MINUTES 56 SECONDS EAST, 654.81 FEET; THENCE SOUTH 68 DEGREES 41 MINUTES 58 SECONDS WEST, 390.87 FEET; THENCE SOUTH 46 DEGREES 38 MINUTES 37 SECONDS WEST, 788.19 FEET; THENCE SOUTH 22 DEGREES 13 MINUTES 31 SECONDS WEST, 296.51 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 148.56 ACRES, MORE OR LESS (SUBJECT TO 1.56 ACRES WITHIN THE RIGHT-OF-WAY OF FAXON ROAD, AS MONUMENTED).

PIN: 02-19-100-011

A copy of the application is available for review during normal City business hours at the office of the Community Development Director.

NOTICE IS HEREWITH GIVEN THAT the Planning and Zoning Commission for the United City of Yorkville will conduct a Public Hearing on said applications on Wednesday, June 12, 2024 at 7 p.m. at the United City of Yorkville, City Hall, located at 651 Prairie Pointe Drive, 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, 651 Prairie Pointe Drive, 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.

JORI BEHLAND
City Clerk

5/22/24 2024 7640071



Memorandum

To: Planning and Zoning Commission
From: Krysti Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Sara Mendez, Planner I
Date: June 5, 2024
Subject: **PZC 2024-08 Hagemann Trust (Green Door Nexus North)**
Annexation and Rezoning Requests

SUMMARY:

The petitioner/contract purchaser, Green Door Capital, and Hagemann Family Trust, owner, are seeking to annex and rezone approximately 138-acres of unincorporated farmland. Generally located immediately east of Eldamain Road, north of Cornells Road, and west of West Beecher Road, the property consists of three (3) parcels (#02-07-100-011, 02-07-100-002, and 02-07-300-005). The petitioner is also requesting rezoning approval from R-1 Single-Family Suburban Residential District to M-2 General Manufacturing District, contingent on approval of annexation by the City Council.



HAGEMANN TRUST ANNEXATION MAP

United City of Yorkville, Illinois

Date: March 12, 2024

File Location: I:\ARCGIS TEMPLATES\HAGEMANN TRUST ANNEXATION MAP



PROPERTY BACKGROUND:

The subject property is currently unincorporated and zoned A-1 Agriculture in Kendall County. Consisting of three (3) rectangular parcels, the largest parcel, being approx. 69 acres and located in the center, surrounds two unincorporated residential parcels abutting Eldamain Road. The parcel to the north is approximately 35 acres and the southern parcel is roughly 33 acres. All three (3) parcels have frontage along Eldamain Road. The subject property is mainly utilized as cropland is also part of the Rob Roy Drainage District.

ANNEXATION REQUEST/CONTIGUITY:

As mentioned, the applicant seeks annexation of three (3) unincorporated parcels, #02-07-100-011, 02-07-100-002, and 02-07-300-005, totaling approximately 138-acres for the purpose of constructing and operating a future industrial/data center land use. Contiguity of the subject parcels and Yorkville’s current corporate boundary is established immediately north of the Bright Farms development which is currently under construction with a planned use for an industrial lettuce farm.

The city engineer will prepare a Plat of Annexation as an exhibit to the annexation agreement. A public hearing for the proposed annexation was held on May 14, 2024 before the City Council.

ELDAMAIN ROAD RECAPTURE:

In 2011, the City of Yorkville, City of Plano, and Kendall County entered into an intergovernmental agreement regarding the future reconstruction of Eldamain Road from Menards Distribution Center north to Galena Road (Ord. 2011-05). Kendall County agreed to bring Eldamain Road under its jurisdiction and made roadway improvements costing \$6,300,000 for that portion of the roadway. The three (3) governmental entities agreed to equally share the improvements cost which are to be paid through recapture agreements from future annexed properties with frontage along Eldamain Road.

Yorkville has approximately 11,290 lineal feet of frontage along Eldamain Road, and the estimated assessed fee per lineal foot for recapture is \$336.59, for a total of \$3.8 million. This total amount includes repayment of the city’s \$1.7 million of cost-sharing obligations memorialized in the 2020 Yorkville/Plano boundary agreement and \$2.1 million share of the total County’s reconstruction costs.

Below is an estimated amount each proposed annexed parcel is obligated to pay per the intergovernmental agreements:

<i>PARCEL</i>	<i>ESTIMATED FRONTAGE</i>	<i>ESTIMATED RECAPTURE</i>
<i>02-07-100-011</i>	~ 1,413 linear feet	\$475,601.67
<i>02-07-100-002</i>	~ 601 linear feet	\$202,290.59
<i>02-07-300-005</i>	~ 937 linear feet	\$315,384.83
<i>TOTAL</i>	<i>~ 2,951 linear feet</i>	<i>\$993,277.09</i>

REZONING REQUEST:

Per Section 10-3-4 of the Yorkville Unified Development Ordinance (UDO), any territory annexed to the city shall automatically be classified within the R-1 Single-Family Suburban Residential District. Therefore, the petitioner is seeking rezoning within the M-2 General Manufacturing District for a proposed future industrial/data center. Data centers are defined as a facility comprised of networked computers, storage systems, and computing infrastructure which organizations use to assemble, process, store and disseminate data.

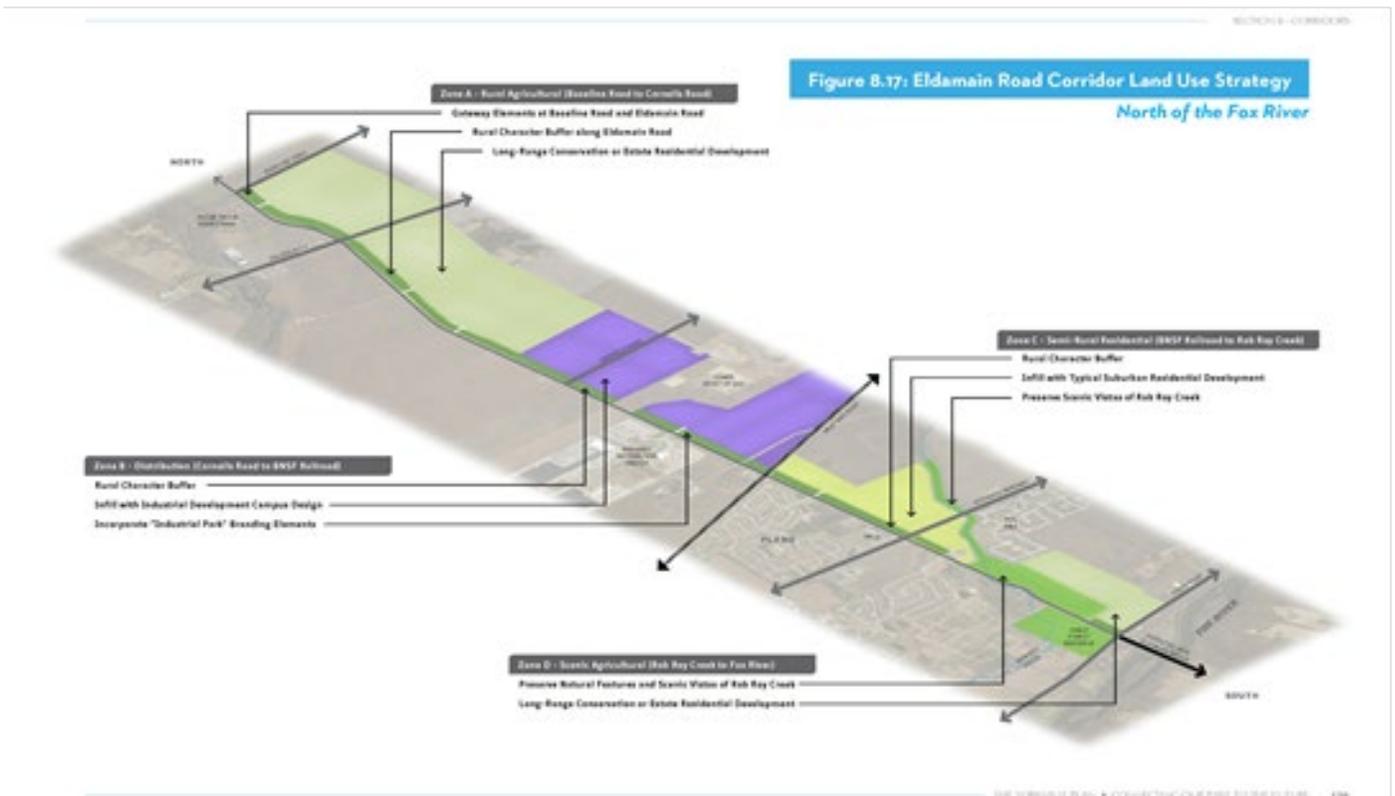
Table 10-3-12(B) Energy Industrial Uses of the United City of Yorkville’s Unified Development Ordinance identifies data centers as a permitted land uses in the M-2 District. The Unified Development Ordinance also states specific standards for rezoning which all recommendation bodies will review. The petitioner has provided responses to the established standards for each of the criteria provided in the application.

To understand the impact of the proposed rezoning and future land use of the subject property, staff has prepared the following chart summarizing the current immediate surrounding zoning and land uses:

	Zoning	Land Use
North	A-1 (Unincorporated Kendall County)	Agriculture
	M-1 Limited Manufacturing (Unincorporated Kendall County)	Jet’s Towing/Repair/Truck Storage
South	M-1 Limited Manufacturing	Bright Farms
	M-2 General Manufacturing	
East	A-1 Agriculture District	Agriculture/Undeveloped
West	A-1/R-1 Residential (Unincorporated Kendall County)	Agriculture/Residential
	Eldamain Road	Transportation Land Use

THE COMPREHENSIVE PLAN:

The 2016 Comprehensive Plan Update designates the future land use for this property as General Industrial. The General Industrial (GI) designation is generally intended for a broad range of warehousing and manufacturing served by both rail and truck, particularly along the Eldamain Corridor. In 2019 this area of the Comprehensive Plan was redesignated from Estate/Conservation Residential (ERC) to General Industrial (GI) based upon the roadway improvements to Eldamain Road. A data center and the requested M-2 General Manufacturing District is consistent with the current future land use designation in the 2016 Comprehensive Plan Update.





ELDAMAIN ROAD CORRIDOR

New Future Land Use Designation: General Industrial

Summary:

In 2019, the Illinois Department of Transportation announced that \$45 million in funds for the construction of the Eldamain Road bridge over the Fox River was allocated in their multiyear plan. The city was contacted by Kendall County asking us to revisit the comprehensive plan's future land use designation for the Eldamain Road corridor to align with the Kendall County Land Resource Management Plan. Yorkville's future land use designation for this area is "Estate/Conservation Residential" which is intended to provide flexibility for residential design of large lot single-family homes or clustering of home with most of the development dedicated for conservation or green space area. However, Kendall County's Land Resource Management Plan (LRMP) identifies this area's future land use as "Mixed Use Business.". The Mixed-Use Business category would include offices, warehouses, highway-oriented commercial businesses and light industrial. To better align the potential future land uses in this region, the "General Industrial" is more appropriate given the new funding for infrastructure in the area.

STAFF COMMENTS:

Staff is supportive of the request for annexation and rezoning approval as it would advance the Comprehensive Plan's future land use strategy of creating an Eldamain Road industrial corridor.

REZONING STANDARDS

Section 10-8-12 Map Amendments establishes criteria for findings of fact related to rezoning (map amendment) requests. When the purpose and affect is to change the zoning of a property and amend the City's Zoning Map, the Planning and Zoning Commission shall consider each of the following facts before rendering a decision on the request. The petitioner has provided answers to each of the criteria in the application these standards which are included in the packet for your review and will be entered into the public record as part of the public hearing process. The standards are:

1. The existing uses and zoning of nearby property.
2. The extent to which the property values are diminished by the particular zoning restrictions.
3. The extent to which the destruction of the property values of plaintiff promotes the health, safety, morals, or general welfare of the public.
4. The relative gain to the public as compared to the hardship imposed upon the individual property owner.
5. The suitability of the subject property for the zoned purpose.
6. The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the subject property.
7. The community need for the proposed use.
8. The care to which the community has undertaken to plan its land use development.

Additional UDO standards:

1. The proposed Map Amendment s consistent with the Comprehensive Plan and the purposes of the UDO.
2. The proposed Map Amendment is consistent with the existing and planned uses and zoning of the nearby properties.
3. The subject property is suitable for the purposes of the proposed district.
4. The proposed Map Amendment will not result in an individual parcel zoned in one zoning district that is not shared by the adjacent parcels.
5. The proposed parcel(s) to be rezoned shall meet the minimum frontage and area requirements of the requested rezoning district as specified in Section 10-3-9(A).

Proposed Motion:

In consideration of testimony presented during a Public Hearing on June 12, 2024 and discussion of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council a request for rezoning from R-1 Single-Family Residential to M-2 General Manufacturing District for a proposed future industrial/data center, contingent upon approval of annexation by the City Council, for a property generally located immediately east of Eldamain Road, north of Corneils Road, and west of West Beecher Road, subject to {insert any additional conditions of the Planning and Zoning Commission}...

ATTACHMENTS:

1. Draft Rezoning Ordinance
2. Ord. 2011-05 Yorkville/Plano/Kendall County IGA re: Eldamain Road Improvements
3. Ord. 2020-07 Yorkville/Plano Boundary Agreement
4. Rezoning Application
5. Public Hearing Notice

ORDINANCE NO. _____

**AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS
APPROVING THE REZONING TO M-2 GENERAL MANUFACTURING DISTRICT
FOR THE PROPERTY LOCATED EAST OF ELDAMAIN ROAD AND NORTH OF CORNELLS
ROAD IN YORKVILLE, ILLINOIS
(Hagemann Property)**

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

WHEREAS, the Hagemann Family Trust and Green Door Capital, are jointly the owners (the “Owner”) of real property identified by Parcel Numbers 02-07-100-011, 02-07-100-002, and 02-07-300-005 and legally described on Exhibit A attached hereto and made a part hereof by reference (the “Subject Property”), and are seeking rezoning of the Subject Property to M-2 General Manufacturing District; and

WHEREAS, the Planning Commission convened and held a public hearing on the 12th day of June, 2024, to consider the rezoning after publication of notice and notice to property owners within five hundred (500) feet of the Subject Property; and

WHEREAS, the Planning Commission reviewed the standards set forth in Section 10-4-11 and made findings of fact and recommendation to the Corporate Authorities for approval of the rezoning; and

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 rezoning of the Subject Property, legally described on Exhibit A, from the R-1 One Family Residence District to the M-2 General Manufacturing District.

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

[Remainder of Page Intentionally Left Blank, Roll Call Vote to Follow]

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois this
____ day of _____, A.D. 2024.

CITY CLERK

KEN KOCH _____

DAN TRANSIER _____

ARDEN JOE PLOCHER _____

CRAIG SOLING _____

CHRIS FUNKHOUSER _____

MATT MAREK _____

SEAVER TARULIS _____

RUSTY CORNEILS _____

APPROVED by me, as Mayor of the United City of Yorkville, Kendall County, Illinois
this ____ day of _____, A.D. 2024.

MAYOR

Attest:

CITY CLERK

**AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS,
APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH
KENDALL COUNTY AND THE CITY OF PLANO
GOVERNING THE RECONSTRUCTION OF ELDAMAIN ROAD**

WHEREAS, the United City of Yorkville is a duly organized, and validly existing non home-rule municipality of the State of Illinois under the 1970 Illinois Constitution and the laws of the State of Illinois; and,

WHEREAS, Kendall County, the United City of Yorkville and the City of Plano are “public agencies” within the meaning of the Intergovernmental Cooperation Act (5 ILCS 220/1, *et seq.*) and have authority to exercise, combine and transfer their powers, functions and authority jointly with each other as public agencies; and,

WHEREAS, Kendall County, the United City of Yorkville and the City of Plano are “units of local government” within the context of Section 10 of Article VII, of the Illinois Constitution of 1970 and have the authority to obtain or share services, and to exercise, combine, or transfer any power or function in any manner not prohibited by law or by ordinance; and,

WHEREAS, Kendall County, the United City of Yorkville and the City of Plano are authorized pursuant to the above authority to enter into an intergovernmental agreement for the reconstruction, financing, and recapturing of costs for the improvements to Eldamain Road which is under the jurisdiction of Kendall County.

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 Corporate Authorities of the United City of Yorkville hereby find as facts all of the recitals in the preamble of this Ordinance and incorporate them as though fully set forth herein.

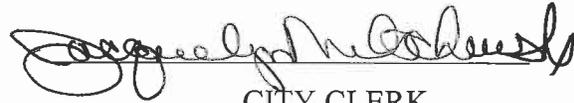
Section 2. That the agreement between Kendall County, the City of Plano, and the United City of Yorkville entitled, *Intergovernmental Agreement Between Kendall County, City of Plano and City of Yorkville, An Agreement Governing the Reconstruction of Eldamain Road from Menards to Galena Road*, (“Intergovernmental Agreement”) a copy of which is attached hereto and incorporated herein as Exhibit A, is hereby approved.

Section 3. That the Mayor and City Clerk are hereby authorized to execute and deliver said Intergovernmental Agreement.

Section 4. That the officials, officers, and employees of the United City of Yorkville are hereby authorized to take such further actions as are necessary to carry out the intent and purpose of this Ordinance and the Intergovernmental Agreement.

Section 5. This Ordinance shall be in full force and effect upon passage, approval, and publication as provided by law.

Passed by the City Council of the United City of Yorkville, Kendall County,
Illinois this 8 day of February, A.D. 2011.


CITY CLERK

ROBYN SUTCLIFF RS
ARDEN JOE PLOCHER AP
GARY GOLINSKI GG
ROSE SPEARS RS

DIANE TEELING DT
WALLY WERDERICH WW
MARTY MUNNS MM
GEORGE GILSON, JR. GG

Approved by me, as Mayor of the United City of Yorkville, Kendall County,
Illinois, this 22 day of FEBRUARY, A.D. 2011.


MAYOR

16AM 11-07

INTERGOVERNMENTAL AGREEMENT

BETWEEN

KENDALL COUNTY, CITY OF PLANO AND CITY OF YORKVILLE

An agreement governing the reconstruction of Eldamain Road from Menards to Galena Road

WHEREAS, Kendall County, the City of Plano, and the City of Yorkville are all units of local government authorized to enter into intergovernmental agreements pursuant to the Intergovernmental Cooperation Act, 5 ILCS 220 et seq. and the Illinois Constitution Article VII Sec. 10, and;

WHEREAS, Kendall County, hereinafter referred to as County, has jurisdiction over Eldamain Road for its entirety, and;

WHEREAS, the County seeks to make certain improvements to Eldamain Road from the Menards Distribution Center north to Galena Road to address the growing capacity needs of the roadway, improve public safety and stimulate the economies of local municipalities, and;

WHEREAS, specific improvements for the proposed roadway include the construction of one lane of concrete pavement in each direction, all appropriate turning lanes, paved shoulders, a raised grass median, pavement markings and all other appurtenances necessary to complete the reconstruction of the roadway in accordance with County specifications, and;

WHEREAS, the City of Plano, hereinafter referred to as Plano, has corporate boundaries lying immediately adjacent to and West of the centerline of Eldamain Road; and City of Yorkville, hereinafter referred to as Yorkville, has corporate boundaries lying immediately adjacent to and East of the centerline of Eldamain Road, and;

WHEREAS, both Plano and Yorkville share the vision of the County to make improvements to Eldamain Road from the Menards Distribution Center to Galena Road for reasons aforesaid, and;

WHEREAS, said agencies desire to codify the terms of agreement as they relate to the cost of the project, the recapture of fees, the timing of repayment of fees and expenses, the dedication of necessary rights-of-way, the cost of engineering and any and all other items expressly identified and contained herein.

NOW, THEREFORE, in consideration of the mutual promises, obligations and undertakings set forth herein, the parties mutually agree as follows:

1. The above recitals are incorporated herein by reference.
2. The County will prepare or cause to be prepared all documents related to the reconstruction of Eldamain Road from the Menards Distribution Center north to Galena Road, including, but not limited to, engineering plans, specifications, estimates, contracts, bonds, and certificates of insurance, as well as all documentation required for accurate payment of all contractors and subcontractors working on the

project under the terms and conditions of the contract, identified by the County as Section 07-00096-00-RP, at no cost to Plano and Yorkville.

3. The County will acquire necessary rights-of-way for the project, identified as Section 07-00096-00-RP, at no cost to Plano and Yorkville. Plano and Yorkville shall be responsible for acquiring rights of way for future improvements as set forth in paragraph 11 below.
4. As lead agency, the County will cause the reconstruction of Eldamain Road to be completed in a timely manner, and will make payment(s) to those performing the work in accordance with the contract documents.
5. The parties mutually agree that the estimated cost to improve Eldamain Road is \$6.3 million. Said costs shall be divided and assessed equally between the County, Plano and Yorkville, with the municipal shares being assessed per lineal foot of frontage along Eldamain Road. It is the understanding of all parties hereto that the Municipal Corporations, Plano and Yorkville, will not be responsible to directly pay said fees, but shall collect fees pursuant to recapture agreements as permitted by law in any applicable annexation agreement from future municipal developments, and upon receipt of such fees from developers shall turn over those fees to the County as a recapture of costs for construction of the roadway.
6. The City of Plano and the United City of Yorkville have heretofore entered into a Boundary Agreement between the United City of Yorkville, Illinois, and the City of Plano, Illinois, a copy of which has heretofore been filed for record in the Office of the Recorder of Deeds of Kendall County as Document Number 200100005727 and Document Number 200500008114. Said Agreement between the cities provides, at Paragraph 7, for a cost sharing for future improvements to Eldamain Road.
7. Pursuant to the terms of Paragraph 7 of the Boundary Agreement, the City of Plano has already expended the sum of \$3,400,000.00 for improvements to Eldamain Road. The obligation of the City of Plano to contribute further to the costs to improve Eldamain Road contemplated by the Agreement shall not occur until such time as the United City of Yorkville has contributed from recapture fees not less than \$3,400,000.00 to the project as set forth in the following Paragraphs of this Agreement.
8. Based upon current estimates, the City of Plano's share of the costs of the project will be \$2,100,000.00 (1/3rd of \$6,300,000.00). Accordingly, based upon current estimates of cost, the contribution to be collected by the City of Plano will be in the sum of \$400,000.00.
9. Based upon current estimates, the share of the cost to be recaptured by the United City of Yorkville shall be assessed at \$336.59 per lineal foot of frontage on the East side of Eldamain Road (11,290.00 lineal feet) and that the share of the cost to be recaptured by the City of Plano shall be assessed at \$34.85 per lineal foot along the West side of Eldamain Road (11,468 lineal feet), and shall be paid to the County under the following terms. Plano agrees to make every reasonable effort to assess through recapture and collect not less than \$34.85 per lineal foot and Yorkville agrees

to make every reasonable effort to assess through recapture and collect not less than \$336.59 per lineal foot from all developments in each respective community that have frontage on Eldamain Road between Menards Distribution Center and Galena Road, excluding those properties that have existing annexation agreements approved as of the date of the signing of this instrument. Collected fees shall be paid to the County not more than 180 days after recording of the final plat for any and all municipal developments that have frontage on Eldamain Road.

10. Upon completion of the improvements and the finalization of the computation of the costs of the project, the parties agree to execute an Amendment to this Agreement incorporating the final "AS BUILT" costs and adjusting, based upon final "AS BUILT" costs, the allocations set forth above.
11. In order to accommodate future multi-lane improvements, Plano and Yorkville also agree to use their best efforts to acquire from all future developed properties with frontage along Eldamain Road and to grant to the County of Kendall, at no costs to the Cities, not less than 60' nor more than 75' of road right-of-way, measured from the centerline of Eldamain Road to the right-of-way line, along the entire frontage of all developed properties that have frontage along Eldamain Road, at the time of annexation or platting of said developing properties. The exact width of right-of-way required shall be designated by the County Engineer of Kendall County.
12. In the event federal stimulus funds, or any other federal or state grant funds are allocated for the reconstruction of Eldamain Road, Section 07-00096-00-RP, the municipal share of recapture costs, identified above, shall be reduced proportionally for both Plano and Yorkville. Specifically, recapture costs per lineal foot shall be reduced to equal the following: Yorkville: $[1 - \text{Grant Funds} / \$6.3 \text{ million}] \times \336.59 ; Plano: $[1 - \text{Grant Funds} / \$6.3 \text{ million}] \times \34.85 .
13. This Agreement is executed in triplicate and each party shall retain one completely executed copy, each of which is deemed an original.
14. This Agreement represents the entire agreement between the parties and there are no other promises or conditions in any other agreement whether written or oral. This Agreement supersedes any prior written or oral agreements between the parties and may not be modified except in writing acknowledged by all parties.
15. If any provision of this Agreement shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court finds that any provisions of this agreement is invalid or unenforceable, but that by limiting such provision it becomes valid and enforceable, then such provision shall be deemed to be written, construed, and enforced as so limited.
16. This agreement shall be in full force and effect for a period of 20 years from the date of execution of the agreement.
17. This Agreement may be terminated only by mutual consent of all of the parties acknowledged in writing.

IN WITNESS WHEREOF, the parties mutually agree to the terms and conditions contained herein.

FOR THE COUNTY

ATTEST

NAME John Purcell
TITLE County Board Chair
SIGNATURE JPR
DATE 3/15/11

Debbie Gillette
County Clerk
Debbie Gillette
3/15/11

SEAL

FOR THE CITY OF PLANO

ATTEST

NAME Robert Hausler
TITLE Mayor of Plano
SIGNATURE Robert Hausler
DATE 2-28-2011

Deanna Brown
City Clerk
Deanna Brown
3-2-11

SEAL

FOR THE CITY OF YORKVILLE

ATTEST

NAME Valerie Burd
TITLE Mayor of Yorkville
SIGNATURE Valerie Burd
DATE 2/22/2011

Jacquelyn Milschewski
City Clerk
Jacquelyn Milschewski
2-8-2011

SEAL

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

ORDINANCE NO. 2020-07

**AN ORDINANCE AUTHORIZING A JURISDICTIONAL BOUNDARY LINE
AGREEMENT BETWEEN THE UNITED CITY OF YORKVILLE
AND THE CITY OF PLANO**

**Passed by the City Council of the
United City of Yorkville, Kendall County, Illinois
This 11th day of February, 2020**

**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 February 27, 2020.

Ordinance No. 2020-07

AN ORDINANCE AUTHORIZING A JURISDICTIONAL BOUNDARY LINE AGREEMENT BETWEEN THE UNITED CITY OF YORKVILLE AND THE CITY OF PLANO

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 of Illinois; and,

WHEREAS, there is unincorporated territory lying between the City and the City of Plano (“Plano”) that was the subject of a previous Jurisdictional Boundary Line Agreement (“Boundary Agreement”) entered into between the City and Plano and it is the desire of each to update and extend the terms of that Boundary Agreement for an additional twenty years; and,

WHEREAS, the Section 11-12-9 of the Illinois Municipal Code (65 ILCS 5/11-12-9) provides for the entering into jurisdictional boundary line agreements after notice and hearing; and,

WHEREAS, The City and Plano have negotiated a new Boundary Agreement to establish a jurisdictional boundary line in order to enable each municipality to plan the orderly growth and development of their communities by the exercise of their planning, annexation, zoning and subdivision authority on its side of the boundary line.

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

Section 1: That the *JURISDICTIONAL BOUNDARY LINE AGREEMENT BETWEEN CITY OF PLANO AND THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS*, between the United City of Yorkville and the City of Plano, a copy of which is attached hereto and made a part hereof as Exhibit A, be and the same is hereby approved and the Mayor and City Clerk be and are hereby authorized and directed to execute the Agreement on behalf of the United City of Yorkville.

Section 2: This Ordinance shall be in full force and effect upon its passage and approval according to law.

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois this 11th day of February, 2020.


CITY CLERK

KEN KOCH	<u>AYE</u>	DAN TRANSIER	<u>AYE</u>
JACKIE MILSCHEWSKI	<u>AYE</u>	ARDEN JOE PLOCHER	<u>AYE</u>
CHRIS FUNKHOUSER	<u>AYE</u>	JOEL FRIEDERS	<u>AYE</u>
SEAVER TARULIS	<u>AYE</u>	JASON PETERSON	<u>AYE</u>

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

27th day of FEBRUARY, 2020.



MAYOR



STATE OF ILLINOIS)
)ss
COUNTY OF KENDALL)

202000003330

DEBBIE GILLETTE
RECORDER - KENDALL COUNTY, IL

RECORDED: 3/4/2020 10:41 AM
AGR: 57.00 RHSPS FEE: 10.00
PAGES: 10

THIS IS A COVER PAGE
FOR RECORDING PURPOSES ONLY

JURISDICTIONAL BOUNDARY LINE AGREEMENT
BETWEEN THE CITY OF PLANO AND
THE UNITED CITY OF YORKVILLE,
KENDALL COUNTY, ILLINOIS

Prepared by and Return to:

United City of Yorkville
800 Game Farm Road
Yorkville, IL 60560

STATE OF ILLINOIS)
) ss.
COUNTY OF KENDALL)

Above Space for Recorder's Use Only

JURISDICTIONAL BOUNDARY LINE AGREEMENT BETWEEN THE CITY OF PLANO AND THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS

This Jurisdictional Boundary Line Agreement by and between the City of Plano, Kendall County, Illinois a non-home rule municipal corporation (“*Plano*”) by virtue of the laws of the State of Illinois, and the United City of Yorkville, Kendall County, Illinois a non-home rule municipal corporation (“*Yorkville*”) by virtue of the laws of the State of Illinois dated this 27th day of FEBRUARY, ~~2019~~₂₀₂₀.

WITNESSETH:

WHEREAS, Plano and Yorkville recognize that the unincorporated lands lying between their current municipal boundaries provide unusual growth opportunities for their respective communities; and,

WHEREAS, Plano and Yorkville are aware of the fact that the opportunities for development in said unincorporated area will be accompanied by increased demands for transportation services, governmental police power services, utilities services, and other municipal services and the resulting financial commitments to meet such additional services; and,

WHEREAS, in order to plan for the demands which occur with development, Plano and Yorkville entered into a Jurisdictional Boundary Line Agreement in 1999 which established an agreed "*Jurisdictional Boundary Line*" between the cities and included such other measures as deemed to be in the best interests of their respective communities; and,

WHEREAS, the Corporate Authorities of Plano and Yorkville desire to extend its Jurisdictional Boundary Line Agreement as hereinafter set forth, in order to provide for the orderly development of the unincorporated areas lying between their municipalities and continue the spirit of cooperation between both communities which has existed since 1999; and,

WHEREAS, Plano and Yorkville further recognize that planning for the development of the unincorporated land lying between their municipal boundaries must include provisions for open space preservation, flood control, population density, joint operation of public facilities, ecological and economic impact, and multi-purpose uses; and,

WHEREAS, Plano and Yorkville and their respective citizens may be affected by potential development and the issues development presents and therefore believe it to be in their best interest that municipal boundaries and areas of municipal authority between their respective municipalities be established in order to plan effectively and efficiently for development between their communities and the conservation of the available resources for their respective residents without influences from developers or political factions; and,

WHEREAS, Plano and Yorkville have authorized, by ordinance, the execution of this Agreement as an exercise of their intergovernmental cooperation authority under the Constitution of the State of Illinois, and pursuant to the terms and provisions of Section 5/11-12-9 of the Illinois Municipal Code (65 ILCS 5/11-12-9).

NOW, THEREFORE, upon the consideration of the mutual promises contained herein and upon the further consideration of the recitals hereinabove set forth, it is hereby agreed between Plano and Yorkville as follows:

1. That Plano shall have jurisdiction west of a certain boundary line and Yorkville shall have jurisdiction east of a certain boundary line as depicted on the map attached hereto as Exhibit A (the "*Jurisdictional Boundary Line*") and legally described on Exhibit B, which is attached hereto, both of which are incorporated herein. In the event of a variance in the legal description and the boundary map, the legal description shall take precedence. During the term of this Agreement, each municipality agrees to the immediate disconnection and shall not object to the disconnection of such territory which may lay beyond the Jurisdictional Boundary Line as described on *Exhibits A and B*, whether said disconnection be by petition of the land owner, court action or otherwise.

2. Plano and Yorkville agree not to annex, zone or perform any other act as authorized by law involving territory lying within the jurisdiction of the other municipality.

3. In the event that Plano or Yorkville is better able to provide municipal water or sewer service to a particular parcel of land lying outside its City limits, and annexed or to be annexed to the other City (as to Plano, a parcel lying West of the Jurisdictional Boundary Line, and as to Yorkville, a parcel lying East of the Jurisdictional Boundary Line), the municipality better able to provide service, shall not refuse service simply because the parcel is not within its City limits and shall not require annexation, but shall, subject to availability and capacity, allow connection to and service from its utility system, subject at all times to the ordinances, fees and charges (uniformly applied) applicable to the providing of service to lands outside of the municipality.

4. The Jurisdictional Boundary Line between Plano and Yorkville, for municipal government planning, subdivision control and municipal purposes shall be as described in Exhibits A and B and all future annexations by the corporate authorities of both Cities shall be adopted in conformance with the provisions of this Agreement.

5. Except by agreement as to utility service as provided in Paragraph 3 of this Agreement and except upon the subsequent joint written agreement, duly authorized by the Corporate Authorities of both Cities, Plano and Yorkville hereby agree that they shall not act to annex or exercise any zoning authority or subdivision control authority beyond the Jurisdictional Boundary Line as established in this Agreement; provided, however, it is understood that this Agreement shall not be construed so as to limit or adversely affect the right of either municipality to file a statutory objection to proposed rezoning or proposed land use within one and one-half (1 ½) miles of its corporate limits. Each City further agrees that it will actively oppose any attempt to effectuate an involuntary annexation to its respective municipality which annexation would have the effect of changing the Jurisdictional Boundary Line established under this Agreement.

6. Plano and Yorkville had originally agreed that Yorkville was (and remains) responsible to use its own funds or funds from a third-party such as developers through recapture agreements to equalize the \$3,400,000 expended by Plano for improvements to Eldamain Road. Pursuant to an intergovernmental agreement executed in 2011 among Plano, Yorkville and Kendall County (the "IGA"), Kendall County agreed to bring Eldamain Road under its jurisdiction and made roadway improvements costing \$6,300,000 for that portion of the roadway from the Menards Distribution Center to Galena Road. The parties agreed to equally share the cost of \$6,300,000 which cost was to be paid through recapture

agreements from future municipal developments. It was determined in the IGA that Plano was required to assess \$34.85 per lineal foot for a total of 11,290 lineal feet in order to pay \$400,000 being its share of \$2,100,000 for the improvements made by Kendall County, reduced by \$1,700,000 for the amounts already expended by it for improvements to Eldamain Road and Yorkville was to assess \$336.59 per lineal foot for a total of 11,468 lineal feet in order to recapture a total of \$1,700,000 as expended by Plano and \$2,100,000 of its share of the cost to further improvement Eldamain Road for a total of approximately \$3,800,000 . The parties hereto confirm that as of the date hereof, the respective obligations of the cities hereinabove set forth remain outstanding.

7. It is agreed that neither Plano nor Yorkville shall either directly or indirectly seek any modification of this Agreement through court action and that this Agreement shall remain in full force and effect until amended or changed by the mutual agreement of both respective corporate authorities.

8. If any provision of this Agreement shall be declared invalid for any reason, such invalidation shall not affect other provisions of this Agreement which can be given effect without the invalid provision and to this end the provisions of this Agreement are to be severable.

9. This Agreement shall be construed in accordance with the laws of the State of Illinois and shall be published by the cities and recorded with the Kendall County Recorder.

