United City of Yorkville
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Yorkville, Illinois 60560
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PLANNING AND ZONING COMMISSION AGENDA

Wednesday, February 12, 2025
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: January 8, 2025

Citizen's Comments

Public Hearings

1. **PZC 2024-22 Beecher Road Solar, LLC,** contract lessee, and Gary and Betty Bennett, property owners, petitioners, have filed applications with the United City of Yorkville, Kendall County, Illinois, requesting special use authorization and a bulk regulation variance approval. The real property is generally located immediately north of Corneils Road, approximately 1,500 feet west of Beecher Road, and approximately 4,000 feet east of IL Route 47 (N. Bridge Street) consisting of approximately 70 acres. The petitioners are requesting special use permit approval in pursuant to Section 10-8-5 of the Unified Development Ordinance for a solar farm. Lastly, the petitioners are requesting a bulk regulation variance to Section 10-4-13-8.c of the Unified Development Ordinance, seeking a reduction from the required one thousand (1,000) foot setback from the nearest solar array to roadway network to 482 feet from Corneils Road.

2. **PZC 2024-29 1115, LLC,** the petitioner, in collaboration with property owners Brent and Tracy Schalhamer, has applied to the United City of Yorkville, Kendall County, Illinois, for rezoning and special use authorization for a Planned Unit Development (PUD). The proposal involves purchasing and redeveloping approximately 14 acres, comprising a one-acre parcel to remain zoned B-3 General Business District for future commercial use, and a 13-acre parcel to be rezoned from R-1 Single-Family Suburban Residence District to R-4 General Multi-Family Residence District for a townhome community with 18 buildings and 105 units. The petitioner also seeks a deviation from the Yorkville Unified Development Ordinance's Appearance Standards (Section 10-5-8(C)(2)(b)) to reduce the required use of masonry or premium siding on the front façades of the townhomes from 50% to 25%. The property, formerly Parfection Park, is located west of IL Route 47 (S. Bridge Street), east of the Green Briar subdivision, north of the Prairie Garden development, and commonly addressed as 1115 South Bridge Street.

3. **PZC 2024-31 David Hamman, on behalf of Kelaka, LLC,** petitioner/owner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting rezoning classification. The real property consists of three (3) parcels totaling approximately 112.44 acres. Two (2) parcels are generally located immediately south of Faxon Road and west of Iroquois Lane and one (1) parcel is located immediately north of West Veterans Parkway (US 34) and east of

Eldamain Road. The petitioner is requesting rezoning approval from R-1 Single-Family Suburban Residential District and B-3 General Business District to M-2 General Manufacturing District.

4. **PZC 2024-32 Kyle Corniels,** petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting relief from Section 10-5-5 of the Unified Development Ordinance requiring fences not extend beyond the front plane of the primary building facade in residential districts for a residential parcel located at 515 W. Washington Street. The purpose of this request is to allow for the fence on the petitioner's property to extend beyond the front plane of their home. The real property, zoned R-2 Single-Family Traditional Residence District, is located at the end of the cul-de-sac on West Washington Street and immediately south of West Fox Street, in Yorkville, Illinois.

Unfinished Business

New Business

1. **PZC 2024-22 Beecher Road Solar, LLC,** contract lessee, and Gary and Betty Bennett, property owners, petitioners, have filed applications with the United City of Yorkville, Kendall County, Illinois, requesting special use authorization and a bulk regulation variance approval. The real property is generally located immediately north of Corneils Road, approximately 1,500 feet west of Beecher Road, and approximately 4,000 feet east of IL Route 47 (N. Bridge Street) consisting of approximately 70 acres. The petitioners are requesting special use permit approval in pursuant to Section 10-8-5 of the Unified Development Ordinance for a solar farm. Lastly, the petitioners are requesting a bulk regulation variance to Section 10-4-13-8.c of the Unified Development Ordinance, seeking a reduction from the required one thousand (1,000) foot setback from the nearest solar array to roadway network to 482 feet from Corneils Road.

   Action Items
   Special Use and Variance

2. **PZC 2024-29 1115, LLC,** the petitioner, in collaboration with property owners Brent and Tracy Schalhamer, has applied to the United City of Yorkville, Kendall County, Illinois, for rezoning and special use authorization for a Planned Unit Development (PUD). The proposal involves purchasing and redeveloping approximately 14 acres, comprising a one-acre parcel to remain zoned B-3 General Business District for future commercial use, and a 13-acre parcel to be rezoned from R-1 Single-Family Suburban Residence District to R-4 General Multi-Family Residence District for a townhome community with 18 buildings and 105 units. The petitioner also seeks a deviation from the Yorkville Unified Development Ordinance's Appearance Standards (Section 10-5-8(C)(2)(b)) to reduce the required use of masonry or premium siding on the front façades of the townhomes from 50% to 25%. The property, formerly Parfection Park, is located west of IL Route 47 (S. Bridge Street), east of the Green Briar subdivision, north of the Prairie Garden development, and commonly addressed as 1115 South Bridge Street.

   Action Item
   Rezone and PUD

3. **PZC 2024-31 David Hamman, on behalf of Kelaka, LLC,** petitioner/owner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting rezoning classification. The real property consists of three (3) parcels totaling approximately 112.44 acres. Two (2) parcels are generally located immediately south of Faxon Road and west of Iroquois Lane and one (1) parcel is located immediately north of West Veterans Parkway (US 34) and east of Eldamain Road. The petitioner is requesting rezoning approval from R-1 Single-Family Suburban Residential District and B-3 General Business District to M-2 General Manufacturing District.

   Action Item
   Rezone

4. **PZC 2024-32 Kyle Corniels,** petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting relief from Section 10-5-5 of the Unified Development Ordinance requiring fences not extend beyond the front plane of the primary building facade in residential districts for a residential parcel located at 515 W. Washington Street. The purpose of this request is to allow for the fence on the petitioner's property to extend beyond the front plane of their home. The real property, zoned R-2 Single-Family Traditional Residence District, is located at the end of the cul-de-sac on West Washington Street and immediately south of West Fox Street, in Yorkville, Illinois.

   Action Item
   Variance

Additional Business

1. **City Council Action Updates**

   a. **PZC 2024-33 Stephen Cross,** representing Costco, has submitted applications to the United City of Yorkville, on behalf of Costco Wholesale Corporation (contract purchaser and petitioner) and Joda Land Holding, LLC (property owner). The applications request an amendment to the Yorkville Crossing Planned Unit Development (PUD) Agreement to allow 160,000-square-foot members-only retail store, special use authorization for a freestanding fueling facility, and final plat approval to resubdivide two parcels (totaling ~34 acres) into three parcels. The petitioner is also requesting deviations from the Unified Development Ordinance, including regulations for landscaping (Section 10-5-3), parking and loading (Section 10-5-1) related to maximum parking stalls and minimum EV charging stations, outdoor lighting pole height (Section 10-5-7), and building facade appearance standards (Section 10-5-8). The property is located at the northwest corner of Veterans Parkway (US 34) and Countryside Parkway.

      Action Items
      PUD Amendment, Special Use, and Final Plat

   b. **PZC 2024-30 Nicholas S. Bellone,** on behalf of Ament Road Solar 1, LLC (Tenant) and Janet M. Dhuse on behalf of the Janet Dhuse Declaration of Family Trust Dated March 1, 2013 (Owner) are seeking a special use permit for a commercial solar energy facility and a variance to Section 36-282(17)(a) of the Kendall County Zoning Ordinance to allow a commercial solar energy facility on land within 1.5 miles of municipality without an annexation agreement.

      Action Item
      1.5-mile Review

   c. **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

d. **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

Adjournment

PLANNING & ZONING COMMISSION

Wednesday, January 8, 2025, 7:00pm
Yorkville City Hall Council Chambers
651 Prairie Pointe Drive, Yorkville, IL

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
Ryan Forristall-yes, Michael Crouch-yes, Marge Linnane-yes, Richard Vinyard-yes

Absent: Danny Williams, Rusty Hyett

City Staff
Krysti Barksdale-Noble, Community Development Director
Sara Mendez, Planner1
Drea Sandoval, City Intern
Brad Sanderson, City Engineer/EEI
Katelyn Gregory, Community Engagement & Marketing Coordinator
Megan Lamb, City Attorney
Chris Funkhouser, Alderman
Craig Soling, Alderman
Lynn Dubajic Kellogg, City Consultant

Other Guests
Steve Cross, Costco
Chris Vitosh, Vitosh Reporting Service
Gene Wilberg, Prairie Garden
Jenny Lunn, Resident
Michael Ganger, White Oak Est.
Jeffrey Burk, Prairie Meadows
Sophia Yurt, Prairie View
Charlie Golowacz
Lanette Yurt, Prairie View
Charles Dettlinger, Resident
Tanya Dettlinger, Resident
Joe Hamman, Kelaka
Jorge Ayala, Prairie Meadows
Larry Dziurdzik, Costco
Peter Reinhofer, V3
Peter W., V3
Marcy Hamman, Kelaka, LLC
Anthony DiSandro, Heartland
Dan Free, Civil Engineer,V3
Dave Kellogg, Resident
Sydney Yurt
Ethan Kruger, WSPY
Austin Kaczmarek, WSPY
John M. Joyce, Resident
Marcia Ayala, Prairie Meadows

Via Zoom: Amanda McAbee, Jen Rakas, John Dvorak, Nick Bellone-New Leaf, Risa Y., G.B.

Previous Meeting Minutes **December 11, 2024**
Motion by Marge Linnane, second by Ryan Forristall to approve the minutes as presented. Roll call: Forristall-yes, Crouch-yes, Linnane-yes, Vinyard-yes Carried 4-0.

Citizen's Comments None

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

At 7:02pm, he asked for a motion to open the Hearing for PZC 2024-33 Costco. So moved by Mr. Crouch and seconded by Ms. Linnane. Roll call: Forristall-yes, Crouch-yes, Vinyard-yes, Linnane-yes. Carried 4-0.

Mr. Vinyard read the description of the Hearing:

1. **PZC 2024-33 Stephen Cross** representing Costco, has submitted applications to the United City of Yorkville, on behalf of Costco Wholesale Corporation (contract purchaser and petitioner) and Joda Land Holding, LLC (property owner). The applications request an amendment to the Yorkville Crossing Planned Unit Development (PUD) Agreement to allow 160,000-square-foot members-only retail store, special use authorization for a freestanding fueling facility and final plat approval to resubdivide two parcels (totaling ~34 acres) into three parcels. The petitioner is also requesting deviations from the Unified Development Ordinance, including regulations for landscaping (Section 10-5-3), parking and loading (Section 10-5-1) related to maximum parking stalls and minimum EV charging stations, outdoor lighting pole height (Section 10-5-7) and building facade appearance standards (Section 10-5-8). The property is located at the northwest corner of Veterans Parkway (US 34) and Countryside Parkway.

After testimony, a motion was made by Ms. Linnane and seconded by Mr. Crouch to close the Public Hearing at 7:54pm. Roll call: Linnane-yes, Vinyard-yes, Forristall-yes, Crouch-yes. Carried 4-0.

(See Court Reporter's transcript)
(Standards and Petitioner's Responses to be part of official record)

Unfinished Business None

New Business

1. PZC 2024-33 Stephen Cross/Costco (see full description above)

Ms. Noble listed the deviations from the code that are requested by the petitioner, along with staff recommendations. They are regarding: 1) number of parking stalls, 2) relief from minimum EV charger infrastructure, 3) vehicle access—developer will insure cross access enacted via part of a real estate deal, 4) requesting slightly taller poles for lighting, 5) landscaping plan, 6) appearance standards/masonry requirements. Staff is supportive of all deviation requests.

She also discussed signage and the Special Use for the fuel station. Staff recommends approval of the Final Plat contingent on the engineering comments. She said staff supports a change in the 2016 Comprehensive Plan land use from mid-density residential to destination commercial. She said the Comp Plan is up for renewal next year. The existing B-3 zoning classification and commercial is permitted there. Staff supports all of these.

Ms. Noble reviewed the standards for the Special Use and noted that the standards and petitioner's responses will be entered into the record.

Mr. Vinyard addressed handicapped parking from a question raised from a meeting participant. The participant said it is very difficult to find handicapped parking at other Costco facilities and with other 55+ facilities coming into the city, he had concern. Mr. Vinyard said handicapped parking is federally controlled.

Action Item

Planned Unit Development (PUD) Amendment

A motion and second was made by Commissioners Forristall and Linnane, respectively, to approve PZC 2024-33 PUD Amendment, Special Use and Final Plat. Chairman Vinyard read the motions as follows:

Motion: In consideration of testimony presented during a Public Hearing on January 8, 2025, the Planning and Zoning Commission recommends approval to the City Council of a request for an amendment to the Yorkville Crossing Planned Unit Development Agreement to facilitate the development of an approximately 160,000-square-foot members-only retail store, a fuel facility and two (2) commercial outlots with an underlying zoning designation of B-3 General Business District for an approximately 34 acre parcel located at the northwest corner of Veterans Parkway (US 34) and Countryside Parkway, subject to the conditions enumerated in a staff memorandum dated January 2, 2025 and review comments prepared by the City's engineering consultant, EEI, Inc., in a letter dated December 5, 2024 and any subsequent reviews related to the Site Plan and Aerial Site Plan prepared by MG2 dated January 3, 2025 and Traffic Study prepared by V3 Companies updated December 30, 2024.

Roll call: Linnane-yes, Vinyard-yes, Forristall-yes, Crouch-yes. Motion carried 4-0.

Action Item

Special Use

Motion: In consideration of testimony presented during a Public Hearing on January 8, 2025 and approval of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council of a request for Special Use authorization for a fuel facility as part of the Costco Wholesale Warehouse development to be located at the northwest corner of Veterans Parkway (US 34) and Countryside Parkway within the Yorkville Crossing PUD subject to engineering review comments provided by the City's engineering consultant, EEI, Inc., in a letter dated December 5, 2024 and subsequent reviews related to the Site Plan and Aerial Site Plan prepared by MG2 dated January 3, 2025 and Traffic Study prepared by V3 Companies updated December 30, 2024.

Roll Call: Vinyard-yes, Forristall-yes, Crouch-yes, Linnane-yes. Motion carried 4-0.

Action Item

Final Plat of Subdivision

Motion: The Planning and Zoning Commission recommends approval to the City Council of the Final Plat of Subdivision of Costco Wholesale, dated last revised 12/18/24 and prepared by V3 Companies, Ltd. subject to review comments prepared by City's engineering consultant, EEI, Inc., in a letter dated December 5, 2024 and any subsequent reviews related to said Final Plat of Subdivision.

Roll call: Forristall-yes, Crouch-yes, Linnane-yes, Vinyard-yes. Motion carried 4-0.

2. **PZC 2024-30 Nicholas S. Bellone**, on behalf of Ament Road Solar 1, LLC (Tenant) and Janet M. Dhuse on behalf of the Janet Dhuse Declaration of Family Trust Dated March 1, 2013 (Owner) are seeking a special use permit for a commercial solar energy facility and a variance to Section 36-282(17)(a) of the Kendall County Zoning Ordinance to allow a commercial solar energy facility on land within 1.5 miles of municipality without an annexation agreement.

Ms. Mendez said this property is south of Ament Rd., west of Rte. 47 and near the Windett Ridge subdivision. In August, 2024 the City Council formally agreed they would not ask for a pre-Annexation Agreement. The 1,442 feet setback from Ament Rd. meets the city's 1,000 foot setback. The Comp Plan designation is agricultural and the proposed solar farm is consistent with this. It will be brought to the January 20th City Council meeting.

Action Item

1.5 – Mile Review

Mr. Crouch moved and Ms. Linnane seconded a motion to approve PZC 2024-30 Ament Road Solar I, LLC for a solar farm. Mr. Vinyard read the motion.

Motion: In consideration of the proposed mile and one-half review of Kendall County Petition 24-30 by Ament Road Solar 1, LLC, seeking a special use permit for a commercial solar energy system and variance to allow a commercial solar energy system on land within 1.5 miles of a municipality without an annexation agreement consisting of (2) parcels totaling ~93.4 acres, the Planning and Zoning Commission recommends to the City Council not to object to the request.

Roll call: Linnane-yes, Vinyard-yes, Forristall-yes, Crouch-yes. Motion carried 4-0.

Additional Business None

Adjournment

There was no further business and the meeting was adjourned at 8:18pm on a motion by Mr. Crouch and second by Ms. Linnane. Unanimous voice vote approval.

Respectfully submitted by
Marlys Young, Minute Taker

UNITED CITY OF YORKVILLE

YORKVILLE, ILLINOIS

PLANNING AND ZONING COMMISSION

PUBLIC HEARING

651 Prairie Pointe Drive

Yorkville, Illinois

Wednesday, January 8, 2025

7:00 p.m.

PRESENT:

Mr. Rich Vinyard, Chairman,

Mr. Ryan Forristall, Commissioner,

Ms. Marge Linane, Commissioner,

Mr. Michael Crouch, Commissioner.

ALSO PRESENT:

Ms. Krysti Barksdale-Noble, Community Development Director;

Ms. Sara Mendez, Planner;

Ms. Marlys Young, Minute Taker.

APPEARANCES:

OTTOSEN, DiNOLFO, HASENBALG & CASTALDO, LTD.
BY: MS. MEGAN LAMB
1804 North Naper Boulevard, Suite 350
Naperville, Illinois 60563
(630) 682-0085

appeared on behalf of the United City of Yorkville.

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REPORTED BY: Christine M. Vitosh

Illinois C.S.R. License No. 084-002883

(WHEREUPON, the following proceedings were had in public hearing, commencing at 7:03 p.m.:)

CHAIRMAN VINYARD: There is one public hearing scheduled for tonight's Planning and Zoning Commission meeting.

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

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

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

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

(Witnesses sworn.)

CHAIRMAN VINYARD: Thank you. You guys

may be seated.

Okay. So the order for receiving testimony will be as follows. We will first start with the petitioner's presentation and those who wish to speak in favor or opposition against the request.

May I have a motion to open public hearing on Petition number PZC 2024-33, Stephen Cross on behalf of Costco Wholesale Corporation requesting a Planned Unit Development amendment, special use authorization and final plat approval?

COMMISSIONER CROUCH: So moved.

CHAIRMAN VINYARD: Anyone a second?

COMMISSIONER LINANE: Second.

CHAIRMAN VINYARD: Second. Roll call vote on the motion, please.

MS. YOUNG: Yes. Forristall.

COMMISSIONER FORRISTALL: Yes.

MS. YOUNG: Crouch.

COMMISSIONER CROUCH: Yes.

MS. YOUNG: Vinyard.

CHAIRMAN VINYARD: Yes.

MS. YOUNG: And Linane.

COMMISSIONER LINANE: Yes.

CHAIRMAN VINYARD: Very good. The public hearing up for discussion tonight is PZC 2024-33, Stephen Cross, on behalf of Costco Wholesale Corporation and Joda Land Holding, LLC, the property owner, has submitted applications to the United City of Yorkville requesting an amendment to the Yorkville Crossing Planned Unit Development to allow a 160,000-square-foot members-only retail store, special use authorization for a freestanding fuel facility and final plat approval to resubdivide two parcels totaling 34 acres into three parcels.

The petitioner is also requesting deviations from the Unified Development Ordinance, including regulations for landscape, Section 10-5-3, parking and loading, Section 10-5-1, related to the maximum parking stalls and minimum EV charging stations, outdoor lighting pole height, Section 10-5-7, and building facade appearance standards, Section 10-5-8.

The property is located at the northwest corner of Veterans Parkway and Countryside Parkway.

Is the petitioner for PZC 2024-33, Stephen Cross, on behalf of Costco Wholesale Corporation, present and prepared to make its presentation on their proposed request?

MR. CROSS: I am.

CHAIRMAN VINYARD: Please. Thank you, sir.

MS. NOBLE: Give it a second, it will load for you, your presentation.

STEPHEN CROSS,

having been first duly sworn, thereupon testified as follows:

MR. CROSS: That's okay, I can just talk. Okay. Good evening. My name is Stephen Cross, Costco's real estate development director for the Midwest region here.

We are really happy to be here with you this evening as you mentioned for a proposed Costco warehouse to be located within the Yorkville Crossing community, located on Veterans Parkway between McHugh and East Countryside.

We are really thrilled to be here at this point in time after spending the last number of months working with Krysti and staff and

getting to this point, and looking forward to going through our testimony here, our presentation and answering questions that you might have.

With me tonight we have Larry Dziurdzic, who represents Costco real estate, he will be giving most of the presentation here, and we also have Dan Free, a civil engineer from V3, Peter Reinhofer, who is also from V3, he is our transportation engineer, and then online we have Risa Yuki, who is out of -- our architect out of Seattle, she is actually in Texas right now, but she is online to provide some testimony regarding the architecture and building itself, and we also have I believe Amanda McAbee on the line who is our landscape architect who is able to answer any questions on that.

So with that, I will turn it right over to Larry who can jump into the presentation which is teed up there, and the whole team is here to answer questions.

CHAIRMAN VINYARD: Thank you.

MR. DZIURDZIC: Thanks, Steve.

LARRY DZIURDZIC,

having been first duly sworn, thereupon testified as follows:

MR. DZIURDZIC: Let me get situated here. As Steve mentioned, my name is Larry Dziurdzic. I am a Costco real estate consultant. My address is 1955 Raymond Drive in Northbrook.

Tonight we put together a short presentation for the Plan Commission's consideration. The agenda tonight from our end is I will be going through a couple slides describing what we are actually requesting from the Plan Commission tonight.

We are requesting some deviations from the UDO code. I will describe the site plan in a little bit greater detail. I will turn over the mic to our transportation engineer, who will describe a couple of the intersection improvements, and we will conclude with our -- with Risa Yuki, with our architecture, who can describe the building in a little more detail.

As Steve mentioned, we have a landscape architect and our civil engineer available for questions.

So with that, I will go to the next slide. Let's see.

MS. NOBLE: We will have to do it. For whatever reason, it's not --

MR. DZIURDZIC: It's not hooked up to my remote? Okay. That's fine. Next slide here, this is a location map. I think most of you know where the property is located.

It's approximately 33 acres. It's a great site, we really like the location. Veterans Parkway, of course, is on the south end, we have Countryside Parkway on the east, McHugh Road to the west.

We are currently located, or where the meeting is being held tonight, is City Hall to the north end there. You've got Crimson Lane up towards the north end there.

What I highlighted in blue, that's actually the Yorkville Crossing Planned Unit Development, so we are part of this larger planned unit development, and tonight we are requesting some deviations -- I'm sorry, not deviations, but an amendment to that PUD to incorporate our proposed site plan along with the

deviations and a special use for the fuel facility, which I will get into in a little bit more detail.

If we could go to the next slide. So this will be the 20th store in the Chicagoland area, and as -- Mr. Vinyard said that we are under contract with Joda Land Holding, they are the seller that we will be purchasing the property from.

We are requesting amending the Yorkville Crossing Planned Unit Development to include Costco's site plan with certain deviations, which I will get into, from the City's Unified Development code.

The fuel facility that we are requesting is a special use under the code and there are certain standards that go along with that. I won't go into those standards, there is quite a few of them, but we have indicated those in great detail and we have submitted those with our application, so I would like to make sure those are entered into the record into my testimony, and then, of course, we are seeking final plat approval.

So we are requesting five deviations from the UDO code, so I have listed these basically in summary, and I know Staff's report goes into greater detail.

Number one is we are asking to exceed the maximum parking on the property, and when I get into the site plan I can talk more about the parking and what Costco's standards are for parking, but I think the maximum allowed per this B-3 zoning district is 300 and some odd spaces.

We are looking at anywhere from 950 -- or, I'm sorry, 850 to 950. This plan is proposing 955 with the expansion of about 101, and that's just necessary for the operation of Costco. We would never be able to function with 300 and some parking spaces.

Number two is relief from the electric vehicle charging infrastructure requirement.

Number three is to increase the height of our poles in our parking lot. I believe the code is 35 feet, yeah, and we are looking at 36, six.

We are looking at some relief from the building foundation areas and the interior landscaping zones from the one interior parking space for every ten parking spaces, and then the last requirement is really from the masonry requirements on the building, and Risa will get into our design of the architecture.

So we could jump to the site plan. So the site plan, as I mentioned, has roadways on all three sides. We positioned the building towards the center of the property, and that allows us to create some outlots in the front along Veterans, so those outlots are approximately seven acres, and that's going to be for future development, future commercial or retail development.

The plan sets up real nicely to show -- or to display our parking in the front. We've got parking fields on the south side of the building, we've got parking on the east side of the building with great access to the front.

The entrance to the building is at the southeast corner, kind of that chamfer, that 45-degree, and that's been oriented towards the

intersection of Veterans and Countryside, so that was done for a purpose.

Our loading is at the southwest corner of the building. We have our detention stormwater facility located at the far north end and our fuel facility is located at the southwest corner.

As I mentioned, we are about 161,562 square feet and we have about 116,000 square feet of sales floor area.

Our proposed parking area is 855 with the availability to expand our parking another 101 parking spaces, for a total of 956, so we are seeking approval for 956 at this time.

The fuel facility is a four pump by four pump layout, so 16 pumps total, 32 field dispensers. That was sized by our gasoline operation team internal out in Issaquah, Washington.

Costco has several operational departments and so this was carefully examined and studied based on the anticipated membership in the trade area, is how we describe the trade area.

So I think the next slide, this is just overall site context of an aerial photograph of the site plan in relation to the surrounding area.

You can see most of the property is vacant, undeveloped property, except south of Veterans, you have some property in the county and some retail commercial uses there.

And as I mentioned, the fuel facility, this is a larger view. We are providing a 155-foot queue for adequate stacking and distance for cars to move through the site.

Cars are moving from the west to the east. Approximately 65 to 75 percent of our members get gas first and then they go into the store, so this is a natural progression of cars entering on the west side and then exiting on the east side, and then right into our main parking lot or the interior perimeter east/west drive, so it sets up real nice.

You can see that we dashed in an expansion area to the south end of the fuel facility for another additional four pumps, so this can expand if needed in the future, we could

get up to 20 pumps, and if you notice to the west of the queuing area there is a little bit of real estate there before McHugh Road.

We could extend the queue a little bit further to the west to get additional stacking if needed, so there is room here for expansion and growth if required.

The fuel facility elevations, they are a real simple structure, very horizontal, contemporary, modern looking, and we are taking cues from the warehouse which Risa will describe a little bit later on in the presentation.

Next slide. So at this point I would like to turn it over to Peter, he can talk a little bit more about the traffic improvements at the various driveway -- proposed driveways.

Peter?

MR. REINHOFER: Thanks.

PETER REINHOFER,

having been first duly sworn, thereupon testified as follows:

MR. REINHOFER: Good evening. I am Peter Reinhofer with V3 Companies. V3 conducted the traffic impact study for the proposed

development.

As Larry said, from an access perspective, this is probably one of our better sites I have worked on for Costco. Go to the next slide, please.

We are proposing six access points, direct access points, to the site, three along Countryside, one along West 34, two along McHugh.

Kind of working up at the top and kind of going clockwise, driveway one will be a full access driveway along Countryside. We are proposing to restripe the existing westbound left-turn lane into the site. This driveway also aligns with Crimson Lane to the north.

Costco driveway two is also a full-access driveway, and here we are proposing to construct a new westbound left-turn lane within the existing landscape median. The design of that left-turn lane would meet IDOT standards.

Driveway three is also along McHugh and that would be a right-in, right-out driveway.

Driveway four is along U.S. 34 that aligns with Tuma Road to the south. For this driveway we are currently proposing this as a

three-quarter access, so allowing a right-in, right-out and left-in movement, so no left-out movements coming out of Costco onto eastbound 34.

Here we are proposing to construct a new left-turn lane within the existing median also, also following IDOT guidelines for storage and taper based on the design speed of U.S. 34.

Driveway -- I'm sorry, and driveway four we are also constructing a westbound right-turn lane. Sorry about that.

Driveway five would be a full access driveway along McHugh Road. Here we are proposing to construct a new northbound right-turn lane.

Then driveway six is also a full access driveway, and for five and six we are proposing to restripe the existing flush median to provide dedicated left-turn lanes for both driveway five and driveway six.

A traffic study was submitted to IDOT; we are awaiting comments from them.

We do have some modifications along U.S. 34; for instance, the driveway at -- Costco driveway four that aligns with Tuma Road, that

would be permitted through IDOT.

We are proposing to retime the traffic signal at Countryside and U.S. 34, and then make some minor improvements at McHugh and U.S. 34 for the southbound left-turn lane.

I will hand it back over to Larry.

MR. DZIURDZIC: Thanks, Peter. Risa is calling in, and I would like Risa, our -- Costco's architect for this project, to describe the architecture and character of the building. Risa?

RISA YUKI,

having been first duly sworn, thereupon testified as follows:

MS. YUKI: Thanks, Larry. Good evening. As Larry mentioned, my name is Risa Yuki. I am with MG2 out of Seattle, Washington.

I just wanted to share today that our focus in the design of this building was really to prepare something that was modern and that was going to be timeless in design, but then also using different types of materials that are cohesive that were going to offer, you know, a variety in the design using different materials,

colors and textures, and then different articulation, but still trying to maintain a sustainable palette.

If we want to start with the material board, one is because when we render these drawings we kind of do it in a soft light and it doesn't show the true colors, so the materials will help share that.

What we are looking at today is this is the straight-on view of the entry canopy. I like this view because it also shows the east side of the materials on the right side of the building, and then on the left side of the page is the south side of the elevation facing the parking lot to the south.

What we are showing here is we are going to start from the kind of bottom left side as we are proposing the architectural box rib metal panel, and that's pointing to kind of that top band of the entry canopy, and then right below that it's held up by smoothface masonry columns in a dark umber, so as you can see, the block is going to be a little bit darker so it's going to provide good contrast to the overall

palette, and then tie in to kind of the trim color, that's made of material medium bronze.

That middle color there that's identified as the architectural insulated metal panel that's pointing up to the entry canopy sign, that area, that's an insulated metal panel that has a textured finish, so it's similar to like a stucco finish on the building.

Both the -- I just wanted to share that both the box rib panel as well as this insulated metal panel, as well as the building's structure, is comprised of 80 percent recycled material, and then that insulation is 50 percent recycled material, and they all provide really great R value reducing our HVAC load, so one of the reasons why we are strongly proposing these materials.

Okay. Can we switch to the next elevations? Thank you.

All right. So I will just kind of maybe start our focus on the top elevation, which is the south elevation. Thank you. Okay. So kind of starting from the left side, so we have a recessed dock, and then just to the right of that

we have our sign panel and back area with the insulated architectural textured panel, so that's that stucco finish, and then it has a strong high base of CMU, the smoothface CMU right below that.

And then as you edge to the right we have proposed a three-column trellis element, and this is to provide a little bit of a softer transition to the entry canopy, but also kind of propose something that's a little bit 3D that protrudes out and then has some good shadowing, and then it heads over into the entry canopy that we were just showing on the screen previously.

So on the next elevation is the slide that's also kind of the more pedestrian facing side, so just wanted to talk a little bit about this.

This is the tire center side which has the overhead doors similar to the overhead canopy, so what we have done is brought in the CMU columns as well and then that insulated panel right above that.

And then the other two elevations, we wanted to make sure that we focused and we carried those materials in vertical and

horizontal articulation throughout the entire building.

One of the things I did want to mention was that in the EDC meeting that we had yesterday evening there was some comment or some comments raised relative to the amount of masonry that we were proposing, so, you know, the team talked about that yesterday evening and we agreed that introducing a little bit more masonry on the two pedestrian sides of the building, so the south and east elevation, would definitely improve the design.

So as you can see here, so if you look at the -- sorry, the third elevation, which is the north elevation, you can see where the masonry is lower as originally proposed, so what we have done here is now we have raised the lower masonry raised up to four feet so that it had more impact and significance on the building.

As Larry had shown I think in a few slides back, the fuel facility carries all the same materials, still has the box rib metal panel on fascia and then also the smoothface CMU column, so, you know, this is a line that's

cohesive to the building as well.

That's it unless -- and then the next few slides are just other prospective views of the building.

MR. DZIURDZIC: Risa, can you talk a little bit more about the floor plan? We have a slide -- Other direction. Right there.

MS. YUKI: Sure. Okay. So I just wanted to share, related to the floor, so as we mentioned earlier when we were looking at the site plan, Costco has one entrance and exit into the building, which is the bottom right-hand corner of the page here, but as you can see with inside the building, and if you have -- you know, you've been to Costco before, the interior, it's really important for the interior maneuverability to be very straightforward within the building, so it renders it so that we can't really articulate the building as much, so -- but what this is sharing is that where the receiving dock is, it's recessed, so it is pushed back so that it is not coming out to the front, and where the entry canopy is, you can see how it is prominent, you know, and it creates the central focus to the

site.

Off to the left side is just some mechanical portions of the building, and that creates a little bit of a recess as well, but that's all within the same building footprint.

MR. DZIURDZIC: Great. Thanks, Risa.

MS. YUKI: Thanks.

MR. DZIURDZIC: I wanted to point out a couple -- an item I missed on the site plan, pedestrian connections, so I wonder if we could flip to the site plan.

So Costco -- well, actually, that's fine. So we are connecting at minor, at the intersection there, we are bringing a sidewalk in at that intersection down to the Costco parking lot at the northeast corner there.

We also have a sidewalk connection from the entrance to the building south to Veterans Parkway and it ties into the bike path.

That essentially concludes our presentation tonight. We do have our civil engineer and our landscape architect and we do have some additional slides, but I felt in everyone's interest of time tonight, we could go

through some civil engineering, we could answer questions at this time, we could --

CHAIRMAN VINYARD: Why don't you go through it just for transparency --

MR. DZIURDZIC: Okay.

CHAIRMAN VINYARD: -- if you don't mind.

MR. DZIURDZIC: Sure. Dan Free, our civil engineer, has been designing the site for several months, and more than that. Thanks, Dan.

DAN FREE,

having been first duly sworn, thereupon testified as follows:

MR. FREE: Hi. My name is Dan Free with V3 companies, 7325 Janes Avenue in Woodridge.

So, yeah, like Larry said, we have been looking at this site for a few months. We have been working on the engineering for it and looking at -- you know, it really is a fairly simple site from an engineering standpoint.

The site was fairly flat, so we actually had an opportunity to purchase detention credits and the detention pond that exists over here; however, from an earthwork balancing position, because the site was actually too flat,

it worked to be able to excavate additional material and have a pond on-site to be able to raise up the site because it was too flat.

The sanitary sewer and water main, the utilities, surround the site within Countryside Parkway and within McHugh, so we are picking up the utilities and those roadways and then also there is kind of a stub left in the intersection of Countryside and 34 and McHugh and 34 for the water main and we are going to be extending the water main along Veterans Parkway in order to complete that loop that the city intended.

And then from a stormwater perspective, the outlots are going to be included in all the stormwater and storm sewer design to be able to convey, assuming that there is going to be a development in the future on those outlot and the additional impervious area from the employee parking expansion as well as the gas station expansion, all that is included in the calculations for the stormwater pond as well as the storm sewer to convey all that to the detention pond, and we are currently working on

the final detail drawings for that and expecting to submit for permit within a couple weeks here.

CHAIRMAN VINYARD: Very good.

MR. FREE: There is not too much -- I don't know if there is too much else left to say. I will mention that the design for the pond is expected to be dry basin, so it will be -- it won't hold water and it will -- so it will just during rain events have water in it and then drain down, and it will be planted with a variety of native grasses and flowers, and I think that's good.

MR. DZIURDZIC: That's good. Thank you.

CHAIRMAN VINYARD: Thank you.

MR. DZIURDZIC: Thank you, Dan. Amanda, are you on the line?

MS. McABEE: Yes, I am.

MR. DZIURDZIC: Oh, you are. Do you want to say a couple words about the landscape plan? Please click to the next slide.

AMANDA McABEE,

having been first duly sworn, thereupon testified as follows:

MS. McABEE: Yeah. Okay. So as Dan

said, our detention basin, we are working through our naturalized planting design. With our final design we will be clustering the trees around the pond to create some.

Nice views because we expect once established it will look really nice with the native plantings.

Throughout the site and on the parking lot island we have canopy trees and shrubs planted. Then all the perimeter landscaping on Countryside Parkway we have street trees and we have shrubs and ornamental glasses surrounding the perimeter parking lot.

Let's see. Around the fuel area we have tried to cluster evergreen trees and canopy trees around like most of the heavily viewed areas from Veterans Parkway and McHugh, and so those will look really nice once established.

Then going around to the foundation landscape, there is a trellis at the front of the building with some foundation landscape beds. I don't know, did we see a view of that in the images? I can't remember if there was one. But it will be a nice metal-looking trellis to

enhance the facade.

And then we have a large landscape bed that will distract from the loading dock from McHugh and look really nice and enhance the facade of the building.

I think that's all really I have for landscaping, pretty straightforward. We are screening a lot and it will look really nice once established.

MR. DZIURDZIC: Great.

CHAIRMAN VINYARD: Thank you.

MR. DZIURDZIC: Thank you. Our next slide is a final plat of subdivision. As I mentioned, it's a three-lot subdivision; two lots along Veterans for future commercial and then Costco and the fuel facility are located on lot one, and we are providing public and drainage utility easements for all public -- for dedication for all public utilities. That's the final plat.

Our next slide is the site lighting. As I mentioned, we are asking for a deviation for the height of the pole light. This is Costco's standard.

Given the size of the parking lot, we do -- we would like to see that 36-foot six inches for that even distribution for our foot candles and photometrics, and it is a flat lens LED, of course, facing downward.

After our site lighting I believe that concludes our presentations, so we went through all our slides tonight.

I am available for questions, as well as Steve and our consultants online, so we would be happy to answer any questions you have.

CHAIRMAN VINYARD: Very good.

MR. DZIURDZIC: Thank you.

CHAIRMAN VINYARD: Thank you. All right. Is there anyone present who wishes to speak in favor or opposition of this request? This would be your one time that you as the public have an opportunity to express your concerns or your approval of the plan.

Please.

GERRY GAWLIK,

having been first duly sworn, thereupon testified as follows:

MR. GAWLIK: Hi. My name is Gerry

Gawlik. I am actually the president of the Colonies Homeowner's Association. We are about 230 units strong.

I can say after this had been announced that probably to the home they are going to welcome Costco here given the fact that you have Costco's, what, on 75th and St. Charles Road, so it put a lot of smiles on the face when this was announced, so it is welcome.

I just have two thoughts, and one is as far as regarding parking, it looks like you are looking to increase the number of parking spaces from the ordinance.

Has there also been thought as far as increasing or at least making sure that we have the proper ratio for handicapped parking? Because I can tell you at the two locations now, it is extremely hard to find handicapped parking the way it exists.

Maybe that could be a consideration there as far as increasing the number of handicapped parking around there, because we have a lot of seniors around this community and it would be welcomed if it would be -- have some

additional parking.

Also, this may be premature, but looking at the prints here, you've got your entry four coming in off of Veterans Parkway and you have your two outlots.

It may not be, you know, proper at this point, but is there thought about maybe having an access road, because as those lots become filled with retail, I think, you know, you are also looking to put two lights in between there.

That additional ingress and egress I think is really going to create some havoc regarding people both east and west going down Veterans Parkway, so I don't know if that might be a thought as far as even though there is nothing proposed for that, but at least looking at some restrictions so that in the future that may not become a problem as far as the traffic is concerned, the more ingress and egress among Veterans.

Thank you very much.

CHAIRMAN VINYARD: Very good. Thanks, sir. Next person.

JEFF BURKE,

having been first duly sworn, thereupon testified as follows:

MR. BURKE: Hello. Thank you for hearing me. My name is Jeff Burke. I am a resident of Prairie Meadows, due north of the site.

My biggest concern is traffic along McHugh, which runs on the west side of our subdivision. I was just wondering if there has been consideration -- and I don't know whose responsibility it would be, but I see Kennedy and McHugh becoming significantly busier, and I was wondering if we are looking at traffic control devices at McHugh and Kennedy and also at McHugh and Marketview? Marketview.

That's all I am concerned with. Thank you very much.

CHAIRMAN VINYARD: Thank you. Next person?

MARCIA AYALA,

having been first duly sworn, thereupon testified as follows:

MS. AYALA: My name is Marcia Ayala. I

also live in the Prairie Meadows neighborhood just right over here, and I have been a resident of Yorkville for 19 years and I -- thanks for this time to discuss my concerns with Costco's plan.

Obviously I recognize the potential for tax and commercial growth opportunities that a Costco will bring to Yorkville and I know that the community values the safe and small community we have and the recreation that's easily accessible within our community.

Taking from Yorkville's Comprehensive Plan, community stakeholders regard Yorkville's semi-rural and small-town character as an asset that should be maintained and preserved while balancing new residential growth and retail and commercial development that serves the needs of our residents.

There are several aspects of the Costco's plan that I feel aren't consistent with the features of our community that make it such a great place to live.

I have concerns about the special use permit and development standard deviations

requested by Costco, traffic mitigation issues, contradictions between Costco's plan and Yorkville's Comprehensive Plan, as well as the safety and health of the community, so I will outline those in some detail.

My first concerns are deviations from Code 10-5-1, outlined in Section 6 of Costco's application for PUD agreement amendment, special use permit and final plat approvals.

So there is two that I would like to review. One is the maximum allowed stalls, which the code is 387 stalls. As it was explained, Costco wants to have initial parking of 356, in the future 980, so that's two and a half times the maximum allowed for what this space was originally intended and too much of a deviation for this type of commercial space.

My concerns are related to the increase in traffic from customers and the accompanying gas station due to a large number of cars into this relatively small area, and I will talk a little bit more about my traffic concerns later.

But the second concern related to

the deviation to code 10-5-1 is the deviation for EV charging stations. The current code is any parking with 50 or more parking spaces shall install the infrastructure required to accommodate a minimum of one EV charging station for every 50 parking spaces, so for the initial 856 parking stalls, that's 17 EV stations.

Costco states that based on their information that a small number of members are owners of electric vehicles. I would argue that 17 is probably a small number of their members.

Furthermore, the number of electric vehicles is increasing and can only increase if the infrastructure is implemented, such as charging stations.

I understand that Costco benefits by selling gasoline, but it's environmentally irresponsible and bad for Yorkville and Illinois to allow this exemption.

In September of 2023 the Illinois Department of Transportation updated its Illinois Electric Vehicle Infrastructure Deployment Plan, which details the steps the state has taken over the past year to implement the National Electric

Vehicle Infrastructure Program and provide convenient, accessible, reliable and equitable electrical vehicle charging stations throughout the state.

The plan is a critical component of achieving the state's vision of becoming a leader in manufacturing and deploying EV's, with a one million electric vehicle target in the state by 2030, so Costco's position is contradictory to the state's vision and I think that deviation should be denied.

Moving on to the application for special use for the gasoline service station from the current zoning classification of B-3 General Purpose PUD is another major concern.

As was explained, it's Costco's plan that 60 to 65 percent of their members visiting the warehouse will also purchase gasoline during the same site visit.

There is no plan in the application at least to address the health, safety and comfort of the public community, it just states that there will not be a danger without providing information to support their statement, and I

have a different perspective.

The northwest corner is only 0.2 miles from a baseball field where families park their cars for their children to play on the field in a park. People ride their bikes. The local cross country teams and track teams run in that area around where the Costco would be in the mornings, people walk their dogs around that area. There is a bike path on Veterans Parkway that people use to ride in a safe area that will be right in front of the Costco.

So those people that use the bike path, run, walk the dogs, that will be adversely affected, along with the concern of increased traffic on McHugh near a recreational park.

Also on this application there is a requirement for Costco to state how adequate measures have been or will be taken to provide ingress and egress so designed to minimize traffic congestion, and within that statement it says -- it does say about the left turning lane modification plan for McHugh Road, but it also says there will be no traffic impact to Veterans Road or Countryside Parkway.

I don't really understand how that could be. There is going to be a thousand -- almost a thousand parking spaces and people coming in and out of there, so I don't understand how there can be no traffic impacts to Veterans road or Countryside Parkway. Traffic is definitely a big concern.

Also within the special use it states there is -- it's asked of the applicant, in this case, Costco, to state how the proposed special use is not contrary to the City's adopted Comprehensive Plan.

There is many areas where this plan is contradictory to the plan as laid out in the Comprehensive Plan. The Comprehensive Plan shows that there is an over-supply of gas stations; therefore, there is no need for another fuel facility, particularly in that immediate area. There is already three gas stations within 0.6 miles of the Costco proposed site.

The City's Comprehensive Plan discusses the need for a mid-size specialty and regional grocery south of downtown Yorkville. Costco is none of these; it's neither regional or

mid-size, and the location obviously is not on the south side of town.

I have outlined my concerns and counter-arguments to Costco's positions and their requests for deviations to codes and exemptions to current zoning classification, and, as I said, I understand there's benefits and there's residents obviously that would like to have the proximity of a Costco, but I feel like there are some costs to the community by doing this, especially in that location, so I -- you know, I would like it to be considered potentially a different location where we could still have a Costco and provide tax revenue and the growth potential to Yorkville.

If that's not an option, then my specific requests are to not grant the extra parking spaces, at least not to a level of two and a half times, which is excessive for that space, don't allow any exemption to the electric vehicle charging stations, don't allow the fuel facility or gas station, only the warehouse store.

That would reduce the personal

vehicle traffic and truck traffic. It would take away a lot of the traffic on McHugh Road, which is the one that has the access road to the gas station, and keep the community safer around that area.

And any exemptions given to Costco, make sure that there is conditions to mitigate traffic issues as well as any other issues detrimental to the surrounding community.

Thank you for your time and attention, and I appreciate the opportunity to present these concerns.

CHAIRMAN VINYARD: Thank you.

MS. LUNN: Good evening, may name is Jenny Lunn and I am a little country bumpkin.

MS. LAMB: I'm sorry, ma'am?

MS. LUNN: I have grown up in Kendall County, and I have moved --

MS. LAMB: Excuse me. Real quick. Real quick. I am so sorry. I am the attorney. I am just -- Would you mind doing the affirmation --

MS. LUNN: Oh, sure.

MS. LAMB: -- for the court reporter? I think you missed it earlier. Thank you.

(Witness sworn.)

CHAIRMAN VINYARD: Speak away.

JENNY LUNN,

having been first duly sworn, thereupon testified as follows:

MS. LUNN: So I am a little country bumpkin, I grew up here in Kendall County. I am 58 years old, and in my lifetime I moved onto five different farms.

I personally think that Costco is the perfect place for that 33-acre parcel. In my opinion -- I shop at Costco all the time. If you were to go to Naperville, now that is congestion.

To see what you presented tonight, to have several different entries in and out of that property, 33 acres -- I mean, I grew up on farms and 33 acres is a large span, folks. It's probably more than where I live in Countryside.

I know I have only lived here in Yorkville for 35 years, so I can clearly remember when we had nothing but four stop signs at 34 and 47.

In my opinion, I feel that you people have done one heck of a job in planning

for the future and the growth.

I feel we need this big opportunity with Costco and I've got a lot of people on the same page, so I want to say thank you, and I can't wait until the store opens.

CHAIRMAN VINYARD: Thank you. Next person.

JOHN JOYCE,

having been first duly sworn, thereupon testified as follows:

MR. JOYCE: My name is John Joyce. I live in Autumn Creek subdivision. Overall, really impressed with everything.

Top two concerns are definitely the traffic going in and out, mainly the, let's say, cross -- if you have to cross a lane to get into any of the entrances, especially off of 34 where people go pretty fast. That's my top concern there.

And then I would like clarification for the EV charging. Is the requirement -- Is there a specific requirement for fast chargers, slow chargers or just that there is chargers?

CHAIRMAN VINYARD: Krysti, could you --

MS. NOBLE: Sure. It's just that they provide the infrastructure for chargers. That's it.

MR. JOYCE: Okay. Because, I mean, when I go to the other Costco, it's packed with EV chargers -- or with EV vehicles, and, I mean, 17 even level two chargers, that's -- that would be beneficial to the area and that would be really beneficial to Costco, too. That's the only thing that I would prefer to see not agreed to, but, you know, I understand it.

I really appreciate the plan, especially the trees, the landscaping, especially all the trees we lost in the 2019 microburst, so that's it.

CHAIRMAN VINYARD: Thank you.

MR. JOYCE: All right.

COMMISSIONER CROUCH: Thank you.

CHAIRMAN VINYARD: Would anyone else like to speak?

SYDNEY YURT,

having been first duly sworn, thereupon testified as follows:

MS. YURT: Hi. My name is Sydney Yurt.

I have been a resident of Yorkville for the past 20 or so years, went to Yorkville High School.

I also saw plenty of growth throughout Yorkville. I remember when there wasn't a Jewel here, I remember plenty of things, and seeing the growth has been amazing.

I think having Costco here would also be an amazing point of growth. I also want to highlight a point of failure to thrive and failure to grow, especially for a town like Yorkville, being on the precipice of a place like Oswego, and then just right after us, a place like Plano, so a city like Yorkville, we have a lot of different places coming together.

We are quite a crossroads. We have a lot of people coming from the west, coming from the east that are wanting to see Yorkville grow, of course.

Now, I like I said, I want to focus specifically on failure to thrive and failure to grow for the community. For the growth that this project presents for the City of Yorkville, right, it would bring for the community taxes, revenue, jobs, plenty of opportunity for

Yorkville to -- especially Yorkville citizens to save money on things like gas, on things like food for their families, especially those who may be struggling a little bit right now.

I think everybody is feeling the impacts of inflation and a city like Yorkville could appreciate this growth.

Now, like I said, vital to consider the impact of failure, so especially in a vacant lot that it has been for the past 20 years or so, being able to see that, I think we need to anticipate to make up the loss in the case that this doesn't pass, so in the case that Costco doesn't come through and we don't see this growth, there is a large opportunity for no growth to happen, and no growth means possible higher taxes, it means a more difficult life in Yorkville that I feel like a lot of people especially here cannot afford, and, I mean, I am a Gen Z, I am growing up in a town like Yorkville, I am growing up in the Midwest. It's difficult for me, I can only imagine it's difficult for everybody else.

I know I would love to see a Costco

here and I don't want to see anything like a light pole or an EV charging station prevent something like a major growth like this to prevent my wallet from getting drained from large and hefty price tags and heavy costs of gas and higher costs of taxes in places like Kendall County.

These are things that we need to consider, especially if we are considering denying a motion like this. Denying the growth for Kendall County residents would be further detrimental than inconvenient traffic.

CHAIRMAN VINYARD: Thank you. Would anyone else like to speak?

(No response.)

CHAIRMAN VINYARD: Going once?

(No response.)

CHAIRMAN VINYARD: Going twice?

(No response.)

CHAIRMAN VINYARD: Would anybody that's joining us tonight in Zoom have anything to add to this?

(No response.)

CHAIRMAN VINYARD: Okay. All right.

Are there any questions from the commissioners for the petitioner?

(No response.)

CHAIRMAN VINYARD: I have one question. After you guys agreed after the EDC meeting, what is the current percentage of masonry that you are going to be using? It was 10 to 15 percent the first time, right?

MS. NOBLE: 15 to 16.

CHAIRMAN VINYARD: Okay, 15 to 16. Pardon.

MR. DZIURDZIC: Overall for masonry we are just under 16 percent.

CHAIRMAN VINYARD: And that's after the increase in height?

MR. DZIURDZIC: After the increase on the south and east elevations, correct.

CHAIRMAN VINYARD: Okay. All right. And then my other question is, you touched on this before, but my concern with the fuel station is I've gotten fuel at Costco, I've seen how some lines can be.

My concern is the farthest stall to the parking lot creating a bottleneck of getting

in there. The last thing I want to see is for cars to be backed up onto McHugh trying to make the right in.

You did state, though, that you guys are willing if that was the case to expand that parking lot to maybe go a couple cars deeper in lines? Is that correct?

MR. DZIURDZIC: That is correct. That is correct.

CHAIRMAN VINYARD: Okay. All right. That's all I have.

MR. DZIURDZIC: Thank you.

CHAIRMAN VINYARD: Anybody have anything else?

(No response.)

CHAIRMAN VINYARD: Okay. Since all public testimony regarding the petition has been taken, may I have a motion to close the taking of testimony at public hearing?

COMMISSIONER LINANE: I will make the motion.

COMMISSIONER CROUCH: Second.

CHAIRMAN VINYARD: Roll call vote on the motion, please?

MS. YOUNG: Yes. Linane.

COMMISSIONER LINANE: Yes.

MS. YOUNG: Vinyard.

CHAIRMAN VINYARD: Yes.

MS. YOUNG: Forristall.

COMMISSIONER FORRISTALL: Yes.

MS. YOUNG: And Crouch.

COMMISSIONER CROUCH: Yes.

CHAIRMAN VINYARD: All right.

(Which were all the proceedings had in the public hearing portion of the meeting, concluding at 7:56 p.m.)

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STATE OF ILLINOIS)
) SS:
COUNTY OF LASALLE)

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

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

That the foregoing public hearing transcript, Pages 1 through 52, was reported stenographically by me by means of machine shorthand, was simultaneously reduced to typewriting via computer-aided transcription under my personal direction, and constitutes a true record of the testimony given and the proceedings had;

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

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

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IN WITNESS WHEREOF, I do hereunto set my hand at Leland, Illinois, this 28th day of January, 2025.

/s/ Christine M. Vitosh

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

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APPLICATION FOR SPECIAL USE

SPECIAL USE STANDARDS

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

The proposed fuel facility will not endanger the public health, safety, morals, comfort or general welfare of any portion of the community. The fuel facility has been designed to provide a safe environment for the residents of the City of Yorkville and surrounding communities, as well as Costco's members and employees. The fuel facility will meet applicable Federal, State and local codes for fire access, pedestrian and vehicular accessibility; fuel truck movements and gas operations. Costco will maintain the fuel facilities appearance , provide State required maintenance, which includes equipment and tank testing and monitoring inspections. The fuel facility, canopy, paving, lighting, and fuel dispensers will be designed to State and all applicable zoning and development regulations.

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

The proposed fuel facility will have no adverse impact(s) on the current use or enjoyment of nearby properties in the immediate area. The Property is zoned General Business District and the nearby zoning is predominately zoned commercial and as such , the requested special use is compatible with nearby current and future land uses. The fuel facility plan allows for generous setbacks, and landscaping along Veteran's Parkway and McHugh Road. The requested Special Use will not be injurious to other nearby property owners as the design, arrangement, land use intensity, scale and character is and will be compatible to nearby land uses and future developments.
There is no indication that the fuel facility will diminish or impair property values within the immediate commercial area or the community .

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

The fuel facility will not impede the orderly development and improvement of the surrounding property for uses permitted in the district as the proposed land use will encourage and promote orderly development in the area. Fuel facilities are typically located in the vicinity of a major transportation system and permitted as a special use in most commercial and business zoned districts. The proposed land use is compatible with existing land uses and is permitted as a special use in the B-3, General Business District.
The development of the Costco warehouse and fuel facility will serve as the catalyst promoting and encouraging future development in the immediate area.

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

The proposed fuel facility has been carefully planned to be accessible by multiple access points from McHugh Road, Veteran's Parkway and Countryside Parkway. Access directly to the fuel facility will be an efficient traffic movement with adequate queue to serve each fueling position. Drainage is designed to keep pavement areas safe and properly conveyed to an onsite storm water basin. Utilities such as water, sanitary sewer, electric and storm are available to effectively serve the fuel facility. The Property will be illuminated for safe vehicular and pedestrian travel.

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 SPECIAL USE

SPECIAL USE STANDARDS

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

The primarily entrance to the fuel facility is located north of the McHugh Road and Veteran's Parkway, which is a signalized intersection. The fuel facility is planned to accommodate anticipated traffic volumes and provide adequate queuing for vehicles within the Property. Traffic congestion on City roads will be minimized with the carefully designed site plan and location of the fuel facility within the Costco lot. The fuel facility ingress and egress has been designed to accommodate traffic movements from west to east allowing traffic to flow back to the Costco parking lot and interior perimeter roadway eliminating congestion at the McHugh Road intersection. Left turn lane modifications are planned for McHugh Road that will adequately serve the expected traffic volumes on this road. There will be no traffic impacts to Veteran's Road or Countryside Parkway.

PLEASE STATE HOW THE PROPOSED SPECIAL USE IS NOT CONTRARY TO THE OBJECTIVES OF THE CITY'S ADOPTED COMPREHENSIVE PLAN:

The proposed Costco fuel facility promotes the general purpose and intent of the Comprehensive Plan by providing an appropriate, aesthetically pleasing commercial land use along Veteran's Parkway's commercial corridor. The proposed land use is consistent with many goals and objectives of the Comprehensive Plan such as the development of a parcel of land previously zoned commercial many years ago. The requested Special Use in association with the proposed Costco warehouse will provide a new opportunity for residents to shop and fuel within the corporate limits of the City of Yorkville. The Comprehensive Plan promotes new commercial opportunities in areas that have been undeveloped for long periods of time with the hope that additional interest will be created by those developments. Costco's presence typically draws interest from other retailers and business adding to a communities commercial base.

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.

Stephen J. Cross — PETITIONER SIGNATURE

11-8-2024 — DATE

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

Dave Hamman — OWNER SIGNATURE

11-9-2024 — DATE

THIS APPLICATION MUST BE NOTARIZED PLEASE NOTARIZE HERE:

OFFICIAL SEAL
MARIAN F CROSS
Notary Public, State of Illinois
Commission No 831693
My Commission Expires January 21, 2028

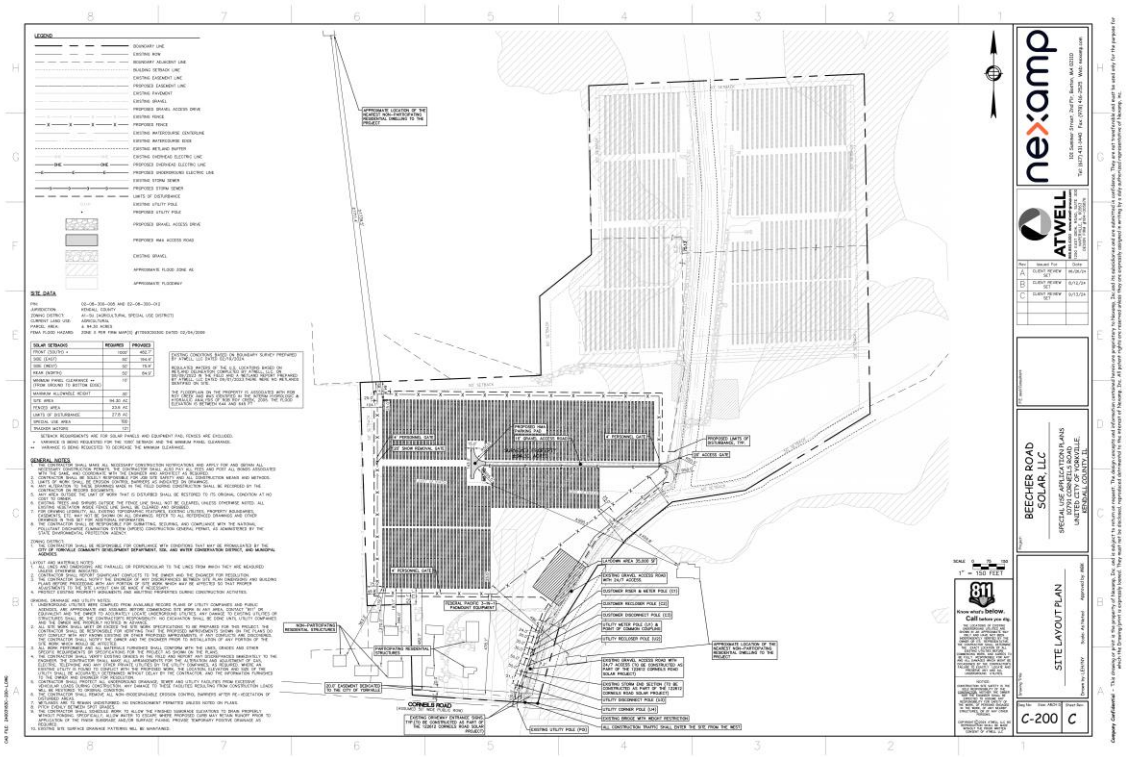
Marian F. Cross 11-8-24

Memorandum

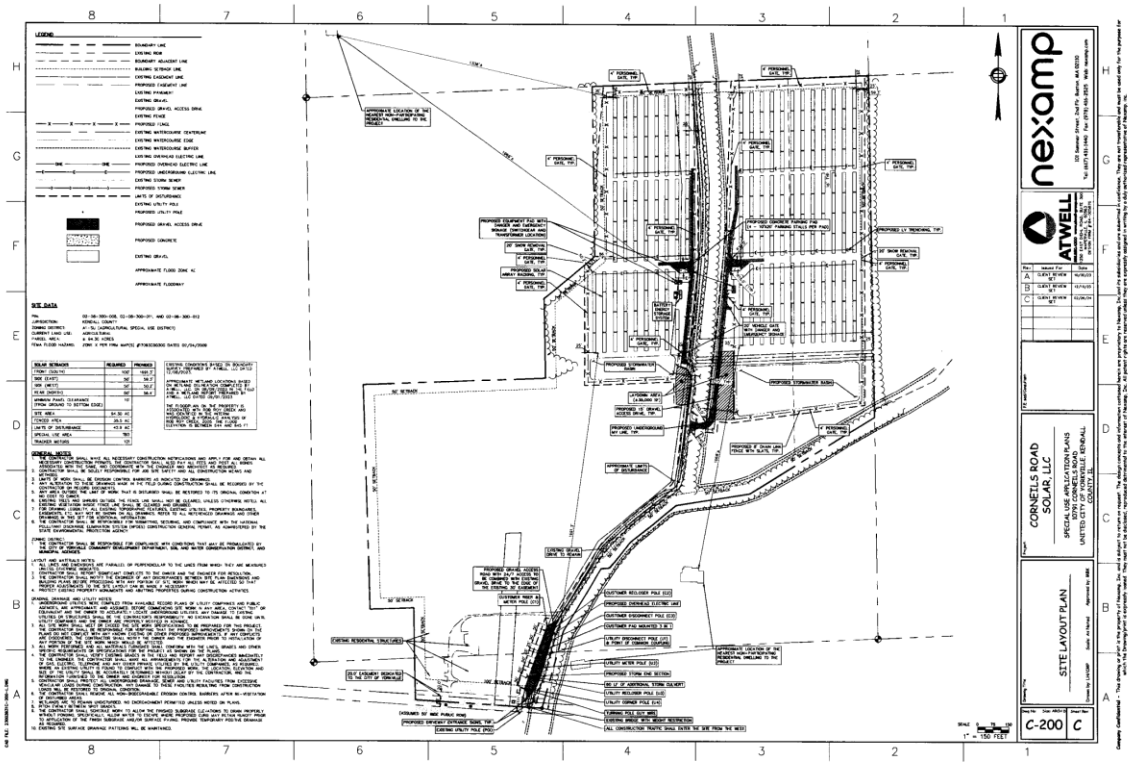
To: Planning and Zoning Commission
From: Sara Mendez, Planner I
CC: Bart Olson, City Administrator
Krysti Barksdale-Noble, Community Development Director
Date: January 15, 2025
Subject: **PZC 2024-22 Beecher Road Solar, LLC (Expansion)/Nexamp – Solar Farm**

PROJECT SUMMARY:

The applicant, Daniel Kramer on behalf of Nexamp dba Beecher Road Solar, LLC, contract leasee, is requesting special use and variance permit approval to construct a 4.99 (AC) ground-mounted distributed generation solar garden facility. The proposed 23.6-acre solar farm will be situated on approximately 70 acres of existing farmland parcel located immediately north of Corneils Road, approximately 1,500 feet west of Beecher Road, and approximately 4,000 feet east of IL Route 47 (N. Bridge Street) in parcels (#02-08-300-008 and 02-08-300-012). Below is the proposed site plan for the Beecher Road Solar project.



The proposed solar farm is an expansion of the recently approved Corneils Road Solar project. The property proposed for the solar farm is a part of an approved annexation, rezoning, and special use approval for Corneils Road Solar, where the petitioner, Nexamp dba Corneils Road Solar, LLC, annexed parcels #02-08-300-008, #02-08-300-011, and #02-08-300-012 and rezoned them to A-1 Agricultural District under a special use designation for solar farm use. Below is the approved site plan for the Corneils Road Solar Farm project.



Lastly, the petitioner is requesting a variance to Section 10-4-13-B.8.c of the Unified Development Ordinance, seeking to reduce the required one thousand (1,000) foot setback from the nearest solar array to roadway network to 482 feet between the nearest solar array and Corneils Road.

ZONING AND LAND USE

Through the approved Corneils Road Solar project, the subject property was annexed in May 2024 and rezoned to A-1 Agricultural District with a special use for the purpose of constructing a solar farm. The following are the current immediate surrounding zoning and land use:

	Zoning	Land Use
North	A-1 Agricultural (Special Use) District	Corneils Road Solar
South	Westbury South Village (R-4)	Agriculture
East	IL Route 47 Former Westbury East Village (A-1)	Agriculture/Approved Yorkville Renewables Solar Farm
West	Beecher Road Konicek Property (M-1, M-2)	Agriculture/Bright Farms

SPECIAL USE REQUEST:

The applicant is seeking special use authorization. Section 10-8-9C.1 of the Unified Development Ordinance states specific standards for variance requests which all recommendation bodies will review and

will be entered into the public record as part of the public hearing process. The petitioner has provided answers to each of the criteria in the application to these standards. Below is a summary of the various components of the proposed 23.6-acre solar farm development.

VARIANCE REQUEST:

Location on Site

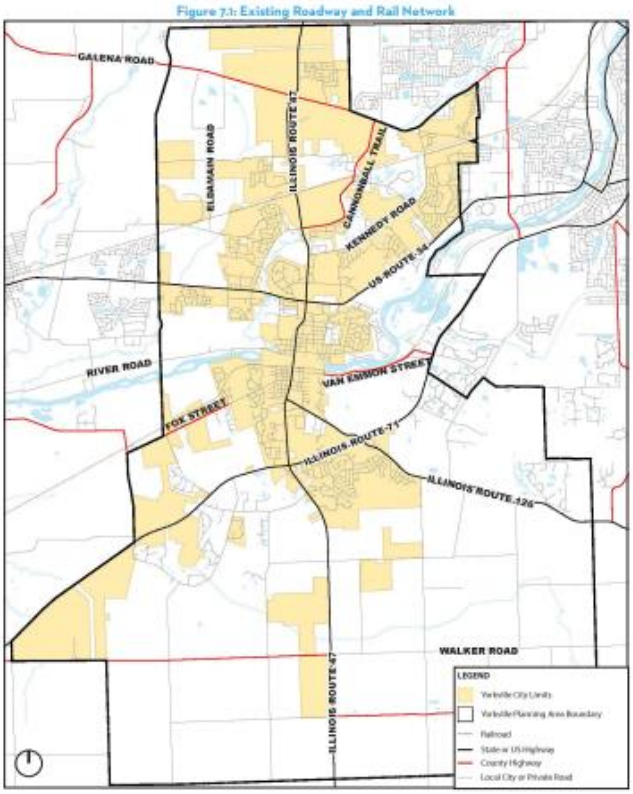
Section 10-4-13 Alternative Energy Use Standards in the City's Unified Development Ordinance provides setback specifics for solar farm uses in the A-1 Agricultural District. The following compares the yard setbacks required for solar farm uses:

	Minimum Setback for Equipment to Property Line	Proposed Setback
Front (South)	1000 feet	482 feet
Side Yard (East)	50 feet from nonresidential/100 feet from residential	194.9 feet
Side Yard (West)	50 feet from nonresidential/100 feet from residential	75.9 feet
Rear (North)	50 feet from nonresidential/100 feet from residential	84.9 feet

Section 10-8-9C.1 of the Unified Development Ordinance states specific standards for variance requests which all recommendation bodies will review. The petitioner has provided answers to each of the criteria in the application to these standards.

Solar Setbacks

The location of the solar panels meets the side (east and west) and the rear (north) setbacks for the Solar Farm use in the A-1 Agricultural District. Although Section 10-4-13B.8.a of the Unified Development Ordinance states the front yard setback for the solar farm use is one hundred (100) feet, Section 10-4-13B.8.c states the buffer area from the nearest solar array to roadway networks is one thousand (1,000) feet. Therefore, the solar panels appear to encroach into required front (south) yard setback.



Buffer Distances

Section 10-4-13B.8.c of the City's Unified Development Ordinance provides buffer requirements for solar farms in relation to roadway networks and the Fox River. The proposed solar panel encroaches into the required front yard setback to the south. The ordinance requires a minimum buffer of 1,000 feet from the nearest solar array to roadway networks as defined in Figure 7.1: Existing Roadway and Rail Network of the 2016 United City of Yorkville Comprehensive Plan. Currently, Corneils Road is not designated as a major arterial roadway network in Figure 7.1.

However, given that Corneils Road is likely to become a major arterial roadway in the future, the 1,000-foot buffer requirement from a roadway network to the nearest solar array remains applicable. The petitioner has submitted a variance request to allow for a 482-foot front yard setback. Notably, the proposed solar panel location also exceeds the 1,000-foot setback required from the Fox River bank.

PROPOSED EQUIPMENT

The proposed community solar farm will consist of 11,616 arrays. The petitioner's exhibit (C-200 C), dated October 30, 2024, indicates the total number of tracker motors is 121. The petitioner has stated Beecher Road Solar, LLC intends to contract Nexamp Asset Management Services, INC (NAMS) to provide operations and maintenance services for the first ten years of the system operation. At that time, Beecher Road Solar, LLC will revisit the contract and intends to renew the term.

ALTERNATIVE ENERGY SYSTEMS REGULATIONS:

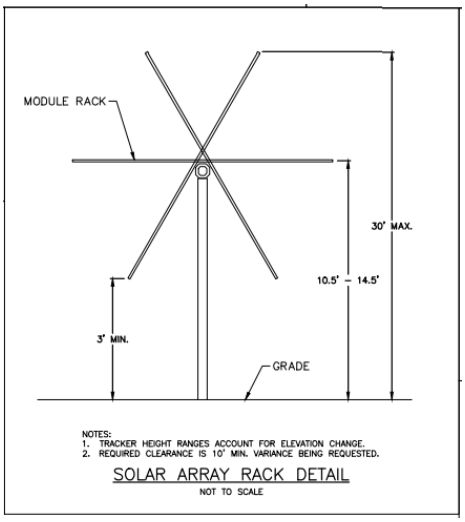
Section 10-4-13: Alternative Energy Use Standards of the City's Unified Development Ordinance establishes zoning parameters and regulations by which solar and wind systems may be installed in the city, which were used in the review of this request. The following describes how the proposed plan meets the regulations for Solar Farm:

Minimum Lot Size

Sections 10-4-13B.1 of the Unified Development Ordinance states no solar farms shall be erected on any lot less than three (3) acres in size. The petitioner's exhibit (C-200 C) dated October 30, 2024, states the project intends to develop on approximately 23.6 acres of overall parcel.

Maximum Lot Coverage

Section 10-4-13B.2 of the Unified Development Ordinance states a solar farm use may occupy up to eighty (80) percent of a given parcel in this district. As proposed, the solar farm will occupy approximately 33.7% (23.6-acres) of the overall existing 70 acres of existing farmland.



