



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, November 13, 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: October 9, 2024

Citizen's Comments

Public Hearings

1. **PZC 2024-21 Marker Inc., the contract purchaser and petitioner, along with the United City of Yorkville, the property owner**, have submitted applications to the City of Yorkville, Kendall County, Illinois. They are requesting an amendment to the Kendall Marketplace Planned Unit Development (PUD) Agreement and seeking preliminary and final PUD plan approval. The request aims to develop Heartland Meadows West, a mixed-use project featuring twenty (20) single-family residential lots for an active adult community and four (4) commercial outlots. The proposed underlying zoning designations are R-2 Single-Family Traditional Residential District for the residential area and B-3 General Retail District for the commercial area. The petitioner is also requesting deviations to the side and rear yard setbacks within the R-2 District. The subject property is located on the north side of Blackberry Shore Lane, between Northland Lane and Cannonball Trail, on an approximately 8.3-acre vacant parcel.
2. **PZC 2024-26 Drew Daniels, on behalf of Daniels Malinski Yorkville Family, LLLP, petitioner/owner**, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting rezoning classification. The real property consists of four (4) parcels totaling approximately 268.30 acres and is generally located at the northwest corner of West Veterans Parkway (US 34) and 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).

Unfinished Business

New Business

3. **PZC 2024-21 Marker Inc., the contract purchaser and petitioner, along with the United City of Yorkville, the property owner**, have submitted applications to the City of Yorkville, Kendall County, Illinois. They are requesting an amendment to the Kendall Marketplace Planned Unit Development (PUD) Agreement and seeking preliminary and final PUD plan approval. The request aims to develop Heartland Meadows West, a mixed-use project featuring twenty (20) single-family

residential lots for an active adult community and four (4) commercial outlots. The proposed underlying zoning designations are R-2 Single-Family Traditional Residential District for the residential area and B-3 General Retail District for the commercial area. The petitioner is also requesting deviations to the side and rear yard setbacks within the R-2 District. The subject property is located on the north side of Blackberry Shore Lane, between Northland Lane and Cannonball Trail, on an approximately 8.3-acre vacant parcel.

Action Items

PUD Amendment, Preliminary & Final PUD Plan Approval

4. **PZC 2024-26 Drew Daniels, on behalf of Daniels Malinski Yorkville Family, LLLP, petitioner/owner**, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting rezoning classification. The real property consists of four (4) parcels totaling approximately 268.30 acres and is generally located at the northwest corner of West Veterans Parkway (US 34) and 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).

Action Item

Rezone

5. **PZC 2024-27 Grande Reserve Units 18 & 25**, the petitioner, Cesar Cruz on behalf of GR Yorkville Residents, LLC, owner, is seeking Final Plat approval for an approximately 22-acre site consisting of 164 new residential townhome lots and four (4) open space outlots located north of the BNSF railroad and east of Tuscany Trail in Yorkville.

Action Item

Final Plat

6. **PZC 2024-28 Grande Reserve Unit 21**, the petitioner, Cesar Cruz on behalf of GR Yorkville Residents, LLC, owner, is seeking Final Plat approval for an approximately 10-acre site consisting of 60 new residential duplex dwelling units on 30 lots located west of the intersection of Crooker Drive and Brady Street in Yorkville.

Action Item

Final Plat

Additional Business

1. City Council Action Updates

- a. **PZC 2024-19 Steve Weber, on behalf of PTS Corp. (contract lessee and petitioner) and Fort Smith FD Partners, LLC (owner)**, has applied to the United City of Yorkville, Kendall County, Illinois, for special use authorization to establish a cannabis dispensary within the B-3 General Business District on a 1.33-acre parcel at 1508 N. Bridge Street, located in the northeast quadrant of Veteran's Parkway (U.S. Route 34) and N. Bridge Street. The petitioner is also seeking three variances to Section 10-4-14 of the Yorkville Unified Development Ordinance: 1) reducing the minimum distance between the dispensary and certain pre-existing institutions from 500 feet to 450 feet; 2) extending the permitted hours of operation to 9:00 a.m. to 9:00 p.m. Monday through Saturday, and 10:00 a.m. to 6:00 p.m. on Sundays; and 3) allowing more than one wall-mounted sign by adhering to the current signage regulations for similar B-3 businesses while complying with Illinois cannabis signage rules.

Action Items

Special Use and Variances

- b. **PZC 2024-23 Kendall County Petition 24-26**, Timothy A. Tremain, petitioner, is requesting an approval of a map amendment (rezoning) for 3.6 +/- acres located on the north side of River Road and approximately 0.75 miles from East Eldamain Road between 11327 and 11209 River Road from R-1 One-Family Residential District to R-3 One-Family Residential District. The purpose of the request is to construct a maximum of two (2) single-family houses. The real property is located immediately north of River Road and approximately 0.75 miles from East Eldamain Road in unincorporated Kendall County.

Action Item

1.5 Mile Review

- c. **PZC 2024-24 Kendall County Petition 24-27**, Steve W. Jeffers, on behalf of Revolution Investments, LLC, petitioners, are requesting approval of a Plat of Vacation to vacate the public easements between two (2) parcels (Lots 110 and 111) within the Whitetail Ridge subdivision. The purpose of the request is to construct a home in the center of the combined lots. The real property is located at 5862 and 5834 Championship Court, which is generally located at the north of the East Schoolhouse Road (IL Route 126) between Grove Road and Hopkins Road in unincorporated Kendall County.

Action Item

1.5 Mile Review

Adjournment

PLANNING & ZONING COMMISSION

**City Council Chambers
651 Prairie Pointe Drive, Yorkville, IL
Wednesday, October 9, 2024 7:00pm**

Meeting Called to Order

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

Roll Call

Danny Williams-yes, Ryan Forristall-yes, Rusty Hyett-yes, Greg Millen-yes, Marge Linnane-yes, Richard Vinyard-yes

City Staff in Attendance

Krysti Barksdale-Noble, Community Development Director
Sara Mendez, Planner1
Monica Cisija (via Zoom)
Meghan Lamb, City Attorney
Alderman Dan Transier (via Zoom)
Alderman Chris Funkhouser (via Zoom)

Others in Attendance

Lynn Dubajic Kellogg, City Consultant
Chris Vitosh, Vitosh Reporting Service
Joey Weslo, *Kendall County Record* (via Zoom)
Mitchel Kay, Attorney, Consume Cannabis
Steve Weber, Consume Cannabis
Peter Karlis (via Zoom)
Nick Taylor (via Zoom)
Jake Coward, Director of Operations, Consume Cannabis

SEE ALSO ATTACHED SIGN-IN SHEETS FOR ADDITIONAL ATTENDEES

Previous Meeting Minutes September 11, 2024

Motion by Mr. Williams and second by Mr. Forristall to approve the minutes as presented. Roll call: Forristall-yes, Hyett-yes, Millen-yes, Linnane-yes, Vinyard-yes, Williams-yes Carried 6-0.

Citizen's Comments None

Public Hearings

Chairman Vinyard said there was one Public Hearing tonight. He explained the procedure for the Public Hearing, taking of testimony and then swore in those who would present testimony.

A motion was made and seconded by Mr. Williams and Ms. Linnane, respectively, at about 7:03pm, to open the Public Hearing. Roll call: Forristall-yes, Hyett-yes, Millen-yes, Vinyard-yes, Williams-yes, Linnane-yes, Carried 6-0.

Chairman Vinyard read the Public Hearing description as follows:

1. **PZC 2024-19 Steve Weber, on behalf of PTS Corp. (contract lessee and petitioner) and Fort Smith FD Partners, LLC (owner)**, has applied to the United City of Yorkville, Kendall County, Illinois, for special use authorization to establish a cannabis dispensary within the B-3 General Business District on a 1.33-acre parcel at 1508 N. Bridge Street, located in the northeast quadrant of Veteran's Parkway (U.S. Route 34) and N. Bridge Street. The petitioner is also seeking three variances to Section 10-4-14 of the Yorkville Unified Development Ordinance: 1) reducing the minimum distance between the dispensary and certain pre-existing institutions from 500 feet to 450 feet; 2) extending the permitted hours of operation to 9:00a.m. to 9:00 p.m. Monday through Saturday, and 10:00a.m. to 6:00p.m. on Sundays; and 3) allowing more than one wall-mounted sign by adhering to the current signage regulations for similar B-3 businesses while complying with Illinois cannabis signage rules.

(See Court Reporter's transcript)

(All responses to be included in official transcript)

Public Hearing testimony concluded at approximately 8:05pm and the Hearing was closed on a motion by Ms. Linnane and second by Mr. Millen. Roll call: Millen-yes, Linnane-yes, Vinyard-yes, Williams-yes, Forristall-yes, Hyett-yes. Carried 6-0.

Unfinished Business None

New Business

1. **PZC 2024-19 Steve Weber, on behalf of PTS Corp. (contract lessee and petitioner) and Fort Smith FD Partners, LLC** (see full description in #1 above)

Community Development Director Krysti Barksdale-Noble gave a summary of the ordinances applicable to this petition. She described the building and property being considered and said it is currently vacant. The zoning is B-3 and B-2 on the west. The dispensary was reviewed by the legal department and outside agencies to insure compliance and for the Special Use. Ms. Noble noted that only one cannabis dispensary will be allowed in the city per ordinance. She also said there is a required 500 feet separation from any school and that Parkview Christian Academy is 460 feet from property line to property line. A variance will be requested for the distance. She said the petitioner has met the bulk regulations. Ms. Noble noted the drive-through window and said the window and e-commerce are prohibited by city ordinance. Elevations and signage were discussed and Ms. Noble said the petitioner has requested a variance for the number of wall-mounted signs and hours of operation. Staff researched 10 other communities' cannabis laws and found that most other towns allow 2 dispensaries and the distance from schools ranged from 220-970 feet. A distance map was prepared by staff to show the available sites which are very limited in the city.

A community meeting to present information on the dispensary was held by the petitioner for nearby property owners, however, no public members attended. A written objection from the Parkview Academy attorney was received and Ms. Noble said a letter in support of the dispensary was received from an area business.

Additional information related to the Special Use was requested by staff including owners/those having financial interest, lease or contract, business plan, waste management plan and security plan. If the Special Use and variances are approved, staff is recommending signage be posted inside the business stating no consumption on premises and also the minimum requirement of

landscaping be installed by the sign. Ms. Noble reviewed the standards for Special Use and the petitioner's responses.

The Commission then discussed the Special Use request. Chairman Vinyard said he disagreed with the location of the proposed dispensary. Mr. Forristall questioned the need for the security and if it is required by the state. Ms. Noble noted the business is a cash-only operation and Jake Coward, Assistant Director of Operations of Illinois said the security and video cameras are required by state statute and because of the cash operation. Ms. Linnane also said she does not like the location due to the many family-oriented uses nearby, though she is not opposed to the dispensary. She also did not favor the name "Consume Cannabis". Mr. Hyett commented that the location is bad and noted the hotel behind the proposed site.

Ms. Noble recapped the 3 variances being requested and she reviewed the standards and responses for them. There was no further discussion.

Action Item

Special Use

Commissioners Williams and Linnane, respectively, moved to approve the Special Use. Mr. Williams read the motion as follows: In consideration of testimony presented during a Public Hearing on October 9, 2024 and discussion of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council a request for Special Use authorization to operate a cannabis dispensary business within the B-3 General Business District for an approximately 1.33-acre parcel located at 1508 N. Bridge Street, subject to staff recommendations in a memo dated October 3, 2024.

Roll call: Linnane-no, Vinyard-no, Williams-yes, Forristall-no, Hyett-no, Millen-no. Motion failed 5-1.

Action Item

Variance (distance)

Commissioners Williams and Millen moved and seconded, respectively, to approve the variance regarding distance from a school. Mr. Williams read the motion as follows: In consideration of testimony presented during a Public Hearing on October 9, 2024 and discussion of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council a request for a variance to Section 10-4-14(D)(1) of the Unified Development Ordinance to decrease the minimum distance a cannabis dispensing organization can be located to a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home, residential care home, or religious institutions from five-hundred feet (500') to four-hundred fifty feet (450') for an approximately 1.33-acre parcel located at 1508 N. Bridge Street.

Roll call: Vinyard-no, Williams-yes, Forristall-no, Hyett-no, Millen-no, Linnane-no. Motion failed 5-1.

Action Item

Variance (hours)

Commissioners Williams and Forristall moved and seconded, respectively, to approve the variance regarding change of hours. Mr. Williams read the motion as follows: In consideration of testimony presented during a Public Hearing on October 9, 2024 and discussion of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council a request for a variance to Section 10-4-14(A)(1) of the Unified Development Ordinance to change the permitted hours of operation for a cannabis dispensary from "10:00a.m. to 8:00 p.m. Monday through Saturday and 12:00 p.m. to 5:00 p.m. on Sundays" to "9:00 a.m. to 9:00 p.m. Monday through Saturday and 10:00 a.m. to 6:00 p.m. on Sundays" for an approximately 1.33-acre parcel located at 1508 N. Bridge Street.

Roll call: Williams-yes, Forristall-no, Hyett-no, Millen-no, Linnane-no, Vinyard-yes. Motion failed 4-2.

Action Item

Variance (signs)

Mr. Williams moved [no second was audible] to approve relief from only one wall-mounted sign. He read the motion as follows: In consideration of testimony presented during a Public Hearing on October 9, 2024 and discussion of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council a request for a variance to Section 10-4-14 (A(3)(a) of the Unified Development Ordinance seeking relief from the maximum one (1) wall-mounted sign per cannabis business to allow the petitioner to follow the current signage regulations in Section 10-6-6(A)(4) for similar B-3 General Business District single-tenant uses while maintaining compliance with Illinois State signage regulations for cannabis businesses for an approximately 1.33-acre parcel located at 1508 N. Bridge Street.

Roll call: Forristall-no, Hyett-no, Millen-no, Linnane-no, Vinyard-no, Williams-yes. Motion failed 5-1.

2. **PZC 2024-23 Kendall County Petition 24-26**, Timothy A. Tremain, petitioner, is requesting an approval of a map amendment (rezoning) for 3.6+/- acres located on the north side of River Road and approximately 0.75 miles east of Eldamain Road between 11327 and 11209 River Road from R-1 One-Family Residential District to R-3 One-Family Residential District. The purpose of the request is to construct a maximum of two (2) single-family houses. The real property is located immediately north of River Road and approximately 0.75 miles east of Eldamain Road in unincorporated Kendall County.

Ms. Mendez presented the facts for this petition and stated that Mr. Tremain is requesting a map amendment and rezoning to R-3 for his 3.6 acres, in order to construct 2 single-family homes. The Commissioners had no discussion for this 1.5 Mile Review. If approved, this will move to the City Council on October 22nd.

Action Item

1.5 Mile Review

Mr. Williams moved and Mr. Hyett seconded to approve the request. Mr. Williams read the motion as follows: In consideration of the proposed mile and one-half review of Kendall County Petition 24-26 for a map amendment 3.6 +/- acres located immediately north of River Road and approximately 0.75 miles east of Eldamain Road, between 11327 and 11209 River Road, from R-1 One-Family Residential District to R-3 One-Family Residential District, the Planning and Zoning Commission recommends to the City Council not to object to the request.

Roll call: Forristall-yes, Hyett-yes, Millen-yes, Vinyard-yes, Williams-yes, Linnane-yes. Carried 6-0.

3. **PZC 2024-24 Kendall County Petition 24-27**, Steve W. Jeffers, on behalf of Revolution Investments, LLC, petitioners, are requesting approval of a Plat of Vacation to vacate the public easements between two (2) parcels (Lots 110 and 111) within the Whitetail Ridge subdivision. The purpose of the request is to construct a home in the center of the combined lots. The real property is located at 5862 and 5834 Championship Court, which is generally located north of the East Schoolhouse Road (IL Route 126) between Grove Road and Hopkins Road in unincorporated Kendall County.

The summary of this petition was presented by Ms. Mendez who said this is a request to vacate a public easement between 2 separate parcels so Mr. Jeffers can construct a home in the center of the 2 lots. She said the HOA is OK with this request as well as staff. There was no other discussion. If approved, this will move to the City Council on October 22nd.

Action Item

1.5 Mile Review

Mr. Williams moved and Mr. Millen seconded a motion to approve Mr. Jeffers' request. Mr. Williams read the motion as follows: In consideration of the proposed mile and one-half review of Kendall County Petition 24-27 for a plat of vacation to vacate the public utility easement between two (2) parcels (Lots 110 and 111) within the Whitetail Ridge Subdivision commonly known as 5862 and 5834 Championship Court, the Planning and Zoning Commission recommends the City Council not to object to the request.

Roll call: Forristall-yes, Hyett-yes, Millen-yes, Linnane-yes, Vinyard-yes, Williams-yes. Carried 6-0.

Additional Business

1. Appointment of New Vice Chair

Ms. Noble said Mr. Vinyard has been appointed as the new Chairman of this Commission. Mr. Vinyard recommended Mr. Williams as the new Vice-Chair.

2. City Council Action Updates

- a. PZC 2024-01 Yorkville Renewables** has been moved to City Council on October 24 for a vote.
- b. PZC 2024-18 Kendall County Petition 24-07 Jerry Styrzula:** approved.
- c. PZC 2024-20 Kendall County Petition 24-22 Leo M. Phillip:** approved.

Adjournment

There was no further business and the meeting was adjourned at 8:44pm on a motion by Danny Williams.

Respectfully submitted by
Marlys Young, Minute Taker

PLEASE SIGN IN

MEETING: Planning & Zoning

DATE: 10-9-24

NAME (PLEASE PRINT)	BUSINESS NAME OR SUBDIVISION NAME
Brynn Krempski	Weed
Peri Krempski	Weed
Ginger Rees	Ward 2 - in town
MIKE KREMPSKI	
Molly Krempski	
Rachel Hansen	Parkview
KEVIN HANSEN	Parkview
Alan Blomquist	Yorkville resident
Colleen Murphy	Parkview Yorkville business owner
Paula Steinhoff	Parkview Mom, Business owner
Melissa Farmer	Parkview
Corin Yang	Parkview - mom of 3 kids, Employed
Tim Hagan	Parkview
Tracey Hagan	Parkview
Faith Skinner	Parkview Christian

PLEASE SIGN IN

MEETING: PZC

DATE: 10-9-24

NAME (PLEASE PRINT)	BUSINESS NAME OR SUBDIVISION NAME
Darin Malone	Park View CA
Katherine Tessmer	Parkview
Betsy Nelson	Parkview
Marina Krakljus	Parkview
Milan Krakljus Jr.	Parkview
Robert Kindle	Parkview
Alisa Kindle	Parkview
Lilah borneman	Parkview
Tony Senagawa	Hodges Loizzi
Jordan Grash	Parkview Christian
Todd Long	Parkview
Jane Colburn	Parkview
Barb Pugsek	Parkview
Sarah Van Denendal	Parkview
Mark Van Denendal	Parkview


PLEASE SIGN IN

MEETING:

P ZC

DATE:

10-9-24

NAME (PLEASE PRINT)	BUSINESS NAME OR SUBDIVISION NAME
Fran & Sheri Kbas	Countryside Center
Keith Kurtz	Parkview
Dr. Ray Epperson	Parkview
Frank & Janet Perko	Parkview
Ryan & Sarah Malkowski	Parkview
Angie Thompson	Parkview
Connie Arnes	Parkview
Kathleen Reis	Parkview
John Reis	Parkview
Anneliese Linnemann	Parkview
Scott Mantia	Parkview
Valarie Epperson	Parkview
Debbie Lewis	Parkview
Jordan 	Parkview
Mike Gonzalez	Parkview

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UNITED CITY OF YORKVILLE
YORKVILLE, ILLINOIS

PLANNING AND ZONING COMMISSION
PUBLIC HEARING

651 Prairie Pointe Drive
Yorkville, Illinois

Wednesday, October 9, 2024
7:00 p.m.

PRESENT:

Mr. Rich Vinyard, Chairman,

Mr. Danny Williams,

Mr. Greg Millen,

Mr. Rusty Hyett.

Mr. Ryan Forristall,

Ms. Marge Linane.

ALSO PRESENT:

Ms. Krysti Barksdale-Noble, Community
Development Director;

Ms. Sara Mendez, Planner;

Ms. Marlys Young, Minute Taker.

- - - - -

1 APPEARANCES:

2 OTTOSEN, DiNOLFO, HASENBALG & CASTALDO,
3 LTD.

4 BY: MS. MEGAN LAMB
1804 North Naper Boulevard, Suite 350
Naperville, Illinois 60563
5 (630) 682-0085

6 appeared on behalf of the United City of
Yorkville;

7 PTS CORP.

8 BY: MR. MITCHEL KAY
4801 Emerson Avenue, Suite 112
Palatine, Illinois 60067
9 (847) 404-6687

10 appeared on behalf of the Petitioner;

11 HODGES, LOIZZI, EISENHAMMER, RODICK &
12 KOHN

13 BY: MR. ANTONIO J. SENAGORE
500 Park Boulevard, Suite 1000
Itasca, Illinois 60143
14 (847) 670-9000

15 appeared on behalf of Parkview Christian
Academy.

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I N D E X

WITNESS:	PAGE:
STEVE WEBER	8
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DAVE YOUNG	37
MARK VAN DENEND	39
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ANNELIESE LINNEMANN	49
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MIKE KRKLJUS, JR.	59
COLLEEN MURPHY	62

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

4 CHAIRMAN VINYARD: We will move on to
5 the next item on the agenda, into the public
6 hearings.

7 There is one public hearing
8 scheduled tonight for the Planning and Zoning
9 Commission meeting. The purpose of this hearing
10 is to invite testimony from members of the public
11 regarding the proposed request that is being
12 considered before the Commission tonight.

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

17 The persons wishing to testify are
18 asked to speak clearly, one at a time, state your
19 name, who you represent. You are also asked to
20 sign in at the podium over there.

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

1 (Witnesses sworn.)

2 CHAIRMAN VINYARD: Thank you, all. You
3 may be seated.

4 So the order for receiving testimony
5 will be as follows: The petitioner presentation,
6 followed by those who wish to speak in favor of
7 the request, and then finally those who wish to
8 speak in opposition of the request.

9 So may I have a motion to open the
10 public hearing on Petition number PZC 2024-19 PTS
11 Group requesting a special use authorization and
12 variances?

13 MR. WILLIAMS: So moved. So moved.

14 MS. LINANE: Second.

15 MR. HYETT: Second.

16 CHAIRMAN VINYARD: Roll call on the
17 motion.

18 MS. YOUNG: Yes. Forristall.

19 MR. FORRISTALL: Yes.

20 MS. YOUNG: Hyett.

21 MR. HYETT: Yes.

22 MS. YOUNG: Millen.

23 MR. MILLEN: Yes.

24 MS. YOUNG: Vinyard.

1 CHAIRMAN VINYARD: Yes.

2 MS. YOUNG: Williams.

3 MR. WILLIAMS: Yes.

4 MS. YOUNG: And Linane.

5 MS. LINANE: Yes.

6 CHAIRMAN VINYARD: All right. This is a
7 mouthful now. So the public hearing up for
8 tonight's public discussion is PZC 2024-19,
9 Steve Weber on behalf of PTS Corp, this is the
10 contract lessee and petitioner, and Fort Smith FD
11 Partners, LLC would be the owner, has applied to
12 the United City of Yorkville, Kendall County,
13 Illinois, for special use authorization to
14 establish a cannabis dispensary within the B-3
15 General Business District on a 1.33 acre parcel
16 at 1508 North Bridge Street located in the
17 northeast quadrant of Veteran's Parkway and North
18 Bridge Street.

19 The petitioner is also seeking three
20 variances to Section 10-4-14 of the Yorkville
21 Unified Development Ordinance: One, reducing the
22 minimum distance between the dispensary and
23 certain pre-existing institutions from 500 feet
24 to 450 feet; the second is extending the

1 permitted hours of operation to 9:00 a.m. to
2 9:00 p.m., Monday through Saturday, and 10:00
3 a.m. to 6:00 p.m. on Sundays; and, three,
4 allowing more than one wall mounted sign by
5 adhering to the current signage regulations for
6 similar B-3 businesses while complying with the
7 Illinois cannabis signage rule.

8 Is the petitioner for PZC 2024-19,
9 PTS Corp. present and prepared to make your
10 presentation?

11 MR. WEBER: Yes, I am.

12 CHAIRMAN VINYARD: Very good, sir.

13 STEVE WEBER,
14 having been first duly sworn, testified from the
15 podium as follows:

16 MR. WEBER: Good evening, everybody. My
17 name is Steve Weber. I am the petitioner for
18 this current request for tonight.

19 Just a little background. So I am a
20 resident in the western suburbs, I currently
21 reside in Kane County, in St. Charles, and I just
22 thought I would let you know the reason I got
23 into cannabis is about ten years ago, me being a
24 military veteran, I saw how much help that the

1 product provided wounded veterans as well as
2 veterans that suffer from PTSD, depression, pain,
3 anxiety, so that was my inspiration to get into
4 the space.

5 So fast forward ten years later, we
6 are here now. PTS -- all right. PTS, our core
7 values, our core values are education, number
8 one.

9 We believe in properly informing our
10 customers, both medical and recreational, of --
11 one thing I want to say is that this store is
12 going to both be able to both serve recreational
13 as well as medicinal consumers, providing
14 continuous course offerings to the public, advise
15 through education and purchasing guidance, we
16 strive to educate consumers about the realities
17 of cannabis and its effects for both medicinal
18 and recreational consumers.

19 Second core value is community. We
20 believe in becoming strong partners within the
21 community. We support local chambers of commerce
22 and community events where appropriate. We
23 believe in strong relationships and
24 communications with our neighboring businesses.

1 Responsibility. Our marketing
2 efforts and communications are directed and
3 curated for adult consumers, not under age. All
4 marketing materials are compliant through the
5 rules and regulations set by the industry. We
6 have created procedures and processes of review
7 that are dedicated to compliance.

8 PTS difference. So we are a
9 vertically integrated company. We deal with
10 cultivation, manufacturing, as well as
11 distribution and retail.

12 Cultivation. We have created
13 proprietary methods that produce top shelf
14 flowers. They include lighting schemes,
15 automated irrigation methods, unique media
16 formulations and novel HVAC designs.

17 Manufacturing. We currently produce
18 over 250 active SKUs for retail distribution,
19 including beverages, popsicles, chewing gum,
20 chocolate, gummies, vapes, topicals, concentrates
21 at a scale all in multiple size, child safe form
22 factors.

23 Distribution. PTS partners with a
24 broad range of dispensaries in Illinois,

1 Michigan, Arizona and Ohio. We have a very
2 experienced executive team. Our team has
3 completed hundreds of harvests over the years in
4 multiple states.

5 We have managed numerous operations
6 around the country in a variety of climates and
7 geographies. Management has shown the ability to
8 both port and scale our IP into both new and
9 established markets.

10 CPG strategy branded product
11 development. Our board members have decades of
12 successful experience in consumer packaged goods,
13 retail sales and distribution. Tonic, a THC
14 infused beverage, is the number one product in
15 this category in Illinois and Michigan.

16 Our stores are branded consume
17 Cannabis Company. We have operational retail
18 outlets in Illinois, Michigan, Ohio and Arizona.
19 We are dedicated to scientifically driven
20 proprietary IP.

21 Through our subsidiary, we have
22 multiple patent pending. Our technologies
23 include solvent extraction, novel dry cure
24 methods and unique sensors for improving yields.

1 We are compliant with compliance.
2 We respect that cannabis advertising should not
3 directly or indirectly propose that any laws
4 pertinent to the sale and consumption of cannabis
5 should not be complied with.

6 Advertising should adhere to general
7 and industry standard advertising best practices.
8 Abuse or inappropriate consumption of cannabis
9 should not be encouraged directly or indirectly.

10 Advertising themes, concepts and
11 visuals should not depict any imagery that may
12 target an underage person or intend to encourage
13 an underage person to consume cannabis.

14 We, along with our licensed security
15 company, Silver Star Protection Group, have
16 shared our security plan with Police Chief James
17 Jensen as well as his command staff.

18 We have a very robust security plan
19 that has been designed to ensure the safety and
20 security of employees, purchasers, and the
21 community is a priority.

22 PTS Corp. has a proven ten-year
23 track record of operating both dispensaries as
24 well as cultivation facilities that feature a

1 discipline free record of full regulatory
2 compliance and adherence to the Illinois Cannabis
3 Regulation and Tax Act.

4 As an organization that has done
5 millions of customer transactions, we pride
6 ourselves as being a market leader at compliance,
7 followed by our relentless pursuit of customer
8 service.

9 These are some of the different
10 advertisements as well as compliance rules in the
11 states that we currently operate in.

12 This just shows some of our
13 different locations in different states. As I
14 mentioned, we are in four different states right
15 now, Arizona, Illinois, Michigan and Ohio.

16 Why is consume different than other
17 dispensaries? Consume Cannabis Company is a
18 national retail cannabis brand with the purpose
19 of providing a better cannabis experience to
20 medical and recreational purchasers.

21 Since education is at the heart of
22 Consume, all of our advisors and staff begin with
23 a proprietary training program to gain a full
24 understanding of local cannabis laws, products

1 and consumption methods.

2 Our onboarding and training
3 processes go beyond a training manual. We offer
4 an online platform, consume University, that
5 provides mini tutorials and interactive lessons.
6 Our goal is for every consumer to have a better
7 understanding of cannabis and the effects that it
8 will have on their body.

9 I just want to give you a snapshot
10 of currently what's going on in Illinois. So
11 when you originally passed your ordinance, there
12 was 55 medicinal-only stores that were allowed in
13 the state.

14 Fast forward four years now, there
15 is currently 228 active dispensaries in Illinois,
16 that are under construction or approved.

17 There is -- per Illinois law, 355
18 stores are allowed to open up in the state, so
19 that leaves 111 remaining to be approved and/or
20 open.

21 Stores that are currently close to
22 Yorkville, there is two stores currently
23 operating in Oswego, two in Plainfield that are
24 coming soon, there is one in Montgomery, and then

1 there is three in Aurora.

2 Once again, this is the snapshot of
3 where the consume locations are in the four
4 different states.

5 Consume Cannabis, benefits of having
6 a consume dispensary in Yorkville. Due to the
7 nature of the business and difficulty moving
8 licenses, consume provides a stable, long-term
9 tenant for -- or building owner for years to
10 come.

11 Consume dispensary locations will
12 fill an empty retail location. Where possible,
13 we will use locally based businesses for goods
14 and services or contracted needs.

15 Consume attracts new customers to
16 the area who will inherently spend money at local
17 businesses. We provide both salaried as well as
18 hourly positions along with benefits to our
19 employees.

20 Average employee count at a consume
21 is approximately, between full-time and
22 part-time, 20 to 25. Our average monthly
23 payrolls are around \$75,000 a month plus.

24 New employees. Because of the

1 payroll, the new employees will spend locally,
2 adding to the economy, as well as offering new
3 options for employment other than fast food or
4 traditional retail jobs, while also paying at or
5 above most other comparable employers.

6 At one of our recent stores that we
7 opened up, we had over 250 applications for 20
8 spots. Any time we promote somebody and we need
9 to recruit new patient advisors, there is always
10 a lot of applications that come. There is lots
11 of people that want to be employed by -- they
12 want to be in the space. They want to be
13 employed by cannabis dispensaries, so it just
14 shows that, you know, there is people that are
15 very interested and passionate and want to be in
16 the cannabis space.

17 I note tonight one of the requests
18 that I had is for -- to slightly change the hours
19 that the ordinance has in place. The
20 justification for the request is I wanted to just
21 kind of show the hours that we are requesting.

22 At the top you can see Monday
23 through Saturday, 9:00 to 9:00, and then Sunday,
24 10:00 to 6:00, which equates to 80 hours of being

1 open.

2 Our nearest competitor is Ivy Hall.
3 They are going to be open for 84 hours. They are
4 open from 9:00 to 9:00 Monday through Thursday;
5 Friday, Saturday, 9:00 to 10:00 p.m.; and then
6 Sunday, nine to seven.

7 Market 96, which is in Oswego, they
8 are open Monday through Sunday from 9:00 to 9:00
9 p.m., 84 hours total open.

10 And then Cloud 9, which is the most
11 recent one that opened up, they are open from
12 Sunday through Thursday, 8:00 to 9:00; and then
13 Friday and Saturday, 8:00 to 10:00, for a total
14 of 93 hours. So those are the closest
15 competitors in their hours.

16 And then I made an additional slide
17 that just kind of shows some of the other
18 businesses in town, the liquor stores, in regards
19 to their hours, so I just wanted you to
20 understand where I was coming from in regards to
21 why I requested the hours be what they are.

22 Here is our management team.
23 Obviously I am not going to go through each
24 person's bio here, but just to let you know that

1 we have a very strong management team.

2 With that, I thank the staff for
3 putting everything together. I thank the
4 Planning and Zoning Commission for obviously
5 listening to us.

6 Obviously I am seeking a favorable
7 recommendation on all of the requests and, with
8 that, I would like to just say thank you, and our
9 full staff is here for any questions that anybody
10 may have.

11 Thank you very much.

12 CHAIRMAN VINYARD: Thank you. All
13 right. Is there anyone who wishes to speak in
14 favor of the request?

15 (No response.)

16 CHAIRMAN VINYARD: Seeing as there are
17 none, are there anyone present who wishes to
18 speak in opposition of the request? All right.
19 Please step up to the podium.

20 JORDAN GASH,
21 having been first duly sworn, testified from the
22 podium as follows:

23 MR. GASH: Hello, everyone. My name is
24 Jordan Gash. I am a Yorkville resident. Just

1 want to start out by saying thank you to
2 everyone. I know some of you who are here and I
3 appreciate all that you do for the community.

4 I am here on behalf of Parkview
5 Christian Academy. I serve as the board
6 president at the school, and I actually met with
7 Mr. Weber on July 13th over the summer and we
8 voiced our objection at that time to the location
9 of the cannabis facility, and so at that time I
10 think the same things that I am going to share
11 tonight are the same things that we shared in our
12 conversation.

13 We are not objecting to the business
14 being in Yorkville, we are objecting to its
15 location and the close proximity that it is to
16 the school.

17 So I live here in Yorkville, my wife
18 Melissa and I have four kids. Three out of four
19 attend Parkview Christian Academy, and so, too,
20 my middle schooler and my high schooler who is
21 currently enrolled at the school would be right
22 there at that upper campus, and so we have moral
23 objections as a family, moral objections as a
24 school, and my request tonight for those of you

1 that are making this decision and taking this
2 decision up the chain to be voted on as it
3 relates to these variances, we respectfully ask
4 that these variances not be approved.

5 We feel like those standards are in
6 place for good reasons, and if they are approved,
7 I think my question would be who is looking out
8 for our kids, and so those standards are there
9 for the safety and the health and the well-being
10 of children and so to go against those standards
11 and against those variances, I'd be personally
12 saddened as a resident because I feel like we
13 need to be looking out for our children, that's
14 the reason why those standards are in place, and
15 so for all of you that have an opportunity to be
16 a part of this decision, for our mayor,
17 ultimately for our aldermen, I ask you to look
18 out for the kids.

19 The other thing I think I'd like to
20 bring up is, you know, not only looking out for
21 the kids, but I'd ask the question if those
22 variances were to be approved, you know, what do
23 we value as a community.

24 I think that, again, Parkview

1 Christian Academy, it's not just a 501(c)(3)
2 non-profit, it's made of up of families,
3 Yorkville residents, taxpayers like myself who
4 have come together to teach their kids, so we've
5 got an amazing staff, it's an amazing
6 organization.

7 We are teaching biblical values, we
8 are teaching service, community service, and I
9 think that if these variances are approved, it
10 makes me ask that question as a resident what do
11 we really value.

12 There is more to being a successful
13 community than our tax revenues, and I feel like
14 to take really the decision that is being made
15 it's between PTS and Parkview Christian Academy
16 because of these variance requests, and so I
17 think that that's a good question to ask, what do
18 we value, so I just want to propose that to you
19 tonight.

20 And, again, I am speaking on behalf
21 of our school board, on behalf of our school
22 community, we respectfully ask that the variances
23 not be approved, and then, too, that we ask our
24 ourselves some of those questions I think are

1 good for all of us, who is going to protect our
2 kids. That's why those standards are in place.
3 We ask they be upheld. And then, two, what do we
4 truly value as a community.

5 So thank you for your time. I
6 appreciate it.

7 (Applause.)

8 CHAIRMAN VINYARD: Thank you, sir.
9 Whoever would like to go next, please.

10 CORIN YOUNG,
11 having been first duly sworn, testified from the
12 podium as follows:

13 MS. YOUNG: I have prepared my comments
14 on paper here just to make sure I am respectful
15 of everyone's time.

16 CHAIRMAN VINYARD: Could you state your
17 name for us, please?

18 MS. YOUNG: Oh, yes. Corin Young. I am
19 a parent at Parkview Christian School and I have
20 lived in Yorkville my entire life. So long time
21 resident.

22 Today I would urge you to increasing
23 the distance between cannabis dispensaries and
24 the schools for the sake of our children's health

1 and safety.

2 Under Illinois law, as you are all
3 aware, cannabis dispensaries must be at least
4 500 feet from schools, and I will cite several
5 sources throughout my material.

6 I am not going to list them all for
7 you because I think that's probably a waste of
8 your time, but I do have the materials here if
9 you would like to see them.

10 Resident studies and insights from
11 public health organizations suggest that this
12 distance may not be sufficient to shield young
13 people from the negative effects from cannabis
14 exposure and marketing.

15 The Centers for Disease Control and
16 Prevention highlights that cannabis use among
17 teens can interfere with brain development,
18 affect academic performance and increase the risk
19 of mental health issues like anxiety and
20 depression, and based on your comments, I'm sure
21 that that's not something that you want and I
22 appreciate your effort to educate the communities
23 that you reside in.

24 However, as we examine the broader

1 implications of cannabis dispensaries on our
2 communities, it becomes evident that the issues
3 extend beyond their proximity to schools.

4 Lax regulations, particularly in
5 terms of security and monitoring, which it sounds
6 like you make an effort to address, have raised
7 concerns about the relationship between these
8 establishments and local crime rates, as well as
9 homelessness.

10 Research from multiple sources
11 suggests that communities with high visibility of
12 cannabis dispensaries are seeing troubling
13 correlation with increased crime and
14 homelessness.

15 Many cannabis products are highly
16 potent, leading to cases where dependency or even
17 mental health crisis such as cannabis induced
18 psychosis are becoming more and more common.

19 In the case of Johnny Stacks' story,
20 it is a heartbreaking example of how this
21 dependency can spiral. Johnny's use of highly
22 concentrated THC products led him into a cycle of
23 addiction, ultimately resulting in severe mental
24 health struggles, and tragically his suicide.

1 We know that many of Consume
2 Cannabis' products are edibles geared towards
3 children in both their flavoring and high
4 concentrations of THC. Moreover, many of these
5 packages contain 100 milligrams of THC, a dosage
6 level that is described as follows: Even in
7 seasoned consumers, negative side effects like
8 paranoia and rapid heart rate can occur.
9 Coordination is almost always impaired at this
10 stage, end quote.

11 Current regulations allow a consumer
12 to purchase 500 milligrams of THC per day.

13 While we cannot change Illinois law
14 or the current city regulations, we can at the
15 very least enforce the lax requirements for
16 cannabis dispensaries.

17 A 2021 national survey on drug use
18 and health found that among the 52 million
19 Americans 12 years and older who used marijuana
20 in the past month, 16 million were addicted.
21 One-third of the users can't quit despite the
22 drug's negative effects on their lives.

23 In closing, and on a personal note,
24 I would ask is this who we are as a community?

1 The Yorkville I grew up in used to be a place of
2 nurturing, growth and care.

3 I watched my local church coordinate
4 with local business owners to build a gazebo in
5 Town Square Park. It was no small feat at the
6 time. I was there for the original duck race on
7 the Fox River.

8 I have watched businesses come and
9 businesses go, and I have watched community
10 members invest so much time into this community
11 because we believe in this community. We believe
12 in being here and in what's being done here. We
13 joined Parkview Christian Academy for that very
14 reason.

15 My family has not been the most
16 prominent or outspoken family in Yorkville, but
17 we have been the quiet servants of this
18 community, raising funds, bringing meals to those
19 in need, gathering supplies and raising our
20 family to leave things better than they found
21 them.

22 We work hard and pray even harder
23 for safe educational opportunities for our
24 children, something our local school district

1 wasn't able to provide.

2 I ask you to consider the many
3 sacrifices of local families, many of whom are
4 unable to be present here tonight prior to making
5 our choice, what is the cost of our children's
6 future and our community's future?

7 (Applause.)

8 CHAIRMAN VINYARD: Thank you. Who would
9 like to go next? Please step up to the podium,
10 sign in and then state your name for us, sir.

11 AL BLOMQUIST,
12 having been first duly sworn, testified from the
13 podium as follows:

14 MR. BLOMQUIST: Yes, sir. My name is Al
15 Blomquist, and my piece is relatively brief here.
16 Just as a grandfather of three teenage boys here
17 in Yorkville, I would strongly urge that just as
18 we would not sell cannabis to children, so should
19 we avoid the marketing or selling of cannabis in
20 a neighboring location to a school.

21 I have nothing against a marijuana
22 store per se as long as it is kept in a normal
23 zoning distance from the school. Thank you.

24 CHAIRMAN VINYARD: Thank you, sir.

1 Next.

2 FRANCIS KLAAS,
3 having been first duly sworn, testified from the
4 podium as follows:

5 MR. KLAAS: My name is Francis Klaas. I
6 live at 205 East Kendall Drive in Countryside
7 Center Subdivision. I am here representing
8 myself, my wife and my family.

9 I am going to disagree just a little
10 bit with the president of Parkview Christian
11 Academy because I am speaking against this
12 petition, but not only for the reason that it's
13 in proximity to the school, but that it's in
14 Yorkville at all.

15 UNIDENTIFIED AUDIENCE MEMBER: Amen.

16 MR. KLAAS: I would encourage the board
17 to not approve the variances, and just as soon as
18 you can, increase the setbacks and every other
19 thing that is required of a dispensary and make
20 it so uninviting to Yorkville that none are ever
21 located here, and I say this, you know, for a
22 couple different reasons.

23 The proliferation of drugs and
24 alcohol in our country is not a good thing, and I

1 think it sets a terrible example for our young
2 people, and it desensitizes them to drugs and
3 alcohol. Even if they are not allowed to do it,
4 they are affected by this.

5 We want Yorkville to be a wholesome
6 community, and just because other communities are
7 building dispensaries, that doesn't make it
8 right. There are thousands of stores that sell
9 cigarettes; I wouldn't say that's virtuous.

10 So I think I would encourage you to
11 choose to say no and make this an uninviting
12 thing. Vote no on the variances and simply say
13 no.

14 Just because Montgomery or Oswego is
15 doing it, it doesn't mean it's a good thing for
16 Yorkville.

17 UNIDENTIFIED AUDIENCE MEMBER: That's
18 right.

19 MR. KLAAS: I love this town, and I just
20 don't think that sort of thing should be here.
21 Thank you.

22 CHAIRMAN VINYARD: Thank you, sir.

23 (Applause.)

24 CHAIRMAN VINYARD: Have the podium.

1 MOLLY KREMPSKI,
2 having been first duly sworn, testified from the
3 podium as follows:

4 MS. KREMPSKI: My name is Molly
5 Krempski. I own properties in Yorkville. I have
6 a bunch of kids, but they don't go to Parkview, I
7 am just here speaking on behalf of myself and my
8 family.

9 I want to clear up a couple -- or
10 just one really misunderstanding about the
11 500-foot setback that keeps coming up in
12 conversations that I have been having and then I
13 will say what I came to say.

14 I feel like when the purposes for
15 specific ordinances are understood, there is a
16 tendency to have more respect for them.

17 So there is various types of
18 businesses that require setbacks from schools.
19 These setbacks are put in place to keep -- they
20 aren't put in place to keep the kids out of
21 businesses, we already have laws for that, but
22 these school setbacks are put in place to
23 mitigate the proven secondary effects that
24 various business types have on the community.

1 The Secondary Effects Doctrine was
2 established about 15 years ago. We had the
3 Supreme Court ruling *Young v. American Mini*
4 *Theaters*, and it allows for setbacks to be
5 established to keep spaces around residential
6 areas, schools, parks, churches, from
7 deteriorating.

8 In subsequent decisions the court
9 added that a city does not have to conduct its
10 own study to justify its reliance on the
11 secondary effects argument; instead, the city
12 could rely on studies conducted in other cities
13 previously.

14 This is why Yorkville is able to
15 legislate cannabis setbacks from schools, because
16 the activities that have occurred in other towns
17 prove the need for such legislation.

18 Thought, planning, research and
19 discussion went into these ordinances. As you
20 know from your time spent on this committee and
21 perhaps if you served on other committees, it's a
22 deliberate and rational process that is entered
23 into with the aim of creating spaces where
24 children can safely learn and grow.

1 I have always been in favor of
2 upholding ordinances put in place to protect
3 children, and I am still, after several years of
4 speaking before committees and the City Council
5 here in Yorkville, am in favor of upholding
6 ordinances put in place to protect children.

7 I realize that you guys might feel
8 some pressure to generate revenue for the city,
9 but I will ask, as many of these people have
10 asked tonight, what is the security of
11 Yorkville's children worth to the committee?
12 Because it's priceless to me.

13 I know it seems to make sense by the
14 reasoning of men that if we want to be prosperous
15 we need to facilitate the opening of as many
16 businesses as possible, but it doesn't always
17 work that way.

18 A city that prioritizes revenue over
19 the defense of the most defenseless among us will
20 never know true prosperity.

21 The Preamble to the Illinois
22 Constitution -- and, now, this is a document that
23 the aldermen have sworn an oath to uphold -- it
24 reads: We, the People of the State of Illinois,

1 grateful to Almighty God, for the civil,
2 political and religious liberty which He has
3 permitted us to enjoy and in seeking his
4 blessings upon our endeavors, in order to provide
5 for the health, safety and welfare of the people;
6 maintain a representative and orderly government;
7 eliminate poverty and inequality; assure legal,
8 social and economic justice; provide opportunity
9 for the fullest development of the individual;
10 ensure domestic tranquility; provide for the
11 common defense; and secure the blessings of
12 freedom and liberty to ourselves and our
13 posterity, do ordain and establish this
14 Constitution for the State of Illinois.

15 So Illinois was established to
16 provide for people by honoring God. Putting kids
17 at risk by nullifying ordinances that were put in
18 place to ensure their safety, their welfare,
19 their fullest development, does not honor God or
20 secure his blessing.

21 (Applause.)

22 CHAIRMAN VINYARD: Thank you.

23 By a show of hands, could you guys
24 let me know how many more people would like to

1 say something?

2 (A show of hands.)

3 CHAIRMAN VINYARD: Okay. In defense of
4 the amount of people that want to say something,
5 I am getting the point that the location of this
6 is going to be the main issue.

7 Am I correct with that?

8 UNIDENTIFIED AUDIENCE MEMBERS: No. No.

9 CHAIRMAN VINYARD: That's what I am
10 getting with every one of them?

11 UNIDENTIFIED AUDIENCE MEMBERS: No.

12 CHAIRMAN VINYARD: All right. So those
13 of you who have something to say other than its
14 proximity to Parkview, I am going to take you
15 guys next.

16 We've got a pretty good grasp on the
17 location issue. If you have any other concerns
18 outside of its proximity to Parkview, please grab
19 the podium.

20 DR. RAY EPPERSON,
21 having been first duly sworn, testified from the
22 podium as follows:

23 DR. EPPERSON: My name is Dr. Ray
24 Epperson. I am the superintendent at Parkview

1 Christian Academy. I have lived in Yorkville
2 basically since I got married in the early 80's,
3 my wife has lived in Yorkville since she was
4 born, so we are long-time residents of the
5 community.

6 Yes, the proximity is a major
7 concern, but you asked for additional things. In
8 your initial presentation you talked about the
9 fact that your company complies with all the
10 regulations, but the purpose of this meeting is
11 you are asking to change three things that are
12 currently regulations.

13 (Applause.)

14 DR. EPPERSON: More signage, more hours,
15 and closer to the school. Again, those
16 regulations are there for a reason. They weren't
17 just developed willy-nilly. A lot of time,
18 thought, effort, went into putting those
19 regulations in place.

20 So it's just a simple ask that they
21 are there for a reason, follow that reasoning of
22 why they are there in the first place.

23 You talked about the number of
24 dispensaries in the state. This isn't just a

1 question of proximity to Parkview, but I don't
2 know the answer, and maybe I'd be surprised by
3 the answer, how many of those dispensaries across
4 the state are within 500 feet of a school?

5 (Applause.)

6 DR. EPPERSON: I don't know the answer
7 to that. It might be a lot. I know I have
8 driven in all the surrounding communities just
9 from shopping and living in the area and every
10 one I drive by that has a dispensary, there is
11 not a school in sight anywhere in the vicinity of
12 those places, so my ask is simply the regulations
13 are there for a reason.

14 The last thing I am going to say is
15 you talked about marketing. Businesses spend
16 millions in marketing. They market for a
17 specific reason.

18 The name of this dispensary is
19 consume Cannabis, so there is going to be signs
20 the kids in our community and the families of our
21 community are going to be driving by every single
22 day that say consume Cannabis. I don't think
23 that's good for Yorkville.

24 CHAIRMAN VINYARD: Thank you.

1 (Applause.)

2 CHAIRMAN VINYARD: Somebody else have
3 anything to say? Please, step to the podium,
4 sign in and state your name.

5 DAVE YOUNG,
6 having been first duly sworn, testified from the
7 podium as follows:

8 MR. YOUNG: My name is Dave Young, I am
9 a resident of Yorkville. I have children and my
10 wife live here. Our children do attend Parkview,
11 but that's not the -- the variance is not the
12 reason.

13 I can tell you real world. I work
14 next to a cannabis dispensary and I can tell you
15 the negative effects it has had on the area in
16 which I work.

17 I am a mechanic. We service a lot
18 of police cars as part of our service to the
19 community, and I can tell you that talking to
20 them after the dispensary went in, the crime rate
21 went up.

22 I can tell you the vagrancy that's
23 happened in our area. The little things,
24 catalytic converters missing, things like that.

1 Now, that may not directly be because of the
2 cannabis, but I can tell you the crime rate has
3 gone up.

4 It has directly affected the area in
5 which we work. I have been a mechanic for about
6 almost 30 years now and I can tell you that it
7 would be wonderful if cannabis was just used in
8 someone's home, but that's not the case. That's
9 not real world.

10 When I started in this business, it
11 was a rarity to see cannabis and cannabis
12 paraphernalia inside a car. Now that the law has
13 changed, it's probably one in every ten cars that
14 I work on, strong odors, paraphernalia, so I can
15 tell you that they are driving around using this
16 product.

17 There is absolutely nothing -- While
18 there are laws in place that keep these things
19 away from children, there is absolutely nothing
20 that stops someone who is legally able to go into
21 this dispensary, get the product and then sell it
22 to children.

23 Many of the products that they sell
24 are designed for children, edibles and things

1 like that, that look like candy. There is
2 nothing that stops them from doing that.

3 So I am very much opposed to this
4 not only for the variance, but in Yorkville. It
5 is not the message we want to send our children
6 and it is certainly not the message that we want
7 to send the community, that we want drugs in our
8 community.

9 Thank you very much for your time.
10 Have a good day.

11 CHAIRMAN VINYARD: Thank you.

12 (Applause.)

13 MARK VAN DENEND,
14 having been first duly sworn, testified from the
15 podium as follows:

16 MR. VAN DENEND: Good evening. My name
17 is Mark Van Denend. I am a Yorkville area
18 resident only for the last three years. We
19 recently moved back to Illinois after a long, sad
20 time in California.

21 I am speaking to you today because I
22 have kids that attend a number of schools in
23 Yorkville, including Parkview Christian Academy.

24 I am also a football coach in the

1 area, I have players on my team from Plano,
2 Yorkville, Oswego, Minooka, Montgomery, Aurora,
3 you name it, and so I am working with young
4 teenage men on a daily basis.

5 My wife and I are also licensed
6 foster parents. We did foster care for four or
7 five years out in California before we moved here
8 where we also got licensed, and I am just telling
9 you about all of those things because in all of
10 those different situations I have seen the
11 effects of marijuana use in the lives of
12 individuals.

13 So my main objection to this request
14 for a variance is not so much the proximity to
15 the school, but it's the fact that there is a
16 recreational sale of marijuana for any purpose.
17 I have never seen anything good from that.

18 Additionally, I forgot to mention I
19 am also an architect, and when I was an architect
20 in California, my firm did take on a number of
21 dispensaries and also manufacturing facilities
22 that dealt with marijuana processes, and while
23 they often do have pretty incredible security, I
24 have seen some of the drawings, and while there

1 are significant regulations, just like some of
2 the -- like Dave shared a second ago, I have also
3 seen crime increase in the areas around those
4 facilities almost a hundred percent of the time.

5 What's shocking to me as well is
6 that even in California where we lived, we lived
7 in the far northern part of the state in the area
8 that's known as the Green Triangle, it is
9 well-known for how well marijuana can grow, even
10 there the proximity required was 1,000 feet to a
11 school or a daycare facility or something like
12 that, so just the fact that it's even smaller
13 here blows my mind.

14 In dealing with moms whose kids have
15 been taken away from them in foster care,
16 oftentimes my wife and I have had the opportunity
17 to support those moms in some way, shape or form
18 while we were caring for their kids, and more
19 often than not those moms were using, and more
20 often than not, it was contributing to or
21 exacerbating underlying mental illness.

22 If anybody cares to look even a
23 little bit into regular marijuana use -- maybe
24 you can make an argument on the medicinal side,

1 but recreational marijuana use, you know, I
2 encourage you to go to Pub Med and just pore
3 through any of the studies out there. It most
4 definitely contributes to or exacerbates mental
5 illness, psychoses, schizophrenia.

6 Those are things we don't need in
7 our community. They are certainly not things we
8 need for the young people in our community.

9 And then also again to Dave's point
10 about driving while under the influence of
11 marijuana, I don't know -- I mean, maybe people
12 what to show their hands, how many times you have
13 been driving the car and you can smell the car
14 ahead of you.

15 (A show of hands.)

16 MR. VAN DENEND: That happens to me on
17 almost a daily basis now and I can't even believe
18 that. It's not safe. It's not safe.

19 So I appreciate the graphic that
20 showed Montgomery, Oswego, Plainfield, and what I
21 appreciated most about it was Yorkville was not
22 on it, and I ask you to keep it that way.

23 (Applause.)

24 MIKE KREMPSKI,

1 having been first duly sworn, testified from the
2 podium as follows:

3 MR. KREMPSKI: Hi. I am Mike Krempski.
4 I live in Yorkville, I have some properties in
5 Yorkville proper, and I actually have some nieces
6 and nephews that go to Parkview. My children do
7 not.

8 But I would like to point out, and I
9 hope you guys realize this -- I am assuming you
10 do -- look at this room. Every commission and
11 committee meeting and board meeting I go to,
12 there is nobody there. The room is empty. It's
13 me listening to the aldermen or commissioners or
14 trustees, right? So you can see the community
15 has an absolute concern of what's going on here.

16 One of the things that was brought
17 up was about security and communication with
18 their local police. Well, that's going to put a
19 burden on our police department for our
20 community, right?

21 So while they may be engaging in
22 that, they are taking away from something else in
23 the community or we are having to hire more
24 staff, police, to be able to regulate what's

1 going on in the community, so I think there is
2 real concerns.

3 The secondary effects, if anybody
4 takes any time to look into it, they are real.
5 That's why this whole thing started with the
6 Secondary Effects Doctrine, that these are real
7 things that happen in communities, and it's
8 proven over and over again, and the Supreme Court
9 has ruled in favor of communities, towns,
10 villages, to regulate certain businesses based on
11 those effects.

12 So we just ask that you consider
13 that in your decision tonight. We know it's only
14 something that gets pushed forward, but your
15 decision does have weight going forward.

16 Thank you.

17 (Applause.)

18 CHAIRMAN VINYARD: Does anyone have any
19 other topics that haven't been discussed tonight,
20 any viewpoints on this that would like to come
21 up?

22 ANTONIO J. SENAGORE,
23 having been first duly sworn, testified from the
24 podium as follows:

1 MR. SENAGORE: Good evening. My name is
2 Tony Senagore. I am an attorney at the law firm
3 of Hodges, Loizzi, Eisenhammer, Rodick & Kohn,
4 counsel for the Parkview Christian Academy, and I
5 just wanted to make a couple points. These are
6 raised in my letter, but I just wanted to raise a
7 couple points that were raised in the two letters
8 sent to the City earlier.

9 First, the applicant has not shown
10 compliance with pertinent Illinois statutes on
11 advertising and signage located so close to
12 school grounds.

13 The Cannabis Regulation and Tax Act
14 prohibits placing an advertisement of cannabis or
15 a cannabis infused product in any form or through
16 any medium within 1,000 feet of the perimeter of
17 school grounds.

18 The consume Cannabis company is not
19 the name of a registered company according to my
20 search of the Illinois Secretary of State in
21 Illinois, it's a trade name, and if the variance
22 for the signage is granted in this case, the
23 applicant would be effectively placing signage
24 literally encouraging onlookers to consume

1 cannabis within 1,000 feet of a school.

2 Moreover, the applicant has not
3 demonstrated that they are -- how the applicant
4 would operate its business without any interior
5 signage or how the applicant can operate a
6 dispensary without any advertising. Therefore,
7 the applicant has not shown compliance with state
8 law.

9 In addition, the applicant has
10 failed to satisfy the requirements for a
11 variation. One of the requirements under the
12 ordinance is that the applicant must show a
13 particular hardship would result because of the
14 physical surroundings, shape or topographical
15 conditions of the subject property as
16 distinguished from a mere convenience if the
17 strict letter of the regulations were carried
18 out.

19 According to some of the case law
20 cited in the letter, a particular hardship does
21 not mean a self-imposed hardship or that a piece
22 of property is better adapted for the forbidden
23 use or that a variation would be for the owner's
24 profit.

1 Here the applicant knew or should
2 have known of the signage requirements before it
3 sought to occupy the subject property.

4 The 500-foot distance requirement
5 applies generally to all properties that are
6 located 500 feet from a school, and the applicant
7 has not and cannot show any physical
8 surroundings, shape or topographical conditions
9 require variation. Therefore, on that basis the
10 variation request -- request for variation should
11 be denied.

12 In addition, the applicant must
13 establish that the variation will not be
14 detrimental to the public welfare or injurious to
15 other property or improvements in the
16 neighborhood in which the property is located.

17 There are several studies cited in
18 the letter showing the negative effects of
19 cannabis business, and the ten or so speakers
20 tonight and the additional people in the audience
21 are -- should receive credit from the Commission
22 as evidence that this would negatively impact
23 other properties in the neighborhood and the
24 public welfare.

1 And, finally, relatedly, the
2 requirement for a special use also involves the
3 consideration of -- that the change -- the
4 special use I should say serves the public
5 health, safety, morals, comfort and general
6 welfare.

7 Again, based on the information
8 presented in the letter and the sincerely held
9 views of the speakers tonight, the Commission can
10 credit that as evidence that allowing the special
11 use to allow a dispensary would not serve the
12 general welfare.

13 Finally, granting the variation here
14 would create a slippery slope that would justify
15 the use of other adult-oriented uses in other
16 parts of the city that are not desired.

17 This is a generally applicable
18 requirement and the Commission should not be
19 revisiting a generally applicable requirement,
20 such as the 500-foot distance requirement from
21 schools, in the context of the variation.

22 For these reasons and the other
23 reasons expressed in our letter, the Academy
24 would ask that the variations and the special use

1 be denied.

2 Thank you.

3 CHAIRMAN VINYARD: Thank you, sir.

4 (Applause.)

5 CHAIRMAN VINYARD: All right. So we are
6 going to move on with the -- Would you like to
7 say something? Sorry.

8 MS. LINNEMANN: I have something I would
9 like to say.

10 CHAIRMAN VINYARD: Yes, ma'am.

11 ANNELIESE LINNEMANN,
12 having been first duly sworn, testified from the
13 podium as follows:

14 MS. LINNEMANN: Hi. My name is
15 Anneliese Linnemann. I am 16 years old and I am
16 a junior at Parkview Christian Academy, in Upper
17 Campus.

18 One thing that I worry about is the
19 kind of company that this would bring to the area
20 around the school. We have already had a
21 situation happen at school with a suspicious man,
22 and thanks to students that said something, the
23 person was stopped. I am worried that with a
24 place like this so close to school, more things

1 like that could happen.

2 Another thing is natural human
3 curiosity. If I had never heard about this place
4 before, maybe I would want to see what it was
5 about, maybe I would become hooked on vape,
6 marijuana or something worse, and then my life
7 would rapidly down-spiral into something I
8 couldn't control, and I am worried that something
9 like that will happen to my classmates and
10 younger individuals at the school that wouldn't
11 know anything about it and the dangers of drugs.

12 Third, 1 Corinthians 15:33 from the
13 Bible says that bad company corrupts good morals.
14 What will happen to the area around the school if
15 this business is put into place?

16 What is Yorkville doing to make sure
17 that my classmates are safe, that my teachers are
18 safe, and I would personally like to know if
19 Yorkville has a plan for that, because I live in
20 Sugar Grove, just 15 minutes to Yorkville, and I
21 am already worried that maybe some seniors or
22 people that are able to buy drugs or alcohol will
23 become curious and then will get bad grades or
24 something bad might happen to them.

1 Thank you for listening.

2 (Applause.)

3 CHAIRMAN VINYARD: Young lady. Hey,
4 young lady. That was very brave of you to get up
5 and do that. Thank you.

6 MR. REIS: She literally wrote that
7 right now, sitting here listening to all you guys
8 talk. It hit her that hard and she wrote that.

9 (Applause.)

10 CHAIRMAN VINYARD: Thank you. Oh,
11 sorry, petitioners. Yes.

12 MITCHEL KAY,
13 having been first duly sworn, testified from the
14 podium as follows:

15 MR. KAY: Hey, everyone. My name is
16 Mitch Kay. I am the attorney for the petitioner.
17 I am the bad guy tonight I guess.

18 I love these meetings. It's an
19 opportunity to see the community, to hear your
20 concerns. They are all well received.

21 I do want to go over a few items
22 because there is maybe a little confusion on some
23 perspectives. I want to go through very quickly
24 the standards for variation.

1 First, particular hardship. This
2 property has been vacant for two, three years.
3 This is zoned correctly, we are permitted to
4 apply for a special use permit variance, go
5 through this entire process. We respect, you
6 know, the town listening to us and taking
7 everything we have submitted to heart and, again,
8 listening to the town.

9 There is no other similarly situated
10 property. I want to remind the town that the
11 church is a non-conforming use in this zone
12 without a variance, and to my knowledge the
13 church came in with a threat that they would be
14 able to work there, have a school there, under
15 the guise of suing the town if they didn't permit
16 them to operate. They also came in with another
17 letter threatening to sue.

18 We are data driven. We want to make
19 sure everyone is very well aware, there are
20 subjective opinions and then there are objective,
21 concrete facts.

22 One, we are not marketing anything.
23 A sign is a designation of our store, nothing
24 more than that. You cannot see into the store,

1 so anything in the store cannot be seen from
2 outside. No one under the age of 21 that is
3 outside the -- anyone outside the store cannot
4 see what's going on inside the store.

5 Security is incredibly tight. We
6 are compliant with all regulations. These three
7 are variances. These are ordinances within the
8 town, they are not state regulations. We have to
9 be compliant with all state regulations in order
10 to operate.

11 In every municipality that we have a
12 store in, we have enhanced security, we have a
13 great relationship with the police department,
14 and, in fact, in our facility in Show Low,
15 Arizona, a heavily Mormon community, we have
16 extended our hours because it's been that
17 spotless, and that's how we act as a company.
18 That's what we do.

19 Your town passed a law to permit one
20 dispensary, we are asking for your consideration
21 that we be granted this opportunity. We are at
22 most de minimus distance from the required
23 500-foot setback, and I'm not going to formally
24 ask you to look into it, but I did raise in my

1 letter, by the black letter of your ordinance,
2 the measurement is from facility to property
3 line, which is over 500 feet, which you guys can
4 discuss on your own whether you want to look at
5 it differently, but that would put us out of even
6 needing a variance for that.

7 Slippery -- Is Mr. Senagore here?
8 Slippery slope argument, first year of law
9 school? It's not a valid argument. We can't go
10 on subjective Reefer Madness from the 1960's and
11 think this is the same thing.

12 MR. GASH: That's disrespectful.

13 MR. KAY: It's not.

14 UNIDENTIFIED AUDIENCE MEMBER: Yes, it
15 is.

16 CHAIRMAN VINYARD: Point of order.

17 MR. KAY: Respectfully, we want to have
18 concrete, objective facts. We want to discuss
19 with you what's going on. I also --

20 MS. KREMPSKI: Are you addressing the
21 board?

22 MR. KAY: I am addressing the entire
23 room.

24 CHAIRMAN VINYARD: Please.

1 MR. KAY: I'm letting you hear what's
2 going on, so -- I gave you guys time to speak,
3 please also be courteous to my time. Thank you.

4 We are not here in the 1960's in
5 Reefer Madness taking, you know, subjective
6 opinions on what a few individuals think is going
7 on.

8 There are 20,000 residents of
9 Yorkville. I am happy some showed up, that's
10 wonderful. That is a minority compared to the
11 total folks in this town that would have
12 otherwise shown up if there was that much
13 concern.

14 UNIDENTIFIED AUDIENCE MEMBER: Where are
15 the other ones speaking up for it?

16 CHAIRMAN VINYARD: Point of order.

17 MS. LAMB: Let's keep the comments --

18 CHAIRMAN VINYARD: Yeah, comments have
19 to keep to their -- You guys had your
20 opportunity, sorry.

21 MR. KAY: So going down the steps for a
22 variation, this owner cannot find another
23 suitable tenant. It's been two to three years
24 since anyone has been on the property.

1 The conditions upon which the
2 petition for a variation is based are unique to
3 this property. It is in the correct zoning
4 district. We cannot build anywhere else in the
5 town to similarly situate ourselves to conduct
6 our business.

7 If we cannot receive these variances
8 or approval to operate, yes, we would have a
9 significant hardship in not being able to conduct
10 business.

11 And no, based on many other
12 studies -- and some of the studies cited were
13 based on Portland, Oregon, which legalized every
14 drug, open use of needles, heroin, which they are
15 now trying to call back, that's not Yorkville.

16 Those studies on secondary
17 environment are looking at drastically different
18 environments, and that needs to be considered
19 when we're looking at how this could impact or
20 not impact your community.

21 And, again, the proposed variation
22 will not impair any adequate supply of light or
23 air to the adjacent property.

24 I have submitted my letter in

1 response to Mr. Senagore before. His last
2 letter, again, was filled with inaccuracies and,
3 you know, assumptions on what we do.

4 Consume Cannabis is a trade name.
5 We often mark with just Consume, that's just how
6 we do business, so I didn't really understand
7 that point.

8 But, again, we thank everyone for
9 your time and we -- again, sorry if you thought I
10 was being disrespectful, but we appreciate
11 everyone coming out to listen to us, and if you
12 have further questions, we are here to answer
13 them.

14 CHAIRMAN VINYARD: Thank you. Are there
15 any questions from the commissioners for the
16 petitioner?

17 MR. WILLIAMS: Not at this time.

18 CHAIRMAN VINYARD: All right. So we are
19 going to conclude the public hearing. Oh, I'm
20 sorry, petitioner -- would you like to have your
21 responses to the standards entered into the
22 public record?

23 MR. KAY: Sure.

24 CHAIRMAN VINYARD: Very good. All

1 right. Since all public testimony regarding this
2 petition has been taken, may I have a motion to
3 close the taking of testimony in this public
4 hearing?

5 MR. KRKLJUS: It's not all been taken,
6 though.

7 CHAIRMAN VINYARD: Excuse me?

8 MR. KRKLJUS: It's not all been taken.
9 I think there are other people that wanted to
10 speak, but you are closing arguments, so I don't
11 think you have taken all the arguments.

12 CHAIRMAN VINYARD: So that's why I was
13 asking if anyone had any topics that weren't
14 already discussed. You had something that --

15 MR. KRKLJUS: I found something in
16 Illinois law that I'd like to say.

17 CHAIRMAN VINYARD: Okay. We have
18 already moved on past that. I apologize for
19 that.

20 MR. KRKLJUS: So you are not taking --

21 CHAIRMAN VINYARD: I'm sorry. Is there
22 any way we can -- Is there any way we can go
23 back?

24 MR. KRKLJUS: I would like to speak.

1 MS. LAMB: Yeah, you can -- Let's --

2 CHAIRMAN VINYARD: Hold on. Let me talk
3 to legal.

4 MS. LAMB: It's okay, you can go back.

5 CHAIRMAN VINYARD: I can go back to
6 that?

7 MS. LAMB: Yes, we have not closed the
8 hearing yet. If there was somebody who had
9 something additional to say, that would be fine.

10 CHAIRMAN VINYARD: Then you have the
11 floor. My apologies. I am not a lawyer.

12 MIKE KRKLJUS, JR.,
13 having been first duly sworn, testified from the
14 podium as follows:

15 MR. KRKLJUS: My name is Mike Krkljus, I
16 am a parent of a student at Parkview Christian.
17 We live in Montgomery. There is one point that I
18 wanted to make.

19 I am a contractor, and through the
20 course of my contracting career I have done some
21 commercial work. One of the things that I am
22 familiar with, sir, you mentioned HVAC. I'm not
23 sure exactly what your HVAC upgrades are, but one
24 of the things that Illinois mandates for

1 recreational use and the consumption areas,
2 private property, with owner's consent, so I
3 don't know if you are going to be buying that
4 building or you are going to be renting that
5 building.

6 The other thing is an approved
7 dispensary. An approved dispensary is an
8 approved consumption area. I don't know how your
9 HVAC works, but nail salons are required to have
10 above and beyond HVAC systems to expel all the
11 fumes and the gases that they generate. It goes
12 into the open air.

13 If we are -- if we mandate
14 1,000 feet for advertising, 500 feet from
15 schools, what do we do by smells and aromas that
16 make their way out of the business into the
17 surrounding area? If you can answer that
18 regarding HVAC.

19 But I did want to point out, was it
20 your opinion or was it fact to say that Parkview
21 had threatened Yorkville?

22 MR. KAY: It's my understanding.

23 MR. KRKLJUS: Okay. So that's your
24 understanding. Unless you have proof to back

1 that up, that's hearsay. I am not a lawyer
2 either, but to come up and discredit a school
3 that is a pillar of the community, that raises
4 young people to be pillars of the community, to
5 give back through organizational structure,
6 through community service, you name it, Parkview
7 is doing it to help the community, so to attack a
8 school like that --

9 MS. LAMB: Okay. Let's stay on topic,
10 please. Thank you.

11 MR. KRKLJUS: Yeah, that was a personal
12 thing that I didn't like. But as a contractor,
13 you mentioned HVAC. I would be curious to know
14 what the HVAC abilities are of your business to
15 filter what's going to be coming out of that
16 business, because if advertising can't be within
17 1,000 feet, what do we do about the smell?
18 That's a pretty strong advertisement if you ask
19 me. So I'd like to point that out.

20 CHAIRMAN VINYARD: We will let you
21 readdress it.

22 (Applause.)

23 CHAIRMAN VINYARD: Ma'am, please write
24 your name down.

1 COLLEEN MURPHY,
2 having been first duly sworn, testified from the
3 podium as follows:

4 MS. MURPHY: My name is Colleen Murphy.
5 I own a business in Yorkville. I also am the
6 founder of a non-profit organization that teaches
7 children five and up how to identify predators
8 online and in person.

9 The first point I would like to make
10 is I think roughly six years ago I had to go
11 before the City because I have a microblade
12 license, which falls under the category of tattoo
13 establishment, and the City of Yorkville told me
14 at that time that they do not allow tattoo
15 establishments in their town, that that is their
16 discretion, and that they did not like what that
17 would bring to the community. I just wanted to
18 make that known.

19 And then also, this summer, with the
20 non-profit work that I do, I went to the Crimes
21 Against Children conference in Dallas and had the
22 opportunity to sit down with the DEA who informed
23 me -- and I am not sure of the exact numbers, but
24 I can get them for you -- they are currently

1 finding in our country that children who are in
2 states where cannabis is being sold are roughly
3 nine times more likely to purchase illegally,
4 where it's, quote, more affordable for them, and
5 those drugs are being laced with Fentanyl and
6 things much more deadly than what cannabis is
7 being sold from the dispensary, and I think
8 that's something we really need to take into
9 consideration, especially when you consider that
10 it could be placed near a school.

11 (Applause.)

12 CHAIRMAN VINYARD: Thank you. Any
13 additions?

14 (No response.)

15 CHAIRMAN VINYARD: Anybody?

16 (No response.)

17 CHAIRMAN VINYARD: Going once, going
18 twice.

19 (No response.)

20 CHAIRMAN VINYARD: All right. Would you
21 like to respond to that?

22 MR. KAY: Yes.

23 CHAIRMAN VINYARD: Please.

24 MR. KAY: To your second question, just

1 to be clear, the first letter said that you would
2 go through all avenues, including litigation.
3 This was not denied, so that was based on fact.

4 What you read from the regulation is
5 accurate language, but it's related to a
6 consumption lounge. We are not doing that.
7 There is no smoking allowed on premises.

8 So we have a normal -- well, we have
9 a high-end air filtration system in general for
10 all our facilities, but there is no smoking or
11 any consumption of any sort of product on
12 property at any time. It's strictly prohibited.

13 MR. KRKLJUS: Are you prepared to
14 enforce people who do it in their car?

15 MR. KAY: Oh, yeah. No, we shepherd
16 them off, off the property. We have our director
17 of retail operations here as well if you have any
18 additional direct questions, he is happy to
19 answer them, but we -- you know, there are
20 absolutely times when we get, you know, a few
21 people that are unsavory and Mike and his team
22 make sure they are not on our property and they
23 are gone, but it's few and far between.

24 UNIDENTIFIED AUDIENCE MEMBER: What

1 about --

2 CHAIRMAN VINYARD: Okay.

3 MS. LAMB: Folks, this is not a back and
4 forth.

5 CHAIRMAN VINYARD: Folks, yeah, this is
6 his opportunity. Sorry. All right.

7 Anybody else?

8 (No response.)

9 CHAIRMAN VINYARD: All right. Are there
10 any questions from the commissioners?

11 (No response.)

12 CHAIRMAN VINYARD: All right. And I am
13 assuming you would still like your responses
14 added? All right. Very good.

15 Since all public testimony regarding
16 this petition has been taken, may I have a motion
17 to close the taking of testimony in this public
18 hearing, please?

19 MS. LINANE: I will make a --

20 MR. WILLIAMS: So moved.

21 MS. LINANE: Oh.

22 MR. MILLEN: Second.

23 CHAIRMAN VINYARD: Second. All right.

24 Can I have a roll call vote on the motion?

1 MS. YOUNG: Yes. Millen. Millen.

2 MS. NOBLE: To close the public hearing.

3 CHAIRMAN VINYARD: To close the public
4 hearing.

5 MR. MILLEN: Yes.

6 MS. YOUNG: Linane.

7 MS. LINANE: Yes.

8 MS. YOUNG: Vinyard.

9 CHAIRMAN VINYARD: Yes.

10 MS. YOUNG: Williams.

11 MR. WILLIAMS: Yes.

12 MS. YOUNG: Forristall.

13 MR. FORRISTALL: Yes.

14 MS. YOUNG: And Hyett.

15 MR. HYETT: Yes.

16 CHAIRMAN VINYARD: All right. Motion
17 passes. Seeing that there -- the public hearing
18 portion of tonight's meeting is now closed.

19 (Which were all the proceedings had
20 in the public hearing portion of
21 the meeting, concluding at 8:06
22 p.m.)

23

24

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 68, 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.

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

7 IN WITNESS WHEREOF, I do hereunto set my
8 hand at Leland, Illinois, this 15th day of
9 October, 2024.

10
11
12 /s/ Christine M. Vitosh

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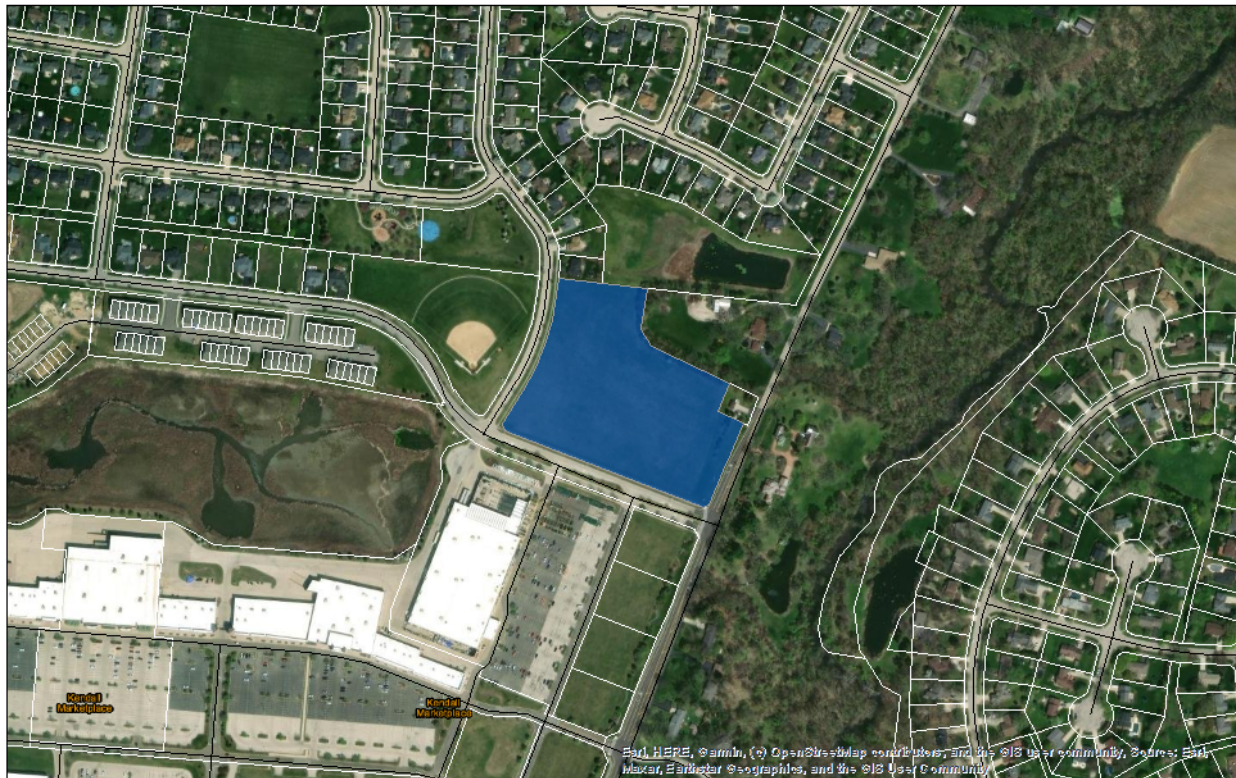
Memorandum

To: Planning & Zoning Commission
From: Krysti J. Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Sara Mendez, Planner I
Date: November 6, 2024
Subject: **PZC 2024-21 Heartland Meadows West (Kendall Marketplace)**
Proposed PUD Amendment and Preliminary & Final PUD Plan

REQUEST SUMMARY:

Marker Inc., the petitioner, along with the property owner, the United City of Yorkville, seeks to amend the Kendall Marketplace Planned Unit Development (PUD) Agreement. They are requesting approval for a preliminary subdivision plat and a final PUD plan to develop Heartland Meadows West. This mixed-use project will feature twenty single-family residential lots for an active adult community, along with four commercial outlots. The proposed zoning designations are R-2 Single-Family Traditional Residential District for the residential lots and B-3 General Retail District for the commercial lots.