10. This Agreement shall be in full force and effect from and after its adoption and execution by Plano and Yorkville and shall continue in full force and effect for a period of twenty (20) years. The term of this Agreement may be extended, renewed or revised at the end of the initial term or extended terms hereof by further agreement of the municipalities.

11. The parties deem each clause, paragraph and undertaking herein to be severable and the application of this Agreement to any individual landowners to likewise be severable. Therefore, the parties agree that in the event any clause, paragraph or undertaking is deemed invalid or unconstitutional, or in the event the application of this Agreement to any landowner is deemed invalid or unconstitutional or otherwise unenforceable, such invalidity, unconstitutionality or unenforceability shall not affect the other undertakings made herein by the parties, and the rest of the Agreement and its application to landowners shall remain in full force and effect.

IN WITNESS WHEREOF the City of Plano and the United City of Yorkville have caused this Jurisdictional Boundary Line Agreement to be executed by their respective Mayor and attested by their respective City Clerk, pursuant to Ordinances adopted by each municipality authorizing the execution of this Jurisdictional.

City of Plano

By: Robert A. Haul
Mayor

Attest:

Katherine Miller
City Clerk

United City of Yorkville

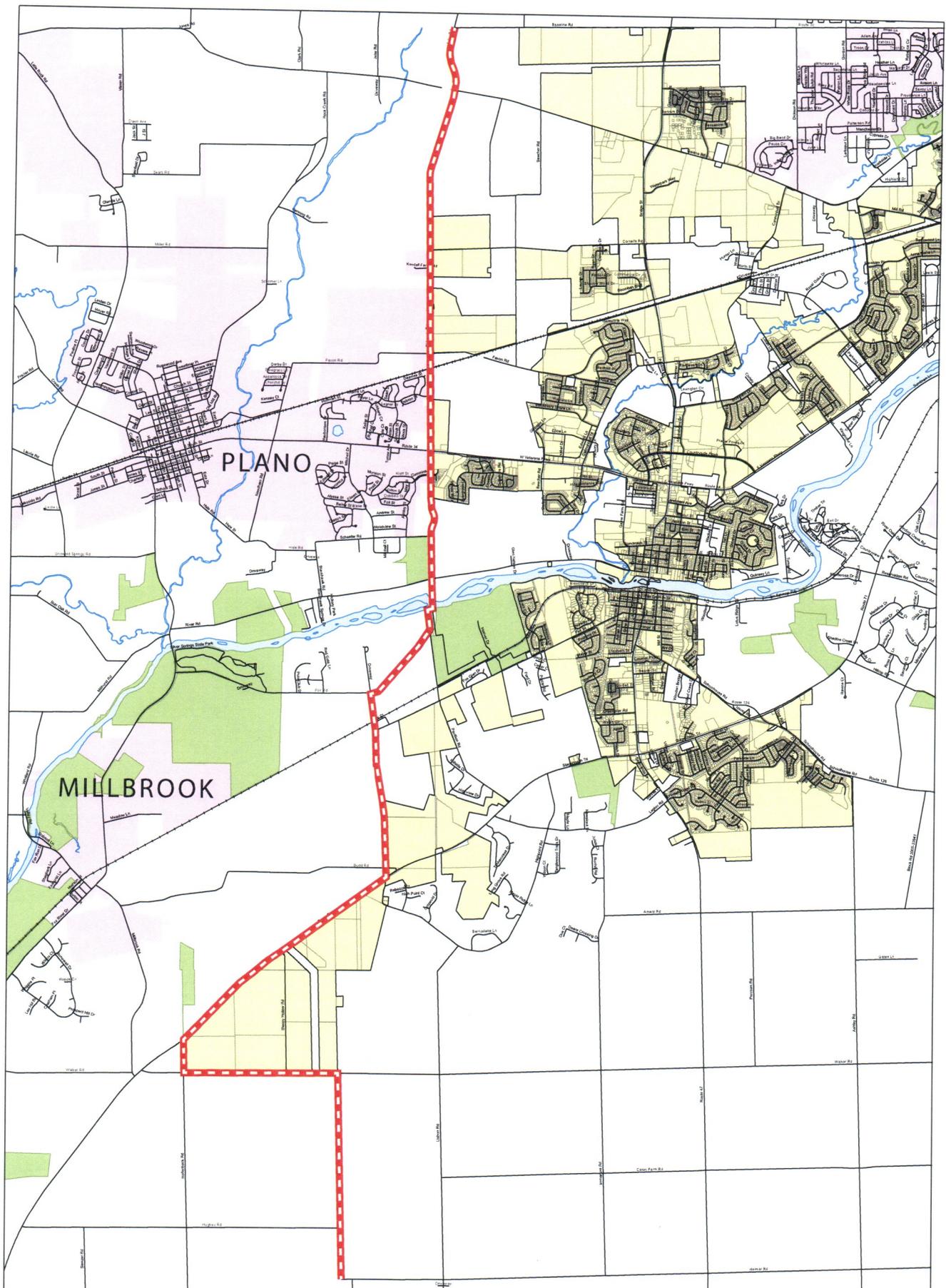
By: JAA
Mayor

Attest:

Lisa Pickering
City Clerk

Exhibit A

Boundary Line Map



PROPOSED YORKVILLE/PLANO BOUNDARY AGREEMENT
 UNITED CITY OF YORKVILLE, ILLINOIS

ADDRESS: 800 Game Farm Road, Yorkville Illinois DATE: November 19, 2019

DATA: All permit data and geographic data are property of the United City of Yorkville

LOCATION: (I:)/Community Development/Boundary Agreements/Plano Boundary Map



Exhibit B

LEGAL DESCRIPTION

COMMENCING AT THE INTERSECTION OF THE CENTER LINE OF BASELINE ROAD AND ASHE ROAD IN BRISTOL TOWNSHIP; THENCE SOUTHERLY ALONG THE CENTER LINE OF ASHE ROAD TO THE CENTER LINE OF GALENA ROAD; THENCE SOUTHERLY ALONG THE CENTER LINE OF ELDAMAIN ROAD TO THE CENTER LINE OF RIVER ROAD; THENCE CONTINUING SOUTH ALONG THE CENTER LINE OF ELDAMAIN ROAD RIGHT OF WAY TO THE SOUTH BANK OF THE FOX RIVER; THENCE WESTERLY ALONG THE SOUTH BANK OF THE FOX RIVER TO THE NORTHWEST CORNER OF A TRACT OF LAND WITH A P.I.N. OF 01-36-400-011; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID TRACT OF LAND TO THE SOUTHERLY MOST POINT OF SAID TRACT OF LAND; THENCE SOUTHWESTERLY TO THE NORTHERLY MOST CORNER OF A TRACT OF LAND CONVEYED TO THE COUNTY OF KENDALL BY DOCUMENT 201500004183; THENCE SOUTHWESTERLY ALONG THE NORTHERLY LINE SAID TRACT OF LAND CONVEYED TO THE COUNTY OF KENDALL TO THE CENTER LINE OF FOX ROAD EXTENDED NORTH; THENCE SOUTH ALONG SAID CENTER LINE EXTEND AND SAID CENTERLINE TO THE CENTER LINE OF HIGHPOINT ROAD; THENCE SOUTHERLY ALONG THE CENTER LINE OF HIGHPOINT ROAD TO THE CENTER LINE OF ROUTE 71; THENCE SOUTHWESTERLY ALONG THE CENTER LINE OF ROUTE 71 TO THE CENTER LINE OF HOLLENBACK ROAD; THENCE SOUTHERLY ALONG THE CENTER LINE OF HOLLENBACK ROAD TO THE CENTER LINE OF WALKER ROAD; THENCE EASTERLY ALONG THE CENTER LINE OF WALKER ROAD TO THE CENTER LINE OF WEST HELMAR ROAD; THENCE SOUTHERLY ALONG THE CENTER LINE OF WEST HELMAR ROAD TO THE SOUTHWEST CORNER OF SECTION 36, TOWNSHIP 36 NORTH , RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN.



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 REZONING

DATE: 1/31/2024	PZC NUMBER:	DEVELOPMENT NAME:	
PETITIONER INFORMATION			
NAME: Matt Gilbert		COMPANY: Green Door Capital	
MAILING ADDRESS: 837 W Junior Ter			
CITY, STATE, ZIP: Chicago, IL 60613		TELEPHONE: <input checked="" type="radio"/> BUSINESS <input type="radio"/> HOME 312-622-8300	
EMAIL: matt@greendoorcapital.com		FAX:	
PROPERTY INFORMATION			
NAME OF HOLDER OF LEGAL TITLE: Hagemann Family Trust			
IF LEGAL TITLE IS HELD BY A LAND TRUST, LIST THE NAMES OF ALL HOLDERS OF ANY BENEFICIAL INTEREST THEREIN: Patricia Fleck and Larry Hagemann			
PROPERTY STREET ADDRESS: 1414 Eldamain Road, Plano, IL 60545			
DESCRIPTION OF PROPERTY'S PHYSICAL LOCATION: Approximately 138.441 acres of farmland lying East of Eldamain Road and north of Corneils road in Yorkville, IL			
CURRENT ZONING CLASSIFICATION: Unincorporated Bristol Township		REQUESTED ZONING CLASSIFICATION: M-2	
COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION: Industrial / Data Center		TOTAL ACREAGE: 138.441	
ZONING AND LAND USE OF SURROUNDING PROPERTIES			
NORTH: Unincorporated Bristol Township			
EAST: Unincorporated Bristol Township			
SOUTH: M-2			
WEST: Unincorporated Bristol Township			
KENDALL COUNTY PARCEL IDENTIFICATION NUMBER(S)			
02-07-100-011	02-07-100-002	02-07-100-005	



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 REZONING

ATTORNEY INFORMATION

NAME: Kevin Kearney COMPANY: Pedersen Houpt
 MAILING ADDRESS: 161 N Clark St, Ste. 2700
 CITY, STATE, ZIP: Chicago, IL 60601 TELEPHONE: 312-261-2291
 EMAIL: kkearney@pedersenhoupt.com FAX:

ENGINEER INFORMATION

NAME: TBD COMPANY:
 MAILING ADDRESS:
 CITY, STATE, ZIP: TELEPHONE:
 EMAIL: FAX:

LAND PLANNER/SURVEYOR INFORMATION

NAME: Bearnard Bauer COMPANY: HR Green
 MAILING ADDRESS: 2363 Sequoia Dr, Ste. 101
 CITY, STATE, ZIP: Aurora, IL 60560 TELEPHONE: 630-708-5033
 EMAIL: bbauer@hrgreen.com FAX:

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".



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 REZONING

REZONING STANDARDS

PLEASE STATE THE EXISTING ZONING CLASSIFICATION(S) AND USES OF THE PROPERTY WITHIN THE GENERAL AREA OF THE PROPOSED REZONED PROPERTY:

N/A - currently in unincorporated Bristol Township, requesting to be annexed into Yorkville and rezoned M-2 per the 2016 Comprehensive Plan.

PLEASE STATE THE TREND OF DEVELOPMENT, IF ANY, IN THE GENERAL AREA OF THE PROPERTY IN QUESTION, INCLUDING CHANGES, IF ANY, WHICH HAVE TAKEN PLACE SINCE THE DAY THE PROPERTY IN QUESTION WAS PLACED IN ITS PRESENT ZONING CLASSIFICATION:

N/A - currently in unincorporated Bristol Township, requesting to be annexed into Yorkville and rezoned M-2 per the 2016 Comprehensive Plan.

PLEASE STATE THE EXTENT TO WHICH PROPERTY VALUES ARE DIMINISHED BY THE PARTICULAR ZONING RESTRICTIONS:

None to our knowledge.

PLEASE STATE THE EXTENT TO WHICH THE DESTRUCTION OF PROPERTY VALUES OF PETITIONER PROMOTES THE HEALTH, SAFETY, MORALS, AND GENERAL WELFARE OF THE PUBLIC:

None.



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

APPLICATION FOR REZONING

REZONING STANDARDS

PLEASE STATE THE LENGTH OF TIME THE PROPERTY HAS BEEN VACANT AS ZONED CONSIDERED IN THE CONTEXT OF LAND DEVELOPMENT IN THE AREA IN THE VICINITY OF THE SUBJECT PROPERTY:

Subject property has been farmland in the past.

PLEASE STATE THE COMMUNITY NEED FOR THE PROPOSED LAND USE:

Surrounding area to be developed as industrial / data center, this site should follow behind.

WITH RESPECT TO THE SUBJECT PROPERTY, PLEASE STATE THE CARE WITH WHICH THE COMMUNITY HAS UNDERTAKEN TO PLAN ITS LAND USE DEVELOPMENT:

See 2016 Comprehensive Plan update.

PLEASE STATE THE IMPACT THAT SUCH RECLASSIFICATION WILL HAVE UPON TRAFFIC AND TRAFFIC CONDITIONS ON SAID ROUTES; THE EFFECT, IF ANY, SUCH RECLASSIFICATION AND/OR ANNEXATION WOULD HAVE UPON EXISTING ACCESSES TO SAID ROUTES; AND THE IMPACT OF ADDITIONAL ACCESSES AS REQUESTED BY THE PETITIONER UPON TRAFFIC AND TRAFFIC CONDITIONS AND FLOW ON SAID ROUTES (ORD. 1976-43, 11-4-1976):

The two development scenarios include industrial and data center development. Green Door has completed a traffic study to for the 280 acre development to the north. Both development scenarios would contemplate main traffic ingress/egress to the west on Eldamain Road. Beacher and Faxon Roads to north/east of Subject Site would be secondary/emergency access. Data Center would include significantly less traffic than even traffic study suggests.



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 REZONING

REZONING STANDARDS

PLEASE STATE THE RELATIVE GAIN TO THE PUBLIC AS COMPARED TO THE HARDSHIP IMPOSED UPON THE INDIVIDUAL PROPERTY OWNER:

With no known hardship, the development would envision substantial construction jobs as well as long-term jobs, added local residence and substantial local business revenue increases.

PLEASE STATE THE SUITABILITY OF THE SUBJECT PROPERTY FOR THE ZONED PURPOSES:

The planned development is what was envisioned with the 2016 updated Comprehensive Plan for the United City of Yorkville.

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.

DocuSigned by:

Matthew Gilbert

E3771CAA44E3444...

2/8/2024

PETITIONER SIGNATURE

DATE

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

Patricia Fleck

OWNER SIGNATURE

2/6/2024

DATE

THIS APPLICATION MUST BE NOTARIZED PLEASE NOTARIZE HERE:

OFFICIAL SEAL
David C. Di Iorio
NOTARY PUBLIC, STATE OF ILLINOIS
My Commission Expires January 11, 2025

2/6/24
[Handwritten Signature]

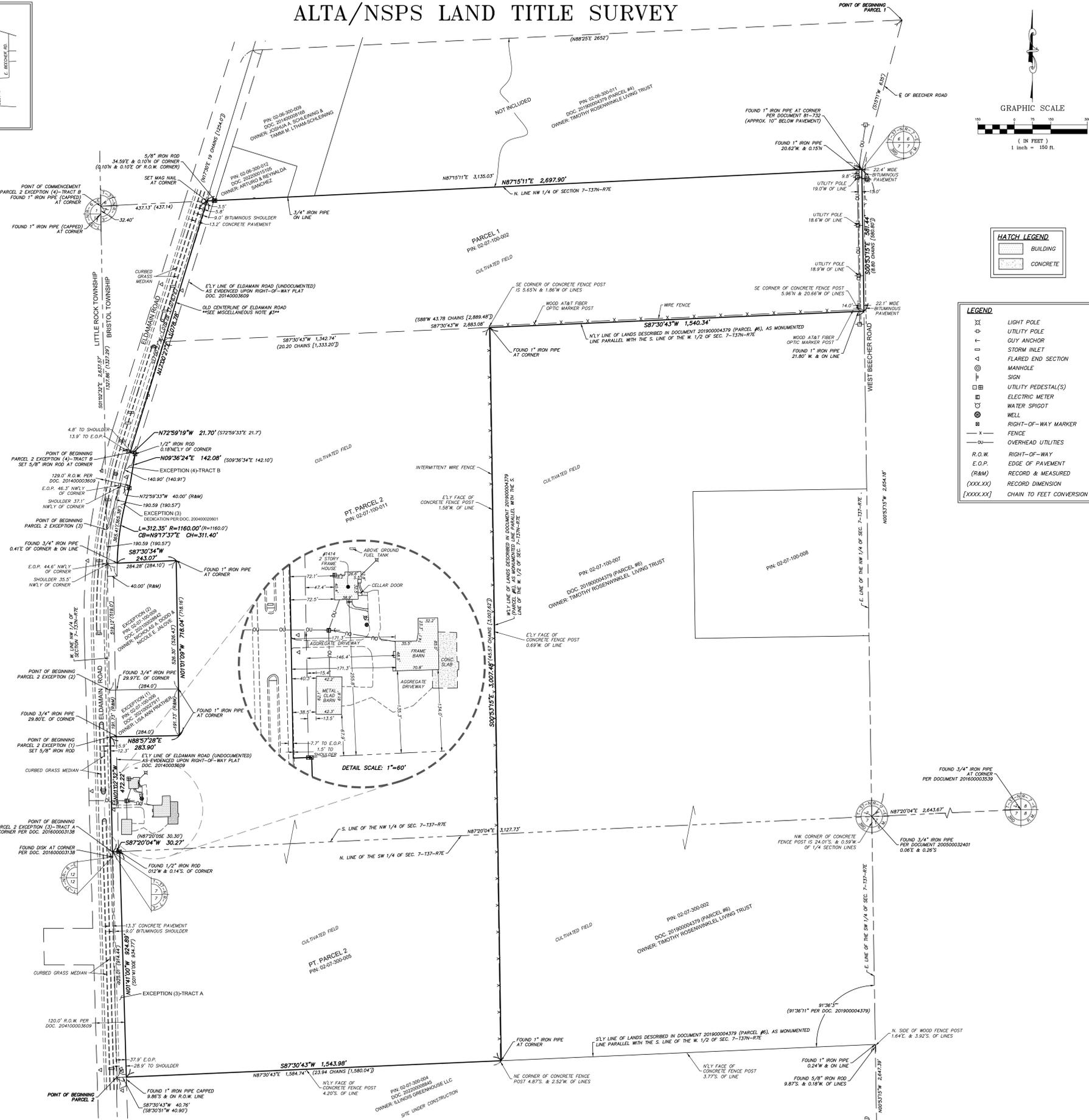
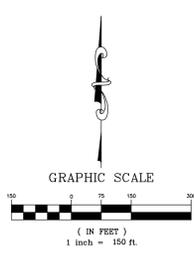
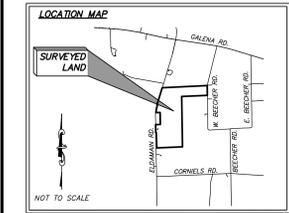


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APPLICANT DEPOSIT ACCOUNT/ ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY

PROJECT NUMBER:	FUND ACCOUNT NUMBER:	PROPERTY ADDRESS:	
<p>PETITIONER DEPOSIT ACCOUNT FUND:</p> <p>It is the policy of the United City of Yorkville to require any petitioner seeking approval on a project or entitlement request to establish a Petitioner Deposit Account Fund to cover all actual expenses occurred as a result of processing such applications and requests. Typical requests requiring the establishment of a Petitioner Deposit Account Fund include, but are not limited to, plan review of development approvals/engineering permits. Deposit account funds may also be used to cover costs for services related to legal fees, engineering and other plan reviews, processing of other governmental applications, recording fees and other outside coordination and consulting fees. Each fund account is established with an initial deposit based upon the estimated cost for services provided in the INVOICE & WORKSHEET PETITION APPLICATION. This initial deposit is drawn against to pay for these services related to the project or request. Periodically throughout the project review/approval process, the Financially Responsible Party will receive an invoice reflecting the charges made against the account. At any time the balance of the fund account fall below ten percent (10%) of the original deposit amount, the Financially Responsible Party will receive an invoice requesting additional funds equal to one-hundred percent (100%) of the initial deposit if subsequent reviews/fees related to the project are required. In the event that a deposit account is not immediately replenished, review by the administrative staff, consultants, boards and commissions may be suspended until the account is fully replenished. If additional funds remain in the deposit account at the completion of the project, the city will refund the balance to the Financially Responsible Party. A written request must be submitted by the Financially Responsible Party to the city by the 15th of the month in order for the refund check to be processed and distributed by the 15th of the following month. All refund checks will be made payable to the Financially Responsible Party and mailed to the address provided when the account was established.</p>			
ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY			
NAME: Matt Gilbert	COMPANY: Green Door Capital		
MAILING ADDRESS: 837 W Junior Terrance			
CITY, STATE, ZIP: Chicago, IL 60613	TELEPHONE: 312-622-8300		
EMAIL: matt@greendoorcapital.com	FAX:		
<p>FINANCIALLY RESPONSIBLE PARTY:</p> <p>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.</p>			
Matt Gilbert	Manager		
PRINT NAME <small>DocuSigned by:</small>	TITLE		
	2/8/2024		
SIGNATURE* <small>E3771CAA44E3444...</small>	DATE		
<p><i>*The name of the individual and the person who signs this declaration must be the same. If a corporation is listed, a corporate officer must sign the declaration (President, Vice-President, Chairman, Secretary or Treasurer)</i></p>			
INITIAL ENGINEERING/LEGAL DEPOSIT TOTALS			
ENGINEERING DEPOSITS:	LEGAL DEPOSITS:		
Up to one (1) acre	\$5,000	Less than two (2) acres	\$1,000
Over one (1) acre, but less than ten (10) acres	\$10,000	Over two (2) acres, but less than ten (10) acres	\$2,500
Over ten (10) acres, but less than forty (40) acres	\$15,000	Over ten (10) acres	\$5,000
Over forty (40) acres, but less than one hundred (100)	\$20,000		
In excess of one hundred (100.00) acres	\$25,000		

ALTA/NSPS LAND TITLE SURVEY

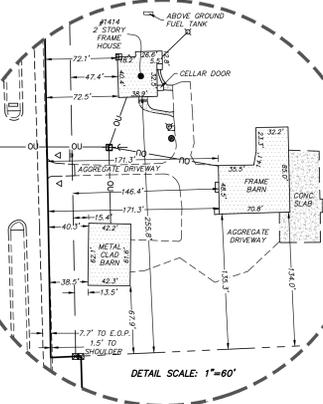


HATCH LEGEND

- BUILDING
- CONCRETE

LEGEND

- LIGHT POLE
- UTILITY POLE
- GUY ANCHOR
- STORM INLET
- FLARED END SECTION
- MANHOLE
- SIGN
- UTILITY PEDESTAL(S)
- ELECTRIC METER
- WATER SPIGOT
- WELL
- RIGHT-OF-WAY MARKER
- FENCE
- OVERHEAD UTILITIES
- R.O.W. RIGHT-OF-WAY
- E.O.P. EDGE OF PAVEMENT
- (R&M) RECORD & MEASURED
- (XXX.XX) RECORD DIMENSION
- [XXXX.XX] CHAIN TO FEET CONVERSION



LEGAL DESCRIPTION

PARCEL 1:
THAT PART OF SECTION 7, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH FALLS WITHIN THE FOLLOWING DESCRIBED TRACT OF LAND:
THAT PART OF THE SOUTH 1/2 OF SECTION 6 AND THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT IN THE CENTER LINE OF A HIGHWAY NOW KNOWN AS W. BEECHER ROAD WHICH IS NORTH 15 DEGREES 11 MINUTES EAST 635 FEET FROM THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE SOUTH 15 DEGREES 11 MINUTES WEST ALONG SAID CENTER LINE 635 FEET TO THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4; THENCE SOUTH ALONG THE QUARTER SECTION LINE 480 CHAINS; THENCE SOUTH 88 DEGREES WEST ALONG A CURVE LINE 45.78 CHAINS TO THE CENTER LINE OF A HIGHWAY NOW KNOWN AS ELDAMAN ROAD; THENCE NORTH 17 DEGREES 30 MINUTES EAST ALONG SAID CENTER LINE 19 CHAINS TO A POINT SOUTH 88 DEGREES WEST FROM THE POINT OF BEGINNING; ALL IN TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF BRISTOL, KENDALL COUNTY, ILLINOIS.

PARCEL 2:
THAT PART OF THE WEST 1/2 OF SECTION 7, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
BEGINNING ON THE WEST LINE OF SAID SECTION, 25.80 CHAINS NORTH OF THE SOUTHWEST CORNER OF SAID SECTION; THENCE EASTERLY ON A LINE PARALLEL TO THE SOUTH LINE OF SAID SECTION, 24.94 CHAINS; THENCE NORTHERLY ON A LINE PARALLEL WITH THE EAST LINE OF THE WEST 1/2 OF SAID SECTION, 45.57 CHAINS; THENCE WESTERLY ALONG A CURVE LINE 19.57 FEET; THENCE NORTHERLY PARALLEL WITH SAID WEST LINE, 191.73 FEET; THENCE WESTERLY AT RIGHT ANGLES TO SAID WEST LINE, THENCE SOUTHERLY ALONG SAID CENTER LINE OF SAID SECTION, 20.20 CHAINS TO THE CENTER LINE OF THE ROAD; THENCE SOUTHERLY ALONG SAID CENTER LINE TO THE POINT OF BEGINNING; IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS, EXCEPTING THEREFROM THE FOLLOWING:

LAND AREAS:

PARCEL 1:
GROSS LAND AREA: 36.9274 ACRES
NET LAND AREA: 36.4676 ACRES

PARCEL 2:
GROSS LAND AREA: 101.6136 ACRES
NET LAND AREA: 101.9928 ACRES

TOTAL:
GROSS LAND AREA: 138.4410 ACRES
NET LAND AREA: 137.5278 ACRES

*NET LAND AREA = GROSS LAND AREA LESS THAT PORTION LING WITHIN THE UNDOCUMENTED PORTION OF ELDAMAN ROAD AS EVIDENCED UPON PLAT OF RIGHT OF WAY RECORDED AS DOCUMENT 20140003609.

TABLE A ITEM NOTES

ITEMS REFERRED TO HEREON PER TABLE A - OPTIONAL SURVEY RESPONSIBILITIES AND SPECIFICATIONS FROM 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS.

ITEM 1: MONUMENTS SHOWN HEREON.
ITEM 2: ADDRESS OF THE SURVEYED LANDS IS 1414 ELDAMAN ROAD, PLANO, IL, PER KENDALL COUNTY TAX RECORDS AND AS POSTED AT THE FARMSTEAD BUILDING UPON THE SURVEYED LANDS.
ITEM 3: FLOOD ZONE DESIGNATIONS NOTED HEREON.
ITEM 4: LAND AREAS NOTED HEREON.
ITEM 5: EXTERIOR DIMENSIONS OF BUILDINGS AT GROUND LEVEL, SHOWN HEREON.
ITEM 6: SUBSTANTIAL FEATURES OBSERVED IN THE PROCESS OF CONDUCTING FIELDWORK ARE SHOWN HEREON.
ITEM 7: NAMES OF ADJOINING OWNERS SHOWN HEREON, AS APPEARING IN KENDALL COUNTY TAX RECORDS.
ITEM 8: THE SURVEYOR IS NOT AWARE OF ANY PROPOSED CHANGES IN STREET RIGHT-OF-WAY LINES. BEECHER ROAD ALONG THE EASTERLY LINE OF THE SURVEYED LANDS HAD BEEN RECENTLY REPAIRED.
ITEM 9: EASEMENT LIES UPON THE SURVEYED LANDS, BUT DOES NOT CONTAIN A PLOTTABLE DESCRIPTION.
ITEM 10: EASEMENT LIES UPON THE SURVEYED LANDS AND ARE SHOWN AND NOTED HEREON.
ITEM 11: EASEMENT LIES UPON THE SURVEYED LANDS AND ARE SHOWN AND NOTED HEREON.
ITEM 12: EASEMENT LIES UPON THE SURVEYED LANDS AND ARE SHOWN AND NOTED HEREON.
ITEM 13: EASEMENT LIES UPON THE SURVEYED LANDS AND ARE SHOWN AND NOTED HEREON.
ITEM 14: EASEMENT LIES UPON THE SURVEYED LANDS AND ARE SHOWN AND NOTED HEREON.
ITEM 15: EASEMENT LIES UPON THE SURVEYED LANDS AND ARE SHOWN AND NOTED HEREON.
ITEM 16: EASEMENT LIES UPON THE SURVEYED LANDS AND ARE SHOWN AND NOTED HEREON.
ITEM 17: EASEMENT LIES UPON THE SURVEYED LANDS AND ARE SHOWN AND NOTED HEREON.
ITEM 18: SURVEYOR WAS NOT PROVIDED WITH, NOR AWARE OF ANY OFFSITE PLOTTABLE EASEMENTS.

TITLE COMMITMENT NOTES

1. THIS SURVEY IS BASED IN PART ON ALTA COMMITMENT FOR TITLE INSURANCE, BY CHICAGO TITLE INSURANCE COMPANY, C02108360LD, BEARING A COMMITMENT DATE OF NOVEMBER 2, 2021.

NOTES CORRECTING TO SURVEY RELATED SCHEDULE B, PART II EXCEPTIONS

ITEM 25 (B) EASEMENT IN FAVOR OF AT&T, AND ITS/THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, TO INSTALL, OPERATE AND MAINTAIN ALL EQUIPMENT NECESSARY FOR THE PURPOSE OF SERVING THE LAND AND OTHER PROPERTY, TOGETHER WITH THE RIGHT OF ACCESS TO SAID EQUIPMENT, AND THE PROVISIONS RELATING THERETO CONTAINED IN THE GRANT RECORDED, FILED AS DOCUMENT NO. 20140003609.

ITEM 26 (C) EASEMENT IN FAVOR OF AMERICAN TELEPHONE AND TELEGRAPH COMPANY, AND ITS/THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, TO INSTALL, OPERATE AND MAINTAIN ALL EQUIPMENT NECESSARY FOR THE PURPOSE OF SERVING THE LAND AND OTHER PROPERTY, TOGETHER WITH THE RIGHT OF ACCESS TO SAID EQUIPMENT, AND THE PROVISIONS RELATING THERETO CONTAINED IN THE GRANT RECORDED, FILED AS DOCUMENT NO. 20140003609.

ITEM 27 (F) RESOLUTION NO. 03-09 RECORDED LINE 30, 2003 AS DOCUMENT NO. 20030002182, 20030002187 AND 20030002126, PROVIDING PUBLIC NOTICE TO INTERESTED PERSONS REGARDING THE FUTURE CONSTRUCTION OF AN EXTENSION OF ELDAMAN ROAD ACROSS THE FOR BIRN IN KENDALL COUNTY, ILLINOIS.

ITEM 28 (G) SURVEYED LANDS ARE INCLUDED IN THE LANDS LISTED WITHIN SAID DOCUMENT, SAID DOCUMENT DOES NOT CONTAIN AN EASEMENT LIES UPON THE SURVEYED LANDS, BUT DOES NOT CONTAIN A PLOTTABLE DESCRIPTION. AT&T ROUTE MARKERS WERE OBSERVED ALONG THE SOUTHERLY LINE OF PARCEL 1 OF THE SURVEYED LANDS AND ARE SHOWN AND NOTED HEREON.

ITEM 28 (H) RIGHT OF WAY PLAT FOR KENDALL COUNTY HIGHWAY DEPARTMENT ELDAMAN ROAD RECORDED AS DOCUMENT NO. 20140003609.

ITEM 28 (I) RIGHT-OF-WAY DEPICTED UPON SAID PLAT IS SHOWN AND NOTED HEREON.

SURVEYOR'S CERTIFICATE

TO: HERS AT LAW AND LEGATEES OF CLAYTON J. HARGAMAN, DECEASED

FROM: BERNARD J. BAUER, P.L.S., ILLINOIS PROFESSIONAL LAND SURVEYOR #3799

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 7(A), & 13, 17 & 18 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 10/26/2022.

DATED: 11/03/2022

FOR REVIEW

BERNARD J. BAUER, P.L.S.
ILLINOIS PROFESSIONAL LAND SURVEYOR #3799
EMAIL: bbaue@prgs.com
LICENSE EXPIRES: 11/30/2024

FLOOD ZONE NOTE

SURVEYED LANDS ARE ENTIRELY WITHIN ZONE "X" (UNSHADED) AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, PER FIRM MAP NO. 170930C0300, BEARING AN EFFECTIVE DATE OF FEBRUARY 4, 2008.

MISCELLANEOUS NOTES

1. THE SURVEYED LANDS ARE THE LANDS DESCRIBED IN QUIT-CLAIM DEED, RECORDED JULY 10, 2013 AS 201300044336, NAMING PATRICIA K. FLECK, TRUSTEE OF THE HARGAMAN FAMILY TRUST, DATED APRIL 6, 2013 AS THE GRANTEE.
2. PERMANENT INDEX NUMBERS (P.I.N.'S) OF SURVEYED LANDS:
PARCEL 1: 02-07-100-002
PARCEL 2: 02-07-300-005 & 02-07-100-011
3. "OLD" CENTERLINE OF ELDAMAN ROAD SHOWN HEREON AS EVIDENCED UPON RIGHT-OF-WAY PLAT RECORDED 03/18/2014 AS DOCUMENT 20140003609
4. UTILITIES SHOWN HEREON ARE BASED ON OBSERVED VISIBLE ABOVE GROUND EVIDENCE. ADDITIONAL UTILITIES, WHICH THE SURVEYOR IS UNAWARE OF MAY BE PRESENT.

NOTE: Only those Building Line Restrictions or Easements shown on a Recorded Subdivision Plat or shown thereon unless the description orders to be surveyed contains a proper description of the required building lines or easements.

* No distance should be assumed by scaling.

* All measurements on to corners, walls, or possession should be taken as noted.

* 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 10/26/22.

* This professional service conforms to the current Illinois minimum standards for a boundary survey and was performed for GREEN DOOR CAPITAL INVESTMENTS, INC.

Compare your description and site markings with this plot and at once report any discrepancies which you may find.