Height/Clearance

The maximum structure height for solar systems, equipment, and structures shall not exceed thirty feet (30') in height when ground mounted, per Section 10-4-13B.6 in the Unified Development Ordinance. The petitioner's exhibit (C-500 C Standard Details) illustrates a maximum solar array height as approximately 30 feet at maximum tilt. Additionally, the petitioner's exhibit (C-500 C Standard Details) indicates a minimum solar array clearance of 3 feet.

Accessory Use

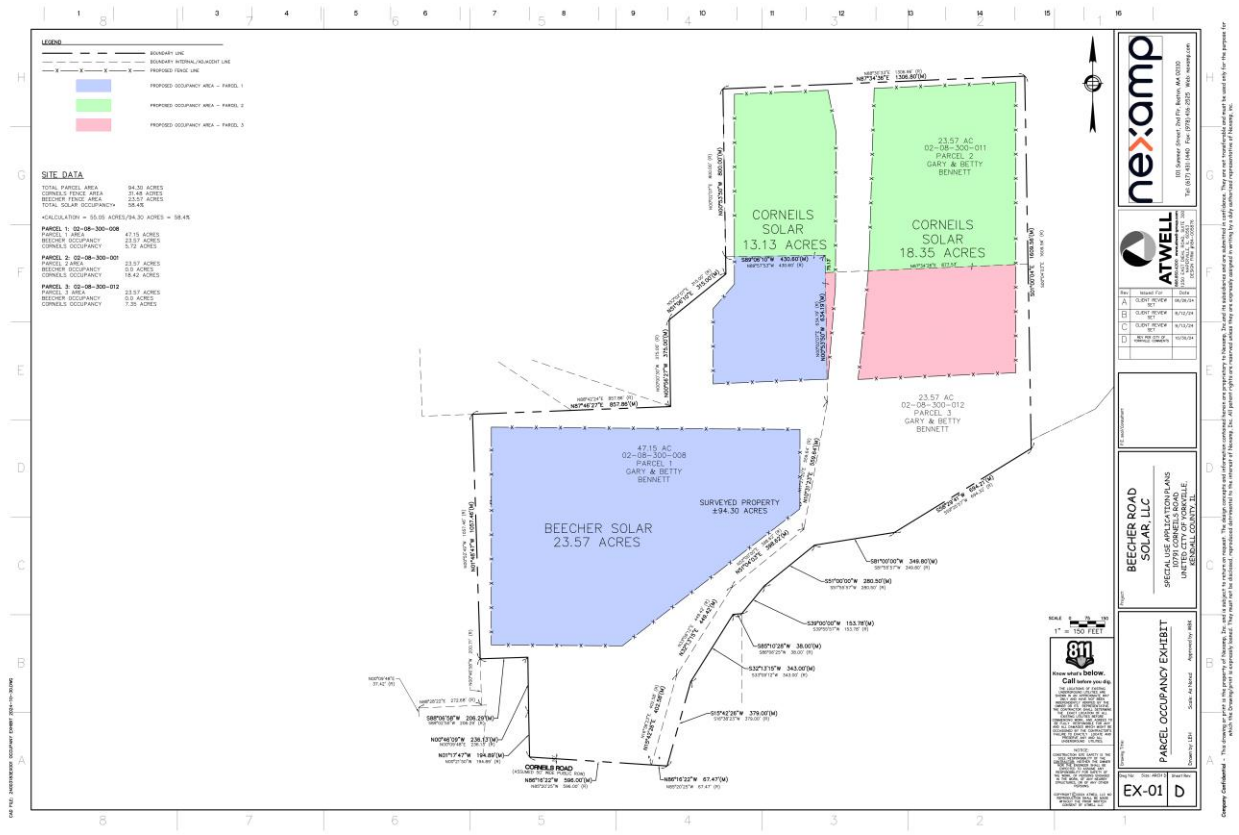
Section 10-4-13-A.2 of the City's Unified Development Ordinance states solar and wind farms shall be an accessory to the principal permitted use of a site. Therefore, the area and scale of the solar farm must be less than the primary agricultural land use. The proposed solar farm will be accessory to the existing agricultural/farming land use, as only portion of the overall land is proposed for the community solar farm use (approx. 23.6 acres of 70 acres or ~33.7%).

PARCEL	CORNEILS ROAD SOLAR OCCUPANCY	BEECHER ROAD SOLAR OCCUPANCY
02-08-300-008	5.72 acres	23.57 acres
02-08-300-011	18.42 acres	0 acres
02-08-300-012	7.35 acres	0 acres

During staff review of the total acreage occupied by both the approved Corneils Road Solar project and the proposed Beecher Road Solar project, there was some confusion regarding whether the solar farm use would exceed the primary agricultural land use. To clarify, staff requested that the petitioner verify the total

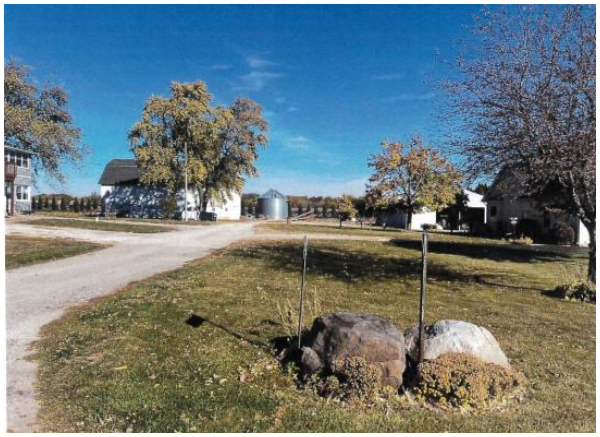
acreage occupied by the solar farm across parcels #02-08-300-008, #02-08-300-012, and #02-08-300-011, which are associated with the approved Corneils Road Solar project. The table above provides a breakdown of each parcel and the total area occupied by both the approved and proposed solar farm projects.

Below is a visual representation of each parcel, illustrating the total acreage used for the approved and proposed solar farms.



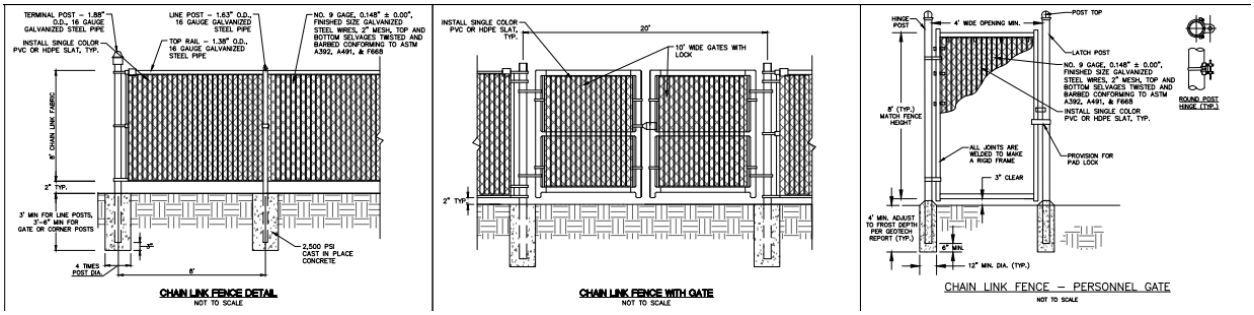
Distance from Residential Properties.
In addition to meeting the required minimum setbacks, the closest array/module of the proposed solar farm will be 119.2 feet from the nearest residential parcel to the south along Corneils Road.

Glare
Section 10-4-13B.13 of the Unified Development Ordinance states solar panels shall be placed such that concentrated solar radiation or glare shall not be directed onto nearby properties or roadways. The panels shall be placed to face east and rotate west to follow the path of the sun to collect the most sunlight throughout the day. The petitioner has submitted a glare study and analysis which concludes that there was no potential for glint or glare identified by the analysis. Additionally, the petitioner's exhibit, shown below, displays viewshed from angles around the solar farm that illustrate how far the panels will be from the public-right-of-way (Corneils Road).



Fencing

The petitioner has proposed an eight (8) foot tall, galvanized chain link fence with slats to surround the ~4,157 linear foot perimeter of the solar farm with a 20-foot-wide vehicle access gate, as illustrated below. As stated in Section 10-4-13B.9 of the Unified Development Ordinance, Fence Regulations for Solar Farms, states that systems, equipment, and structures shall be fully enclosed and secured by a fence or wall with a height of eight (8) feet. A knox box and keys shall be provided to the City's Building Department and Bristol Kendall Fire District (BKFD) in the event of an emergency.



Noise

The transformer is the greatest source of noise on the property. Per the petitioner's exhibit (Sheet C-200 C Site Plan Layout), the transformer is 995.5 feet to the nearest residence located to the south on Corneils Road.

Signage

Per Section 10-4-13B.9.a(1) and (2) of the City's Unified Development Ordinance, warning signs shall be provided at the entrance to the facility and along the perimeter of the solar farm. Additionally, the signs shall be less than four (4) square feet and made with letters and numbers at least three (3) inches in height and shall include the 911 address and an emergency phone number of the operator which shall be answered twenty-four (24) hours a day by a live operator. A nonemergency phone number for the operator shall be displayed. The petitioner's exhibit (C-500 B Standard Details) indicates signage information. The emergency contact sign (8.5" X 11") appears to be compliant with this regulation.

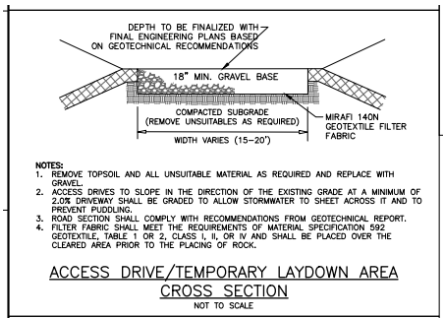
Utilities and Electric Service Provider

Per Section 10-4-13B.4 of the Unified Development Ordinance, power and communication lines running in between banks of solar panels and to electric substations or interconnections with buildings shall be buried underground. The routing of the electrical infrastructure required to connect to the ComEd system includes electrical cables installed underground for the entire project with the exception of a series of overhead poles (approx. 4) for a wire connection near Corneils Road.

Section 10-4-13-B.4.a of the Unified Development Ordinance states that evidence that the electric utility service provider that serves the proposed site has been notified of the owner's intent to install an interconnected customer owned electricity generator. The petitioner has provided a copy of an Interconnection Agreement, as prepared by ComEd dated 01/20/2024.

Access Road

The proposed solar farm will utilize the same 20-ft. wide gravel entrance as the recently approved Corneils Road Solar project. Both solar farm access roads are located within the same parcels (#02-08-300-008 and #02-08-300-012). The path provides access to the equipment however, no formal parking stalls are provided, as no buildings, employees are planned on the site except for the occasional mowing or maintenance visits. Section 10-4-13-B.5 of the City's Unified Development Ordinance states off-street parking provided on site shall be paved. The petitioner's exhibit (C-200 C Site Layout Plan) indicates an HMA parking pad will be provided for off-street parking.



Landscape Plan

While landscaping is not required for solar farm uses, the petitioner has provided a landscape mix consistent with IDOT's class 7 seed mix outside fenced areas and site-specific pollinator friendly seed mix within the fenced areas beneath the solar panels. Review comments have been provided by the consultant, Hey & Associates, on the proposed landscape plan.

Abandoned Systems

In the Unified Development Ordinance, Section 10-4-13-A.3 states all alternative energy systems inactive or inoperable for a period of 12 continuous months shall be deemed abandoned and the owner is required to repair or remove the system from the property at the owner's expense within 90 days of notice from the City. To ensure compliance, the petitioner has provided a decommission plan narrative and construction estimate of $319,902.03 at year 25 with a 3% annual inflation rate. **Staff recommends** a security guarantee in an amount of 120% of the approved removal cost value and the estimate will meet to be revised every three (3) years. The guarantee must also be in a form acceptable to the City Engineer as a condition of the Special Use approval.

In addition to the security guarantee, **staff also recommends** a blanket easement over the property to allow the City or its contractor to enter and remove the abandoned system in compliance with the City Code, as a condition of the Special Use approval. The petitioner is aware of these conditions which will be a part of their special use authorization.

ENGINEERING COMMENTS:

Please refer to the attached comments prepared by Engineering Enterprises Inc. (EEI) dated October 15, 2024, October 21, 2024, October 23, 2024, November 20, 2024, and December 3, 2024. **Staff recommends** the work items listed in the review letter will become conditions for the Special Use and a requirement for issuance of a building permit.

STAFF COMMENTS:

Staff has communicated to the petitioner our opposition to the proposed expansion of the solar farm beyond the approved Corneils Road Solar project. The request, particularly the variance for reduced setback from the nearest solar array to the roadway network, is not supported by staff.

A presentation of the project will be held at the March 11, 2025 City Council meeting and the final vote is scheduled for the March 25, 2025 City Council meeting. Staff and the petitioner are seeking comments from the Planning and Zoning Commission about the proposed solar farm.

ECONOMIC DEVELOPMENT COMMITTEE COMMENTS:

During the January 7, 2025 Economic Development Committee meeting, concerns were raised over whether the proposed chain link fencing with slats could potentially cause any flood-related issues given its location in the floodway/floodplain. The City's engineering consultant, Engineering Enterprises Inc. (EEI), recommended that slats in the chain-link fence only be used on the portion of the fence above the base flood elevation to prevent obstruction in the HEC-RAS model. In response, the petitioner's engineer, confirmed that they will raise the slats above the base flood elevation and update the plans accordingly. Staff recommends these become conditions of the Special Use approval.

Concerns were also raised regarding the exact percentage of agricultural use associated with the combined approved Corneils Road Solar and Beecher Road Solar projects. **As this information was not provided to staff before the distribution of packet materials, the petitioner is required to present the exact percentage during the Public Hearing on February 12, 2025.**

SPECIAL USE STANDARDS:

Section 10-8-5-D states specific standards for special use which all recommendation bodies will review. The petitioner has provided answers to each of the criteria in the application 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 establishment, maintenance or operation of the special use will not be unreasonably detrimental to or endanger the public health, safety, morals, comfort, or general welfare.
2. The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood in which it is to be located.
3. The establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage or other necessary facilities have been or are being provided.
5. Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
6. The proposed special use is not contrary to the objectives of the official comprehensive plan of the City as amended.

VARIANCE STANDARDS:

Section 10-8-9-C states specific standards for variations which all recommendation bodies will review. The petitioner has provided answers to each of the criteria in the application 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. A particular hardship to the owner would result because of the physical surroundings, shape, or topographical conditions of the subject property, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.

2. The conditions upon which the petition for a Variation is based are unique to the subject property and are not applicable, generally, to other properties within the same zoning district.

3. The difficulty or hardship is not created by any person presently having an interest in the property.
4. The Variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
5. The proposed Variation will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger to the public, or substantially diminish or impair property values within the neighborhood.
6. The proposed Variation is consistent with the official comprehensive plan and other development standards and policies of the City.

COMPREHENSIVE PLAN:

The 2016 Comprehensive Plan designates the future land use for this property as Estate/Conservation Residential (ERC). The Estate/Conservation Residential (ECR) designation is generally intended for future neighborhood developments that promote flexibility in residential designs, accommodates low density detached single family housing, and is sensitive to environmental and scenic features of the area and utilized this land designation as a "holding" classification for those areas, particularly on the outskirts or along the perimeter of the City's corporate boundaries that lacked the public infrastructure to support development of the land within the 10-year timeline of the plan.

While a solar farm is not consistent with the future land use designation in the 2016 Comprehensive Plan, the proposed solar farm is an expansion of the recently approved annexation, rezoning, and special use Corneils Road Solar project. An amendment to the Comprehensive Plan would be required if the proposed solar farm is approved.

STAFF RECOMMENDATIONS:

Staff recommends the following conditions to the special use:

1. A security guarantee in this amount of 120% of the approved removal cost value as presented in a Decommissioning Plan prepared by Atwell, LLC dated 10/31/24. Said estimate will need to be revised every three (3) years. The guarantee must also be in a form acceptable to the City Engineer as a condition off the Special Use approval.
2. A blanket easement over the property to allow the City or its contractor to enter and remove the abandoned system in compliance with the City Code, as a condition of the Special Use approval.
3. Subject to the City Engineer's review, the chain-link fence slats shall only be used on the portion of the fence above the base flood elevation.
4. Substantial conformance with Special Use Application Plans prepared by Atwell, LLC and submitted by Nexamp dated October 30, 2024.
5. Compliance with work items listed in the review letter prepared by Engineering Enterprises, Inc. (EEI) dated October 15, 2024, October 21, 2024, October 23, 2024, November 20, 2024, and December 3, 2024.

PROPOSED MOTIONS:

SPECIAL USE

In consideration of testimony presented during a Public Hearing on February 12, 2025 and discussion of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council a request for Special Use authorization to construct a freestanding solar energy system, or solar farm, as depicted in plans prepared by Atwell and submitted by Nexamp dated last revised 10/30/24 for approximately 23.6 acres located immediately north of Corneils Road, approximately 1,500 feet west of Beecher Road, and approximately 4,000 feet east of IL Route 47 (N Bridge Street), subject to staff

recommendations in a memo dated January 15, 2025 and further subject to… {insert any additional conditions of the Planning and Zoning Commission}…

VARIANCE

In consideration of testimony presented during a Public Hearing on February 12, 2025 and discussion of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council for a request for bulk regulation variance to Section 10-4-13.B.8.b of the Unified Development Ordinance, reducing the south property lines setback from 1000 feet to 482 feet, subject to… {insert any additional conditions of the Planning and Zoning Commission}…

ATTACHMENTS:

1) AC Electrical Diagram – dated 01.09.24 by Nexamp
2) Bifacial Module – dated 01.09.24 by SMA America, LLC
3) Decommissioning Narrative – dated 08.16.24 prepared by Nexamp
4) Decommissioning Plan – 10.31.24 by Atwell
5) Glare Study 1 (Pv Array 1) – dated 08.13.24 by Forge Solar
6) Glare Study 2 (Pv Array 2) – dated 08.13.24 by Forge Solar
7) Glare Study 3 (Pv Array 3) – dated 08.13.24 by Forge Solar
8) Interconnection Agreement – dated 01.20.24 by ComEd
9) Land Title Survey – dated 12.06.23 by Nexamp
10) Letter from Daniel Kramer – dated 08.15.24 by Law Offices of Daniel J. Kramer
11) Location Map – dated 08.07.24 by Nexamp
12) Legal Description – dated 09.13.24 by Atwell
13) Occupancy Exhibit – dated 10.30.24 by Atwell
14) Operation and Maintenance Plan – prepared by Nexamp
15) Project Narrative – dated 08.16.24 by Nexamp
16) Property Owners Within 500 Feet
17) Response Letter – dated 10.31.24 by Atwell
18) Special Use Application Plans – dated 10.30.24 by Atwell
19) Special Use Application – prepared by Beecher Road Solar, LLC
20) Variance Application – prepared by Beecher Road Solar, LLC
21) Vegetation Management Plan for Solar Sites Utilizing Native Vegetation – prepared by Natural Resource Services
22) Wetland Determination/Delineation – dated 09.1.23
23) Public Hearing Notice
24) Rendering – dated 01.07.25
25) Plan Council Packet (10-24-24)
26) EEI Comments – dated 10.15.24
27) EEI Comments – dated 10.21.24
28) EEI Comments – dated 10.23.24
29) EEI Comments – dated 11.20.24
30) EEI Comments – dated 12.03.24

CABLE SCHEDULE

CIRCUIT ID	VOLTAGE RATING	CONDUCTOR QUANTITY, SIZE AND MATERIAL	WIRE TYPE	QUANTITY OF CONDUITS	SIZE OF CONDUITS	CONDUIT TYPE	NOTES
A	1500V	(2) #10 AWG AL	COVERED ACSR	-	-	-	-
B	1500V	(1) #12Cu(ground wire) AL	MV-105	1	1"	PVC	4,7,7,7,7,7
C	-	FACTORY INSTALLED	-	-	-	-	-
D	600V	(1) 500kcmil AL, (1) #1 AL G	XHHW-2	1	1"	PVC	-

PROTECTIVE RELAY SETTINGS

INVERTER PROTECTIVE FUNCTIONS	TRIP OUTPUT	VOLTAGE SETTING (SEC) PRI (PU)	FREQUENCY SETTING (HZ)	TOTAL CLEARING TIME CYC (SEC.)	CURRENT SETTING SEC (PRI)
27P1 - FAST UNDERVOLTAGE	X	(360) 3599 (60%)	-	90 (1.5)	-
27P2 - UNDERVOLTAGE	X	(305.4) 6135.6 (88%)	-	1260 (21)	-
59P1 - OVERVOLTAGE	X	(132) 7919.9 (110%)	-	780 (13)	-
59P2 - FAST OVERVOLTAGE	X	(144) 8639.5 (120%)	-	9.6 (0.16)	-
81UP1 - UNDERFREQUENCY	X	-	57	9.6 (0.16)	-
81UP2 - UNDERFREQUENCY	X	-	58.5	18000 (300)	-
81OP1 - OVERFREQUENCY	X	-	60.5	18000 (300)	-
81OP2 - OVERFREQUENCY	X	-	62	9.6 (0.16)	-
51 - PHASE OVERCURRENT	X	-	-	CURVE: U4 T D 2.0	0.96 (288.8A)
51 G - GROUND OVERCURRENT	X	-	-	CURVE: U4 T D 1.0	0.384 (115.7A)
79 - RECLOSER	X	(114) 6839.6 (95%) 6 V 0 (120) 7220.5 (105%)	59.5HZ/60.5HZ 60.5Hz	18000 (300)	-
ALARM	X	-	-	+120	-

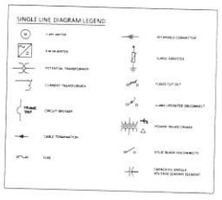
* VOLTAGE SETTING VALUES ARE L-N
* ALL TRIP TIMES ARE INCLUSIVE OF RECLOSER OPENING (~3 CYCS.)

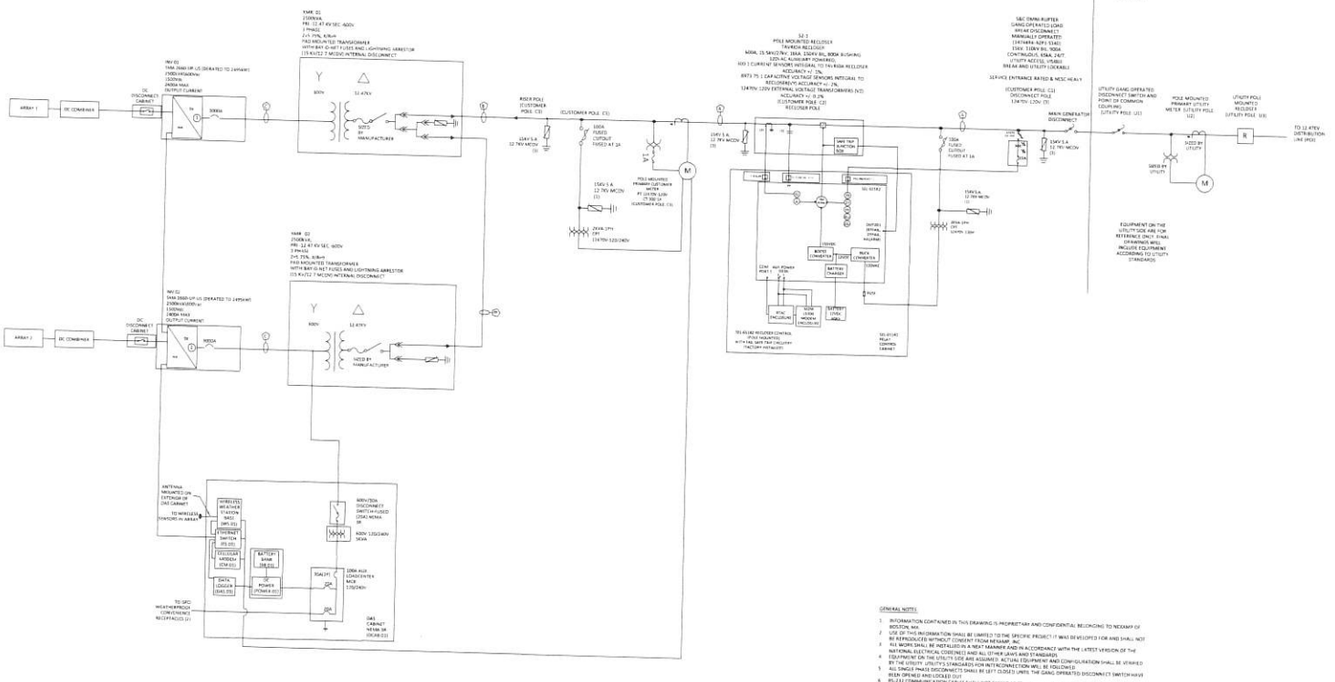
INVERTER (INV.01/INV.02) PROTECTIVE SETTINGS

INVERTER PROTECTIVE FUNCTIONS	VOLTAGE SETTING PRI (PU)	FREQUENCY SETTING HZ	TOTAL CLEARING TIME CYC (SEC.)
27 - FAST UNDERVOLTAGE	300 (50%)	-	90 (1.5)
27 - UNDERVOLTAGE	420(70%)	-	660(11)
27 - UNDERVOLTAGE	528 (88%)	-	1260 (21)
59 - OVERVOLTAGE	660 (110%)	-	780 (13)
59 - FAST OVERVOLTAGE	720 (120%)	-	9.6 (0.16)
81 - UNDERFREQUENCY	-	57.0	9.6 (0.16)
81 - UNDERFREQUENCY	-	58.5	18000 (300)
81 - OVERFREQUENCY	-	60.5	18000 (300)
81 - OVERFREQUENCY	-	62.0	9.6 (0.16)

* CPUC FREQ SETTING VALUES ARE L-N
* SETTINGS ARE BASED ON IEEE STD. 1547-2018 AND MEET DIRECTIVE 21, VOLUME 1 CURVE

SINGLE LINE DIAGRAM LEGEND

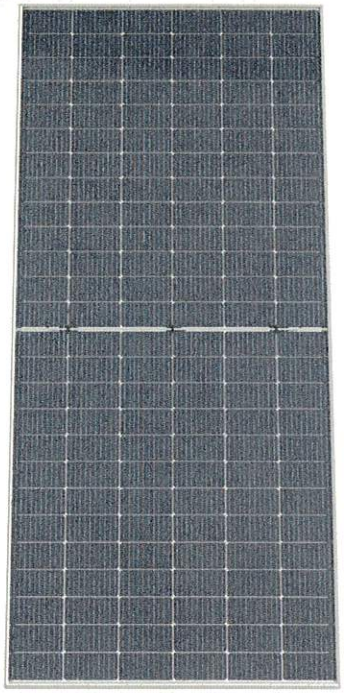



OWNER
ComEd
INV.01
INV.02
ARRAY 1
ARRAY 2
DC COMBINER
DC DISCONNECT CABINET
XMR. 01
2500kVA
PRI: 12.47 KV SEC: 600V
3 PHASE
2-5.75%, 6.0b/H
PAD MOUNTED TRANSFORMER
WITH BAY-O-NET FUSES AND LIGHTNING ARRESTOR
115 KV/12.7 MCOV INTERNAL DISCONNECT
XMR. 02
2500kVA
PRI: 12.47 KV SEC: 600V
3 PHASE
2-5.75%, 6.0b/H
PAD MOUNTED TRANSFORMER
WITH BAY-O-NET FUSES AND LIGHTNING ARRESTOR
115 KV/12.7 MCOV INTERNAL DISCONNECT
12.47KV
600V
SIZED BY MANUFACTURER
SIZED BY MANUFACTURER
12.47KV
POLE MOUNTED RECLOSER
TRAYER RECLOSER
MINA, 15 SMZ37W, 38kA, 1504V BIL, BOOK BUSHING
125% AC ALLOWANT (OWNED)
600:1 CURRENT SENSORS INTEGRAL TO TRAYER RECLOSER
ACCURACY +/- 1%
8473.79 (1.64%)ACTIVE VOLTAGE SENSORS INTEGRAL TO RECLOSERVOLTAGE ACCURACY +/- 2%
124.79% (25%) EXTERNAL VOLTAGE TRANSFORMERS (V2)
ACCURACY +/- 0.2%
CUSTOMER POLE (2)
RECLOSER POLE
ROOF POLE (CUSTOMER POLE (3))
(CUSTOMER POLE (3))
100A FUSES CUTOUT 14SEC AT 2A
15KV 5 A 12.7KV MCOV (3)
15KV 5 A 12.7KV MCOV (3)
15KV 5 A 12.7KV MCOV (3)
POLE MOUNTED PRIMARY METER PT (19.9V 120V (7.5SEC @ (CUSTOMER POLE (3))
20KA 1PH 15KV (167KV 120/240V)
S&C SWING RUPTER GANG OPERATED LOAD BREAK DISCONNECT MANUALLY OPERATED 15KV, 95KV BIL, 95KA 15KV, 150KV BIL, 100KA CONTINUOUS, 40KA, 24/7 UTILITY ACCESS, UTILITY BREAK AND UTILITY LOCKABLE
SEE ANSI ENTRANCE RATED & NESC READY
(CUSTOMER POLE (2)) DISCONNECT POLE 12KTEV 120V (7)
MAIN GENERATOR DISCONNECT
UTILITY GANG OPERATED DISCONNECT SWITCH AND POINT OF COMMON COUPLING (UTILITY POLE (2))
POLE MOUNTED PRIMARY UTILITY METER (UTILITY POLE (2))
UTILITY POLE MOUNTED RECLOSER (UTILITY POLE (2))
SIZED BY UTILITY
SIZED BY UTILITY
TO 12.47KV DISTRIBUTION LINE (POLE)
EQUIPMENT ON THE UTILITY SIDE ARE FOR REFERENCE ONLY. FINAL DRAWINGS WILL INCLUDE EQUIPMENT ACCORDING TO UTILITY STANDARDS
15KV 5 A 12.7KV MCOV (3)
15KV 5 A 12.7KV MCOV (3)
15KV 5 A 12.7KV MCOV (3)
15KV 5 A 12.7KV MCOV (3)
15A FUSED CUTOUT 14.4SEC AT 1A
20KA 1PH 15KV (167KV 120V)
SEL-651R2 RECLOSER CONTROL WITH FAIL SAFE TRIP CIRCUITRY FACTORY INSTALLED
SEL-651R2 RELAY MOUNTED IN RECLOSER CABINET
SEL-3530 RTAC
SEL-2240 AXIOM MODULAR CONTROLLER
SEL-2245-42 MODEM
SEL-3505 RUGGED SERVER
SEL-2407 SATELLITE-SYNCHRONIZED CLOCK
SEL-2488 INPUT/OUTPUT MODULE
SEL-2414 ETHERNET SWITCH
SEL-2725 DATA RADIO
SEL-3390T-4 TRANSCEIVER
SEL-3505 RUGGED SERVER
SEL-2407 SATELLITE-SYNCHRONIZED CLOCK
SEL-2488 INPUT/OUTPUT MODULE
SEL-2414 ETHERNET SWITCH
SEL-2725 DATA RADIO
SEL-3390T-4 TRANSCEIVER
SEL-2240 AXIOM MODULAR CONTROLLER
SEL-3530 RTAC
SEL-2245-42 MODEM
SEL-2407 SATELLITE-SYNCHRONIZED CLOCK
SEL-2488 INPUT/OUTPUT MODULE
SEL-2414 ETHERNET SWITCH
SEL-2725 DATA RADIO
SEL-3390T-4 TRANSCEIVER
SEL-3505 RUGGED SERVER

HELIENE

156HC M10 SL Bifacial Module

156 Half-Cut Monocrystalline 565W – 585W



21%

Utilizes the latest M10 size super high efficiency Monocrystalline PERC cells. Half cut design further reduces cell to module (CTM) losses.

Stability & Looks

Enhanced frame design to withstand higher wind, snow, and other mechanical stresses. Framed Glass–Backsheet aesthetic is ideal for high visibility installation.

Anti-Reflective

Premium solar glass with anti-reflective coating delivers more energy throughout the day

High Reliability

Proven resistance to PID and reliable in high temperature and humidity environments.

Intertek

ISO 9001:2015 Certified

Manufactured Using International Quality System Standards: ISO9001

Half-Cut Design with Split Junction Box Technology

Bifacial Technology Enabling Additional Energy Harvest from Rear Side

2% First Year Degradation & 0.50% Annual Power Degradation

World-class Quality

- Heliene's fully automated manufacturing facilities with state-of-the-art robotics and computer aided inspection systems ensure the highest level of product quality and consistency
- All manufacturing locations are compliant with international quality standards and are ISO 9001 certified
- Heliene modules have received Top Performer rankings in several categories from PV Evolution Labs (PV EL) independent quality evaluations

Bankable Reputation

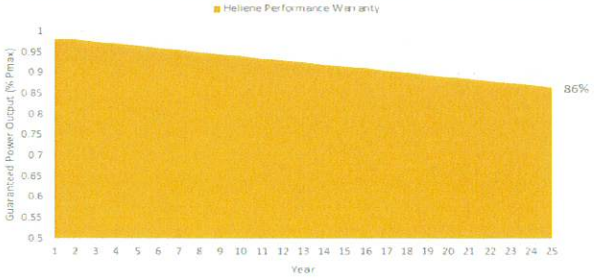
- Established in 2010, Heliene is recognized as highly bankable Tier 1 manufacturer of solar modules and has been approved for use by the U.S. Department of Defense, U.S. Army Corps of Engineers and from numerous top tier utility scale project debt providers
- By investing heavily in research and development, Heliene has been able to stay on the cutting edge of advances in module technology and manufacturing efficiency

Local Sales, Service, and Support

- With sales offices across the U.S. and Canada, Heliene prides itself on unsurpassed customer support for our clients. Heliene has become the brand of choice for many of the leading residential installers, developers and Independent Power Producers due to our innovative technology, product customization capability and just in time last-mile logistics support
- Local sales and customer support means answered phone calls and immediate answers to your technical and logistics questions. We understand your project schedules often change with little warning and endeavor to work with you to solve your project management challenges

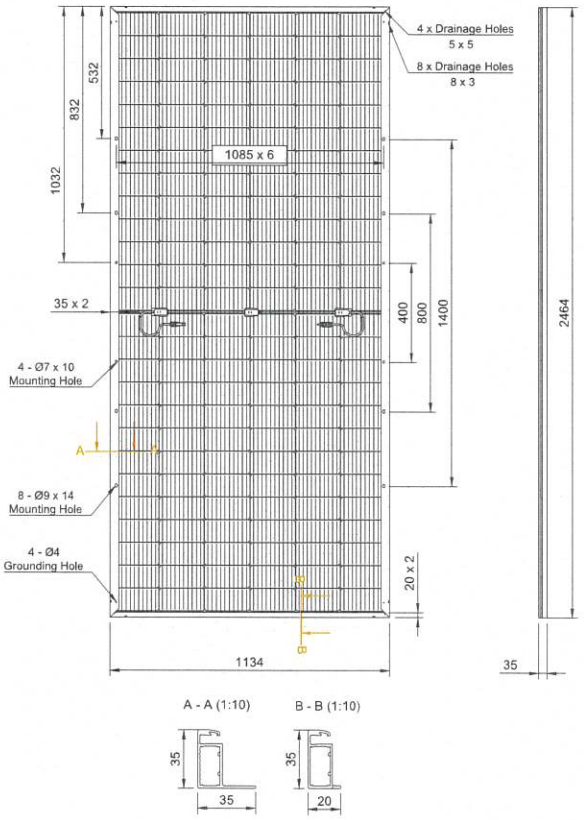
No Compromise Guarantee

15 Year Product Warranty
25 Year Linear Performance Guarantee

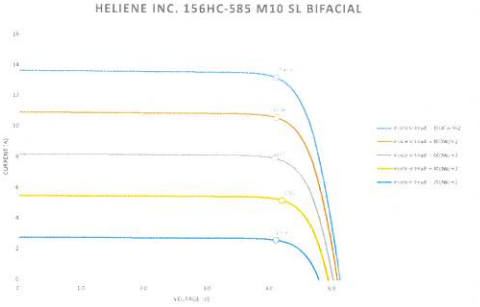


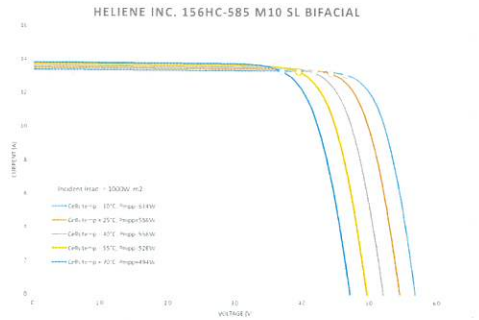
www.heliene.com

Dimensions for 156HC M10 SL Bifacial Series Modules



I-V Curves for 156HC M10 SL Bifacial Series Modules





Electrical Data (STC)

Peak Rated Power*	P_{mpp} (W)	585	580	575	570	565
Maximum Power Voltage	V_{mpp} (V)	45.85	45.64	45.44	45.23	45.02
Maximum Power Current	I_{mpp} (A)	12.77	12.70	12.64	12.58	12.52
Open Circuit Voltage*	V_{oc} (V)	54.41	54.13	53.86	53.33	52.79
Short Circuit Current**	I_{sc} (A)	13.50	13.44	13.37	13.32	13.28
Module Efficiency	Eff (%)	20.9	20.8	20.6	20.4	20.2
Maximum Series Fuse Rating	MF (A)	30	30	30	30	30
Power Sorting Range			- 0/+3%			
Bifaciality Factor			70 ± 2%			

STC - Standard Test Conditions: Irradiation 1000 W/m² - Air mass AM 1.5 - Cell temperature 25 °C,
*P_{mpp} Production Tolerance ± 3%, V_{oc} Production Tolerance ± 3%, **I_{sc} Production Tolerance ± 4%

Electrical Data (NMOT)

Maximum Power	P_{mpp} (W)	434	430	426	423	419
Maximum Power Voltage	V_{mpp} (V)	43.28	43.08	42.90	42.70	42.50
Maximum Power Current	I_{mpp} (A)	10.03	9.99	9.95	9.91	9.87
Open Circuit Voltage	V_{oc} (V)	51.36	51.10	50.84	50.34	49.83
Short Circuit Current	I_{sc} (A)	10.87	10.83	10.77	10.73	10.70

NMOT - Nominal Module Operating Temperature:
Irradiance at 800W/m², Ambient Temperature 20°C, Wind speed 1m/s

Mechanical Data

Solar Cells	156 Half Cut, M10, 182mm, PERC Cells
Module Construction	Framed Glass–Backsheet
Dimensions (L x W x D)	2464 x 1134 x 35 mm (97.01 x 44.65 x 1.38 inch)
Weight	31 kg (68.34 lbs)
Frame	Double Webbed 15-Micron Anodized Aluminum Alloy
Glass	3.2mm Low-Iron Content, High-Transmission, PV Solar Glass with Anti Reflective Coating
Junction Box	IP-68 rated with 3 bypass diodes
Output Cables	1.6-meter Symmetrical Cables
Connectors	Multi-Contact/ Stäubli MC4

Certifications

UL Certification	UL61215, UL61730

Temperature Ratings

Nominal Operating Cell Temperature (NOCT)	+45°C (±2°C)
Temperature Coefficient of P_{max}	-0.34%/°C
Temperature Coefficient of V_{oc}	-0.25%/°C
Temperature Coefficient of I_{sc}	0.052%/°C

Maximum Ratings

Operational Temperature	-40°C to +85°C
Max System Voltage	1500V
Mech. Load Test (Front)	113 psf / 5400Pa
Mech. Load Test (Back)	50 psf / 2400 Pa
Fire Type	Type 1
Hail Test	25mm at 23m/s

Packaging Configuration

Modules per Pallet 40' Container:	31 pieces
Modules per 40' Container:	620 pieces
Modules per Pallet 53' Trailer:	28 pieces
Modules per 53' trailer:	588 pieces

Warranty

15 Year Product Warranty

25 Year Linear Power Guarantee

The specifications and key features contained in this datasheet may deviate slightly from our actual products due to the ongoing innovation and product enhancements. PV modules should be handled and installed only by qualified people. Please carefully read safety and installation instructions available for download from Heliene website before using Heliene PV modules. For warranty details, please refer to Product Warranty Document, also available for download from Heliene website.

January 9, 2024

SMA America, LLC
6020 West Oaks Blvd, Ste 300
Rocklin, CA 95765-3714
Tel.: +1 916 625 0870
Fax: +1 916 625 0871

To whom it may concern

RE: Nexamp Solar Project
SMA SC2660-UP-US – Inverter Power Limiting

Dear Sir/Madam,

This letter is to confirm that **(2) SMA SC2660 UP-US** inverter(s) will be output power limited to meet grid requirements. For this project, the output power of the inverters will be limited to 2495kVA and 2495kVA, respectively. The output power limit is only accessible by SMA Service after commissioning.

SMA will submit a letter to the customer stating the inverter power limit by inverter serial number as documented proof that the power limit has been completed. A secondary label will be installed near the inverter label indicating the unit is power limited.

Sincerely,

Ryan J. LeBlanc
Principal Applications Engineer
SMA America, LLC
Rocklin, CA

nexamp

BEECHER ROAD SOLAR, LLC - DECOMMISSIONING PLAN

Beecher Road Solar, LLC has prepared this Decommissioning Plan (the "Plan") for its proposed 4.99-Megawatt solar photovoltaic facility (the "Facility") to be constructed along Corneils Road, Yorkville, Illinois. The Plan describes the process for decommissioning the Facility in accordance with applicable federal, state, and local requirements. Decommissioning of the Facility shall be completed within six (6) months after operation of the solar facility stops being operational.

Facility Description

The Facility will consist of a 4.99-megawatt (AC) capacity solar power-generating array secured within a chain link fence surrounding the solar panels and equipment, accessed through a locked, 20-foot wide swing gate at the access road. The access road enters the project area off Corneils Road. The Facility will include the following site features:

- An approximate 25-acre area of photovoltaic (PV) modules, mounting system and associated equipment inside the perimeter fence;
- Driven piles supporting the PV modules;
- One or two transformers (filled with biodegradable mineral oil) and 2 central inverters;
- Perimeter fence with no barbed wire;
- Underground conduit and wires within the system area;
- Electrical interconnection equipment including several above ground poles to connect to the Commonwealth Edison (ComEd) distribution line on Corneils Road;
- A gravel access drive; and
- A metal security gate at the entrance to the array area.

Decommissioning Plan

The Facility will be decommissioned by completing the following major steps: Dismantlement, Demolition, Disposal or Recycle; and Site Stabilization, as further described below.

Dismantlement, Demolition, and Disposal or Recycle

A significant portion of the components that comprise the Facility will include recyclable or re-saleable components, including copper, aluminum, galvanized steel, and modules. Due to their re-sale monetary value, these components will be dismantled, disassembled, and recycled rather than being demolished and disposed of. All materials associated with the solar farm shall be removed from the site and legally disposed of or recycled.

Following coordination with ComEd regarding timing and required procedures for disconnecting the Facility from the utility distribution network, all electrical connections to the system will be disconnected and all connections will be tested locally to confirm that no electric current is

running through them before proceeding. All electrical connections to the PV modules will be severed at each module, and the modules will then be removed from their framework by cutting or dismantling the connections to the supports. Modules will be removed and sold to a purchaser or recycler. In the event of a total fracture of any modules, the interior materials are silicon-based and are not hazardous. Disposal of these materials at a landfill will be permissible.

The PV mounting system framework (tracking system) will be dismantled and recycled. The metal piles will be removed and recycled. All other associated structures will be demolished and removed from the site for recycling or disposal. This will include the site fence and gates, which will likely be reclaimed or recycled.

The driveway and all gravel areas will be removed in areas that the landlord does not want drives for farming operations. These areas will be restored to their original condition, which includes, ripping, re-topping with soil, and seeding. Concrete slabs will be crushed and disposed of off-site or recycled (reused off-site). Underground cabling at a depth of five (5) feet or less will be removed and recycled or disposed of. Underground cabling installed at a depth greater than five feet may be abandoned in place or removed. For the purposes of this estimate, removal of underground cabling is assumed.

Aboveground utility poles owned by Beecher Road Solar, LLC will be completely removed and disposed of off-site in accordance with utility best practices. Any overhead wires will be removed from the Facility and will terminate at the utility-owned (ComEd) connections. Coordination with ComEd personnel will be conducted to facilitate ComEd removal of any utility-owned equipment, poles, and overhead wires located on the site.

A final site walkthrough will be conducted to remove debris and/or trash generated during the decommissioning process and will include removal and proper disposal of any debris that may have been wind-blown to areas outside the immediate footprint of the facility being removed. Sanitary facilities will be provided on-site for the workers performing the decommissioning of the Facility.

Decommissioning Requirements

The following items shall be implemented during the decommissioning of the Facility:

- If underground drainage tiles are damaged by Deconstruction, they shall be repaired in a manner that assures the tile line's proper operation.
- After the topsoil has been replaced, all areas that are not directly under photovoltaic panels that were traversed by vehicles and Deconstruction equipment shall be ripped at least 18 inches deep, and all pasture and woodland shall be ripped at least 12 inches deep to the extent practicable. The existence of tile lines or underground utilities may necessitate less depth.

- Following the completion of Deconstruction, the disturbed area shall be restored, as closely as practical, to its original pre-construction elevation.
- Weed control shall be provided in a manner that prevents the spread of weeds onto agricultural land affected by Deconstruction. Spraying shall be done by a pesticide applicator that is appropriately licensed for doing such work in the State of Illinois.

Site Stabilization

The areas of the Facility that are disturbed during decommissioning will be re-graded to establish a uniform slope and stabilized via hydroseeding with an appropriate ground treatment approved by the United City of Yorkville.

Permitting Requirements

Given the size and location of the Facility, several approvals will be obtained prior to initiation of the decommissioning process. Table 1 provides a summary of the expected approvals if the decommissioning were to take place at the time of the preparation of this Decommissioning Plan. Noting that the decommissioning is expected to occur at a much later date, the permitting requirements listed in the table below will be reviewed at that time and updated based on then current local, state, and federal regulations.

Table 1. Current Permitting Requirements for Decommissioning

Permit	Agency	Threshold/Trigger
Building Permit	United City of Yorkville	A building permit must be obtained for any construction, alteration, repair, demolition, or change to the use or occupancy of a building.
National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges from Construction Activity	Illinois Environmental Protection Agency (IEPA)	Ground disturbance of greater than one acre requires preparation of a Stormwater Pollution Prevention Plan, including erosion and sedimentation controls.
Agricultural Impact Mitigation Agreement (AIMA)	Illinois Department of Agriculture (IDOA)	Illinois requirement that an AIMA be entered into between owner of a solar facility on agricultural land and the IDOA.

The decommissioning process is estimated to take approximately six to eight (6-10) weeks and is intended to occur outside of the winter season.

Decommissioning Cost Estimate and Surety Proposal

Consistent with the requirements of the Illinois Agricultural Impact Mitigation Agreement, Beecher Road Solar, LLC proposes to provide a decommissioning surety fund to be held by the United City of Yorkville (City) and co-owned with Beecher Road Solar, LLC. The fund will provide the requisite capital for solar project decommissioning in the unlikely event that Beecher Road Solar, LLC is unable to meet its contractual obligations for solar project removal and restoration.

Before the issuance of a Building Permit by the City, Beecher Road Solar, LLC will submit an Engineer's Opinion of Probable Cost (EOPC) to decommissioning the facility. Beecher Road Solar, LLC will then obtain a bond to be held by the City with the bond value based on the percentage of the EOPC as required by the Agricultural Impact Mitigation Agreement.

Once the decommissioning is complete, and after the City's inspection that the work has been done in accordance with the Decommissioning Plan, the portion of the surety not needed to remediate shall be returned to the applicant/lessee.

ATWELL

Atwell, L.L.C.
1250 East Diehl Road, Suite 300
(630) 577-0800

Project	Beecher Solar
Location	United City of Yorkville
Site:	4.99 MWAC
Parcel ID:	02-08-300-008
Date	10/31/2024

Engineer's Opinion of Probable Decommissioning Cost for Beecher Solar During First 5 Years of Operation

	Estimated Quantity	Unit	Unit Cost	Removal Cost
Erosion Control/Contractor Fees				
Mobilization	1	LUMP SUM	$7,500.00	$7,500.00
Electrical Disconnect	1	EACH	$750.00	$750.00
Permitting (NPDES)	1	LUMP SUM	$750.00	$750.00
Silt Fence	1,607	LF	$3.00	$4,821.00
Seeding	32	ACRES	$1,000.00	$31,800.00
Sub-Total				$45,621.00
Site Demolition				
Remove Existing Fence (8' Chainlink Fence)	4,157	LF	$3.85	$16,004.45
Remove Existing Asphalt Parking Pad	474	SY	$5.00	$2,370.00
Haul off for Existing Asphalt Parking Pad	474	SY	$10.00	$4,740.00
Remove Existing Gravel Entrance (12" depth)	1,709	CY	$4.00	$6,836.00
Haul off for Existing Gravel Entrance (12" depth)	1,709	CY	$10.00	$17,090.00
Sub-Total				$47,040.45
Racking and Module Removal				
Pile Removal	862	EACH	$8.00	$6,896.00
Assembly Removal	121	EACH	$60.00	$7,260.00
PV Module Removal	11,616	EACH	$1.25	$14,520.00
PV Module Haul Off	372	TON	$45.00	$16,727.04
Sub-Total				$45,403.04
Wiring Removal				
Underground MV Wire	1,873	LF	$2.00	$3,746.00
Utility Pole Removal	7	EACH	$750.00	$5,250.00
Above Ground MV Wire	365	LF	$0.10	$36.50
Combiner Box Removal	28	EACH	$80.00	$2,240.00
Sub-Total				$11,272.50
Power Conditioning Equipment Removal				
PCU Station (inverters, etc.)	1	EACH	$400.00	$400.00
Scada Equipment	1	EACH	$500.00	$500.00
Transformer	1	EACH	$1,800.00	$1,800.00
Sub-Total				$2,700.00
Equipment Pad Removal				
Remove Pad	1	EACH	$750.00	$750.00
Sub-Total				$750.00
Decommisioning Total (Present Value)				**$152,786.99**
Decommisioning Total (3% Inflation over 25 Years)				**$319,902.03**

Assumptions:

1. Cost Estimate based on 5-year projections. Estimate to be redone in 5-years based on new fees at that time.
2. Cost Estimate is based on the Special Use Plans prepared by **Atwell, LLC** dated 10/30/2024.
3. Refer to Decommissioning Plan for further information.

Note: This Engineer's Opinion of Probable Cost is made on the basis of Engineer's experience and qualifications using estimated quantities and represents Engineer's best judgment as an experienced and qualified professional Engineer generally familiar with the construction industry. However, since 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 Construction Cost prepared by Engineer. This Opinion of Probable Construction Cost is limited to those items stated herein.

152392 - Beecher Road Solar

152392 - Beecher Road Solar - Pv Array 1

Created Aug 12, 2024
Updated Aug 13, 2024
Time-step 1 minute
Timezone offset UTC-5
Minimum sun altitude 0.0 deg
Site ID 126647.21664

Project type Basic
Project status: active
Category 500 kW to 1 MW
(1,000 kW / 8 acre limit)

Misc. Analysis Settings

DNI: **varies (1,000.0 W/m^2 peak)**
Ocular transmission coefficient: **0.5**
Pupil diameter: **0.002 m**
Eye focal length: **0.017 m**
Sun subtended angle: **9.3 mrad**

PV Analysis Methodology: **Version 2**
Enhanced subtended angle calculation: **On**

Summary of Results No glare predicted!

PV Name	Tilt	Orientation	"Green" Glare	"Yellow" Glare	Energy Produced
	deg	deg	min	min	kWh
PV array 1	SA tracking	SA tracking	0	0	-

Component Data

PV Array(s)

Total PV footprint area: 8.0 acres

Name: PV array 1
Footprint area: 8.0 acres
Axis tracking: Single-axis rotation
Backtracking: None
Tracking axis orientation: 180.0 deg
Tracking axis tilt: 0.0 deg
Tracking axis panel offset: 0.0 deg
Maximum tracking angle: 52.0 deg
Rated power: -
Panel material: Smooth glass with AR coating
Vary reflectivity with sun position? Yes
Correlate slope error with surface type? Yes
Slope error: 8.43 mrad

Vertex	Latitude	Longitude	Ground elevation	Height above ground	Total elevation
	deg	deg	ft	ft	ft
1	41.694148	-88.466774	647.19	6.20	653.39
2	41.694196	-88.461582	641.28	6.20	647.48
3	41.693491	-88.461560	640.00	6.20	646.20
4	41.693507	-88.466753	647.62	6.20	653.82

Route Receptor(s)

Name: Car
Route type Two-way
View angle: 50.0 deg

Vertex	Latitude	Longitude	Ground elevation	Height above ground	Total elevation
	deg	deg	ft	ft	ft
1	41.694617	-88.462995	642.89	3.00	645.89
2	41.694617	-88.461364	639.79	3.00	642.79
3	41.694473	-88.461107	641.54	3.00	644.54
4	41.693111	-88.461343	641.69	3.00	644.69
5	41.692390	-88.462501	641.34	3.00	644.34
6	41.691413	-88.463424	640.97	3.00	643.97
7	41.691381	-88.465205	645.58	3.00	648.58
8	41.690323	-88.465355	653.64	3.00	656.64
9	41.690403	-88.467952	654.95	3.00	657.95
10	41.690259	-88.463960	643.70	3.00	646.70
11	41.691381	-88.463403	641.28	3.00	644.28
12	41.692406	-88.462458	641.48	3.00	644.48
13	41.693127	-88.461343	641.62	3.00	644.62
14	41.694478	-88.461096	641.68	3.00	644.68
15	41.694630	-88.461359	639.63	3.00	642.63
16	41.694617	-88.462995	642.89	3.00	645.89

Name: Truck
Route type Two-way
View angle: 50.0 deg

Vertex	Latitude	Longitude	Ground elevation	Height above ground	Total elevation
	deg	deg	ft	ft	ft
1	41.694649	-88.463070	643.73	7.00	650.73
2	41.694681	-88.461353	639.17	7.00	646.17
3	41.694457	-88.461096	641.75	7.00	648.75
4	41.693127	-88.461353	641.46	7.00	648.46
5	41.692422	-88.462491	641.11	7.00	648.11
6	41.691413	-88.463392	641.20	7.00	648.20
7	41.691413	-88.465216	645.37	7.00	652.37
8	41.690339	-88.465344	653.58	7.00	660.58
9	41.690435	-88.468048	654.20	7.00	661.20
10	41.690259	-88.464057	643.76	7.00	650.76
11	41.691413	-88.463413	641.05	7.00	648.05
12	41.692406	-88.462555	640.92	7.00	647.92
13	41.693159	-88.461268	639.13	7.00	646.13
14	41.694473	-88.461074	639.43	7.00	646.43
15	41.694633	-88.461375	639.59	7.00	646.59
16	41.694649	-88.463070	643.73	7.00	650.73

Discrete Observation Receptors

Number	Latitude	Longitude	Ground elevation	Height above ground	Total Elevation
	deg	deg	ft	ft	ft
OP 1	41.691893	-88.461268	648.85	6.00	654.85
OP 2	41.691990	-88.461074	642.39	20.00	662.39
OP 3	41.691153	-88.466382	652.26	6.00	658.26
OP 4	41.691233	-88.466586	651.29	20.00	671.29
OP 5	41.691177	-88.464912	646.31	6.00	652.31
OP 6	41.691089	-88.464976	646.55	20.00	666.55
OP 7	41.691196	-88.465706	649.08	6.00	655.08
OP 8	41.691196	-88.465556	648.36	20.00	668.36
OP 9	41.690638	-88.465669	655.24	6.00	661.24
OP 10	41.690642	-88.465583	655.00	20.00	675.00
OP 11	41.690652	-88.466892	655.38	6.00	661.38
OP 12	41.690652	-88.466806	655.45	20.00	675.45
OP 13	41.690821	-88.466160	654.62	6.00	660.62
OP 14	41.690827	-88.466232	654.31	20.00	674.31
OP 15	41.690851	-88.467313	653.40	6.00	659.40
OP 16	41.690853	-88.467244	653.31	20.00	673.31
OP 17	41.690752	-88.463125	642.82	6.00	648.82
OP 18	41.690752	-88.462953	642.62	20.00	662.62

Obstruction Components

Name: Obstruction 10
Upper edge height: 50.0 ft

Vertex	Latitude	Longitude	Ground elevation
	deg	deg	ft
1	41.693104	-88.460069	640.86
2	41.692944	-88.461335	639.50
3	41.692118	-88.462644	636.52
4	41.691381	-88.463287	636.76
5	41.690340	-88.463792	639.94
6	41.691333	-88.463298	635.18
7	41.692126	-88.462644	637.45
8	41.692960	-88.461346	641.33
9	41.693104	-88.460069	640.86

Name: Obstruction 2
Upper edge height: 60.0 ft

Vertex	Latitude	Longitude	Ground elevation
	deg	deg	ft
1	41.691545	-88.466779	652.08
2	41.691097	-88.466795	651.75
3	41.691545	-88.466779	652.08

Name: Obstruction 3
Upper edge height: 60.0 ft

Vertex	Latitude	Longitude	Ground elevation
	deg	deg	ft
1	41.690920	-88.465529	650.48
2	41.690916	-88.465347	649.82
3	41.690920	-88.465529	650.48

Name: Obstruction 4
Upper edge height: 60.0 ft

Vertex	Latitude	Longitude	Ground elevation
	deg	deg	ft
1	41.690920	-88.466463	652.74
2	41.690920	-88.466307	652.96
3	41.690920	-88.466463	652.74

Name: Obstruction 5
Upper edge height: 60.0 ft

Vertex	Latitude	Longitude	Ground elevation
	deg	deg	ft
1	41.690920	-88.466087	652.81
2	41.690920	-88.465889	652.20
3	41.690920	-88.466087	652.81

Name: Obstruction 6
Upper edge height: 60.0 ft

Vertex	Latitude	Longitude	Ground elevation
	deg	deg	ft
1	41.690812	-88.465604	652.92
2	41.690812	-88.465808	653.58
3	41.690660	-88.465873	654.73
4	41.690524	-88.466098	655.45
5	41.690668	-88.465862	654.66
6	41.690816	-88.465814	653.45
7	41.690812	-88.465604	652.92

Name: Obstruction 7
Upper edge height: 60.0 ft

Vertex	Latitude	Longitude	Ground elevation
	deg	deg	ft
1	41.690808	-88.467165	653.51
2	41.690608	-88.467176	654.37
3	41.690808	-88.467165	653.51

Name: Obstruction 8
Upper edge height: 30.0 ft

Vertex	Latitude	Longitude	Ground elevation
	deg	deg	ft
1	41.690844	-88.466570	653.66
2	41.690424	-88.466575	656.21
3	41.690844	-88.466570	653.66

Name: Obstruction 9
Upper edge height: 30.0 ft

Vertex	Latitude	Longitude	Ground elevation
	deg	deg	ft
1	41.690776	-88.464821	646.37
2	41.690500	-88.464751	647.21
3	41.690776	-88.464821	646.37

Name: Tree
Upper edge height: 60.0 ft

Vertex	Latitude	Longitude	Ground elevation
	deg	deg	ft
1	41.694366	-88.467598	649.23
2	41.694414	-88.465195	647.56
3	41.694254	-88.464369	649.75
4	41.694430	-88.465206	646.87
5	41.694366	-88.467598	649.23

Summary of PV Glare Analysis

PV configuration and total predicted glare

PV Name	Tilt	Orientation	"Green" Glare	"Yellow" Glare	Energy Produced	Data File
	deg	deg	min	min	kWh	
PV array 1	SA tracking	SA tracking	0	0	-	-

PV & Receptor Analysis Results

Results for each PV array and receptor

PV array 1 no glare found

Component	Green glare (min)	Yellow glare (min)
OP: OP 1	0	0
OP: OP 2	0	0
OP: OP 3	0	0
OP: OP 4	0	0
OP: OP 5	0	0
OP: OP 6	0	0
OP: OP 7	0	0
OP: OP 8	0	0
OP: OP 9	0	0
OP: OP 10	0	0
OP: OP 11	0	0
OP: OP 12	0	0
OP: OP 13	0	0
OP: OP 14	0	0
OP: OP 15	0	0
OP: OP 16	0	0
OP: OP 17	0	0
OP: OP 18	0	0
Route: Car	0	0
Route: Truck	0	0

No glare found

Assumptions

- Times associated with glare are denoted in Standard time. For Daylight Savings, add one hour.
- Glare analyses do not automatically account for physical obstructions between reflectors and receptors. This includes buildings, tree cover and geographic obstructions.
- Detailed system geometry is not rigorously simulated.
- The glare hazard determination relies on several approximations including observer eye characteristics, angle of view, and typical blink response time. Actual values and results may vary.
- The system output calculation is a DNI-based approximation that assumes clear, sunny skies year-round. It should not be used in place of more rigorous modeling methods.
- Several V1 calculations utilize the PV array centroid, rather than the actual glare spot location, due to algorithm limitations. This may affect results for large PV footprints. Additional analyses of array sub-sections can provi additional information on expected glare.

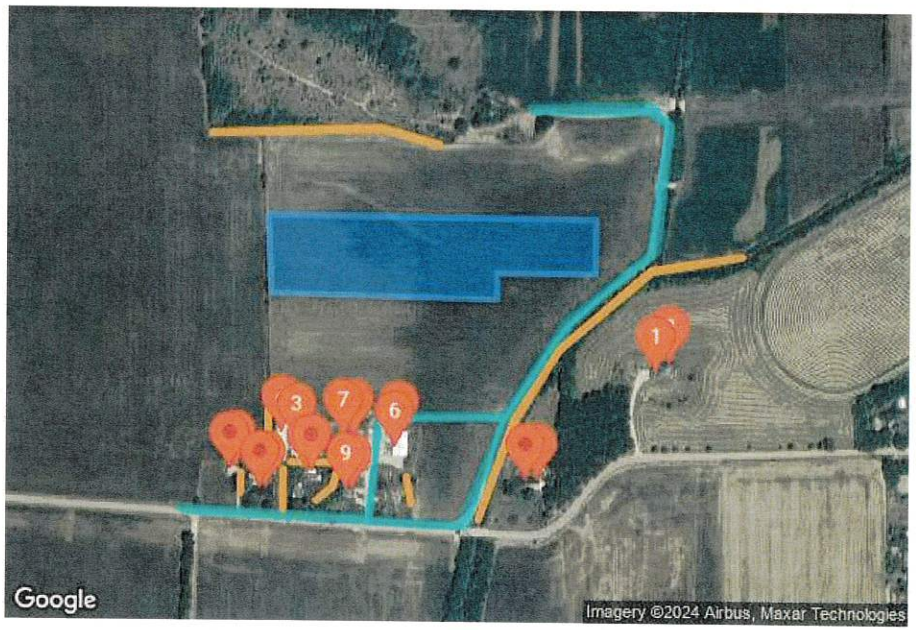
- The subtended source angle (glare spot size) is constrained by the PV array footprint size. Partitioning large arrays into smaller sections will reduce the maximum potential subtended angle, potentially impacting results if actual glare spots are larger than the sub-array size. Additional analyses of the combined area of adjacent sub-arrays can provide more information on potential glare hazards. (See previous point on related limitations.)
- Hazard zone boundaries shown in the Glare Hazard plot are an approximation and visual aid. Actual ocular impact outcomes encompass a continuous, not discrete, spectrum.
- Glare locations displayed on receptor plots are approximate. Actual glare-spot locations may differ.
- Refer to the **Help page** for detailed assumptions and limitations not listed here.

152392 - Beecher Road Solar

152392 - Beecher Road Solar - Pv Array 2

Created Aug 12, 2024
Updated Aug 13, 2024
Time-step 1 minute
Timezone offset UTC-5
Minimum sun altitude 0.0 deg
Site ID 126653.21664

Project type Basic
Project status: active
Category 500 kW to 1 MW
(1,000 kW / 8 acre limit)



Misc. Analysis Settings

DNI: **varies (1,000.0 W/m^2 peak)**
Ocular transmission coefficient: **0.5**
Pupil diameter: **0.002 m**
Eye focal length: **0.017 m**
Sun subtended angle: **9.3 mrad**

PV Analysis Methodology: **Version 2**
Enhanced subtended angle calculation: **On**

Summary of Results No glare predicted!

PV Name	Tilt	Orientation	"Green" Glare	"Yellow" Glare	Energy Produced
	deg	deg	min	min	kWh
PV array 2	SA tracking	SA tracking	0	0	-

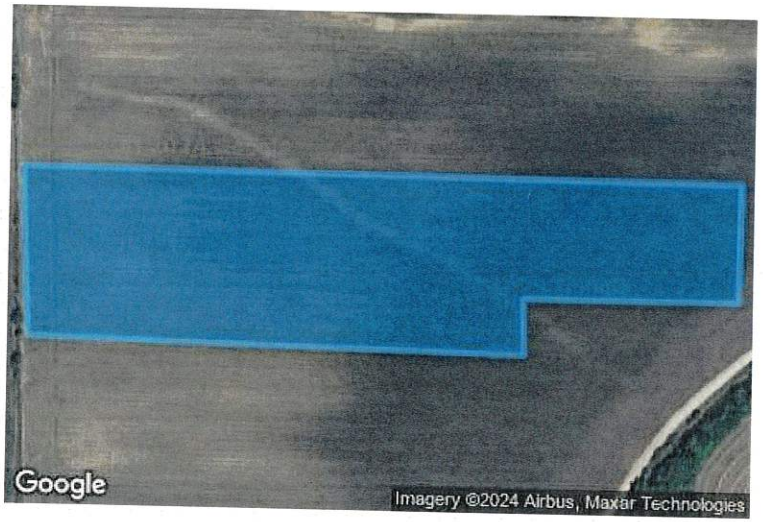
Component Data

PV Array(s)

Total PV footprint area: 8.0 acres

Name: PV array 2
Footprint area: 8.0 acres
Axis tracking: Single-axis rotation
Backtracking: None
Tracking axis orientation: 180.0 deg
Tracking axis tilt: 0.0 deg
Tracking axis panel offset: 0.0 deg
Maximum tracking angle: 52.0 deg
Rated power: -
Panel material: Smooth glass with AR coating
Vary reflectivity with sun position? Yes
Correlate slope error with surface type? Yes
Slope error: 8.43 mrad

Vertex	Latitude	Longitude	Ground elevation	Height above ground	Total elevation
	deg	deg	ft	ft	ft
1	41.693510	-88.466785	647.98	6.20	654.18
2	41.693486	-88.462129	640.75	6.20	646.95
3	41.692917	-88.462140	640.32	6.20	646.52
4	41.692917	-88.463545	641.33	6.20	647.53
5	41.692645	-88.463535	640.90	6.20	647.10
6	41.692693	-88.466742	649.59	6.20	655.79



Route Receptor(s)

Name: Car
Route type Two-way
View angle: 50.0 deg

Vertex	Latitude	Longitude	Ground elevation	Height above ground	Total elevation
	deg	deg	ft	ft	ft
1	41.694617	-88.462995	642.89	3.00	645.89
2	41.694617	-88.461364	639.79	3.00	642.79
3	41.694473	-88.461107	641.54	3.00	644.54
4	41.693111	-88.461343	641.69	3.00	644.69
5	41.692390	-88.462501	641.34	3.00	644.34
6	41.691413	-88.463424	640.97	3.00	643.97
7	41.691381	-88.465205	645.58	3.00	648.58
8	41.690323	-88.465355	653.64	3.00	656.64
9	41.690403	-88.467952	654.95	3.00	657.95
10	41.690259	-88.463960	643.70	3.00	646.70
11	41.691381	-88.463403	641.28	3.00	644.28
12	41.692406	-88.462458	641.48	3.00	644.48
13	41.693127	-88.461343	641.62	3.00	644.62
14	41.694478	-88.461096	641.68	3.00	644.68
15	41.694630	-88.461359	639.63	3.00	642.63
16	41.694617	-88.462995	642.89	3.00	645.89

Name: Truck
Route type Two-way
View angle: 50.0 deg

Vertex	Latitude	Longitude	Ground elevation	Height above ground	Total elevation
	deg	deg	ft	ft	ft
1	41.694649	-88.463070	643.73	7.00	650.73
2	41.694681	-88.461353	639.17	7.00	646.17
3	41.694457	-88.461096	641.75	7.00	648.75
4	41.693127	-88.461353	641.46	7.00	648.46
5	41.692422	-88.462491	641.11	7.00	648.11
6	41.691413	-88.463392	641.20	7.00	648.20
7	41.691413	-88.465216	645.37	7.00	652.37
8	41.690339	-88.465344	653.58	7.00	660.58
9	41.690435	-88.468048	654.20	7.00	661.20
10	41.690259	-88.464057	643.76	7.00	650.76
11	41.691413	-88.463413	641.05	7.00	648.05
12	41.692406	-88.462555	640.92	7.00	647.92
13	41.693159	-88.461268	639.13	7.00	646.13
14	41.694473	-88.461074	639.43	7.00	646.43
15	41.694633	-88.461375	639.59	7.00	646.59
16	41.694649	-88.463070	643.73	7.00	650.73

Discrete Observation Receptors

Number	Latitude	Longitude	Ground elevation	Height above ground	Total Elevation
	deg	deg	ft	ft	ft
OP 1	41.691893	-88.461268	648.85	6.00	654.85
OP 2	41.691990	-88.461074	642.39	20.00	662.39
OP 3	41.691153	-88.466382	652.26	6.00	658.26
OP 4	41.691233	-88.466586	651.29	20.00	671.29
OP 5	41.691177	-88.464912	646.31	6.00	652.31
OP 6	41.691089	-88.464976	646.55	20.00	666.55
OP 7	41.691196	-88.465706	649.08	6.00	655.08
OP 8	41.691196	-88.465556	648.36	20.00	668.36
OP 9	41.690638	-88.465669	655.24	6.00	661.24
OP 10	41.690642	-88.465583	655.00	20.00	675.00
OP 11	41.690652	-88.466892	655.38	6.00	661.38
OP 12	41.690652	-88.466806	655.45	20.00	675.45
OP 13	41.690821	-88.466160	654.62	6.00	660.62
OP 14	41.690827	-88.466232	654.31	20.00	674.31
OP 15	41.690851	-88.467313	653.40	6.00	659.40
OP 16	41.690853	-88.467244	653.31	20.00	673.31
OP 17	41.690752	-88.463125	642.82	6.00	648.82
OP 18	41.690752	-88.462953	642.62	20.00	662.62

Obstruction Components

Name: Obstruction 10
Upper edge height: 50.0 ft

Vertex	Latitude	Longitude	Ground elevation
	deg	deg	ft
1	41.693104	-88.460069	640.86
2	41.692944	-88.461335	639.50
3	41.692118	-88.462644	636.52
4	41.691381	-88.463287	636.76
5	41.690340	-88.463792	639.94
6	41.691333	-88.463298	635.18
7	41.692126	-88.462644	637.45
8	41.692960	-88.461346	641.33
9	41.693104	-88.460069	640.86

Name: Obstruction 2
Upper edge height: 60.0 ft

Vertex	Latitude	Longitude	Ground elevation
	deg	deg	ft
1	41.691545	-88.466779	652.08
2	41.691097	-88.466795	651.75
3	41.691545	-88.466779	652.08

Name: Obstruction 3
Upper edge height: 60.0 ft

Vertex	Latitude	Longitude	Ground elevation
	deg	deg	ft
1	41.690920	-88.465529	650.48
2	41.690916	-88.465347	649.82
3	41.690920	-88.465529	650.48

Name: Obstruction 4
Upper edge height: 60.0 ft

Vertex	Latitude	Longitude	Ground elevation
	deg	deg	ft
1	41.690920	-88.466463	652.74
2	41.690920	-88.466307	652.96
3	41.690920	-88.466463	652.74

Name: Obstruction 5
Upper edge height: 60.0 ft

Vertex	Latitude	Longitude	Ground elevation
	deg	deg	ft
1	41.690920	-88.466087	652.81
2	41.690920	-88.465889	652.20
3	41.690920	-88.466087	652.81

Name: Obstruction 6
Upper edge height: 60.0 ft

Vertex	Latitude	Longitude	Ground elevation
	deg	deg	ft
1	41.690812	-88.465604	652.92
2	41.690812	-88.465808	653.58
3	41.690660	-88.465873	654.73
4	41.690524	-88.466098	655.45
5	41.690668	-88.465862	654.66
6	41.690816	-88.465814	653.45
7	41.690812	-88.465604	652.92

Name: Obstruction 7
Upper edge height: 60.0 ft

Vertex	Latitude	Longitude	Ground elevation
	deg	deg	ft
1	41.690808	-88.467165	653.51
2	41.690608	-88.467176	654.37
3	41.690808	-88.467165	653.51

Name: Obstruction 8
Upper edge height: 30.0 ft

Vertex	Latitude	Longitude	Ground elevation
	deg	deg	ft
1	41.690844	-88.466570	653.66
2	41.690424	-88.466575	656.21
3	41.690844	-88.466570	653.66

Name: Obstruction 9
Upper edge height: 30.0 ft

Vertex	Latitude	Longitude	Ground elevation
	deg	deg	ft
1	41.690776	-88.464821	646.37
2	41.690500	-88.464751	647.21
3	41.690776	-88.464821	646.37

Name: Tree
Upper edge height: 60.0 ft

Vertex	Latitude	Longitude	Ground elevation
	deg	deg	ft
1	41.694366	-88.467598	649.23
2	41.694414	-88.465195	647.56
3	41.694254	-88.464369	649.75
4	41.694430	-88.465206	646.87
5	41.694366	-88.467598	649.23

Summary of PV Glare Analysis

PV configuration and total predicted glare

PV Name	Tilt	Orientation	"Green" Glare	"Yellow" Glare	Energy Produced	Data File
	deg	deg	min	min	kWh	
PV array 2	SA tracking	SA tracking	0	0	-	-

PV & Receptor Analysis Results

Results for each PV array and receptor

PV array 2 no glare found

Component	Green glare (min)	Yellow glare (min)
OP: OP 1	0	0
OP: OP 2	0	0
OP: OP 3	0	0
OP: OP 4	0	0
OP: OP 5	0	0
OP: OP 6	0	0
OP: OP 7	0	0
OP: OP 8	0	0
OP: OP 9	0	0
OP: OP 10	0	0
OP: OP 11	0	0
OP: OP 12	0	0
OP: OP 13	0	0
OP: OP 14	0	0
OP: OP 15	0	0
OP: OP 16	0	0
OP: OP 17	0	0
OP: OP 18	0	0
Route: Car	0	0
Route: Truck	0	0

No glare found

Assumptions

- Times associated with glare are denoted in Standard time. For Daylight Savings, add one hour.
- Glare analyses do not automatically account for physical obstructions between reflectors and receptors. This includes buildings, tree cover and geographic obstructions.
- Detailed system geometry is not rigorously simulated.
- The glare hazard determination relies on several approximations including observer eye characteristics, angle of view, and typical blink response time. Actual values and results may vary.
- The system output calculation is a DNI-based approximation that assumes clear, sunny skies year-round. It should not be used in place of more rigorous modeling methods.
- Several V1 calculations utilize the PV array centroid, rather than the actual glare spot location, due to algorithm limitations. This may affect results for large PV footprints. Additional analyses of array sub-sections can provi additional information on expected glare.