Additionally, the petitioner is seeking to reduce the rear yard setback from 40 feet to 20 feet, due to the presence of a 16-inch City water main running parallel to the northern boundary of the parcel. They also request a reduction in interior and corner side yard setbacks from 10 feet and 30 feet to 5 feet. The approximately 8.29-acre site, currently vacant, is located within the Kendall Marketplace development, north of Blackberry Shore Lane and between Northland Lane and Cannonball Trail.

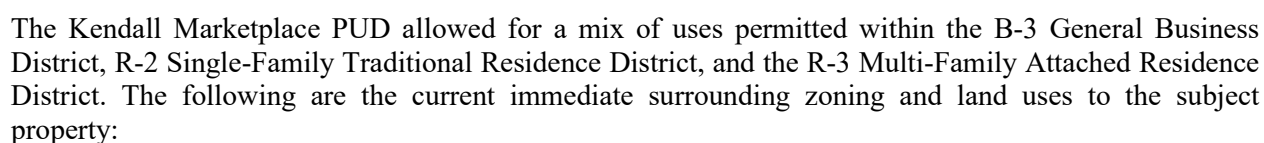


Heartland Meadows West

United City of Yorkville, Illinois
Date: September 11, 2024
File Location: I:\ARCGIS TEMPLATES\Heartland Meadows West



The subject property is located within the existing Kendall Marketplace Planned Unit Development (PUD) approved by the City in 2006. Per Article II of the Development Agreement (Ord. 2006-125) for Kendall Marketplace, “[t]he development of the property shall be generally pursuant to the Conceptual Plans attached hereto and incorporated herein as Exhibit “B” as illustrated below:



COMMERCIAL PURCHASE & SALE AGREEMENT:

After several years of the subject property siting fallow, the City of Yorkville and Heartland Meadows, LLC, entered into a “Commercial Purchase and Sales Agreement” on January 23, 2024 which established specific conditions for the development of the parcel for residential and commercial uses. However, the originally approved concept plan designates the land use for the subject parcel as “civic purposes”. While

the existing Kendall Marketplace development has underlying zoning that permits the proposed single-family dwellings and allows for various commercial uses—such as retail, services, entertainment, dining, medical, and vehicle-related activities—the proposed residential and commercial uses for this parcel requires an amendment to the approved Planned Unit Development (PUD).

The agreement allows a Feasibility Period and Platting/Entitlement Period, with the deadline for petition submission set for July 23, 2024, and entitlements required by January 23, 2025.

The purchaser is also tasked with establishing a business owner’s association in conjunction with final plat approval to oversee cross-access easements and maintenance for the commercial parking lots in proportion to their area. Additionally, commercial parcels must align with the B-3 Zoning District standards or less intense B-1 or B-2 classifications.

Further, the agreement permits the purchaser to secure water and sanitary sewer connection fees at rates effective as of December 1, 2023, for five years following City Council’s final plat approval. Residential water connection fees are set at \$5,554, while sanitary sewer connection rates are \$2,000, with commercial rates varying by meter size and number of drain units. Covenants will apply to the residential lots, limiting them to a 55+ active adult community, with lot dimensions conforming to the minimum standards previously used in the Heartland Meadows subdivision. Finally, signage installation is permitted post-Feasibility Period, provided it complies with Unified Development Ordinance (UDO) standards.

AMENDMENTS TO APPROVED PUD:

As mentioned, the change in approved land use from civic to residential and commercial requires an amendment to the existing Kendall Marketplace PUD. Section 10-8-8G of City’s Unified Development Ordinance (UDO) establishes criteria for major and minor planned unit development amendments. Based upon the increase in residential land use/density, a modification in the proportion of housing types, and the alt, the request is deemed a major amendment.

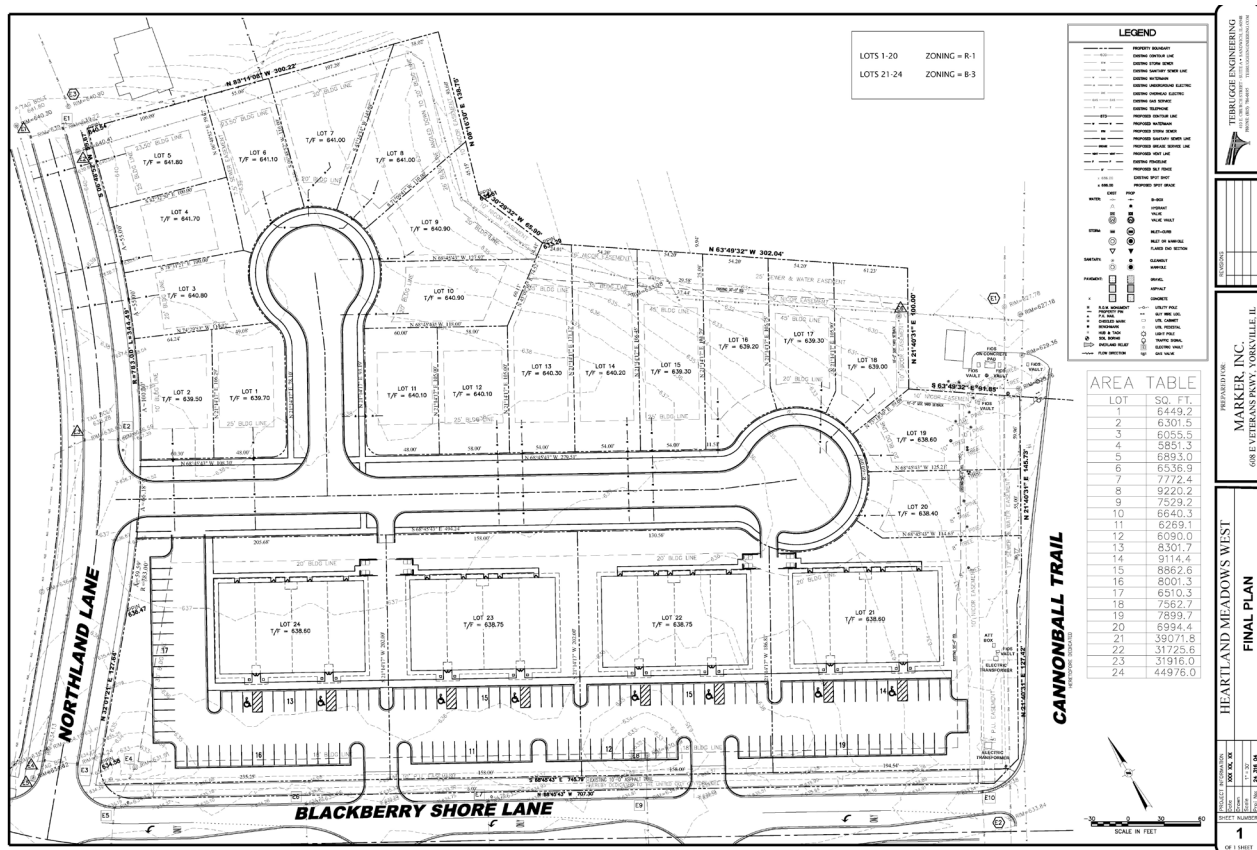
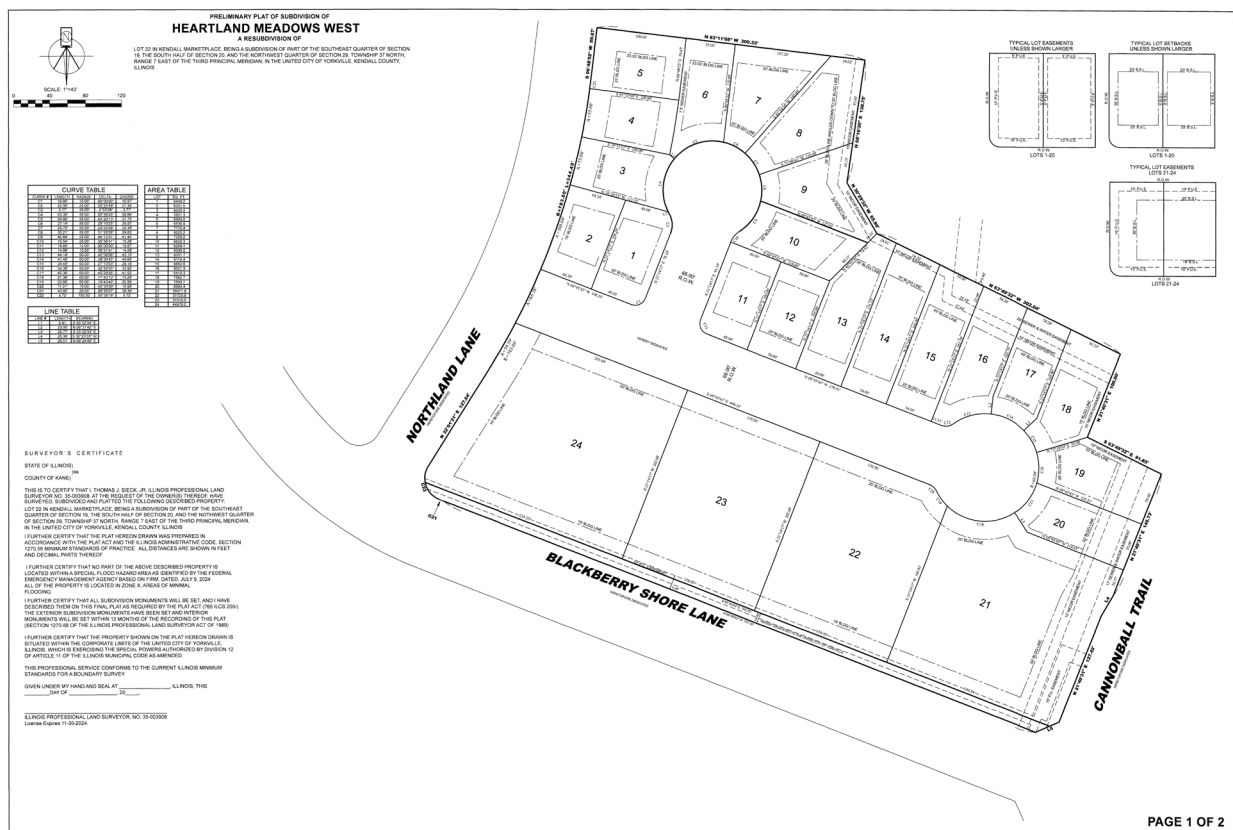
The breakdown of change in approved land uses within the Kendall Marketplace PUD is provided in the table below:

	APPROVED PUD PLAN (Acres)	PROPOSED PUD AMENDMENT (Acres)	% CHANGE
Residential	47.26	3.33	+7%
Commercial	105.33	3.39	+3.3%
Detention	21.90	0	-
Park	4.40	0	-
Civic	8.35	0	-
Open Space	3.28	0	-
Dedicated R.O.W.	1.58	1.57	+99%
TOTAL AREA	192.1	8.29	

PROPOSED PRELIMINARY & FINAL PUD PLAN:

As proposed, the concept for Heartland Meadows West Subdivision includes 20 single-family residential lots, specifically designed as an active adult community. These lots are positioned within the designated residential zoning area, aligning with the project’s goal of creating a neighborhood for active adults. Four commercial outlots are planned, with zoning aimed at supporting various business activities. These lots are situated to accommodate retail, service, and other business-oriented uses, contributing to a mixed-use environment within the community.

The plan seeks amendments to the existing PUD agreement, proposing zoning designations of R-2 Single-Family Traditional Residential District for the residential lots and B-3 General Retail District for the commercial lots. Specific setback adjustments are requested due to site-specific constraints, such as a nearby City water main.



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.

REQUESTED PUD DEVIATIONS:

Planned Unit Developments (PUD) 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.

Accordingly, modification standard #7 “Age-Targeted Development” applies, as the proposed development will include residential dwelling units, amenities, and design characteristics intended to accommodate the lifestyles and needs of senior citizens.

Below is a summary of the design components of the Preliminary and Final PUD plans and the identified proposed deviations from the base R-2 and B-2 district standards as part of the PUD and Preliminary Plan:

1. ***R-2 Single-Family Bulk Regulations*** - Per the Table 10-3-9(A) Bulk and Dimensional Standards, the following compares current R-2 Single-Family Traditional Residence District standards with the proposed Planned Unit Development (PUD) for the residential lots:

	R-2 Zoning Regulations	Approved Heartland Meadows	Proposed Heartland Meadows West
Min. Lot Area	12,000 sq. ft.	5,000 sq. ft	5,000 sq. ft¹
Min. Lot Width	80 feet	50 feet	50 feet
Front Yard Setback	30 feet	25 feet	25 feet
Rear Yard Setback	40 feet	20 feet	20 feet
Side Yard Setback	10 feet	5 feet	5 feet
Corner Yard Setback	30 feet	10 feet	10 feet
Max. Lot Coverage	45%	22.5% (Entire Development) Max. 65% (Individual Lots)	TBD
Max. Dwelling Height	30 feet	1 story	1 story

The proposed PUD does not meet the minimum bulk regulations for lot area, lot width, and yard setbacks required in the R-2 Zoning District. The petitioner is requesting that the bulk regulations for the proposed Heartland Meadows West development align with the approved standards of Heartland Meadows, as outlined in the Commercial Purchase and Sale Agreement. Although the maximum lot coverage for the development is still undetermined, staff is confident it will remain within the 65% limit per residential lot.

The petitioner seeking a relief from Section 10-3-9. Bulk and Dimensional Standards for the R-2 Zoning District of the Unified Development Ordinance. Staff is supportive of this request.

2. ***B-3 General Business Bulk Regulations*** - Per the Table 10-3-9(A) Bulk and Dimensional Standards, the following compares current B-3 General Business District standards with the proposed Planned Unit Development (PUD) for the commercial lots:

¹ Proposed minimum lot area is 5,851 sq. ft. Proposed maximum lot area is 9,220 sq. ft. Proposed average lot area is 7,241 sq. ft.

	B-3 Zoning Regulations	Proposed Heartland Meadows West
Min. Lot Area	10,000 sq. ft.	~31,700 sq. ft ²
Front Yard Setback	50 feet	18 feet
Rear Yard Setback	20 feet	20 feet
Side Yard Setback	20 feet	TBD
Corner Yard Setback	30 feet	30 feet
Max. Lot Coverage	80%	TBD
Max. Building Height	80 feet	TBD

The proposed PUD does not meet the minimum front yard setback requirement of 50 ft. (assuming Blackberry Shore Lane is the front yard) for the B-3 district and other regulations related to interior side yard setbacks, maximum lot coverage and building height remain undetermined at this preliminary level of design. Due to the placement of the parking lot in the front of the commercial structures, staff believes the minimum building setback may exceed the requested 18 feet front yard setback.

The petitioner seeking a relief from Section 10-3-9. Bulk and Dimensional Standards for the B-3 Zoning District of the Unified Development Ordinance. Staff is supportive of this request.

3. **Parking Requirements** - According to the Preliminary PUD Plan submitted, there are 132 total parking spaces to be provided on the property to accommodate the proposed four (4) commercial outlots. Per Table 10-5-1(H)(5) Minimum Parking Requirements of the Yorkville Unified Development Ordinance, staff would classify the lots, for the purposes of off-site parking, as commercial retail/service uses less than 8,000 sq. ft., 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, certain allowed reductions to the required parking may be available once final use type is determined. Additionally, per Section 10-5-1K-1 of the Unified Development Ordinance, **the developer must install the infrastructure to accommodate a minimum of three (3) electric vehicle charging stations is required.**

4. **Vehicular Cross Access** - The proposed site design includes three (3) access points: two on Blackberry Shore Lane serving the commercial lots and one on Northland Lane for the residential area. The Blackberry Shore Lane access points lead to off-street parking for commercial use, while the Northland Lane access leads to a future public roadway that ends in two cul-de-sacs for residential access. Notably, the commercial access points on Blackberry Shore Lane align with existing access points for Home Depot in the adjacent Kendall Marketplace development. Additionally, there are two (2) rear access points on the commercial lots connecting to the planned public roadway, designated for service vehicles such as garbage trucks, delivery vehicles, and emergency services, without a direct link to the residential roadway.

In line with Section 10-5-1-F of the Unified Development Ordinance, which encourages cross-access between adjacent properties, the development is required to promote shared parking and ease vehicular flow between commercial and residential areas. The commercial lots meet shared parking requirements, and as such, **the developer will need to include cross-access easements for these parcels in the Final Plat of Subdivision.** This design aims to reduce street access

² Proposed min. lot area is 31,725 sq. ft. Proposed max. lot area is 44,976 sq. ft. Proposed average lot area is 44,983 sq. ft.

points and facilitate movement between different uses, supporting connectivity and operational efficiency within the site.

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 site has an existing 10' wide multi-use pedestrian/walking trail along Blackberry Shore Lane and sidewalk installed along the frontage of Northland Lane.
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 commercial building on the subject property. Staff is supportive of this request.

7. ***Public Street Design*** - According to Section 10-7-5-A of the Unified Development Ordinance, cul-de-sac lengths should not exceed 500 feet, measured from the entrance to the center of the turn-around. The proposed primary cul-de-sac measures approximately 500 feet, as verified by staff. The secondary cul-de-sac is shorter, measuring around 200 feet.

Islands with a minimum radius of 15 feet are required in the center of cul-de-sacs and should feature mountable curbing to allow vehicle access. While vegetation may be planted, it should not exceed four feet in height at maturity to maintain clear visibility across the cul-de-sac. Proposed streets will be dedicated public roadways and street names will be provided as part of the final plat submission for approval.

For the primary cul-de-sac, which has a radius of 60 feet, the petitioner is requesting a deviation from the required center island. Staff is supportive of this request.

8. ***Lots*** - According to Section 10-7-2, all lots are required to front or abut a public street. Residential lots 3-5 will have driveway access from Northland Lane. Given the proximity to the public park and ball field located across from the proposed development, on-street parking currently is not allowed on the west side of Northland Lane along the park. The City recommends the no parking restricted be swapped to the east side of the street in front of the residential homes with signage and stripping installed accordingly.
9. ***Landscaping*** - Section 10-5-3 establishes landscape standards for new developments. Transition zone landscape will 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. **The rear of the double-frontage commercial lots shall provide a Type C Transition Yard along the**



primary cul-de-sac between the commercial and residential land uses as described below:

Table 10-5-3(F)(3) Transition Zone Types					
Specification		Type A (3)	Type B (3)	Type C (3)	Type D (3)
(a)	Minimum Zone Width (1)	8 feet	10 feet	15 feet	20 feet
(b)	Minimum Fence/Wall Height (2)	optional	optional	6 feet	6 feet
<i>Minimum Number of Landscape Elements per 100 Linear Feet</i>					
(c)	Understory Tree	optional	3	4	5
(d)	Canopy/Evergreen Tree	4	3	4	5
(e)	Shurbs/Native Grasses	optional	15	25	35
Notes:					
(1) Required yard setbacks may be utilized for transition zone landscape.					
(2) Fence or wall requirements may be satisfied by a solid evergreen hedge with a maximum height of six (6) feet, as approved by the Zoning Administrator.					
(3) Landscaping elements can be arranged to match to natural topography or natural features of the site and may be arranged in groupings to enhance site aesthetics as approved by the Zoning Administrator.					

Based on staff review, several landscape requirements apply to the residential lots. Per Section 10-7-3-B-4-c of the Unified Development Ordinance, at least one canopy tree is required for every 40 linear feet of parkway. Additionally, Section 10-7-3-B-4-c-1 allows up to 25% of these trees to be substituted on private property within the same subdivision, provided certain conditions are met. These conditions include ensuring that the trees are located on private property within the same subdivision, are in front yards, meet planting specifications, and enhance neighborhood aesthetics, achieving the same visual impact as parkway plantings.

The developer must specify the percentage of parkway trees planned for private property within the residential lots. **Should this percentage exceed the 25% allowance, a deviation in the Planned Unit Development (PUD) is required. Staff is supportive of the deviation.**

10. ***Deed Restrictions & HOA*** – Per the Commercial Purchase & Sale Agreement, the development **shall be constructed and operated as an age-targeted community with occupancy of the housing units restricted to at least one (1) principal resident who is 55 years of age or greater which shall not be modified for a period of twenty-five (25) years** from approval of the Final Plat for the Planned Unit Development plan. Additionally, the developer will create a homeowner’s association (HOA) for the maintenance of the private yards.
11. ***Appearance Standards*** - Per Article III of the Development Agreement (Ord. 2006-125) for Kendall Marketplace, there are special provisions for design standards in addition to the City’s Appearance Code, for Single-Family Detached Residential Units, they must incorporate:
 - Masonry products on the front façade of 75% of the total units.
 - A minimum of 75% of the front façade of each building shall have masonry products. A 10% reduction will be given for each major architectural feature on the front façade.
 - A minimum of 50% of each building elevations shall incorporate premium siding material.
 - Primary structures shall be constructed upon either a basement or foundation – slab construction shall not be used.

In addition, the Commercial Design Standards per the original Kendall Marketplace Development Agreement are as follows:

- All guidelines” within the Appearance Code section for Non-residential building design for unbuilt sites for commercial, office and institutional uses, per section 10-5-8 of the Unified Development Ordinance.

- This requires 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 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. The use of masonry products or precast concrete is encouraged on the remaining facades.
- All commercial, office and institutional buildings shall consist of solid and durable facade materials and be compatible with the character and scale of the surrounding area.
- Masonry products shall not be painted.

PERMIT FEES: Per “Exhibit D” and “Exhibit E” of the Development Agreement (Ord. 2006-125) for Kendall Marketplace includes residential and commercial permit fees (see attached). Based upon the Commercial Purchase and Sale Agreement, **staff recommends the following draft fee schedule shall apply:**

Heartland Meadows West					
<u>FEES PER UNIT</u>					
FIVE (5) YEAR FEE LOCK EXPIRATION					
A paid receipt from the School District Office, 602-A Center Parkway Yorkville, must be presented to the City prior to issuance of permit				(see note "a" below)	\$0
Separate Yorkville-Bristol Sanitary District fee - made payable to Y.B.S.D.					\$1,400
<u>United City of Yorkville Fees</u>					
1. Building Permit					
Cost \$650 plus \$0.20 per square foot (SF)					\$650 + \$0.20(SF)
2. Water Connection Fees					
			SF	\$5,554	
(see note "b" below)					
3. Water Meter Cost					
Detached Units				\$550	
4. City Sewer Connection Fees					
(see note "b" below)					\$2,000
5. Water and Sewer Inspection Fee					
					\$25
6. Public Walks/Driveway Inspection Fee					
					\$35
7. Development Fees					
Public Works			\$700		
Police			\$300		
Building			\$1,759		
Library			\$500		
Parks & Recreation			\$50		
Engineering			\$100		
Bristol-Kendall Fire			\$1,200		
Development Fees Total			\$4,609		
8. Land Cash Fees					
		Apartment	Townhome	Duplex	Single Family
Park		N / A	N / A	N / A	\$3,000.00
School		N / A	N / A	N / A	\$4,780.48
Land-Cash Fees Total		\$0.00	\$0.00	\$0.00	\$7,780.48
9. Road Contribution					
					\$2,000
Notes:					
a. Fee is reduced to \$0 per Resolution from Yorkville School District #115					
b. Fee is locked at December 1, 2023 rate for 5 years per Commercial Purchase and Sale Agreement					

With regard to the School Transition Fees, **the developer will provide written evidence to the City in the form of an executed resolution from the Yorkville Community School District #115 that the School Transition Fee shall be waived on all single-family residences** within the proposed development due to it being an age restricted community in conformity with the US Housing and Urban Development standards.

COMPREHENSIVE PLAN:

The 2016 Comprehensive Plan Update designates this property as “Parks and Open Space” which is defined typically for a broad range of recreational activity, trails, and green space. However, in some instances, the Comprehensive Plan acknowledges, that open space designation may be reserved until future market demand could support commercial development. Further, the Comprehensive Plan encourages development that meets the needs of the aging population in Yorkville. Additionally, the recently adopted “Elevating Aging-in-Community/Lifecycle Living in Yorkville – A Strategic Guide” recommended the city pursue appropriate and affordable housing to support older residents staying in Yorkville. Therefore, staff supports the proposed PUD and its consistency with the proposed underlining residential and commercial land uses as they are consistent with the previously approved Kendall Marketplace Planned Unit Development.

ECONOMIC DEVELOPMENT COMMITTEE FEEDBACK:

The feedback from the Economic Development Committee Meeting on November 6, 2024, emphasized that the minimum front yard building setback for all residential lots must be 25 feet, requiring a revision of the Preliminary Plat of Subdivision to meet this standard. Additionally, it was recommended that the corner side yard building setback for residential Lot 2 along Northland Lane be increased beyond the proposed 10 feet, and that the front yard setback for the commercial lots be increased beyond the currently depicted 18 feet.

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 will provide written responses to these standards which will be incorporated into the record during the public hearing.

STAFF COMMENTS:

The City Engineer has reviewed the proposed Planned Unit Development Amendment and Preliminary PUD Plan, with approval contingent on addressing comments prepared by EEI dated October 3, 2024. The petitioner has submitted written responses to these standards, which will be included in the record for the public hearing.

Additionally, the plans were also reviewed by the City's Building Code Official and the Fire Marshal from the Bristol Kendall Fire District. They concluded that the proposed development meets all minimum standards for dwelling separation under the 2018 International Code Council (ICC) Code cycle, as well as other requirements outlined in the Building Planning section of the 2018 International Residential Code (IRC) code. However, certain design elements, if included, may necessitate the use of fire-retardant materials in the residential units and the installation of fire alarms and sprinklers for the commercial units, which will be assessed upon submission of individual building permits.

PROPOSED MOTIONS:

1. *Planned Unit Development (PUD) Amendment*
In consideration of testimony presented during a Public Hearing on November 13, 2024 and standards for Planned Unit Development Approval, the Planning and Zoning Commission recommends approval to the City Council of a request for an amendment to the Kendall Marketplace Planned Unit Development Agreement to develop Heartland Meadows West, a mixed-use project featuring twenty (20) single-family residential lots for an active adult community and four (4) commercial outlots with underlying zoning designations of R-2 Single-Family Traditional Residential District and B-3 General Retail District for an approximately 8.3 acre parcel located on the north side of Blackberry Shore Lane, between Northland Lane and Cannonball Trail, subject to the conditions enumerated in a staff memorandum dated November 5, 2024 and further subject to {insert any additional conditions of the Planning and Zoning Commission}...
2. *Preliminary & Final PUD Plans*
The Planning and Zoning Commission recommends approval to the City Council of the Heartland Meadows West Preliminary Plat of Subdivision prepared by Dale Floyd Land Engineering and Heartland Meadows West Final PUD Plan prepared by Tebrugge Engineering and dated August 12, 2024 subject to review comments prepared by EEI, Inc. dated October 3, 2024, and further subject to {insert any additional conditions of the Planning and Zoning Commission}...

Attachments:

1. Copy of Petitioner's Application
2. Preliminary Plat of Subdivision of Heartland Meadows West (2 sheets) prepared by Dale Floyd Land Surveying
3. Final Plan (1 sheet) dated August 12, 2024 and prepared by Tebrugge Engineering
4. Civil Site Plan (1 sheet) dated August 12, 2024 and prepared by Tebrugge Engineering
5. Landscape Plan (1 sheet) dated August 12, 2024 and prepared by Tebrugge Engineering
6. Plan Council Packet Materials 10-10-24

7. EEI Review Letter to the City dated October 3, 2024
8. Kendall Marketplace Development Agreement (Ord. 2006-125)
9. Commercial Purchase and Sale Agreement dated January 23, 2024
10. Public Hearing Notice



Heartland Meadows West Subdivision

CHARACTER OF THE PUD:

Heartland Meadows West subdivision will have two distinctive parts.

The first part will be an active adult community designed for residents 55 and older. It will be smaller lots that will allow residents to downsize from their larger homes yet still reside in a single family home on their own lot. The lot size variance requested is due to this concept. Yard maintenance and snow plowing will be done by a management company servicing all the homes in the community. As our previous subdivision, Heartland Meadows, has shown, there is a demand for this type of project. It allows people who still want to live in a single family home, who don't want to or aren't able to take care of all the exterior maintenance in a traditional single family home with traditional R2 zoning. We are also requesting smaller diameter cul-de-sacs. On the northern one especially, there is no good way to do a standard size cul-de-sac without making several of the lots unbuildable. We feel the short, full width, street lengths make this a reasonable request.

The second part of the subdivision would be a small four lot B3 commercial subdivision, envisioned as a buffer between the residential zoning to the north and the high impact commercial use of the Home Depot to the south across Blackberry Shore Lane. We also felt that the combination of the two parts worked as a transition from the traditional homes on standard size lots just to the north of this subdivision instead of an all commercial project or an all residential project.



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 AGREEMENT AMENDMENT

DATE: September 11, 2024	PZC NUMBER:	DEVELOPMENT NAME: Heartland Meadows West	
PETITIONER INFORMATION			
NAME: Greg Marker		COMPANY: Marker, Inc	
MAILING ADDRESS: 608 E. Veterans Pkwy, Suite 1			
CITY, STATE, ZIP: Yorkville, IL 60560		TELEPHONE: <input checked="" type="radio"/> BUSINESS <input type="radio"/> HOME 630-553-3322	
EMAIL: gjmarker@markerinc.com		FAX:	
PROPERTY INFORMATION			
NAME OF HOLDER OF LEGAL TITLE: United City of Yorkville			
IF LEGAL TITLE IS HELD BY A LAND TRUST, LIST THE NAMES OF ALL HOLDERS OF ANY BENEFICIAL INTEREST THEREIN:			
PROPERTY STREET ADDRESS: 721 Blackberry Shore Lane, Yorkville, IL 60560			
DESCRIPTION OF PROPERTY'S PHYSICAL LOCATION: 8.29 acres vacant land on the north side of Blackberry Shore Lane between Northland Lane and Cannonball Trail			
CURRENT ZONING CLASSIFICATION:			
LIST ALL GOVERNMENTAL ENTITIES OR AGENCIES REQUIRED TO RECEIVE NOTICE UNDER ILLINOIS LAW: United City of Yorkville			
ZONING AND LAND USE OF SURROUNDING PROPERTIES			
NORTH: R2			
EAST: R3-Kendall County			
SOUTH: PUD - Kendall Market Place			
WEST: PUD - Kendall Market Place			
KENDALL COUNTY PARCEL IDENTIFICATION NUMBER(S)			
02-20-351-006			



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 AGREEMENT AMENDMENT

PROPERTY INFORMATION

NAME OF AGREEMENT: An Ordinance Authorizing the Execution of a Development Agreement for Kendall Market Place

DATE OF RECORDING: 1-10-2007

SUMMARIZE THE ITEMS TO BE AMENDED FROM THE EXISTING AGREEMENT:

Petitioner requests a 20 foot rear yard setback on Lots 8 and 9 due to the City of Yorkville Water Main located approximately 16 feet out to the Nicor Gas Easement and 26 feet outside of the Recorded City of Yorkville Watermain Easement.

Petitioner also requests a 5 foot side yard setback for active adult housing.

Petitioner requests R2/B3 PUD

ATTACHMENTS

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

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

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

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



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 AGREEMENT AMENDMENT

ATTORNEY INFORMATION

NAME: Attorney Daniel J. Kramer

COMPANY: Law Offices of Daniel J. Kramer

MAILING ADDRESS: 1107A S. Bridge Street

CITY, STATE, ZIP: Yorkville, Illinois 60560

TELEPHONE: 630-553-9500

EMAIL:

FAX: 630-553-5764

ENGINEER INFORMATION

NAME: John Tebrugge

COMPANY: Tebrugge Engineering

MAILING ADDRESS: 410 E. Church Street, Suite A

CITY, STATE, ZIP: Sandwich, IL 60548

TELEPHONE: 815-786-0195

EMAIL: info@tebruggeengineering.com

FAX:

LAND PLANNER/SURVEYOR INFORMATION

NAME: Tom Siek

COMPANY: Dale Floyd Land Surveying LLC

MAILING ADDRESS: 2600 Kesslinger Road, Suite A

CITY, STATE, ZIP: Geneva, IL 60134

TELEPHONE: 630-232-7705

EMAIL: dfls@sbcglobal.net

FAX:

AGREEMENT

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

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

X

PETITIONER SIGNATURE

DATE

9.12.2024

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

OWNER SIGNATURE

DATE

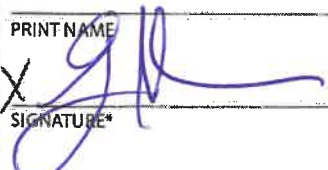


Colleen Hanson



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

APPLICANT DEPOSIT ACCOUNT/ ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY


PROJECT NUMBER:	FUND ACCOUNT NUMBER:	PROPERTY ADDRESS: 721 Blackberry Shore Lane, Yorkville																								
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: Greg Marker		COMPANY: Marker, Inc.																								
MAILING ADDRESS: 608 E. Veterans Parkway, Suite 1																										
CITY, STATE, ZIP: Yorkville, IL 60560		TELEPHONE: 630-553-3322																								
EMAIL: gjmarker@markerinc.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.																										
Greg Marker																										
PRINT NAME		TITLE																								
		9-12-2024																								
SIGNATURE*		DATE																								
<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>																										
INITIAL ENGINEERING/LEGAL DEPOSIT TOTALS																										
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**CERTIFIED MAILING
AFFIDAVIT**

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

I/We, Greg Marker, 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____.

X 
Signature of Petitioner(s)



Subscribed and sworn to before me this
12th day of September, 2024

Notary Public





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: 721 Blackberry Shore Lane, Yorkville, IL 60560		PARCEL NUMBER: 02-20-351-006	
SUBDIVISION: Kenddall Market Place		LOT/UNIT: Lot 22	
APPLICANT INFORMATION			
NAME: Marker, Inc.		TELEPHONE: <input type="radio"/> HOME <input checked="" type="radio"/> BUSINESS 630-553-3322	
ADDRESS: 608 Veterans Parkway, Suite 1		E-MAIL: <input type="radio"/> HOME <input checked="" type="radio"/> BUSINESS gjmarker@markerinc.com	
CITY, STATE, ZIP: Yorkville, IL 60560		FAX:	
SIGN INFORMATION			
DATE OF PICK UP:		NUMBER OF SIGNS: 1	
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, 651 Prairie Pointe Drive, 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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APPLICANT DEPOSIT ACCOUNT/ ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY

PROJECT NUMBER:	FUND ACCOUNT NUMBER:	PROPERTY ADDRESS: 721 Blackberry Shore Lane, Yorkville
-----------------	-------------------------	--

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: Greg Marker COMPANY: Marker, Inc.

MAILING ADDRESS: 608 E. Veteran's Pkwy, Suite 1D

CITY, STATE, ZIP: Yorkville, IL 60560 TELEPHONE: 630-553-3322

EMAIL: gjmarker@markerinc.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.

Greg Marker

manager

PRINT NAME

TITLE

08-16-2024

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:

Up to one (1) acre	\$5,000
Over one (1) acre, but less than ten (10) acres	\$10,000
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Over forty (40) acres, but less than one hundred (100)	\$20,000
In excess of one hundred (100.00) acres	\$25,000

LEGAL DEPOSITS:

Less than two (2) acres	\$1,000
Over two (2) acres, but less than ten (10) acres	\$2,500
Over ten (10) acres	\$5,000

**CERTIFIED MAILING
AFFIDAVIT**

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

I/We, Marker, Inc., 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

16th day of August, 2024



Notary Public





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APPLICATION FOR VARIANCE

INTENT AND PURPOSE

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

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

For a complete explanation of what is legally required throughout the Variance Request process, please refer to "Title 10, Chapter 4, Section 7 Variations" 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 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

This step is dependent on the complexity of the request and may be skipped at the discretion of staff.

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 VARIANCE

STEP

3

ECONOMIC DEVELOPMENT COMMITTEE

MEETS ON THE 1ST TUESDAY OF THE MONTH

The petitioner must present the proposed request 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.

If the variance request adheres to any of the following standards then the variance may be granted by the Planning and Zoning Commission without City Council approval:

- ☐ Reducing a required setback by no more than twenty-five percent (25%).
- ☐ Reducing the lot width or lot size regulation not less than ninety percent (90%) of the required width or area.
- ☐ Permitting the same off street parking spaces for two or more uses provided each use does not take place at approximately the same hours of the same days of the week.
- ☐ Reducing the required off street parking spaces or loading spaces by no more than one (1) or twenty percent (20%) of the regulations (whichever is greater).
- ☐ Increasing by not more than twenty-five percent (25%) the maximum distance that required parking spaces are permitted to be located from the use served.
- ☐ Allowing for the deferment of required parking facilities for a reasonable period of time as specified in the variance.
- ☐ Increasing no more than ten percent (10%) the maximum gross floor area of any use so limited by the applicable regulations.
- ☐ If eminent domain by any authorized government agency results in exceeding one of the previously listed variance requests.

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

This step may be skipped if the variance request adheres to the authorized requests listed above.

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 variance. 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.



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APPLICATION FOR VARIANCE

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	31				

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 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 VARIANCE

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 FOR VARIANCE

INVOICE & WORKSHEET PETITION APPLICATION			
CONCEPT PLAN REVIEW	<input type="checkbox"/> Engineering Plan Review deposit	\$500.00	Total: \$
AMENDMENT	<input type="checkbox"/> Annexation <input type="checkbox"/> Plan <input type="checkbox"/> Plat <input type="checkbox"/> P.U.D.	\$500.00 \$500.00 \$500.00 \$500.00	Total: \$
ANNEXATION	<input type="checkbox"/> \$250.00 + \$10 per acre for each acre over 5 acres _____ - 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 _____ - 5 = _____ x \$10 = _____ + \$250 = \$ _____ # of Acres Acres over 5 Amount for Extra Acres Total Amount		Total: \$
ZONING VARIANCE	<input type="checkbox"/> \$85.00 + \$500.00 outside consultants deposit		Total: \$
PRELIMINARY PLAN FEE	<input type="checkbox"/> \$500.00		Total: \$
PUD FEE	<input type="checkbox"/> \$500.00		Total: \$
FINAL PLAT FEE	<input type="checkbox"/> \$500.00		Total: \$
ENGINEERING PLAN REVIEW DEPOSIT	<input type="checkbox"/> Less than 1 acre <input type="checkbox"/> Over 1 acre, less than 10 acres <input type="checkbox"/> Over 10 acres, less than 40 acres <input type="checkbox"/> Over 40 acres, less than 100 acres <input type="checkbox"/> Over 100 acres	\$5,000.00 \$10,000.00 \$15,000.00 \$20,000.00 \$25,000.00	Total: \$
OUTSIDE CONSULTANTS DEPOSIT	<i>Legal, land planner, zoning coordinator, environmental services</i> For Annexation, Subdivision, Rezoning, and Special Use: <input type="checkbox"/> Less than 2 acres <input type="checkbox"/> Over 2 acres, less than 10 acres <input type="checkbox"/> Over 10 acres		Total: \$
TOTAL AMOUNT DUE:			



APPLICATION FOR VARIANCE

[illegible]



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APPLICATION FOR VARIANCE

ATTORNEY INFORMATION

NAME: Attorney Daniel J. Kramer

COMPANY:

MAILING ADDRESS: 1107A S. Bridge Street

CITY, STATE, ZIP: Yorkville, IL 60560

TELEPHONE: 630-553-9500

EMAIL: dkramer@dankramerlaw.com

FAX:

ENGINEER INFORMATION

NAME: John Tebrugge

COMPANY: Tebrugge Engineering

MAILING ADDRESS: 410 E. Church Street - Suite A

CITY, STATE, ZIP: Sandwich, IL 60548

TELEPHONE: 815-786-0195

EMAIL: info@tebruggeengineering.com

FAX:

LAND PLANNER/SURVEYOR INFORMATION

NAME: Tom Sieck

COMPANY: Dale Floyd Land Surveying LLC

MAILING ADDRESS: 2600 Kessinger Road, Suite A

CITY, STATE, ZIP: Geneva, IL 60134

TELEPHONE: 630-232-7705

EMAIL: dfis@sbcglobal.net

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 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".

VARIANCE STANDARDS

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



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APPLICATION FOR VARIANCE

VARIANCE STANDARDS

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

Petitioner requests a 20 foot rear yard setback on Lots 8 and 9 due to the City of Yorkville Water Main located approximately 16 feet out of the Nicor Gas Easement and 26 feet outside of the Recorded City of Yorkville Watermain Easement.

Petitioner also requests a 5 foot side yard setback for active adult housing.

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

The request for 5 foot side yard is based on an active adult housing where there are smaller lots and common area maintenance provided by the Association that will govern the property as opposed to the individual homeowners. Petitioner has done a similar Development in the United City of Yorkville called Heartland Meadows with the exact same performance standard and setbacks.

There is an existing watermain that is located considerable outside of the City's easement.

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

The lots side yard setbacks are conformity with active adult housing again where the homeowners prefer smaller yards given the 55 and older age restriction.

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

Same answer as above. It is a model that has worked well in the United City of Yorkville and the surrounding Kendall County Area for people aged 55 and older active adult communities.



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APPLICATION FOR VARIANCE

VARIANCE STANDARDS

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

The proposed side yard requirements in no way effect the livability of the community and again have worked well in existing communities.

The setback requirement for rear yard is based on the fact that the City has a larger water main running through the subject real property that is considerably outside the City recorded Easement and is located in an area of what would be backyards of the developed property.

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

In no way will the proposed variances in any way harm adequate light, value of surrounding property, or increase congestion.

AGREEMENT

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

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

PETITIONER SIGNATURE

DATE

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

OWNER SIGNATURE

DATE

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



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APPLICATION FOR VARIANCE

VARIANCE STANDARDS

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

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

AGREEMENT

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

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


PETITIONER SIGNATURE

8.16.2024
DATE

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

OWNER SIGNATURE

DATE

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



Colleen T. Hanson 8/16/24



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 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



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 PUD PRELIMINARY PLAN & FINAL PLAT

DATE:	PZC NUMBER:	DEVELOPMENT NAME: Heartland Meadows West
PETITIONER INFORMATION		
NAME: Greg Marker		COMPANY: Marker, Inc.
MAILING ADDRESS: 608 E Veteran's Pkwy., Suite 1		
CITY, STATE, ZIP: Yorkville, IL 60560		TELEPHONE: <input checked="" type="radio"/> BUSINESS <input type="radio"/> HOME 630-553-3322
EMAIL: gjmarker@markerinc.com		FAX:
PROPERTY INFORMATION		
NAME OF HOLDER OF LEGAL TITLE:		
IF LEGAL TITLE IS HELD BY A LAND TRUST, LIST THE NAMES OF ALL HOLDERS OF ANY BENEFICIAL INTEREST THEREIN:		
PROPERTY STREET ADDRESS:		
TYPE OF REQUEST:		
<input checked="" type="checkbox"/> PRELIMINARY PLAN <input checked="" type="checkbox"/> FINAL PLAT <input type="checkbox"/> AMENDED PRELIMINARY PLAN <input type="checkbox"/> AMENDED FINAL PLAT		
TOTAL LOT ACREAGE: 8.29 acres		CURRENT ZONING CLASSIFICATION: PUD
ATTACHMENTS		
Petitioner must attach a legal description of the property to this application and title it as "Exhibit A".		



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

APPLICATION FOR PUD PRELIMINARY PLAN & FINAL PLAT

ATTORNEY INFORMATION

NAME: Daniel J Kramer

COMPANY:

MAILING ADDRESS: 1107 A S. Bridge St.

CITY, STATE, ZIP: Yorkville, IL 60560

TELEPHONE: 630-553-9500

EMAIL: dkramer@dankramerlaw.com

FAX: 630-553-5764

ENGINEER INFORMATION

NAME: John Tebrugge

COMPANY: Tebrugge Engineering

MAILING ADDRESS: 410 E Church St. - Suite A

CITY, STATE, ZIP: Sandwich, IL 60548

TELEPHONE: 815-786-0195

EMAIL: info@tebruggeengineering.com

FAX:

LAND PLANNER/SURVEYOR INFORMATION

NAME: Tom Sieck

COMPANY: Dale Floyd Land Surveying LLC

MAILING ADDRESS: 2600 Kesslinger Road, Suite A

CITY, STATE, ZIP: Geneva, IL 60134

TELEPHONE: 630-232-7705

EMAIL: dfls@sbcglobal.net

FAX: 630-232-7725

AGREEMENT

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

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

PETITIONER SIGNATURE

DATE

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

OWNER SIGNATURE

DATE



Colleen Hanson 8/16/24

CERTIFIED MAILING
AFFIDAVIT

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

I/We, Marker, Inc., 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 _____, 2024.



Signature of Petitioner(s)

Subscribed and sworn to before me this

16th day of August, 2024



Notary Public



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

APPLICANT DEPOSIT ACCOUNT/ ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY

PROJECT NUMBER:	FUND ACCOUNT NUMBER:	PROPERTY ADDRESS: 721 Blackberry Shore Lane, Yorkville
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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: Greg Marker

COMPANY: Marker, Inc.

MAILING ADDRESS: 608 E. Veterans Pkwy., Suite 1

CITY, STATE, ZIP: Yorkville, IL 60560

TELEPHONE: 630-553-3322

EMAIL: gjmarker@markerinc.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.

Greg Marker

PRINT NAME

TITLE

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:

Up to one (1) acre	\$5,000
Over one (1) acre, but less than ten (10) acres	\$10,000
Over ten (10) acres, but less than forty (40) acres	\$15,000
Over forty (40) acres, but less than one hundred (100)	\$20,000
In excess of one hundred (100.00) acres	\$25,000


LEGAL DEPOSITS:

Less than two (2) acres	\$1,000
Over two (2) acres, but less than ten (10) acres	\$2,500
Over ten (10) acres	\$5,000



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: 721 Blackberry Shore Lane, Yorkville, IL 60560		PARCEL NUMBER: 02-20-351-006	
SUBDIVISION: Kendall Market Place		LOT/UNIT: Lot 22	
APPLICANT INFORMATION			
NAME: Marker, Inc.		TELEPHONE: <input checked="" type="radio"/> HOME <input type="radio"/> BUSINESS 630-553-3322	
ADDRESS: 608 Veterans Pkwy., Suite 1		E-MAIL: <input type="radio"/> HOME <input checked="" type="radio"/> BUSINESS gjmarker@markerinc.com	
CITY, STATE, ZIP: Yorkville, IL 60560		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, 651 Prairie Pointe Drive, 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		<u>8.16.2024</u> DATE	
DATE RETURNED: _____			
RECEIVED BY: _____		PZC# _____	

**CERTIFIED MAILING
AFFIDAVIT**

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

I/We, Marker, Inc., 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

16th day of August, 2024



Notary Public

DAVID J JUNE M KISSER
3580 CANNONBALL TRL
YORKVILLE IL 60560

HOME DEPOT USA INC
PROPERTY TAX DEPARTMENT 6887
PO BOX 105842
ATLANTA GA 303485842

AKB TRUST
ALEX K KIRSTEN M BALOG
2096 NORTHLAND LN
YORKVILLE IL 60560

ABBY PROPERTIES LLC
1951 RENA LN
YORKVILLE IL 60560

COUNTRYSIDE CENTER INC
514D COUNTRYSIDE CENTER
YORKVILLE IL 60560

RIEBOCK KRISTA DUMANOVIC SASHA
556 RED TAIL LN
YORKVILLE IL 60560

MARJORIE J SYOEN LIV TR
592 RED TAIL LN
YORKVILLE IL 60560

JOEL J NICKIRAH DICKERSON
882 GILLESPIE LN
YORKVILLE IL 60560

KYLE DIANE HAMMOND
2112 NORTHLAND LN
YORKVILLE IL 60560

c o MID-AMERICA KENDALL HOLDINGS I LLC
ONE PARKVIEW PLAZA 9TH FLR
OAKBROOK TERRACE IL 60181

UNITED CITY OF YORKVILLE
651 PRAIRIE POINTE DR
YORKVILLE IL 60560

UNITED CITY OF YORKVILLE
651 PRAIRIE POINTE DR
YORKVILLE IL 60560

JEAN B WADSWORTH TRUST
13491 S VAN DYKE RD
PLAINFIELD IL 60544

ANDREW C CAROL BAUMGARDT
656 RED TAIL CT
YORKVILLE IL 60560

JACK ROSEMARIE GREWER
2084 NORTHLAND LN
YORKVILLE IL 60560

NELSON MELISSA J HEDLUND NELSON NATHAN J
2088 NORTHLAND LN
YORKVILLE IL 60560

JUDITH M VANT
3630 CANNONBALL TRL
YORKVILLE IL 60560

RICHARD VINYARD
2123 NORTHLAND LN
YORKVILLE IL 60560

GREENWOOD GLOBAL INC KENDALL HOLDINGS I LLC
707 SKOKIE BLVD STE 600
NORTHBROOK IL 60062

ZIMMERMAN PATRICIA ANDELBRADT BRANDYN
2074 NORTHLAND LN
YORKVILLE IL 60560

BOCK BARBARA C REV TRUST BOCK JAMES L REV TRUST
534 RED TAIL LN
YORKVILLE IL 60560

JEAN B WADSWORTH TRUST
13491 S VAN DYKE RD
PLAINFIELD IL 60544

LOWELL P IVERSON
3814 CANNONBALL TRL
YORKVILLE IL 60560

c o MID-AMERICA KENDALL HOLDINGS I LLC
ONE PARKVIEW PLAZA 9TH FLR
OAKBROOK TERRACE IL 60181

PITT EDDIE COOPER KIMBERLY M
2078 NORTHLAND LN
YORKVILLE IL 60560

MARLA S HARKINS
3840 CANNONBALL TRL
YORKVILLE IL 60560

JOSEPH E KERRY L BROWN
608 RED TAIL CT
YORKVILLE IL 60560

CANTER CHRISTINA E CANTER KAI
522 RED TAIL LN
YORKVILLE IL 60560

JERRY D PATRICIA S SHERROW
2107 NORTHLAND LN
YORKVILLE IL 60560

UNITED CITY OF YORKVILLE
651 PRAIRIE POINTE DR
YORKVILLE IL 60560

JESUS A MARIA F CARRERA
2092 NORTHLAND LN
YORKVILLE IL 60560

MARK R PAULEY
510 RED TAIL LN
YORKVILLE IL 60560

SUSAN L NORSTROM
880 GILLESPIE LN
YORKVILLE IL 60560

c/o MID-AMERICA KENDALL HOLDINGS I LLC
ONE PARKVIEW PLAZA 9TH FLR
OAKBROOK TERRACE IL 60181

LISA MARIE CARTER
688 RED TAIL CT
YORKVILLE IL 60560

PAUL AMY LATSCH
624 RED TAIL CT
YORKVILLE IL 60560

c/o MID-AMERICA KENDALL HOLDINGS I LLC
ONE PARKVIEW PLAZA 9TH FLR
OAKBROOK TERRACE IL 60181

GREG ULNER
3651 CANNONBALL TRL
YORKVILLE IL 60560

UNITED CITY OF YORKVILLE
651 PRAIRIE POINTE DR
YORKVILLE IL 60560

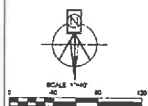
KYLYNS CROSSING HOMEOWN ASSN
226 S BRIDGE ST
YORKVILLE IL 60560

UNITED CITY OF YORKVILLE
651 PRAIRIE POINTE DR
YORKVILLE IL 60560

RANGEL ELENA LEON PAULINO
578 RED TAIL LN
YORKVILLE IL 60560

**PRELIMINARY PLAT OF SUBDIVISION OF
HEARTLAND MEADOWS WEST
A RESUBDIVISION OF**

LOT 23 IN KENDALL HARTPLAGE BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 19 IN THE SOUTH HALF OF SECTION 28 AND THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 27 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS



CURVE TABLE		AREA TABLE	
CHORD	AREA	CHORD	AREA
1.00	0.0000	1.00	0.0000
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2.75	0.0000	2.75	0.0000
3.00	0.0000	3.00	0.0000
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3.50	0.0000	3.50	0.0000
3.75	0.0000	3.75	0.0000
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6.75	0.0000	6.75	0.0000
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9.75	0.0000	9.75	0.0000
10.00	0.0000	10.00	0.0000

LINE TABLE	
CHORD	AREA
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1.75	0.0000
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8.50	0.0000
8.75	0.0000
9.00	0.0000
9.25	0.0000
9.50	0.0000
9.75	0.0000
10.00	0.0000

SURVEYOR'S CERTIFICATE
STATE OF ILLINOIS
COUNTY OF KANE

THIS IS TO CERTIFY THAT I, THOMAS J. BECK, JR., ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-023888, AS THE REQUEST OF THE OWNER, HAVE SURVEYED, SUBDIVIDED AND PLATTED THE FOLLOWING DESCRIBED PROPERTY: LOT 23 IN KENDALL HARTPLAGE, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 19 IN THE SOUTH HALF OF SECTION 28 AND THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 27 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

I FURTHER CERTIFY THAT THE PLAT HEREON DRAWN WAS PREPARED IN ACCORDANCE WITH THE PLAT ACT AND THE ILLINOIS JOUENMENTAL CODE, SECTION 107.10, BEING A DIVISION OF PRACTICE, ALL DEVIATIONS ARE SHOWN IN / ELL AND DECIMAL PARTS THEREOF.

I FURTHER CERTIFY THAT NO PART OF THE ABOVE DESCRIBED PROPERTY IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY BASED ON FIRM DATA, JULY 1, 2004. ALL OF THE PROPERTY IS LOCATED IN ZONE 2 AREAS OF UNIFORM FLOODING.

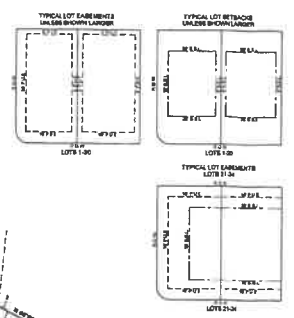
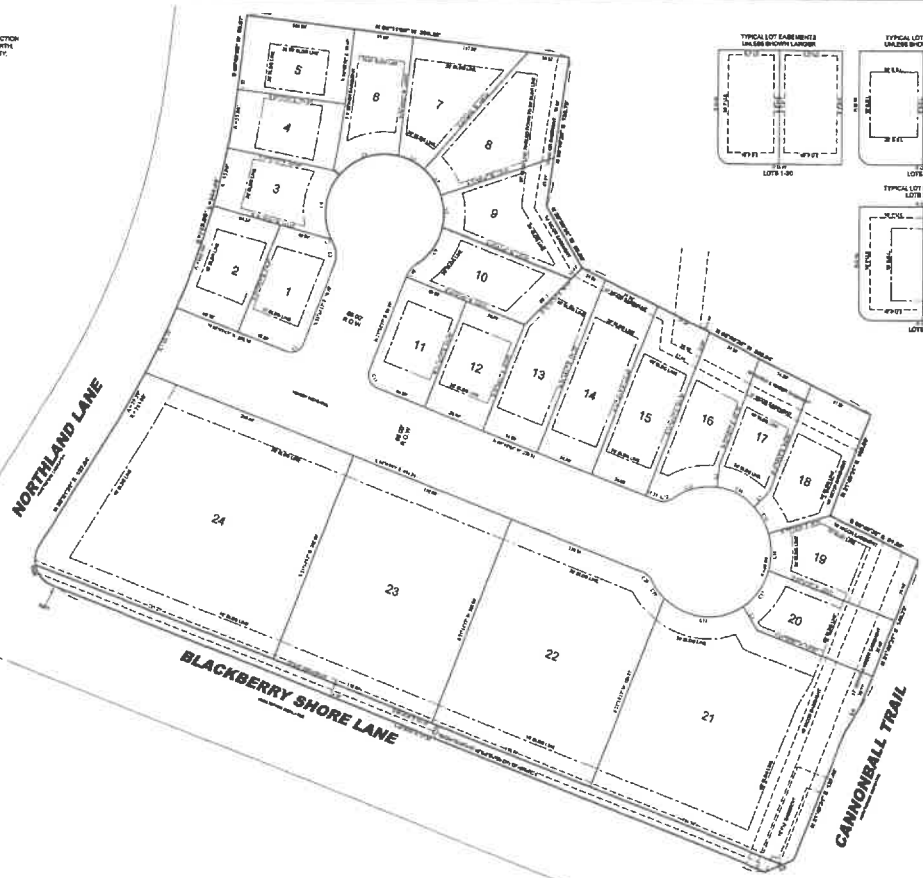
I FURTHER CERTIFY THAT ALL SUBDIVISION MONUMENTS WILL BE SET AND MAINTAINED IN ACCORDANCE WITH THE PLAT ACT AND THE ILLINOIS JOUENMENTAL CODE, SECTION 107.10, BEING A DIVISION OF PRACTICE, ALL DEVIATIONS ARE SHOWN IN / ELL AND DECIMAL PARTS THEREOF.

I FURTHER CERTIFY THAT THE PROPERTY SHOWN ON THE PLAT HEREON DRAWN IS SITUATED WITHIN THE CORPORATE LIMITS OF THE UNITED CITY OF YORKVILLE, ILLINOIS, WHICH IS IN ACCORDANCE WITH THE SPECIAL POWER AUTHORIZED BY PARAGRAPH 13 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE AS AMENDED.

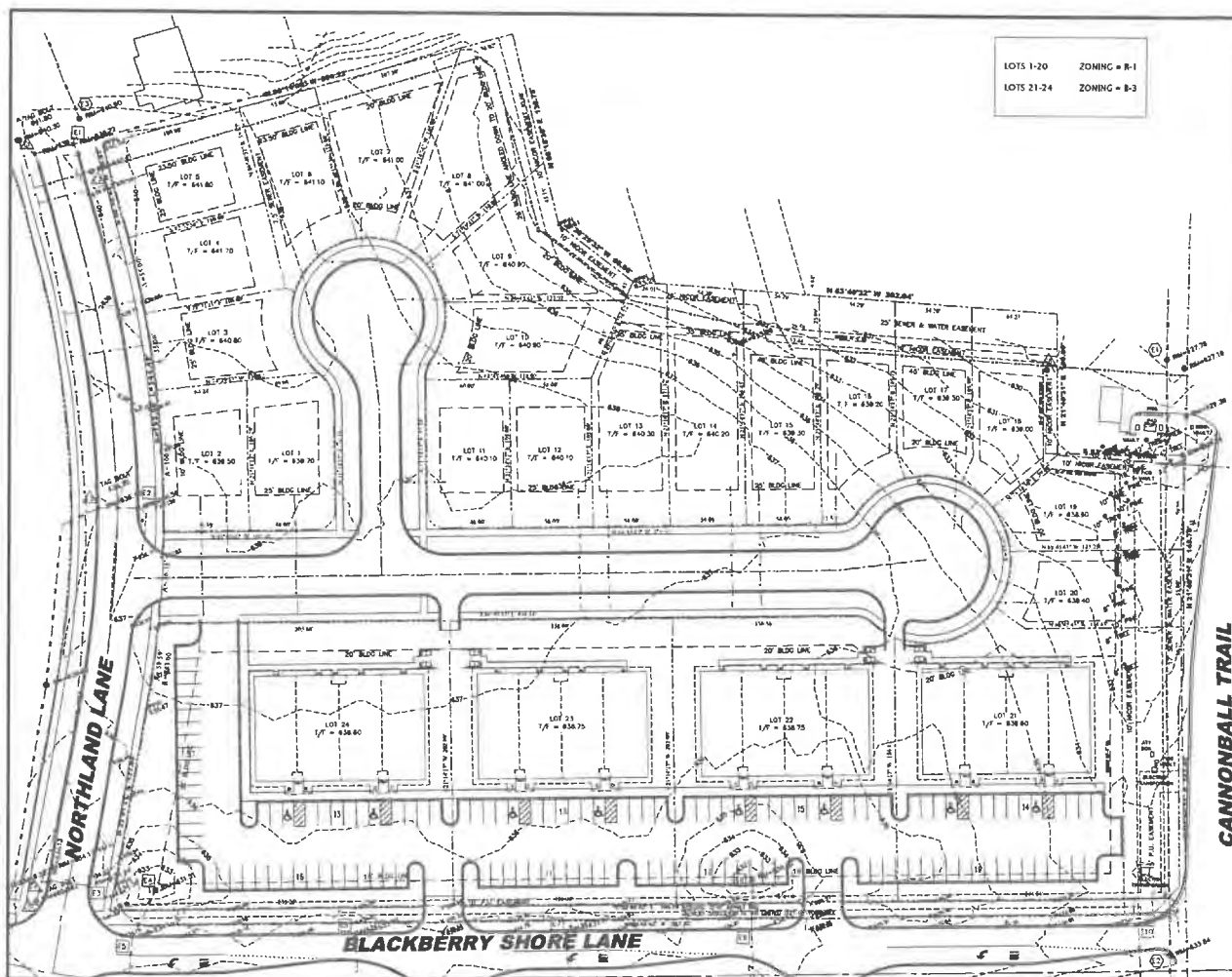
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MUNICIPAL CODE FOR A BOUNDARY SURVEY.

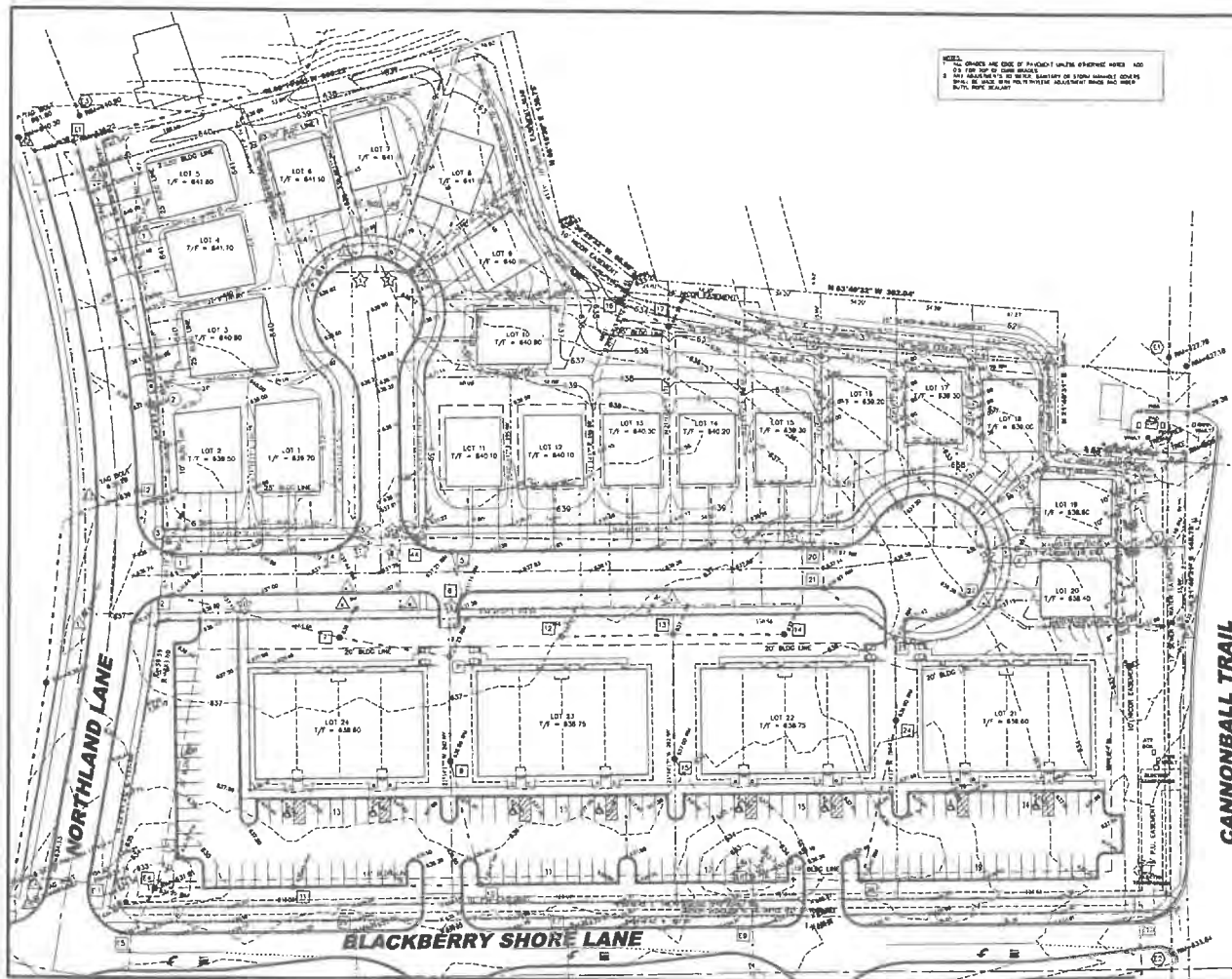
GIVEN UNDER MY HAND AND SEAL AT _____, ILLINOIS THIS _____ DAY OF _____, 2024.

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-023888
Thomas Beck, Jr.
License Expires 11-30-2024

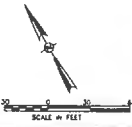


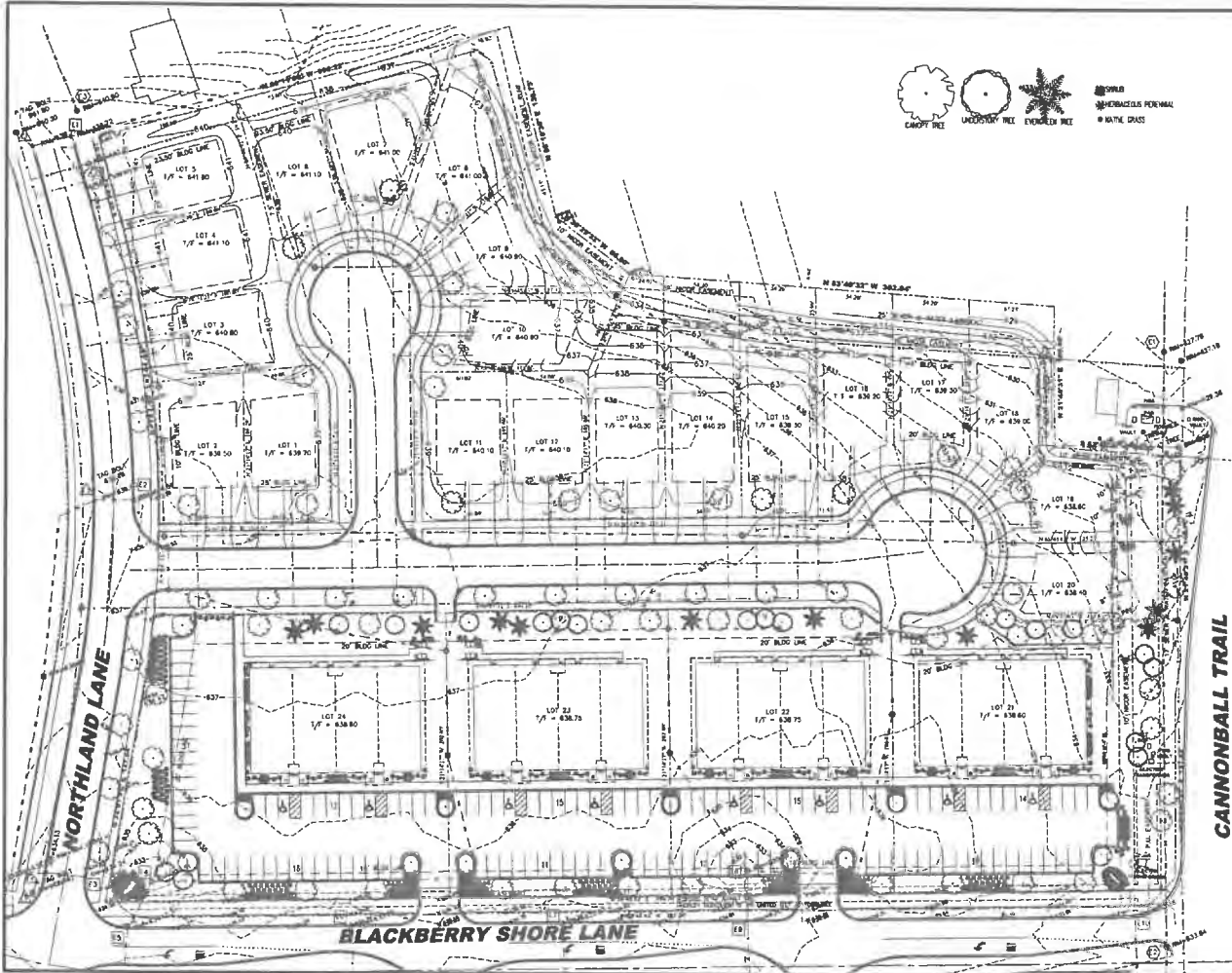
PAGE 2 OF 2





- EXISTING UTILITIES:**
- 1. 12" WATER MAIN
 - 2. 12" WATER MAIN
 - 3. 12" WATER MAIN
 - 4. 12" WATER MAIN
 - 5. 12" WATER MAIN
 - 6. 12" WATER MAIN
 - 7. 12" WATER MAIN
 - 8. 12" WATER MAIN
 - 9. 12" WATER MAIN
 - 10. 12" WATER MAIN
 - 11. 12" WATER MAIN
 - 12. 12" WATER MAIN
 - 13. 12" WATER MAIN
 - 14. 12" WATER MAIN
 - 15. 12" WATER MAIN
 - 16. 12" WATER MAIN
 - 17. 12" WATER MAIN
 - 18. 12" WATER MAIN
 - 19. 12" WATER MAIN
 - 20. 12" WATER MAIN
 - 21. 12" WATER MAIN
 - 22. 12" WATER MAIN
 - 23. 12" WATER MAIN
 - 24. 12" WATER MAIN
- EXISTING STORM SEWER STRUCTURES:**
- 1. 12" STORM SEWER
 - 2. 12" STORM SEWER
 - 3. 12" STORM SEWER
 - 4. 12" STORM SEWER
 - 5. 12" STORM SEWER
 - 6. 12" STORM SEWER
 - 7. 12" STORM SEWER
 - 8. 12" STORM SEWER
 - 9. 12" STORM SEWER
 - 10. 12" STORM SEWER
 - 11. 12" STORM SEWER
 - 12. 12" STORM SEWER
 - 13. 12" STORM SEWER
 - 14. 12" STORM SEWER
 - 15. 12" STORM SEWER
 - 16. 12" STORM SEWER
 - 17. 12" STORM SEWER
 - 18. 12" STORM SEWER
 - 19. 12" STORM SEWER
 - 20. 12" STORM SEWER
 - 21. 12" STORM SEWER
 - 22. 12" STORM SEWER
 - 23. 12" STORM SEWER
 - 24. 12" STORM SEWER







Memorandum

To: Plan Council
From: Krysti Barksdale-Noble, Community Development Director
Date: September 30, 2024
Subject: **PZC 2024-21 Heartland Meadows West (Kendall Marketplace)**
Proposed PUD Amendment and Preliminary & Final PUD Plan

I have reviewed the application for Planned Unit Development (PUD) Agreement Amendment to Ord. 2006-125, as amended, for Kendall Marketplace, as well as a Landscape Plan prepared by Tebrugge Engineering, Preliminary Plat of Subdivision & Final PUD Plan for Heartland Meadows West prepared by Tebrugge Engineering, received August 22, 2024 and September 12, 2024 as submitted by Daniel Kramer on behalf of Marker Inc., petitioner.

The petitioner is seeking to amend the Kendall Marketplace Planned Unit Development (PUD) Agreement and is requesting approval for both a preliminary subdivision plat and the final PUD plan. The proposal is to develop Heartland Meadows West, a mixed-use project that includes twenty (20) single-family residential lots for an active adult community and four (4) commercial outlots. The proposed zoning designations are R-2 Single-Family Traditional Residential District for the residential area and B-3 General Retail District for the commercial area.

Additionally, the petitioner is requesting a reduction in rear yard setbacks from 40 feet to 20 feet due to a 16-inch City water main running parallel to the northern parcel line. They are also asking for a reduction in interior and corner side yard setbacks from 10 feet and 30 feet, respectively, to 5 feet. The site, approximately 8.29 acres of vacant land, is located north of Blackberry Shore Lane, between Northland Lane and Cannonball Trail, within the Kendall Marketplace development.

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

GENERAL ZONING/PUD AMENDMENT COMMENTS:

1. **ZONING** – Per Ord. 2006-125, the Kendall Marketplace development, of which the subject parcel is located within, has a PUD zoning classification to allow for uses permitted within the B-3, R-2, and R-3 zoning districts. The following are the current immediate surrounding zoning and land uses:

Zoning		Land Use
North	R-2 Single-Family Residence District	Cannonball Estates Subdivision
East	R-3 (Kendall County)	Single-Family Residential
South	Planned Unit Development (B-3)	Kendall Marketplace (Home Depot)
West	Planned Unit Development (R-3)	Kendall Marketplace (Baseball Field)
		Kendall Market Place (Townes of Kendall Marketplace)

2. **PERMITTED USES** – Per Table 10-3-12 (B) of the Yorkville Unified Development Ordinance (UDO), “single-family dwellings” are permitted land uses in the R-2 District. The B-3 District allows for a variety of commercial uses such as retail, service, entertainment, eating/drinking, medical, and vehicle related uses.

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



- a. The approved land use for subject parcel was designated for a civic use. The proposed residential and commercial uses require an amendment to the approved planned unit development.
4. **AMENDMENTS TO APPROVED PUD** – Section 10-8-8G of City’s Unified Development Ordinance (UDO) establishes criteria for major and minor planned unit development amendments. It is the finding of the Zoning Administrator that the request is deemed a major amendment to the approved Kendall Marketplace PUD based upon the (a) **increased density** and (b) **modification in the proportion of housing types**.
- a. The breakdown of change in approved land uses within the Kendall Marketplace PUD is provided in the table below:

	APPROVED PUD PLAN (Acres)	PROPOSED PUD AMENDMENT (Acres)	% CHANGE
Residential	47.26	3.33	+7%
Commercial	105.33	3.39	+3.3%
Detention	21.90	0	-
Park	4.40	0	-
Civic	8.35	0	-
Open Space	3.28	0	-
Dedicated R.O.W.	1.58	1.57	+99%
TOTAL AREA	192.1	8.29	

5. **DESIGN STANDARDS** – Per Article III of the Development Agreement (Ord. 2006-125) for Kendall Marketplace, there are special provisions for design standards in addition to the City’s Appearance Code, as explained below:
- a. **Residential** – Single-Family Detached Residential Units must incorporate:
 - i. Masonry products on the front façade of 75% of the total units.
 - ii. A minimum of 75% of the front façade of each building shall have masonry products. A 10% reduction will be given for each major architectural feature on the front façade.
 - iii. A minimum of 50% of each building elevations shall incorporate premium siding material.
 - iv. Primary structures shall be constructed upon either a basement or foundation – slab construction shall not be used.
 - v. Is the petitioner seeking to revise these standards for this portion of the development? If so, how? Will elevations be provided for approval?
 - vi. Anti-monotony regulations provided in Section 10-7-8 of the Unified Development Ordinance shall also apply.
 - b. **Commercial** – Commercial Design Standards are subject to:
 - i. All guidelines” within the Appearance Code section for Non-residential building design for unbuilt sites for commercial, office and institutional uses, per section 10-5-8 of the Unified Development Ordinance.
 - ii. This requires 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 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. The use of masonry products or precast concrete is encouraged on the remaining facades.
 - iii. All commercial, office and institutional buildings shall consist of solid and durable facade materials and be compatible with the character and scale of the surrounding area.
 - iv. Masonry products shall not be painted.
 - v. Is the petitioner seeking to revise these standards for this portion of the development? If so, how? Will elevations be provided for approval?
6. **PERMIT FEES** - Per “Exhibit D” and “ Exhibit E” of the Development Agreement (Ord. 2006-125) for Kendall Marketplace includes residential and commercial permit fees (see attached).
- a. Is the petitioner seeking to revise any of these permit fees?
 - b. Water and sanitary connection fees for residential and commercial land uses are adjusted per the Commercial Purchase and Sales Agreement dated January 23, 2024 (see comment #8d).
 - c. School Transition Fees – The developer will provide written evidence to the City in the form of an executed resolution from the Yorkville Community School District #115 that the School Transition Fee shall be waived on all single-family residences within the proposed development due to it being an age restricted

community in conformity with the US Housing and Urban Development standards.

7. **HOA – Is the developer proposing to create an HOA since no common or open space is proposed?**
8. **DEED RESTRICTION – The development shall be constructed and operated as an age-targeted community with occupancy of the housing units restricted to at least one (1) principal resident who is 55 years of age or greater which shall not be modified for a period of twenty-five (25) years from approval of the Final Planned Unit Development plan.**
9. **PUD MODIFICATION STANDARDS** - 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 not identified at least one (1) modification standard the proposed PUD will meet per Section 10-8-8D.
 - i. Staff believes modification standard #7 “Age-Targeted Development” applies, as the proposed development will include residential dwelling units, amenities, and design characteristics intended to accommodate the lifestyles and needs of senior citizens.
 - b. **Petitioner shall provide written responses to the following standards for special use and for Planned Unit Development (PUD) which will be entered into the record during the public hearing process:**
 - i. **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.
 - ii. **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.
 - iii. **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.
 - iv. **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.
 - v. **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.