11/4/2022 5:39:54 PM
J:\2022\2202300\Survey\Draw\2202300_ALTA.dwg

LEGAL DESCRIPTION

PARCEL 1:

THAT PART OF SECTION 7, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH FALLS WITHIN THE FOLLOWING DESCRIBED TRACT OF LAND:

THAT PART OF THE SOUTH 1/2 OF SECTION 6 AND THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTER LINE OF A HIGHWAY NOW KNOWN AS W. BEECHER ROAD WHICH IS NORTH 15 DEGREES 11 MINUTES EAST 635 FEET FROM THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE SOUTH 15 DEGREES 11 MINUTES WEST ALONG SAID CENTER LINE 635 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHWEST 1/4; THENCE SOUTH ALONG THE QUARTER SECTION LINE 8.80 CHAINS; THENCE SOUTH 88 DEGREES WEST ALONG A CLAIM LINE 43.78 CHAINS TO THE CENTER LINE OF A HIGHWAY NOW KNOWN AS ELDAMAIN ROAD; THENCE NORTH 17 DEGREES 30 MINUTES EAST ALONG SAID CENTER LINE 19 CHAINS TO A POINT SOUTH 88 DEGREES 25 MINUTES WEST FROM THE POINT OF BEGINNING; THENCE NORTH 88 DEGREES 25 MINUTES EAST 2652 FEET TO THE POINT OF BEGINNING, ALL IN TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF BRISTOL, KENDALL COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF THE WEST 1/2 OF SECTION 7, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING ON THE WEST LINE OF SAID SECTION, 25.80 CHAINS NORTH OF THE SOUTHWEST CORNER OF SAID SECTION: THENCE EASTERLY ON A LINE PARALLEL TO THE SOUTH LINE OF SAID SECTION, 23.94 CHAINS; THENCE NORTHERLY ON A LINE PARALLEL WITH THE EAST LINE OF THE WEST 1/2 OF SAID SECTION, 45.57 CHAINS; THENCE WESTERLY ON A LINE PARALLEL WITH THE SOUTH LINE OF SAID SECTION, 20.20 CHAINS TO THE CENTER LINE OF THE ROAD; THENCE SOUTHERLY ALONG SAID CENTER LINE TO THE POINT OF BEGINNING; IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS, EXCEPTING THEREFROM THE FOLLOWING:

(1) THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 7; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SECTION, 3,110.0 FEET FOR A POINT OF BEGINNING; THENCE EASTERLY AT RIGHT ANGLES TO SAID WEST LINE, 284.0 FEET; THENCE NORTHERLY PARALLEL WITH SAID WEST LINE, 191.73 FEET; THENCE WESTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 284.0 FEET TO THE SAID WEST LINE; THENCE SOUTHERLY ALONG SAID WEST LINE, 191.73 FEET TO THE POINT OF BEGINNING, IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS

(2) THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 7; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SECTION, 3301.73 FEET FOR A POINT OF BEGINNING; THENCE EASTERLY AT RIGHT ANGLES TO SAID WEST LINE, 284.0 FEET; THENCE NORTHERLY PARALLEL WITH SAID WEST LINE, 526.43 FEET; THENCE WESTERLY ALONG A LINE FORMING AN ANGLE OF 88 DEGREES, 30 MINUTES, 00 SECONDS WITH THE LAST DESCRIBED COURSE MEASURED COUNTER-CLOCKWISE THEREFROM, 284.10 FEET TO SAID WEST LINE; THENCE SOUTHERLY ALONG SAID WEST LINE, 519.0 FEET TO THE POINT OF BEGINNING, IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

(3) THAT PART DEDICATED FOR PUBLIC ROAD BY PLAT OF DEDICATION RECORDED JULY 27, 2004 AS DOCUMENT NO. 200400020601, DESCRIBED AS FOLLOWS:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED, AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF SAID NORTHWEST QUARTER WITH THE CENTER LINE OF ELDAMAIN ROAD EXTENDED FROM THE NORTHEAST, WHICH POINT IS DESCRIBED AS BEING 1327.29 FEET SOUTHERLY OF THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE NORTHEASTERLY ALONG SAID CENTER LINE 190.57 FEET; THENCE EASTERLY AT RIGHT ANGLES TO SAID CENTER LINE 40.0 FEET; THENCE SOUTHERLY ALONG A CURVE: TO THE LEFT HAVING A RADIUS OF 1160.0 FEET WITH IS RADIAL TO THE LAST DESCRIBED COURSE, 365.38 FEET TO A POINT 40.0 FEET EASTERLY OF SAID WEST LINE; THENCE WEST AT RIGHT ANGLES TO SAID WEST LINE 40.0 FEET TO SAID WEST LINE; THENCE NORTH ALONG SAID WEST LINE 190.57 FEET TO THE POINT OF BEGINNING IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

4) THAT PART CONVEYED TO KENDALL COUNTY, ILLINOIS BY WARRANTY DEED RECORDED APRIL 23, 2012 AS DOCUMENT NO. 201200007234, DESCRIBED AS FOLLOWS:

TRACT A

PART OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS, USING BEARINGS AND GRID DISTANCES REFERENCED TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD 83(97 AD J): BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 7; THENCE NORTH 87 DEGREES 20 MINUTES 05 SECONDS EAST 30.30 FEET ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 7; THENCE SOUTH 01 DEGREES 41 MINUTES 00 SECONDS EAST 934.77 FEET; THENCE SOUTH 87 DEGREES 30 MINUTES 51 SECONDS WEST 40.90 FEET TO THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 7; THENCE NORTH 01 DEGREES 02 MINUTES 01 SECONDS WEST 914.44 FEET ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 7 TO THE TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 37 NORTH, RANGE 6, EAST OF SAID THIRD PRINCIPAL MERIDIAN; THENCE NORTH 01 DEGREES 02 MINUTES 30 SECONDS WEST 20.44 FEET ALONG THE WEST LINE OF THE

SOUTHWEST QUARTER OF SAID SECTION 7 TO THE POINT OF BEGINNING, CONTAINING 0.764 ACRES, MORE OR LESS, OF WHICH 0.537 ACRE, MORE OR LESS, IS WITHIN THE EXISTING RIGHT OF WAY FOR COUNTY HIGHWAY 7.

TRACT B

PART OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS, USING BEARINGS AND GRID DISTANCES REFERENCED TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD 83(97 ADJ): COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION ; THENCE NORTH 87 DEGREES 15 MINUTES 05 SECONDS EAST 437.14 FEET ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 7: THENCE SOUTH 17 DEGREES 00 MINUTES 27 SECONDS WEST 1078.79 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 72 DEGREES 59 MINUTES 33 SECONDS EAST 21.70 FEET TO THE SOUTHEASTERLY EXISTING RIGHT OF WAY LINE OF COUNTY HIGHWAY 7; THENCE SOUTH 09 DEGREES 36 MINUTES 34 SECONDS WEST 142.10 FEET TO THE SOUTHEASTERLY EXISTING RIGHT OF WAY LINE OF COUNTY HIGHWAY 7; THENCE NORTH 72 DEGREES 59 MINUTES 33 SECONDS WEST 40.00 FEET ALONG THE SOUTHEASTERLY EXISTING RIGHT OF WAY LINE OF COUNTY HIGHWAY 7 AND THE EXTENSION THEREOF; THENCE NORTH 17 DEGREES 00 MINUTES 27 SECONDS EAST 140.91 FEET TO THE POINT OF BEGINNING, CONTAINING 0.100 ACRES, MORE OR LESS, OF WHICH 0.069 ACRE, MORE OR LESS, IS WITHIN THE EXISTING RIGHT OF WAY FOR COUNTY HIGHWAY 7.

ROSENWINKEL FAMILY TRUST ET AL 501	% JOHN ROSENWINKEL
ILLINIOS GREENHOUSE LLC	% BRIGHTFARMS
JAMES M SEARS ET AL	27 N COOK ST
ROSENWINKEL FAMILY TRUST ET AL 501	% JOHN ROSENWINKEL
JAMES M SEARS ET AL	27 N COOK ST
DONALD J & CAROL S HAMMAN	13351 B FAXON RD
JAMES M SEARS ET AL	27 N COOK ST
LATHAM-SCHLEINING TAMMI M SCHLEINING JOSHUA A &	790 ELDAMAIN RD
ROSENWINKEL FAMILY TRUST ET AL 501	% JOHN ROSENWINKEL
NICHOLAS A LIV TRUST DODD	% NICHOLAS A DODD & NICOLE E JALOVE
ARTURO & REYNALDA SANCHEZ	980 ELDAMAIN RD
KATHERINE SCHULTZ	% DANIEL SCHULTZ
HAGEMANN FAMILY TRUST	% PATRICIA K FLECK TTEE
HAGEMANN FAMILY TRUST	% PATRICIA K FLECK TTEE
COMMONWEALTH EDISON	THREE LINCOLN CENTRE 4TH FL
MORRIS FAMILY FARM LTD PARTNERSHIP	50 W 022 MCDERMOTT RD #A
MORRIS FAMILY FARM LTD PARTNERSHIP	50 W 022 #A MCDERMOTT RD
HAGEMANN FAMILY TRUST	% PATRICIA K FLECK TTEE
LISA ANN PRATHER	1314 ELDAMAIN RD
COMMONWEALTH EDISON	THREE LINCOLN CENTRE 4TH FL
MARY AUER	1327 W BEECHER RD
JAMES M SEARS ET AL	27 N COOK ST
JERRY G & MARILEE FOLTZ	1010 W BEECHER RD
KATHERINE SCHULTZ	% DANIEL SCHULTZ

10735 CHICAGO RD	WATERMAN, IL, 60556
50 S BUCKHOUT ST STE 202	IRVINGTON, NY, 10533
	PLANO, IL, 60545
10735 CHICAGO RD	WATERMAN, IL, 60556
	PLANO, IL, 60545
10735 CHICAGO RD	WATERMAN, IL, 60556
1286 ELDAMAIN RD	PLANO, IL, 60545
	PLANO, IL, 60545
32 BOAT LN	OSWEGO, IL, 60543
723 TANAGER LN	GENEVA, IL, 60134
723 TANAGER LN	GENEVA, IL, 60134
	OAK BROOK TERRACE, IL, 60181
	BIG ROCK, IL, 60511
	BIG ROCK, IL, 60511
723 TANAGER LN	GENEVA, IL, 60134
	PLANO, IL, 60545
	OAK BROOK TERRACE, IL, 60181
	BRISTOL, IL, 60512
	PLANO, IL, 60545
	BRISTOL, IL, 60512
32 BOAT LN	OSWEGO, IL, 60543

Order ID: 7640110

* Agency Commission not included

GROSS PRICE * : \$871.20

PACKAGE NAME: IL Govt Legal Aurora Beacon

Product(s): SubTrib_Aurora Beacon News, Publicnotices.com

AdSize(s): 2 Column

Run Date(s): Friday, May 24, 2024

Zone: Full Run

Color Spec. B/W

Preview

**PUBLIC NOTICE
NOTICE OF PUBLIC HEARING
BEFORE
UNITED CITY OF YORKVILLE
PLANNING AND ZONING COMMISSION
PZC 2024-08**

NOTICE IS HEREBY GIVEN THAT Green Door Capital, petitioner/contract purchaser, and Hagemann Family Trust, owners, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting rezoning classification. The real property is generally located immediately east of Eldamain, north of Corneils Road, and west of West Beecher Road. The petitioner is requesting rezoning approval from R-1 Single-Family Suburban Residential District to M-2 General Manufacturing District (contingent on approval of annexation by the City Council) for three (3) parcels, consisting of approximately 138.441 acres.

The legal description is as follows:

PARCEL 1:
THAT PART OF SECTION 7, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH FALLS WITHIN THE FOLLOWING DESCRIBED TRACT OF LAND:

THAT PART OF THE SOUTH 1/2 OF SECTION 6 AND THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT IN THE CENTER LINE OF A HIGHWAY NOW KNOWN AS W. BEECHER ROAD WHICH IS NORTH 15 DEGREES 11 MINUTES EAST 635 FEET FROM THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE SOUTH 15 DEGREES 11 MINUTES WEST ALONG SAID CENTER LINE 635 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHWEST 1/4; THENCE SOUTH ALONG THE QUARTER SECTION LINE 8.80 CHAINS; THENCE SOUTH 88 DEGREES WEST ALONG A CLAIM LINE 43.78 CHAINS TO THE CENTER LINE OF A HIGHWAY NOW KNOWN AS EL DAMAIN ROAD; THENCE NORTH 17 DEGREES 30 MINUTES EAST ALONG SAID CENTER LINE 19 CHAINS TO A POINT SOUTH 88 DEGREES 25 MINUTES WEST FROM THE POINT OF BEGINNING; THENCE NORTH 88 DEGREES 25 MINUTES EAST 2652 FEET TO THE POINT OF BEGINNING, ALL IN TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF BRISTOL, KENDALL COUNTY, ILLINOIS.

PARCEL 2:
THAT PART OF THE WEST 1/2 OF SECTION 7, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
BEGINNING ON THE WEST LINE OF SAID SECTION, 25.80 CHAINS NORTH OF THE SOUTHWEST CORNER OF SAID SECTION; THENCE EASTERLY ON A LINE PARALLEL TO THE SOUTH LINE OF SAID SECTION, 23.94 CHAINS; THENCE NORTHERLY ON A LINE PARALLEL WITH THE EAST LINE OF THE WEST 1/2 OF SAID SECTION, 45.57 CHAINS; THENCE WESTERLY ON A LINE PARALLEL WITH THE SOUTH LINE OF SAID SECTION, 20.20 CHAINS TO THE CENTER LINE OF THE ROAD; THENCE SOUTHERLY ALONG SAID CENTER LINE TO THE POINT OF BEGINNING; IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS, EXCEPTING THEREFROM THE FOLLOWING:

(1) THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 7; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SECTION,

Order ID: 7640110

* Agency Commission not included

GROSS PRICE * : \$871.20**PACKAGE NAME: IL Govt Legal Aurora Beacon**

3,110.0 FEET FOR A POINT OF BEGINNING; THENCE EASTERLY AT RIGHT ANGLES TO SAID WEST LINE, 284.0 FEET; THENCE NORTHERLY PARALLEL WITH SAID WEST LINE, 191.73 FEET; THENCE WESTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 284.0 FEET TO THE SAID WEST LINE; THENCE SOUTHERLY ALONG SAID WEST LINE, 191.73 FEET TO THE POINT OF BEGINNING, IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

(2) THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 7; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SECTION, 3301.73 FEET FOR A POINT OF BEGINNING; THENCE EASTERLY AT RIGHT ANGLES TO SAID WEST LINE, 284.0 FEET; THENCE NORTHERLY PARALLEL WITH SAID WEST LINE, 526.43 FEET; THENCE WESTERLY ALONG A LINE FORMING AN ANGLE OF 88 DEGREES, 30 MINUTES, 00 SECONDS WITH THE LAST DESCRIBED COURSE MEASURED COUNTER-CLOCKWISE THEREFROM, 284.10 FEET TO SAID WEST LINE; THENCE SOUTHERLY ALONG SAID WEST LINE, 519.0 FEET TO THE POINT OF BEGINNING, IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

(3) THAT PART DEDICATED FOR PUBLIC ROAD BY PLAT OF DEDICATION RECORDED JULY 27, 2004 AS DOCUMENT NO. 200400020601, DESCRIBED AS FOLLOWS:
THAT PART OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED, AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE WEST LINE OF SAID NORTHWEST QUARTER WITH THE CENTER LINE OF EL DAMAIN ROAD EXTENDED FROM THE NORTHEAST, WHICH POINT IS DESCRIBED AS BEING 1327.29 FEET SOUTHERLY OF THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE NORTHEASTERLY ALONG SAID CENTER LINE 190.57 FEET; THENCE EASTERLY AT RIGHT ANGLES TO SAID CENTER LINE 40.0 FEET; THENCE SOUTHERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1160.0 FEET WITH IS RADIAL TO THE LAST DESCRIBED COURSE, 365.38 FEET TO A POINT 40.0 FEET EASTERLY OF SAID WEST LINE; THENCE WEST AT RIGHT ANGLES TO SAID WEST LINE 40.0 FEET TO SAID WEST LINE; THENCE NORTH ALONG SAID WEST LINE 190.57 FEET TO THE POINT OF BEGINNING IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

4) THAT PART CONVEYED TO KENDALL COUNTY, ILLINOIS BY WARRANTY DEED RECORDED APRIL 23, 2012 AS DOCUMENT NO. 201200007234, DESCRIBED AS FOLLOWS:

TRACT A

PART OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS, USING BEARINGS AND GRID DISTANCES REFERENCED TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD 83(97 AD J): BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 7; THENCE NORTH 87 DEGREES 20 MINUTES 05 SECONDS EAST 30.30 FEET ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 7; THENCE SOUTH 01 DEGREES 41 MINUTES 00 SECONDS EAST 934.77 FEET; THENCE SOUTH 87 DEGREES 30 MINUTES 51 SECONDS WEST 40.90 FEET TO THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 7; THENCE NORTH 01 DEGREES 02 MINUTES 01 SECONDS WEST 914.44 FEET ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 7 TO THE TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 37 NORTH, RANGE 6, EAST OF SAID THIRD PRINCIPAL MERIDIAN; THENCE NORTH 01 DEGREES 02 MINUTES 30 SECONDS WEST 20.44 FEET ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 7 TO THE POINT OF BEGINNING, CONTAINING 0.764 ACRES, MORE OR LESS, OF WHICH 0.537 ACRE, MORE OR LESS, IS WITHIN THE EXISTING RIGHT OF WAY FOR COUNTY HIGHWAY 7.

TRACT B

PART OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS, USING BEARINGS AND GRID DISTANCES REFERENCED TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD 83(97 ADJ): COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 7; THENCE NORTH 87 DEGREES 15 MINUTES 05 SECONDS EAST 437.14 FEET ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 7; THENCE SOUTH 17 DEGREES 00 MINUTES 27 SECONDS WEST 1078.79 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 73 DEGREES 50 MINUTES 22 SECONDS EAST 2170. FEET TO

Order ID: 7640110

* Agency Commission not included

GROSS PRICE * : **\$871.20**

PACKAGE NAME: IL Govt Legal Aurora Beacon

SOUTH 72 DEGREES 59 MINUTES 33 SECONDS EAST 21.70 FEET TO THE SOUTHEASTERLY EXISTING RIGHT OF WAY LINE OF COUNTY HIGHWAY 7; THENCE SOUTH 09 DEGREES 36 MINUTES 34 SECONDS WEST 142.10 FEET TO THE SOUTHEASTERLY EXISTING RIGHT OF WAY LINE OF COUNTY HIGHWAY 7; THENCE NORTH 72 DEGREES 59 MINUTES 33 SECONDS WEST 40.00 FEET ALONG THE SOUTHEASTERLY EXISTING RIGHT OF WAY LINE OF COUNTY HIGHWAY 7 AND THE EXTENSION THEREOF; THENCE NORTH 17 DEGREES 00 MINUTES 27 SECONDS EAST 140.91 FEET TO THE POINT OF BEGINNING, CONTAINING 0.100 ACRES, MORE OR LESS, OF WHICH 0.069 ACRE, MORE OR LESS, IS WITHIN THE EXISTING RIGHT OF WAY FOR COUNTY HIGHWAY 7.

PINS: 02-07-100-011, 02-07-100-002, and 02-07-300-005

A copy of the application is available for review during normal City business hours at the office of the Community Development Director.

NOTICE IS HEREWITH GIVEN THAT the Planning and Zoning Commission for the United City of Yorkville will conduct a Public Hearing on said applications on **Wednesday, June 12, 2024 at 7 p.m.** at the United City of Yorkville, City Hall, located at 651 Prairie Pointe Drive, 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, 651 Prairie Pointe Drive, 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.

JORI BEHLAND
City Clerk
May 24, 2024 - 7640110 HSPAXLP



Memorandum

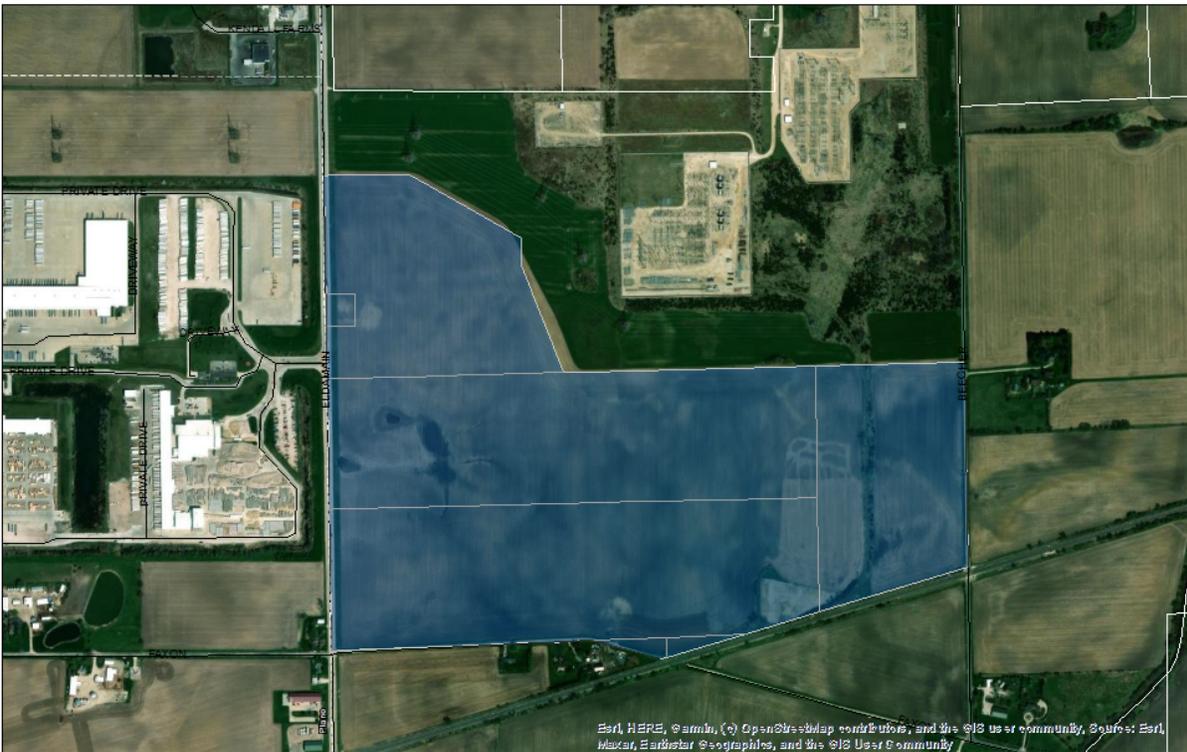
To: Planning & Zoning Commission
From: Krysti J. Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Sara Mendez, Planner I
Date: June 6, 2024
Subject: **PZC 2024-15 Cyrus One – Planned Unit Development & Preliminary Plan**
Proposed Data Center Campus and On-Site Substation Development

REQUEST SUMMARY:

The petitioner, C1 Yorkville, LLC (Cyrus One), contract purchaser, is seeking approval of a special use for Planned Unit Development and Preliminary PUD Plan for the construction of secured data center campus and on-site substation on approximately 228-acres of land located at the northeast corner of Faxon Road and Eldamain Road, formerly known as Lincoln Prairie. The site will consist of up to nine (9) standalone buildings used for networked computers, storage systems and computing infrastructure and six (6) on-site stormwater basins to be developed in phases over a 10 to 20-year period.

PROPERTY BACKGROUND:

The subject property consists of seven parcels of varying sizes, ranging from one acre to seventy-five acres, located at the northeast corner of Faxon and Eldamain Roads. With a total area of approximately 228 acres, the property was annexed in May 2005 through Ordinances 2005-48 and 2005-49, as part of a larger planned development known as Lincoln Prairie. The annexation agreement designated the property's zoning as M-2 General Manufacturing with special use authorization for an asphalt plant.



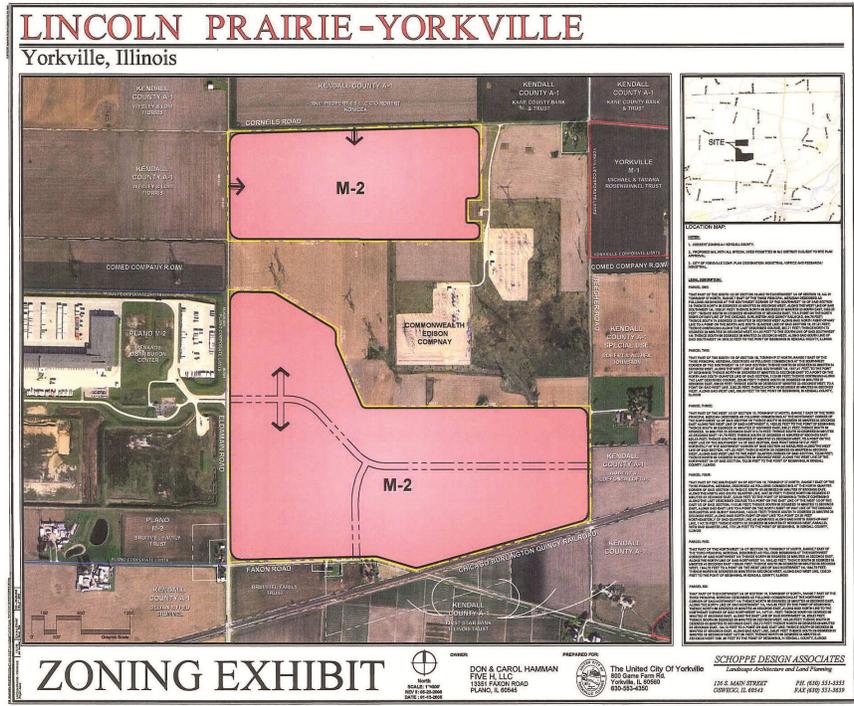
C1 Location Map

United City of Yorkville, Illinois
Date: May 16, 2024
File Location: I:\ARCGIS TEMPLATES\CI Location Map



As part of the annexation agreement, internal roadways within the property connecting to Eldamain, Beecher, and Faxon Roads were dedicated to the City for future construction. Although the City approved a Final Plat for the Lincoln Prairie development in 2008, it was never recorded. The asphalt plant operation never materialized, and the dedicated future right-of-way was eventually vacated. Despite interest from several large-scale industrial developers and its designation as a Burlington Northern Santa Fe (BNSF) Certified Site in 2019, the property has remained undeveloped for nearly 20 years.

In 2023, Green Door Capital (dba Yorkville Nexus LLC) purchased the property with the intention of finding an industrial user to redevelop the site as a data center campus. A separate development agreement related to regional infrastructure improvements and recaptures for this project is currently being discussed with the contract purchaser and the City and will be presented independently to the City Council from the requested PUD and Preliminary Plan approval.



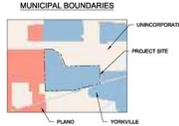
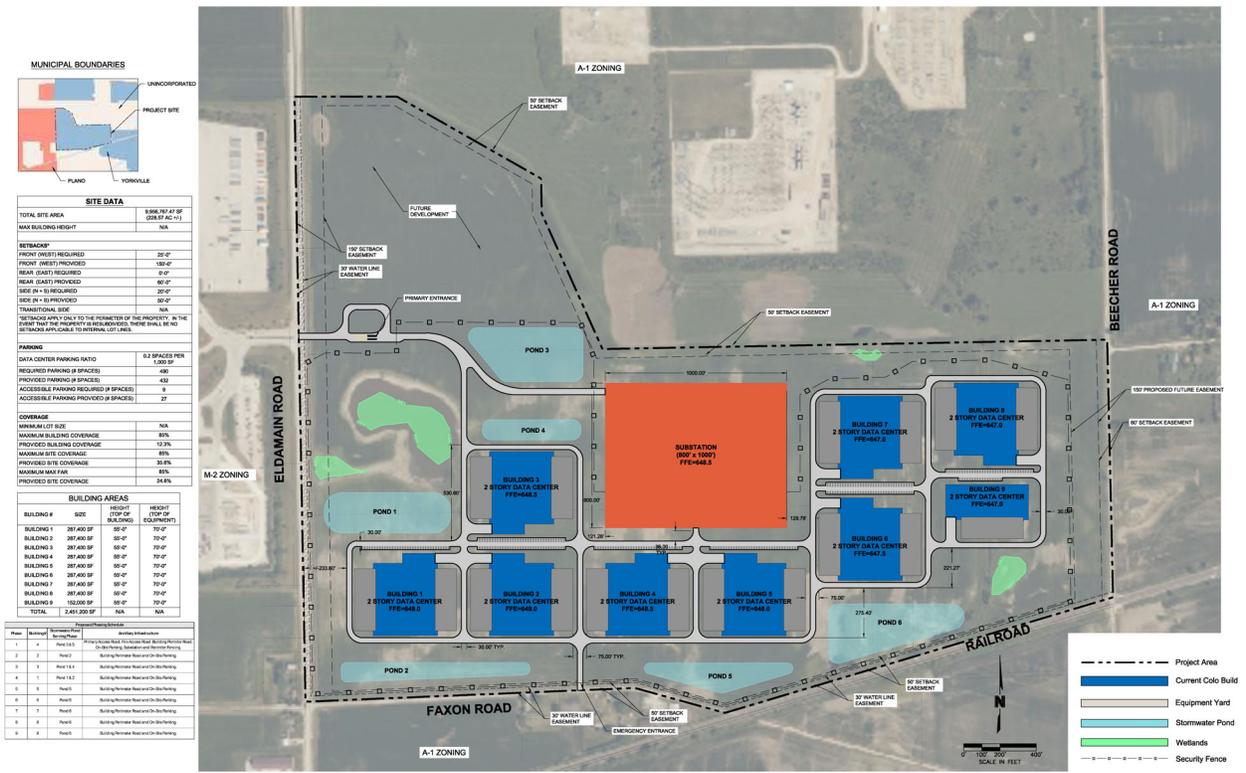
ZONING/PLANNED UNIT DEVELOPMENT (PUD):

As previously stated, The subject property consists of seven (7) parcels (#02-18-300-004, #02-19-100-004, #02-19-100-005, #02-18-300-003, #02-18-300-001, #02-18-300-002, and #02-18-400-004) and is zoned M-2 General Manufacturing District, per Annexation Agreement of Lincoln Prairie Yorkville (Ordinance No. 2005-48).

The following are the current immediate surrounding zoning and land uses:

	Zoning	Land Use
North	A-1 (Kendall County)	ComEd Substation/Transfer Station - Utility Use
South	A-1 (Kendall County) BNSF Railroad	Agricultural, Residential and Business Uses Transportation Land Use
East	A-1 SU (Kendall County) A-1 SU (Yorkville)	Agriculture/Residential Land Use Agriculture & Solar Farm (approved) Land Use
West	Eldamain Road M-2 General Manufacturing (Plano)	Transportation Land Use Menards Distribution Center

The petitioner plans to build a secured data center campus. A data center is a facility that houses computing machines and related hardware equipment, including servers, data storage drives, and network equipment. It serves as the physical infrastructure necessary for IT systems and stores a company's digital data. The proposed site will feature nine buildings, six stormwater basins, and an on-site substation. Data center developments usually include backup power generators to ensure continuous power supply in case of an electrical outage.



SITE DATA	
TOTAL SITE AREA	846,797 SF (28,87 AC +/-)
MAX BUILDING HEIGHT	N/A
SETBACKS	
FRONT (WEST) REQUIRED	20'-0"
FRONT (WEST) PROVIDED	150'-0"
REAR (EAST) REQUIRED	15'-0"
REAR (EAST) PROVIDED	60'-0"
SIDE (N) REQUIRED	20'-0"
SIDE (N) PROVIDED	20'-0"
TRADITIONAL SIDE	
THE SETBACKS ONLY TO THE PERIMETER OF THE PROPERTY, AS THE PERMITS FROM THE MUNICIPAL GOVERNMENTS, THERE SHALL BE NO SETBACKS APPLICABLE TO INTERNAL LOT LINES.	
PARKING	
DATA CENTER PARKING RATIO	0.2 SPACES PER 1000 SF
REQUIRED PARKING (IF SPACES)	480
PROVIDED PARKING (IF SPACES)	432
ACCESSIBLE PARKING REQUIRED (IF SPACES)	9
ACCESSIBLE PARKING PROVIDED (IF SPACES)	27
COVERAGE	
MINIMUM LOT SIZE	N/A
MAXIMUM BUILDING COVERAGE	85%
PROVIDED BUILDING COVERAGE	52.3%
MAXIMUM SITE COVERAGE	85%
PROVIDED SITE COVERAGE	39.6%
MAXIMUM MAX FAR	8%
PROVIDED SITE COVERAGE	24.8%

BUILDING AREAS			
BUILDING #	SIZE	HEIGHT (TOP OF BUILDING)	HEIGHT (TOP OF EQUIPMENT)
BUILDING 1	287,400 SF	30'-0"	70'-0"
BUILDING 2	287,400 SF	30'-0"	70'-0"
BUILDING 3	287,400 SF	30'-0"	70'-0"
BUILDING 4	287,400 SF	30'-0"	70'-0"
BUILDING 5	287,400 SF	30'-0"	70'-0"
BUILDING 6	287,400 SF	30'-0"	70'-0"
BUILDING 7	287,400 SF	30'-0"	70'-0"
BUILDING 8	287,400 SF	30'-0"	70'-0"
BUILDING 9	102,000 SF	30'-0"	70'-0"
TOTAL	2,441,200 SF	N/A	N/A

Plan	Reference	Description
1	Area 1.1	Building Footprint
2	Area 1.2	Stormwater Pond
3	Area 1.3	Wetland
4	Area 1.4	Equipment Yard
5	Area 1.5	Stormwater Pond
6	Area 1.6	Wetland
7	Area 1.7	Stormwater Pond
8	Area 1.8	Wetland
9	Area 1.9	Stormwater Pond
10	Area 1.10	Wetland

CYRUS ONE - YORKVILLE, ILLINOIS - PRELIMINARY PUD PLAN
 SCALE: 1" = 200' AT FULL SIZE (24x36)
 DATE: May 01, 2024



Per Table 10-3-12 (B) of the Yorkville Unified Development Ordinance (UDO), “data center” and “electric substation” are permitted land uses in the M-2 General Manufacturing District. Data centers are defined as Energy Industrial Uses per Table 10-3-12(B) in the Unified Development Ordinance.

Additionally, Section 10-8-8 of City’s Unified Development Ordinance (UDO) establishes standards for Planned Unit Development (PUDs). PUDs are allowed to modify standards of the base district as long as the requested modifications are specifically identified and demonstrates how each allowance is compatible with surrounding development, is necessary for proper development of the site, and is aligned with at least one (1) modification standard found in Section 10-8-8D of the UDO.

The modification standard this proposed planned unit development (PUD) aligns with is #12 “Regional Utility Improvements”, as the data center campus will extend public utilities (water and sanitary) to and through the property resulting in recapturable payments to the developer when future property owners in the area benefit from connecting to such utility that had not previously existed.

PROPOSED PRELIMINARY PUD PLAN:

As proposed, the data center campus will have nine (9) two-story buildings and a centralized 800,000 square foot electric substation structure. Three (3) buildings (#1-3) will be located west of the substation near the northwest corner of Eldamain Road and Faxon Road. Two (2) buildings (#4-5) are situated south of the substation fronting Faxon Road and the BNSF rail line. The remaining four (4) buildings (#6-9) are oriented east of the substation, just north of the railroad and west of Beecher Road. Additionally, six (6) stormwater detention ponds are strategically provided throughout the site and four (3) wetland areas are identified. The plan also shows a future development area located to the north abutting Eldamain Road. Parking is provided adjacent to each of the buildings and the entire campus will be enclosed by an 8-foot-tall high security steel fence with entry gates at each access. Total proposed lot coverage, including buildings, driveways, parking and other hard surfaces, will not exceed the maximum 85% permitted in the M-2 zoning district per the Unified Development Ordinance.

The original site plan dated April 15, 2024, proposed to have four (4) points of access. Three (3) off of Eldamain Road and one (1) off of Beecher Road. These access points lead to internal private roadways which loop around the nine (9) proposed buildings and connect to the electric substation. The main full access was to be off of Eldamain Road and align with the existing Menards development to the west. It was also noted that two (2) of the access points located at the northeast and northwest corners of the subject property were intended exclusively for the user, ComEd, and emergency medical services (EMS) to the electrical substation. Should ComEd not require both access points, one of the access points would be eliminated.

However, after discussions with the Kendall County Highway Department, which has jurisdiction over Eldamain Road, the petitioner submitted a revised site plan dated May 21, 2024 which reduced the number of access points to two (2) with the primary entry access off of Eldamain Road, still aligning with the Menards development, and a secondary emergency access off of Faxon Road. The access off of Beecher Road for ComEd has been eliminated.

The preliminary plan is considered an initial draft that outlines the petitioner's intended layout for a future final plat of subdivision, including all proposed site improvements. Typically, preliminary plans are valid for twelve (12) months. However, for Planned Unit Developments (PUDs), which are considered special uses, the approved plans expire only after three (3) years from approval if no Building Permit is issued and no portion of the property is final platted.

PHASING OF DEVELOPMENT:

The petitioner has proposed to develop the subject property in nine (9) phases over a 10 to 20-year period and have provided a phasing schedule table as depicted on the Preliminary PUD Plan. Phase 1 will consist of constructing Building #4, the electric substation, and ponds #3 and #5. Additional ancillary infrastructure provided in Phase 1 includes the primary access road, secondary/emergency access road and perimeter roads, on-site parking, and perimeter fencing.