- The subtended source angle (glare spot size) is constrained by the PV array footprint size. Partitioning large arrays into smaller sections will reduce the maximum potential subtended angle, potentially impacting results if actual glare spots are larger than the sub-array size. Additional analyses of the combined area of adjacent sub-arrays can provide more information on potential glare hazards. (See previous point on related limitations.)
- Hazard zone boundaries shown in the Glare Hazard plot are an approximation and visual aid. Actual ocular impact outcomes encompass a continuous, not discrete, spectrum.
- Glare locations displayed on receptor plots are approximate. Actual glare-spot locations may differ.
- Refer to the **Help page** for detailed assumptions and limitations not listed here.

152392 - Beecher Road Solar

152392 - Beecher Road Solar - Pv Array 3

Created Aug 12, 2024
Updated Aug 13, 2024
Time-step 1 minute
Timezone offset UTC-5
Minimum sun altitude 0.0 deg
Site ID 126655.21664

Project type Basic
Project status: active
Category 500 kW to 1 MW
(1,000 kW / 8 acre limit)

Misc. Analysis Settings

DNI: **varies (1,000.0 W/m^2 peak)**
Ocular transmission coefficient: **0.5**
Pupil diameter: **0.002 m**
Eye focal length: **0.017 m**
Sun subtended angle: **9.3 mrad**

PV Analysis Methodology: **Version 2**
Enhanced subtended angle calculation: **On**

Summary of Results No glare predicted!

PV Name	Tilt	Orientation	"Green" Glare	"Yellow" Glare	Energy Produced
	deg	deg	min	min	kWh
PV array 3	SA tracking	SA tracking	0	0	-

Component Data

PV Array(s)

Total PV footprint area: 6.3 acres

Name: PV array 3
Footprint area: 6.3 acres
Axis tracking: Single-axis rotation
Backtracking: None
Tracking axis orientation: 180.0 deg
Tracking axis tilt: 0.0 deg
Tracking axis panel offset: 0.0 deg
Maximum tracking angle: 52.0 deg
Rated power: -
Panel material: Smooth glass with AR coating
Vary reflectivity with sun position? Yes
Correlate slope error with surface type? Yes
Slope error: 8.43 mrad

Vertex	Latitude	Longitude	Ground elevation	Height above ground	Total elevation
	deg	deg	ft	ft	ft
1	41.692715	-88.466767	650.17	6.20	656.37
2	41.692659	-88.463935	641.26	6.20	647.46
3	41.691710	-88.463886	640.71	6.20	646.91
4	41.691726	-88.466730	651.65	6.20	657.85

Route Receptor(s)

Name: Car
Route type Two-way
View angle: 50.0 deg

Vertex	Latitude	Longitude	Ground elevation	Height above ground	Total elevation
	deg	deg	ft	ft	ft
1	41.694617	-88.462995	642.89	3.00	645.89
2	41.694617	-88.461364	639.79	3.00	642.79
3	41.694473	-88.461107	641.54	3.00	644.54
4	41.693111	-88.461343	641.69	3.00	644.69
5	41.692390	-88.462501	641.34	3.00	644.34
6	41.691413	-88.463424	640.97	3.00	643.97
7	41.691381	-88.465205	645.58	3.00	648.58
8	41.690323	-88.465355	653.64	3.00	656.64
9	41.690403	-88.467952	654.95	3.00	657.95
10	41.690259	-88.463960	643.70	3.00	646.70
11	41.691381	-88.463403	641.28	3.00	644.28
12	41.692406	-88.462458	641.48	3.00	644.48
13	41.693127	-88.461343	641.62	3.00	644.62
14	41.694478	-88.461096	641.68	3.00	644.68
15	41.694630	-88.461359	639.63	3.00	642.63
16	41.694617	-88.462995	642.89	3.00	645.89

Name: Truck
Route type Two-way
View angle: 50.0 deg

Vertex	Latitude	Longitude	Ground elevation	Height above ground	Total elevation
	deg	deg	ft	ft	ft
1	41.694649	-88.463070	643.73	7.00	650.73
2	41.694681	-88.461353	639.17	7.00	646.17
3	41.694457	-88.461096	641.75	7.00	648.75
4	41.693127	-88.461353	641.46	7.00	648.46
5	41.692422	-88.462491	641.11	7.00	648.11
6	41.691413	-88.463392	641.20	7.00	648.20
7	41.691413	-88.465216	645.37	7.00	652.37
8	41.690339	-88.465344	653.58	7.00	660.58
9	41.690435	-88.468048	654.20	7.00	661.20
10	41.690259	-88.464057	643.76	7.00	650.76
11	41.691413	-88.463413	641.05	7.00	648.05
12	41.692406	-88.462555	640.92	7.00	647.92
13	41.693159	-88.461268	639.13	7.00	646.13
14	41.694473	-88.461074	639.43	7.00	646.43
15	41.694633	-88.461375	639.59	7.00	646.59
16	41.694649	-88.463070	643.73	7.00	650.73

Discrete Observation Receptors

Number	Latitude	Longitude	Ground elevation	Height above ground	Total Elevation
	deg	deg	ft	ft	ft
OP 1	41.691893	-88.461268	648.85	6.00	654.85
OP 2	41.691990	-88.461074	642.39	20.00	662.39
OP 3	41.691153	-88.466382	652.26	6.00	658.26
OP 4	41.691233	-88.466586	651.29	20.00	671.29
OP 5	41.691177	-88.464912	646.31	6.00	652.31
OP 6	41.691089	-88.464976	646.55	20.00	666.55
OP 7	41.691196	-88.465706	649.08	6.00	655.08
OP 8	41.691196	-88.465556	648.36	20.00	668.36
OP 9	41.690638	-88.465669	655.24	6.00	661.24
OP 10	41.690642	-88.465583	655.00	20.00	675.00
OP 11	41.690652	-88.466892	655.38	6.00	661.38
OP 12	41.690652	-88.466806	655.45	20.00	675.45
OP 13	41.690821	-88.466160	654.62	6.00	660.62
OP 14	41.690827	-88.466232	654.31	20.00	674.31
OP 15	41.690851	-88.467313	653.40	6.00	659.40
OP 16	41.690853	-88.467244	653.31	20.00	673.31
OP 17	41.690752	-88.463125	642.82	6.00	648.82
OP 18	41.690752	-88.462953	642.62	20.00	662.62

Obstruction Components

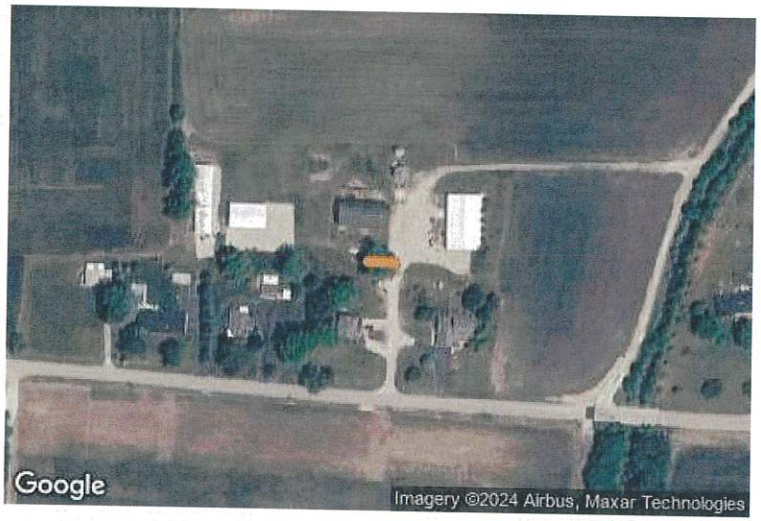
Name: Obstruction 10
Upper edge height: 50.0 ft

Vertex	Latitude	Longitude	Ground elevation
	deg	deg	ft
1	41.693104	-88.460069	640.86
2	41.692944	-88.461335	639.50
3	41.692118	-88.462644	636.52
4	41.691381	-88.463287	636.76
5	41.690340	-88.463792	639.94
6	41.691333	-88.463298	635.18
7	41.692126	-88.462644	637.45
8	41.692960	-88.461346	641.33
9	41.693104	-88.460069	640.86

Name: Obstruction 2
Upper edge height: 60.0 ft

Vertex	Latitude	Longitude	Ground elevation
	deg	deg	ft
1	41.691545	-88.466779	652.08
2	41.691097	-88.466795	651.75
3	41.691545	-88.466779	652.08

Name: Obstruction 3
Upper edge height: 60.0 ft



Vertex	Latitude	Longitude	Ground elevation
	deg	deg	ft
1	41.690920	-88.465529	650.48
2	41.690916	-88.465347	649.82
3	41.690920	-88.465529	650.48

Name: Obstruction 4
Upper edge height: 60.0 ft

Vertex	Latitude	Longitude	Ground elevation
	deg	deg	ft
1	41.690920	-88.466463	652.74
2	41.690920	-88.466307	652.96
3	41.690920	-88.466463	652.74

Name: Obstruction 5
Upper edge height: 60.0 ft

Vertex	Latitude	Longitude	Ground elevation
	deg	deg	ft
1	41.690920	-88.466087	652.81
2	41.690920	-88.465889	652.20
3	41.690920	-88.466087	652.81

Name: Obstruction 6
Upper edge height: 60.0 ft

Vertex	Latitude	Longitude	Ground elevation
	deg	deg	ft
1	41.690812	-88.465604	652.92
2	41.690812	-88.465808	653.58
3	41.690660	-88.465873	654.73
4	41.690524	-88.466098	655.45
5	41.690668	-88.465862	654.66
6	41.690816	-88.465814	653.45
7	41.690812	-88.465604	652.92

Name: Obstruction 7
Upper edge height: 60.0 ft

Vertex	Latitude	Longitude	Ground elevation
	deg	deg	ft
1	41.690808	-88.467165	653.51
2	41.690608	-88.467176	654.37
3	41.690808	-88.467165	653.51

Name: Obstruction 8
Upper edge height: 30.0 ft

Vertex	Latitude	Longitude	Ground elevation
	deg	deg	ft
1	41.690844	-88.466570	653.66
2	41.690424	-88.466575	656.21
3	41.690844	-88.466570	653.66

Name: Obstruction 9
Upper edge height: 30.0 ft

Vertex	Latitude	Longitude	Ground elevation
	deg	deg	ft
1	41.690776	-88.464821	646.37
2	41.690500	-88.464751	647.21
3	41.690776	-88.464821	646.37

Name: Tree
Upper edge height: 60.0 ft

Vertex	Latitude	Longitude	Ground elevation
	deg	deg	ft
1	41.694366	-88.467598	649.23
2	41.694414	-88.465195	647.56
3	41.694254	-88.464369	649.75
4	41.694430	-88.465206	646.87
5	41.694366	-88.467598	649.23

Summary of PV Glare Analysis

PV configuration and total predicted glare

PV Name	Tilt	Orientation	"Green" Glare	"Yellow" Glare	Energy Produced	Data File
	deg	deg	min	min	kWh	
PV array 3	SA tracking	SA tracking	0	0	-	-

PV & Receptor Analysis Results

Results for each PV array and receptor

PV array 3 no glare found

Component	Green glare (min)	Yellow glare (min)
OP: OP 1	0	0
OP: OP 2	0	0
OP: OP 3	0	0
OP: OP 4	0	0
OP: OP 5	0	0
OP: OP 6	0	0
OP: OP 7	0	0
OP: OP 8	0	0
OP: OP 9	0	0
OP: OP 10	0	0
OP: OP 11	0	0
OP: OP 12	0	0
OP: OP 13	0	0
OP: OP 14	0	0
OP: OP 15	0	0
OP: OP 16	0	0
OP: OP 17	0	0
OP: OP 18	0	0
Route: Car	0	0
Route: Truck	0	0

No glare found

Assumptions

- Times associated with glare are denoted in Standard time. For Daylight Savings, add one hour.
- Glare analyses do not automatically account for physical obstructions between reflectors and receptors. This includes buildings, tree cover and geographic obstructions.
- Detailed system geometry is not rigorously simulated.
- The glare hazard determination relies on several approximations including observer eye characteristics, angle of view, and typical blink response time. Actual values and results may vary.
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- The subtended source angle (glare spot size) is constrained by the PV array footprint size. Partitioning large arrays into smaller sections will reduce the maximum potential subtended angle, potentially impacting results if actual glare spots are larger than the sub-array size. Additional analyses of the combined area of adjacent sub-arrays can provide more information on potential glare hazards. (See previous point on related limitations.)
- Hazard zone boundaries shown in the Glare Hazard plot are an approximation and visual aid. Actual ocular impact outcomes encompass a continuous, not discrete, spectrum.
- Glare locations displayed on receptor plots are approximate. Actual glare-spot locations may differ.
- Refer to the **Help page** for detailed assumptions and limitations not listed here.

[redacted] 4990kW

Section 466.APPENDIX D Levels 1 to 4 Contract

STANDARD AGREEMENT FOR INTERCONNECTION OF DISTRIBUTED ENERGY RESOURCES FACILITIES WITH A CAPACITY LESS THAN OR EQUAL TO 10 MVA

This agreement (together with all attachments, the "Agreement") is made and entered into this _____ day of _____, by and betweenNexamp Solar, LLC ("interconnection customer"), as a _____ organized and existing under the laws of the State of _____ and Commonwealth Edison Company, ("Electric Distribution Company" or "EDC"), a corporation existing under the laws of the State of Illinois. Interconnection customer and EDC each may be referred to as a "Party", or collectively as the "Parties".

Recitals:

Whereas, interconnection customer is proposing to install or direct the installation of a distributed energy (DER) resources or is proposing a generating capacity addition to an existing DER facility, consistent with the interconnection request application form completed by interconnection customer on 1/20/2024; and

Whereas, the interconnection customer will operate and maintain, or cause the operation and maintenance of, the DER facility; and

Whereas, interconnection customer desires to interconnect the DER facility with EDC's electric distribution system.

Now, therefore, in consideration of the premises and mutual covenants set forth in this Agreement, and other good and valuable consideration, the receipt, sufficiency and adequacy of which are hereby acknowledged, the Parties covenant and agree as follows:

Article 1. Scope and Limitations of Agreement

1.1 This Agreement shall be used for all approved interconnection requests for DER facilities that fall under Levels 2, 3 and 4 according to the procedures set forth in Part 466 of the Commission's rules (83 Ill. Adm. Code 466) (referred to as the Illinois Distributed Energy Resources Interconnection Standard).

1.2 This Agreement governs the terms and conditions under which the DER facility will interconnect to, and operate in parallel with, the EDC's electric distribution system.

1.3 This Agreement does not constitute an agreement to purchase or deliver the interconnection customer's power.

1.4 Nothing in this Agreement is intended to affect any other agreement between the EDC and the interconnection customer.

1.5 Terms used in this agreement are defined as in Section 466.30 of the Illinois Distributed Generation Interconnection Standard unless otherwise noted.

1.6 Responsibilities of the Parties

1.6.1 The Parties shall perform all obligations of this Agreement in accordance with all applicable laws and regulations.

1.6.2 The EDC shall construct, own, operate, and maintain its interconnection facilities in accordance with this Agreement.

1.6.3 The interconnection customer shall construct, own, operate, and maintain its DER facility and interconnection facilities in accordance with this Agreement.

1.6.4 Each Party shall operate, maintain, repair, and inspect, and shall be fully responsible for, the facilities that it now or subsequently may own unless otherwise specified in the attachments to this Agreement. Each Party shall be responsible for the safe installation, maintenance, repair and condition of its respective lines and appurtenances on its respective sides of the point of interconnection.

1.6.5 The interconnection customer agrees to design, install, maintain and operate its DER facility so as to minimize the likelihood of causing an adverse system impact on the electric distribution system or any other electric system that is not owned or operated by the EDC.

1.7 Parallel Operation Obligations
Once the DER facility has been authorized to commence parallel operation, the interconnection customer shall abide by all operating procedures established in IEEE Standard 1547 and any other applicable laws, statutes or guidelines, including those specified in Attachment 4 of this Agreement.

1.8 Metering
The interconnection customer shall be responsible for the cost to purchase, install, operate, maintain, test, repair, and replace metering and data acquisition equipment specified in Attachments 5 and 6 of this Agreement.

1.9 Reactive Power

1.9.1 Interconnection customers with a DER facility larger than or equal to 1 MVA shall design their DER facilities to maintain a power factor at the point of interconnection between .95 lagging and .95 leading at all times. Interconnection customers with a DER facility smaller than 1 MVA shall design their DER facility to maintain a power factor at the point of interconnection between .90 lagging and .90 leading at all times.

1.9.2 Any EDC requirements for meeting a specific voltage or specific reactive power schedule as a condition for interconnection shall be clearly specified in Attachment 4. Under no circumstance shall the EDC's additional requirements for voltage or reactive power schedules exceed the normal operating capabilities of the DER facility.

1.9.3 If the interconnection customer does not operate the DER facility within the power factor range specified in Attachment 4, or does not operate the distribute generation facility in accordance with a voltage or reactive power schedule specified in Attachment 4, the interconnection customer is in default under this Agreement, and the terms of Article 6.5 apply.

1.10 Standards of Operations

The interconnection customer must obtain all certifications, permits, licenses and approvals necessary to construct, operate and maintain the facility and to perform its obligations under this Agreement. The interconnection customer is responsible for coordinating and synchronizing the DER facility with the EDC's system. The interconnection customer is responsible for any damage that is caused by the interconnection customer's failure to coordinate or synchronize the DER facility with the electric distribution system. The interconnection customer agrees to be primarily liable for any damages resulting from the continued operation of the DER facility after the EDC ceases to energize the line section to which the DER facility is connected. In Attachment 4, the EDC shall specify the shortest reclose time setting for its protection equipment that could affect the DER facility. The EDC shall notify the interconnection customer at least 10 business days prior to adopting a faster reclose time on any automatic protective equipment, such as a circuit breaker or line recloser, that might affect the DER facility.

Article 2. Inspection, Testing, Authorization, and Right of Access

2.1 Equipment Testing and Inspection
The interconnection customer shall test and inspect its DER facility including the interconnection equipment prior to interconnection in accordance with IEEE Standard 1547 (2003) and IEEE Standard 1547.1 (2005). The interconnection customer shall not operate its DER facility in parallel with the EDC's electric distribution system without prior written authorization by the EDC as provided for in Articles 2.1.1-2.1.3.

2.1.1 The EDC shall perform a witness test after construction of the DER facility is completed, but before parallel operation, unless the EDC specifically waives the witness test. The interconnection customer shall provide the EDC at least 15 business days' notice of the planned commissioning test for the DER facility. If the EDC performs a witness test at a time that is not concurrent with the commissioning test, it shall contact the interconnection customer to schedule the witness test at a mutually agreeable time within 10 business days after the scheduled commissioning test designated on the application. If the EDC does not perform the witness test within 10 business days after the commissioning test, the witness test is deemed waived unless the Parties mutually agree to extend the date for scheduling the witness test, or unless the EDC cannot do so for good cause, in which case, the Parties shall agree to another date for scheduling the test within 10 business days after the original scheduled date. If the witness test is not acceptable to the EDC, the EDC shall deliver in writing a detailed technical description of all deficiencies of the DER facility identified by the EDC during the witness test. The interconnection customer has 30 business days after receipt of the written description to address and resolve any deficiencies. This time period may be extended upon agreement between the EDC and the interconnection customer. If the interconnection customer fails to address and resolve the deficiencies to the satisfaction of the EDC, the applicable cure provisions of Article 6.5 shall apply. The interconnection customer shall, if requested by the EDC, provide a copy of all documentation in its possession regarding testing conducted pursuant to IEEE Standard 1547.1.

2.1.2 If the interconnection customer conducts interim testing of the DER facility prior to the witness test, the interconnection customer shall obtain permission from the EDC before each occurrence of operating the DER facility in parallel with the electric distribution system. The EDC may, at its own expense, send qualified personnel to the DER facility to observe such interim testing, but it cannot mandate that these tests be considered in the final witness test. The EDC is not required to observe the interim testing or precluded from requiring the tests be repeated at the final witness test. During and leading up to the witness test, the EDC shall not limit the interconnection customer's ability to test the DER facility during normal working hours except for safety and reliability reasons.

2.1.3 After the DER facility passes the witness test, the EDC shall affix an authorized signature to the certificate of completion and return it to the interconnection

customer approving the interconnection and authorizing parallel operation. The authorization shall not be conditioned or delayed and the EDC shall return the signed certificate of completion to interconnection customer no more than 10 business days after the date that the DER facility passes the witness test.

2.2 Commercial Operation
The interconnection customer shall not operate the DER facility, except for interim testing as provided in Article 2.1, until such time as the certificate of completion is signed by all Parties.

2.3 Right of Access
The EDC must have access to the disconnect switch and metering equipment of the DER facility at all times. When practical, the EDC shall provide notice to the interconnection customer prior to using its right of access.

Article 3. Effective Date, Term, Termination, and Disconnection

3.1 Effective Date
This Agreement shall become effective upon execution by all Parties.

3.2 Term of Agreement
This Agreement shall become effective on the effective date and shall remain in effect unless terminated in accordance with Article 3.3 of this Agreement.

3.3 Termination

3.3.1 The interconnection customer may terminate this Agreement at any time by giving the EDC 30 calendar days prior written notice.

3.3.2 Either Party may terminate this Agreement after default pursuant to Article 6.5.

3.3.3 The EDC may terminate, upon 60 calendar days' prior written notice, for failure of the interconnection customer to complete construction of the DER facility within 12 months after the in-service date as specified by the Parties in Attachment 2, which may be extended by agreement between the Parties.

3.3.4 The EDC may terminate this Agreement, upon 60 calendar days' prior written notice, if the interconnection customer has abandoned, cancelled, permanently disconnected or stopped development, construction, or operation of the DER facility, or if the interconnection customer fails to operate the DER facility in parallel with the EDC's electric system for three consecutive years.

3.3.5 Upon termination of this Agreement, the DER facility will be disconnected from the EDC's electric distribution system. Terminating this Agreement does not relieve either Party of its liabilities and obligations that are owed or continuing when the Agreement is terminated.

3.3.6 If the Agreement is terminated, the interconnection customer loses its position in the interconnection queue.

3.4 Temporary Disconnection

A Party may temporarily disconnect the DER facility from the electric distribution system in the event one or more of the following conditions or events occurs:

3.4.1 Emergency conditions – shall mean any condition or situation: (1) that in the judgment of the Party making the claim is likely to endanger life or property; or (2) that the EDC determines is likely to cause an adverse system impact, or is likely to have a material adverse effect on the EDC's electric distribution system, interconnection facilities or other facilities, or is likely to interrupt or materially interfere with the provision of electric utility service to other customers; or (3) that is likely to cause a material adverse effect on the DER facility or the interconnection equipment. Under emergency conditions, the EDC or the interconnection customer may suspend interconnection service and temporarily disconnect the DER facility from the electric distribution system. The EDC must notify the interconnection customer when it becomes aware of any conditions that might affect the interconnection customer's operation of the DER facility. The interconnection customer shall notify the EDC when it becomes aware of any condition that might affect the EDC's electric distribution system. To the extent information is known, the notification shall describe the condition, the extent of the damage or deficiency, the expected effect on the operation of both Parties' facilities and operations, its anticipated duration, and the necessary corrective action.

3.4.2 Scheduled maintenance, construction, or repair – the EDC may interrupt interconnection service or curtail the output of the DER facility and temporarily disconnect the DER facility from the EDC's electric distribution system when necessary for scheduled maintenance, construction, or repairs on EDC's electric distribution system. The EDC shall provide the interconnection customer with notice no less than 5 business days before an interruption due to scheduled maintenance, construction, or repair, or the EDC shall provide notice immediately if the scheduled maintenance, construction, or repair is scheduled less than 5 business days in advance. The EDC shall coordinate the reduction or temporary disconnection with the interconnection customer; however, the interconnection customer is responsible for out-of-pocket costs incurred by the EDC for deferring or rescheduling maintenance, construction or repair at the interconnection customer's request.

3.4.3 Forced outages – The EDC may suspend interconnection service to repair the EDC's electric distribution system. The EDC shall provide the interconnection customer with prior notice, if possible. If prior notice is not possible, the EDC shall, upon written request, provide the interconnection customer with written documentation, after the fact, explaining the circumstances of the disconnection.

3.4.4 Adverse system impact – the EDC must provide the interconnection customer with written notice of its intention to disconnect the DER facility, if the EDC determines that operation of the DER facility creates an adverse system impact. The documentation that supports the EDC's decision to disconnect must be provided to the interconnection customer. The EDC may disconnect the DER facility if, after receipt of the notice, the interconnection customer fails to remedy the adverse system impact, unless emergency conditions exist, in which case, the provisions of Article 3.4.1 apply. The EDC may continue to leave the generating facility disconnected until the adverse system impact is corrected.

3.4.5 Modification of the DER facility – The interconnection customer must receive written authorization from the EDC prior to making any change to the DER facility, other than a minor equipment modification. If the interconnection customer modifies its facility without the EDC's prior written authorization, the EDC has the right to disconnect the DER facility until such time as the EDC concludes the modification poses no threat to the safety or reliability of its electric distribution system.

3.4.6 The EDC's compliance with Article 3 shall preclude any claim for damage for any lost opportunity or other costs incurred by the interconnection customer as a result of an interruption of service under Article 3. Any dispute over whether the EDC complied with Article 3 shall be resolved in accordance with the dispute resolution mechanism set forth in Article 8.

Article 4. Cost Responsibility for Interconnection Facilities and Distribution Upgrades

4.1 Interconnection Facilities

4.1.1 The interconnection customer shall pay, or reimburse the EDC, as applicable, for the cost of the interconnection facilities itemized in Attachment 3. The EDC shall identify the additional interconnection facilities necessary to interconnect the DER facility with the EDC's electric distribution system, the cost of those facilities, and the time required to build and install those facilities, as well as an estimated date of completion of the building or installation of those facilities.

4.1.2 The interconnection customer is responsible for its expenses, including overheads, associated with owning, operating, maintaining, repairing, and replacing its interconnection equipment.

4.2 Distribution Upgrades

The EDC shall design, procure, construct, install, and own any distribution upgrades. The actual cost of the distribution upgrades, including overheads, shall be directly assigned to the interconnection customer whose DER facility caused the need for the distribution upgrades.

Article 5. Billing, Payment, Milestones, and Financial Security

5.1 Billing and Payment Procedures and Final Accounting (Applies to additional reviews conducted under a Level 1, 2 or 3 review with EDC construction necessary for accommodating the DER facility and Level 4 reviews)

5.1.1 The EDC shall bill the interconnection customer for the design, engineering, construction, and procurement costs of EDC-provided interconnection facilities and distribution upgrades contemplated by this Agreement as set forth in Attachment 3. The billing shall occur on a monthly basis, or as otherwise agreed to between the Parties. The interconnection customer shall pay each bill within 30 calendar days after receipt, or as otherwise agreed to between the Parties.

5.1.2 Unless waived by the interconnection customer, within 90 calendar days after completing the construction and installation of the EDC's interconnection facilities and distribution upgrades described in Attachments 2 and 3 to this Agreement, the EDC shall provide the interconnection customer with a final accounting report of any difference between (1) the actual cost incurred to complete the construction and installation of the EDC's interconnection facilities and distribution upgrades; and (2) the interconnection customer's previous deposit and aggregate payments to the EDC for the interconnection facilities and distribution upgrades. If the interconnection customer's cost responsibility exceeds its previous deposit and aggregate payments, the EDC shall invoice the interconnection customer for the amount due and the interconnection customer shall pay the EDC within 30 calendar days. If the interconnection customer's previous deposit and aggregate payments exceed its cost responsibility under this Agreement, the EDC shall refund to the interconnection customer an amount equal to the difference within 30 calendar days after the final accounting report. Upon request from the interconnection customer, if the difference between the budget estimate and the actual cost exceeds 20%, the EDC will provide a written explanation for the difference.

5.1.3 If a Party disputes any portion of its payment obligation pursuant to this Article 5, the Party shall pay in a timely manner all non-disputed portions of its invoice, and the disputed amount shall be resolved pursuant to the dispute resolution provisions contained in Article 8. A Party disputing a portion of an Article 5 payment shall not be considered to be in default of its obligations under this Article.

5.2 Interconnection Customer Deposit
Within 15 business days after signing and returning the interconnection agreement to the EDC, the interconnection customer shall provide the EDC with a deposit equal to 100% of the estimated, non-binding cost to procure, install, or construct any such facilities (the "Security Deposit"). However, when the estimated date of completion of the building or installation of facilities exceeds three months from the date of notification, pursuant to Article 4.1.1 of this Agreement, this deposit may be held in escrow by a mutually agreed-

upon third-party, with any interest to inure to the benefit of the interconnection customer. To the extent that this interconnection agreement is terminated for any reason, the EDC shall return all deposits provided by the interconnection customer, less any actual costs incurred by the EDC.

Article 6. Assignment, Limitation on Damages, Indemnity, Force Majeure, and Default

6.1 Assignment

This Agreement may be assigned by either Party. If the interconnection customer attempts to assign this Agreement, the assignee must agree to the terms of this Agreement in writing and such writing must be provided to the EDC. Any attempted assignment that violates this Article is void and ineffective. Assignment shall not relieve a Party of its obligations, nor shall a Party's obligations be enlarged, in whole or in part, by reason of the assignment. An assignee is responsible for meeting the same obligations as the assignor.

6.1.1 Either Party may assign this Agreement without the consent of the other Party to any affiliate (including mergers, consolidations, or transfers, or a sale of a substantial portion of the Party's assets, between the Party and another entity), of the assigning Party that has an equal or greater credit rating and the legal authority and operational ability to satisfy the obligations of the assigning Party under this Agreement.

6.1.2 The interconnection customer can assign this Agreement, without the consent of the EDC, for collateral security purposes to aid in providing financing for the DER facility.

6.2 Limitation on Damages

Except for cases of gross negligence or willful misconduct, the liability of any Party to this Agreement shall be limited to direct actual damages and reasonable attorney's fees, and all other damages at law are waived. Under no circumstances, except for cases of gross negligence or willful misconduct, shall any Party or its directors, officers, employees and agents, or any of them, be liable to another Party, whether in tort, contract or other basis in law or equity for any special, indirect, punitive, exemplary or consequential damages, including lost profits, lost revenues, replacement power, cost of capital or replacement equipment. This limitation on damages shall not affect any Party's rights to obtain equitable relief, including specific performance, as otherwise provided in this Agreement. The provisions of this Article 6.2 shall survive the termination or expiration of the Agreement.

6.3 Indemnity

6.3.1 This provision protects each Party from liability incurred to third parties as a result of carrying out the provisions of this Agreement. Liability under this provision is exempt from the general limitations on liability found in Article 6.2.

6.3.2 The interconnection customer shall indemnify and defend the EDC and the EDC's directors, officers, employees, and agents, from all damages and expenses resulting from a third party claim arising out of or based upon the interconnection customer's (a) negligence or willful misconduct or (b) breach of this Agreement.

6.3.3 The EDC shall indemnify and defend the interconnection customer and the interconnection customer's directors, officers, employees, and agents from all damages and expenses resulting from a third party claim arising out of or based upon the EDC's (a) negligence or willful misconduct or (b) breach of this Agreement.

6.3.4 Within 5 business days after receipt by an indemnified Party of any claim or notice that an action or administrative or legal proceeding or investigation as to which the indemnity provided for in this Article may apply has commenced, the indemnified Party shall notify the indemnifying Party of such fact. The failure to notify, or a delay in notification, shall not affect a Party's indemnification obligation unless that failure or delay is materially prejudicial to the indemnifying Party.

6.3.5 If an indemnified Party is entitled to indemnification under this Article as a result of a claim by a third party, and the indemnifying Party fails, after notice and reasonable opportunity to proceed under this Article, to assume the defense of such claim, that indemnified Party may, at the expense of the indemnifying Party, contest, settle or consent to the entry of any judgment with respect to, or pay in full, the claim.

6.3.6 If an indemnifying Party is obligated to indemnify and hold any indemnified Party harmless under this Article, the amount owing to the indemnified person shall be the amount of the indemnified Party's actual loss, net of any insurance or other recovery.

6.4 Force Majeure

6.4.1 As used in this Article, a force majeure event shall mean any act of God, labor disturbance, act of the public enemy, war, acts of terrorism, insurrection, riot, fire, storm or flood, explosion, breakage or accident to machinery or equipment through no direct, indirect, or contributory act of a Party, any order, regulation or restriction imposed by governmental, military or lawfully established civilian authorities, or any other cause beyond a Party's control. A force majeure event does not include an act of gross negligence or intentional wrongdoing by the Party claiming force majeure.

6.4.2 If a force majeure event prevents a Party from fulfilling any obligations under this Agreement, the Party affected by the force majeure event ("Affected Party") shall notify the other Party of the existence of the force majeure event within one

business day. The notification must specify the circumstances of the force majeure event, its expected duration, and the steps that the Affected Party is taking and will take to mitigate the effects of the event on its performance. If the initial notification is verbal, it must be followed up with a written notification within one business day. The Affected Party shall keep the other Party informed on a continuing basis of developments relating to the force majeure event until the event ends. The Affected Party may suspend or modify its obligations under this Agreement (other than the obligation to make payments) only to the extent that the effect of the force majeure event cannot be otherwise mitigated.

6.5 Default

6.5.1 No default shall exist when the failure to discharge an obligation (other than the payment of money) results from a force majeure event as defined in this Agreement, or the result of an act or omission of the other Party.

6.5.2 A Party shall be in default ("Default") of this Agreement if it fails in any material respect to comply with, observe or perform, or defaults in the performance of, any covenant or obligation under this Agreement and fails to cure the failure within 60 calendar days after receiving written notice from the other Party. Upon a default of this Agreement, the non-defaulting Party shall give written notice of the default to the defaulting Party. Except as provided in Article 6.5.3, the defaulting Party has 60 calendar days after receipt of the default notice to cure the default; provided, however, if the default cannot be cured within 60 calendar days, the defaulting Party shall commence the cure within 20 calendar days after original notice and complete the cure within six months from receipt of the default notice; and, if cured within that time, the default specified in the notice shall cease to exist.

6.5.3 If a Party has assigned this Agreement in a manner that is not specifically authorized by Article 6.1, fails to provide reasonable access pursuant to Article 2.3, and is in default of its obligations pursuant to Article 7, or if a Party is in default of its payment obligations pursuant to Article 5 of this Agreement, the defaulting Party has 30 days from receipt of the default notice to cure the default.

6.5.4 If a default is not cured as provided for in this Article, or if a default is not capable of being cured within the period provided for in this Article, the non-defaulting Party shall have the right to terminate this Agreement by written notice, and be relieved of any further obligation under this Agreement and, whether or not that Party terminates this Agreement, to recover from the defaulting Party all amounts due under this Agreement, plus all other damages and remedies to which it is entitled at law or in equity. The provisions of this Article shall survive termination of this Agreement.

Article 7. Insurance

For DER facilities with a nameplate capacity of 1 MVA or above, the interconnection customer shall carry sufficient insurance coverage so that the maximum comprehensive/general liability coverage that is continuously maintained by the interconnection customer during the term shall be not less than $2,000,000 for each occurrence, and an aggregate, if any, of at least $4,000,000. The EDC, its officers, employees and agents shall be added as an additional insured on this policy. The interconnection customer agrees to provide the EDC with at least 30 calendar days advance written notice of cancellation, reduction in limits, or non-renewal of any insurance policy required by this Article.

Article 8. Dispute Resolution

8.1 Parties shall attempt to resolve all disputes regarding interconnection as provided in this Article in a good faith manner.

8.2 If there is a dispute between the Parties about implementation or an interpretation of the Agreement, the aggrieved Party shall issue a written notice to the other Party to the agreement that specifies the dispute and the Agreement articles that are disputed.

8.3 A meeting between the Parties shall be held within 10 days after receipt of the written notice. Persons with decision-making authority from each Party shall attend the meeting. If the dispute involves technical issues, persons with sufficient technical expertise and familiarity with the issue in dispute from each Party shall also attend the meeting. The meeting may be conducted by teleconference. The informal process between the parties shall extend 30 days after the receipt of written notice, after which the dispute is deemed resolved and the timeframes for decisions within the interconnection process procedures described in Article 8.4 or files a formal complaint at the Commission prior to the end of the 30-day period.

8.4 If the parties are unable to resolve the dispute through the process outlined in Article 8.3, either party may submit the interconnection dispute to an Ombudsman for non-binding arbitration. The party electing non-binding arbitration shall notify the other party of the request in writing. The non-binding arbitration process is limited to 60 days, absent mutual agreement of the parties and the Ombudsman to a longer period.

8.5 Each party shall bear its own fees, costs and expenses and an equal share of the expenses of the non-binding arbitration.

8.6 Within 10 days after the conclusion of the procedures in Article 8.4, either party may initiate a formal complaint with the Commission and ask for an expedited resolution of the dispute. If the complaint seeks expedited resolution, any written recommendation of the Ombudsman shall be appended to the complaint. The formal complaint shall proceed as a contested hearing pursuant to the Commission's Rules of Practice.

8.7 A party may, after good faith negotiations have failed, decline to pursue non-binding arbitration and instead initiate a formal complaint with the Commission. The formal complaint shall proceed as a contested hearing pursuant to the Commission's Rules of Practice.

8.8 Pursuit of dispute resolution may not affect an interconnection request or an interconnection applicant's position in the EDC's interconnection queue.

8.9 If the Parties fail to resolve their dispute under the dispute resolution provisions of this Article, nothing in this Article shall affect any Party's rights to obtain equitable relief, including specific performance, as otherwise provided in this Agreement.

Article 9. Miscellaneous

9.1 Governing Law, Regulatory Authority, and Rules
The validity, interpretation and enforcement of this Agreement and each of its provisions shall be governed by the laws of the State of Illinois, without regard to its conflicts of law principles. This Agreement is subject to all applicable laws and regulations. Each Party expressly reserves the right to seek change in, appeal, or otherwise contest any laws, orders or regulations of a governmental authority. The language in all parts of this Agreement shall in all cases be construed as a whole, according to its fair meaning, and not strictly for or against the EDC or interconnection customer, regardless of the involvement of either Party in drafting this Agreement.

9.2 Amendment
Modification of this Agreement shall be only by a written instrument duly executed by both Parties.

9.3 No Third-Party Beneficiaries
This Agreement is not intended to and does not create rights, remedies, or benefits of any character whatsoever in favor of any persons, corporations, associations, or entities other than the Parties, and the obligations in this Agreement assumed are solely for the use and benefit of the Parties, their successors in interest and, where permitted, their assigns.

9.4 Waiver

9.4.1 Except as otherwise provided in this Agreement, a Party's compliance with any obligation, covenant, agreement, or condition in this Agreement may be waived by the Party entitled to the benefits thereof only by a written instrument signed by the Party granting the waiver, but the waiver or failure to insist upon strict compliance with the obligation, covenant, agreement, or condition shall not operate as a waiver of, or estoppel with respect to, any subsequent or other failure.

9.4.2. Failure of any Party to enforce or insist upon compliance with any of the terms or conditions of this Agreement, or to give notice or declare this Agreement or the

rights under this Agreement terminated, shall not constitute a waiver or relinquishment of any rights set out in this Agreement, but the same shall be and remain at all times in full force and effect, unless and only to the extent expressly set forth in a written document signed by that Party granting the waiver or relinquishing any such rights. Any waiver granted, or relinquishment of any right, by a Party shall not operate as a relinquishment of any other rights or a waiver of any other failure of the Party granted the waiver to comply with any obligation, covenant, agreement, or condition of this Agreement.

9.5 Entire Agreement

Except as provided in Article 9.1, this Agreement, including all attachments, constitutes the entire Agreement between the Parties with reference to the subject matter of this Agreement, and supersedes all prior and contemporaneous understandings or agreements, oral or written, between the Parties with respect to the subject matter of this Agreement. There are no other agreements, representations, warranties, or covenants that constitute any part of the consideration for, or any condition to, either Party's compliance with its obligations under this Agreement.

9.6 Multiple Counterparts

This Agreement may be executed in two or more counterparts, each of which is deemed an original, but all constitute one and the same instrument.

9.7 No Partnership

This Agreement shall not be interpreted or construed to create an association, joint venture, agency relationship, or partnership between the Parties, or to impose any partnership obligation or partnership liability upon either Party. Neither Party shall have any right, power or authority to enter into any agreement or undertaking for, or act on behalf of, or to act as or be an agent or representative of, or to otherwise bind, the other Party.

9.8 Severability

If any provision or portion of this Agreement shall for any reason be held or adjudged to be invalid or illegal or unenforceable by any court of competent jurisdiction or other governmental authority, (1) that portion or provision shall be deemed separate and independent, (2) the Parties shall negotiate in good faith to restore insofar as practicable the benefits to each Party that were affected by the ruling, and (3) the remainder of this Agreement shall remain in full force and effect.

9.9 Environmental Releases

Each Party shall notify the other Party of the release of any hazardous substances, any asbestos or lead abatement activities, or any type of remediation activities related to the DER facility or the interconnection facilities, each of which may reasonably be expected to affect the other Party. The notifying Party shall (1) provide the notice as soon as practicable, provided that Party makes a good faith effort to provide the notice no later than 24 hours after that Party becomes aware of the occurrence, and (2) promptly furnish

to the other Party copies of any publicly available reports filed with any governmental authorities addressing such events.

9.10 Subcontractors

Nothing in this Agreement shall prevent a Party from using the services of any subcontractor it deems appropriate to perform its obligations under this Agreement; provided, however, that each Party shall require its subcontractors to comply with all applicable terms and conditions of this Agreement in providing services and each Party shall remain primarily liable to the other Party for the performance of the subcontractor.

9.10.1 A subcontract relationship does not relieve any Party of any of its obligations under this Agreement. The hiring Party remains responsible to the other Party for the acts or omissions of its subcontractor. Any applicable obligation imposed by this Agreement upon the hiring Party shall be equally binding upon, and shall be construed as having application to, any subcontractor of the hiring Party.

9.10.2 The obligations under this Article cannot be limited in any way by any limitation of subcontractor's insurance.

Article 10. Notices

10.1 General

Unless otherwise provided in this Agreement, any written notice, demand, or request required or authorized in connection with this Agreement ("Notice") shall be deemed properly given if delivered in person, delivered by recognized national courier service, or sent by first class mail, postage prepaid, to the person specified below:

If to Interconnection Customer:

Interconnection Customer: Nexamp Solar, LLC

Attention:

Address: 101 Summer St., 2nd Fl

City: Boston State: Massachusetts Zip: 02110

Phone: 617-431-1440 Fax: E-Mail: interconnections@nexamp.com

If to EDC:

EDC: Commonwealth Edison Company

Attention: DER Interconnection

Address: 2 Lincoln Center

City: Oakbrook Terrace State: IL Zip: 60181

Phone: 630-576-8158 E-Mail: interconnect@comed.com

Alternative Forms of Notice

Any notice or request required or permitted to be given by either Party to the other Party and not required by this Agreement to be in writing may be given by telephone, facsimile or e-mail to the telephone numbers and e-mail addresses set out above.

10.2 Billing and Payment

Billings and payments shall be sent to the addresses set out below:

If to Interconnection Customer

Interconnection Customer: Nexamp Solar, LLC

Attention:

Address: 101 Summer St., 2nd Fl

City: Boston State: Massachusetts Zip: 02110

Phone 617-431-1440 Fax Email interconnections@nexamp.com

If to EDC:

EDC: Commonwealth Edison

Attention: DER Interconnection

Address: 2 Lincoln Center

City: Oakbrook Terrace State: IL Zip: 60181

Phone _____ Fax _____ E-Mail _____

10.3 Designated Operating Representative

The Parties may also designate operating representatives to conduct the communications that may be necessary or convenient for the administration of this Agreement. This person will also serve as the point of contact with respect to operations and maintenance of the Party's facilities.

Interconnection Customer's Operating Representative: _____

Attention: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

Phone _____ Fax _____ E-Mail _____

EDC's Operating Representative: Commonwealth Edison Company

Attention: Customer Operations

Address: ComEd - 2 Lincoln Center – Call Center

City: Oakbrook State: IL Zip: 60181

Phone 1-800-334-7661 Fax _____ E-Mail _____

_____

10.4 Changes to the Notice Information

Either Party may change this notice information by giving five business days written notice before the effective date of the change.

Article 11. Signatures

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their respective duly authorized representatives.

Project Name: 152392 Beecher Road Solar

For the Interconnection Customer:

Name: _____

Title: _____

Date: _____

For EDC:

Name: _____

Title: _____

Date: _____

Attachment 1

Definitions

Adverse system impact – A negative effect that compromises the safety or reliability of the electric distribution system or materially affects the quality of electric service provided by the electric distribution company (EDC) to other customers.

Applicable laws and regulations – All duly promulgated applicable federal, State and local laws, regulations, rules, ordinances, codes, decrees, judgments, directives, or judicial or administrative orders, permits and other duly authorized actions of any governmental authority, having jurisdiction over the Parties.

Commissioning test – Tests applied to a energy resources facility by the applicant after construction is completed to verify that the facility does not create adverse system impacts. At a minimum, the scope of the commissioning tests performed shall include the commissioning test specified by IEEE Standard 1547 Section 5.4 "Commissioning tests."

Distributed energy resources (DER) facility – The equipment used by an interconnection customer to generate or store electricity that operates in parallel with the electric distribution system. A DER facility typically includes an electric generator, prime mover, and the interconnection equipment required to safely interconnect with the electric distribution system or a local electric power system.

Distribution upgrades – A required addition or modification to the EDC's electric distribution system at or beyond the point of interconnection to accommodate the interconnection of a DER facility. Distribution upgrades do not include interconnection facilities.

Electric distribution company or EDC – Any electric utility entity subject to the jurisdiction of the Illinois Commerce Commission.

Electric distribution system – The facilities and equipment used to transmit electricity to ultimate usage points such as homes and industries from interchanges with higher voltage transmission networks that transport bulk power over longer distances. The voltage levels at which electric distribution systems operate differ among areas but generally carry less than 100 kilovolts of electricity. Electric distribution system has the same meaning as the term Area EPS, as defined in 3.1.6.1 of IEEE Standard 1547.

Facilities study – An engineering study conducted by the EDC to determine the required modifications to the EDC's electric distribution system, including the cost and the time required to build and install the modifications, as necessary to accommodate an interconnection request.

Force majeure event – Any act of God, labor disturbance, act of the public enemy, war, acts of terrorism, insurrection, riot, fire, storm or flood, explosion, breakage or accident to machinery or equipment through no direct, indirect, or contributory act of a Party, any order, regulation or restriction imposed by governmental, military or lawfully established civilian authorities, or any

other cause beyond a Party's control. A force majeure event does not include an act of gross negligence or intentional wrongdoing.

Governmental authority – Any federal, State, local or other governmental regulatory or administrative agency, court, commission, department, board, other governmental subdivision, legislature, rulemaking board, tribunal, or other governmental authority having jurisdiction over the Parties, their respective facilities, or the respective services they provide, and exercising or entitled to exercise any administrative, executive, police, or taxing authority or power; provided, however, that this term does not include the interconnection customer, EDC or any affiliate of either.

IEEE Standard 1547 – The Institute of Electrical and Electronics Engineers, Inc. (IEEE), 3 Park Avenue, New York NY 10016-5997, Standard 1547 (2003), "Standard for Interconnecting Distributed Resources with Electric Power Systems."

IEEE Standard 1547.1 – The IEEE Standard 1547.1 (2005), "Conformance Test Procedures for Equipment Interconnecting Distributed Resources with Electric Power Systems."

Illinois standard distributed energy resources Interconnection Rules – The most current version of the procedures for interconnecting distributed energy resources facilities adopted by the Illinois Commerce Commission. See 83 Ill. Adm. Code 466

Interconnection agreement or Agreement – The agreement between the interconnection customer and the EDC. The interconnection agreement governs the connection of the DER facility to the EDC's electric distribution system and the ongoing operation of the DER facility after it is connected to the EDC's electric distribution system.

Interconnection customer – The entity entering into this Agreement for the purpose of interconnecting a DER facility to the EDC's electric distribution system.

Interconnection equipment – A group of components or an integrated system connecting an electric generator with a local electric power system or an electric distribution system that includes all interface equipment, including switchgear, protective devices, inverters or other interface devices. Interconnection equipment may be installed as part of an integrated equipment package that includes a generator or other electric source.

Interconnection facilities – Facilities and equipment required by the EDC to accommodate the interconnection of a DER facility. Collectively, interconnection facilities include all facilities, and equipment between the DER facility and the point of interconnection, including modification, additions, or upgrades that are necessary to physically and electrically interconnect the DER facility to the electric distribution system. Interconnection facilities are sole use facilities and do not include distribution upgrades.

Interconnection request – An interconnection customer's request, on the required form, for the interconnection of a new DER facility, or to increase the capacity or change the operating

characteristics of an existing DER facility that is interconnected with the EDC's electric distribution system.

Interconnection study – Any of the following studies, as determined to be appropriate by the EDC: the interconnection feasibility study, the interconnection system impact study, and the interconnection facilities study.

Load customer – An EDC customer whose primary business classification is not the production of electricity.

Parallel operation or Parallel – The state of operation that occurs when a DER facility is connected electrically to the electric distribution system.

Point of interconnection – The point where the DER facility is electrically connected to the electric distribution system. Point of interconnection has the same meaning as the term "point of common coupling" defined in 3.1.13 of IEEE Standard 1547.

Witness test – For lab-certified equipment, verification (either by an on-site observation or review of documents) by the EDC that the interconnection installation evaluation required by IEEE Standard 1547 Section 5.3 and the commissioning test required by IEEE Standard 1547 Section 5.4 have been adequately performed. For interconnection equipment that has not been lab-certified, the witness test shall also include verification by the EDC of the on-site design tests required by IEEE Standard 1547 Section 5.1 and verification by the EDC of production tests required by IEEE Standard 1547 Section 5.2. All tests verified by the EDC are to be performed in accordance with the test procedures specified by IEEE Standard 1547.1.

Attachment 2

Construction Schedule, Proposed Equipment & Settings

This attachment is to be completed by the interconnection customer and shall include the following:

1. The construction schedule for the DER facility.

   The proposed construction schedule for the DER facility is identified in Attachment 3, Schedule for Customer Work.

2. A one-line diagram indicating the DER facility, interconnection equipment, interconnection facilities, metering equipment, and distribution upgrades.

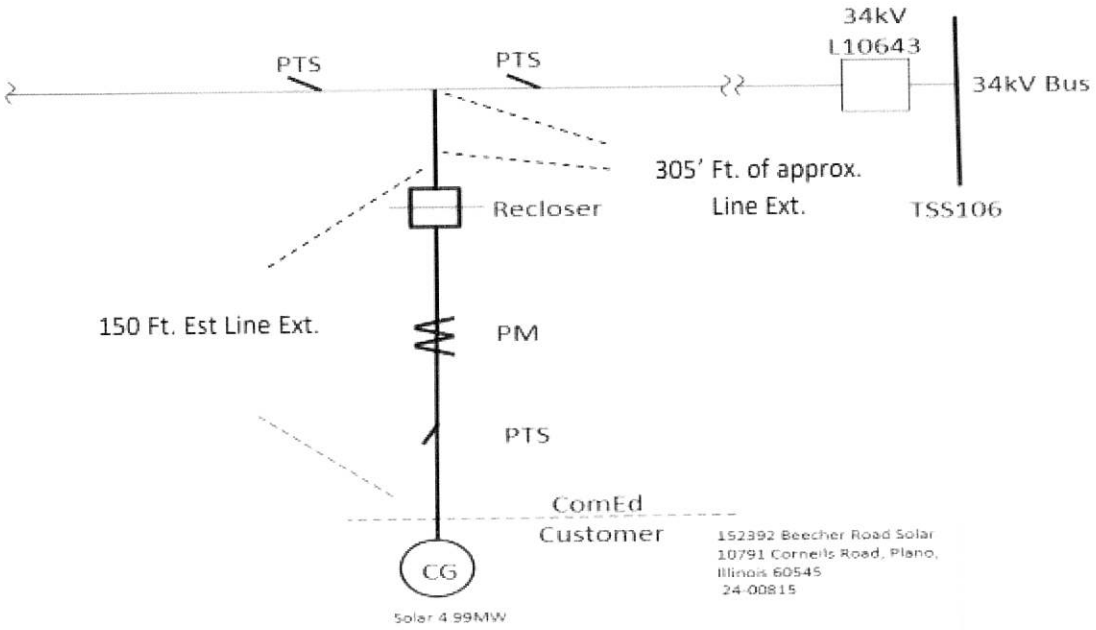
3. Component specifications for equipment identified in the one-line diagram.

4. Component settings.

5. Proposed sequence of operations.

6. A three line diagram showing current potential circuits for protective relays.

7. Relay tripping and control schematic diagram.



[redacted]

4990kW

Attachment 3

Description, Costs and Time Required to Build and Install the EDC's Interconnection Facilities

This attachment is to be completed by the EDC and shall include the following:

1. Facilities Address/ Location: 10791 Corneils Road,Plano, Illinois 60545

2. Capacity: 4990 kW

3. Required interconnection facilities, including any required metering*.

[redacted]

[redacted] 4990kW

4. An estimate of itemized costs charged by the EDC for interconnection, including overheads, is provided below*.

Cost Summary	
[redacted]	
[redacted]	
[redacted]	
[redacted]	
[redacted]	
[redacted]	

**The scope of work and cost provided are intended to be an initial estimate based on information provided by the interconnection customer about its distributed generation system, and ComEd's engineering and design standards. The scope of work may be revised as location-specific conditions are identified during detailed design.*

5. An estimate for the time required to build and install the EDC's interconnection facilities based on results from prior studies and an estimate of the date upon which the facilities will be completed.

Schedule for EDC Work:

Project Authorization:	**Day 1 - The latter of execution of this agreement and receipt by the EDC of the security deposit set forth in Attachment 3.**
Deed, Plat of Survey and Demarcation Approval*:	**Day 0 -90**
Project Design:	**Day 20 - 254**
Material Procurement:	**Day 196 - 318**
Construction – Feeder Tie-In:	**Day 319 - 333**
Constructions – Substations Modifications:	**Day 334 - 341**
Acceptance Testing:	**Day 342 - 344**

**Deed and plat of survey need to be provided within 1 month of Project Authorization to start a site walkdown. The demarcation drawing will be issued by the EDC after the site walkdown and needs to be approved by the customer.*

Schedule for Customer Work per Attachment 2, Step 1:

Schedule for Customer Work		
Milestone	Description	Schedule (on/before)
2.1	Submittal of remainder of 100% deposit date	
2.1A	Submittal of deed, plat of survey and demarcation approval	
2.2	Begin construction date*	
2.3	Generator step-up transformers receive back feed power date	
2.4	Generating Test Date	
2.5	Desired In-Service Date	

**Construction date means customer has issued a notice to proceed to any contractor performing substantial work at the site AND physical activity has occurred at the site, such as grading, earthwork, equipment installation, or other civil works, signaling construction has begun.*
EDC/ComEd requires a schedule amendment to be reviewed for any change in milestone >90 calendar days.

[redacted] 4990kW

6. Contingency Projects – Any contingencies noted: Yes

Contingent upgrades have been identified for this interconnection request that are currently the responsibility of an interconnection request that is earlier in the queue than this interconnection request. The scope and costs in Attachment 3, along with the contingent upgrade costs, are required in order for this interconnection request to receive permission to operate. If the contingent upgrades are delayed or not built by the earlier-queued interconnection request, it could cause a need for restudies of this interconnection request, and the contingent upgrades may become the responsibility of this interconnection request

Contingency Work Scope	
Cost	Scope
$860,000	4300ft Line extension
$280,000	Install new line side PTs

Attachment 4

Operating Requirements for Distributed Energy Resources Facilities Operating in Parallel

The EDC shall list specific operating practices that apply to this DER interconnection and the conditions under which each listed specific operating practice applies.

See Articles 1,7 Parallel Operation Obligations 1.9, Reactive Power, 1.10, Standards of Operation and as identified in the prior studies.

Any additional operational practices listed below:

1)Customer Transformer(s) Connection(s) at PCC (34kV) - ComEd requires a Delta H.S. transformer winding for all customer connected transformers. The legacy design standard for the ComEd 34.5kV system is 200kV BIL. The current design standard for new 34kV lines is 150kV. All customer equipment should be rated accordingly.

2) Customer Photovoltaic System Inverter Modules - Transient Overvoltage (TOV) Limits: Customer inverters shall not by their design or application while interconnected to the ComEd system cause transient overvoltages (TOV) which exceed ComEd {12kV/34kV} line or equipment ratings during fault or switching operations. If the customer inverters cause objectionable overvoltages which exceed the ratings of the ComEd lines and equipment, then ComEd may require that the customer at their expense mitigate these issues to a level below the equipment design ratings.

3) Customer Equipment Short-Circuit Ratings - Customer equipment shall be rated for ultimate fault current levels: Ultimate 3 Phase - 16585 Amps and Ultimate 1 Phase - 21070 Amps.

4) Interconnections = 2.0MW using lab certified UL 1741 Inverters do not require any additional relay protection

5) All transformers require a high side protective operating device to operate under fault conditions.

6) ComEd Testing Group resources will be required to verify settings for required system protection prior to customer equipment being placed into service.

7) This photovoltaic installation shall only operate when it is connected to 34kV L10643 and when L10643 is fed from its normal breaker at TSS106.

8) Customer will be responsible to complete all subgrade and civil work on their property, if required for the interconnection facilities.

9) Customer will be responsible to purchase real estate or obtain the necessary right-of - way/ easements, to install the interconnection facilities.

Attachment 5

Monitoring and Control Requirements

This attachment is to be completed by the EDC and shall include the following:

1. The EDC's monitoring and control requirements must be specified, along with a reference to the EDC's written requirements documents from which these requirements are derived.

2. An internet link to the requirements documents.

3. The If applicable, a copy of any agreement between the interconnection customer and the EDC enabling the EDC to monitor and control the distributed energy resources facility in order to preserve distribution system reliability.

https://www.comed.com/MyAccount/MyService/Pages/DistributionLess10k.aspx

http://standards.ieee.org

Attachment 6

Metering Requirements

This attachment is to be completed by the EDC and shall include the following:

1. The metering requirements for the energy resources facility.

   The specific metering requirements and equipment will be specified as part of the Detailed Engineering.

2. Identification of the appropriate tariffs that establish these requirements.

3. An internet link to these tariffs.

https://www.comed.com/MyAccount/MyService/Pages/DistributionLess10k.aspx

https://www.comed.com/MyAccount/MyBillUsage/Pages/CurrentRatesTariffs.aspx

Attachment 7

As Built Documents

This attachment is to be completed by the interconnection customer and shall include the following:

When it returns the certificate of completion to the EDC, the interconnection customer shall provide the EDC with documents detailing the as-built status of the following:

1. A one-line diagram indicating the distributed energy resources facility, interconnection equipment, interconnection facilities, and metering equipment.

2. Component specifications for equipment identified in the one-line diagram.

3. Component settings.

4. Proposed sequence of operations.

5. A three-line diagram showing current potential circuits for protective relays.

6. Relay tripping and control schematic diagram.

Attachment 8
Other Provisions

The Parties agree to the following terms and conditions in connection with the distributed generation facility.

1.1 Nothing in this Agreement shall constitute an express or implied representation or warranty on the part of EDC with respect to the current or future availability of transmission service or create any obligation on the part of EDC to accept deliveries of energy unless the interconnection customer or a third party taking delivery of such energy has arranged for transmission service with PJM Interconnection LLC, or its successor in interest, the organization that operates the EDC's transmission system ("PJM") in accordance with the PJM tariff and applicable laws and regulations. EDC may charge for service over its electric distribution system to deliver energy or power from the distributed generation facility to or from the facilities controlled or operated by PJM that are used to provide transmission service pursuant to the PJM tariff.

1.2 This Agreement does not constitute an agreement to interconnect the interconnection customer to a PJM point of interconnection.

1.3 The interconnection customer shall not be allowed to construct any facilities or install any equipment which will be owned or operated by the EDC, without the prior written consent of the EDC, which consent may be conditioned on the Parties negotiating and agreeing upon provisions to govern such construction or installation.

1.4 Tax Status. Based on information provided by the interconnection customer, EDC will make the determination as to whether all costs and other amounts payable, and property to be transferred, by interconnection customer to EDC under this Agreement (collectively, the "Paid Amounts") satisfy the tax law provisions for non-taxable status, as referenced in this Section 1.4. For any amounts that EDC determines do not qualify for non-taxable status, the interconnection customer shall comply with this Section 1.4, including without limitation paying the applicable income tax gross-up as set forth herein.

1.4.1 Tax Status

A. To qualify for non-taxable treatment with respect to the Paid Amounts, the interconnection customer must meet all qualifications and requirements as set forth in the tax laws ("Non-Taxable Treatment"). The determination of whether the Paid Amounts qualify for Non-Taxable Treatment shall be made by EDC, based on the information furnished by interconnection customer to determine tax treatment under the relevant tax law provisions.

B. To the extent EDC reasonably determines that all or a portion of the Paid Amounts qualify for Non-Taxable Treatment, both Parties intend to treat such

amounts as non-taxable contributions from interconnection customer to EDC for federal and state income tax purposes. With respect to any such Paid Amounts, interconnection customer agrees to maintain Non-Taxable Treatment for such amounts, and interconnection customer shall remain subject to the terms of this Section 1.4, in any subsequent or interim agreement related to this Agreement. To the extent EDC determines that all or a portion of the Paid Amounts are taxable, interconnection customer agrees to pay the income tax gross-up amount referenced in this Section 1.4.

1.4.2 Tax Indemnity

For any amounts the Parties treat as non-taxable pursuant to Section 1.4.1, interconnection customer shall indemnify and hold harmless EDC for any costs or taxes, penalties, and interest that EDC incurs in the event that the IRS and/or a state taxing authority determines that the Paid Amounts are taxable income to EDC. In such an event, interconnection customer shall pay to EDC, on demand, the amount of any income taxes that the IRS or a state taxing authority assesses EDC in connection with the Paid Amounts, plus any applicable interest and/or penalties assessed EDC. In the event that EDC in its sole discretion chooses to contest such assessment and prevails in reducing or eliminating the tax, interest and/or penalties assessed against it, EDC shall refund to interconnection customer the excess of the amount paid to EDC pursuant to this Section 1.4 over the amount of the tax, interest and penalties for which EDC is finally determined to be liable. Interconnection customer's tax indemnification obligation under this section shall survive any termination of this Agreement or of any subsequent or interim agreement related to this Agreement.

1.4.3 Income Tax Gross-Up

A. In the event that interconnection customer does not establish to EDC's satisfaction within 15 days of the execution of this Agreement (the "Specified Date") that the Paid Amounts are or will be non-taxable, interconnection customer shall increase the amount of the Security Deposit to include any amounts described under this Section 1.4 regarding income tax gross-up.

B. The required increase in the Security Deposit shall equal the amount necessary to permit EDC to pay all applicable income taxes ("Current Taxes") on the amounts to be paid by interconnection customer under this Agreement after taking into account the present value of future tax deductions for depreciation that would be available as a result of the anticipated payments or property transfers (the "Present Value Depreciation Amount"), with respect to such amounts. For this purpose, Current Taxes shall be computed based on the composite federal and state income

tax rates applicable to EDC at the time the Security Deposit is increased, determined using the highest marginal rates in effect at that time (the "Current Tax Rate"), and (ii) the Present Value Depreciation Amount shall be computed by discounting EDC's anticipated tax depreciation deductions associated with such payments or property transfers by its current weighted average cost of capital. EDC may draw on the Security Deposit on a quarterly basis based on the Paid Amounts received by EDC.

C. Interconnection customer must provide the increase in the Security Deposit, in a form and with terms as acceptable to EDC, within 15 days of the Specified Date unless EDC notifies interconnection customer otherwise. The requirement for the increase in the Security Deposit under this Paragraph shall be treated as a milestone for purposes of Attachment 3 of this Agreement.

D. Each Party shall cooperate with the other to maintain the other Party's tax status. Nothing in this Agreement is intended to adversely affect any entity's tax exempt status with respect to the issuance of bonds including, but not limited to, local furnishing bonds.

E. In the event, and to the extent, (i) EDC subsequently determines that amounts for which interconnection customer has paid EDC are non-taxable, and (ii) EDC successfully obtains a refund of federal and/or state income tax originally paid with respect to such amounts, EDC shall timely return such amounts to the interconnection customer. For purposes hereof, EDC may make such a determination in light of subsequent IRS guidance, or other relevant authority. In the event of a successful refund claim by EDC, EDC shall return the remaining Security Deposit attributable to this Section 1.4, but no more than it obtains from the relevant taxing authority, less any reasonable fees incurred to secure such tax refund, to interconnection customer.

1.5 If any of EDC's facilities, in addition to those described in Section 2.3, are or will be located on interconnection customer's property, EDC shall have access to such facilities at all times and when practical, the EDC shall provide notice to the interconnection customer prior to using its right of access. Upon EDC's completion of final, detailed engineering, if EDC identifies any facilities which will be located on interconnection customer's property and requests written property rights in order to have such access, the interconnection customer shall provide such rights.

1.6 Interconnection customer shall also be responsible for paying in full to EDC all approved FERC and ICC rates and charges applicable to interconnection customer's connection to and usage of the electric distribution system, if any.

1.7 Interconnection customer shall not disclose any information labeled "CEII" or "Critical Energy Infrastructure Information" or other information labeled "Confidential" obtained pursuant to or in connection with this Agreement to any third party without the express written consent of the EDC, provided that interconnection customer may produce such information in response to a subpoena, discovery request or other compulsory process issued by a judicial body or governmental agency upon reasonable notice to the interconnection customer.

1.8 Each of the Parties shall provide the other party access to areas under its control as reasonably necessary to permit the other Party to perform its obligations under this Agreement, including operation and maintenance obligations. A Party that obtains such access shall comply with all safety rules applicable to the area to which access is obtained. Each Party agrees to inform the other Party's representatives of safety rules applicable to an area.