- vi. 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.

COMMERCIAL PURCHASE & SALE AGREEMENT

10. Per the Commercial Purchase and Sales Agreement executed on January 23, 2024 between the United City of Yorkville (“Seller”) and Heartland Meadows, LLC (“Purchaser”), petitioner, the following provisions apply:

- a. The agreement included a “Feasibility Period” and “Platting/Entitlement Period”. The feasibility review deadline was June 23rd making the deadline to submit a petition for entitlement approval by July 23rd. **Per the agreement, the purchaser has until January 23, 2025 to obtain entitlements.**
- b. **The purchaser must create a business owner’s association in conjunction with the final plat approval** providing for cross access easements among the four (4) commercial parking lot which are to be maintained by the Association in proportion to the parking area within the lot lines of each individual lot or combined lot.
- c. The commercial parcels shall be in substantial conformity with the UDO’s B-3 Zoning District or less intense zoning classifications under the B-1 and B-2 districts.
- d. The agreement permits the purchaser to **lock in the water and sanitary sewer connection fees in effect as of December 1, 2023 for five (5) years following the date of the City Council approval of the Final Plat of the subject property.**
 - i. The rate of the water connection for single-family detached residential lots on December 1, 2023 was \$5,554; the sanitary sewer connection rate was \$2,000.
 - ii. The rate of the water connection for commercial lots on December 1, 2023 is determined on meter size; the sanitary sewer connection rate was \$400 per number of drain units.
 - iii. **Attached is a sample fee sheet based upon the previously approved PUD agreement and the Commercial Purchase and Sale Agreement.**
- e. The residential lots shall have covenants limited to a 55 year and older active adult community. **The lot sizes will conform to bulk, at least to the minimum lot size and setback requirements, used by the purchaser developed for the Heartland Meadows subdivision (see comment #9).**
- f. Signage may be installed on the property at the close of the Feasibility Period provided that any signage shall conform to the UDO regulations.

SITE PLAN/FINAL PLAN COMMENTS:

- 11. **R-2 SINGLE-FAMILY TRADITIONAL RESIDENCE BULK REGULATIONS** – Per the Table 10-3-9(A) Bulk and Dimensional Standards, the following compares current R-2 Single-Family Traditional Residence District standards with the proposed Planned Unit Development (PUD) for the residential lots:

	R-2 Zoning Regulations	Approved Heartland Meadows	Proposed Heartland Meadows West
Min. Lot Area	12,000 sq. ft.	5,000 sq. ft	5,000 sq. ft ¹
Min. Lot Width	80 feet	50 feet	Undetermined
Front Yard Setback	30 feet	25 feet	25 feet
Rear Yard Setback	40 feet	20 feet	20 feet
Side Yard Setback	10 feet	5 feet	5 feet
Corner Yard Setback	30 feet	10 feet	10 feet
Max. Lot Coverage	45%	22.5% (Entire Development) Max. 65% (Individual Lots)	Undetermined
Max. Dwelling Height	30 feet	1 story	1 story

- a. The proposed PUD does not meet the minimum lot area requirement of 12,000 sq. ft. for the R-2 district. **Is the petitioner seeking to add a request for deviation to this standard in the PUD Agreement Amendment?**
- b. The proposed PUD does not meet the minimum lot width requirement of 80 ft. for the R-2 district. **Is the petitioner seeking to add a request for deviation to this standard in the PUD Agreement Amendment? If so, please provide lot width, measured at the building setback line, for Lots #7, #8, #9, #19 and #20, so that staff may determine the minimum lot width deviation requested.**
- c. **Does the petitioner believe the maximum 45% lot coverage for the R-2 District can be met for this development or is a deviation requested for the PUD?**

12. **B-3 BULK REGULATIONS** – Per the Table 10-3-9(A) Bulk and Dimensional Standards, the following compares current B-3 General Business District standards with the proposed Planned Unit Development (PUD) for the commercial lots:

	B-3 Zoning Regulations	Proposed Heartland Meadows West
Min. Lot Area	10,000 sq. ft.	~31,700 sq. ft ²
Front Yard Setback	50 feet	18 feet
Rear Yard Setback	20 feet	20 feet
Side Yard Setback	20 feet	Undetermined
Corner Yard Setback	30 feet	30 feet
Max. Lot Coverage	80%	Undetermined
Max. Building Height	80 feet	Undetermined

- a. The proposed PUD does not meet the minimum front yard setback requirement of 50 ft. (assuming Blackberry Shore Lane is the front yard) for the B-3 district. **Is the petitioner seeking to add a request for deviation to this standard in the PUD Agreement Amendment?**
- b. **For the bulk requirements listed as undetermined, staff asks the petitioner to verify they will or will not meet this standard.**

¹ Proposed minimum lot area is 5,851 sq. ft. Proposed maximum lot area is 9,220 sq. ft. Proposed average lot area is 7,241 sq. ft.

² Proposed min. lot area is 31,725 sq. ft. Proposed max. lot area is 44,976 sq. ft. Proposed average lot area is 44,983 sq. ft.

13. **ACCESS** – As proposed, the site has three (3) points of access. Two (2) off of Blackberry Shore Lane for the commercial lots and one (1) off of Northland Lane for the residential lots. The access points off of Blackberry Shore Lane leads to off-street parking lots for the commercial uses. The access off of Northland Lane leads to an unnamed future public roadway ending into two (2) cul-de-sacs.

- a. Connectivity – It appears the proposed two (2) access points along Blackberry Shore Lane line up with the existing access points to Home Depot in the Kendall Marketplace development to the south.
 - i. It is also noted that there are two (2) access points located at the rear of the commercial lots that connect to the future public roadway. These access points will be used by service vehicles (such as garbage trucks, delivery vehicles, and emergency services). There is no direct through-access from the commercial parking lots to the future public roadway serving the residential parcels.
- b. Cross Access/Shared Parking – According to Section 10-5-1-F of the Unified Development Ordinance, developments are encouraged to provide cross access between adjacent properties to reduce the number of access points on streets, promote shared parking, and allow vehicular movement between different land uses. **Since the proposed commercial lots meet the criteria for shared parking, the developer is required to include cross access easements for the commercial parcels in the Final Plat of Subdivision.**

14. **PARKING** - According to the Preliminary PUD Plan submitted, there are 132 total parking spaces to be provided on the property to accommodate the proposed four (4) commercial outlots as distributed by lot below:

LOT #	# of Parking Spaces Provided
21	33
22	27
23	26
24	46
TOTAL	132

- a. Per Table 10-5-1(H)(5) Minimum Parking Requirements of the Yorkville Unified Development Ordinance, staff would classify the lots, for the purposes of off-site parking, as commercial retail/service uses less than 8,000 sq. ft., 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, certain allowed reductions to the required parking may be available once final use type is determined.
 - i. **A typical parking stall dimension should be provided on Final Plan.**
- b. **Additionally, per Section 10-5-1K-1 of the Unified Development Ordinance, the developer must install the infrastructure to accommodate a minimum of three (3) electric vehicle charging stations is required.**

- c. 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 (planned unit developments), loading berths adequate number and size to serve such use, as determined by the Zoning Administrators, shall be provided. **What is the petitioner requesting as a minimum number of off-street loading space for the commercial buildings on the site?**
- 15. **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 site has an existing 10’ wide multi-use pedestrian/walking trail along Blackberry Shore Lane and sidewalk installed along the frontage of Northland Lane.
 - a. **Is the petitioner proposing to install sidewalk along Cannonball Trail?**
- 16. **DOUBLE FRONTAGE LOTS** – Section 10-7-2-D of the Unified Development Ordinance states double frontage and reverse frontage lots shall be avoided, except where necessary to overcome disadvantages of topography and orientation, and where a limited access highway, railroad right-of-way, major street, or similar situation exists.
 - a. **However, double frontage lots are permitted when adjoining a local or collector road and providing Type C Transition Yard landscaping (see comments under Landscape Plan).**
- 17. **STREET DESIGN** – Per Section 10-7-5-A of the Unified Development Ordinance, cul-de-sacs shall not exceed five hundred (500) feet in length, measured from the entrance to the center of the turn-around.
 - a. The proposed primary cul-de-sac street length is approximately 500 feet, as measured by staff. **The petitioner must verify or request deviation from this requirement.** The secondary cul-de-sac street length is approximately 200 feet.
 - b. **Islands in the center of cul-de-sacs with a minimum radius of fifteen (15) feet shall be required.** Islands shall use mountable curbing only that allows vehicular access to the islands. Islands may be planted with vegetation, however, such vegetation shall not exceed four (4) feet at maturity to allow for vision clearance across the cul-de-sac’s diameter.
 - i. **The radius of the primary cul-de-sac is 60’, the petitioner must acknowledge if an island is proposed for the primary cul-de-sac or if a deviation is requested.**
 - c. **Local Residential Street Design shall have a minimum right-of-way width of 66’ and provide the following elements on both sides of the street: sidewalk, parkway, and on-street parking.**
- 18. **COMPREHENSIVE PLAN** – The 2016 Comprehensive Plan Update designates this property as “Parks and Open Space” which is defined typically for a broad range of recreational activity, trails, and green space. However, in some instances, the Comprehensive Plan acknowledges, that open space designation may be reserved until future market demand could support commercial development. Further, the Comprehensive Plan encourages development that meets the needs of the aging population in Yorkville. Additionally, the recently adopted “Elevating Aging-in-Community/Lifecycle Living in Yorkville – A Strategic Guide” recommended the city pursue appropriate and affordable housing to support older residents staying in Yorkville.

- a. Therefore, staff supports the proposed PUD and its consistency with the proposed underlining residential and commercial land uses as they are consistent with the previously approved Kendall Marketplace Planned Unit Development.

PRELIMINARY PLAT OF SUBDIVISION COMMENTS:

19. **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.

20. **STREET NAME** – Per Section 10-8-6-C-6-c-(10) of the Unified Development Ordinance, the name of each road or street in the plat shall be printed thereon, which name shall not duplicate the name of any other street, unless it is an extension thereof.

- a. Is the petitioner proposing a name for the future dedicated cul-de-sacs?

LANDSCAPE PLAN COMMENTS:

21. **LANDSCAPING** – Section 10-5-3 establishes landscape standards for new developments.

- a. Per staff's review, the following sections of the Landscape Plan would apply to the **commercial lots:**
 - i. Section 10-5-3-C. Building Foundation Landscape Zone – Defer to engineer's comments.
 - ii. Section 10-5-3-D. Parking Area Perimeter Landscape Zone – Defer to engineer's comments.
 - iii. Section 10-5-3-E. Parking Area Interior Landscape Zone – Defer to engineer's comments.
 - 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.
 1. The rear of the double-frontage commercial lots shall provide a Type C Transition Yard along the primary cul-de-sac between the commercial and residential land uses as described below:



Table 10-5-3(F)(3) Transition Zone Types					
Specification		Type A (3)	Type B (3)	Type C (3)	Type D (3)
(a)	Minimum Zone Width (1)	8 feet	10 feet	15 feet	20 feet
(b)	Minimum Fence/Wall Height (2)	optional	optional	6 feet	6 feet
<i>Minimum Number of Landscape Elements per 100 Linear Feet</i>					
(c)	Understory Tree	optional	3	4	5
(d)	Canopy/Evergreen Tree	4	3	4	5
(e)	Shurbs/Native Grasses	optional	15	25	35
<i>Notes:</i>					
(1) Required yard setbacks may be utilized for transition zone landscape.					
(2) Fence or wall requirements may be satisfied by a solid evergreen hedge with a maximum height of six (6) feet, as approved by the Zoning Administrator.					
(3) Landscaping elements can be arranged to match to natural topography or natural features of the site and may be arranged in groupings to enhance site aesthetics as approved by the Zoning Administrator.					

- b. Per staff's review, the following sections of the Landscape Plan would apply to the **residential lots**:
- i. According to Section 10-7-3-B-4-c of the Unified Development Ordinance, a minimum of one (1) canopy tree shall be planted per every 40 linear feet of parkway.
 - ii. Parkway Trees – Section 10-7-3-B-4-c-1 of the Unified Development Ordinance **allows for the substitution of up to 25 percent of the street trees to be planted on private property within the subdivision as long as the following is met:**
 1. The trees are located on the private property within the same subdivision as the parkway trees they will be substituted for.
 2. Trees located within front yard of lot
 3. The trees provided on the private property are provided in addition to any other landscape requirements.
 4. The trees shall meet the planting specifications of Section 10-5-3-A of the Unified Development Ordinance.
 5. The trees shall enhance the visual quality of the neighborhood and achieve the same visual effects as trees planted in parkways as

proposed by the developer and approved by the Zoning Administrator.

- iii. **Developer shall provide the percentage of parkway trees proposed to be planted on private property for the residential lots. If amount exceeds 25%, a deviation in the PUD is required.**

22. **SIGNAGE** – The petitioner has not provided a signage plan for the Heartland Meadows West development.

- a. **Are monument signs proposed on the commercial and residential lots?**
 - i. **If so, will they meet Chapter 6 – Sign Standards of the Unified Development Ordinance or will a deviation be needed?**
 - ii. **Staff recommends a sign sample be presented for the commercial multi-tenant monument signs.**



October 3, 2024

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

**Re: Heartland Meadows West
PUD Amendment Submittal – 1st Submittal
United City of Yorkville**

Dear Krysti:

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

- Civil Site Plan (1 sheet) dated August 12, 2024, and prepared by Tebrugge Engineering
- Final Plan (1 sheet) dated August 12, 2024, and prepared by Tebrugge Engineering
- Landscape Plan (1 sheet) dated August 12, 2024, and prepared by Tebrugge Engineering
- Preliminary Plat of Subdivision (2 sheets), and prepared by Dale Floyd Land Surveying
- Other supporting documents

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.
 - IEPA NPDES General Construction Permit may be 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.
 - City of Yorkville Stormwater Management Permit and supporting documentation
2. The following will need to be submitted with Final Engineering Plans:
- a. Truck turning exhibits for delivery and emergency vehicles
 - b. Photometric plan
 - c. Storm Sewer Calculations
 - d. Engineer's Opinion of Probable Costs
3. Additional forms and information can be found at <https://www.yorkville.il.us/333/Engineering-Department>.

Final & Civil Site Plan

We have completed a cursory review of the preliminary engineering plans. A detailed review will be completed with the submittal of final engineering. The following comments should be considered when developing final engineering.

- 4. The water main on Cannonball south of the BP/PRV station is in a different pressure zone from the main on Northland Avenue. The subdivision should be in the pressure zone associated with the main on Northland. Therefore, the second water main connection needs to be moved from the main on Cannonball to the 12" water main located on the south side of Blackberry Shore Lane.
- 5. Proposed information for the water, sanitary and storm and all utility conflicts needs to be provided with final engineering (only layout is shown on the provided plan sheet).
- 6. The final engineering plans must include specifications and construction details.
- 7. Erosion control/SWPPP sheets must be included at final engineering.
- 8. The City should confirm that the configuration of the proposed curb cuts and service drives off of the public street for the townhome dumpster enclosures is acceptable. If so, the western one needs to connect to the dumpster area.
- 9. Detention is provided in the Kendall Marketplace detention basin. The existing manhole E4 is the appropriate connection point to the storm sewer. The condition of the manhole needs to be assessed including room for the proposed storm sewer connection with the manhole configuration.
- 10. Sanitary manhole 5 should be moved out of the driveway.

11. The engineer should confirm the dimensions from the sanitary sewer to the buildings between lots 19 and 20 and the proposed depth.
12. Label the proposed streets with street names.
13. The dimensions of the cul-de-sac and the proposed street widths need to be shown.
14. The water and sanitary services for the commercial buildings are not shown.
15. The emergency overland flow route for the site will need to be shown on the plans and designed with Bulletin 75 rainfall data and must conform to the master stormwater plan for the development.

Landscape Plan

16. The comments in the attached review letter from the City's landscaping consultant must be addressed and a revised landscaping plan submitted.

Preliminary Plat of Subdivision

17. A date and location map need to be added to the plat.
18. The locations and names of adjacent lots/subdivisions should be shown.
19. The zoning of adjacent contiguous parcels should be listed.
20. The width of all existing adjacent streets should be labeled.
21. Label the size of and document numbers for all existing easements in the subdivision.
22. Use the standard, unaltered United City of Yorkville certificates for the final plat.
23. Label the size of the easement between Lots 15 and 16.
24. Lots 1 through 20 do not conform to the R-1 district requirements for lot area, minimum lot width, building setbacks, and minimum side and rear yards. We understand a PUD is being sought.
25. Lots 21 through 24 do not conform to the B-3 district requirements for lot area, minimum lot width, building setbacks and minimum side and rear yards. We understand a PUD is being sought.
26. A 10' (minimum) public utility and drainage easement is required for rear yards.
27. The storm sewer across the rear of Lots 10, 13, 14, 15, 16, 17 and 18 must be in an easement.
28. Label the easements on the plat between lots 19 and 20.

29. Show and label the easements over lots 21 through 24.
30. Revise Exterior boundary dimensions C21 and C22.
31. The IDOT certificate should be removed.
32. Add the name and address of the owner, developer and surveyor to the plat.

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. Gina Nelson, Admin Assistant (via email)
Ms. Jori Behland, City Clerk (via email)
Mr. Greg Marker, Marker, Inc. (via email)
Mr. Dan Kramer (via email)
Mr. John Tebrugge, Tebrugge Engineering (via email)
TNP, PGW2, EEI (via e-mail)

Hey and Associates, Inc.

Engineering, Ecology and Landscape Architecture

8755 W. HIGGINS ROAD, SUITE 853

CHICAGO, ILLINOIS 60631

PHONE (773) 693-9200

FAX (773) 693-9200

September 25, 2024

Pamela Whitfield, PE, CFM
Senior Project Engineer II
Engineering Enterprises, Inc.
52 Wheeler Road
Sugar Grove, IL 60554

Project No.: 21-0275 AM

Re: Landscape Plan Review
Heartland Meadows West

Dear Pamela:

We have completed our first landscape plan review of the proposed Heartland Meadows West development located northwest of Blackberry Shore Lane and Cannonball Trail in Yorkville.

Landscape Plan – NOT RECOMMENDED FOR APPROVAL

For reasons described below, this landscape plan is not recommended for approval at this time. A response letter from the petitioner which addresses all review comments should be provided with their next submittal.

REVIEW COMMENTS

Comments must be addressed before landscape plan approval can be recommended. If there are any changes to the proposed project, additional comments may be provided. Please note that the requirements of each section are in addition to the requirements of all other sections of the ordinance (i.e., trees and other plant materials cannot be "double counted" to meet multiple requirements).

Building Foundation Landscape Zone

The graphic symbols used on the plan are illegible and plant species names, quantities, and sizes are not given. Requirements are not met.

Parking Area Perimeter Landscape Zone

The graphic symbols used on the plan are illegible and plant species names, quantities, and sizes are not given. Requirements are not met.

Parking Area Interior Landscape Zone

The graphic symbols used on the plan are illegible and plant species names, quantities, and sizes are not given. Parking area islands shall be spaced not more than 10 continuous spaces apart. Requirements are not met.

Transition Zone

The graphic symbols used on the plan are illegible and plant species names, quantities, and sizes are not given. A Type A Transition Zone is required along Northland Lane between the proposed office development and adjacent commercial development. A Type C Transition Zone is required between the proposed office development and proposed residential development. Requirements are not met.

Species Diversity Requirements

Compliance with species diversity requirements cannot be assessed at this time due to lack of information on the plan. Requirements are not met.

Tree Preservation and Removal

A review of Google Earth and Google Streetview imagery suggests there are trees on the subject property, but no tree inventory, preservation/removal plan, or replacement plan is provided. Requirements are not met.

Street Trees

A minimum of 1 canopy tree is required per every 40 linear feet of parkway. Requirements are not met.

Wetlands

A review of Google Earth and Google Streetview imagery suggests there are no wetlands on the subject property.

SUMMARY

This review was based upon the following documents, pursuant to relevant landscape requirements of the City's Unified Development Ordinance and Wetland Regulations.

- Landscape Plan, 1 sheet, prepared by Tebrugge Engineering, not dated

Let us know if there are any questions or comments.

Sincerely,



Tim Pollowy, PLA, ASLA
Senior Landscape Architect



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

Date: September 9, 2024
To: Krysti Barksdale-Noble (Community Development Director)
From: James Jensen (Chief of Police)
Reference: Plan Review: PZC 2024-21
List Project Name: Heartland Meadows West
List Applicant Name: Greg Marker
List Project Manager: Greg Marker
List Project Location: 721 Blackberry Shore Lane, Yorkville, IL

Please see comments listed below pertaining to the project referenced above:

Signage

Handicapped Signage Required: X Yes No

****Signage must meet MUTCD Standards**

****Fine amount must be listed on sign**

Speed Limit Signage Required/Recommended X Yes No

School Zone Special Signage Yes No

Special Speed Zone Signage Requested Yes No

Comments: **Properly posted speed limit signs should be placed on Northland Lane and Blackberry Shore Lane, along with interior roadways of the development**

No Parking Signage Required? X Yes No

 X No Parking After 2" Snow Fall

No Parking Locations: **Current no parking signs are posted along Northland and Blackberry Shore. These no parking zones should remain the same.**

Dedicated parking signage needed? Yes X No

 X Located by Park – **This development is located next to a park. Parking is allowed on the park side of the street and already posted.**

 School



Yorkville Police Department Memorandum

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Telephone: 630-553-4340
Fax: 630-553-1141

____ Common Parking Area

Are there Street Name Conflicts?

____ Yes **X** No

Comments:

Pedestrian/Bike Path Crossing Signage?

X Yes ____ No

Comments: **Proper signage should be included if a bike path will be added to the development.**

NO Construction Traffic Signage being requested?

X Yes ____ No

Location: **Construction traffic should be kept only to Northland Lane (entrance to development) and Blackberry Shore Lane. Construction traffic should not go into the subdivision.**

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 MUTCD Standards specific to location, size, color, and height levels

Roadway

Street Width: **If parking is allowed on both sides of the roadway there needs to be room for vehicular traffic.**

Should parking be allowed on BOTH sides of road? ____ Yes ____ No

Should parking be restricted to fire hydrant side? ____ Yes ____ No

Center Roadway Medians:

____ Yes ____ No

Limit Parking on Median?

____ Yes ____ No

Signage Needed?

____ Yes ____ No

Room for Emergency Veh. w/ one lane Obstructed?

____ Yes ____ No

Do you have intersection Concerns?

X Yes ____ No

Comments: **Northland Lane can be very busy when there are games being played at the ball fields. Careful attention should be paid to signage and landscaping for site line issues.**

Landscape



Yorkville Police Department Memorandum

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Telephone: 630-553-4340
Fax: 630-553-1141

Low Growth or Ground Cover Landscaping? ☐ Yes ☐ No
Low Growth or Ground Cover Landscaping by windows? ☐ Yes ☐ No
Low Growth or Ground Cover Landscaping by Entrances ☒ Yes ☐ No

****Landscaping located near the entrance/exits should include ONLY low growth or ground cover so as to not obstruct site lines****

Ingress / Egress

Entrance/Exits match up with adjacent driveways? ☐ Yes ☒ No
Total Entrance/Exits for development? 3

Are vehicle entrance/exits safe? ☐ Yes ☐ No
Are warning signs for cross traffic requested? ☒ Yes ☐ No

Raised Median & Signage for Right in & Right Out? ☐ Yes ☒ No
Concerns: _____

Emergency Contact for after hours during construction: _____

Is this a gated or controlled access development? ☐ Yes ☒ No
If yes, will police & Fire and Access? ☐ Yes ☐ No

Miscellaneous

Individual Mailboxes? ☐ Yes ☒ No
Cluster Mailbox Kiosks? ☒ Yes ☐ No
Will this cause traffic choke points? ☒ Yes ☐ No

Comments: **Will there be individual, or cluster mailbox kiosks being used? If they will be using cluster mailbox kiosks they should be placed so as not to disrupt the flow of traffic.**

Are sidewalks being planned for the development? ☒ Yes ☐ No



Yorkville Police Department Memorandum

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

Are sidewalk crosswalks needed? ☒ Yes ☐ No
Are there bike paths planned for the subdivision? ☐ Yes ☒ No
Proper Signage needed for bike paths ☒ Yes ☐ No
☒ Stop Signs ☐ Yield Signs ☒ NO Motorized Vehicles
☐ Trespassing ☐ Other _____

Are there HOA Controlled Roadway OR Parking Areas? ☒ Yes ☐ No
Comments: **This is an age restricted HOA. City is responsible for roadways.**

Who is responsible for re-surfacing and re-striping? **This is an age restricted HOA. All streets are maintained and plowed by the City of Yorkville.**

Security

Will security cameras be in use? ☐ Yes ☒ No
Comments: **Cameras can be installed by individual owners.**

Will the business/management provide the police department remote access to the camera system (User credentials only)? ☐ Yes ☐ No
Comments:

What are the business Hours of Operation? _____

Will the property be alarmed? ☐ Yes ☐ No
Comments:

Will you provide Floor Plans/Maps to the police department ☐ Yes ☐ No
Comments: **Will building floor plans be made available in case of an emergency for law enforcement use?**

Will a Knox Box be placed on Site? ☐ Yes ☐ No
Location of Knox Box:



Yorkville Police Department Memorandum

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Yorkville, Illinois 60560

Telephone: 630-553-4340

Fax: 630-553-1141

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.

STATE OF ILLINOIS)
) ss
COUNTY OF KENDALL)

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

ORDINANCE NO. 2006- 125

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

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

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

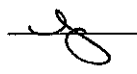
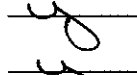
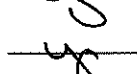
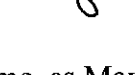
WHEREAS, the legal owners of record of the territory which is the subject of said Development Agreement are ready, willing and able to enter into said Development Agreement and to perform the obligations as required hereunder; and

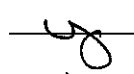
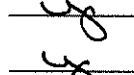
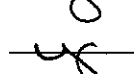

WHEREAS, the procedures for the execution of said Development Agreement have been fully complied with; and

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

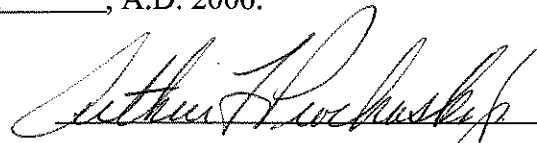
Section 1: The Mayor and the City Clerk are herewith authorized and directed to execute, on behalf of the City, the amended and restated Development Agreement, a copy of which is attached hereto and made a part hereof as Exhibit "A"

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

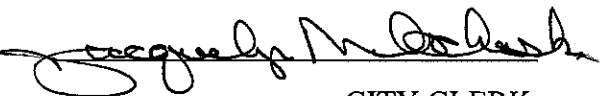
JAMES BOCK 
VALERIE BURD 
JASON LESLIE 
ROSE SPEARS 

JOSEPH BESCO 
PAUL JAMES 
MARTY MUNNS 
DEAN WOLFER 

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


MAYOR

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

ATTEST: 
CITY CLERK

Prepared by:

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

DEVELOPMENT AGREEMENT
'Kendall Marketplace'

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

WITNESSETH

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

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

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

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

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

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

ARTICLE I

GENERAL COMPLIANCE WITH ORDINANCES

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

ARTICLE II

PROPERTY DEVELOPMENT

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

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

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

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

ARTICLE III

SPECIAL PROVISIONS

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

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

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

RESIDENTIAL FEES

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

CANNONBALL TRAIL OFF-SITE LANDSCAPING

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

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

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

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

SIGNAGE

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

ARTICLE IV

EFFECTIVE DATE

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

CITY:

UNITED CITY OF YORKVILLE,
an Illinois municipal corporation

By: 

Title: Mayor

Attest: 

Title: City Clerk

Deputy

Dated: 11/19/07

DEVELOPER:

CANNONBALL, LLC

By: The Harlem Irving Companies,
Inc.

an Illinois corporation, Manager

By: 

DONALD W. BAILEY, VICE PRESIDENT

Attest: 

GREGORY J. FIX, GENERAL COUNSEL

Dated: 11/17/07

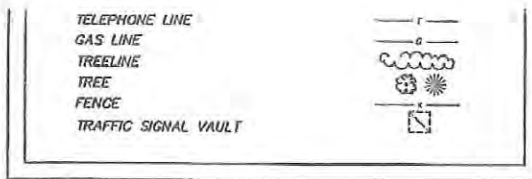


Exhibit "A"

1
14

THAT PART OF THE SOUTH EAST 1/4 OF SECTION 19, PART OF THE SOUTH 1/2 OF SECTION 20 AND PART OF THE NORTH WEST 1/4 OF SECTION 29, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH EAST CORNER OF SAID SOUTH EAST 1/4 SECTION 19; THENCE NORTH ALONG THE EAST LINE OF SAID SOUTH EAST 1/4 310.20 FEET; THENCE WESTERLY PERPENDICULAR TO SAID EAST LINE 198.0 FEET FOR THE POINT OF BEGINNING; THENCE EASTERLY ALONG THE LAST DESCRIBED COURSE 198.0 FEET; THENCE SOUTH ALONG SAID EAST LINE 310.20 FEET TO SAID SOUTH EAST CORNER; THENCE SOUTH ALONG THE WEST LINE OF SAID NORTH WEST 1/4 OF SECTION 29, 429.15 FEET TO THE CENTER LINE OF U.S. ROUTE NO. 34; THENCE EASTERLY ALONG SAID CENTER LINE, WHICH FORMS AN ANGLE OF 95 DEGREES, 41 MINUTES, 25 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 2059.30 FEET TO THE CENTER LINE EXTENDED SOUTHERLY OF CUT-OFF ROAD; THENCE NORTHERLY ALONG SAID CUT-OFF ROAD CENTER LINE EXTENDED AND SAID CENTER LINE WHICH FORMS AN ANGLE OF 106 DEGREES, 47 MINUTES, 23 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 1816.44 FEET TO THE NORTH WEST CORNER OF OAK KNOLLS SUBDIVISION; THENCE NORTHERLY ALONG SAID CUT-OFF ROAD CENTER LINE WHICH FORMS AN ANGLE OF 180 DEGREES, 26 MINUTES, 14 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 746.59 FEET; THENCE NORTHWESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 86 DEGREES, 39 MINUTES, 00 SECONDS WITH THE CENTER LINE OF CUT-OFF ROAD GOING NORTHERLY FROM THE LAST DESCRIBED POINT, MEASURED COUNTER CLOCKWISE THEREFROM, 441.97 FEET; THENCE NORTHWESTERLY ALONG A LINE FORMING AN ANGLE OF 33 DEGREES, 20 MINUTES, 00 SECONDS WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 65.90 FEET; THENCE NORTHERLY ALONG A LINE WHICH FORMS AN ANGLE OF 38 DEGREES, 44 MINUTES, 00 SECONDS WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 138.82 FEET; THENCE WESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 271 DEGREES, 23 MINUTES, 4 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER CLOCKWISE THEREFROM, 2658.89 FEET TO A POINT ON THE EAST LINE OF SAID SOUTH EAST 1/4 OF SECTION 12 WHICH IS 147.18 FEET SOUTH OF THE NORTH EAST CORNER OF SAID SOUTH EAST 1/4; THENCE WESTERLY ALONG THE PROLONGATION OF THE LAST DESCRIBED COURSE 580.80 FEET; THENCE WESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 176 DEGREES, 11 MINUTES, 47 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER CLOCKWISE THEREFROM, 258.97 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHEAST 1/4 WHICH IS 1826.22 FEET EASTERLY OF THE CENTER OF SAID SECTION 19; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 62 DEGREES, 59 MINUTES, 10 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 2411.25 FEET TO THE POINT OF BEGINNING, (EXCEPT THAT PART OF THE NORTHWEST 1/4 OF SECTION 29, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF U.S. ROUTE NO. 34 AND THE CENTERLINE OF CANNONBALL TRAIL; THENCE NORTH 21 DEGREES, 49 MINUTES, 35 SECONDS EAST ALONG THE CENTERLINE OF CANNONBALL TRAIL, 555.0 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 68 DEGREES, 10 MINUTES, 25 SECONDS WEST, 48.0 FEET; THENCE SOUTH 21 DEGREES, 49 MINUTES, 35 SECONDS WEST, PARALLEL TO SAID CENTERLINE OF CANNONBALL TRAIL, 470.0 FEET; THENCE SOUTH 57 DEGREES, 49 MINUTES, 35 SECONDS WEST, 74.81 FEET TO THE NORTHERLY RIGHT OF WAY OF SAID U.S. ROUTE NO. 34; THENCE EASTERLY ALONG SAID NORTHERLY LINE, 95.05 FEET TO THE CENTERLINE OF CANNONBALL TRAIL; THENCE NORTH 21 DEGREES, 49 MINUTES, 35 SECONDS EAST, ALONG SAID CENTERLINE, 502.78 FEET TO THE POINT OF BEGINNING, AND EXCEPT THAT PART OF THE SOUTH HALF OF SECTION 20, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP AND RANGE AFORESAID; THENCE SOUTH ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP AND RANGE AFORESAID, 429.15 FEET TO THE CENTERLINE OF U.S. ROUTE NO. 34; THENCE EASTERLY ALONG SAID CENTERLINE, WHICH FORMS AN ANGLE OF 95 DEGREES 41 MINUTES 25 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 2059.30 FEET TO THE CENTERLINE EXTENDED SOUTHERLY OF CANNONBALL TRAIL; THENCE NORTHERLY ALONG THE CENTERLINE OF SAID CANNONBALL TRAIL, WHICH FORMS AN ANGLE OF 106 DEGREES 47 MINUTES 23 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 1816.44 FEET TO THE NORTHWEST CORNER OF OAK KNOLLS SUBDIVISION; THENCE CONTINUING NORTHERLY ALONG SAID CENTERLINE, WHICH FORMS AN ANGLE OF 180 DEGREES 26 MINUTES 14 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 746.59 FEET FOR THE POINT OF BEGINNING; THENCE NORTHWESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 94 DEGREES 29 MINUTES 17 SECONDS WITH SAID CENTERLINE, MEASURED CLOCKWISE THEREFROM, 140.00 FEET; THENCE SOUTHERLY ALONG A LINE WHICH FORMS AN ANGLE OF 85 DEGREES 30 MINUTES 43 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM AND PARALLEL WITH SAID CENTERLINE, 100.00 FEET; THENCE EASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 94 DEGREES 29 MINUTES 17 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 140.00 FEET TO SAID CENTERLINE; THENCE NORTHERLY ALONG SAID CENTERLINE, WHICH FORMS AN ANGLE OF 85 DEGREES 30 MINUTES 43 SECONDS WITH THE LAST DESCRIBED COURSE, 100.00 FEET TO THE POINT OF BEGINNING), IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

To Mid America, and Chicago Title Insurance Company:

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

Dated at Yorkville, Illinois, March 22, 2006.


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

EXHIBIT B

PROPOSED
TRAFFIC SIGNAL

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

PROPOSED
TRAFFIC SIGNAL

PROPOSED
TRAFFIC SIGNAL

PROPOSED SITE PLAN



GENERAL PROJECT DATA :

TOTAL SITE AREA +/- 192.10 ACRES
RESIDENTIAL SITE AREA +/- 47.26 ACRES
COMMERCIAL SITE AREA +/- 105.33 ACRES
DETENTION AREA +/- 2150 ACRES
PARK AREA +/- 4.40 ACRES
CIVIC USE AREA +/- 8.33 ACRES
OPEN SPACE AREA +/- 3.28 ACRES
DEDICATED R.O.W. AREA +/- 1.58 ACRES

RESIDENTIAL SITE DATA :

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

SINGLE FAMILY PARCEL :

PARCEL AREA +/- 87.5 ACRES
TOTAL DWELLING 28 UNITS
DENSITY 3.20/AC.

MULTI - FAMILY PARCEL :

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

COMMERCIAL SITE DATA :

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

HOME DEPOT PARCEL:

PARCEL AREA +/- 10.59 ACRES
TOTAL G.L.A. 102,687 S.F.
TOTAL PARKING REQD. 185 CARS
BASED ON 3 CARS PER 1000 S.F. OF FLOOR AREA FOR RETAIL
TOTAL PARKING PROVIDED 484 CARS

KOHL'S PARCEL:

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

SUPER TARGET PARCEL:

PARCEL AREA +/- 15.80 ACRES
TOTAL G.L.A. 185,000 S.F.
TOTAL PARKING REQD. 925 CARS
BASED ON 3 CARS PER 1000 S.F. OF FLOOR AREA FOR RETAIL
TOTAL PARKING PROVIDED 957 CARS

CANNONBALL TRAIL PROPER IES

Exhibit C



EXHIBIT D - RESIDENTIAL DEVELOPMENT FEES

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



United City of Yorkville

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

EXHIBIT E

COMMERCIAL PERMIT FEES

Permit/Plan Review

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

Contributions

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

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

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

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

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

EXHIBIT E

MULTIPLE-FAMILY RESIDENTIAL USE GROUPS

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

ALL OTHER USE GROUPS

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

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

EXHIBIT E

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

BUILDING CODE

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

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

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

FIRE DETECTION/ALARM SYSTEMS

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

FIRE SPRINKLER SYSTEMS

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

ALTERNATE FIRE SUPPRESSION SYSTEMS

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

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

STATE OF ILLINOIS)
)ss.
COUNTY OF KENDALL)

ORDINANCE 2004 - 55

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

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

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

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

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

EXHIBIT E

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

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

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

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

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

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

EXHIBIT E

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

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

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

EXHIBIT E

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

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

EXHIBIT E

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

EXHIBIT E

PAUL JAMES _____

MARTY MUNNS Y

RICHARD STICKA Y

WANDA OHARE Y

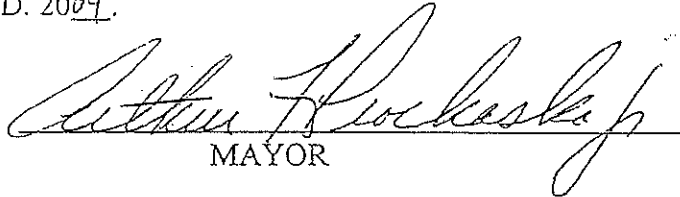
VALERIE BURD Y

ROSE SPEARS Y

LARRY KOT Y

JOSEPH BESCO Y

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


MAYOR

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

Attest: 
CITY CLERK

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

9/10/96

STATE OF ILLINOIS)
) ss.
COUNTY OF KENDALL)

96-11

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

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

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

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

DEFINITIONS

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

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

PROVISIONS

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

EXHIBIT E

charges by any other entity including the applicable sanitary district.

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

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

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

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

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

EXHIBIT E

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

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

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

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

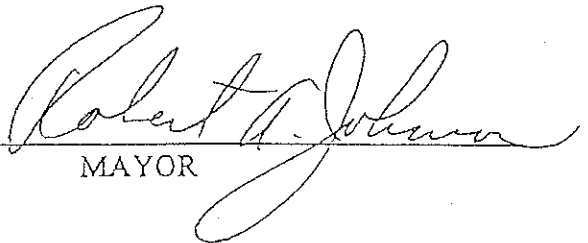
10. All Excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City of Yorkville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

EXHIBIT E

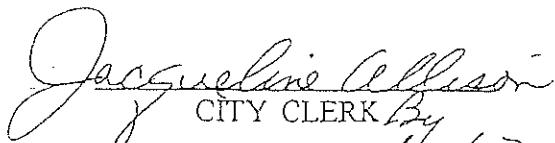
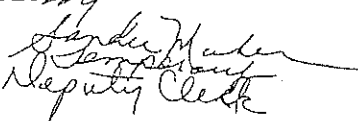
11: This Ordinance will be effective November, 1 1996.

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

Passed this 12th day of September, 1996


MAYOR

ATTESTED:


CITY CLERK By 
Sandra Mader
Deputy Clerk

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

SCHEDULE "A"

EXHIBIT E

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

EXHIBIT E

MOBILE TRAILER PARKS

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

LAUNDRIES

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

SELF-SERVICE CAR WASH

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

AUTOMATIC CAR WASH

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

NURSING HOMES AND HOSPITALS

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

SCHOOLS

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

DORMITORIES, FRATERNITIES AND SORORITIES

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

STATE OF ILLINOIS)
)ss
COUNTY OF KENDALL)

EXHIBIT E

ORDINANCE NO. 2006- 32

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

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

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

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

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

EXHIBIT E

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

JAMES BOCK



VALERIE BURD



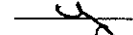
DEAN WOLFER



ROSE SPEARS



JOSEPH BESCO



PAUL JAMES



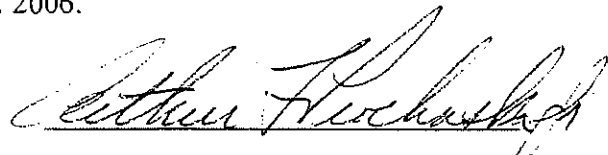
MARTY MUNNS



JASON LESLIE

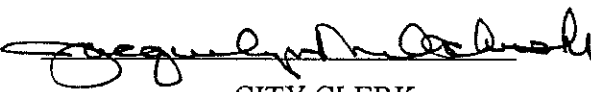


Approved by me, as Mayor of the United City of Yorkville, Kendall County, Illinois, this
25 Day of April, A.D. 2006.



MAYOR

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

ATTEST: 
CITY CLERK

Prepared by:

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

EXHIBIT A: RESIDENTIAL CONNECTION FEE

2006 WATER SYSTEM CONNECTION FEE UPDATE

United City of Yorkville, Kendall Co., IL

EXHIBIT E

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



**Engineering
Enterprises,
Inc.**

EXHIBIT E

EXHIBIT B: NON-RESIDENTIAL CONNECTION FEE

2006 WATER SYSTEM CONNECTION FEE UPDATE

United City of Yorkville, Kendall Co., IL

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

Legend

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

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



**Engineering
Enterprises,
Inc.**

EXHIBIT E

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

97-11

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

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

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

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

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

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

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

EXHIBIT E

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

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

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

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

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

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

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

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

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

EXHIBIT E

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

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

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

Passed and approved this 22nd day of May, 1997.

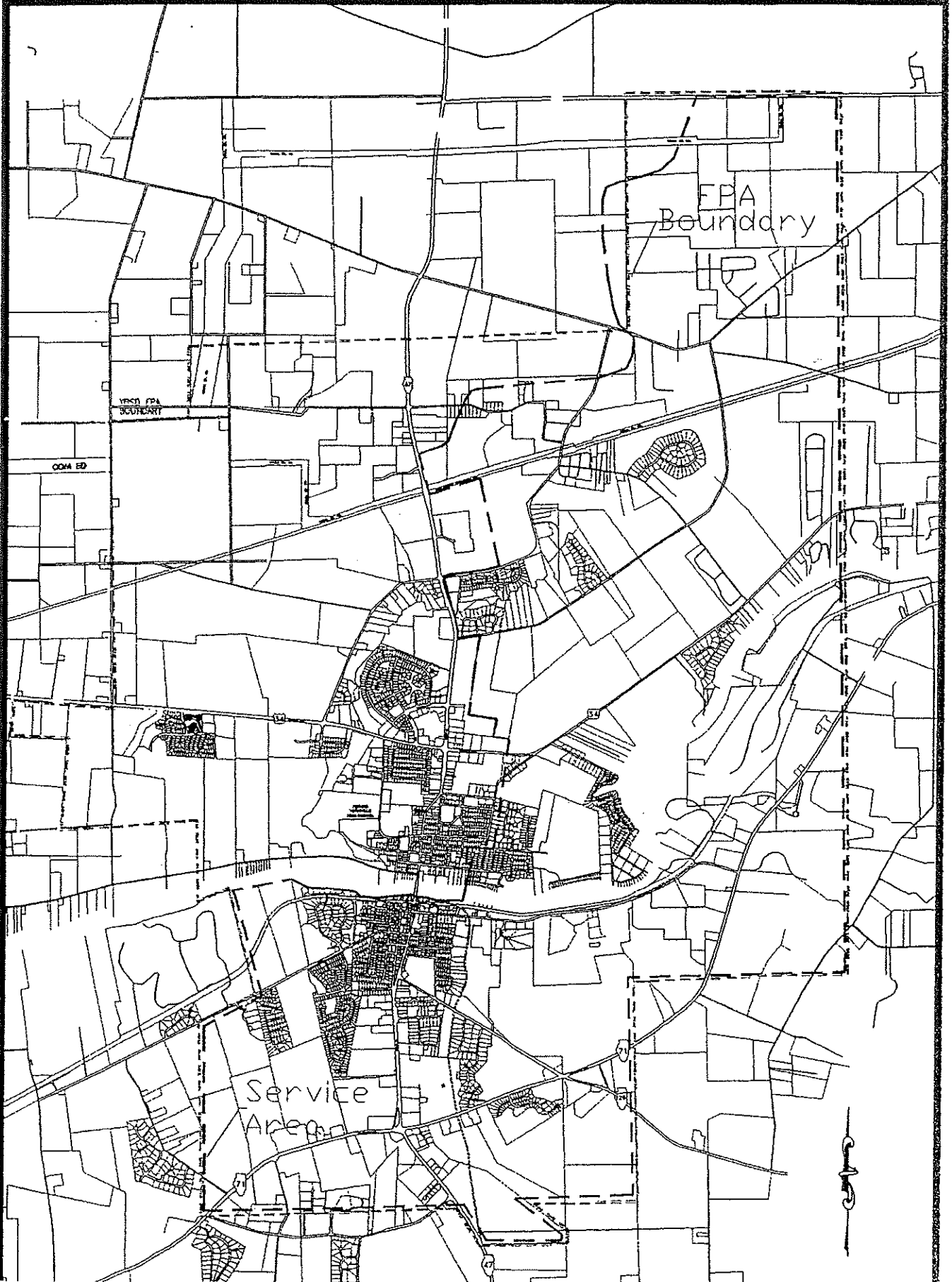
Robert A. Johnson
MAYOR

ATTEST: Deborah K. Simmons
CITY CLERK

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

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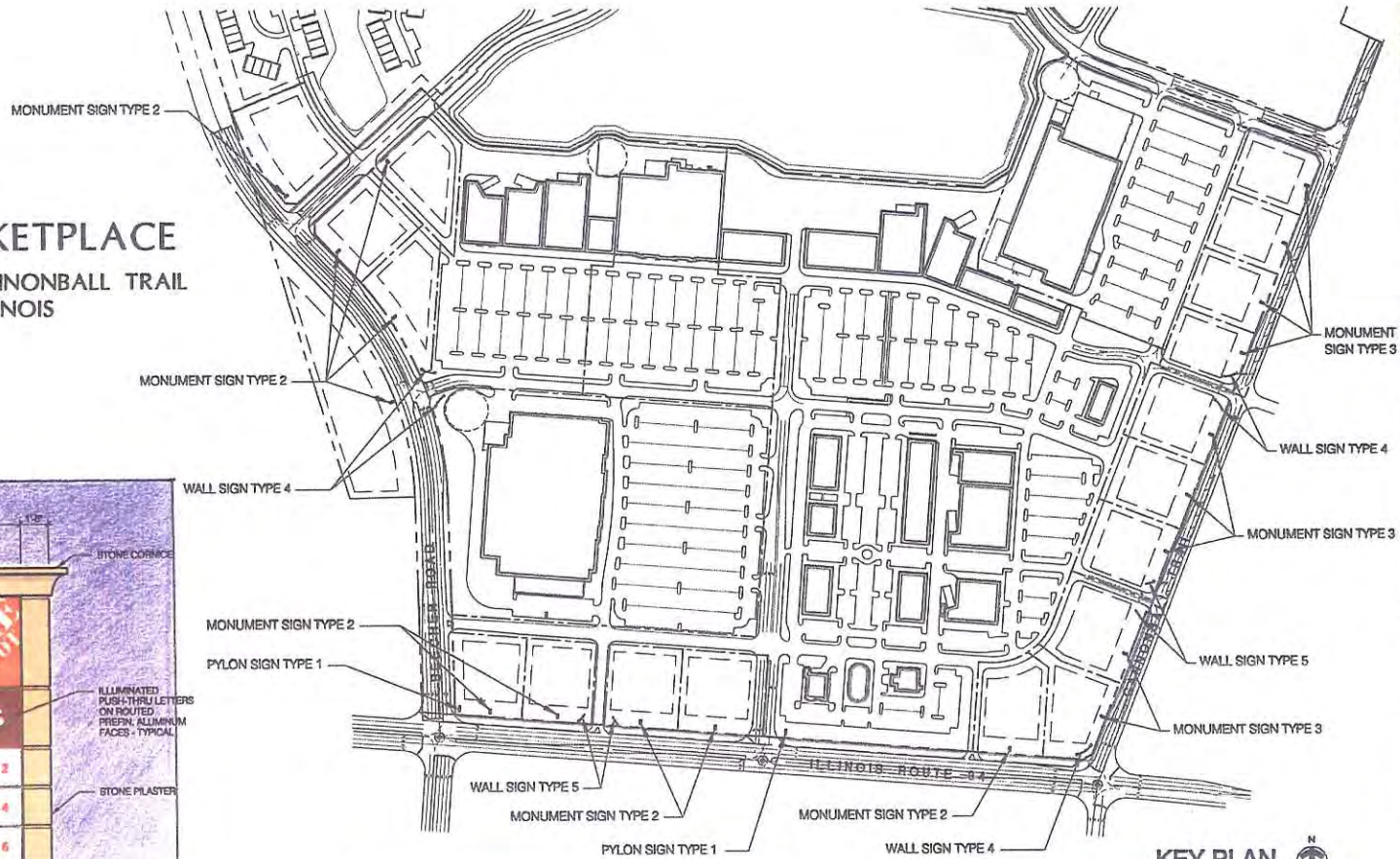
Sanitary Sewer River Crossing Service Area



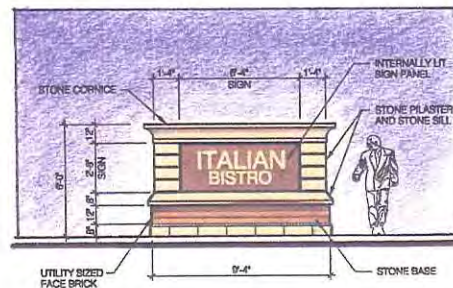
PROJECT:
KENDALL MARKETPLACE
ILLINOIS ROUTE 34 & CANNONBALL TRAIL
YORKVILLE, ILLINOIS



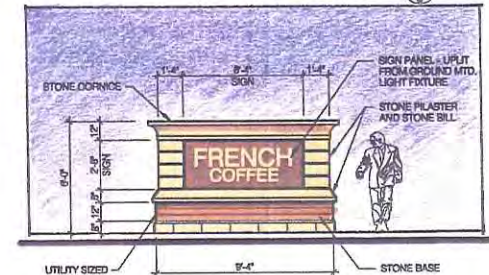
PYLON SIGN - TYPE ①
192 S.F. TOTAL SIGN AREA



KEY PLAN



MONUMENT SIGN - TYPE ②
(OUTLOT SIGN)



MONUMENT SIGN - TYPE ③
(OUTLOT SIGN)

PFDA
ARCHITECTS INC.
30 N. WACKER DRIVE
SUITE 200
CHICAGO, ILLINOIS 60601
TEL: 312.755.7500
FAX: 312.755.7501

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

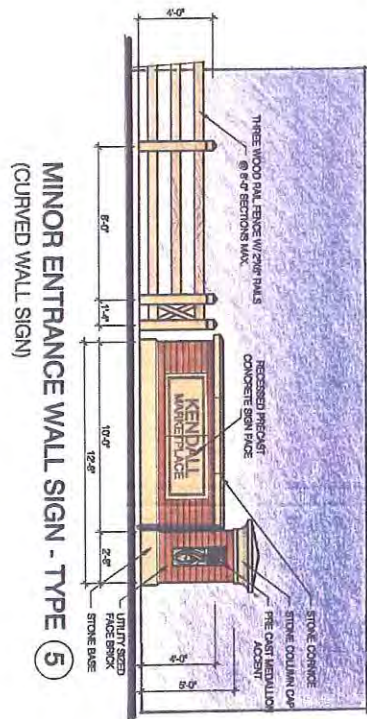
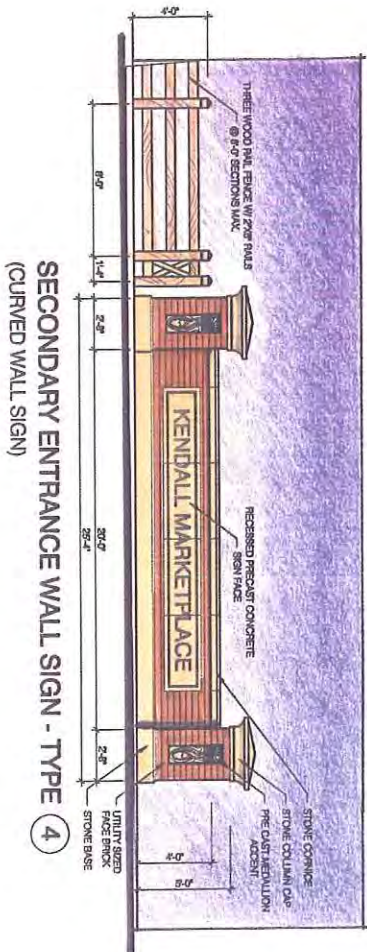
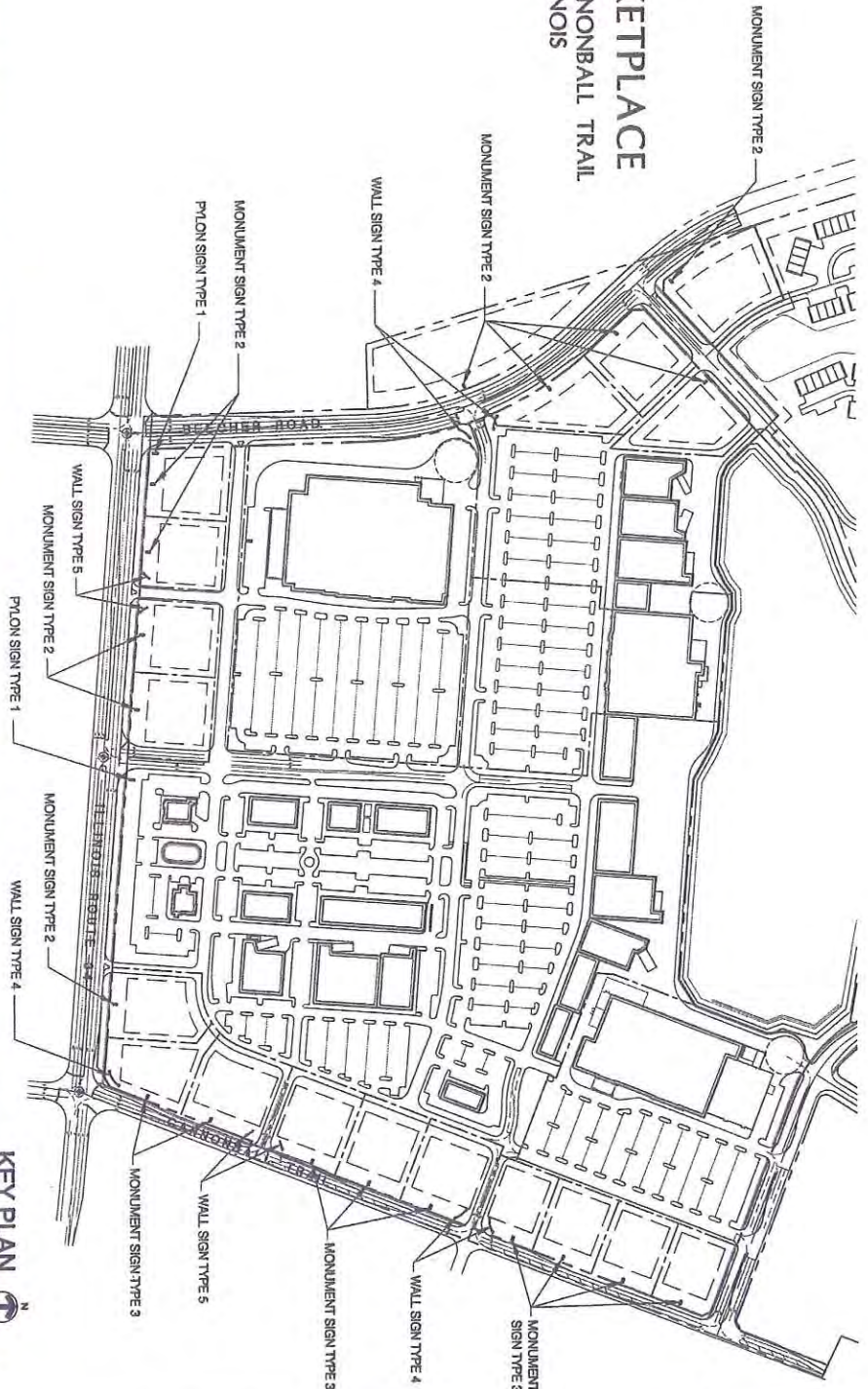
OWNER/DEVELOPER:
MIDAMERICA
DEVELOPMENT PARTNERS LLC
1211 N. WACKER DRIVE
SUITE 200
CHICAGO, ILLINOIS 60601
TEL: 312.755.7500
FAX: 312.755.7501

NO.	DATE	DESCRIPTION
1	01/15/2010	ISSUED FOR PERMITS
2	02/15/2010	REVISED TO ADD SIGNAGE
3	03/15/2010	REVISED TO ADD SIGNAGE
4	04/15/2010	REVISED TO ADD SIGNAGE
5	05/15/2010	REVISED TO ADD SIGNAGE
6	06/15/2010	REVISED TO ADD SIGNAGE
7	07/15/2010	REVISED TO ADD SIGNAGE
8	08/15/2010	REVISED TO ADD SIGNAGE
9	09/15/2010	REVISED TO ADD SIGNAGE
10	10/15/2010	REVISED TO ADD SIGNAGE
11	11/15/2010	REVISED TO ADD SIGNAGE
12	12/15/2010	REVISED TO ADD SIGNAGE
13	01/15/2011	REVISED TO ADD SIGNAGE
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16	04/15/2011	REVISED TO ADD SIGNAGE
17	05/15/2011	REVISED TO ADD SIGNAGE
18	06/15/2011	REVISED TO ADD SIGNAGE
19	07/15/2011	REVISED TO ADD SIGNAGE
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21	09/15/2011	REVISED TO ADD SIGNAGE
22	10/15/2011	REVISED TO ADD SIGNAGE
23	11/15/2011	REVISED TO ADD SIGNAGE
24	12/15/2011	REVISED TO ADD SIGNAGE
25	01/15/2012	REVISED TO ADD SIGNAGE
26	02/15/2012	REVISED TO ADD SIGNAGE
27	03/15/2012	REVISED TO ADD SIGNAGE
28	04/15/2012	REVISED TO ADD SIGNAGE
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97	01/15/2018	REVISED TO ADD SIGNAGE
98	02/15/2018	REVISED TO ADD SIGNAGE
99	03/15/2018	REVISED TO ADD SIGNAGE
100	04/15/2018	REVISED TO ADD SIGNAGE

S1

JOB NO. 10000

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



KEY PLAN

<p>OWNER/DEVELOPER:</p> <p>MIDAMERICA DEVELOPMENT PARTNERS LLC</p>		<p>PROJECT:</p> <p>KENDALL MARKETPLACE ILLINOIS ROUTE 34 & CANNONBALL TRAIL YORKVILLE, ILLINOIS</p>		<p>PFDA ARCHITECT</p>
<p>SITE PLAN</p>		<p>S2</p>		<p>30' X 10' SIGNAGE</p>

Dated: December 8, 2023

STATE OF ILLINOIS)
)
COUNTY OF KENDALL)

COMMERCIAL PURCHASE AND SALE AGREEMENT

THIS COMMERCIAL PURCHASE AND SALE AGREEMENT (this "Agreement") is entered into this 23rd day of January, 2024 (the "Effective Date"), which shall be the date the last party executes this Agreement), by and between THE UNITED CITY OF YORKVILLE, ("SELLER") and HEARTLAND MEADOWS, LLC, AN ILLINOIS LIMITED LIABILITY COMPANY or Its Assignee to an Authorized Legal Entity to be created by PURCHASER ("PURCHASER"). SELLER and PURCHASER are sometimes collectively referred to as the "Parties."

RECITALS:

A. SELLER is the owner of certain real property located in the United City of Yorkville, Sections 17 and 20 of Bristol Township ("Township"), Kendall County, Illinois, as depicted in the attached legal description as Exhibit "A" approximately Eight Point Three (8.3) gross surveyed acres more or less of real property and identified as PIN: 02-20-351-006 as more accurately described in the legal description to be provided by survey and to be attached hereto as Exhibit "B" upon Agreement of SELLER'S and PURCHASER'S Counsel. The parcel of Real Property being sold herein is referred to as the "Subject Parcel" SELLER has agreed to sell that portion of the Subject Parcel exclusive of the trail along the southern border of the Subject Parcel, the remaining portion of the Subject Parcel hereinafter referred to as the "Subject Property" as depicted in the attached Heartland Meadows West Conceptual Site Plan as set out in the attached Exhibit "C" incorporated herein by reference to PURCHASER for the sum of Four Hundred Five Thousand Dollars (\$405,000.00) the "Purchase Price".

THEREFORE, in consideration of the mutual covenants and the undertakings described in this Agreement, and other good and valuable consideration, the receipt and adequacy thereof being expressly acknowledged, the Parties agree as follows:

1. Agreement to Sell. SELLER agrees to sell, transfer and convey the Subject Property as set forth in paragraphs A and B above in exchange for the Purchase Price at Closing is set forth in paragraphs A and B above hereof and shall be paid at the Closing in wired funds.

Initials

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2. Earnest Money Deposit. On or prior to the seventh (7th) business day after the Effective Date, PURCHASER shall make a deposit in the form of Cashier's check from PURCHASER, in the amount of Twenty Five Thousand Dollars (\$25,000.00) ("Earnest Money Deposit") to Chicago Title Company, Yorkville, Illinois office ("Title Insurer"), which shall be held in Strict Joint Order ("SJO") escrow by the Title Insurer. Upon expiration of the Platting/Entitlement Period (defined in Section 8), provided PURCHASER has not terminated this Agreement as permitted herein, and Seller has not otherwise defaulted and failed to cure its default, the Earnest Money Deposit shall become non-refundable and applicable as a credit against the Purchase Price.

3. (a) Due Diligence Materials. Within Fourteen (14) Business days from the Effective Date, SELLER shall, at SELLER's expense, provide PURCHASER a copy of all documents relating to the Subject Property that are in the possession of SELLER, its agents, attorney and consultants including, but not limited to, any reports, investigations, studies, plans or documents pertaining to the Subject Property in SELLER's possession (the "Due Diligence Period").

(b) Site Access. PURCHASER shall be granted reasonable access to the Subject Property during the term of the Agreement to obtain soil tests, engineering studies, environmental (hazardous waste) study, and archeological study. Copies of all reports shall be provided to SELLER within Thirty (30) business days of receipt by PURCHASER of each report. Prior to entry of PURCHASER or its agents, employees, or subcontractors on the Subject Property, PURCHASER shall provide SELLER or SELLER's Attorney a Certificate of Insurance for at least One Million Dollar (\$1,000,000.00) Liability Insurance naming SELLER as a party insured for Liability purposes in regard to any onsite testing or investigations.

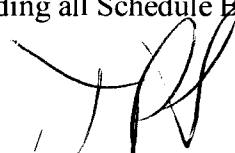
4. Evidence of Title. Within Fourteen (14) Business days from the Effective Date, SELLER shall deliver to PURCHASER a commitment for a Chicago Title ALTA Owner's Title Insurance Policy ("Commitment"), issued by the Title Insurer in an amount equal to the Purchase Price, naming PURCHASER as the proposed insured and identifying the condition of title to the Subject Property, together with legible copies of all the instruments and documents referenced in the Commitment and all Schedule B documents and including but not limited to all easements which are appurtenant to or burden the Subject Property.

5. Survey. SELLER shall provide PURCHASER with a Current ALTA Extended Coverage Survey within 30 business days of SELLER'S written acceptance of this Agreement. The ALTA Survey to be made in accordance and in compliance with the most current ALTA/ ASCM Urban Land Survey Standards and containing Table A Option Numbers 1, 2, 3, 4, 6, 7(a), 7(b), 7(c), 8, 9, 10, 11, 11(a), 11(b), 13, 14, 15 and 16 ("New Survey"). The New Survey shall be sufficient to cause the Title Company to delete the standard printed survey exception and to issue an owner's title policy free from any survey objections other than the Permitted Exceptions. The certification on the Survey shall run to the benefit of the PURCHASER, Title Company, PURCHASER's Lender and SELLER.

6. Permitted Exceptions. PURCHASER shall have twenty-one days (21) from receipt of the ALTA Survey and the Commitment, including all Schedule B documents referenced

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therein ("Title Review Period") to review the Survey, the Commitment and all instruments and documents referenced in the Commitment. Permitted Exceptions shall include a limitation on the permitted commercial uses of any portion of the Subject Property as mutually agreed by the Seller and Purchaser and a covenant permitting use of the area of the Subject Property designated for parking for activities in the adjoining park area so long as such use does not interfere with the hours of operation of any business located at the Subject Property. Prior to expiration of the Title Review Period, PURCHASER or PURCHASER's attorney may deliver to SELLER a written objection as to item(s) identified (or which the Title Insurer or surveyor failed to identify) in the Commitment ("PURCHASER's Objection Letter "), SELLER shall have five (5) days from its receipt of PURCHASER's Objection Letter to notify PURCHASER by written notice ("SELLER Objection Response ") as to whether or not SELLER has elected either (i) to cure any title defects or unpermitted exceptions identified in PURCHASER's Title Notice, or (ii) to cause the Title Insurer to insure the title defects or unpermitted exceptions identified in PURCHASER's Objection Letter in a manner satisfactory to PURCHASER. Any items not raised in PURCHASER's Objection Letter shall be deemed "Permitted Exceptions." If Seller elects , not to cure any matter objected to in the PURCHASER's Objection Letter , then PURCHASER shall have five (5) business days thereafter to notify SELLER by written notice (an "PURCHASER's Title Waiver Notice") as to whether PURCHASER has elected either (i) to waive its objection or objections to the matter or matters not being cured by SELLER, without reduction of the Purchase Price, or (ii) to terminate this Agreement, in which event the Initial Deposit (which has not yet been applied as no closing shall have occurred) shall be promptly returned to PURCHASER. If PURCHASER fails to deliver PURCHASER's Title Waiver Notice, such failure shall be deemed a waiver of such objections and such exceptions shall become Permitted Exceptions.

7. Feasibility Period PURCHASER may terminate this Agreement without fault if it is unable to obtain Zoning, Preliminary Platting approval, and Final Plat Approval within the Platting/Entitlement Period granted herein under Paragraph 3-8 of this Agreement. In the event PURCHASER is able to obtain Zoning and Final Plat Approval granting Entitlements by the United City of Yorkville in order to allow development of the Subject Property in substantial conformity with the Conceptual Site Plan of PURCHASER, incorporated herein as Exhibit "C" as requested for the Subject Property, PURCHASER shall be irrevocably required to purchase the Subject Property. PURCHASER shall use its best efforts to seek approval of its entitlement requests with the United City of Yorkville. Commencing on the Effective Date through the date five (5) months after the Effective Date ("Feasibility Period") the PURCHASER shall be entitled to satisfy itself in its sole discretion, that the Property may be used for PURCHASER's intended purpose, including without limitation, PURCHASER's right to reasonable access to the Property for the purpose of inspecting the physical condition of the Property and obtaining all required third party zoning, Preliminary and Final Platting approval and governmental permits and approvals from any applicable governmental body including but not limited to the United City of Yorkville, Yorkville School District, County of Kendall Stormwater Department, Bristol-Kendall Fire Department, and Illinois EPA.

8. Platting/Entitlement Period. PURCHASER shall file a Petition for Zoning & Site Plan Approval of Preliminary Engineering and a Preliminary Plat, solely at PURCHASER's expense, within thirty (30) days after the expiration of the Feasibility Period, then PURCHASER shall thereafter have one hundred eighty (180) days (the "Platting/Entitlement Period") to obtain approval of Zoning, Final Engineering and a Final Plat of Subdivision from the United City of Yorkville for development of the Subject Property with the following conditions:

Initials

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- A. That the Site Plan shall permit the development of up to 4 separate lots for commercial purposes as set out in the attached Exhibit "C". The individual parking lots to be maintained by the Association of the 4 lots in proportion to the parking area within the lot lines of each individual, or combined lot.

To conform to that request, PURCHASER shall create a Business Owner's Association in conjunction with Final Plat Approval providing for Cross Access Easements to each of the commercial areas; and cross parking agreements for the benefit of the 4 commercial lots.

- B. That the Zoning Class attributable to the commercial area shall be in substantial conformity with the United City of Yorkville B-3 Zoning District in order to permit building of office buildings, restaurants, or any other permitted or Special Use within the B-3 Zoning Classification or the less intense zoning classifications under the United City of Yorkville Unified Development Ordinance for B-1 and B-2 purposes.

The parties hereto acknowledge that the original Subdivision was planned and engineered for development with substantially the same lot coverage proposed in Exhibit "C" and that no additional detention or retention requirements other than connecting to current out lot storm ponds and current storm sewer installation to which the United City of Yorkville can grant access to Purchaser shall be required for development of the commercial or residential proposed on Exhibit "C" hereto.

- C. The parties agree that the City shall lock current existing City water and sanitary sewer connection tap on fees as are in effect as of December 1, 2023 for five (5) years following the date of City Council approval of the final plat of the Subject Property as outlined in Exhibit "C".
- D. That the residential proposed lots in the attached Exhibit "C" will be governed by Covenants and a Planned Unit Development Agreement limited to a 55 year and older active adult community. The lot sizes will conform at least to the minimum lot size and setback requirements that PURCHASER has used in a related Development that has been partially built out in the United City of Yorkville and known as Heartland Meadows.

PURCHASER may terminate this Agreement if it is unable to obtain Zoning Approvals within the Platting/Entitlement Period, by providing SELLER with written notice of termination on or before the expiration of the Platting/Entitlement Period, in which event the Earnest Money shall be released to PURCHASER and the parties shall have no further rights or obligations under this Agreement, with the exception of any surviving obligations of either party hereunder this Agreement, including but not limited to PURCHASER's restoration and indemnity obligations, which shall survive. If PURCHASER does not provide SELLER with written notice of termination on or before the expiration of the Feasibility Period.

If PURCHASER is satisfied with the Subject Property, it will deliver its Notice of Suitability ("NOS") prior to the expiration of the Feasibility Period.

Initials GM / JP

PURCHASER will also have the Platting Entitlement Period to commence and pursue all approvals from the United City of Yorkville and any other applicable authorities which are necessary to construct PURCHASER's intended improvements. PURCHASER's obligation to purchase the land is contingent upon receiving Final Site Plan/Final Plat approval from the United City of Yorkville along with zoning approvals including, without limitation, rezoning and/or re-platting of the Subject Property (if necessary), site plan approvals, fee verification, public financing assistance including, without limitation, department of transportation approvals, and applicable wetland/floodplain authority approvals. In the event that PURCHASER does not proceed with the purchase of either parcel, PURCHASER shall tender to SELLER at no cost all surveys, topography, environmental studies, drawings, evaluations of any kind and government agency reports of any kind obtained by PURCHASER during the Feasibility Period or platting entitlement period other than proprietary financial information at no cost.

Closing to occur within ninety (90) days after receipt of the final site plan approval, Final Engineering and Final Plat approval.

9. Conditions to Closing. Without limiting any of the other conditions to the Closing, the obligations of PURCHASER at closing under this Agreement is subject to the satisfaction of the following conditions ("Closing Conditions") as of the Closing Date any of which may be waived by PURCHASER:

A. All of the representations and warranties made by SELLER set forth in this Agreement shall be true and correct in all material respects when made. SELLER shall recertify its representations and warranties as of each Closing Date.

B. SELLER shall have performed, observed and complied in all material respects with all covenants and agreements required by this Agreement to be performed by SELLER at or prior to such Closing including, without limitation, delivery of all of documents required to be delivered at Closing by SELLER.

10. Closing Deliveries. At Closing the Parties shall execute the following documents and take the following actions:

A. Payment of Purchase Price. PURCHASER shall pay to SELLER the Purchase Price for the Subject Property plus or minus applicable adjustments and prorations under this Agreement.

B. Warranty Deed. SELLER shall deliver to PURCHASER a fully executed and recordable warranty deed for the Property to be purchased at Closing, conveying title to the Subject Property, subject only to the Permitted Exceptions including items set forth in Paragraph 6, the applicable City Zoning Ordinance and encumbrances that have accrued due to the acts or omissions of PURCHASER. The warranty deed shall be accompanied by an Illinois real estate transfer tax valuation affidavit ("PTAX-203"), as the purchase price is not to be reflected on the warranty deed. SELLER shall be responsible for preparation of the PTAX-203, the accuracy of all information contained therein and any supplements thereto that may be required. SELLER shall indemnify, defend and hold harmless PURCHASER from and against any and all claims, liabilities, losses, causes of action, damages, costs or expenses including court costs and reasonable attorney fees incurred by PURCHASER as

Initials

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a result of any failure to pay or accurately report Illinois real estate transfer taxes due as a result of PURCHASER's purchase of the Subject Property. The Parties acknowledge that No Revenue Stamps shall be required to be obtained or paid for by either Party since a sale from a Governmental Entity is Exempt under Illinois Compiled Statutes 200/31-45(b).

C. Non-Foreign Person Affidavit. SELLER shall furnish to PURCHASER with an affidavit stating that SELLER is not a "foreign person" within the meaning of IRC Section 1445(f) (3), as amended.

D. Closing Statement. SELLER and PURCHASER shall execute a closing statement showing the Purchase Price for the real property being acquired at Closing together with all prorations, adjustments and credits, if any, as required under this Agreement. SELLER shall pay for the Owner's Policy. PURCHASER shall pay for recording of the deed and mortgage and the costs of any title endorsements requested by PURCHASER, including any lender's title policy. Title Company closing fees, including any escrow fee, shall be split evenly between the Parties. There is no municipal transfer tax to be paid at a Closing.

E. Title Insurance Policy. SELLER shall order and pay for, and Chicago Title Insurance Company shall be prepared to issue, an owner's policy of title insurance subject only to the Permitted Exceptions in an amount equal to the Purchase Price (with extended coverage) with respect to the applicable Property to be purchased at Closing and provide to the Title Company such documents that may reasonably be requested by the Title Company to satisfy any of the Schedule B requirements applicable to SELLER. PURCHASER shall be responsible to pay the cost of any title company endorsements excluding extended coverage that PURCHASER requests or requires; or that are required by PURCHASER's Lender, if any.

F. Affidavit of Title. The SELLER shall execute a standard "Affidavit of Title."

G. certificate stating that no financing statements executed by or on behalf of Seller have been filed against the Premises since the date of the most recent UCC searches delivered by Seller to Buyer hereunder;

H. evidence of any notices, reports or registrations received from or delivered to the Illinois State Fire Marshall under any regulations for Underground Storage Tanks and/or any other federal, state or local health and safety regulations;

I. Further Assurances. The parties shall execute such additional documents and instruments and take such further actions as may be reasonably requested by either party or necessary to complete the purchase and sale of the real property at each Takedown in accordance with this Agreement.

11. Real Estate Tax Prorations . Real Estate taxes shall be prorated at 105% of the last year's tax bill if any.

12. Possession. At closing, SELLER shall deliver to PURCHASER exclusive physical possession of the real property that is acquired by PURCHASER, free and clear of any rights or claims of possession by SELLER or any third party.

Initials

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13. Permits, Fees; Plans and Elevations:

PURCHASER shall pay any zoning application fees, studies, or engineering drawings with regard to the development Property. PURCHASER shall hold SELLER harmless from payment for any fees or costs for entitlement and permitting matters with respect to the Subject Property which result from or are based on any such zoning or entitlement requests by or approvals obtained by Purchaser. SELLER hereby consents to the right of PURCHASER to file for any necessary Zoning/Platting/Review Requirements as a Contract Purchaser once SELLER executes its acceptance of this Contract in writing.

14. SELLER's Representations, Warranties and Covenants. SELLER represents, warrants and covenants to PURCHASER the following:

A. Power and Capacity. SELLER has the full power, capacity and legal right to execute and deliver this Agreement and sell the Subject Property to PURCHASER pursuant to the terms of this Agreement. The execution, delivery and performance of this Agreement and the obligations undertaken by SELLER under this Agreement have been duly authorized by all necessary action, and this Agreement has been executed by a duly authorized representative of SELLER and constitutes a valid and binding obligation of SELLER, enforceable in accordance with its terms. At all times during the term of this Agreement, SELLER shall not transfer any portion of the Subject Property or grant or permit any easements, liens, mortgages encumbrances or other interests with respect to the Real property without PURCHASER's prior written consent.

B. Contractual Obligations. The execution and delivery of this Agreement, and the performance by SELLER of any and all transactions contemplated by this Agreement, will not breach any contractual covenant or restriction between SELLER and any third- party affecting the real property.

C. Condemnation Proceedings: Special Assessments. SELLER has neither received written notice nor has actual knowledge of any condemnation or eminent domain proceeding regarding any of the Subject Property and has not entered into any negotiations for the disposition of any of the Subject Property in lieu of the commencement of condemnation or eminent domain proceedings and, to SELLER's actual knowledge, without duty of inquiry, there are no proceedings pending before any governmental agency to impose a special assessment or other public authority charge against all or any of the Real property.

D. Litigation. There is no pending or, to the best of SELLER's actual knowledge, threatened litigation, administrative action or examination, claim or demand relating to the Real property, or any pending or threatened exercise of the power of eminent domain, condemnation proceeding or other, governmental taking with respect to all or any part of the real property. No notice of default under laws, ordinances, rules and regulations of any governmental authority having jurisdiction over the real property, or any like agreement, has been issued or threatened to SELLER.