REQUESTED PUD DEVIATIONS:

The petitioner has listed thirteen (13) proposed deviations from the base M-2 General Manufacturing District standards as part of the PUD and Preliminary Plan. Upon staff review and analysis of the submitted plans, only **ten (10) deviations to the M-2 district standards** are warranted, as detailed below:

1. *Building Setbacks* - Per the Table 10-3-9(A) Bulk and Dimensional Standards, the following compares current M-2 General Manufacturing District standards with the proposed Planned Unit Development (PUD) requested modifications:

BUILDING SETBACKS	REQUIRED MINIMUM SETBACKS M-2 DISTRICT	PROPOSED MINIMUM SETBACKS PUD PLAN*
FRONT YARD (Eldamain Road)	25'	150'
SIDE YARD (North/South)	Min. 10% of lot/Max. 20'	50'
REAR YARD (Beecher Road)	0'	60'

The petitioner is seeking to have the setbacks apply only to the boundary/perimeter of the subject property rather than each individual building on the site, although the petitioner anticipates subdividing the subject parcel into multiple lots. For the purposes of the perimeter setbacks, the petitioner is requesting Eldamain Road is the established front yard and Beecher Road is the established rear yard.

The petitioner seeking a zero (0) foot building setback for all yards on future plats for buildings within the data center campus, as Section 10-8-6-C-6.c(6) of the Unified Development Ordinance requires building setback lines on all lots. Staff is supportive of this request.

2. *Permitted Uses* - Per Table 10-3-12 (B) of the Yorkville Unified Development Ordinance (UDO), “data center” and “electric substation” are permitted land uses in the M-2 General Manufacturing District. Data centers are defined as Energy Industrial Uses per Table 10-3-12(B) in the Unified Development Ordinance. Use standards for Energy Industrial Uses are reserved for future regulations, if ever approved, under Section 10-4-10 in the Unified Development Ordinance.

The petitioner is seeking waiver of future standards adopted being applicable to this subject property after adoption of the Planned Unit Development. Staff is supportive of this request.

3. *Parking Requirements* - According to the Preliminary PUD Plan submitted, there are 432 total parking spaces with 27 ADA spaces to be provided on the property to accommodate the proposed nine (9) building data center campus and electric substation uses. However, the total required parking for the subject property is 736 spaces, including 15 ADA accessible spaces (2%). Additionally, per Section 10-5-1K-1 of the Unified Development Ordinance, a minimum of 15 electric vehicle charging stations is required.

The petitioner is requesting a variance from the UDO required 0.3 spaces per 1,000 to 0.2 spaces per 1,000. Staff is supportive of establishing a minimum parking standard in the PUD ordinance of no less than 400 off-street parking spaces for the data center campus based off of net floor area and a minimum of ten (10) electric vehicle charging stations. Further, staff recommends the difference in provided parking and required parking based off of net floor area shall be subject to Section 10-5-1-I Fee-In-Lieu of Off-Street Parking. This will be included as a condition of the special use for the PUD.

4. *Vehicular Cross Access* - Per Section 10-5-1-F of the Unified Development Ordinance, cross access between adjoining developments which minimizes access points along streets, encourages shared parking, and allows for vehicular access between land uses is required.

Due to the impracticality and security concerns of requiring the data center providing vehicular access to adjacent properties, the petitioner is seeking relief from providing cross access. Staff is supportive of this request.

5. *Pedestrian Circulation* - Per Section 10-5-1-N Pedestrian Circulation Standards of the Unified Development Ordinance required off-street parking areas to on-site pedestrian circulation systems and connection to existing and future planned trails.

The petitioner states that walkways between parking areas and building entrances will be provided on-site, however they seek a waiver for public access and connection to public sidewalks and bicycle trails due to the nature and security of the proposed land use. Staff is supportive of this request.

6. *Off-Street Loading* - Per Section 10-5-1-Q of the Unified Development Ordinance, the number of off-street shall be determined on a case-by-case basis, and in the instance of special uses, loading berths adequate number and size to serve such use, as determined by the Zoning Administrators, shall be provided.

The petitioner requests a minimum of one (1) off-street loading space per data center campus building on the subject property. Staff is supportive of this request.

7. *Landscaping* - Section 10-5-3 establishes landscape standards for new developments. The following landscape requirements would apply to this development: building foundation landscaping, parking area perimeter landscaping, parking area interior landscaping, and transition zone landscaping.

The petitioner has not submitted a landscape plan but are seeking relief from all minimum requirements. Staff recommends the petitioner provide a landscape plan that provides enhanced perimeter landscaping along Eldamain, Faxon, and Beecher Roads consistent with a Type (D) Transition Zone landscaping as provided in Section 10-5-3(F)(3) of the Unified Development Ordinance as depicted below:



Staff is amenable to relief from the parking area perimeter landscaping and some relief from the building foundation and parking area interior landscaping requirements, but a final landscape plan with specific requests for relief must be provided.

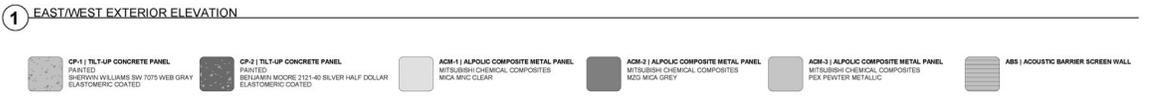
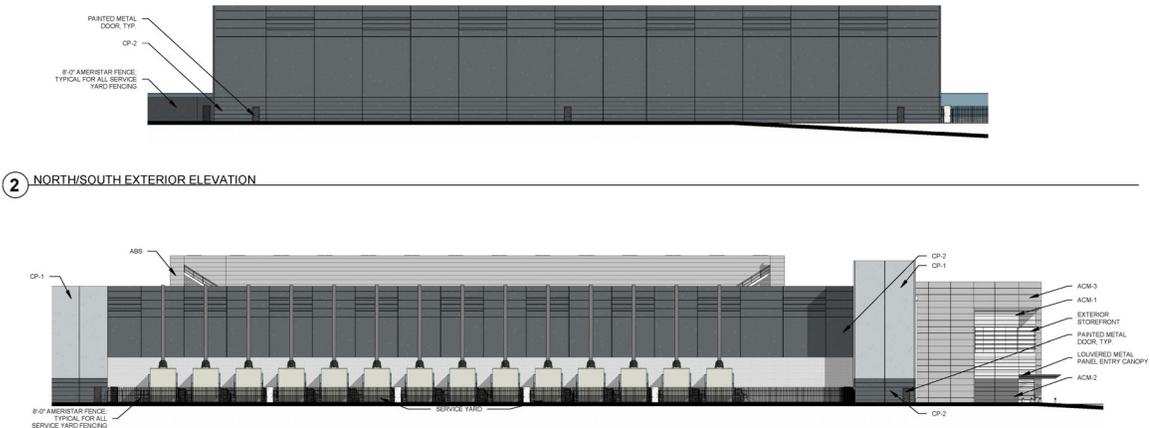
8. *Mechanical Screening* – Per Section 10-5-4 Screening of the Unified Development Ordinance, ground/wall-mounted and roof mounted mechanical units that are visible from any public right-of-way or adjacent residential property shall be screened from public view. Petitioner is seeking to establish standards for screening both types of mechanical units.

Petitioner proposes to screen ground mounted mechanical equipment with vinyl fencing equal to the height of the generator units but excluding any stacks protruding above the unit. No screening is proposed for rooftop mechanical units. Staff has engaged a sound engineer, Nathan Sevenser of Soundscape Engineering, to evaluate the preliminary PUD plan, taking into consideration the surrounding existing and future land uses. The attached report dated June 6, 2024 addresses their findings related to potential noise generated by outdoor mechanical equipment. Based on the preliminary review, the engineer does believe with proper siting, equipment selection, noise control screening, compression wraps and other approaches it is possible for the data center campus to comply with the City's Noise Ordinance. The sound engineer will also review the petitioner's building permit applications for noise control design and analysis. Staff recommends this memorandum and review of the building permit by the sound engineer be included as an exhibit and condition of the special use for the PUD.

9. *Lots* – Per Section 10-7-2 requires all lots to conform with district standards and states all lots shall front or abut on a public street. Since the site has internal private roadways.

The petitioner is seeking waiver from the requirement for lots to have access on a public street due to the unique nature of the secure data center campus. Staff is supportive of this request.

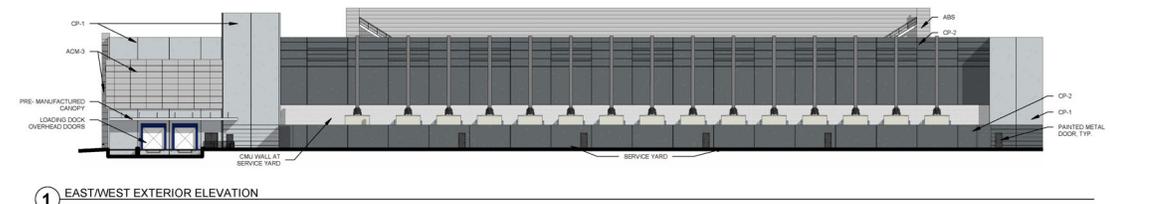
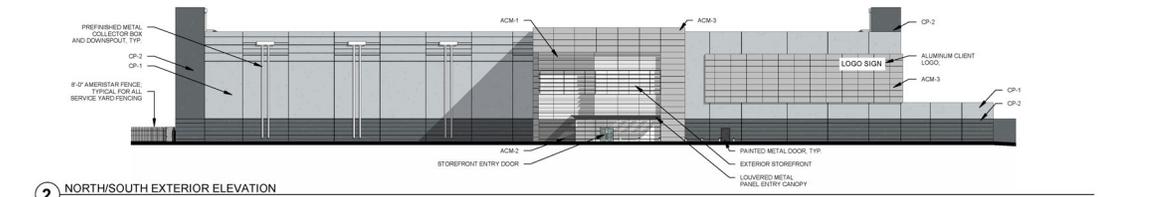
10. *Appearance Standards* - Per Section 10-5-8-C-4 Industrial Uses, masonry products or precast concrete shall be incorporated on at least fifty (50) percent of the total building. Any other facade that abuts a street shall incorporate masonry products or precast concrete. The use of masonry products or precast concrete is encouraged on the remaining facades. Where precast concrete panels or split face block is utilized, the use of colors, patterns, or other architectural features within these panels/blocks is encouraged. The petitioner has submitted exterior building elevations depicting structures with materials such as concert panels, metal panels, and acoustic barrier screen walls in hues of gray and pewter (see images below).



EXTERIOR ELEVATIONS



-1/32" = 1'-0" -



EXTERIOR ELEVATIONS



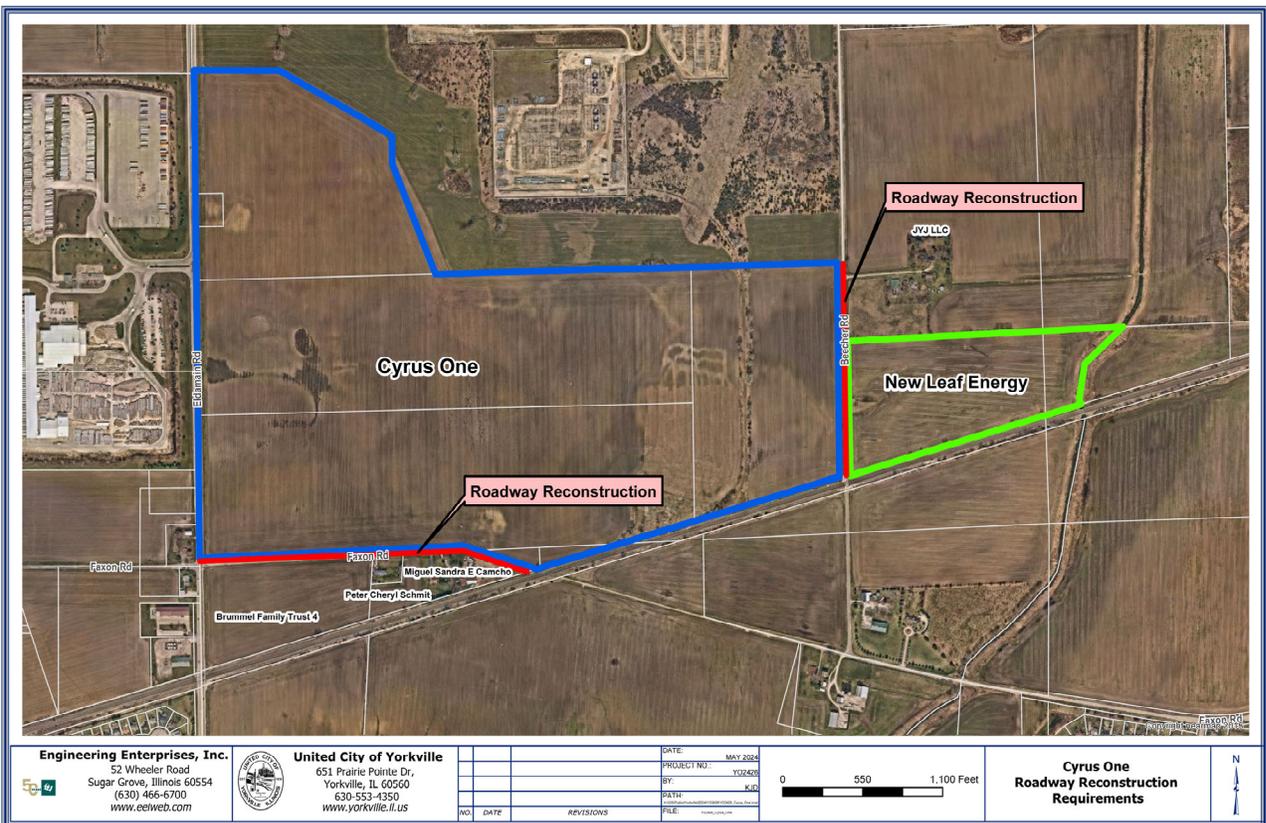
-1/32" = 1'-0" -

While the proposed materials and color palette are consistent with the Appearance Standards, Section 10-5-8-C-4b.(2) of the Unified Development Ordinance requires industrial buildings with facades greater than one hundred (100) feet in length shall incorporate recesses, projections, windows, or other ornamental/architectural features along at least thirty (30) percent of the length of the facade abutting a public street in an effort to break up the mass of the structure. The buildings fronting a public street are Buildings #1, #2, #3, #8 and #9.

Due to the increased building setback and recommended enhanced perimeter landscaping, the petitioner is seeking relief from this requirement. Staff is amenable to this request but may recommend additional visual architectural interest (such as metallic panels) along those building facades which front Eldamain Road is enhanced landscaping is not provided.

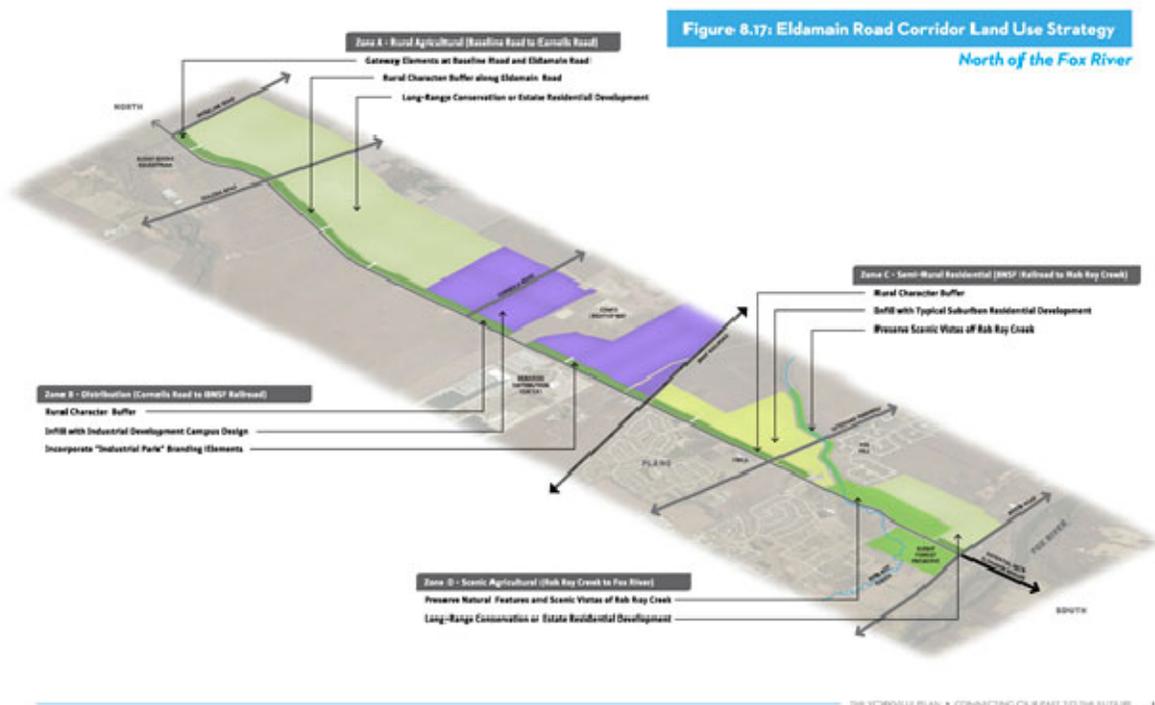
ROADWAY RECONSTRUCTION:

Per comments from the City Engineer in a review letter dated May 29, 2024, right-of-way dedication will be required along Faxon and Beecher Roads. The City will require eighty feet (80') of total right-of-way along these roadways. Additionally, Faxon and Beecher Roads are not built to City standards and will be required to be reconstructed per City Code. **This recommendation, along with all comments provided in the City Engineer’s review letter will be a condition of the special use for the Planned Unit Development.** A location of the required improvements is provided below:



COMPREHENSIVE PLAN:

The 2016 Comprehensive Plan Update designates this property as “General Industrial” which is defined typically for a broad range of warehousing and manufacturing activities located adjacent to the Eldamain Corridor along the BNSF Railway line. Overall, staff supports the proposed PUD and its consistency with the proposed underlining zoning of M-2, but note the following recommendations from the Comprehensive Plan related to the subject property:



In Figure 8.17: Eldamain Road Corridor Land Use Strategy of the Yorkville 2016 Comprehensive Plan Update (North of the Fox River) the subject area is identified as “Zone B – Distribution (Cornells Road to BNSF Railroad)” meaning this area is recommended for modern industrial park incorporating branding and placemaking elements, as well as a 50’ to 100’ buffer to maintain the zone’s semi-rural visual character. The recommended enhanced perimeter landscaping along Eldamain Road for the proposed Preliminary Planned Unit Development Plan will accomplish this comprehensive plan goal.

STANDARDS FOR SPECIAL USE:

The Planning and Zoning Commission may recommend approval of a Special Use upon considering the following standards:

1. The establishment, maintenance or operation of the Special Use will not be unreasonably detrimental to or endanger the public health, safety, morals, comfort, or general welfare.
2. The Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within or near the neighborhood in which it is to be located.
3. The establishment of the Special Use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage or other necessary facilities have been or shall be provided.
5. Adequate measures shall be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
6. The proposed Special Use is not contrary to the objectives of the City’s adopted Comprehensive Plan.

The petitioner has provided written responses to these standards which will be incorporated into the record during the public hearing.

STANDARDS FOR PLANNED UNIT DEVELOPMENT:

The Planning and Zoning Commission may recommend approval of a Planned Unit Development (PUD) upon considering the following standards (Section 10-8-8-E of the Unified Development Ordinance):

1. **Plan and Policy Alignment.** The Planned Unit Development is consistent with the goals, objectives, and policies set forth in the Comprehensive Plan and other adopted plans and policy documents of the City.
2. **Integrated Design with Identifiable Centers and Edges.** The Planned Unit Development shall be laid out and developed as a unit in accordance with an integrated overall design, in which the various land uses function as a cohesive whole and support one another. The design shall provide identifiable centers, which form focus areas of activity in the development, and edges, which define the outer borders of the development, through the harmonious grouping of buildings, uses, facilities, public gathering spaces, and open space.
3. **Public Welfare.** The Planned Unit Development is designed, located, and proposed to be operated and maintained so that it will not impair an adequate supply of light and air to adjacent property and will not substantially increase the danger of fire or otherwise endanger the public health, safety, and welfare.
4. **Compatibility with Adjacent Land Uses.** The Planned Unit Development includes uses which are generally compatible and consistent with the uses of adjacent parcels. If the uses are not generally compatible, all adverse impacts have been mitigated through screening, landscaping, public open space, and other buffering features that protect uses within the development and surrounding properties.
5. **Impact on Public Facilities and Resources.** The Planned Unit Development is designed so that adequate utilities, road access, stormwater management, and other necessary facilities will be provided to serve it. The Planned Unit Development shall include such impact fees as may be reasonably determined by the City Council. These required impact fees shall be calculated in reasonable proportion to the impact of the Planned Unit Development on public facilities and infrastructure.
6. **Archaeological, Historical or Cultural Impact.** The Planned Unit Development does not substantially adversely impact an archaeological, historical, or cultural resource, included on the local, state, or federal register, located on or off the parcel(s) proposed for development.

The petitioner has provided written responses to these standards which will be incorporated into the record during the public hearing.

STAFF COMMENTS:

The proposed Planned Unit Development and Preliminary PUD Plan are in general conformance with the standards provided in the Unified Development Ordinance. Staff recommends approval of the special use for Planned Unit Development (PUD) and the Preliminary PUD plan subject to the deviations requested by the petitioner and conditions stipulated in staff's memorandum.

PROPOSED MOTIONS:

1. *Special Use for Planned Unit Development*
In consideration of testimony presented during a Public Hearing on June 12, 2024 and approval of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council of a request for Special Use authorization of a Planned Unit Development for a data center campus to be located at the northeast corner of Faxon Road and Eldamain Road subject to the conditions enumerated in a staff memorandum dated June 4, 2024 and further subject to {insert any additional conditions of the Planning and Zoning Commission}...

2. Preliminary PUD Plan

The Planning and Zoning Commission recommends approval to the City Council of the Cyrus One – Yorkville, Illinois – Preliminary PUD Plan prepared by Olsson and dated May 21, 2024 and further subject to {insert any additional conditions of the Planning and Zoning Commission}...

Attachments:

1. Memorandum prepared by Soundscape Engineering dated June 6, 2024
2. Copy of Petitioner's Application
3. Cyrus One – Yorkville, Illinois Preliminary PUD Plan dated May 21, 2024 prepared by Olsson
4. Exterior Elevations prepared by Corgan
5. EEI Review Letter to the City dated May 29, 2024
6. Plan Council Packet Materials 05-23-24
7. Public Hearing Notice

MEMORANDUM

June 6, 2024

To: Krysti J. Barksdale-Noble, Community Development Director, United City of Yorkville,
knoble@yorkville.il.us

From: Nathan Sevenser, INCE Bd.Cert

re: PZC 2024-15 Cyrus One proposed Data Center Campus and On-site Substation Development
Preliminary Comments on Potential Noise Transmission to Community

Per Soundscape Engineering's consulting services contract with the United City of Yorkville, I am providing the following preliminary comments regarding potential noise transmission from the proposed development of a data center campus with on-site substation to the surrounding community.

At this time, there is insufficient Project information available to allow calculation of noise transmission from the proposed Development to the surrounding community. However, based on my experience, review of the of the Preliminary PUD Plan, and the uses of the properties near the proposed site, I can provide the following comments for your consideration.

- Chapter 4 of the Yorkville Code of Ordinances restricts noise transmission to both residential and commercial land uses. The limit on sound transmission to residential land uses during the nighttime is the most restrictive. Since the proposed Data Center Campus can be expected to operate during both daytime and nighttime, nighttime sound level limits will need to be considered when evaluating noise transmission from the proposed Data Center Campus.
- There are large residential developments to the Southeast and Southwest of the proposed Data Center Campus, but they are not immediately adjacent. The distance between the proposed Data Center Campus and these residences will be beneficial. There are, however, several single-family residences very near the proposed Data Center Campus. These residences are located immediately across the road to the West, South, and East of the proposed Data Center Campus.
- In my experience, the primary noise sources associated with Data Centers are the electrical power generators and the cooling equipment. The Applicant should provide a noise impact assessment report for review by the City. The report should describe how the assessment was performed, list the specific noise generating equipment associated with operation of the Data Center Campus and On-site Substation, describe any noise control approaches and equipment that will be included in the project design, and confirm that the City's noise ordinance will be met.
- The Applicant should note, in particular, that the Noise Ordinance includes a sound level limit penalty for noise that is tonal in character. Some types of cooling equipment, such as chillers, emit tonal noise.

- Based on my noise control engineering experience, it should be possible for the Data Center Campus to comply with the City's Noise Ordinance, if noise control is considered during the selection and siting of cooling equipment and power generators. Depending on siting and equipment types, noise control screening, compressor wraps, or other approaches may be needed for the outdoor cooling equipment and noise control enclosures and mufflers will most likely be needed for the generators.

****END OF MEMORANDUM****



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

APPLICATION FOR PLANNED UNIT DEVELOPMENT

INTENT AND PURPOSE

Planned Unit Developments (PUD) are unique and differ substantially from conventional subdivisions. Therefore they require administrative processing as "special uses". PUD's are a complex type of special use, potentially consisting of various land uses and design elements, requiring the establishment of more specific procedures, standards and exceptions from the strict application of the zoning district regulations. Under this procedure, well-planned residential, industrial/manufacturing, commercial and other types of land uses, individually or in combination, may be developed with design flexibility allowing for full utilization of the topographical and environmental characteristics of the site.

This packet explains the process to successfully submit and complete an Application for Planned Unit Development. It includes a detailed description of the process, outlines required submittal materials, and contains the application.

For a complete explanation of what is legally required throughout the PUD process, please refer to "Title 10, Chapter 8: Planned Unit Developments" of the Yorkville, Illinois City Code.

APPLICATION PROCEDURE

STEP 1

PRE-APPLICATION CONFERENCE

MEETS ON THE 2ND & 4TH THURSDAY OF THE MONTH

The petitioner must contact the City Administrator or designee to arrange a pre-application conference. The pre-application conference is an informal discussion of the proposed PUD plan. City staff shall review and provide input on the proposal's compatibility with the goals and policies of the City. The staff will also decide whether the existing zoning and land use in the general area of the PUD is appropriate. No commitments will be made, nor will any statements or opinions made by the staff be considered binding.

STEP 2

APPLICATION SUBMITTAL

SUBMIT APPLICATION, FEES, AND PLANS TO THE COMMUNITY DEVELOPMENT DEPT.

The following must be submitted:

- One (1) original signed and notarized application.
- Legal description of the property in Microsoft Word.
- Three (3) copies each of the exhibits, proposed drawings, location map, and site plan. All exhibits and plans must be an appropriate size for all details and descriptions to be legible.
- Appropriate application and filing fee. Checks may be written to the United City of Yorkville.
- Signed Applicant Deposit Account/Acknowledgment of Financial Responsibility form.
- One (1) electronic copy (PDF) of all materials submitted including application and exhibits.

Within one (1) week of submittal, the Community Development Department will determine if the application is complete or if additional information is needed. An incomplete submittal could delay the scheduling of the project.

The petitioner is 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.

Once a submitted and complete, Community Development staff will provide a tentative schedule of meetings as well as all needed documents for the process.



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APPLICATION FOR PLANNED UNIT DEVELOPMENT

STEP

3

PLAN COUNCIL

MEETS ON THE 2ND & 4TH THURSDAY OF THE MONTH

The petitioner must present the proposed request to the Plan Council. 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. This meeting is held to provide the petitioner with guidance from all City staff departments to ensure the petitioner is aware of all requirements and regulations for their development. Upon recommendation by the Plan Council, the petitioner will move forward to the Economic Development Committee.

STEP

4

CONCEPT PUD PLAN REVIEW

MEETS ON THE 2ND & 4TH TUESDAY OF THE MONTH

This step is optional at the discretion of the petitioner.

The petitioner may request informal feedback of the overall PUD concept plan by the City Council at a regularly scheduled public meeting. The items submitted shall include:

- Application
- Appropriate filing fee
- Aerial photograph
- Zoning plat
- Written explanation of the general character of proposed PUD
- Written description of general site information
- Conceptual PUD sketch or land plan

The City Council will conduct an informal review of the conceptual PUD plan and provide the petitioner with general comments.

STEP

5

ECONOMIC DEVELOPMENT COMMITTEE

MEETS ON THE 1ST TUESDAY OF THE MONTH

The petitioner may present a preliminary PUD plat, final PUD plat, or both.

The petitioner must present the proposed PUD Preliminary Plat and/or Final Plat to the Economic Development Committee. The committee consists of four alderman who will provide feedback to the petitioner regarding their request. This feedback allows the petitioner to gather comments and concerns prior to full City Council considerations. It also allows the City Council members to review the request prior to its arrival at City Council.

STEP

6

PLANNING & ZONING COMMISSION

MEETS ON THE 2ND WEDNESDAY OF THE MONTH

The petitioner may present a preliminary PUD plat, final PUD plat, or both.

The petitioner will attend and present their request at a public hearing conducted by the Planning and Zoning Commission. The Planning and Zoning Commission will conduct a public hearing on the request, take public comments, discuss the request, and make a recommendation to City Council.

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. The public hearing notice will be drafted by the City as well as published in a local newspaper. Additionally, a public hearing notice sign must be placed on the property no less than fifteen (15) days 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.



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APPLICATION FOR PLANNED UNIT DEVELOPMENT

STEP 7

CITY COUNCIL

MEETS ON THE 2ND & 4TH TUESDAY OF THE MONTH

The petitioner may present a preliminary PUD plat, final PUD plat, or both.

The petitioner will attend the City Council meeting where the recommendation of the variance will be considered. City Council will make the final approval of the PUD plat. If approved, City staff will have a drafted ordinance to be signed by the Council and must be recorded with the County Clerk before any further steps may be taken by the petitioner.

SUMMARY OF RESPONSIBILITIES

Below is a summary breakdown of what will be required by the petitioner and what will be completed by the City:

PETITIONER

- Signed and Notarized Application
- Required Plans, Exhibits, and Fees
- Certified Mailing of Public Notice
- Signed Certified Affidavit of Mailings
- Attendance at All Meetings

CITY STAFF

- Detailed Schedule After Complete Submission
- Public Hearing Notice Language
- Posting of the Public Notice in a Local Newspaper
- Public Hearing Sign Application
- Draft Ordinance & Signatures for Recording

SAMPLE MEETING SCHEDULE

MONTH 1

Su	M	Tu	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

Plan Council Meeting

MONTH 2

Su	M	Tu	W	Th	F	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

Economic Development
 Committee

MONTH 3

Su	M	Tu	W	Th	F	Sa
				1	2	
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

Planning & Zoning Commission
 Public Hearing

MONTH 4

Su	M	Tu	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

City Council

Meeting Date

Updated Materials Submitted for Meeting

Public Notice Mailing Window

This is a sample of what a schedule may look like after submission. The Step 1 and Step 2 Submission must be completed before the Plan Council Meeting can be scheduled. This timeline represents an ideal schedule. Throughout the review process, there may be requests or changes to the submission requested by the committees which may delay the meeting schedule. As illustrated, there is a small amount of time between meeting dates and the deadline for updated materials to be submitted for review. Depending on the complexity and nature of the request, this timeline may be extended to give the petitioner and staff enough time to review requested updates to the submission.



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APPLICATION FOR PLANNED UNIT DEVELOPMENT

DORMANT APPLICATIONS

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

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

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

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



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APPLICATION INVOICE WORKSHEET

INVOICE & WORKSHEET PETITION APPLICATION			
CONCEPT PLAN REVIEW	<input type="checkbox"/> Engineering Plan Review deposit	\$500.00	Total: \$
AMENDMENT	<input type="checkbox"/> Annexation <input type="checkbox"/> Plan <input type="checkbox"/> Plat <input type="checkbox"/> P.U.D.	\$500.00 \$500.00 \$500.00 \$500.00	Total: \$
ANNEXATION	<input type="checkbox"/> \$250.00 + \$10 per acre for each acre over 5 acres		Total: \$
	$\underline{\hspace{2cm}} - 5 = \underline{\hspace{2cm}}$ # of Acres Acres over 5	$\times \$10 = \underline{\hspace{2cm}}$ Amount for Extra Acres	$+ \$250 = \$ \underline{\hspace{2cm}}$ Total Amount
REZONING	<input type="checkbox"/> \$200.00 + \$10 per acre for each acre over 5 acres		Total: \$
<i>If annexing and rezoning, charge only 1 per acre fee; if rezoning to a PUD, charge PUD Development Fee - not Rezoning Fee</i>			
	$\underline{\hspace{2cm}} - 5 = \underline{\hspace{2cm}}$ # of Acres Acres over 5	$\times \$10 = \underline{\hspace{2cm}}$ Amount for Extra Acres	$+ \$200 = \$ \underline{\hspace{2cm}}$ Total Amount
SPECIAL USE	<input type="checkbox"/> \$250.00 + \$10 per acre for each acre over 5 acres		Total: \$ 2,750.00
	$\underline{280} - 5 = \underline{275}$ # of Acres Acres over 5	$\times \$10 = \underline{2,750}$ Amount for Extra Acres	$+ \$0 = \$ \underline{2,750}$ Total Amount
ZONING VARIANCE	<input type="checkbox"/> \$85.00 + \$500.00 outside consultants deposit		Total: \$
PRELIMINARY PLAN FEE	<input checked="" type="checkbox"/> \$500.00		Total: \$ 500.00
PUD FEE	<input checked="" type="checkbox"/> \$500.00		Total: \$ 500.00
FINAL PLAT FEE	<input type="checkbox"/> \$500.00		Total: \$
ENGINEERING PLAN REVIEW DEPOSIT	<input type="checkbox"/> Less than 1 acre <input checked="" type="checkbox"/> Over 1 acre, less than 10 acres <input type="checkbox"/> Over 10 acres, less than 40 acres <input type="checkbox"/> Over 40 acres, less than 100 acres <input type="checkbox"/> Over 100 acres	\$5,000.00 \$10,000.00 \$15,000.00 \$20,000.00 \$25,000.00	Total: \$ 10,000.00
OUTSIDE CONSULTANTS DEPOSIT	<i>Legal, land planner, zoning coordinator, environmental services</i> For Annexation, Subdivision, Rezoning, and Special Use:		Total: \$ 5,000.00
	<input type="checkbox"/> Less than 2 acres <input type="checkbox"/> Over 2 acres, less than 10 acres <input checked="" type="checkbox"/> Over 10 acres	\$1,000.00 \$2,500.00 \$5,000.00	
TOTAL AMOUNT DUE:			18,750.00



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APPLICATION FOR PLANNED UNIT DEVELOPMENT

DATE: 4/15/2024	PZC NUMBER:	DEVELOPMENT NAME:	
PETITIONER INFORMATION			
NAME: John Hatem		COMPANY: C1 Yorkville LLC	
MAILING ADDRESS: 2820 N. Harwood St., Ste. 2200			
CITY, STATE, ZIP: Dallas, TX 75201		TELEPHONE: <input checked="" type="radio"/> BUSINESS <input type="radio"/> HOME (469) 289-2037	
EMAIL: jhatem@cyrusone.com		FAX:	
PROPERTY INFORMATION			
NAME OF HOLDER OF LEGAL TITLE: Yorkville Nexus 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: NEC of Eldamain Road and Faxon Road			
DESCRIPTION OF PROPERTY'S PHYSICAL LOCATION: NEC of Eldamain Road and Faxon Road			
CURRENT ZONING CLASSIFICATION: M-2 General Manufacturing District		REQUESTED ZONING CLASSIFICATION: M-2	
COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION: M-2		TOTAL ACREAGE: 228.93	
LIST ALL GOVERNMENTAL ENTITIES OR AGENCIES REQUIRED TO RECEIVE NOTICE UNDER ILLINOIS LAW:			
ZONING AND LAND USE OF SURROUNDING PROPERTIES			
NORTH: Kendall County A1			
EAST: Kendall County A1-SU			
SOUTH: Kendall County A1-SU			
WEST: City of Plano M-2 General Manufacturing District			
KENDALL COUNTY PARCEL IDENTIFICATION NUMBER(S)			
02-18-300-004	02-18-300-001		
02-19-100-004	02-18-300-002		
02-19-100-005	02-18-400-004		
02-18-300-003			



United City of Yorkville
651 Prairie Pointe Drive
Yorkville, Illinois, 60560
Telephone: 630-553-4350
Fax: 630-553-7575
Website: www.yorkville.il.us

APPLICATION FOR PLANNED UNIT DEVELOPMENT

PROPERTY INFORMATION

IS THE PROPERTY WITHIN CITY LIMITS?