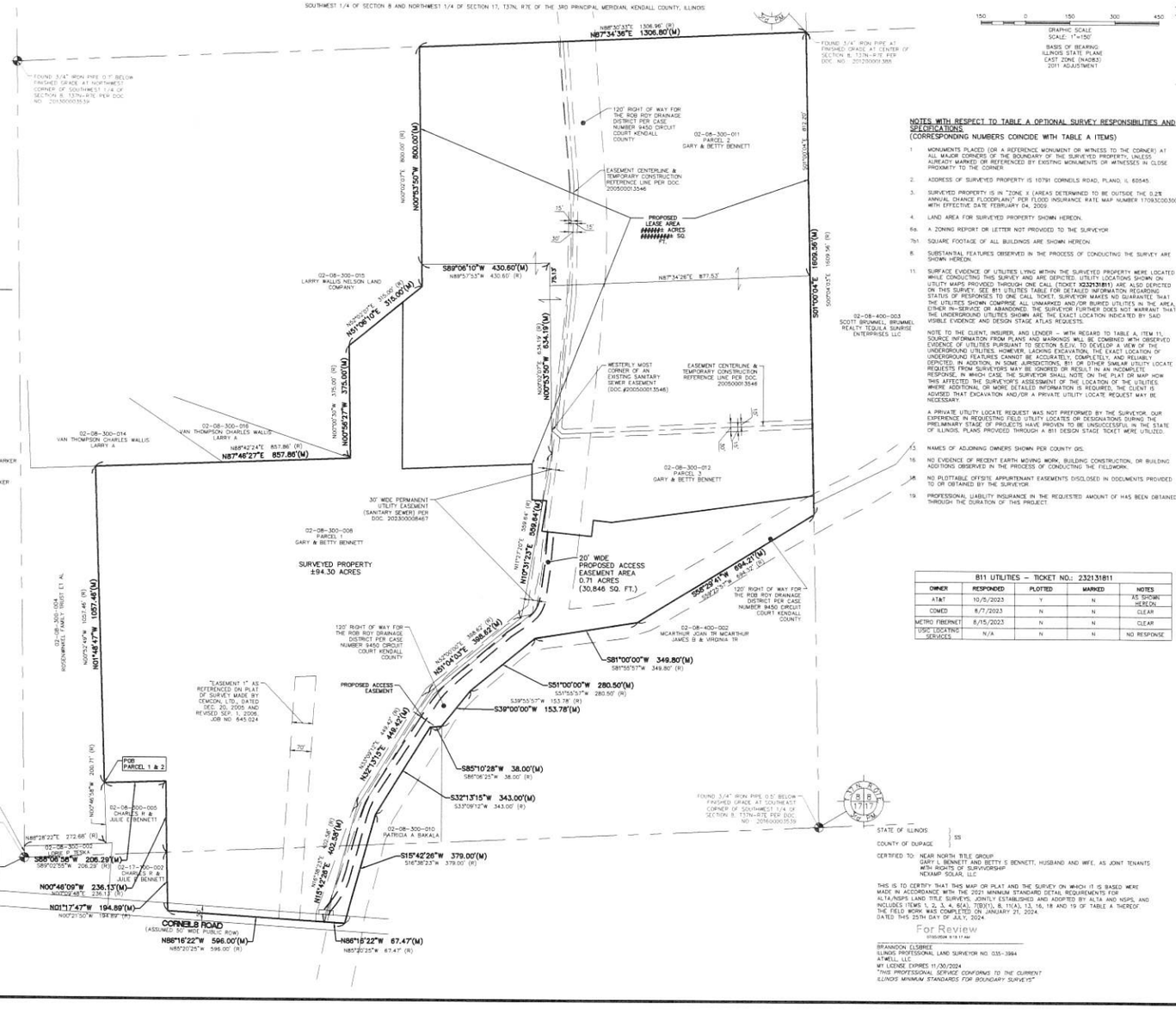
1.9 Article 5.1.2 of the Interconnection Agreement shall be modified as followed;

The parties agree Article 5 Section 1.2 is stricken in its entirety and replaced with, "Within 120 calendar days after completing the construction and installation of the EDC's interconnection facilities and distribution upgrades described in Attachments 2 and 3 to this Agreement, the EDC shall provide the interconnection customer with a final accounting report of any difference between (1) the actual cost incurred to complete the construction and installation of the EDC's interconnection facilities and distribution upgrades; and (2) the interconnection customer's previous deposit and aggregate payments to the EDC for the interconnection facilities and distribution upgrades. If the interconnection customer's cost responsibility exceeds its previous deposit and aggregate payments, the EDC shall invoice the interconnection customer for the amount due and the interconnection customer shall make payment to the EDC within 30 calendar days. If the interconnection customer's previous deposit and aggregate payments exceed its cost responsibility under this Agreement, the EDC shall refund to the interconnection customer an amount equal to the difference within 30 calendar days after the final accounting report. Upon request from the interconnection customer, if the difference between the budget estimate and the actual cost exceeds 20%, the EDC will provide a written explanation for the difference."

ALTA/NSPS LAND TITLE SURVEY

SOUTHWEST 1/4 OF SECTION 8 AND NORTHWEST 1/4 OF SECTION 17, T37N, R7E OF THE 3RD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS

VICINITY MAP
NOT TO SCALE



LEGEND

POC	POINT OF COMMENCEMENT
POB	POINT OF BEGINNING
(R)	RECORD
(M)	MEASURED
DOC	DOCUMENT
	EXISTING SECTION CORNER
	FOUND SURVEY MONUMENT
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	BUILDING SET BACK LINE
	EXISTING FIELD DRAINAGE
	OVERHEAD ELECTRIC LINE
	EXISTING FENCE
	EXISTING TOP/BOTTOM OF BANK
	EXISTING BUILDING
	EXISTING GRAVEL
	EXISTING ASPHALT

NOTES WITH RESPECT TO TABLE A OPTIONAL SURVEY RESPONSIBILITIES AND SPECIFICATIONS

(CORRESPONDING NUMBERS COINCIDE WITH TABLE A ITEMS)

1. MONUMENTS PLACED (OR A REFERENCE MONUMENT OR WITNESS TO THE CORNER) AT ALL MAJOR CORNERS OF THE BOUNDARY OF THE SURVEYED PROPERTY, UNLESS ALREADY MARKED OR REFERENCED BY EXISTING MONUMENTS OR WITNESSES IN CLOSE PROXIMITY TO THE CORNER.
2. ADDRESS OF SURVEYED PROPERTY IS 10791 CORNELS ROAD, PLANO, IL 60545.
3. SURVEYED PROPERTY IS IN "ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN)" PER FLOOD INSURANCE RATE MAP NUMBER 17093C0030 WITH EFFECTIVE DATE FEBRUARY 04, 2009.
4. LAND AREA FOR SURVEYED PROPERTY SHOWN HEREON.
6a. A ZONING REPORT OR LETTER NOT PROVIDED TO THE SURVEYOR
7b1. SQUARE FOOTAGE OF ALL BUILDINGS ARE SHOWN HEREON.
8. SUBSTANTIAL FEATURES OBSERVED IN THE PROCESS OF CONDUCTING THE SURVEY ARE SHOWN HEREON.
11. SURFACE EVIDENCE OF UTILITIES LYING WITHIN THE SURVEYED PROPERTY WERE LOCATED WHILE CONDUCTING THIS SURVEY AND ARE DEPICTED. UTILITY LOCATIONS SHOWN ON UTILITY MAPS PROVIDED THROUGH ONE CALL (TICKET #232131811) ARE ALSO DEPICTED ON THIS SURVEY. SEE 811 UTILITIES TABLE FOR DETAILED INFORMATION REGARDING STATUS OF RESPONSES TO ONE CALL TICKET. SURVEYOR MAKES NO GUARANTEE THAT THE UTILITIES SHOWN COMPRISE ALL UNMARKED AND/OR BURIED UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE THE EXACT LOCATION INDICATED BY SAID VISIBLE EVIDENCE AND DESIGN STAGE ATLAS REQUESTS.

   NOTE TO THE CLIENT, INSURER, AND LENDER – WITH REGARD TO TABLE A, ITEM 11, SOURCE INFORMATION FROM PLANS AND MARKINGS WILL BE COMBINED WITH OBSERVED EVIDENCE OF UTILITIES PURSUANT TO SECTION 5.E.IV. TO DEVELOP A VIEW OF THE UNDERGROUND UTILITIES. HOWEVER, LACKING EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY, COMPLETELY, AND RELIABLY DEPICTED. IN ADDITION, IN SOME JURISDICTIONS, 811 OR OTHER SIMILAR UTILITY LOCATE REQUESTS FROM SURVEYORS MAY BE IGNORED OR RESULT IN AN INCOMPLETE RESPONSE, IN WHICH CASE THE SURVEYOR SHALL NOTE ON THE PLAT OR MAP HOW THIS AFFECTED THE SURVEYOR'S ASSESSMENT OF THE LOCATION OF THE UTILITIES. WHERE ADDITIONAL OR MORE DETAILED INFORMATION IS REQUIRED, THE CLIENT IS ADVISED THAT EXCAVATION AND/OR A PRIVATE UTILITY LOCATE REQUEST MAY BE NECESSARY.

   A PRIVATE UTILITY LOCATE REQUEST WAS NOT PREFORMED BY THE SURVEYOR. OUR EXPERIENCE IN REQUESTING FIELD UTILITY LOCATES OR DESIGNATIONS DURING THE PRELIMINARY STAGE OF PROJECTS HAVE PROVEN TO BE UNSUCCESSFUL IN THE STATE OF ILLINOIS. PLANS PROVIDED THROUGH A 811 DESIGN STAGE TICKET WERE UTILIZED.
13. NAMES OF ADJOINING OWNERS SHOWN PER COUNTY GIS.
16. NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK.
18. NO PLOTTABLE OFFSITE APPURTENANT EASEMENTS DISCLOSED IN DOCUMENTS PROVIDED TO OR OBTAINED BY THE SURVEYOR.
19. PROFESSIONAL LIABILITY INSURANCE IN THE REQUESTED AMOUNT OF HAS BEEN OBTAINED THROUGH THE DURATION OF THIS PROJECT.

811 UTILITIES – TICKET NO.: 232131811

OWNER	RESPONDED	PLOTTED	MARKED	NOTES
AT&T	10/5/2023	Y	N	AS SHOWN HEREON
COMED	8/7/2023	N	N	CLEAR
METRO FIBERNET	8/15/2023	N	N	CLEAR
"DSC" LOCATING SERVICES	N/A	N	N	NO RESPONSE

GENERAL NOTES

1. COMPARE ALL DISTANCES AND POINTS IN FIELD AND REPORT ANY DISCREPANCIES IN SAME TO SURVEYOR AT ONCE.
2. THE INTENDED PLOT SIZE FOR THIS SHEET IS 24"x36", RESPECTIVELY NO DIMENSIONS SHOULD BE ASSUMED BY SCALING.
3. UTILITIES SHOWN HEREON ARE BY VISIBLE LOCATION OF ABOVE GROUND STRUCTURES, MARKS IN FIELD AND PROVIDED MAPS. UNDERGROUND UTILITIES MAY EXIST THAT ARE NOT SHOWN HEREON.
4. CALL 811 ("COMMON GROUND ALLIANCE" NATIONAL UNDERGROUND UTILITY LOCATOR SERVICE) FOR FIELD LOCATION OF UNDERGROUND UTILITY LINES PRIOR TO ANY DIGGING OR CONSTRUCTION.
5. DRAIN TILE LOCATION WAS PROVIDED BY NEXAMP ON APRIL 23, 2024 AND WAS LOCATED BY HUDDLESTON MCBRIDE ON APRIL 20, 2024

STATE OF ILLINOIS } SS
COUNTY OF DUPAGE }

CERTIFIED TO: NEAR NORTH TITLE GROUP
GARY L BENNETT AND BETTY S BENNETT, HUSBAND AND WIFE, AS JOINT TENANTS
MEN RIGHTS OF SURVIVORSHIP
NEXAMP SOLAR, LLC

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(a), 7(b)(1), 8, 11(A), 13, 16, 18 AND 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JANUARY 21, 2024.
DATED THIS 25TH DAY OF MAY, 2024.

For Review
07/05/2024 9:18:17 AM

BRANDON ELSBREE
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-3984
ATWELL, LLC
MY LICENSE EXPIRES 11/30/2024
"THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR BOUNDARY SURVEYS"

811 Know what's below. Call before you dig.
THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

NOTICE:
CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR; NEITHER THE OWNER NOR THE ENGINEER SHALL BE RESPONSIBLE FOR CONSTRUCTION SITE SAFETY OR THE SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK, OF ANY NEARBY STRUCTURE OR OF ANY OTHER PERSONS.

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ATWELL
877.336.2354 www.atwell-group.com
2500 EAST DIEHL ROAD, SUITE 900
NAPERVILLE, IL 60563
DESIGN FIRM #184.006278

SECTION 8
TOWN 37 NORTH, RANGE 7 EAST
BRISTOL TOWNSHIP
KENDALL COUNTY, ILLINOIS

CLIENT
NEXAMP SOLAR, LLC

ALTA/NSPS LAND TITLE SURVEY
CORNELLS ROAD SOLAR
KENDALL COUNTY, IL

DATE 12/6/2023

12/20/2023
ADD'D EASEMENTS
1/05/2024
ADD'D EASEMENTS
2/07/2024
REVISED DRAINAGE TILES
2/27/2024
UPDATED TITLE COMMITMENT
3/27/2024
REVISED CONTOURS
5/24/2024
REMOVE TEMPORARY EASEMENT

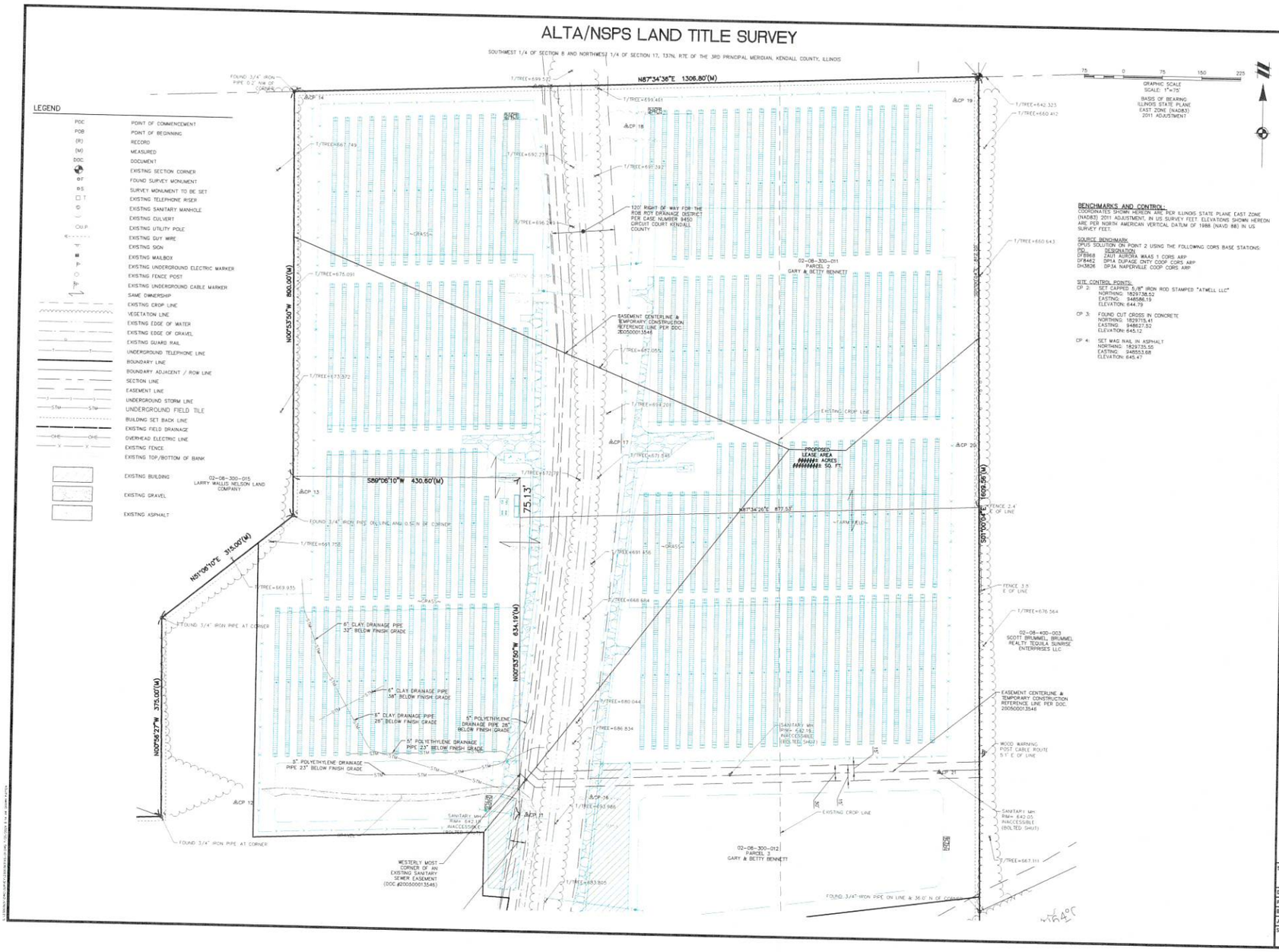
REVISIONS

SCALE 0 75 150
1" = 150 FEET
DR. JT CH. BDE
P.M. B. ELSBREE
BOOK 298
JOB 23003931
SHEET NO. 1 OF 3

CAD FILE: 23003931SS-01.DWG

ALTA/NSPS LAND TITLE SURVEY

SOUTHWEST 1/4 OF SECTION 8 AND NORTHWEST 1/4 OF SECTION 17, T37N, R7E OF THE 3RD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS



LEGEND

POC	POINT OF COMMENCEMENT
POB	POINT OF BEGINNING
(R)	RECORD
(M)	MEASURED
DOC	DOCUMENT
	EXISTING SECTION CORNER
SIF	FOUND SURVEY MONUMENT
	SURVEY MONUMENT TO BE SET
	EXISTING TELEPHONE RISER
	EXISTING SANITARY MANHOLE
	EXISTING CULVERT
O.U.P.	EXISTING UTILITY POLE
	EXISTING GUY WIRE
	EXISTING SIGN
	EXISTING MAILBOX
	EXISTING UNDERGROUND ELECTRIC MARKER
	EXISTING FENCE POST
	EXISTING UNDERGROUND CABLE MARKER
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	EASEMENT LINE
STM	UNDERGROUND STORM LINE
	UNDERGROUND FIELD TILE
	BUILDING SET BACK LINE
	EXISTING FIELD DRAINAGE
OHE	OVERHEAD ELECTRIC LINE
	EXISTING FENCE
	EXISTING TOP/BOTTOM OF BANK
	EXISTING BUILDING
	EXISTING GRAVEL
	EXISTING ASPHALT

BENCHMARKS AND CONTROL:
COORDINATES SHOWN HEREON ARE PER ILLINOIS STATE PLANE EAST ZONE (NAD83) 2011 ADJUSTMENT, IN US SURVEY FEET. ELEVATIONS SHOWN HEREON ARE PER NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88) IN US SURVEY FEET.

SOURCE BENCHMARK
OPUS SOLUTION ON POINT 2 USING THE FOLLOWING CORS BASE STATIONS:

ID	DESIGNATION
DF8868	ZAUT AURORA MAAS 1 CORS ARP
DF8442	DPTA DUPAGE CNTY COOP CORS ARP
DH3826	DP3A NAPERVILLE COOP CORS ARP

SITE CONTROL POINTS:
CP 2: SET CAPPED 5/8" IRON ROD STAMPED "ATWELL LLC"
NORTHING: 1829738.52
EASTING: 948586.19
ELEVATION: 644.79

CP 3: FOUND CUT CROSS IN CONCRETE
NORTHING: 1829715.41
EASTING: 948627.32
ELEVATION: 645.12

CP 4: SET MAG NAIL IN ASPHALT
NORTHING: 1829735.55
EASTING: 948553.68
ELEVATION: 645.47

811 Know what's below. Call before you dig.

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NOTICE:
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NAPERVILLE, IL 60563
DESIGN FIRM #184-005876

SECTION 8
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KENDALL COUNTY, ILLINOIS

CLIENT: NEXAMP SOLAR, LLC
ALTA/NSPS LAND TITLE SURVEY
CORNEILS ROAD SOLAR
KENDALL COUNTY, IL

DATE: 12/6/2023

12/20/2023 ADD EASEMENTS
1/26/2024 ADD CULVERTS
2/15/2024 REVISIONS
3/5/2024 ADD DRAINAGE TILES
3/28/2024 TITLE COMMITMENT
4/16/2024 ADD CONTOURS
4/25/2024 REMOVE TEMPORARY EASEMENT

REVISIONS

SCALE 0 37.5 75
1" = 75 FEET
DR. JT CH. BDE
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SHEET NO. 2 OF 3

CAD FILE: 23003931ALTA-02.DWG

ALTA/NSPS LAND TITLE SURVEY

SOUTHWEST 1/4 OF SECTION 8 AND NORTHWEST 1/4 OF SECTION 17, T37N, R7E OF THE 3RD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS

LEGAL DESCRIPTION PER NEAR NORTH TITLE GROUP AS ISSUING AGENT FOR CHICAGO TITLE INSURANCE COMPANY COMMITMENT NO. IL1808635-166, COMMITMENT DATE: JUNE 7, 2022 AT 12:00 A.M.

PARCEL 1:

THE ESTATE OR INTEREST IN THE LAND DESCRIBED OR REFERRED TO IN THIS POLICY AND COVERED HEREIN IS LEASEHOLD ESTATE. AS LEASEHOLD ESTATE IS DEFINED IN PARAGRAPH 1.C. OF THE ALTA LEASEHOLD ENDORSEMENTS) ATTACHED HERETO, CREATED BY THE INSTRUMENT HEREIN REFERRED TO AS THE LEASE, AS AMENDED, MADE BY AND BETWEEN GARY L BENNETT AND BETTY S BENNETT, HUSBAND AND WIFE, AS JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP (LANDLORD) AND NEXAMP SOLAR, LLC (TENANT) DATED JANUARY 30, 2023, AS EVIDENCED BY THAT CERTAIN MEMORANDUM OF DITTON AND GROUND LEASE RECORDED MARCH 30, 2023 AS DOCUMENT 202300003360, AND AMENDED BY THAT CERTAIN MEMORANDUM OF DITTON AND ——— AND RECORDED ——— AS DOCUMENT ——— AND RECORDED ——— AS DOCUMENT ——— WHICH LEASE DEMISES THE FOLLOWING LAND FOR A TERM OF YEARS MORE PARTICULARLY DESCRIBED THEREIN:

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 8 AND PART OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4; THENCE NORTH 0°09'48" EAST ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, 272.68 FEET; THENCE NORTH 89°42'24" EAST, 857.88 FEET; THENCE NORTH 0°09'48" EAST, 200.73 FEET FOR A POINT OF BEGINNING; THENCE NORTH 89°42'24" EAST PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST 1/4, THENCE NORTH 88°30'33" EAST, ALONG SAID NORTH LINE, 1,308.96 FEET; THENCE NORTH 52°02'01" EAST, 315.0 FEET; THENCE NORTH, THENCE NORTH 0°52'50" WEST 1,057.46 FEET; THENCE NORTH 89

LAW OFFICES
OF
Daniel J. Kramer

DANIEL J. KRAMER

1107A SOUTH BRIDGE STREET
YORKVILLE, ILLINOIS 60560
(630) 553-9500
Fax: (630) 553-5764

KELLY A. HELLAND
D.J. KRAMER

August 15, 2024

Krysti Barksdale-Noble
Director of Community Development
Via E-mail and Hand Delivery: knoble@yorkville.il.us

Sarah Mendez
City Planner
smendez@yorkville.il.us

Re: Beecher Road Solar, LLC/Gary Bennett and Betty Bennett Owners Special Use and Variance Applications

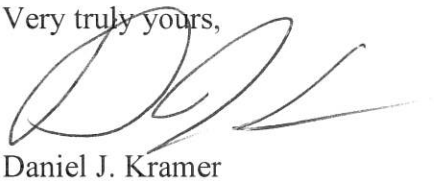
Dear Krysti and Sarah

Enclosed please find the Application for Special Use and Application for Variance along with the following items:

1. Application for Variance executed by Owners and Petitioner
2. Application for Special Use executed by Owners and Petitioner
3. $21,035.00 check for Annexation and Special Use Fee
4. List of Adjoining Owners within 500 feet
5. Tax Print out showing property ownership
6. Cover letter detailing the project narrative/system design summary
7. Special Use Permit Plan Set
8. Electrical Diagram
9. Manufacturer's Specifications
10. Glare Analysis
11. Interconnection Agreement
12. Decommissioning Plan
13. Plat of Survey
14. Legal Description
15. Aerial Map
16. Vegetation Management Plan for Solar Site Utilizing Native Vegetation

Please review the same and if you have any questions or concerns please feel free to contact me. Please let me know the schedule of meetings.

Very truly yours,



Daniel J. Kramer
Attorney at Law

DJK/cth
Enclosures

nexamp

Beecher Road Solar, LLC

08/07/2024

- Parcels
- Forested Wetland
- Non-Forested Wetland
- Salt Marsh
- Water

This map was created using Latapult | www.latapult.com | Bigger Data Faster Maps Stronger Decisions

BEECHER ROAD SOLAR, LLC
SEPTEMBER 13, 2024
02-08-300-008, 02-08-300-012
ILLINOIS DESIGN FIRM #184-005876

LEGAL DESCRIPTION PER NEAR NORTH TITLE GROUP AS ISSUING AGENT FOR CHICAGO TITLE INSURANCE COMPANY COMMITMENT NO. IL1808635--166, COMMITMENT DATE: SEPTEMBER 6, 2022 AT 7:00 A.M.

PARCEL 1:

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 8 AND PART OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4; THENCE NORTH 00”09'48" EAST ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, 37.42 FEET; THENCE NORTH 88°28'22" EAST PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST 1/4, 272.68 FEET; THENCE NORTH 00”46'58" WEST, 200.71 FEET FOR A POINT OF BECINNING; THENCE NORTH 00”52'50" WEST 1,057.46 FEET; THENCE NORTH 88°42'24" EAST, 857.86 FEET; THENCE NORTH 00”00'30" WEST, 375.0 FEET; THENCE NORTH 52”02'07" EAST, 315.0 FEET, THENCE NORTH 00”02'07" EAST, 800.0 FEET TO THE NORTH LINE OF SAID SOUTHWEST 1/4; THENCE NORTH 88"30'33" EAST, ALONG SAID NORTH LINE, 1,306.96 FEET TO THE CENTER OF SAID SECTION 8; THENCE SOUTH 00"04'03' EAST ALONG THE EAST LINE OF SAID SOUTHWEST 1/4, 1,609.56 FEET TO A POINT WHICH IS 1,044.12 FEET NORTHERLY OF THE SOUTHEAST CORNER OF SAID SOUTHWEST 1/4; THENCE SOUTH 59”25'57" WEST, 694.32 FEET; THENCE SOUTH 81”55'57" WEST, 349.80 FEET; THENCE SOUTH 51”55'57” WEST 280.50 FEET; THENCE SOUTH 39°55'57' WEST, 153.78 FEET; THENCE SOUTH 86”06'25" WEST, 38.0 FEET THENCE SOUTH 33”09'12' WEST, 343.0 FEET; THENCE SOUTH 16”38'23" WEST 379.0 FEET TO THE CENTER LINE OF CORNEILS ROAD: THENCE NORTH 85°20'25" WEST ALONG SAID CENTER LINE 596.0 FEET TO A LINE DRAWN SOUTH 00”21'50" EAST, PARALLEL WITH THE WEST LINE OF SAID NORTHWEST 1/4, FROM A POINT ON THE SOUTH LINE OF SAID SOUTHWEST 1/4 WHICH IS 475.50 FEET, NORMALLY DISTANT, EASTERLY OF THE WEST LINE OF SAID SOUTHWEST 1/4; THENCE NORTH 00”21'50" WEST ALONG SAID PARALLEL LINE, 194.89 FEET TO SAID SOUTH LINE; THENCE NORTH 00°09'48" EAST, PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST 1/4, 236.13 FEET TO A LINE DRAWN NORTH 89”02'55" EAST FROM THE POINT OF BEGINNING; THENCE SOUTH 89°02'55" WEST, 206.29 FEET TO A POINT OF BEGINNINC; EXCEPT THAT PART THEREOF LYING EASTERLY OF THE FOLLOMNC DESCRIBED LINE: COMMENCING AT THE SOUTHERNMOST SOUTHEAST CORNER OF THE ABOVE DESCRIBED TRACT; THENCE NORTH 85°20'25" WEST ALONG SAID CENTER LINE OF CORNEILS ROAD, 67.47 FEET FOR A POINT OF BEGINNING; THENCE NORTH 16”38'2S" EAST, 402.58 FEET; THENCE NORTH 33”09'12" EAST, 449.42 FEET; THENCE NORTH 52° EAST, 398.62 FEET; THENCE NORTH 11”27'20" EAST, 559.64 FEET; THENCE NORTH 00”02'07" EAST, 634.19 FEET; THENCE NORTH 89”57'53" WEST, 430.60 FEET TO A WESTERLY LINE OF SAID TRACT; THENCE NORTH 00”02'07” EAST ALONG SAID WESTERLY LINE 725.68 FEET TO THE NORTH LINE OF SAID SOUTHWEST 1/4, IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS;

PARCEL 3:

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 8 AND PART OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH WEST CORNER OF SAID SOUTHWEST 1/4; THENCE NORTH 00°09'48" EAST ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, 37.42 FEET; THENCE NORTH 88”26'22" EAST PARALLEL WITH THE SOUTH LINE OF SAID SOUTH WEST 1/4, 272.66 FEET;THENCE NORTH 00°46'58" WEST, 200.71 FEET FOR A POINT OF BEGINNING; THENCE NORTH 00”52'50" WEST 1,057.46 FEET; THENCE NORTH 88”42'24" EAST, 857.86 FEET; THENCE NORTH 00”00'30" WEST, S75.0 FEET; THENCE NORTH 52”02'07" EAST, 315.0 FEET, THENCE NORTH 00”02'07" EAST, 800.0 FEET TO THE NORTH LINE OF SAID SOUTHWEST 1/4; THENCE NORTH 88”30'33" EAST, ALONG SAID NORTH LINE, 1,306.96 FEET TO THE CENTER OF SAID SECTION 8; THENCE SOUTH 00°04'03" EAST ALONG THE EAST LINE OF SAID SOUTHWEST 1/4, 1,609.56 FEET TO A POINT WHICH IS 1,044.12 FEET NORTHERLY OF THE SOUTHEAST CORNER OF SAID SOUTHWEST 1/4; THENCE SOUTH 59°25'57" WEST, 694.32 FEET; THENCE SOUTH

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TO A POINT OF BEGINNING; EXCEPT THAT PART THEREOF LYING WESTERLY OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE SOUTHERNMOST SOUTHEAST CORNER OF THE ABOVE DESCRIBED TRACT; THENCE NORTH 85”20 25' WEST ALONG SAID CENTER LINE OF CORNEILS ROAD, 67.47 FEET FOR A POINT OF BEGINNING; THENCE NORTH 16”38'23" EAST, 402.58 FEET; THENCE NORTH 33”09'12" EAST, 449.42 FEET; THENCE NORTH 52”00'00" EAST, 398.62 FEET; THENCE NORTH 11°27'20" EAST, 559.64 FEET; THENCE NORTH 00”02'07” EAST, 634.19 FEET; THENCE NORTH 89”57'53" WEST, 430.60 FEET TO A WESTERLY LINE OF SAID TRACT; THENCE NORTH 00”02'07” EAST ALONG SAID WESTERLY LINE 725.68 FEET TO THE NORTH LINE OF SAID SOUTHWEST 1/4, AND EXCEPT THAT PART THEREOF LYINC NORTHERLY OF THE SOUTHERLY LINE OF THE NORTHERLY 812.20 FEET, MEASURED ALONG THE EASTERLY LINE, IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

LEGEND

BOUNDARY LINE

BOUNDARY INTERNAL/ADJACENT LINE

PROPOSED FENCE LINE

PROPOSED OCCUPANCY AREA – PARCEL 1

PROPOSED OCCUPANCY AREA – PARCEL 2

PROPOSED OCCUPANCY AREA – PARCEL 3

SITE DATA

TOTAL PARCEL AREA	94.30 ACRES
CORNEILS FENCE AREA	31.48 ACRES
BEECHER FENCE AREA	23.57 ACRES
TOTAL SOLAR OCCUPANCY*	58.4%

*CALCULATION = 55.05 ACRES/94.30 ACRES = 58.4%

PARCEL 1: 02-08-300-008

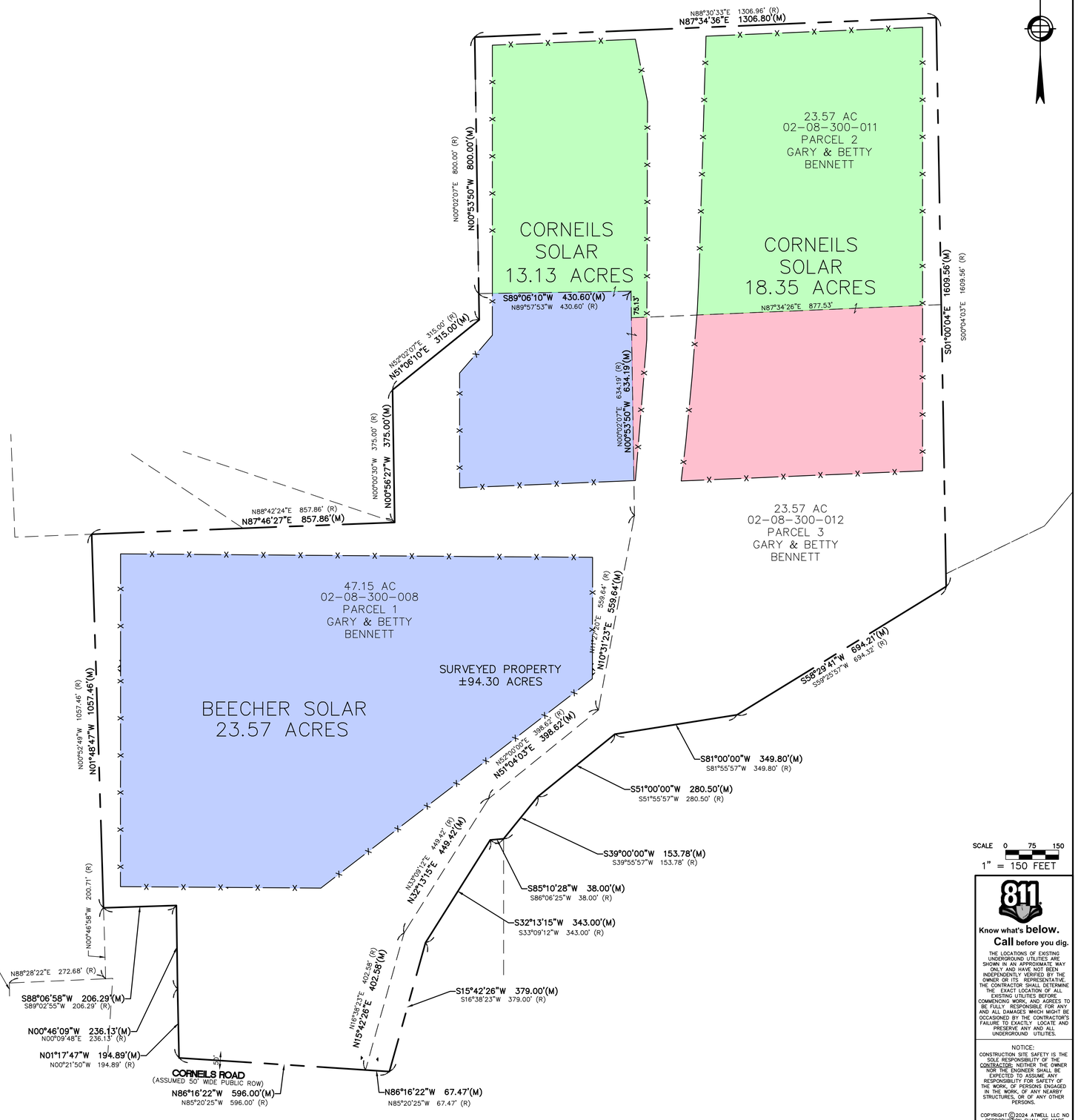
PARCEL 1 AREA	47.15 ACRES
BEECHER OCCUPANCY	23.57 ACRES
CORNEILS OCCUPANCY	5.72 ACRES

PARCEL 2: 02-08-300-001

PARCEL 2 AREA	23.57 ACRES
BEECHER OCCUPANCY	0.0 ACRES
CORNEILS OCCUPANCY	18.42 ACRES

PARCEL 3: 02-08-300-012

PARCEL 3 AREA	23.57 ACRES
BEECHER OCCUPANCY	0.0 ACRES
CORNEILS OCCUPANCY	7.35 ACRES



SCALE 0 75 150
1" = 150 FEET

811 Know what's **below.** **Call** before you dig.

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

NOTICE:
CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR; NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK, OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

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ATWELL
866.850.4200 www.atwell-group.com
1250 EAST DIEHL ROAD, SUITE 300
NAPERVILLE, IL 60563
DESIGN FIRM #184-005878

Rev	Issued For	Date
A	CLIENT REVIEW SET	06/26/24
B	CLIENT REVIEW SET	8/12/24
C	CLIENT REVIEW SET	9/13/24
D	REV PER CITY OF YORKVILLE COMMENTS	10/30/24

P.E. seal/Consultant:

Project:
BEECHER ROAD SOLAR, LLC
SPECIAL USE APPLICATION PLANS
10791 CORNEILS ROAD
UNITED CITY OF YORKVILLE,
KENDALL COUNTY, IL

Drawing Title:
PARCEL OCCUPANCY EXHIBIT

Drawn by: LEH | Scale: As Noted | Approved by: MBK

Dwg No:	Size: ARCH D	Sheet Rev:
EX-01		D

CAD FILE: 24003183EX001 OCCUPANY EXHIBIT 2024-10-30.DWG

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Beecher Road Solar, LLC - O&M Services Plan

Beecher Road Solar, LLC, a wholly-owned subsidiary of Nexamp, Inc., as the developer and construction manager of an approximately 4.99-megawatt (AC) solar PV array on property owned by Gary L. Bennett and Betty S. Bennett at 10791 Corneils Road, Yorkville, Illinois is pleased to provide this Operation and Maintenance (O&M) services plan.

Nexamp Asset Management Services, Inc. (NAMS) is a full service photovoltaic Operations and Maintenance company, servicing more than 800 MW DC as of 2024. Beecher Road Solar, LLC intends to contract with NAMS in order to provide O&M services for the project for the first ten years of the system operation. At that time, Beecher Road Solar, LLC will revisit that contract and intends to renew the term.

Attached to this Services Plan is a typical scope of work for an O&M provider for a large-scale solar PV array. NAMS has used this scope of work as the basis for its services for infrastructure that it currently maintains. In the following template, “Contractor” represents NAMS and “Owner” represents the project owner, Beecher Road Solar, LLC.

The primary services under the scope of an O&M agreement include:

- Annual array maintenance inspections, remote monitoring and operation, unscheduled maintenance (fault detection and repair), and scheduled equipment replacement.
- On-site services typically require one or two pick-up trucks and two to four licensed technicians.
- Technicians perform work with hand tools and battery-operated power tools and rarely require generators or any motorized or heavy equipment.
- The array is designed to facilitate major equipment replacement using truck mounted boom lift every 10-15 years.
- Nexamp Solar, LLC will develop the site using a pile driven or screw mounting system for the array.

Maintenance Activities:

- Mowing operations are typically conducted zero to four times per season, depending on the weather conditions and resultant growth. Animal grazing is considered an alternative to mowing and may be employed at this site.
- If pollinator vegetation is installed at this site, the vegetation may be maintained up to 36 inches in height. During the establishment period (first 3 to 5 years following installation) mowing may be required more frequently. Once the pollinators are established mowing may occur as few as zero to one time per year.

- The entire Site is inspected for any erosion upon each site visit and maintenance activity, a minimum of two times per year. Any erosion to roads, embankments, drainage structures/basins, ground cover, etc. is repaired using similar methods to the initial install, with like equipment and materials. Potentially, additional erosion control blankets, jute netting, etc. will be added to protect the maintenance improvement.
- Depending on the array location and surrounding vegetation, an arborist with boom truck will thin shading tree growth and limbs adjacent to power lines.
- In the event that weed control is required, NAMS uses only non-persistent solutions previously approved for use by DEP and many municipalities for use in regulated and protected areas. The frequency of this activity is typically once annually, if at all. Work is typically performed by licensed applicators using trailer born and backpack spraying apparatus.
- Beecher Road Solar, LLC does not anticipate conducting module washing at this site. In the event that modules are washed, cleaning solution consists of 100% filtered water. Work is typically performed by two to four technicians using backpacks and scrubbing wands.
- Some snow removal may be required to allow site access during winter months, however no snow removal operations will be performed within the array areas. Snow clearing from modules may be completed depending on the amount and type of snow, two to four times per winter, to facilitate production. Snow clearing is completed manually by three to six laborers using hand held brooms and squeegees.
- Inspection of the storm water management facilities will occur at each site inspection, no less than biannually, with maintenance provided to restore the facilities to their original condition.

Scope of Work – O&M Services Contract

Nexamp Asset Management Services (the "Contractor") will provide O&M services for the proposed 4.99-Megawatt (AC) solar photovoltaic system located on property owned by Gary L. Bennett and Betty S. Bennett at 10791 Corneils Road, Yorkville, Illinois (the "Facility"). The services to be provided will include the operation, repair, monitoring and maintenance services listed below.

FACILITY OPERATIONS

The Facility will be remotely operated in conformity to the operating specifications and requirements set forth in the O&M Manual, in compliance with prudent industry practices, in accordance with the terms and conditions of the interconnection agreement between the Owner and the local distribution utility, and in accordance with applicable law.

PERFORMANCE MONITORING AND OPERATIONS REPORTING

During the Service Term, Contractor shall:

- At all times perform basic remote monitoring and operation of the Facility to make sure Facility is fully functional including all necessary remote data collection and record and report all meter data consistent with all Solar Program requirements.

- Provide Owner with web access to basic monitoring data.

- Provide Owner with monthly reporting of performance against predicted power and historical performance beginning two calendar months after the Commercial Operations Date (as defined as "Substantial Completion" in the EPC Agreement) is achieved, including, summaries of energy measured and reported by the Facility's revenue grade meters, a summary of planned maintenance, and a summary of all forced outages and emergency response measures and the steps that were taken to resolve such forced outages and emergency situations.

- Provide copies of all such information no later than thirty (30) calendar days of making or receiving information pertaining to maintenance and/or repair pertaining to the system and/or any portion thereof or the Interconnection.

- Maintain warranty records with all inverter, module, and mounting suppliers.

- Maintain service agreements with DAS suppliers.

Prepare and submit required monthly reports, as the agent of Owner and after obtaining Owner's prior approval, to report all metered data to the Production Tracking Facility (PTS).

SCHEDULED INSPECTION AND MAINTENANCE

- Contractor will perform required maintenance of the Facility in accordance with the written manufacturer requirements for operation and maintenance of the equipment that is part of the Facility (such written instructions are included in the O&M Manual).

- Contractor will provide continuous 24/7 active monitoring of Facility performance and provide a single point of contact for Facility maintenance and repair related issues.

- Contractor will implement the preventive maintenance schedule, if any, for each item of equipment that is part of the Facility, as set forth in the relevant portions of the O&M Manual.

- Contractor will maintain maintenance logs, records and reports documenting the provision of O&M Services hereunder in sufficient detail to allow Owner to verify that the Facility is performing in accordance with the Project Warranty and the performance requirements for the Facility. Contractor shall maintain current revisions of the drawings, specifications, lists, clarifications and other materials relating to the Facility.

- Contractor will complete and submit to Owner in a timely manner maintenance log sheets to document Contractor's provision of Services as required hereby in sufficient detail to allow Owner to verify that the Facility is performing in accordance with the Project Warranty and the performance requirements for the Facility.

- Contractor will regularly maintain the Facility, in accordance with the O&M Manual, and provide annual on-site inspections by completing the following.

    - Visual inspection of all feeder terminations for corrosion.
    - Visual check of all power terminations/connections associated with the system e.g. DC combiner boxes, DC and AC disconnects, surge arrestors, inverters and PV modules and re-torque as necessary.
    - Test of ground continuity and correct any unsafe or abnormal issues.
    - Check of all DC and AC fuses in inverters, combiner boxes, and disconnects.
    - Testing and recording of voltage and amperage of the arrays at the string level.
    - Inspection of combiner boxes, disconnects and inverters with an infrared camera, with the purpose of detecting hotspots, bad connections, etc.
    - Conduct aerial infrared drone inspection to detect module and string issues
    - Checking of the mechanical and structural integrity of the system.

- Cleaning or replacement of inverter air filters where applicable if necessary.
- Checking of inverter housing for dust/water ingress.
- Checking and replacement of any unserviceable system labeling as necessary.
- Visual inspection of weather stations and calibration verification against monitored data.
- Checking of modules for excessive dirt and debris. Cleaning is excluded.
- Providing written documentation to include summary report of findings including actions taken and recommendations for additional maintenance or repairs, etc.

FAULT DETECTION AND DISPATCH

- Contractor shall respond to all alarms, alerts and service requests pertaining to the system within 24 hours of such alarm, alert and/or service request, as personnel safety and weather conditions permit.

- Contractor shall monitor and respond to forced outages and performance trends. Contractor and Owner shall notify the other as soon as practically possible, but in no event later than twenty-four (24) hours following their discovery, of "**Forced Outage**", which is defined as: (a) any material malfunction in the operation of the Facility and/or (b) any interruption in the delivery of energy to the Facility's revenue grade meters. Contractor shall apply safe industry best practices to fully resolve any Forced Outage as quickly as possible. To the extent the correction of the Forced Outage requires either O&M Services or Warranty Services, Contractor shall initiate the O&M Services or Warranty Services needed to return the Facility to service within 24 hours of such notice, and where applicable, as manufacturer service capabilities permit. Contractor shall provide Owner with an estimate of the time necessary to return the Facility to fully operational service. Contractor agrees to notify the Owner as soon as practicable when the Facility returns to service, but in no event later than twenty-four (24) hours following the Facility's return to service.

- Emergency. Contractor and Owner agree to notify the other upon the discovery of an Emergency condition pertaining to the Facility. If Contractor is notified of an Emergency condition by Owner or otherwise learns of an Emergency condition, Contractor agrees to promptly dispatch appropriate personnel to address such Emergency as quickly as possible in accordance with industry best practices, and as personnel safety permits. Contractor maintains the right to disconnect the Facility and/or to otherwise isolate the Facility from the electric distribution system servicing Owner's and Owner's property as a result of any Emergency condition pertaining to the Facility as determined at the Contractor's discretion; provided, however, that the Contractor shall be responsible for any adverse consequences caused by such exercise of discretion if the exercise is negligent or represents a breach hereof.

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August 16, 2024

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

Re: SUP Application – Beecher Road Solar, LLC
Proposed 4.99-MW(AC) Commercial Solar Collector System

Applicant: Beecher Road Solar, LLC.
Project Location: 10791 Corneils Road, Yorkville, IL 60545

Dear Members of the Planning and Zoning Board, and County Board:

On behalf of Beecher Road Solar, LLC., please find enclosed and below is our:

- Project narrative and with project details
- Special Use Permit Application:
  - Special Use Permit Application
  - Special Use Permit Plan Set
  - Electrical Diagram
  - Manufacturer's Specifications
  - Glare Analysis
  - Interconnection Agreement
  - Decommissioning Plan
  - Plat of Survey
  - Legal Description
  - Aerial Map
- Application Fee

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Project Narrative:

Beecher Road Solar, LLC is requesting approval of a Special Use Permit to allow for development and operation of a 4.99 (AC) ground-mounted distributed generation solar garden facility on the approximately 70-acre subject property (PINS: 02-08-300-008, 02-08-300-012). The project intends develop approximately 30 acres of the overall parcel. The arrays would be installed over existing farmland and enclosed with a fenced area for safety and security measures.

Nexamp Background:

In 2007, U.S. Army veterans Will Thompson and Dan Leary realized a vision for making a range of renewable energy options more affordable and accessible to homeowners and businesses throughout the Commonwealth of Massachusetts. The pair launched NexGen Energy Solutions, a turnkey provider of renewable energy and carbon solutions, in their hometown of North Andover, Massachusetts. NexGen became Nexamp later in 2007.

During the early years, Nexamp delivered a variety of energy systems for residential, commercial, municipal and agricultural customers. Energy solutions offered included solar PV, solar thermal, micro-wind, geothermal heating and cooling, and a wide array of energy efficiency services. In 2011, the company began shifting its focus fully toward commercial and industrial solar facilities, working with businesses and municipalities that wanted to offset their traditional utility energy power using on-site renewable solar generation.

2015 marked Nexamp's first Community Solar project and the beginning of a new chapter for the company. Leveraging its integrated approach of developing, building, owning and operating solar plants, Nexamp turned its focus to community solar, and alongside that the mission of making the benefits of solar power available to everyone—homeowners, renters, non-profits, small businesses, farms and more. Nexamp was named NECEC Clean Energy Company of the Year in 2015 and a Solar Power World Top 3 Commercial Solar Developer in 2017.

In 2016, Mitsubishi's Diamond Generating Corporation made a significant investment in Nexamp, and in 2018 the group made an additional investment that gave it a controlling interest. Nexamp secured an additional round of investment in 2021, this time with Generate Capital, a leading clean energy private equity firm. Serving a rapidly expanding network of individuals, property owners, businesses and communities that benefit from its nationally distributed portfolio of solar assets, Nexamp is a Massachusetts-based, nationally headquartered solar company that is laying the groundwork for a cleaner, more secure and resilient energy future.

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Nexamp entered the Illinois market in 2018, and has since become a market leader, with a large share of the currently operating community solar projects in the state.

Project Details:

In your review of this Special Use Permit request, we ask that staff, the Planning and Zoning Board, and City Council consider the following:

I. Project components:

- Solar modules (i.e. panels) are mounted on racking that slowly rotate and track the sun; there are approximately 11,616 modules proposed to be installed;
- At full tilt, the height of the solar array will be more than 20 feet in height;
- The solar modules are treated with anti-reflective coating to minimize glare;
- The racking is mounted to metal piles. Concrete foundations are not anticipated;
- The system will be remotely monitored, meaning there will be little traffic generated;
- Electrical cables will be installed underground for the entire project with exception of a series of poles necessary to interconnect with ComEd along Corneils Road;
- Perimeter security fencing up to 8 ft. height;
- Location of proposed structures is in compliance with City setback requirements;
- Existing drainage patterns will be maintained throughout the site to the maximum extent possible;
- Limited area of gravel driveway for site access and maintenance;
- The inverter and transformer will be located within the fence-on a concrete equipment pad;
- Disturbed areas will be re-vegetated with a pollinator friendly seed mix;

II. Construction:

- Estimated approximately 20 to 30 jobs will be created during construction;
- Most jobs will be local but some may be brought in if the skill set required is not available;
- Typical jobs created include construction jobs - i.e. equipment operators, electricians, fence installers, laborers and construction managers;

III. Development Schedule:

- Anticipated construction start is Spring of 2026, depending on a number of factors;
- Duration of construction is typically +/- 6 months;

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IV. Traffic:

- Construction traffic will typically be standard semi-tractor trailers – oversized loads are not anticipated;
- At the start of construction there may be a half dozen deliveries a day and will then taper off to 1 to 2 delivery trucks per day;
- There will be proximately 30 – 40 employees at a time during construction;

V. Maintenance:

- There are typically several site visits per year to maintain the system;
- No employees will be permanently located on-site;
- The site will be remotely monitored;
- Typically, Nexamp relies on rainfall to clean the panel surfaces. As such, it is not anticipated chemicals for cleaning the solar panels will be used, stored or disposed of on this site;
- Typically, any snowfall will slide off the panels. Therefore, we do not anticipate any snow removal unless necessary.

On behalf of Beecher Road Solar, LLC we thank you in advance for your consideration of our request for approval. We look forward to review of our submittal at the next Community Development meeting and Planning & Zoning Commission meetings. In the interim, please contact us with any questions regarding our submittal or if any additional information is required.

Sincerely,

Matt Kwiatkowski
Business Development Manager
P: 317-760-3190
E: MKwiatkowski@nexamp.com

PATRICIA A BAKALA
10711 CORNEILS RD
PLANO IL 60545

JOHN MEYER
90 SHORE DR
OGDEN DUNES IN 463681007

MCARTHUR JOAN TR MCARTHUR JAMES B VIRGINIA TR
10417 CORNEIL RD
PLANO IL 60545

VAN THOMPSON CHARLES WALLIS LARRY A
55 LANE 140B LAKE GEORGE
FREMONT IN 46737

JOHN MEYER
90 SHORE DR
OGDEN DUNES IN 463681007

GARY BETTY BENNETT
10791 CORNEILS RD
PLANO IL 60545

JOHN MEYER
90 SHORE DR
OGDEN DUNES IN 463681007

VAN THOMPSON CHARLES WALLIS LARRY A
55 LANE 140 B LAKE GEORGE
FREMONT IN 46737

ROSENWINKEL FAMILY TRUST ET AL
JOHN ROSENWINKEL
10735 CHICAGO RD
WATERMAN IL 60556

LORIE P TESKA
1 ROYAL OAKS CT
BRISTOL IL 60512

ROSENWINKEL FAMILY TRUST ET AL 501
JOHN ROSENWINKEL
10735 CHICAGO RD
WATERMAN IL 60556

PATRICIA A BAKALA
10711 CORNEILS RD
PLANO IL 60545

CHARLES R JULIE E BENNETT
10907 CORNEILS RD
PLANO IL 60545

LARRY WALLIS NELSON LAND COMPANY
55 LANE 140 B
LAKE GEORGE
FREMONT IN 46737

CHARLES R JULIE E BENNETT
10907 CORNEILS RD
PLANO IL 60545

GARY L BETTY S BENNETT
10791 CORNIELS RD
PLANO IL 60545

GARY BETTY BENNETT
10791 CORNEILS RD
PLANO IL 60545

ROSENWINKEL FAMILY TRUST ET AL 501
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10711 CORNEILS RD
PLANO IL 60545

GARY L BETTY S BENNETT
10791 CORNIELS RD
PLANO IL 60545

MCARTHUR JOAN TR MCARTHUR JAMES B VIRGINIA TR
10417 CORNEIL RD
PLANO IL 60545

JOHN MEYER
90 SHORE DR
OGDEN DUNES IN 463681007

CHICAGO WB INVESTORS LLC
c/o SAM ZABALA
315 FLATBUSH AVE 302
BROOKLYN NY 11217

GARY BETTY BENNETT
10791 CORNEILS RD
PLANO IL 60545

JOHN MEYER
90 SHORE DR
OGDEN DUNES IN 463681007

SCOTT BRUMMEL BRUMMEL REALTY TEQUILA SUNRISE ENTERPRISES LLC
1107 S BRIDGE ST STE D
YORKVILLE IL 60560

GARY BETTY BENNETT
10791 CORNEILS RD
PLANO IL 60545

PATRICIA A BAKALA
10711 CORNEILS RD
PLANO IL 60545

LARRY WALLIS NELSON LAND COMPANY
55 LANE 140 B
LAKE GEORGE
FREMONT IN 46737

Property Information

Parcel Number
02-08-300-008

Tax Year
2023 (Payable 2024)

Sale Status
None

Property Class
0011 - HOMESITE-DWELLING

Net Taxable Value
169,338

Township
Bristol Township

Tract Number

Site Address
10791 CORNEILS RD
PLANO, IL 60545

Neighborhood Code

Tax Code
BR001 -

Tax Rate
8.202910

Acres
47.1859

Lot Size

Owner Name & Address
BENNETT, GARY & BETTY
10791 CORNEILS RD
PLANO, IL, 60545

Land Use

Tax Status
Taxable

Total Tax
$14,126.40

Mailing Address

TIF Base Value
0

Legal Description
SEC.17-37-7 DOC.87-1552

Assessments

Level	Homesite	Dwelling	Farm Land	Farm Building	Mineral	Total
DOR Equalized	13,000	137,788	21,550	8,000	0	180,338
Department of Revenue	13,000	137,788	21,550	8,000	0	180,338
Board of Review Equalized	13,000	137,788	21,550	8,000	0	180,338
Board of Review	13,000	137,788	21,550	8,000	0	180,338
S of A Equalized	13,000	137,788	21,550	8,000	0	180,338
Supervisor of Assessments	13,000	137,788	21,550	8,000	0	180,338
Township Assessor	13,000	137,788	21,550	8,000	0	180,338
Prior Year Equalized	13,000	137,788	21,550	8,000	0	180,338

Billing

	1st Installment (Due 06/11/2024)	2nd Installment (Due 09/11/2024)	Totals
Tax Billed	$6,945.32	$6,945.32	$13,890.64
Penalty Billed	$0.00	$0.00	$0.00
Cost Billed	$0.00	$0.00	$0.00
Fees/Liens/SSA Billed	$117.88	$117.88	$235.76
Total Billed	$7,063.20	$7,063.20	$14,126.40
Amount Paid	$7,063.20	$0.00	$7,063.20
Total Unpaid	**$0.00**	**$7,063.20**	**$7,063.20**
Paid By	**BENNETT, GARY & BETTY**		
Date Paid	**6/11/2024**		

No Forfeiture Information

Exemptions

Exemption Type	Requested Date	Granted Date	Renewal Date	Prorate Date	Requested Amount	Granted Amount
Owner Occupied	3/30/2010	3/30/2010	2/16/2023		6,000	6,000
Senior Citizen	2/24/2015	2/24/2015	2/16/2023		5,000	5,000

Farmland

Land Type	Acres	EAV
HOMESITE	1.8586	0
CROPLAND	41.5251	21,310
OTHER FARMLAND	3.4766	240
PUBLIC ROAD	0.3256	0
Totals	**47.1859**	**21,550**

Click to open Farmland Details

No Genealogy Information

Related Names

Parcel Owner BENNETT, GARY & BETTY
10791 CORNEILS RD
PLANO, IL, 60545

Mailing Flags Tax Bill, Change Notice, Delinquent Notice, Exemption Notice

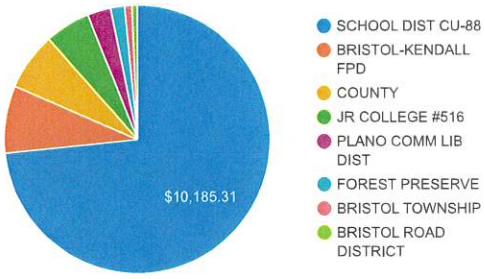
Sales History

Year	Document #	Sale Type	Sale Date	Sold By	Sold To	Gross Price	Personal Property	Net Price
2023	202300008467		10/24/2022	GARY & BETTY BENNET	UNITED CITY OF YORKVILLE	$12,500.00	$0.00	$12,500.00
2023	202300008468		10/24/2022	GARY & BETTY BENNET	UNITED CITY OF YORKVILLE	$12,500.00	$0.00	$12,500.00

No Redemptions

Taxing Bodies

District	Tax Rate	Extension
SCHOOL DIST CU-88	6.014780	$10,185.31
BRISTOL-KENDALL FPD	0.671570	$1,137.22
COUNTY	0.567050	$960.22
JR COLLEGE #516	0.451510	$764.58
PLANO COMM LIB DIST	0.227420	$385.11
FOREST PRESERVE	0.142570	$241.43
BRISTOL TOWNSHIP	0.074290	$125.80
BRISTOL ROAD DISTRICT	0.053720	$90.97
TOTAL	**8.202910**	**$13,890.64**



Property Information

Parcel Number
02-08-300-012

Site Address

Owner Name & Address
BENNETT, GARY L & BETTY S
10791 CORNIELS RD
PLANO, IL, 60545

Tax Year
2023 (Payable 2024)

Sale Status
None

Neighborhood Code

Land Use

Property Class
0021 - FARMLAND

Tax Code
BR001 -

Tax Status
Taxable

Net Taxable Value
12,560

Tax Rate
8.202910

Total Tax
$1,139.80

Township
Bristol Township

Acres
21.9399

Mailing Address

Tract Number

Lot Size

TIF Base Value
0

Legal Description
SEC 8 & 17-37-7 23.58 ACS DOC 89-2491 PT SW SEC 8-37-7 & PT NW SEC 17-37-7 LYG N OF RD

Assessments

Level	Homesite	Dwelling	Farm Land	Farm Building	Mineral	Total
DOR Equalized	0	0	12,560	0	0	12,560
Department of Revenue	0	0	12,560	0	0	12,560
Board of Review Equalized	0	0	12,560	0	0	12,560
Board of Review	0	0	12,560	0	0	12,560
S of A Equalized	0	0	12,560	0	0	12,560
Supervisor of Assessments	0	0	12,560	0	0	12,560
Township Assessor	0	0	12,560	0	0	12,560
Prior Year Equalized	0	0	11,770	0	0	11,770

Billing

	1st Installment (Due 06/11/2024)	2nd Installment (Due 09/11/2024)	Totals
Tax Billed	$515.15	$515.15	$1,030.30
Penalty Billed	$0.00	$0.00	$0.00
Cost Billed	$0.00	$0.00	$0.00
Fees/Liens/SSA Billed	$54.75	$54.75	$109.50
Total Billed	$569.90	$569.90	$1,139.80
Amount Paid	$569.90	$0.00	$569.90
Total Unpaid	**$0.00**	**$569.90**	**$569.90**
Paid By	**BENNETT, GARY L & BETTY S**		
Date Paid	**6/11/2024**		

No Forfeiture Information

No Exemptions

Farmland

Land Type	Acres	EAV
CROPLAND	18.6696	12,330
OTHER FARMLAND	2.3796	190
WASTELAND - CONTRIB	0.8793	40
PUBLIC ROAD	0.0114	0
Totals	**21.9399**	**12,560**

Click to open Farmland Details

No Genealogy Information

Related Names

Parcel Owner BENNETT, GARY L & BETTY S
10791 CORNIELS RD
PLANO, IL, 60545

Mailing Flags Tax Bill, Change Notice, Delinquent Notice, Exemption Notice

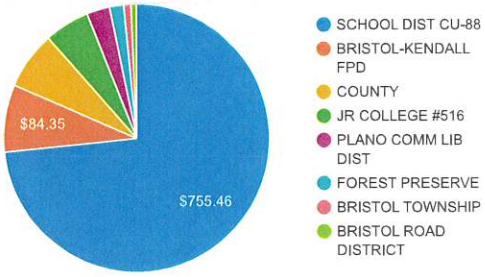
Sales History

Year	Document #	Sale Type	Sale Date	Sold By	Sold To	Gross Price	Personal Property	Net Price
2023	202300008467		10/24/2022	GARY & BETTY BENNET	UNITED CITY OF YORKVILLE	$12,500.00	$0.00	$12,500.00
2023	202300008468		10/24/2022	GARY & BETTY BENNET	UNITED CITY OF YORKVILLE	$12,500.00	$0.00	$12,500.00
2000	2000-3689	Deed	3/1/2000	KRESL, DORCAS A	BENNETT, GARY L & BETTY S	$68,500.00	$0.00	$68,500.00

No Redemptions

Taxing Bodies

District	Tax Rate	Extension
SCHOOL DIST CU-88	6.014780	$755.46
BRISTOL-KENDALL FPD	0.671570	$84.35
COUNTY	0.567050	$71.23
JR COLLEGE #516	0.451510	$56.71
PLANO COMM LIB DIST	0.227420	$28.56
FOREST PRESERVE	0.142570	$17.91
BRISTOL TOWNSHIP	0.074290	$9.33
BRISTOL ROAD DISTRICT	0.053720	$6.75
TOTAL	**8.202910**	**$1,030.30**



ONE COMPANY.
INFINITE SOLUTIONS.

October 31, 2024

Ms. Sara Mendez, Planner I
United City of Yorkville
Community Development
651 Prairie Pointe
Yorkville, IL 60560

RE: PZC 2024-22 Beecher Road Solar, LLC (Expansion) – Solar Farm
Special Use and Variance

Atwell, LLC Project No. 24003183

Ms. Mendez,

Atwell, LLC is in receipt of City of Yorkville's Review Comments from the Planner, EEI's and Hey and Associate's as provided in the Memorandum, dated October 16, 2024, and reviewed in the Plan Council Meeting on October 24, 2024. regarding their review of the submittal made for the proposed Beecher Solar, LLC project at 10791 Cornelis Road, Yorkville Illinois. We have revised the plans according to those comments, and we offer the following responses.

City of Yorkville Planner I (Sara Mendez) Comments:

Comment 1: *The petitioner shall provide staff with a written response of the operations phase of the lease for the proposed solar farm project.*

Response: ***The Operations and Maintenance Plan was submitted to Sara on October 30th but Matt Kwiatkowski via email.***

Comment 2: The solar panels appear to encroach into the required front (south) yard setback. The minimum distance required for the front (south) yard is 1000 feet. The petitioner has filed a variance request to maintain 482 feet from the front (south) setback.

Response: ***This comment has been acknowledged.***

Comment 3: Staff notes the approved Corneils Road Solar project, in addition to the proposed solar farm on parcel number #02-08-300-008, may exceed the allowed 80% occupancy for a solar farm use in the A-1 Agricultural District. Staff requests that the petitioner verify the total acreage occupied by the solar farm use for each parcel (#02-08-300-008, #02-08-300-012, and #02-08-300-011) associated with the approved Corneils Road Solar project.

Response: ***An exhibit detailing out these areas have been provided with this submission. In addition, this computation has been provided on Sheet C-200.***

Comment 4: Staff requests the petitioner provide a viewshed from angles around the solar farm which illustrate how far away the panels will be from the public right-of-way (Corneils Road).

Response: ***This exhibit will be provided for the meeting on November 6th.***

Comment 5: Staff requests the petitioner provide the total linear foot perimeter that the fence will enclose. A Knox box and keys shall be provided to the City's building department and Bristol Kendall Fire District (BKFD).

Response: ***The total linear footage of the perimeter fence is 4,157 feet. This has been added to the site date table on Sheet C-200. A note for the knox-box has been added to the access point on sheet C-200 and to the Chain Link fence detail on sheet C-500.***

Comment 6: In addition to the decommissioning plan narrative, a construction estimate for the life of the lease must be provided with a 3% annual inflation rate which must be reviewed and approved by the City Engineer.

Response: ***A Decommissioning with the 3% annual inflation rate has been provided with this submission.***

Comment 7: Staff notes the acreage for the approved Corneils Road Solar in addition to the proposed solar farm would be greater than the primary agricultural use for parcel #02-08-300-008. Staff requests that the petitioner verify the total acreage occupied by the solar farm use for each parcel (#02-08-300-008, #02-08-300-012, and #02-08-300-011) associated with the approved Corneils Road Solar project.

Response: ***An exhibit detailing out these areas have been provided with this submission. In addition, this computation has been provided on Sheet C-200.***

EEI Review Comments:

Comment 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 is required. The Notice of Intent must be filed with IEPA 30 days prior to start of construction.*
- *Stormwater permit application in accordance with the Yorkville Storm Water Management Ordinance*
- *IDNR for work in the floodway*

Response: **Acknowledged, the listed permits will be obtained with the Final Engineering Plans.**

Comment 2: *Since the project is a non-residential development on more than 3 acres it must meet the stormwater detention requirements per the Stormwater Ordinance. In addition, solar farms can follow the guidance of the "Detention Requirements for Solar Developments" memo dated 7/10/2024. A stormwater management report should be submitted.*

Response: **Per the threshold outlined in the memo, the proposed project proposes 0.47 acres (20,629 SF) of new impervious area which is below the 32,00 SF threshold for detention. The project "development area" is less than the 45,000 SF threshold as well. Thus, detention is not required.**

Comment 3: *Any impacts to wetlands should be designed in accordance with the United City of Yorkville's Wetland Protection Regulations.*

Response: **Acknowledged, the property will be developed in accordance with the City of Yorkville's Wetland Protection Regulations.**

Comment 4: *A field tile survey will be required.*

Response: **Acknowledged, a drain tile survey will be provided with final engineering permits.**

Comment 5: *A portion of the site is in the floodplain of Rob Roy Creek. The property will have to be developed in accordance with the floodplain provisions of the City's stormwater ordinance.*

Response: **Acknowledged, the property will be developed in accordance with the floodplain provisions of the City's stormwater ordinance.**

Comment 6: *A portion of the site is in the floodway of Rob Roy Creek. Any work in the floodway will require a permit from IDNR. Since solar fields do not fit the conditions of a statewide permit, an individual permit would likely be needed.*

Response: **An IDNR permit will be obtained with Final Engineering Plans.**

Comment 7: *No solar equipment will be allowed within existing sanitary sewer easements.*

Response: **No solar equipment is proposed within the existing sanitary sewer easements.**

Comment 8: *The decommissioning bond or letter of credit will need to be 120°/» of the approved estimate.*

Response: **A draft of the decommissioning estimate based on the SUP plans has been provided with this submittal. A final estimate and bond/letter of credit will be provided with final the final engineering plans.**

Comment 9: *It is our understanding that the annexation will include portions of Corneils Road, therefore a 40' right-of- way dedication will be required. In addition, Corneils Road is currently not constructed to City standards and per code, improvements will be required. In place of constructing the improvements, the developer may choose to pay the value of the roadway improvements to the city. We have completed a cost estimate for the section of roadway across the frontage of the development. The total cost is estimated to be $482,210. Therefore the amount due for this development would be half of the total or $241,105.*

Response: **Acknowledged, this will be provided with Final Engineering.**

Comment 10: *We have provided the landscaping plans to the City's landscaping consultant and comments will be forwarded when available*.

Response: **Acknowledged.**

Comment 11: The following will need to be submitted with Final Engineering Plans:

a) Additional information as shown in the provided checklist.
b) Truck turning exhibits for delivery and emergency vehicles.
c) Photometric plan
d) Decommissioning cost estimate
e) Stormwater management submittal

Response: **Acknowledged. The decommissioning cost estimate for the SUP plans has been provided with the submittal. No lighting is proposed. All other information will be provided with Final Engineering Plans.**

Hey and Associates, Inc Review Comments:

Comment 1: *For reasons described below, this landscape plan is not recommended for approval at this time. Wetland comments are also included. A response letter from the petitioner which addresses all review comments should be provided with their next submittal.*

Response: **Acknowledged.**

Comment 2: *The reviewed plans were largely illegible due to small size and low resolution. 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).*

Response: **A detailed view of the proposed landscaping has been provided. Please note that the PDF file being submitted from our end is legible. If they appear to be illegible on your end, please reach out to us and we can provide a new PDF or a hard copy. There may be an issue with the file sizes.**

Comment 3: *Building Foundation Landscape Zone*
No buildings are proposed, so therefore building foundation landscape zone requirements do not apply.

Response: **Acknowledged.**

Comment 4: *Parking Area Perimeter Landscape Zone*
No off-street parking areas abut public or private right-of-way (excluding alleys), so therefore parking area perimeter landscape zone requirements do not apply.

Response: **Acknowledged.**

Comment 5: *Parking Area Interior Landscape Zone*
No off-street parking areas consisting of 10 or more spaces are proposed, so therefore parking area interior landscape zone requirements do not apply.

Response: **Acknowledged.**

Comment 6: *Transition Zone*
Because adjacent land use is agricultural, transition zone requirements do not apply.

Response: **Acknowledged.**

Comment 7: *Species Diversity Requirement*
The landscape plan indicates a "Pollinator Friendly Seed Mix" will be installed but is illegible.

Response: **The pollinator friendly seed mix has been enlarged for readability.**

Comment 8: *Tree Preservation and Removal*
No live tree with a 4" or greater DBH may be removed without approval. A review of Google Earth imagery reveals trees are present on the site throughout the creek corridor. It is not clear from the plans whether any trees are to be removed. A tree survey is required; tree replacement may also be required.
The landscape plan indicates a "Pollinator Friendly Seed Mix" will be installed but is illegible.

Response: **No trees along the corridor are proposed to be removed with the Beecher Solar project. The pollinator friendly seed mix has been enlarged for readability.**

Comment 9: *Street Trees*
Previous submittals included street tree plantings, but none are shown on the current plans.

Response: **Please reference the shade trees along Corneils Road. These are noted to be installed with the Corneils Solar project, but if they are not installed then they are to be installed with the Beecher development.**

Comment 10: *General*
The landscape plan indicates a "Pollinator Friendly Seed Mix" will be installed. A maintenance plan should abo be submitted describing how this landscape will be maintained to ensure that desired species become established, persist, and the area is not overtaken by weeds.