E. Condition of the Property. PURCHASER acknowledges that the Subject Property is being purchased in an "AS IS" condition and SELLER is not making any representation as to the condition of the Property; except as previously stated herein

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F. Existing Due Diligence Materials. The Existing Due Diligence Materials are all of the surveys, plats, agreements, declarations, ordinances, soil reports, notices, environmental studies or other report prepared for SELLER that SELLER has in its possession or control. To the best of SELLER's knowledge, the Existing Due Diligence Materials are copies of the original documents in the SELLER's possession.

G. Environmental. To the best of SELLER's knowledge, no hazardous substances are located on or have been stored, generated, used, processed or disposed of on or released or discharged from (including ground water contamination) the Real property or the Subject Property, and no above ground or underground storage tanks exist on or have been removed from, the Subject Property. Anything in this Agreement to the contrary notwithstanding, it is expressly understood and agreed that PURCHASER does not assume or agree to be responsible for, and SELLER hereby agrees to defend, indemnify and hold PURCHASER harmless from and against any and all claims, obligations and liabilities and all costs, expenses and attorney's fees incurred based upon or arising out of any obligation, liability, loss, damage or expense, of whatever kind or nature, contingent or otherwise, known or unknown, incurred under, or imposed by, any environmental laws with respect to a Subject Property prior to the Closing and the Subject Property. SELLER's obligation to indemnify PURCHASER with respect to environmental matters shall expressly survive termination of this Agreement in accordance with Section 24 of this Agreement.

H. The Subject Property is currently tax exempt and no action has occurred to alter the tax exempt status.

I. To the best of SELLER's knowledge and SELLER has received no Notices Ordinances or other notifications of any obligations in connection with the Subject Property or any so-called "**recapture agreement**" involving refund for sewer extension, over sizing utility lines, lighting, roadway or like expense or charge for work or services done upon or relating to the Subject Property which will bind PURCHASER or the Premises from and after the Closing Date.

J. All United City of Yorkville Service Contracts, management contracts, and leases with respect to the Property shall be terminated at or prior to closing.

15. PURCHASER's Representations, Warranties and Covenants. PURCHASER represents, warrants and covenants to SELLER as follows:

A. Due Organization. PURCHASER is a legal entity duly organized and in good standing under the laws of the State of Illinois.

B. Power and Capacity. PURCHASER has the full power, capacity, authority and legal right to execute and deliver this Agreement and to perform its obligations under this Agreement.

C. Due Authorization. This Agreement has been duly authorized, executed and delivered by PURCHASER and constitutes the legal, valid and binding obligation of

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PURCHASER, enforceable in accordance with its terms. Prior to Closing, any and all documents required by this Agreement to be executed and delivered by PURCHASER shall have been duly authorized, executed and delivered by PURCHASER, and all such documents shall contain legal, valid and binding obligations of PURCHASER enforceable in accordance with their terms.

16. Signage. Signage mutually acceptable to SELLER and PURCHASER may be erected at PURCHASER's expense on the Subject Property. SELLER agrees to allow signage to be installed at the close of Feasibility Period provided that any such signage shall be in conformity with any applicable United City of Yorkville Unified Development Ordinance.

17. Real Estate Commission. The Parties hereto acknowledge that NO Real Estate Brokerage Commission or Property Manager payment is due to any Third Party that arises out of this transaction.

18. Condemnation. In the event that notice of any action, suit or proceeding shall be given for the purpose of condemning all or any portion of the Subject Property prior to the date such real property has been conveyed to PURCHASER, then PURCHASER's rights and obligations under this Agreement with respect to such real property shall terminate, and the proceeds resulting from the condemnation shall be paid to SELLER.

19. Default.

A. PURCHASER Default. If PURCHASER fails to purchase the Subject Property according to the terms of this Agreement, the SELLER shall provide PURCHASER written notice of said default ("SELLER Default Notice"). PURCHASER shall have thirty (30) days from its receipt of the SELLER Default Notice ("Cure Period") to cure or to substantially commence a cure of the default(s) identified in the SELLER Default Notice. SELLER shall have the right to terminate this Agreement if PURCHASER fails to cure or substantially commence a cure of the default identified in the SELLER Default Notice during the Cure Period. In the event of the termination of this Agreement, SELLER shall retain the any earnest money being held by Title Insurer at the time of such respective default by PURCHASER. Retention of the earnest money shall be deemed liquidated damages as SELLER'S sole and exclusive remedy that Parties agree that the damages suffered by SELLER would be speculative and difficult to ascertain and not a penalty, and the Parties shall have no further rights or obligations under this Agreement, with the exception of obligations which expressly survive termination.

B. SELLER Default. If SELLER defaults in the performance of its obligations under this Agreement, and such default is not cured or SELLER has not substantially commenced a cure within thirty (30) days from SELLER's receipt of written notice from PURCHASER, PURCHASER may at Its discretion either (i) terminate this Agreement by written notice to SELLER, in which event the Earnest Money shall be returned to PURCHASER; or commence an action under Illinois law to specifically enforce this Agreement. Thereafter neither party shall have any further claims or obligations hereunder, except such obligations as are herein expressly made to survive such termination; or (ii) seek specific performance of this Agreement.

20. No Joint Venture. (a) Neither Party is the agent, partner or joint venture partner of the other; neither Party has any obligation to the other except as specified in this Agreement.

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21. Non-Waiver. The failure of either Party to complain of any act or omission on the part of the other Party, no matter how long it may continue, shall not be deemed to be a waiver by any Party to any of its rights hereunder except as expressly provided for in this Agreement.

22. Third Party Rights. No Party other than SELLER and PURCHASER and their successors and assigns, shall have any right to enforce or rely upon this Agreement, which is binding upon and made solely for the benefit of SELLER and PURCHASER, and their respective successors or assigns, and not for the benefit of any other Party.

23. Survival. The representations, warranties and covenants contained in this Agreement shall survive a Takedown with respect to such Property acquired in each respective Takedown for a twelve (12) month period thereafter and shall not merge upon the delivery of the warranty deed for the Property.

24. Time. TIME IS OF THE ESSENCE OF ANY AND ALL UNDERTAKINGS AND AGREEMENTS OF THE PARTIES HERETO.

25. Notices. All notices required or permitted hereunder shall be in writing and shall be served on the parties at the addresses set forth below. Any such notices shall be either (i) sent by overnight delivery using a nationally recognized overnight courier, in which case notice shall be deemed delivered one (1) business day after deposit with such courier, (ii) sent by email, in which case notice shall be deemed delivered upon transmission of such notice, or (iii) sent by personal delivery, in which case notice shall be deemed delivered upon receipt or refusal of delivery. A party's address may be changed by written notice to the other party; provided, however, that no notice of a change of address shall be effective until two (2) Business Days following actual receipt of such notice. The Parties agree that the attorney for each respective party has the authority to send and receive notices on behalf of such party.

If To SELLER: United City of Yorkville
Attn: _____
651 Prairie Pointe Drive
Yorkville, IL 60560
Telephone: 630-553-4350
E-mail: _____

With a copy to: Attorney Kathleen Field Orr
Ottosen DiNolfo Hasenbalg & Castaldo, Ltd.
1804 North Naper Boulevard, Suite 350
Naperville, Illinois 60563
0:312-382-2113, C: 708-267-6244
kfo@ottosenlaw.com

If To PURCHASER: Heartland Meadows, LLC, An Illinois Limited Liability Company
608 E. Veterans Parkway
Yorkville, Illinois 60560
Telephone: 630-553-3322
Email No: gmarken@markenllc.com

Initials am / JPK

With a copy to: Daniel Kramer
The Law Office of Dan Kramer
1107A South Bridge Street
Yorkville, IL. 60560
Telephone: 630-553-9500
Email: dkramer@dankramerlaw.com

Any party to this Agreement may at any time change the address for notices to that party by giving notice in this manner.

26. Days. Whenever this Agreement requires that something be done within a specified period of days, that period shall (i) not include the day from which the period commences, (ii) include the day upon which the period expires, (iii) expire at 6:00 p.m., local time in the jurisdiction in the where the Property is located on the day upon which the period expires, and (iv) unless otherwise specified in this Agreement, be construed to mean calendar days; provided, that if the final day of the period falls on a Saturday, Sunday or legal holidays, which shall include but not be limited to December 24, 25 and January 1, the period shall extend to the first business day thereafter. As used in this Agreement, "business day" means each day of the year other than Saturdays, Sundays, legal holidays and days on which national banks in the location where the Subject Property is located are generally authorized or obligated by law to close.

27. Severability. If one (1) or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, that invalidity, illegality or unenforceability shall not affect any other provision of this Agreement, and this Agreement shall be construed as if the invalid, illegal or unenforceable provision had never been contained within the body of this Agreement.

28. Entire Agreement. This Agreement embodies the entire understanding between the Parties with respect to the transaction contemplated herein and all prior or contemporaneous agreements, understandings, representations, warranties and statements, oral or written, are superseded by and merged into this Agreement. Neither this Agreement nor any of its provisions may be waived, modified or amended except by an instrument in writing signed by the party against which enforcement is sought, and then only to the extent set forth in that instrument.

29. Governing Law. This Agreement shall be governed by and construed in accordance with the provisions of the laws of the State of Illinois. Kendall County shall be the agreed venue for any action with respect to the subject matter hereof.

30. Captions; Agreement Preparation. Captions to paragraphs and sections of this Agreement have been included solely for the sake of convenient reference and are entirely without substantive effect. Each of the Parties has joined in and contributed to drafting this Agreement, and the Parties agree that there shall be no presumption favoring or burdening any one or more Parties based upon draftsmanship.

31. Successors and Assigns. Either party shall be entitled to assign its rights or obligations under this Agreement without the consent of the other party so long as such assignment is to entity which is controlled or is a parent entity exercising control over such party. Any other

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assignment shall require the consent of the other party, which consent shall not be unreasonably withheld. Subject to the foregoing, this Agreement shall be binding upon, and its benefits shall inure to, the Parties hereto and their respective heirs, personal representatives, successors and assigns.

32. Counterparts; Signatures. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original and all of which shall constitute one agreement. The signature of any party to any counterpart shall be deemed to be a signature to, and may be appended to, any other counterpart. For purposes of this Agreement, a facsimile signature or electronic copy of a signature shall be deemed the same as an original.

33. Confidentiality. Except to the extent that either party needs to disclose financial terms of this agreement to professionals bound by privileged to their respective client or a Lender, the parties shall keep all financial and closing terms of this Agreement confidential between they and their retained experts.

34. Illinois Bulk Sales. SELLER warrants to PURCHASER that it has no obligation to comply with the Illinois Bulk Sale Act in that the subject Real Estate Sale does not comprise a significant portion of the SELLER's real property; or result in a transfer of SELLER's Business.

35. Time. SELLER and PURCHASER agree that time is of the essence and that failure of either party to strictly comply with the time limitations contained herein shall be considered as a default unless provided otherwise herein or unless expressly waived in writing by agreement of the non-defaulting party.

36. Counterpart/PDF Execution. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original. Further this Agreement may be executed by PDF attached to email transmission and such PDF signatures shall be valid and binding for all purposes when transmitted to the other party. Notwithstanding the foregoing, each party signing by PDF agrees to provide the other with an original signature hereon within two (2) business days of its execution of this Agreement.

Initials GM , JRP

Signature Page Follows

Initials GM / JRP

THIS AGREEMENT has been executed by the SELLER hereto on the date set forth below.

"SELLER"

United City of Yorkville

By: _____

Mayor

Attest: _____

City Clerk

Dated: _____

1/30/2024


Initials

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THIS AGREEMENT has been executed by the PURCHASER hereto on the date set forth below.

"PURCHASER"

HEARTLAND MEADOWS, LLC, AN ILLINOIS LIMITED LIABILITY COMPANY

By:  _____

Its: _____ Agent _____

Dated: 1.30.24

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Initials GM JPP

Exhibit "A"

Legal Description

Lot 22 in Kendall Marketplace, being a Subdivision of part of the Southeast Quarter of Section 19, the South Half of Section 20, and the Northwest Quarter of Section 29, Township 37 North, Range 7 East of the Third Principal Meridian, in the United City of Yorkville, Kendall County, Illinois. PIN: Part of 02-20-351-002 Address: Part of the land located at the Northwest Corner of Route 34 and Cannonball Drive, Yorkville, Illinois.

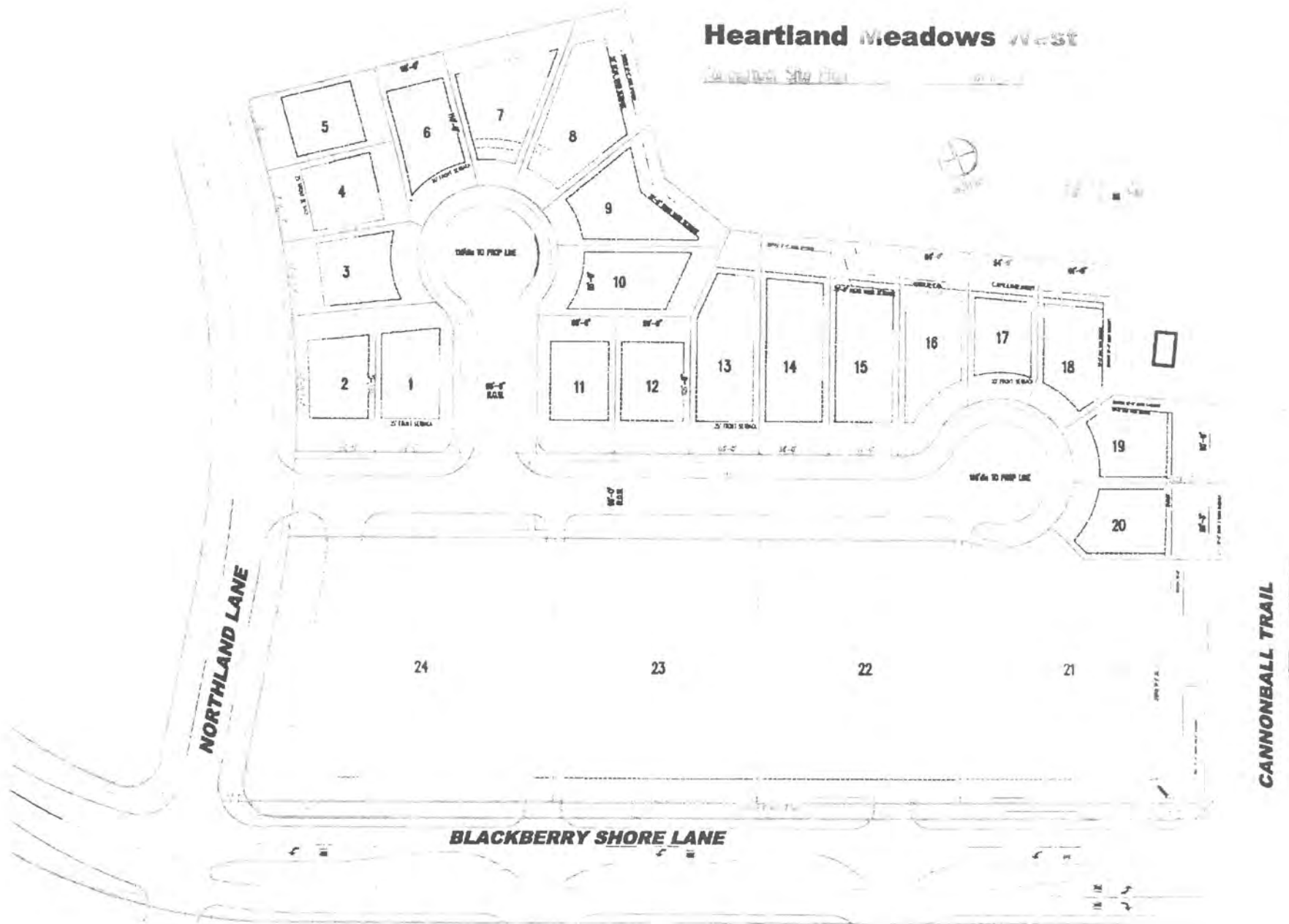
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JAP

Heartland Meadows West

Site Plan



Handwritten signature and initials.

Exhibit "C"

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: 7710676
Purchase Order:

State of Illinois - Kendall

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 10/18/2024, and the last publication of the notice was made in the newspaper dated and published on 10/18/2024.

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

PUBLICATION DATES: **Oct 18, 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

19th Day of October, 2024, by

Chicago Tribune Media Group



Jeremy Gates

**PUBLIC NOTICE
NOTICE OF PUBLIC HEARING
BEFORE
UNITED CITY OF YORKVILLE
PLANNING AND ZONING
COMMISSION
PZC 2024-21**

NOTICE IS HEREBY GIVEN THAT Marker Inc., the contract purchaser and petitioner, along with the United City of Yorkville, the property owner, have submitted applications to the City of Yorkville, Kendall County, Illinois. They are requesting an amendment to the Kendall Marketplace Planned Unit Development (PUD) Agreement and seeking preliminary and final PUD plan approval. The request aims to develop Heartland Meadows West, a mixed-use project featuring twenty (20) single-family residential lots for an active adult community and four (4) commercial outlots. The proposed underlying zoning designations are R-2 Single-Family Traditional Residential District for the residential area and B-3 General Retail District for the commercial area. The petitioner is also requesting deviations to the side and rear yard setbacks within the R-2 District. The subject property is located on the north side of Blackberry Shore Lane, between Northland Lane and Cannonball Trail, on an approximately 8.3-acre vacant parcel.

The legal description is as follows:

LOT 22 IN KENDALL MARKETPLACE, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 19, THE SOUTH HALF OF SECTION 20, AND THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS

PIN: 02-120-351-006

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, November 13, 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

CHICAGO TRIBUNE

media group

to the United City of Yorkville
Community Development De-
partment, City Hall, 651 Prairie
Pointe Drive, Yorkville, Illinois,
and will be accepted up to
the date of the public hearing.
For more project information,
please scan the QR code below.

By order of the Corporate Au-
thorities of the United City of
Yorkville, Kendall County, Illinois.

JORI BEHLAND
City Clerk
10/18/2024 7710676



Memorandum

To: Planning and Zoning Commission
From: Krysti Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Sara Mendez, Planner I
Date: November 5, 2024
Subject: **PZC 2024-26 DMYF, LLLP (Daniels, Malinski Yorkville Family)**
Rezoning from R-1 Residential to M-2 Manufacturing Upon Annexation

SUMMARY:

Applications for annexation and rezoning were submitted by Drew Daniels on behalf of Daniels Malinski Yorkville Family, LLP (DMYF), the petitioner/owner. DMYF, LLLP is seeking to annex four (4) parcels, totaling approximately 270 acres, and rezone them from the R-1 Single-Family Suburban Residence District to the M-2 General Manufacturing District for a future data center, contingent upon approval of annexation by the City Council. The subject property, consisting of parcels #02-30-200-023, #02-19-400-010, #02-19-400-009, and #02-19-300-019, is located just north of US 34 (Veterans Parkway), west of Beecher Road and Kendall Marketplace, and approximately 850 feet east of Eldamain Road.



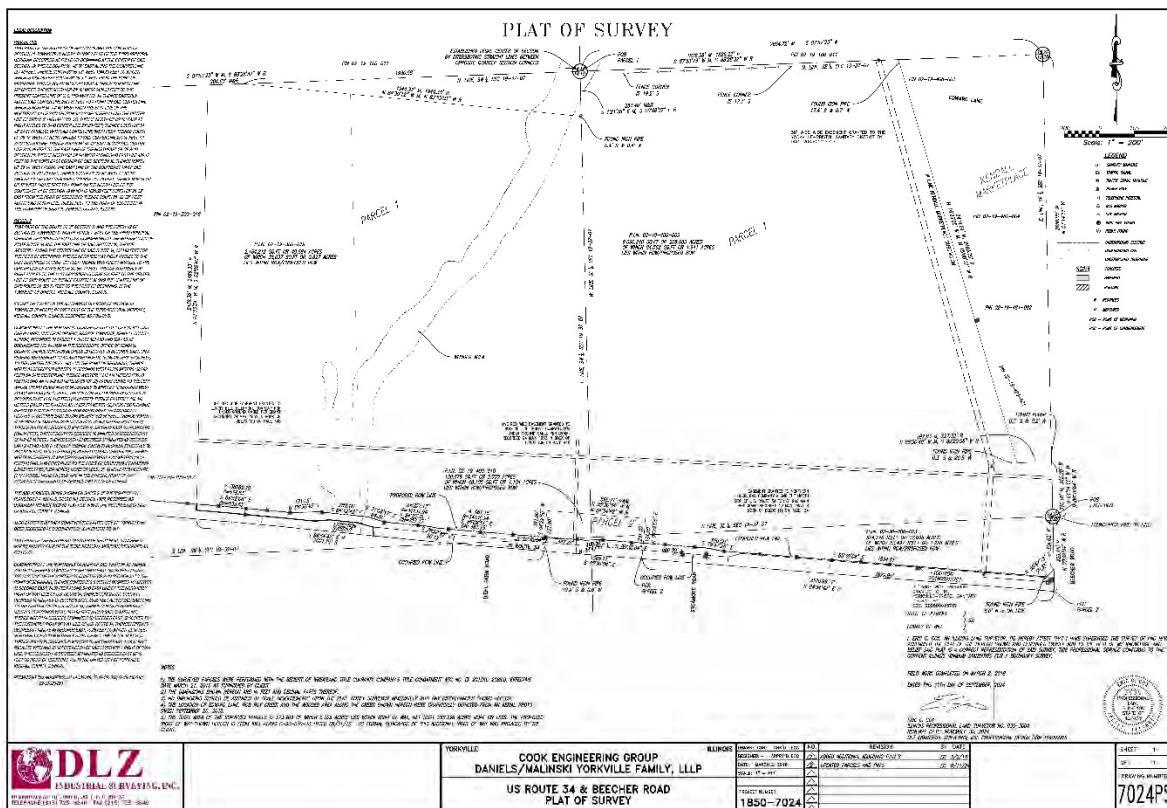
DMYF, LLLP

United City of Yorkville, Illinois
Date: September 19, 2024
File Location: I:\ARCGIS TEMPLATES\DMYF, LLLP

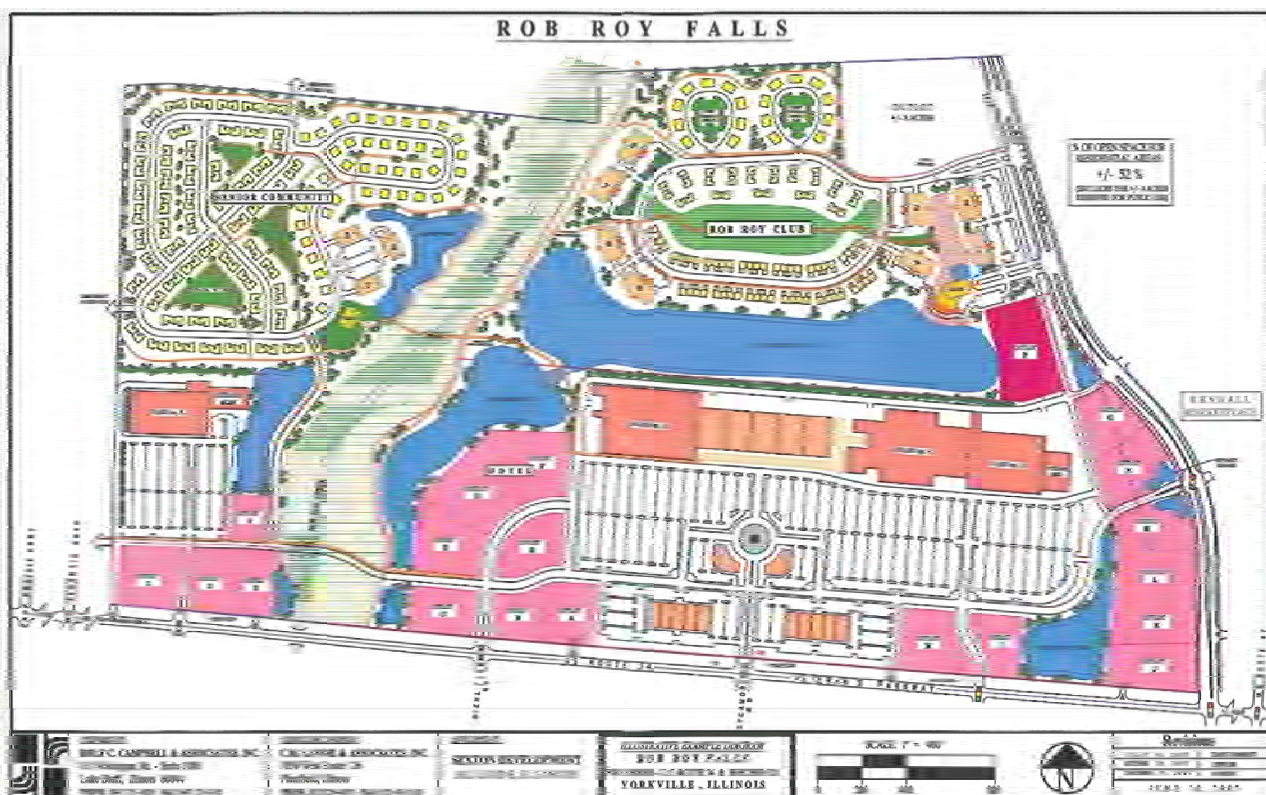


PROPERTY BACKGROUND:

The subject property, approximately 270 acres in total, is currently unincorporated and zoned A-1 Agriculture in Kendall County. It consists of four parcels: the largest, roughly 200 acres, is irregularly shaped and adjacent to the Kendall Marketplace development; a 55-acre rectangular parcel is closest to Eldamain Road; and two smaller parcels, approximately 13 acres, are located just north of US 34. The property is currently used for farming, with a portion of Rob Roy Creek running through it. The two largest parcels are also part of the Rob Roy Drainage District.



In 2007, a proposal for "Rob Roy Falls" was submitted to the City for this parcel, featuring a Conceptual PUD Plan (provided below). The plan included a commercial component spanning approximately 130 acres, a residential mixed-use area with senior living and multi-family housing on about 72 acres, and a "Rob Roy Club" component covering around 71 acres. However, the annexation and development never materialized, and the land has remained undeveloped farmland for the past 18 years.



REZONING REQUEST:

According to Section 10-3-4 of the Yorkville Unified Development Ordinance (UDO), any territory annexed into the city is automatically zoned as R-1 Single-Family Suburban Residential District. In this case, the petitioner is requesting rezoning to the M-2 General Manufacturing District for the development of a proposed data center. Data centers are defined as facilities containing networked computers, storage systems, and computing infrastructure that organizations use to collect, process, store, and distribute data.

Per Section 10-3-6-F of the Yorkville UDO, the M-2 General Manufacturing District is designated for manufacturing, industrial, and related uses that produce more significant off-site impacts compared to those in the M-1 Limited Manufacturing District. The purpose of this district is to ensure compatibility between industrial uses and nearby residential and commercial areas, while minimizing off-site impacts like noise, traffic, and visual disturbances.

Table 10-3-12(B) of the Unified Development Ordinance specifies that data centers are permitted land uses within the M-2 District. The UDO also outlines specific rezoning standards that will be reviewed by all recommending bodies. The petitioner has provided responses addressing each of these standards in the application.

To assess the potential impact of the proposed rezoning and future use of the property, staff has created the following chart, which summarizes the current zoning and land uses of the surrounding area:

Zoning		Land Use
North	M-2 General Manufacturing District	Farmland (Kelaka)
	A-1 Agricultural District (Kendall County)	Farmland
East	Planned Unit Development (B-3, R-3, R-2)	Kendall Marketplace (Commercial, Townhomes, Single-Family Residential)
South	US 34 (Veterans Parkway)	Transportation
	B-3 General Business District	Rush Copley Medical Center/Commercial
	R-3 Multi-Family Attached Residence District	Fox Hill Townhomes
	R-2 Single-Family Traditional Residence	Fox Hill
West	B-3 General Business District	Commercial
	Undeveloped/Agriculture (Cobblestone North)	

ANNEXATION AGREEMENT:

As previously mentioned, the applicant seeks annexation of four (4) unincorporated parcels, #02-30-200-023, #02-19-400-010, #02-19-400-009, and #02-19-300-019, totaling approximately 270-acres for the future purpose of constructing and operating a data center land use. Contiguity of the subject parcels and Yorkville's current corporate boundary is established immediately to the east via the Kendall Marketplace commercial development and the recently annexed Kelaka parcel to the north. The approximately 148-acre Kelaka parcel is currently unimproved but is also entitled for a future industrial/data center.

With regard to the rezoning request, a draft annexation agreement has been drafted that should a data center user not develop on the parcel, only the following M-2 General Manufacturing land uses will be permitted on the subject property per Table 10-3-12(B) of the Unified Development Ordinance:

1. Automobile sales and services (enclosed) – defined as “An establishment engaged in the sale of automobiles where all operations take place entirely within an enclosed showroom in a primary building.”
2. Bakery (wholesale) - defined as “a bakery in which there is permitted the production and/or wholesaling of baked goods, excluding retail bakery.”

3. Brewery/winery/distillery – defined as “an establishment primarily engaged in brewing fermented malt beverages including beer, ale, malt liquors, and nonalcoholic beer (brewery), manufacturing and bottling wine on the premises (winery), or manufacturing, by distillation, intoxicating spirits on the premises (distillery) but not including on-premises consumption by patrons.”
4. Building material sales – defined as “establishments or places of business primarily engaged in retail or wholesale sale, from the premises, of materials used in the construction of buildings or other structures.”
5. Microdistillery – defined as “a small-scale artisan manufacturing business that blends, ferments, processes, packages, distributes and serves alcoholic spirits on and off the premises and produces no more than fifteen thousand (15,000) gallons per calendar year on-site. The microdistillery facility may include an ancillary tasting room and retail component in which guests/customers may sample and purchase the product. Off-site distribution of the alcoholic beverages shall be consistent with state law.”
6. Microbrewery/Microwinery – defined as “a combination retail, wholesale, and/or small-scale artisan manufacturing business that brews, ferments, processes, packages, distributes, and serves either beer or wine for sale on- or off-site. A microbrewery shall produce no more than one-hundred fifty-five thousand (155,000) gallons of beer per year for sale on the premises for either on-premises or off-premises consumption. These facilities may include an ancillary tasting room and retail component in which guests/customers may sample and purchase the product. Off-site distribution of the beverages shall be consistent with state law.”
7. Nursery/greenhouse – defined as “retail business whose principal activity is the selling of plants and having outdoor storage, growing and/or display of plants.”
8. Research laboratories – defined as “a building or group of buildings in which are located facilities for scientific research, investigation, testing or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.”
9. Recreational vehicle sales and services – defined as “an establishment engaged in the sale of recreational vehicles, including motorhomes and pickup campers, travel trailers, tent trailers, and similar vehicles that are designed and constructed for permit sleeping or housekeeping in an outdoor or a showroom enclosed in a primary building.”
10. Storage, single-building climate controlled – defined as “a facility consisting of a single building where individual self-contained units are leased or rented to the general public for dead storage and where the individual storage units are accessed from the interior of the building.”
11. Refrigerated Warehouse (Cold Storage)- defined as “a facility which is artificially or mechanically cooled in order to maintain the integrity and quality of perishable goods.”

The above identified limited permitted land uses are proposed to be in effect for the term of the annexation agreement, twenty (20) years. Additionally, a Plat of Annexation will be provided as an exhibit to the annexation agreement. A public hearing for the proposed annexation and annexation agreement was held on November 12, 2024 at the City Council meeting.

THE COMPREHENSIVE PLAN:

The 2016 Comprehensive Plan Update designates this property as “Suburban Neighborhoods (SN)” which is designated primarily for single-family detached residential homes. However, the Comprehensive Plan also states, “while the land use map should guide future land use and development and zoning decisions, it is also meant to be adjusted and changed when circumstances warrant a change in planning direction in a given area of the City.”

Due to the recent trend in rezoning and development in the area, the Kelaka property annexation and rezoning to M-2 and the Cyrus One data center development approval to the north of the subject property, staff supports the proposed M-2 General Manufacturing District zoning for a future data center campus development with conditions.

Upon approval of the annexation and rezoning, the Comprehensive Plan will require an amendment to reflect the new M-2 General Manufacturing zoning district. The subject property's future land use designation will be revised from "Suburban Neighborhoods (SN)" to "General Industrial (GI)".

COMMUNITY MEETING:

Section 10-8-13-B-1-a of the Unified Development Ordinance states that a community meeting with area or neighborhood property owners, explaining the proposed annexation, may be required. This meeting, conducted by the petitioner at their own expense and at a location of their choice, may be recommended by the Plan Council before the Planning and Zoning Commission public hearing.

Given the proximity of existing residential land uses to the east (Kendall Marketplace), west (CMP Properties), and south of US 34 (Fox Hill), staff recommended that the petitioner hold a community meeting to discuss the proposed future land use of the property prior to the City Council and Planning and Zoning Commission public hearings. The petitioner has informed staff that they spoke with the adjacent property owner who lives at 1171 Blackberry Shore Lane at the end of the cul-de-sac for single-family homes in Kendall Marketplace about the proposal on October 29, 2024. They also reached out to the homeowner's association contact for the Townes of Kendall Marketplace townhomes, but at the time of this memo, had not made contact with them to discuss the proposal. A verbal update will be provided at the Planning and Zoning Commission meeting.

STAFF COMMENTS:

The petitioner is requesting a straightforward annexation of the subject property into the City of Yorkville without seeking any relief or variances from the M-2 General Manufacturing District zoning. With the additional restrictions on permitted land uses, should the property not develop as a data center as outlined in the proposed agreement, staff supports the annexation request. This aligns with the Comprehensive Plan's recommended strategy of closing unincorporated "gap" areas within Yorkville's corporate boundaries to manage growth and ensure high-quality future development.

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 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).
6. The community need for the proposed use.
7. 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.

Proposed Motion:

In consideration of testimony presented during a Public Hearing on November 13, 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 data center, contingent upon approval of annexation by the City Council, for a 270-acre property generally located just north of US 34 (Veterans Parkway), west of Beecher Road and Kendall Marketplace, and approximately 850 feet east of Eldamain Road, subject to {insert any additional conditions of the Planning and Zoning Commission}...

ATTACHMENTS:

1. Rezoning Application
2. Public Hearing Notice
3. Plan Council Packet dated October 8, 2024



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 REZONING

DATE:	PZC NUMBER:	DEVELOPMENT NAME:	
PETITIONER INFORMATION			
NAME: Drew Daniels		COMPANY: Daniels Malinski Yorkville Family, LLLP	
MAILING ADDRESS: 405 E. Sheridan Road			
CITY, STATE, ZIP: Lake Bluff, Illinois 60044		TELEPHONE: <input type="radio"/> BUSINESS <input checked="" type="radio"/> HOME (847) 942-5916	
EMAIL: ddaniels@sextoncompanies.net		FAX:	
PROPERTY INFORMATION			
NAME OF HOLDER OF LEGAL TITLE: Daniels Malinski Yorkville Family, LLLP			
IF LEGAL TITLE IS HELD BY A LAND TRUST, LIST THE NAMES OF ALL HOLDERS OF ANY BENEFICIAL INTEREST THEREIN:			
PROPERTY STREET ADDRESS: 11443 Route 34, Yorkville, Illinois 60560			
DESCRIPTION OF PROPERTY'S PHYSICAL LOCATION: Farmland fronting U.S. Route 34 (Veterans Parkway) and West of Kendall Marketplace			
CURRENT ZONING CLASSIFICATION: Agricultural		REQUESTED ZONING CLASSIFICATION: M-2	
COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION: M-2		TOTAL ACREAGE: 268.30	
ZONING AND LAND USE OF SURROUNDING PROPERTIES			
NORTH: East of Creek is Zoned Agricultural and is in Unincorporated Kendall County / West of Creek was recently annexed into Yorkville			
EAST: B-3 / Kendall Market Place + R-3 / Future Attached Multi-Family Residences + / R-2 / One Single Family Home			
SOUTH: (N/A) - U.S. Route 34 / W. Veterans Parkway			
WEST: B-3 / GENERAL BUSINESS DISTRICT			
KENDALL COUNTY PARCEL IDENTIFICATION NUMBER(S)			
02-30-200-023			
02-19-400-010			
02-19-400-009			
02-19-300-019			



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APPLICATION FOR REZONING

ATTORNEY INFORMATION

NAME: Margaret Christie

COMPANY: Golan Christie Taglia LLP

MAILING ADDRESS: 70 W. Madison Street, Suite 1500

CITY, STATE, ZIP: Chicago, Illinois 60602

TELEPHONE: (312) 696-2042

EMAIL: MACHristie@GCT.law

FAX:

ENGINEER INFORMATION

NAME: Michael Cook

COMPANY: Cook Engineering Group

MAILING ADDRESS: 26316 Mapleview Drive

CITY, STATE, ZIP: Plainfield, Illinois 60585

TELEPHONE: (815) 577-1707

EMAIL: mcook@cookenggroup.com

FAX:

LAND PLANNER/SURVEYOR INFORMATION

NAME: Eric Cox

COMPANY: DLZ Industrial Surveying Inc.

MAILING ADDRESS: 80 McDonald Avenue, Unit D

CITY, STATE, ZIP: Joliet, Illinois 60431

TELEPHONE: (815) 577-1707

EMAIL: ecox@dlz.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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Prairie Pointe Drive
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:

The existing zoning is Agricultural in Unincorporated Kendall County (Bristol Township) and the current uses of the property within the general area is farming.

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:

Surrounding properties are being re-zoned (or being considered) to M-2 zoning.

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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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:

The property has been farmed for decades

PLEASE STATE THE COMMUNITY NEED FOR THE PROPOSED LAND USE:

The surrounding area is being developed as industrial / data center uses, and the potential utility and real estate taxes to the City and the community are important.

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

The use is consistent with what is being proposed and approved in the general area and it aligns with surrounding properties in the 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 ACCESSSES AS REQUESTED BY THE PETITIONER UPON TRAFFIC AND TRAFFIC CONDITIONS AND FLOW ON SAID ROUTES (ORD. 1976-43, 11-4-1976):

Other than the construction traffic when the final development is built, very little to no change in traffic impact. At the moment, there are no existing access roads, but if and when traffic lights are added onto Route 34, they have already been planned for (including the necessary easements granted) by the Illinois Department of Transportation when the widening of Route 34 occurred back in 2018/2019.



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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 all while also providing the City and its' residents with potentially considerable utility / property taxes.

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

The use is consistent with what is being proposed and approved in the general area and it aligns with the 2016 Comprehensive Plan update.

AGREEMENT

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

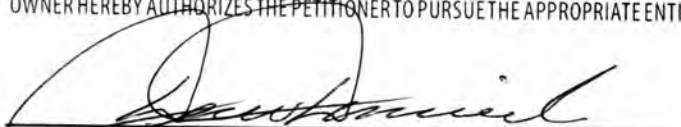
I UNDERSTAND ALL OF THE INFORMATION PRESENTED IN THIS DOCUMENT AND UNDERSTAND THAT IF AN APPLICATION BECOMES DORMANT IT IS THROUGH MY OWN FAULT AND I MUST THEREFORE FOLLOW THE REQUIREMENTS OUTLINED ABOVE.


PETITIONER SIGNATURE

9/12/2024

DATE

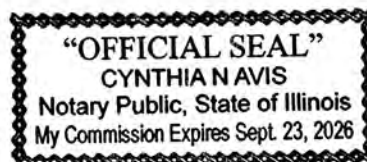
OWNER HEREBY AUTHORIZES THE PETITIONER TO PURSUE THE APPROPRIATE ENTITLEMENTS ON THE PROPERTY.

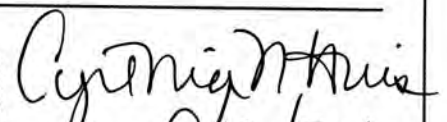

OWNER SIGNATURE

9/12/2024

DATE

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




9/12/24

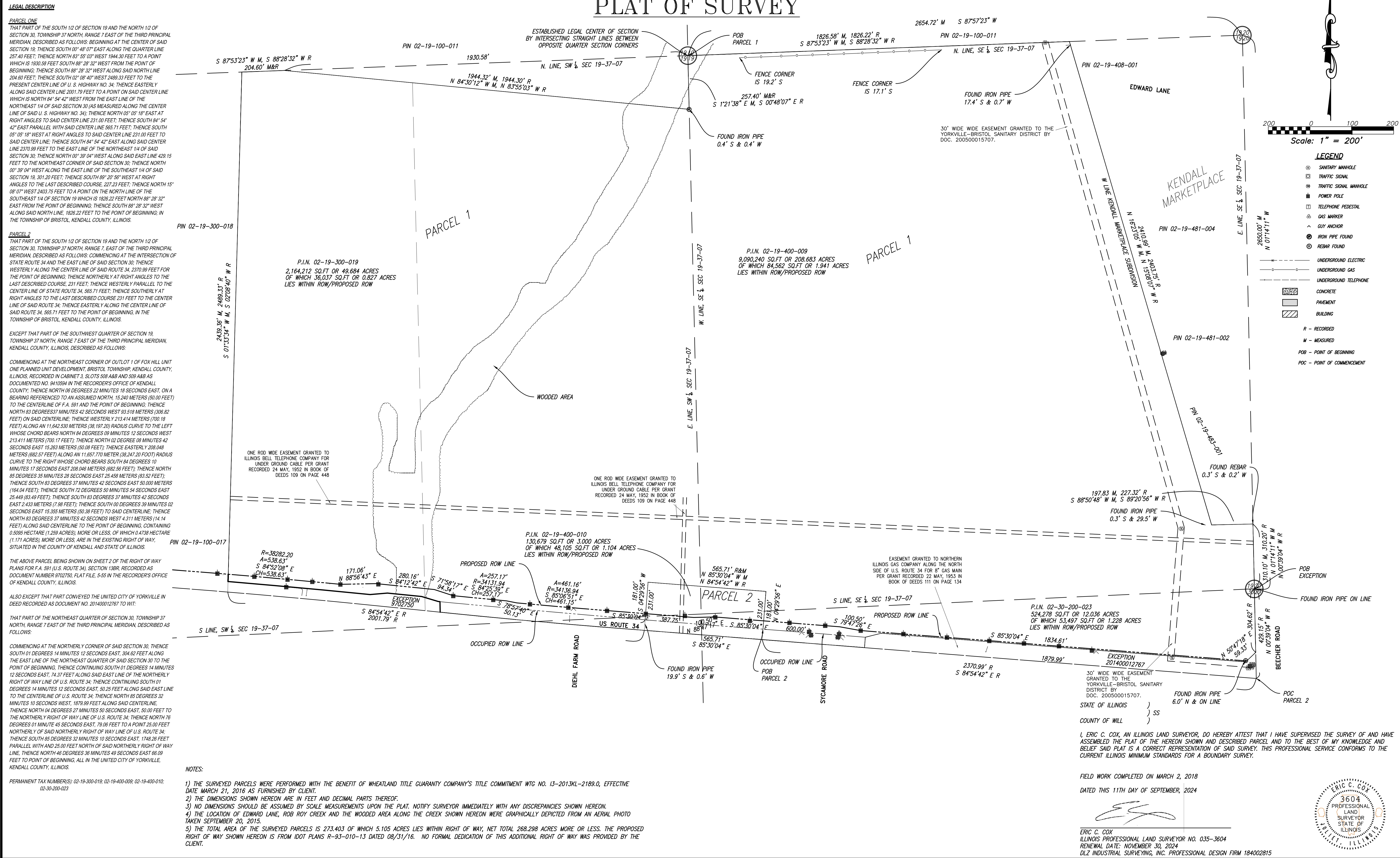


Exhibit A

Document:	Application for Annexation & Rezoning
Petitioner Name:	Drew Daniels
Company Name:	Daniels Malinski Yorkville Family, LLLP
Property Address:	11433 US Route 34 – Kendall County, Illinois
Exhibit A:	Legal Descriptions
PINs:	02-19-300-019
	02-19-400-009
	02-19-400-010
	02-30-200-023

LEGAL DESCRIPTION

PARCEL ONE

THAT PART OF THE SOUTH 1/2 OF SECTION 19 AND THE NORTH 1/2 OF SECTION 30, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE CENTER OF SAID SECTION 19; THENCE SOUTH 00° 48' 07" EAST ALONG THE QUARTER LINE 257.40 FEET; THENCE NORTH 83° 55' 03" WEST 1944.30 FEET TO A POINT WHICH IS 1930.58 FEET SOUTH 88° 28' 32" WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 88° 28' 32" WEST ALONG SAID NORTH LINE 204.60 FEET; THENCE SOUTH 02° 08' 40" WEST 2489.33 FEET TO THE PRESENT CENTER LINE OF U. S. HIGHWAY NO. 34; THENCE EASTERLY ALONG SAID CENTER LINE 2001.79 FEET TO A POINT ON SAID CENTER LINE WHICH IS NORTH 84° 54' 42" WEST FROM THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 30 (AS MEASURED ALONG THE CENTER LINE OF SAID U. S. HIGHWAY NO. 34); THENCE NORTH 05° 05' 18" EAST AT RIGHT ANGLES TO SAID CENTER LINE 231.00 FEET; THENCE SOUTH 84° 54' 42" EAST PARALLEL WITH SAID CENTER LINE 565.71 FEET; THENCE SOUTH 05° 05' 18" WEST AT RIGHT ANGLES TO SAID CENTER LINE 231.00 FEET TO SAID CENTER LINE; THENCE SOUTH 84° 54' 42" EAST ALONG SAID CENTER LINE 2370.99 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 30; THENCE NORTH 00° 39' 04" WEST ALONG SAID EAST LINE 429.15 FEET TO THE NORTHEAST CORNER OF SAID SECTION 30; THENCE NORTH 00° 39' 04" WEST ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 19, 301.20 FEET; THENCE SOUTH 89° 20' 56" WEST AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 227.23 FEET; THENCE NORTH 15° 08' 07" WEST 2403.75 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST 1/4 OF SECTION 19 WHICH IS 1826.22 FEET NORTH 88° 28' 32" EAST FROM THE POINT OF BEGINNING; THENCE SOUTH 88° 28' 32" WEST ALONG SAID NORTH LINE, 1826.22 FEET TO THE POINT OF BEGINNING; IN THE TOWNSHIP OF BRISTOL, KENDALL COUNTY, ILLINOIS.

PARCEL TWO

THAT PART OF THE SOUTH 1/2 OF SECTION 19 AND THE NORTH 1/2 OF SECTION 30, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF STATE ROUTE 34 AND THE EAST LINE OF SAID SECTION 30; THENCE WESTERLY ALONG THE CENTER LINE OF SAID ROUTE 34, 2370.99 FEET FOR THE POINT OF BEGINNING; THENCE NORTHERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 231 FEET; THENCE WESTERLY PARALLEL TO THE CENTER LINE OF STATE ROUTE 34, 565.71 FEET; THENCE SOUTHERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 231 FEET TO THE CENTER LINE OF SAID ROUTE 34; THENCE EASTERLY ALONG THE CENTER LINE OF SAID ROUTE 34, 565.71 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF BRISTOL, KENDALL COUNTY, ILLINOIS.

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

COMMENCING AT THE NORTHEAST CORNER OF OUTLOT 1 OF FOX HILL UNIT ONE PLANNED UNIT DEVELOPMENT, BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS, RECORDED IN CABINET 3, SLOTS 508 A&B AND 509 A&B AS DOCUMENTED NO. 9410594 IN THE RECORDER'S OFFICE OF KENDALL COUNTY; THENCE NORTH 06 DEGREES 22 MINUTES 18 SECONDS EAST, ON A BEARING REFERENCED TO AN ASSUMED NORTH, 15.240 METERS (50.00 FEET) TO THE CENTERLINE OF F.A. 591 AND THE POINT OF BEGINNING; THENCE NORTH 83 DEGREES 37 MINUTES 42 SECONDS WEST 93.518 METERS (306.82 FEET) ON SAID CENTERLINE; THENCE WESTERLY 213.414 METERS (700.18 FEET) ALONG AN 11,642.530 METERS (38,197.20) RADIUS CURVE TO THE LEFT WHOSE CHORD BEARS NORTH 84 DEGREES 09 MINUTES 12 SECONDS WEST 213.411 METERS (700.17 FEET); THENCE NORTH 02 DEGREE 08 MINUTES 42 SECONDS EAST 15.263 METERS (50.08 FEET); THENCE EASTERLY 208.048 METERS (682.57 FEET) ALONG AN 11,657.770 METER (38,247.20 FOOT) RADIUS CURVE TO THE RIGHT WHOSE CHORD BEARS SOUTH 84 DEGREES 10 MINUTES 17 SECONDS EAST 208.046 METERS (682.56 FEET); THENCE NORTH 85 DEGREES 35 MINUTES 28 SECONDS EAST 25.458 METERS (83.52 FEET); THENCE SOUTH 83 DEGREES 37 MINUTES 42 SECONDS EAST 50.000 METERS (164.04 FEET); THENCE SOUTH 72 DEGREES 50 MINUTES 54 SECONDS EAST 25.449 (83.49 FEET); THENCE SOUTH 83 DEGREES 37 MINUTES 42 SECONDS EAST 2.433 METERS (7.98 FEET); THENCE SOUTH 00 DEGREES 39 MINUTES 02 SECONDS EAST 15.355 METERS (50.38 FEET) TO SAID CENTERLINE; THENCE NORTH 83 DEGREES 37 MINUTES 42 SECONDS WEST 4.311 METERS (14.14 FEET) ALONG SAID CENTERLINE TO THE POINT OF BEGINNING, CONTAINING 0.5095 HECTARE (1.259 ACRES), MORE OR LESS, OF WHICH 0.4738 HECTARE (1.171 ACRES), MORE OR LESS, ARE IN THE EXISTING RIGHT OF WAY, SITUATED IN THE COUNTY OF KENDALL AND STATE OF ILLINOIS.

THE ABOVE PARCEL BEING SHOWN ON SHEET 2 OF THE RIGHT OF WAY PLANS FOR F.A. 591 (U.S. ROUTE 34), SECTION 13BR, RECORDED AS DOCUMENT NUMBER 9702750, FLAT FILE, 5-55 IN THE RECORDER'S OFFICE OF KENDALL COUNTY, ILLINOIS.

ALSO, EXCEPT THAT PART CONVEYED THE UNITED CITY OF YORKVILLE IN DEED RECORDED AS DOCUMENT NO. 201400012767 TO WIT:

THAT PART OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHERLY CORNER OF SAID SECTION 30, THENCE SOUTH 01 DEGREES 14 MINUTES 12 SECONDS EAST, 304.62 FEET ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 30 TO THE POINT OF BEGINNING, THENCE CONTINUING SOUTH 01 DEGREES 14 MINUTES 12 SECONDS EAST, 74.37 FEET ALONG SAID EAST LINE OF THE NORTHERLY RIGHT OF WAY LINE OF U.S. ROUTE 34; THENCE CONTINUING SOUTH 01 DEGREES 14 MINUTES 12 SECONDS EAST, 50.25 FEET ALONG SAID EAST LINE TO THE CENTERLINE OF U.S. ROUTE 34; THENCE NORTH 85 DEGREES 32 MINUTES 10 SECONDS WEST, 1879.99 FEET ALONG SAID CENTERLINE, THENCE NORTH 04 DEGREES 27 MINUTES 50 SECONDS EAST, 50.00 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF U.S. ROUTE 34; THENCE NORTH 76 DEGREES 01 MINUTE 45 SECONDS EAST, 79.06 FEET TO A POINT 25.00 FEET NORTHERLY OF SAID NORTHERLY RIGHT OF WAY LINE OF U.S. ROUTE 34; THENCE SOUTH 85 DEGREES 32 MINUTES 10 SECONDS EAST, 1748.26 FEET PARALLEL WITH AND 25.00 FEET NORTH OF SAID NORTHERLY RIGHT OF WAY LINE, THENCE NORTH 46 DEGREES 36 MINUTES 49 SECONDS EAST 66.09 FEET TO POINT OF BEGINNING, ALL IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

PERMANENT TAX NUMBERS: 02-19-300-019; 02-19-400-009, 02-19-400-010; and 02-30-200-023

Exhibit B

Document:	Application for Annexation & Rezoning
Petitioner Name:	Drew Daniels
Company Name:	Daniels Malinski Yorkville Family, LLLP
Property Address:	11433 US Route 34 – Kendall County, Illinois
Exhibit B:	500' Notifications
PINs:	02-19-300-019
	02-19-400-009
	02-19-400-010
	02-30-200-023

PAUL R DRESDEN
9404 W CORSAIR
FRANKFORT IL 60423

CMP PROPERTIES DEVELOPMENT
202 RUGLEY RD
WESTERN SPRINGS IL 60558

SHAWN M MARTINEZ
1701 COTTONWOOD CT
YORKVILLE IL 60560

DREW DANIELS LASALLE NATIONAL BANL
405 E SHERIDAN RD
LAKE BLUFF IL 60044

111 MAPLE STREET LLC
1307 SCHIFERL RD
BARTLETT IL 60103

JOSE NIVIA HERNANDEZ
1609 COTTONWOOD TRL
YORKVILLE IL 60560

KELAKA LLC
181 S LINCOLNWAY
NORTH AURORA IL 60542

FOX HILL PUD ASSOCIATION INC
11326 WEXFORD DR
MOKENA IL 60448

ROGELIO MARGARITA CARRILLO
1605 COTTONWOOD TR
YORKVILLE IL 60560

KELAKA LLC
181 S LINCOLNWAY
NORTH AURORA IL 60542

DONALD CAMPBELL
1617 COTTONWOOD TRL
YORKVILLE IL 60560

ALEXANDRA CRONIN
1619 COTTONWOOD TR
YORKVILLE IL 60560

THOMAS W JOSLIN
1611 COTTONWOOD TRL
YORKVILLE IL 60560

ROBERT HEATHER L SALDANA
1613 COTTONWOOD TRL
YORKVILLE IL 60560

DREW DANIELS LASALLE NATIONAL BANK
405 E SHERIDAN RD
LAKE BLUFF IL 60044

FOX HILL PUD ASSOCIATION INC
11326 WEXFORD DR
MOKENA IL 60448

DONALD J RICHARD A BRUMMEL
12340 FAXON RD
PLANO IL 60545

JERIMY J STEPHANIE M WEATHERLY
1703 COTTONWOOD CT
YORKVILLE IL 60560

JESUS ANITA DIAZ
1615 COTTONWOOD TRL
YORKVILLE IL 60560

MATTHEW T RACHEL M MILLER
1607 COTTONWOOD TR
YORKVILLE IL 60560

PENN KYLE PENN LAWRENCE R
7249 WHITFIELD RD
NEWARK IL 60540

BRIAN L SHERRY K HANEY
1610 COTTONWOOD TRL
YORKVILLE IL 60560

LETITIA N WASHINGTON
1616 COTTONWOOD TR
YORKVILLE IL 60560

PAUL R DRESDEN
9404 W CORSAIR
FRANKFORT IL 60423

JAGRUTI K LLC
14536 GENERAL DR
PLAINFIELD IL 60544

ABBY PROPERTIES LLC
1951 RENA LN
YORKVILLE IL 60560

BRIAN ANTHONY BAILEY ROSE CARRABOTTA
1131 BLACKBERRY SHORE LN
YORKVILLE IL 60560

JOHN L RENEE E BRANDT
1606 COTTONWOOD TR
YORKVILLE IL 60560

ROBERT HEATHER L SALDANA
1613 COTTONWOOD TRL
YORKVILLE IL 60560

DREW DANIELS LASALLE NATIONAL BANL
405 E SHERIDAN RD
LAKE BLUFF IL 60044

c/o MID-AMERICA KENDALL HOLDINGS I LLC
ONE PARKVIEW PLAZA 9TH FLR
OAKBROOK TERRACE IL 60181

c/o MID-AMERICA KENDALL HOLDINGS I LLC
ONE PARKVIEW PLAZA 9TH FLR
OAKBROOK TERRACE IL 60181

KELAKA LLC
181 S LINCOLNWAY
NORTH AURORA IL 60542

JONATHAN M KAREN D STALLER
1151 BLACKBERRY SHORE LN
YORKVILLE IL 60560

c/o MID-AMERICA KENDALL HOLDINGS I LLC
ONE PARKVIEW PLAZA 9TH FLR
OAKBROOK TERRACE IL 60181

DAN KRAMER OAKS AT FOX HILL TOWNHOME ASSOC INC
1107A S BRIDGE ST
YORKVILLE IL 60560

ABBY PROPERTIES LLC
1951 RENA LN
YORKVILLE IL 60560

BRADY ELIZABETH VOLINSKY BRIAN
24210 CEDAR CREEK LN
PLAINFIELD IL 60586

DONALD S MARY A MAHER BARTALONE
1171 BLACKBERRY SHORE LN
YORKVILLE IL 60560

ABBY PROPERTIES LLC
1951 RENA LN
YORKVILLE IL 60560

DAVID J VOS
1513 STONERIDGE CIR
YORKVILLE IL 60560

ABBY PROPERTIES LLC
1951 RENA LN
YORKVILLE IL 60560

ALEXANDRA CRONIN
1619 COTTONWOOD TR
YORKVILLE IL 60560

ABBY PROPERTIES LLC
1951 RENA LN
YORKVILLE IL 60560

HEATHER HOLMES
1520 COTTONWOOD TR
YORKVILLE IL 60560

CLAUDIO MARIA G ALVAREZ
1510 STONERIDGE CIR
YORKVILLE IL 60560

LORRAINE M MAY
1540 COTTONWOOD TRL
YORKVILLE IL 60560

DAN KRAMER OAKS AT FOX HILL TOWNHOME ASSOC INC
1107A S BRIDGE ST
YORKVILLE IL 60560

KRISTINE L SMITH
1512 STONEBRIDGE CIR
YORKVILLE IL 60560

c/o MID-AMERICA KENDALL HOLDINGS I LLC
ONE PARKVIEW PLAZA 9TH FLR
OAKBROOK TERRACE IL 60181

AMY STAIE
1523 STONERIDGE CT
YORKVILLE IL 60560

ASHLEY BARILLA
1521 COTTONWOOD TRL
YORKVILLE IL 60560

JOSEPH A MELISSA L KAIN
1531 COTTONWOOD TRL
YORKVILLE IL 60560

c/o MID-AMERICA KENDALL HOLDINGS I LLC
ONE PARKVIEW PLAZA 9TH FLR
OAKBROOK TERRACE IL 60181

ABBY PROPERTIES LLC
1951 RENA LN
YORKVILLE IL 60560

TARGET CORPORATION
%PROPERTY TAX DEPT T-2378
PO BOX 9456
MINNEAPOLIS MN 554409456

ANNA WHITE
1506 STONERIDGE CIR W
YORKVILLE IL 60560

WARREN E EATON
1523 COTTONWOOD TR
YORKVILLE IL 60560

ABBY PROPERTIES LLC
1951 RENA LN
YORKVILLE IL 60560

c/o MID-AMERICA KENDALL HOLDINGS I LLC
ONE PARKVIEW PLAZA 9TH FLR
OAKBROOK TERRACE IL 60181

MATTHEW T RACHEL M MILLER
1607 COTTONWOOD TR
YORKVILLE IL 60560

FOX HILL PUD ASSOCIATION INC
11326 WEXFORD DR
MOKENA IL 60448

GREENWOOD GLOBAL INC KENDALL HOLDINGS I LLC
707 SKOKIE BLVD STE 600
NORTHBROOK IL 60062

ABBY PROPERTIES LLC
1951 RENA LN
YORKVILLE IL 60560

SARAH M GORGES FIRST BANK OF MANHATTAN
12888 MACKENZIE DR
YORKVILLE IL 60560

FOX HILL PUD ASSOCIATION INC
11326 WEXFORD DR
MOKENA IL 60448

DREW DANIELS LASALLE NATIONAL BANK
405 E SHERIDAN RD
LAKE BLUFF IL 60044

JASON E MARCINIAK
1514 STONERIDGE CIR
YORKVILLE IL 60560

OTIS BETTE P PAYNE
1524 COTTONWOOD TRL
YORKVILLE IL 60560

NANCY L MONDEK TRUST
1141 BLACKBERRY SHORE LN
YORKVILLE IL 60560

COPLEY VENTURES INC
2000 OGDEN AVE
AURORA IL 60504

KELI NIKKEL
1501 STONERIDGE CIR
YORKVILLE IL 60560

BRIAN L SHERRY K HANEY
1610 COTTONWOOD TRL
YORKVILLE IL 60560

ANDREW J VICTORIA L WEGRZYN
1548 COTTONWOOD TRL
YORKVILLE IL 60560

JERIMY J STEPHANIE M WEATHERLY
1703 COTTONWOOD CT
YORKVILLE IL 60560

STEVEN L BRENDA S HUEY
1519 COTTONWOOD TRL
YORKVILLE IL 60560

PROPERTY TAX DEPT YORKVILLE-HARPER LLC ETAL
P O BOX 3666
OAK BROOK IL 60523

MARK GOC
1522 COTTONWOOD TR
YORKVILLE IL 60560

DEBORAH L SPARTO
1529 COTTONWOOD TRL
YORKVILLE IL 60560

ANTOINETTE M HASTINGS
1503 STONERIDGE CIR
YORKVILLE IL 60560

DIANA A MONARREZ BUENO
1528 COTTONWOOD TR
YORKVILLE IL 60560

c/o MID-AMERICA KENDALL HOLDINGS I LLC
ONE PARKVIEW PLAZA 9TH FLR
OAKBROOK TERRACE IL 60181

REBECCA C FALTZ
1521 STONERIDGE CT
YORKVILLE IL 60560

AMANDA R THURMAN
1505 STONERIDGE CIR
YORKVILLE IL 60560

JAMES M FIORITO
1502 STONERIDGE CIR
YORKVILLE IL 60560

JENNIFER L JONATHON D KLOTZ
1161 BLACKBERRY SHORE LN
YORKVILLE IL 60560

DAVID DEBRA E MCMASTER
1603 COTTONWOOD TRL
YORKVILLE IL 60560

MILES ANDREW K RHODES BRAILYN C
1536 COTTONWOOD TR
YORKVILLE IL 60560

FOX HILL SENIOR LIVING YORKVILLE LLC
230 OHIO ST STE 200
OSHKOSH WI 54902

DONALD CAMPBELL
1617 COTTONWOOD TRL
YORKVILLE IL 60560

KAREN S MUELLER
1532 COTTONWOOD TRL
YORKVILLE IL 60560

ELIZABETH MENKE
583 COACH RD
YORKVILLE IL 60560

MARY BONNER
1519 STONERIDGE CT
YORKVILLE IL 60560

DANIEL R LORI L MELHOUSE
1526 COTTONWOOD TRL
YORKVILLE IL 60560

c/o MID-AMERICA KENDALL HOLDINGS I LLC
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OAKBROOK TERRACE IL 60181

THOMAS W JOSLIN
1611 COTTONWOOD TRL
YORKVILLE IL 60560

HECTOR L COTTS
1518 COTTONWOOD TRL
YORKVILLE IL 60560

LATANYA GILBERT
1516 STONERIDGE CIR
YORKVILLE IL 60560

JOEL ARTEAGA
1544 COTTONWOOD TR
YORKVILLE IL 60560

KENNETH E MARY F CRISER
1121 BLACKBERRY SHORE LN
YORKVILLE IL 60560

NANCY E TRAINOR
1539 COTTONWOOD TR
YORKVILLE IL 60560

COPLEY VENTURES INC
ATTN CONTROLLER
2000 OGDEN AVE
AURORA IL 60504

THOMAS STEPHANIE WAGNER
1547 COTTONWOOD TRL
YORKVILLE IL 60560

c/o MID-AMERICA KENDALL HOLDINGS I LLC
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OAKBROOK TERRACE IL 60181

PITTMAN JOSEPH W BROOKS BENJAMIN D
1527 COTTONWOOD TRL
YORKVILLE IL 60560

DREW DANIELS LASALLE NATIONAL BANK
405 E SHERIDAN RD
LAKE BLUFF IL 60044

TARGET CORPORATION
%PROPERTY TAX DEPT T-2378
PO BOX 9456
MINNEAPOLIS MN 554409456

ABBY PROPERTIES LLC
1951 RENA LN
YORKVILLE IL 60560

KELAKA LLC
181 S LINCOLNWAY
NORTH AURORA IL 60542

JESUS ANITA DIAZ
1615 COTTONWOOD TRL
YORKVILLE IL 60560

c/o MID-AMERICA KENDALL HOLDINGS I LLC
ONE PARKVIEW PLAZA 9TH FLR
OAKBROOK TERRACE IL 60181

GREENWOOD GLOBAL INC KENDALL HOLDINGS I LLC
707 SKOKIE BLVD STE 600
NORTHBROOK IL 60062

TIFFANIE SHIPP
1534 COTTONWOOD TR
YORKVILLE IL 60560

TRACY PHILLIPS
1515 STONERIDGE CIR
YORKVILLE IL 60560

JENNIFER RICE
1511 STONERIDGE CIR
YORKVILLE IL 60560

ABBY PROPERTIES LLC
1951 RENA LN
YORKVILLE IL 60560

RYAN JANA PALUMBO
1508 STONERIDGE CIR
YORKVILLE IL 60560

ABBY PROPERTIES LLC
1951 RENA LN
YORKVILLE IL 60560

ABBY PROPERTIES LLC
1951 RENA LN
YORKVILLE IL 60560

GUY KIM LOMBARDO
1604 COTTONWOOD TRL
YORKVILLE IL 60560

ASPASIA S BEZOS
1517 STONERIDGE CT
YORKVILLE IL 60560

DANIEL C WALLER JR
1602 COTTONWOOD TRL
YORKVILLE IL 60560

AH4R I IL LLC
ATTN PROPERTY TAX DEPARTMENT
23975 PARK SORRENTO SUITE 300
CALABASAS CA 91302

CHICAGO TITLE LAND
405 E SHERIDAN RD
LAKE BLUFF IL 60044

ABBY PROPERTIES LLC
1951 RENA LN
YORKVILLE IL 60560

JOSHUA A TORRES
1538 COTTONWOOD TRL
YORKVILLE IL 60560

ABBY PROPERTIES LLC
1951 RENA LN
YORKVILLE IL 60560

TAMMY J MERRILL
1504 STONERIDGE CIR
YORKVILLE IL 60560

PENN KYLE PENN LAWRENCE R
7249 WHITFIELD RD
NEWARK IL 60540

JAY A NICHOLSON
1541 COTTONWOOD TR
YORKVILLE IL 60560

ABBY PROPERTIES LLC
1951 RENA LN
YORKVILLE IL 60560

RENA RAMSEY
1507 STONERIDGE CIR
YORKVILLE IL 60560

LETITIA N WASHINGTON
1616 COTTONWOOD TR
YORKVILLE IL 60560

ROGELIO MARGARITA CARRILLO
1605 COTTONWOOD TR
YORKVILLE IL 60560

SHAWN M MARTINEZ
1701 COTTONWOOD CT
YORKVILLE IL 60560

DIANE S HANSON
1515 STONERIDGE CT
YORKVILLE IL 60560

JOSE NIVIA HERNANDEZ
1609 COTTONWOOD TRL
YORKVILLE IL 60560

TAWNEY BECKER DEC OF TR
1545 COTTONWOOD TRL
YORKVILLE IL 60560

DREW DANIELS LASALLE NATIONAL BANL
405 E SHERIDAN RD
LAKE BLUFF IL 60044

DAVID J VOS
1513 STONERIDGE CIR
YORKVILLE IL 60560

STEVEN L BRENDA S HUEY
1519 COTTONWOOD TRL
YORKVILLE IL 60560

DAN KRAMER OAKS AT FOX HILL TOWNHOME ASSOC INC
1107A S BRIDGE ST
YORKVILLE IL 60560

LORRAINE M MAY
1540 COTTONWOOD TRL
YORKVILLE IL 60560

DEBORAH L SPARTO
1529 COTTONWOOD TRL
YORKVILLE IL 60560

HEATHER HOLMES
1520 COTTONWOOD TR
YORKVILLE IL 60560

JOSEPH A MELISSA L KAIN
1531 COTTONWOOD TRL
YORKVILLE IL 60560

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12888 MACKENZIE DR
YORKVILLE IL 60560

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ANNA WHITE
1506 STONERIDGE CIR W
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JASON E MARCINIAK
1514 STONERIDGE CIR
YORKVILLE IL 60560

AMY STAIE
1523 STONERIDGE CT
YORKVILLE IL 60560

OTIS BETTE P PAYNE
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ANDREW J VICTORIA L WEGRZYN
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JAGRUTI K LLC
14536 GENERAL DR
PLAINFIELD IL 60544

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ANTOINETTE M HASTINGS
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CLAUDIO MARIA G ALVAREZ
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MARK GOC
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KRISTINE L SMITH
1512 STONEBRIDGE CIR
YORKVILLE IL 60560

DIANA A MONARREZ BUENO
1528 COTTONWOOD TR
YORKVILLE IL 60560

AMANDA R THURMAN
1505 STONERIDGE CIR
YORKVILLE IL 60560

ASHLEY BARILLA
1521 COTTONWOOD TRL
YORKVILLE IL 60560

WARREN E EATON
1523 COTTONWOOD TR
YORKVILLE IL 60560

DAVID DEBRA E MCMASTER
1603 COTTONWOOD TRL
YORKVILLE IL 60560

BRADY ELIZABETH VOLINSKY BRIAN
24210 CEDAR CREEK LN
PLAINFIELD IL 60586

DREW DANIELS LASALLE NATIONAL BANK
405 E SHERIDAN RD
LAKE BLUFF IL 60044

MARY BONNER
1519 STONERIDGE CT
YORKVILLE IL 60560

JOEL ARTEAGA
1544 COTTONWOOD TR
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ELIZABETH MENKE
583 COACH RD
YORKVILLE IL 60560

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JASON E MARCINIAK
1514 STONERIDGE CIR
YORKVILLE IL 60560

COUNTY OF KENDALL
GVMNT CAMPUS US 34
111 W FOX ST
YORKVILLE IL 60560

TARGET CORPORATION
%PROPERTY TAX DEPT T-2378
PO BOX 9456
MINNEAPOLIS MN 554409456

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FOX HILL SENIOR LIVING YORKVILLE LLC
230 OHIO ST STE 200
OSHKOSH WI 54902

SYCAMORE HOLDINGS GROUP LLC
1448-58 SYCAMORE RD JOHN ST
YORKVILLE IL 60560

JAMES J BETH A WARD
1458 SYCAMORE RD STE A
YORKVILLE IL 60560

SYCAMORE HOLDINGS GROUP LLC
1448-58 SYCAMORE RD JOHN ST
YORKVILLE IL 60560

CHICAGO TITLE LAND
405 E SHERIDAN RD
LAKE BLUFF IL 60044

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: 7715985
Purchase Order: PZC 2024-26 DMYF (Rezone)

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 10/25/2024, and the last publication of the notice was made in the newspaper dated and published on 10/25/2024.

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

PUBLICATION DATES: **Oct 25, 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

26th Day of October, 2024, by

Chicago Tribune Media Group



Jeremy Gates

**PUBLIC NOTICE
NOTICE OF PUBLIC HEARING
BEFORE
UNITED CITY OF YORKVILLE
PLANNING AND ZONING COMMISSION
PZC 2024-26**

NOTICE IS HEREBY GIVEN THAT Drew Daniels, on behalf of Daniels Malinski Yorkville Family, LLP, petitioner/owner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting rezoning classification. The real property consists of four (4) parcels totaling approximately 268.30 acres and is generally located at the northwest corner of West Veterans Parkway (US 34) and 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).

The legal description of the tract of property is as follows:

PARCEL ONE

THAT PART OF THE SOUTH 1/2 OF SECTION 19 AND THE NORTH 1/2 OF SECTION 30, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE CENTER OF SAID SECTION 19; THENCE SOUTH 00° 48' 07" EAST ALONG THE QUARTER LINE 257.40 FEET; THENCE NORTH 83° 55' 03" WEST 1944.30 FEET TO A POINT WHICH IS 1930.58 FEET SOUTH 88° 28' 32" WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 88° 28' 32" WEST ALONG SAID NORTH LINE 204.60 FEET; THENCE SOUTH 02° 08' 40" WEST 2489.33 FEET TO THE PRESENT CENTER LINE OF U. S. HIGHWAY NO. 34; THENCE EASTERLY ALONG SAID CENTER LINE 2001.79 FEET TO A POINT ON SAID CENTER LINE WHICH IS NORTH 84° 54' 42" WEST FROM THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 30 (AS MEASURED ALONG THE CENTER LINE OF SAID U. S. HIGHWAY NO. 34); THENCE NORTH 05° 05' 18" EAST AT RIGHT ANGLES TO SAID CENTER LINE 231.00 FEET; THENCE SOUTH 84° 54' 42" EAST PARALLEL WITH SAID CENTER LINE 565.71 FEET; THENCE SOUTH 05° 05' 18" WEST AT RIGHT ANGLES TO SAID CENTER LINE 231.00 FEET TO SAID CENTER LINE; THENCE SOUTH 84° 54' 42" EAST ALONG SAID CENTER LINE 2370.99 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 30; THENCE NORTH 00° 39' 04" WEST ALONG SAID EAST LINE 429.15 FEET TO THE NORTHEAST CORNER OF SAID SECTION 30; THENCE NORTH 00° 39' 04" WEST ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 19, 301.20 FEET; THENCE SOUTH 89° 20' 56" WEST AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 227.23 FEET; THENCE NORTH 15° 08' 07" WEST 2403.75 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST 1/4 OF SECTION 19 WHICH IS 1826.22 FEET NORTH 88° 28' 32" EAST FROM THE POINT OF BEGINNING; THENCE SOUTH 88° 28' 32" WEST ALONG SAID NORTH LINE, 1826.22 FEET TO THE POINT OF BEGINNING; IN THE TOWNSHIP OF BRISTOL, KENDALL COUNTY, ILLINOIS.

PARCEL TWO

THAT PART OF THE SOUTH 1/2 OF SECTION 19 AND THE NORTH 1/2 OF SECTION 30, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF STATE ROUTE 34 AND THE EAST LINE OF SAID SECTION 30; THENCE WESTERLY ALONG THE CENTER LINE OF SAID ROUTE 34, 2370.99 FEET FOR THE POINT OF BEGINNING; THENCE NORTHERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 231 FEET; THENCE WESTERLY PARALLEL TO THE CENTER LINE OF STATE ROUTE 34, 565.71 FEET; THENCE SOUTHERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 231 FEET TO THE CENTER LINE OF SAID ROUTE 34; THENCE EASTERLY ALONG THE CENTER LINE OF SAID ROUTE 34, 565.71 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF BRISTOL, KENDALL COUNTY, ILLINOIS.

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

COMMENCING AT THE NORTHEAST CORNER OF OUTLOT 1 OF FOX HILL UNIT ONE PLANNED UNIT DEVELOPMENT, BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS, RECORDED IN CABINET 3, SLOTS 508 A&B AND 509 A&B AS DOCUMENTED NO. 9410594 IN THE RECORDER'S OFFICE OF KENDALL COUNTY; THENCE NORTH 06 DEGREES 22 MINUTES 18 SECONDS EAST, ON A BEARING REFERENCED TO AN ASSUMED NORTH, 15.240 METERS (50.00 FEET) TO THE CENTERLINE OF F.A. 591 AND THE POINT OF BEGINNING; THENCE NORTH 83 DEGREES 37 MINUTES 42 SECONDS WEST 93.518 METERS (306.82 FEET) ON SAID CENTERLINE; THENCE WESTERLY 213.414 METERS (700.18 FEET) ALONG AN 11,642.530 METERS (38,197.20) RADIUS CURVE TO THE LEFT WHOSE CHORD BEARS NORTH 84 DEGREES 09 MINUTES 12 SECONDS WEST 213.411 METERS (700.17 FEET); THENCE NORTH 02 DEGREE 08 MINUTES 42 SECONDS EAST 15.263 METERS (50.08 FEET); THENCE EASTERLY 208.048 METERS (682.57 FEET) ALONG AN 11,657.770 METER (38,247.20 FOOT) RADIUS CURVE TO THE RIGHT WHOSE CHORD BEARS SOUTH 84 DEGREES 10 MINUTES 17 SECONDS EAST 208.046 METERS (682.56 FEET); THENCE NORTH 85 DEGREES 35 MINUTES 28 SECONDS EAST 25.458 METERS (83.52 FEET); THENCE SOUTH 83 DEGREES 37

MINUTES 42 SECONDS EAST 50.000 METERS (164.04 FEET); THENCE SOUTH 72 DEGREES 50 MINUTES 54 SECONDS EAST 25.449 (83.49 FEET); THENCE SOUTH 83 DEGREES 37 MINUTES 42 SECONDS EAST 2.433 METERS (7.98 FEET); THENCE SOUTH 00 DEGREES 39 MINUTES 02 SECONDS EAST 15.355 METERS (50.38 FEET) TO SAID CENTERLINE; THENCE NORTH 83 DEGREES 37 MINUTES 42 SECONDS WEST 4.311 METERS (14.14 FEET) ALONG SAID CENTERLINE TO THE POINT OF BEGINNING, CONTAINING 0.5095 HECTARE (1.259 ACRES), MORE OR LESS, OF WHICH 0.4738 HECTARE (1.171 ACRES), MORE OR LESS, ARE IN THE EXISTING RIGHT OF WAY, SITUATED IN THE COUNTY OF KENDALL AND STATE OF ILLINOIS.

THE ABOVE PARCEL BEING SHOWN ON SHEET 2 OF THE RIGHT OF WAY PLANS FOR F.A. 591 (U.S. ROUTE 34), SECTION 13BR, RECORDED AS DOCUMENT NUMBER 9702750, FLAT FILE, 5-55 IN THE RECORDER'S OFFICE OF KENDALL COUNTY, ILLINOIS.