YES NO

DOES A FLOODPLAIN EXIST ON THE PROPERTY?

YES NO

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".

PUD STANDARDS

PLEASE STATE IN WHAT RESPECT DOES THE DESIGN OF THE PLANNED UNIT DEVELOPMENT MEET THE REQUIREMENTS AND DESIGN STANDARDS OF THE DEVELOPMENT STANDARDS AND DESIGN CRITERIA SET FORTH IN THE YORKVILLE MUNICIPAL CODE:

See attached Petition.

PLEASE STATE 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:

See attached Petition.



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APPLICATION FOR PLANNED UNIT DEVELOPMENT

PUD STANDARDS

PLEASE STATE 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:

See attached Petition.

PLEASE STATE THE RELATIONSHIP AND COMPATIBILITY, BENEFICIAL OR ADVERSE, OF THE PLANNED UNIT DEVELOPMENT TO THE ADJACENT PROPERTIES AND NEARBY LAND USES:

See attached Petition.

PLEASE STATE THE EXTENT TO WHICH THE PLANNED UNIT DEVELOPMENT FULFILLS THE OBJECTIVES OF THE FUTURE PLANNING OBJECTIVES OR OTHER PLANNING POLICIES OF THE CITY:

See attached Petition.



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APPLICATION FOR PLANNED UNIT DEVELOPMENT

SPECIAL USE STANDARDS

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

See attached Petition.

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

See attached Petition.

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

See attached Petition.



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APPLICATION FOR PLANNED UNIT DEVELOPMENT

SPECIAL USE STANDARDS

PLEASE STATE HOW ADEQUATE UTILITIES, ACCESS ROADS, DRAINAGE OR OTHER NECESSARY FACILITIES HAVE BEEN OR ARE BEING PROVIDED:

See attached Petition.

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

See attached Petition.

PLEASE STATE HOW THE SPECIAL USE SHALL IN ALL OTHER RESPECTS CONFORM TO THE APPLICABLE REGULATIONS OF THE DISTRICT IN WHICH IT IS LOCATED, EXCEPT AS SUCH REGULATIONS MAY IN EACH INSTANCE BE MODIFIED BY THE CITY COUNCIL PURSUANT TO THE RECOMMENDATIONS OF THE PLANNING AND ZONING COMMISSION:



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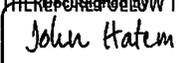
APPLICATION FOR PLANNED UNIT DEVELOPMENT

ATTORNEY INFORMATION	
NAME: Russell Whitaker	COMPANY: Rosanova & Whitaker, Ltd.
MAILING ADDRESS: 445 Jackson Ave., Suite 200	
CITY, STATE, ZIP: Naperville, IL 60540	TELEPHONE: 630-355-4600
EMAIL: russ@rw-attorneys.com	FAX:
ENGINEER INFORMATION	
NAME: Jason Cobb	COMPANY: Olsson
MAILING ADDRESS: 11600 Broadway Extension, Suite 300	
CITY, STATE, ZIP: Oklahoma City, OK 73114	TELEPHONE: 405-206-8122
EMAIL: jcobb@olsson.com	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>	
_____ PETITIONER SIGNATURE	_____ DATE
OWNER HEREBY AUTHORIZES THE PETITIONER TO PURSUE THE APPROPRIATE ENTITLEMENTS ON THE PROPERTY.	
<u>Matt B. Gill</u> OWNER SIGNATURE	<u>4/11/2024</u> DATE
<p>THIS APPLICATION MUST BE NOTARIZED PLEASE NOTARIZE HERE:</p> <p><u>Mark Monthofer</u></p>	
<div style="border: 1px solid black; padding: 5px; display: inline-block;"> <p>MARK MONTHOFER NOTARY PUBLIC Glynn County State of Georgia My Comm. Expires June 12, 2027</p> </div>	



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MAILING ADDRESS: 445 Jackson Ave., Suite 200	
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EMAIL: russ@rw-attorneys.com	FAX:
ENGINEER INFORMATION	
NAME: Jason Cobb	COMPANY: Olsson
MAILING ADDRESS: 11600 Broadway Extension, Suite 300	
CITY, STATE, ZIP: Oklahoma City, OK 73114	TELEPHONE: 405-206-8122
EMAIL: jcobb@olsson.com	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>	
 _____ <small>AG042CFA38097416...</small> PETITIONER SIGNATURE	16 April 2024 _____ DATE
OWNER HEREBY AUTHORIZES THE PETITIONER TO PURSUE THE APPROPRIATE ENTITLEMENTS ON THE PROPERTY.	
_____ OWNER SIGNATURE	_____ DATE
<p>THIS APPLICATION MUST BE NOTARIZED PLEASE NOTARIZE HERE:</p>	

CERTIFIED MAILING
AFFIDAVIT

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

I/We, _____, petitioner, being first duly sworn, do hereby state under oath that to the best of my knowledge the **attached list** is a true, correct and **complete list of all permanent parcel numbers, and names and addresses of owners**, of all lots and parts of lots located within 500 feet (exclusively of any public streets and alleys) of the property legally described on the attached application for annexation, rezoning, special use permit, planned unit development, variation, or other zoning amendment. I further state that said list was obtained from the current tax rolls of the Kendall County Treasurer's Office. I further state that I mailed by U.S. Certified Mail, Return Receipt Requested, a copy of the Public Notice of Public Hearing before the United City of Yorkville Planning and Zoning Commission for the Public Hearing held on Wednesday, _____, at the United City of City Council Chambers, Yorkville, Illinois. The notice was mailed to the attached list of all of the permanent parcel numbers and names and addresses of owners at the U.S. Post office on _____, 20____.

Signature of Petitioner(s)

Subscribed and sworn to before me this

_____ day of _____, 20_____

Notary Public



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APPLICATION FOR PUBLIC HEARING SIGN

PERMIT NUMBER:		DATE/TIME RECEIVED:
SITE ADDRESS: NEC of Eldamain Road and Faxon Road		PARCEL NUMBER: See Below
SUBDIVISION:		LOT/UNIT:
APPLICANT INFORMATION		
NAME: Bradd Hout	TELEPHONE: <input type="radio"/> HOME <input type="radio"/> BUSINESS 312-446-4605	
ADDRESS: 2820 N. Harwood St., Ste. 2200	E-MAIL: <input type="radio"/> HOME <input type="radio"/> BUSINESS bhout@cyrusone.com	
CITY, STATE, ZIP: Dallas, TX 75201	FAX:	
SIGN INFORMATION		
DATE OF PICK UP:	NUMBER OF SIGNS:	
DATE OF PUBLIC HEARING:	SIGN RETURN DATE:	
<p>The undersigned hereby states that they have acquired Public Hearing Signs from the United City of Yorkville's Community Development Department and agrees to return said sign/s to Yorkville City Hall, 800 Game Farm Road, Yorkville, Illinois, immediately following the date of the public hearing.</p> <p>Petitioner or Representative agrees to pay to the United City of Yorkville a deposit of \$50 for each sign. The deposit will be returned to the petitioner when the public hearing sign/s have been returned to the City.</p> <p>Petitioner or Representative further agrees to pay to the United City of Yorkville the full amount of the purchase price for each sign not returned to the United City of Yorkville within seven (7) days after the date of the public hearing.</p>		
_____ SIGNATURE/AUTHORIZED AGENT		_____ DATE
DATE RETURNED: _____		
RECEIVED BY: _____		PZC# _____



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APPLICATION FOR PUD 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. PUD 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 existing documents.

This packet explains the process to successfully submit and complete an Application for PUD Preliminary Plan & Final Plat. It includes a detailed description of the process, outlines required submittal materials, and contains the application.

For a complete explanation of what is legally required throughout the Special Use process, please refer to "Title 10, Chapter 4, Section 7: Amendments" of the Yorkville, Illinois City Code.

APPLICATION PROCEDURE

STEP 1 APPLICATION SUBMITTAL

SUBMIT APPLICATION, FEES, AND PLANS TO THE COMMUNITY DEVELOPMENT DEPT.

The following must be submitted:

- One (1) original signed and notarized application.
- Legal description of the property in Microsoft Word.
- Three (3) copies each of the exhibits, proposed drawings, location map, and site plan. All exhibits and plans must be an appropriate size for all details and descriptions to be legible.
- Appropriate application and filing fee. Checks may be written to the United City of Yorkville.
- Signed Applicant Deposit Account/Acknowledgment of Financial Responsibility form.
- One (1) electronic copy (PDF) of all materials submitted including application and exhibits.

Within one (1) week of submittal, the Community Development Department will determine if the application is complete or if additional information is needed. An incomplete submittal could delay the scheduling of the project.

The petitioner is 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.

Once a submitted and complete, Community Development staff will provide a tentative schedule of meetings as well as all needed documents for the process.

STEP 2 PLAN COUNCIL

MEETS ON THE 2ND & 4TH THURSDAY OF THE MONTH

The petitioner must present the proposed request to the Plan Council. 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. This meeting is held to provide the petitioner with guidance from all City staff departments to ensure the petitioner is aware of all requirements and regulations for their development. Upon recommendation by the Plan Council, the petitioner will move forward to the Economic Development Committee.



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APPLICATION FOR PUD PRELIMINARY PLAN & FINAL PLAT

STEP 3

ECONOMIC DEVELOPMENT COMMITTEE

MEETS ON THE 1ST TUESDAY OF THE MONTH

The petitioner must present the proposed plan to the Economic Development Committee. The committee consists of four alderman who will provide feedback to the petitioner regarding their request. This feedback allows the petitioner to gather comments and concerns prior to full City Council considerations. It also allows the City Council members to review the request prior to its arrival at City Council.

STEP 4

PLANNING & ZONING COMMISSION

MEETS ON THE 2ND WEDNESDAY OF THE MONTH

The petitioner will attend and present their request at a public hearing conducted by the Planning and Zoning Commission. The Planning and Zoning Commission will conduct a public hearing on the request, take public comments, discuss the request, and make a recommendation to City Council.

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. The public hearing notice will be drafted by the City as well as published in a local newspaper. Additionally, a public hearing notice sign must be placed on the property no less than fifteen (15) days 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.

STEP 5

CITY COUNCIL

MEETS ON THE 2ND & 4TH TUESDAY OF THE MONTH

The petitioner will attend the City Council meeting where the recommendation of the special use will be considered. City Council will make the final approval of the special use. If approved, City staff will have a drafted ordinance to be signed by the Council and must be recorded with the County Clerk before any further steps may be taken by the petitioner.

SUMMARY OF RESPONSIBILITIES

Below is a summary breakdown of what will be required by the petitioner and what will be completed by the City:

PETITIONER

- Signed and Notarized Application
- Required Plans, Exhibits, and Fees
- Certified Mailing of Public Notice
- Signed Certified Affidavit of Mailings
- Attendance at All Meetings

CITY STAFF

- Detailed Schedule After Complete Submission
- Public Hearing Notice Language
- Posting of the Public Notice in a Local Newspaper
- Public Hearing Sign Application
- Draft Ordinance & Signatures for Recording



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APPLICATION FOR PUD PRELIMINARY PLAN & FINAL PLAT

SAMPLE MEETING SCHEDULE

MONTH 1							MONTH 2							MONTH 3							MONTH 4						
Su	M	Tu	W	Th	F	Sa	Su	M	Tu	W	Th	F	Sa	Su	M	Tu	W	Th	F	Sa	Su	M	Tu	W	Th	F	Sa
1	2	3	4	5	6	7			1	2	3	4	5					1	2	1	2	3	4	5	6	7	
8	9	10	11	12	13	14	6	7	8	9	10	11	12	3	4	5	6	7	8	9	8	9	10	11	12	13	14
15	16	17	18	19	20	21	13	14	15	16	17	18	19	10	11	12	13	14	15	16	15	16	17	18	19	20	21
22	23	24	25	26	27	28	20	21	22	23	24	25	26	17	18	19	20	21	22	23	22	23	24	25	26	27	28
29	30						27	28	29	30	31			24	25	26	27	28	29	30	29	30	31				
Plan Council Meeting							Economic Development Committee							Planning & Zoning Commission Public Hearing							City Council						
Meeting Date							Updated Materials Submitted for Meeting							Public Notice Mailing Window													

This is a sample of what a schedule may look like after submission. The Step 1 Submission must be completed before the Plan Council Meeting can be scheduled. This timeline represents an ideal schedule. Throughout the review process, there may be requests or changes to the submission requested by the committees which may delay the meeting schedule. As illustrated, there is a small amount of time between meeting dates and the deadline for updated materials to be submitted for review. Depending on the complexity and nature of the request, this timeline may be extended to give the petitioner and staff enough time to review requested updates to the submission.

DORMANT APPLICATIONS

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

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

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

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



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APPLICATION INVOICE WORKSHEET

INVOICE & WORKSHEET PETITION APPLICATION			
CONCEPT PLAN REVIEW	<input type="checkbox"/> Engineering Plan Review deposit	\$500.00	Total: \$
AMENDMENT	<input type="checkbox"/> Annexation <input type="checkbox"/> Plan <input type="checkbox"/> Plat <input type="checkbox"/> P.U.D.	\$500.00 \$500.00 \$500.00 \$500.00	Total: \$
ANNEXATION	<input type="checkbox"/> \$250.00 + \$10 per acre for each acre over 5 acres _____ - 5 = _____ x \$10 = _____ + \$250 = \$ _____ # of Acres Acres over 5 Amount for Extra Acres Total Amount		Total: \$
REZONING	<input type="checkbox"/> \$200.00 + \$10 per acre for each acre over 5 acres <i>If annexing and rezoning, charge only 1 per acre fee; if rezoning to a PUD, charge PUD Development Fee - not Rezoning Fee</i> _____ - 5 = _____ x \$10 = _____ + \$200 = \$ _____ # of Acres Acres over 5 Amount for Extra Acres Total Amount		Total: \$
SPECIAL USE	<input type="checkbox"/> \$250.00 + \$10 per acre for each acre over 5 acres 280 - 5 = 275 x \$10 = 2,750 + \$0 = \$ 2,750 # of Acres Acres over 5 Amount for Extra Acres Total Amount		Total: \$ 2,750.00
ZONING VARIANCE	<input type="checkbox"/> \$85.00 + \$500.00 outside consultants deposit		Total: \$
PRELIMINARY PLAN FEE	<input checked="" type="checkbox"/> \$500.00		Total: \$ 500.00
PUD FEE	<input checked="" type="checkbox"/> \$500.00		Total: \$ 500.00
FINAL PLAT FEE	<input type="checkbox"/> \$500.00		Total: \$
ENGINEERING PLAN REVIEW DEPOSIT	<input type="checkbox"/> Less than 1 acre \$5,000.00 <input checked="" type="checkbox"/> Over 1 acre, less than 10 acres \$10,000.00 <input type="checkbox"/> Over 10 acres, less than 40 acres \$15,000.00 <input type="checkbox"/> Over 40 acres, less than 100 acres \$20,000.00 <input type="checkbox"/> Over 100 acres \$25,000.00		Total: \$ 10,000.00
OUTSIDE CONSULTANTS DEPOSIT	<i>Legal, land planner, zoning coordinator, environmental services</i> For Annexation, Subdivision, Rezoning, and Special Use: <input type="checkbox"/> Less than 2 acres \$1,000.00 <input type="checkbox"/> Over 2 acres, less than 10 acres \$2,500.00 <input checked="" type="checkbox"/> Over 10 acres \$5,000.00		Total: \$ 5,000.00
TOTAL AMOUNT DUE:			18,750.00



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APPLICATION FOR PUD PRELIMINARY PLAN & FINAL PLAT

ATTORNEY INFORMATION	
NAME: Russell Whitaker	COMPANY: Rosanova & Whitaker, Ltd.
MAILING ADDRESS: 445 Jackson Ave., Suite 200	
CITY, STATE, ZIP: Naperville, IL 60540	TELEPHONE: 630-355-4600
EMAIL: russ@rw-attorneys.com	FAX:
ENGINEER INFORMATION	
NAME: Jason Cobb	COMPANY: Olsson
MAILING ADDRESS: 11600 Broadway Extension, Suite 300	
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EMAIL: jcobb@olsson.com	FAX:
LAND PLANNER/SURVEYOR INFORMATION	
NAME:	COMPANY:
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OWNER HEREBY AUTHORIZES THE PETITIONER TO PURSUE THE APPROPRIATE ENTITLEMENTS ON THE PROPERTY.	
<i>Matt Bell</i> _____ OWNER SIGNATURE	<i>4/11/2024</i> _____ DATE
 <div style="border: 1px solid black; padding: 5px; display: inline-block;"> <p>MARK MONTHOFER NOTARY PUBLIC Glynn County State of Georgia My Comm. Expires June 12, 2027</p> </div>	



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NAME: Jason Cobb	COMPANY: Olsson
MAILING ADDRESS: 11600 Broadway Extension, Suite 300	
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NAME:	COMPANY:
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<p style="text-align: center;"><u>John Hatem</u></p> <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/> PETITIONER SIGNATURE	<p style="text-align: center;">April 16, 2024</p> <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/> DATE
OWNER HEREBY AUTHORIZES THE PETITIONER TO PURSUE THE APPROPRIATE ENTITLEMENTS ON THE PROPERTY.	
<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> OWNER SIGNATURE	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> DATE



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 Website: www.yorkville.il.us

APPLICANT DEPOSIT ACCOUNT/ ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY

PROJECT NUMBER:	FUND ACCOUNT NUMBER:	PROPERTY ADDRESS: NEC of Eldamain Road and Faxon Road
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PETITIONER DEPOSIT ACCOUNT FUND:

It is the policy of the United City of Yorkville to require any petitioner seeking approval on a project or entitlement request to establish a Petitioner Deposit Account Fund to cover all actual expenses occurred as a result of processing such applications and requests. Typical requests requiring the establishment of a Petitioner Deposit Account Fund include, but are not limited to, plan review of development approvals/engineering permits. Deposit account funds may also be used to cover costs for services related to legal fees, engineering and other plan reviews, processing of other governmental applications, recording fees and other outside coordination and consulting fees. Each fund account is established with an initial deposit based upon the estimated cost for services provided in the **INVOICE & WORKSHEET PETITION APPLICATION**. This initial deposit is drawn against to pay for these services related to the project or request. Periodically throughout the project review/approval process, the Financially Responsible Party will receive an invoice reflecting the charges made against the account. At any time the balance of the fund account fall below ten percent (10%) of the original deposit amount, the Financially Responsible Party will receive an invoice requesting additional funds equal to one-hundred percent (100%) of the initial deposit if subsequent reviews/fees related to the project are required. In the event that a deposit account is not immediately replenished, review by the administrative staff, consultants, boards and commissions may be suspended until the account is fully replenished. If additional funds remain in the deposit account at the completion of the project, the city will refund the balance to the Financially Responsible Party. A written request must be submitted by the Financially Responsible Party to the city by the 15th of the month in order for the refund check to be processed and distributed by the 15th of the following month. All refund checks will be made payable to the Financially Responsible Party and mailed to the address provided when the account was established.

ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY

NAME: John Hatem COMPANY: C1 Yorkville LLC

MAILING ADDRESS: 2820 N. Harwood St., Ste. 2200

CITY, STATE, ZIP: Dallas, TX 75201 TELEPHONE: (469) 289-2037

EMAIL: jhatem@cyrusone.com FAX:

FINANCIALLY RESPONSIBLE PARTY:

I acknowledge and understand that as the Financially Responsible Party, expenses may exceed the estimated initial deposit and, when requested by the United City of Yorkville, I will provide additional funds to maintain the required account balance. Further, the sale or other disposition of the property does not relieve the individual or Company/Corporation of their obligation to maintain a positive balance in the fund account, unless the United City of Yorkville approves a Change of Responsible Party and transfer of funds. Should the account go into deficit, all City work may stop until the requested replenishment deposit is received.

John Hatem

EVP & COO

PRINT NAME

TITLE

DocuSigned by:

 A6042CFA3C97418...

April 16, 2024

SIGNATURE*

DATE

**The name of the individual and the person who signs this declaration must be the same. If a corporation is listed, a corporate officer must sign the declaration (President, Vice-President, Chairman, Secretary or Treasurer)*

INITIAL ENGINEERING/LEGAL DEPOSIT TOTALS

ENGINEERING DEPOSITS:		LEGAL DEPOSITS:	
Up to one (1) acre	\$5,000	Less than two (2) acres	\$1,000
Over one (1) acre, but less than ten (10) acres	\$10,000	Over two (2) acres, but less than ten (10) acres	\$2,500
Over ten (10) acres, but less than forty (40) acres	\$15,000	Over ten (10) acres	\$5,000
Over forty (40) acres, but less than one hundred (100)	\$20,000		
In excess of one hundred (100.00) acres	\$25,000		



United City of Yorkville
651 Prairie Pointe Drive
Yorkville, Illinois, 60560
Telephone: 630-553-4350
Fax: 630-553-7575
Website: www.yorkville.il.us

APPLICATION FOR PUBLIC HEARING SIGN

PERMIT NUMBER:		DATE/TIME RECEIVED:	
SITE ADDRESS: NEC of Eldamain Road and Faxon Road		PARCEL NUMBER: See Below	
SUBDIVISION:		LOT/UNIT:	
APPLICANT INFORMATION			
NAME: Bradd Hout		TELEPHONE: <input type="radio"/> HOME <input type="radio"/> BUSINESS 312-446-4605	
ADDRESS: 2820 N. Harwood St., Ste. 2200		E-MAIL: <input type="radio"/> HOME <input type="radio"/> BUSINESS bhout@cyrusone.com	
CITY, STATE, ZIP: Dallas, TX 75201		FAX:	
SIGN INFORMATION			
DATE OF PICK UP:		NUMBER OF SIGNS:	
DATE OF PUBLIC HEARING:		SIGN RETURN DATE:	
<p>The undersigned hereby states that they have acquired Public Hearing Signs from the United City of Yorkville's Community Development Department and agrees to return said sign/s to Yorkville City Hall, 800 Game Farm Road, Yorkville, Illinois, immediately following the date of the public hearing.</p> <p>Petitioner or Representative agrees to pay to the United City of Yorkville a deposit of \$50 for each sign. The deposit will be returned to the petitioner when the public hearing sign/s have been returned to the City.</p> <p>Petitioner or Representative further agrees to pay to the United City of Yorkville the full amount of the purchase price for each sign not returned to the United City of Yorkville within seven (7) days after the date of the public hearing.</p>			
SIGNATURE/AUTHORIZED AGENT _____		DATE _____	
DATE RETURNED: _____			
RECEIVED BY: _____		PZC# _____	

STATE OF ILLINOIS)
)
COUNTY OF KENDALL)
)
UNITED CITY OF YORKVILLE)

PETITION FOR SPECIAL USE AND PLANNED UNIT DEVELOPMENT APPROVAL

THE UNDERSIGNED Petitioner, C1 Yorkville, LLC, a Delaware limited liability company (hereinafter the “**Petitioner**”), respectfully petitions the United City of Yorkville (the “**City**”) to grant a special use for planned unit development with development allowances as detailed on the plans submitted herewith for the Property (as defined below).

BACKGROUND INFORMATION

1. The owner of the Property is Yorkville Nexus LLC, an Illinois limited liability company (“**Owner**”);
2. The Petitioner is C1 Yorkville, LLC, a Delaware limited liability company, having an office located at 2820 N. Harwood Street, Suite 2200, Dallas, TX 75201.
3. Petitioner is the contract purchaser of the Property or is an affiliated entity of the contract purchaser of the Property;
4. The Property consists of +/- 228 acres located at the northeast corner of Eldamain Road and Faxon Road in the City, which property is legally described on **Exhibit A**, attached hereto and made a part hereof (the “**Property**”) and depicted on the Preliminary PUD Plan attached as **Exhibit B** (hereinafter the “**Preliminary Plan**”);
5. The Property was originally annexed to the City pursuant to Ordinance No. 2005-48 on May 24, 2005;
6. The Property is zoned M-2 General Manufacturing District under the Unit City of Yorkville Unified Development Ordinance (the “**Code**”);

7. Petitioner seeks to develop the Property as a secure data center campus with an onsite electrical substation (the “**Data Center Campus**”) as generally depicted on the Preliminary Plan;

8. The Data Center Campus will be developed in phases, over what Petitioner estimates to be a ten to twenty year period;

9. The planned unit development will establish standards which will govern the phased development of the Data Center Campus;

10. As a Data Center Campus, the Property will be used for up to nine (9), stand-alone building facilities comprised of networked computers, storage systems, and computing infrastructure used to assemble, process, store and disseminate data, along with an onsite electrical substation to provide electricity to such facilities; and

11. Petitioner has submitted the appropriate supporting details for approval of the special use and Planned Unit Development as set forth herein.

PROJECT SUMMARY

Petitioner is a wholly owned subsidiary of CyrusOne. CyrusOne is a leading global data center developer and operator specializing in delivering state-of-the-art digital infrastructure solutions that serve some of the world’s foremost technology companies. CyrusOne currently owns and operates a multi-building data center campus in Aurora at 2905 Diehl Road (hereinafter the “**C1 Facility**”). The C1 Facility, purchased by an affiliate of CyrusOne in 2016 and expanded in subsequent years, is a collection of mission-critical buildings that have been a welcome addition to the City of Aurora, ultimately leading to significant additional development in the area. The data center’s use is low-impact in terms of demand on public resources, but generates significant tax revenues due to the unique electric demands of the facility.

The proposed Data Center Campus, as depicted on the Preliminary Plan, will allow CyrusOne to expand its footprint in the Chicagoland region beyond its existing C1 Facility for the express purpose of meeting the growing demand of its customer base. The relative proximity of the regional facilities will provide an efficient operation for both the operator of the facility and for tenants who intend to expand into the new Data Center Campus. Located on approximately 228 acres, the proposed Data Center Campus will consist of up to nine (9) separate data center building facilities and an electrical substation. Improvements to the Data Center Campus will be constructed in up to nine (9) phases as generally depicted in the Preliminary Plan. In the first phase of construction, Petitioner will install all necessary utilities and site infrastructure to service the first phase of the project, including the electrical substation, as well as building 4, detention ponds 3 and 5, the primary access road and security checkpoint, as well as on-site parking for building 4 and perimeter fencing for the Data Center Campus. Construction of each building generally requires approximately one (1) year to eighteen (18) months to bring online. Petitioner estimates that the ultimate build-out of the Data Center Campus will take ten to twenty years, depending on market conditions.

There are up to four (4) secure points of access to the Data Center Campus. Two (2) of access points are intended to exclusively service the onsite electrical substation, which will generate very infrequent traffic. These access points will be locked, only providing access to ComEd officials and EMS teams. The substation access points are located at the northeast and northwest corners of the Property, providing alternative access from Beecher Road and Eldamain Road. If it is determined that ComEd requires only one access point to the substation, then one of the two (2) access points may be eliminated.

The buildings within the Data Center Campus will be accessed exclusively from the two southern access points on Eldamain Road. The central access driveway will serve as the primary means of ingress and egress to the buildings. This driveway will be improved with a guard stand and a series of gates to maintain necessary levels of security within the Data Center Campus. This primary point of access allows a vehicle to enter the campus through an automatic, electric fence, wherein identification and access credentials are required at a security checkpoint to proceed through in order to access the buildings within the Data Center Campus. Visitors who are not granted access to the campus are directed to exit the premises through the southwesternmost access drive back to Eldamain Road. The internal pavement section north of the southwesternmost access point provides ample room to facilitate security operations without negatively impacting traffic on the public roadway (Eldamain Road). To secure the Data Center Campus, Petitioner proposes an approximately eight foot (8') perimeter security fence as delineated on the Preliminary Plan. A spec for the security fence is included with the submittal materials. The security fence will also encompass the proposed electric substation.

Like the C1 Facility, the façade of the buildings to be constructed on the Data Center Campus incorporate architectural treatment atypical of traditional warehouse or industrial buildings. The proposed glazing, façade articulation, precast concrete walls and metal building components are representative of the extraordinary investment in the campus, which consists of nine (9) buildings, the first of which is anticipated to come online in 2026, subject to power availability, with each subsequent building completed each year thereafter. The building height is measured at fifty feet (55') to the surface of the flat roof, a spec of which is included with the submittal materials. Rooftop equipment extends up to a maximum height of 75 feet. The actual and specific heights of the buildings and rooftop equipment will vary over time as changes are

made to CyrusOne's standard building specifications or if other specific building changes are dictated by their customers.

**STANDARDS FOR SPECIAL USE APPROVAL FOR A PLANNED UNIT
DEVELOPMENT PURSUANT TO UDO SECTION 10-8-5. D.**

1. *The establishment, maintenance or operation of the Special Use will not be unreasonably detrimental to or endanger the public health, safety, morals, comfort, or general welfare.*

The proposed development of the Property as a Data Center Campus will promote the public health, safety, morals, comfort and general welfare of the City. The Property was originally annexed and zoned in the City in 2005. Despite the underlying zoning, the Property has sat fallow, without productive use consistent with the underlying zoning district for nearly 20 years. The proposed use of the Property as a Data Center Campus is a permitted use consistent with the underlying zoning. The proposed development of the Property will facilitate substantial investment in the City that will produce new construction jobs, long-term employment opportunities, and significant new tax revenue streams. The investment in the Data Center Campus will establish the City as a competing regional leader in data center capacity for future tenants and position the community as an employment base within a new and growing sector of the economy.

2. *The Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within or near the neighborhood in which it is to be located.*

The parcel to the north of the Property is located in unincorporated Kendall County and is occupied by ComEd for use as a transfer station, aligning with the proposed location of the electric substation to be constructed in connection with the Data Center Campus. The parcel to the west of the Property is beyond the jurisdictional boundaries of the City, located within the City of Plano and occupied by Menards for warehousing purposes, aligning with the general manufacturing zoning use of the Property. The parcel to the south of the Property is located in unincorporated

Kendall County and is used for agricultural purposes. The parcel to the east of the Property was annexed to the City in 2023 and occupied by New Leaf Energy and used as a solar farm, which is compatible to other M-2 General Manufacturing uses. The proposed use of the facility, as a Data Center Campus, is a “permitted use” in the underlying zoning district.

The development of a data center represents a unique level of investment. Data center developers are attracted to certain locations due to existing utility infrastructure. Still, existing infrastructure is typically insufficient to support the ultimate requirements of a data center (electric load in particular), so development of a data center typically entails significant new private investment in upgrades to utility infrastructure. The ultimate development, which is typically backed by institutional investment, results in uniquely high values within a sub-market. These values bolster revenue streams for local governmental jurisdictions that rely heavily on property taxes. By way of comparison, the C1 Facility has an assessed value of nearly \$16,000,000, or approximately \$350,000 per acre. Accordingly, the investment and accompanying Data Center Campus and electrical substation improvements Petitioner proposes to construct on the Property will vastly increase values of adjacent properties, not impair or diminish them.

3. *The establishment of the Special Use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.*

The City’s Code specifically identifies a “data center” as a “permitted use” in both the M-1 and M-2 zoning districts. In other words, the City has already deemed a “data center” as an appropriate use of the Property. It is not the use of the Property as a “data center” that necessitates a “special use,” but it is Petitioner’s request for a planned unit development that establishes comprehensive standards for the phased development of multiple data centers within a campus-like setting that necessitates the special use. As Petitioner makes significant long-term investment

with the initial phase of development for the Data Center Campus, the special use for a planned unit development will provide Petitioner with a long-term guaranty that the standards for future phases of project are not subject to legislative change. The framework for development that is set forth in the planned unit development will not impede normal and orderly development of surrounding properties. Quite to the contrary, the planned unit development will provide a clear framework for the intended improvement of the Property thereby providing surrounding property owners with clear direction that may help facilitate the improvement of their properties.

The City's Comprehensive Plan, adopted in 2016, specifically references the development of the Property (referred to as the "Lincoln Prairie Industrial Properties") in its vision strategy, stating that "...future Industrial development should occur as a planned industrial subdivision, similar to the Yorkville Business Center...". The direction provided in the Comprehensive Plan aligns with the M-1 zoning of the Property. Both the Comprehensive Plan and the underlying zoning are consistent with the proposed development of the Property as a Data Center Campus.

4. *Adequate utilities, access roads, drainage or other necessary facilities have been or shall be provided.*

The Property is generally well-positioned in terms of access and utilities.

The means of ingress/egress to the Data Center Campus is specifically outlined above. Based on Petitioner's international experience with development of data center facilities, Petitioner believes that the proposed ingress/egress will sufficiently service the intended use of the Property. Internal to the Property, Petitioner has designed a series of drive aisles which are essential to the function and security requirements for the Data Center Campus. Due to the security associated with the Data Center Campus, all of these drive aisles will be privately owned, operated and maintained. The private ownership of this road network significantly reduces the development's impact on public facilities, as the City will have no internal public roadway that it will be

responsible for owning and maintaining. Necessary and appropriate easements will be granted at final plat to ensure perpetual private rights of access and other utility easements, including water line easements as reflected on the Preliminary Plan.

Petitioner's civil engineer has designed a series of stormwater management basins consistent with applicable stormwater regulations. These stormwater management basins will be improved with native vegetation. The naturalized stormwater basins will provide open space and establish new habitat. The deep-rooted native vegetation will minimize erosion and promote infiltration, providing new ecological benefits.

Petitioner is coordinating the extension of municipal sanitary and water services with City staff. The extension of these public services represents a significant up-front cost to be borne by Petitioner. While the cost of utility extensions will be subject to reimbursement, the size and scale of the investment undertaken by Petitioner is extraordinary. The Petitioner's extension of public infrastructure will position other property in the area for additional investment.

5. *Adequate measures shall be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.*

Based on Petitioner's international experience with development of data center facilities, Petitioner designed an efficient and appropriately security means of ingress/egress to the Data Center Campus. The proposed ingress/egress utilizes a significant setback from the Eldamain right-of-way to ensure that queuing at the security entrance to the Data Center will not result in back-up of traffic onto the public streets. Internal to the campus, the drive aisles and gating systems are appropriately sized and spaced not only for traffic entering the campus, but to handle vehicles which are not admitted to the campus. Along Eldamain, the northernmost access to the substation is aligned with ingress/egress to the adjacent industrial development. The central and southern access points, which will handle ingress/egress to the buildings located in the Data Center

Campus, are appropriately spaces between competing access points. Petitioner has engaged a traffic engineer to prepare a traffic study to confirm capacity of the roadways. The traffic study will be provided to the City upon completion.