A Plant Schedule included on the Landscape Plan sheet C-400 indicates 39 evergreen trees and 195 shrubs are proposed, but these plantings were not found on the plan.

Response: **The pollinator friendly seed mix has been enlarged for readability. A Vegetation Management and Maintenance Plan will be provided with final engineering plans. A detail view of proposed landscaping layout is provided on Sheet C-401. The specific locations of the proposed species will be provided with final engineering plans.**

Comment 11: *Wetlands*
A valid wetland delineation and jurisdictional determination of the proposed project area are required.

A linear buffer along all watercourses is required. Buffer width shall be calculated per City or USACE requirements, whichever is more stringent.

Any impacts to wetlands or waters must be clearly identified on the plans. Additional comments may be provided after complete information is submitted.

Response: **A Wetland Determination/Delineation report has been provided with this submittal. We determined there are no wetlands located on site. An existing watercourse buffer is shown on sheet C-200 which is being avoided.**

We trust that these responses will satisfy the concerns outlined in your review letter. Should there be any additional questions or concerns, please contact me at (630) 281-8424.

Sincerely,
ATWELL, LLC

Micheal B. Keith, P.E.
Project Manager

BEECHER ROAD SOLAR, LLC

A 4.99 MW (AC) GROUND-MOUNTED SOLAR POWER GENERATING FACILITY

10791 CORNEILS ROAD
UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS

SPECIAL USE APPLICATION PLANS

DEVELOPMENT TEAM

PROJECT OWNER
NEXAMP, INC.
101 SUMMER STREET, SECOND FLOOR
BOSTON, MA 02110
PHONE: (617) 431-1440

APPLICANT/CONTRACTOR
BEECHER ROAD SOLAR, LLC
101 SUMMER STREET, SECOND FLOOR
BOSTON, MA 02110
PHONE: (317) 760-3190
CONTACT: MATT KWIATKOWSKI

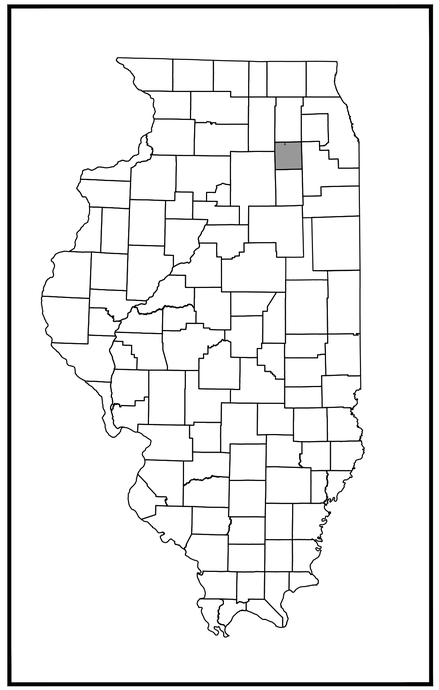
CIVIL ENGINEER/LANDSCAPE ARCHITECT/SURVEYOR
ATWELL, LLC
1250 EAST DIEHL ROAD, SUITE 300
NAPERVILLE, IL 60563
PHONE: (630) 577-0800
FAX: (630) 577-0900
CONTACT: MICHAEL KEITH, P.E.

GOVERNING AGENCIES CONTACTS

PLANNING
UNITED CITY OF YORKVILLE
651 PRARIE POINTE DRIVE
YORKVILLE, IL 60560
(630) 553-8573
CONTACT: KRYSTI BARKSDALE-NOBLE

EROSION & SEDIMENTATION
KENDALL COUNTY SOIL & WATER CONSERVATION DISTRICT
7775A ROUTE 47
YORKVILLE, IL 60560
(630) 553-5821 X 3
CONTACT: JULIE BROWN

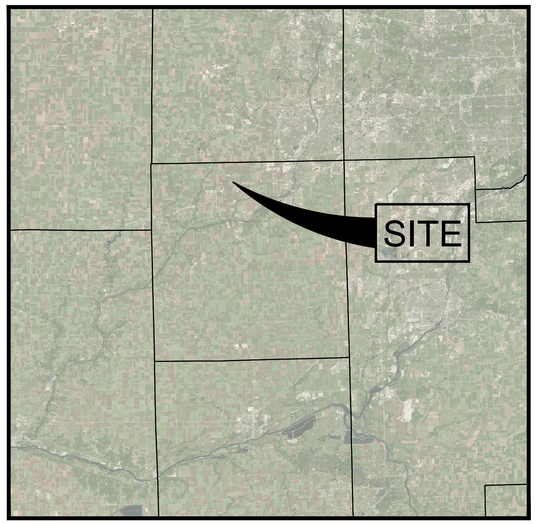
HIGHWAY
UNITED CITY OF YORKVILLE ENGINEERING DEPARTMENT
651 PRAIRIE POINTE DRIVE
YORKVILLE, ILLINOIS, 60560
(630) 466-6700



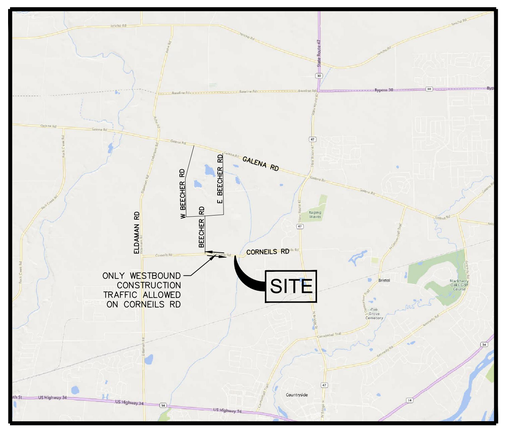
ILLINOIS
NOT TO SCALE

SHEET INDEX

C-000 COVER SHEET
C-100 EXISTING CONDITIONS PLAN
C-200 SITE LAYOUT PLAN
C-300 STORMWATER MANAGEMENT PLAN
C-400 LANDSCAPE PLAN
C-401 DETAILED LANDSCAPE PLAN
C-500 STANDARD DETAILS



KENDALL COUNTY
NOT TO SCALE



VICINITY MAP
SCALE: 1" = 5000'

nexamp
101 Summer Street, 2nd Flr, Boston, MA 02110
Tel: (617) 431-1440 Fax: (978) 416-2525 Web: nexamp.com

ATWELL
866.850.4200 www.atwell-group.com
1250 EAST DIEHL ROAD, SUITE 300
NAPERVILLE, IL 60563
DESIGN FIRM #184-005878

Rev	Issued For	Date
A	CLIENT REVIEW SET	06/26/24
B	CLIENT REVIEW SET	8/12/24
C	CLIENT REVIEW SET	9/13/24
D	REV PER CITY OF YORKVILLE COMMENTS	10/30/24

P.E. seal/Consultant:

Project:
BEECHER ROAD SOLAR, LLC
SPECIAL USE APPLICATION PLANS
10791 CORNEILS ROAD
UNITED CITY OF YORKVILLE, KENDALL COUNTY, IL

Drawing Title:
COVER SHEET

Drawn by: LEH | Scale: As Noted | Approved by: MBK

Dwg No: C-000 | Size: ARCH D | Sheet Rev: D

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CAD FILE: 240031830-000-CV.DWG

LEGEND

- BOUNDARY LINE
- EXISTING ROW
- BOUNDARY ADJACENT LINE
- EXISTING EASEMENT LINE
- EXISTING SETBACK LINE
- EXISTING CONTOUR (640 / 642)
- EXISTING PAVEMENT
- EXISTING GRAVEL
- EXISTING STORM SEWER
- EXISTING OVERHEAD ELECTRIC (OHE)
- EXISTING OVERHEAD CABLE (OHTV)
- ROB ROY CREEK
- EXISTING FENCE (X)
- EXISTING WATERCOURSE CENTERLINE
- EXISTING WATERCOURSE EDGE
- EXISTING WETLAND BUFFER
- EXISTING VEGETATION LINE
- BASE FLOOD ELEVATION = 644.06 FT
- SECTION CORNER
- ○F FOUND IRON ROD
- ×F FOUND PK NAIL
- EXISTING SIGN
- EXISTING TREE
- EXISTING SANITARY MANHOLE
- EXISTING FLARED END SECTION
- □T EXISTING TELEPHONE RISER
- EXISTING ELECTRIC MARKER
- ○U.P. EXISTING UTILITY POLE
- EXISTING MAILBOX
- EXISTING ASPHALT
- EXISTING CONCRETE
- EXISTING BUILDING
- EXISTING GRAVEL
- APPROXIMATE FLOOD ZONE AE
- APPROXIMATE FLOODWAY

LEGAL DESCRIPTION PER NEAR NORTH TITLE GROUP AS ISSUING AGENT FOR CHICAGO TITLE INSURANCE COMPANY COMMITMENT NO. IL1808635--166, COMMITMENT DATE: SEPTEMBER 6, 2022 AT 7:00 A.M.

PARCEL 1:
THAT PART OF THE SOUTHWEST 1/4 OF SECTION 8 AND PART OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4; THENCE NORTH 00°09'48" EAST ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, 37.42 FEET; THENCE NORTH 88°28'22" EAST PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST 1/4, 272.68 FEET; THENCE NORTH 00°46'58" WEST, 200.71 FEET FOR A POINT OF BEGINNING; THENCE NORTH 00°52'50" WEST 1,057.46 FEET; THENCE NORTH 88°42'24" EAST, 857.86 FEET; THENCE NORTH 00°00'30" WEST, 375.0 FEET; THENCE NORTH 52°02'07" EAST, 315.0 FEET, THENCE NORTH 00°02'07" EAST, 800.0 FEET TO THE NORTH LINE OF SAID SOUTHWEST 1/4; THENCE NORTH 88°30'33" EAST, ALONG SAID NORTH LINE, 1,306.96 FEET TO THE CENTER OF SAID SECTION 8; THENCE SOUTH 00°04'03" EAST ALONG THE EAST LINE OF SAID SOUTHWEST 1/4, 1,609.56 FEET TO A POINT WHICH IS 1,044.12 FEET NORTHERLY OF THE SOUTHEAST CORNER OF SAID SOUTHWEST 1/4; THENCE SOUTH 59°25'57" WEST, 694.32 FEET; THENCE SOUTH 81°55'57" WEST, 349.80 FEET; THENCE SOUTH 51°55'57" WEST 280.50 FEET; THENCE SOUTH 39°55'57" WEST, 153.78 FEET; THENCE SOUTH 86°06'25" WEST, 38.0 FEET THENCE SOUTH 33°09'12" WEST, 343.0 FEET; THENCE SOUTH 16°38'23" WEST 379.0 FEET TO THE CENTER LINE OF CORNEILS ROAD; THENCE NORTH 85°20'25" WEST ALONG SAID CENTER LINE 596.0 FEET TO A LINE DRAWN SOUTH 00°21'50" EAST, PARALLEL WITH THE WEST LINE OF SAID NORTHWEST 1/4, FROM A POINT ON THE SOUTH LINE OF SAID SOUTHWEST 1/4 WHICH IS 475.50 FEET, NORMALLY DISTANT, EASTERLY OF THE WEST LINE OF SAID SOUTHWEST 1/4; THENCE NORTH 00°21'50" WEST ALONG SAID PARALLEL LINE, 194.89 FEET TO SAID SOUTH LINE; THENCE NORTH 00°09'48" EAST, PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST 1/4, 236.13 FEET TO A LINE DRAWN NORTH 89°02'55" EAST FROM THE POINT OF BEGINNING; THENCE SOUTH 89°02'55" WEST, 206.29 FEET TO A POINT OF BEGINNING; THENCE NORTH 00°52'50" WEST 1,057.46 FEET; THENCE NORTH 88°42'24" EAST, 857.86 FEET; THENCE NORTH 00°00'30" WEST, 375.0 FEET; THENCE NORTH 52°02'07" EAST, 315.0 FEET; THENCE NORTH 00°02'07" EAST, 800.0 FEET TO THE NORTH LINE OF SAID SOUTHWEST 1/4; THENCE NORTH 88°30'33" EAST, ALONG SAID NORTH LINE, 1,306.96 FEET TO THE CENTER OF SAID SECTION 8; THENCE SOUTH 00°04'03" EAST ALONG THE EAST LINE OF SAID SOUTHWEST 1/4, 1,609.56 FEET TO A POINT WHICH IS 1,044.12 FEET NORTHERLY OF THE SOUTHEAST CORNER OF SAID SOUTHWEST 1/4; THENCE SOUTH 59°25'57" WEST, 694.32 FEET; THENCE SOUTH 81°55'57" WEST, 349.80 FEET; THENCE SOUTH 51°55'57" WEST 280.50 FEET; THENCE SOUTH 39°55'57" WEST, 153.78 FEET; THENCE SOUTH 86°06'25" WEST, 38.0 FEET; THENCE SOUTH 33°09'12" WEST, 343.0 FEET; THENCE SOUTH 16°38'23" WEST 379.0 FEET TO THE CENTER LINE OF CORNEILS ROAD; THENCE NORTH 85°20'25" WEST ALONG SAID CENTER LINE 596.0 FEET TO A LINE DRAWN SOUTH 00°21'50" EAST, PARALLEL WITH THE WEST LINE OF SAID NORTHWEST 1/4, FROM A POINT ON THE SOUTH LINE OF SAID SOUTHWEST 1/4 WHICH IS 475.50 FEET, NORMALLY DISTANT, EASTERLY OF THE WEST LINE OF SAID SOUTHWEST 1/4; THENCE NORTH 00°21'50" WEST, ALONG SAID PARALLEL LINE, 194.89 FEET TO SAID SOUTH LINE; THENCE NORTH 00°09'48" EAST, PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST 1/4, 236.13 FEET TO A LINE DRAWN NORTH 89°02'55" EAST FROM THE POINT OF BEGINNING; THENCE SOUTH 89°02'55" WEST, 206.29 FEET

TO A POINT OF BEGINNING; EXCEPT THAT PART THEREOF LYING WESTERLY OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE SOUTHERNMOST SOUTHEAST CORNER OF THE ABOVE DESCRIBED TRACT; THENCE NORTH 85°20 25" WEST ALONG SAID CENTER LINE OF CORNEILS ROAD, 67.47 FEET FOR A POINT OF BEGINNING; THENCE NORTH 16°38'23" EAST, 402.58 FEET; THENCE NORTH 33°09'12" EAST, 449.42 FEET; THENCE NORTH 52°00'00" EAST, 398.62 FEET; THENCE NORTH 11°27'20" EAST, 559.64 FEET; THENCE NORTH 00°02'07" EAST, 634.19 FEET; THENCE NORTH 89°57'53" WEST, 430.60 FEET TO A WESTERLY LINE OF SAID TRACT; THENCE NORTH 00°02'07"EAST ALONG SAID WESTERLY LINE 725.68 FEET TO THE NORTH LINE OF SAID SOUTHWEST 1/4, AND EXCEPT THAT PART THEREOF LYINC NORTHERLY OF THE SOUTHERLY LINE OF THE NORTHERLY 812.20 FEET, MEASURED ALONG THE EASTERLY LINE, IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

SITE BOUNDARY, TOPOGRAPHY, AND ROAD INFORMATION ARE BASED ON ALTA/NSPS LAND TITLE AND TOPOGRAPHIC SURVEY PREPARED BY ATWELL, LLC DATED 02/19/2024 BASED ON ILLINOIS STATE PLANE COORDINATE – EAST ZONE. CONVERGENCE: –0.08684722 (DEGREES). SANITARY SEWER INVERTS ARE BASED ON A RECORD DRAWING BY ENGINEERING ENTERPRISES, INC. DATED 9/20/24 (INVERT ELEVATIONS ADJUSTED TO ATWELL SURVEYED RIM ELEVATIONS).

REGULATED WATERS OF THE U.S. LOCATIONS BASED ON WETLAND DELINEATION COMPLETED BY ATWELL, LLC. ON 08/09/2023 IN THE FIELD AND A WETLAND REPORT PREPARED BY ATWELL, LLC DATED 09/01/2023.THERE WERE NO WETLANDS IDENTIFIED ON SITE.

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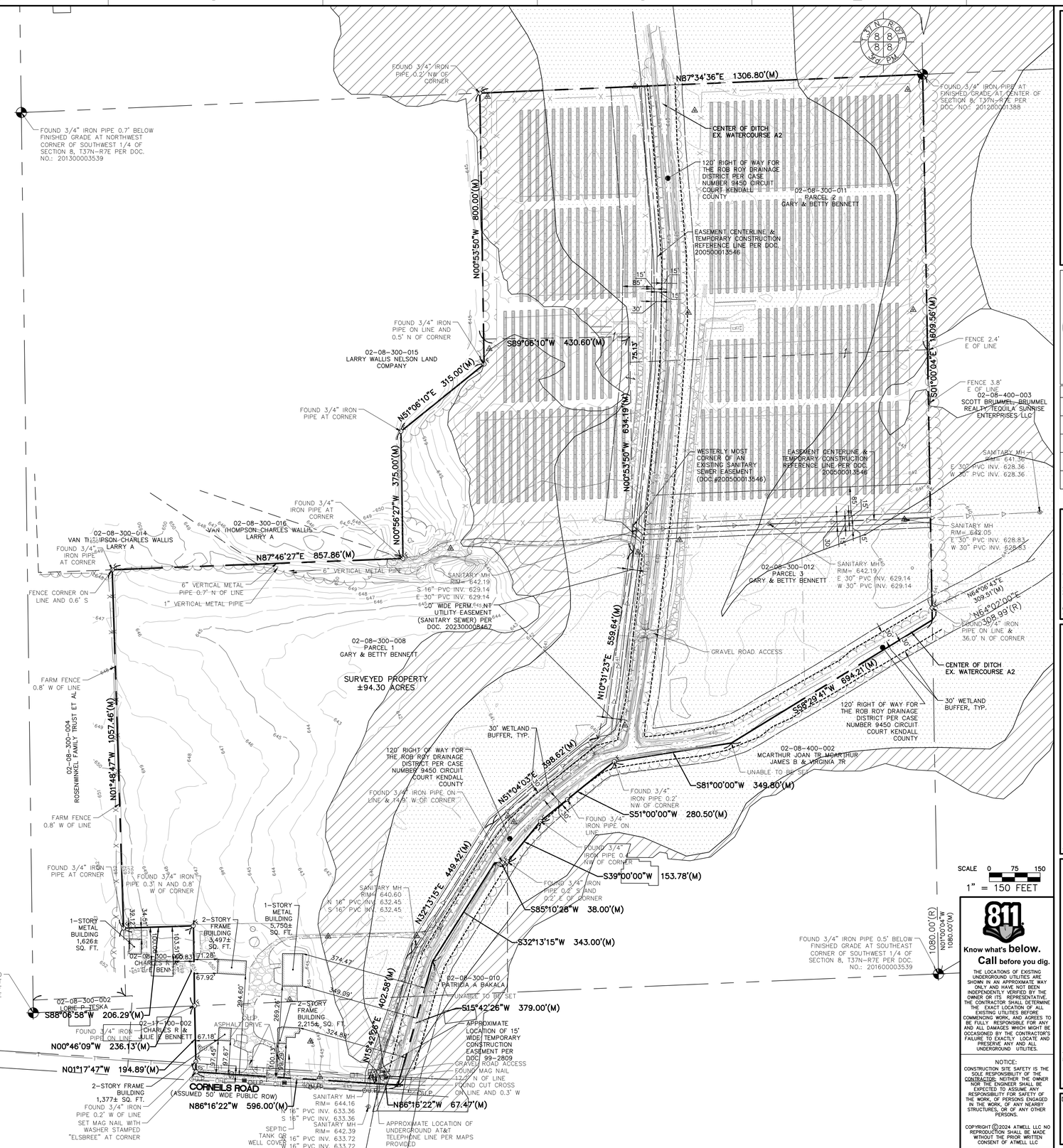
THE BASE FLOOD ELEVATION WAS IDENTIFIED IN THE CORNEILS STORMWATER REPORT BY ATWELL, LLC DATED 3/22/24 AS 644.06 FT



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NOTICE:
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DESIGN FIRM #184-005878

Rev	Issued For	Date
A	CLIENT REVIEW SET	06/26/24
B	CLIENT REVIEW SET	8/12/24
C	CLIENT REVIEW SET	9/13/24
D	REV PER CITY OF YORKVILLE COMMENTS	10/30/24

P.E. seal/Consultant:

Project:
BEECHER ROAD SOLAR, LLC
SPECIAL USE APPLICATION PLANS
10791 CORNEILS ROAD
UNITTED CITY OF YORKVILLE,
KENDALL COUNTY, IL

Drawing Title:
EXISTING CONDITIONS PLAN

Drawn by: LEH | Scale: As Noted | Approved by: MBK

Dwg No: C-100 | Size: ARCH D | Sheet Rev: D

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CAD FILE: 240031830--100-EC.DWG

LEGEND

- BOUNDARY LINE
- EXISTING ROW
- BOUNDARY ADJACENT LINE
- BUILDING SETBACK LINE
- EXISTING EASEMENT LINE
- PROPOSED EASEMENT LINE
- EXISTING PAVEMENT
- EXISTING GRAVEL
- PROPOSED GRAVEL ACCESS DRIVE
- EXISTING FENCE
- PROPOSED FENCE
- EXISTING WATERCOURSE CENTERLINE
- EXISTING WATERCOURSE EDGE
- EXISTING WETLAND BUFFER
- EXISTING OVERHEAD ELECTRIC LINE
- PROPOSED OVERHEAD ELECTRIC LINE
- PROPOSED UNDERGROUND ELECTRIC LINE
- EXISTING STORM SEWER
- PROPOSED STORM SEWER
- LIMITS OF DISTURBANCE
- EXISTING UTILITY POLE
- PROPOSED UTILITY POLE
- PROPOSED GRAVEL ACCESS DRIVE
- PROPOSED HMA ACCESS ROAD
- EXISTING GRAVEL
- APPROXIMATE FLOOD ZONE AE
- APPROXIMATE FLOODWAY

SITE DATA

PIN: 02-08-300-008 AND 02-08-300-012
JURISDICTION: KENDALL COUNTY
ZONING DISTRICT: A1-SU (AGRICULTURAL SPECIAL USE DISTRICT)
CURRENT LAND USE: AGRICULTURAL
PARCEL AREA: ± 94.30 ACRES
FEMA FLOOD HAZARD: ZONE X PER FIRM MAP(S) #17093C0030G DATED 02/04/2009

SOLAR SETBACKS	REQUIRED	PROVIDED
FRONT (SOUTH) *	1000'	482.7'
SIDE (EAST)	50'	194.9'
SIDE (WEST)	50'	75.9'
REAR (NORTH)	50'	84.9'
MINIMUM PANEL CLEARANCE ** (FROM GROUND TO BOTTOM EDGE)	10'	
MAXIMUM ALLOWABLE HEIGHT	30'	

SITE DATA	
SITE AREA (ALL 3 PARCELS)	94.30 AC
FENCED AREA (BEECHER)	23.6 AC
FENCED AREA (CORNEILS)	31.5 AC
TOTAL LOT OCCUPANCY %	58.4%
FENCE LENGTH (BEECHER)	4157 LF
LIMITS OF DISTURBANCE	27.8 AC
TRACKER MOTORS	121

SETBACK REQUIREMENTS ARE FOR SOLAR PANELS AND EQUIPMENT PAD, FENCES ARE EXCLUDED.

- * VARIANCE IS BEING REQUESTED FOR THE 1000' SETBACK AND THE MINIMUM PANEL CLEARANCE.
- ** VARIANCE IS BEING REQUESTED TO DECREASE THE MINIMUM CLEARANCE.

GENERAL NOTES

1. THE CONTRACTOR SHALL MAKE ALL NECESSARY CONSTRUCTION NOTIFICATIONS AND APPLY FOR AND OBTAIN ALL NECESSARY CONSTRUCTION PERMITS. THE CONTRACTOR SHALL ALSO PAY ALL FEES AND POST ALL BONDS ASSOCIATED WITH THE SAME, AND COORDINATE WITH THE ENGINEER AND ARCHITECT AS REQUIRED.
2. CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR JOB SITE SAFETY AND ALL CONSTRUCTION MEANS AND METHODS.
3. LIMITS OF WORK SHALL BE EROSION CONTROL BARRIERS AS INDICATED ON DRAWINGS.
4. ANY ALTERATION TO THESE DRAWINGS MADE IN THE FIELD DURING CONSTRUCTION SHALL BE RECORDED BY THE CONTRACTOR ON RECORD DOCUMENTS.
5. ANY AREA OUTSIDE THE LIMIT OF WORK THAT IS DISTURBED SHALL BE RESTORED TO ITS ORIGINAL CONDITION AT NO COST TO OWNER.
6. EXISTING TREES AND SHRUBS OUTSIDE THE FENCE LINE SHALL NOT BE CLEARED, UNLESS OTHERWISE NOTED. ALL EXISTING VEGETATION INSIDE FENCE LINE SHALL BE CLEARED AND GRUBBED.
7. FOR DRAWING LEGIBILITY, ALL EXISTING TOPOGRAPHIC FEATURES, EXISTING UTILITIES, PROPERTY BOUNDARIES, EASEMENTS, ETC. MAY NOT BE SHOWN ON ALL DRAWINGS. REFER TO ALL REFERENCED DRAWINGS AND OTHER DRAWINGS IN THIS SET FOR ADDITIONAL INFORMATION.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR SUBMITTING, SECURING, AND COMPLIANCE WITH THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) CONSTRUCTION GENERAL PERMIT, AS ADMINISTERED BY THE STATE ENVIRONMENTAL PROTECTION AGENCY.

ZONING DISTRICT:

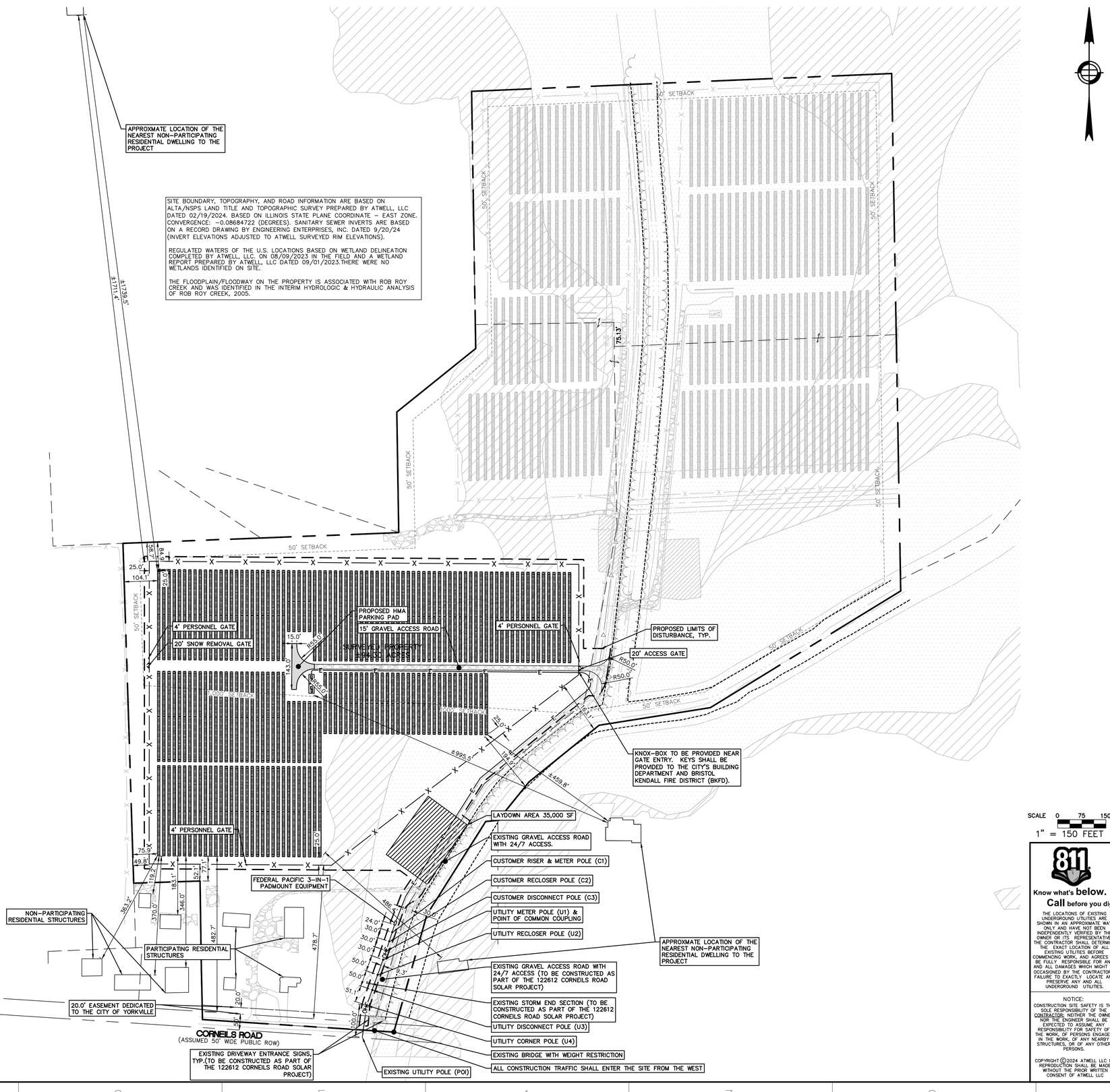
1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLIANCE WITH CONDITIONS THAT MAY BE PROMULGATED BY THE **CITY OF YORKVILLE COMMUNITY DEVELOPMENT DEPARTMENT, SOIL AND WATER CONSERVATION DISTRICT, AND MUNICIPAL AGENCIES.**

LAYOUT AND MATERIALS NOTES:

1. ALL LINES AND DIMENSIONS ARE PARALLEL OR PERPENDICULAR TO THE LINES FROM WHICH THEY ARE MEASURED UNLESS OTHERWISE INDICATED.
2. CONTRACTOR SHALL REPORT SIGNIFICANT CONFLICTS TO THE OWNER AND THE ENGINEER FOR RESOLUTION.
3. THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES BETWEEN SITE PLAN DIMENSIONS AND BUILDING PLANS BEFORE PROCEEDING WITH ANY PORTION OF SITE WORK WHICH MAY BE AFFECTED SO THAT PROPER ADJUSTMENTS TO THE SITE LAYOUT CAN BE MADE IF NECESSARY.
4. PROTECT EXISTING PROPERTY MONUMENTS AND ABUTTING PROPERTIES DURING CONSTRUCTION ACTIVITIES.

GRADING, DRAINAGE AND UTILITY NOTES:

1. UNDERGROUND UTILITIES WERE COMPILED FROM AVAILABLE RECORD PLANS OF UTILITY COMPANIES AND PUBLIC AGENCIES, ARE APPROXIMATE AND ASSUMED. BEFORE COMMENCING SITE WORK IN ANY AREA, CONTACT "811" OR EQUIVALENT AND THE OWNER TO ACCURATELY LOCATE UNDERGROUND UTILITIES. ANY DAMAGE TO EXISTING UTILITIES OR STRUCTURES SHALL BE THE CONTRACTOR'S RESPONSIBILITY. NO EXCAVATION SHALL BE DONE UNTIL UTILITY COMPANIES AND THE OWNER ARE PROPERLY NOTIFIED IN ADVANCE.
2. ALL SITE WORK SHALL MEET OR EXCEED THE SITE WORK SPECIFICATIONS TO BE PREPARED FOR THIS PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THAT THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS DO NOT CONFLICT WITH ANY KNOWN EXISTING OR OTHER PROPOSED IMPROVEMENTS. IF ANY CONFLICTS ARE DISCOVERED, THE CONTRACTOR SHALL NOTIFY THE OWNER AND THE ENGINEER PRIOR TO INSTALLATION OF ANY PORTION OF THE SITE WORK WHICH WOULD BE AFFECTED.
3. ALL WORK PERFORMED AND ALL MATERIALS FURNISHED SHALL CONFORM WITH THE LINES, GRADES AND OTHER SPECIFIC REQUIREMENTS OR SPECIFICATIONS FOR THE PROJECT AS SHOWN ON THE PLANS.
4. THE CONTRACTOR SHALL VERIFY EXISTING GRADES IN THE FIELD AND REPORT ANY DISCREPANCIES IMMEDIATELY TO THE ENGINEER. THE CONTRACTOR SHALL MAKE ALL ARRANGEMENTS FOR THE ALTERATION AND ADJUSTMENT OF GAS, ELECTRIC, TELEPHONE AND ANY OTHER PRIVATE UTILITIES BY THE UTILITY COMPANIES, AS REQUIRED. WHERE AN EXISTING UTILITY IS FOUND TO CONFLICT WITH THE PROPOSED WORK, THE LOCATION, ELEVATION AND SIZE OF THE UTILITY SHALL BE ACCURATELY DETERMINED WITHOUT DELAY BY THE CONTRACTOR, AND THE INFORMATION FURNISHED TO THE OWNER AND ENGINEER FOR RESOLUTION.
5. CONTRACTOR SHALL PROTECT ALL UNDERGROUND DRAINAGE, SEWER AND UTILITY FACILITIES FROM EXCESSIVE VEHICULAR LOADS DURING CONSTRUCTION. ANY DAMAGE TO THESE FACILITIES RESULTING FROM CONSTRUCTION LOADS WILL BE RESTORED TO ORIGINAL CONDITION.
6. THE CONTRACTOR SHALL REMOVE ALL NON-BIODEGRADABLE EROSION CONTROL BARRIERS AFTER RE-VEGETATION OF DISTURBED AREAS.
7. WETLANDS ARE TO REMAIN UNDISTURBED. NO ENCROACHMENT PERMITTED UNLESS NOTED ON PLANS.
8. PITCH EVENLY BETWEEN SPOT GRADES.
9. THE CONTRACTOR SHALL SCHEDULE WORK TO ALLOW THE FINISHED SUBGRADE ELEVATIONS TO DRAIN PROPERLY WITHOUT PONDING. SPECIFICALLY, ALLOW WATER TO ESCAPE WHERE PROPOSED CURB MAY RETAIN RUNOFF PRIOR TO APPLICATION OF THE FINISH SUBGRADE AND/OR SURFACE PAVING. PROVIDE TEMPORARY POSITIVE DRAINAGE AS REQUIRED.
10. EXISTING SITE SURFACE DRAINAGE PATTERNS WILL BE MAINTAINED.



SCALE 0 75 150
1" = 150 FEET

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DESIGN FIRM #184-005878

Rev	Issued For	Date
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D	REV PER CITY OF YORKVILLE COMMENTS	10/30/24

P.E. seal/Consultant:

Project:
BEECHER ROAD SOLAR, LLC
SPECIAL USE APPLICATION PLANS
10791 CORNEILS ROAD
UNITED CITY OF YORKVILLE,
KENDALL COUNTY, IL

Drawing Title:
SITE LAYOUT PLAN

Drawn by: LEH | Approved by: MBK | Scale: As Noted

Dwg No: C-200 | Size: ARCH D | Sheet Rev: D

CAD FILE: 240031B3C-200-LDWG

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LEGEND

- BOUNDARY LINE
- EXISTING ROW
- BOUNDARY ADJACENT LINE
- EXISTING EASEMENT LINE
- PROPOSED EASEMENT LINE
- EXISTING CONTOUR (640 / 642)
- EXISTING STORM SEWER
- LIMITS OF DISTURBANCE
- EXISTING WATERCOURSE CENTERLINE
- EXISTING WATERCOURSE EDGE
- EXISTING WETLAND BUFFER
- BASE FLOOD ELEVATION = 644.06 FT
- APPROXIMATE FLOOD ZONE AE
- APPROXIMATE FLOODWAY

SITE BOUNDARY, TOPOGRAPHY, AND ROAD INFORMATION ARE BASED ON ALTA/NSPS LAND TITLE AND TOPOGRAPHIC SURVEY PREPARED BY ATWELL, LLC DATED 02/19/2024. BASED ON ILLINOIS STATE PLANE COORDINATE – EAST ZONE. CONVERGENCE: –0.08684722 (DEGREES). SANITARY SEWER INVERTS ARE BASED ON A RECORD DRAWING BY ENGINEERING ENTERPRISES, INC. DATED 9/20/24 (INVERT ELEVATIONS ADJUSTED TO ATWELL SURVEYED RIM ELEVATIONS).

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THE BASE FLOOD ELEVATION WAS IDENTIFIED IN THE CORNEILS STORMWATER REPORT BY ATWELL, LLC DATED 3/22/24 AS 644.06 FT

SITE DATA TABLE	
TOTAL PROJECT AREA (ACRES)	94.3
TOTAL DISTURBED AREA (ACRES)	27.8
*EXISTING IMPERVIOUS AREA (ACRES)	0.03
*PROPOSED IMPERVIOUS AREA (ACRES)	0.47

*WITHIN LIMITS OF DISTURBED AREA

STORMWATER SUMMARY

- THE DRAINAGE AREA WILL NOT BE ALTERED BETWEEN THE EXISTING CONDITIONS AND THE PROPOSED CONDITIONS.
- DUE TO THE LARGE REDUCTION IN CURVE NUMBER BETWEEN THE EXISTING AND PROPOSED CONDITIONS USING FAVORABLE GROUND COVER PLANTINGS, THE PROPOSED RUNOFF WILL BE REDUCED; THUS, CAUSING NO NEGATIVE IMPACTS ON THE DOWNSTREAM TRIBUTARY AREAS.

EROSION CONTROL AND SEDIMENTATION NOTES:

1. AN EROSION CONTROL BARRIER SHALL BE INSTALLED AS INDICATED IN THE PLAN PRIOR TO THE COMMENCEMENT OF DEMOLITION OR CONSTRUCTION OPERATIONS.
2. CONTRACTOR SHALL MAINTAIN ALL EROSION CONTROL MEASURES DURING THE ENTIRE CONSTRUCTION PERIOD.
3. ANY SEDIMENT TRACKED ONTO PUBLIC RIGHTS–OF–WAY SHALL BE SWEPT AT THE END OF EACH WORKING DAY.
4. ALL STOCKPILE AREAS SHALL BE LOCATED WITHIN LIMIT OF WORK LINE AND STABILIZED TO PREVENT EROSION.
5. ALL DEBRIS GENERATED DURING SITE PREPARATION ACTIVITIES SHALL BE LEGALLY DISPOSED OF OFF–SITE.
6. SITE ELEMENTS TO REMAIN MUST BE PROTECTED FOR THE DURATION OF THE PROJECT.
7. ALL TOPSOIL ENCOUNTERED WITHIN THE LIMITS OF THE PROPOSED PERMANENT AND TEMPORARY GRAVEL ROADS, EQUIPMENT PAD AREA, AND AREAS OF CUT AND FILL SHALL BE STRIPPED AS NEEDED AND STOCKPILED FOR REUSE. EXCESS TOPSOIL SHALL BE DISPOSED OF ON SITE AS DIRECTED BY OWNER. TOPSOIL PILES SHALL REMAIN SEGREGATED FROM EXCAVATED SUBSURFACE SOIL MATERIALS.
8. ADDITIONAL EROSION CONTROL MEASURES SHALL BE IMPLEMENTED AS CONDITIONS WARRANT OR AS DIRECTED BY THE OWNER OR OWNER'S REPRESENTATIVE.
9. ALL POINTS OF CONSTRUCTION EGRESS OR INGRESS SHALL BE MAINTAINED TO PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC ROADS.
10. TEMPORARY DIVERSION DITCHES, PERMANENT DITCHES, CHANNELS, EMBANKMENTS, AND ANY DENUDED SURFACE WHICH WILL BE EXPOSED FOR AN EXTENDED PERIOD OF TIME SHALL BE STABILIZED AS REQUIRED.
11. SOIL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE INSPECTED AND MAINTAINED ON A DAILY BASIS DURING CONSTRUCTION TO ENSURE THAT CHANNELS, DITCHES, AND PIPES ARE CLEAR OF DEBRIS AND THAT THE EROSION CONTROL BARRIERS ARE IN TACT.
12. DUST SHALL BE CONTROLLED AS NEEDED BY SPRINKLING OR OTHER APPROVED METHODS AS NECESSARY, OR AS DIRECTED BY THE OWNER OR REPRESENTATIVE.
13. CARE SHALL BE EXERCISED SO AS TO PREVENT ANY UNSUITABLE MATERIAL FROM MIGRATING OUTSIDE THE LIMIT OF WORK.
14. ADDITIONAL EROSION CONTROL SHALL BE LOCATED AS CONDITIONS WARRANT OR AS DIRECTED BY THE OWNER OR REPRESENTATIVE.
15. CLEAN AND MAINTAIN EROSION CONTROL BARRIER AS REQUIRED DURING CONSTRUCTION OPERATIONS TO ENSURE ITS CONTINUED FUNCTIONALITY.
16. OVERALL SITE DEVELOPMENT WILL MAINTAIN EXISTING TOPOGRAPHY AND STORMWATER DRAINAGE PATTERNS.
17. THE OVERALL DEVELOPMENT WILL BE RE–SEEDED AS NEEDED TO DEVELOP A PERMANENT VEGETATIVE COVER AS INDICATED ON THE LANDSCAPE PLAN. COVER CROP OR OTHER TEMPORARY STABILIZATION WILL BE IMPLEMENTED IN THE INTERIM.
18. NO CONSTRUCTION ACTIVITIES, AS PART OF THE SITE DEVELOPMENT, SHALL OCCUR WITHIN ANY DELINEATED WETLANDS OR WETLAND BUFFERS, AS REQUIRED BY THE ILLINOIS DEPARTMENT OF NATURAL RESOURCES.

SOIL LEGEND

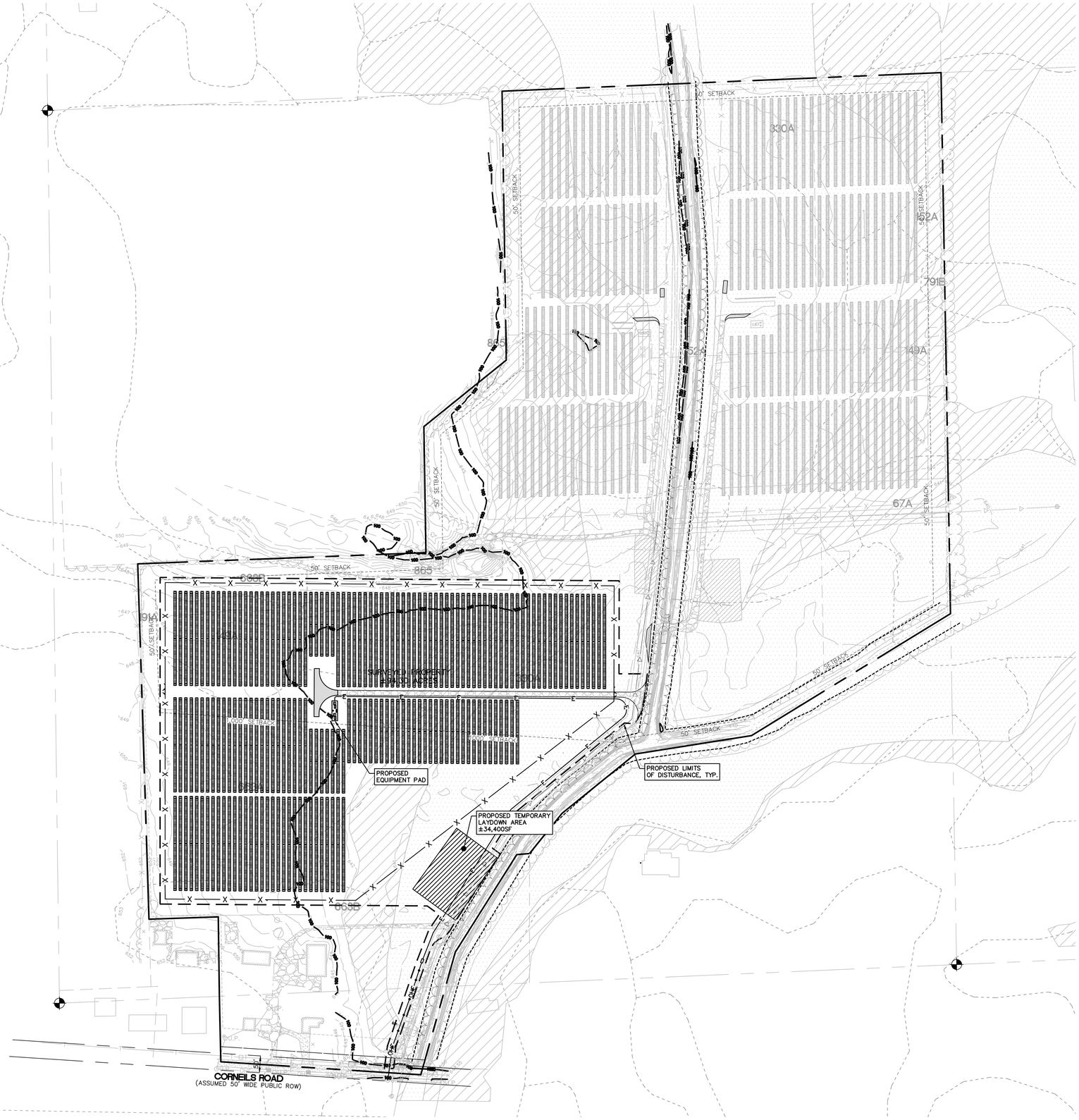
SOIL TYPE	SOIL NAME	SOIL RATING
149A	BRENTON SILT LOAM, 0 TO 2 PERCENT SLOPES	B/D
330A	PEOTONE SILTY CLAY LOAM, 0 TO 2 PERCENT SLOPES	C/D
663A	CLARE SILT LOAM, 0 TO 2 PERCENT SLOPES	C
663B	CLARE SILT LOAM, 2 TO 5 PERCENT SLOPES	C

EXISTING CURVE NUMBER (HYDROLOGIC SOIL GROUP B AND C WERE USED WHERE INDICATED)

SOIL RATING	COVER DESCRIPTION	CN (TR–55 TABLE 2–2)	AREA
B	ROW CROPS; STRAIGHT ROW (SR) GOOD	78	2.8
C	ROW CROPS; STRAIGHT ROW (SR) GOOD	85	24.9
–	STREETS AND ROADS; GRAVEL (W/ RIGHT–OF–WAY)	98	0.03
		COMBINED CN= **84**	

PROPOSED CURVE NUMBER (HYDROLOGIC SOIL GROUP B AND C WERE USED WHERE INDICATED)

SOIL RATING	COVER DESCRIPTION	CN (TR–55 TABLE 2–2)	AREA
B	BRUSH, GOOD	48	2.8
C	BRUSH, GOOD	65	24.5
–	STREETS AND ROADS; GRAVEL (W/ RIGHT–OF–WAY)	98	0.5
		COMBINED CN= **64**	



SCALE 0 75 150
1" = 150 FEET

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DESIGN FIRM #184-005878

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D	REV PER CITY OF YORKVILLE COMMENTS	10/30/24

P.E. seal/Consultant:

Project:
BEECHER ROAD SOLAR, LLC
SPECIAL USE APPLICATION PLANS
10791 CORNEILS ROAD
UNITED CITY OF YORKVILLE,
KENDALL COUNTY, IL

Drawing Title:
STORMWATER MANAGEMENT PLAN

Drawn by: LEH | Scale: As Noted | Approved by: MBK

Dwg No: C-300 | Size: ARCH D | Sheet Rev: D

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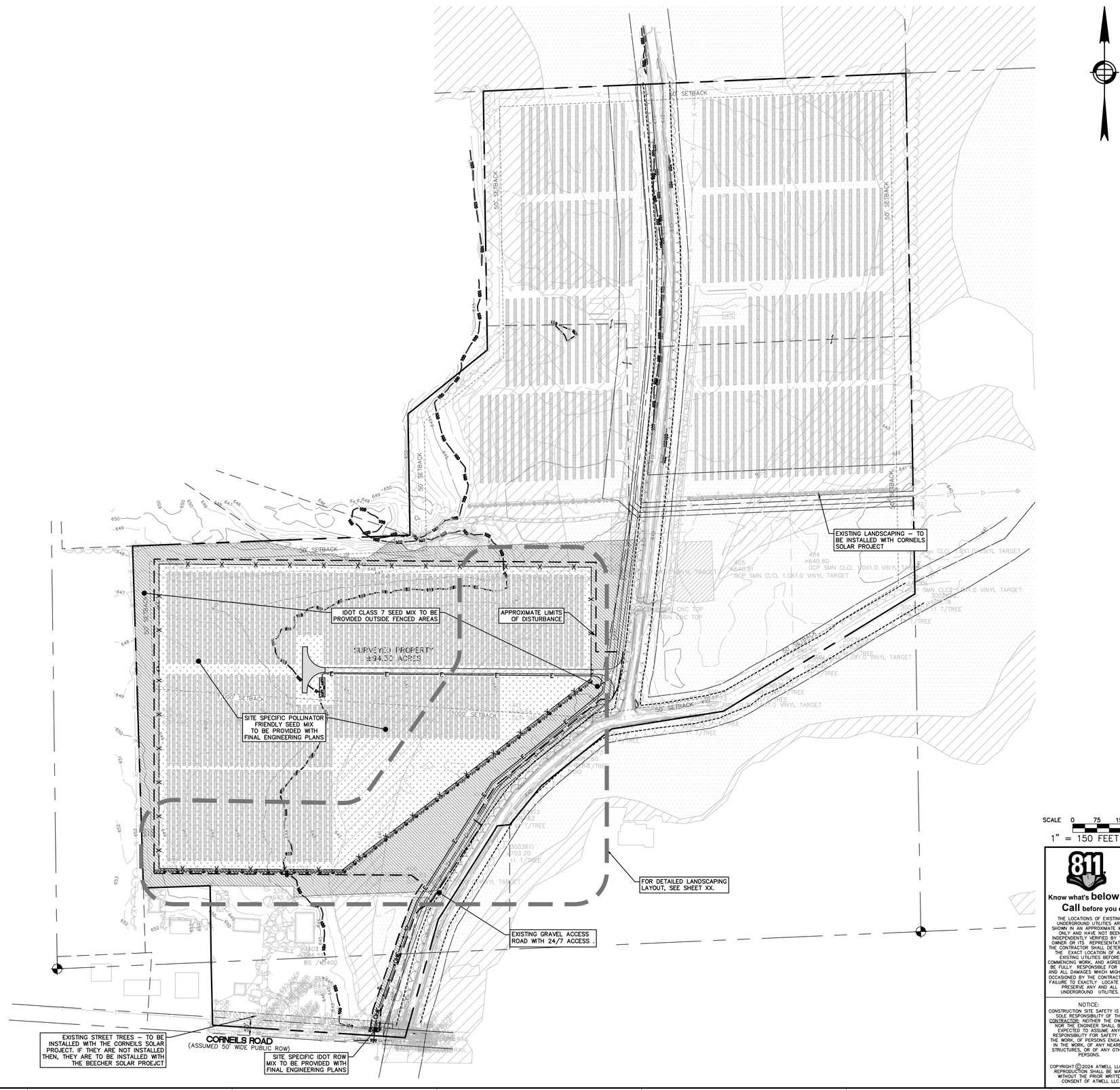
CAD FILE: 240031830-300-G.DWG

LEGEND

- BOUNDARY LINE
- BOUNDARY ADJACENT LINE
- EXISTING ROW
- EXISTING EASEMENT LINE
- PROPOSED EASEMENT LINE
- EXISTING WATERCOURSE CENTERLINE
- EXISTING WATERCOURSE EDGE
- EXISTING WETLAND BUFFER
- EXISTING CONTOUR
- EXISTING STORM SEWER
- EXISTING OVERHEAD ELECTRIC
- PROPOSED UNDERGROUND ELECTRIC
- PROPOSED OVERHEAD ELECTRIC
- EXISTING OVERHEAD CABLE
- EXISTING FENCE
- PROPOSED FENCE
- LIMITS OF DISTURBANCE
- EXISTING VEGETATION LINE
- PROPOSED POLLINATOR FRIENDLY SEED MIX
- PROPOSED IDOT CLASS 7 SEED MIX
- PROPOSED IDOT SEED MIX IN ROW
- APPROXIMATE FLOOD ZONE AE
- APPROXIMATE FLOODWAY
- PROPOSED SHRUBS
- PROPOSED EVERGREEN TREE
- PROPOSED SHADE TREE

PLANTING NOTES:

1. ALL STOCKPILE AREAS SHALL BE LOCATED WITHIN LIMIT OF WORK LINE AND STABILIZED TO PREVENT EROSION.
2. ALL DEBRIS GENERATED DURING SITE PREPARATION ACTIVITIES SHALL BE LEGALLY DISPOSED OF OFF SITE.
3. PROVIDE CRIBBING AS NECESSARY TO PROTECT EXISTING UTILITY LINES DURING CONSTRUCTION.
4. PLANTING SEED SHALL BE SOWN IN SEASONAL CONDITIONS AS APPROPRIATE FOR GOOD SEED SURVIVAL, OR AT SUCH TIMES AS APPROVED BY THE OWNER.
5. PROTECT NEWLY TOPSOILED, GRADED, AND/OR SEEDED AREAS FROM TRAFFIC AND EROSION. KEEP AREAS FREE OF TRASH AND DEBRIS RESULTING FROM LANDSCAPE CONTRACTOR OPERATIONS.
6. REPAIR AND RE-ESTABLISH GRADES IN SETTLED, ERODED, AND RUTTED AREAS TO THE SPECIFIED GRADE AND TOLERANCES.
7. ALL PLANT MATERIAL SHALL CONFORM TO THE MINIMUM GUIDELINES ESTABLISHED BY THE AMERICAN STANDARD FOR NURSERY STOCK PUBLISHED BY THE AMERICAN NURSERY AND LANDSCAPE ASSOCIATION.
8. ANY PROPOSED SUBSTITUTIONS OF PLANT MATERIAL SHALL BE MADE WITH MATERIAL EQUIVALENT TO THE DESIRED MATERIAL IN OVERALL FORM, HEIGHT, BRANCHING HABIT, FLOWER, LEAF, COLOR, FRUIT, AND CULTURE. PROPOSED SUBSTITUTIONS WILL ONLY BE CONSIDERED IF SUBMITTED WITH ENUMERATED REASONS WHY SUBSTITUTIONS ARE PROPOSED.
9. THE LANDSCAPE CONTRACTOR SHALL CLEAN UP AND REMOVE ANY DEBRIS FROM THE SITE CAUSED BY THE LANDSCAPE CONTRACTOR.



SCALE 0 75 150
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P.E. seal/Consultant:

Project:
BEECHER ROAD SOLAR, LLC
SPECIAL USE APPLICATION PLANS
10791 CORNEILS ROAD
UNITTED CITY OF YORKVILLE,
KENDALL COUNTY, IL

Drawing Title:
LANDSCAPE PLAN

Drawn by: LEH Scale: As Noted Approved by: MBK

Dwg No: C-400 Size: ARCH D Sheet Rev: D

CAD FILE: 240031830-400-LS.DWG

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- EXISTING WATERCOURSE EDGE
- EXISTING WETLAND BUFFER
- EXISTING CONTOUR (640 / 642)
- EXISTING STORM SEWER
- EXISTING OVERHEAD ELECTRIC (OHE)
- PROPOSED UNDERGROUND ELECTRIC (E)
- PROPOSED OVERHEAD ELECTRIC (OHE)
- EXISTING OVERHEAD CABLE (OHTV)
- EXISTING FENCE (X)
- PROPOSED FENCE (X)
- LIMITS OF DISTURBANCE
- EXISTING VEGETATION LINE
- BASE FLOOD ELEVATION = 644.06 FT (100)
- PROPOSED POLLINATOR FRIENDLY SEED MIX
- PROPOSED IDOT CLASS 7 SEED MIX
- PROPOSED IDOT SEED MIX IN ROW
- APPROXIMATE FLOOD ZONE AE
- APPROXIMATE FLOODWAY
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SITE BOUNDARY, TOPOGRAPHY, AND ROAD INFORMATION ARE BASED ON ALTA/NSPS LAND TITLE AND TOPOGRAPHIC SURVEY PREPARED BY ATWELL, LLC DATED 02/19/2024. BASED ON ILLINOIS STATE PLANE COORDINATE – EAST ZONE. CONVERGENCE: –0.08684722 (DEGREES). SANITARY SEWER INVERTS ARE BASED ON A RECORD DRAWING BY ENGINEERING ENTERPRISES, INC. DATED 9/20/24 (INVERT ELEVATIONS ADJUSTED TO ATWELL SURVEYED RIM ELEVATIONS).

REGULATED WATERS OF THE U.S. LOCATIONS BASED ON WETLAND DELINEATION COMPLETED BY ATWELL, LLC. ON 08/09/2023 IN THE FIELD AND A WETLAND REPORT PREPARED BY ATWELL, LLC DATED 09/01/2023.THERE WERE NO WETLANDS IDENTIFIED ON SITE.

THE FLOODPLAIN/FLOODWAY ON THE PROPERTY IS ASSOCIATED WITH ROB ROY CREEK AND WAS IDENTIFIED IN THE INTERIM HYDROLOGIC & HYDRAULIC ANALYSIS OF ROB ROY CREEK, 2005.

THE BASE FLOOD ELEVATION WAS IDENTIFIED IN THE CORNEILS STORMWATER REPORT BY ATWELL, LLC DATED 3/22/24 AS 644.06 FT

Natural Resource Services

Nexamp Representative Pollinator Friendly Seed Mix

Common Name	Scientific Name	% of Mix	Seeds/ft²
Grasses			
Sideoats Grama	Bouteloua curtipendula	34.25%	9.43
Prairie Brome	Bromus kalmii	0.80%	0.29
Plains Oval Sedge	Carex brevior	2.80%	3.72
Bicknell's Sedge	Carex bicknellii	0.96%	0.75
Troublesome Sedge	Carex molesta	1.84%	2.11
Brown Fox Sedge	Carex vulpinoidea	2.00%	9.18
Silky Wild Rye	Elymus villosus	6.00%	1.52
Little Bluestem	Schizachyrium scoparium	26.96%	18.57
Prairie Dropseed	Sporobolus heterolepis	0.40%	0.29
Forbs			
Common Yarrow	Achillea millefolium	0.44%	3.63
Nodding Onion	Allium cernuum	0.24%	0.08
Lead Plant	Amorpha canescens	1.33%	0.98
Canada Anemone	Anemone canadensis	0.04%	0.02
Wild Columbine	Aquilegia canadensis	0.04%	0.07
Common Milkweed	Asclepias syriaca	0.34%	0.06
Butterfly Milkweed	Asclepias tuberosa	0.32%	0.06
Canada Milkvetch	Astragalus canadensis	1.08%	0.84
Calico Aster	Symphyotrichum lateriflorum	0.04%	0.48
Partridge Pea	Chamaecrista fasciculata	3.11%	0.39
White Prairie Clover	Dalea candida	4.08%	3.56
Purple Prairie Clover	Dalea purpurea	6.02%	4.98
Cream Gentian	Gentiana flavida	0.04%	0.27
Prairie Blazing Star	Liatris pycnostachya	0.24%	0.12
Virginia Mountain Mint	Pycnanthemum virginianum	0.09%	0.95
Prairie Wild Rose	Rosa arkansana	0.29%	0.03
Black-eyed Susan	Rudbeckia hirta	1.92%	8.13
Gray Goldenrod	Solidago nemoralis	0.04%	0.57
Ohio Goldenrod	Solidago ohioensis	0.04%	0.21
Sky Blue Aster	Symphyotrichum oolentangiense	0.16%	0.57
Ohio Spiderwort	Tradescantia ohiensis	0.24%	0.09
Hoary Vervain	Verbena stricta	1.44%	1.85
Golden Alexanders	Zizia aurea	2.40%	1.21

PLANT CALCULATIONS

ORDINANCE COMPLIANCE MATRIX

Acres: 27.8 acres
Street Frontage (Cornells Rd): 596.00 feet
USDA Zone: 5 (-20 degrees to -10 degrees)

Ch. 12. LANDSCAPE ORDINACE
Section 8-12-3: GENERAL STANDARDS

Lot landscaping:

requirement	required		provided	
2. Nonresidential: Two (2) shade trees and fifteen (15) shrubs shall be provided for every twenty thousand (20,000) square feet of lot area.	121	trees	39	*trees
*Assume City of Yorkville can adminstratively approve less total trees and shrubs on the basis that a solar development would be hindered by more plant material.	908	shrubs	195	*shrubs

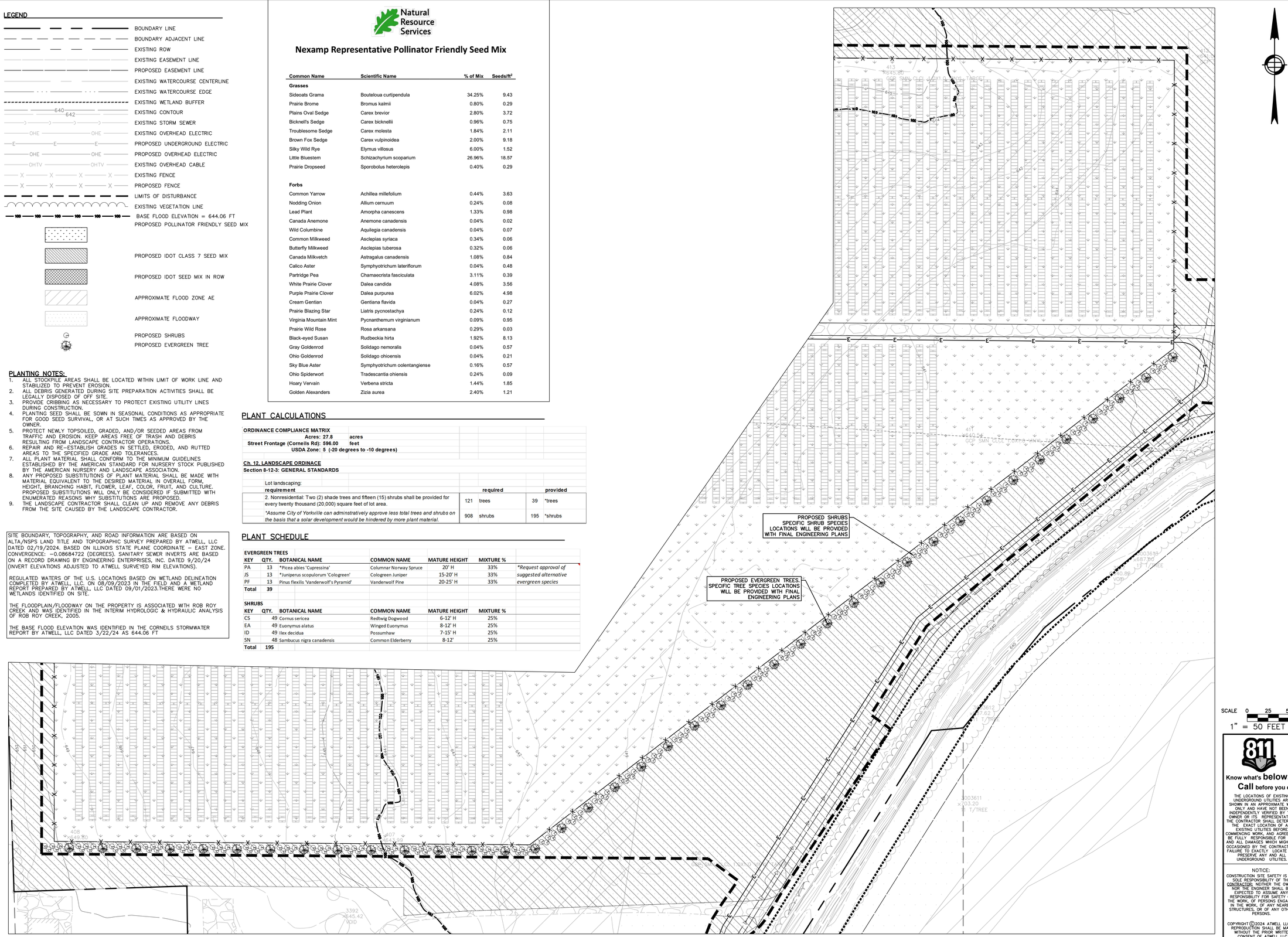
PLANT SCHEDULE

EVERGREEN TREES

KEY	QTY.	BOTANICAL NAME	COMMON NAME	MATURE HEIGHT	MIXTURE %	
PA	13	*Picea abies 'Cupressina'	Columnar Norway Spruce	20' H	33%	*Request approval of
JS	13	*Juniperus scopulorum 'Cologreen'	Cologreen Juniper	15-20' H	33%	suggested alternative
PF	13	Pinus flexilis 'Vanderwolf's Pyramid'	Vanderwolf Pine	20-25' H	33%	evergreen species
Total	**39**					

SHRUBS

KEY	QTY.	BOTANICAL NAME	COMMON NAME	MATURE HEIGHT	MIXTURE %
CS	49	Cornus sericea	Redtwig Dogwood	6-12' H	25%
EA	49	Euonymus alatus	Winged Euonymus	8-12' H	25%
ID	49	Ilex decidua	Possumhaw	7-15' H	25%
SN	48	Sambucus nigra canadensis	Common Elderberry	8-12'	25%
Total	**195**				



SCALE 0 25 50
1" = 50 FEET

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Drawing Title:
DETAILED LANDSCAPE PLAN

Drawn by: LEH | Scale: As Noted | Approved by: MBK

Dwg No: C-401 | Size: ARCH D | Sheet Rev: D

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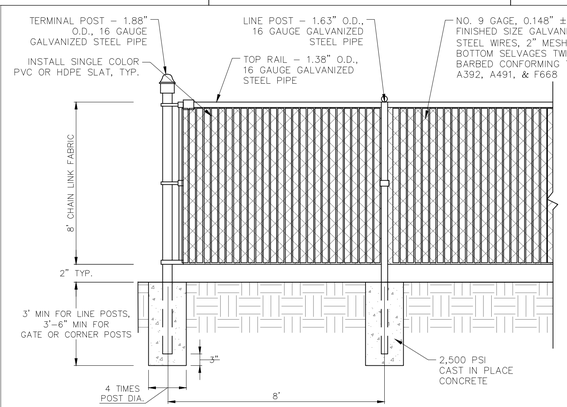
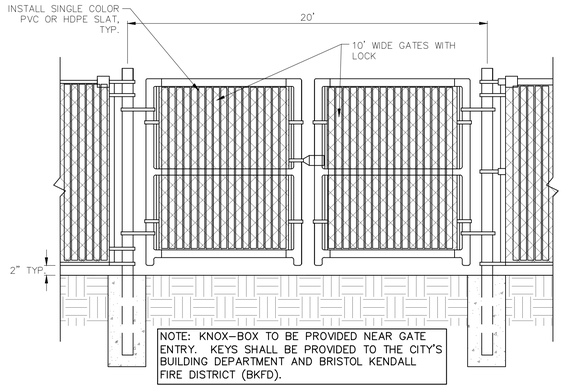
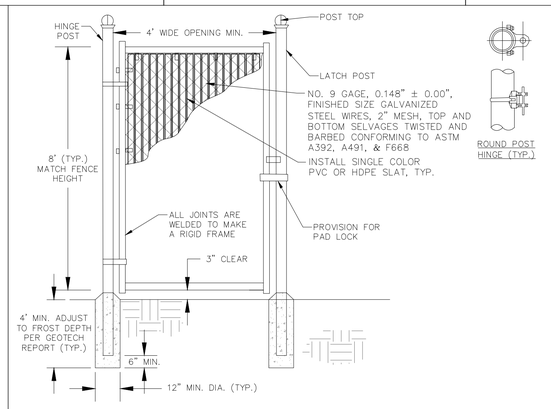


CHAIN LINK FENCE DETAIL
NOT TO SCALE



CHAIN LINK FENCE WITH GATE
NOT TO SCALE

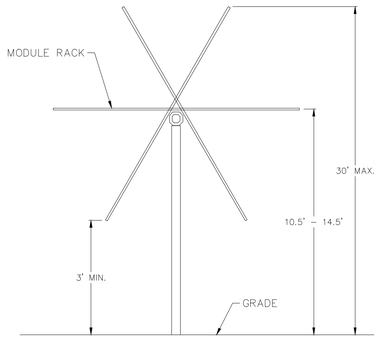


CHAIN LINK FENCE – PERSONNEL GATE
NOT TO SCALE

DANGER

HIGH VOLTAGE - KEEP AWAY
AUTHORIZED PERSONNEL ONLY
NO TRESPASSING. THIS SITE IS MONITORED BY SURVEILLANCE.

"DANGER" WARNING SIGN
NOT TO SCALE



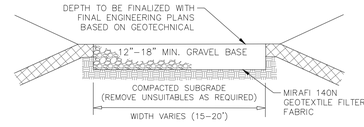
NOTES:
1. TRACKER HEIGHT RANGES ACCOUNT FOR ELEVATION CHANGE.
2. REQUIRED CLEARANCE IS 10' MIN. VARIANCE BEING REQUESTED.

SOLAR ARRAY RACK DETAIL
NOT TO SCALE

IN THE EVENT OF AN EMERGENCY
PLEASE DIAL 9-1-1
FOLLOWED BY A SECOND CALL TO:
857-239-0057
YOUR LOCATION IS:
TBD
nexamp
8 1/2"
11"

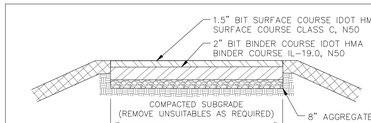
NOTES:
1. WHITE LABEL WITH BLACK LETTERING AND NEXAMP LOGO.
2. INSTALL ON SITE ENTRANCE AND AT EQUIPMENT PADS IN A CONSPICUOUS PLACE.

EMERGENCY CONTACT SIGN
NOT TO SCALE



NOTES:
1. REMOVE TOPSOIL AND ALL UNSUITABLE MATERIAL AS REQUIRED AND REPLACE WITH GRAVEL.
2. ACCESS DRIVES TO SLOPE IN THE DIRECTION OF THE EXISTING GRADE AT A MINIMUM OF 2.0% DRIVEWAY SHALL BE GRADED TO ALLOW STORMWATER TO SHEET ACROSS IT AND TO PREVENT PUDDLING.
3. ROAD SECTION SHALL COMPLY WITH RECOMMENDATIONS FROM GEOTECHNICAL REPORT.
4. FILTER FABRIC SHALL MEET THE REQUIREMENTS OF MATERIAL SPECIFICATION 592 GEOTEXTILE, TABLE 1 OR 2, CLASS I, II, OR IV AND SHALL BE PLACED OVER THE CLEARED AREA PRIOR TO THE PLACING OF ROCK.

ACCESS DRIVE/TEMPORARY LAYDOWN AREA CROSS SECTION
NOT TO SCALE



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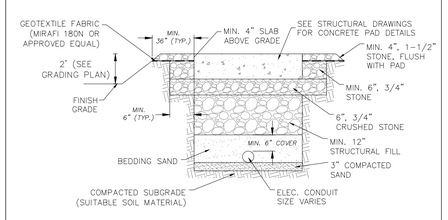
HMA ACCESS DRIVE CROSS SECTION
NOT TO SCALE



SUBSOIL EQUIPMENT FOUNDATION DETAIL
NOT TO SCALE

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Dwg No: C-500 | Size: ARCH D | Sheet Rev: D

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CAD FILE: 240031B3C-500-DT.DWG

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 SPECIAL USE

INTENT AND PURPOSE

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

This packet explains the process to successfully submit and complete an Application for Special Use. It includes a detailed description of the process, outlines required submittal materials, and contains the application for special use.