ALSO, EXCEPT THAT PART CONVEYED THE UNITED CITY OF YORKVILLE IN DEED RECORDED AS DOCUMENT NO. 201400012767 TO WIT:

THAT PART OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHERLY CORNER OF SAID SECTION 30, THENCE SOUTH 01 DEGREES 14 MINUTES 12 SECONDS EAST, 304.62 FEET ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 30 TO THE POINT OF BEGINNING, THENCE CONTINUING SOUTH 01 DEGREES 14 MINUTES 12 SECONDS EAST, 74.37 FEET ALONG SAID EAST LINE OF THE NORTHERLY RIGHT OF WAY LINE OF U.S. ROUTE 34; THENCE CONTINUING SOUTH 01 DEGREES 14 MINUTES 12 SECONDS EAST, 50.25 FEET ALONG SAID EAST LINE TO THE CENTERLINE OF U.S. ROUTE 34; THENCE NORTH 85 DEGREES 32 MINUTES 10 SECONDS WEST, 1879.99 FEET ALONG SAID CENTERLINE, THENCE NORTH 04 DEGREES 27 MINUTES 50 SECONDS EAST, 50.00 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF U.S. ROUTE 34; THENCE NORTH 76 DEGREES 01 MINUTE 45 SECONDS EAST, 79.06 FEET TO A POINT 25.00 FEET NORTHERLY OF SAID NORTHERLY RIGHT OF WAY LINE OF U.S. ROUTE 34; THENCE SOUTH 85 DEGREES 32 MINUTES 10 SECONDS EAST, 1748.26 FEET PARALLEL WITH AND 25.00 FEET NORTH OF SAID NORTHERLY RIGHT OF WAY LINE, THENCE NORTH 46 DEGREES 36 MINUTES 49 SECONDS EAST 66.09 FEET TO POINT OF BEGINNING, ALL IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS. PERMANENT TAX NUMBERS: 02-19-300-019; 02-19-400-009, 02-19-400-010; AND 02-30-200-023

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, November 13, 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. For more project information, please scan the QR code below.

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

JORI BEHLAND
City Clerk
10/25/2024 7715985 HSPAXLP



Memorandum

To: Plan Council
From: Krysti Barksdale-Noble, Community Development Director
Date: October 8, 2024
Subject: **PZC 2024-26 Daniels Malinski Yorkville Family, LLLP (DMYF)**
Proposed Annexation and Rezoning Request

I have reviewed the annexation and rezoning applications for the subject property located just north of US 34 (Veterans Parkway), west of Beecher Road and Kendall Marketplace, and approximately 850 feet east of Eldamain Road. The applications were submitted by Drew Daniels on behalf of Daniels Malinski Yorkville Family, LLP, the petitioner. The petitioner is seeking to annex four (4) parcels, totaling approximately 270 acres, and rezone them from the R-1 Single-Family Suburban Residence District, which would apply upon annexation, to the M-2 General Manufacturing District.

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

GENERAL ZONING/LAND USE COMMENTS:

The subject property, approximately 270 acres in total, is currently unincorporated and zoned A-1 Agriculture in Kendall County. It consists of four parcels: the largest, roughly 200 acres, is irregularly shaped and adjacent to the Kendall Marketplace development; a 55-acre rectangular parcel is closest to Eldamain Road; and two smaller parcels, approximately 13 acres, are located just north of US 34. The property is currently used for farming, with a portion of Rob Roy Creek running through it. The two largest parcels are also part of the Rob Roy Drainage District.

1. **ZONING** – The subject property consists of four (4) parcels (#02-30-200-023, #02-19-400-010, #02-19-400-009, and #02-19-300-019). The following are the current immediate surrounding zoning and land uses:

	Zoning	Land Use
North	M-2 General Manufacturing District	Farmland (Kelaka)
	A-1 Agricultural District (Kendall County)	Farmland
East	Planned Unit Development (B-3, R-3, R-2)	Kendall Marketplace (Commercial, Townhomes, Single-Family Residential)
South	US 34 (Veterans Parkway)	Transportation
	B-3 General Business District	Rush Copley Medical Center/Commercial
	R-3 Multi-Family Attached Residence District	Fox Hill Townhomes
	R-2 Single-Family Traditional Residence	Fox Hill
West	B-3 General Business District	Commercial
		Undeveloped/Agriculture (Cobblestone North)

- a. 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, however, a proposed future land use was not provided on the rezoning application.

- i. **Will the petitioner confirm that the intended future land use for the subject property is for a data center campus?**
2. **PERMITTED USES** – Per Section 10-3-6-F of the Yorkville Unified Development Ordinance (UDO), the M-2 general manufacturing district zoning designation is intended to provide for the location of manufacturing, industrial, and related uses that have greater off-site impacts than those in the M-1 limited manufacturing district. The district is intended to ensure the compatibility of the manufacturing and industrial uses with surrounding residential and commercial uses and to minimize off-site impacts such as noise, traffic, and visual qualities.
 - a. Further, per Table 10-3-12 (B) Permitted and Special Uses of the Unified Development Ordinance, under “Energy Industrial Uses” data centers are permitted land uses.
3. **M-2 BULK REGULATIONS** – Per the Table 10-3-9(A) Bulk and Dimensional Standards, the following are the current M-2 General Business District standards:

M-2 Zoning Regulations	
Min. Lot Area	N/A
Front Yard Setback	25 feet
Rear Yard Setback	N/A
Side Yard Setback	Min. 10% of lot width/Max. 20 feet
Corner Yard Setback	Min. 10% of lot width/Max. 20 feet
Max. Lot Coverage	85%
Max. Building Height	N/A

4. **COMPREHENSIVE PLAN** – The 2016 Comprehensive Plan Update designates this property as “Suburban Neighborhoods (SN)” which is designated primarily for single-family detached residential homes. However, the Comprehensive Plan also states, “while the land use map should guide future land use and development and zoning decisions, it is also meant to be adjusted and changed when circumstances warrant a change in planning direction in a given area of the City.”
 - a. **Due to the recent trend in rezoning and development in the area, the Kelaka property annexation and rezoning to M-2 and the Cyrus One data center development approval to the north of the subject property, staff supports the proposed M-2 General Manufacturing District zoning for a future data center campus development with conditions.**
 - b. **Upon approval of the annexation and rezoning, the Comprehensive Plan will require an amendment to reflect the new M-2 General Manufacturing zoning district. The subject property’s future land use designation will be revised from “Suburban Neighborhoods (SN)” to “General Industrial (GI)”.**

ANNEXATION COMMENTS:

5. **ANNEXATION AGREEMENT** – Given the subject property's location along a major arterial roadway (US 34) and its proximity to the Kendall Marketplace development, which includes both commercial and residential land uses, staff recommends that the annexation agreement include a condition to consider restricting future manufacturing uses under the M-2 District if a data center campus is not developed on the site.

i. **Should a data center user not develop on the parcel, staff would recommend only the following M-2 General Manufacturing land uses be permitted on the subject property per Table 10-3-12(B) of the Unified Development Ordinance:**

1. **Automobile sales and services (enclosed) – defined as “An establishment engaged in the sale of automobiles where all operations take place entirely within an enclosed showroom in a primary building.”**
2. **Bakery (wholesale) - defined as “a bakery in which there is permitted the production and/or wholesaling of baked goods, excluding retail bakery.”**
3. **Brewery/winery/distillery – defined as “an establishment primarily engaged in brewing fermented malt beverages including beer, ale, malt liquors, and nonalcoholic beer (brewery), manufacturing and bottling wine on the premises (winery), or manufacturing, by distillation, intoxicating spirits on the premises (distillery) but not including on-premises consumption by patrons.”**
4. **Building material sales – defined as “establishments or places of business primarily engaged in retail or wholesale sale, from the premises, of materials used in the construction of buildings or other structures.”**
5. **Microdistillery – defined as “a small-scale artisan manufacturing business that blends, ferments, processes, packages, distributes and serves alcoholic spirits on and off the premises and produces no more than fifteen thousand (15,000) gallons per calendar year on-site. The microdistillery facility may include an ancillary tasting room and retail component in which guests/customers may sample and purchase the product. Off-site distribution of the alcoholic beverages shall be consistent with state law.”**
6. **Microbrewery/Microwinery – defined as “a combination retail, wholesale, and/or small-scale artisan manufacturing business that brews, ferments, processes, packages, distributes, and serves either beer or wine for sale on- or off-site. A microbrewery shall produce no more than one-hundred fifty-five thousand (155,000) gallons of beer per year for sale on the premises for either on-premises or off-premises consumption. These facilities may include an ancillary tasting room and retail component in which guests/customers may sample and purchase the product. Off-site distribution of the beverages shall be consistent with state law.”**
7. **Nursery/greenhouse – defined as “retail business whose principal activity is the selling of plants and having outdoor storage, growing and/or display of plants.”**

8. Research laboratories – defined as “a building or group of buildings in which are located facilities for scientific research, investigation, testing or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.”
 9. Recreational vehicle sales and services – defined as “an establishment engaged in the sale of recreational vehicles, including motorhomes and pickup campers, travel trailers, tent trailers, and similar vehicles that are designed and constructed for permit sleeping or housekeeping in an outdoor or a showroom enclosed in a primary building.”
 10. Storage, single-building climate controlled – defined as “a facility consisting of a single building where individual self-contained units are leased or rented to the general public for dead storage and where the individual storage units are accessed from the interior of the building.”
 11. Refrigerated Warehouse (Cold Storage)- defined as “a facility which is artificially or mechanically cooled in order to maintain the integrity and quality of perishable goods.”
- ii. The above identified limited permitted land uses shall be in effect for the term of the annexation agreement, twenty (20) years.
6. **PLAT OF ANNEXATION** – A plat of annexation shall be an exhibit to the annexing ordinance. The city engineer will prepare the exhibit.
 7. **COMMUNITY MEETING** – Per Section 10-8-13-B-1-a of the Unified Development Ordinance states a community meeting of area/neighborhood property owners explaining the proposed Annexation conducted by the petitioner at their own expense and at a location of their choosing may be required as a recommendation from the Plan Council prior to the Planning and Zoning Commission public hearing date.
 - a. Due to the proximity of existing residential land uses immediately to the east (Kendall Marketplace), west (CMP Properties) and south of US 34 (Fox Hill) staff recommends the petitioner conduct a community meeting regarding the proposed future land use of the subject property prior to the City Council and Planning and Zoning Commission public hearings.



October 15, 2024

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

**Re: DMFY, LLLP
Annexation and Rezoning Review
United City of Yorkville**

Dear Krysti:

We have reviewed the application for annexation and rezoning for the above-referenced project dated September 12, 2024.

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

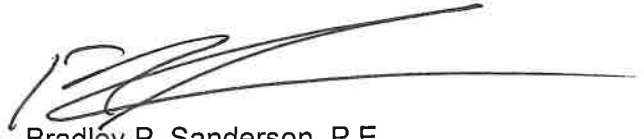
1. Rob Roy Creek traverses the property and there is a floodplain and floodway that need to be taken into account during the ultimate land planning process. The best available data has been provided to the developer's engineer.
2. The City is planning an extension of Beecher Road from Faxon Road to the existing location with the Kendall Marketplace Development. This should be accounted for during the land planning process.
3. The connections to the sanitary sewer will generally come from the existing interceptor sewer located along the property's eastern edge. Additional study will be required to analyze the ability of the City to provide sewer service.
4. The connections to the water distribution system will require additional study. In addition, depending on the ultimate development additional water system infrastructure may be required.
5. Connections to US Route 34 will need to be coordinated with IDOT and the City during the land planning process.
6. Prior to construction, detailed final engineering plans will need to be submitted for review.

Ms. Krysti Barksdale-Noble
October 15, 2024
Page 2

If you have any questions or require additional information, please call 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 Ratosh, Building Department (via email)
Ms. Sara Mendez, City Planner (via email)
Ms. Gina Nelson, Admin Assistant (via email)
Building Department (via email) Bzpermits@yorkville.il.us
Ms. Jori Behland, City Clerk (via email)
Mr. Drew Daniels, Sexton Companies (via email)
TNP, PGW2, EEI (Via e-mail)

Monica Cisija

To: Krysti Barksdale-Noble
Subject: RE: Opposition to Proposed Rezoning of Land to Manufacturing

From: Lindsay Martinez <[REDACTED]>
Date: Thu, Nov 7, 2024, 11:35 AM
Subject: Opposition to Proposed Rezoning of Land to Manufacturing
To: <Funkhouser.ward3@gmail.com>

Dear Chris Funkhouser,

I hope this message finds you well. I am writing to express my concern and opposition regarding the proposal to rezone

Case Number: PZC 2024-26 DMYF, LLLP (Annexation and Rezone) to a manufacturing district. As a member of the Yorkville community, I believe that this rezoning could have significant negative impacts on both the environment and the quality of life for residents of Fox Hill. There are several key reasons why I believe this change should not move forward. The Impact on Residential Areas. Allowing manufacturing operations in close proximity to residential neighborhoods could lead to increased noise, air pollution, and light pollution, all of which would negatively affect the health and well-being of local residents. The current zoning supports a balance of residential and commercial spaces, which provides a higher quality of life for families. Environmental Concerns: Manufacturing facilities often bring environmental challenges, including waste disposal issues, runoff, and the potential for hazardous material spills. Our community values green spaces, clean air, and sustainable development, and introducing manufacturing operations could compromise these environmental goals. Traffic and Infrastructure Strain on Diehl Farm Road: Manufacturing businesses typically bring increased truck traffic and demand on local infrastructure, which could overwhelm our current roads and public services. This increase in traffic could also create safety hazards and contribute to congestion in the area, which would be detrimental to both residents and visitors. We already have increased traffic from the Menards DC plant. Rezoning to manufacturing may not align with Yorkville's long-term vision for sustainable growth.

That property should remain zoned for residential purposes in my opinion. In order for Kendall Marketplace to become fully leased and continue to operate effectively, more people (who need homes) are needed, not a building that uses too many resources.

Property Values will tank. There is concern that industrial development could negatively affect property values in nearby residential areas. Families and homebuyers are likely to be deterred from settling in a neighborhood that is adjacent to manufacturing zones, which could affect the overall economic stability of the area. I urge the United City of Yorkville to consider these concerns and explore alternative options for development that would support the community's vision for growth while maintaining the integrity of our residential spaces. The residents of fox hill neighbor have already lost all of the trees along the Rob Roy Creek. We are still waiting for trees to be replanted. That alone has increased the road sounds from 34, Menards DC, trains etc. It is so noisy that we barely open our windows anymore. Our kids would spend all summer at the rob roy creek, but after all of the trees were cut down and left- and just recently the roots were removed. Our neighborhood enjoyed the creek for fishing- but no longer can do so with it being ruined. I would appreciate the opportunity to engage in further dialogue on this matter and discuss potential solutions that balance both economic development and quality of life for residents. Thank you for your time and consideration.

Sincerely,
Lindsay Martinez
[REDACTED]



Memorandum

To: Planning & Zoning Commission
From: Krysti J. Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Sara Mendez, Planner I
Date: November 5, 2024
Subject: **PZC 2024-27 Grande Reserve – Units 18 & 25 (Final Plat)**
Proposed Approval of 164 Townhomes in 2 New Units of Grande Reserve

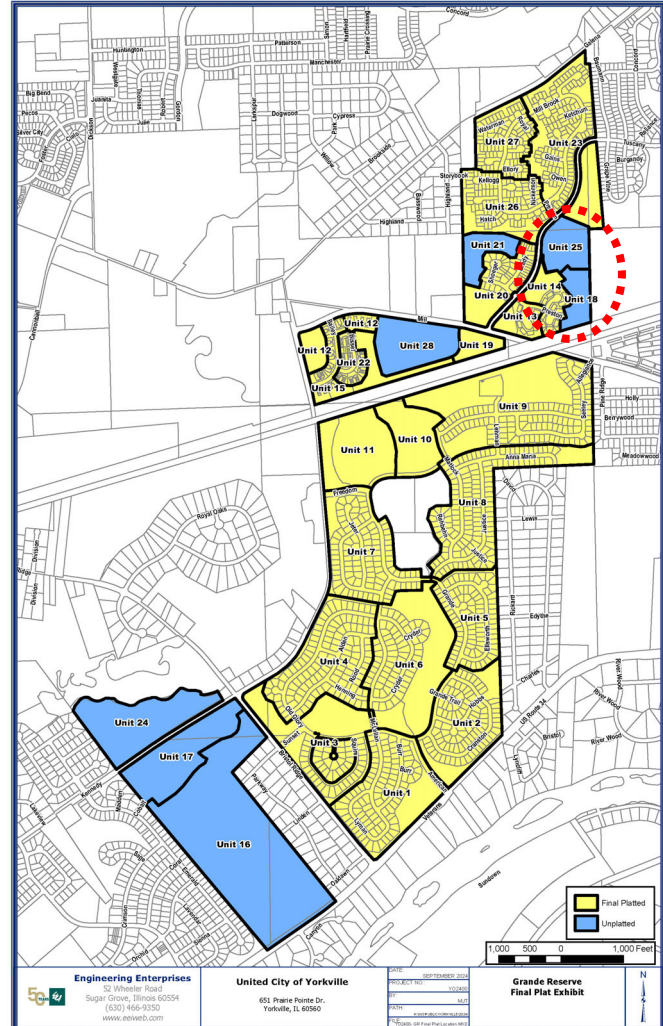
REQUEST SUMMARY:

The petitioner, Cesar Cruz on behalf of GR Yorkville Residents, LLC, owner, is seeking Final Plat approval for an approximately 22-acre site consisting of 164 new residential townhome lots and four (4) open space outlots located north of the BNSF railroad and east of Tuscany Trail in Yorkville. These lots will complete Neighborhood 3 and this quadrant of the Grande Reserve development (refer to map on the right).

The proposed 164 units will represent a slight decrease of one (1) unit in the originally planned and approved PUD for this neighborhood in the 2003 annexation agreement. Additionally, the petitioner is seeking approval of architectural design standards for the townhome building facades within the proposed final platted areas, as mandated by both the original annexation agreement and a subsequent 2021 economic incentive agreement.

ZONING AND LAND USE:

The subject property was annexed in 2003 and was zoned R-2 Single-Family Traditional Residence District with a special use for a Planned Unit Development (PUD). The following are the current immediate surrounding zoning and land uses:



	Zoning	Land Use
North	Tuscany Trail R-2 Planned Unit Development (Grande Reserve)	Transportation Residential
South	Burlington Northern Santa Fe (BNSF) Railroad Commonwealth Edison Easement R-2 Planned Unit Development (Grande Reserve)	Transportation Utility Residential
East	R-2 Planned Unit Development (Grande Reserve) Open Space (Grande Reserve Park A)	Residential Park
West	R-4 General Residential PUD (Village of Oswego)	Residential (Undeveloped)

Note, the approximately 100-acre parcel located within the Village of Oswego to the west of the subject property is owned by Tuscany Station, LLC. This parcel was approved for a mixed-residential housing complex consisting of 480-unit apartments and 164 single-family detached homes in 2023 and will be developed by Abby Properties, an affiliate of the petitioner.¹

PROPOSED FINAL PLAT OF SUBDIVISION:

The Preliminary/Final Plats for Units 18 and 25 were approved by the City Council in June and December of 2006, respectively, but they were never recorded and have since expired. The proposed Final Plat of Subdivision generally aligns with the originally approved plans but has slight differences in the number and distribution of units compared to the Concept PUD Plan.

For Unit 18, which covers 8.861 acres, the proposal includes 68 units arranged in groups of four townhomes, fronting the extension of Preston Drive. Unit 25, spanning 13.157 acres, proposes 96 townhomes, also grouped in fours, fronting Preston Drive as well as Collins Court and Whiteside Court cul-de-sacs. Both units will feature common open space lots designated for public utility and drainage easements.

According to Group Exhibit “D” of the Annexation Agreement (Ord. 2003-44), the “CITY, OWNERS and DEVELOPER acknowledge that the number of dwelling units on future preliminary and final plats may vary from the Concept Plan.” Additionally, it notes that “any plan for a phase of development that does not exceed the total number of dwelling units allowed in the Neighborhoods shall be considered in substantial conformance with the Concept Plan.”

Below is a comparison of the approved Concept Plan PUD dwelling unit count (Group Exhibit “C”) and the proposed final plat unit count for each section in Neighborhood 3:

NEIGHBORHOOD 3 (UNIT)	UNIT TYPE	APPROVED DWELLING UNITS CONCEPT PUD PLAN	PROPOSED/APPROVED DWELLING UNITS FINAL PLAT
Unit 13	TH	36	36
Unit 14	TH	44	44
Unit 18	TH	82	68
Unit 25	TH	83	96
TOTAL		245	244

Per Exhibit “D7” of the Annexation Agreement, the overall approved maximum density for Neighborhood 3 is 6 units/acre (245 units on 43.2 acres). With the proposed reduction of one (1) dwelling unit in Neighborhood 3, the density remains unchanged.

The area breakdown of the proposed final platted areas are as follows:

UNIT 18 - AREA SUMMARY		
<i>Land Type</i>	<i>Acres</i>	<i>Square Feet</i>
Lots	2.604	113,442
Public Utility & Drainage Easements	4.138	180,221
Dedicated Right of Way (Public Streets)	2.119	92,302
TOTAL	8.861 Acres	385,965 SF

¹ Source: <https://www.shawlocal.com/kendall-county-now/2023/01/16/oswego-village-board-approves-subdivision-with-480-unit-apartment-complex-metra-station-lot-in-split-ballot/>

ANNEXATION AGREEMENT

The original annexation agreement and the subsequent economic incentive agreement had provisions which apply to specific units within Grande Reserve and conditions for final plat approval. Below are applicable provisions to Units 18 and Unit 25 (Neighborhood 3).

Cul-de-Sacs

Per Ordinance the original annexation agreement, the homeowners' association (HOA) for these units are required to pay for and perform all snowplowing of cul-de-sacs, even though all roads within the units will be public roads. The HOA does not have the snowplowing obligation for other public roadways within the units. Unit 18 appears to have two (2) cul-de-sacs or "bump-outs" on Preston Drive. Staff has deferred to the City Engineer and Public Works Director if these qualify as cul-de-sacs. While Unit 25 has two (2) traditional cul-de-sacs, Collins Court, and Whiteside Court.

Declarations of CCRs

Group Exhibit "D", paragraph B of the Annexation Agreement requires that the developer submit a copy of the proposed Declaration of Covenants, Restrictions and Easements to be reviewed by the City. The declarations shall be recorded at the same time with the final plat for each phase. This portion of Grande Reserve will be included, upon recordation, within the existing Grande Reserve North Community Association, as amended and restated in a document recorded in 2020.

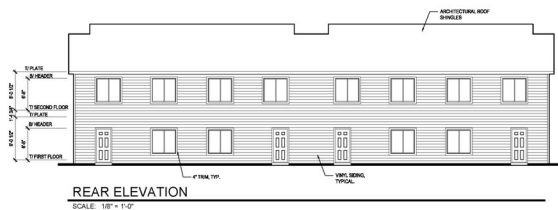
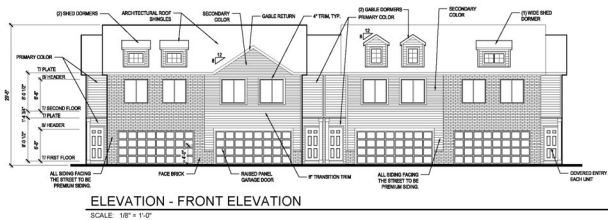
APPEARANCE STANDARDS

In the original Annexation Agreement (Ord. 2003-44), Architectural Design Standards for townhome development were established, along with conceptual building elevations provided in Exhibit "D2". Owners and developers must provide standards regulating façade materials, accessory structures, and other building restrictions for each neighborhood in Grande Reserve. The standards must meet or exceed the City's current appearance standards and also cover aspects such as color schemes, deck and patio specifications, fence specifications, restrictions on accessory buildings, housing styles, minimum square footage, building materials, and roof specifications. Areas not yet platted must submit architectural standards at the time of final plat submission.

GR Yorkville Residents, LLC has submitted plan elevations prepared by Abby Properties, LLC for the townhome model proposed in Units 18 and 25. The townhome building will feature architectural shingles, shed and gable-style decorative dormers, vinyl siding, face brick, cementitious based premium siding on front elevations, covered porches and transom windows on the front doors. The two-story townhomes have front-loaded garages with four (4) units per building, each with approximately 1,700 square feet per unit.

According to Chapter 10-5-8 of the Unified Development Ordinance (UDO), the City's Appearance Standards mandate that at least 75% of the total buildings incorporate masonry products on their front facades. Additionally, these facades must include a minimum of 50% premium siding material. Of this premium siding requirement, at least 25% must be masonry products. Credit towards fulfilling the premium siding requirement can be earned by using major architectural features, with each feature providing a 10% credit. Premium siding materials encompass masonry products, cultured stone, natural wood siding, and synthetic stucco. The provided data table below compares and calculates the elevations to ensure compliance with these UDO Appearance Standards.

Townhome Elevation Plans (Units 18 & 25)		
Appearance Code Requirements		Proposed Elevation
Masonry product	75% of total buildings	31 of 41 buildings will have min. 50% masonry on façade (75%)
Premium Siding	50% on front façade – excluding openings	48% Premium Siding Material
Masonry Siding	25% of premium siding	52% Masonry Siding
Credit for major architectural feature	10% each	20% credit (dormers = yellow; covered porches = red) *Meets Minimum 30% of premium siding requirement



NOT SHOWN:
- 1\"/>

ELEVATIONS

ABBY PROPERTIES, LLC

GRAND RESERVE - UNIT 18 & 25 TOWNHOMES
YORKVILLE, IL

2

While the proposed elevations satisfy the minimum appearance standards set by the Unified Development Ordinance, staff offered feedback on the initial architectural design and materials. Some of these suggestions were incorporated into the current façade, such as the addition of more masonry on the front elevation. Staff also recommended adding window shutters to enhance architectural interest. However, the petitioner has expressed that their aesthetic vision for these townhome units is modern and sleek.

Below are images of other townhome units constructed in the adjacent unit to the west, Unit 14 between 2006 and present.



Staff Comments:

The proposed Final Plat of Resubdivision has been reviewed by the City's engineering consultant, Engineering Enterprises Inc., for compliance with the Subdivision Control Ordinance's Standards for Specification. Comments dated October 9, 2024 was provided to the applicant (see attached). Based upon the review of the proposed Final Plat of Subdivision of Grande Reserve Units 18 and 25, the City Engineer has found the plats to be acceptable with regards to the current subdivision control regulations.

Proposed Motion:

In consideration of the proposed Final Plat of Subdivision of Grande Reserve Units 18 and 25, the Planning and Zoning Commission recommends approval of the plats and architectural elevations to the City Council as presented by the Petitioner in plans prepared by Manhard Consulting, Ltd. dated last revised 09/18/24 and further subject to {insert any additional conditions of the Planning and Zoning Commission}...

Attachments:

1. Copy of Petitioner's Application
2. Final Plat of Subdivision of Grande Reserve Unit 18 prepared by Manhard Consulting Ltd., dated last revised 09/18/24.
3. Final Plat of Subdivision of Grande Reserve Unit 25 prepared by Manhard Consulting Ltd., dated last revised 09/18/2024.
4. Grande Reserve – Unit 18 & 25 Townhomes Elevations prepared by Abby Properties, LLC.
5. EEI Letter to the City dated October 9, 2024.
6. Plan Council – October 10, 2024



Civil Engineering
Surveying
Water Resources Management
Construction Management
Landscape Architecture
Land Planning

September 13, 2024

Ms. Kristi Barksdale Noble
Community Development Director
United City of Yorkville
651 Prairie Point Drive
Yorkville, IL 60560

SUBJECT: Grande Reserve – Units 18 & 25; Unit 21

Dear Ms. Noble:

Please find enclosed the following documents for your review and approval:

- Application for Final Plat/Replat for a Subdivision of Grande Reserve Unit 18 & 25 and \$20,500 fee
- Application for Final Plat/Replat for a Subdivision of Grande Reserve Unit 21 and \$20,500 fee
- (3) Final Plat of Subdivision of Grande Reserve Unit 18, prepared by Manhard Consulting, dated 02/23/24
- (3) Final Plat of Subdivision of Grande Reserve Unit 25, prepared by Manhard Consulting, dated 02/23/24
- (3) Final Plat of Subdivision of Grande Reserve Unit 21, prepared by Manhard Consulting, dated 01/17/24
- Legal Description for a Subdivision of Grande Reserve Unit 18:Exhibit A
- Legal Description for a Subdivision of Grande Reserve Unit 25:Exhibit A
- Legal Description for a Subdivision of Grande Reserve Unit 21:Exhibit A
- Proposed lot areas and dimensions for a Subdivision of Grande Reserve Unit 18:Exhibit B
- Proposed lot areas and dimensions for a Subdivision of Grande Reserve Unit 25:Exhibit B
- Proposed lot areas and dimensions for a Subdivision of Grande Reserve Unit 21:Exhibit B

Should you have any questions or require additional information, please feel free to reach out at jiovinelli@manhard.com or at (630) 925-1110.

Yours truly,
MANHARD CONSULTING, LTD.

A handwritten signature in blue ink, appearing to read 'Joe Iovinelli', is written over a horizontal line.

Joe Iovinelli, P.E. – Senior Project Manager



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 FINAL PLAT/REPLAT

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 _____ - 5 = _____ x \$10 = _____ + \$250 = \$ _____ # of Acres Acres over 5 Amount for Extra Acres Total Amount		Total: \$
ZONING VARIANCE	<input type="checkbox"/> \$85.00 + \$500.00 outside consultants deposit		Total: \$
PRELIMINARY PLAN FEE	<input type="checkbox"/> \$500.00		Total: \$
PUD FEE	<input type="checkbox"/> \$500.00		Total: \$
FINAL PLAT FEE	<input checked="" type="checkbox"/> \$500.00		Total: \$ 500.00
ENGINEERING PLAN REVIEW DEPOSIT	<input type="checkbox"/> Less than 1 acre <input type="checkbox"/> Over 1 acre, less than 10 acres <input checked="" 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: \$ 15,000.00
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 <input type="checkbox"/> Over 2 acres, less than 10 acres <input checked="" type="checkbox"/> Over 10 acres		Total: \$ 5,000.00
TOTAL AMOUNT DUE:			\$20,500.00



APPLICATION FOR FINAL PLAT/REPLAT

[illegible]



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 FINAL PLAT/REPLAT

ATTORNEY INFORMATION

NAME: Mark C. Metzger

COMPANY: Law Office of Mark C. Metzger

MAILING ADDRESS: 1807 W. Diehl Road, Suite 105

CITY, STATE, ZIP: Naperville, Illinois, 60563

TELEPHONE: 630-615-6380

EMAIL:

FAX:

ENGINEER INFORMATION

NAME: Joe Iovinelli

COMPANY: Manhard Consulting

MAILING ADDRESS: 333 East Butterfield Road, Suite 600

CITY, STATE, ZIP: Lombard, Illinois, 60148

TELEPHONE: 630-925-1110

EMAIL: jiovinelli@manhard.com

FAX:

LAND PLANNER/SURVEYOR INFORMATION

NAME: Marcus G. Schmitt

COMPANY: Manhard Consulting

MAILING ADDRESS: 333 East Butterfield Road, Suite 600

CITY, STATE, ZIP: Lombard, Illinois, 60148

TELEPHONE: 630-925-1108

EMAIL: mschmitt@manhard.com

FAX:

ATTACHMENTS

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

AGREEMENT

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

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

PETITIONER SIGNATURE

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

OWNER SIGNATURE

EDWIN ARREGUIN
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES April 12, 2027

OFFICIAL SEAL
EDWIN ARREGUIN
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES April 12, 2027



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

APPLICANT DEPOSIT ACCOUNT/ ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY

PROJECT NAME:	FUND ACCOUNT NUMBER:	PROPERTY ADDRESS: Tuscany Trail and Preston Drive	
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: Luz Padilla		COMPANY: G R Yorkville Residential, LLC	
MAILING ADDRESS: 12347 Woodview Street			
CITY, STATE, ZIP: Plano, Illinois, 60545		TELEPHONE: 773-383-5826	
EMAIL: Cesar@abbyproperties.llc		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.			
PRINT NAME <u>Luz M Padilla</u>		TITLE <u>Owner</u>	
SIGNATURE* <u>Luz Maria Padilla</u>		DATE <u>10/31/24</u>	
<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>			
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		

EXHIBIT A
Legal Description**Unit 18**

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 01 DEGREES 10 MINUTES 35 SECONDS EAST ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, 637.16 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 01 DEGREES 10 MINUTES 35 SECONDS EAST CONTINUING ALONG SAID EAST LINE, 851.77 FEET TO THE NORTH LINE OF COMMONWEALTH EDISON COMPANY TRACT RECORDED AS DOCUMENT 19730003089; THENCE SOUTH 73 DEGREES 21 MINUTES 21 SECONDS WEST ALONG SAID NORTH LINE, 518.26 FEET TO THE EASTERLY LINE OF GRANDE RESERVE - UNIT 14 RECORDED AS DOCUMENT 200600023023; THENCE ALONG SAID EASTERLY LINE FOR THE FOLLOWING TEN (10) COURSES: 1) THENCE NORTH 00 DEGREES 01 MINUTES 02 SECONDS WEST, 195.86 FEET TO A POINT ON A NON-TANGENT CURVE; 2) THENCE EASTERLY, ALONG A CURVE, CONCAVE TO THE NORTH, HAVING A RADIUS OF 183.00 FEET, AN ARC DISTANCE OF 51.59 FEET, A CHORD BEARING NORTH 81 DEGREES 26 MINUTES 34 SECONDS EAST, AND A CHORD DISTANCE OF 51.42 FEET TO A POINT OF TANGENCY; 3) THENCE NORTH 73 DEGREES 21 MINUTES 59 SECONDS EAST, 46.35 FEET; 4) THENCE NORTH 16 DEGREES 38 MINUTES 01 SECONDS WEST, 169.95 FEET; 5) THENCE NORTH 73 DEGREES 06 MINUTES 04 SECONDS EAST, 103.50 FEET; 6) THENCE NORTH 38 DEGREES 18 MINUTES 44 SECONDS EAST, 89.10 FEET; 7) THENCE NORTH 19 DEGREES 08 MINUTES 07 SECONDS WEST, 93.56 FEET; 8) THENCE NORTH 41 DEGREES 25 MINUTES 14 SECONDS WEST, 272.11 FEET; 9) THENCE NORTH 55 DEGREES 29 MINUTES 56 SECONDS EAST, 105.46 FEET; 10) THENCE NORTH 41 DEGREES 25 MINUTES 18 SECONDS WEST, 131.40 FEET; THENCE NORTH 48 DEGREES 34 MINUTES 42 SECONDS EAST, 181.58 FEET; THENCE SOUTH 41 DEGREES 16 MINUTES 24 SECONDS EAST, 75.41 FEET; THENCE NORTH 88 DEGREES 49 MINUTES 02 SECONDS EAST, 303.11 FEET TO THE POINT OF BEGINNING ALL IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

SUBDIVIDED PROPERTY CONTAINS 8.861 ACRES, MORE OR LESS AND ALL DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.



EXHIBIT A
Legal Description

Unit 25

THAT PART OF THE NORTHEAST QUARTER AND SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 01 DEGREES 10 MINUTES 35 SECONDS EAST ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, 637.16 FEET; THENCE SOUTH 88 DEGREES 49 MINUTES 02 SECONDS WEST, 303.11 FEET; THENCE NORTH 41 DEGREES 16 MINUTES 24 SECONDS WEST, 75.41 FEET; THENCE SOUTH 48 DEGREES 34 MINUTES 42 SECONDS WEST, 181.58 FEET TO THE EASTERLY LINE OF LOT 3051 IN GRANDE RESERVE - UNIT 14 RECORDED AS DOCUMENT 200600023023; THENCE ALONG SAID EASTERLY LINE FOR THE FOLLOWING SIX (6) COURSES: 1) THENCE NORTH 41 DEGREES 25 MINUTES 18 SECONDS WEST, 27.00 FEET TO A POINT OF CURVATURE; 2) THENCE NORTHWESTERLY, ALONG A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 383.00 FEET, AN ARC DISTANCE OF 35.89 FEET, A CHORD BEARING NORTH 38 DEGREES 44 MINUTES 15 SECONDS WEST, AND A CHORD DISTANCE OF 35.87 FEET TO A POINT OF NON-TANGENCY; 3) THENCE SOUTH 76 DEGREES 26 MINUTES 26 SECONDS WEST, 185.87 FEET; 4) THENCE NORTH 13 DEGREES 33 MINUTES 34 SECONDS WEST, 210.95 FEET; 5) THENCE NORTH 01 DEGREES 10 MINUTES 58 SECONDS WEST, 82.19 FEET; 6) THENCE NORTH 85 DEGREES 33 MINUTES 59 SECONDS WEST, 28.23 FEET TO A POINT ON A NON-TANGENT CURVE BEING THE EAST LINE OF TUSCANY TRAIL AS DEDICATED PER DOCUMENT 200600035289; THENCE ALONG SAID EAST LINE OF TUSCANY TRAIL FOR THE FOLLOWING FOUR (4) COURSES: 1) THENCE NORTHERLY, ALONG A CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 885.00 FEET, AN ARC DISTANCE OF 49.49 FEET, A CHORD BEARING NORTH 02 DEGREES 49 MINUTES 54 SECONDS EAST, AND A CHORD DISTANCE OF 49.48 FEET TO A POINT OF TANGENCY; 2) THENCE NORTH 01 DEGREES 13 MINUTES 47 SECONDS EAST, 138.04 FEET TO A POINT OF CURVATURE; 3) THENCE NORTHEASTERLY, ALONG A CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 365.00 FEET, AN ARC DISTANCE OF 300.45 FEET, A CHORD BEARING NORTH 24 DEGREES 48 MINUTES 40 SECONDS EAST, AND A CHORD DISTANCE OF 292.04 FEET TO A POINT OF TANGENCY; 4) THENCE NORTH 48 DEGREES 23 MINUTES 32 SECONDS EAST, 271.11 FEET TO A POINT OF CUSP, ON THE SOUTHERLY LINE OF LOT 3036 IN GRANDE RESERVE - UNIT 23 RECORDED AS DOCUMENT 200600040560; THENCE ALONG THE SOUTHERLY LINE OF LOT 3036 FOR THE FOLLOWING THREE (3) COURSES: 1) THENCE SOUTHWESTERLY, ALONG A CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 12.57 FEET, A CHORD BEARING SOUTH 33 DEGREES 59 MINUTES 21 SECONDS WEST, AND A CHORD DISTANCE OF 12.44 FEET TO A POINT OF NON-TANGENCY; 2) THENCE SOUTH 68 DEGREES 30 MINUTES 06 SECONDS EAST, 485.59 FEET TO THE EAST LINE OF SAID NORTHEAST QUARTER; 3) THENCE SOUTH 01 DEGREES 11 MINUTES 07 SECONDS EAST ALONG SAID EAST LINE, 31.62 FEET TO THE POINT OF BEGINNING, ALL IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

SUBDIVIDED PROPERTY CONTAINS 13.157 ACRES, MORE OR LESS AND ALL DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.



EXHIBIT B
Lot Areas and Dimensions

Unit 18

LOTS 141-144 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 151-154 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 161-164 = 6,673 SQ. FT. (0.153 ACRES)
LOTS 171-174 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 181-184 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 191-194 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 201-204 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 211-214 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 221-224 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 231-234 = 6,658 SQ. FT. (0.153 ACRES)
LOTS 241-244 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 251-254 = 6,670 SQ. FT. (0.153 ACRES)
LOTS 501-504 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 511-514 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 521-524 = 6,627 SQ. FT. (0.152 ACRES)
LOTS 531-534 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 541-544 = 6,678 SQ. FT. (0.153 ACRES)
LOT 3054 = 104,779 SQ. FT. (3.232 ACRES)
LOT 3055 = 39,442 SQ. FT. (0.905 ACRES)
RIGHT-OF-WAY = 92,302 SQ. FT. (2.120 ACRES)
TOTAL AREA = 385,965 SQ. FT. (8.861 ACRES)

Unit 25

LOTS 261-264 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 271-274 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 281-284 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 291-294 = 6,656 SQ. FT. (0.153 ACRES)
LOTS 301-304 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 311-314 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 321-324 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 331-334 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 341-344 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 351-354 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 361-364 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 371-374 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 381-384 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 391-394 = 6,589 SQ. FT. (0.151 ACRES)
LOTS 401-404 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 411-414 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 421-424 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 431-434 = 6,675 SQ. FT. (0.153 ACRES)
LOTS 441-444 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 451-454 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 461-464 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 471-474 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 481-484 = 6,674 SQ. FT. (0.153 ACRES)
LOTS 491-494 = 6,678 SQ. FT. (0.153 ACRES)
LOT 3052 = 95,267 SQ. FT. (2.187 ACRES)
LOT 3053 = 186,069 SQ. FT. (4.272 ACRES)
RIGHT-OF-WAY = 131,643 SQ. FT. (3.028 ACRES)
TOTAL AREA = 573,133 SQ. FT. (13.157 ACRES)



EXHIBIT A
Legal Description

Unit 18

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 01 DEGREES 10 MINUTES 35 SECONDS EAST ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, 637.16 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 01 DEGREES 10 MINUTES 35 SECONDS EAST CONTINUING ALONG SAID EAST LINE, 851.77 FEET TO THE NORTH LINE OF COMMONWEALTH EDISON COMPANY TRACT RECORDED AS DOCUMENT 19730003089; THENCE SOUTH 73 DEGREES 21 MINUTES 21 SECONDS WEST ALONG SAID NORTH LINE, 518.26 FEET TO THE EASTERLY LINE OF GRANDE RESERVE - UNIT 14 RECORDED AS DOCUMENT 200600023023; THENCE ALONG SAID EASTERLY LINE FOR THE FOLLOWING TEN (10) COURSES: 1) THENCE NORTH 00 DEGREES 01 MINUTES 02 SECONDS WEST, 195.86 FEET TO A POINT ON A NON-TANGENT CURVE; 2) THENCE EASTERLY, ALONG A CURVE, CONCAVE TO THE NORTH, HAVING A RADIUS OF 183.00 FEET, AN ARC DISTANCE OF 51.59 FEET, A CHORD BEARING NORTH 81 DEGREES 26 MINUTES 34 SECONDS EAST, AND A CHORD DISTANCE OF 51.42 FEET TO A POINT OF TANGENCY; 3) THENCE NORTH 73 DEGREES 21 MINUTES 59 SECONDS EAST, 46.35 FEET; 4) THENCE NORTH 16 DEGREES 38 MINUTES 01 SECONDS WEST, 169.95 FEET; 5) THENCE NORTH 73 DEGREES 06 MINUTES 04 SECONDS EAST, 103.50 FEET; 6) THENCE NORTH 38 DEGREES 18 MINUTES 44 SECONDS EAST, 89.10 FEET; 7) THENCE NORTH 19 DEGREES 08 MINUTES 07 SECONDS WEST, 93.56 FEET; 8) THENCE NORTH 41 DEGREES 25 MINUTES 14 SECONDS WEST, 272.11 FEET; 9) THENCE NORTH 55 DEGREES 29 MINUTES 56 SECONDS EAST, 105.46 FEET; 10) THENCE NORTH 41 DEGREES 25 MINUTES 18 SECONDS WEST, 131.40 FEET; THENCE NORTH 48 DEGREES 34 MINUTES 42 SECONDS EAST, 181.58 FEET; THENCE SOUTH 41 DEGREES 16 MINUTES 24 SECONDS EAST, 75.41 FEET; THENCE NORTH 88 DEGREES 49 MINUTES 02 SECONDS EAST, 303.11 FEET TO THE POINT OF BEGINNING ALL IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

SUBDIVIDED PROPERTY CONTAINS 8.861 ACRES, MORE OR LESS AND ALL DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.



EXHIBIT A
Legal Description

Unit 25

THAT PART OF THE NORTHEAST QUARTER AND SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 01 DEGREES 10 MINUTES 35 SECONDS EAST ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, 637.16 FEET; THENCE SOUTH 88 DEGREES 49 MINUTES 02 SECONDS WEST, 303.11 FEET; THENCE NORTH 41 DEGREES 16 MINUTES 24 SECONDS WEST, 75.41 FEET; THENCE SOUTH 48 DEGREES 34 MINUTES 42 SECONDS WEST, 181.58 FEET TO THE EASTERLY LINE OF LOT 3051 IN GRANDE RESERVE - UNIT 14 RECORDED AS DOCUMENT 200600023023; THENCE ALONG SAID EASTERLY LINE FOR THE FOLLOWING SIX (6) COURSES: 1) THENCE NORTH 41 DEGREES 25 MINUTES 18 SECONDS WEST, 27.00 FEET TO A POINT OF CURVATURE; 2) THENCE NORTHWESTERLY, ALONG A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 383.00 FEET, AN ARC DISTANCE OF 35.89 FEET, A CHORD BEARING NORTH 38 DEGREES 44 MINUTES 15 SECONDS WEST, AND A CHORD DISTANCE OF 35.87 FEET TO A POINT OF NON-TANGENCY; 3) THENCE SOUTH 76 DEGREES 26 MINUTES 26 SECONDS WEST, 185.87 FEET; 4) THENCE NORTH 13 DEGREES 33 MINUTES 34 SECONDS WEST, 210.95 FEET; 5) THENCE NORTH 01 DEGREES 10 MINUTES 58 SECONDS WEST, 82.19 FEET; 6) THENCE NORTH 85 DEGREES 33 MINUTES 59 SECONDS WEST, 28.23 FEET TO A POINT ON A NON-TANGENT CURVE BEING THE EAST LINE OF TUSCANY TRAIL AS DEDICATED PER DOCUMENT 200600035289; THENCE ALONG SAID EAST LINE OF TUSCANY TRAIL FOR THE FOLLOWING FOUR (4) COURSES: 1) THENCE NORTHERLY, ALONG A CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 885.00 FEET, AN ARC DISTANCE OF 49.49 FEET, A CHORD BEARING NORTH 02 DEGREES 49 MINUTES 54 SECONDS EAST, AND A CHORD DISTANCE OF 49.48 FEET TO A POINT OF TANGENCY; 2) THENCE NORTH 01 DEGREES 13 MINUTES 47 SECONDS EAST, 138.04 FEET TO A POINT OF CURVATURE; 3) THENCE NORTHEASTERLY, ALONG A CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 365.00 FEET, AN ARC DISTANCE OF 300.45 FEET, A CHORD BEARING NORTH 24 DEGREES 48 MINUTES 40 SECONDS EAST, AND A CHORD DISTANCE OF 292.04 FEET TO A POINT OF TANGENCY; 4) THENCE NORTH 48 DEGREES 23 MINUTES 32 SECONDS EAST, 271.11 FEET TO A POINT OF CUSP, ON THE SOUTHERLY LINE OF LOT 3036 IN GRANDE RESERVE - UNIT 23 RECORDED AS DOCUMENT 200600040560; THENCE ALONG THE SOUTHERLY LINE OF LOT 3036 FOR THE FOLLOWING THREE (3) COURSES: 1) THENCE SOUTHWESTERLY, ALONG A CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 12.57 FEET, A CHORD BEARING SOUTH 33 DEGREES 59 MINUTES 21 SECONDS WEST, AND A CHORD DISTANCE OF 12.44 FEET TO A POINT OF NON-TANGENCY; 2) THENCE SOUTH 68 DEGREES 30 MINUTES 06 SECONDS EAST, 485.59 FEET TO THE EAST LINE OF SAID NORTHEAST QUARTER; 3) THENCE SOUTH 01 DEGREES 11 MINUTES 07 SECONDS EAST ALONG SAID EAST LINE, 31.62 FEET TO THE POINT OF BEGINNING, ALL IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

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EXHIBIT B
Lot Areas and Dimensions

Unit 18

LOTS 141-144 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 151-154 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 161-164 = 6,673 SQ. FT. (0.153 ACRES)
LOTS 171-174 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 181-184 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 191-194 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 201-204 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 211-214 = 6,678 SQ. FT. (0.153 ACRES)
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LOT 3054 = 104,779 SQ. FT. (3.232 ACRES)
LOT 3055 = 39,442 SQ. FT. (0.905 ACRES)
RIGHT-OF-WAY = 92,302 SQ. FT. (2.120 ACRES)
TOTAL AREA = 385,965 SQ. FT. (8.861 ACRES)

Unit 25

LOTS 261-264 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 271-274 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 281-284 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 291-294 = 6,656 SQ. FT. (0.153 ACRES)
LOTS 301-304 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 311-314 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 321-324 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 331-334 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 341-344 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 351-354 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 361-364 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 371-374 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 381-384 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 391-394 = 6,589 SQ. FT. (0.151 ACRES)
LOTS 401-404 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 411-414 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 421-424 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 431-434 = 6,675 SQ. FT. (0.153 ACRES)
LOTS 441-444 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 451-454 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 461-464 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 471-474 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 481-484 = 6,674 SQ. FT. (0.153 ACRES)
LOTS 491-494 = 6,678 SQ. FT. (0.153 ACRES)
LOT 3052 = 95,267 SQ. FT. (2.187 ACRES)
LOT 3053 = 186,069 SQ. FT. (4.272 ACRES)
RIGHT-OF-WAY = 131,643 SQ. FT. (3.028 ACRES)
TOTAL AREA = 573,133 SQ. FT. (13.157 ACRES)

EXHIBIT A
Legal Description

Unit 18

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 01 DEGREES 10 MINUTES 35 SECONDS EAST ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, 637.16 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 01 DEGREES 10 MINUTES 35 SECONDS EAST CONTINUING ALONG SAID EAST LINE, 851.77 FEET TO THE NORTH LINE OF COMMONWEALTH EDISON COMPANY TRACT RECORDED AS DOCUMENT 19730003089; THENCE SOUTH 73 DEGREES 21 MINUTES 21 SECONDS WEST ALONG SAID NORTH LINE, 518.26 FEET TO THE EASTERLY LINE OF GRANDE RESERVE - UNIT 14 RECORDED AS DOCUMENT 200600023023; THENCE ALONG SAID EASTERLY LINE FOR THE FOLLOWING TEN (10) COURSES: 1) THENCE NORTH 00 DEGREES 01 MINUTES 02 SECONDS WEST, 195.86 FEET TO A POINT ON A NON-TANGENT CURVE; 2) THENCE EASTERLY, ALONG A CURVE, CONCAVE TO THE NORTH, HAVING A RADIUS OF 183.00 FEET, AN ARC DISTANCE OF 51.59 FEET, A CHORD BEARING NORTH 81 DEGREES 26 MINUTES 34 SECONDS EAST, AND A CHORD DISTANCE OF 51.42 FEET TO A POINT OF TANGENCY; 3) THENCE NORTH 73 DEGREES 21 MINUTES 59 SECONDS EAST, 46.35 FEET; 4) THENCE NORTH 16 DEGREES 38 MINUTES 01 SECONDS WEST, 169.95 FEET; 5) THENCE NORTH 73 DEGREES 06 MINUTES 04 SECONDS EAST, 103.50 FEET; 6) THENCE NORTH 38 DEGREES 18 MINUTES 44 SECONDS EAST, 89.10 FEET; 7) THENCE NORTH 19 DEGREES 08 MINUTES 07 SECONDS WEST, 93.56 FEET; 8) THENCE NORTH 41 DEGREES 25 MINUTES 14 SECONDS WEST, 272.11 FEET; 9) THENCE NORTH 55 DEGREES 29 MINUTES 56 SECONDS EAST, 105.46 FEET; 10) THENCE NORTH 41 DEGREES 25 MINUTES 18 SECONDS WEST, 131.40 FEET; THENCE NORTH 48 DEGREES 34 MINUTES 42 SECONDS EAST, 181.58 FEET; THENCE SOUTH 41 DEGREES 16 MINUTES 24 SECONDS EAST, 75.41 FEET; THENCE NORTH 88 DEGREES 49 MINUTES 02 SECONDS EAST, 303.11 FEET TO THE POINT OF BEGINNING ALL IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

SUBDIVIDED PROPERTY CONTAINS 8.861 ACRES, MORE OR LESS AND ALL DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.



EXHIBIT A
Legal Description

Unit 25

THAT PART OF THE NORTHEAST QUARTER AND SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 01 DEGREES 10 MINUTES 35 SECONDS EAST ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, 637.16 FEET; THENCE SOUTH 88 DEGREES 49 MINUTES 02 SECONDS WEST, 303.11 FEET; THENCE NORTH 41 DEGREES 16 MINUTES 24 SECONDS WEST, 75.41 FEET; THENCE SOUTH 48 DEGREES 34 MINUTES 42 SECONDS WEST, 181.58 FEET TO THE EASTERLY LINE OF LOT 3051 IN GRANDE RESERVE - UNIT 14 RECORDED AS DOCUMENT 200600023023; THENCE ALONG SAID EASTERLY LINE FOR THE FOLLOWING SIX (6) COURSES: 1) THENCE NORTH 41 DEGREES 25 MINUTES 18 SECONDS WEST, 27.00 FEET TO A POINT OF CURVATURE; 2) THENCE NORTHWESTERLY, ALONG A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 383.00 FEET, AN ARC DISTANCE OF 35.89 FEET, A CHORD BEARING NORTH 38 DEGREES 44 MINUTES 15 SECONDS WEST, AND A CHORD DISTANCE OF 35.87 FEET TO A POINT OF NON-TANGENCY; 3) THENCE SOUTH 76 DEGREES 26 MINUTES 26 SECONDS WEST, 185.87 FEET; 4) THENCE NORTH 13 DEGREES 33 MINUTES 34 SECONDS WEST, 210.95 FEET; 5) THENCE NORTH 01 DEGREES 10 MINUTES 58 SECONDS WEST, 82.19 FEET; 6) THENCE NORTH 85 DEGREES 33 MINUTES 59 SECONDS WEST, 28.23 FEET TO A POINT ON A NON-TANGENT CURVE BEING THE EAST LINE OF TUSCANY TRAIL AS DEDICATED PER DOCUMENT 200600035289; THENCE ALONG SAID EAST LINE OF TUSCANY TRAIL FOR THE FOLLOWING FOUR (4) COURSES: 1) THENCE NORTHERLY, ALONG A CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 885.00 FEET, AN ARC DISTANCE OF 49.49 FEET, A CHORD BEARING NORTH 02 DEGREES 49 MINUTES 54 SECONDS EAST, AND A CHORD DISTANCE OF 49.48 FEET TO A POINT OF TANGENCY; 2) THENCE NORTH 01 DEGREES 13 MINUTES 47 SECONDS EAST, 138.04 FEET TO A POINT OF CURVATURE; 3) THENCE NORTHEASTERLY, ALONG A CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 365.00 FEET, AN ARC DISTANCE OF 300.45 FEET, A CHORD BEARING NORTH 24 DEGREES 48 MINUTES 40 SECONDS EAST, AND A CHORD DISTANCE OF 292.04 FEET TO A POINT OF TANGENCY; 4) THENCE NORTH 48 DEGREES 23 MINUTES 32 SECONDS EAST, 271.11 FEET TO A POINT OF CUSP, ON THE SOUTHERLY LINE OF LOT 3036 IN GRANDE RESERVE - UNIT 23 RECORDED AS DOCUMENT 200600040560; THENCE ALONG THE SOUTHERLY LINE OF LOT 3036 FOR THE FOLLOWING THREE (3) COURSES: 1) THENCE SOUTHWESTERLY, ALONG A CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 12.57 FEET, A CHORD BEARING SOUTH 33 DEGREES 59 MINUTES 21 SECONDS WEST, AND A CHORD DISTANCE OF 12.44 FEET TO A POINT OF NON-TANGENCY; 2) THENCE SOUTH 68 DEGREES 30 MINUTES 06 SECONDS EAST, 485.59 FEET TO THE EAST LINE OF SAID NORTHEAST QUARTER; 3) THENCE SOUTH 01 DEGREES 11 MINUTES 07 SECONDS EAST ALONG SAID EAST LINE, 31.62 FEET TO THE POINT OF BEGINNING, ALL IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

SUBDIVIDED PROPERTY CONTAINS 13.157 ACRES, MORE OR LESS AND ALL DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.



EXHIBIT B
Lot Areas and Dimensions

Unit 18

LOTS 141-144 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 151-154 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 161-164 = 6,673 SQ. FT. (0.153 ACRES)
LOTS 171-174 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 181-184 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 191-194 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 201-204 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 211-214 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 221-224 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 231-234 = 6,658 SQ. FT. (0.153 ACRES)
LOTS 241-244 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 251-254 = 6,670 SQ. FT. (0.153 ACRES)
LOTS 501-504 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 511-514 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 521-524 = 6,627 SQ. FT. (0.152 ACRES)
LOTS 531-534 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 541-544 = 6,678 SQ. FT. (0.153 ACRES)
LOT 3054 = 104,779 SQ. FT. (3.232 ACRES)
LOT 3055 = 39,442 SQ. FT. (0.905 ACRES)
RIGHT-OF-WAY = 92,302 SQ. FT. (2.120 ACRES)
TOTAL AREA = 385,965 SQ. FT. (8.861 ACRES)

Unit 25

LOTS 261-264 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 271-274 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 281-284 = 6,678 SQ. FT. (0.153 ACRES)
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LOTS 301-304 = 6,678 SQ. FT. (0.153 ACRES)
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LOT 3052 = 95,267 SQ. FT. (2.187 ACRES)
LOT 3053 = 186,069 SQ. FT. (4.272 ACRES)
RIGHT-OF-WAY = 131,643 SQ. FT. (3.028 ACRES)
TOTAL AREA = 573,133 SQ. FT. (13.157 ACRES)

FINAL PLAT OF SUBDIVISION
OF
GRANDE RESERVE - UNIT 18

BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 37
NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, UNITED CITY OF YORKVILLE, IN
KENDALL COUNTY, ILLINOIS.

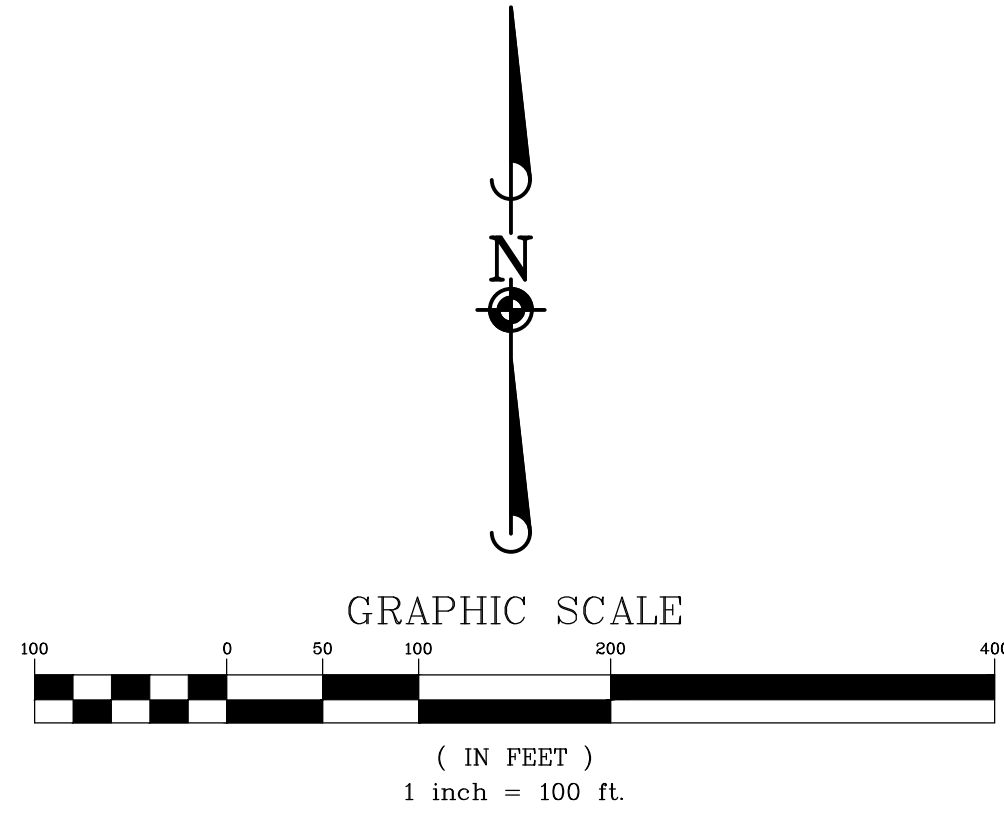


LOCATION MAP

NOT TO SCALE

PIN

02-11-400-020



BASIS OF BEARINGS

BEARINGS ARE BASED UPON THE ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE (NAD 83), AS ESTABLISHED BY A REAL-TIME KINEMATIC (RTK) GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) UTILIZING THE TRIMBLE VRS NOW NETWORK.

SURVEY PREPARED FOR

ABBY PROPERTIES, LLC
12347 WOODVIEW STREET
PLANO, ILLINOIS 60545

SUBMITTED BY/RETURN TO:

MANHARD CONSULTING, LTD.
333 EAST BUTTERFIELD ROAD, SUITE 600
LOMBARD, ILLINOIS 60148

PROPERTY AREA

LOTS 141-144 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 151-154 = 6,678 SQ. FT. (0.153 ACRES)
LOTS 161-164 = 6,673 SQ. FT. (0.153 ACRES)
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RIGHT-OF-WAY = 92,302 SQ. FT. (2.120 ACRES)
TOTAL AREA = 385,965 SQ. FT. (8.861 ACRES)

SURVEYOR'S NOTES

- THIS SUBDIVISION CONSISTS OF 68 LOTS, 2 OUTLOTS AND ARE PART OF AN INTEGRAL NUMBERING SYSTEM TO EMBRACE ALL OF GRANDE RESERVE - UNIT 18 AND UNIT 25 SUBDIVISIONS.
- DISTANCES ARE MARKED IN FEET AND DECIMAL PLACES THEREOF. NO DIMENSION SHALL BE ASSUMED BY SCALE MEASUREMENT HEREON. DISTANCES AND/OR BEARINGS SHOWN IN PARENTHESIS (456.67') ARE RECORD OR DEED VALUES.)
- THIS SUBDIVISION MAY BE SUBJECT TO MATTERS OF TITLE, WHICH MAY BE REVEALED BY A CURRENT TITLE REPORT, PRE-EXISTING EASEMENTS, SETBACKS AND OTHER RESTRICTIONS WHICH MAY BE FOUND IN A CURRENT TITLE REPORT, LOCAL ORDINANCES, DEEDS OR OTHER INSTRUMENTS OF RECORD MAY NOT BE SHOWN.
- THIS SUBDIVISION MAY BE SUBJECT TO A CERTAIN DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED SEPARATELY FROM THIS PLAT.
- DENOTES SET CONCRETE MONUMENTS
- MONUMENTS SHALL BE SET AT ALL PROPERTY CORNERS AND POINTS OF GEOMETRIC CHANGE IN ACCORDANCE WITH 765 ILCS 205/1 UPON THE RECORDATION OF THE FINAL PLAT OF SUBDIVISION. UNLESS OTHERWISE NOTED, MONUMENTS SET ARE 5/8" DIAMETER BY 24" LONG REBARS.
- LOT 3054 AND LOT 3055 SHALL BE CONVEYED TO THE HOMEOWNER'S ASSOCIATION.
- PUBLIC UTILITIES AND DRAINAGE EASEMENTS ARE HEREBY GRANTED OVER ALL OF LOT 3054 AND LOT 3055
- INGRESS/EGRESS EASEMENTS ARE HEREBY GRANTED OVER ALL OF LOT 3054 AND LOT 3055.
- THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. MANHARD CONSULTING, LTD. IS A PROFESSIONAL DESIGN FIRM, REGISTRATION NUMBER 184003350, EXPIRES APRIL 30, 2025.

SHEET INDEX

SHEET 1 OF 3	OVERALL BOUNDARY AND SURVEYOR'S NOTES
SHEET 2 OF 3:	LOT DETAIL INFORMATION, SETBACKS, RIGHT-OF-WAY DIMENSIONS AND EASEMENTS
SHEET 3 OF 3:	PROVISIONS, CERTIFICATIONS AND SIGNATURES

SHEET 1 OF 3 APLYVL02	PROJ. MGR.: ARM	GRANDE RESERVE - UNIT 18
	PROJ. ASSOC.: MGS	UNITED CITY OF YORKVILLE, ILLINOIS
	DRAWN BY: MGS	FINAL PLAT OF SUBDIVISION
	DATE: 02/23/24	
	SCALE: 1"=100'	



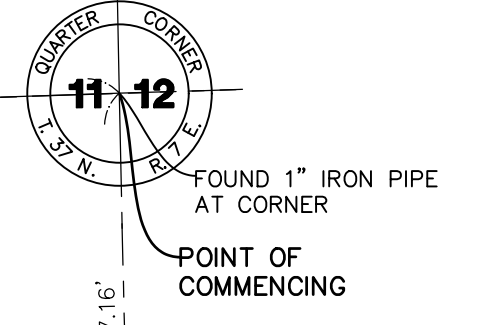
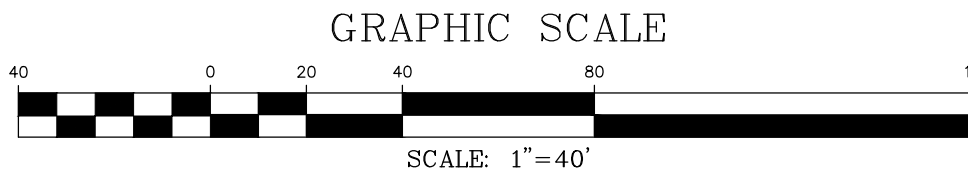
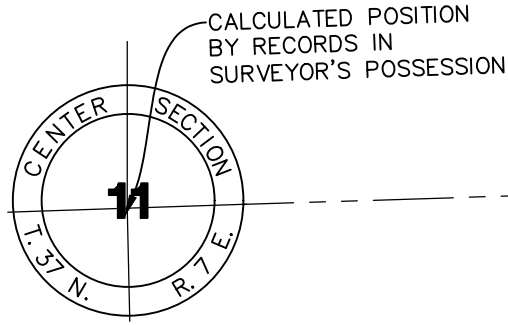
Manhard
CONSULTING

700 Springer Drive, Lombard, IL 60148 ph: 830.881.8500 f: 830.881.8585 manhard.com
Civil Engineers • Surveyors • Water Resource Engineers • Water & Wastewater Engineers
Construction Managers • Environmental Scientists • Landscape Architects • Planners

DATE	REVISIONS	DRAWN BY
09/18/24	REVISED PER CITY COMMENTS	MGS
04/05/24	REVISED PER CITY COMMENTS	MGS

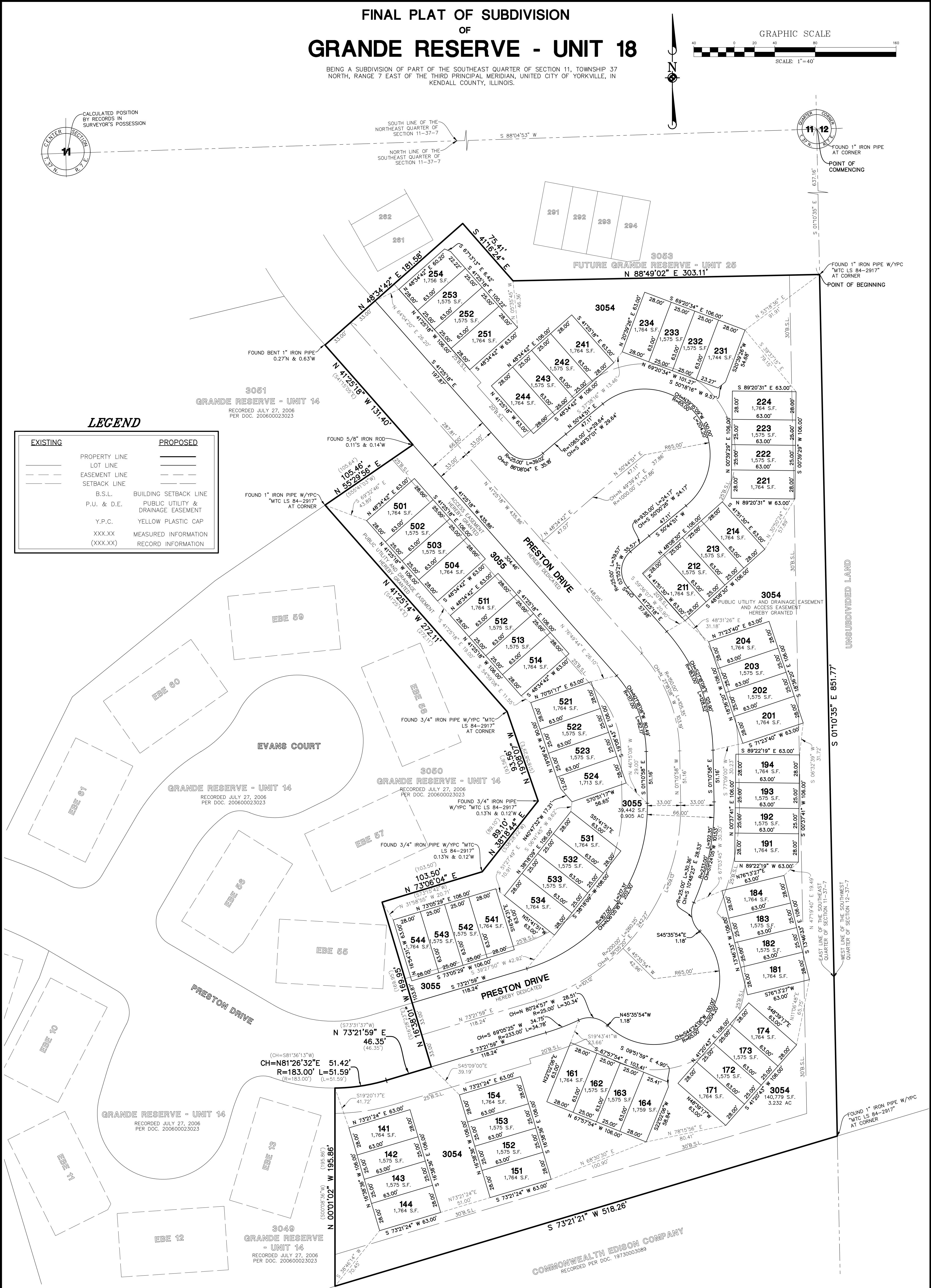
FINAL PLAT OF SUBDIVISION
OF
GRANDE RESERVE - UNIT 18

BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 37
NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, UNITED CITY OF YORKVILLE, IN
KENDALL COUNTY, ILLINOIS.



LEGEND

EXISTING	PROPOSED
	PROPERTY LINE
	LOT LINE
	EASEMENT LINE
	SETBACK LINE
	B.S.L.
	P.U. & D.E.
	Y.P.C.
	XXX.XX
	(XXX.XX)
	BUILDING SETBACK LINE
	PUBLIC UTILITY & DRAINAGE EASEMENT
	YELLOW PLASTIC CAP
	MEASURED INFORMATION
	RECORD INFORMATION



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SHEET
2 OF 3

APLYVL02

PROJ. MGR.: BAS
PROJ. ASSOC.: MGS
DRAWN BY: MGS
DATE: 02/23/24
SCALE: 1"=40'

GRANDE RESERVE - UNIT 18

UNITED CITY OF YORKVILLE, ILLINOIS

FINAL PLAT OF SUBDIVISION

Manhard
CONSULTING

700 Springfield Drive, Lombard, IL 60148 ph: 630.681.8500 f: 630.681.8595 manhard.com
Civil Engineers • Surveyors • Water Resource Engineers • Water & Wastewater Engineers
Construction Managers • Environmental Scientists • Landscape Architects • Planners

DATE	REVISIONS	DRAWN BY
09/18/24	REVISED PER VILLAGE COMMENTS	MGS
04/03/24	REVISED PER CITY COMMENTS	MGS

FINAL PLAT OF SUBDIVISION
OF
GRANDE RESERVE - UNIT 18

BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, UNITED CITY OF YORKVILLE, IN KENDALL COUNTY, ILLINOIS.

OWNER'S CONSENT

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNER OF THE PROPERTY DESCRIBED ON THE ATTACHED PLAT AND HAS (HAVE) CAUSED THE SAME TO BE SURVEYED, SUBDIVIDED AND PLATTED AS SHOWN BY THE PLAT FOR THE USES AND PURPOSES AS INDICATED THEREON, AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.

THE UNDERSIGNED HEREBY DEDICATES FOR PUBLIC USE THE LANDS SHOWN ON THIS PLAT FOR THOROUGHFARES, STREETS, ALLEYS AND PUBLIC SERVICES; AND HEREBY ALSO RESERVES FOR ANY ELECTRIC, GAS, TELEPHONE, CABLE TV OR OTHER TELECOMMUNICATIONS COMPANY UNDER FRANCHISE AGREEMENT WITH THE UNITED CITY OF YORKVILLE, THEIR SUCCESSORS AND ASSIGNS, THE EASEMENT PROVISIONS WHICH ARE STATED HEREON.

THE UNDERSIGNED FURTHER CERTIFIES THAT ALL OF THE LAND INCLUDED IN THIS PLAT LIES WITHIN THE BOUNDARIES OF YORKVILLE COMMUNITY UNIT SCHOOL DISTRICT 115 AND COMMUNITY COLLEGE DISTRICT 516.

DATED THIS _____ DAY OF _____, 202____.

OWNER:

BY: _____

PRINTED NAME AND TITLE

OWNER'S ADDRESS

NOTARY PUBLIC

STATE OF _____)
COUNTY OF _____) SS

I, _____, A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE

AFORESaid, DO HEREBY CERTIFY THAT _____ WHO IS PERSONALLY KNOWN TO ME TO BE THE SAME WHOSE NAME IS SUBSCRIBED TO THE FOREGOING CERTIFICATE, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY DID SIGN AND DELIVER THIS ANNEXED PLAT AS A FREE AND VOLUNTARY ACT FOR THE PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTORIAL SEAL THIS _____ DAY OF _____, A.D., 202____.

NOTARY PUBLIC

MORTGAGEE CONSENT

THE UNDERSIGNED, AS MORTGAGEE, UNDER THE PROVISIONS OF CERTAIN MORTGAGE DATED _____ AND RECORDED IN THE RECORDER'S OFFICE OF KENDALL COUNTY, COUNTY, ILLINOIS, ON THIS _____ DAY OF _____, A.D., _____ AS DOCUMENT NUMBER _____, HEREBY CONSENTS TO THE SUBDIVISION STATED HEREIN.

DATED: _____, A.D., 202____.

BY: _____

PRINTED NAME AND TITLE

MORTGAGEE'S NAME AND ADDRESS

ATTEST: _____

PRINTED NAME AND TITLE

MORTGAGEE NOTARY PUBLIC

STATE OF _____)
COUNTY OF _____) SS

I, _____, A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE AFORESaid, DO HEREBY CERTIFY THAT _____ AND _____

OF _____ WHO ARE PERSONALLY KNOWN TO ME TO BE THE SAME WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING CERTIFICATE, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY DID SIGN AND DELIVER THIS INSTRUMENT AS A FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES HEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTORIAL SEAL THIS _____ DAY OF _____, A.D. 202____.

NOTARY PUBLIC

CITY PLANNING AND ZONING COMMISSION CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KENDALL) SS

APPROVED AND ACCEPTED BY THE PLAN COMMISSION OF THE UNITED CITY OF YORKVILLE, ILLINOIS, THIS _____ DAY OF _____, 202____.

CHAIRMAN

CITY COUNCIL CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KENDALL) SS

APPROVED AND ACCEPTED BY THE MAYOR AND CITY COUNCIL OF THE UNITED CITY OF YORKVILLE, ILLINOIS, THIS _____ DAY OF _____, 202____.

MAYOR

CITY ADMINISTRATOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KENDALL) SS

APPROVED AND ACCEPTED BY THE CITY ADMINISTRATOR OF THE UNITED CITY OF YORKVILLE, ILLINOIS, THIS _____ DAY OF _____, 202____.

CITY ADMINISTRATOR

CITY ENGINEER'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KENDALL) SS

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

DATED AT YORKVILLE, ILLINOIS THIS _____ DAY OF _____, 202____.

CITY ENGINEER

CITY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KENDALL) SS

APPROVED AND ACCEPTED BY THE MAYOR AND CITY COUNCIL OF THE UNITED CITY OF YORKVILLE, ILLINOIS, BY ORDINANCE No. _____ AT A MEETING HELD THIS _____ DAY OF _____, 202____.

CITY CLERK

ACCESS EASEMENT PROVISIONS

A NON-EXCLUSIVE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO ALL PRESENT AND FUTURE OWNERS OF THE VARIOUS LOTS IN THIS SUBDIVISION, AND TO THE UNITED CITY OF YORKVILLE, AND LOT THE PUBLIC IN GENERAL, GRANTEEES, TOGETHER WITH THERE RESPECTIVE SUCCESSORS AND ASSIGNS, TO PROVIDE ACCESS, INGRESS AND EGRESS TO AND FROM THE PUBLIC STREET RIGHT-OF-WAYS, OVER AND ACROSS THAT PART OF THE PROPERTY WITHIN THE AREAS OF LAND DESIGNATED AS "ACCESS EASEMENT" AS SHOWN ON THE PLAT HEREON.

PUBLIC UTILITY & DRAINAGE EASEMENT PROVISIONS

A NON-EXCLUSIVE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO AT&T, NICOR, COMMONWEALTH EDISON, FRANCHISE CABLE COMPANY, OTHER PUBLIC UTILITIES, AND HOLDERS OF EXISTING FRANCHISES GRANTED BY THE CITY OF YORKVILLE, ILLINOIS, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS WITHIN THE AREAS SHOWN ON THE PLAT AS "PUBLIC UTILITY & DRAINAGE EASEMENT" (P.U. & D.E.) TO CONSTRUCT, INSTALL, RECONSTRUCT, REPAIR, REMOVE, REPLACE, INSPECT, MAINTAIN AND OPERATE UNDERGROUND TRANSMISSION AND DISTRIBUTION SYSTEMS AND LINES UNDER THE SURFACE OF THE "PUBLIC UTILITY & DRAINAGE EASEMENT", INCLUDING WITHOUT LIMITATION TO TELEPHONE CABLE, GAS MAINS, ELECTRIC LINES, CABLE TELEVISION LINES, AND ALL NECESSARY FACILITIES APPURTENANT THERETO, TOGETHER WITH THE RIGHT OF ACCESS THERETO FOR THE PERSONNEL AND EQUIPMENT NECESSARY AND REQUIRED FOR SUCH USES AND PURPOSES AND TOGETHER WITH THE RIGHT TO INSTALL REQUIRED SERVICE CONNECTIONS UNDER THE SURFACE OF EACH LOT TO SERVE IMPROVEMENTS THEREON.

A NON-EXCLUSIVE EASEMENT IS ALSO HEREBY RESERVED FOR AND GRANTED TO THE UNITED CITY OF YORKVILLE, ILLINOIS TO CONSTRUCT, INSTALL, RECONSTRUCT, REPAIR, REMOVE, REPLACE AND INSPECT FACILITIES FOR THE TRANSMISSION AND DISTRIBUTION OF WATER, STORM SEWERS, SANITARY SEWERS AND ELECTRICITY, WITHIN THE AREAS SHOWN ON THE PLAT AS "PUBLIC UTILITY & DRAINAGE EASEMENT", TOGETHER WITH A RIGHT OF ACCESS THERETO FOR THE PERSONNEL AND EQUIPMENT NECESSARY AND REQUIRED FOR SUCH USES AND PURPOSES.