6. The proposed Special Use is not contrary to the objectives of the City's adopted Comprehensive Plan.

The City adopted its most current Comprehensive Plan in 2016. According to the Comprehensive Plan, to accomplish the future development of the City's industrial areas, the community planning objectives include: (i) removing barriers to industrial area investment and facilitating development through the use of incentives and regulatory relief; (ii) concentrating industrial attraction efforts in near-term industrial areas, such as the Yorkville Business Center and the Fox Industrial Park; (iii) facilitating redevelopment of industrial areas to accommodate industrial uses of different sizes and to achieve more modern office park settings; and (iv) encouraging best practices in industrial building/park design, stormwater management, landscape buffering and placemaking. The Comprehensive Plan identifies five (5) industrial areas with developable land, which include the Property. By granting the special use for a planned unit development to permit the use and construction of the proposed Data Center Campus on the Property, the City is advancing the objectives of the Comprehensive Plan in facilitating industrial development through regulatory relief. Additionally, granting the special use for the development of the Data Center Campus accomplishes a long-range goal in the immediate future (reflected on Table 5.2) for the development of Healey Asphalt/Lincoln Prairie, given the "slack in demand" as expressly cited by the Comprehensive Plan.

Furthermore, the Comprehensive Plan specifically references the development of the Lincoln Prairie Industrial Properties in its vision strategy, stating that "...future Industrial development should occur as a planned industrial subdivision, similar to the Yorkville Business

Center...”. Accordingly, the proposed Special Use is not contrary to the objectives of the City’s Comprehensive Plan, but further accomplishes its objectives in the near-term.

**REVIEW STANDARDS FOR APPROVAL OF PLANNED UNIT DEVELOPMENT
PURSUANT TO UDO SECTION 10-8-8. E.**

1. ***Plan and Policy Alignment.*** *The Planned Unit Development is consistent with the goals, objectives, and policies set forth in the Comprehensive Plan and other adopted plans and policy documents of the City.*

As stated hereinabove, the proposed Planned Unit Development for the Data Center Campus is consistent with the objectives of the City’s Comprehensive Plan. The Comprehensive Plan specifically references the development of the Lincoln Prairie Industrial Properties in its vision strategy, stating that “..future Industrial development should occur as a planned industrial subdivision, similar to the Yorkville Business Center...”. By granting Petitioner’s request for a planned unit development, the City accomplishes this goal in the near term, much in advance of the long-term strategy outlined in its Comprehensive Plan. By approving development of the Property as a planned unit development, the City ensures the coordinated and thoughtful planning of a large-scale industrial property and establishes a framework for the type of phased investment that is generally required for a development of this size and scale.

2. ***Integrated Design with Identifiable Centers and Edges.*** *The Planned Unit Development shall be laid out and developed as a unit in accordance with an integrated overall design, in which the various land uses function as a cohesive whole and support one another. The design shall provide identifiable centers, which form focus areas of activity in the development, and edges, which define the outer borders of the development, through the harmonious grouping of buildings, uses, facilities, public gathering spaces, and open space.*

The Preliminary Plan is laid out and shall be developed as a unit in accordance with an integrated overall design, in which the two (2) land uses function as a cohesive whole and support one another; one for the electric substation and the other for data center building uses. As reflected on the Preliminary Plan, a new electric substation will be developed as a critical component of the

project in order to provide the necessary electricity to the nine (9) phased buildings to be constructed on the Property. This design provides an identifiable center for which the substation is located. The focal areas of the project are the nine (9) data center buildings with allocated parking and access driveways, which form focus areas of activity. The edges of the Data Center Campus are defined by the access driveways and stormwater ponds that provide the necessary and appropriate drainage for the impervious surfaces and as required by the Code, creating a harmonious grouping of buildings, uses, facilities.

3. ***Public Welfare.*** *The Planned Unit Development is designed, located, and proposed to be operated and maintained so that it will not impair an adequate supply of light and air to adjacent property and will not substantially increase the danger of fire or otherwise endanger the public health, safety, and welfare.*

The proposed development of the Property as a Data Center Campus as a Planned Unit Development will not impair an adequate supply of light and air to adjacent property and will not substantially increase the danger of fire or otherwise endanger the public health, safety, and welfare. The design and operation of data centers does not impact the vast supply of light or air. Notably, physical improvements to the Property are located toward the core of the Property. Planned setbacks are significantly greater than what is required under the zoning ordinance. Moreover, Petitioner has generally located open space in the form of stormwater detention basins around the perimeter of the Property. The proposed configuration of the buildings ensures that the planned unit development will not impair the supply of light and air nor increase the danger of fire to adjacent property.

4. ***Compatibility with Adjacent Land Uses.*** *The Planned Unit Development includes uses which are generally compatible and consistent with the uses of adjacent parcels. If the uses are not generally compatible, all adverse impacts have been mitigated through screening, landscaping, public open space, and other buffering features that protect uses within the development and surrounding properties.*

The establishment of Planned Unit Development for the Property consisting of the Data Center Campus is generally compatible with and consistent with the uses of adjacent parcels. As previously provided herein, the parcel to the north of the Property is located in unincorporated Kendall County and is occupied by ComEd for use as a transfer station, which aligns with the proposed location of the substation to be constructed in connection with the Data Center Campus. The parcel to the west of the Property is beyond the jurisdictional boundaries of the City and is located within the City of Plano, being used and occupied by Menard's for warehousing purposes, aligning with the current general manufacturing and industrial zoning use of the Property. The parcel to the south of the Property is located in unincorporated Kendall County and is used for agricultural purposes. The parcel to the east of the Property is occupied by New Leaf Energy for a solar farm, which is considered by the City Code to be compatible to an industrial use. In connection with the development of the Property, building setbacks will significantly exceed City Code requirements. Perimeter landscaping and stormwater improvements will also create natural buffer feature, further protecting the current and future uses on adjacent properties.

5. ***Impact on Public Facilities and Resources.*** *The Planned Unit Development is designed so that adequate utilities, road access, stormwater management, and other necessary facilities will be provided to serve it. The Planned Unit Development shall include such impact fees as may be reasonably determined by the City Council. These required impact fees shall be calculated in reasonable proportion to the impact of the Planned Unit Development on public facilities and infrastructure.*

The Planned Unit Development of the proposed Data Center Campus is designed so that adequate utilities, road access, stormwater management, and other necessary facilities will be provided to serve it. Petitioner's civil engineer has designed a series of stormwater management basins, which will handle runoff from impervious surfaces. Roadway access has been discussed at length herein. While public utilities are not presently available at the Property, Petitioner and City staff have been coordinating on a plan to extend utilities to and through the Property. The

extension of public utilities through the Property represents a significant investment which will help position other properties in the immediate area for development. A new electric substation will be developed as a critical component of the project. The development of the proposed Data Center Campus as a Planned Unit Development will not pose a significant burden on public facilities and infrastructure, but will improve public facilities and infrastructure in a manner that will likely facilitate additional investment on nearby properties.

6. ***Archaeological, Historical or Cultural Impact.*** *The Planned Unit Development does not substantially adversely impact an archaeological, historical, or cultural resource, included on the local, state, or federal register, located on or off the parcel(s) proposed for development.*

The proposed Data Center Campus as a Planned Unit Development does not substantially adversely impact an archaeological, historical, or cultural resource, included on the local, state, or federal register, located on or off the parcel(s) proposed for development. Petitioner has/will undertake necessary and appropriate studies to evaluate wetlands/waters, threatened/endangered species, and historical resources. Petitioner will coordinate necessary approvals with the City as a condition to the construction of improvements to the Property.

REQUIRED DEVIATIONS FROM UNIFORM DEVELOPMENT ORDINANCE

1. **Table 10-3-9(A) Bulk and Dimensional Standards.** In accordance with the City's Code, required setbacks are as follows: Front: 25'; Side: 20'; Rear: 0'. Petitioner seeks a deviation to measure setbacks only to the boundary of the Property. Petitioner anticipates future subdivision of the Property into multiple parcels and seeks a waiver of any setback requirement between property lines internal to the Property (i.e. between buildings 1 and 2). For purposes of applying setbacks, Eldamain Road shall be the front setback. Beecher Road shall be the rear setback. The north and south property lines of the Property shall be side yards.
2. **Chapter 10-4-10 Energy Industrial Uses.** Under the City's Code, a data center is defined as an Energy Industrial Use. The City has not established specific use standards for Energy Industrial Uses, which include data centers. As such, the proposed Data Center Campus is not presently subject to any use standards under Chapter 4 of the City's Code. No use

standards adopted after the approval of the planned unit development shall be applicable to the Property.

3. **Table 10-5-1(H)(5) Minimum Parking Requirement.** In accordance with the City's Code, the minimum parking requirements are 0.3 spaces per 1,000 square feet. Petitioner hereby requests a variance from the Code to 0.2 spaces per 1,000 square feet. Petitioner's average building is 287,400 square feet, requiring 57 spaces per building and is closely aligned with Petitioner's actual need per building, calculated to be approximately 54 spaces per building. Parking within the Data Center Campus shall not be calculated on a lot-by-lot basis, but shall be shared between buildings/lots that comprise the Data Center Campus. To the extent that the security needs of a lot/building dictate that access to the parking for said lot/building is restricted solely for the use of the occupant of said building, the parking allocated to said lot/building shall not be counted toward the required minimum parking provided for the rest of the buildings in the Data Center Campus.
4. **10-5-1(F) Cross Access.** The City's Code requires cross access between adjoining developments. Given the unique security constraints associated with the use and operation of a Data Center Campus, all cross-access requirements shall be waived with respect to the Property.
5. **10-5-1 (N) Pedestrian Circulation.** The City's Code requires pedestrian walkways between buildings. Where appropriate, Petitioner will provide walkways between parking areas and building entrances and will comply with applicable ADA requirements; however, the Property will not be developed with pedestrian connections between buildings or for purposes of accessing open spaces. Petitioner seeks a waiver of requirements for pedestrian circulation, except as is necessary between a building and the parking areas intended to serve each building.
6. **10-5-1(O) Bicycle Parking.** The City's Code requires bicycle parking. The surrounding roadways and the use of the Property is not conducive to bicycle access and parking. Petitioner seeks a waiver of bicycle parking requirements.
7. **10-5-1 Q. Required Off-Street Loading Spaces.** In accordance with the City's Code, the number of off-street loading spaces is left to the discretion of the Zoning Administrator. Petitioner hereby requests the minimum standard be one (1) off-street loading space per Data Center Campus building located on the Property.
8. **10-5-3. Landscape.** The City's Code requires extensive landscape in and around parking lots and building areas as a means of improving the character of the community. In light of secured nature of the campus and potential conflicts between landscaping and the mechanical appurtenances unique to a Data Center Campus, Petitioner seeks to minimize

the amount of internal space allocated to landscape enhancements. In lieu of the City's landscape requirements, Petitioner proposes standards as established in the landscape plan for the Property.

9. **10-5-4 (B) & 10-5-4 (C). Screening of Mechanical Units.** The City's Code requires screening of both ground-mounted and rooftop-mounted mechanical units. Due to the nature of the use of the Data Center Campus, the development will incorporate significant ground-mounted and rooftop-mounted mechanical units associated with each building in the Data Center Campus. Given the secured nature of the Data Center Campus and in lieu of the applicable Code requirements, Petitioner seeks to establish a standard for both ground-mounted and rooftop-mounted mechanical units: Ground Mounted: Vinyl fencing equal to the height of generator units but excluding any stacks protruding above the generator unit; Rooftop Mounted: mechanical penthouses shall not require screening.
10. **10-5-5. Fences.** City Code establishes requirements for fencing, which includes a requirement that fencing shall not extend beyond the front plane of the primary building façade. Petitioner seeks approval of the fencing specification and the location of the fencing as specifically delineated on the Preliminary Plan.
11. **10-5-8(4). Appearance Standards, Industrial Uses.** The City Code establishes standards for Industrial Buildings, including the requirement that any building greater than 100' in length shall incorporate recesses along at least thirty percent (30%) of the length of the façade abutting a public street. In light of the significant setbacks incorporated in the layout of the Data Center Campus and the emphasis on open space around the roadway perimeter of the campus, the architectural standards are hereby waived so long as the buildings are constructed of masonry, pre-cast materials.
12. **10-7-2. Lots.** The City's Code requires all lots to abut a public street and reserves to the Planning and Zoning Commission and the City Council the ultimate approval of the size, shape and orientation of lots. Given the unique nature of the secure Data Center Campus, the City hereby waives the requirement for access on a public street and agrees to approve such future subdivision of the Property into individual units as Petitioner deems reasonably necessary and appropriate to facilitate the use, operation, maintenance, and disposition of the Property.
13. **10-7-3 and 10-7-4.** The City's Code establishes standards for the development of streets and circulation necessary for the development of property. The development of the Property does not include new streets and driveways internal to the development and shall be exempt from the requirements of these sections.

WHEREFORE, by reason of the foregoing, the undersigned Petitioner requests the City's Plan Council, Economic Development Committee, Planning and Zoning Commission and City Council take the necessary and appropriate action to grant a special use for planned unit development with development allowances as detailed on the plans submitted herewith for the Property and pursuant to the appropriate provisions of the City's Code.

RESPECTFULLY SUBMITTED this 16th day of April, 2024

PETITIONER:

C1 YORKVILLE LLC,
a Delaware limited liability company



Rosanova & Whitaker, Ltd.
Attorney for the Petitioner

EXHIBIT A

Legal Description of the Property

PARCEL ONE:

THAT PART OF THE SOUTH 1/2 OF SECTION 18 AND THE NORTHWEST 1/4 OF SECTION 19, ALL IN TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 18; THENCE NORTH 00 DEGREES 00 MINUTES 54 SECONDS WEST, ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, 1030.91 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 33 SECONDS EAST, 3352.25 FEET; THENCE SOUTH 00 DEGREES 08 MINUTES 07 SECONDS EAST, TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF THE CHICAGO, BURLINGTON AND QUINCY RAILROAD, 844.76 FEET; THENCE SOUTH 74 DEGREES 23 MINUTES 26 SECONDS WEST ALONG SAID NORTH RIGHT-OF-WAY LINE TO A POINT ON THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION 18, 231.91 FEET; THENCE CONTINUING ALONG THE LAST DESCRIBED COURSE, 852.71 FEET; THENCE NORTH 73 DEGREES 28 MINUTES 36 SECONDS WEST, 514.80 FEET TO THE SOUTH LINE OF SAID SOUTHWEST 1/4; THENCE SOUTH 88 DEGREES 38 MINUTES 24 SECONDS WEST, ALONG SAID SOUTH LINE OF SAID SOUTHWEST 1/4 1816.32 FEET TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS.

PARCEL TWO:

THAT PART OF THE SOUTH 1/2 OF SECTION 18, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION; THENCE NORTH 00 DEGREES 00 MINUTES 54 SECONDS WEST, ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, 1917.41 FEET, TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 57 MINUTES 33 SECONDS EAST TO A POINT ON THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION, 3126.88 FEET; THENCE CONTINUING ALONG THE LAST DESCRIBED COURSE, 223.50 FEET; THENCE SOUTH 00 DEGREES 08 MINUTES 07 SECONDS EAST, 886.50 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 33 SECONDS WEST, TO A POINT ON SAID WEST LINE, 3352.25 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 54 SECONDS WEST, ALONG SAID WEST LINE, 886.50 FEET TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS.

PARCEL THREE:

THAT PART OF THE WEST 1/2 OF SECTION 18, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 18; THENCE SOUTH 00 DEGREES 00 MINUTES 54 SECONDS EAST ALONG

THE WEST LINE OF SAID NORTHWEST 1/4, 1929.92 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 01 MINUTES 27 SECONDS EAST, 565.21 FEET; THENCE SOUTH 59 DEGREES, 16 MINUTES 25 SECONDS EAST 913.73 FEET; THENCE SOUTH 00 DEGREES 04 MINUTES 45 SECONDS EAST, 191.76 FEET; THENCE SOUTH 23 DEGREES 01 MINUTES 57 SECONDS EAST, 820.55 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 33 SECONDS WEST, TO A POINT ON THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION, SAID POINT BEING 1917.41 FEET NORTHERLY OF THE SOUTHWEST CORNER OF SAID SECTION AS MEASURED ALONG THE WEST LINE OF SAID SECTION, 1671.52 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 54 SECONDS WEST, ALONG SAID WEST LINE TO THE WEST QUARTER CORNER OF SAID SECTION, 722.59 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 54 SECONDS WEST, ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION, 702.00 FEET TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS.

PARCEL FOUR:

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 18, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 18; THENCE SOUTH 00 DEGREES 08 MINUTES 07 SECONDS EAST, ALONG THE NORTH AND SOUTH QUARTER LINE, 3437.83 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 33 SECONDS EAST, 223.50 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE LAST DESCRIBED COURSE TO A POINT ON THE EAST LINE OF THE WEST 1/2 OF THE EAST 1/2 OF SAID SECTION, 1102.80 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 12 SECONDS EAST, ALONG SAID EAST LINE TO A POINT ON THE NORTH RIGHT OF WAY LINE OF THE CHICAGO BURLINGTON AND QUINCY RAILROAD, 1423.23 FEET; THENCE SOUTH 74 DEGREES 23 MINUTES 26 SECONDS WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE TO A POINT 231.91 FEET NORTHEASTERLY OF SAID QUARTER LINE AS MEASURED ALONG SAID NORTH RIGHT-OF-WAY LINE, 1147.75 FEET; THENCE NORTH 00 DEGREES 08 MINUTES 07 SECONDS WEST, PARALLEL WITH SAID QUARTER LINE, 1731.26 FEET TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS.

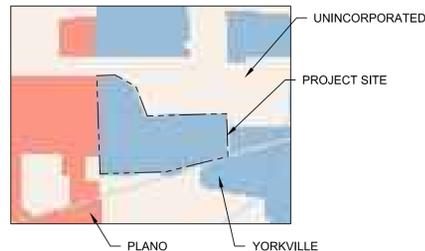
COMMONLY KNOWN AS approximately 228 acres of vacant land located at northeast corner of Edamain Road and Faxon Road in Bristol Township, in unincorporated Kendall County

PINs:

02-18-300-001;
02-18-300-002;
02-18-300-003;
02-18-300-004;
02-19-100-004;
02-19-100-005; and
02-18-400-004

EXHIBIT B
Preliminary Plan
(Attached)

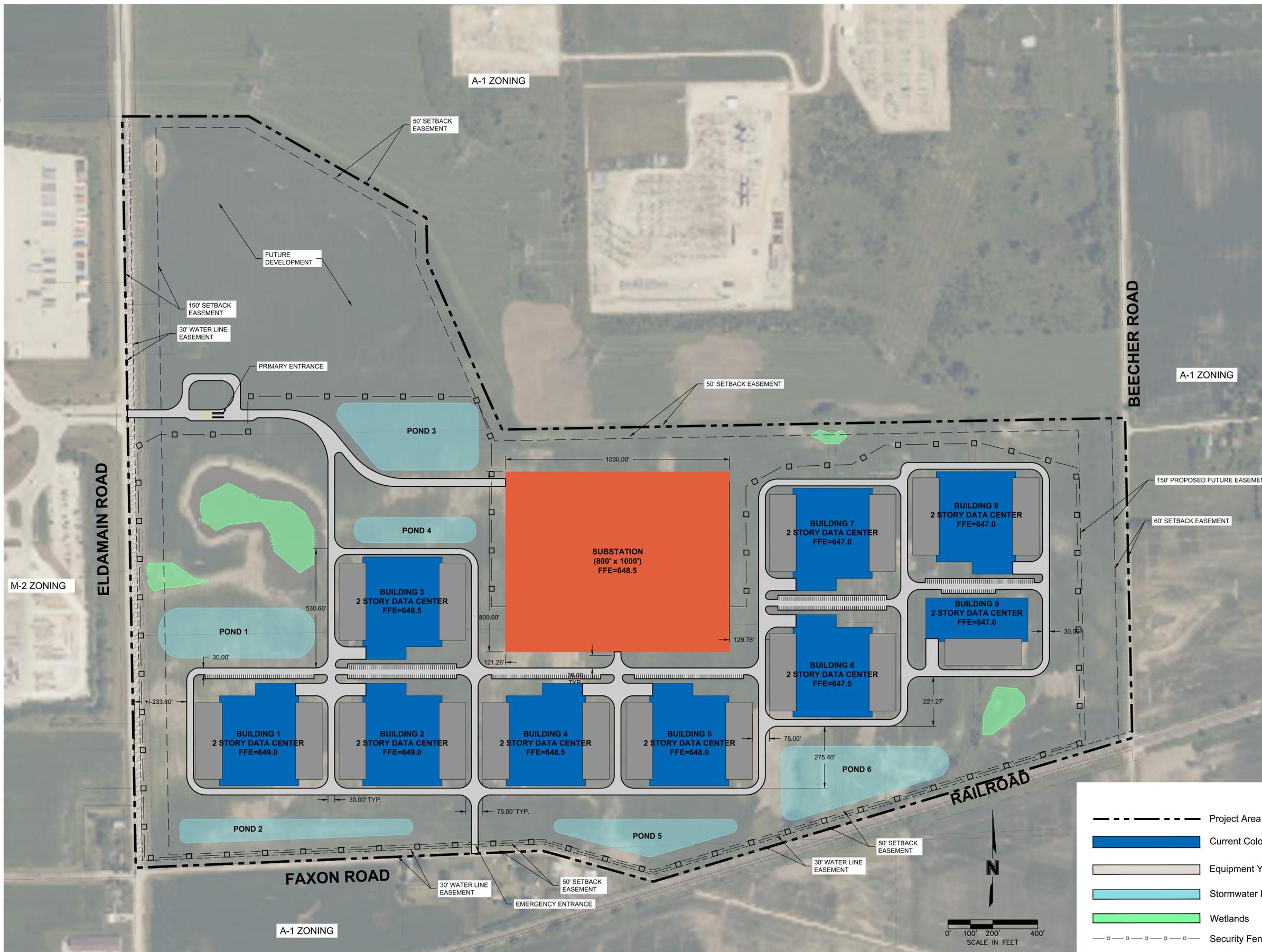
MUNICIPAL BOUNDARIES



SITE DATA	
TOTAL SITE AREA	9,956,767.47 SF (228.57 AC +/-)
MAX BUILDING HEIGHT	N/A
SETBACKS*	
FRONT (WEST) REQUIRED	25'-0"
FRONT (WEST) PROVIDED	150'-0"
REAR (EAST) REQUIRED	0'-0"
REAR (EAST) PROVIDED	60'-0"
SIDE (N + S) REQUIRED	20'-0"
SIDE (N + S) PROVIDED	50'-0"
TRANSITIONAL SIDE	N/A
*SETBACKS APPLY ONLY TO THE PERIMETER OF THE PROPERTY. IN THE EVENT THAT THE PROPERTY IS RESUBDIVIDED, THERE SHALL BE NO SETBACKS APPLICABLE TO INTERNAL LOT LINES.	
PARKING	
DATA CENTER PARKING RATIO	0.2 SPACES PER 1,000 SF
REQUIRED PARKING (# SPACES)	490
PROVIDED PARKING (# SPACES)	432
ACCESSIBLE PARKING REQUIRED (# SPACES)	9
ACCESSIBLE PARKING PROVIDED (# SPACES)	27
COVERAGE	
MINIMUM LOT SIZE	N/A
MAXIMUM BUILDING COVERAGE	85%
PROVIDED BUILDING COVERAGE	12.3%
MAXIMUM SITE COVERAGE	85%
PROVIDED SITE COVERAGE	35.6%
MAXIMUM MAX FAR	85%
PROVIDED SITE COVERAGE	24.6%

BUILDING AREAS			
BUILDING #	SIZE	HEIGHT (TOP OF BUILDING)	HEIGHT (TOP OF EQUIPMENT)
BUILDING 1	287,400 SF	55'-0"	70'-0"
BUILDING 2	287,400 SF	55'-0"	70'-0"
BUILDING 3	287,400 SF	55'-0"	70'-0"
BUILDING 4	287,400 SF	55'-0"	70'-0"
BUILDING 5	287,400 SF	55'-0"	70'-0"
BUILDING 6	287,400 SF	55'-0"	70'-0"
BUILDING 7	287,400 SF	55'-0"	70'-0"
BUILDING 8	287,400 SF	55'-0"	70'-0"
BUILDING 9	152,000 SF	55'-0"	70'-0"
TOTAL	2,451,200 SF	N/A	N/A

Proposed Phasing Schedule			
Phase	Building#	Stormwater Pond Serving Phase	Ancillary Infrastructure
1	4	Pond 3 & 5	Primary Access Road, Fire Access Road, Building Perimeter Road, On-Site Parking, Substation and Perimeter Fencing.
2	2	Pond 2	Building Perimeter Road and On-Site Parking.
3	3	Pond 1 & 4	Building Perimeter Road and On-Site Parking.
4	1	Pond 1 & 2	Building Perimeter Road and On-Site Parking.
5	5	Pond 5	Building Perimeter Road and On-Site Parking.
6	6	Pond 6	Building Perimeter Road and On-Site Parking.
7	7	Pond 6	Building Perimeter Road and On-Site Parking.
8	8	Pond 6	Building Perimeter Road and On-Site Parking.
9	9	Pond 6	Building Perimeter Road and On-Site Parking.

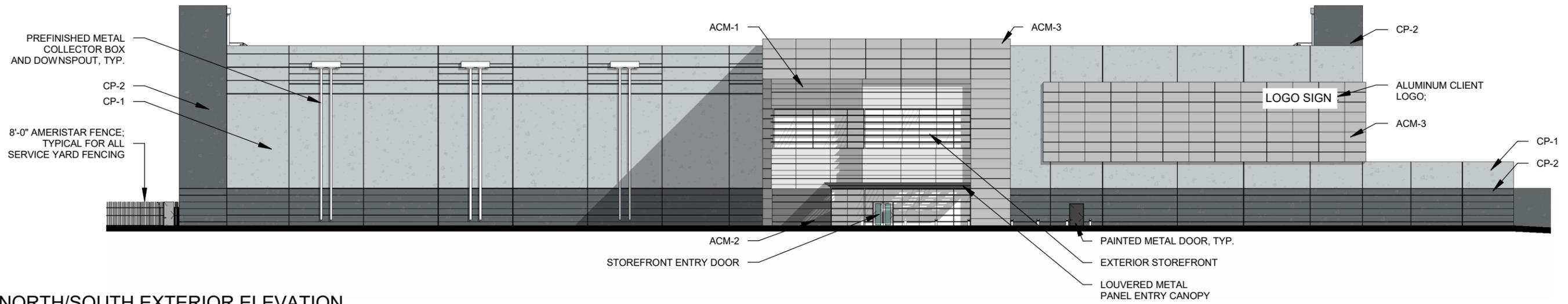


- Project Area
- Current Colo Build
- Equipment Yard
- Stormwater Pond
- Wetlands
- Security Fence

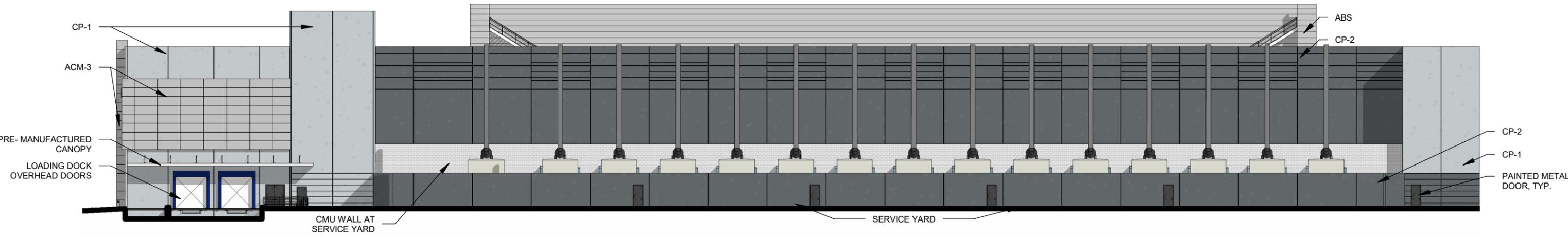
CYRUS ONE - YORKVILLE, ILLINOIS - PRELIMINARY PUD PLAN

SCALE: 1" = 200' AT FULL SIZE (24x36)
 DATE: May 21, 2024





2 NORTH/SOUTH EXTERIOR ELEVATION



1 EAST/WEST EXTERIOR ELEVATION

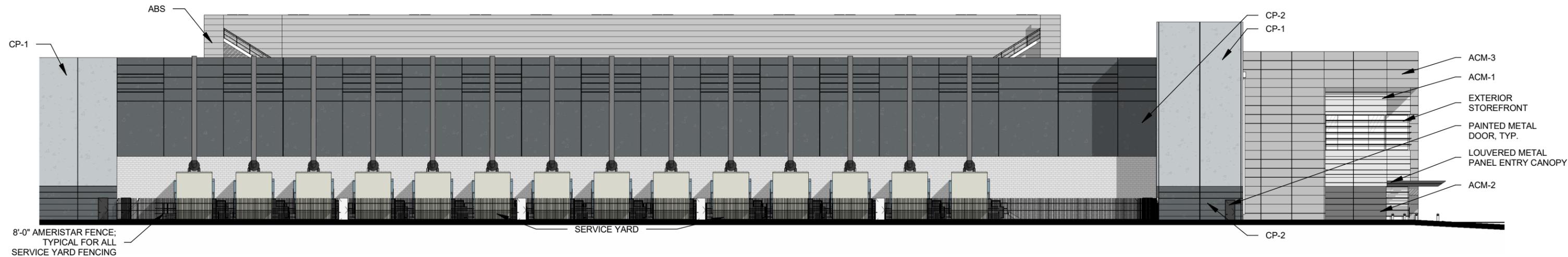
- CP-1 | TILT-UP CONCRETE PANEL**
 PAINTED
 SHERWIN WILLIAMS SW 7075 WEB GRAY
 ELASTOMERIC COATED
- CP-2 | TILT-UP CONCRETE PANEL**
 PAINTED
 BENJAMIN MOORE 2121-40 SILVER HALF DOLLAR
 ELASTOMERIC COATED
- ACM-1 | ALPOLIC COMPOSITE METAL PANEL**
 MITSUBISHI CHEMICAL COMPOSITES
 MICA MNC CLEAR
- ACM-2 | ALPOLIC COMPOSITE METAL PANEL**
 MITSUBISHI CHEMICAL COMPOSITES
 MZG MICA GREY
- ACM-3 | ALPOLIC COMPOSITE METAL PANEL**
 MITSUBISHI CHEMICAL COMPOSITES
 PEX PEWTER METALLIC
- ABS | ACOUSTIC BARRIER SCREEN WALL**

EXTERIOR ELEVATIONS

--1/32" = 1'-0" --



2 NORTH/SOUTH EXTERIOR ELEVATION



1 EAST/WEST EXTERIOR ELEVATION

- 

CP-1 | TILT-UP CONCRETE PANEL
PAINTED
SHERWIN WILLIAMS SW 7075 WEB GRAY
ELASTOMERIC COATED
- 

CP-2 | TILT-UP CONCRETE PANEL
PAINTED
BENJAMIN MOORE 2121-40 SILVER HALF DOLLAR
ELASTOMERIC COATED
- 

ACM-1 | ALPOLIC COMPOSITE METAL PANEL
MITSUBISHI CHEMICAL COMPOSITES
MICA MNC CLEAR
- 

ACM-2 | ALPOLIC COMPOSITE METAL PANEL
MITSUBISHI CHEMICAL COMPOSITES
MZG MICA GREY
- 

ACM-3 | ALPOLIC COMPOSITE METAL PANEL
MITSUBISHI CHEMICAL COMPOSITES
PEX PEWTER METALLIC
- 

ABS | ACOUSTIC BARRIER SCREEN WALL

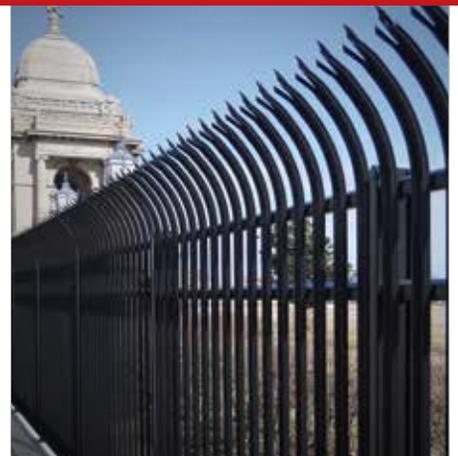
EXTERIOR ELEVATIONS

--1/32" = 1'-0" --

IMPASSE II[®]



HIGH SECURITY STEEL PALISADE FENCING



AMERISTARFENCE.COM | 800-321-8724
Experience a safer and more open world

AMERISTAR[®]

ASSA ABLOY



AESTHETIC APPEAL. UNPARALLELED PROTECTION.

Traditional security fences of chain link or wire mesh *are no longer enough* to meet today's increased security demands. Ameristar's Impasse II security fence offers the *resistive strength* of heavy-duty *steel pales secured vertically* to a framework of *specially formed rails and I-beam posts*. The stylish design of the Impasse II, combined with its strength and security, *provides a successful first line of defense*.



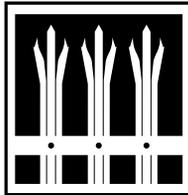


Primary applications for Impasse II ornamental steel fence systems include:

- ▶ ***Military Sites***
- ▶ ***Government Facilities***
- ▶ ***Petroleum & Chemical Facilities***
- ▶ ***Power Plants & Substations***
- ▶ ***Airports***
- ▶ ***Data Centers***
- ▶ ***Ports of Entry***
- ▶ ***Water Treatment & Storage***

IMPASSE II®

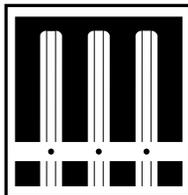
HIGH SECURITY STEEL PALISADE FENCE



TRIDENT™

The Impasse Trident *pale rises above the topmost rail and terminates with a menacing triple-pointed splayed spear tip.* The intimidating look of the Trident corrugated pale is a *visual deterrent* to any who would dare to intrude.

- ▶ 3-RAIL PANELS | 6', 7', 8', 9' & 10' HEIGHTS
- ▶ 2-RAIL PANELS | 6', 7' & 8' HEIGHTS

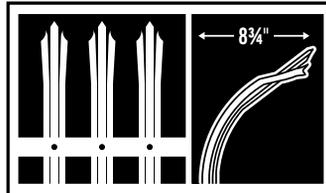


STRONGHOLD™

The *blunt, slightly rounded tip* of the Stronghold offers strength when necessary, while providing *safety and security to the general public.* The Stronghold features the *same structural configurations of its high-security counterparts.*

- ▶ 3-RAIL PANELS | 6', 7', 8', 9' & 10' HEIGHTS
- ▶ 2-RAIL PANELS | 6', 7' & 8' HEIGHTS

2.75"w x 14ga PALES | 2" x 2" x 11ga RAILS | 3" x 2.75" x 12ga & 4" x 2.75" x 11ga I-BEAM POSTS



GAUNTLET™

Gauntlet is designed with *high-tensile steel corrugated pales* that rise above the topmost rail with an outward curve and terminate with a triple-pointed splayed spear tip. The outward curved pales *discourage attempts to gain access* by would be intruders.

- ▶ 3-RAIL PANELS | 7', 8', 9' & 10' HEIGHTS
- ▶ 2-RAIL PANELS | 7' & 8' HEIGHTS

ANTI-SCALE OPTION

The Impasse II *Anti-Scale fence system* has *decreased pale spacing*, which helps deter the assailant from climbing, and *increases the delay time when trying to cut or pry through the fence*.