For a complete explanation of what is legally required throughout the Special Use process, please refer to "Title 10, Chapter 4, Section 9: Special Uses" of the Yorkville, Illinois City Code.

APPLICATION PROCEDURE

STEP 1
APPLICATION SUBMITTAL

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

The following must be submitted:

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

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

The petitioner is responsible for payment of recording fees and public hearing costs, including written transcripts of the public hearing and outside consultant costs (i.e. legal review, land planner, zoning coordinator, environmental, etc.). The petitioner will be required to establish a deposit account with the City to cover these fees.

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

STEP 2
PLAN COUNCIL

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

The petitioner must present the proposed request to the Plan Council. The members of the Council include the Community Development Director, City Engineer, the Building Department Official, the Public Works Director, the Director of Parks and Recreation, a Fire Department Representative, and a Police Department Representative. This meeting is held to provide the petitioner with guidance from all City staff departments to ensure the petitioner is aware of all requirements and regulations for their development. Upon recommendation by the Plan Council, the petitioner will move forward to the Economic Development Committee.

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APPLICATION FOR SPECIAL USE

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. No special use shall be recommended by the Planning and Zoning Commission unless it follows the standards set forth in City's Zoning Ordinance.

The petitioner is responsible for sending certified public hearing notices to adjacent property owners within five hundred (500) feet of the subject property no less than fifteen (15) days and no more than thirty (30) days prior to the public hearing date. The public hearing notice will be drafted by the City as well as published in a local newspaper. Additionally, a public hearing notice sign must be placed on the property no less than fifteen (15) days prior to the public hearing.

A certified affidavit must be filed by the petitioner with the Community Development Department containing the names, addresses and permanent parcel numbers of all parties that were notified. The Certified Mailing Affidavit form is attached to this document.

STEP 5

CITY COUNCIL

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

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

SUMMARY OF RESPONSIBILITIES

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

PETITIONER

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

CITY STAFF

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

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APPLICATION FOR SPECIAL USE

SAMPLE MEETING SCHEDULE

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

DORMANT APPLICATIONS

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

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

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

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

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APPLICATION FOR SPECIAL USE

INVOICE & WORKSHEET PETITION APPLICATION		
CONCEPT PLAN REVIEW	☐ Engineering Plan Review deposit $500.00	Total: $
AMENDMENT	☐ Annexation $500.00 ☐ Plan $500.00 ☐ Plat $500.00 ☐ P.U.D. $500.00	Total: $
ANNEXATION	☐ $250.00 + $10 per acre for each acre over 5 acres ____ (# of Acres) - 5 = ____ (Acres over 5) x $10 = ____ (Amount for Extra Acres) + $250 = $ ____ (Total Amount)	Total: $
REZONING *If annexing and rezoning, charge only 1 per acre fee; if rezoning to a PUD, charge PUD Development Fee - not Rezoning Fee*	☐ $200.00 + $10 per acre for each acre over 5 acres ____ (# of Acres) - 5 = ____ (Acres over 5) x $10 = ____ (Amount for Extra Acres) + $200 = $ ____ (Total Amount)	Total: $
SPECIAL USE	☐ $250.00 + $10 per acre for each acre over 5 acres 25 (# of Acres) - 5 = 20 (Acres over 5) x $10 = $200.00 (Amount for Extra Acres) + $250 = $ $450.00 (Total Amount)	Total: $ 450.00
ZONING VARIANCE	☐ $85.00 + $500.00 outside consultants deposit	Total: $
PRELIMINARY PLAN FEE	☐ $500.00	Total: $
PUD FEE	☐ $500.00	Total: $
FINAL PLAT FEE	☐ $500.00	Total: $
ENGINEERING PLAN REVIEW DEPOSIT	☐ Less than 1 acre $5,000.00 ☐ Over 1 acre, less than 10 acres $10,000.00 ☒ Over 10 acres, less than 40 acres $15,000.00 ☐ Over 40 acres, less than 100 acres $20,000.00 ☐ Over 100 acres $25,000.00	Total: $ 15,000.00
OUTSIDE CONSULTANTS DEPOSIT *Legal, land planner, zoning coordinator, environmental services* For Annexation, Subdivision, Rezoning, and Special Use:	☐ Less than 2 acres $1,000.00 ☐ Over 2 acres, less than 10 acres $2,500.00 ☒ Over 10 acres $5,000.00	Total: $ 5,000.00
	TOTAL AMOUNT DUE:	$21,700.00

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APPLICATION FOR SPECIAL USE

DATE: August , 2024	PZC NUMBER:	DEVELOPMENT NAME: Beecher Road Solar, LLC

PETITIONER INFORMATION

NAME: Matt Kwiatkowski	COMPANY: Beecher Road Solar, LLC
MAILING ADDRESS:	
CITY, STATE, ZIP:	TELEPHONE: ◉ BUSINESS ○ HOME 317-760-3190
EMAIL: mkwiatkowski@nexamp.com	FAX:

PROPERTY INFORMATION

NAME OF HOLDER OF LEGAL TITLE: Gary L. Bennett and Betty S. Bennett

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

PROPERTY STREET ADDRESS: 10791 Corneils Road, Yorkville, Illinois 60560

DESCRIPTION OF PROPERTY'S PHYSICAL LOCATION:

CURRENT ZONING CLASSIFICATION: A-1	COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION: A-1/R-2

REQUESTED SPECIAL USE:
A-1 Special Use for a Solar array

ZONING AND LAND USE OF SURROUNDING PROPERTIES

NORTH: A-1 and R-2

EAST: A-1 and R-2

SOUTH: A-1

WEST: County of Kendall A-1/M-1/ Special Use

KENDALL COUNTY PARCEL IDENTIFICATION NUMBER(S)

02-08-300-008			
02-08-300-012			

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APPLICATION FOR SPECIAL USE

ATTORNEY INFORMATION	
NAME: 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: dkramer@dankramerlaw.com	FAX: 630-553-5764
ENGINEER INFORMATION	
NAME: Michael Keith	COMPANY: Atwell
MAILING ADDRESS: 1250 E. Diehl Road, Suite 300	
CITY, STATE, ZIP: Naperville, IL 60563	TELEPHONE: 630-281-8424
EMAIL: mkeith@atwell-group.com	FAX:
LAND PLANNER/SURVEYOR INFORMATION	
NAME: Michael Keith	COMPANY: Atwelll
MAILING ADDRESS: 1250 E. Diehl Road, Suite 300	
CITY, STATE, ZIP: Naperville, IL 60563	TELEPHONE: 630-281-8424
EMAIL: mkeith@atwellgroup.com	FAX:

ATTACHMENTS

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

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

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APPLICATION FOR SPECIAL USE

SPECIAL USE STANDARDS

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

The proposed solar array will be an enhancement to the United City of Yorkville in that it will provide a source of solar collection through the solar array being constructed by Beecher Road Solar, LLC which will hook directly to the Commonwealth Edison Grid. It dovetails perfectly with the Federal Government's Green Energy Plans and the Build Back America Program; and is environmentally friendly. The panels contain no toxic materials and the landscaping under them will be an environmentally friendly grass. Applicant further intends to introduce other environmentally friendly development methods on the site. There is no harm to surrounding property owners, no detrimental effect to public health, safety, or morals. The encouragement of using solar energy in lieu of fossil fuels is an excellent alternative source of green energy.

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

The proposed solar arrray will be constructed in a manner that will cause no damage to surrounding property owners.

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

The intended construction and operation of the solar array in no way determinately effects the operation and development of surrounding real property nor does it imped the use of existing property.

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

The project is suitably located in that there is readily available connection sources to the Commonwealth Edison electrical grid. There is great access for repair and maintenance off of Illinois Route 47. Third, there is an access road planned under the previous City Planned Unit Development accessing the Property off of Galena Road. It is an excellent site for this use and one that is a transitional use to surrounding zoning classifications in a complimentary fashion.

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APPLICATION FOR SPECIAL USE

SPECIAL USE STANDARDS

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

There will be a minimum amount of traffic in and out during the construction phase of the solar array. There will be virtually no traffic in an out on a daily basis once the system is operational. The only traffic in and once the system is operational will be regular maintenance checks and maintenance of the underlying site itself.

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

The Special Use complies with all United City of Yorkville requirements for solar arrays, as well as all State requirements for the use of such facilities and all materials are in compliance with Federal and State Laws.

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.

MRW

Matthew R. Walsh, VP of Business Development — PETITIONER SIGNATURE

8/14/2024 — DATE

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

x Gary Bennett
x Betty Bennett — OWNER SIGNATURE

8/15/2024 — DATE

THIS APPLICATION MUST BE NOTARIZED PLEASE NOTARIZE HERE:

Colleen Hanson 8/15/2024

"OFFICIAL SEAL"
COLLEEN T HANSON
NOTARY PUBLIC, STATE OF ILLINOIS
COMMISSION NO. 979188
MY COMMISSION EXPIRES 10/6/2027

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

PROJECT NUMBER:	FUND ACCOUNT NUMBER:	PROPERTY ADDRESS:

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: Matt Kwiatkowski	COMPANY: Beecher Road Solar, LLC
MAILING ADDRESS:	
CITY, STATE, ZIP:	TELEPHONE: 317-760-3190
EMAIL: mkwiatkowski@nexamp.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.

Matthew R Walsh
PRINT NAME

VP of Business Development
TITLE

MRW
SIGNATURE*

8/14/2024
DATE

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

INITIAL ENGINEERING/LEGAL DEPOSIT TOTALS

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

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APPLICATION FOR PUBLIC HEARING SIGN

PERMIT NUMBER:	**DATE/TIME RECEIVED:**
SITE ADDRESS: 10791 Corneils Road, Yorkville, IL 60560	PARCEL NUMBER: 02-08-300-008 & 02-08-300-012
SUBDIVISION: N/A	LOT/UNIT:
APPLICANT INFORMATION	
NAME: Beecher Road Solar, LLC	TELEPHONE: O HOME O BUSINESS 317-760-3190
ADDRESS:	E-MAIL: O HOME O BUSINESS mkwiatkowski@nexamp.com
CITY, STATE, ZIP:	FAX:
SIGN INFORMATION	
DATE OF PICK UP:	NUMBER OF SIGNS:
DATE OF PUBLIC HEARING:	SIGN RETURN DATE:

The undersigned hereby states that they have acquired Public Hearing Signs from the United City of Yorkville's Community Development Department and agrees to return said sign/s to Yorkville City Hall, 800 Game Farm Road, Yorkville, Illinois, immediately following the date of the public hearing.

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.

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.

M R W

SIGNATURE/AUTHORIZED AGENT

Matthew R Walsh
VP of Business Development

8/14/2024
DATE

DATE RETURNED: _____

RECEIVED BY: _____ PZC# _____

United City of Yorkville
651 Prairie Pointe Drive
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Telephone: 630-553-4350
Fax: 630-553-7575
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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:

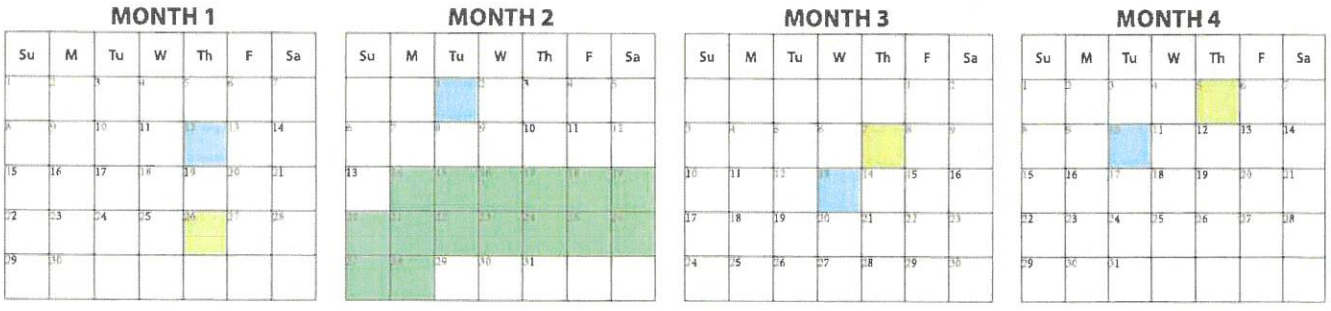
PETITIONER

- ☐ 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



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.

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 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	☐ Engineering Plan Review deposit	$500.00	Total: $
AMENDMENT	☒ Annexation ☐ Plan ☒ Plat ☐ P.U.D.	$500.00 $500.00 $500.00 $500.00	Total: $
ANNEXATION	☐ $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 *If annexing and rezoning, charge only 1 per acre fee; if rezoning to a PUD, charge PUD Development Fee - not Rezoning Fee*	☐ $200.00 + $10 per acre for each acre over 5 acres ____ - 5 = ____ x $10 = ____ + $200 = $ ____ # of Acres / Acres over 5 / Amount for Extra Acres / Total Amount		Total: $
SPECIAL USE	☐ $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	☒ $85.00 + $500.00 outside consultants deposit		Total: $ 585.00
PRELIMINARY PLAN FEE	☐ $500.00		Total: $
PUD FEE	☐ $500.00		Total: $
FINAL PLAT FEE	☐ $500.00		Total: $
ENGINEERING PLAN REVIEW DEPOSIT	☐ Less than 1 acre ☐ Over 1 acre, less than 10 acres ☐ Over 10 acres, less than 40 acres ☐ Over 40 acres, less than 100 acres ☐ Over 100 acres	$5,000.00 $10,000.00 $15,000.00 $20,000.00 $25,000.00	Total: $
OUTSIDE CONSULTANTS DEPOSIT *Legal, land planner, zoning coordinator, environmental services* For Annexation, Subdivision, Rezoning, and Special Use:	☐ Less than 2 acres ☐ Over 2 acres, less than 10 acres ☐ Over 10 acres	$1,000.00 $2,500.00 $5,000.00	Total: $
	TOTAL AMOUNT DUE:		585.00

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APPLICATION FOR VARIANCE

DATE: August , 2024	PZC NUMBER:	DEVELOPMENT NAME: Beecher Road, Solar, LLC

PETITIONER INFORMATION

NAME: Matt Kwiatkowski	COMPANY: Beecher Road Solar, LLC
MAILING ADDRESS:	
CITY, STATE, ZIP:	TELEPHONE: ○ BUSINESS ○ HOME 317-760-3190
EMAIL: mkwiatkowski@nexamp.com	FAX:

PROPERTY INFORMATION

NAME OF HOLDER OF LEGAL TITLE: Gary L. Bennett and Betty S. Bennett

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

PROPERTY STREET ADDRESS: 17091 Corneils Road, Yorkville, IL 60560

DESCRIPTION OF PROPERTY'S PHYSICAL LOCATION:
10791 Corneils Road, Yorkville, IL 60560

CURRENT ZONING CLASSIFICATION:

ZONING AND LAND USE OF SURROUNDING PROPERTIES

NORTH: A-1 and R-2

EAST: A-1 and R-2

SOUTH: A-1

WEST: County of Kendall A-1/M-1/ Special Use

KENDALL COUNTY PARCEL IDENTIFICATION NUMBER(S)

02-08-300-008			
02-08-300-012			

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APPLICATION FOR VARIANCE

ATTORNEY INFORMATION	
NAME: Daniel J. Kramer	COMPANY: Law Offices of Daniel J. Kramer
MAILING ADDRESS: 1107A S. Bridge Street	
CITY, STATE, ZIP: Yorkville, IL 60560	TELEPHONE: 630-553-9500
EMAIL: dkramer@dankramerlaw.com	FAX: 630-553-5764
ENGINEER INFORMATION	
NAME: Michael Keith	COMPANY: Atwell
MAILING ADDRESS: 1250 E. Diehl Road, Suite 300	
CITY, STATE, ZIP: Naperville, IL 60563	TELEPHONE: 630-281-8424
EMAIL: mkeith@atwellgroup.com	FAX:
LAND PLANNER/SURVEYOR INFORMATION	
NAME: Michael Keith	COMPANY: Atwell
MAILING ADDRESS: 1250 E. Diehl Road, Suite 300	
CITY, STATE, ZIP: Naperville, IL 60563	TELEPHONE: 630-281-8424
EMAIL: mkeith@atwellgroup.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 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:

Section 10-4-3(B)(8) of the United City of Yorkville Ordinance. Petitioner requests a Variance from a 1,000 foot setback from the Right-of-Way to a 482 foot setback from the Right-Way

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 original zoning application on the subject parcel was designed both as site plan and engineering submitted to the City and its outside consultant, Engineering Enterprises, for review under the then-existing ordinance. The entire stormwater plan and site has been engineered in conformity with the privously existing ordinance. To modify that plan now would substantially change the location of the proposed stormwater facilities, the solar array and cause great expense and hardship to the Applicant that was not caused by any modifications of the Applicant or failure to comply to the ordinances that were in existence at the time of filing.

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:
We believe that the circumstances stated above are unique to this Applicant because to our knowledge it is the only Applicant that applied at the time that totally engineered and created a site plan which has previously been approved by City Staff, outside consulting engineer, and some of City Alderman.

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:
See statements above about compliance with prior ordinance.

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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 Variance Request for the south, north, and west setback lines by eight feet causes no harm to any existing adjacent owners in that there is no current development on any of the adjacent real property in any of those three directions. There is substantial buffering and a fence that will be installed by the applicant within the setback boundaries that ameliorates any concern to adjoining property. There is no detrimental effect to public health, safety, or welfare.

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:

There is nothing in regard to granted the Variance that will impair adequate supply of life or air to adjacent properties or increase any traffic whatsoever. The Variance requested in no way impact public safety or diminish or impair adjoining property values. The adjoining properties being zoned R-2 due to the cancellation of the Westbury planned unit development agreement. There currently are no plans in front of the city that would indicate what zoning class the owners of those adjoining properties will seek if, and when, they seek to develop. They very well may not be developed with the residential use whatsoever given surrounding property conditions and uses.

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.

MRW

Matthew R. Walsh, VP of Business Development — PETITIONER SIGNATURE

8/14/2024 — DATE

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

x Gary Bennett
x Betty Bennett — OWNER SIGNATURE

8/15/2024 — DATE

THIS APPLICATION MUST BE NOTARIZED PLEASE NOTARIZE HERE:

Colleen Hansen 8/15/2024

"OFFICIAL SEAL"
COLLEEN T HANSON
NOTARY PUBLIC, STATE OF ILLINOIS
COMMISSION NO. 979188
MY COMMISSION EXPIRES 10/6/2027

VARIANCE EXPLANATION

The Petitioner/Owners request that a Variance be granted from the rear and side setback areas on the north, west, and south property lines as contained in the site improvement plans previously filed herein.

The site plan showing the solar array totally conformed to the then current United City of Yorkville setback requirements at the time the Application for Zoning and Application for Special Use was filed by the Petitioner and consented to by the Owner in writing.

Stormwater storage was contemplated in the north setback area as defined by the then current setback ordinance.

It would work an extreme hardship on the applicant at this time to modify the site plan since it would result in a substantial change in the solar array, stormwater management fill facilities previously designed and recommended for approval by City Consulting Engineer. Applicant hereby requests permission to allow an eight-foot Variance from the new city ordinance for the south, west, and north side and rear setback line as detailed in the current ordinance. There still would be sufficient setback green area buffering the solar array and all three of those directions.

The front setback area of 1,000 feet has more than been met by the existing solar array plan and needs no variance.

Therefore, Petitioner prays that the site plan of Petitioner be approved Varying the current ordinance requirement by eight feet on the south, west, and north setback property lines.

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APPLICANT DEPOSIT ACCOUNT/ ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY

PROJECT NUMBER:	FUND ACCOUNT NUMBER:	PROPERTY ADDRESS: 10791 Corneils Road, Plano, IL 60545

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: Matt Kwiatkowski	COMPANY: Beecher Road Solar, LLC
MAILING ADDRESS:	
CITY, STATE, ZIP:	TELEPHONE: 317-760-3190
EMAIL: mkwiatkowski@nexamp.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.

Matthew R Walsh
PRINT NAME

VP of Business Development
TITLE

M R W
SIGNATURE*

8/14/2024
DATE

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

INITIAL ENGINEERING/LEGAL DEPOSIT TOTALS

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

CERTIFIED MAILING
AFFIDAVIT

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

I/We, Daniel J. Kramer, 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 August 16, 2024.

X _____
Signature of Petitioner(s)
Kelly in Fact for Petitioners

Subscribed and sworn to before me this
16th day of August, 2024

_____
Notary Public

"OFFICIAL SEAL"
COLLEEN T HANSON
NOTARY PUBLIC, STATE OF ILLINOIS
COMMISSION NO. 979188
MY COMMISSION EXPIRES 10/6/2027

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Website: www.yorkville.il.us

APPLICATION FOR PUBLIC HEARING SIGN

PERMIT NUMBER:	**DATE/TIME RECEIVED:**
SITE ADDRESS: 10791 Corneils Road, Yorkville, IL 60560	PARCEL NUMBER: 02-08-300-008 & 02-08-300-012
SUBDIVISION: N/A	LOT/UNIT: N/A

APPLICANT INFORMATION	
NAME: Beecher Road Solar, LLC	TELEPHONE: ○ HOME ◉ BUSINESS 317-760-3190
ADDRESS:	E-MAIL: ○ HOME ◉ BUSINESS nkwiatkowski@nexamp.com
CITY, STATE, ZIP:	FAX:

SIGN INFORMATION	
DATE OF PICK UP:	NUMBER OF SIGNS:
DATE OF PUBLIC HEARING:	SIGN RETURN DATE:

The undersigned hereby states that they have acquired Public Hearing Signs from the United City of Yorkville's Community Development Department and agrees to return said sign/s to Yorkville City Hall, 800 Game Farm Road, Yorkville, Illinois, immediately following the date of the public hearing.

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.

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.

M R W

SIGNATURE/AUTHORIZED AGENT

Matthew R Walsh
VP of Business Development

August 14, 2024
DATE

DATE RETURNED: _____

RECEIVED BY: _____ PZC# _____

Vegetation Management Plan for Solar Sites Utilizing Native Vegetation

Natural Resource Services

35-Year Solar Site Habitat Management

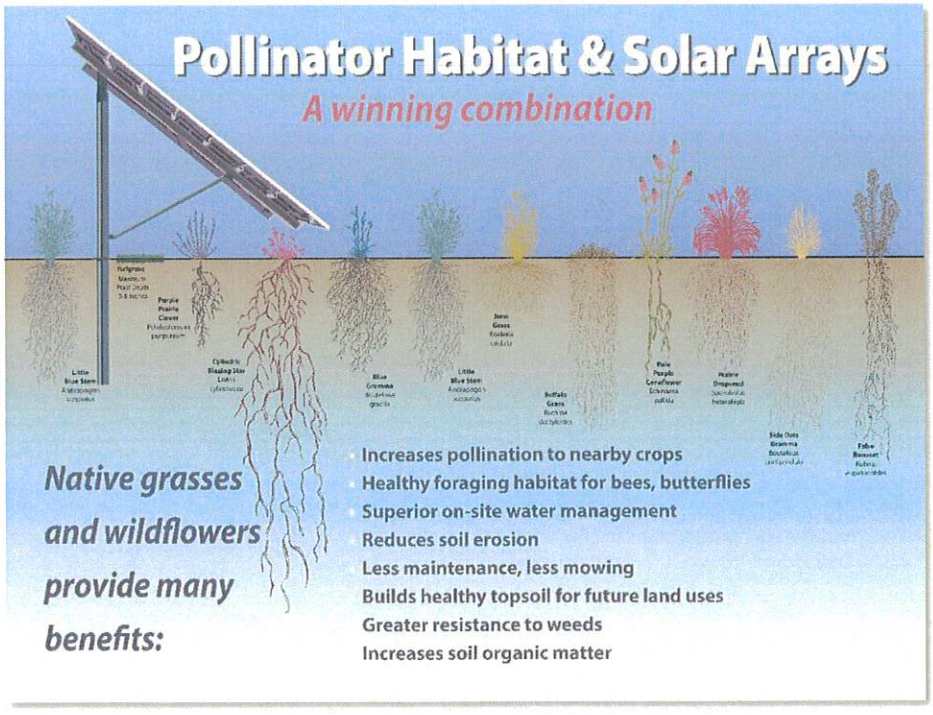
Economical production of power is the foremost goal on solar sites. There is a parallel opportunity to provide critically important native pollinator friendly habitat throughout the array while capitalizing on the long-term low maintenance needs of native vegetation.

Establishing prairies and other native plant communities within the confines of solar sites provides a tremendous opportunity to restore ecosystems that have been severely degraded and eliminated across all areas of the country.

Native plants have profound root systems, many reaching 10 or more feet deep into the soil. Rainwater follows those roots into the ground, helping reduce water runoff and promote the drainage of standing water into the aquafer. Those deep roots also stabilize the soil, preventing erosion from rain and wind. The plants provide seeds for songbirds, cover for game birds and, of course, provide the blossoms and host plants for our beloved butterflies and other nectar loving insects.

Native grasses and forbs will be selected based on their ecological appropriateness to the specific conditions of this site, with consideration to their mature height as to not interfere with panel productivity. These species will not require irrigation, fertilizer or other soil amendments.

The contribution to habitat restoration cannot be overstated given the acreage impacted and lifespan of the project.



Recommended Vegetation Management Procedures

Establishment Phase (growing seasons 1, 2 and 3)

Year 1: Complete site mowings to control annual/biennial weed canopy and prevent production of viable seed.

- 2-3 mowings (unless grazed by animals) are typical depending on soils, weather patterns and planting dates.
- Mowing to be done using specialized zero-radius mowers, orchard mowers and/or flail mowers
- Target mowing height of 4-6 inches.
- Reporting to your designated contact following each visit including a recap of activities, site conditions and recommendations for future management.

Year 2: Complete site mowing to control annual/biennial weed canopy and prevent production of viable seed.

- 2 mowings (unless grazed by animals) likely in the late spring or early summer.
- Mowing to be done using specialized zero-radius mowers, orchard mowers and/or flail mowers
- Target mowing height of 4-6 inches.
- Reporting to your designated contact following each visit including a recap of activities, site conditions and recommendations for future management.

Integrated Vegetation Management (IVM)

- 1 site visit is typical depending on growth and weed populations.
- Includes spot mowing, spot herbicide application, herbicide wicking, etc.
- Equipment used includes tractor and/or ATV mounted sprayers.
- Reporting to your designated contact following each visit including a recap of activities, site conditions and recommendations for future management.

Year 3: Integrated Vegetation Management (IVM)

- 3 site visits are typical depending on growth and weed populations.
- Includes spot mowing (unless grazed by animals), spot herbicide application, herbicide wicking, etc.
- Equipment used includes tractor and/or ATV mounted sprayers.
- Reporting to your designated contact following each visit including a recap of activities, site conditions and recommendations for future management.

Development and Maturations Phases (growing seasons 4 through 9, 10 through 34)

Years 4 - 9: Integrated Vegetation Management (IVM)

- Two partial site visits are typical depending on vegetation status
- Includes spot herbicide applications and/or herbicide wicking.
- Equipment used includes tractor and/or ATV mounted sprayers.
- Includes a complete site mowing (unless grazed by animals) once every 3 years to mulch up biomass and recycle nutrients. On years when a mowing occurs, only one IVM visit will be necessary.
- Reporting to your designated contact following each visit including a recap of activities, site conditions and recommendations for future management.

Years 10 – 34: Integrated Vegetation Management

- Two partial site visits are typical depending on vegetation status
- Includes spot herbicide applications and/or herbicide wicking.
- Equipment used includes tractor and/or ATV mounted sprayers.
- Includes a complete site mowing (unless grazed by animals) once every 3 years to mulch up biomass and recycle nutrients. On years when a mowing occurs, only one IVM visit will be necessary.
- Reporting to your designated contact following each visit including a recap of activities, site conditions and recommendations for future management.

Notes:

- The Partial Site Visits referred to in years 4-34 imply that only portions of the site will need treatment. The entire project area will be assessed during these visits.
- For projects located outside of the Upper Midwest, the recommended vegetation management procedures may need to be adjusted.

Monitoring

Consistent monitoring of the project is essential in order to evaluate vegetative establishment, weed presence and possible erosion concerns. This information helps determine which management technique to use, the proper timing of the implementation and whether or not any other remedial action is required.

It is important to note that management activities may need to be implemented in a phased approach based on when a particular area of the site was seeded. This is mainly true on large-scale sites where the initial seeding may take several months. For example, this project may have areas that are newly seeded and other areas that are in their full 1st growing season. Careful management of project will be required to ensure that right management techniques are implemented in the right areas at the right time.

Other Notes on Vegetation Management:

- Establishing a successful native landscape is important but the vegetation also needs to be managed so that the array can function to its full capacity. It is likely, that as the potential vegetation management contractor, we would be responsible for general "weed" control throughout the project site. This would include controlling vegetation along roads, combiner boxes, power panels, etc. These responsibilities would need to be further defined prior to finalizing an agreement.
- Solar crews will mechanically control weed growth underneath the panel. Mowing/trimming around every post is not included and not necessary from a plant community health standpoint.
- On larger scale sites, solar crews will utilize GPS units to ensure complete and consistent coverage.
- After establishment, the site should be mowed once every 3-4 years. This mulching mowing most closely replicates the beneficial aspects of a prescribed burn which cannot be used on a solar site for obvious reasons. These mowings would typically occur during the winter (snow-free) or spring, often before the ground thaws. Depending on the geographic area of the country and the target plant community, mowings may be needed more or less often.
- Additional mowing or trimming may be needed if shading of the panels occurs, either by native or non-native vegetation. As a general rule, this type of mowing, if needed, should be limited to the areas immediately in front of the panel's lower edge. Mowing

the entire aisles would entail potentially mowing flowers in bloom which would defeat the purpose of the pollinator planting.

ATWELL

ONE COMPANY.
INFINITE SOLUTIONS.

September 1, 2023

Mr. Matt Walsh
Nexamp
200 W. Monroe Street, Suite 620
Chicago, Illinois 60606

Atwell, LLC Project No. 23003931

Re: Wetland Determination/Delineation
Corneils Road Solar
Kendall County, Illinois

Mr. Walsh:

Nexamp (Client) contracted Atwell, LLC (Agent) to conduct a wetland delineation/determination and assessment for an approximately 94-acre parcel in Sections 8 and 17 of Township 37 North, Range 07 East, Kendall County, Illinois (hereinafter referred to as "site") to support a proposed solar development. The site is located approximately 0.3 miles east of the intersection of Beecher Road and Corneils Road.

The purpose of the wetland determination and delineation was to determine if wetlands, watercourses, and/or bodies of water are present on the site, and if so, if they fall under the jurisdiction of the U.S. Army Corps of Engineers (USACE).

Prior to the field survey, Atwell reviewed the following data for any ecological and environmental constraints: aerial photography, U.S. Geological Survey (USGS) 7.5-Minute Topographic Maps, U.S. Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI) Maps, Flood Insurance Rate Maps (FIRMs) provided by the Federal Emergency Management Agency (FEMA), and county soil data from the Natural Resources Conservation Service (NRCS).

The results of the wetland delineation site visit conducted August 9, 2023, are summarized below.

Site Setting and Characteristics

A review of aerial photography and a site visit were conducted to characterize the site and surrounding area. The surrounding landscape consists primarily of undeveloped forested and herbaceous land, agricultural field, commercial and residential development, paved and unpaved roads, wetlands, and watercourses. The site itself is undeveloped agricultural field with hedgerows and riparian corridors along the perimeter of the site.

The entire site was observed to be upland in nature and currently in active agricultural use. The most common upland tree species found within the riparian corridors on-site include boxelder maple (*Acer negundo*), cottonwood (*Populus deltoides*), and hackberry (*Celtis occidentalis*). Common upland scrub-shrub species found on-site include grey dogwood (*Cornus racemosa*) and honeysuckle (*Lonicera spp.*). Common herbaceous vegetation within uplands includes agricultural crops, Timothy (*Phleum pratense*), white clover (*Trifolium repens*), and field thistle (*Cirsium discolor*).

Wetland Delineation

The wetland delineation was performed in accordance with the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Midwest Region* (USACE 2010). The delineation of any wetland depends on three basic parameters: 1) the presence of hydrophytic vegetation (plants adapted to living in saturated soils), 2) hydric soils (distinctive soil types that develop under saturated conditions), and 3) wetland hydrology (the presence of water at or near the surface for a specific period of time). The above parameters are virtually always inter-related and present in wetland systems.

In Illinois, the USACE regulates the discharge of dredged or fill material into jurisdictional wetlands and waters of the U.S. under Section 404 of the Clean Water Act (CWA). Wetlands that are hydrologically connected or adjacent to traditional navigable waters of the U. S. are regulated under Section 404. If impacts are anticipated to federally jurisdictional waters or wetlands, then a Section 404 permit obtained through review from the USACE and a Section 401 permit after review from the Illinois Environmental Protection Agency (ILEPA) would be required.

Floodplains and floodways are regulated by the Illinois Department of Natural Resources (ILDNR). All construction activities in the floodways of streams (the channel and the adjacent portion of the floodplain that is needed to safely convey and store flood waters) in urban areas where the stream drainage area is one square mile or more or in rural areas where the stream drainage area is ten square miles or more must be permitted by the ILDNR prior to construction. If impacts are anticipated to floodplains along streams with a drainage area greater than 10 square miles, then a permit would also be required from the ILDNR.

Atwell did not complete a Floristic Quality Assessment (FQA) of the site wetlands, as this assessment is only required if a permit application is needed, and Atwell is assuming that all wetland impacts would be avoided as a result of the project.

Atwell conducted a wetland determination and delineation for the site on August 9, 2023. Atwell identified two watercourses (Watercourses A1 [Rob Roy Creek] and A2) on the site. Atwell did not identify any wetlands on the site. Refer to the enclosed *Site Features Map* for information and locations of the on-site features. Refer to the *Photographic Log* for site conditions and physical characteristics at the time of inspection. The results of the USACE Antecedent Precipitation Tool are also included as an attachment to this report.

Watercourse A1 (Rob Roy Creek) is a perennial stream located adjacent to the southeast boundary of the site. It enters the site at the southeast corner of the site and exits along the southern boundary of the site flowing the southwest. OHWM width is approximately 18 feet for this feature and a water depth of approximately two feet.

Watercourse A2 is a perennial stream and an unnamed tributary of Watercourse A1 (Rob Roy Creek). It enters the site along the north boundary and flows south into watercourse A1 bisecting the site. OHWM width is approximately 25 feet for this feature and a water depth of approximately two feet.

According to the U.S. Department of Agriculture (USDA) NRCS Web Soil Survey, the soils contained within the site have been mapped as Peotone silty clay loam, 0 to 2 percent slopes (330A), Drummer silty clay loam, 0 to 2 percent slopes (152A), Clare silt loam, 0 to 2 percent slopes (663A), Clare silt loam, 2 to 5 percent slopes (663B), Brenton silt loam, 0 to 2 percent slopes (149A), Harpster silty clay loam, 0 to 2 percent slopes (67A), and Knight silt loam, 0 to 2 percent slopes (191A). Most of these soil types are considered hydric and do not contain significant nonhydric components. Hydric soils are conducive to the growth and regeneration of hydrophytic vegetation by their ability to hold water for extended periods of time (NRCS 2010).

FEMA FIRMs were reviewed to determine if portions of the site are mapped as floodplains, floodways, or other flood prone areas. These maps record the following data: 100-year (1% chance of annual flooding) and 500-year (0.2% annual chance of flooding) floodplains, the height of the base flood elevation, and the risk to premium areas developed across a floodplain. According to FEMA map 17089C0380J dated 7/17/2012 and map 17093C0030G dated 2/4/2009, this site lies within Zone X, areas outside of the 100-year floodplain. Zone X indicates an Area of Minimal Flood Hazard. Therefore, regulated floodplains are likely not present within the site.

Conclusions and Recommendations

Based on the desktop review of online databases and a site visit, the site contains two watercourses (Watercourses A1 [Rob Roy Creek] and A2). It is Atwell's professional opinion the on-site watercourses appear to meet the criteria of Section 404 under the CWA. Therefore, the watercourses on site are likely regulated by the USACE. According to FEMA map 17089C0380J dated 7/17/2012 and map 17093C0030G dated 2/4/200, this site lies within Zone X, areas outside of the 100-year floodplain. Zone X indicates an Area of Minimal Flood Hazard. Therefore, regulated floodplains are likely not present within the site.

It is Atwell's understanding that all watercourse impacts would be avoided under the current scope of the project. However, if the proposed scope of the project changes and impacts to Waters of the United States or other jurisdictional resources are anticipated a permit may be required by the USACE before any proposed work (*e.g.*, filling, dredging, construction, draining, and/or other development) that takes place within the boundaries of a regulated wetland, watercourse, lake, pond, or floodplain. The USACE has the final authority on the jurisdictional status, in addition to the extent of regulated wetlands, lakes, streams, ponds, and floodplains in the State of Illinois.

We appreciate the opportunity to be of service to you on this project. Should you have any questions, please contact us at (248) 447-2000.

Sincerely,

ATWELL, LLC

David Nigro
Environmental Technician
Environmental Services Group

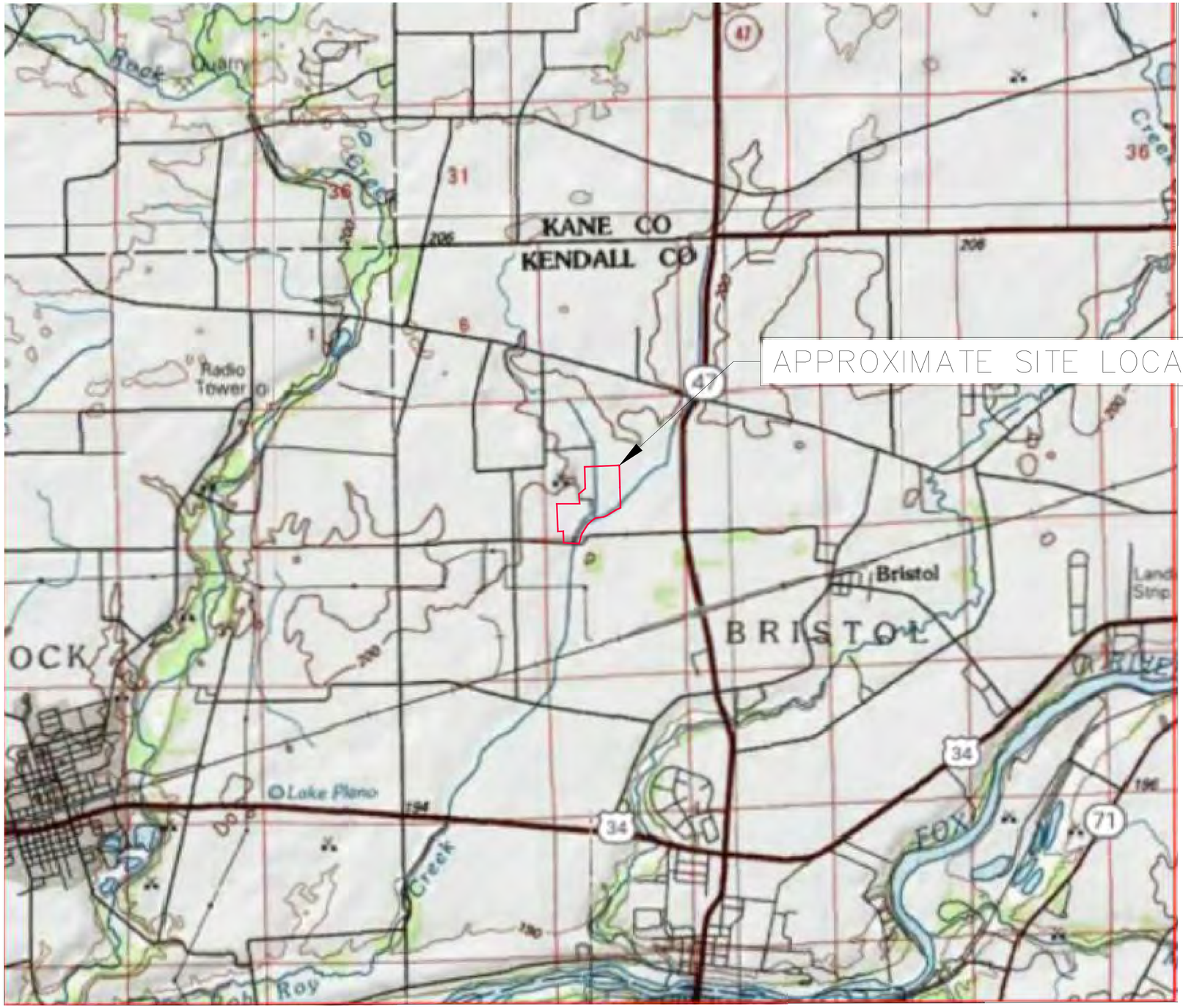
Pete Hill
Project Manager
Environmental Services Group

Enclosures: Site Location Map
Site Features Map
Photographic Log
USACE Antecedent Precipitation Tool

REFERENCES

NRCS, [Natural Resources Conservation Service]. 2010. "Field Indicators of Hydric Soils in the United States (Version 7.0)." http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1046970.pdf.

USACE, [U.S. Army Corps of Engineers]. 2010. "Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Midwest Region (Version 2.0)." ERDC/ EL TR-12-1. Vicksburg (MS): U.S. Army Engineer Research and Development Center. https://usace.contentdm.oclc.org/utils/getfile/collection/p266001coll1/id/7630.



LEGEND

ASSESSMENT AREA (± 93.74 ACRES)

811
Know what's **below.**
Call before you dig.

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

NOTICE:
CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR; NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK, OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

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SECTION 7-8, 17-18
TOWN 21 NORTH, RANGE 07 EAST
BRISTOL TOWNSHIP
KENDALL COUNTY, ILLINOIS

NEXAMP
KENDALL COUNTY, IL – NEXAMP – CORNEILS ROAD SOLAR

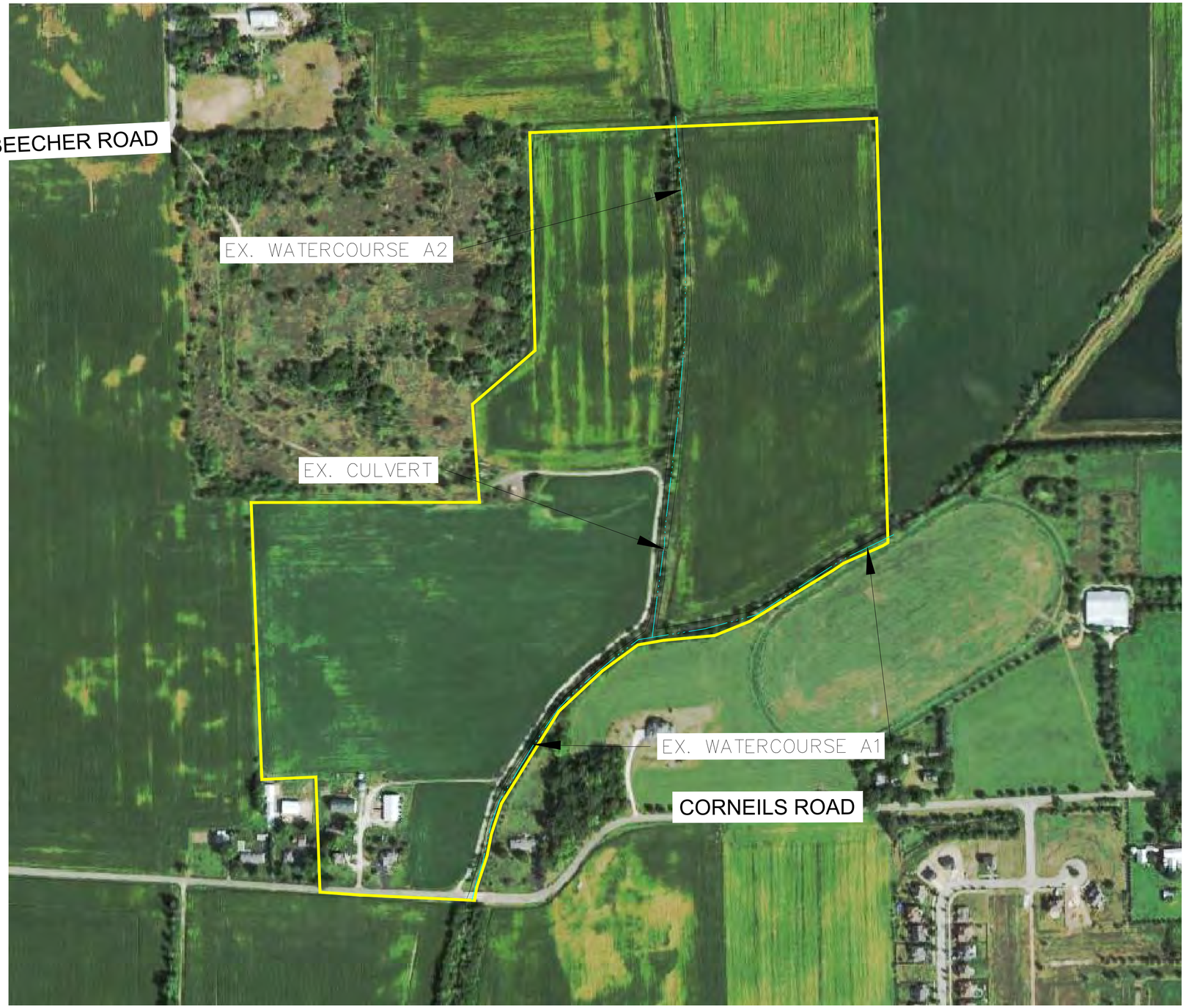
SITE LOCATION MAP

DATE
AUGUST 28TH, 2023

REVISIONS

0 1000 2000
SCALE: 1" = 2000'

DRAWN BY: MB
CHECKED BY:
P.M.: PH
JOB #: 23003931
FILE CODE: –
SHEET NO. 01



LEGEND

- ASSESSMENT AREA (± 93.74 ACRES)
- EXISTING TOP OF BANK
- EXISTING WATERCOURSE CENTERLINE
- EXISTING CULVERT

NOTE: THIS ILLUSTRATION IS AN APPROXIMATE DEPICTION OF THE WETLANDS THAT APPEAR TO BE LOCATED ON THE SUBJECT PROPERTY AS DELINEATED BY ATWELL ON AUGUST 11TH, 2023. USACE HAS THE FINAL AUTHORITY ON THE EXTENT OF REGULATED WETLANDS, LAKES, AND STREAMS IN THE STATE OF ILLINOIS.

811 Know what's **below.** **Call** before you dig.

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

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SECTION 7-8, 17-18
TOWN 21 NORTH, RANGE 07 EAST
BRISTOL TOWNSHIP
KENDALL COUNTY, ILLINOIS

NEXAMP
KENDALL COUNTY, IL – NEXAMP – CORNEILS ROAD SOLAR

SITE FEATURES MAP

DATE
AUGUST 28TH, 2023

–

REVISIONS

0 100 200
SCALE: 1" = 200'

DRAWN BY: MB
CHECKED BY:
P.M.: PH
JOB #: 23003931
FILE CODE: –
SHEET NO. 02

PHOTO LOG

Corneils Road Solar, Wetland Report

August 8, 2023 - Kendall County, Illinois

Photo 1. An overall view of the Project Area including a typical agricultural field.

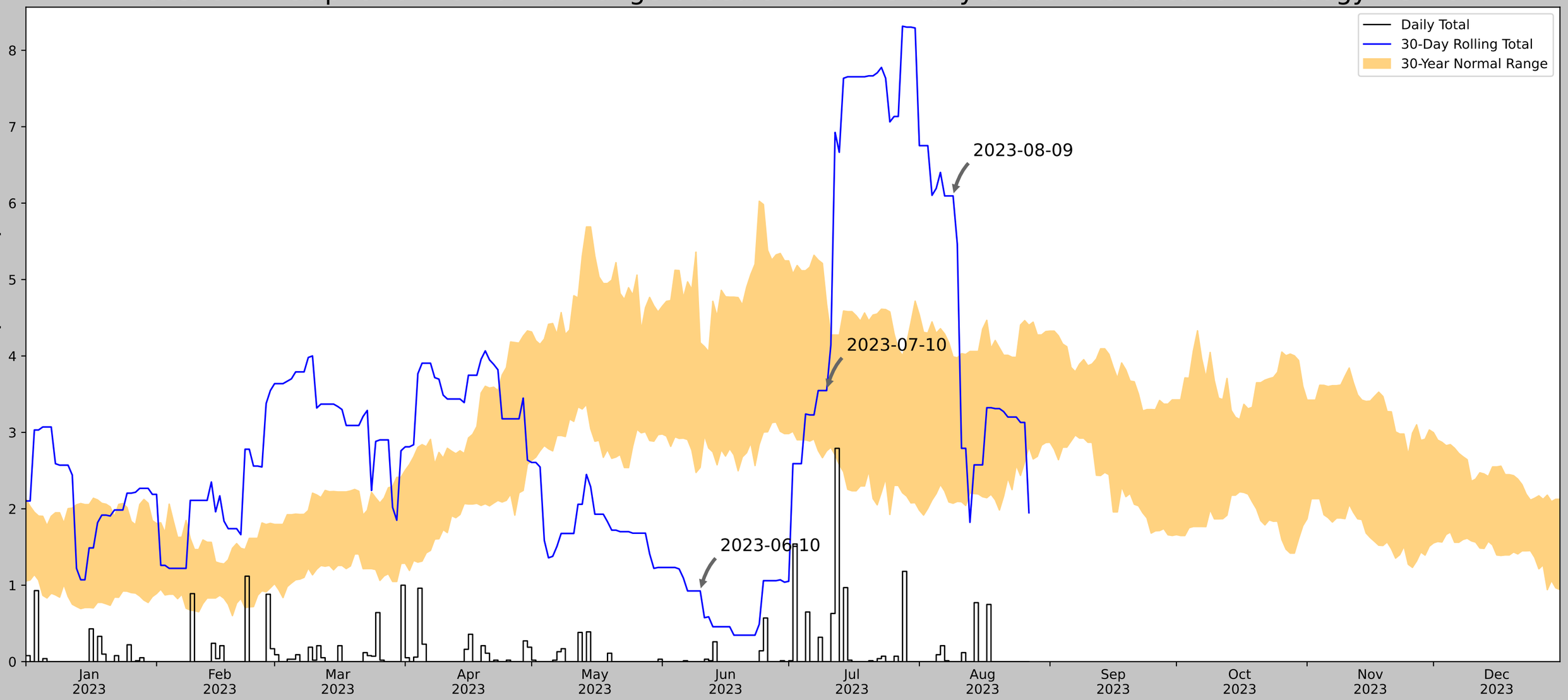
Photo 2. A representative photo of a typical riparian corridor within the site.

Photo 3. A representative photo of a typical gravel access road within the site.

Photo 4. An upstream photo of watercourse A1 (Rob Roy Creek).

Photo 5. An upstream photo of watercourse A2.

Photo 6. A photo of a culverted crossing of watercourse A2.



Coordinates	41.694595, -88.461363
Observation Date	2023-08-09
Elevation (ft)	640.105
Drought Index (PDSI)	Incipient drought (2023-07)
WebWIMP H_2O Balance	Dry Season

30 Days Ending	30th %ile (in)	70th %ile (in)	Observed (in)	Wetness Condition	Condition Value	Month Weight	Product
2023-08-09	2.072047	3.98937	6.094488	Wet	3	3	9
2023-07-10	2.757874	4.676772	3.547244	Normal	2	2	4
2023-06-10	2.541339	4.172835	0.925197	Dry	1	1	1
Result							Normal Conditions - 14

Figure and tables made by the
Antecedent Precipitation Tool
Version 1.0

Written by Jason Deters
U.S. Army Corps of Engineers

Weather Station Name	Coordinates	Elevation (ft)	Distance (mi)	Elevation Δ	Weighted Δ	Days Normal	Days Antecedent
CHICAGO AURORA MUNI AP	41.7714, -88.4814	701.116	5.406	61.011	2.763	8701	90
SUGAR GROVE 0.7 NE	41.7762, -88.4478	714.895	1.763	13.779	0.818	29	0
SUGAR GROVE 1.4 ENE	41.7787, -88.4343	688.976	2.479	12.14	1.146	2	0
AURORA 3.1 WSW	41.7565, -88.3518	704.068	6.758	2.952	3.061	1	0
AURORA	41.7803, -88.3092	660.105	8.894	41.011	4.367	2573	0
WHEATON 3 SE	41.8128, -88.0728	680.118	21.242	20.998	10.005	47	0

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Order Number: 7751450
Purchase Order: PZC 2024-22

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 1/13/2025, and the last publication of the notice was made in the newspaper dated and published on 1/13/2025.

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

PUBLICATION DATES: **Jan 13, 2025.**

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

14th Day of January, 2025, by

Chicago Tribune Media Group

Jeremy Gates

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PUBLIC NOTICE
NOTICE OF PUBLIC HEARING
BEFORE
UNITED CITY OF YORKVILLE
PLANNING AND ZONING COMMISSION
PZC 2024-22

NOTICE IS HEREBY GIVEN THAT Beecher Road Solar, LLC, contract lessee, and Gary and Betty Bennett, property owners, petitioners, have filed applications with the United City of Yorkville, Kendall County, Illinois, requesting special use authorization and a bulk regulation variance approval. The real property is generally located immediately north of Corneils Road, approximately 1,500 feet west of Beecher Road, and approximately 4,000 feet east of IL Route 47 (N. Bridge Street) consisting of approximately 70 acres. The petitioners are requesting special use permit approval in pursuant to Section 10-8-5 of the Unified Development Ordinance for a solar farm. Lastly, the petitioners are requesting a bulk regulation variance to Section 10-4-13-8.c of the Unified Development Ordinance, seeking a reduction from the required one thousand (1,000) foot setback from the nearest solar array to roadway network to 482 feet from Corneils Road.

The legal description is as follows:

PARCEL 1:
THAT PART OF THE SOUTHWEST 1/4 OF SECTION 8 AND PART OF THE NORTHWEST ¼ OF SECTION 17, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4; THENCE NORTH 00"09'48; EAST ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, 37.42 FEET; THENCE NORTH 88°28'22" EAST PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST 1/4, 272.68 FEET; THENCE NORTH 00"46'58" WEST, 200.71 FEET FOR A POINT OF BEGINNING; THENCE NORTH 00"52'50" WEST 1,057.46 FEET; THENCE NORTH 88°42'24" EAST, 857.86 FEET; THENCE NORTH 00"00'30" WEST, 375.0 FEET; THENCE NORTH 52"02'07" EAST, 315.0 FEET, THENCE NORTH 00"02'07" EAST, 800.0 FEET TO THE NORTH LINE OF SAID SOUTHWEST 1/4; THENCE NORTH 88"30'33" EAST, ALONG SAID NORTH LINE, 1,306.96 FEET TO THE CENTER OF SAID SECTION 8; THENCE SOUTH 00"04'03" EAST ALONG THE EAST LINE OF SAID SOUTHWEST 1/4, 1,609.56 FEET TO A POINT WHICH IS 1,044.12 FEET NORTHERLY OF THE SOUTHEAST CORNER OF SAID SOUTHWEST 1/4; THENCE SOUTH 59"25'57" WEST, 694.32 FEET; THENCE SOUTH 81"55'57" WEST, 349.80 FEET; THENCE SOUTH 51"55'57" WEST 280.50 FEET; THENCE SOUTH 39°55'57" WEST, 153.78 FEET; THENCE SOUTH 86"06'25" WEST, 38.0 FEET THENCE SOUTH 33"09'12" WEST, 343.0 FEET; THENCE SOUTH 16"38'23" WEST 379.0 FEET TO THE CENTER LINE OF CORNEILS ROAD: THENCE NORTH 85°20'25" WEST ALONG SAID CENTER LINE 596.0 FEET TO A LINE DRAWN SOUTH 00"21'50" EAST, PARALLEL WITH THE WEST LINE OF SAID NORTHWEST 1/4, FROM A POINT ON THE SOUTH LINE OF SAID SOUTHWEST ¼ WHICH IS 475.50 FEET, NORMALLY DISTANT, EASTERLY OF THE WEST LINE OF SAID SOUTHWEST 1/4; THENCE NORTH 00"21'50" WEST ALONG SAID PARALLEL LINE, 194.89 FEET TO SAID SOUTH LINE; THENCE NORTH 00°09'48" EAST, PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST 1/4, 236.13 FEET TO A LINE DRAWN NORTH 89"02'55" EAST FROM THE POINT OF BEGINNING; THENCE SOUTH 89°02'55" WEST, 206.29 FEET TO A POINT OF BEGINNING; EXCEPT THAT PART THEREOF LYING EASTERLY OF THE FOLLOWING DESCRIBED

LINE: COMMENCING AT THE SOUTHERNMOST SOUTHEAST CORNER OF THE ABOVE DESCRIBED TRACT; THENCE NORTH 85°20'25" WEST ALONG SAID CENTER LINE OF CORNEILS ROAD, 67.47 FEET FOR A POINT OF BEGINNING; THENCE NORTH 16"38'2S" EAST, 402.58 FEET; THENCE NORTH 33"09'12" EAST, 449.42 FEET; THENCE NORTH 52° EAST, 398.62 FEET; THENCE NORTH 11"27'20" EAST, 559.64 FEET; THENCE NORTH 00"02'07" EAST, 634.19 FEET; THENCE NORTH 89"57'53" WEST, 430.60 FEET TO A WESTERLY LINE OF SAID TRACT; THENCE NORTH 00"02'07" EAST ALONG SAID WESTERLY LINE 725.68 FEET TO THE NORTH LINE OF SAID SOUTHWEST

1/4, IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS;

PARCEL 2:
THAT PART OF THE SOUTHWEST 1/4 OF SECTION 8 AND PART OF THE NORTHWEST ¼ OF SECTION 17, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH WEST CORNER OF SAID SOUTHWEST 1/4; THENCE NORTH 00°09'48" EAST ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, 37.42 FEET; THENCE NORTH 88"26'22" EAST PARALLEL WITH THE SOUTH LINE OF SAID SOUTH WEST 1/4, 272.66 FEET;THENCE NORTH 00°46'58" WEST, 200.71 FEET FOR A POINT OF BEGINNING; THENCE NORTH 00"52'50" WEST 1,057.46 FEET; THENCE NORTH 88"42'24" EAST, 857.86 FEET; THENCE NORTH 00"00'30" WEST, S75.0 FEET; THENCE NORTH 52"02'07" EAST, 315.0 FEET, THENCE NORTH 00"02'07" EAST, 800.0 FEET TO THE NORTH LINE OF SAID SOUTHWEST 1/4; THENCE NORTH 88"30'33" EAST, ALONG SAID NORTH LINE, 1,306.96 FEET TO THE CENTER OF SAID SECTION 8; THENCE SOUTH 00°04'03" EAST ALONG THE EAST LINE OF SAID SOUTHWEST 1/4, 1,609.56 FEET

TO A POINT WHICH IS 1,044.12 FEET NORTHERLY OF THE SOUTHEAST CORNER OF SAID SOUTHWEST 1/4; THENCE SOUTH 59°25'57" WEST, 694.32 FEET; THENCE SOUTH 81°55'57" WEST, 349.80 FEET; THENCE SOUTH 51"55'57" WEST 280.50 FEET; THENCE SOUTH 39"55'57" WEST, 153.78 FEET; THENCE SOUTH 86°06'25" WEST, 38.0 FEET; THENCE SOUTH 33"09'12" WEST, 343.0 FEET; THENCE SOUTH 16"38'23" WEST 379.0 FEET TO THE CENTER LINE OF CORNEILS ROAD; THENCE NORTH 85"20'25" WEST ALONG SAID CENTER LINE 596.0 FEET TO A LINE DRAWN SOUTH 00"21'50" EAST, PARALLEL WITH THE WEST LINE OF SAID NORTHWEST 1/4, FROM A POINT ON THE SOUTH LINE OF SAID SOUTHWEST 1/4 WHICH IS 475.50 FEET, NORMALLY DISTANT, EASTERLY OF THE WEST LINE OF SAID SOUTHWEST 1/4; THENCE NORTH 00°21'50" WEST, ALONG SAID PARALLEL LINE, 194.89 FEET TO SAID SOUTH LINE; THENCE NORTH 00"09'48" EAST, PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST 1/4, 236.13 FEET TO A LINE DRAWN NORTH 89"02'55" EAST FROM THE POINT OF BEGINNING; THENCE SOUTH 89"02'55" WEST, 206.29 FEET TO A POINT OF BEGINNING; EXCEPT THAT PART THEREOF LYING WESTERLY OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE SOUTHERNMOST SOUTHEAST CORNER OF THE ABOVE DESCRIBED TRACT; THENCE NORTH 85"20'25" WEST ALONG SAID CENTER LINE OF CORNEILS ROAD, 67.47 FEET FOR A POINT OF BEGINNING; THENCE NORTH 16"38'23" EAST, 402.58 FEET; THENCE NORTH 33"09'12" EAST, 449.42 FEET; THENCE NORTH 52"00'00" EAST, 398.62 FEET; THENCE NORTH 11°27'20" EAST, 559.64 FEET; THENCE NORTH 00"02'07" EAST, 634.19 FEET; THENCE NORTH 89"57'53" WEST, 430.60 FEET TO A WESTERLY LINE OF SAID TRACT; THENCE NORTH 00"02'07" EAST ALONG SAID WESTERLY LINE 725.68 FEET TO THE NORTH LINE OF SAID SOUTHWEST 1/4, AND EXCEPT THAT PART THEREOF LYING NORTHERLY OF THE

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SOUTHERLY LINE OF THE NORTHERLY 812.20 FEET, MEASURED ALONG THE EASTERLY LINE, IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

PINs: 02-08-300-008 and 02-08-300-012

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, February 12, 2025 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.

Application and information materials regarding this notice are available for public review and can be accessed by scanning the QR code below. Any questions or written comments should be addressed to the United City of Yorkville Community Development Department, City Hall, 651 Prairie Pointe Drive, Yorkville, Illinois 60560. All interested parties are invited to attend the public hearing and will be given an opportunity to be heard.

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

7751450 - 1/13/25

View Shed #1

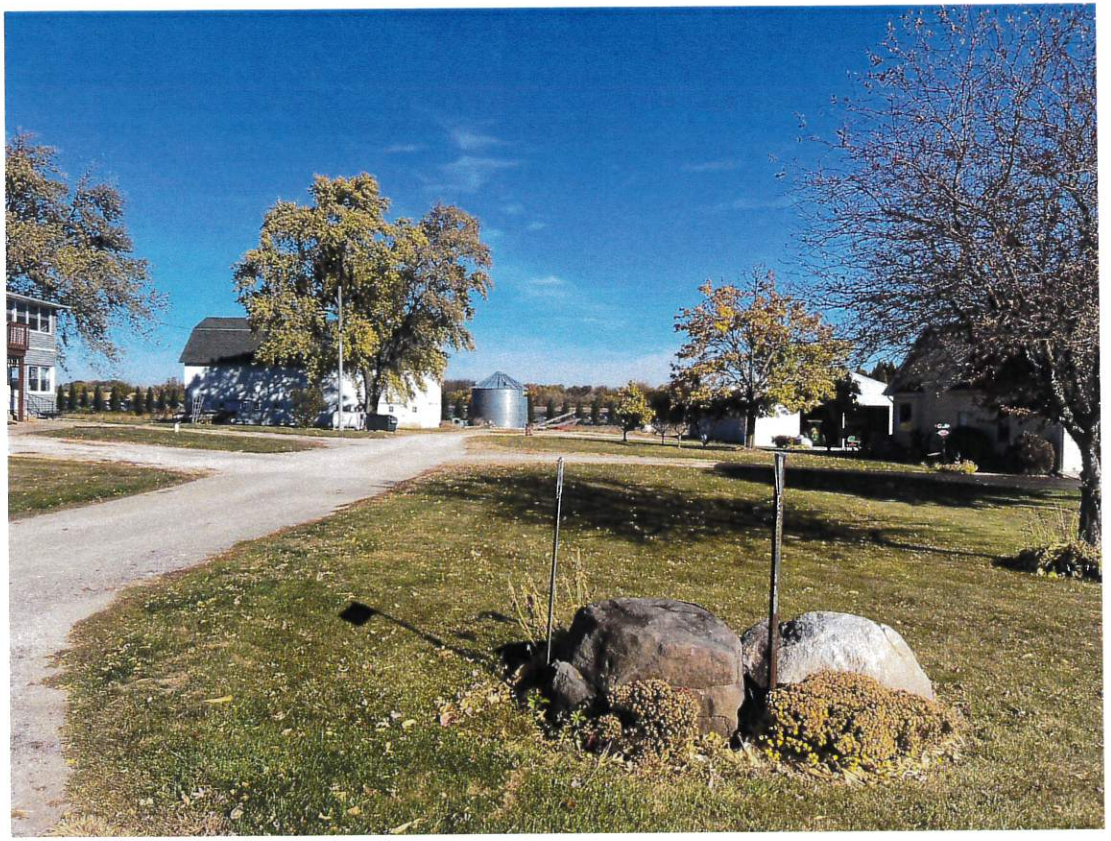
Beecher Road Solar, LLC

From southeast corner looking north from Corneils Road towards Site.

View Shed #2

Beecher Road Solar, LLC

From south looking north from Corneils Road towards Site.



nexamp

Memorandum

To: Plan Council
From: Sara Mendez, Planner I
Date: October 16, 2024
Subject: **PZC 2024-22 Beecher Road Solar, LLC (Expansion)– Solar Farm** Special Use and Variance

---

I have reviewed the applications for the Special Use and Variance request dated August 2024 as submitted by Daniel Kramer on behalf of Nexamp, Beecher Road Solar, LLC, petitioner. The following supplemental materials were included within the original applications including the newly submitted supplemental materials from August 20, 2024:

1) AC Electrical Diagram – dated 01.09.24 by Nexamp
2) Bifacial Module – dated 01.09.24 by SMA America, LLC
3) Decommissioning Plan – dated 08.16.24 prepared by Nexamp
4) Glare Study 1 (Pv Array 1) – dated 08.13.24 by Forge Solar
5) Glare Study 2 (Pv Array 2) – dated 08.13.24 by Forge Solar
6) Glare Study 3 (Pv Array 3) – dated 08.13.24 by Forge Solar
7) Interconnection Agreement – dated 01.20.24 by ComEd
8) Land Title Survey – dated 12.06.23 by Nexamp
9) Letter from Daniel Kramer – dated 08.15.24 by Law Offices of Daniel J. Kramer
10) Location Map – dated 08.07.24 by Nexamp
11) Legal Description – dated 07.25.24 by Nexamp
12) Project Narrative – dated 08.16.24 by Nexamp
13) Property Owners Within 500 Feet
14) Special Use Application Plans – dated 09.13.24 by Atwell
15) Special Use Application – prepared by Beecher Road Solar, LLC
16) Variance Application – prepared by Beecher Road Solar, LLC
17) Vegetation Management Plan for Solar Sites Utilizing Native Vegetation – prepared by Natural Resource Services

The petitioner is seeking to construct a 4.99 (AC) ground-mounted distributed generation solar garden facility. The proposed 30-acre solar farm will be situated on approximately 70 acres of existing farmland parcel located immediately north of Corneils Road, approximately 1,500 feet west of Beecher Road, and approximately 4,000 feet east of IL Route 47 (N. Bridge Street).

The petitioner is also requesting a variance to Section 10-4-13-B.8.c of the Unified Development Ordinance, seeking to reduce the required one thousand (1,000) foot setback from the nearest solar array to roadway network to 482 feet between the nearest solar array and Corneils Road.

Based upon my review of the application documents and preliminary plans, I have compiled the following comments (requests to the petitioner are underlined):

VARIANCE COMMENTS

1. Section 10-4-13-B.8.c Alternative Energy Use Standards in the City's Unified Development Ordinance outlines buffer requirements for solar farm uses in the A-1 Agricultural District. The petitioner is seeking a variance to decrease the minimum buffer area from 1,000 feet between the nearest solar array to roadway networks to 482 feet.

2. Section 10-8-9C.1 of the Unified Development Ordinance states specific standards for variance requests which all recommendation bodies will review. The petitioner has provided answers to each of the criteria in the application to these standards.

SPECIAL USE COMMENTS:

Zoning

The subject property consists of two (2) parcels (#02-08-300-008 and 02-08-300-012) which are currently zoned A-1 Agricultural Special Use District. The following are the current immediate surrounding zoning and land uses:

	Zoning	Land Use
North	A-1 Agricultural (Special Use) District	Corneils Road Solar
South	Westbury South Village (R-4)	Agriculture
East	IL Route 47 Former Westbury East Village (A-1)	Agriculture/Proposed Yorkville Renewables Solar Farm
West	Beecher Road Konicek Property (M-1, M-2)	Agriculture/Bright Farms

- The proposed community solar farm will consist of approximately 11,616 arrays, per the Project Narrative dated August 16, 2024.
- The petitioner's exhibit (C-200 C) indicates the total number of tracker motors is 121.
- **The petitioner shall provide staff with a written response of the operations phase of the lease for the proposed solar farm project.**

Location on Site

Section 10-4-13 Alternative Energy Use Standards in the City's Unified Development Ordinance provides setback specifics for solar farm uses in the A-1 Agricultural District. The following compares the yard setbacks required for solar farm uses:

	Minimum Setback for Equipment to Property Line	Proposed Setback
Front (South)	1000 feet	482 feet
Side Yard (East)	50 feet from nonresidential/100 feet from residential	194.9 feet
Side Yard (West)	50 feet from nonresidential/100 feet from residential	75.9 feet
Rear (North)	50 feet from nonresidential/100 feet from residential	84.9 feet

- The location of the solar panels meets the side (east and west) and the rear (north) setbacks for the Solar Farm uses in the A-1 Agricultural District.
- **However, the solar panels appear to encroach into the required front (south) yard setback.**
    - **The minimum distance required for the front (south) yard is 1000 feet.**
    - **The petitioner has filed a variance request to maintain 482 feet from the front (south) setback.**
- Section 10-4-13B.8.c of the Unified Development Ordinance requires a minimum buffer area of 1,000 feet from the nearest solar array to roadway network.
- **The petitioner's exhibit (C-200 C) indicates the distance of the proposed solar farm and/or the fence line to the nearest participating and non-participating residential parcels to the south along Corneils Road.**
- The location of the solar panels exceeds the one thousand (1,000) foot setback from the nearest solar array to the edge of the bank of the Fox River.

Minimum Lot Size
Section 10-4-13B.1 of the Unified Development Ordinance states no solar farms shall be erected on any lot less than three (3) acres in size.

- In the Project Narrative dated August 16, 2024 the petitioner has stated the project intends to develop on approximately 30 acres of overall parcel.

Maximum Lot Coverage
Section 10-4-13B.2 of the Unified Development Ordinance states a solar farm use may occupy up to eighty (80) percent of a given parcel in this district.

- **Staff notes the approved Corneils Road Solar project, in addition to the proposed solar farm on parcel number #02-08-300-008, may exceed the allowed 80% occupancy for a solar farm use in the A-1 Agricultural District.**
- **Staff requests that the petitioner verify the total acreage occupied by the solar farm use for each parcel (#02-08-300-008, #02-08-300-012, and #02-08-300-011) associated with the approved Corneils Road Solar project.**

Height
The maximum structure height for solar systems, equipment, and structures shall not exceed thirty feet (30') in height when ground mounted, per Section 10-4-13B.6 in the Unified Development Ordinance.