THE ABOVE NAMED ENTITIES ARE HEREBY GRANTED THE RIGHT TO ENTER UPON EASEMENTS HEREIN DESCRIBED FOR THE USES HEREIN SET FORTH AND THE RIGHT TO CUT, TRIM, OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS WITHIN THE AREAS DESIGNATED AS "PUBLIC UTILITY AND DRAINAGE EASEMENT" WHICH INTERFERE WITH THE CONSTRUCTION, INSTALLATION, RECONSTRUCTION, REPAIR, REMOVAL, REPLACEMENT, MAINTENANCE AND OPERATION OF THEIR UNDERGROUND TRANSMISSION AND DISTRIBUTION SYSTEMS AND FACILITIES APPURTENANT THERETO. NO PERMANENT BUILDINGS, STRUCTURES, OR OBSTRUCTIONS SHALL BE CONSTRUCTED IN, UPON, OR OVER ANY AREAS DESIGNATED AS "PUBLIC UTILITY & DRAINAGE EASEMENT", BUT SUCH AREAS MAY BE USED FOR GARDENS, SHRUBS, TREES, LANDSCAPING, DRIVEWAYS, AND OTHER RELATED PURPOSES THAT DO NOT UNREASONABLY INTERFERE WITH THE USES HEREIN DESCRIBED.

THE OCCUPATION AND USE OF THE NON-EXCLUSIVE EASEMENT HEREIN GRANTED AND RESERVED FOR THE ABOVE NAMED ENTITIES BY EACH OF SUCH ENTITIES SHALL BE DONE IN SUCH A MANNER SO AS NOT TO INTERFERE WITH OR PRECLUDE THE OCCUPATION AND USE THEREOF BY OTHER ENTITIES FOR WHICH SUCH EASEMENTS ARE GRANTED AND RESERVED. THE CROSSING AND RE-CROSSING OF SAID EASEMENTS BY THE ABOVE NAMED ENTITIES SHALL BE DONE IN SUCH A MANNER SO AS NOT TO INTERFERE WITH, DAMAGE, OR DISTURB ANY TRANSMISSION AND DISTRIBUTION SYSTEMS AND FACILITIES APPURTENANT THERETO EXISTING WITHIN THE EASEMENTS BEING CROSSED OR RE-CROSSED, NO USE OR OCCUPATION OF SAID EASEMENTS BY THE ABOVE NAMED ENTITIES SHALL CAUSE ANY CHANGE IN GRADE OR IMPAIR OR CHANGE THE SURFACE DRAINAGE PATTERNS.

FOLLOWING ANY WORK TO BE PERFORMED BY THE UNITED CITY OF YORKVILLE IN THE EXERCISE OF ITS EASEMENT RIGHTS HEREIN GRANTED, SAID CITY SHALL HAVE NO OBLIGATION WITH RESPECT TO SURFACE RESTORATION, INCLUDING BUT NOT LIMITED TO, THE RESTORATION, REPAIR OR REPLACEMENT OF PAVEMENT, CURB, GUTTERS, TREES, LAWN OR SHRUBBERY, PROVIDED, HOWEVER, THAT SAID CITY SHALL BE OBLIGATED, FOLLOWING SUCH MAINTENANCE WORK, TO BACKFILL AND MOUND ALL TRENCH CREATED SO AS TO RETAIN SUITABLE DRAINAGE TO COLD PATCH ANY ASPHALT OR CONCRETE SURFACE, TO REMOVE ALL EXCESS DEBRIS AND SPOIL, AND TO LEAVE THE MAINTENANCE AREA IN A GENERALLY CLEAN AND WORKMANLIKE CONDITION.

SURFACE WATER STATEMENT

STATE OF ILLINOIS)
COUNTY OF DuPAGE) S.S.

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

DATED THIS _____ DAY OF _____, 202____.

JOSEPH M. IOVINELLI ILLINOIS REGISTERED PROFESSIONAL ENGINEER
ILLINOIS REGISTRATION NUMBER 062-069635
LICENSE EXPIRES NOVEMBER 30, 2025

OWNER/ATTORNEY: _____

PRINTED NAME AND TITLE

KENDALL COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KENDALL) S.S.

THIS INSTRUMENT _____ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF KENDALL COUNTY, ILLINOIS, ON THIS _____ DAY OF _____, A.D., 202____, AT _____ O'CLOCK _____ M., AND WAS RECORDED IN BOOK _____ OF PLATS ON PAGE _____.

BY: _____
RECORDER OF DEEDS

KENDALL COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KENDALL) S.S.

I, _____, COUNTY CLERK OF KENDALL COUNTY, ILLINOIS, HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID CURRENT TAXES, NO UNPAID FORFEITED TAXES, AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THE ANNEXED PLAT.

I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE ANNEXED PLAT.

GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK AT YORKVILLE, ILLINOIS,

THIS _____ DAY OF _____, A.D., 202____.

COUNTY CLERK

PERMISSION TO RECORD

STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS

I, MARCUS G. SCHMITT, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HEREBY GRANT PERMISSION TO A REPRESENTATIVE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS THE AUTHORITY TO RECORD THIS PLAT ON OR BEFORE DECEMBER 31, 2024. THE REPRESENTATIVE SHALL PROVIDE THIS SURVEYOR WITH A RECORDED COPY OF THIS PLAT.

DATED THIS _____ TH DAY OF _____, A.D. 202____.

FOR REVIEW ONLY
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-004081
LICENSE EXPIRES NOVEMBER 30, 2024

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE) S.S.

THIS IS TO DECLARE THAT THE PROPERTY DESCRIBED HEREON WAS SURVEYED AND SUBDIVIDED BY MANHARD CONSULTING, LTD., UNDER THE SUPERVISION OF AN ILLINOIS PROFESSIONAL LAND SURVEYOR AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY AND SUBDIVISION:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 01 DEGREES 10 MINUTES 35 SECONDS EAST ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, 637.16 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 01 DEGREES 10 MINUTES 35 SECONDS EAST CONTINUING ALONG SAID EAST LINE, 851.77 FEET TO THE NORTH LINE OF COMMONWEALTH EDISON COMPANY TRACT RECORDED AS DOCUMENT 19730005089; THENCE SOUTH 73 DEGREES 21 MINUTES 21 SECONDS WEST ALONG SAID NORTH LINE, 518.26 FEET TO THE EASTERLY LINE OF GRANDE RESERVE - UNIT 14 RECORDED AS DOCUMENT 200600023023; THENCE ALONG SAID EASTERLY LINE FOR THE FOLLOWING TEN (10) COURSES: 1) THENCE NORTH 00 DEGREES 01 MINUTES 02 SECONDS WEST, 195.86 FEET TO A POINT ON A NON-TANGENT CURVE; 2) THENCE EASTERLY, ALONG A CURVE, CONCAVE TO THE NORTH, HAVING A RADIUS OF 183.00 FEET, AN ARC DISTANCE OF 51.59 FEET, A CHORD BEARING NORTH 81 DEGREES 26 MINUTES 34 SECONDS EAST, AND A CHORD DISTANCE OF 51.42 FEET TO A POINT OF TANGENCY; 3) THENCE NORTH 73 DEGREES 21 MINUTES 59 SECONDS EAST, 46.35 FEET; 4) THENCE NORTH 16 DEGREES 38 MINUTES 01 SECONDS WEST, 169.95 FEET; 5) THENCE NORTH 73 DEGREES 06 MINUTES 04 SECONDS EAST, 103.50 FEET; 6) THENCE NORTH 38 DEGREES 18 MINUTES 44 SECONDS EAST, 89.10 FEET; 7) THENCE NORTH 19 DEGREES 08 MINUTES 07 SECONDS WEST, 93.56 FEET; 8) THENCE NORTH 41 DEGREES 25 MINUTES 14 SECONDS WEST, 272.11 FEET; 9) THENCE NORTH 55 DEGREES 29 MINUTES 56 SECONDS EAST, 105.46 FEET; 10) THENCE NORTH 41 DEGREES 25 MINUTES 18 SECONDS WEST, 131.40 FEET; THENCE NORTH 48 DEGREES 34 MINUTES 42 SECONDS EAST, 181.58 FEET; THENCE SOUTH 41 DEGREES 16 MINUTES 24 SECONDS EAST, 75.41 FEET; THENCE NORTH 88 DEGREES 49 MINUTES 02 SECONDS EAST, 303.11 FEET TO THE POINT OF BEGINNING ALL IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

SUBDIVIDED PROPERTY CONTAINS 8.861 ACRES, MORE OR LESS AND ALL DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

THIS IS ALSO TO DECLARE THAT THE PROPERTY AS DESCRIBED ON THE ANNEXED PLAT LIES WITHIN THE CORPORATE LIMITS OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS WHICH HAS ADOPTED A VILLAGE PLAN AND IS EXERCISING THE SPECIAL POWER AUTHORIZED BY 65 ILCS 5, SECTION 11-12-6.

5/8" DIAMETER BY 24" LONG IRON RODS WILL BE SET AT ALL SUBDIVISION CORNERS, LOT CORNERS, POINTS OF CURVATURE AND POINTS OF TANGENCY IN COMPLIANCE WITH ILLINOIS STATUTES AND APPLICABLE ORDINANCES, UNLESS OTHERWISE NOTED.

THIS IS ALSO TO DECLARE THAT NO PART OF THE ABOVE DESCRIBED PROPERTY IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY BASED ON FIRM 17093C0035H, DATED, JANUARY 8, 2014. ALL OF THE PROPERTY IS LOCATED IN ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. THIS DOES NOT GUARANTEE THAT THE SURVEYED PROPERTY WILL OR WILL NOT FLOOD.

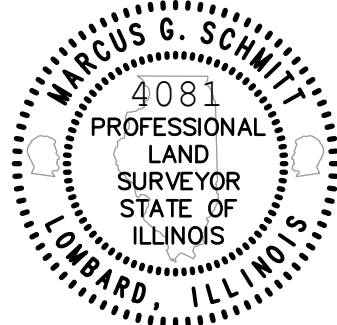
DATED THIS _____ TH DAY OF _____, 202____.


FOR REVIEW ONLY

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-004081
LICENSE EXPIRES NOVEMBER 30, 2024

DESIGN FIRM PROFESSIONAL LICENSE NO. 184003350
LICENSE EXPIRES APRIL 30, 2025

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A SUBDIVISION SURVEY.



SHEET 3 OF 3 APL.YVL02	PROJ. MGR.: BAS	GRANDE RESERVE - UNIT 18 UNITED CITY OF YORKVILLE, ILLINOIS FINAL PLAT OF SUBDIVISION	 Manhard CONSULTING 700 Springer Drive, Lombard, IL 60148 ph: 630.881.8500 f: 630.881.8595 manhard.com Civil Engineers • Surveyors • Water Resource Engineers • Water & Wastewater Engineers Construction Managers • Environmental Scientists • Landscape Architects • Planners	DATE	REVISIONS	DRAWN BY
	PROJ. ASSOC.: MGS					
	DRAWN BY: MGS					
	DATE: 02/23/24					
SCALE: ---				09/18/24	REVISED PER CITY COMMENTS	MGS
				04/05/24	REVISED PER CITY COMMENTS	MGS

FINAL PLAT OF SUBDIVISION
OF
GRANDE RESERVE - UNIT 18

BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 37
NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, UNITED CITY OF YORKVILLE, IN
KENDALL COUNTY, ILLINOIS.

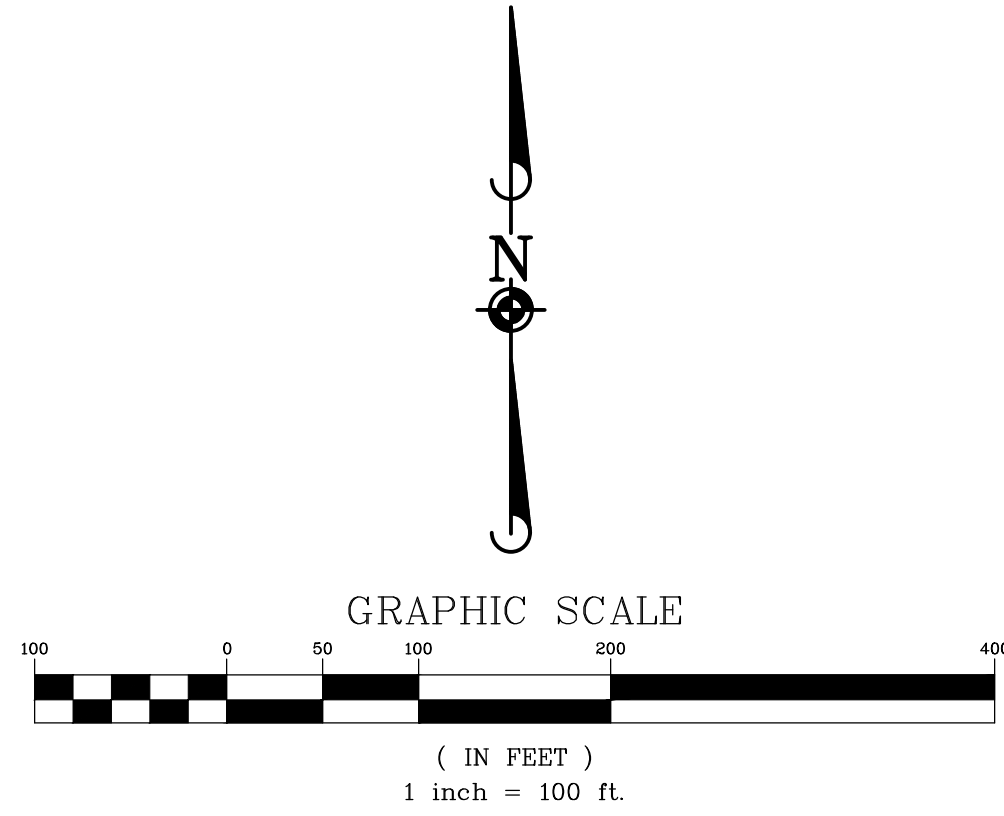


LOCATION MAP

NOT TO SCALE

PIN

02-11-400-020



BASIS OF BEARINGS

BEARINGS ARE BASED UPON THE ILLINOIS STATE PLANE COORDINATE
SYSTEM, EAST ZONE (NAD 83), AS ESTABLISHED BY A REAL-TIME
KINEMATIC (RTK) GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) UTILIZING
THE TRIMBLE VRS NOW NETWORK.

SURVEY PREPARED FOR

ABBY PROPERTIES, LLC
12347 WOODVIEW STREET
PLANO, ILLINOIS 60545

SUBMITTED BY/RETURN TO:

MANHARD CONSULTING, LTD.
333 EAST BUTTERFIELD ROAD, SUITE 600
LOMBARD, ILLINOIS 60148

PROPERTY AREA

LOTS 141-144 =	6,678 SQ. FT.	(0.153 ACRES)
LOTS 151-154 =	6,678 SQ. FT.	(0.153 ACRES)
LOTS 161-164 =	6,673 SQ. FT.	(0.153 ACRES)
LOTS 171-174 =	6,678 SQ. FT.	(0.153 ACRES)
LOTS 181-184 =	6,678 SQ. FT.	(0.153 ACRES)
LOTS 191-194 =	6,678 SQ. FT.	(0.153 ACRES)
LOTS 201-204 =	6,678 SQ. FT.	(0.153 ACRES)
LOTS 211-214 =	6,678 SQ. FT.	(0.153 ACRES)
LOTS 221-224 =	6,678 SQ. FT.	(0.153 ACRES)
LOTS 231-234 =	6,658 SQ. FT.	(0.153 ACRES)
LOTS 241-244 =	6,678 SQ. FT.	(0.153 ACRES)
LOTS 251-254 =	6,670 SQ. FT.	(0.153 ACRES)
LOTS 501-504 =	6,678 SQ. FT.	(0.153 ACRES)
LOTS 511-514 =	6,678 SQ. FT.	(0.153 ACRES)
LOTS 521-524 =	6,627 SQ. FT.	(0.152 ACRES)
LOTS 531-534 =	6,678 SQ. FT.	(0.153 ACRES)
LOTS 541-544 =	6,678 SQ. FT.	(0.153 ACRES)
LOT 3054 =	104,779 SQ. FT.	(3.232 ACRES)
LOT 3055 =	39,442 SQ. FT.	(0.905 ACRES)
RIGHT-OF-WAY =	92,302 SQ. FT.	(2.120 ACRES)
TOTAL AREA =	385,965 SQ. FT.	(8.861 ACRES)

SURVEYOR'S NOTES

- THIS SUBDIVISION CONSISTS OF 68 LOTS, 2 OUTLOTS AND ARE PART OF AN INTEGRAL NUMBERING SYSTEM TO EMBRACE ALL OF GRANDE RESERVE - UNIT 18 AND UNIT 25 SUBDIVISIONS.
- DISTANCES ARE MARKED IN FEET AND DECIMAL PLACES THEREOF. NO DIMENSION SHALL BE ASSUMED BY SCALE MEASUREMENT HEREON. DISTANCES AND/OR BEARINGS SHOWN IN PARENTHESIS (456.67') ARE RECORD OR DEED VALUES.)
- THIS SUBDIVISION MAY BE SUBJECT TO MATTERS OF TITLE, WHICH MAY BE REVEALED BY A CURRENT TITLE REPORT, PRE-EXISTING EASEMENTS, SETBACKS AND OTHER RESTRICTIONS WHICH MAY BE FOUND IN A CURRENT TITLE REPORT, LOCAL ORDINANCES, DEEDS OR OTHER INSTRUMENTS OF RECORD MAY NOT BE SHOWN.
- THIS SUBDIVISION MAY BE SUBJECT TO A CERTAIN DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED SEPARATELY FROM THIS PLAT.
- DENOTES SET CONCRETE MONUMENTS
- MONUMENTS SHALL BE SET AT ALL PROPERTY CORNERS AND POINTS OF GEOMETRIC CHANGE IN ACCORDANCE WITH 765 ILCS 205/1 UPON THE RECORDATION OF THE FINAL PLAT OF SUBDIVISION. UNLESS OTHERWISE NOTED, MONUMENTS SET ARE 5/8" DIAMETER BY 24" LONG REBARS.
- LOT 3054 AND LOT 3055 SHALL BE CONVEYED TO THE HOMEOWNER'S ASSOCIATION.
- PUBLIC UTILITIES AND DRAINAGE EASEMENTS ARE HEREBY GRANTED OVER ALL OF LOT 3054 AND LOT 3055
- INGRESS/EGRESS EASEMENTS ARE HEREBY GRANTED OVER ALL OF LOT 3054 AND LOT 3055.
- THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. MANHARD CONSULTING, LTD. IS A PROFESSIONAL DESIGN FIRM, REGISTRATION NUMBER 184003350, EXPIRES APRIL 30, 2025.

SHEET INDEX

SHEET 1 OF 3	OVERALL BOUNDARY AND SURVEYOR'S NOTES
SHEET 2 OF 3:	LOT DETAIL INFORMATION, SETBACKS, RIGHT-OF-WAY DIMENSIONS AND EASEMENTS
SHEET 3 OF 3:	PROVISIONS, CERTIFICATIONS AND SIGNATURES

SHEET 1 OF 3 APL.YVL02	PROJ. MGR.: ARM	GRANDE RESERVE - UNIT 18
	PROJ. ASSOC.: MGS	UNITED CITY OF YORKVILLE, ILLINOIS
	DRAWN BY: MGS	FINAL PLAT OF SUBDIVISION
	DATE: 02/23/24	
	SCALE: 1"=100'	

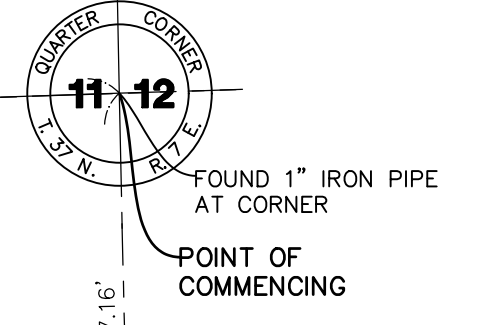
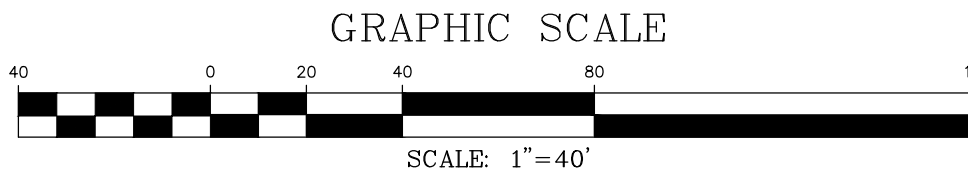
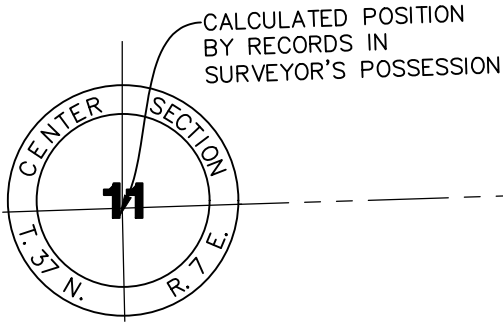


700 Springer Drive, Lombard, IL 60148 ph: 830.881.8500 f: 830.881.8585 manhard.com
Civil Engineers • Surveyors • Water Resource Engineers • Water & Wastewater Engineers
Construction Managers • Environmental Scientists • Landscape Architects • Planners

DATE	REVISIONS	DRAWN BY
09/18/24	REVISED PER CITY COMMENTS	MGS
04/05/24	REVISED PER CITY COMMENTS	MGS

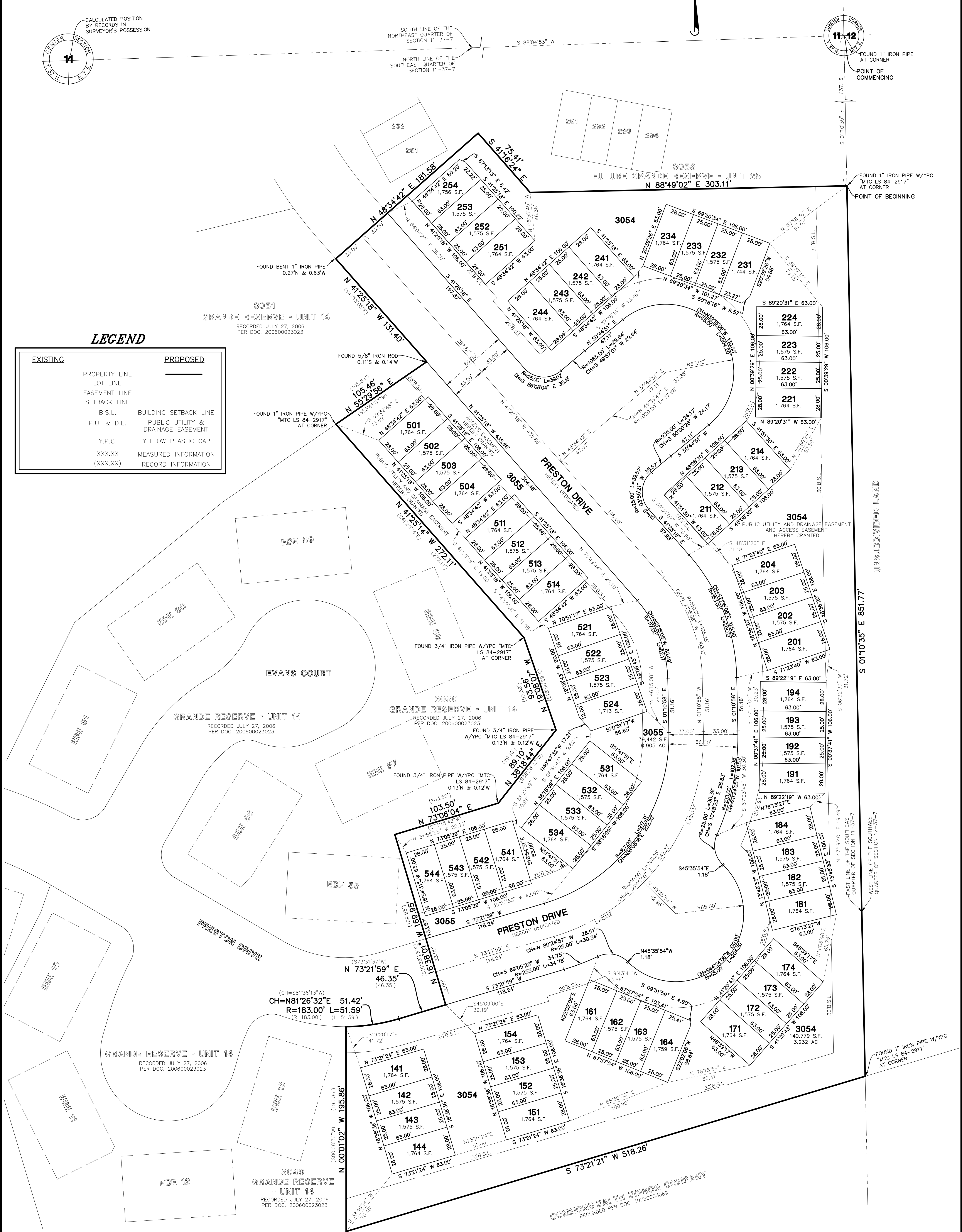
FINAL PLAT OF SUBDIVISION
OF
GRANDE RESERVE - UNIT 18

BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 37
NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, UNITED CITY OF YORKVILLE, IN
KENDALL COUNTY, ILLINOIS.



LEGEND

EXISTING	PROPOSED
	PROPERTY LINE
	LOT LINE
	EASEMENT LINE
	SETBACK LINE
	B.S.L. BUILDING SETBACK LINE
	P.U. & D.E. PUBLIC UTILITY & DRAINAGE EASEMENT
	Y.P.C. YELLOW PLASTIC CAP
	XXX.XX MEASURED INFORMATION
	(XXX.XX) RECORD INFORMATION



SHEET
2 OF **3**

APL.YVIL02

PROJ. MGR.: BAS

PROJ. ASSOC.: MGS

DRAWN BY: MGS

DATE: 02/23/24

SCALE: 1"=40'

GRANDE RESERVE - UNIT 18

UNITED CITY OF YORKVILLE, ILLINOIS

FINAL PLAT OF SUBDIVISION

Manhard
CONSULTING

700 Springfield Drive, Lombard, IL 60148 ph: 630.681.8500 f: 630.681.8595 manhard.com
Civil Engineers • Surveyors • Water Resource Engineers • Water & Wastewater Engineers
Construction Managers • Environmental Scientists • Landscape Architects • Planners

DATE	REVISIONS	DRAWN BY
09/18/24	REVISED PER VILLAGE COMMENTS	MGS
04/03/24	REVISED PER CITY COMMENTS	MGS

FINAL PLAT OF SUBDIVISION
OF
GRANDE RESERVE - UNIT 18

BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, UNITED CITY OF YORKVILLE, IN KENDALL COUNTY, ILLINOIS.

OWNER'S CONSENT

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNER OF THE PROPERTY DESCRIBED ON THE ATTACHED PLAT AND HAS (HAVE) CAUSED THE SAME TO BE SURVEYED, SUBDIVIDED AND PLATTED AS SHOWN BY THE PLAT FOR THE USES AND PURPOSES AS INDICATED THEREON, AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.

THE UNDERSIGNED HEREBY DEDICATES FOR PUBLIC USE THE LANDS SHOWN ON THIS PLAT FOR THOROUGHFARES, STREETS, ALLEYS AND PUBLIC SERVICES; AND HEREBY ALSO RESERVES FOR ANY ELECTRIC, GAS, TELEPHONE, CABLE TV OR OTHER TELECOMMUNICATIONS COMPANY UNDER FRANCHISE AGREEMENT WITH THE UNITED CITY OF YORKVILLE, THEIR SUCCESSORS AND ASSIGNS, THE EASEMENT PROVISIONS WHICH ARE STATED HEREON.

THE UNDERSIGNED FURTHER CERTIFIES THAT ALL OF THE LAND INCLUDED IN THIS PLAT LIES WITHIN THE BOUNDARIES OF YORKVILLE COMMUNITY UNIT SCHOOL DISTRICT 115 AND COMMUNITY COLLEGE DISTRICT 516.

DATED THIS _____ DAY OF _____, 202____.

OWNER:

BY: _____

PRINTED NAME AND TITLE

OWNER'S ADDRESS

NOTARY PUBLIC

STATE OF _____)
COUNTY OF _____) SS

I, _____, A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE

AFORESaid, DO HEREBY CERTIFY THAT _____ WHO IS PERSONALLY KNOWN TO ME TO BE THE SAME WHOSE NAME IS SUBSCRIBED TO THE FOREGOING CERTIFICATE, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY DID SIGN AND DELIVER THIS ANNEXED PLAT AS A FREE AND VOLUNTARY ACT FOR THE PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTORIAL SEAL THIS _____ DAY OF _____, A.D., 202____.

NOTARY PUBLIC

MORTGAGEE CONSENT

THE UNDERSIGNED, AS MORTGAGEE, UNDER THE PROVISIONS OF CERTAIN MORTGAGE DATED _____ AND RECORDED IN THE RECORDER'S OFFICE OF KENDALL COUNTY, COUNTY, ILLINOIS, ON THIS _____ DAY OF _____, A.D., _____ AS DOCUMENT NUMBER _____, HEREBY CONSENTS TO THE SUBDIVISION STATED HEREIN.

DATED: _____, A.D., 202____.

BY: _____

PRINTED NAME AND TITLE

MORTGAGEE'S NAME AND ADDRESS

ATTEST: _____

PRINTED NAME AND TITLE

MORTGAGEE NOTARY PUBLIC

STATE OF _____)
COUNTY OF _____) SS

I, _____, A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE AFORESaid, DO HEREBY CERTIFY THAT _____ AND _____

OF _____ WHO ARE PERSONALLY KNOWN TO ME TO BE THE SAME WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING CERTIFICATE, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY DID SIGN AND DELIVER THIS INSTRUMENT AS A FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES HEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTORIAL SEAL THIS _____ DAY OF _____, A.D. 202____.

NOTARY PUBLIC

CITY PLANNING AND ZONING COMMISSION CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KENDALL) SS

APPROVED AND ACCEPTED BY THE PLAN COMMISSION OF THE UNITED CITY OF YORKVILLE, ILLINOIS, THIS _____ DAY OF _____, 202____.

CHAIRMAN

CITY COUNCIL CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KENDALL) SS

APPROVED AND ACCEPTED BY THE MAYOR AND CITY COUNCIL OF THE UNITED CITY OF YORKVILLE, ILLINOIS, THIS _____ DAY OF _____, 202____.

MAYOR

CITY ADMINISTRATOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KENDALL) SS

APPROVED AND ACCEPTED BY THE CITY ADMINISTRATOR OF THE UNITED CITY OF YORKVILLE, ILLINOIS, THIS _____ DAY OF _____, 202____.

CITY ADMINISTRATOR

CITY ENGINEER'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KENDALL) SS

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

DATED AT YORKVILLE, ILLINOIS THIS _____ DAY OF _____, 202____.

CITY ENGINEER

CITY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KENDALL) SS

APPROVED AND ACCEPTED BY THE MAYOR AND CITY COUNCIL OF THE UNITED CITY OF YORKVILLE, ILLINOIS, BY ORDINANCE No. _____ AT A MEETING HELD THIS _____ DAY OF _____, 202____.

CITY CLERK

ACCESS EASEMENT PROVISIONS

A NON-EXCLUSIVE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO ALL PRESENT AND FUTURE OWNERS OF THE VARIOUS LOTS IN THIS SUBDIVISION, AND TO THE UNITED CITY OF YORKVILLE, AND LOT THE PUBLIC IN GENERAL, GRANTEEES, TOGETHER WITH THERE RESPECTIVE SUCCESSORS AND ASSIGNS, TO PROVIDE ACCESS, INGRESS AND EGRESS TO AND FROM THE PUBLIC STREET RIGHT-OF-WAYS, OVER AND ACROSS THAT PART OF THE PROPERTY WITHIN THE AREAS OF LAND DESIGNATED AS "ACCESS EASEMENT" AS SHOWN ON THE PLAT HEREON.

PUBLIC UTILITY & DRAINAGE EASEMENT PROVISIONS

A NON-EXCLUSIVE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO AT&T, NICOR, COMMONWEALTH EDISON, FRANCHISE CABLE COMPANY, OTHER PUBLIC UTILITIES, AND HOLDERS OF EXISTING FRANCHISES GRANTED BY THE CITY OF YORKVILLE, ILLINOIS, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS WITHIN THE AREAS SHOWN ON THE PLAT AS "PUBLIC UTILITY & DRAINAGE EASEMENT" (P.U. & D.E.) TO CONSTRUCT, INSTALL, RECONSTRUCT, REPAIR, REMOVE, REPLACE, INSPECT, MAINTAIN AND OPERATE UNDERGROUND TRANSMISSION AND DISTRIBUTION SYSTEMS AND LINES UNDER THE SURFACE OF THE "PUBLIC UTILITY & DRAINAGE EASEMENT", INCLUDING WITHOUT LIMITATION TO TELEPHONE CABLE, GAS MAINS, ELECTRIC LINES, CABLE TELEVISION LINES, AND ALL NECESSARY FACILITIES APPURTENANT THERETO, TOGETHER WITH THE RIGHT OF ACCESS THERETO FOR THE PERSONNEL AND EQUIPMENT NECESSARY AND REQUIRED FOR SUCH USES AND PURPOSES AND TOGETHER WITH THE RIGHT TO INSTALL REQUIRED SERVICE CONNECTIONS UNDER THE SURFACE OF EACH LOT TO SERVE IMPROVEMENTS THEREON.

A NON-EXCLUSIVE EASEMENT IS ALSO HEREBY RESERVED FOR AND GRANTED TO THE UNITED CITY OF YORKVILLE, ILLINOIS TO CONSTRUCT, INSTALL, RECONSTRUCT, REPAIR, REMOVE, REPLACE AND INSPECT FACILITIES FOR THE TRANSMISSION AND DISTRIBUTION OF WATER, STORM SEWERS, SANITARY SEWERS AND ELECTRICITY, WITHIN THE AREAS SHOWN ON THE PLAT AS "PUBLIC UTILITY & DRAINAGE EASEMENT", TOGETHER WITH A RIGHT OF ACCESS THERETO FOR THE PERSONNEL AND EQUIPMENT NECESSARY AND REQUIRED FOR SUCH USES AND PURPOSES.

THE ABOVE NAMED ENTITIES ARE HEREBY GRANTED THE RIGHT TO ENTER UPON EASEMENTS HEREIN DESCRIBED FOR THE USES HEREIN SET FORTH AND THE RIGHT TO CUT, TRIM, OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS WITHIN THE AREAS DESIGNATED AS "PUBLIC UTILITY AND DRAINAGE EASEMENT" WHICH INTERFERE WITH THE CONSTRUCTION, INSTALLATION, RECONSTRUCTION, REPAIR, REMOVAL, REPLACEMENT, MAINTENANCE AND OPERATION OF THEIR UNDERGROUND TRANSMISSION AND DISTRIBUTION SYSTEMS AND FACILITIES APPURTENANT THERETO. NO PERMANENT BUILDINGS, STRUCTURES, OR OBSTRUCTIONS SHALL BE CONSTRUCTED IN, UPON, OR OVER ANY AREAS DESIGNATED AS "PUBLIC UTILITY & DRAINAGE EASEMENT", BUT SUCH AREAS MAY BE USED FOR GARDENS, SHRUBS, TREES, LANDSCAPING, DRIVEWAYS, AND OTHER RELATED PURPOSES THAT DO NOT UNREASONABLY INTERFERE WITH THE USES HEREIN DESCRIBED.

THE OCCUPATION AND USE OF THE NON-EXCLUSIVE EASEMENT HEREIN GRANTED AND RESERVED FOR THE ABOVE NAMED ENTITIES BY EACH OF SUCH ENTITIES SHALL BE DONE IN SUCH A MANNER SO AS NOT TO INTERFERE WITH OR PRECLUDE THE OCCUPATION AND USE THEREOF BY OTHER ENTITIES FOR WHICH SUCH EASEMENTS ARE GRANTED AND RESERVED. THE CROSSING AND RE-CROSSING OF SAID EASEMENTS BY THE ABOVE NAMED ENTITIES SHALL BE DONE IN SUCH A MANNER SO AS NOT TO INTERFERE WITH, DAMAGE, OR DISTURB ANY TRANSMISSION AND DISTRIBUTION SYSTEMS AND FACILITIES APPURTENANT THERETO EXISTING WITHIN THE EASEMENTS BEING CROSSED OR RE-CROSSED, NO USE OR OCCUPATION OF SAID EASEMENTS BY THE ABOVE NAMED ENTITIES SHALL CAUSE ANY CHANGE IN GRADE OR IMPAIR OR CHANGE THE SURFACE DRAINAGE PATTERNS.

FOLLOWING ANY WORK TO BE PERFORMED BY THE UNITED CITY OF YORKVILLE IN THE EXERCISE OF ITS EASEMENT RIGHTS HEREIN GRANTED, SAID CITY SHALL HAVE NO OBLIGATION WITH RESPECT TO SURFACE RESTORATION, INCLUDING BUT NOT LIMITED TO, THE RESTORATION, REPAIR OR REPLACEMENT OF PAVEMENT, CURB, GUTTERS, TREES, LAWN OR SHRUBBERY, PROVIDED, HOWEVER, THAT SAID CITY SHALL BE OBLIGATED, FOLLOWING SUCH MAINTENANCE WORK, TO BACKFILL AND MOUND ALL TRENCH CREATED SO AS TO RETAIN SUITABLE DRAINAGE TO COLD PATCH ANY ASPHALT OR CONCRETE SURFACE, TO REMOVE ALL EXCESS DEBRIS AND SPOIL, AND TO LEAVE THE MAINTENANCE AREA IN A GENERALLY CLEAN AND WORKMANLIKE CONDITION.

SURFACE WATER STATEMENT

STATE OF ILLINOIS)
COUNTY OF DuPAGE) S.S.

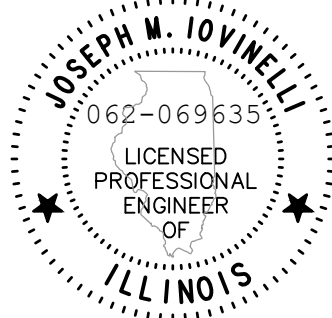
TO THE BEST OF OUR KNOWLEDGE AND BELIEF THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF SUCH SUBDIVISION OR ANY PART THEREOF, OR, THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED, REASONABLE PROVISION HAS BEEN MADE FOR THE COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO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

DATED THIS _____ DAY OF _____, 202____.

JOSEPH M. IOVINELLI ILLINOIS REGISTERED PROFESSIONAL ENGINEER
ILLINOIS REGISTRATION NUMBER 062-069635
LICENSE EXPIRES NOVEMBER 30, 2025

OWNER/ATTORNEY: _____

PRINTED NAME AND TITLE



KENDALL COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KENDALL) S.S.

THIS INSTRUMENT _____ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF KENDALL COUNTY, ILLINOIS, ON THIS _____ DAY OF _____, A.D., 202____, AT _____ O'CLOCK _____ M., AND WAS RECORDED IN BOOK _____ OF PLATS ON PAGE _____.

BY: _____
RECORDER OF DEEDS

KENDALL COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KENDALL) S.S.

I, _____, COUNTY CLERK OF KENDALL COUNTY, ILLINOIS, HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID CURRENT TAXES, NO UNPAID FORFEITED TAXES, AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THE ANNEXED PLAT.

I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE ANNEXED PLAT.

GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK AT YORKVILLE, ILLINOIS,

THIS _____ DAY OF _____, A.D., 202____.

COUNTY CLERK

PERMISSION TO RECORD

STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS

I, MARCUS G. SCHMITT, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HEREBY GRANT PERMISSION TO A REPRESENTATIVE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS THE AUTHORITY TO RECORD THIS PLAT ON OR BEFORE DECEMBER 31, 2024. THE REPRESENTATIVE SHALL PROVIDE THIS SURVEYOR WITH A RECORDED COPY OF THIS PLAT.

DATED THIS _____ TH DAY OF _____, A.D. 202____.

FOR REVIEW ONLY
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-004081
LICENSE EXPIRES NOVEMBER 30, 2024



SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE) S.S.

THIS IS TO DECLARE THAT THE PROPERTY DESCRIBED HEREON WAS SURVEYED AND SUBDIVIDED BY MANHARD CONSULTING, LTD., UNDER THE SUPERVISION OF AN ILLINOIS PROFESSIONAL LAND SURVEYOR AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY AND SUBDIVISION:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 01 DEGREES 10 MINUTES 35 SECONDS EAST ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, 637.16 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 01 DEGREES 10 MINUTES 35 SECONDS EAST CONTINUING ALONG SAID EAST LINE, 851.77 FEET TO THE NORTH LINE OF COMMONWEALTH EDISON COMPANY TRACT RECORDED AS DOCUMENT 19730005089; THENCE SOUTH 73 DEGREES 21 MINUTES 21 SECONDS WEST ALONG SAID NORTH LINE, 518.26 FEET TO THE EASTERLY LINE OF GRANDE RESERVE - UNIT 14 RECORDED AS DOCUMENT 200600023023; THENCE ALONG SAID EASTERLY LINE FOR THE FOLLOWING TEN (10) COURSES: 1) THENCE NORTH 00 DEGREES 01 MINUTES 02 SECONDS WEST, 195.86 FEET TO A POINT ON A NON-TANGENT CURVE; 2) THENCE EASTERLY, ALONG A CURVE, CONCAVE TO THE NORTH, HAVING A RADIUS OF 183.00 FEET, AN ARC DISTANCE OF 51.59 FEET, A CHORD BEARING NORTH 81 DEGREES 26 MINUTES 34 SECONDS EAST, AND A CHORD DISTANCE OF 51.42 FEET TO A POINT OF TANGENCY; 3) THENCE NORTH 73 DEGREES 21 MINUTES 59 SECONDS EAST, 46.35 FEET; 4) THENCE NORTH 16 DEGREES 38 MINUTES 01 SECONDS WEST, 169.95 FEET; 5) THENCE NORTH 73 DEGREES 06 MINUTES 04 SECONDS EAST, 103.50 FEET; 6) THENCE NORTH 38 DEGREES 18 MINUTES 44 SECONDS EAST, 89.10 FEET; 7) THENCE NORTH 19 DEGREES 08 MINUTES 07 SECONDS WEST, 93.56 FEET; 8) THENCE NORTH 41 DEGREES 25 MINUTES 14 SECONDS WEST, 272.11 FEET; 9) THENCE NORTH 55 DEGREES 29 MINUTES 56 SECONDS EAST, 105.46 FEET; 10) THENCE NORTH 41 DEGREES 25 MINUTES 18 SECONDS WEST, 131.40 FEET; THENCE NORTH 48 DEGREES 34 MINUTES 42 SECONDS EAST, 181.58 FEET; THENCE SOUTH 41 DEGREES 16 MINUTES 24 SECONDS EAST, 75.41 FEET; THENCE NORTH 88 DEGREES 49 MINUTES 02 SECONDS EAST, 303.11 FEET TO THE POINT OF BEGINNING ALL IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

SUBDIVIDED PROPERTY CONTAINS 8.861 ACRES, MORE OR LESS AND ALL DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

THIS IS ALSO TO DECLARE THAT THE PROPERTY AS DESCRIBED ON THE ANNEXED PLAT LIES WITHIN THE CORPORATE LIMITS OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS WHICH HAS ADOPTED A VILLAGE PLAN AND IS EXERCISING THE SPECIAL POWER AUTHORIZED BY 65 ILCS 5, SECTION 11-12-6.

5/8" DIAMETER BY 24" LONG IRON RODS WILL BE SET AT ALL SUBDIVISION CORNERS, LOT CORNERS, POINTS OF CURVATURE AND POINTS OF TANGENCY IN COMPLIANCE WITH ILLINOIS STATUTES AND APPLICABLE ORDINANCES, UNLESS OTHERWISE NOTED.

THIS IS ALSO TO DECLARE THAT NO PART OF THE ABOVE DESCRIBED PROPERTY IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY BASED ON FIRM 17093C0035H, DATED, JANUARY 8, 2014. ALL OF THE PROPERTY IS LOCATED IN ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. THIS DOES NOT GUARANTEE THAT THE SURVEYED PROPERTY WILL OR WILL NOT FLOOD.

DATED THIS _____ TH DAY OF _____, 202____.


FOR REVIEW ONLY

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-004081
LICENSE EXPIRES NOVEMBER 30, 2024

DESIGN FIRM PROFESSIONAL LICENSE NO. 184003350
LICENSE EXPIRES APRIL 30, 2025

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A SUBDIVISION SURVEY.



SHEET 3 OF 3 APL.YVL02	PROJ. MGR.: BAS	GRANDE RESERVE - UNIT 18 UNITED CITY OF YORKVILLE, ILLINOIS FINAL PLAT OF SUBDIVISION	 Manhard CONSULTING 700 Springer Drive, Lombard, IL 60148 ph: 630.881.8500 f: 630.881.8595 manhard.com Civil Engineers • Surveyors • Water Resource Engineers • Water & Wastewater Engineers Construction Managers • Environmental Scientists • Landscape Architects • Planners	DATE	REVISIONS	DRAWN BY
	PROJ. ASSOC.: MGS					
	DRAWN BY: MGS					
	DATE: 02/23/24					
SCALE: ---				09/18/24	REVISED PER CITY COMMENTS	MGS
				04/05/24	REVISED PER CITY COMMENTS	MGS



FIRST LEVEL FLOOR PLAN

SCALE: 1/4" = 1'-0"

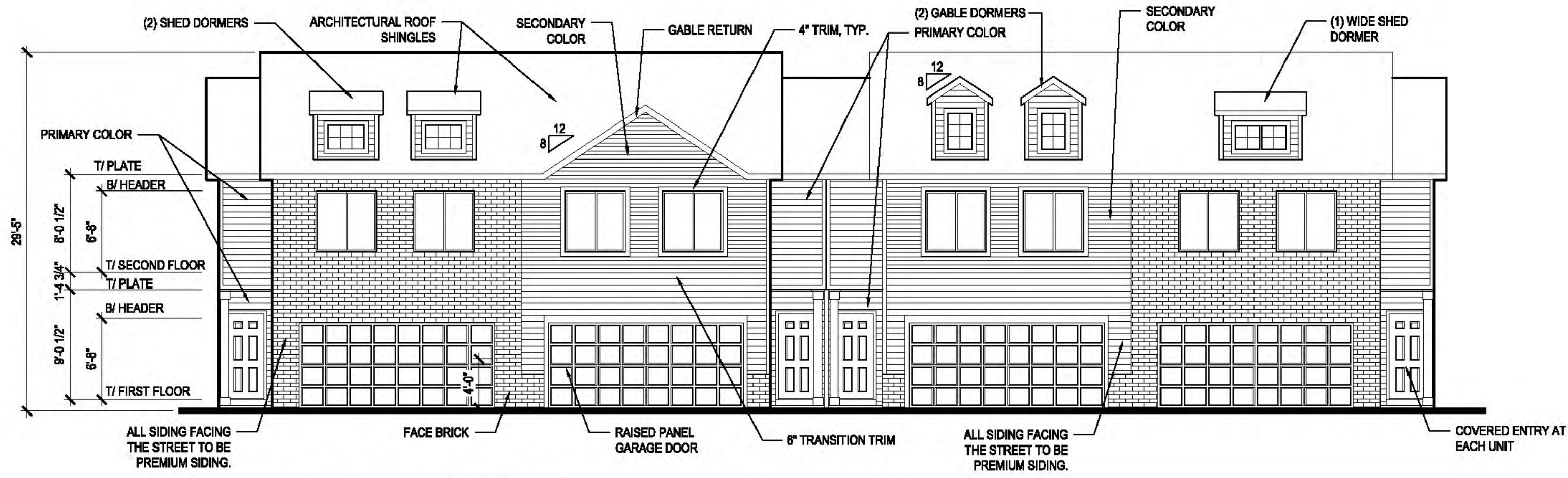
TOTAL AREA: 1,696 SF



SECOND LEVEL FLOOR PLAN

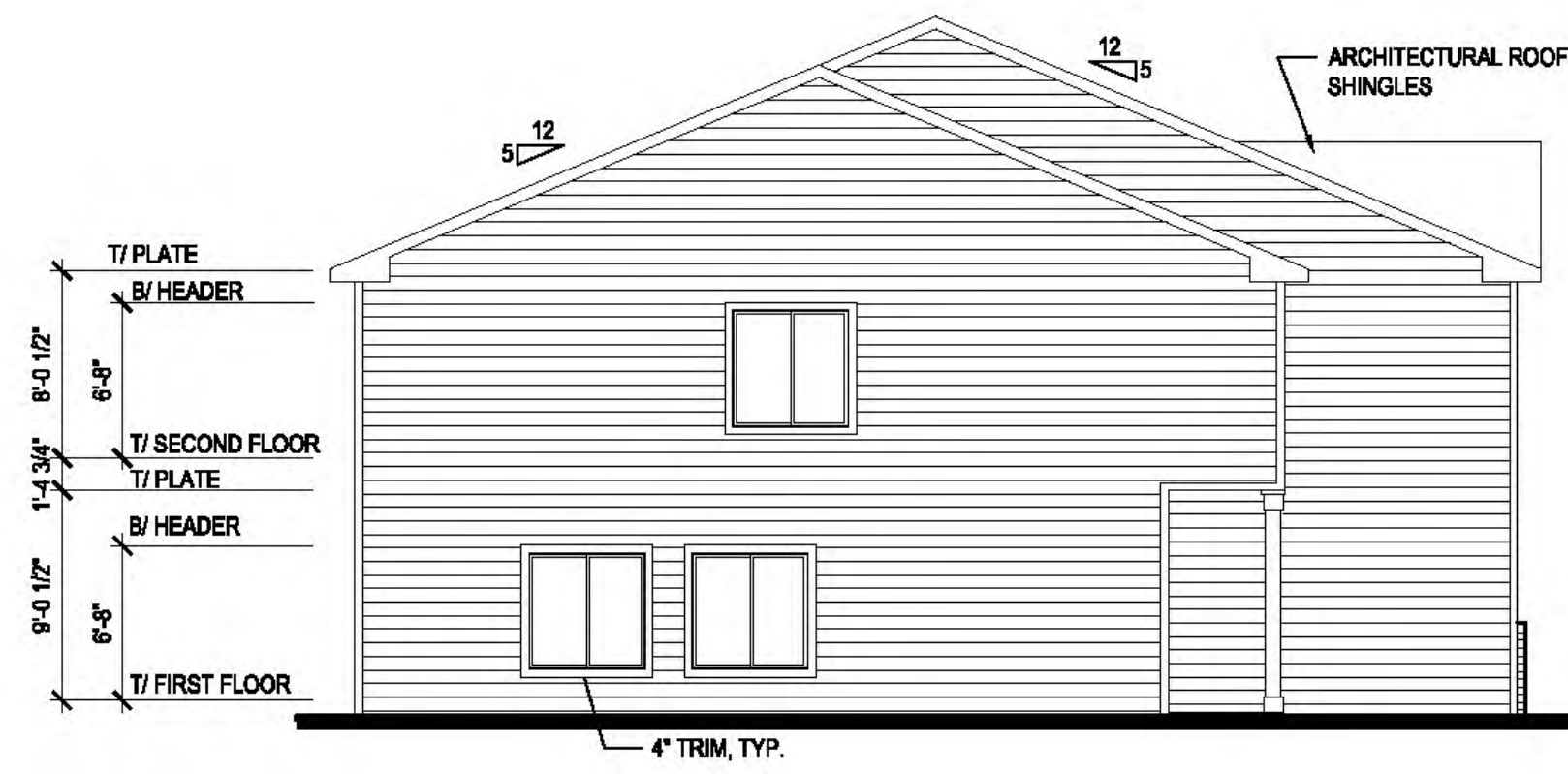
SCALE: 1/4" = 1'-0"

TOTAL AREA: 1,696 SF

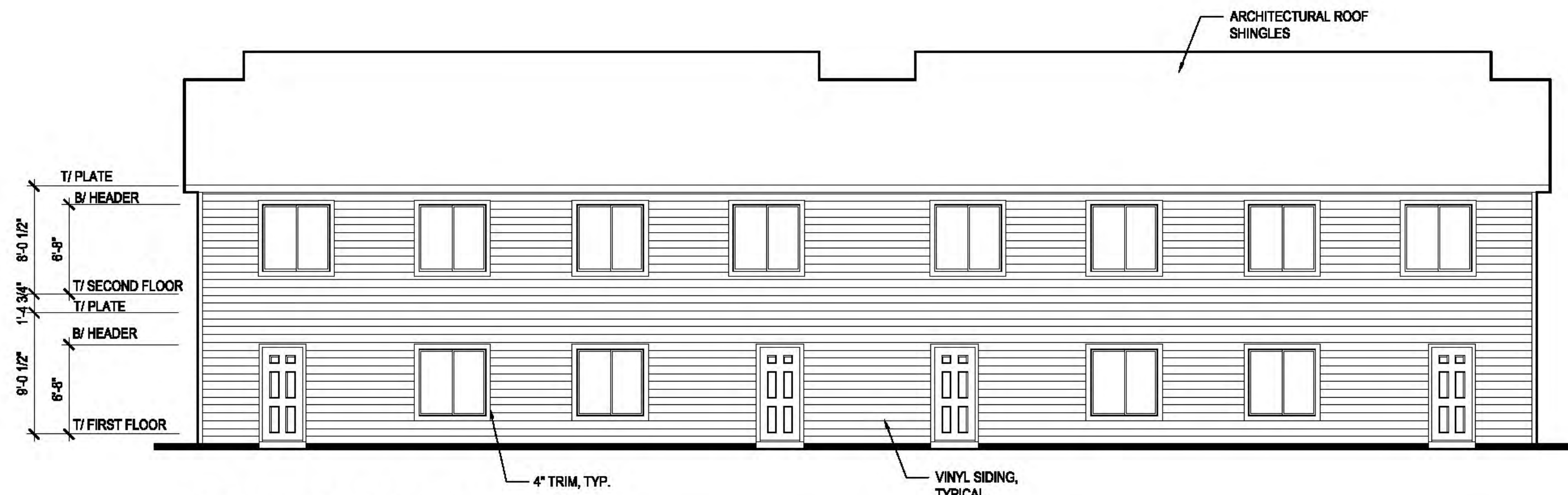


ELEVATION - FRONT ELEVATION

SCALE: 1/8" = 1'-0"



SIDE ELEVATION



REAR ELEVATION

SCALE: 1/8" = 1'-0"



UNIT SUMMARY -
164 UNITS - (41) TOTAL BUILDINGS
(31) BUILDINGS WILL HAVE MIN 50% MASONRY
(41) BUILDINGS WILL UTILIZE 100% PREMIUM (CEMENTITIOUS)
SIDING FACING STREET FRONTAGE

FACADE MATERIALS -
52% - MASONRY
48% - PREMIUM SIDING
(CEMENTITIOUS)



Memorandum

To: Plan Council
From: Krysti Barksdale-Noble, Community Development Director
Date: October 2, 2024
Subject: **PZC 2024-27 Grande Reserve – Units 18 & 25 (Final Plat)**
Proposal for 164 townhomes in 2 new units of Grande Reserve

I have reviewed the application for Final Plat of Subdivision of Grande Reserve Units 18 and 25 (Neighborhood 3) received September 13, 2024 and revised September 18, 2024, as submitted by Cesar Cruz on behalf of GR Yorkville Residents, LLC, owner/petitioner. The Final Plats were prepared by Manhard Consulting, Ltd and dated last revised 09/18/24.

The petitioner is seeking Final Plat approval for an approximately 22-acre site consisting of 164 new residential townhome lots and four (4) open space outlots located north of the BNSF railroad and east of Tuscany Trail in Yorkville. These lots will complete Neighborhood 3 and this quadrant of the Grande Reserve development. Based upon my review of the application documents and plans; I have compiled the following comments:

GENERAL ZONING/ANNEXATION AGREEMENT COMMENTS:

1. **ZONING** - The subject property was annexed in 2003 and was zoned R-2 Single-Family Traditional Residence District with a special use for a Planned Unit Development. The following are the current immediate surrounding zoning and land uses:

	Zoning	Land Use
North	Tuscany Trail R-2 Planned Unit Development (Grande Reserve)	Transportation Residential
South	Burlington Northern Santa Fe (BNSF) Railroad Commonwealth Edison Easement R-2 Planned Unit Development (Grande Reserve)	Transportation Utility Residential
East	R-2 Planned Unit Development (Grande Reserve) Open Space (Grande Reserve Park A)	Residential Park
West	R-4 General Residential PUD (Village of Oswego) ¹	Residential (Undeveloped)

2. **ANNEXATION AGREEMENT** – Per Group Exhibit “D” of the Annexation Agreement (Ord. 2003-44) it is stated that the “CITY, OWNERS and DEVELOPER acknowledge that the number of dwelling units to be approved on future preliminary and final plats may be more than or less than that described in the Concept Plan...” Further it states, “Any plan for a phase of development that does not exceed the total number of dwelling units allowed in said Neighborhoods shall be deemed to be in substantial conformance with the Concept Plan.”

¹ Approx. 100-acre parcel is owned by Tuscany Station, LLC which was approved for a 480-unit apartment complex and 164 single family development in 2023 and will be developed by Abby Properties, an affiliate of the petitioner. Source: <https://www.shawlocal.com/kendall-county-now/2023/01/16/oswego-village-board-approves-subdivision-with-480-unit-apartment-complex-metra-station-lot-in-split-ballot/>

Below is a comparison of the approved Concept Plan PUD dwelling unit count (Group Exhibit “C”) and the proposed final plat dwelling unit count for each unit in Neighborhood 3:

NEIGHBORHOOD 3 (UNIT)	UNIT TYPE	APPROVED DWELLING UNITS CONCEPT PUD PLAN	PROPOSED/APPROVED DWELLING UNITS FINAL PLAT
Unit 13	TH	36	36
Unit 14	TH	44	44
Unit 18	TH	82	68
Unit 25	TH	83	96
TOTAL		245	244

- **Neighborhood 3 Density** – Per Exhibit “D7” of the Annexation Agreement, the overall approved maximum density for Neighborhood 3 is 6 units/acre (245 units on 43.2 acres). With the proposed reduction of one (1) dwelling unit in Neighborhood 3, the density remains unchanged.
 - **Cul-de-sacs** – Per Ordinance 2003-44, Paragraph 19C, the Homeowners Associations (HOA) Neighborhood 3 is required to pay for and perform all snowplowing of cul-de-sacs, even though all roads within the neighborhoods will be public roads. The HOA does not have the snowplowing obligation for all other roadways within the neighborhoods.
 - Unit 18 appears to have two (2) cul-de-sacs or “bump-outs” on Preston Drive.
 - Staff defers to the City Engineer and Public Works Director if these qualify as cul-de-sacs.
 - Unit 25 has two (2) cul-de-sacs, Collins Court and Whiteside Court.
 - **Declarations of CCRs** – Group Exhibit “D”, paragraph B of the Annexation Agreement requires that the developer submit a copy of the proposed Declaration of Covenants, Restrictions and Easements to be reviewed by the City. The declarations shall be recorded at the same time with the final plat for each phase.
 - **Dormant Special Service Area (SSA)** – Per paragraph 19D of the Annexation Agreement, the City may elect to establish a dormant special service area to act as a backup in the event the association fails to maintain the private common areas, detention ponds, perimeter landscaping features, and entrance signage within the development.
3. **BUILDING SETBACKS/VARIANCE SCHEDULE** – The following building setbacks are for parcels located in Neighborhood 3, per “Exhibit E-1 Grande Reserve Variance Schedule for Neighborhoods 2-19” of the Annexation Agreement:

BUILDING SETBACK	REQUIRED MINIMUM	PROPOSED SETBACK
Front	25'	25'
Side (Corner)	20'	20'
Perimeter	30'	30'
Side Building to Side Building Min.	20'	TBD
Side Building to Rear Building Min.	40'	TBD
Rear Building to Rear Building Min.	60'	TBD
Front Building to Side Building Min.	50'	TBD
Front Building to Front Building Min.	50'	TBD
Rear Building to Front Building Min.	100'	TBD

The proposed yard setbacks illustrated on the final plats meet the minimum requirements established in the original annexation agreement. The building-to-building separation requirements have been provided as reference for future layout of structures on the lots.

4. APPEARANCE STANDARDS

- Per Exhibit “D5” in the original Annexation Agreement (Ord. 2003-44) Architectural Design Standards are established for townhome development and conceptual building elevations were provided in Exhibit “D2”. Further it is stated that “all owners and developers agree to impose architectural design standards relating to façade materials, accessory structures, and other building restrictions at the time of final plat submittal for each unit.
 - These standards will be submitted for city review and approval prior to City Council approval of the final plat of subdivision, and must address the following:
 - Color Schemes
 - Deck & Patio Specifications
 - Fence Specifications
 - Restrictions on Accessory Buildings
 - Restrictions on Housing Styles
 - Minimum Square Footage
 - Building Materials
 - Roof Specifications
 - It is also stated in the Economic Incentive Agreement approved via ord. 2021-13, that currently not platted areas must submit architectural standards at time of final plat.
- Per the City’s Appearance Standards in Chapter 10-5-8 of the Unified Development Ordinance (UDO) Masonry products shall be incorporated on the front facade of at least seventy-five (75) percent of the total buildings and shall incorporate a minimum of fifty (50) percent premium siding material on the front facade. No less than half (twenty-five (25) percent of the total) of the minimum "premium siding" requirements must incorporate masonry products.
 - Credit toward the remaining "premium siding" requirement can be earned via the use of major architectural features. Each major architectural feature used will earn a credit of ten (10) percent towards the calculation of the minimum premium siding requirement.
 - Premium siding material includes masonry products, culture stone, natural wood siding and synthetic stucco.
- Petitioner has not submitted elevations for townhomes in Units 18 and 25. **Building elevations/color renderings of all proposed townhome models must be provided and reviewed by staff before the request can advance to the next scheduled meeting.**

FINAL PLAT OF SUBDIVISION COMMENTS:

1. **PREVIOUSLY APPROVED PRELIMINARY PLANS** – Preliminary/Final Plats for both Units 18 and 25 were approved by the City Council in June and December of 2006, respectively, but were never recorded and have since expired.



September 16, 2024

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

**Re: Grande Reserve Units 18 & 25
Final Engineering Review – 3rd Submittal
City of Yorkville**

Dear Krysti:

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

- Final Engineering Plans (29 Sheets) dated May 6, 2024, prepared by Manhard Consulting.
- Final Plat of Subdivision – Unit 18 (3 Sheets) dated April 5, 2024, prepared by Manhard Consulting.
- Final Plat of Subdivision – Unit 25 (3 Sheets) dated April 5, 2024, prepared by Manhard Consulting.
- Engineer's Estimate of Probable Cost dated April 3, 2024, prepared by Manhard Consulting.
- IEPA Water Permits
- IEPA Sanitary Sewer Permits

Our review of these plans is to generally determine their compliance with local ordinances and whether the improvements will conform to existing local systems and equipment. This review and our comments do not relieve the designer from his duties to conform to all required codes, regulations, and acceptable standards of engineering and land surveying 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 at the appropriate time.
 - a. IEPA NPDES General Construction Permit is required. The Notice of Intent must be filed with IEPA 30 days prior to start of construction.
 - b. IEPA Water and Sanitary Sewer Construction permits
 - c. Fox Metro Water Reclamation District approval is needed for the connection of the proposed sanitary lines to the existing sanitary sewer.
2. The IEPA Water and Sanitary permits have been received and have been routed to the City for signatures.
3. A signed stormwater permit application needs to be submitted. The unsigned permit application was previously submitted with the approved stormwater report.

Final Plat Unit 18

4. Label the BSL on the southwest side of Lot 211.
5. Show and Label the BSL along the north and west lines of Lot 3054, and along the west line of Lot 3055.

Final Plat Unit 25

6. Label the BSL on the west side of Lot 361, the west side of Lot 271, and the west side of Lots 261 through 264.
7. Show and label the BSL along the entire west line and south lines of Lot 3052 and along the south line of Lot 3053.

Final Engineering Plans

Sheet 11 – Grading Details

8. Cross Section A1-A1 – The elevations shown for Lot 42 do not match the Grading Plan.

Sheet 16 – Plan and Profile – Preston Drive – Sta 18+89 to 24+60

9. Add a sanitary extension and manhole toward unit 17 and eliminate long sanitary services and sanitary service bends.

Sheet 18 – Plan and Profile – Preston Drive – Sta 32+00 to 38+16

10. Add a note that the pavement patch for Tuscany Trail should be twice as thick as the existing pavement section.

Sheet 19 – Plan and Profile – Preston Drive – Cul-de-Sac

11. Utility crossing 8 is not shown on the actual crossing.
12. Eliminate sanitary sewer service bends.

Sheet 20 – Plan and Profile – Collins Court – Sta 0+00 to 4+74

13. The sidewalk crossing on the west side of Preston Drive at Collins Court can be removed.

Engineer's Estimate of Probable Costs

14. Confirm the quantity of sanitary manholes. All public sanitary sewers should be included.
15. Confirm the quantity of the storm sewer and structures. All public storm sewers should be included.
16. A performance guarantee of 120% of the approved estimate will be required.

Ms. Krysti Barksdale-Noble
September 16, 2024
Page 3

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

Respectfully Submitted,

ENGINEERING ENTERPRISES, INC.

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

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. Gina Nelson, Admin Assistant (via email)
Ms. Jori Behland, City Clerk (via email)
Mr. Joe Iovinelli, Manhard Consulting (via email)
TNP, PGW2, EEI (Via e-mail)



Yorkville Police Department Memorandum

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

Date: September 23, 2024
To: Krysti Barksdale Noble, Community Development Director
From: James Jensen, Chief of Police
Reference: Plan Review Grand Reserve Units 18 & 25 and Unit 21
List Project Name Grand Reserve Units 18 & 25 and Unit 21
List Applicant Name
List Project Manager
List Project Number PZC 2024-27 & 2024-28 Grande Reserve Units 18 & 25
And Unit 21 (Final Plat)

Please see comments listed below pertaining to the project referenced above:

Signage

Handicapped Signage Required: X Yes No

Comments: **Handicapped parking has been identified. Proper signage is required.**

***Signage must meet MUTCD Standards*

***Fine amount must be listed on sign*

Speed Limit Signage Required/Recommended Yes X No

School Zone Special Signage Yes X No

Special Speed Zone Signage Requested Yes X No

Comments: **N/A**

No Parking Signage Required? X Yes No

 X No Parking After 2" Snow Fall

Comments: **No parking after 2" snow fall on Preston Drive.**

No Parking Locations: **No parking locations should be clearly marked**

Dedicated parking signage needed? Yes X No

 Located by Park

 School



Yorkville Police Department Memorandum

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

____ Common Parking Area

Are there Street Name Conflicts? ____ Yes X No

Comments: **Will Preston Drive be marked as Preston North or South?**

Building & Apartment Numbering

Exterior Building Signs Requested ON Building X Yes ____ No

Comments: **For immediate emergency response having ON building or signage in front of each building identifying the building and townhome numbers would be helpful.**

Pedestrian/Bike Path Crossing Signage? X Yes ____ No

Warning Ahead Signs are Required

Comments: **I assume this will connect to the bike path. Whatever signage we currently use in other developments for bike paths should be included (i.e. no motorized vehicles, stop signs, etc.). If violations of HOA rules are not police enforced then no signage is being requested.**

NO Construction Traffic Signage being requested? X Yes ____ No

Location: **No construction traffic signs should be posted at the entrance to adjacent subdivision. Construction traffic should only use Preston (new development) and Tuscany Trail to Mill Road.**

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 MUTCD Standards specific to location, size, color, and height levels

Roadway

Street Width

Should parking be allowed on BOTH sides of road? ____ Yes ____ No

Should parking be restricted to fire hydrant side? X Yes ____ No

Comments: **On Preston Drive only.**

Center Roadway Medians: ____ Yes ____ No



Yorkville Police Department Memorandum

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

Limit Parking on Median? ☐ Yes ☐ No
Signage Needed? ☐ Yes ☐ No
Room for Emergency Veh. w/ one lane Obstructed? ☐ Yes ☐ No

Do you have intersection Concerns? ☐ Yes ☒ No
Comments: **N/A**

Landscape

Low Growth or Ground Cover Landscaping? ☐ Yes ☐ No
Low Growth or Ground Cover Landscaping by windows? ☐ Yes ☐ No
Low Growth or Ground Cover Landscaping by Entrances ☒ Yes ☐ No

Comments: **Landscaping at the intersection of Tuscany and Preston should be limited for site line issues.**

Landscaping located near the entrance/exits should include ONLY low growth or ground cover so as to not obstruct site lines

Ingress / Egress

Entrance/Exits match up with adjacent driveways? ☒ Yes ☐ No
Total Entrance/Exits for development? 2

Are vehicle entrance/exits safe? ☒ Yes ☐ No
Are warning signs for cross traffic requested? ☒ Yes ☐ No

Comments: **Cross traffic signage should be posted on Tuscany Trail for North and South Preston.**

Raised Median & Signage for Right in & Right Out? ☐ Yes ☒ No
Comments: **N/A**

Emergency Contact for after hours during construction: _____
Comments: **Please provide information** _____

Is this a gated or controlled access development? ☐ Yes ☒ No
If yes, will police & Fire and Access? ☐ Yes ☐ No



Yorkville Police Department Memorandum

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

Miscellaneous

Individual Mailboxes? ☐ Yes ☐ No

Cluster Mailbox Kiosks? ☒ Yes ☐ No

Will this cause traffic choke points? ☐ Yes ☐ No

Comments: **Cluster mailboxes should be out of the way of general traffic flow.**

Are sidewalks being planned for the development? ☒ Yes ☐ No

Comments: **N/A**

Are sidewalk crosswalks needed? ☒ Yes ☐ No

Comments: **Only if crossing major roadway.**

Are there bike paths planned for the development? ☒ Yes ☐ No

Comments: **N/A**

Proper Signage needed for bike paths ☒ Yes ☐ No

☐ Stop Signs ☐ Yield Signs ☒ NO Motorized Vehicles

☐ Trespassing ☐ Other _____

Are there HOA Controlled Roadway OR Parking Areas? ☐ Yes ☐ No

Comments: **Is this area controlled by HOA or will police be able to enforce stopping, standing, parking related issues?**

Who is responsible for re-surfacing and re-striping? **N/A**

Security

Will security cameras be in use? ☐ Yes ☐ No

Comments: **Will security cameras be in use around the property? If requested will those in charge of the cameras work with the police department for video related evidence? Would Police Department access to the exterior cameras for emergency purposes be allowed?**



Yorkville Police Department Memorandum

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

We assume access to the building will be controlled. Will the police department have access to the building for emergencies? ☐ Yes ☐ No

Comments: **N/A**

What are the business Hours of Operation? **N/A**

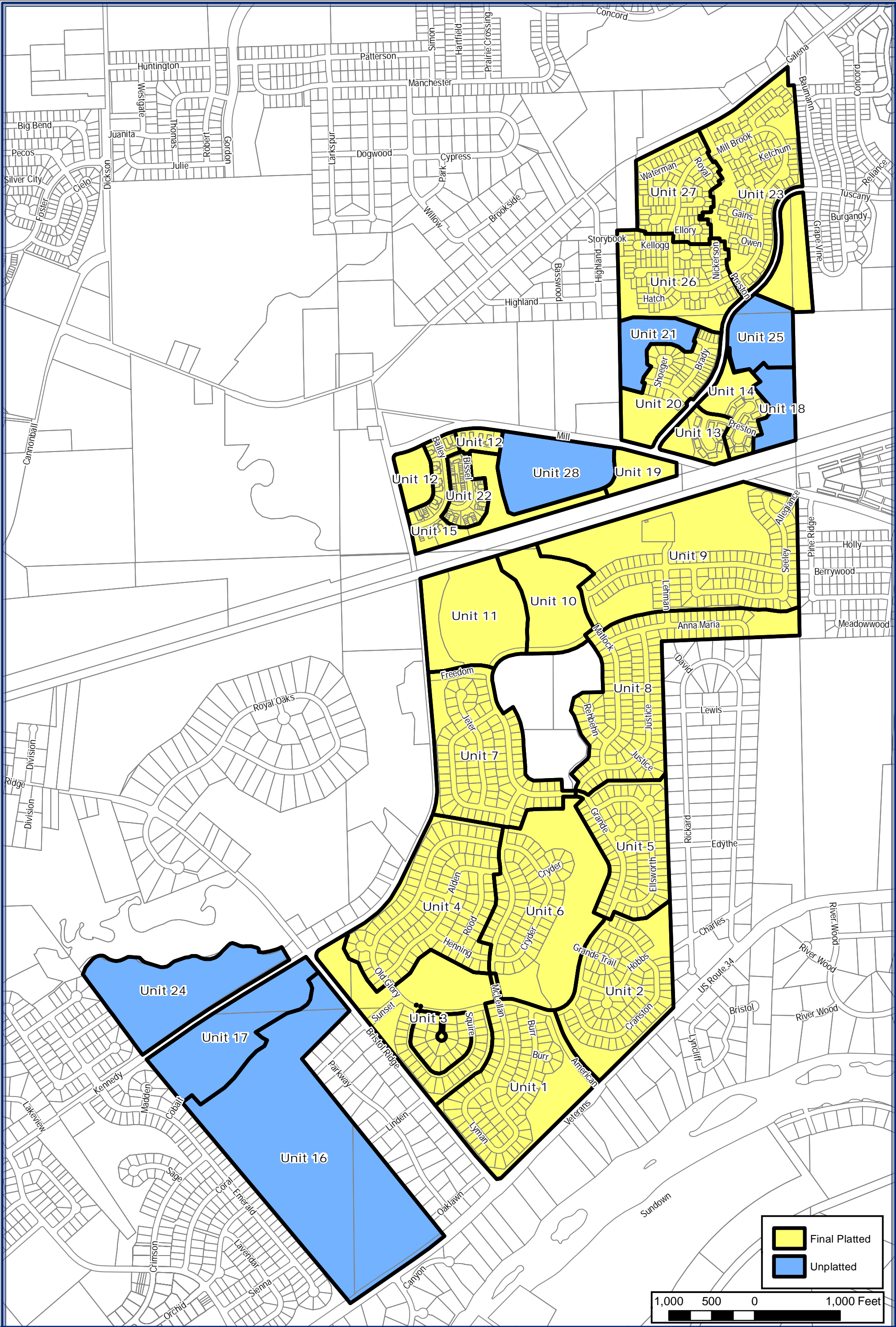
Will the property be alarmed? ☐ Yes ☐ No

Comments: **N/A**

Will you provide Floor Plans/Maps to the police department to be used for emergency purposes only? ☐ Yes ☐ No

Comments: **We would request a copy of the floor plans to be used for emergency purposes only.**

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.



Site Data

	Acres	Percent
Total Site	1037.91	100.00
Perimeter Road R.O.W	37.31	3.60
Feature Roads	21.40	2.06
Commercial	4.44	0.43
Open Space (incl. Det., Parks & Buffers)	352.48	33.96
Residential	622.59	59.95
Gross Site Density	= 2.55 D.U./Ac. (2648 D.U./1037.91 Ac.)	

Residential Area

Neighborhood	Residence Type	Minimum Lot Size	Average Lot Size	Minimum Lot Width	Typical Lot Width	D.U.
1	Single Family Villas	NA	NA	NA	NA	200
2	Two-Family	10,000	NA	80 Ft.	80 Ft.	128
3	Townhomes	NA	NA	NA	NA	245
4	Multi-Family	NA	NA	NA	NA	320
5	Townhomes	NA	NA	NA	NA	164
6	Townhomes	NA	NA	NA	NA	156
7	Townhomes	NA	NA	NA	NA	142
8	Two-Family	10,000	NA	NA	NA	224
9	Single Family	10,000	11,500	70 Ft.	70 Ft.	130
10	Single Family	10,000	11,500	70 Ft.	70 Ft.	84
11	Single Family	10,000	11,500	70 Ft.	70 Ft.	87
12	Single Family	11,000	12,660	75 Ft.	80 Ft.	90
13	Single Family	11,000	12,660	75 Ft.	80 Ft.	90
14	Single Family	12,000	13,800	80 Ft.	80 Ft.	118
15	Single Family	12,000	13,800	80 Ft.	80 Ft.	85
16	Single Family	11,000	12,660	75 Ft.	80 Ft.	98
17	Single Family	12,000	13,800	80 Ft.	80 Ft.	109
18	Single Family	12,000	13,800	80 Ft.	80 Ft.	56
19	Single Family	12,000	13,800	80 Ft.	80 Ft.	55
Total						2046

Open Space Breakdown

	Suburban Transitional	Total	Neighborhood	Regional
Municipal Site	0.58	2.00	2.58	---
Community Clubhouse/Rec. Area	---	5.10	5.10	---
School Site / Park Sites	8.20	108.81	118.81	55.53
HSA Buffers	27.58	80.00	107.58	---
Stormwater Management	36.11	24.56	120.67	---
Total	71.41	231.07	352.48	55.53

Notes

1. All perimeter lots adjacent to existing County subdivisions will have a minimum 25 ft. landscape buffer easement in addition to the required rear yard.

Summary

	Units
Multi-Family	300
Townhomes	707
Two-Family	350
Single Family Villas	290
Single Family	822
Total	2648



Revisions:
01-20-03
07-21-03

Job No. 3300
Scale: 1"=400'
Date: 09-23-03

MPI - Yorkville
535 Plainfield Road Suite E
Wilmette, IL 60527
(630) 325-4500

Group Exhibit "C"

Concept Plan
GRANDE RESERVE
Yorkville, Illinois

JEN LAND DESIGN, INC.
PLANNING • LANDSCAPE ARCHITECTURE
5917 N. Cumberland, Suite 808 Chicago, IL 60656 • 773/763-3320
Fax: 773/763-3320 Email: jland@jlandinc.net





Townhome Neighborhood 3 & 6





Duplex Neighborhoods 2 & 8



EXHIBIT "D₅"

Architectural Design Standards

Architectural Design Standards for Two-Family, Townhome and Apartment Homes and Single Family Villas

Photographs included as Exhibit D2 are conceptual examples of building elevations that will be constructed in Grande Reserve.