COLOR OPTIONS



BLACK

BRONZE

SAND

WHITE

Custom colors also available

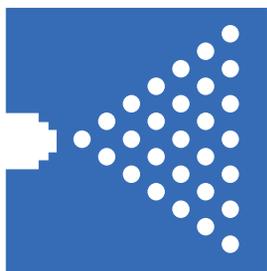




PERMACOAT™

Impasse II is protected by the unique PermaCoat process. Our **PRE-GALVANIZED STEEL BASE MATERIAL** is subjected to an **11-STAGE PROCESS** to cleanse & prepare the steel for a **DUAL TOP-COAT FINISH**. PermaCoat's corrosion resistant abilities far surpass those of painted surfaces and have a "no-mar" polyester powder top coat. This dual coating not only provides **RESISTANCE FROM WEATHERING** but also reduces scratch & burnishing marks typically encountered during shipping.

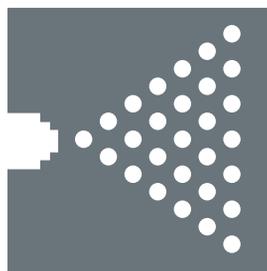
PRE-TREATMENT



ALKALINE WASH

Cleans metal for proper adhesion of zinc phosphate

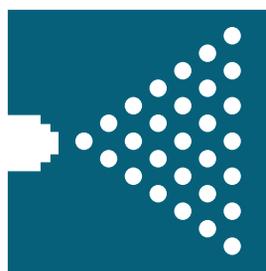
1



FIXIDINE RINSE

Rinses excess alkaline prior to zinc phosphate application

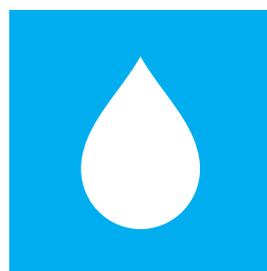
2



PHOSPHATE RINSE

Corrosion resistant layer that assists in bonding powder coating

3

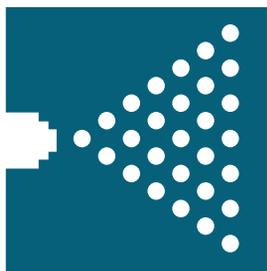


CLEAR WATER RINSE

A bit of clean H2O to prep for the next phase

4

DOUBLECOATING



EPOXY POWDER COAT

Epoxy powder is electrostatically applied

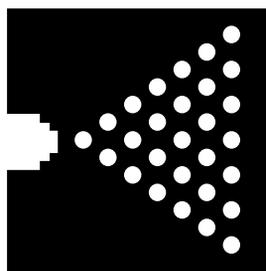
8



EPOXY GEL OVEN

Powder is gelled & cured to finish coat

9



POLYESTER POWDER

TGIC powder is electro-statically applied

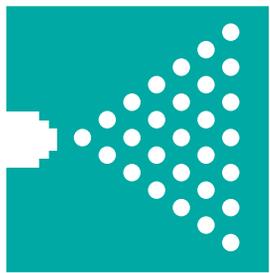
10



FINISH CURING OVEN

Seals finish for years of maintenance free use

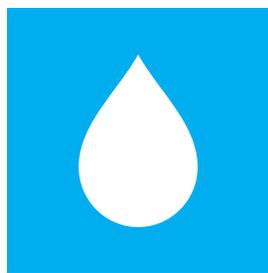
11



NON-CHROMATE SEAL

Barrier to prevent moisture from reaching base metal

5



CLEAR WATER RINSE

Final wash in H2O to remove any excess debris or particles

6



DRYING OVEN

Eliminates all moisture prior to double coating

7

ONCE COMPLETED, THESE 7-STAGES WILL HAVE REMOVED EVERYTHING FROM THE SURFACE OF THE STEEL THAT MIGHT INHIBIT THE FINISH FROM PROPERLY ADHERING DURING THE NEXT 4-STAGES OF THE COATING PROCESS.

CORROSION TESTING

Corrosion occurs more easily without the proper preparation & protection, which is why Ameristar has put our fence products to the test based on ASTM B117 standards. *The results speak for themselves.*



PAINTED STEEL



PRIMED & PAINTED STEEL



SINGLE COAT PROCESS
Iron Phosphate + Polyester Powder Coat



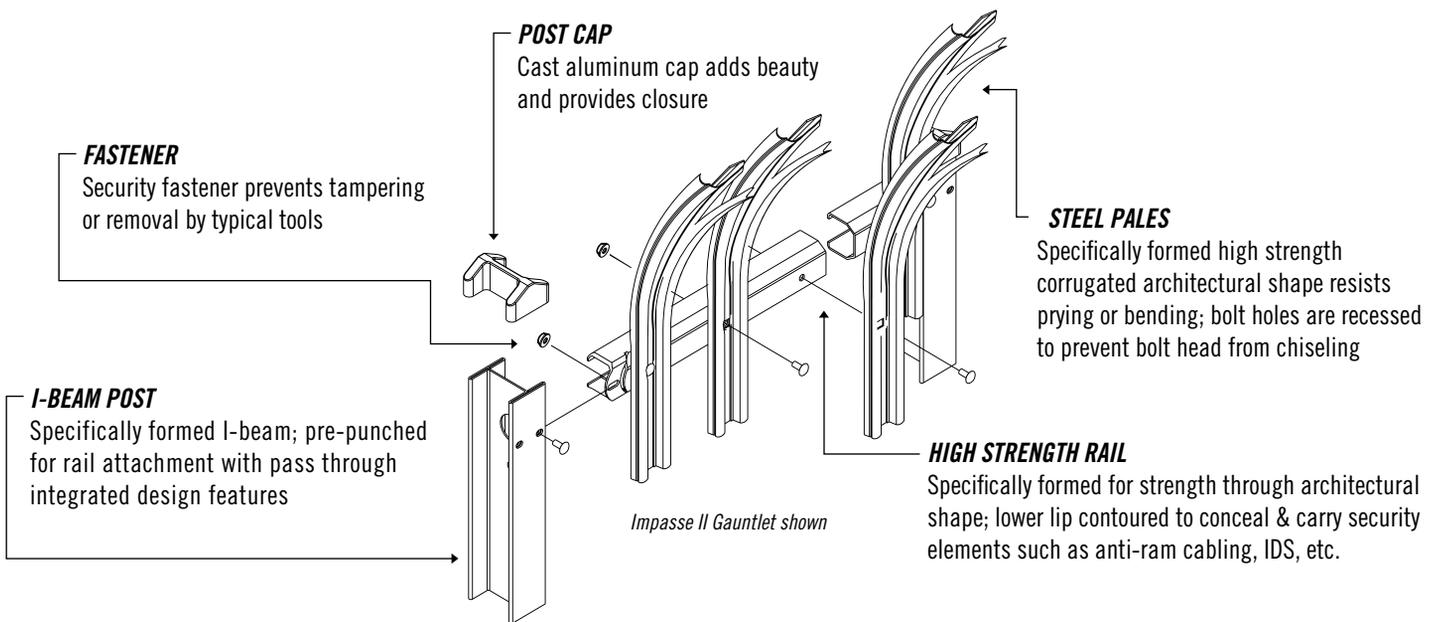
SINGLE COAT PROCESS
Zinc Phosphate + Polyester Powder Coat



PERMACOAT PROCESS
Zinc Phosphate + Epoxy Powder Coat + Polyester Powder Coat

IMPASSABLE DESIGN

Impasse II panels and posts are manufactured using **HIGH-TENSILE PRE-GALVANIZED G-90 STEEL**. Each component has been **ROLL-FORMED** into a unique profile that yields significant strength properties. Impasse II's distinct design enables the fence to **TRAVERSE AGGRESSIVE CHANGES IN GRADE IN ORDER TO MAINTAIN SECURITY** along any perimeter. Each connection point of the Impasse II system is secured with **TAMPER-PROOF FASTENERS** providing the **HIGHEST LEVEL OF SECURITY & VERSATILITY**.



PRIVACY SCREENING OPTION

A security fence should cover multiple aspects of perimeter security, which is why Ameristar created the steel privacy screening option for its Impasse high security fence system. Secured by each adjacent pale, the overlapping design achieves the maximum level of opacity for visual screening.



Certified by the US Department of Homeland Security as a method of risk management against acts of terrorism



Ameristar's Impasse II is backed by over 30 years of excellence in the fencing industry



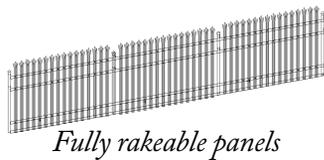
Ameristar is committed to providing products that meet the Buy American Act



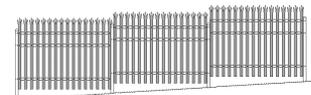
Ameristar products have the opportunity to earn LEED points

RAKEABLE VS STAIR-STEP

Biasability at a minimum of 25% that requires no additional assembly. This unique feature eliminates unsightly stair-stepping panels.



Fully rakeable panels



Stair-stepping panels

DESIGN INTEGRATION

The Impasse II framework is a raceway for wiring, conduits & security cabling required around the perimeter of a project. This integrated design eliminates the need for costly trenching & boring becoming a value added solution for perimeter security upgrades.



(inside of rail shown above / view from protected side)

When installing these security elements use Impasse II as a platform:

- **Communication & Video Cables**
- **Intrusion Detection / Fiber Optic Cables**
- **Access Control Wiring**
- **Conduits**
- **Anti-Ram Cabling (Stalwart IS)**

STALWART IS[®]

ANTI-RAM BARRIER + SECURITY FENCE

Stalwart IS unites the *strongest security fence available* with the *most widely used anti-ram perimeter barrier*. The appearance of Stalwart IS is a great *visual deterrent* that delivers strength and fortitude for keeping any assailant from easily breaching the perimeter.

M50 M40 M30

PU60 PU50 K12 K8 K4

Stalwart IS offers *multiple anti-ram ratings*. Each installation can be designed with the most appropriate standoff distance from the asset.



ARCHITECTURAL SUPPORT & SOLUTION SPECIALISTS

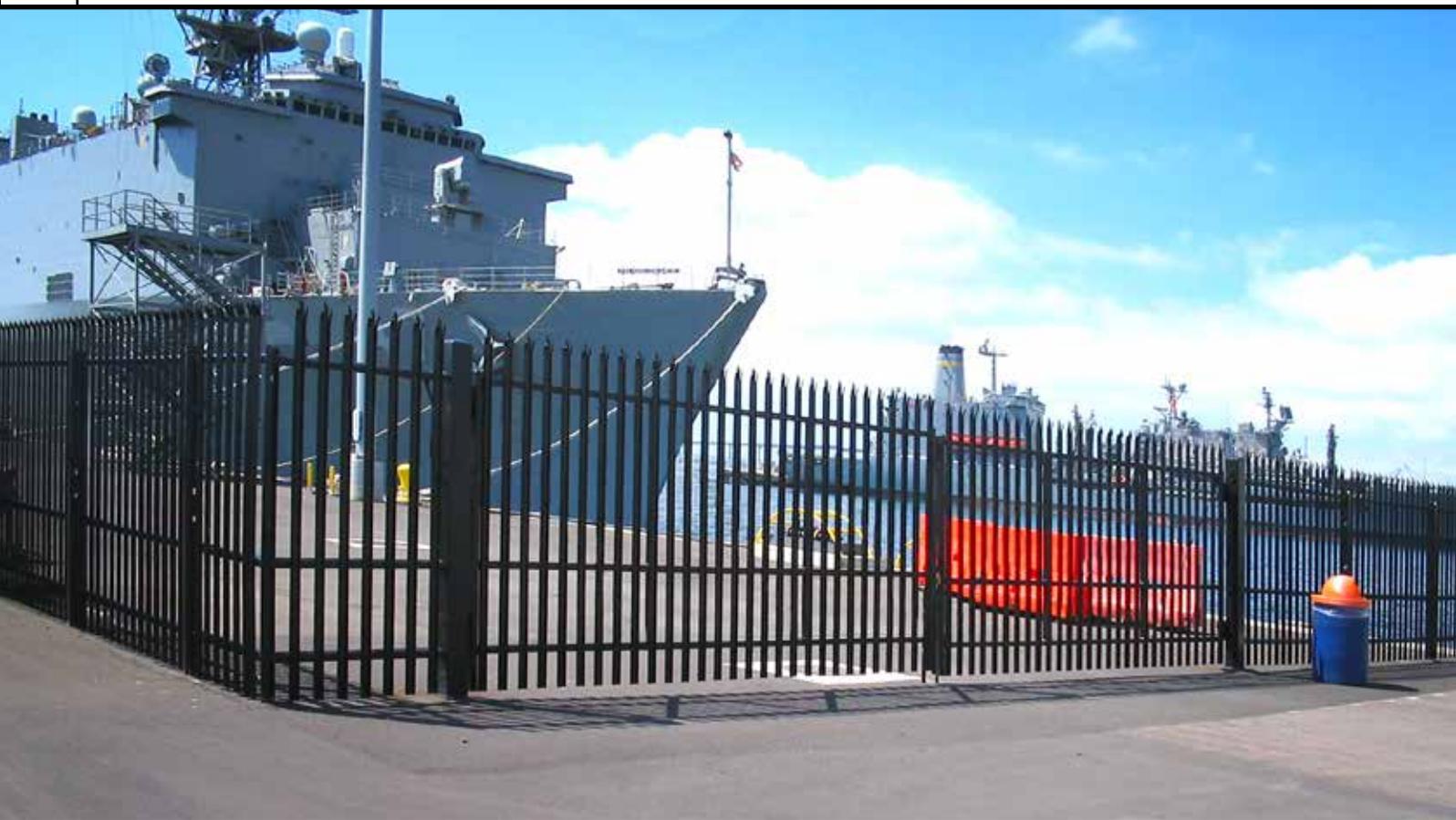


Ameristar's *Project Solution Specialists* are *experienced in every facet of perimeter security design*. Our goal is to assist the architectural community in finding the *best perimeter & entry solutions* for their projects. Ameristar's extensive library of project photos, CAD drawings, architectural specifications & project budget quotes are just a few of the services *our team offers to complete your project design*.

SLIDE GATES & SWING GATES

Egress & ingress requirements are unique to each application. *Managing traffic flow & usage demands* are of the utmost importance, which is why Impasse II is manufactured in a variety of gate types built to *balance function, security & beauty*.

Ameristar *Transport™* & *Passport™* sliding gates perfectly match the perimeter fence system to create a *seamless & stunning design* while exuding a *commanding presence* of security built to unite perimeter and entry.



WHY CHOOSE AMERISTAR

▶ KNOWLEDGE & EXPERIENCE

Ameristar was chartered over *30 years ago* in response to the *demand by consumers & specifiers for specialty fence products*. Ameristar offers an *aesthetically pleasing product* that is both *high in quality & affordability*. This has been achieved by maximizing *high-volume productivity*, increasing product design strength, and promoting *simplistic installation*.

▶ PROVEN CAPABILITY

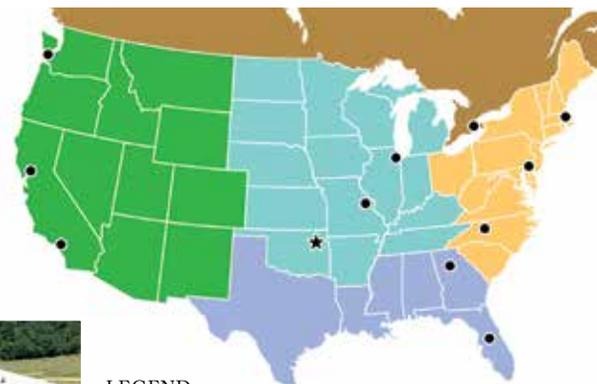
Ameristar's integrated *in-house process & extensive raw material inventory* results in much improved productivity and availability compared to the competition. By having a *vast finished goods inventory*, Ameristar is capable of *delivering finished products faster* than competitors who sublet the majority of their operations.

▶ INDUSTRY LEADERSHIP

Over the years Ameristar has continually *raised the bar* across the board in the *manufacturing of high quality*, innovative fencing products. Our demonstrated commitment to *upholding higher values* translates into superior products that *go far beyond* merely meeting minimum industry standards.



Ameristar's world headquarters, manufacturing & coil processing facilities in Tulsa, Oklahoma, USA.



LEGEND

- ★ Ameristar Headquarters
- Sales & Service Centers

#9718 | REVISED 10/2021



AMERISTARFENCE.COM | 800-321-8724

Experience a safer and more open world

AMERISTAR[®]

ASSA ABLOY



May 29, 2024

Ms. Krysti Barksdale-Noble
Community Development Director
United City of Yorkville
651 Prairie Pointe
Yorkville, IL 60560

Re: *Cyrus One*
PUD and Preliminary Submittal – 2nd Submittal
United City of Yorkville

Dear Krysti:

We have reviewed the following items for the above-referenced project:

- Preliminary PUD Plan (1 sheet) dated May 21, 2024, and prepared by Olsson

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

General

1. The following permits may be required during final engineering and should be provided to the City when obtained. The City and EEI should be copied on all correspondence with the agencies.
 - Kendall County for access to Eldamain Road
 - IEPA NPDES General Construction Permit is required. The Notice of Intent must be filed with IEPA 30 days prior to start of construction.
 - IEPA Water and Sanitary Sewer Permits
 - Yorkville Bristol Sanitary District (YBSD) approval is needed for the connection of the proposed sanitary lines to the existing sanitary sewer.

2. Since the project is a non-residential development on more than 3 acres it must meet the stormwater detention requirements per the Stormwater Ordinance. A stormwater permit application in accordance with the Yorkville Storm Water Management Ordinance (Kendall Countywide Ordinance) will be required.
3. Any impacts to wetlands should be designed in accordance with the United City of Yorkville's Wetland Protection Regulations.
4. The following will need to be submitted with Final Engineering Plans:
 - a. Additional information as shown in the provided checklist.
 - b. Truck turning exhibits for delivery and emergency vehicles
 - c. Photometric plan
 - d. Landscape plan
 - e. Field tile survey
 - f. Engineer's Opinion of Probable Costs

Preliminary PUD Plan

5. Per Kendall County, the full access entrance across from Menards is acceptable. The developer should reference the Kendall County website regarding highway access for more information:
<https://www.kendallcountyil.gov/departments/highway/permit-applications/access>
6. The proposed connection to Faxon Road is acceptable. The timing of the improvements to Faxon Road will need to be clarified prior to construction.
7. Right-of-Way will be required to be dedicated along Faxon and Beecher Roads. The City will be looking for 80 feet of total right-of-way along these corridors.
8. Faxon and Beecher Roads are not built to City standards and will be required to be reconstructed per City code. A standard cross-section is attached for reference.
9. Extensions for water main and sanitary sewer mains for the area are currently in the design stage. Coordination will be needed to determine the time frame that service will be needed for the project.
10. Expected water and sanitary sewer use requirements should be provided as soon as possible.
11. Access to sanitary manholes, water valves, shut-offs, etc. will need to be coordinated during final design.

Ms. Krysti Barksdale-Noble
May 29, 2024
Page 3

12. The planned outfall locations for the stormwater basins will be evaluated during final design. The evaluation will need to include downstream capacities.

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

Respectfully Submitted,

ENGINEERING ENTERPRISES, INC.

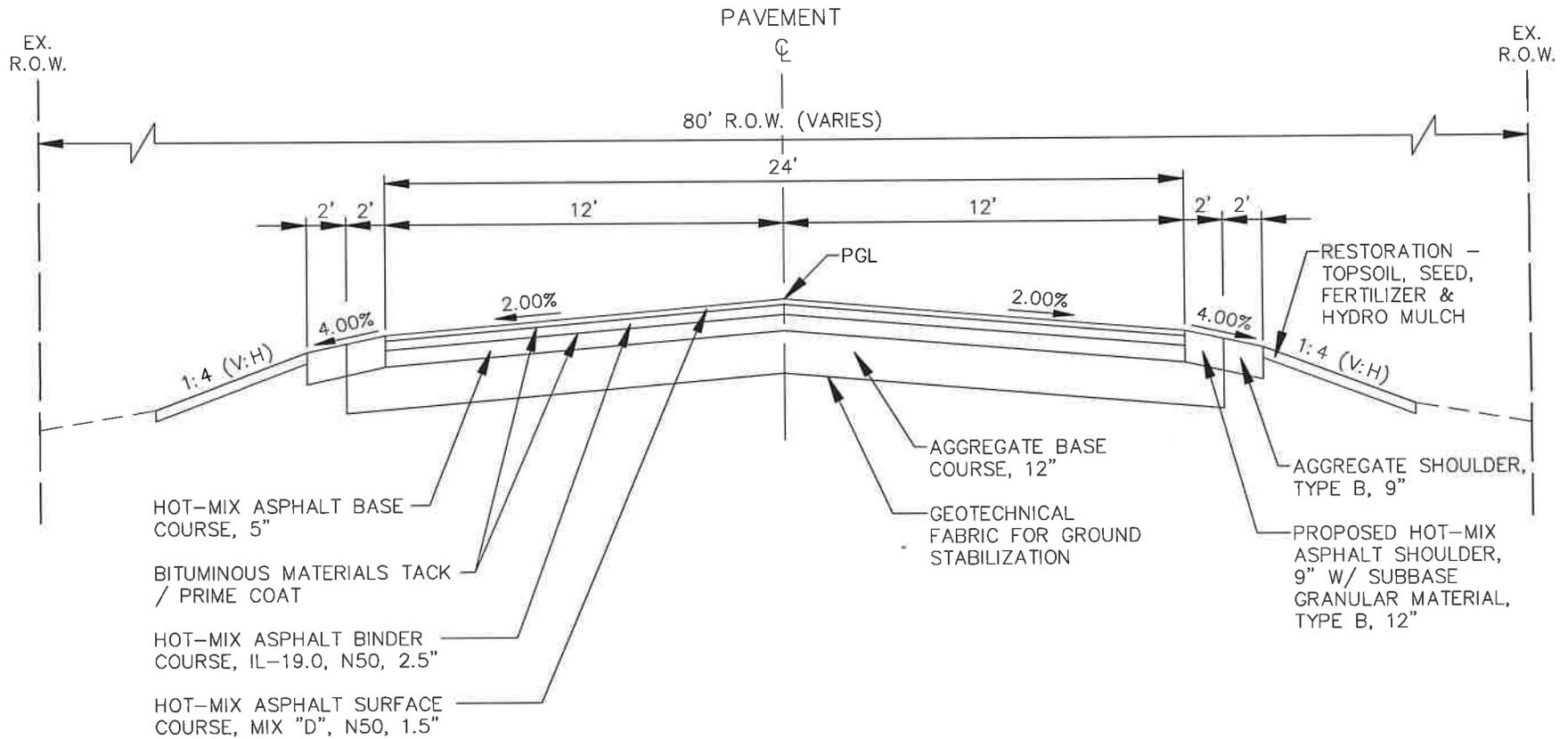


Bradley P. Sanderson, P.E.
Chief Operating Officer / President

BPS/tnp/pgw2

pc: Mr. Bart Olson, City Administrator (via email)
Ms. Erin Willrett, Assistant City Administrator (via email)
Mr. Eric Dhuse, Director of Public Works (via email)
Mr. Pete Ratos, Building Department (via email)
Ms. Dee Weinert, Admin Assistant (via email)
Ms. Jori Behland, City Clerk (via email)
Mr. Bradd Hout, CyrusOne (via email)
Mr. Russ Whitaker, Rosanova & Whitaker, Ltd. (via email)
Mr. Jason Cobb, Olsson (via email)
TNP, PGW2, EEI (via e-mail)

PROPOSED FAXON ROAD AND BEECHER ROAD PAVEMENT SECTION



Plotted: May 23, 2024 @ 3:47 PM By: Kris Pung - Tab: Proposed Section

UNITED CITY OF YORKVILLE
KENDALL COUNTY, ILLINOIS

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<h2 style="margin: 0;">CROSS SECTION</h2>		
<p style="margin: 0;">Engineering Enterprises, Inc. 52 Wheeler Road Sugar Grove, Illinois 60554 630.466.6700 - www.eeiweb.com</p>	SCALE: NTS	DRAWN BY: KKP
	DATE: 05/23/24	REVISED:

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Engineering Enterprises, Inc.

52 Wheeler Road
 Sugar Grove, Illinois 60554
 (630) 466-6700
 www.eeiweb.com



United City of Yorkville

651 Prairie Pointe Dr,
 Yorkville, IL 60560
 630-553-4350
 www.yorkville.il.us

NO.	DATE	REVISIONS

DATE:	MAY 2024
PROJECT NO.:	YO2426
BY:	KJD
PATH:	H:\GIS\Public\Yorkville\2024\YO2426\YO2426_Cyrus_One.mxd
FILE:	YO2426_Cyrus_One



**Cyrus One
 Roadway Reconstruction
 Requirements**





Memorandum

To: Plan Council
From: Krysti Barksdale-Noble, Community Development Director
Date: May 6, 2024
Subject: **PZC 2024-15 C1 Yorkville - Cyrus One (Preliminary PUD Plan)**
NE Corner of Faxon Road & Eldamain Road (fka Lincoln Prairie)
Proposed Data Center Campus and On-Site Substation Development

I have reviewed the applications for Planned Unit Development (PUD) and Preliminary PUD Plan received April 16, 2024 as submitted by C1 Yorkville, LLC, Petitioner, as well as conceptual Preliminary PUD Plan site plan prepared by Olsson dated April 15, 2024 and exterior building elevations prepared by Corgan.

The petitioner is seeking approval of a special use for Planned Unit Development and Preliminary PUD Plan for the construction of secured data center campus and on-site substation on approximately 228- acres of land located at the northeast corner of Faxon Road and Eldamain Road, formerly known as Lincoln Prairie. The site will consist of up to nine (9) standalone buildings used for networked computers, storage systems and computing infrastructure and six (6) on-site stormwater basins to be developed in phases over a 10-20 year period.

Based upon my review of the application documents and preliminary site plans, I have compiled the following comments:

GENERAL PUD/ZONING COMMENTS:

1. **PLANNED UNIT DEVELOPMENT STANDARDS** – Section 10-8-8 of City’s Unified Development Ordinance (UDO) establishes standards for Planned Unit Development (PUDs). PUDs are allowed to modify standards of the base district as long as the requested modifications are specifically identified and demonstrates how each allowance is compatible with surrounding development, is necessary for proper development of the site, and is aligned with at least one (1) modification standard found in Section 10-8-8D of the UDO.
 - a. The petitioner has listed **thirteen (13) proposed deviations** from the base M-2 General Manufacturing District standards which will be detailed separately in this review memo under subsequent headings.
 - b. The petitioner has not identified at least one (1) modification standard the proposed PUD will meet per Section 10-8-8D.
 - i. Staff believes modification standard #12 “Regional Utility Improvements” applies, as the proposed development will extend public utilities (water and sanitary) to and through the property resulting in recapturable payments to the developer when future property owners in the area benefit from connecting to such utility that had not previously existed.
 - ii. **Does the petitioner think any other modification standards apply? If so, please provide a written statement identifying the standard and how it is being met by the proposed development.**
 - c. Petitioner has provided written responses to the standards for special use and for Planned Unit Development (PUD) which will be entered into the record during the public hearing process.

2. **ZONING** - The subject property consists of seven (7) parcels (#02-18-300-004, #02-19-100-004, #02-19-100-005, #02-18-300-003, #02-18-300-001, #02-18-300-002, and #02-18-400-004) and is zoned **M-2 GENERAL MANUFACTURING DISTRICT**, per Annexation Agreement of Lincoln Prairie Yorkville (Ordinance No. 2005-48). The following are the current immediate surrounding zoning and land uses:

	Zoning	Land Use
North	A-1 (Kendall County)	ComEd Substation/Transfer Station - Utility Use
South	A-1 (Kendall County) BNSF Railroad	Agricultural, Residential and Business Uses Transportation Land Use
East	A-1 SU (Kendall County) A-1 SU (Yorkville)	Agriculture/Residential Land Use Agriculture & Solar Farm (approved) Land Use
West	Eldamain Road M-2 General Manufacturing (Plano)	Transportation Land Use Menards Distribution Center

3. **PERMITTED USES** – Per Table 10-3-12 (B) of the Yorkville Unified Development Ordinance (UDO), “data center” and “electric substation” are permitted land uses in the M-2 General Manufacturing District. Data centers are defined as Energy Industrial Uses per Table 10-3-12(B) in the Unified Development Ordinance.
- a. Use standards for Energy Industrial Uses are reserved for future regulations, if ever approved, under Section 10-4-10 in the Unified Development Ordinance. The petitioner is seeking waiver of future standards adopted being applicable to this subject property after adoption of the Planned Unit Development (**Deviation #2**). **Staff is supportive of this request.**

PRELIMINARY PUD PLAN COMMENTS:

4. **PRELIMINARY PLAN APPROVAL** – Per Section 10-8-6. Subdivision Procedures of the Unified Development Ordinance, approval of the Preliminary Plan is tentative only and shall be effective for a period of twelve (12) months. However, Section 10-8-8-H of the Unified Development Ordinance Expiration and Lapse of Approval states, any Planned Unit Development in which there has been no Building Permit issued nor any portion of the property platted after three (3) years since approval by the City Council, the Planned Unit Development shall be considered null and void and shall be brought back before the Planning and Zoning Commission and the City Council for consideration prior to any development on the property. The underlining zoning of the Planned Unit Development shall not expire, only the Planned Unit Development overlay shall expire.
- a. Therefore, staff interprets the expiration of the Preliminary PUD Plan is three (3) years after approval of the Planned Unit Development if no portion of the property is final platted.
5. **PROPOSED PHASING SCHEDULE** – The petitioner has proposed to develop the subject property in nine (9) phases and provided a phasing schedule table as depicted on the Preliminary PUD Plan.
- a. The table is illegible (even when zoomed in) on the Preliminary PUD Plan compared to the other tables provided. **Please resubmit the Preliminary PUD Plan with a legible Proposed Phasing Schedule table.**

6. **BUILDING SETBACKS** – Per the Table 10-3-9(A) Bulk and Dimensional Standards, the following compares current M-2 General Manufacturing District standards with the proposed Planned Unit Development (PUD) requested modifications (**Deviation #1**):

BUILDING SETBACKS	REQUIRED MINIMUM SETBACKS M-2 DISTRICT	PROPOSED MINIMUM SETBACKS PUD PLAN*
FRONT YARD (Eldamain Road)	25'	150'
SIDE YARD (North/South)	Min. 10% of lot/Max. 20'	50'
REAR YARD (Beecher Road)	0'	60'

*The petitioner is seeking to have the setbacks apply only to the boundary/perimeter of the subject property rather than each individual building on the site, although the petitioner anticipates subdividing the subject parcel into multiple lots. For the purposes of the perimeter setbacks, the petitioner is requesting Eldamain Road is the established front yard and Beecher Road is the established rear yard.

- a. Staff is not opposed to the request for the minimum building setbacks apply only to the perimeter of the overall subject property, however future plat of subdivisions will be required City approval. **Therefore, is the petitioner seeking a zero (0) foot building setback for all yards on the future plats, as Section 10-8-6-C-6.c(6) of the Unified Development Ordinance requires building setback lines on all lots?**
7. **MAXIMUM BUILDING HEIGHT** - The M-2 District does not have a maximum building height per Table 10-3-9(A) in the Unified Development Ordinance. However, the petitioner has provided overall building heights for each proposed building to top of building and top of equipment. All proposed buildings will not exceed 55' to top of structure and 70' to top of equipment.
8. **MAXIMUM LOT COVERAGE** – Per Section 10-3-9(A) of the Unified Development Ordinance, the maximum lot coverage for the M-2 District (inclusive of sidewalks, parking areas and all impervious surfaces) is 85% of the gross lot area. According to the Site Data Table on the Preliminary PUD Plan, lot coverage calculations are provided as 12.3% (building coverage), 35.6% (site coverage), and 24.6% (site coverage).
- a. **Please verify the actual proposed total site coverage (35.6% or 24.6%).**
9. **PARKING** - According to the Preliminary PUD Plan submitted, there are 432 total parking spaces to be provided on the property to accommodate the proposed nine (9) building data center campus and electric substation uses.
- a. Per Table 10-5-1(H)(5) Minimum Parking Requirements of the Yorkville Unified Development Ordinance, staff would classify the data center campus for the purposes of off-site parking as an industrial use, which requires a minimum of 0.3 parking spaces per 1,000 sq. ft. of net floor area (NFA). While there is no specific information provided as to the individual proposed buildings, the petitioner estimates

the average building size will be ~287,400 sq. ft. requiring ~87 parking spaces per structure, including four (4) ADA accessible spaces per building. Total required parking for the subject property is 736 spaces, including 15 ADA accessible spaces (2%). Additionally, per Section 10-5-1K-1 of the Unified Development Ordinance, a minimum of 15 electric vehicle charging stations is required.

- i. The petitioner is requesting a variance from the UDO required 0.3 spaces per 1,000 to 0.2 spaces per 1,000, resulting in a per building estimated parking space calculation of 58 spaces (UDO requires rounding up of all fractions) or 491 spaces for the overall site. Required ADA accessible parking is 9. The petitioner is asking a further reduction of this calculation to 432 spaces for the entire site with 27 spaces dedicated for ADA parking (Deviation #3).
 - ii. Staff is not opposed to the requested shared parking request and proposed reduction in off-street parking, but since off-street parking requirements are calculated by net floor area (NFA), the petitioner may be closer to the 491-parking space minimum than the 736 minimum space requirements. **Therefore, staff recommends establishing a minimum parking standard in the PUD ordinance of no less than 400 off-street parking spaces for the data center campus based off of net floor area and a minimum of ten (10) electric vehicle charging stations.**
 - iii. **Additionally, since the applicant is requesting relief from the minimum required off-street parking, the difference in provided parking and required parking based off of net floor area shall be subject to Section 10-5-1-I Fee-In-Lieu of Off-Street Parking.**
- b. Access – It is noted that the site has access four (4) points of access. Three (3) off of Eldamain Road and one (1) off of Beecher Road. These access points lead to internal private roadways which loop around the nine (9) proposed buildings and connect to the electric substation.
- i. It is noted that two (2) of the access points located at the northeast and northwest corners of the subject property are intended exclusively for the user, ComEd, and emergency medical services (EMS) to the electrical substation. These access points will also be locked with alternative access points from Beecher Rod and Eldamain Road. Should ComEd not require both access points, one of the access points may be eliminated.
 - ii. **Staff defers to City Engineer regarding site access.**
- c. Cross Access – Per Section 10-5-1-F of the Unified Development Ordinance, the petitioner is seeking relief from the providing cross access between adjoining developments which minimizes access points along streets, encourages shared parking, and allows for vehicular access between land uses (**Deviation #4**).
- i. According to Section 10-5-1-F-2-c The Zoning Administrator may waive or modify the requirement for vehicular cross access on determining that such cross access is impractical or undesirable because it would require crossing a significant physical barrier or environmentally sensitive area, would create unsafe conditions, or there exists an inability to connect to adjacent property. City Council shall have the authority to waive or modify vehicular cross

access requirements for all public review processes involving review by City Council. **Staff supports the waiver.**

- d. **Pedestrian Circulation** – Per Section 10-5-1-N Pedestrian Circulation Standards of the Unified Development Ordinance required off-street parking areas to on-site pedestrian circulation systems and connection to existing and future planned trails. The petitioner states that walkways between parking areas and building entrances will be provided on-site, however they seek a waiver for public access and connection to public sidewalks and bicycle trails due to the nature and security of the proposed land use (Deviation #5).
 - i. According to Section 10-5-1-N-5, the Zoning Administrator may waive this requirement upon determining that no walkway exists, a future walkway is unlikely to exist, or such connection would create a safety hazard. **Staff supports the waiver.**
- e. **Bicycle Parking** – Per Section 10-5-1-O-2 of the Unified Development Ordinance to provision of bicycle parking is encouraged, not required, and if utilized on a development site will allow for a reduction of required off-street parking. The petitioner is seeking a waiver to not provide off-street bicycle parking (Deviation #6).
 - i. **No waiver required as it is a parking bonus mechanism, not a requirement.**
- f. **Off-Street Loading** – Per Section 10-5-1-Q of the Unified Development Ordinance, the number of off-street shall be determined on a case-by-case basis, and in the instance of special uses, loading berths adequate number and size to serve such use, as determined by the Zoning Administrators, shall be provided. The petitioner requests a minimum of one (1) off-street loading space per data center campus building on the subject property (**Deviation #7**).
 - i. **Staff supports the request.**

10. **LANDSCAPING** – Section 10-5-3 establishes landscape standards for new developments. While the petitioner has not submitted a landscape plan, they are seeking relief from the minimum requirements (**Deviation #8**).