- The petitioner's exhibit (C-500 B Standard Details) appears to indicate a maximum solar array height as approximately 30 feet at maximum tilt
- The petitioner's exhibit (C-500 B Standard Details) appears to indicate a minimum solar array clearance as 3 feet.

Glare/Lighting
Section 10-4-13B.13 of the Unified Development Ordinance states solar panels shall be placed such that concentrated solar radiation or glare shall not be directed onto nearby properties or roadways. The panels shall be placed to face east and rotate west to follow the path of the sun to collect the most sunlight throughout the day.

- The petitioner has submitted a glare study and analysis which concludes that there was no potential for glint or glare identified by the analysis.
- It is also noted the solar modules will be treated with anti-reflective coating to minimize glare.
- **Staff requests the petitioner provide a viewshed from angles around the solar farm which illustrate how far away the panels will be from the public right-of-way (Corneils Road).**

Noise
The transformer is the greatest source of noise on the property.

- The petitioner's exhibit (C-200 C Site Plan Layout) indicates the transformer is 995.5 feet to the nearest residence located to the south on Corneils Road.

Fencing
The petitioner has proposed an eight (8) foot tall, galvanized chain link fence with slats to surround solar farm, along with a 20-foot-wide vehicle access gate. As stated in Section 10-4-13B.9 of the Unified Development Ordinance, Fence Regulations for Solar Farms, states that systems, equipment, and structures shall be fully enclosed and secured by a fence or wall with a height of eight (8) feet.

- **Staff requests the petitioner provide the total linear foot perimeter that the fence will enclose.**
- **A Knox box and keys shall be provided to the City's building department and Bristol Kendall Fire District (BKFD).**

Access Road
The proposed site access is via a 20-ft. wide gravel driveway proposed off Corneils Road.

- The path provides access to the equipment, however, no formal parking stalls are provided, as no buildings, employees are planned on the site except for the occasional mowing or maintenance visits.

- Section 10-4-13-B.5 of the City's Unified Development Ordinance states off-street parking provided on site shall be paved.
    - The petitioner's exhibit (C-200 C) indicates an HMA parking pad will be provided for off-street parking.
- Gravel roads are not permitted for vehicle travel.
    - The proposed solar farm is utilizing the same access as the approved Corneils Road Solar project, as both solar farms access road is located in the same parcels (#02-08-300-008 and #02-08-300-012).
    - **Staff defers to the City Public Works Director and City Engineer for comment on the road composition.**

Decommissioning Estimate/Plan

The petitioner has provided a decommission plan.

- **In addition to the decommissioning plan narrative, a construction estimate for the life of the lease must be provided with a 3% annual inflation rate which must be reviewed and approved by the City Engineer.**
- Staff defers to City Engineer.

Accessory Use

Section 10-4-13-A.2 of the City's Unified Development Ordinance states solar and wind farms shall be an accessory to the principal permitted use of a site. Therefore, the area and scale of the solar farm must be less than the primary agricultural land use.

- As proposed, the solar farm will occupy approximately 30 acres of the overall existing 70 acres of farmland.
- **However, staff notes the acreage for the approved Corneils Road Solar in addition to the proposed solar farm would be greater than the primary agricultural use for parcel #02-08-300-008.**
- **Staff requests that the petitioner verify the total acreage occupied by the solar farm use for each parcel (#02-08-300-008, #02-08-300-012, and #02-08-300-011) associated with the approved Corneils Road Solar project.**

Signage

Per Section 10-4-13B.9.a(1) and (2) of the City's Unified Development Ordinance, warning signs shall be provided at the entrance to the facility and along the perimeter of the solar farm.

- Additionally, the signs shall be less than four (4) square feet and made with letters and numbers at least three (3) inches in height and shall include the 911 address and an emergency phone number of the operator which shall be answered twenty-four (24) hours a day by a live operator. A nonemergency phone number for the operator shall be displayed.
- The petitioner's exhibit (C-500 B Standard Details) indicates signage information. The emergency contact sign (8.5'' X 11'') appears to be compliant with this regulation.

Landscaping

- Defer to Engineering Comments related to landscaping.
    - It is noted that the petitioner will provide IDOT class 7 seed mix outside the fenced areas and site-specific pollinator friendly seed mix within the fenced areas beneath the solar panels.

Utilities

Per Section 10-4-13B.4 of the Unified Development Ordinance, power and communication lines running in between banks of solar panels and to electric substations or interconnections with buildings shall be buried underground.

- The routing of the electrical infrastructure required to connect to the ComEd system includes electrical cables installed underground for the entire project with the exception of a series of overhead poles (approx. 4) for a wire connection near Corneils Road.

Utility Service Provider
Section 10-4-13-B.4.a of the Unified Development Ordinance states that evidence that the electric utility service provider that serves the proposed site has been notified of the owner's intent to install an interconnected customer owned electricity generator.

- The petitioner has provided a copy of an Interconnection Agreement, as prepared by ComEd dated 01/20/2024.

Special Use Standards
Section 10-8-5-D state specific standards for special use which all recommendation bodies will review. The petitioner has provided answers to each of the criteria in the application as well as providing an additional attachment to these standards.

Easement Access
Section 10-4-13-B.14 of the City's Unified Development Ordinance states an easement, or other authorized means of access as determined by the City Attorney, shall be provided over the property to allow the City or its contractor to enter and remove the abandoned system in compliance with the City Code.

October 15, 2024

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

Re: ***Beecher Road Solar***
Special Use & Rezoning Request – 1st Submittal, Landscape Only
United City of Yorkville

Dear Krysti:

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

- Special Use & Variance Permit Applications
- Special Use Application Plans
- Other Supporting Documentation

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

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

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. Gina Nelson, Admin Assistant (via email)
Ms. Jori Behland, City Clerk (via email)
Building Department (via email) Bzpermits@yorkville.il.us
Mr. Matt Kwiatkowski, NexAmp (via email)
Mr. Dan Kramer, Attorney (via email)
TNP, PGW2, EEI (via e-mail)

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Hey and Associates, Inc.
Engineering, Ecology and Landscape Architecture

8755 W. Higgins Road, Suite 835
Chicago, Illinois 60631
Phone (773) 693-9200
Fax (773) 693-9200

October 11, 2024

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

Project No.: 21-0275 AF

Re: Landscape Plan and Wetland Review
YO2402-DR Corneils Road Solar, LLC

Dear Pamela:

We have completed our second landscape plan review of the proposed Corneils Road Solar facility located at 10791 Corneils Road in Yorkville.

Landscape Plan – NOT RECOMMENDED FOR APPROVAL

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

Review Comments

The reviewed plans were largely illegible due to small size and low resolution. 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

No buildings are proposed, so therefore building foundation landscape zone requirements do not apply.

Parking Area Perimeter Landscape Zone

No off-street parking areas abut public or private right-of-way (excluding alleys), so therefore parking area perimeter landscape zone requirements do not apply.

Parking Area Interior Landscape Zone

No off-street parking areas consisting of 10 or more spaces are proposed, so therefore parking area interior landscape zone requirements do not apply.

Transition Zone

Because adjacent land use is agricultural, transition zone requirements do not apply.

Species Diversity Requirements

The landscape plan indicates a "Pollinator Friendly Seed Mix" will be installed but is illegible.

Tree Preservation and Removal

No live tree with a 4" or greater DBH may be removed without approval. A review of Google Earth imagery reveals trees are present on the site throughout the creek corridor. It is not clear from the plans whether any trees are to be removed. A tree survey is required; tree replacement may also be required.

Street Trees

Previous submittals included street tree plantings, but none are shown on the current plans.

General

The landscape plan indicates a "Pollinator Friendly Seed Mix" will be installed. A maintenance plan should also be submitted describing how this landscape will be maintained to ensure that desired species become established, persist, and the area is not overtaken by weeds.

A Plant Schedule included on the Landscape Plan sheet C-400 indicates 39 evergreen trees and 195 shrubs are proposed, but these plantings were not found on the plan.

Wetlands

A valid wetland delineation and jurisdictional determination of the proposed project area are required.

A linear buffer along all watercourses is required. Buffer width shall be calculated per City or USACE requirements, whichever is more stringent.

Any impacts to wetlands or waters must be clearly identified on the plans.

Additional comments may be provided after complete information is submitted.

SUMMARY

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

- Application Narrative/Cover Letter, 4 pages, prepared by Nexamp, dated August 16, 2024
- Location Map, 1 page, no author, no date
- Special Use Application Plans, 6 sheets, prepared by Atwell, most recently dated 8/12/24

Let us know if there are any questions or comments.

Sincerely,

Tim Pollowy

Tim Pollowy, RLA
Senior Landscape Architect

October 21, 2024

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

Re: 2820 Beecher Rd Solar
Final Engineering Review – 3rd Submittal
United City of Yorkville

Dear Krysti:

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

- Final Engineering Plans (17 sheets) dated September 27, 2024, prepared by Castillo Engineering.
- Stormwater Management Report dated October 2024 prepared by Christopher B. Burke Engineering
- Truck Turning exhibits (2 sheets)
- Drain Tile Survey

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 is required. The Notice of Intent must be filed with IEPA 30 days prior to start of construction. We acknowledge receipt of this authorization.
2. Coordination with a planned sanitary sewer along the railroad route will be required. This construction is planned to start in February 2025.
3. We have provided the seeding, wetland, and landscaping plans to the City's landscaping consultant and comments will be forwarded when available.
4. The truck turning exhibits have been reviewed and are found to be acceptable.

Stormwater Permit Application

5. An updated permit application was not included with the submittal. The following comments on the application are from the previous review letter.

a. The disturbance area in the permit and the stormwater report is different than that shown in the plan set. Confirm the correct area.

b. The box for disturbing more than 10,000 square feet should be checked under the "Type of Improvement".

Stormwater Management Report

6. The stormwater report has been reviewed and is found to be acceptable.

Engineering Plans

C-04 Site Plan

7. The floodway and floodplain for Rob Roy Creek should be labeled and linework shown. The edge of the waterline is not the same. See the stormwater report exhibits for reference.

8. A pavement section should be shown for the paved portion of the access drive.

C-05.1 SWPPP & Erosion Control

9. The floodway and floodplain for Rob Roy Creek should be labeled and linework shown. The edge of the waterline is not the same. See the stormwater report exhibits for reference.

C-11.3 Section Details

10. Include a pavement section for the paved portion of the entrance road at the connection to Beecher Road.

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. Sara Mendez, City Planner (via email)
Ms. Gina Nelson, Admin Assistant (via email)
Ms. Jori Behland, City Clerk (via email)
Building Department (via email) Bzpermits@yorkville.il.us
Mr. Eric Gamble, Recon Corporation (via email)
TNP, PGW2, EEI (Via e-mail)

October 23, 2024

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

Re: 2820 Beecher Rd Solar
Final Engineering Review – 3rd Submittal, Landscape Only
United City of Yorkville

Dear Krysti:

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

- Final Engineering Plans (17 sheets) dated September 27, 2024, prepared by Castillo Engineering.

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:

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

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. Sara Mendez, City Planner (via email)
Ms. Gina Nelson, Admin Assistant (via email)
Ms. Jori Behland, City Clerk (via email)
Building Department (via email) Bzpermits@yorkville.il.us
Mr. Eric Gamble, Recon Corporation (via email)
TNP, PGW2, EEI (Via e-mail)

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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

October 22, 2024

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

Project No.: 21-0275 AK

Re: Landscape Plan and Wetland Review
Beecher Road Solar

Dear Pamela:

We have completed our third plan review of the proposed Beecher Road Solar development 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

No buildings are shown on the submitted plans; therefore, these requirements do not apply.

Parking Area Perimeter Landscape Zone

No parking lots are shown on the submitted plans; therefore, these requirements do not apply.

Parking Area Interior Landscape Zone

No parking lots are shown on the submitted plans; therefore, these requirements do not apply.

Transition Zone

The subject lot is to be zoned Agricultural; therefore, these requirements do not apply. The landscape plan does include some landscape buffer planting along the western property edge (Beecher Road) which is suggested in the City's Comprehensive Plan. However, said plantings do not fully meet Transition Zone requirements.

Species Diversity Requirements

PREVIOUS COMMENTS NOT ADDRESSED. Compliance will be assessed after all requirements have been met.

Tree Preservation and Removal

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

Street Trees

PREVIOUS COMMENTS NOT ADDRESSED. Chapter 7 Subdivision Standards of the UDO requires a minimum of 1 canopy tree per 40 linear feet of parkway. Twenty parkway trees are required along Beecher Road but only 16 are proposed.

Wetlands

Previous comments addressed.

SUMMARY

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

- Response Letter to 2nd Review, 5 pages, prepared by Recon Corporation, dated October 4, 2024
- Responses to Wetland Review, 2 pages, prepared by Encap, not dated
- Site Plan, Seeding Plan, Wetland Mitigation Plan, and Landscape Plan, 4 sheets, prepared by Castillo Engineering, most recently dated 9/27/2024
- Wetland Permit Application, 150 pages, prepared by ENCAP, dated August 8, 2024 (previously submitted)

Let us know if there are any questions or comments.

Sincerely,

Tim Pollowy

Tim Pollowy, PLA, ASLA
Senior Landscape Architect

November 20, 2024

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

Re: 2820 Beecher Rd Solar
Final Engineering Review – 4th Submittal
United City of Yorkville

Dear Krysti:

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

- Final Engineering Plans (17 sheets) dated November 5, 2024, prepared by Castillo Engineering.
- Landscaping Plan and Tree Inventory (2 sheets) dated October 29, 2024, prepared by Christopher B. Burke Engineering
- Stormwater Permit Application

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 is required. The Notice of Intent must be filed with IEPA 30 days prior to start of construction. We acknowledge receipt of this authorization.
2. Coordination with a planned sanitary sewer along the railroad route will be required. This construction is planned to start in February 2025.
3. We have provided the seeding, wetland, and landscaping plans to the City's landscaping consultant and comments will be forwarded when available.

Stormwater Permit Application

4. The "Area to be Disturbed" needs to be filled out.
5. Under "Type of Improvement", the box for disturbing more than 10,000 square feet and the box for development in the floodplain should be checked. All choices that apply are supposed to be checked.
6. The "Stormwater Data Summary" table needs to be filled out.

Engineering Plans

C-05.1 SWPPP & Erosion Control

7. The dark blue line should be labeled as the floodway and the light blue line should be labeled as the floodplain. Stockpiles cannot be located in the floodway.

C-11.3 Section Details

8. Include a pavement section for the paved portion of the entrance road at the connection to Beecher Road. There is only a section for the gravel drive in the plans.

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. Sara Mendez, City Planner (via email)
Ms. Gina Nelson, Admin Assistant (via email)
Ms. Jori Behland, City Clerk (via email)
Building Department (via email) Bzpermits@yorkville.il.us
Mr. Eric Gamble, Recon Corporation (via email)
TNP, PGW2, EEI (Via e-mail)

December 3, 2024

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

Re: 2820 Beecher Rd Solar
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 (17 sheets) dated November 21, 2024, prepared by Castillo Engineering.
- Stormwater Permit Application

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 is required. The Notice of Intent must be filed with IEPA 30 days prior to start of construction. We acknowledge receipt of this authorization.
2. Prior to the start of construction, the following items need to be addressed:
    - A preconstruction meeting with City staff needs to be held.
3. Coordination with a planned sanitary sewer along the railroad route will be required. This construction is planned to start in February 2025.

Stormwater Permit Application

4. The stormwater permit application has been reviewed and is recommended for approval.

Engineering Plans

5. The engineering plans have been reviewed and are found to be acceptable.

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. Sara Mendez, City Planner (via email)
Ms. Gina Nelson, Admin Assistant (via email)
Ms. Jori Behland, City Clerk (via email)
Building Department (via email) Bzpermits@yorkville.il.us
Mr. Eric Gamble, Recon Corporation (via email)
TNP, PGW2, EEI (Via e-mail)

Memorandum

To: Planning & Zoning Commission
From: Krysti J. Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
David Hansen, Senior Planner
Sara Mendez, Planner I
Date: February 6, 2025
Subject: **PZC 2024-29 1115, LLC (Rezone & PUD)**
Proposed "Fox Haven" Multi-Family Residential Townhome Development

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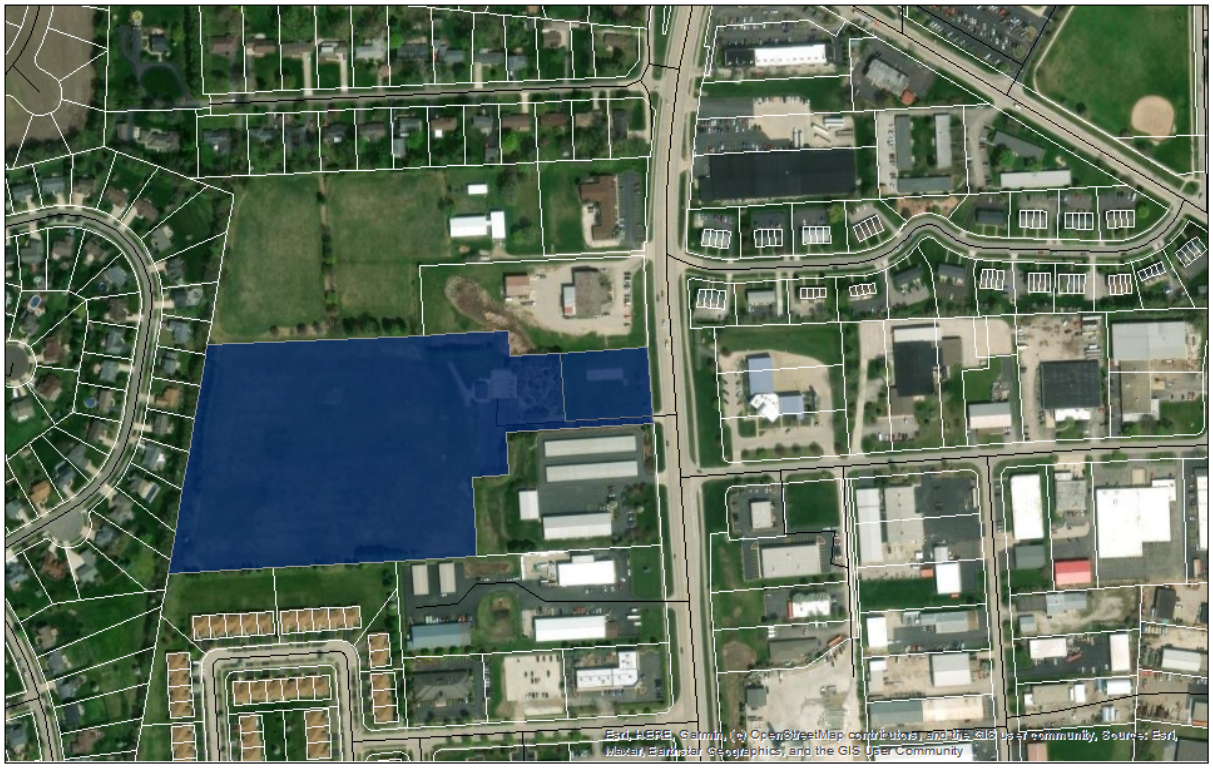
REQUEST SUMMARY:

Richard L. Williams, attorney, on behalf of Patrick Winninger, contract purchaser/petitioner and Brent and Tracy Schalhamer, property owner, intends to purchase and redevelop approximately 14 acres of land comprised of two (2) parcels: a 1-acre rectangular parcel and a 13-acre irregularly-shaped parcel, previously operated as Parfection Park and located at 1115 South Bridge Street. The proposal seeks to rezone the 13-acre parcel from R-1 Single-Family Suburban Residence District to R-4 General Multi-Family Residence District for the purpose of developing a townhome community, known as Fox Haven, with 18 buildings totaling 105 townhome units. The one-acre parcel will remain zoned as B-3 General Business District, with plans for a future commercial development.



1115 S BRIDGE STREET

United City of Yorkville, Illinois
Date: November 4, 2024
File Location: I:\ARCGIS TEMPLATES\1115 S BRIDGE STREET

PROPERTY BACKGROUND/ZONING:

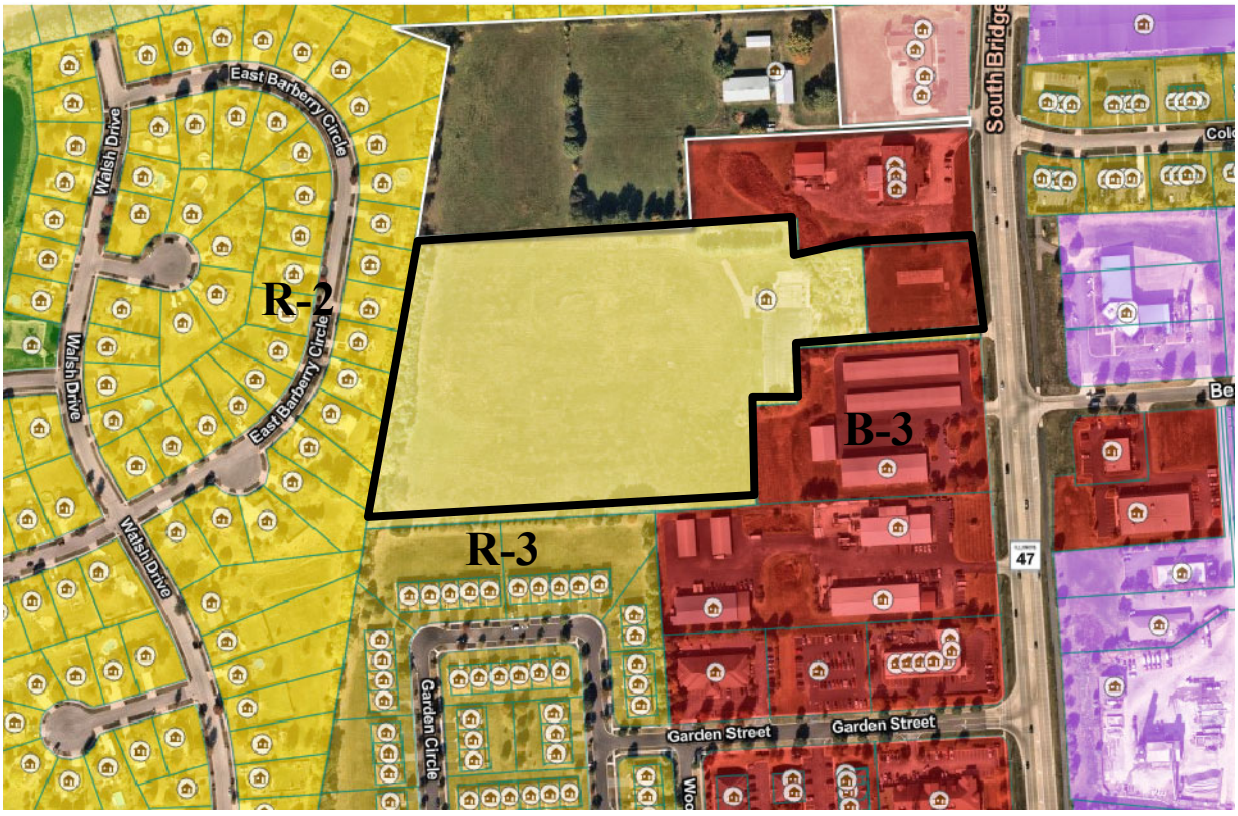
The subject property was formally occupied by the Parfection Park which included a golf range, batting cages, and mini golf outdoor entertainment venue which closed in October 2017. Since that time, the property has remained vacant and for sale. As previously mentioned, the property consists of (2) parcels, the smaller 1-acre parcel located immediately adjacent to IL 47, is zoned B-3 General Business District,

and the larger 13-acre parcel is zoned R-1 Single-Family Suburban Residence District. The petitioner seeks to rezone the 13-acre parcel to within the R-4 General Multi-Family Residence District. Per Table 10-3-12 (B) of the Yorkville Unified Development Ordinance (UDO), "townhome dwellings" are permitted land uses in the R-4 General Multi-Family Residence District. The R-4 District is intended for moderate to high density multi-family buildings and complexes.

Following are the current immediate surrounding zoning and land uses to the subject property:

	Zoning	Land Use
North	B-3 General Business District A-1 Agricultural (Kendall County)	Commercial/Office Agriculture
East	B-3 General Business District IL Route 47 (Bridge Street)	Commercial/Office Transportation Land Use
South	R-3 Multi-Family Attached Residence District B-3 General Business District	Prairie Gardens Subdivision Commercial/Office
West	R-2 Single-Family Traditional Residence District	Greenbriar Subdivision (PUD)

Zoning Map 2024



PROPOSED PLANNED UNIT DEVELOPMNT (PUD):

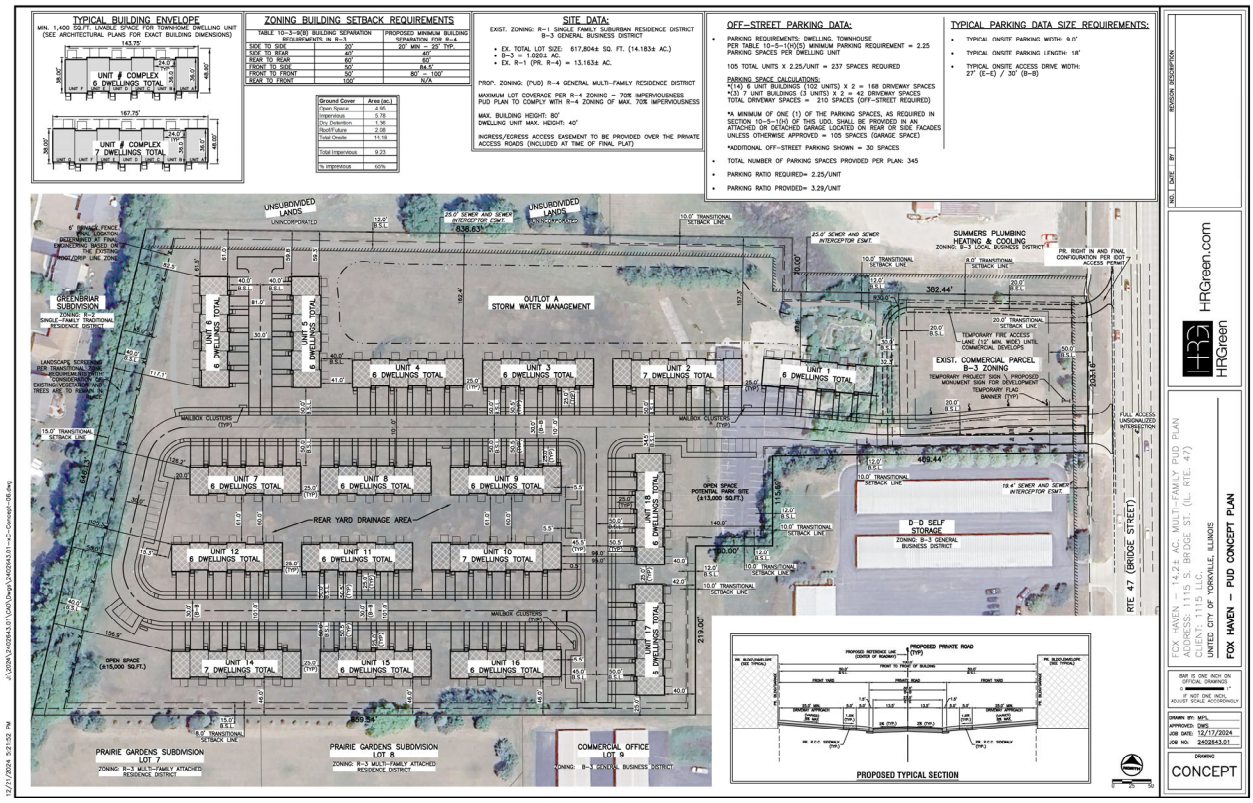
Planned Unit Developments (PUD) are allowed to modify standards of the base district as long as the requested modifications are specifically identified and demonstrates how each allowance is compatible with surrounding development, is necessary for proper development of the site, and is aligned with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

According to staff's review, modification standard **#1 "Landscape Conservation and Visual Enhancement" applies** due to the preservation of a mature, densely vegetated tree line that buffers the

subject property from the adjacent Greenbriar Subdivision to the west. The petitioner, however, contends that Modification Standard #12, "Regional Utility Improvements," is also applicable, citing the proposed development's creation of cross-access opportunities for neighboring properties and future utility connections for the parcel to the north. While the proposed PUD plan does offer benefits for future development of adjacent parcels, these advantages are local in scope and are essential for this parcel's development. Therefore, staff does not consider the proposal to meet the criteria for a "regional utility improvement."

PROPOSED CONCEPT PLAN:

The proposed concept for the 1115, LLC development includes 105 townhome residential units on a 13-acre parcel planned to be rezoned R-4. The townhomes are arranged in 18 buildings, each containing six (6) to seven (7) units and are laid out in a garrison-style formation with uniform spacing. The lots are positioned along a primary internal roadway with a single access point from IL Route 47 (S. Bridge Street). This roadway loops through the site, providing frontage to each building and passing an undeveloped 1-acre commercial parcel. The plan includes a stormwater basin at the northern end of the site, as well as green spaces, pedestrian walkways, and surface parking for guests.



The plan incorporates transition and buffer zones between the subject parcel and neighboring land uses, along with utility extensions and easements. Neither the townhome development nor the commercial parcel requires variances from the R-4 General Multi-Family Residence District or B-3 General Business bulk and dimensional standards.

Below is a summary of the design components of the Concept Plan and how they compare to the base R-4 and B-3 district standards as part of the PUD:

1. ***R-4 General Multi-Family Residence District Bulk Regulations*** - Per the Table 10-3-9(A) Bulk and Dimensional Standards, the following compares current R-4 General Multi-Family Residence District standards with the proposed Planned Unit Development (PUD) for the residential townhomes:

	R-4 Zoning Regulations	Proposed PUD
Min. Lot Area	15,000 sq. ft.	13.163 acres
Min. Lot Size per DU	5,000 sq. ft.	N/A
Min. Lot Width	90 feet	200+ feet
Front Yard Setback	30 feet	30 feet
Rear Yard Setback	40 feet	40 feet
Side Yard Setback	12 feet or 60% of building height (20 ft. corner)	12 - 15 feet
Max. Density	8 du/acre	7.9 du/acre
Max. Lot Coverage	70%	65%
Max. Dwelling Height	40 feet	Max. 40 feet (3 stories)

The proposed PUD **meets the minimum bulk regulations** for lot area, lot width, and yard setbacks required in the R-4 Zoning District. Although the R-4 District mandates a minimum of 1,400 square feet of livable space for any two-story structure, the petitioner plans to construct three-story townhome units, each meeting the minimum livable space requirement and remaining within the maximum allowable height of 40 feet per dwelling.

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

	B-3 Zoning Regulations	Existing Commercial Parcel
Min. Lot Area	10,000 sq. ft.	1.02 acres
Front Yard Setback	50 feet	50 feet
Rear Yard Setback	20 feet	20 feet
Side Yard Setback	20 feet	20 feet
Corner Yard Setback	30 feet	N/A

3. ***Building Separation*** - Per Section 10-3-9(B) of the Unified Development Ordinance, minimum building separation standards are **only required for the R-3 Multi-Family Attached Residence District.** However, the petitioner has provided minimum separation dimensions on the Concept Plan. Below is a comparison of the R-3 minimum building separation and the proposed R-4 townhome PUD:

Table 10-3-9(B) Building Separation Requirements in R-3		Proposed Minimum Building Separation for R-4
Side to side	20 feet	20 - 25 feet
Side to rear	40 feet	40 feet
Rear to rear	60 feet	60 feet
Front to side	50 feet	84.5 feet
Front to front	50 feet	80 – 100 feet
Rear to front	100 feet	N/A

The proposed plan meets or exceeds the minimum building separation requirements for multi-family attached residential buildings, ensuring uniform spacing between structures and sufficient common areas that balance privacy with shared amenities.

4. ***Multi-Family Residential Use Standards*** - Per Section 10-4-2(B) of the Unified Development Ordinance multi-family dwelling developments, the main entrance to a multi-family dwelling

shall face the primary perimeter or internal street and the entrance to a townhome shall face the primary public street unless otherwise approved.

a. Units 5 and 6 will feature a motor court-style arrangement, establishing frontage under the "otherwise approved" category. Under the developer's proposal, this configuration is designed to allow for a future "emergency cross-access" connection to the parcel to the north as surrounding parcels are developed. **Staff is supportive of this request.**

5. ***Vehicle Access*** - As proposed, the site has one (1) point of access off of IL Route 47 for both the commercial and residential townhome lots.

   a. Connectivity – The access off of IL Route 47 leads to a looped unnamed future private roadway ending into two stubs to the south adjacent to the Prairie Gardens Subdivision but does not align with an existing connection.

   b. Cross Access – 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 internal roadway will be private, the developer is required to include cross access easements for the residential and commercial parcels to share the ability for perpetual use as part of the Final Plat of Subdivision.

   c. Emergency Access – The petitioner proposes to provide secondary access to the site via a right-in access point off of IL Route 47 (Bridge Street), per IDOT's approval.

6. ***Off-Street Parking*** - According to the revised Concept PUD Plan submitted, there are **345 total residential parking spaces** to be provided on the property to accommodate the proposed townhome development as calculated below:

Building Type	# of Parking Spaces Provided
6 Dwelling Unit Bldgs.	168 driveway spaces
7 Dwelling Unit Bldgs.	42 driveway spaces
Garage Spaces (1 per unit)	105 garage spaces
Guest Parking	30 guest parking spaces
TOTAL	**345**

Per Table 10-5-1(H)(5) Minimum Parking Requirements of the Yorkville Unified Development Ordinance, townhouse dwellings require a minimum of **2.25 parking spaces per dwelling unit**, of which a minimum of one (1) of the parking spaces, shall be provided in an attached or detached garage located on rear or side façades unless otherwise approved. The minimum off-street parking spaces required for this development is 237 spaces. The development exceeds this requirement by providing 3.29 spaces/per dwelling unit.

7. ***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 access to an existing sidewalk network along the frontage of IL Route 47. As presented, the petitioner is proposing to install an internal sidewalk network around the looped roadway.

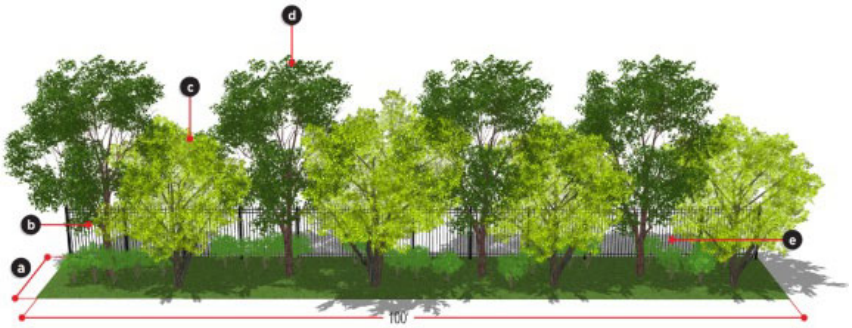
8. ***Street Design*** - Per Section 10-7-3(A)(2) of the Unified Development Ordinance, blocks shall not exceed one thousand three hundred twenty (1,320) feet in length. While not a proposed public

roadway, the length of the primary internal roadway from the centerline of IL Route 47 to the westernmost centerline of the internal access drive is approximately 1,275 feet. Additionally, the required minimum right-of-way width for local residential street is 66 feet. The proposed plan illustrates a minimum roadway width of 30 feet.

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. **While the petitioner had not submitted a landscape plan for review, the following standards shall apply for the commercial and residential land uses as described below:**

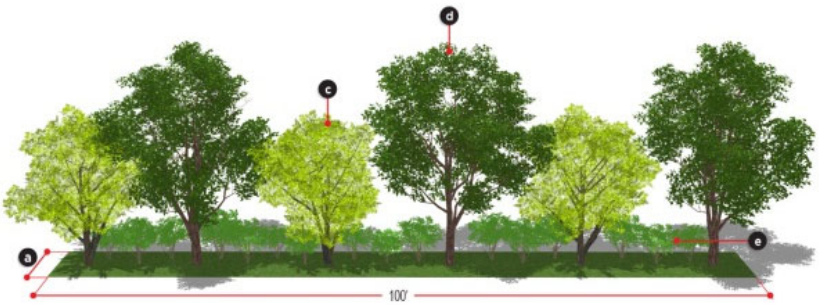
Table 10-5-3(F)(3) Transition Zone Types					
Specification		Type A (3)	Type B (3)	Type C (3)	Type D (3)
(a)	Minimum Zone Width (1)	8 feet	10 feet	15 feet	20 feet
(b)	Minimum Fence/Wall Height (2)	optional	optional	6 feet	6 feet
Minimum Number of Landscape Elements per 100 Linear Feet					
(c)	Understory 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.					

a. Transition Zone "C" Landscape buffer is required between the townhome development and the adjacent Greenbriar residential subdivision to the west and the Prairie Garden subdivision to the south.



b. Transition Zone "B" Landscape buffer is required between the townhome development and the adjacent commercial land uses to the east.

c. No Transition Zone Landscape buffer is required between the agricultural land use to the north.



10. ***Appearance Standards*** - Per Section 10-5-8 of the Unified Development Ordinance, there are special provisions for design standards for multi-family development, specifically masonry products shall be incorporated on the front facade of at least seventy-five (75) percent of the total buildings in the approved community 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.

    a. The petitioner has provided elevations for the proposed townhome development, as illustrated below. <u>According to staff's review of the elevations and has determined the minimum required premium siding is 20% due to the presence of the following major architectural features which accounts for a 30% credit: decorative dormers, projecting bay windows, and covered porches</u>.

However, the petitioner is still requesting relief from the required minimum 50% masonry products or premium siding on the front façade of 75% of the townhome buildings to 25% should the elevation as presented change as plans are refined, due to the following benefits:

I. **Cost Efficiency**: Lowering the brick requirement will significantly reduce construction costs, making housing more affordable for future residents.

II. **Community Identity**: By incorporating a mix of architectural features and materials, we can cultivate a unique community identity that reflects the character and values of our residents. This identity will be a source of pride and a key factor in attracting new families and businesses to our area.

III. **Balanced Visual Appeal**: A mix of materials and features can create a more balanced and harmonious look, avoiding the monotony that can sometimes result from excessive use of a single material. This balance will enhance the overall aesthetic quality of our community.

IV. **Sustainability**: Using less brick can contribute to more sustainable building practices by reducing the demand for masonry materials, which have a higher environmental impact compared to other siding options.

V. **Economic Development**: The cost savings from reduced brick usage can be redirected towards other community improvements or amenities, fostering overall economic growth and development.

11. ***Signage*** – The petitioner has provided a signage plan for the proposed townhome development which consists of approximately 25 signs as detailed below:

Sign Type	Quantity	Size	Permitted/Not Permitted by Sign Regulations
Development Project Sign	1	10'x12'	Not Permitted/Exceeds Height & Size
Rigid Flag/Banner Signs	4	13'	Not Permitted/Exceeds Height
Parking Directional Signs	4	4 sq. ft.	Permitted
Model Burma Shave Sign	1	4 sq. ft.	Permitted
Offsite Billboard	1	TBD	Billboard Type Signs are Prohibited Signage on B-3 Parcel is Permitted
Sales Center Sign	2	5 ft.	Permitted
Model ID Sign	1	3 sq. ft.	Permitted
Appointment Only Sign	1	3 sq. ft.	Permitted
H.C. Accessible Sign	1	1.5 sq. ft.	Permitted
Lot Signs*	9	4.5 sq. ft.	Permitted
TOTAL	**25**		

**Plans state 9 signs, but the site plan has 18 building lots.*

While most of the signs proposed are outright permitted by the current sign regulations in Chapter 6 of the Unified Development Ordinance (UDO) under temporary signage, **the requested development project sign exceeds the permitted maximum height of 6 feet and size sign copy area of 32 square feet for post type signs. Additionally, the flag/banner type signs exceed the maximum height by 1 foot. However, staff is supportive of these requests due to the limited visibility of the site from the roadway.**

The proposed billboard-type sign is strictly prohibited by the ordinance, per Section 10-6-9, and is not supported by staff. However, discussion with the petitioner has indicated that the sign proposed on the B-3 zoned parcel is generally a development project sign announcing the builder, development name and product types available. Staff is again supportive of this type of signage due to the limited visibility of the parcel from the adjacent roadway (Bridge Street/IL-Route 47). Further, staff does not consider it off-premises, but **recommend a maximum sign area of 120 square feet (10'x12') which is consistent with the proposed development project sign.**

COMPREHENSIVE PLAN:

The 2016 Comprehensive Plan Update designates this property as "Commercial Office (CO)" which encourages both large-scaled office uses in single developments or as part of an office park setting; such uses will be typically located along Yorkville's important transportation corridors, Illinois Route 47 and US 34 (Veterans Parkway). Office developments can include service-related uses, hospitals and clinics, hotels, and facilities for research and product development.

Should the PUD be approved by the City Council for the townhome development, staff would seek to amend the Comprehensive Plan to reclassify the 13-acre parcel as Mid-Density Residential (MDR) which is consistent with the proposed land use.

PERMIT FEE SCHEDULE:

According to Yorkville's Land Cash Ordinance, outlined in Appendix B of the Unified Development Ordinance (UDO), approval of a final plat for a subdivision or planned unit development requires the developer to either dedicate land, provide a cash contribution in lieu of land, or a combination of both for park and school development. Based on the current ordinance standards and the petitioner's decision not to dedicate the required minimum of 2.306 acres for parks or 1.554 acres for schools—calculated using an assessed improved land valuation of $101,000 per acre—**the following building permit fee schedule will apply:**

Fox Haven Townhomes

FEES PER UNIT

A paid receipt from the School District Office, 602-A Center Parkway Yorkville, must be presented to the City prior to issuance of permit						$3,000
Separate Yorkville-Bristol Sanitary District fee - made payable to Y.B.S.D.						$1,870
United City of Yorkville Fees						
1. Building Permit						
	Cost $650 plus $0.20 per square foot (SF)					$650 + $0.20(SF)
2. Water Connection Fees				TH	$6,761	
		(see note 'a" below)				
3. Water Meter Cost					$550	Current Rate
4. City Sewer Connection Fees						$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	$2,218	N / A	N / A	
	School	N / A	$1,494.49	N / A	N / A	
	Land-Cash Fees Total	$0.00	$3,712.64	$0.00	$0.00	
9. Road Contribution						$2,000
Notes:						
a. Rate effective 5/1/25 and subject to annual increases per Ord. 2023-28						

STANDARDS FOR PLANNED UNIT DEVELOPMENT:

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

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

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

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

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.

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

COMMUNITY MEETING:

The petitioner hosted a community meeting on Tuesday, January 28th, with residents of the neighboring residential developments, Greenbriar and Prairie Gardens. The purpose was to introduce the project, present site plans, and showcase renderings of the townhome development to gather feedback and address questions (see attached sign-in sheet). According to the petitioner, several residents attended and raised concerns regarding potential rentals, future landscaping, and construction-related noise.

STAFF COMMENTS:

The City Engineer has reviewed the proposed Planned Unit Development and Concept Plan, granting conditional approval pending resolution of comments outlined by EEI in a report dated October 3, 2024. Additionally, EEI provided further plan review comments in a letter dated January 8, 2025, addressing the latest plan resubmittal from January 2, 2025. According to EEI, although the internal roadways will remain private, cross-access easements will be required, a secondary access point is recommended for emergency and public safety purposes, and a conceptual landscape plan should be submitted. These matters will be addressed during the final engineering and final plat approval process. S**taff recommends that approval of the proposed PUD be contingent upon compliance with the comments outlined in EEI's January 8, 2025, review letter**.

PROPOSED MOTIONS:

1. *Planned Unit Development (PUD) Amendment*
   In consideration of testimony presented during a Public Hearing on February 12, 2025 and standards for Planned Unit Development Approval, the Planning and Zoning Commission recommends approval to the City Council of a request to develop a 13-acre townhome community with 18 buildings totaling 105 townhome units with a deviation from the Yorkville Unified Development Ordinance's Appearance Standards (Section 10-5-8(C)(2)(b)) to reduce the required use of masonry products or premium siding on the front façades of the townhome buildings from 50% to 25% and a signage plan allowing for certain temporary signs to exceed the permitted maximum sign area and sign height for the property generally located west of IL Route 47 (S. Bridge Street), east of the Green Briar subdivision, and north of the Prairie Garden development with a common address of 1115 South Bridge Street, subject to the conditions enumerated in a staff memorandum dated February 6, 2025 and further subject to {insert any additional conditions of the Planning and Zoning Commission}…

2. *Rezone*
   The Planning and Zoning Commission recommends approval to the City Council to rezone a 13-acre parcel generally located west of IL Route 47 (S. Bridge Street), east of the Green Briar subdivision, and north of the Prairie Garden development with a common address of 1115 South Bridge Street from R-1 Single-Family Suburban Residence District to R-4 General Multi-Family Residence District, and further subject to {insert any additional conditions of the Planning and Zoning Commission}…

Attachments:

1. Application for Rezoning
2. Application for Planned Unit Development
3. Legal Description
4. Letter of Transmittal, dated November 15, 2024 and prepared by Richard L. Williams, Attorney
5. Letter of Authorization, dated November 5, 2024 and prepared by Brent and Tracy Schalhamer
6. Concept PUD Plans – dated 12/17/24 and prepared by HR Green
7. Greenbriar Screening Photos
8. Response Letters from HR Green dated January 2, 2025
9. Proposed Signage Guidelines and Examples

10. Proposed Elevation/Rendering
11. EEI Review Letter dated January 8, 2025
12. Plan Council Packet dated 12-12-24
13. Land Cash Fee Schedule
14. Public Hearing Notice Affidavit
15. Community Meeting Sign-In Sheet

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

INTENT AND PURPOSE

Rezoning is a type of map amendment which allows for the reclassification of a property's zoning district. A request for rezoning must not be arbitrary. There are several land use factors which are considered during the review process for a rezoning request including the suitability of surrounding land uses and zoning districts, local development trends, potential traffic impacts, and the overall public health and safety of the community.

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

For a complete explanation of what is legally required throughout the Special Use process, please refer to "Title 10, Chapter 8, Section 12: Map Amendments" of the Yorkville, Illinois Unified Development Ordinance.

APPLICATION PROCEDURE

STEP 1
APPLICATION SUBMITTAL

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

The following must be submitted:

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

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

The petitioner is responsible for payment of recording fees and public hearing costs, including written transcripts of the public hearing and outside consultant costs (i.e. legal review, land planner, zoning coordinator, environmental, etc.). The petitioner will be required to establish a deposit account with the City to cover these fees.

Once a submitted and complete application is received, 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.

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

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. No rezoning request shall be recommended by the Planning and Zoning Commission unless it follows the standards set forth in City's Zoning Ordinance.

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
- ☐ Posting Public Hearing Sign(s)
- ☐ Signed Certified Affidavit of Mailings
- ☐ Attendance at All Meetings

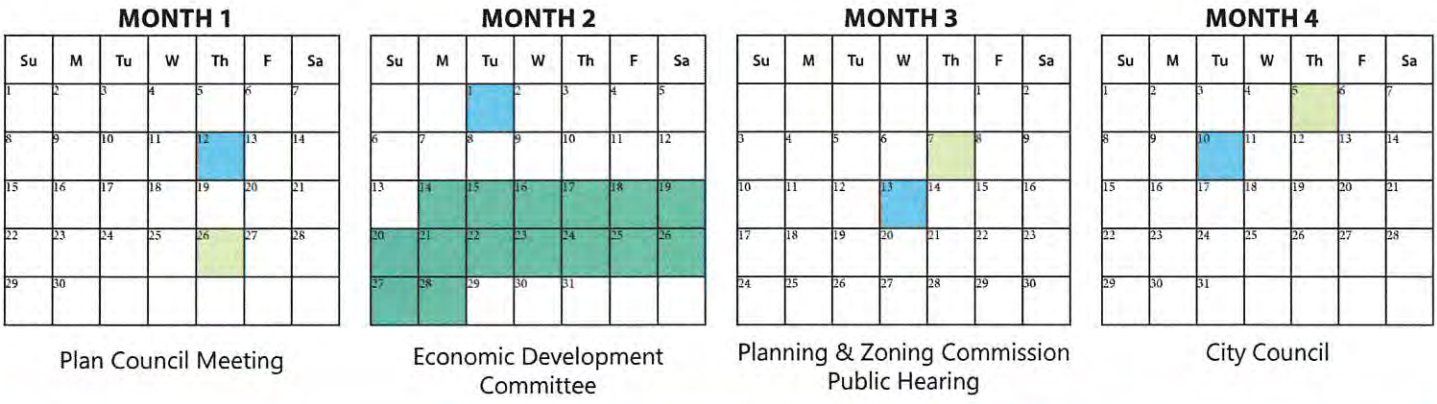
CITY STAFF

- ☐ 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 REZONING

SAMPLE MEETING SCHEDULE



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

DORMANT APPLICATIONS

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

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

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

Withdrawal or termination of an application shall not affect the applicant's responsibility for payment of any costs and fees, or any other outstanding debt owed to the city. The balance of any funds deposited with the city that is not needed to pay for costs and fees shall be returned to the applicant. (Ord. 2011-34, 7-26-2011 and Section 10-8-2: General Application Requirements)

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APPLICATION FOR REZONING

INVOICE & WORKSHEET PETITION APPLICATION

CONCEPT PLAN REVIEW	☐ Engineering Plan Review deposit	$500.00	Total: $
AMENDMENT	☐ Annexation	$500.00	Total: $
	☐ Plan	$500.00	
	☐ Plat	$500.00	
	☐ P.U.D.	$500.00	
ANNEXATION	☐ $250.00 + $10 per acre for each acre over 5 acres		Total: $
_____ - 5 = _____ x $10 = _____ + $250 = $ _____			
# of Acres / Acres over 5 / Amount for Extra Acres / Total Amount			
REZONING	☑ $200.00 + $10 per acre for each acre over 5 acres		Total: $ 280.00
If annexing and rezoning, charge only 1 per acre fee; if rezoning to a PUD, charge PUD Development Fee - not Rezoning Fee			
13 - 5 = 8 x $10 = 80 + $200 = $ 280.00			
# of Acres / Acres over 5 / Amount for Extra Acres / Total Amount			
SPECIAL USE	☐ $250.00 + $10 per acre for each acre over 5 acres		Total: $
_____ - 5 = _____ x $10 = _____ + $250 = $ _____			
# of Acres / Acres over 5 / Amount for Extra Acres / Total Amount			
ZONING VARIANCE	☐ $85.00 + $500.00 outside consultants deposit		Total: $
PRELIMINARY PLAN FEE	☐ $500.00		Total: $
PUD FEE	☐ $500.00		Total: $
FINAL PLAT FEE	☐ $500.00		Total: $
ENGINEERING PLAN REVIEW DEPOSIT	☐ Less than 1 acre	$5,000.00	Total: $ 15,000
	☐ Over 1 acre, less than 10 acres	$10,000.00	
	☒ Over 10 acres, less than 40 acres	$15,000.00	
	☐ Over 40 acres, less than 100 acres	$20,000.00	
	☐ Over 100 acres	$25,000.00	
OUTSIDE CONSULTANTS DEPOSIT *Legal, land planner, zoning coordinator, environmental services*	For Annexation, Subdivision, Rezoning, and Special Use:		Total: $ 5,000
	☐ Less than 2 acres	$1,000.00	
	☐ Over 2 acres, less than 10 acres	$2,500.00	
	☒ Over 10 acres	$5,000.00	
TOTAL AMOUNT DUE:			$280.00

20,280.00

United City of Yorkville
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APPLICATION FOR REZONING

DATE: 10/18/2024	PZC NUMBER: ?	DEVELOPMENT NAME: ?

PETITIONER INFORMATION

NAME: Patrick Winninger	COMPANY: 1115 LLC
MAILING ADDRESS: 1211 Deer St	
CITY, STATE, ZIP: Yorkville, IL 60560	TELEPHONE: ◉ BUSINESS ○ HOME 630-699-5877
EMAIL: pwinninger@winningerexcavating.com	FAX:

PROPERTY INFORMATION

NAME OF HOLDER OF LEGAL TITLE: Brent and Tracy Schalhamer	
IF LEGAL TITLE IS HELD BY A LAND TRUST, LIST THE NAMES OF ALL HOLDERS OF ANY BENEFICIAL INTEREST THEREIN:	
PROPERTY STREET ADDRESS: 1115 S. Bridge Street Yorkville, IL	
DESCRIPTION OF PROPERTY'S PHYSICAL LOCATION: West Side of Route 47 between route 126 and 71.	
CURRENT ZONING CLASSIFICATION: R-1	REQUESTED ZONING CLASSIFICATION: R-4
COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION: Commerical Office	TOTAL ACREAGE: 13

ZONING AND LAND USE OF SURROUNDING PROPERTIES

NORTH: B-3/A-1
EAST: B-3
SOUTH: R-3/B-3
WEST: R-2

KENDALL COUNTY PARCEL IDENTIFICATION NUMBER(S)

05-05-201-004			

United City of Yorkville
651 Prairie Pointe Drive
Yorkville, Illinois, 60560
Telephone: 630-553-4350
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APPLICATION FOR REZONING

ATTORNEY INFORMATION	
NAME: Richard Williams	COMPANY: Griddin Willaims McMahon & Walsh
MAILING ADDRESS: 21 North 4th Street	
CITY, STATE, ZIP: Geneva, IL, 60134	TELEPHONE: 630-262-0544
EMAIL: rwilliams@gwmwlaw.com	FAX:
ENGINEER INFORMATION	
NAME: David Schultz	COMPANY: HR Green
MAILING ADDRESS: 2363 Sequoia Drive	
CITY, STATE, ZIP: Aurora, IL 60506	TELEPHONE: 630.553.7560
EMAIL: dschultz@hrgreen.com	FAX:
LAND PLANNER/SURVEYOR INFORMATION	
NAME: David Schultz	COMPANY: HR Green
MAILING ADDRESS: 2363 Sequoia Drive	
CITY, STATE, ZIP: Aurora, IL 60506	TELEPHONE: 630.553.7560
EMAIL: dschultz@hrgreen.com	FAX:

ATTACHMENTS

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

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

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APPLICATION FOR REZONING

REZONING STANDARDS

PLEASE STATE HOW THE MAP AMENDMENT IS CONSISTENT WITH THE COMPREHENSIVE PLAN AND THE PURPOSES OF THE UNIFIED DEVELOPMENT ORDINANCE:

The existing zoning classification of the property is currently R1 and the property currently borders both R2 and R3 developed properties. The current comprehensive plan for the property is commercial office with the abundance of office retail space currently sitting vacant and the shortage of R4 zoning we feel as if this would be a good fit for the location.

PLEASE STATE HOW THE MAP AMENDEMENT IS CONSISTENT WITH THE EXISTING AND PLANNED USES AND ZONING OF NEARBY PROPERTIES:

The subject property currently has R2 and R4 zoning to the south and West. The property to the North is currently zoned A1.

PLEASE STATE HOW THE SUITABILITY OF THE SUBJECT PROPERTY FOR THE PROPOSED ZONING DISTRICT:

The current project borders existing residential developments and will fit in with the surrounding neighborhoods.

PLEASE STATE HOW THE PROPOSED MAP AMENDEMENT WILL NOT RESULT IN AN INDIVIDUAL PARCEL ZONED IN ONE ZONING DISTRICT THAT IS NOT SHARED BY ANY ADJACENT PARCELS:

The adjacent parcels to the west and south are both currently zoned for residential. Rezoning this parcel to R4 will fit in with the existing surrounding residential neighborhoods.

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APPLICATION FOR REZONING

REZONING STANDARDS

PLEASE STATE HOW THE PROPOSED PARCEL(S) TO BE REZONED SHALL MEET THE MINIMUM FRONTAGE AND AREA REQUIREMENTS OF THE REQUESTED ZONING DISTRICT AS SPECIFIED IN SECTION 10-3-9(A) IN THE UNIFIED DEVELOPMENT ORDINANCE:

The rezoning of the parcel will comply with the typical R4 bulk and dimensional standards within the unified development ordinance.

PLEASE STATE THE COMMUNITY NEED FOR THE PROPOSED LAND USE:

There is currently a shortage of R4 zoned property in Yorkville. Residential development has slowed down considerably on the south side of Yorkville, this development will spark new growth.

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:

This subject property has sat vacant since around 2018 with not much interest.

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APPLICATION FOR REZONING

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

10/25/24
DATE

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

OWNER SIGNATURE

10/25/24
DATE

THIS APPLICATION MUST BE NOTARIZED PLEASE NOTARIZE HERE:

JENNIFER WINNINGER
OFFICIAL SEAL
Notary Public - State of Illinois
My Commission Expires
August 10, 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 NUMBER:	FUND ACCOUNT NUMBER:	PROPERTY ADDRESS: 1115 S Bridge St Yorkville, IL

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: Patrick Winninger	COMPANY: 1115 LLC
MAILING ADDRESS: 1211 Deer St	
CITY, STATE, ZIP: Yorkville, IL, 60560	TELEPHONE: 630-699-5877
EMAIL: pwinninger@winexc.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.

Patrick Winninger
PRINT NAME

Manager
TITLE

SIGNATURE*

10/24/2024
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

“Exhibit A”

PT NE 1/4 SEC 5-36-7 COM NE COR NE 1/4 W TO C/L RT 47, S 464.33', W 446.87' TO POB, S 70', E 138.57', S 188.12' E 249.93', S 18, E 415.57', S 118.53' W 100', S 219', W 859.67', NLY 645.91 E 838.91' TO POB CITY OF YORKVILLE

"EXHIBIT B"

Beth and Eric Otto
1452 Walsh Dr
Yorkville, IL 60560

Noman and Tina Qamar
1442 Walsh dr
Yorkville, IL 60560

Jonathan Behrens
1432 Walsh Dr
Yorkville, IL 60560

James and Kristen Stepien
1422 Walsh dr
Yorkville, IL 60560

Russell and Mary Nieman
1402 Walsh Dr
Yorkville, IL 60560

Donald Pero & Jennifer Flodstrom
494 E Barberry Dr
Yorkville, IL 60560

Betty Jo Finazzo
353 Garden cir
Yorkville, IL 60560

Glenn and Karen Erickson
351 Garden cir
Yorkville, IL 60560

Rita Harry
347 Garden Cir
Yorkville, IL 60560

Carl and Carol Bosi
345 Garden Cir
Yorkville, IL 60560

Dina McClarren
343 Garden Cir
Yorkville, IL 60560

Richard and Sandy Spanski
341 Garden Cir
Yorkville, IL 60560

Benita Oberhellman
339 Garden Cir
Yorkville, IL 60560

Hansford Family trust
337 Garden Cir
Yorkville, IL 60560

Gregory and Michael Falato
335 Garden Cir
Yorkville, IL 60560

Bruce Mandel & Debra Botkin
333 Garden Cir
Yorkville, IL 60560

Karen Anderson
331 Garden Cir
Yorkville, IL 60560

Georgianna Burns
329 Garden Cir
Yorkville, IL 60560

William and Carolyn Gray
327 Garden cir
Yorkville, IL 60560

Laurenda Bates
325 Garden Cir
Yorkville, IL 60560

Batchelder Living trust
323 Garden Cir
Yorkville, IL 60560

Dodd
321 Garden Cir
Yorkville, IL 60560

Patricia Miller
354 Garden Cir
Yorkville, IL 60560

Gene and Robyn Wilberg
352 Garden Cir
Yorkville, IL 60560

Susan Lopez
306 Garden Cir
Yorkville, IL 60560

Arturo and Guadalupe Mendez
336 Garden Cir
Yorkville, IL 60560

Betty Naden
334 Garden Cir
Yorkville, IL 60560

Sheila Meier
332 Garden Cir
Yorkville, IL 60560

Robert Krantz
328 Garden Cir
Yorkville, IL 60560

Ann Failla
326 Garden Cir
Yorkville, IL 60560

Gary and Cynthia Bell
324 Garden Cir
Yorkville, IL 60560

Alan and Carole Raboine
307 Garden Cir
Yorkville, IL 60560

Warren and Deidre Schumacher
309 Garden Cir
Yorkville, IL 60560

Michael and Jeanne Vanboekel
356 Garden Cir
Yorkville, IL 60560

Joan Keller
302 Garden Cir
Yorkville, IL 60560

Rudy and Hazel Hall
305 Garden Cir
Yorkville, IL 60560

Grace Holistic Education Center
201 Garden St
Yorkville, IL 60560

Duntov Davidson Inc
1207 Bridge St
Yorkville, IL 60560

BRISTOL KENDALL FIRE DIST
103 E BEAVER ST
YORKVILLE, IL, 60560

FIRST NATIONAL BANK DEKALE
TRUST
1796 1207 BADGER
YORKVILLE, IL, 60560

NCI Yorkville NVA LLC
875 N MICHIGAN AVE STE 3612
CHICAGO, IL, 60611

BOARD OF ED OF YORKVILLE
COMM UNIT SCHOOL DIST 115
602 CENTER PKWY STE A
YORKVILLE, IL, 60560

H & H PROPERTY GROUP INC
8850 WILCOX CT
NEWARK, IL, 60541

Richard and Teresa Groesch
8433 W Highpoint Rd
Yorkville, IL 60560

Sharon and Ronald Cobb
106 Colonial Pkwy Unit A
Yorkville, IL 60560

BRYAN L & PATRICIA A HARBIN
17 W ROYAL OAKS DR
BRISTOL, IL, 60512

Brandon Bierut
102 Colonial Pkwy unit b
Yorkville, IL 60560

Manfred and Michaela Raavel
131 Poplar dr
Yorkville, IL 60560

Jurgen and Mary Pritschet
491 Spruce Bush ct
Yorkville, IL 60560

Ronald and Dolores Schenekl
487 Spruce Bust ct
Yorkville, IL 60560

Devin and Angela Nelson
484 Spruce Bust ct
Yorkville, IL 60560

Robert Kuntzendoef
488 Spruce Bush ct
Yorkville, IL 60560

Thomas and Donna Cebula
422 E Barberry Cir
Yorkville, IL 60560

Kelly Bielawa
424 E Barberry Cir
Yorkville, IL 60560

Mary Pinks and Angela Charlton
428 E Barberry Cir
Yorkville, IL 60560

Mark and Kimberly Schmidt
434 E Barberry Cir
Yorkville, IL 60560

Teresa McAdams
438 E Barberry Cir
Yorkville, IL 60560

Brennan and Jennifer Crane
444 E Barberry Cir
Yorkville, IL 60560

Holly Fatima
448 E Barberry Cir
Yorkville, IL 60560

William Foster and Egshig Bolor
452 E Barberry Cir
Yorkville, IL 60560

Jeffrey and Patricia Luptak
458 E Barberry Cir
Yorkville, IL 60560

David and Susan Panosh
464 E Barberry Cir
Yorkville, IL 60560

Alec and Megan Stevens
468 E Barberry Cir
Yorkville, IL 60560

Rodney and Joellen Moss
474 E Barberry Cir
Yorkville, IL 60560

Robin and Wayne Dale
478 E Barberry Cir
Yorkville, IL 60560

Melvin Konrath
484 E Barberry Cir
Yorkville, IL 60560

Douglas and Gayle Thanepohn
488 E Barberry Cir
Yorkville, IL 60560

Erwin and Christina Stevens
411 E Barberry Cir
Yorkville, IL 60560

Mark and Jami Koenig
423 E Barberry Cir
Yorkville, IL 60560

Jordan and Sarah Miller
433 E Barberry Cir
Yorkville, IL 60560

Abraham Carreon and Danielle Hampton
443 E Barberry Cir
Yorkville, IL 60560

Michael and Dawn Ramey
447 E Barberry Cir
Yorkville, IL 60560

Jennifer and Michael Thoms
451 E Barberry Cir
Yorkville, IL 60560

Jody Thompson
455 E Barberry Cir
Yorkville, IL 60560

Brent and Kristine Daggett
467 E Barberry Cir
Yorkville, IL 60560

Kenneth and Rita Menne
471 E Barberry Cir
Yorkville, IL 60560

John Gordon
477 E Barberry Cir
Yorkville, IL 60560

Kristen Pretzer
485 E Barberry Cir
Yorkville, IL 60560

Bristtany Crosby
412 E Barberry Cir
Yorkville, IL 60560

Kenneth and Cynthia Rogers
407 E Barberry Cir
Yorkville, IL 60560

Daniel and Jennifer Kokes
491 E Barberry Cir
Yorkville, IL 60560

Ryan and Megan Raupp
497 E Barberry Cir
Yorkville, IL 60560

NEWLY WEDS FOODS INC
8550 W BRYN MAWR AVE STE100
CHICAGO, IL, 60631

BRIDGE STREET LUMBER LLC
1111 S BRIDGE ST
YORKVILLE, IL, 60560

OLD SECOND NATIONAL BANK
TRUSTEE, TRUST:
7887 1107A S BRIDGE ST
YORKVILLE, IL, 60560

Clemens Acres LLC
208 W Elizabeth st
Yorkville, IL 60560

Matthew Kleinwachter
101 Colonial Pkwy unti A
Yorkville, IL 60560

Phillip and Amy Morel
101 Colonial Pkwy unti B
Yorkville, IL 60560

Edmond and Stephanie Raavel
101 Colonial Pkwy unit C
Yorkville, IL 60560

Kathleen and Michael Mitchell
101 Colonial Pkwy unit D
Yorkville, IL 60560

Sortz Properties LLC
53 Riverside Dr
Yorkville, IL 60560

Ryan and Kari West
80 Long Grove Rd
Yorkville, IL 60560

Richard and Roberta Soris
12 Cotswold way
Yorkville, IL 60560

Fernando and German Hernandez
206 W Elizabeth
Yorkville, IL 60560

Carol Wissmiller
208 W Elizabeth
Yorkville, IL 60560

Denise Campbell
210 W Elizabeth
Yorkville, IL 60560

Johnson
212 W Elizabeth
Yorkville, IL 60560

Mark and Barbara Walter
214 W Elizabeth
Yorkville, IL 60560

Kyle and Lea Jungkans
216 W Elizabeth
Yorkville, IL 60560

Donald and Theresa Tanis
218 W Elizabeth
Yorkville, IL 60560

Prisma and Jayme Rodriguez
220 W Elizabeth
Yorkville, IL 60560

Felipe and Dorothy Sanchez
222 W Elizabeth
Yorkville, IL 60560

Bradley and Russ Stacy
224 W Elizabeth
Yorkville, IL 60560

PRAIRIE GARDENS TOWNHOME
ASSOC % ASSOCIATION
PROPERTY MGMT
PO BOX 976
OSWEGO, IL, 60543

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

APPLICATION FOR PLANNED UNIT DEVELOPMENT

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

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

APPLICATION FOR PLANNED UNIT DEVELOPMENT

DATE:	PZC NUMBER:	DEVELOPMENT NAME:

PETITIONER INFORMATION

NAME: Patrick Winninger COMPANY: 1115, LLC

MAILING ADDRESS: 1211 Deer Street

CITY, STATE, ZIP: Yorkville, IL 60560 TELEPHONE: ◉ BUSINESS ○ HOME (630) 699-5877

EMAIL: pwinninger@winningerexcavating.com FAX:

PROPERTY INFORMATION

NAME OF HOLDER OF LEGAL TITLE: Brent and Tracy Schalhamer

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

PROPERTY STREET ADDRESS: 1115 S. Bridge Street, Yorkville, IL 6050

DESCRIPTION OF PROPERTY'S PHYSICAL LOCATION:

CURRENT ZONING CLASSIFICATION: R-1 REQUESTED ZONING CLASSIFICATION: R-4 (PUD)

COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION: Commercial Office TOTAL ACREAGE: 14.1758

LIST ALL GOVERNMENTAL ENTITIES OR AGENCIES REQUIRED TO RECEIVE NOTICE UNDER ILLINOIS LAW:

ZONING AND LAND USE OF SURROUNDING PROPERTIES

NORTH: B-3/A-1

EAST: B-3

SOUTH: R-3/B-3

WEST: R-2

KENDALL COUNTY PARCEL IDENTIFICATION NUMBER(S)

05-05-226-013			
05-05-201-004			

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

APPLICATION FOR PLANNED UNIT DEVELOPMENT

ATTORNEY INFORMATION	
NAME: Richard L. Williams	COMPANY: Griffin Williams McMahon & Walsh LLP
MAILING ADDRESS: 21 N. Fourth St.	
CITY, STATE, ZIP: Geneva, IL 60134	TELEPHONE: (630) 457-1205
EMAIL: rwilliams@gwmwlaw.com	FAX:
ENGINEER INFORMATION	
NAME: David Schultz	COMPANY: HR Green
MAILING ADDRESS: 2363 Sequoia Drive	
CITY, STATE, ZIP: Aurora, IL 60506	TELEPHONE: (630) 553-7560
EMAIL: dschultz@hrgreen.com	FAX:
LAND PLANNER/SURVEYOR INFORMATION	
NAME: David Schultz	COMPANY: HR Green
MAILING ADDRESS: 2363 Sequoia Drive	
CITY, STATE, ZIP: Aurora, IL 60506	TELEPHONE: (630) 553-7560
EMAIL: dschultz@hrgreen.com	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.

PETITIONER SIGNATURE — DATE: 11/13/2024

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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PROPERTY INFORMATION

IS THE PROPERTY WITHIN CITY LIMITS?	■ YES	☐ NO
DOES A FLOODPLAIN EXIST ON THE PROPERTY?	☐ YES	■ NO

ATTACHMENTS

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

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

PUD MODIFICATION STANDARDS

PETITIONER MUST INDICATE WHICH TANGIBLE BENEFIT THE PROPOSED PLANNED UNIT DEVELOPMENT WILL PROVIDE TO THE CITY, AS DEFINED IN SECTION 10-8-8D OF THE UNIFIED DEVELOPMENT ORDINANCE. AT LEAST ONE (1) MUST BE MET:

- ☑ LANDSCAPE CONSERVATION AND VISUAL ENHANCEMENT
- ☐ SUSTAINABLE DESIGN
- ☐ PUBLIC GATHERING SPACE
- ☐ PLACEMAKING
- ☐ UNIVERSAL DESIGN
- ☐ HIGH QUALITY BUILDING MATERIALS
- ☐ AGE-TARGETED DEVELOPMENT
- ☐ AFFORDABILITY
- ☐ PROVISION OF A PUBLIC SCHOOL
- ☐ PROVISION OF A REGIONAL PARK
- ☐ FUNDING OR CONSTRUCTION OF PUBLIC ROADWAYS
- ☑ REGIONAL UTILITY IMPROVEMENTS

As part of the pre-application meeting with community development staff, the petitioner can determine which above PUD modification standard is consistent with the proposed plan.

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APPLICATION FOR PLANNED UNIT DEVELOPMENT

PUD STANDARDS

PLEASE STATE HOW 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:

The City's Comprehensive Plan, last updated in 2016, identifies the property as future commercial/office. However, since the plan's last update, there has been a dramatic shift away from the need for office/commercial space and toward affordable housing. An R-4 (PUD) townhome development is consistent with the character and trend of development in the area, and the needs for housing that the City is attempting to address. The City has recognized there is a shortage of R-4 zoned housing product. Moreover, the property has remained undeveloped despite being available for sale since 2018.