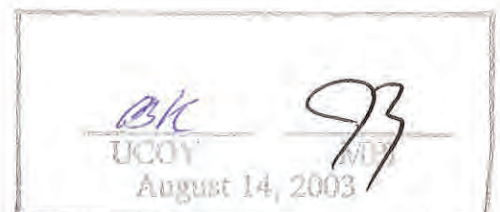
The OWNERS and DEVELOPER agree to adhere to any city-wide architectural control ordinances that are in place at the time of final platting for each phase of development. Additionally, the OWNERS and DEVELOPER agree to impose architectural design standards relating to façade materials, accessory structures and other building restrictions at the time of final plat submittal for each unit. These standards, which may exceed the city-wide architectural control standards, will be submitted for city review and approval prior to City Council approval of the final plat of subdivision.

DEVELOPER established architectural design standards would address the following issues:

Architectural Design Standard	SF Villas	Two-Family	Townhomes	Apartments
Color Schemes	X	X	X	X
Deck & Patio Specifications	X	X	X	N/A
Fence Specifications	X	X	X	N/A
Restrictions on Accessory Bldgs.	X	X	X	N/A
Restrictions on Housing Styles	X	X	X	N/A
Minimum Square Footage	X	X	X	N/A
Building Materials	X	X	X	X
Roof Specifications	X	X	X	X

Architectural Design Standards for Commercial Area

All buildings located within the commercial area north of Neighborhood 5 shall be constructed 100% of brick/masonry materials on all sides.



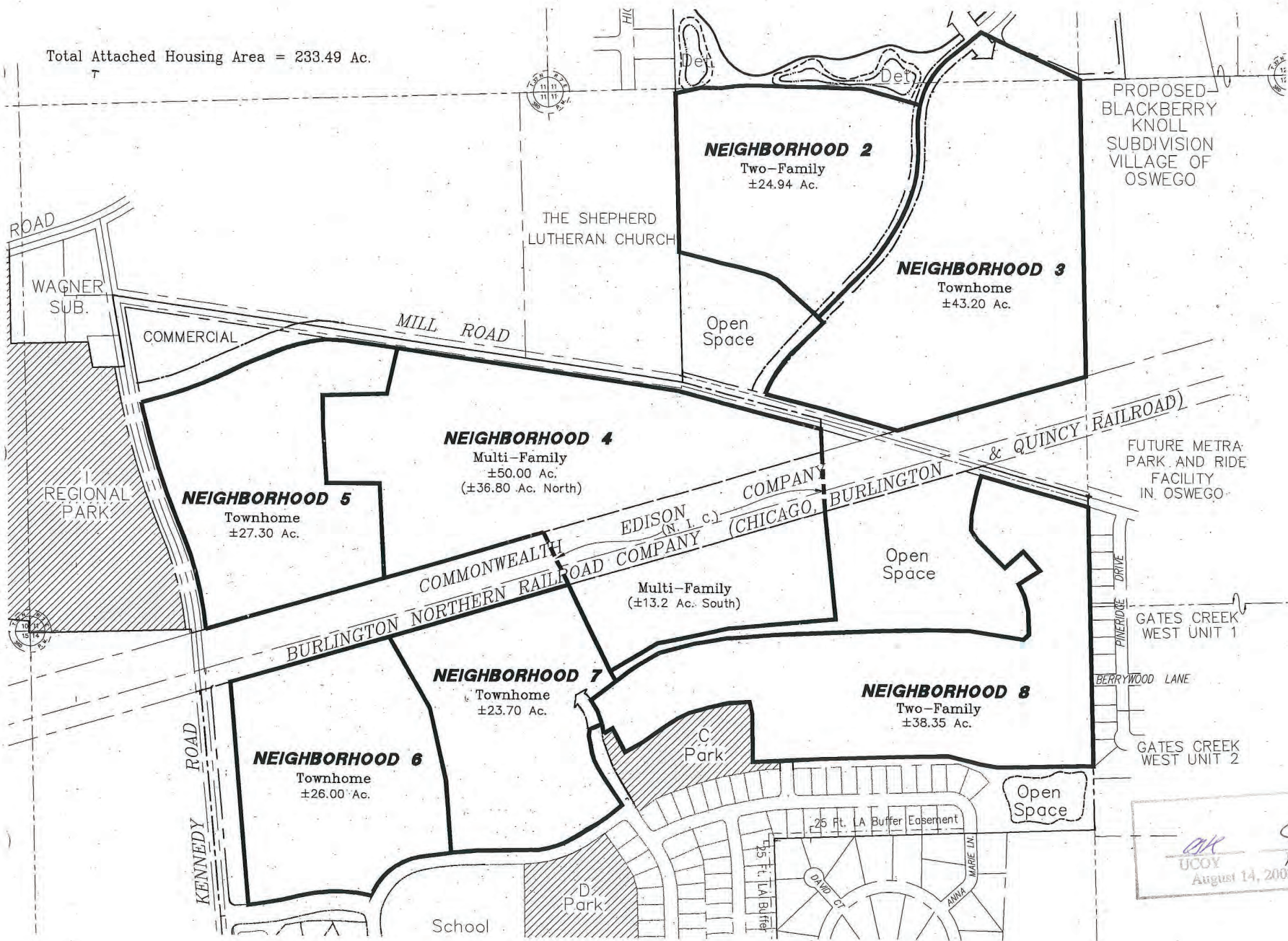
Description	Transitional Area Data
1 Detention Areas	85.4 Acres
2 School Areas	12.0 Acres
3 Park Area	96.6 Acres
4 Club Area	5.1 Acres
5 Municipal Sites	2.0 Acres
6 Buffer Areas	80.0 Acres
7 Total Open Space in Transitional Area	281.0 Acres
8 Total Transitional Area	770.9 Acres
9 Proposed # Of Dwelling Units in Transitional Area	2,220 Units
10 Overall Density in Transitional Area	2.88 Units/Acre
11 Maximum Density Allowed Under Comprehensive Plan	3.20 Units/Acre
12 Density Under Comprehensive Plan Requirements	0.32 Units/Acre
13 Percent of Density Under Comprehensive Plan Requirements	10.01%
14 Population Generated from Transitional Area (Per Ordinance Tables)	6,276 People
15 Divided by 1,000	1,000
16 Open Space Factor	6.276
17 Times 10 Acres/1,000 (As Required by Ordinance)	10
18 Open Space Donation	62.8 Acres
19 Gross Open Space	281.0 Acres
20 Less Detention Area	-85.4 Acres
21 Net Open Space in Transitional Area	195.6 Acres
22 Less 1/2 Open Space Donation (1/2 Cash Value Credited)	-31.4 Acres
23 Excess Open Space in Transitional Area	164.3 Acres
24 Total Acres in Transitional Area	770.9 Acres
25 Equals % Excess Open Space	21.31%
26 Excess Open Space/Comp Plan Required at 28% Attached Area	21.00%
27 Acres Above Comprehensive Plan Requirements	1.6 Acres
28 Percent Above Comprehensive Plan Requirements	0.31%
29 Neighborhood 2 Acres @ 6 units/acre (126 Units)	24.9 Acres
30 Neighborhood 3 Acres @ 6 units/acre (245 Units)	43.2 Acres
31 Neighborhood 4 Acres @ 6 units/acre (300 Units)	50.0 Acres
32 Neighborhood 5 Acres @ 6 units/acre (164 Units)	27.3 Acres
33 Neighborhood 6 Acres @ 6 units/acre (156 Units)	26.0 Acres
34 Neighborhood 7 Acres @ 6 units/acre (142 Units)	23.7 Acres
35 Neighborhood 8 Acres @ 6 units/acre (224 Units)	38.4 Acres
36 Total Attached Acres	233.5 Acres
37 Divided by Total Acres	770.9 Acres
38 Equals % Attached Area	30.29%
39 Area Limit %/Draft Comp Plan	32.00%
40 Percent Under Comprehensive Plan	1.71%

Transitional Area "Additional Open Space" Table

Additional Open Space	Max. Area within Dev. Of Single Family Attached	Maximum Overall Density Units per acre	Maximum Density of Single Family Attached Units per Acre
0%	0%	2.25	N/A
10%	10%	2.50	6
15%	20%	3.00	6
16%	22%	3.05	6
17%	24%	3.10	6
18%	26%	3.15	6
19%	28%	3.20	6
20%	30%	3.25	6
21%	32%	3.30	6
25%	40%	3.50	6
25%	25%	3.50	8

**Bolded rows are as they appear exactly in the Comprehensive Plan

Total Attached Housing Area = 233.49 Ac.



JEN LAND DESIGN, INC.
PLANNING • LANDSCAPE ARCHITECTURE
5517 N. Cumberland, Suite 906 Chicago, IL 60656
Ph: 773.763.3320 Fax: 773.763.3325 Email: jpland@earthlink.net

Exhibit "D8"
Transitional-Attached Housing
Zoning Exhibit
(Neighborhoods 2-8)
GRANDE RESERVE
Yorkville, Illinois

MPI — Yorkville
535 Plainfield Road Suite E
Wilmette, IL 60097
(630) 325-4500

Job No. 3300
Scale 1"=200'
Date 03-20-03

Revised 06-20-03
August 14, 2003
UCOY
93

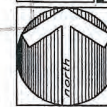


EXHIBIT E1 - GRANDE RESERVE VARIANCE SCHEDULE NEIGHBORHOODS 2 - 19

	R-2 Residential Required	R-2 PUD	R-2 PUD	R-2 PUD	R-2 Duplex Required	R-2 PUD
Minimum Lot Size	12,000 sf	12,000 sf	11,000 sf	10,000 sf	15,000 sf	10,000 sf (4)
Minimum Lot Width	80 ft.	80' Min/85' Typ.	77' Min/82' Typ.	71' Min/75' Typ.	100 ft	75 ft. (4)
Average Lot Size Yards	----	13,800 sf (6)	12,650 sf (6)	11,500 sf (6)	----	----
Front	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.
Side (Corner)	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.
Side (Interior)	10 ft./ 10%>	10 ft.	10 ft.	10 ft.	10 ft./ 10%>	10 ft.
Rear	40 ft.	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.
Neighborhoods		14, 15, 17, 18 & 19	12, 13 & 16	9, 10 & 11		2 & 8

	R-3 General Residence Required	R-2 PUD	R-2 PUD	R-4 General Residence Required	R-2 PUD
Yards					
Front	30 ft.	25 ft.	25 ft.	30 ft.	25 ft.
Side (Corner)	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.
Perimeter	30 ft.	30 ft.	30 ft.	40 ft.	30 ft.
Building to Building					
Building Height	2 1/2 Stories or 25 ft.	3 1/2 Stories or 35 ft. (5)	3 1/2 Stories or 35 ft. (5)	2 1/2 Stories or 25 ft.	3 1/2 Stories or 35 ft. (5)
Side to Side	20 ft.	20 ft.	20 ft.	----	----
Side to Rear	40 ft.	40 ft. (1)	35 ft.	----	----
Rear to Rear	60 ft.	60 ft. (2)	60 ft. (2)	----	----
Front to Side	50 ft.	50 ft.	35 ft.	----	----
Front to Front	50 ft.	50 ft.	50 ft. (3)	----	----
Rear to Front	100 ft.	100 ft.	50 ft.	----	----
Garage to Garage	----	----	60 ft.	----	----
Bldg. To Parking	----	----	----	----	15 ft.
Bldg. To Bldg. (end)	----	----	----	----	30 ft.
Bldg. To Bldg. (rear to front)	----	----	----	----	60 ft.
Neighborhoods		3	4, 5, 6 & 7		4



- Notes**
1. If the structures are arranged in any way other than a parallel arrangement, a separation of 35 feet shall be allowed at the closest point between the structures as long as the average separation between the structures is 40 feet or more.
 2. If the structures are arranged in any way other than a parallel arrangement, a separation of 50 feet shall be allowed at the closest point between the structures as long as the average separation between the structures is 60 feet or more.
 3. If the structures are arranged in any way other than a parallel arrangement, a separation of 40 feet shall be allowed at the closest point between the structures as long as the average separation between the structures is 50 feet or more.
 4. The proposed variances are for two-story duplexes only.
 5. As measured from the rear yard.
 6. The average lot size in each single family detached neighborhood shall be 115% of all listed minimum lot sizes.



October 9, 2024



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

**Re: Grande Reserve Units 18 & 25
Final Engineering Review – 5th Submittal
United City of Yorkville**

Dear Krysti:

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

- Final Engineering Plans (29 Sheets) dated September 18, 2024, prepared by Manhard Consulting.
- Final Plat of Subdivision – Unit 18 (3 Sheets) dated September 18, 2024, prepared by Manhard Consulting.
- Final Plat of Subdivision – Unit 25 (3 Sheets) dated September 18, 2024, prepared by Manhard Consulting.
- Engineer's Estimate of Probable Cost dated September 18, 2024, prepared by Manhard Consulting.

Our review of these plans is to generally determine their compliance with local ordinances and whether the improvements will conform to existing local systems and equipment. This review and our comments do not relieve the designer from his duties to conform to all required codes, regulations, and acceptable standards of engineering and land surveying 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 at the appropriate time.
 - a. IEPA NPDES General Construction Permit is required. The Notice of Intent must be filed with IEPA 30 days prior to start of construction.
 - b. IEPA Water and Sanitary Sewer Construction permits
 - c. Fox Metro Water Reclamation District approval is needed for the connection of the proposed sanitary lines to the existing sanitary sewer.
2. The IEPA Water and Sanitary permits have been received and have been routed to the City for signatures.
3. A signed stormwater permit application needs to be submitted. The unsigned permit application was previously submitted with the approved stormwater report.

4. Prior to the start of construction, the following items need to be addressed:
- a. A preconstruction meeting with City staff needs to be held.
 - b. A construction guarantee equal to 120% of the public improvements and erosion control costs needs to be on file with the City.

Final Plat Unit 18

5. The plat has been reviewed and is found to be acceptable.

Final Plat Unit 25

6. The plat has been reviewed and is found to be acceptable.

Final Engineering Plans

7. The engineering plans have been reviewed and are found to be generally acceptable.

Engineer's Estimate of Probable Costs

8. We have reviewed the Engineer's Cost Opinion and find it to be acceptable. A performance guarantee in the amount of \$2,938,867.80 (120% x \$2,449,056.50) is to be on file with the City prior to the issuance of a building permit.

If you have any questions or require additional information, please call 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. Gina Nelson, Admin Assistant (via email)
Building Department (via email) Bzpermits@yorkville.il.us
Ms. Jori Behland, City Clerk (via email)
Mr. Joe Iovinelli, Manhard Consulting (via email)
TNP, PGW2, EEI (Via e-mail)



**ENGINEER'S OPINION OF PROBABLE COST
GRANDE RESERVE - UNITS 18 AND 25
YORKVILLE, IL
09/18/24**

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION
SCHEDULE I - EXCAVATION AND GRADING IMPROVEMENTS					
1	Mobilization	1	LUMP SUM	\$20,000.00	\$20,000.00
2	Silt Fence (Non-Wire Back)	3700	LF	\$2.75	\$10,175.00
3	Tree Protection Fence	126	LF	\$5.00	\$630.00
5	Concrete Washout	1	EACH	\$4,500.00	\$4,500.00
6	Construction Entrance	2	LUMP SUM	\$5,000.00	\$10,000.00
10	6" Topsoil Respread and Seeding	1900	SY	\$3.50	\$6,650.00
TOTAL SCHEDULE I - EXCAVATION AND GRADING IMPROVEMENTS					\$51,955.00
SCHEDULE II - UNDERGROUND IMPROVEMENTS					
A. SANITARY SEWER IMPROVEMENTS					
3	8" PVC Sanitary Sewer	2837	LF	\$47.00	\$133,339.00
4	4' Diameter Manhole	19	EACH	\$3,770.00	\$71,630.00
5	Trench Backfill	1522	LF	\$52.00	\$79,144.00
6	Televise Sanitary Sewer	2837	LF	\$4.00	\$11,348.00
7	Connection to Existing Manhole	2	EACH	\$2,800.00	\$5,600.00
SUBTOTAL A - SANITARY SEWER IMPROVEMENTS					\$301,061.00
B. WATER MAIN IMPROVEMENTS					
1	8" DI Water Main	5500	LF	\$85.00	\$467,500.00
2	8" Valve and Box	15	EACH	\$2,200.00	\$33,000.00
5	Fire Hydrant with Auxiliary Valve	14	EACH	\$6,000.00	\$84,000.00
6	Trench Backfill	1990	LF	\$35.00	\$69,650.00
7	Dry Connection	2	EACH	\$2,000.00	\$4,000.00
SUBTOTAL B - WATER MAIN IMPROVEMENTS					\$658,150.00
C. STORM SEWER IMPROVEMENTS					
1	12" RCP Storm Sewer Pipe	1020	LF	\$34.25	\$34,935.00
2	15" RCP Storm Sewer Pipe	1065	LF	\$38.00	\$40,470.00
3	18" RCP Storm Sewer Pipe	870	LF	\$43.00	\$37,410.00
4	21" RCP Storm Sewer Pipe	475	LF	\$55.00	\$26,125.00
5	24" RCP Storm Sewer Pipe	1015	LF	\$63.00	\$63,945.00
6	27" RCP Storm Sewer Pipe	475	LF	\$73.50	\$34,912.50
7	30" RCP Storm Sewer Pipe	175	LF	\$83.00	\$14,525.00
8	2'-0" Diameter Inlet	16	EACH	\$1,550.00	\$24,800.00
9	4'-0" Diameter Catch Basin	13	EACH	\$2,900.00	\$37,700.00
10	4'-0" Diameter Manhole	19	EACH	\$2,795.00	\$53,105.00
11	5'-0" Diameter Catch Basin	1	EACH	\$4,400.00	\$4,400.00
12	5'-0" Diameter Manhole	5	EACH	\$3,470.00	\$17,350.00
13	6'-0" Diameter Manhole	5	EACH	\$4,739.00	\$23,695.00
14	24" Flared End Section w/ Grate	1	EACH	\$2,600.00	\$2,600.00
15	Trench Backfill	205	LF	\$14.50	\$2,972.50
16	Inlet Filter	71	EACH	\$350.00	\$24,850.00
SUBTOTAL C - STORM SEWER IMPROVEMENTS					\$443,795.00
TOTAL SCHEDULE II - UNDERGROUND IMPROVEMENTS (A-C)					\$1,403,006.00

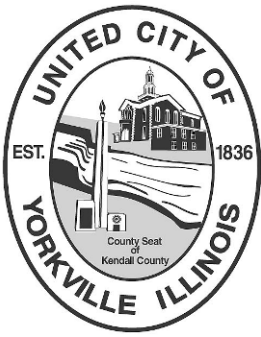


ENGINEER'S OPINION OF PROBABLE COST
GRANDE RESERVE - UNITS 18 AND 25
YORKVILLE, IL
09/18/24

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION
SCHEDULE III - ON-SITE ROADWAY IMPROVEMENTS					
1	Subgrade Preparation - Fine Grading	20679	SY	\$1.50	\$31,018.50
2	Aggregate Base Course - 10"	15288	SY	\$15.00	\$229,320.00
3	Hot-Mix Asphalt Binder Course, N50 - 2.5"	15288	SY	\$12.50	\$191,100.00
4	Hot-Mix Asphalt Surface Course, N50 - 1.5"	15288	SY	\$8.50	\$129,948.00
5	Concrete Curb Type B-6.12	7294	LF	\$18.00	\$131,292.00
6	PCC Sidewalk - 5" with Subbase	30284	SF	\$6.75	\$204,417.00
7	Street Lights	11	EACH	\$7,000.00	\$77,000.00
TOTAL SCHEDULE III - ON-SITE ROADWAY IMPROVEMENTS					\$994,095.50
SUBTOTAL SCHEDULES I-III					\$2,449,056.50
CONTINGENCY @ 10%					\$244,905.65
TOTAL					\$2,693,962.15

Prepared By: Manhard Consulting, Ltd.
333 East Butterfield Road
Lombard, Illinois 60148

NOTE: This Engineer's Opinion of Probable Cost is made on the basis of Engineer's experience and qualifications using plan quantities and represents Engineer's best judgment as an experienced and qualified professional engineer generally familiar with the construction industry. However, since the Engineer has no control over the cost of labor, materials, equipment or services furnished by others, or over the Contractor's methods of determining prices, or over competitive bidding or market conditions, or over quantities of work actually performed, Engineer cannot and does not guarantee that proposals, bids or actual Construction Cost will not vary from Opinions of Probable Cost prepared by Engineer. This Opinion of Probable Construction Cost is limited to those items stated herein and does not include permit fees, recapture costs, consultant fees landscaping, dewatering, maintenance, bonds or the like.



Memorandum

To: Planning & Zoning Commission
From: Krysti J. Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Sara Mendez, Planner I
Date: November 5, 2024
Subject: **PZC 2024-28 Grande Reserve – Unit 21 (Final Plat)**
Proposed Approval of 60 New Duplexes (30 Lots) in Grande Reserve

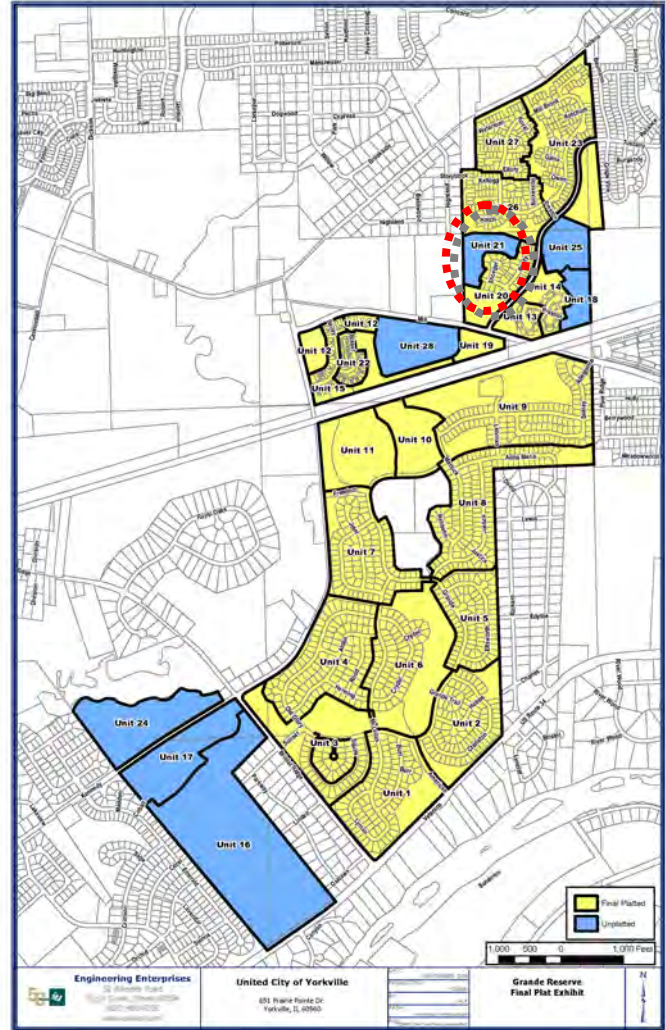
REQUEST SUMMARY:

The petitioner, Cesar Cruz on behalf of GR Yorkville Residents, LLC, owner, is seeking Final Plat approval for an approximately 10-acre site consisting of 60 new residential duplex dwelling units on 30 lots located west of the intersection of Crooker Drive and Brady Street in Yorkville. These lots will complete Neighborhood 2 and, along with Units 18 and 25, this portion north of Mill Road in the Grande Reserve development (refer to map on the right).

The proposed 60 units reflect a minor reduction of four (4) units from the originally planned and approved PUD for this location under the 2003 annexation agreement. Furthermore, the petitioner is requesting approval of architectural style guidelines for the duplex building facades within the proposed final platted sections, as stipulated by both the initial annexation agreement and a 2021 economic incentive agreement.

ZONING AND LAND USE:

The subject property was annexed in 2003 and was zoned R-2 Single-Family Traditional Residence District with a special use for a Planned Unit Development (PUD). The following are the current immediate surrounding zoning and land uses:

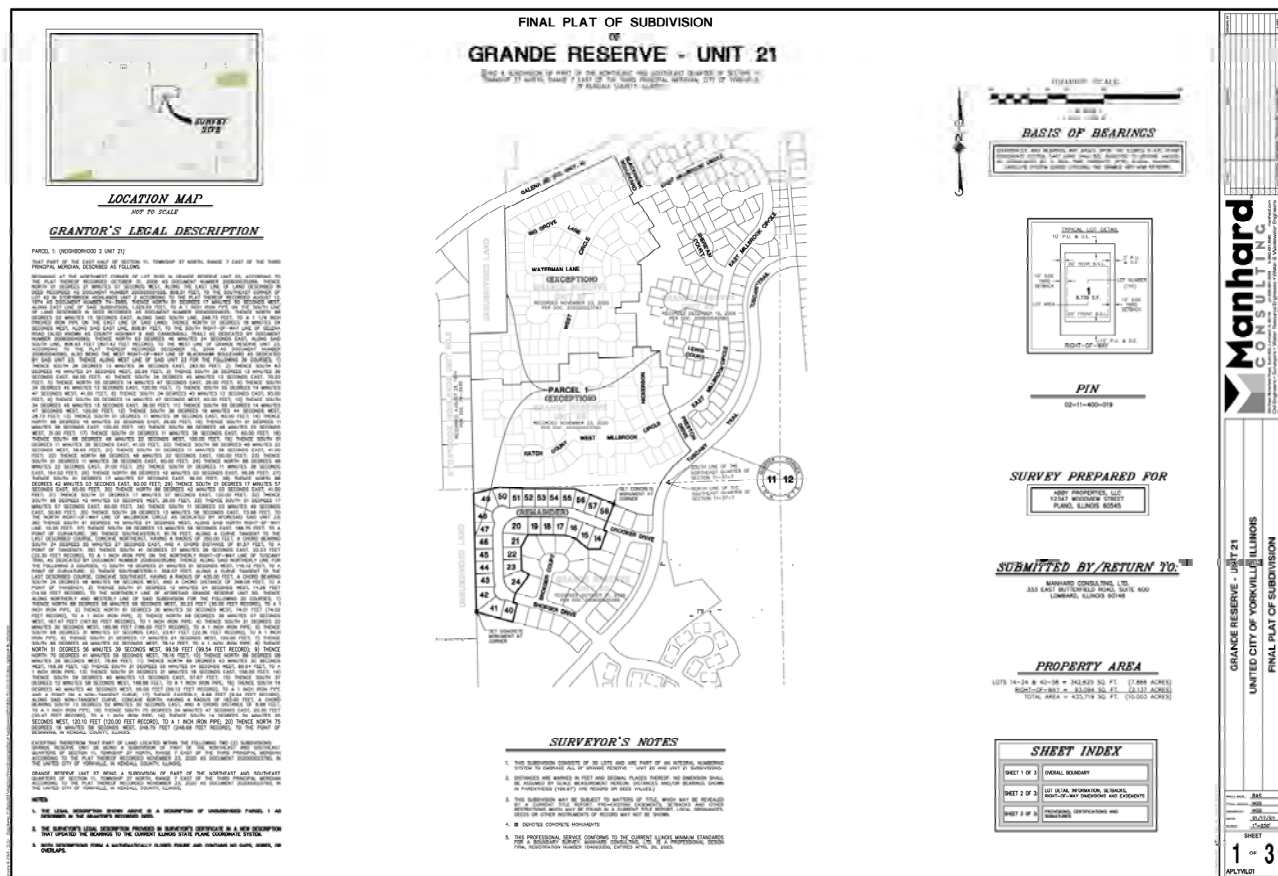


	Zoning	Land Use
North	R-2 Planned Unit Development (Grande Reserve)	Residential
South	R-2 Planned Unit Development (Grande Reserve)	Residential
East	R-2 Planned Unit Development (Grande Reserve)	Residential
West	R-1 and B-3 Planned Unit Development (Cross Evangelical Lutheran)	Loving Arms Child Care

The Preliminary/Final Plats for Unit 21 were approved by the City Council in July 2006 but were never recorded, and they have since expired. The proposed Final Plat of Subdivision generally aligns with the originally approved plans, though it shows minor differences in the number of units compared to the Concept PUD Plan.

Below is a comparison of the dwelling unit count in the approved Concept Plan PUD (Group Exhibit “C”) and the proposed final plat unit count for each section within Neighborhood 2:

NEIGHBORHOOD 2 (UNIT)	UNIT TYPE	APPROVED DWELLING UNITS CONCEPT PUD PLAN	PROPOSED/APPROVED DWELLING UNITS FINAL PLAT
Unit 20	DU	62	62
Unit 21	DU	64	60
TOTAL		126	122



Per Exhibit “D7” of the Annexation Agreement, the overall approved maximum density for Neighborhood 2 is 6 units/acre (126 units on 24.9 acres). With the proposed reduction of four (4) dwelling units (2 lots) in Neighborhood 2, the density remains relatively unchanged.

The area breakdown of the proposed final platted areas are as follows:

UNIT 21 - AREA SUMMARY		
<i>Land Type</i>	<i>Acres</i>	<i>Square Feet</i>
Lots	7.866	342,625
Dedicated Right of Way (Public Streets)	2.137	93,094
<i>TOTAL</i>	10.003 Acres	435,719 SF

Building Setbacks:

Proposed lot setbacks for front, side, and perimeter yards are consistent with the requirements established for parcels located in Neighborhoods 2, per “Exhibit E-1 Grande Reserve Variance Schedule for Neighborhoods 2-19” of the Annexation Agreement, as detailed below:

BULK REGULATIONS	REQUIRED MINIMUM	PROPOSED
Minimum Lot Size	10,000 sq.ft.	10,080 sq. ft.
Minimum Lot Width	75 ft.	75 ft.
Front Yard	30 ft.	30 ft.
Side (Corner) Yard	30 ft.	30 ft.
Side (Interior) Yard	10 ft.	10 ft.
Rear Yard	30 ft.	30ft.

Note, the Typical Lot Detail is inconsistent with the actual lot dimensions, specifically with regard to lot size (less than 10,000req.), front building setback (shows 20 ft.), and lot width is not provided. The petitioner will revise prior to recordation of the Final Plat.

ANNEXATION AGREEMENT

The original annexation agreement and the subsequent economic incentive agreement had provisions which apply to specific units within Grande Reserve and conditions for final plat approval. Below are applicable provisions to Unit 21 (Neighborhood 2).

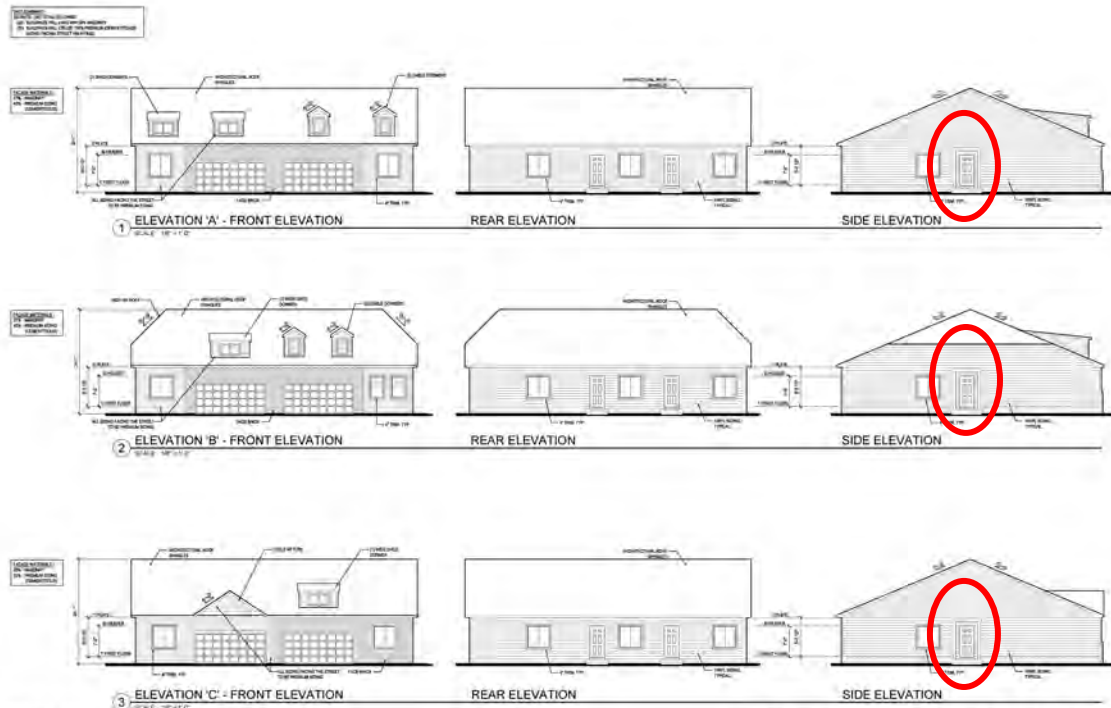
Declarations of CCRs

According to Group Exhibit “D,” paragraph B of the Annexation Agreement, the developer must submit a copy of the proposed Declaration of Covenants, Restrictions, and Easements for the City’s review. These declarations are to be recorded simultaneously with the final plat for each development phase. Upon recordation, this section of Grande Reserve will become part of the existing master association, the Grande Reserve North Community Association, as well as the Pioneer Place sub-association, as updated and redefined in a document recorded in September 2020.

APPEARANCE STANDARDS

In the original Annexation Agreement (Ord. 2003-44), Architectural Design Standards for townhome development were established, along with conceptual building elevations provided in Exhibit “D2”. Owners and developers must provide standards regulating façade materials, accessory structures, and other building restrictions for each neighborhood in Grande Reserve. The standards must meet or exceed the City’s current appearance standards and also cover aspects such as color schemes, deck and patio specifications, fence specifications, restrictions on accessory buildings, housing styles, minimum square footage, building materials, and roof specifications. Areas not yet platted must submit architectural standards at the time of final plat submission.

GR Yorkville Residents, LLC has submitted plan elevations prepared by Abby Properties, LLC for the duplex models proposed in Unit 21. The duplexes will feature three (3) elevation options including architectural shingles, shed and gable-style decorative dormers, face brick, covered porch, and cementitious based premium siding on front elevations. The one-story ranch duplex will have front-loaded garages and a basement, ranging between 1,142 – 1,400 square feet per unit.



ELEVATIONS

ABBY PROPERTIES, LLC

GRAND RESERVE - UNIT 21 DUPLEX
YORKVILLE, IL

2



① ELEVATION 'A'
SCALE 1/8" = 1'-0"



③ ELEVATION 'C'
SCALE 1/8" = 1'-0"



② ELEVATION 'B'
SCALE 1/8" = 1'-0"

COLOR ELEVATIONS

ABBY PROPERTIES, LLC

GRAND RESERVE - UNIT 21 DUPLEX
YORKVILLE, IL

3

According to Chapter 10-5-8 of the Unified Development Ordinance (UDO), the City's Appearance Standards mandate that at least 75% of the total buildings incorporate masonry products on their front facades. Additionally, these facades must include a minimum of 50% premium siding material. Of this premium siding requirement, at least 25% must be masonry products. Credit towards fulfilling the premium siding requirement can be earned by using major architectural features, with each feature providing a 10% credit. Premium siding materials encompass masonry products, cultured stone, natural wood siding, and synthetic stucco.

The provided data table below compares and calculates the elevations to ensure compliance with these UDO Appearance Standards.

Duplex Elevation Plans (Unit 21)		
<i>Appearance Code Requirements</i>		<i>Proposed Elevation</i>
Masonry product	75% of total buildings	23 of 30 buildings will have min. 50% masonry on façade (76%)
Premium Siding	50% on front façade – excluding openings	43% - 50% Premium Siding Material
Masonry Siding	25% of premium siding	50% - 57% Masonry Siding
Credit for major architectural feature	10% each	20% credit (dormers = yellow; covered porches = red) *Meets Minimum 30% of premium siding requirement

Below are examples of constructed duplex homes in the adjacent unit southeast of this portion of the subdivision, Unit 20:



Although the proposed elevations meet the minimum appearance standards of the Unified Development Ordinance, **staff recommends adding further architectural details to the front elevations.** Staff recommended enhancements include incorporating shutters on dormers and windows, as well as adding bay or projecting windows to increase architectural interest.

Staff Comments:

The proposed Final Plat of Resubdivision has been reviewed by the City's engineering consultant, Engineering Enterprises Inc., for compliance with the Subdivision Control Ordinance's Standards for Specification. Comments dated October 9, 2024 was provided to the applicant (see attached). Based upon the review of the proposed Final Plat of Subdivision of Grande Reserve Unit 21, the City Engineer has found the plat to be acceptable with regards to the current subdivision control regulations.

Proposed Motion:

In consideration of the proposed Final Plat of Subdivision of Grande Reserve Unit 21, the Planning and Zoning Commission recommends approval of the plat and architectural elevations to the City Council as presented by the Petitioner in plans prepared by Manhard Consulting, Ltd. dated last revised 02/07/24 and further subject to {insert any additional conditions of the Planning and Zoning Commission}...

Attachments:

1. Copy of Petitioner's Application
2. Final Plat of Subdivision of Grande Reserve Unit 21 prepared by Manhard Consulting Ltd., dated last revised 02/07/24.
3. Grande Reserve – Unit 21 Duplex Elevations prepared by Abby Properties, LLC.
4. EEI Letter to the City dated March 25, 2024.
5. Plan Council – October 10, 2024



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 FINAL PLAT/REPLAT

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 _____ - 5 = _____ x \$10 = _____ + \$250 = \$ _____ # of Acres Acres over 5 Amount for Extra Acres Total Amount		Total: \$
ZONING VARIANCE	<input type="checkbox"/> \$85.00 + \$500.00 outside consultants deposit		Total: \$
PRELIMINARY PLAN FEE	<input type="checkbox"/> \$500.00		Total: \$
PUD FEE	<input type="checkbox"/> \$500.00		Total: \$
FINAL PLAT FEE	<input checked="" type="checkbox"/> \$500.00		Total: \$ 500
ENGINEERING PLAN REVIEW DEPOSIT	<input type="checkbox"/> Less than 1 acre <input type="checkbox"/> Over 1 acre, less than 10 acres <input checked="" 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: \$ 15000
OUTSIDE CONSULTANTS DEPOSIT	<i>Legal, land planner, zoning coordinator, environmental services</i> For Annexation, Subdivision, Rezoning, and Special Use: <input type="checkbox"/> Less than 2 acres <input type="checkbox"/> Over 2 acres, less than 10 acres <input checked="" type="checkbox"/> Over 10 acres		Total: \$ 5,000
TOTAL AMOUNT DUE:			\$20,500

[illegible]



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 FINAL PLAT/REPLAT

ATTORNEY INFORMATION

NAME: Mark C. Metzger COMPANY: Law Office of Mark C. Metzger
MAILING ADDRESS: 1807 W. Diehl Road, Suite 105
CITY, STATE, ZIP: Naperville, IL 60563 TELEPHONE: 630.615.6380
EMAIL: FAX: 630.225.5056

ENGINEER INFORMATION

NAME: Dave Riendeau COMPANY: Manhard Consulting
MAILING ADDRESS: 333 Butterfield Road, Suite 600
CITY, STATE, ZIP: Lombard, IL 60148 TELEPHONE: 630-925-1074
EMAIL: driendeau@manhard.com FAX:

LAND PLANNER/SURVEYOR INFORMATION

NAME: Marcus Schmitt COMPANY: Manhard Consulting
MAILING ADDRESS: 333 Butterfield Road, Suite 600
CITY, STATE, ZIP: Lombard, IL 60148 TELEPHONE: 630-925-1108
EMAIL: mschmitt@manhard.com FAX:

ATTACHMENTS

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

AGREEMENT

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

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

PETITIONER SIGNATURE

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

OWNER SIGNATURE

OFFICIAL SEAL
JENNIFER GARCIA
Notary Public - State of Illinois
My Commission Expires Aug. 8, 2026

OFFICIAL SEAL
JENNIFER GARCIA
Notary Public - State of Illinois
My Commission Expires Aug. 8, 2026



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

APPLICANT DEPOSIT ACCOUNT/ ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY

PROJECT NAME:	FUND ACCOUNT NUMBER:	PROPERTY ADDRESS: 2753 Crooker Dr, Yorkville, IL 60560	
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: Luz Padilla		COMPANY: GR Yorkville Residential, LLC	
MAILING ADDRESS: 12347 Woodview Street			
CITY, STATE, ZIP: Plano, IL 60545		TELEPHONE: 773-383-5826	
EMAIL: cesar@abbyproperties.llc		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. Luz Padilla PRINT NAME <i>Luz Maria Padilla</i> SIGNATURE* Owner TITLE 9/11/24 DATE <small>*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)</small>			
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		



EXHIBIT A
Legal Description

Unit 21

THAT PART OF THE EAST HALF OF SECTION 11, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 3030 IN GRANDE RESERVE UNIT 20, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 31, 2006 AS DOCUMENT NUMBER 200600035289; THENCE NORTH 01 DEGREES 21 MINUTES 18 SECONDS WEST, ALONG THE EAST LINE OF LAND DESCRIBED IN DEED RECORDED AS DOCUMENT NUMBER 200500001028, 780.69 FEET; THENCE NORTH 76 DEGREES 07 MINUTES 45 SECONDS EAST, 176.09 FEET; THENCE SOUTH 86 DEGREES 36 MINUTES 11 SECONDS EAST, 152.80 FEET; THENCE SOUTH 89 DEGREES 42 MINUTES 05 SECONDS EAST, 344.84 FEET; THENCE SOUTH 68 DEGREES 37 MINUTES 33 SECONDS EAST, 278.53 FEET TO THE WESTERLY LINE OF AFORESAID GRANDE RESERVE UNIT 20; THENCE ALONG THE WESTERLY LINE OF SAID UNIT 20 FOR THE FOLLOWING SEVENTEEN (17) COURSES: 1) THENCE SOUTH 21 DEGREES 21 MINUTES 11 SECONDS WEST, 186.00 FEET;

2) THENCE SOUTH 68 DEGREES 38 MINUTES 49 SECONDS EAST, 23.36 FEET; 3) THENCE SOUTH 21 DEGREES 21 MINUTES 11 SECONDS WEST, 120.00 FEET; 4) THENCE SOUTH 89 DEGREES 49 MINUTES 06 SECONDS WEST, 78.14 FEET; 5) THENCE NORTH 51 DEGREES 54 MINUTES 01 SECONDS WEST, 99.54 FEET; 6) THENCE NORTH 70 DEGREES 41 MINUTES 59 SECONDS WEST, 78.16 FEET; 7) THENCE NORTH 88 DEGREES 08 MINUTES 29 SECONDS WEST, 78.84 FEET; 8) THENCE NORTH 89 DEGREES 43 MINUTES 31 SECONDS WEST, 168.36 FEET; 9) THENCE SOUTH 31 DEGREES 05 MINUTES 04 SECONDS WEST, 89.64 FEET; 10) THENCE SOUTH 01 DEGREES 21 MINUTES 18 SECONDS EAST, 158.00 FEET; 11) THENCE SOUTH 59 DEGREES 42 MINUTES 37 SECONDS EAST, 57.67 FEET; 12) THENCE SOUTH 37 DEGREES 13 MINUTES 07 SECONDS WEST, 148.98 FEET; 13) THENCE SOUTH 14 DEGREES 40 MINUTES 46 SECONDS WEST, 66.12 FEET TO A POINT ON A NON-TANGENT CURVE; 14) THENCE EASTERLY, ALONG A CURVE, CONCAVE TO THE NORTH, HAVING A RADIUS OF 183.00 FEET, AN ARC DISTANCE OF 8.95 FEET, A CHORD BEARING SOUTH 73 DEGREES 55 MINUTES 38 SECONDS EAST, AND A CHORD DISTANCE OF 8.95 FEET TO A POINT OF TANGENCY; 15) THENCE SOUTH 75 DEGREES 19 MINUTES 43 SECONDS EAST, 20.47 FEET; 16) THENCE SOUTH 14 DEGREES 40 MINUTES 17 SECONDS WEST, 120.00 FEET; 17) THENCE NORTH 75 DEGREES 19 MINUTES 43 SECONDS WEST, 248.68 FEET TO THE POINT OF BEGINNING, ALL IN KENDALL COUNTY, ILLINOIS.



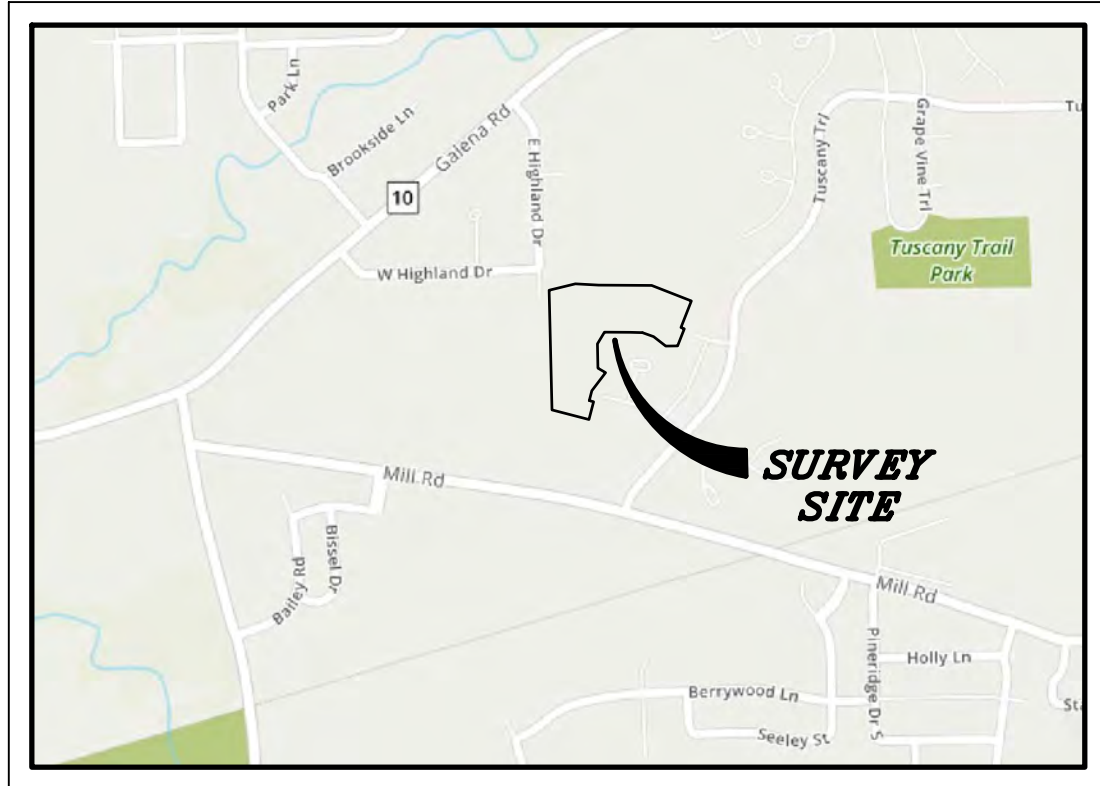
EXHIBIT B
Lot Areas and Dimensions

Unit 21

Lot 14 =	11427.649 SQ.FT.	(0.262 Acres)
Lot 15	11141.579 SQ.FT.	(0.256 Acres)
Lot 16	10884.794 SQ.FT.	(0.25 Acres)
Lot 17	10781.467 SQ.FT.	(0.248 Acres)
Lot 18	10080 SQ.FT.	(0.231 Acres)
Lot 19	10122.725 SQ.FT.	(0.232 Acres)
Lot 20	16157.83 SQ.FT.	(0.371 Acres)
Lot 21	12386.708 SQ.FT.	(0.284 Acres)
Lot 22	10080 SQ.FT.	(0.231 Acres)
Lot 23	11279.965 SQ.FT.	(0.259 Acres)
Lot 24	13979.52 SQ.FT.	(0.321 Acres)
Lot 40	10284.02 SQ.FT.	(0.236 Acres)
Lot 41	14609.805 SQ.FT.	(0.335 Acres)
Lot 42	14614.808 SQ.FT.	(0.336 Acres)
Lot 43	10280.905 SQ.FT.	(0.236 Acres)
Lot 44	10080 SQ.FT.	(0.231 Acres)
Lot 45	10080 SQ.FT.	(0.231 Acres)
Lot 46	10080 SQ.FT.	(0.231 Acres)
Lot 47	10562.877 SQ.FT.	(0.242 Acres)
Lot 48	12356.742 SQ.FT.	(0.284 Acres)
Lot 49	16454.138 SQ.FT.	(0.378 Acres)
Lot 50	11850.285 SQ.FT.	(0.272 Acres)
Lot 51	10614.037 SQ.FT.	(0.244 Acres)
Lot 52	10102.613 SQ.FT.	(0.232 Acres)
Lot 53	10097.857 SQ.FT.	(0.232 Acres)
Lot 54	10094.928 SQ.FT.	(0.232 Acres)
Lot 55	11156.682 SQ.FT.	(0.256 Acres)
Lot 56	10817.551 SQ.FT.	(0.248 Acres)
Lot 57	10084.249 SQ.FT.	(0.232 Acres)
Lot 58	10081.663 SQ.FT.	(0.231 Acres)
ROW	93093.374 SQ.FT.	(2.137 Acres)
TOTAL AREA = 435719 SQ. FT.		(10.03 ACRES)

FINAL PLAT OF SUBDIVISION
OF
GRANDE RESERVE - UNIT 21

BEING A SUBDIVISION OF PART OF THE NORTHEAST AND SOUTHEAST QUARTER OF SECTION 11,
TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, CITY OF YORKVILLE,
IN KENDALL COUNTY, ILLINOIS.



LOCATION MAP

NOT TO SCALE

GRANTOR'S LEGAL DESCRIPTION

PARCEL 1: (NEIGHBORHOOD 2 UNIT 21)

THAT PART OF THE EAST HALF OF SECTION 11, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

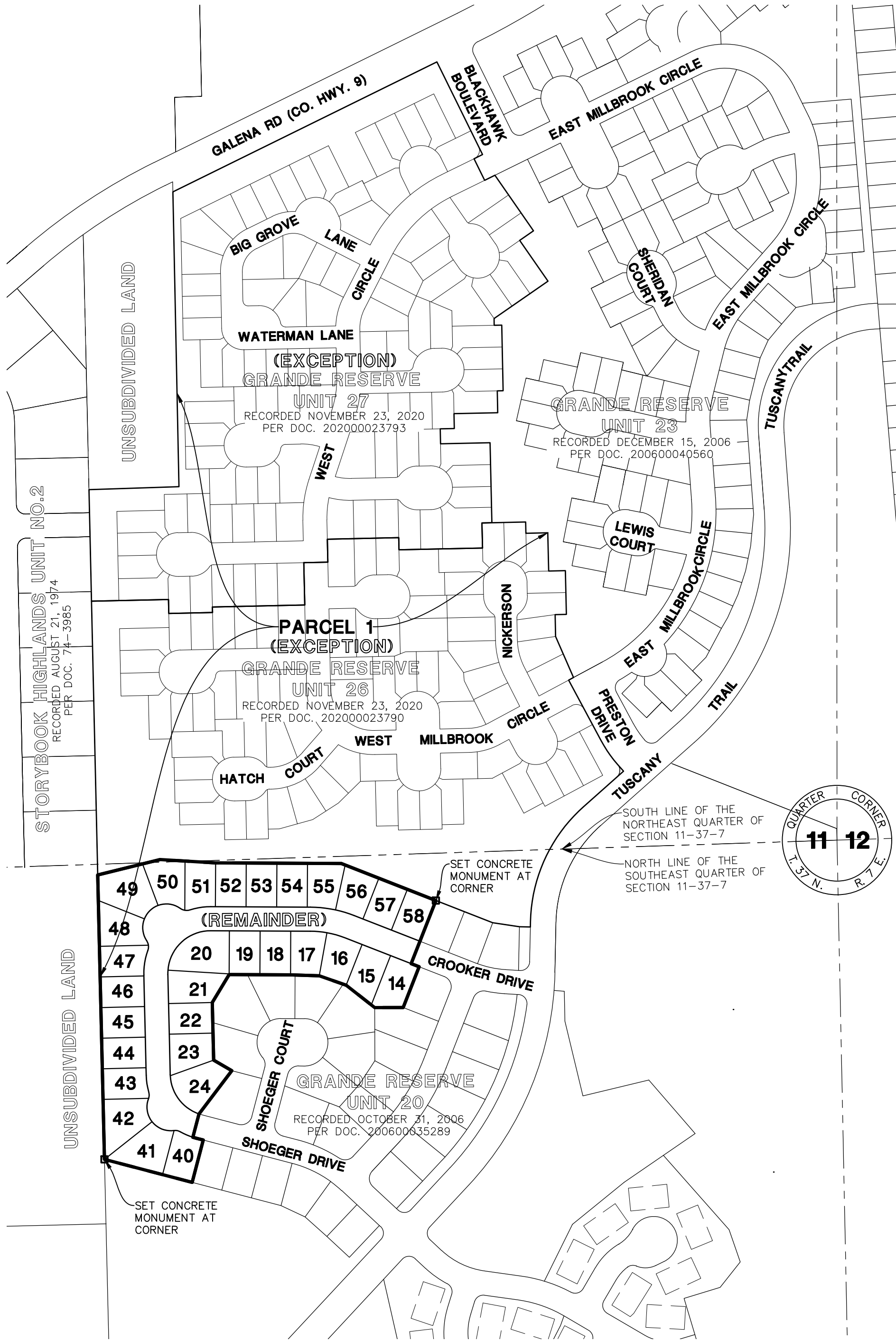
BEGINNING AT THE NORTHWEST CORNER OF LOT 3030 IN GRANDE RESERVE UNIT 20, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 31, 2006 AS DOCUMENT NUMBER 200600035289; THENCE NORTH 01 DEGREES 21 MINUTES 07 SECONDS WEST, ALONG THE EAST LINE OF LAND DESCRIBED IN DEED RECORDED AS DOCUMENT NUMBER 200500001028, 808.51 FEET, TO THE SOUTHEAST CORNER OF LOT 42 IN STORYBROOK HIGHLANDS UNIT 2 ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 12, 1974 AS DOCUMENT NUMBER 74-3985; THENCE NORTH 01 DEGREES 17 MINUTES 50 SECONDS WEST, ALONG EAST LINE OF SAID SUBDIVISION, 1,029.69 FEET, TO A 1 INCH IRON PIPE ON THE SOUTH LINE OF LAND DESCRIBED IN DEED RECORDED AS DOCUMENT NUMBER 200400024625; THENCE NORTH 88 DEGREES 02 MINUTES 15 SECONDS EAST, ALONG SAID SOUTH LINE, 248.73 FEET, TO A 1 1/4 INCH PINCHED IRON PIPE ON THE EAST LINE OF SAID LAND; THENCE NORTH 01 DEGREES 18 MINUTES 04 SECONDS WEST, ALONG SAID EAST LINE, 808.81 FEET, TO THE SOUTH RIGHT-OF-WAY LINE OF GLENA ROAD (ALSO KNOWN AS COUNTY HIGHWAY 9 AND CANNONBALL TRAIL) AS DEDICATED BY DOCUMENT NUMBER 200600040560; THENCE NORTH 68 DEGREES 46 MINUTES 24 SECONDS EAST, ALONG SAID SOUTH LINE, 806.93 FEET (807.42 FEET RECORDED), TO THE WEST LINE OF GRANDE RESERVE UNIT 23, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 15, 2006 AS DOCUMENT NUMBER 200600040560, ALSO BEING THE WEST RIGHT-OF-WAY LINE OF BLACKHAWK BOULEVARD AS DEDICATED BY SAID UNIT 23; THENCE ALONG WEST LINE OF SAID UNIT 23 FOR THE FOLLOWING 39 COURSES: 1) THENCE SOUTH 26 DEGREES 13 MINUTES 36 SECONDS EAST, 283.50 FEET; 2) THENCE SOUTH 63 DEGREES 46 MINUTES 24 SECONDS WEST, 25.99 FEET; 3) THENCE SOUTH 26 DEGREES 13 MINUTES 36 SECONDS EAST, 66.00 FEET; 4) THENCE SOUTH 34 DEGREES 45 MINUTES 13 SECONDS EAST, 70.22 FEET; 5) THENCE NORTH 55 DEGREES 14 MINUTES 47 SECONDS EAST, 26.00 FEET; 6) THENCE SOUTH 34 DEGREES 45 MINUTES 13 SECONDS EAST, 120.00 FEET; 7) THENCE SOUTH 55 DEGREES 14 MINUTES 47 SECONDS WEST, 41.00 FEET; 8) THENCE SOUTH 34 DEGREES 45 MINUTES 13 SECONDS EAST, 95.00 FEET; 9) THENCE SOUTH 55 DEGREES 14 MINUTES 47 SECONDS WEST, 60.00 FEET; 10) THENCE SOUTH 34 DEGREES 45 MINUTES 13 SECONDS EAST, 36.00 FEET; 11) THENCE SOUTH 55 DEGREES 14 MINUTES 47 SECONDS WEST, 120.00 FEET; 12) THENCE SOUTH 36 DEGREES 18 MINUTES 44 SECONDS WEST, 28.73 FEET; 13) THENCE SOUTH 01 DEGREES 11 MINUTES 38 SECONDS EAST, 60.00 FEET; 14) THENCE NORTH 88 DEGREES 48 MINUTES 22 SECONDS EAST, 36.00 FEET; 15) THENCE SOUTH 01 DEGREES 11 MINUTES 38 SECONDS EAST, 120.00 FEET; 16) THENCE SOUTH 88 DEGREES 48 MINUTES 22 SECONDS WEST, 31.00 FEET; 17) THENCE SOUTH 01 DEGREES 11 MINUTES 38 SECONDS EAST, 60.00 FEET; 18) THENCE SOUTH 88 DEGREES 48 MINUTES 22 SECONDS WEST, 100.00 FEET; 19) THENCE SOUTH 01 DEGREES 11 MINUTES 38 SECONDS EAST, 41.00 FEET; 20) THENCE SOUTH 88 DEGREES 48 MINUTES 22 SECONDS WEST, 38.65 FEET; 21) THENCE SOUTH 01 DEGREES 11 MINUTES 38 SECONDS EAST, 41.00 FEET; 22) THENCE NORTH 88 DEGREES 48 MINUTES 22 SECONDS EAST, 100.00 FEET; 23) THENCE SOUTH 01 DEGREES 11 MINUTES 38 SECONDS EAST, 60.00 FEET; 24) THENCE NORTH 88 DEGREES 48 MINUTES 22 SECONDS EAST, 31.00 FEET; 25) THENCE SOUTH 01 DEGREES 11 MINUTES 38 SECONDS EAST, 164.53 FEET; 26) THENCE NORTH 88 DEGREES 42 MINUTES 03 SECONDS EAST, 98.08 FEET; 27) THENCE SOUTH 01 DEGREES 17 MINUTES 57 SECONDS EAST, 36.00 FEET; 28) THENCE NORTH 88 DEGREES 42 MINUTES 03 SECONDS EAST, 60.00 FEET; 29) THENCE SOUTH 01 DEGREES 17 MINUTES 57 SECONDS EAST, 95.00 FEET; 30) THENCE NORTH 88 DEGREES 42 MINUTES 03 SECONDS EAST, 41.00 FEET; 31) THENCE SOUTH 01 DEGREES 17 MINUTES 57 SECONDS EAST, 120.00 FEET; 32) THENCE SOUTH 88 DEGREES 42 MINUTES 03 SECONDS WEST, 26.00 FEET; 33) THENCE SOUTH 01 DEGREES 17 MINUTES 57 SECONDS EAST, 60.00 FEET; 34) THENCE SOUTH 11 DEGREES 03 MINUTES 49 SECONDS EAST, 50.60 FEET; 35) THENCE SOUTH 28 DEGREES 13 MINUTES 56 SECONDS EAST, 73.98 FEET, TO THE NORTH RIGHT-OF-WAY LINE OF MILLBROOK CIRCLE AS DEDICATED BY AFORESAID SAID UNIT 23; 36) THENCE SOUTH 61 DEGREES 46 MINUTES 04 SECONDS WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, 10.20 FEET; 37) THENCE SOUTH 28 DEGREES 13 MINUTES 56 SECONDS EAST, 188.75 FEET, TO A POINT OF CURVATURE; 38) THENCE SOUTHEASTERLY, 81.76 FEET, ALONG A CURVE TANGENT TO THE LAST DESCRIBED COURSE, CONCAVE NORTHEAST, HAVING A RADIUS OF 350.00 FEET, A CHORD BEARING SOUTH 34 DEGREES 55 MINUTES 27 SECONDS EAST, AND A CHORD DISTANCE OF 81.57 FEET, TO A POINT OF TANGENCY; 39) THENCE SOUTH 41 DEGREES 37 MINUTES 26 SECONDS EAST, 22.23 FEET (22.30 FEET RECORDED), TO A 1 INCH IRON PIPE ON THE NORTHERLY RIGHT-OF-WAY LINE OF TUSCANY TRAIL AS DEDICATED BY DOCUMENT NUMBER 200600035289; THENCE ALONG SAID NORTHERLY LINE FOR THE FOLLOWING 3 COURSES: 1) SOUTH 48 DEGREES 21 MINUTES 51 SECONDS WEST, 146.12 FEET, TO A POINT OF CURVATURE; 2) THENCE SOUTHWESTERLY, 358.07 FEET, ALONG A CURVE TANGENT TO THE LAST DESCRIBED COURSE, CONCAVE SOUTHEAST, HAVING A RADIUS OF 435.00 FEET, A CHORD BEARING SOUTH 24 DEGREES 46 MINUTES 58 SECONDS WEST, AND A CHORD DISTANCE OF 348.05 FEET, TO A POINT OF TANGENCY; 3) THENCE SOUTH 01 DEGREES 12 MINUTES 04 SECONDS WEST, 14.26 FEET (14.59 FEET RECORDED), TO THE NORTHERLY LINE OF AFORESAID GRANDE RESERVE UNIT 20; THENCE ALONG NORTHERLY AND WESTERLY LINE OF SAID SUBDIVISION FOR THE FOLLOWING 20 COURSES: 1) THENCE NORTH 88 DEGREES 58 MINUTES 59 SECONDS WEST, 30.23 FEET (30.00 FEET RECORDED), TO A 1 INCH IRON PIPE; 2) THENCE NORTH 81 DEGREES 36 MINUTES 50 SECONDS WEST, 74.01 FEET (74.02 FEET RECORDED), TO A 1 INCH IRON PIPE; 3) THENCE NORTH 68 DEGREES 38 MINUTES 07 SECONDS WEST, 167.47 FEET (167.50 FEET RECORDED), TO 1 INCH IRON PIPE; 4) THENCE SOUTH 21 DEGREES 22 MINUTES 30 SECONDS WEST, 185.96 FEET (186.00 FEET RECORDED), TO A 1 INCH IRON PIPE; 5) THENCE SOUTH 68 DEGREES 31 MINUTES 07 SECONDS EAST, 23.47 FEET (22.36 FEET RECORDED), TO A 1 INCH IRON PIPE; 6) THENCE SOUTH 21 DEGREES 17 MINUTES 24 SECONDS WEST, 120.00 FEET; 7) THENCE SOUTH 89 DEGREES 49 MINUTES 02 SECONDS WEST, 78.14 FEET, TO A 1 INCH IRON PIPE; 8) THENCE NORTH 51 DEGREES 56 MINUTES 39 SECONDS WEST, 99.59 FEET (99.54 FEET RECORDED); 9) THENCE NORTH 70 DEGREES 41 MINUTES 59 SECONDS WEST, 78.16 FEET; 10) THENCE NORTH 88 DEGREES 08 MINUTES 28 SECONDS WEST, 78.84 FEET; 11) THENCE NORTH 89 DEGREES 43 MINUTES 30 SECONDS WEST, 168.36 FEET; 12) THENCE SOUTH 31 DEGREES 05 MINUTES 04 SECONDS WEST, 89.64 FEET, TO A 1 INCH IRON PIPE; 13) THENCE SOUTH 01 DEGREES 21 MINUTES 18 SECONDS EAST, 158.00 FEET; 14) THENCE SOUTH 59 DEGREES 40 MINUTES 13 SECONDS EAST, 57.67 FEET; 15) THENCE SOUTH 37 DEGREES 12 MINUTES 58 SECONDS WEST, 148.98 FEET, TO A 1 INCH IRON PIPE; 16) THENCE SOUTH 14 DEGREES 40 MINUTES 46 SECONDS WEST, 66.00 FEET (66.12 FEET RECORDED), TO A 1 INCH IRON PIPE AND A POINT ON A NON-TANGENT CURVE; 17) THENCE EASTERLY, 8.88 FEET (8.94 FEET RECORDED), ALONG SAID NON-TANGENT CURVE, CONCAVE NORTH, HAVING A RADIUS OF 183.00 FEET, A CHORD BEARING SOUTH 73 DEGREES 52 MINUTES 30 SECONDS EAST, AND A CHORD DISTANCE OF 8.88 FEET, TO A 1 INCH IRON PIPE; 18) THENCE SOUTH 75 DEGREES 34 MINUTES 47 SECONDS EAST, 20.30 FEET (20.47 FEET RECORDED), TO A 1 INCH IRON PIPE; 19) THENCE SOUTH 14 DEGREES 34 MINUTES 25 SECONDS WEST, 120.10 FEET (120.00 FEET RECORDED), TO A 1 INCH IRON PIPE; 20) THENCE NORTH 75 DEGREES 18 MINUTES 58 SECONDS WEST, 248.70 FEET (248.68 FEET RECORDED), TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS.

EXCEPTING THEREFROM THAT PART OF LAND LOCATED WITHIN THE FOLLOWING TWO (2) SUBDIVISIONS: GRANDE RESERVE UNIT 26 BEING A SUBDIVISION OF PART OF THE NORTHEAST AND SOUTHEAST QUARTERS OF SECTION 11, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 23, 2020 AS DOCUMENT 202000023790, IN THE UNITED CITY OF YORKVILLE, IN KENDALL COUNTY, ILLINOIS;

GRANDE RESERVE UNIT 27 BEING A SUBDIVISION OF PART OF THE NORTHEAST AND SOUTHEAST QUARTERS OF SECTION 11, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 23, 2020 AS DOCUMENT 202000023793, IN THE UNITED CITY OF YORKVILLE, IN KENDALL COUNTY, ILLINOIS;

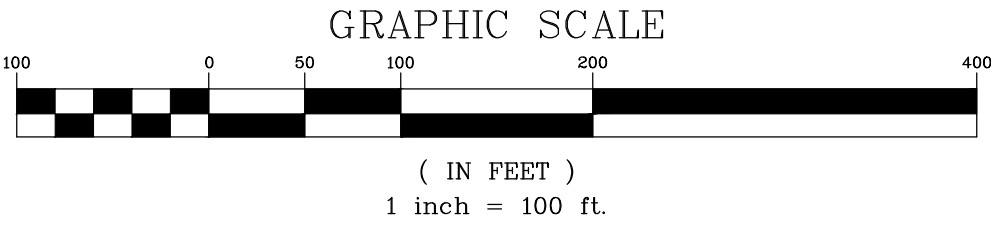
NOTES:

- THE LEGAL DESCRIPTION SHOWN ABOVE IS A DESCRIPTION OF UNSUBDIVIDED PARCEL 1 AS DESCRIBED IN THE GRANTOR'S RECORDED DEED.
- THE SURVEYOR'S LEGAL DESCRIPTION PROVIDED IN SURVEYOR'S CERTIFICATE IN A NEW DESCRIPTION THAT UPDATED THE BEARINGS TO THE CURRENT ILLINOIS STATE PLANE COORDINATE SYSTEM.
- BOTH DESCRIPTIONS FORM A MATHEMATICALLY CLOSED FIGURE AND CONTAINS NO GAPS, GORES, OR OVERLAPS.



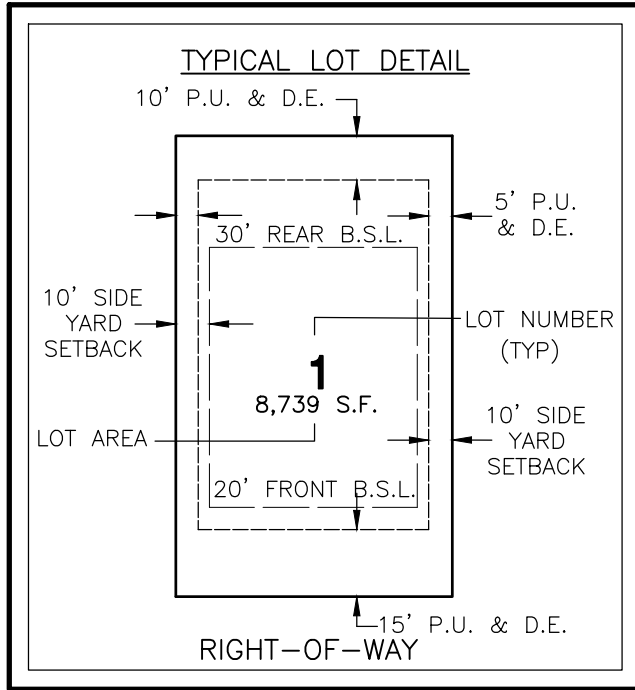
SURVEYOR'S NOTES

- THIS SUBDIVISION CONSISTS OF 30 LOTS AND ARE PART OF AN INTEGRAL NUMBERING SYSTEM TO EMBRACE ALL OF GRANDE RESERVE - UNIT 20 AND UNIT 21 SUBDIVISIONS.
- DISTANCES ARE MARKED IN FEET AND DECIMAL PLACES THEREOF. NO DIMENSION SHALL BE ASSUMED BY SCALE MEASUREMENT HEREON. DISTANCES AND/OR BEARINGS SHOWN IN PARENTHESIS (456.67') ARE RECORD OR DEED VALUES.)
- THIS SUBDIVISION MAY BE SUBJECT TO MATTERS OF TITLE, WHICH MAY BE REVEALED BY A CURRENT TITLE REPORT. PRE-EXISTING EASEMENTS, SETBACKS AND OTHER RESTRICTIONS WHICH MAY BE FOUND IN A CURRENT TITLE REPORT, LOCAL ORDINANCES, DEEDS OR OTHER INSTRUMENTS OF RECORD MAY NOT BE SHOWN.
- DENOTES CONCRETE MONUMENTS
- THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. MANHARD CONSULTING, LTD. IS A PROFESSIONAL DESIGN FIRM, REGISTRATION NUMBER 184003350, EXPIRES APRIL 30, 2025.



BASIS OF BEARINGS

COORDINATES AND BEARINGS ARE BASED UPON THE ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE (NAD 83), ADJUSTED TO GROUND VALUES, AS ESTABLISHED BY A REAL-TIME KINEMATIC (RTK) GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) UTILIZING THE TRIMBLE VRS NOW NETWORK.



PIN

02-11-400-019

SURVEY PREPARED FOR

ABBY PROPERTIES, LLC
12347 WOODVIEW STREET
PLANO, ILLINOIS 60545

SUBMITTED BY/RETURN TO:

MANHARD CONSULTING, LTD.
333 EAST BUTTERFIELD ROAD, SUITE 600
LOMBARD, ILLINOIS 60148

PROPERTY AREA

LOTS 14-24 & 40-58 = 342,625 SQ. FT. (7.866 ACRES)
RIGHT-OF-WAY = 93,094 SQ. FT. (2.137 ACRES)
TOTAL AREA = 435,719 SQ. FT. (10.003 ACRES)

SHEET INDEX

SHEET 1 OF 3	OVERALL BOUNDARY
SHEET 2 OF 3	LOT DETAIL INFORMATION, SETBACKS, RIGHT-OF-WAY DIMENSIONS AND EASEMENTS
SHEET 3 OF 3	PROVISIONS, CERTIFICATIONS AND SIGNATURES

DATE	REVISIONS	COMMENTS
02/07/24	REVISED PER CITY COMMENTS	

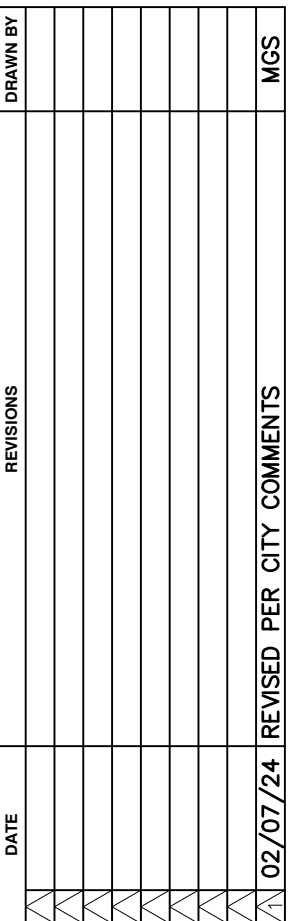
Manhard CONSULTING
333 East Butterfield Road, Suite 600, Lombard, IL 60148
Tel: 630.261.1100 | Fax: 630.261.1101 | Email: info@manhardconsulting.com
Civil Engineers • Surveyors • Water Resource Engineers • Urban & Village Engineers • Planners
Construction Managers • Environmental Scientists • Landscape Architects

GRANDE RESERVE - UNIT 21
UNITED CITY OF YORKVILLE, ILLINOIS
FINAL PLAT OF SUBDIVISION

PROJ. MGR.: BAS
PROJ. ASSOC.: MGS
DRAWN BY: MGS
DATE: 01/17/24
SCALE: 1"=250'
SHEET
1 OF 3
APLYVIL01

BEING A SUBDIVISION OF PART OF THE NORTHEAST AND SOUTHEAST QUARTER OF SECTION 11,
TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, CITY OF YORKVILLE,
IN KENDALL COUNTY, ILLINOIS.

BEING A SUBDIVISION OF PART OF THE NORTHEAST AND SOUTHEAST QUARTER OF SECTION 11,
TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, CITY OF YORKVILLE,
IN KENDALL COUNTY, ILLINOIS.



Manhard
CONSULTING

303 East Butterfield Road, Suite 600, Lombard, IL 60148
Civil Engineers • Water Resource Engineers • Water & Wastewater Engineers
Construction Managers • Environmental Scientists • Landscape Architects • Planners
462.333.8000 462.333.8000 462.333.8000 www.manhard.com

GRANDE RESERVE - UNIT 21

UNITED CITY OF YORKVILLE, ILLINOIS

FINAL PLAT OF SUBDIVISION

PROJ. MGR.: BAS
 PROJ. ASSOC.: MGS
 DRAWN BY: MGS
 DATE: 01/17/24
 SCALE: 1"=50'

SHEET

2 OF 3

APLYVIL01

BEING A SUBDIVISION OF PART OF THE NORTHEAST AND SOUTHEAST QUARTER OF SECTION 11,
TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, CITY OF YORKVILLE,
IN KENDALL COUNTY, ILLINOIS.

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNER OF THE PROPERTY DESCRIBED ON THE ATTACHED PLAT AND HAS (HAVE) CAUSED THE SAME TO BE SURVEYED, SUBDIVIDED AND PLATTED AS SHOWN BY THE PLAT FOR THE USES AND PURPOSES AS INDICATED THEREON, AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.

THE UNDERSIGNED FURTHER CERTIFIES THAT ALL OF THE LAND INCLUDED IN THIS PLAT LIES WITHIN THE BOUNDARIES OF YORKVILLE COMMUNITY UNIT SCHOOL DISTRICT 115 AND COMMUNITY COLLEGE DISTRICT 516.