- a. Per staff's review, the following sections of the Landscape Plan would apply:
 - i. **Section 10-5-3-C. Building Foundation Landscape Zone** - All nonresidential, mixed-use, and multi-family development where a front yard setback is required, with the exception of food processing facilities regulated by the FDA, shall include landscape located at the building foundation as required by this section. Landscape required by this section shall be in addition to landscape required under other sections of this title. It is the objective of this section to provide a softening effect at the base of buildings.
 - ii. **Section 10-5-3-D. Parking Area Perimeter Landscape Zone** - Landscape required by this section shall be in addition to landscape required under other sections of this title. It is the objective of this section to provide screening between off-street parking areas and rights-of-way, and to provide for the integration of stormwater management with required landscaping

- iii. Section 10-5-3-E. Parking Area Interior Landscape Zone - All off-street parking areas shall include landscape and trees located within the off-street parking area as required by this section. Trees and landscape required by this section shall be in addition to trees and landscape required under other sections of this title. It is the objective of this section to provide shade within parking areas, break up large expanses of parking area pavement, support stormwater management where appropriate, improve the appearance of parking lots as viewed from rights-of-way, and provide a safe pedestrian environment.
- iv. Section 10-5-3-F. Transition Zone Landscape Requirements - Transition zone landscape shall be required along interior side and rear property lines of all nonresidential, mixed use, and multi-family development. It is not expected that the transition area will totally screen such uses but rather will minimize land use conflicts and enhance aesthetics.
- b. **Staff does not support a blanket variance to the Landscape Standards until a plan is submitted or specific details are provided on requested deviations.**
 - i. **See comments under #19 Comprehensive Plan regarding a rural character buffer along Eldamain Road.**

11. **MECHANICAL SCREENING** – Per Section 10-5-4 Screening of the Unified Development Ordinance, ground/wall-mounted and roof mounted mechanical units that are visible from any public right-of-way or adjacent residential property shall be screened from public view. Petitioner is seeking to establish standards for screening both types of mechanical units (**Deviation #9**).

- a. Petitioner proposes to screen ground mounted mechanical equipment with vinyl fencing equal to the height of the generator units but excluding any stacks protruding above the unit. No screening is proposed for rooftop mechanical units.
 - i. **Since most units may not be visible from the public way due to the location, setback and landscaping provided on the site, staff is supportive of the request.**

12. **FENCING** – Per Section 10-5-5-B-1 of the Unified Development Ordinance states fences may be built up to the property line but shall not extend beyond the front plane of the primary building facade in residential and business districts. Maximum height for fencing in manufacturing districts is eight (8) feet.

- a. Petitioner has provided a manufacturers brochure of proposed high security steel fencing. They are requesting to have this security fencing extend beyond the front plane of the primary building façade (**Deviation #10**).
 - i. **Since the fence placement requirement only applies to residential and business district uses, staff is supportive of the request as this property is within a manufacturing district.**
 - ii. **Staff understands that the fences will be locked with access (assuming via a Knox Box) to ComEd officials and EMS teams (assuming Bristol Kendall Fire District and Yorkville Police Department).**
 - iii. **Staff requests the petitioner provide the proposed height of the security fencing.**

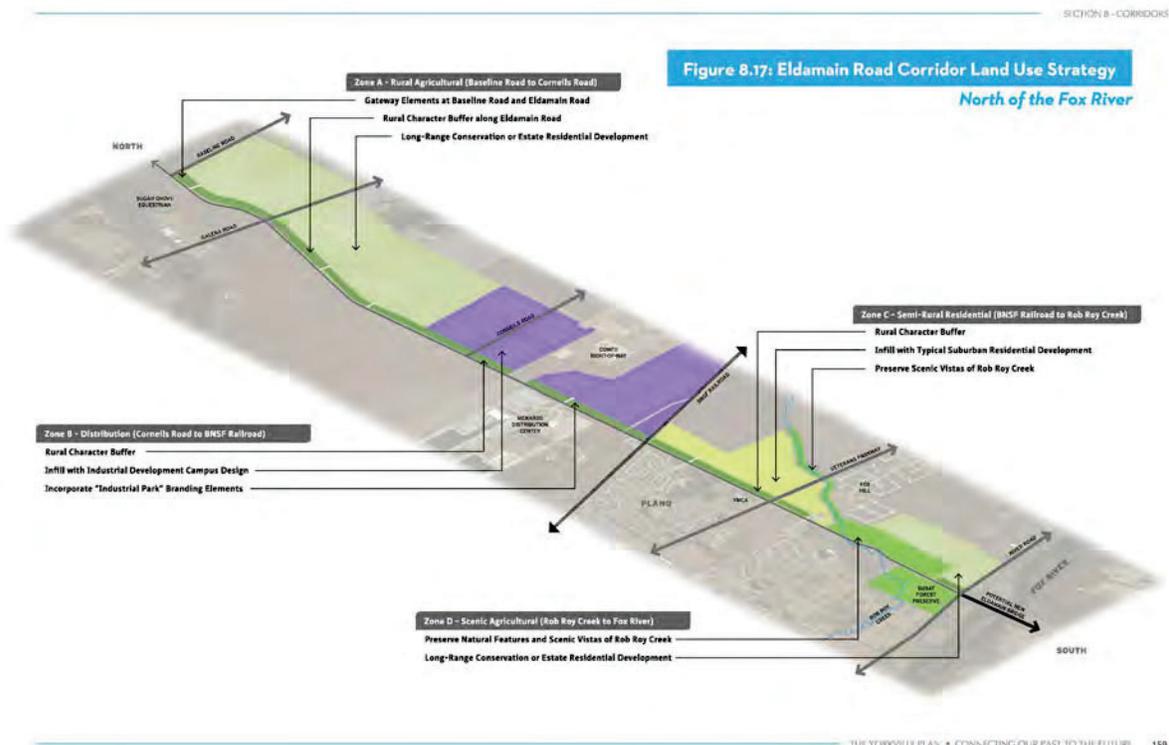
13. **APPEARANCE STANDARDS** – Per Section 10-5-8-C-4 Industrial Uses masonry products or precast concrete shall be incorporated on at least fifty (50) percent of the total building, as broken down as follows: The "front facade" (defined as that facade that faces a street that includes a main entry to the building) shall itself incorporate masonry products or precast concrete on at least fifty (50) percent of the facade. Any other facade that abuts a street shall incorporate masonry products or precast concrete. The use of masonry products or precast concrete is encouraged on the remaining facades. Where precast concrete panels or split face block is utilized, the use of colors, patterns, or other architectural features within these panels/blocks is encouraged.
- a. The petitioner has submitted exterior building elevations depicting structures with materials such as concert panels, metal panels, and acoustic barrier screen walls in hues of gray and pewter. The proposed materials and color palette are consistent with the Appearance Standards.
 - b. Further, Section 10-5-8-C-4b.(2) requires industrial buildings with facades greater than one hundred (100) feet in length shall incorporate recesses, projections, windows, or other ornamental/architectural features along at least thirty (30) percent of the length of the facade abutting a public street in an effort to break up the mass of the structure.
 - i. Petitioner is seeking relief from this requirement (**Deviation #11**).
 - ii. The only buildings fronting a public street are Buildings 1, 2, 3, 8 and 9. **Due to the setback and required perimeter landscaping, staff supports the request.**
14. **LOTS** – The petitioner is seeking waiver from the requirement for lots to have access on a public street due to the unique nature of the secure data center campus (**Deviation #12**).
- a. Per Section 10-7-2 requires all lots to conform with district standards and states all lots shall front or abut on a public street. Since the site has internal private roadways, **staff is supportive of the request.**
15. **STREET DESIGN AND IMPROVEMENTS** – The petitioner is requesting exemption from the requirements of Section 10-7-3 in the Unified Development Ordinance (**Deviation #13**).
- a. Standards in this section apply only to publicly dedicated roadways. No roads are proposed for public dedication. **Staff supports this request.**
16. **SIGNAGE** – The petitioner is proposing one (1) wall mounted sign as illustrated on the exterior elevation.
- a. Per Section 10-6-6 of the Unified Development Ordinance, single tenant buildings shall be permitted a total of two (2) primary wall signs or one (1) primary wall sign per one hundred (100) linear feet of building frontage. One (1) additional wall sign shall be allowed per additional hundred (100) feet of building frontage. Only one (1) primary wall sign shall be displayed on any single building façade.
 - b. **Are monument signs proposed on the data center campus?**
 - i. **See comments under #19 Comprehensive Plan regarding branding and placemaking elements.**

17. **SITE ADDRESSING** – Will the internal roadways be named for individual addressing, or will the petitioner seek a single site address off of Eldamain Road with internal building numbering/identification?

18. **LIGHTING** – A photometric plan shall be provided along with manufacturers cut sheets of the proposed light standards to be installed within the parking lot area. Maximum illumination at the property line shall not exceed zero (0) foot-candle and no glare shall spill onto adjacent properties or rights of way.

19. **COMPREHENSIVE PLAN** – The 2016 Comprehensive Plan Update designates this property as “General Industrial” which is defined typically for a broad range of warehousing and manufacturing activities located adjacent to the Eldamain Corridor along the BNSF Railway line. Overall, staff supports the proposed PUD and its consistency with the proposed underlining zoning of M-2, but note the following recommendations from the Comprehensive Plan related to the subject property:

- a. In Figure 8.17: Eldamain Rod Corridor Land Use Strategy of the Yorkville 2016 Comprehensive Plan Update (North of the Fox River) the subject area is identified as “Zone B – Distribution (Corneils Road to BNSF Railroad)” meaning this area is recommended for modern industrial park incorporating branding and placemaking elements, as well as a 50’ to 100’ buffer to maintain the zone’s semi-rural visual character.



From: [Bart Olson](#)
To: [Krysti Barksdale-Noble](#); [Kathleen Field Orr](#)
Cc: [John Purcell](#)
Subject: Cyrus One PUD review, comments from Bart
Date: Wednesday, May 1, 2024 12:10:56 PM

Here are my comments in advance of your May 23rd Plan Council meeting:

1. Variance comment #8 – landscaping
 - a. I don't have a problem forgoing their landscaping requirements internal to the secured area as long as:
 - i. We can't see the area from a public roadway AND
 - ii. The landscaping improvements external to the site are robust and aesthetically pleasing AND
 - iii. They agree to give us some sort of substitute landscaping or cash payment to allow us to plant trees or other improvements elsewhere in the City

2. Variance comment #11 – appearance standards industrial uses (incorporated recesses)
 - a. Not sure I'm in favor of their request here. If we can see the buildings from the roadway, we need them to look nice. I think the recesses aren't a huge cost or operational issue to them, so I'd like to keep these.

Bart Olson
City Administrator
United City of Yorkville
651 Prairie Pointe Dr
Yorkville, IL 60560
630-553-8537 direct
630-308-0582 cell
bolson@yorkville.il.us



May 6, 2024

Ms. Krysti Barksdale-Noble
Community Development Director
United City of Yorkville
651 Prairie Pointe
Yorkville, IL 60560

**Re: *Cyrus One
PUD and Preliminary Submittal – 1st Submittal
United City of Yorkville***

Dear Krysti:

We have reviewed the following items for the above-referenced project:

- Planned Unit Development Applications
- Preliminary PUD Plan (1 sheet) dated April 15, 2024 and prepared by Olsson
- Other Supporting Documentation

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

General

1. The following permits may be required during final engineering and should be provided to the City when obtained. The City and EEI should be copied on all correspondence with the agencies.
 - Kendall County for access to Eldamain Road
 - IEPA NPDES General Construction Permit is required. The Notice of Intent must be filed with IEPA 30 days prior to start of construction.
 - IEPA Water and Sanitary Sewer Permits
 - Yorkville Bristol Sanitary District (YBSD) approval is needed for the connection of the proposed sanitary lines to the existing sanitary sewer.
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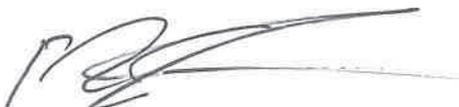
Preliminary PUD Plan

5. Per Kendall County, the full access across from Menards is acceptable. The two additional proposed accesses south of the main location will not be allowed. The northerly access could be a right-in-right-out. If an additional southern access is needed, Faxon Road should be used. The developer should reference the Kendall County website regarding access: <https://www.kendallcountyil.gov/departments/highway/permit-applications/access>
6. Right-of-Way will be required to be dedicated along Faxon and Beecher Roads. The City will be looking for 80 feet of total right-of-way along these corridors.
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11. The planned outfall locations for the stormwater basins will be evaluated during final design. The evaluation will need to include downstream capacities.

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

BPS/tnp/pgw2

pc: Mr. Bart Olson, City Administrator (via email)
Ms. Erin Willrett, Assistant City Administrator (via email)
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Mr. John Hatem, CyrusOne (via email)
Mr. Russ Whitaker, Rosanova & Whitaker, Ltd. (via email)
Mr. Jason Cobb, Olsson (via email)
TNP, PGW2, EEI (via e-mail)



UNITED CITY OF YORKVILLE

GENERAL CHECKLIST FOR COMMERCIAL SITE PLANS/SINGLE LOT DEVELOPMENTS (EXTERNAL USE ONLY)

- Professional engineer signature and seal on drawings and calculations
- Location map and address, J.U.L.I.E. note included on plans
- Benchmarks based on NAVD 88 datum
- Existing utilities and topography to be provided
 - ✓ Existing elevations and contours shown at 1' intervals
- Compliance with subdivision grading plan (if applicable) and/or provide proposed grading plan
 - ✓ Proposed elevations and contours at 1' intervals
 - ✓ Indicate building top of foundation (2 ft. above H.W.L.)
 - ✓ Storm water drainage - safe outlet available and adequate conveyance provided
- Flood plain or flood way requirements to be addressed, if necessary
- Stormwater management
 - ✓ Per Kendall County/Yorkville stormwater management ordinance
 - ✓ Apply for storm water permit, if necessary
- Provide stormwater pollution prevention (SWPP) plan
 - ✓ Apply for NOI permit, if necessary
 - ✓ Note that receipt of NPDES permit required prior to construction
- Provide typical pavement sections
- Pavement markings and signage
- Entrance detail
- Handicap ramp detail (use IDOT standard)
- Show water service and include City standard details and notes
- Show sanitary service with inspection manhole and include YBSD standard notes
- Apply for appropriate IEPA permits – water and sanitary, if necessary
- Provide easements, if necessary
- Provide landscape plan
- Provide photometric plan
- Compliance with zoning code
- Performance guarantee for public improvements
- Overall cost estimate for all site improvements – for building permit fees

From: [Fran Klaas](#)
To: [Contact Brad Sanderson](#)
Cc: [Eric Dhuse](#); [Krysti Barksdale-Noble](#)
Subject: RE: [External]FW: Plan Council May 23, 2024 - PZC 2024-15 Cyrus One (C1 Yorkville, LLC) - Data Center (PUD & Preliminary Plan)
Date: Thursday, April 18, 2024 3:46:43 PM
Attachments: [image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)
[image012.png](#)

Full access at Menards access point is fine. Not sure how much traffic would be generated by the proposed use; but we might have to look at that to see if signals are warranted.

Two additional accesses between Faxon & Menards would not be allowed. The northerly one could be a right in / right out. The southerly one, just north of Faxon, is not allowed. I would suggest that, if they need additional access, they use Faxon Road going east to their N/S roadway just east of Pond 2.

That's about all I got. Let me know if you need anything else.

Francis C. Klaas, P.E. Kendall County Engineer 6780 Route 47, Yorkville, IL 60560 (630) 553-7616
fklaas@kendallcountyil.gov

From: Brad Sanderson <bsanderson@eeiweb.com>
Sent: Thursday, April 18, 2024 2:50 PM
To: Fran Klaas <FKlaas@kendallcountyil.gov>
Cc: Eric Dhuse <edhuse@yorkville.il.us>; knobler@yorkville.il.us
Subject: [External]FW: Plan Council May 23, 2024 - PZC 2024-15 Cyrus One (C1 Yorkville, LLC) - Data Center (PUD & Preliminary Plan)
Importance: High

CAUTION - This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Fran,

Please take a look at the attached concept plan. We note several connections to Eldamain that do not comply with your policy.

When time allows, please review and provide comments to us.

We are attempting to gather all of our comments by 5/17.

Thanks and let us know if you have any questions.

BRADLEY P. SANDERSON, PE

Chief Operating Officer / President

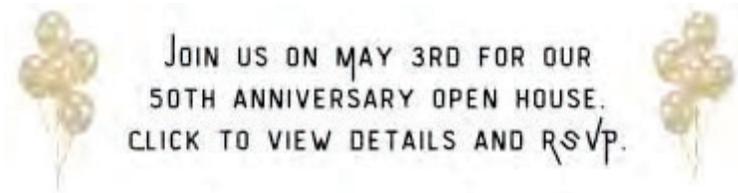


bsanderson@eeiweb.com

Direct: [630.466.6720](tel:630.466.6720) / Cell: [630.816.0957](tel:630.816.0957) / Main: 630.466.6700

52 Wheeler Rd, Sugar Grove, IL 60554

eeiweb.com



From: Krysti Barksdale-Noble <knoble@yorkville.il.us>

Sent: Wednesday, April 17, 2024 5:48 PM

To: Bart Olson <BOlson@yorkville.il.us>; Erin Willrett <ewillrett@yorkville.il.us>; Eric Dhuse <edhuse@yorkville.il.us>; Peter Ratos <pratos@yorkville.il.us>; Brad Sanderson <bsanderson@eeiweb.com>; James Jensen <JJensen@yorkville.il.us>; Michael J. Torrence <MTorrence@bkfire.org> <MTorrence@bkfire.org>; Sara Mendez <smendez@yorkville.il.us>

Cc: Tim Evans <tevans@yorkville.il.us>; 'Cyrus McMains' <cyrus@ybsd.org>; Ray Mikolasek <rmikolasek@yorkville.il.us>; Garrett Carlyle <gcarlyle@yorkville.il.us>; lynn@dlkllc.com; Jori Behland <jBehland@yorkville.il.us>; kfo@ottosenlaw.com; Monica Cisija <mcisija@yorkville.il.us>

Subject: Plan Council May 23, 2024 - PZC 2024-15 Cyrus One (C1 Yorkville, LLC) - Data Center (PUD & Preliminary Plan)

Importance: High

EXTERNAL SENDER: This email originated outside of EEI. Do not click links, open attachments, or respond if it appears to be suspicious.

All,

Please see the attached Plan Council distribution memo for the **Thursday, May 23, 2024** meeting regarding **Cyrus One (C1 Yorkville, LLC) - Data Center (PUD & Preliminary Plan)**. I have attached the referenced documents, for your convenience.

Please let me know if you have any questions regarding the materials. Comments are requested due by Friday, May 17th.

Best Regards,

Krysti J. Barksdale-Noble, AICP

(she/her)

Community Development Director

United City of Yorkville

651 Prairie Pointe Drive

Yorkville, Illinois 60560

 (630) 553-8573

 (630) 742-7808

 www.yorkville.il.us

This message may contain confidential information and is intended only for the original recipient. The views or opinions presented in this message are solely those of the sender and do not necessarily represent those of the company, unless specifically stated. If you are not the intended recipient you should not disseminate, distribute or copy this message. If verification is required please request a hard-copy version. Engineering Enterprises, Incorporated 52 Wheeler Road, Sugar Grove, IL., 60554 Warning: This message was scanned for viruses, vandals and malicious content. However, we cannot guarantee that the integrity of this e-mail has been maintained in transmission and do not accept responsibility for the consequences of any virus contamination.



Yorkville Police Department Memorandum
 651 Prairie Pointe Drive
 Yorkville, Illinois 60560
 Telephone: 630-553-4340
 Fax: 630-553-1141

Date April ,
To Krysti arksdale-No le Community Development Director
From ames ensen Chief of Police
Reference Plan eview P C
 Project Name Cyrus One C orkville, C
 Applicant Name
 Petitioner Name ohn atem C orkville, C
 Project Number P C -
 Project ocation NEC of Eldamain oad and Fa on oad . Acres

The comments listed below are referenced to the above project

Signage

andicapped ignage e uired X es No
 Comments **On-Site handicapped parking requirements.**

***Signage must meet MUTCD Standards
 **Fine amount must be listed on sign*

peed limit ignage e uired ecommended es X No
 school one pecial ignage es X No
 pecial speed one ignage e uested es X No

No Parking ignage ecommended es X No
 No Parking After now Fall

No Parking ocations
 • **N/A**

Dedicated Parking signage needed es X No
 ocated y Park
 school
 Common Parking Area



Yorkville Police Department Memorandum
 651 Prairie Pointe Drive
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 Telephone: 630-553-4340
 Fax: 630-553-1141

Are there Street Name Conflicts es X No
 Comments **N/A**

Pedestrian Bike Path Crossing Signage es X No
 Warning Ahead Signs are required

NO Construction Traffic Signage being requested es X No
 location

****We request that all signage is posted prior to the first occupancy permit being issued for each POD or phase.***
 All traffic control signage must conform to MUTCH Standards specific to location, size, color, and height levels*

Roadway

Street Width es No
 Should parking be allowed on both sides of road es No
 Should parking be restricted to fire hydrant side es No

Center roadway medians es No
 Limit Parking on median es No
 Signage Needed es No
 Room for Emergency Veh. w one lane obstructed es No

Do you have intersection Concerns X es No

Concerns as listed below:

- **Location of the driveway(s) along Eldamain Road**
- **Driveway(s) clearly marked with signage in both directions**

Landscape

Low growth or round Cover Landscaping es No
 Low growth or round Cover Landscaping by windows es No
 Low growth or round Cover Landscaping by Entrances es No

Comments **N/A**

Ingress / Egress



Yorkville Police Department Memorandum
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 Yorkville, Illinois 60560
 Telephone: 630-553-4340
 Fax: 630-553-1141

Entrance E its match up with adjacent driveways es X No
 Total Entrance E its for development 4

Are vehicle entrance e its safe X es No
 Are warning signs for cross traffic re uested es No

aised edian ignage for ight in ight Out es X No
 Concerns

Emergency Contact for after hours during construction **Information needed**

Is this a gated or controlled access development X es No
 If yes, will Police Fire have Access X es No
 Comments **Will police have access in case of emergency?**

Miscellaneous

Individual ail o es es X No
 Cluster ail o Kiosks es X No
 ill this cause traffic choke points es X No

Are sidewalks eing planned for the development es X No
 Are sidewalk crosswalks needed es X No
 Are there ike paths planned for this pro ect es X No
 Proper ignage needed for ike paths es No
 top igns ield igns NO otorized ehicles
 Trespassing Other

Are there OA Controlled oadway O Parking Areas es No

Ample Parking on ite es No

Are there other City Ordinance Concerns es No
 Noise Ordinance Parking Ordinances
 Alarm Ordinance



Yorkville Police Department Memorandum
651 Prairie Pointe Drive
Yorkville, Illinois 60560
Telephone: 630-553-4340
Fax: 630-553-1141

Security

Will security cameras be in use Yes No

Comments **Will there be security cameras used on site?**

Will the business management provide the police department remote access to the camera system User credentials only Yes No

Comments **If you will have camera access on site would the police department have remote access into the system for emergency purposes only?**

What are the business hours of Operation **N/A**

Will the property be alarmed Yes No

Comments **Will the gate be alarmed?**

Will you provide Floor Plans maps to the police department Yes No

Comments

- **Will maps/floorplans be provided to the police department for emergency purposes only?**
- **Will there be on-site security?**

I hope you find this information helpful, and we look forward to reviewing the revisions. If you should have any questions, comments, or concerns please do not hesitate to contact me.

Sold To:
United City of Yorkville - CU00410749
651 Prairie Pointe Drive
Yorkville,IL 60560

Bill To:
United City of Yorkville - CU00410749
651 Prairie Pointe Drive
Yorkville,IL 60560

Certificate of Publication:

Order Number: 7641319
Purchase Order: PZC 2024-15 Cyrus One

State of Illinois - Kane

Chicago Tribune Media Group does hereby certify that it is the publisher of the The Beacon-News. The The Beacon-News is a secular newspaper, has been continuously published Daily for more than fifty (50) weeks prior to the first publication of the attached notice, is published in the City of Aurora, Township of Aurora, State of Illinois, is of general circulation throughout that county and surrounding area, and is a newspaper as defined by 715 IL CS 5/5.

This is to certify that a notice, a true copy of which is attached, was published 1 time(s) in the The Beacon-News, namely one time per week or on 1 successive weeks. The first publication of the notice was made in the newspaper, dated and published on 5/27/2024, and the last publication of the notice was made in the newspaper dated and published on 5/27/2024.

This notice was also placed on a statewide public notice website as required by 715 ILCS 5/2. 1.

PUBLICATION DATES: **May 27, 2024.**

The Beacon-News

In witness, an authorized agent of The Chicago Tribune Media Group has signed this certificate executed in Chicago, Illinois on this

28th Day of May, 2024, by

Chicago Tribune Media Group



Jeremy Gates

**PUBLIC NOTICE
NOTICE OF PUBLIC HEARING
BEFORE
UNITED CITY OF YORKVILLE
PLANNING AND ZONING COMMISSION
PZC 2024-15**

NOTICE IS HEREBY GIVEN THAT C1 Yorkville, LLC, petitioner, and Yorkville Nexus LLC, owners, have filed applications with the United City of Yorkville, Kendall County, Illinois, requesting special use authorization for a Planned Unit Development (PUD) and preliminary PUD Plan approval. The purpose of the request is to develop a secure data center campus with an onsite electrical substation with up to nine (9) standalone building facilities, constructed in phases and comprised of network computers, storage systems, and computing infrastructure used to assemble, process, store and disseminate data. The onsite electrical substation will provide electricity to such facilities. Requested deviations from the Yorkville Unified Development Ordinance are related to yard setbacks, energy use standards, minimum parking requirements, cross access, pedestrian circulation, bicycle parking, off-street loading spaces, landscaping, screening of mechanical units, fences, appearance standards for industrial uses, lots fronting on public streets, and public street and circulation requirements. The real property is generally located immediately east of Eldamain Road, north of the Burlington Northern Santa Fe railroad and Faxon Road, and west of Beecher Road consisting of approximately 230 acres.

The legal description is as follows:

PARCEL ONE:

THAT PART OF THE SOUTH 1/2 OF SECTION 18 AND THE NORTHWEST 1/4 OF SECTION 19, ALL IN TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 18; THENCE NORTH 00 DEGREES 00 MINUTES 54 SECONDS WEST, ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, 1030.91 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 33 SECONDS EAST, 3352.25 FEET; THENCE SOUTH 00 DEGREES 08 MINUTES 07 SECONDS EAST, TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF THE CHICAGO, BURLINGTON AND QUINCY RAILROAD, 844.76 FEET; THENCE SOUTH 74 DEGREES 23 MINUTES 26 SECONDS WEST ALONG SAID NORTH RIGHT-OF-WAY LINE TO A POINT ON THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION 18, 231.91 FEET; THENCE CONTINUING ALONG THE LAST DESCRIBED COURSE, 852.71 FEET; THENCE NORTH 73 DEGREES 28 MINUTES 36 SECONDS WEST, 514.80 FEET TO THE SOUTH LINE OF SAID SOUTHWEST 1/4; THENCE SOUTH 88 DEGREES 38 MINUTES 24 SECONDS WEST, ALONG SAID SOUTH LINE OF SAID SOUTHWEST 1/4 1816.32 FEET TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS.

PARCEL TWO:

THAT PART OF THE SOUTH 1/2 OF SECTION 18, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION; THENCE NORTH 00 DEGREES 00 MINUTES 54 SECONDS WEST, ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, 1917.41 FEET, TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 57 MINUTES 33 SECONDS EAST TO A POINT ON THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION, 3126.88 FEET; THENCE CONTINUING ALONG THE LAST DESCRIBED COURSE, 223.50 FEET; THENCE SOUTH 00 DEGREES 08 MINUTES 07 SECONDS EAST, 886.50 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 33 SECONDS WEST, TO A POINT ON SAID WEST LINE, 3352.25 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 54 SECONDS WEST, ALONG SAID WEST LINE, 886.50 FEET TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS.

PARCEL THREE:

THAT PART OF THE WEST 1/2 OF SECTION 18, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 18; THENCE SOUTH 00 DEGREES 00 MINUTES 54 SECONDS EAST ALONG THE WEST LINE OF SAID NORTHWEST 1/4, 1929.92 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 01 MINUTES 27 SECONDS EAST, 565.21 FEET; THENCE SOUTH 59 DEGREES, 16 MINUTES 25 SECONDS EAST 913.73 FEET;

THENCE SOUTH 00 DEGREES 04 MINUTES 45 SECONDS EAST, 191.76 FEET; THENCE SOUTH 23 DEGREES 01 MINUTES 57 SECONDS EAST, 820.55 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 33 SECONDS WEST, TO A POINT ON THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION, SAID POINT BEING 1917.41 FEET NORTHERLY OF THE SOUTHWEST CORNER OF SAID SECTION AS MEASURED ALONG THE WEST LINE OF SAID SECTION, 1671.52 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 54 SECONDS WEST, ALONG SAID WEST LINE TO THE WEST

CHICAGO TRIBUNE

media group

QUARTER CORNER OF SAID SECTION, 722.59 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 54 SECONDS WEST, ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION, 702.00 FEET TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS.

PARCEL FOUR:

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 18, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 18; THENCE SOUTH 00 DEGREES 08 MINUTES 07 SECONDS EAST, ALONG THE NORTH AND SOUTH QUARTER LINE, 3437.83 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 33 SECONDS EAST, 223.50 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE LAST DESCRIBED COURSE TO A POINT ON THE EAST LINE OF THE WEST 1/2 OF THE EAST 1/2 OF SAID SECTION, 1102.80 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 12 SECONDS EAST, ALONG SAID EAST LINE TO A POINT ON THE NORTH RIGHT OF WAY LINE OF THE CHICAGO BURLINGTON AND QUINCY RAILROAD, 1423.23 FEET; THENCE SOUTH 74 DEGREES 23 MINUTES 26 SECONDS WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE TO A POINT 231.91 FEET NORTHEASTERLY OF SAID QUARTER LINE AS MEASURED ALONG SAID NORTH RIGHT-OF-WAY LINE, 1147.75 FEET; THENCE NORTH 00 DEGREES 08 MINUTES 07 SECONDS WEST, PARALLEL WITH SAID QUARTER LINE, 1731.26 FEET TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS.

COMMONLY KNOWN AS approximately 228 acres of vacant land located at northeast corner of Eldamain Road and Faxon Road in Bristol Township, in unincorporated Kendall County

PINs: 02-18-300-004, 02-19-100-004, 02-19-100-005, 02-18-300-003, 02-18-300-001, 02-18-300-002 and 02-18-400-004

A copy of the application is available for review during normal City business hours at the office of the Community Development Director.

NOTICE IS HEREWITH GIVEN THAT the Planning and Zoning Commission for the United City of Yorkville will conduct a Public Hearing on said applications on **Wednesday, June 12, 2024 at 7 p.m.** at the United City of Yorkville, City Hall, located at 651 Prairie Pointe Drive, 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, 651 Prairie Pointe Drive, 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.

JORI BEHLAND
City Clerk
5/27/2024 7641319 HSPAXLP

**CERTIFIED MAILING
AFFIDAVIT**

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

I/We, C1 Yorkville, LLC, petitioner, being first duly sworn, do hereby state under oath that to the best of my knowledge the **attached** list is a true, correct and **complete list of all permanent parcel numbers, and names and addresses of owners**, of all lots and parts of lots located within 500 feet (exclusively of any public streets and alleys) of the property legally described on the attached application for annexation, rezoning, special use permit, planned unit development, variation, or other zoning amendment. I further state that said list was obtained from the current tax rolls of the Kendall County Treasurer’s Office. I further state that I mailed by U.S. Certified Mail, Return Receipt Requested, a copy of the Public Notice of Public Hearing before the United City of Yorkville Planning and Zoning Commission for the Public Hearing held on Wednesday, June 12, 2024, at the United City of City Council Chambers, Yorkville, Illinois. The notice was mailed to the attached list of all of the permanent parcel numbers and names and addresses of owners at the U.S. Post office on May 28, 2024.

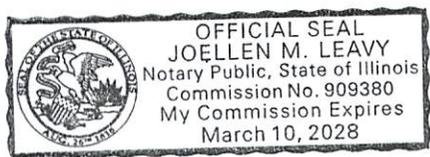


Signature of Petitioner(s)

Subscribed and sworn to before me this
28th day of May, 2024

Joellen M. Leavy

Notary Public



02-18-300-002; 02-18-300-001; 02-18-300-003; 02-18-300-004; 02-19-100-004; 02-19-100-005; 02-18-400-004
YORKVILLE NEXUS LLC
% GREEN DOOR CAPITAL INVESTMENTS LLC
145 S WELLS ST STE 1800
CHICAGO, IL 60606

01-13-400-014; 01-13-400-013; 01-13-400-012; 01-13-400-011
MENARD INC
ATTN: PROPERTIES DIVISION
5101 MENARD DR
YORKVILLE, IL 60560

01-24-200-001
TOCHIMANI, JOSE
220 ALEXIS ST
PLANO, IL 60545

02-19-501-001; 02-18-501-001
BN&SF RAILWAY CO
PROPERTY TAX DEPARTMENT
PO BOX 961089
FORT WORTH, TX 76161-0089

02-19-100-011
KELAKA LLC
181 S LINCOLNWAY
NORTH AURORA, IL 60542

01-13-400-004
ERIK HECTOR PEREZ SANCHEZ
12029 FAXON RD
PLANO, IL 60545

02-18-100-006; 01-13-100-003
COMMONWEALTH EDISON
THREE LINCOLN CENTRE 4TH FL
OAK BROOK TERRACE, IL 60181

01-13-400-004
HANSON, HILO H & SUSAN
12029 FAXON RD
PLANO, IL 60545

01-24-200-021
MBT PROPERTIES OF ILLINOIS LLC
11843 GALENA RD
PLANO, IL 60545

02-19-100-002
SCHMIT, PETER & CHERYL
11800 FAXON RD
PLANO, IL 60545

02-19-200-001; 02-18-400-005; 02-18-400-006
LOFTUS, ROBERT M & ILDEFONSA
LIV TRUST
11159 FAXON RD
YORKVILLE, IL 60560

01-13-400-005; 01-13-400-009
MENARD INC
4777 MENARD DR
EAU CLAIRE, WI 54703

01-24-200-020; 01-24-200-011; 02-19-100-001
BRUMMEL FAMILY TRUST 4
13349 C FAXON RD
PLANO, IL 60545

01-24-200-018
FEECE OIL COMPANY
1700 HUBBARD ST
BATAVIA, IL 60510

02-19-100-003
CAMACHO, MIGUEL & SANDRA E
11728 FAXON RD
PLANO, IL 60545

02-18-400-001
JYJ LLC
2622 BEECHER RD
YORKVILLE, IL 60560