[illegible]

Manhard
CONSULTING

333 East Butterfield Road, Suite 600, Lombard, IL 60148
PH: 630.601.8500 FX: 630.601.8596
manhard.com

Civil Engineers • Surveyors • Water Resources Engineers • Vibration & Windstorm Engineers

GRANDE RESERVE - UNIT 21

UNITED CITY OF YORKVILLE, ILLINOIS

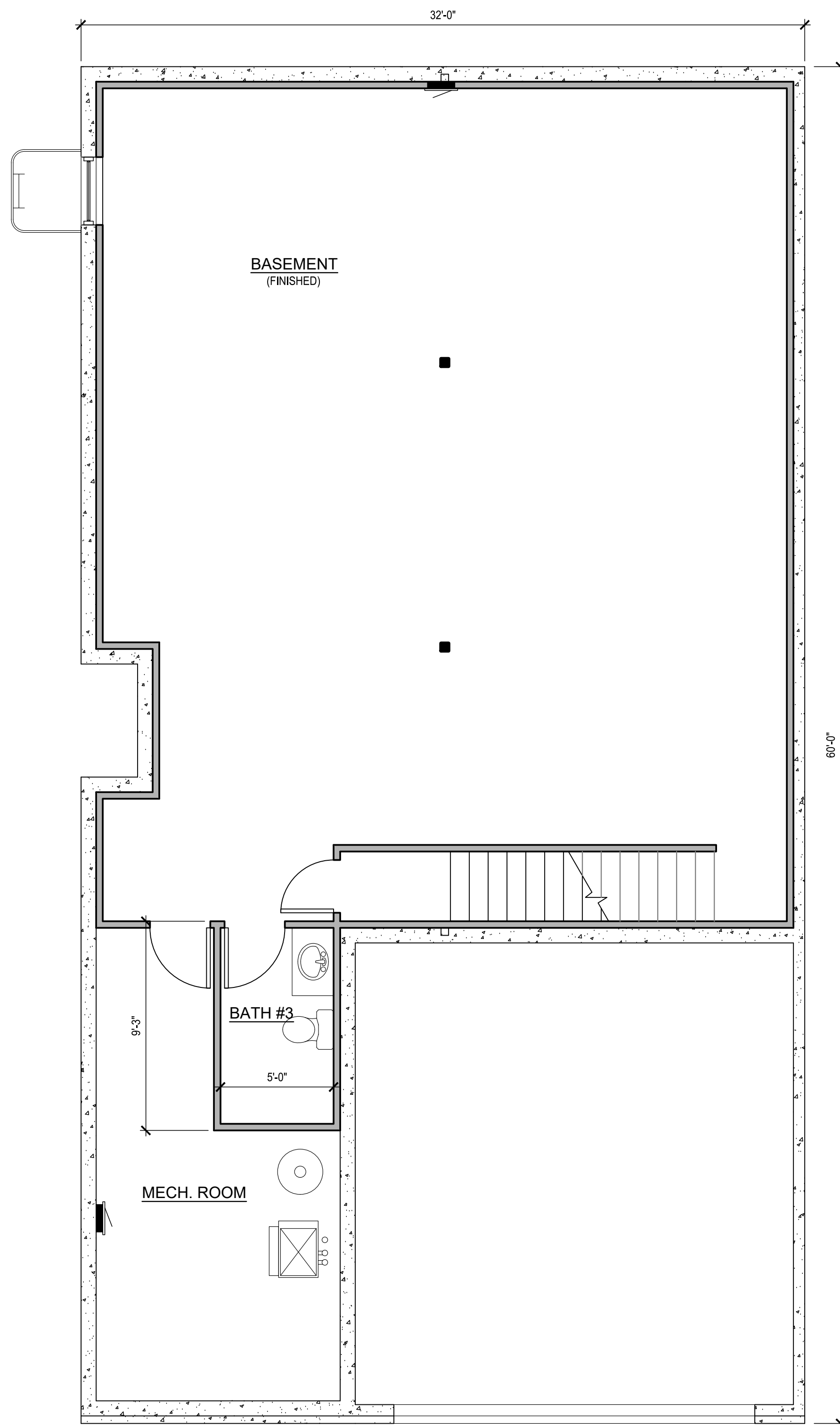
FINAL PLAT OF SUBDIVISION

PROJ. MGR.: BAS
PROJ. ASSOC.: MGS
DRAWN BY: MGS
DATE: 01/17/24
SCALE: ---

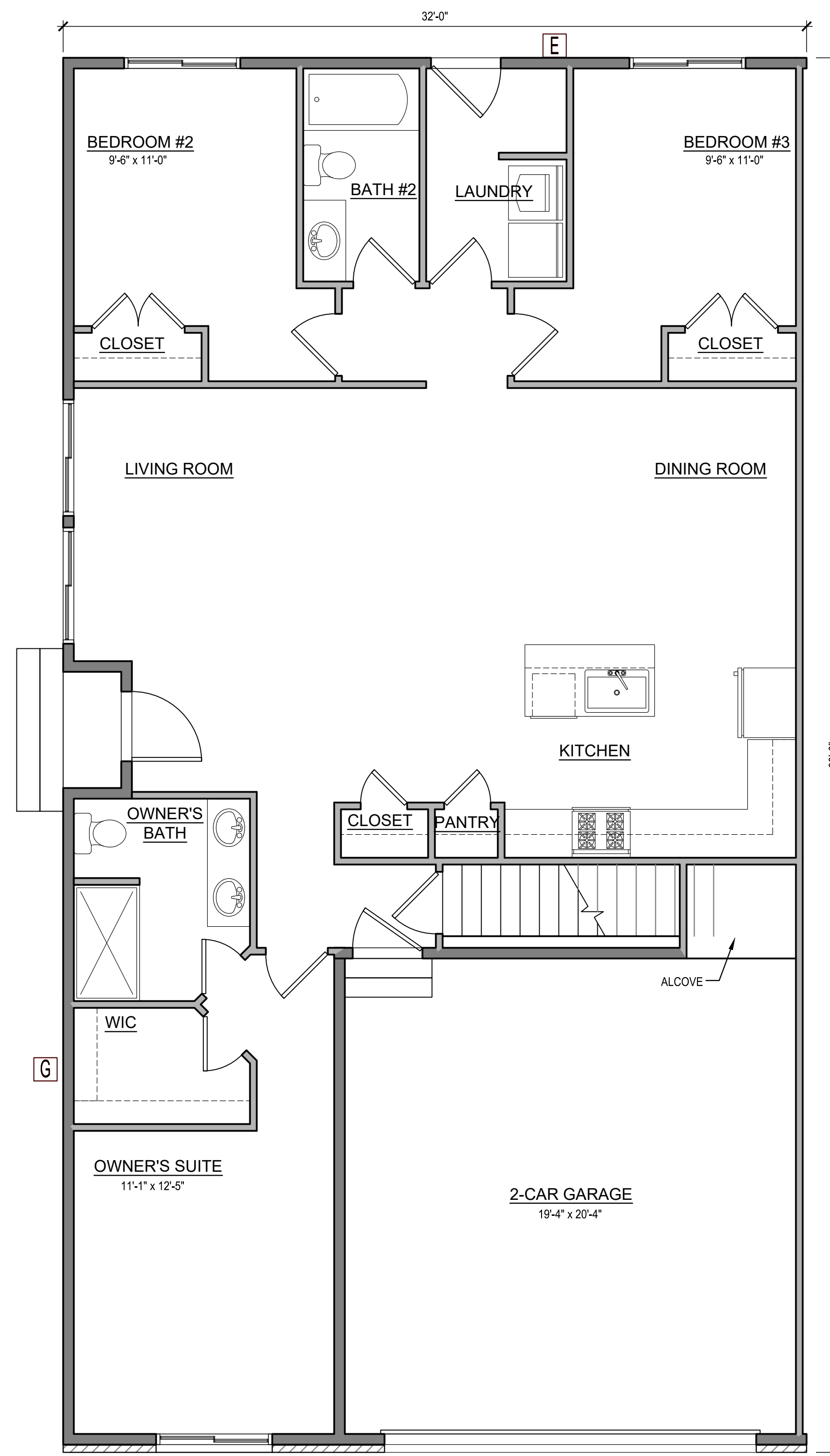
SHEET

3 OF 3

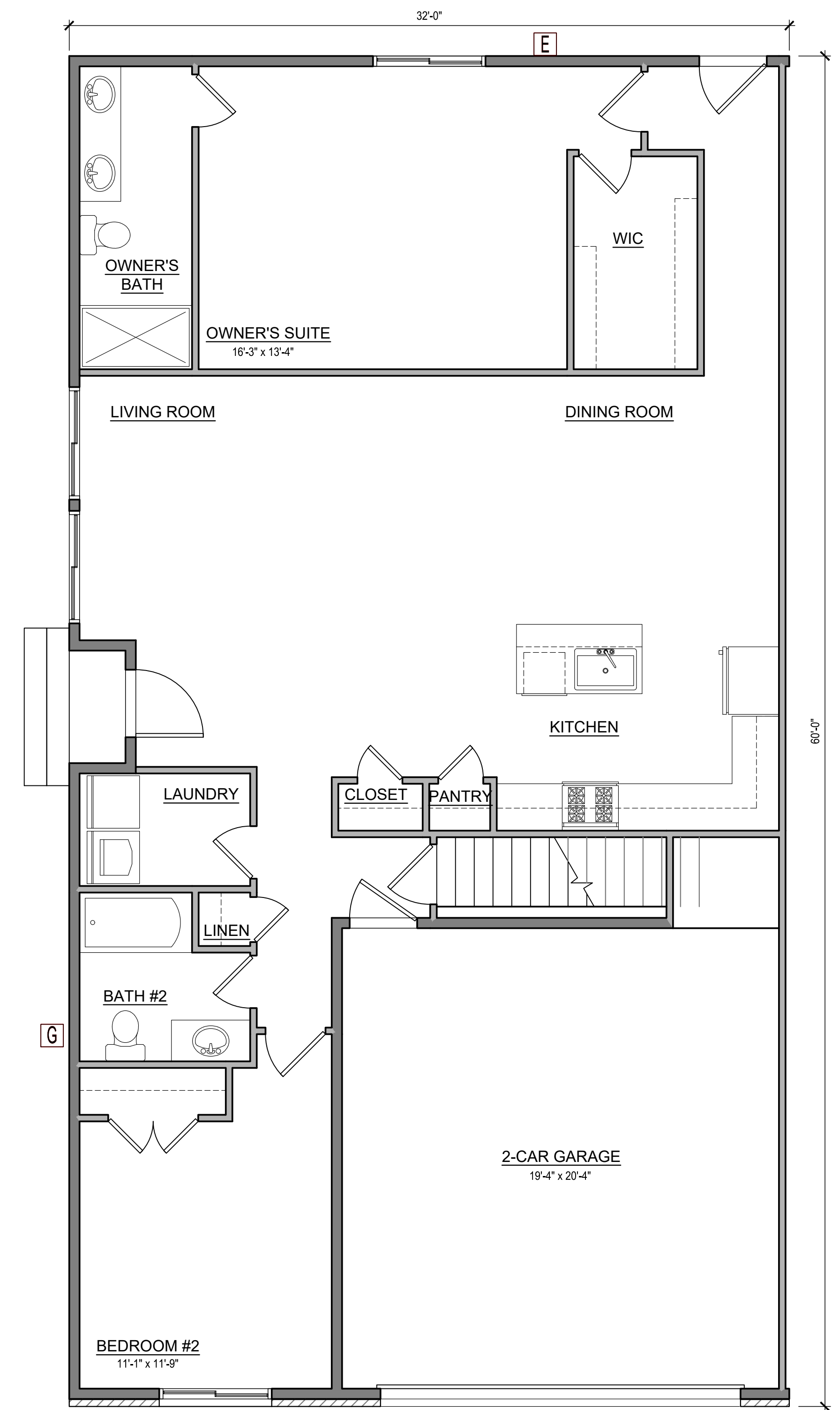
APLYVIL01



BASEMENT FLOOR PLAN
 SCALE: 1/4" = 1'-0" TOTAL AREA: 1,142 SF



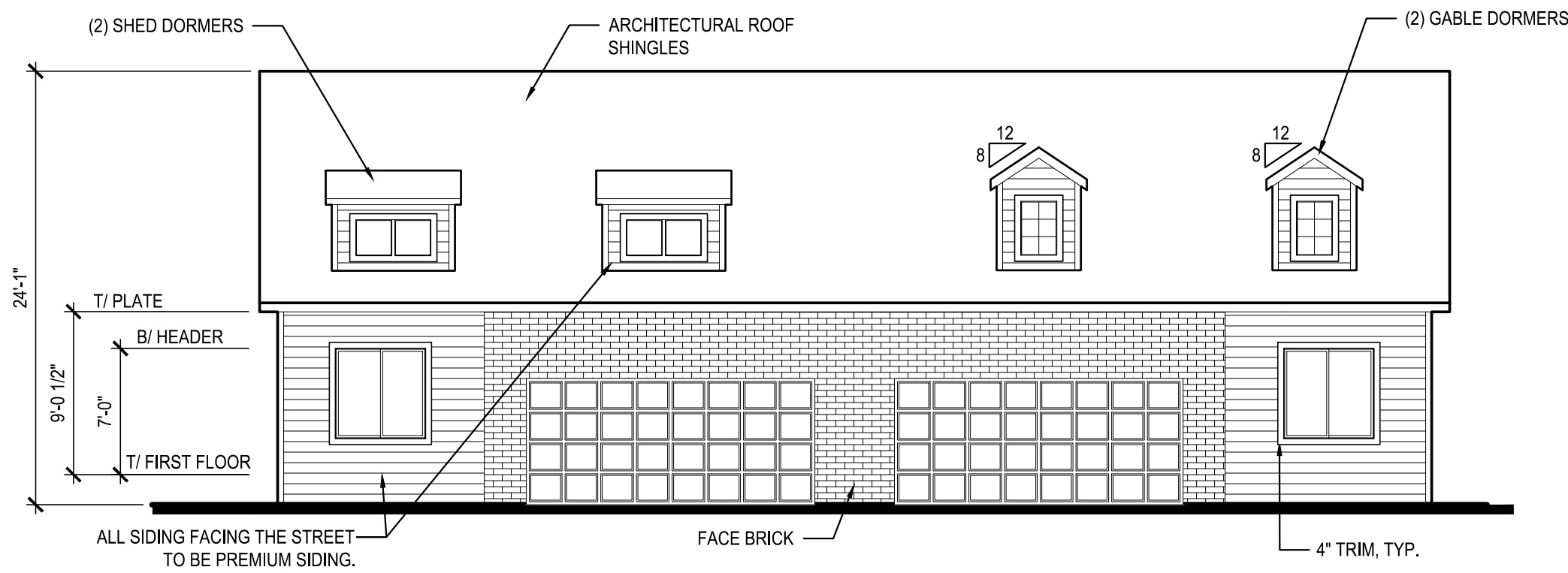
FIRST FLOOR PLAN - 3 BEDROOM
 SCALE: 1/4" = 1'-0" TOTAL AREA: 1,400 SF



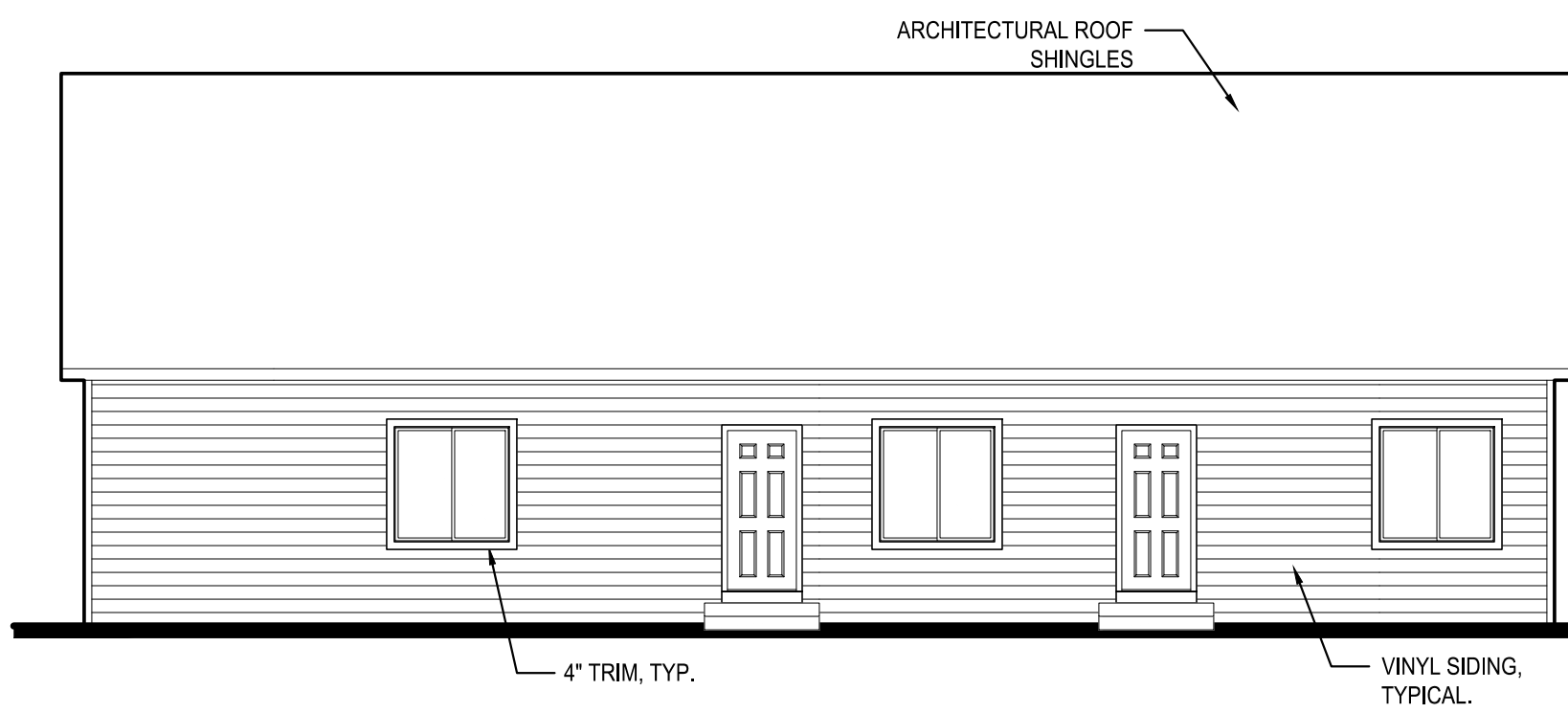
FIRST FLOOR PLAN - 2 BEDROOM
 SCALE: 1/4" = 1'-0" TOTAL AREA: 1,142 SF

UNIT SUMMARY -
60 UNITS - (30) TOTAL BUILDINGS
(23) BUILDINGS WILL HAVE MIN 50% MASONRY
(30) BUILDINGS WILL UTILIZE 100% PREMIUM (CEMENTITIOUS)
SIDING FACING STREET FRONTAGE

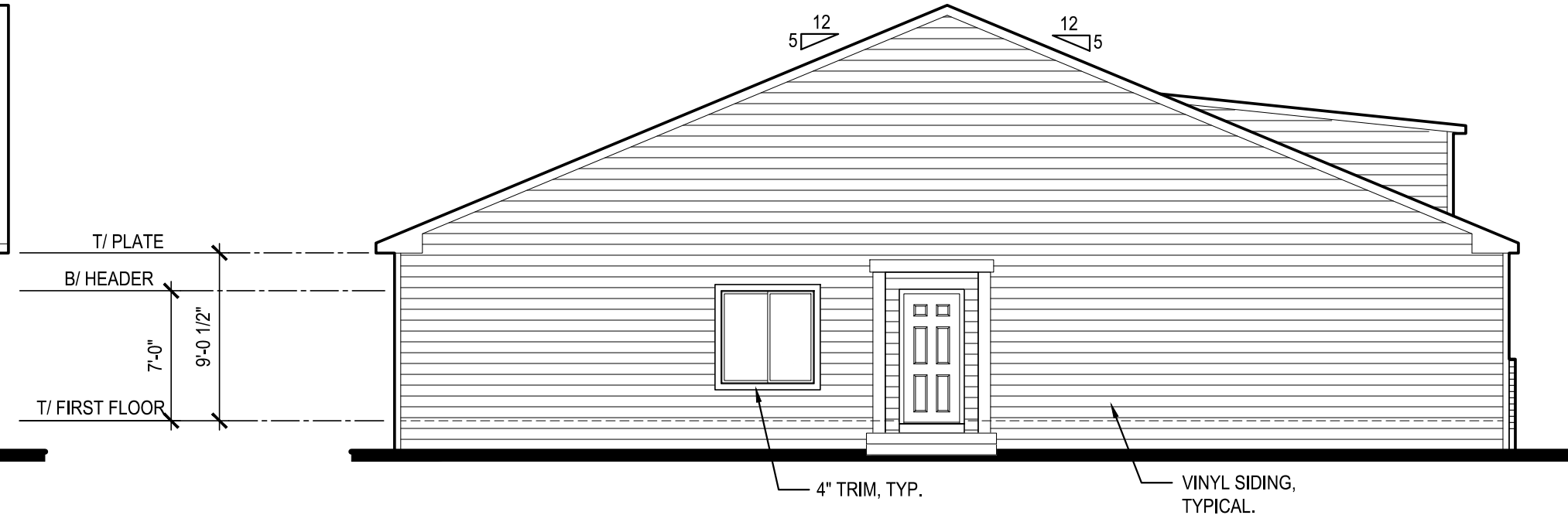
FACADE MATERIALS -
57% - MASONRY
43% - PREMIUM SIDING
(CEMENTITIOUS)



1 ELEVATION 'A' - FRONT ELEVATION
SCALE: 1/8" = 1'-0"

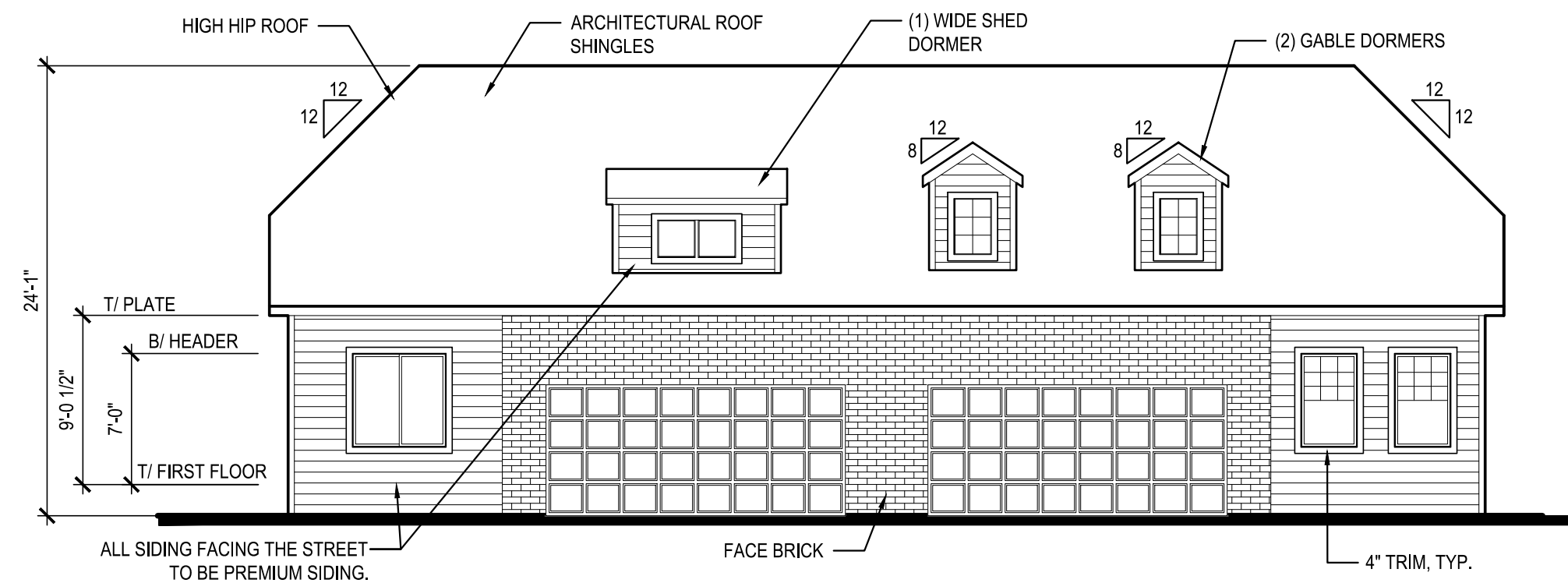


REAR ELEVATION

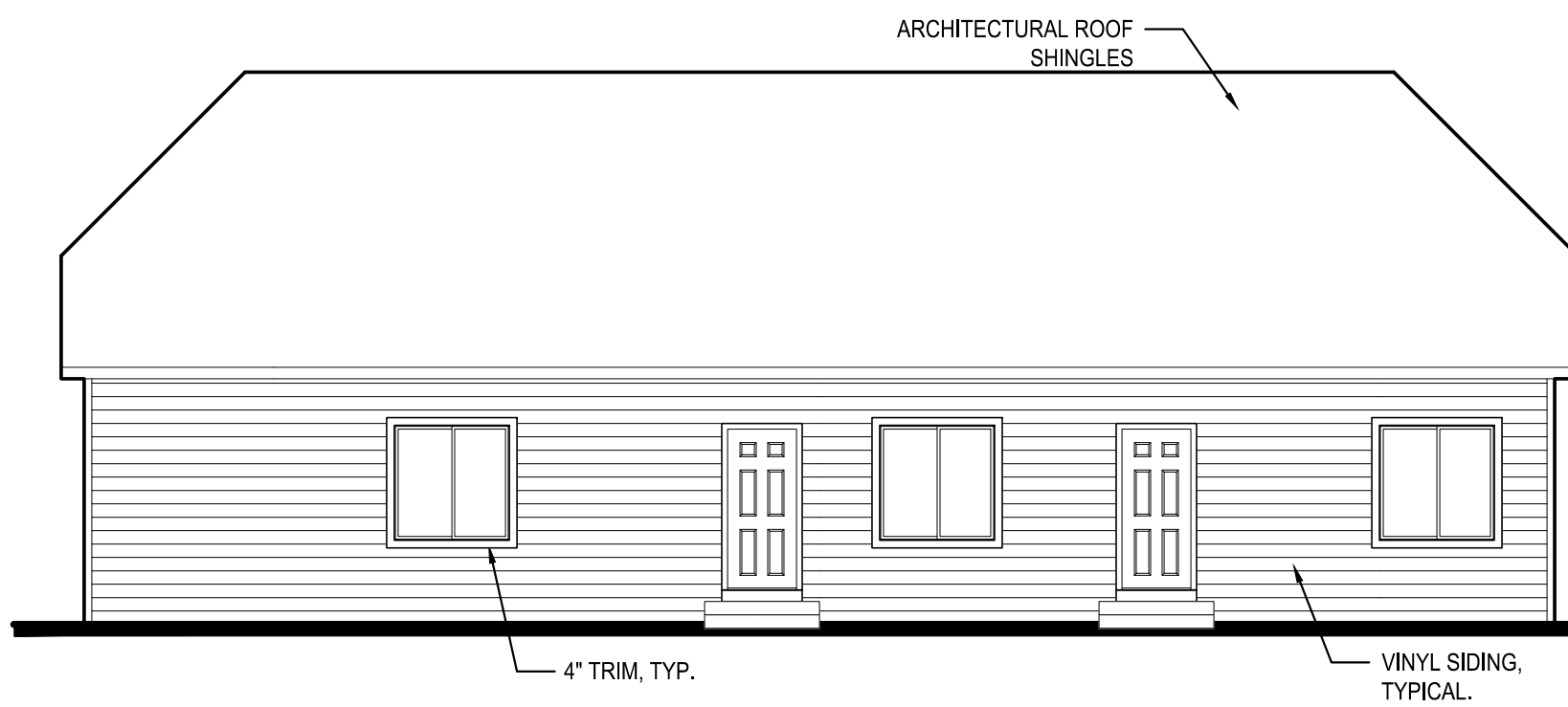


SIDE ELEVATION

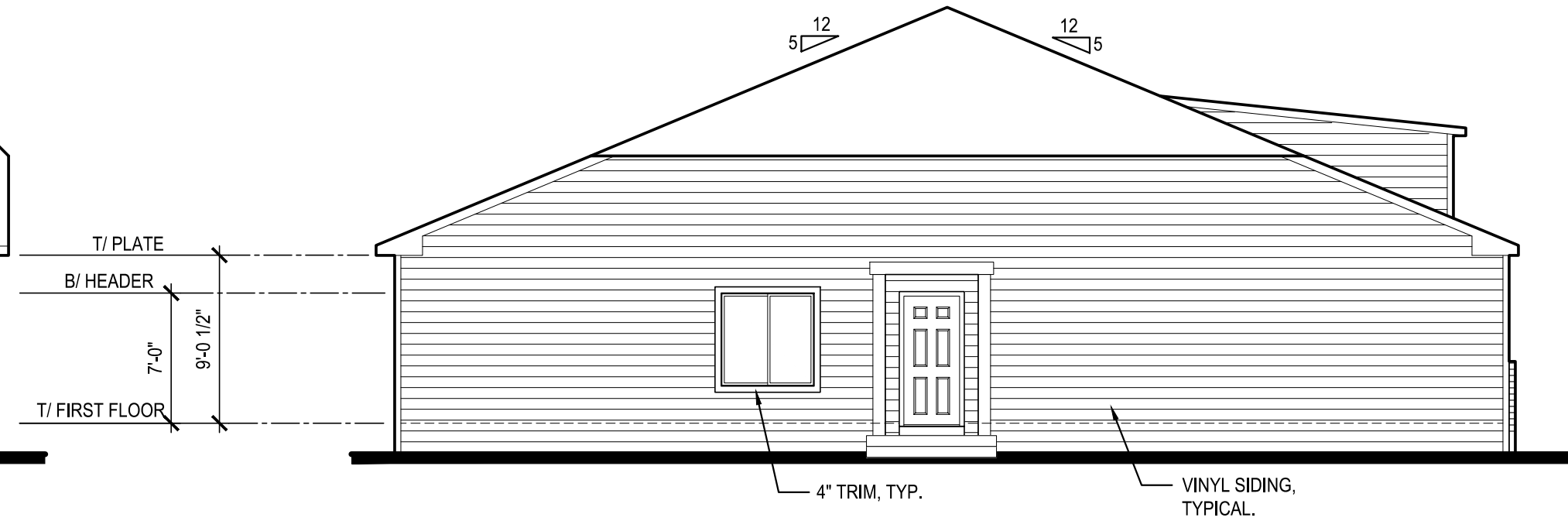
FACADE MATERIALS -
57% - MASONRY
43% - PREMIUM SIDING
(CEMENTITIOUS)



2 ELEVATION 'B' - FRONT ELEVATION
SCALE: 1/8" = 1'-0"

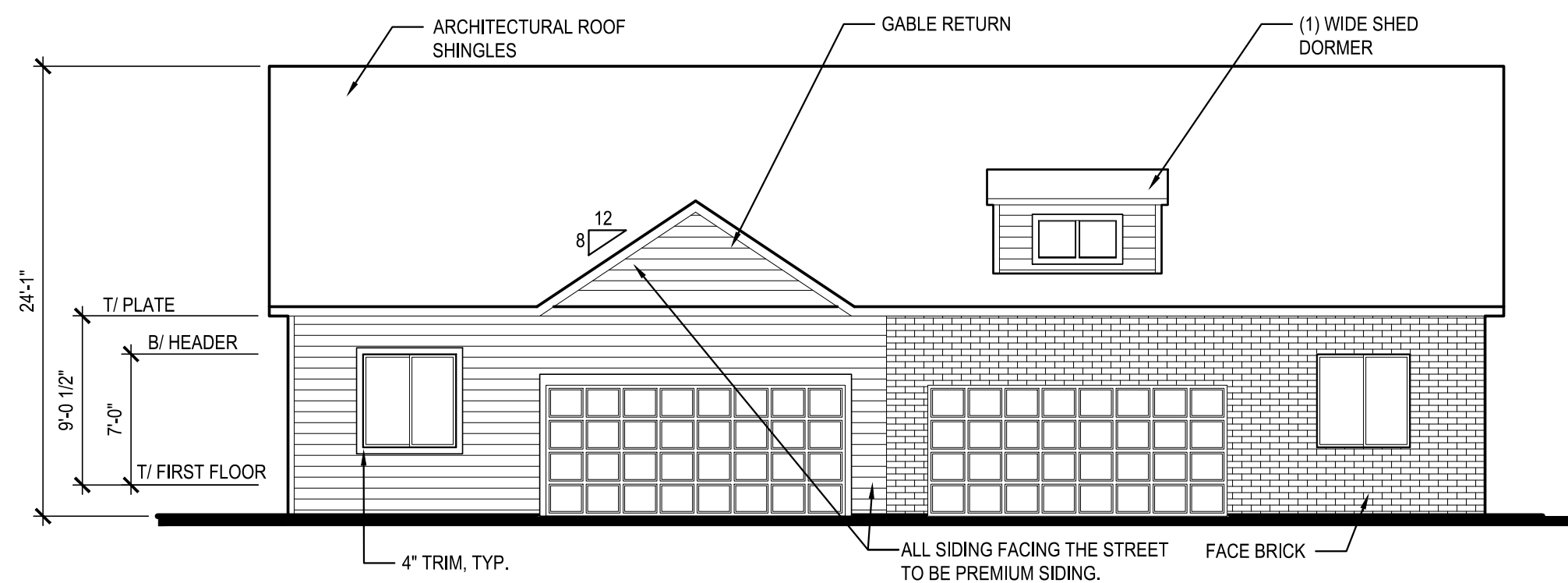


REAR ELEVATION

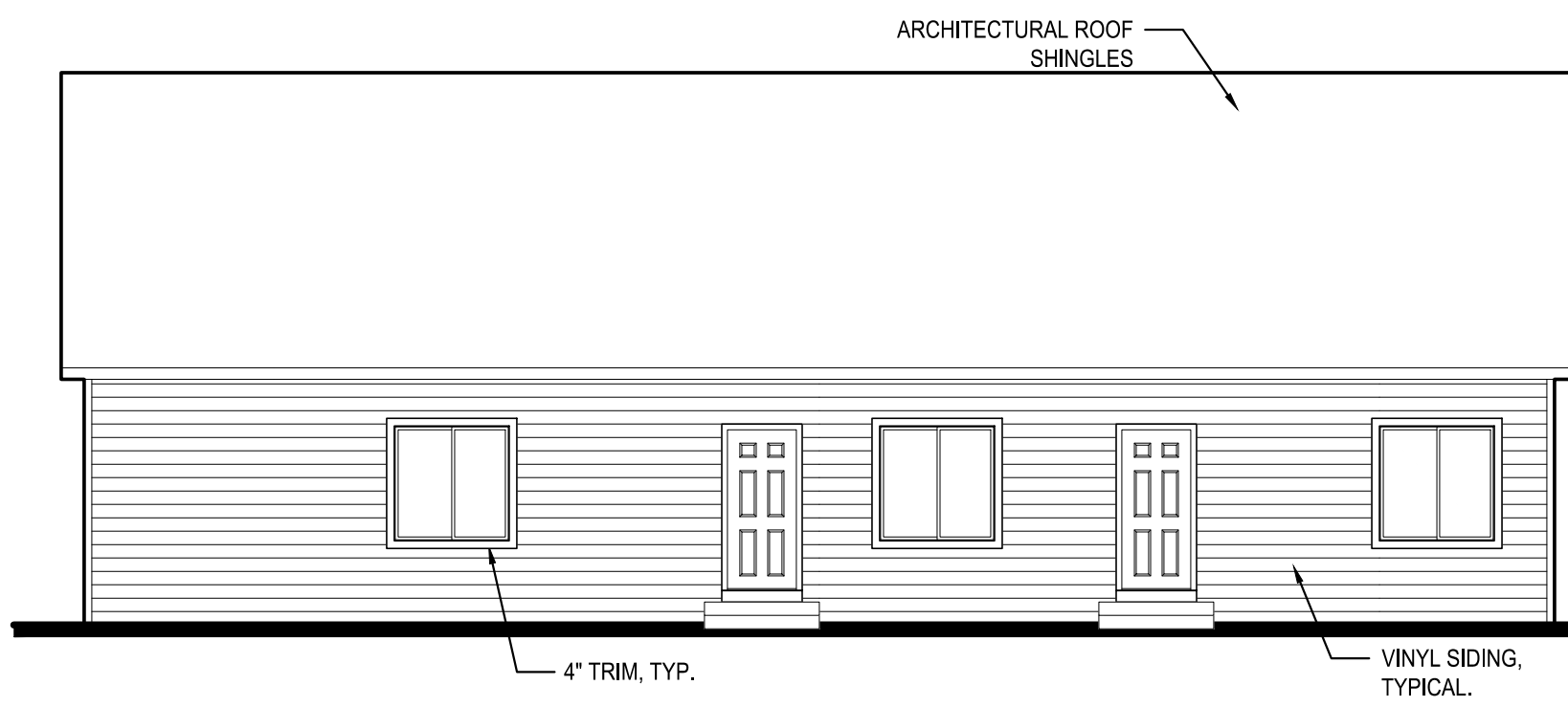


SIDE ELEVATION

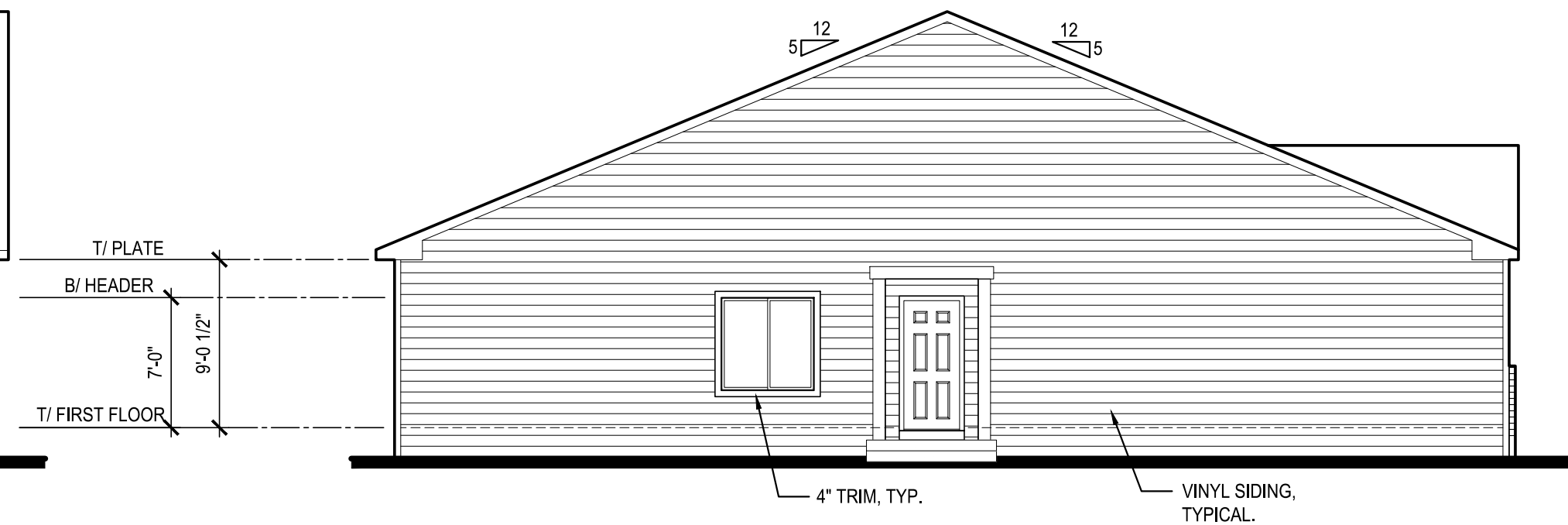
FACADE MATERIALS -
50% - MASONRY
50% - PREMIUM SIDING
(CEMENTITIOUS)



3 ELEVATION 'C' - FRONT ELEVATION
SCALE: 1/8" = 1'-0"



REAR ELEVATION



SIDE ELEVATION



1 ELEVATION 'A'
SCALE: 1/8" = 1'-0"



3 ELEVATION 'C'
SCALE: 1/8" = 1'-0"



2 ELEVATION 'B'
SCALE: 1/8" = 1'-0"



March 25, 2024

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

**Re: Grande Reserve Unit 21
Final Engineering Review – 2nd Submittal
City of Yorkville**

Dear Krysti:

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

- Final Engineering Plans (23 Sheets) revised February 9, 2024, prepared by Manhard Consulting.
- Stormwater Management Report dated December 15, 2023, prepared by Manhard Consulting.
- Landscape Plan (3 Sheets) dated January 25, 2006 prepared by Rolf C. Campbell & Associates, Inc.
- Plat of Subdivision (3 Sheets) revised February 7, 2024, prepared by Manhard Consulting.
- Plant List dated October 19, 2006 prepared by Manhard Consulting.
- Engineer's Opinion of Probable Cost dated January 9, 2024 prepared by Manhard Consulting.

Our review of these plans is to generally determine their compliance with local ordinances and whether the improvements will conform to existing local systems and equipment. This review and our comments do not relieve the designer from his duties to conform to all required codes, regulations, and acceptable standards of engineering and land surveying 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 at the appropriate time.
 - a. IEPA NPDES General Construction Permit is required. The Notice of Intent must be filed with IEPA 30 days prior to start of construction.
 - b. IEPA Water and Sanitary Sewer Construction permits
 - c. Fox Metro Water Reclamation District approval is needed for the connection of the proposed sanitary lines to the existing sanitary sewer.
2. IEPA Water and Sanitary Sewer permits shall be submitted for review and distribution to the City for signatures.

3. Prior to the start of construction, the following items need to be addressed:
- a. A preconstruction meeting with City staff needs to be held.
 - b. A construction guarantee equal to 120% of the public improvements and erosion control costs needs to be on file with the City.

Final Engineering Plans

4. The Final Engineering Plans have been reviewed and are found to be generally acceptable.

Landscape Plan and Plant List

5. The Update Plant List and Landscape Plan are approved. See the attached letter from the City's landscape consultant.

Plat of Subdivision

6. The Plat of Subdivision has been reviewed and is found to be generally acceptable.

Engineer's Opinion of Probable Cost

7. We have reviewed the Engineer's Cost Opinion and find it to be acceptable. A performance guarantee in the amount of \$1,490,310.90 (120% x \$1,241,925.75) is to be on file with the City prior to the issuance of a building permit.

If you have any questions or require additional information, please call 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. Dave Riendeau, Manhard Consulting (via email)
TNP, PGW2, EEI (Via e-mail)



**ENGINEER'S OPINION OF PROBABLE COST
GRANDE RESERVE - UNIT 21
YORKVILLE, IL
01/09/24**

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION
SCHEDULE I - EXCAVATION AND GRADING IMPROVEMENTS					
1	Mobilization	1	LUMP SUM	\$20,000.00	\$20,000.00
2	Silt Fence (Non-Wire Back)	3350	LF	\$2.75	\$9,212.50
3	Concrete Washout	1	EACH	\$4,500.00	\$4,500.00
4	Construction Entrance	2	LUMP SUM	\$5,000.00	\$10,000.00
5	Topsoil Stripping and Stockpiling	1800	CY	\$3.50	\$6,300.00
6	Clay Excavation and Embankment	5400	CY	\$4.75	\$25,650.00
7	Clay Import from Offsite	4700	CY	\$5.00	\$23,500.00
8	6" Topsoil Respread and Seeding	2700	SY	\$3.50	\$9,450.00
9	Segmental Block Retaining Wall	2400	SF	\$30.00	\$72,000.00
10	Concrete Curtian Wall (29' long x 3' deep x 8" thick)	1	LS	\$5,000.00	\$5,000.00
TOTAL SCHEDULE I - EXCAVATION AND GRADING IMPROVEMENTS					\$185,612.50
SCHEDULE II - UNDERGROUND IMPROVEMENTS					
A. SANITARY SEWER IMPROVEMENTS					
1	6" PVC Sanitary Sewer Service (Long)	26	EACH	\$3,300.00	\$85,800.00
2	6" PVC Sanitary Sewer Service (Short)	23	EACH	\$1,200.00	\$27,600.00
3	8" PVC Sanitary Sewer	1060	LF	\$45.00	\$47,700.00
4	4' Diameter Manhole	7	EACH	\$6,000.00	\$42,000.00
5	Trench Backfill	1170	LF	\$90.00	\$105,300.00
6	Televise Sanitary Sewer	1060	LF	\$4.00	\$4,240.00
7	Connection to Existing Manhole	2	EACH	\$2,800.00	\$5,600.00
SUBTOTAL A - SANITARY SEWER IMPROVEMENTS					\$318,240.00
B. WATER MAIN IMPROVEMENTS					
1	8" DI Water Main	1528	LF	\$75.00	\$114,600.00
2	8" Valve and Box	5	EACH	\$2,200.00	\$11,000.00
3	1" House Service Type K (short)	23	EACH	\$1,200.00	\$27,600.00
4	1" House Service Type K (long)	35	EACH	\$2,400.00	\$84,000.00
5	Fire Hydrant with Auxiliary Valve	4	EACH	\$6,000.00	\$24,000.00
6	Trench Backfill	1244	LF	\$35.00	\$43,540.00
7	Dry Connection	2	EACH	\$2,000.00	\$4,000.00
SUBTOTAL B - WATER MAIN IMPROVEMENTS					\$308,740.00
C. STORM SEWER IMPROVEMENTS					
17	12" RCP Storm Sewer Pipe	261	LF	\$30.00	\$7,830.00
18	15" RCP Storm Sewer Pipe	286	LF	\$35.00	\$10,010.00
19	18" RCP Storm Sewer Pipe	377	LF	\$40.00	\$15,080.00
41	2'-0" Diameter Inlet	5	EACH	\$1,600.00	\$8,000.00
43	4'-0" Diameter Catch Basin	5	EACH	\$3,300.00	\$16,500.00
44	4'-0" Diameter Manhole	3	EACH	\$2,500.00	\$7,500.00
54	Trench Backfill	368	LF	\$30.00	\$11,040.00
67	Inlet Filter	34	EACH	\$350.00	\$11,900.00
SUBTOTAL C - STORM SEWER IMPROVEMENTS					\$87,860.00
TOTAL SCHEDULE II - UNDERGROUND IMPROVEMENTS (A-C)					\$714,840.00



ENGINEER'S OPINION OF PROBABLE COST
GRANDE RESERVE - UNIT 21
YORKVILLE, IL
01/09/24

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION
SCHEDULE III - ON-SITE ROADWAY IMPROVEMENTS					
1	Subgrade Preparation - Fine Grading	4773	SY	\$1.50	\$7,159.50
2	Aggregate Base Course - 10"	4773	SY	\$15.00	\$71,595.00
3	Hot-Mix Asphalt Binder Course, N50 - 2.5"	4345	SY	\$12.50	\$54,312.50
4	Hot-Mix Asphalt Surface Course, N50 - 1.5"	4345	SY	\$8.50	\$36,932.50
5	Concrete Curb Type B-6.12	2507	LF	\$18.00	\$45,126.00
6	PCC Sidewalk - 5" with Subbase	13533	SF	\$6.75	\$91,347.75
7	Street Lights	5	EACH	\$7,000.00	\$35,000.00
TOTAL SCHEDULE III - ON-SITE ROADWAY IMPROVEMENTS					\$341,473.25
SUBTOTAL SCHEDULES I-III					\$1,241,925.75
CONTINGENCY @ 10%					\$124,192.58
TOTAL					\$1,366,118.33

Prepared By: Manhard Consulting, Ltd.
700 Springer Drive
Lombard, Illinois 60148

NOTE: This Engineer's Opinion of Probable Cost is made on the basis of Engineer's experience and qualifications using plan quantities and represents Engineer's best judgment as an experienced and qualified professional engineer generally familiar with the construction industry. However, since the Engineer has no control over the cost of labor, materials, equipment or services furnished by others, or over the Contractor's methods of determining prices, or over competitive bidding or market conditions, or over quantities of work actually performed, Engineer cannot and does not guarantee that proposals, bids or actual Construction Cost will not vary from Opinions of Probable Cost prepared by Engineer. This Opinion of Probable Construction Cost is limited to those items stated herein and does not include permit fees, recapture costs, consultant fees landscaping, dewatering, maintenance, bonds or the like.

Hey and Associates, Inc.

Engineering, Ecology and Landscape Architecture

8755 W. HIGGINS ROAD, SUITE 853

CHICAGO, ILLINOIS 60631

PHONE (773) 693-9200

FAX (773) 693-9200

March 19, 2024

Pamela Whitfield, PE, CFM
Senior Project Engineer II
Engineering Enterprises, Inc.
52 Wheeler Road
Sugar Grove, IL 60554

Project No.: 21-0275 AG

Re: Landscape Plan Review
Grande Reserve Unit 21

Dear Pamela:

We have completed our first landscape plan review of Grande Reserve Unit 21 located in Yorkville.

Landscape Plan – RECOMMENDED FOR APPROVAL

This landscape plan is recommended for approval. Please note that the requirements of each section are in addition to the requirements of all other sections of the ordinance (i.e., trees and other plant materials cannot be "double counted" to meet multiple requirements). If there are any changes to the plans, additional comments may be provided.

It is our understanding that the original 2006 landscape plans referenced below were approved by the City and remain relevant.

Further, it is our understanding that the petitioner desires to revise some of the tree and shrub species included in the original 2006 landscape plans (e.g., elimination of Callery Pear which is now considered an undesirable species). We agree with these changes.

SUMMARY

This review was based upon the following documents, pursuant to requirements of the City's Landscape Ordinance.

- Final Landscape Plans for Neighborhood 2, 3 sheets, prepared by Rolf C. Campbell & Associates, most recently dated May 22, 2006
- Revised Tree & Shrub List, one page, prepared by Manhard Consulting, not dated

Let us know if there are any questions or comments.

Sincerely,



Tim Pollowy, PLA, ASLA
Senior Landscape Architect



Memorandum

To: Plan Council
From: Krysti Barksdale-Noble, Community Development Director
Date: October 2, 2024
Subject: **PZC 2024-28 Grande Reserve – Unit 21 (Final Plat)**
Proposal for 30 lots (60 new duplexes) in Grande Reserve

I have reviewed the application for Final Plat of Subdivision of Grande Reserve Unit 21 (Neighborhood 2) received September 13, 2024, as submitted by Cesar Cruz on behalf of GR Yorkville Residents, LLC, owner/petitioner. The Final Plats were prepared by Manhard Consulting, Ltd and dated 02/07/24.

The petitioner is seeking Final Plat approval for an approximately 10-acre site consisting of 60 new residential duplex dwelling units on 30 lots located west of the intersection of Crooker Drive and Brady Street in Yorkville. These lots will complete Neighborhood 2 and, along with Units 18 and 25, this portion north of Mill Road in the Grande Reserve development. Based upon my review of the application documents and plans; I have compiled the following comments:

GENERAL ZONING/ANNEXATION AGREEMENT COMMENTS:

1. **ZONING** - The subject property was annexed in 2003 and was zoned R-2 Single-Family Traditional Residence District with a special use for a Planned Unit Development. The following are the current immediate surrounding zoning and land uses:

	Zoning	Land Use
North	R-2 Planned Unit Development (Grande Reserve)	Residential
South	R-2 Planned Unit Development (Grande Reserve)	Residential
East	R-2 Planned Unit Development (Grande Reserve)	Residential
West	R-1 and B-3 Planned Unit Development (Cross Evangelical Lutheran)	Loving Arms Child Care

2. **ANNEXATION AGREEMENT** – Per Group Exhibit “D” of the Annexation Agreement (Ord. 2003-44) it is stated that the “CITY, OWNERS and DEVELOPER acknowledge that the number of dwelling units to be approved on future preliminary and final plats may be more than or less than that described in the Concept Plan...” Further it states, “Any plan for a phase of development that does not exceed the total number of dwelling units allowed in said Neighborhoods shall be deemed to be in substantial conformance with the Concept Plan.”

Below is a comparison of the approved Concept Plan PUD dwelling unit count (Group Exhibit “C”) and the proposed final plat dwelling unit count for each unit in Neighborhood 3:

NEIGHBORHOOD 2 (UNIT)	UNIT TYPE	APPROVED DWELLING UNITS CONCEPT PUD PLAN	PROPOSED/APPROVED DWELLING UNITS FINAL PLAT
Unit 20	TH	62	62
Unit 21	TH	64	60
TOTAL		126	122

- **Neighborhood 2 Density** – Per Exhibit “D7” of the Annexation Agreement, the overall approved maximum density for Neighborhood 2 is 6 units/acre (126 units on 24.9 acres). With the proposed reduction of four (4) dwelling units (2 lots) in Neighborhood 2, the density remains relatively unchanged.
 - **Declarations of CCRs** – Group Exhibit “D”, paragraph B of the Annexation Agreement requires that the developer submit a copy of the proposed Declaration of Covenants, Restrictions and Easements to be reviewed by the City. The declarations shall be recorded at the same time with the final plat for each phase.
 - **Dormant Special Service Area (SSA)** – Per paragraph 19D of the Annexation Agreement, the City may elect to establish a dormant special service area to act as a backup in the event the association fails to maintain the private common areas, detention ponds, perimeter landscaping features, and entrance signage within the development.
3. **BUILDING SETBACKS/VARIANCE SCHEDULE** – The following bulk regulations are for parcels located in Neighborhood 2, per “Exhibit E-1 Grande Reserve Variance Schedule for Neighborhoods 2-19” of the Annexation Agreement:

BULK REGULATIONS	REQUIRED MINIMUM	PROPOSED
Minimum Lot Size	10,000 sq.ft.	10,080 sq. ft.
Minimum Lot Width	75 ft.	TBD*
Front Yard	30 ft.	30 ft.
Side (Corner) Yard	30 ft.	30 ft.
Side (Interior) Yard	10 ft.	10 ft.
Rear Yard	30 ft.	30ft.

* Verify for Lots 42 & 49 measured at B.S.L.

The proposed yard setbacks illustrated on the final plats meet the minimum requirements established in the original annexation agreement.

- Note, the Typical Lot Detail is inconsistent with the actual lot dimensions, specifically with regard to lot size (less than 10,000req.), front building setback (shows 20 ft.), and lot width is not provided.
4. **APPEARANCE STANDARDS**
- Per Exhibit “D5” in the original Annexation Agreement (Ord. 2003-44) Architectural Design Standards are established for duplex development and conceptual building elevations were provided in Exhibit “D2”. Further it is

stated that “all owners and developers agree to impose architectural design standards relating to façade materials, accessory structures, and other building restrictions at the time of final plat submittal for each unit.

- These standards will be submitted for city review and approval prior to City Council approval of the final plat of subdivision, and must address the following:
 - Color Schemes
 - Deck & Patio Specifications
 - Fence Specifications
 - Restrictions on Accessory Buildings
 - Restrictions on Housing Styles
 - Minimum Square Footage
 - Building Materials
 - Roof Specifications
- It is also stated in the Economic Incentive Agreement approved via ord. 2021-13, that currently not platted areas must submit architectural standards at time of final plat.
- Per the City’s Anti-Monotony Standards in Chapter 10-7-8 of the Unified Development Ordinance (UDO) “no new single-family or duplex dwelling units shall be similar in appearance to any other single-family or duplex dwelling units within three (3) units on either side of the subject property or on any of the five (5) units across the street from the subject property.” Additionally, on cul-de-sac turnarounds, no single-family or duplex dwelling shall be similar in appearance to another dwelling on the turnaround.
 - **Similarity Standards** - Any two (2) dwelling units shall be considered similar in appearance if they are identical or nearly identical to one another in any three (3) or more of the following characteristics:
 1. Roof type (gable, hip, mansard, gambrel, flat, or combination)
 2. Similar roof pitch at an angle of ten (10) degrees or less
 3. Dimensions (height and/or length) of the front wall closest to the front lot line that are within twenty (20) percent the same as either the height or width shall constitute similarity
 4. Shape of the front elevation silhouette
 5. Relative location and size of windows on the front elevation
 6. Relative location and dimensions of garage door(s), if included on the front elevation; and
 7. Type(s) of exterior building cladding materials on the front elevation. The following differences in construction material shall be deemed sufficient to render buildings containing such changes and built on adjacent lots to be dissimilar.
 - i. Four (4) inch exposure horizontal siding
 - ii. Eight (8) inch exposure horizontal siding
 - iii. Brick facing
 - iv. Vertical siding
 - v. Stone facing; and
 - vi. Stucco/staccato board and trim.
 - vii. When materials are changed, the change must occur throughout the front facade or elevation for a minimum of one story in height.

viii. Color change shall be made by significant changes in adjacent colors. The change must be one of color rather than merely of the shade.

- Petitioner has not submitted elevations for duplexes in Unit 21. **Building elevations/color renderings of all proposed duplex models must be provided and reviewed by staff before the request can advance to the next scheduled meeting.**

FINAL PLAT OF SUBDIVISION COMMENTS:

1. **PREVIOUSLY APPROVED PRELIMINARY PLANS** – Preliminary/Final Plat for Unit 21 was approved by the City Council in July 2006 but was never recorded and has since expired.
2. **SCALE** – The graphic scale on Sheet 1 of 3 states 1 inch= 100 feet, but the scale in the legend states 1”=250’.



March 25, 2024

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

**Re: Grande Reserve Unit 21
Final Engineering Review – 2nd Submittal
City of Yorkville**

Dear Krysti:

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

- Final Engineering Plans (23 Sheets) revised February 9, 2024, prepared by Manhard Consulting.
- Stormwater Management Report dated December 15, 2023, prepared by Manhard Consulting.
- Landscape Plan (3 Sheets) dated January 25, 2006 prepared by Rolf C. Campbell & Associates, Inc.
- Plat of Subdivision (3 Sheets) revised February 7, 2024, prepared by Manhard Consulting.
- Plant List dated October 19, 2006 prepared by Manhard Consulting.
- Engineer's Opinion of Probable Cost dated January 9, 2024 prepared by Manhard Consulting.

Our review of these plans is to generally determine their compliance with local ordinances and whether the improvements will conform to existing local systems and equipment. This review and our comments do not relieve the designer from his duties to conform to all required codes, regulations, and acceptable standards of engineering and land surveying 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 at the appropriate time.
 - a. IEPA NPDES General Construction Permit is required. The Notice of Intent must be filed with IEPA 30 days prior to start of construction.
 - b. IEPA Water and Sanitary Sewer Construction permits
 - c. Fox Metro Water Reclamation District approval is needed for the connection of the proposed sanitary lines to the existing sanitary sewer.
2. IEPA Water and Sanitary Sewer permits shall be submitted for review and distribution to the City for signatures.

3. Prior to the start of construction, the following items need to be addressed:
- a. A preconstruction meeting with City staff needs to be held.
 - b. A construction guarantee equal to 120% of the public improvements and erosion control costs needs to be on file with the City.

Final Engineering Plans

4. The Final Engineering Plans have been reviewed and are found to be generally acceptable.

Landscape Plan and Plant List

5. The Update Plant List and Landscape Plan are approved. See the attached letter from the City's landscape consultant.

Plat of Subdivision

6. The Plat of Subdivision has been reviewed and is found to be generally acceptable.

Engineer's Opinion of Probable Cost

7. We have reviewed the Engineer's Cost Opinion and find it to be acceptable. A performance guarantee in the amount of \$1,490,310.90 (120% x \$1,241,925.75) is to be on file with the City prior to the issuance of a building permit.

If you have any questions or require additional information, please call 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. Dave Riendeau, Manhard Consulting (via email)
TNP, PGW2, EEI (Via e-mail)



Yorkville Police Department Memorandum

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

Date: September 23, 2024
To: Krysti Barksdale Noble, Community Development Director
From: James Jensen, Chief of Police
Reference: Plan Review Grand Reserve Units 18 & 25 and Unit 21
List Project Name Grand Reserve Units 18 & 25 and Unit 21
List Applicant Name
List Project Manager
List Project Number PZC 2024-27 & 2024-28 Grande Reserve Units 18 & 25
And Unit 21 (Final Plat)

Please see comments listed below pertaining to the project referenced above:

Signage

Handicapped Signage Required: X Yes No

Comments: **Handicapped parking has been identified. Proper signage is required.**

***Signage must meet MUTCD Standards*

***Fine amount must be listed on sign*

Speed Limit Signage Required/Recommended Yes X No

School Zone Special Signage Yes X No

Special Speed Zone Signage Requested Yes X No

Comments: **N/A**

No Parking Signage Required? X Yes No

 X No Parking After 2" Snow Fall

Comments: **No parking after 2" snow fall on Preston Drive.**

No Parking Locations: **No parking locations should be clearly marked**

Dedicated parking signage needed? Yes X No

 Located by Park

 School



Yorkville Police Department Memorandum

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Telephone: 630-553-4340
Fax: 630-553-1141

____ Common Parking Area

Are there Street Name Conflicts? ____ Yes X No

Comments: **Will Preston Drive be marked as Preston North or South?**

Building & Apartment Numbering

Exterior Building Signs Requested ON Building X Yes ____ No

Comments: **For immediate emergency response having ON building or signage in front of each building identifying the building and townhome numbers would be helpful.**

Pedestrian/Bike Path Crossing Signage? X Yes ____ No

Warning Ahead Signs are Required

Comments: **I assume this will connect to the bike path. Whatever signage we currently use in other developments for bike paths should be included (i.e. no motorized vehicles, stop signs, etc.). If violations of HOA rules are not police enforced then no signage is being requested.**

NO Construction Traffic Signage being requested? X Yes ____ No

Location: **No construction traffic signs should be posted at the entrance to adjacent subdivision. Construction traffic should only use Preston (new development) and Tuscany Trail to Mill Road.**

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 MUTCD Standards specific to location, size, color, and height levels

Roadway

Street Width

Should parking be allowed on BOTH sides of road? ____ Yes ____ No

Should parking be restricted to fire hydrant side? X Yes ____ No

Comments: **On Preston Drive only.**

Center Roadway Medians: ____ Yes ____ No



Yorkville Police Department Memorandum

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Fax: 630-553-1141

Limit Parking on Median? ☐ Yes ☐ No
Signage Needed? ☐ Yes ☐ No
Room for Emergency Veh. w/ one lane Obstructed? ☐ Yes ☐ No

Do you have intersection Concerns? ☐ Yes ☒ No
Comments: **N/A**

Landscape

Low Growth or Ground Cover Landscaping? ☐ Yes ☐ No
Low Growth or Ground Cover Landscaping by windows? ☐ Yes ☐ No
Low Growth or Ground Cover Landscaping by Entrances ☒ Yes ☐ No

Comments: **Landscaping at the intersection of Tuscany and Preston should be limited for site line issues.**

Landscaping located near the entrance/exits should include ONLY low growth or ground cover so as to not obstruct site lines

Ingress / Egress

Entrance/Exits match up with adjacent driveways? ☒ Yes ☐ No
Total Entrance/Exits for development? 2

Are vehicle entrance/exits safe? ☒ Yes ☐ No
Are warning signs for cross traffic requested? ☒ Yes ☐ No

Comments: **Cross traffic signage should be posted on Tuscany Trail for North and South Preston.**

Raised Median & Signage for Right in & Right Out? ☐ Yes ☒ No
Comments: **N/A**

Emergency Contact for after hours during construction: _____
Comments: **Please provide information**

Is this a gated or controlled access development? ☐ Yes ☒ No
If yes, will police & Fire and Access? ☐ Yes ☐ No



Yorkville Police Department Memorandum

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Miscellaneous

Individual Mailboxes? ☐ Yes ☐ No

Cluster Mailbox Kiosks? ☒ Yes ☐ No

Will this cause traffic choke points? ☐ Yes ☐ No

Comments: **Cluster mailboxes should be out of the way of general traffic flow.**

Are sidewalks being planned for the development? ☒ Yes ☐ No

Comments: **N/A**

Are sidewalk crosswalks needed? ☒ Yes ☐ No

Comments: **Only if crossing major roadway.**

Are there bike paths planned for the development? ☒ Yes ☐ No

Comments: **N/A**

Proper Signage needed for bike paths ☒ Yes ☐ No

☐ Stop Signs ☐ Yield Signs ☒ NO Motorized Vehicles

☐ Trespassing ☐ Other _____

Are there HOA Controlled Roadway OR Parking Areas? ☐ Yes ☐ No

Comments: **Is this area controlled by HOA or will police be able to enforce stopping, standing, parking related issues?**

Who is responsible for re-surfacing and re-striping? **N/A**

Security

Will security cameras be in use? ☐ Yes ☐ No

Comments: **Will security cameras be in use around the property? If requested will those in charge of the cameras work with the police department for video related evidence? Would Police Department access to the exterior cameras for emergency purposes be allowed?**



Yorkville Police Department Memorandum

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We assume access to the building will be controlled. Will the police department have access to the building for emergencies? ☐ Yes ☐ No

Comments: **N/A**

What are the business Hours of Operation? **N/A**

Will the property be alarmed? ☐ Yes ☐ No

Comments: **N/A**

Will you provide Floor Plans/Maps to the police department to be used for emergency purposes only? ☐ Yes ☐ No

Comments: **We would request a copy of the floor plans to be used for emergency purposes only.**

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.

Site Data

	Acres	Percent
Total Site	1037.91	100.00
Perimeter Road R.O.W	37.31	3.60
Feature Roads	21.40	2.06
Commercial	4.44	0.43
Open Space (incl. Det., Parks & Buffers)	352.48	33.96
Residential	622.59	59.95
Gross Site Density	= 2.55 D.U./Ac. (2648 D.U./1037.91 Ac.)	

Residential Area

Neighborhood	Residence Type	Minimum Lot Size	Average Lot Size	Minimum Lot Width	Typical Lot Width	D.U.
1	Single Family Villas	NA	NA	NA	NA	200
2	Two-Family	10,000	NA	80 Ft.	80 Ft.	128
3	Townhomes	NA	NA	NA	NA	245
4	Multi-Family	NA	NA	NA	NA	320
5	Townhomes	NA	NA	NA	NA	164
6	Townhomes	NA	NA	NA	NA	156
7	Townhomes	NA	NA	NA	NA	142
8	Two-Family	10,000	NA	NA	NA	224
9	Single Family	10,000	11,500	70 Ft.	75 Ft.	130
10	Single Family	10,000	11,500	70 Ft.	75 Ft.	84
11	Single Family	10,000	11,500	70 Ft.	75 Ft.	87
12	Single Family	11,000	12,650	75 Ft.	80 Ft.	90
13	Single Family	11,000	12,650	75 Ft.	80 Ft.	90
14	Single Family	12,000	13,800	80 Ft.	85 Ft.	118
15	Single Family	12,000	13,800	80 Ft.	85 Ft.	85
16	Single Family	11,000	12,650	75 Ft.	80 Ft.	98
17	Single Family	12,000	13,800	80 Ft.	85 Ft.	109
18	Single Family	12,000	13,800	80 Ft.	85 Ft.	56
19	Single Family	12,000	13,800	80 Ft.	85 Ft.	55
Total						2046

Open Space Breakdown

	Suburban Transitional	Total	Neighborhood	Regional
Municipal Site	0.58	2.00	2.58	---
Community Clubhouse/Rec. Area	---	5.10	5.10	---
School Site / Park Sites	8.20	108.81	118.81	55.53
HOA Buffers	27.58	80.00	107.58	---
Stormwater Management	36.11	24.56	120.67	---
Total	71.41	231.07	352.48	55.53

Notes

1. All perimeter lots adjacent to existing County subdivisions will have a minimum 25 ft. landscape buffer easement in addition to the required rear yard.

Summary

	Units
Multi-Family	300
Townhomes	707
Two-Family	350
Single Family Villas	290
Single Family	822
Total	2648



Revisions:
01-20-03
07-21-03

Job No. 3300
Scale: 1"=400'
Date: 09-23-03

MPI - Yorkville
535 Plainfield Road Suite E
Wilmette, IL 60527
(630) 325-4500

Group Exhibit "C"

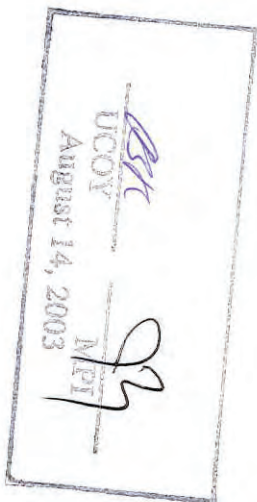
Concept Plan
GRANDE RESERVE
Yorkville, Illinois

JEN LAND DESIGN, INC.
PLANNING • LANDSCAPE ARCHITECTURE
5917 N. Cumberland, Suite 808 Chicago, IL 60656 • 773/763-3320
Fax: 773/763-3320 Email: jland@jlandinc.net





Townhome Neighborhood 3 & 6





Duplex Neighborhoods 2 & 8



EXHIBIT "D₅"

Architectural Design Standards

Architectural Design Standards for Two-Family, Townhome and Apartment Homes and Single Family Villas

Photographs included as Exhibit D2 are conceptual examples of building elevations that will be constructed in Grande Reserve.

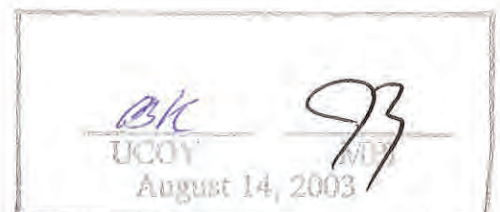
The OWNERS and DEVELOPER agree to adhere to any city-wide architectural control ordinances that are in place at the time of final platting for each phase of development. Additionally, the OWNERS and DEVELOPER agree to impose architectural design standards relating to façade materials, accessory structures and other building restrictions at the time of final plat submittal for each unit. These standards, which may exceed the city-wide architectural control standards, will be submitted for city review and approval prior to City Council approval of the final plat of subdivision.

DEVELOPER established architectural design standards would address the following issues:

Architectural Design Standard	SF Villas	Two-Family	Townhomes	Apartments
Color Schemes	X	X	X	X
Deck & Patio Specifications	X	X	X	N/A
Fence Specifications	X	X	X	N/A
Restrictions on Accessory Bldgs.	X	X	X	N/A
Restrictions on Housing Styles	X	X	X	N/A
Minimum Square Footage	X	X	X	N/A
Building Materials	X	X	X	X
Roof Specifications	X	X	X	X

Architectural Design Standards for Commercial Area

All buildings located within the commercial area north of Neighborhood 5 shall be constructed 100% of brick/masonry materials on all sides.



Description	Transitional Area Data
1 Detention Areas	85.4 Acres
2 School Areas	12.0 Acres
3 Park Area	96.6 Acres
4 Club Area	5.1 Acres
5 Municipal Sites	2.0 Acres
6 Buffer Areas	80.0 Acres
7 Total Open Space in Transitional Area	281.0 Acres
8 Total Transitional Area	770.9 Acres
9 Proposed # Of Dwelling Units in Transitional Area	2,220 Units
10 Overall Density in Transitional Area	2.88 Units/Acre
11 Maximum Density Allowed Under Comprehensive Plan	3.20 Units/Acre
12 Density Under Comprehensive Plan Requirements	0.32 Units/Acre
13 Percent of Density Under Comprehensive Plan Requirements	10.01%
14 Population Generated from Transitional Area (Per Ordinance Tables)	6,276 People
15 Divided by 1,000	1,000
16 Open Space Factor	6.276
17 Times 10 Acres/1,000 (As Required by Ordinance)	10
18 Open Space Donation	62.8 Acres
19 Gross Open Space	281.0 Acres
20 Less Detention Area	-85.4 Acres
21 Net Open Space in Transitional Area	195.6 Acres
22 Less 1/2 Open Space Donation (1/2 Cash Value Credited)	-31.4 Acres
23 Excess Open Space in Transitional Area	164.3 Acres
24 Total Acres in Transitional Area	770.9 Acres
25 Equals % Excess Open Space	21.31%
26 Excess Open Space/Comp Plan Required at 28% Attached Area	21.00%
27 Acres Above Comprehensive Plan Requirements	1.6 Acres
28 Percent Above Comprehensive Plan Requirements	0.31%
29 Neighborhood 2 Acres @ 6 units/acre (126 Units)	24.9 Acres
30 Neighborhood 3 Acres @ 6 units/acre (245 Units)	43.2 Acres
31 Neighborhood 4 Acres @ 6 units/acre (300 Units)	50.0 Acres
32 Neighborhood 5 Acres @ 6 units/acre (164 Units)	27.3 Acres
33 Neighborhood 6 Acres @ 6 units/acre (156 Units)	26.0 Acres
34 Neighborhood 7 Acres @ 6 units/acre (142 Units)	23.7 Acres
35 Neighborhood 8 Acres @ 6 units/acre (224 Units)	38.4 Acres
36 Total Attached Acres	233.5 Acres
37 Divided by Total Acres	770.9 Acres
38 Equals % Attached Area	30.29%
39 Area Limit %/Draft Comp Plan	32.00%
40 Percent Under Comprehensive Plan	1.71%

Transitional Area "Additional Open Space" Table

Additional Open Space	Max. Area within Dev. Of Single Family Attached	Maximum Overall Density Units per acre	Maximum Density of Single Family Attached Units per Acre
0%	0%	2.25	N/A
10%	10%	2.50	6
15%	20%	3.00	6
16%	22%	3.05	6
17%	24%	3.10	6
18%	26%	3.15	6
19%	28%	3.20	6
20%	30%	3.25	6
21%	32%	3.30	6
25%	40%	3.50	6
25%	25%	3.50	8

**Bolded rows are as they appear exactly in the Comprehensive Plan

Total Attached Housing Area = 233.49 Ac.

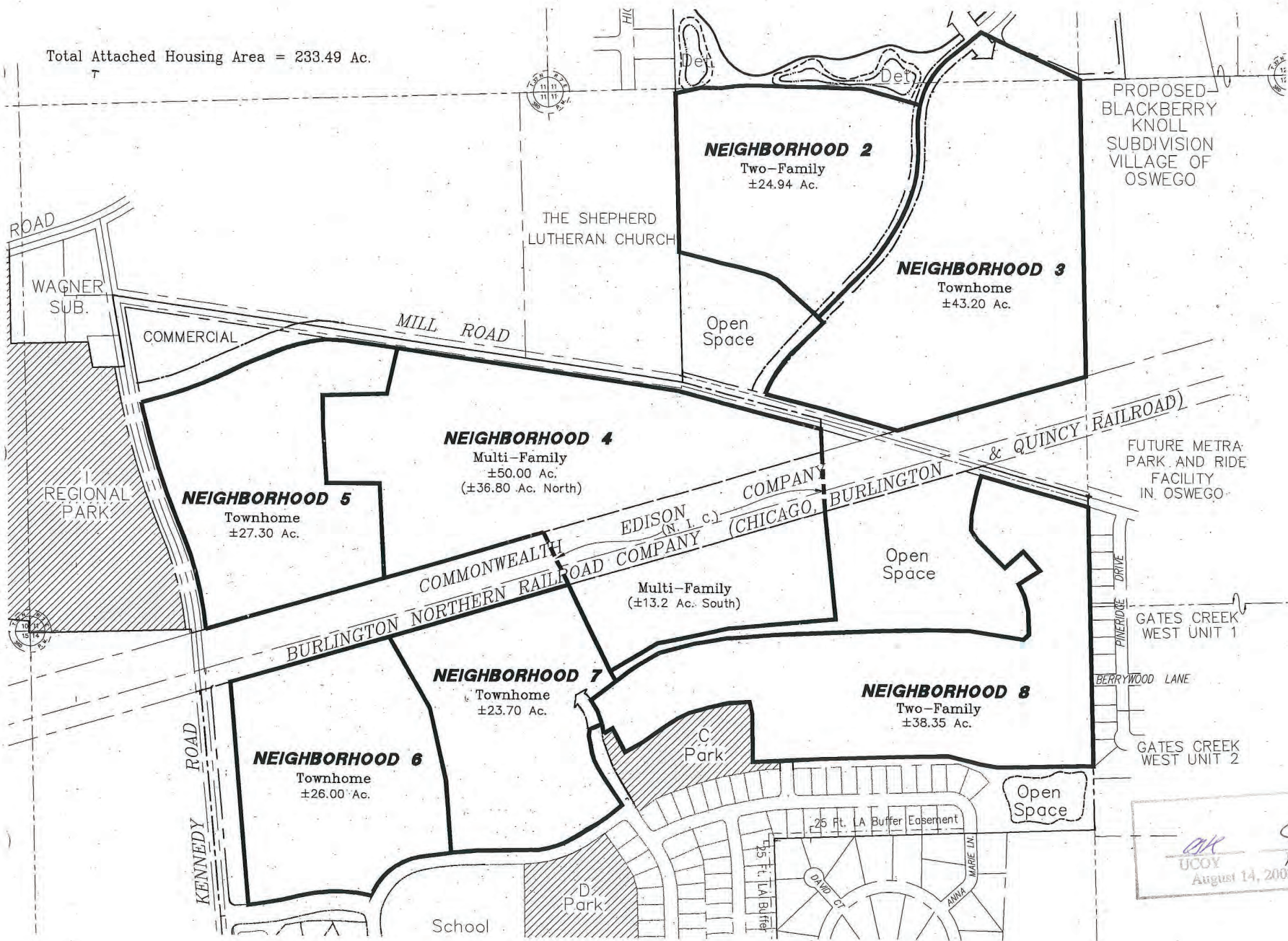


Exhibit "D8"
Transitional-Attached Housing
Zoning Exhibit
(Neighborhoods 2-8)
GRANDE RESERVE
Yorkville, Illinois

JEN LAND DESIGN, INC.
PLANNING • LANDSCAPE ARCHITECTURE
5517 N. Cumberland, Suite 906 Chicago, IL 60656
Ph: 773.763.3320 Fax: 773.763.3325 Email: jpland@earthlink.net

MPI - Yorkville
535 Plainfield Road Suite E
Wilmette, IL 60097
(630) 325-4500

Job No. 3300
Scale 1"=200'
Date 03-20-03

Revised 06-20-03
August 14, 2003



EXHIBIT E1 - GRANDE RESERVE VARIANCE SCHEDULE NEIGHBORHOODS 2 - 19

	R-2 Residential Required	R-2 PUD	R-2 PUD	R-2 PUD	R-2 Duplex Required	R-2 PUD
Minimum Lot Size	12,000 sf	12,000 sf	11,000 sf	10,000 sf	15,000 sf	10,000 sf (4)
Minimum Lot Width	80 ft.	80' Min/85' Typ.	77' Min/82' Typ.	71' Min/75' Typ.	100 ft	75 ft. (4)
Average Lot Size Yards	----	13,800 sf (6)	12,650 sf (6)	11,500 sf (6)	----	----
Front	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.
Side (Corner)	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.
Side (Interior)	10 ft./ 10%>	10 ft.	10 ft.	10 ft.	10 ft./ 10%>	10 ft.
Rear	40 ft.	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.
Neighborhoods		14, 15, 17, 18 & 19	12, 13 & 16	9, 10 & 11		2 & 8

	R-3 General Residence Required	R-2 PUD	R-2 PUD	R-4 General Residence Required	R-2 PUD
Yards					
Front	30 ft.	25 ft.	25 ft.	30 ft.	25 ft.
Side (Corner)	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.
Perimeter	30 ft.	30 ft.	30 ft.	40 ft.	30 ft.
Building to Building					
Building Height	2 1/2 Stories or 25 ft.	3 1/2 Stories or 35 ft. (5)	3 1/2 Stories or 35 ft. (5)	2 1/2 Stories or 25 ft.	3 1/2 Stories or 35 ft. (5)
Side to Side	20 ft.	20 ft.	20 ft.	----	----
Side to Rear	40 ft.	40 ft. (1)	35 ft.	----	----
Rear to Rear	60 ft.	60 ft. (2)	60 ft. (2)	----	----
Front to Side	50 ft.	50 ft.	35 ft.	----	----
Front to Front	50 ft.	50 ft.	50 ft. (3)	----	----
Rear to Front	100 ft.	100 ft.	50 ft.	----	----
Garage to Garage	----	----	60 ft.	----	----
Bldg. To Parking	----	----	----	----	15 ft.
Bldg. To Bldg. (end)	----	----	----	----	30 ft.
Bldg. To Bldg. (rear to front)	----	----	----	----	60 ft.
Neighborhoods		3	4, 5, 6 & 7		4



- Notes**
1. If the structures are arranged in any way other than a parallel arrangement, a separation of 35 feet shall be allowed at the closest point between the structures as long as the average separation between the structures is 40 feet or more.
 2. If the structures are arranged in any way other than a parallel arrangement, a separation of 50 feet shall be allowed at the closest point between the structures as long as the average separation between the structures is 60 feet or more.
 3. If the structures are arranged in any way other than a parallel arrangement, a separation of 40 feet shall be allowed at the closest point between the structures as long as the average separation between the structures is 50 feet or more.
 4. The proposed variances are for two-story duplexes only.
 5. As measured from the rear yard.
 6. The average lot size in each single family detached neighborhood shall be 115% of all listed minimum lot sizes.