PLEASE STATE HOW THE PLANNED UNIT DEVELOPMENT IS 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:

This development is designed as an integrated, cohesesive community with combines efficiencies of stormwater management, street design and layout, and utilities serving the subject property. The product will meet or exceed minimum City standards , and integrates open space and walking trails.

PLEASE STATE HOW THE PLANNED UNIT DEVELOPMENT IS DESIGNED, LOCATED, AND PROPOSED TO BE OPERATED AND MAINTAINED SO THAT IT WILL NOT IMPAIR AN ADEQUATE SUPPLY OF LIGHT AND AIR TO ADJACENT PROPERTY AND WILL NOT SUBSTANTIALLY INCREASE THE DANGER OF FIRE OR OTHERWISE ENDANGER THE PUBLIC HEALTH, SAFETY, AND WELFARE:

The development is planned to maximize the distance from existing R-2 single family residential properties to the west and is consistent with existing housing to the south. Adequate provisions for ingress/egress, internal circulation and public utilities have been made so as to not be injurious to adjacent property owners or otherwise impair the adequate supply of light or air, and with sufficient setback so as not to increase the risk of fire or otherwise endanger the public health, safety and welfare.

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APPLICATION FOR PLANNED UNIT DEVELOPMENT

PUD STANDARDS

PLEASE STATE HOW 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:

Multi-family uses are consistent with the adjacent multi-family use immediately to the south and the single family uses to the west. Multi-family uses are common as buffers between business/commercial properties. There is existing screening to the adjacent non-residential properties, and the layout of the development is structured in a manner to minimize any impacts.

PLEASE STATE HOW 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:

Sufficient water and sewer exists adjacent to the property to service the development. Sewer, water and public utility easements are being granted to service the development and future growth to the north of the development. The road network is sufficiently sized to accommodate the internal traffic flow, with additional guest parking be provided throughout. Stormwater facilities that equal or exceed City requirements are planned to minimize the disturbance of stormwater generated from the site. Impact fees will be paid from the development as provided for by existing City ordinances.

PLEASE STATE HOW 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 property has only been used as a driving range and for agricultural purposes, and there are is no known archaeological, historical or cultural significance to the subject property. The property is not registered as having any historical significance.

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APPLICATION FOR PLANNED UNIT DEVELOPMENT

A PLANNED UNIT DEVELOMENT, IF APPROVED, IS CONSIDERED A SPECIAL USE. IN ADDITION TO THE ABOVE PLANNED UNIT DEVELOPMENT STANDARDS, THE FOLLOWING SPECIAL USE STANDARDS OF REVIEW SHALL ALSO BE CONSIDERED:

SPECIAL USE STANDARDS

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

The special use establishes for an orderly, homogeneous multi-family development that can laid out in a manner that provides the City with more control than straight R-4 zoning. There is a need for multi-family townhome product in this City. The site has been planned in a manner to maximize access, and will be beneficial to the public health, safety, morals, comfort and general welfare. It will add to the City's existing tax base (both real estate and sales tax), and provide additional revenues for its taxing bodies.

PLEASE STATE HOW THE SPECIAL USE WILL NOT BE INJURIOUS TO THE USE AND ENJOYMENT OF OTHER PROPRTY IN THE IMMEDATE VICINITY FOR THE PURPOSE LREADY PERMITTED,NR SUBSTANTIALLY DIMINISH AND IMPAIR PROPERTY VALUES WITHIN OR NEAR THE NEIGHBORHOOD IN WHICH IT IS TO BE LOCATED:

The proposed special use is less intensive than office/commercial uses, is consistent with adjacent property uses, will address stormwater run-off concerns, and will be of a quality that it will not diminish or impair adjacent property values.

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APPLICATION FOR PLANNED UNIT DEVELOPMENT

SPECIAL USE STANDARDS

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

As a planned unit development constituting the entirety of an infill project, the normal and orderly development of this property will be controlled by the plan, rather than a piecemeal assemblage of varying products.

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

Adequate sewer, water, electric, gas and other utilities are at or near the property line in sufficient sizes to serve the proposed development. No over-sizing of utilities is necessary to serve adjacent properties.

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

The site is configured to allow direct access to Illinois Route 47 (Bridge Street). This project is self-contained from a traffic standpoint, and does not require connectivity to adjacent properties, and Route 47 is a four-lane highway that can accommodate the proposed traffic to be generated from the development.

PLEASE STATE HOW THE PROPOSED SPECIAL USE IS NOT CONTRARY TO THE OBJECTIVES OF THE CITY'S ADOPTED COMPREHENSIVE PLAN:

The development is less intensive than the current comprehensive plan designation for the property, and is consistent with adjacent developments. There is a need for additional housing in the City, which furthers a stated objective of the City.

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APPLICANT DEPOSIT ACCOUNT/ ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY

PROJECT NAME:	FUND ACCOUNT NUMBER:	PROPERTY ADDRESS: 1115 BRIDGE ST., YORKVILLE, ILLINOIS

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: Patrick Winninger	COMPANY: 1115 LLLC
MAILING ADDRESS: 1211 Deer St.	
CITY, STATE, ZIP: Yorkville, IL 60560	TELEPHONE: (630) 699-5877
EMAIL: pwininger@winningerexcavating.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.

Patrick Winninger
PRINT NAME

MANAGING MEMBER
TITLE

SIGNATURE*

11/13/2024
DATE

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

INITIAL ENGINEERING/LEGAL DEPOSIT TOTALS

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

CERTIFIED MAILING
AFFIDAVIT

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

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

_____
Signature of Petitioner(s)

Subscribed and sworn to before me this

_____ day of _____, 20_____

_____
Notary Public

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Website: www.yorkville.il.us

APPLICATION FOR PUBLIC HEARING SIGN

PERMIT NUMBER:	**DATE/TIME RECEIVED:**
SITE ADDRESS: 1115 S. Bridge Street, Yorkville	PARCEL NUMBER: 05-05-226-013; 05-05-201-014
SUBDIVISION:	LOT/UNIT:
APPLICANT INFORMATION	
NAME: Patrick Winninger/1115 LLC	TELEPHONE: ○ HOME ◉ BUSINESS
ADDRESS: 1211 Deer St.,	E-MAIL: ○ HOME ◉ BUSINESS pwinninger@winningerexcavating.com
CITY, STATE, ZIP: Yorkville, IL 60560	FAX:
SIGN INFORMATION	
DATE OF PICK UP:	NUMBER OF SIGNS:
DATE OF PUBLIC HEARING:	SIGN RETURN DATE:

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.

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.

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.

SIGNATURE/AUTHORIZED AGENT

11/13/2024
DATE

DATE RETURNED: _____

RECEIVED BY: _____ PZC# _____

MANFRED MICHAELA RAAVEL
102 C COLONIAL PKWY
YORKVILLE IL 60560

BETTY LOU JOHNSON
356 GARDEN CIR
YORKVILLE IL 60560

BRANDON R BIERUT
102 B COLONIAL PKWY
YORKVILLE IL 60560

CRANE JENNIFER LOUISE SHARP BRENNAN EDWARD
444 E BARBERRY CIR
YORKVILLE IL 60560

DUNTOV-DAVIDSON INC
1207 S BRIDGE ST
YORKVILLE IL 60560

BOLOR EGSHIG D FOSTER WILLIAM D
452 E BARBERRY CIR
YORKVILLE IL 60560

NOMAN S TINA A QAMAR
1442 WALSH DR
YORKVILLE IL 60560

ALAN R CAROLE J RABOINE
307 GARDEN CIR
YORKVILLE IL 60560

HAMPTON DANIELLE CARREON ABRAHAM
443 E BARBERRY CIR
YORKVILLE IL 60560

SORTZ PROPERTIES LLC
53 RIVERSIDE DR
YORKVILLE IL 60560

DODD REVOCABLE LIV TRUST
CAROL DODD
321 GARDEN CIR
YORKVILLE IL 60560

JURGEN K MARY ANNE PRITSCHET
491 SPICE BUSH
YORKVILLE IL 60560

ANGELA CHARLTON
428 E BARBERRY CIR
YORKVILLE IL 60560

RICHARD D ROBERTA M SORIS
12 COTSWOLD WAY
YORKVILLE IL 60560

BRISTTANY A CROSBY DEC TRUST
412 E BARBERRY CIR
YORKVILLE IL 60560

SUSAN W LOPEZ
306 GARDEN CIR
YORKVILLE IL 60560

ROBERT L KUNTZENDOEF
488 SPICEBUSH CT
YORKVILLE IL 60560

BILLY DIANNA MORTON
507 BUCKTHORNE CT
YORKVILLE IL 60560

BETTY JO FINAZZO TRUST
353 GARDEN CIR
YORKVILLE IL 60560

FIRST NATIONAL BANK DEKALB
1207 BADGER
YORKVILLE IL 60560

FRANK GROESCH RICHARD WILLMAN
28 LAUREL CT
YORKVILLE IL 60560

PRAIRIE GARDENS TOWNHOME ASSOC
ASSOCIATION PROPERTY MGMT
PO BOX 976
OSWEGO IL 60543

PRAIRIE GARDENS TOWNHOME ASSOC
ASSOCIATION PROPERTY MGMT
PO BOX 976
OSWEGO IL 60543

RICHARD D ROBERTA M SORIS
12 COTSWOLD WAY
YORKVILLE IL 60560

CLEMENS ACRES LLC
208 ELIZABETH ST
YORKVILLE IL 60560

RONALD R MIKA
303 GARDEN CIR
YORKVILLE IL 60560

RYAN KARI WEST
80 LONG GROVE RD
YORKVILLE IL 60560

ENRIQUE DIAZ MANAGER EED LLC 106C COLONIAL
2588C ROCK CREEK RD
PLANO IL 60545

GARY D CYNTHIA A BELL
324 GARDEN CIR
YORKVILLE IL 60560

C C STUDIOS RE LLC
9020 WILCOX CT
NEWARK IL 60541

WILLIAM P CAROLYN J GRAY TRUST
327 GARDEN CIR
YORKVILLE IL 60560

GEORGIANNA RAE BURNS
329 GARDEN CIR
YORKVILLE IL 60560

RUSSELL R MARY L NIEMAN
1402 WALSH DR
YORKVILLE IL 60560

LAURENDA R BATES TR
325 GARDEN CIR
YORKVILLE IL 60560

ROBERT H KRANTZ
328 GARDEN CIR
YORKVILLE IL 60560

JENNIFER L MICHAEL P THOMS
451 E BARBERRY CIR
YORKVILLE IL 60560

BRENT D KRISTINE J DAGGETT
467 BARBERRY CIR E
YORKVILLE IL 60560

SHEILA MEIER
332 GARDEN CIR
YORKVILLE IL 60560

BRISTOL KENDALL FIRE DIST
103 E BEAVER ST
YORKVILLE IL 60560

CAMPBELL LIVING TRUST
DAVID B DENISE A CAMPBELL
210 ELIZABETH
YORKVILLE IL 60560

JORDAN J SARAH M MILLER
433 E BARBERRY CIR
YORKVILLE IL 60560

KATHLEEN M KENDALL MICHAEL W MITCHELL
101 D COLONIAL PKWY
YORKVILLE IL 60560

KENNETH C CYNTHIA K ROGERS LIV REV TR
407 E BARBERRY CIR
YORKVILLE IL 60560

BRISTOL KENDALL FIRE DIST
103 E BEAVER ST
YORKVILLE IL 60560

GLENN KAREN ERICKSON
351 GARDEN CIR
YORKVILLE IL 60560

RONALD J DOLORES J SCHENEKL DEC OF TR
487 SPICE BUSH CT
YORKVILLE IL 60560

BETH ANN ERIC H OTTO
2018 LIVING TRUST
1452 WALSH DR
YORKVILLE IL 60560

JODY A THOMPSON DEC OF TR
455 E BARBERRY CIR
YORKVILLE IL 60560

JEFFREY L PATRICIA S LUPTAK
458 BARBERRY CIR E
YORKVILLE IL 60560

FLODSTROM JENNIFER PERO DONALD W
494 E BARBERRY CIR
YORKVILLE IL 60560

CLEMENS ACRES LLC
208 ELIZABETH ST
YORKVILLE IL 60560

RYAN MEGAN RAUPP
497 E BARBERRY CIR
YORKVILLE IL 60560

NEWLY WEDS FOODS INC
8550 W BRYN MAWR AVE STE100
CHICAGO IL 60631

DONALD R THERESA M TANIS TRUST
218 ELIZABETH ST
YORKVILLE IL 60560

BETTY NADEN LIV TR
334 GARDEN CIR
YORKVILLE IL 60560

HANSFORD FAMILY TRUST
337 GARDEN CIR
YORKVILLE IL 60560

BOARD OF ED OF YORKVILLE COMM UNIT SCHOOL DIST 115
800 GAME FARM RD
YORKVILLE IL 60560

MICHAEL L DAWN R RAMEY
447 BARBERRY CIR E
YORKVILLE IL 60560

ANN F FAILLA
326 GARDEN CIR
YORKVILLE IL 60560

KENNETH RITA MENNE
471 E BARBERRY CIR
YORKVILLE IL 60560

PRAIRIE GARDENS TOWNHOME ASSOC
ASSOCIATION PROPERTY MGMT
PO BOX 976
OSWEGO IL 60543

KAREN H ANDERSON TR
331 GARDEN CIR
YORKVILLE IL 60560

KELLY N BIELAWA
424 E BARBERRY CIR
YORKVILLE IL 60560

PRAIRIE GARDENS TOWNHOME ASSOC
ASSOCIATION PROPERTY MGMT
PO BOX 976
OSWEGO IL 60543

JAMES KRISTEN STEPIEN
1422 WALSH DR
YORKVILLE IL 60560

DOUGLAS D GAYLE N THANEPOHN
488 E BARBERRY CIR
YORKVILLE IL 60560

LAVALLEE JAMIE HOULE ANTHONY J
1372 WALSH DR
YORKVILLE IL 60560

BRENT A TRACY SCHALHAMER
11119 RYAN WAY
HOLLAND MI 49423

WAYNE PATRICIA NORR
226 ELIZABETH ST
YORKVILLE IL 60560

MATTHEW J KLEINWACHTER
7665 RTE 47
YORKVILLE IL 60560

JULIE LOUISE RICHMOND
506 W BARBERRY CIR
YORKVILLE IL 60560

GENE ROBYN WILBERG
352 GARDEN CIR
YORKVILLE IL 60560

CARL P CAROL A BOSI TRUST
345 GARDEN CIR
YORKVILLE IL 60560

PRAIRIE GARDENS TOWNHOME ASSOC
ASSOCIATION PROPERTY MGMT
PO BOX 976
OSWEGO IL 60543

GUY F JR JANICE R LAPORE
304 GARDEN CIR
YORKVILLE IL 60560

PHILLIP AMY MOREL
710 S CENTER ST
PLANO IL 60545

RODNEY JOELLEN MOSS
474 E BARBERRY CIR
YORKVILLE IL 60560

BRENT A SCHALHAMER
11119 RYANS WAY
HOLLAND MI 49423

ENRIQUE DIAZ MGR EED LLC 106A COLONIAL
2588C ROCK CREEK RD
PLANO IL 60545

EMILY E UNTERBERG
464 E BARBERRY CIR
YORKVILLE IL 60560

BPH TRUST
BRYAN L PATRICIA A HARBIN
17 W ROYAL OAKS DR
BRISTOL IL 60512

FELIPE DOROTHY SANCHEZ
222 W ELIZABETH ST
YORKVILLE IL 60560

MARK KIMBERLY A SCHMIDT
434 BARBERRY CIR E
YORKVILLE IL 60560

JOAN E KELLER
302 GARDEN CIR
YORKVILLE IL 60560

BRADLEY T STACY RUSS WATKINS
224 ELIZABETH ST
YORKVILLE IL 60560

BRIDGE STREET LUMBER LLC
1111 S BRIDGE ST
YORKVILLE IL 60560

JONATHAN C KIMBERLY BEHRENS
1432 WALSH DR
YORKVILLE IL 60560

DALE WAYNE DALE ROBIN L
478 E BARBERRY CIR
YORKVILLE IL 60560

FERNANDO GERMAN ANDREA SOFIA HERNANDEZ
206 W ELIZABETH ST
YORKVILLE IL 60560

KYLE LEA JUNGKANS
216 W ELIZABETH ST
YORKVILLE IL 60560

CAROL E WISSMILLER
208 W ELIZABETH ST
YORKVILLE IL 60560

EDMOND STEPHANIE RAAVEL
101 C COLONIAL PKWY
YORKVILLE IL 60560

MANFRED MICHAELA RAAVEL
131 POPLAR DR
YORKVILLE IL 60560

MARK B BARBARA J WALTER
214 ELIZABETH ST
YORKVILLE IL 60560

MELVIN D KONRATH TR
484 E BARBERRY CIR
YORKVILLE IL 60560

STEVEN HEUBEL
1256 S BRIDGE ST
YORKVILLE IL 60560

JOHNSON REV LIV TRUST
212 ELIZABETH ST
YORKVILLE IL 60560

FRANK R LAUREL L WILLMAN
28 LAUREL CT
YORKVILLE IL 60560

H H PROPERTY GROUP INC
8850 WILCOX CT
NEWARK IL 60541

OLD SECOND NATIONAL BANK TRUSTEE
1107A S BRIDGE ST
YORKVILLE IL 60560

GRACE HOLISTIC EDUCATION CENTER NFP
201 GARDEN ST
YORKVILLE IL 60560

ERWIN DALE CHRISTINA R STEVENS
411 BARBERRY CIR E
YORKVILLE IL 60560

WARREN L DEIDRE J SCHUMACHER
309 GARDEN CIR
YORKVILLE IL 60560

MARK JAMI KOENIG
423 BARBERRY CIR E
YORKVILLE IL 60560

BENITA OBERHELLMAN TRUST
339 GARDEN CIR
YORKVILLE IL 60560

ARTURO GUADALUPE MENDEZ
336 GARDEN CIR
YORKVILLE IL 60560

DEVIN ANGELA NELSON
484 SPICEBUSH CT
YORKVILLE IL 60560

BOTKIN DEBRA K MANDEL BRUCE L JT TEN TR
333 GARDEN CIR
YORKVILLE IL 60560

NCI YORKVILLE NVA LLC
NOVOGRODER COMPANIES INC
875 N MICHIGAN AVE STE 3612
CHICAGO IL 60611

BRISTOL KENDALL FIRE DIST
103 E BEAVER ST
YORKVILLE IL 60560

SANDRA ROGERS
301 GARDEN CIR
YORKVILLE IL 60560

KRISTIN R PRETZER
485 E BARBERRY CIR
YORKVILLE IL 60560

BRENT E OTTO
1462 WALSH DR
YORKVILLE IL 60560

RITA S HARRY TR
347 GARDEN CIR
YORKVILLE IL 60560

PRISMA ARREDONDO JAYME RODRIGUEZ
220 W ELIZABETH ST
YORKVILLE IL 60560

ENRIQUE DIAZ MANAGER EED LLC 106D COLONIAL
2588C ROCK CREEK RD
PLANO IL 60545

PRAIRIE GARDENS TOWNHOME ASSOC
ASSOCIATION PROPERTY MGMT
PO BOX 976
OSWEGO IL 60543

DANIEL BETHANY R BREYNE
1358 WALSH DR
YORKVILLE IL 60560

EED LLC 106B COLONIAL
2588C ROCK CREEK RD
PLANO IL 60545

BATCHELDER LIVING TRUST
323 GARDEN CIR
YORKVILLE IL 60560

PRAIRIE GARDENS TOWNHOME ASSOC
ASSOCIATION PROPERTY MGMT
PO BOX 976
OSWEGO IL 60543

DINA MCCLARREN
343 GARDEN CIR
YORKVILLE IL 60560

RICHARD GROESCH
8433 W HIGHPOINT RD
YORKVILLE IL 60560

RICHARD Z SANDY A SPANSKI LIV TR
341 GARDEN CIR
YORKVILLE IL 60560

JOHN GORDON
477 BARBERRY CIR
YORKVILLE IL 60560

PATRICIA J MILLER
354 GARDEN CIR
YORKVILLE IL 60560

ALEC C MEGAN A STEVENS
468 E BARBERY CIR
YORKVILLE IL 60560

RICHARD D II TERESA L GROESCH
8433 W HIGHPOINT RD
YORKVILLE IL 60560

HOLLY H FATIMA
448 BARBERRY CIR E
YORKVILLE IL 60560

FALATO MICHAEL A FALATO GREGORY P
RICHARD G FALATO
335 GARDEN CIR
YORKVILLE IL 60560

ASSOCIATION PROPERTY MGT PRAIRIE GARDEN TOWNHOME ASSOC
PO BOX 976
OSWEGO IL 60543

THOMAS E DONNA L CEBULA
422 BARBERRY CIR E
YORKVILLE IL 60560

FRANK R LAUREL L WILLMAN
28 LAUREL CT
YORKVILLE IL 60560

DANIEL H JENNIFER M KOKES
491 BARBERRY CIR E
YORKVILLE IL 60560

RONALD JR SHARON COBB
%COBB CONDO ASSOCIATION 106
106 COLONIAL PKWY
YORKVILLE IL 60560

RUDY L JR HAZEL K HALL
305 GARDEN CIR
YORKVILLE IL 60560

ASSOCIATION PROPERTY MGT PRAIRIE GARDEN TOWNHOME ASSOC
PO BOX 976
OSWEGO IL 60543

EXHIBIT A

Legal Description

PARCEL1:

THAT PART OF THE NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST 1/4; THENCE SOUTH 89 DEGREES 40 MINUTES 05 SECONDS WEST ALONG THE NORTH LINE OF SAID NORTHEAST 1/4, 655.52 FEET TO THE TANGENT CENTER LINE OF ILLINOIS STATE ROUTE NO. 47, BEING ALSO THE WEST LINE OF FOX INDUSTRIAL PARK, UNIT 1, YORKVILLE, KENDALL COUNTY, ILLINOIS; EXTENDED FROM THE SOUTH; THENCE SOUTH 01 DEGREES 44 MINUTES 07 SECONDS EAST ALONG SAID EXTENDED TANGENT CENTER LINE AND SAID TANGENT CENTER LINE, 464.33 FEET; THENCE SOUTH 89 DEGREES 40 MINUTES 05 SECONDS WEST, 446.87 FEET; THENCE SOUTH 00 DEGREES 19 MINUTES 55 SECONDS EAST, 70.00 FEET; THENCE NORTH 89 DEGREES 40 MINUTES 05 SECONDS EAST, 138.57 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 01 DEGREES 44 MINUTES 07 SECONDS EAST, 185.12 FEET; THENCE NORTH 88 DEGREES 15 MINUTES 53 SECONDS EAST, 249.93 FEET TO THE WESTERLY RIGHT OF WAY LINE OF SAID ROUTE 47 BEING A LINE DRAWN PARALLEL WITH AND 60.0 FEET WEST OF SAID CENTER LINE; THENCE NORTH 01 DEGREES 44 MINUTES 07 SECONDS WEST ALONG SAID WESTERLY RIGHT OF WAY LINE 179.00 FEET TO A LINE DRAWN NORTH 89 DEGREES 40 MINUTES 05 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 40 MINUTES 05 SECONDS WEST, 250.0 FEET TO THE POINT OF BEGINNING IN THE UNITED CITY OF THE VILLAGE OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

EXCEPT

PART OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM, NAO 1983 -EAST ZONE: COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 5; THENCE SOUTH 87 DEGREES 29 MINUTES 43 SECONDS WEST 199.803 METERS (655.52 FEET) ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5 TO THE TANGENT CENTERLINE OF FAP 326 (IL 47) EXTENDED FROM THE SOUTH; THENCE SOUTH 03 DEGREES 54 MINUTES 29 SECONDS EAST 216.984 METERS (534.36 FEET) ALONG SAID TANGENT CENTERLINE AND CENTERLINE OF FAP 326 (IL 47); THENCE SOUTH 87 DEGREES 29 MINUTES 43 SECONDS WEST 18.293 METERS [60.02 FEET] TO THE POINT OF BEGINNING, SAID POINT BEING ON THE WESTERLY EXISTING RIGHT OF WAY LINE OF FAP 326 (IL 47); THENCE SOUTH 03 DEGREES 54 MINUTES 29 SECONDS EAST 54.559 METERS (179.00 FEET) ALONG SAID WESTERLY EXISTING RIGHT OF WAY LINE; THENCE SOUTH 86 DEGREES 05 MINUTES 31 SECONDS WEST 1.712 METERS (5.62 FEET); THENCE NORTH 03 DEGREES 54 MINUTES 29 SECONDS WEST 54.601METERS (179.14 FEET); THENCE NORTH 87 DEGREES 29 MINUTES 43 SECONDS EAST 1.712 METERS (5.62 FEET) TO THE POINT OF BEGINNING, SITUATED IN THE IN THE UNITED CITY OF

YORKVILLE, COUNTY OF KENDALL AND STATE OF ILLINOIS, HEREBY RELEASING AND WAIVING ALL RIGHT UNDER AND BY VIRTUE OF THE HOMESTEAD EXEMPTION LAWS OF THE STATE.

PARCEL 2:

THAT PART OF THE NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST 1/4; THENCE SOUTH 89 DEGREES 40 MINUTES 05 SECONDS WEST ALONG THE NORTH LINE OF SAID NORTHEAST 1/4, 655.52 FEET TO THE TANGENT CENTER LINE OF ILLINOIS STATE ROUTE NO. 47, BEING ALSO THE WEST LINE OF FOX INDUSTRIAL PARK, UNIT 1, YORKVILLE, KENDALL COUNTY, ILLINOIS, EXTENDED FROM THE SOUTH; THENCE SOUTH 01 DEGREES 44 MINUTES 07 SECONDS EAST ALONG SAID EXTENDED TANGENT CENTER LINE AND SAID TANGENT CENTER LINE, 464.33 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "A"; THENCE SOUTH 89 DEGREES 40 MINUTES 05 SECONDS WEST, 446.87 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 19 MINUTES 55 SECONDS EAST, 70.00 FEET; THENCE NORTH 89 DEGREES 40 MINUTES 05 SECONDS EAST, 138.57 FEET; THENCE SOUTH 01 DEGREES 44 MINUTES 07 SECONDS EAST, 188.12 FEET; THENCE NORTH 88 DEGREES 15 MINUTES 53 SECONDS EAST, 249.93 FEET TO THE WESTERLY RIGHT OF WAY LINE OF SAID ROUTE 47 BEING A LINE DRAWN PARALLEL WITH AND 60.0 FEET WEST OF SAID CENTER LINE; THENCE SOUTH 01 DEGREES 44 MINUTES 07 SECONDS EAST ALONG SAID WESTERLY RIGHT OF WAY LINE 18.0 FEET; THENCE SOUTH 88 DEGREES 15 MINUTES 53 SECONDS WEST, 415.57 FEET; THENCE SOUTH 01 DEGREES 07 MINUTES 53 SECONDS EAST, 118.53 FEET; THENCE SOUTH 88 DEGREES 52 MINUTES 07 SECONDS WEST, 100.00 FEET; THENCE SOUTH 01 DEGREES 07 MINUTES 53 SECONDS EAST, 219.0 FEET TO A LINE DRAWN SOUTH 88 DEGREES 52 MINUTES 07 SECONDS WEST FROM A POINT ON SAID CENTER LINE WHICH IS 611.12 FEET SOUTHERLY OF SAID POINT "A"; THENCE SOUTH 88 DEGREES 52 MINUTES 07 SECONDS WEST, 859.67 FEET TO AN OLD CLAIM LINE; THENCE NORTH 11 DEGREES 59 MINUTES 56 SECONDS EAST ALONG SAID OLD CLAIM LINE 645.91 FEET TO A LINE DRAWN SOUTH 89 DEGREES 40 MINUTES 05 SECONDS WEST FROM THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 40 MINUTES 05 SECONDS EAST, 838.91 FEET TO THE POINT OF BEGINNING, IN THE UNITED CITY OF THE VILLAGE OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

EXCEPT PART OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE (NAD 83): COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 5; THENCE SOUTH 87 DEGREES 29 MINUTES 43 SECONDS WEST 199.803 METERS (655.52 FEET) ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5 TO THE TANGENT CENTERLINE OF FAP 326 (IL 47) EXTENDED FROM THE SOUTH; THENCE SOUTH 03 DEGREES 54 MINUTES 29 SECONDS EAST 216.984 METERS (711.89 FEET) ALONG SAID TANGENT CENTERLINE AND CENTERLINE OF FAP 326 (IL 47); THENCE SOUTH 86 DEGREES 05 MINUTES 31 SECONDS WEST 18.288 METERS (60.00 FEET) TO THE POINT OF BEGINNING, BEING ON THE WESTERLY EXISTING RIGHT OF WAY LINE OF FAP 326 (IL 47); THENCE SOUTH 03

DEGREES 54 MINUTES 29 SECONDS EAST 7.315 METERS (24.00 FEET) ALONG SAID WESTERLY EXISTING RIGHT OF WAY LINE; THENCE SOUTH 86 DEGREES 05 MINUTES 31 SECONDS WEST 1.712 METERS (5.62 FEET); THENCE NORTH 03 DEGREES 54 MINUTES 29 SECONDS WEST 7.315 METERS (24.00 FEET); THENCE NORTH 86 DEGREES 05 MINUTES 31 SECONDS EAST 1.712 METERS (5.62 FEET) TO THE POINT OF BEGINNING, SITUATED IN THE UNITED CITY OF YORKVILLE, COUNTY OF KENDALL AND STATE OF ILLINOIS, HEREBY RELEASING AND WAIVING ALL RIGHT UNDER AND BY VIRTUE OF THE HOMESTEAD EXEMPTION LAWS OF THE STATE.

GWMW | LLP
GRIFFIN WILLIAMS McMAHON & WALSH

Attorneys and
Counselors at Law

Richard L. Williams

Direct: 630. 457.1205
rwilliams@gwmwlaw.com

November 15, 2024

Via E-Mail and Personal Delivery

Krysti Barksdale-Noble
United City of Yorkville
651 Prairie Pointe Drive
Yorkville, Illinois 60650

Re: PUD Application
1115 South Bridge Street, Yorkville, IL 60560 (the "Property")

Dear Ms. Barksdale-Noble:

Our firm services as counsel to 1115, LLC, an Illinois limited liability company, which is also the contract purchaser and proposed developer of the above referenced approximately 14.1758 acre Property. Enclosed please find the following:

1. Application for Planed Unit Development
2. Letter of Authorization, signed by the current owners of the Property
3. Legal Description (Word format)
4. $500 filing fee

This application shall serve to supplement the rezoning application previously filed by the applicant for the Property, which rezoning application remains pending. The plans filed with the rezoning application are applicable to this PUD Application, and are incorporated and made a part of this PUD Application by this reference.

The proposed development is as follows:

- Developer is proposing to develop and construct an integrated eighteen building townhome development consisting of a total of 105 individual townhome units.
- Amenities will be provided in the form of open space and walking trails
- Existing tree line and transition buffer between the development and the adjacent Greenbriar Subdivision will be provided.

- Adequate sewer and water are available and will be extended to the development, and all stormwater generated from the development will be self-contained and comply with applicable City codes;
- Off-street parking will be provided as set forth on the plan
- Adequate access is provide to a proposed full unsignalized intersection at Bridge Street (Route 47)

In connection with this proposed development, Developer is requesting the following relief from Section 10-5-8(C)(2)(b) of Chapter 5 of the City's Unified Development Ordinance:

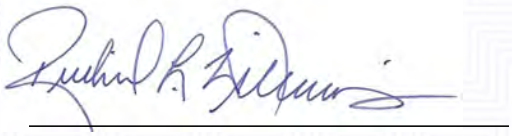
- Developer shall incorporate at least 25% masonry products or premium siding on the front façade of all townhome units.
- Developer shall provide landscaping in excess of City requirements.

With respect to the public notice, applicant requests staff provide a list of property owners within five hundred (500) feet of the property.

If you have any questions, or need additional information, please contact me.

Very truly yours,

GRIFFIN WILLIAMS
MCMAHON & WALSH, LLP

By: 
Richard L. Williams

Encl.

cc: Patrick Winninger
Matt Christensen

Brent and Tracy Schalhamer
11119 Ryan Way
Holland, MI 49423

November 5, 2024

United City of Yorkville
651 Prairie Point Drive
Yorkville, Illinois 60560

Re: Letter of Authorization
Rezoning and Special Use for Planned Unit Development
1115 S. Bridge Street, Yorkville, Illinois

To Whom It May Concern:

This letter shall confirm that we are the owners of an approximately 14.1758 acre parcel of real estate located generally west of Bridge Street, Kendall County, Illinois and legally described as follows:

LEGAL DESCRIPTION OF PARCEL ONE:

That Part of the Northeast Quarter of Section 5, Township 36 North, Range 7 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter; thence South 89°40'05" West along the North Line of said Northeast Quarter, 655.52 feet to the tangent center line of Illinois State Route No. 47, being also the West Line of Fox Industrial Park, Unit 1, Yorkville, Kendall County, Illinois, extended from the South; thence South 01°44'07" East along said extended tangent center line and said tangent center line, 464.33 feet; thence South 89°40'05" West, 446.87 feet; thence South 00°19'55" East, 70.0 feet; thence North 89°40'05" East, 138.57 feet for a point of beginning; thence South 01°44'07" East, 185.12 feet; thence North 88°15'53" East, 249.93 feet to the Westerly Right of Way of said Route 47 being a line drawn parallel with and 60.0 feet West of said center line; thence North 01°44'07" West along said Westerly right of way line, 179.0 feet to a line drawn North 89°40'05" East from the point of beginning; thence South 89°40'05" West, 250.0 feet to the point of beginning in the United City of the Village of Yorkville, Kendall County, Illinois,
EXCEPT Part of the Northeast Quarter of Section 5, Township 36 North, Range 7 East of the Third Principal Meridian, Kendall County, Illinois, described as follows with bearings referenced to the Illinois State Plane Coordinate System, NAD 1983 – East Zone:
Commencing at the Northeast Corner of the Northeast Quarter of said Section 5; thence South 87°29'43" West, 199.803 meters (655.52 feet) along the North Line of the Northeast Quarter of said Section 5 to the tangent centerline of FAP 326 (IL 47) extended from the South; thence South 03°54'29" East, 162.873 meters (534.36 feet) along said tangent centerline and centerline of FAP 326 (IL 47); thence South 87°29'43" West, 18.293 meters (60.02 feet) to the point of beginning, said point being on the Westerly existing right of way of FAP 326 (IL 47); thence South 03°54'29" East, 54.559 meters (179.00 feet) along said Westerly Existing right of way line; thence South 86°05'31" West, 1.712 meters (5.62 feet); thence North 03°54'29" West, 54.601 meters (179.14 feet); thence North 87°29'43" East, 1.712 meters (5.62 feet) to the point of beginning, situated in the County of Kendall and State of Illinois, hereby releasing and waiving all right under and by virtue of the Homestead Exemption Laws of the State.

and

LEGAL DESCRIPTION OF PARCEL TWO:

That Part of the Northeast Quarter of Section 5, Township 36 North, Range 7 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter; thence South 89°40'05" West along the North Line of said Northeast Quarter, 655.52 feet to the tangent center line of Illinois State Route No. 47, being also the West Line of Fox Industrial Park, Unit 1, Yorkville, Kendall County, Illinois extended from the South; thence South 01°44'07" East along said extended tangent center line and said tangent center line, 464.33 feet to a point hereinafter referred to as Point "A"; thence South 89°40'05" West, 446.87 feet for a point of beginning; thence South 00°19'55" East, 70.0 feet; thence North 89°40'05" East, 138.57 feet; thence South 01°44'07" East, 188.12 feet; thence North 88°15'53" East, 249.93 feet to the Westerly Right of Way of said Route 47 being a line drawn parallel with and 60.0 feet West of said center line; thence South 01°44'07" East along said Westerly right of way line, 24.0 feet; thence South 88°15'53" West, 415.57 feet; thence South 01°07'53" East, 118.53 feet; thence South 88°52'07" West, 100.0 feet; thence South 01°07'53" East, 219.0 feet to a line drawn South 88°52'07" West from a point on said centerline which is 611.12 feet Southerly of said Point "A"; thence South 88°52'07" West, 859.67 feet to an old claim line; thence North 11°59'56" East along said old claim line, 645.91 feet to a line drawn South 89°40'05" West from the point of beginning; thence North 89°40'05" East, 838.91 feet to the point of beginning, in the United City of the Village of Yorkville, Kendall County, Illinois,
EXCEPT Part of the Northeast Quarter of Section 5, Township 36 North, Range 7 East of the Third Principal Meridian, Kendall County, Illinois, described as follows with bearings referenced to the Illinois State Plane Coordinate System, East Zone (NAD83):
Commencing at the Northeast Corner of the Northeast Quarter of said Section 5; thence South 87°29'43" West, 199.803 meters (655.52 feet) along the North Line of the Northeast Quarter of said Section 5 to the tangent centerline of FAP 326 (IL 47) extended from the South; thence South 03°54'29" East, 216.984 meters (711.89 feet) along said tangent centerline and centerline of FAP 326 (IL 47); thence South 86°05'31" West, 18.288 meters (60.0 feet) to the point of beginning, being on the Westerly existing right of way of FAP 326 (IL 47); thence South 03°54'29" East, 7.315 meters (24.0 feet) along said Westerly existing right of way line; thence South 86°05'31" West, 1.712 meters (5.62 feet); thence North 03°54'29" West, 7.315 meters (24.0 feet); thence North 86°05'31" East, 1.712 meters (5.62 feet) to the point of beginning, situated in the United City of Yorkville, County of Kendall and State of Illinois, hereby releasing and waiving all right under and by virtue of the Homestead Exemption Laws of the State.

Parcel Identification Number: 05-05-226-013; and 05-05-201-004 (the "Property").

We hereby affirm that we have full legal capacity to execute this Letter of Authorization and to further authorize 1115, LLC, an Illinois limited liability company, Patrick Wininger and Matthew Christensen, its representatives has the authority to file applications with the City of Yorkville (the "City") seeking to obtain all governmental approvals from the City in order to use the Property in accordance with its intended use. The governmental approvals shall include, but not be limited to: (1) filing an Application for Rezoning to rezone the Property to R-4 under the City's zoning district designation; and (2) filing an Application for Planned Unit Development.

The letter shall further confirm that no electors reside thereon. This authorization shall continue in full force and effect until receipt by the City of a revocation signed, in writing.

Brent Schalhamer

Tracy Schalamer

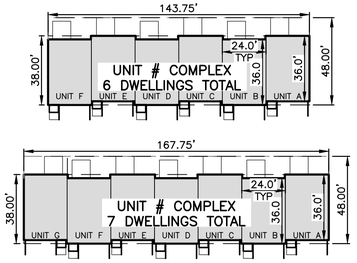
Subscribed and Sworn to before me this
5th day of November,
2024

Notary Public

OFFICIAL SEAL
DALLAS GREGG INGEMUNSON
NOTARY PUBLIC, STATE OF ILLINOIS
My Commission Expires 4/4/25

TYPICAL BUILDING ENVELOPE

MIN. 1,400 SQ.FT. LIVABLE SPACE FOR TOWNHOME DWELLING UNIT
(SEE ARCHITECTURAL PLANS FOR EXACT BUILDING DIMENSIONS)



ZONING BUILDING SETBACK REQUIREMENTS

TABLE 10-3-9(B) BUILDING SEPARATION REQUIREMENTS IN R-3		PROPOSED MINIMUM BUILDING SEPARATION FOR R-4
SIDE TO SIDE	20'	20' MIN - 25' TYP.
SIDE TO REAR	40'	40'
REAR TO REAR	60'	60'
FRONT TO SIDE	50'	84.5'
FRONT TO FRONT	50'	80' - 100'
REAR TO FRONT	100'	N/A

Ground Cover	Area (ac.)
Open Space	4.95
Impervious	5.78
Dry Detention	1.36
Roof/Future	2.08
Total Onsite	14.18
Total Impervious	9.23
% Imprevious	65%

SITE DATA:

EXIST. ZONING: R-1 SINGLE FAMILY SUBURBAN RESIDENCE DISTRICT
B-3 GENERAL BUSINESS DISTRICT

- EX. TOTAL LOT SIZE: 617,804± SQ. FT. (14.183± AC.)
- B-3 = 1.020± AC.
- EX. R-1 (PR. R-4) = 13.163± AC.

PROP. ZONING: (PUD) R-4 GENERAL MULTI-FAMILY RESIDENCE DISTRICT

MAXIMUM LOT COVERAGE PER R-4 ZONING = 70% IMPERVIOUSNESS
PUD PLAN TO COMPLY WITH R-4 ZONING OF MAX. 70% IMPERVIOUSNESS

MAX. BUILDING HEIGHT: 80'
DWELLING UNIT MAX. HEIGHT: 40'

INGRESS/EGRESS ACCESS EASEMENT TO BE PROVIDED OVER THE PRIVATE ACCESS ROADS (INCLUDED AT TIME OF FINAL PLAT)

OFF-STREET PARKING DATA:

- PARKING REQUIREMENTS: DWELLING, TOWNHOUSE
  PER TABLE 10-5-1(H)(5) MINIMUM PARKING REQUIREMENT = 2.25 PARKING SPACES PER DWELLING UNIT

  105 TOTAL UNITS X 2.25/UNIT = 237 SPACES REQUIRED

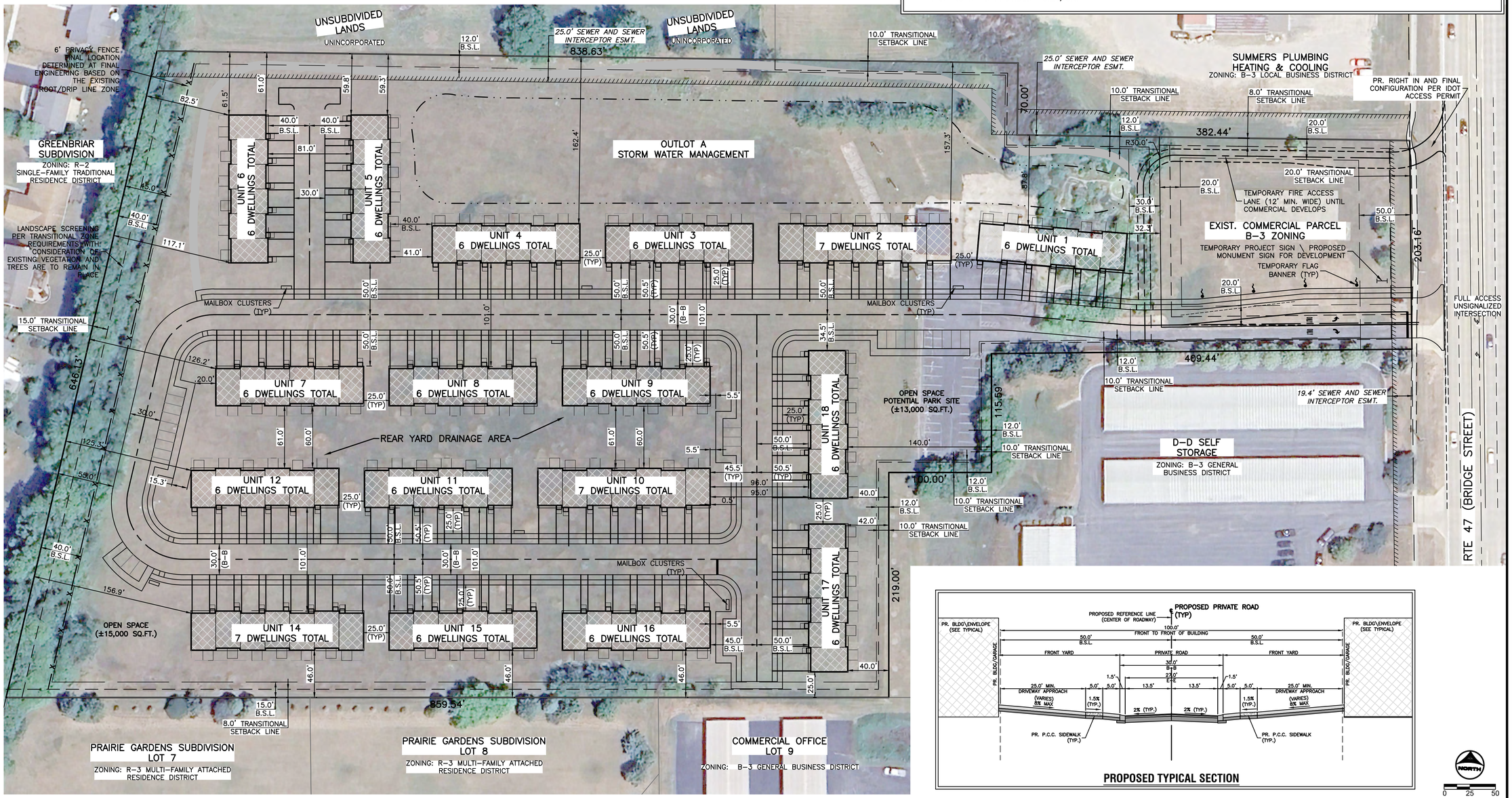
  PARKING SPACE CALCULATIONS:
  *(14) 6 UNIT BUILDINGS (102 UNITS) X 2 = 168 DRIVEWAY SPACES
  *(3) 7 UNIT BUILDINGS (3 UNITS) X 2 = 42 DRIVEWAY SPACES
  TOTAL DRIVEWAY SPACES = 210 SPACES (OFF-STREET REQUIRED)

  *A MINIMUM OF ONE (1) OF THE PARKING SPACES, AS REQUIRED IN SECTION 10-5-1(H) OF THIS UDO, SHALL BE PROVIDED IN AN ATTACHED OR DETACHED GARAGE LOCATED ON REAR OR SIDE FACADES UNLESS OTHERWISE APPROVED = 105 SPACES (GARAGE SPACE)

  *ADDITIONAL OFF-STREET PARKING SHOWN = 30 SPACES
- TOTAL NUMBER OF PARKING SPACES PROVIDED PER PLAN: 345
- PARKING RATIO REQUIRED= 2.25/UNIT
- PARKING RATIO PROVIDED= 3.29/UNIT

TYPICAL PARKING DATA SIZE REQUIREMENTS:

- TYPICAL ONSITE PARKING WIDTH: 9.0'
- TYPICAL ONSITE PARKING LENGTH: 18'
- TYPICAL ONSITE ACCESS DRIVE WIDTH:
  27' (E-E) / 30' (B-B)



PROPOSED TYPICAL SECTION

NORTH
0 25 50

NO.	DATE	BY	REVISION DESCRIPTION

HRGreen.com
HRGreen

FOX HAVEN - 14.2± AC. MULTI-FAMILY PUD PLAN
ADDRESS: 1115 S. BRIDGE ST. (IL. RTE. 47)
CLIENT: 1115 LLC.
UNITED CITY OF YORKVILLE, ILLINOIS

FOX HAVEN - PUD CONCEPT PLAN

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

DRAWN BY: MPL
APPROVED: DWS
JOB DATE: 12/17/2024
JOB NO: 2402643.01

DRAWING
CONCEPT

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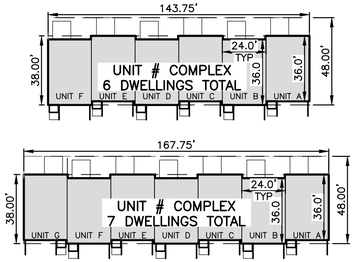
12/21/2024 5:21:52 PM

TYPICAL BUILDING ENVELOPE

MIN. 1,400 SQ.FT. LIVABLE SPACE FOR TOWNHOME DWELLING UNIT
(SEE ARCHITECTURAL PLANS FOR EXACT BUILDING DIMENSIONS)



ZONING BUILDING SETBACK REQUIREMENTS

TABLE 10-3-9(B) BUILDING SEPARATION REQUIREMENTS IN R-3		PROPOSED MINIMUM BUILDING SEPARATION FOR R-4
SIDE TO SIDE	20'	20' MIN – 25' TYP.
SIDE TO REAR	40'	40'
REAR TO REAR	60'	60'
FRONT TO SIDE	50'	84.5'
FRONT TO FRONT	50'	80' – 100'
REAR TO FRONT	100'	N/A

Ground Cover	Area (ac.)
Open Space	4.95
Impervious	5.78
Dry Detention	1.36
Roof/Future	2.08
Total Onsite	14.18
Total Impervious	9.23
% Imprevious	65%

SITE DATA:

EXIST. ZONING: R-1 SINGLE FAMILY SUBURBAN RESIDENCE DISTRICT
B-3 GENERAL BUSINESS DISTRICT

- EX. TOTAL LOT SIZE: 617,804± SQ. FT. (14.183± AC.)
- B-3 = 1.020± AC.
- EX. R-1 (PR. R-4) = 13.163± AC.

PROP. ZONING: (PUD) R-4 GENERAL MULTI-FAMILY RESIDENCE DISTRICT

MAXIMUM LOT COVERAGE PER R-4 ZONING = 70% IMPERVIOUSNESS
PUD PLAN TO COMPLY WITH R-4 ZONING OF MAX. 70% IMPERVIOUSNESS

MAX. BUILDING HEIGHT: 80'
DWELLING UNIT MAX. HEIGHT: 40'

INGRESS/EGRESS ACCESS EASEMENT TO BE PROVIDED OVER THE PRIVATE ACCESS ROADS (INCLUDED AT TIME OF FINAL PLAT)

OFF-STREET PARKING DATA:

- PARKING REQUIREMENTS: DWELLING, TOWNHOUSE
  PER TABLE 10-5-1(H)(5) MINIMUM PARKING REQUIREMENT = 2.25 PARKING SPACES PER DWELLING UNIT

  105 TOTAL UNITS X 2.25/UNIT = 237 SPACES REQUIRED

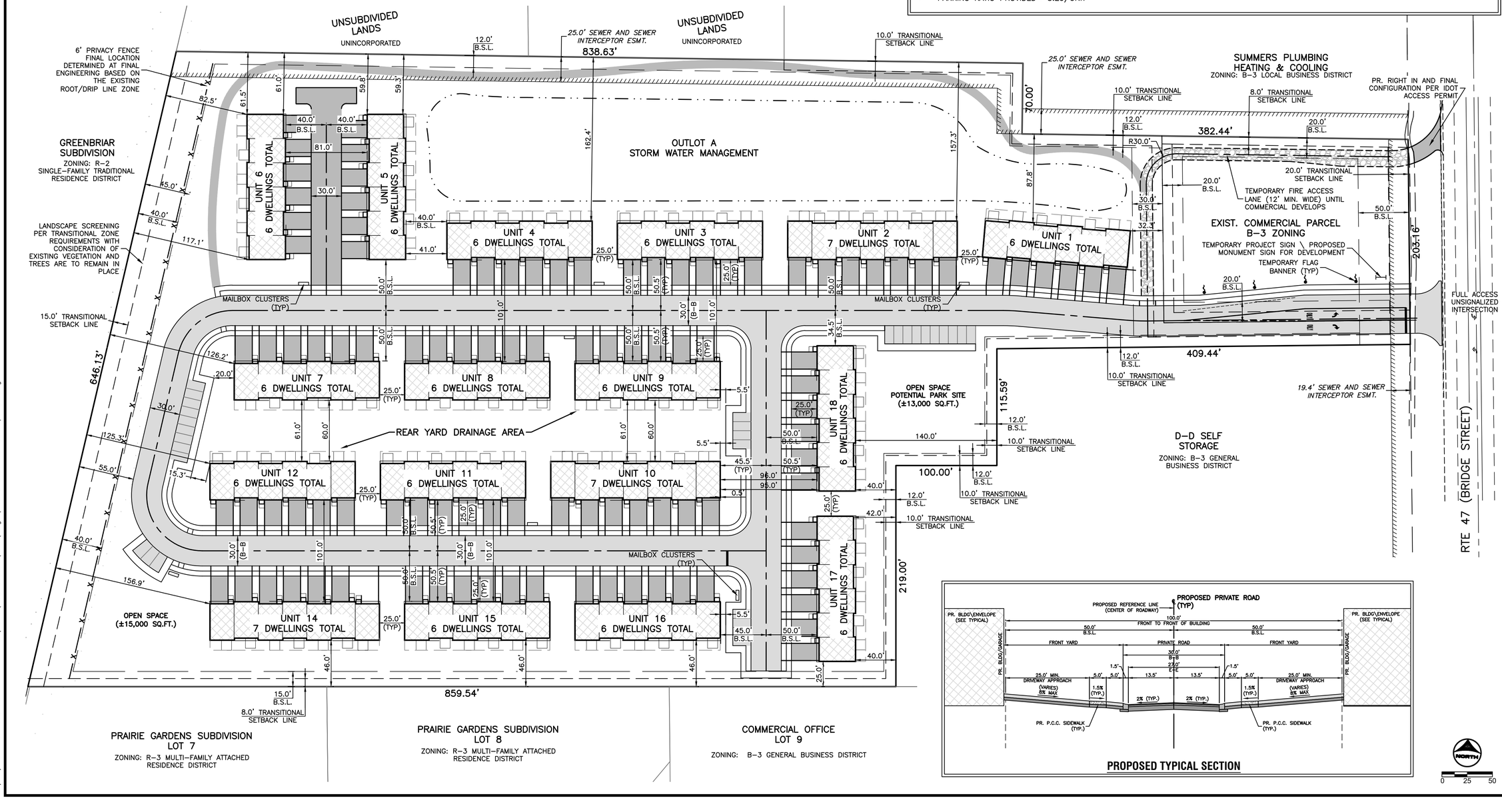
  PARKING SPACE CALCULATIONS:
  *(14) 6 UNIT BUILDINGS (102 UNITS) X 2 = 168 DRIVEWAY SPACES
  *(3) 7 UNIT BUILDINGS (3 UNITS) X 2 = 42 DRIVEWAY SPACES
  TOTAL DRIVEWAY SPACES = 210 SPACES (OFF-STREET REQUIRED)

  *A MINIMUM OF ONE (1) OF THE PARKING SPACES, AS REQUIRED IN SECTION 10-5-1(H) OF THIS UDO, SHALL BE PROVIDED IN AN ATTACHED OR DETACHED GARAGE LOCATED ON REAR OR SIDE FACADES UNLESS OTHERWISE APPROVED = 105 SPACES (GARAGE SPACE)

  *ADDITIONAL OFF-STREET PARKING SHOWN = 30 SPACES
- TOTAL NUMBER OF PARKING SPACES PROVIDED PER PLAN: 345
- PARKING RATIO REQUIRED= 2.25/UNIT
- PARKING RATIO PROVIDED= 3.29/UNIT

TYPICAL PARKING DATA SIZE REQUIREMENTS:

- TYPICAL ONSITE PARKING WIDTH: 9.0'
- TYPICAL ONSITE PARKING LENGTH: 18'
- TYPICAL ONSITE ACCESS DRIVE WIDTH:
  27' (E-E) / 30' (B-B)



PROPOSED TYPICAL SECTION

NORTH

0 25 50

NO.	DATE	BY	REVISION DESCRIPTION

HRGreen.com
HRGreen

FOX HAVEN – 14.2± AC. MULTI-FAMILY PUD PLAN
ADDRESS: 1115 S. BRIDGE ST. (IL. RTE. 47)
CLIENT: 1115 LLC.
UNITED CITY OF YORKVILLE, ILLINOIS

FOX HAVEN – PUD CONCEPT PLAN

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

DRAWN BY: MPL
APPROVED: DWS
JOB DATE: 12/17/2024
JOB NO: 2402643.01

DRAWING
CONCEPT

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PHOTO TAKEN 12.19.2024
LOOKING WEST AT GREENBRIAR

PHOTO TAKEN 12.19.2024
LOOKING WEST AT GREENBRIAR

PHOTO TAKEN 12.19.2024
LOOKING WEST AT GREENBRIAR

PHOTO TAKEN 12.19.2024
LOOKING WEST AT GREENBRIAR

HRGreen®

2363 Sequoia Drive | Suite 101
Aurora, IL 60506
Main 630.553.7560 + **Fax** 713.965.0044

HRGREEN.COM

January 2, 2025

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

Re: Proposed Multi-Family Residential Townhome Development (1115, LLC)
PZC-2024-29 1115, LLC (Rezone & PUD)
Concept Plan Review Comment Response No. 1
HR Green Job No. 2402643.01

Dear Ms. Barksdale-Noble:

This letter provides responses to the comments in the review memo dated December 6, 2024. Our responses to the comments are shown in **bold** following the comment.

GENERAL PUD/ ZONING COMMENTS:

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

    a. The petitioner has listed **one (1) proposed deviation** from the Yorkville Unified Development Ordinance's Appearance Standards (Section 10-5-8(C)(2)(b)) to reduce the required use of masonry products or premium siding on the front façades of the townhome buildings from 50% to 25% (*See "Appearance Standards" comment #11*)

    RESPONSE: Noted, to be coordinated with Developer/Builder based on Appearance Code Standards and credits issued as part of the proposed Architectural submittals as part of the submittal.

    b. The petitioner has identified two (2) modification standards the proposed PUD will meet per Section 10-8-8D.

        i. Modification Standard #1 "Landscape Conservation and Visual Enhancement" which states the Planned Unit Development preserves and enhances existing landscape, trees, and natural features such as rivers, streams, ponds, groves, and landforms.

            1. Staff believes this modification standard does apply due to the conservation of an existing densely vegetated mature tree line buffering the subject property from the adjacent single-family residential development to the west (Greenbriar Subdivision).

    RESPONSE: Noted.

ii. Modification Standard #12 "Regional Utility Improvements" which is intended to apply to Planned Unit Developments that involve the construction of a utility improvement identified in the City or Yorkville Comprehensive Plan or other policy document adopted by a local, County, or regional entity.
    1. **Staff does not believe this modification standard applies, as the project does not identify regional utility improvements provided that will benefit any parcels other than for the development of the subject property.**

RESPONSE: Noted. With respect to potential benefit of adjoining parcels, the proposed development is to initiate cross access opportunity with adjoining property owner(s) and opportunity for utility cross connections for future adjoining development to the north. Please note that the existing developments that surround this parcel have created limitations and burdens as a result for community cross access connections and utility cross connection type of development. For example the east line is bounded by Rte. 47, the south line is existing development with site constraints, the west is also existing development with no planned cross connections, leaving the north the only opportunity for future development connectivity in which this property is forced to consider as the only option. The existing property exhibits a planning/development hardship where there are limitations for cross connections (secondary access) and decisions for remaining development area limitations to provide the necessary/requested requirements standards of today's current code requirements. For consideration to overcome this property has to be both viable for development and successful for all stakeholders involved in the community.

c. Petitioner has provided written responses to the standards for special use and for Planned Unit Development (PUD) which will be entered into the record during the public hearing process.
RESPONSE: Noted.

2. **ZONING** – The Petitioner is seeking to rezone the 13-acre parcel of the subject property from R-1 Single-Family Suburban Residence District to R-4 General Multi-Family Residence District. The following are the current immediate surrounding zoning and land uses:

	Zoning	Land Use
North	B-3 General Business District A-1 Agricultural (Kendall County)	Commercial/Office Agriculture
East	B-3 General Business District IL Route 47 (Bridge Street)	Commercial/Office Transportation Land Use
South	R-3 Multi-Family Attached Residence District B-3 General Business District	Prairie Gardens Subdivision Commercial/Office
West	R-2 Single-Family Traditional Residence District	Greenbriar Subdivision (PUD)

RESPONSE: So noted to the existing conditions and uses.

3. **PERMITTED USES** – Per Table 10-3-12 (B) of the Yorkville Unified Development Ordinance (UDO), "townhome dwellings" are permitted land uses in the R-4 General Multi- Family Residence District. The R-4 District is intended for moderate to high density multi- family buildings and complexes.

RESPONSE: So Noted

4. **BULK & DIMENSIONAL STANDARDS** - Per the Table 10-3-9(A) Bulk and Dimensional Standards, the following compares current R-4 General Multi-Family Residence District standards with the proposed Planned Unit Development (PUD) for the residential townhomes:

	R-4 Zoning Regulations	Proposed PUD
Min. Lot Area	15,000 sq. ft.[1]	13.163 acres
Min. Lot Size per DU	5,000 sq. ft.	Undetermined
Min. Lot Width	90 feet	200+ feet
Front Yard Setback	30 feet	Undetermined
Rear Yard Setback	40 feet	40 feet
Side Yard Setback	12 feet or 60% of building height (20 ft. corner)	12 feet
Max. Density	8 du/acre	7.9 du/acre
Max. Lot Coverage	70%	Undetermined
Max. Dwelling Height	40 feet	2 stories

[1] *Nonresidential principal uses shall have a minimum lot size of 15,000 square feet and 100-foot width. A one-story structure shall have a minimum of 1,200 square feet and a two-story structure shall have a minimum of 1,400 square feet of livable space.*

RESPONSE: The remaining overall underlying lot comprises of the R-4 zoning and to be platted with one overall building envelope with townhome units described as part of the underlying lot. The PUD development will have defined definitions/dimensions based off of the plan submitted using private roads and dimensions listed. The site plan submitted conforms with what is shown as acceptable dimensions with respect to above regulations. Table summary provided.

Min. Lot Size per townhome building will not apply based on the PUD type development and platting technique. Individual dwelling unit is to have a proposed unit envelope approximately 24'' wide by 52' deep (1,300 sq.ft.).

PUD Plan to comply with 70% Max Lot Coverage and straight R-4 zoning regulations.

PUD Plan to comply with Max. Dwelling Height of 40 feet with 3 stories and non-residential Max. Building Height of 80' maximum.

5. **MINIMUM LOT SIZE/WIDTH PER DWELLING UNIT** – Minimum lot size per dwelling unit is 5,000 sq. ft. with a minimum lot width of 90 ft. for attached uses. **Petitioner must provide lot dimensions for each unit.**
   a. **Note:** Any two-story structure within the R-4 District shall have a minimum of 1,400 square feet of livable space. The petitioner proposes each townhome unit will be 2 stories and contain six (6) dwellings per building (except Unit 13 which will have 3 dwelling units). **What is the minimum unit square feet of livable space?**

RESPONSE: There is no three story requirements for min. unit square feet for livable space. The UDO discusses one-story structure (1,200 sq.ft.) and two-story structure (1,400 sq.ft.). Therefore a two-story structure (1,400 sq.ft.) will be used for min. unit square feet for livable space.

6. **YARD SETBACKS** – Minimum front yard setback for R-4 District is 30 feet. **Petitioner shall clearly illustrate, with dimensions, where they propose the front yard for the townhouse development is located**.

RESPONSE: Dimensions added as suggested to plan to define the front setback such as from existing sidewalk edge (cross access easement for private access roads) and the face of building wall excluding any entry porches or roof overhangs. Current plan dimensions are shown at 25' which could be used to define the front yard setback.

7. **LOT COVERAGE –** Maximum lot coverage for the R-4 District is 70% per Section 10- 3-9(A) of the Unified Development Ordinance. **Please provide within the site data table calculations of the impervious surface for the proposed development broken down by building coverage, parking lot, sidewalks, and other hard surfaces.**

   RESPONSE: Summary data table to be added to the plans that will define the requirements. The PUD plan to comply with the 70% Lot Coverage.

8. **MAXIMUM BUILDING HEIGHT** - Maximum building height for the R-4 District is 80 feet. While the Petitioner has indicated the structure is 2 stories, **the Petitioner must also denote the proposed building height in feet using the measurement standard as established in Section 10-3-10 of the Unified Development Ordinance**.

   RESPONSE: Building height in feet (maximum) to be added to the PUD plan that will define the requirements. The PUD plan to comply with the Maximum Building Height of 80 feet per zoning along with requesting three (3) stories. Dwelling Unit Max. Height is 40' per UDO.

9. **BUILDING SEPARATION** – Per Section 10-3-9(B) of the Unified Development Ordinance, minimum building separation standards are **only required for the R-3 Multi- Family Attached Residence District.** However, the petitioner has provided minimum separation dimensions on the Concept Plan. Below is a comparison of the R-3 minimum building separation and the proposed R-4 townhome PUD:

Table 10-3-9(B) Building Separation Requirements in R-3		Proposed Minimum Building Separation for R-4
Side to side	20 feet	25 feet
Side to rear	40 feet	Undetermined
Rear to rear	60 feet	60 feet
Front to side	50 feet	84.5 feet
Front to front	50 feet	72 - 95 feet
Rear to front	100 feet	N/A

   RESPONSE: Dimension for side to rear in feet (minimum) has been added to the plans that will define the requirements above. The PUD plan to comply with the minimum 40 feet per zoning requirements.

10. MULTI-FAMILY RESIDENTIAL USE STANDARDS – Per Section 10-4-2(B) of the Unified Development Ordinance multi-family dwelling developments shall meet the following standards:

    a. The main entrance to a multi-family dwelling shall face the primary perimeter or internal street.
       i. **Units 5 and 6 do not appear to meet this standard unless the unit face a secondary internal street and/or common open space.**

RESPONSE: Requesting Unit 5 and Unit 6 to be a motor court type arrangement/frontage under the "otherwise approved" category. Under this configuration, the intention was to provide a plan or opportunity for a future "emergency cross connection" to the parcel to the north as needed in the future development as the property to the north has similar characteristics as this property regarding access.

b. All off-street parking shall be located to the side or rear of the primary building. Off-street parking located to the side of the primary building shall be set back a minimum of one (1) foot from the front elevation of the primary building.
    i. **It appears off-street parking for the units are provided via driveways and/or attached garages. Please confirm.**
    ii. **Guest on-site parking appears to meet this standard.**

RESPONSE: Yes the parking is considered in the following format:

- ***Two enclosed parking spaces per dwelling unit (attached garage) – UDO requires one (1) space so a credit of one (1) additional space per dwelling unit is to be noted only at this time.***
- ***Two driveway parking spaces per each dwelling unit***
- ***Additional off street parking location at various locations onsite to the development.***

c. A maximum of one (1) curb cut shall be permitted per street frontage unless otherwise recommended by the Public Works Director and approved by the Planning and Zoning Commission.
    i. **Site will utilize existing single curb cut off of IL Route 47. Units will have frontage off of an internal private roadway. (See additional comments under "Access")**

RESPONSE: Noted.

d. Service areas, dumpsters, utilities and the required nonvegetative screening thereof shall not be visible from rights-of-way.
    i. **Where are trash dumpsters proposed to be located?**

RESPONSE: Residential rollout collection containers would be standard per City waste collection Program for the residential units. Trash dumpsters for the commercial development to be provided at time of development of that parcel.

e. The entrance to a townhouse shall face the primary public street unless otherwise approved.
    i. **This appears to be the case for all units except Units 5 and 6.**

RESPONSE: Requesting Unit 5 and Unit 6 to be a motor court type arrangement/frontage under the "otherwise approved" category. Under this configuration, the intention was to provide a plan or opportunity for a future "emergency cross connection" to the parcel to the north as needed in the future development as the property to the north has similar characteristics as this property regarding access.

f. A maximum width of a townhome cluster shall be two hundred (200) lineal feet.
    i. **Proposed plan indicates a maximum width of 150 ft for each townhome complex building.**

RESPONSE: Noted.

g. The siting of the townhouse units in a cluster shall be staggered in order to define street edges, entry points, and public gathering spaces.
    i. **Townhouse units are designed in uniformed lined formation (barrack style) rather than in clusters. Staff requests the petitioner explain the strategy behind the building siting (i.e., constraints of the parcel due to irregular shape, conservation of existing mature tree line, and/or required stormwater basin location/size, etc.).**

RESPONSE: The strategy behind the building arrangement and development limitations are results of the parcel limitations of immediate access connection and irregular shape (flag type) lot. Without additional roadway connections to adjoining properties leads to an internal looped private access drive.

The remaining developable space and dwelling units being proposed yielded more of a barrack style than the opportunity to cluster the remaining available space. The plan is also to conserve the existing mature tree lines to the west along with strong opinions of limiting any rear facing buildings to the west as much as practical. The natural topography of the property also leads the required stormwater basin in the location/size as shown with accounting for the surface overflows to follow the natural existing conditions as well.

11. **APPEARANCE STANDARDS** – Per Section 10-5-8 of the Unified Development Ordinance, there are special provisions for design standards for multi-family development, as explained below:

    a. Residential – Single-Family Attached and Multiple-Family Residential Units must incorporate:
    - i. Facade treatments that vary between buildings adjacent to one another. Facade variations may include building materials or colors in any one (1) or more of the following:
        1. Siding;
        2. Masonry;
        3. Roof;
        4. Paint/stain;
        5. Doors.
    - ii. Parking areas shall be treated with decorative elements, building wall extensions, plantings, berms and other innovative means so as to largely screen parking areas from view from public ways.
    - iii. The height and scale of each building shall be compatible with its site and adjoining buildings.
    - iv. Newly installed utility services, and service revisions necessitated by exterior alterations, shall be underground
    - v. The architectural character of the building shall be in keeping with the topographical dictates of the site.
    - vi. Masonry products shall be incorporated on the front facade of at least seventy-five (75) percent of the total buildings in the approved community 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.

    RESPONSE: Noted.

    b. The petitioner has provided elevations for the proposed townhome development, and they are seeking relief to reduce the required use of masonry products or premium siding on the front façades of the townhome buildings from 50% to 25%.
    - **i. However, staff has reviewed the elevations and has determined the minimum required premium siding is 20% due to the presence of the following major architectural features which accounts for a 30% credit: decorative dormers, projecting bay windows, and covered porches.**
    - **ii. If the architectural renderings are accurate, is a deviation needed?**

RESPONSE: A deviation is requested with the plans as-is, and reducing the brick requirement from 50% to 25% will provide several benefits:

- ***i. <u>Cost Efficiency:</u> Lowering the brick requirement will significantly reduce construction costs, making housing more affordable for future residents.***
- ***ii. <u>Community Identity:</u> By incorporating a mix of architectural features and materials, we can cultivate a unique community identity that reflects the character and values of our residents. This identity will be a source of pride and a key factor in attracting new families and businesses to our area.***

iii. ***Balanced Visual Appeal:*** ***A mix of materials and features can create a more balanced and harmonious look, avoiding the monotony that can sometimes result from excessive use of a single material. This balance will enhance the overall aesthetic quality of our community.***

iv. ***Sustainability:*** ***Using less brick can contribute to more sustainable building practices by reducing the demand for masonry materials, which have a higher environmental impact compared to other siding options.***

v. ***Economic Development:*** ***The cost savings from reduced brick usage can be redirected towards other community improvements or amenities, fostering overall economic growth and development.***

c. Commercial – Commercial Design Standards are subject to:

i. 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.

ii. 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.

iii. Masonry products shall not be painted.

iv. While no plans are proposed for the commercial B-3 zoned parcel, is the petitioner also seeking appearance standards relief?

RESPONSE: Noted and petitioner does not have plans to develop commercial at this time.

12. **HOA** – Is the developer proposing to create an HOA for the common open space, guest parking area and stormwater management outlot?

RESPONSE: Yes the PUD development is to create a HOA or Management Entity for common shared open area, guest parking, maintenance of property, and stormwater management easement area.

13. **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 lot:

	B-3 Zoning Regulations	Existing Commercial Parcel
Min. Lot Area	10,000 sq. ft.	1.02 acres
Front Yard Setback	50 feet	50 feet
Rear Yard Setback	20 feet	20 feet
Side Yard Setback	20 feet	12 feet
Corner Yard Setback	30 feet	N/A

a. The proposed Concept PUD Plan appears not meet the minimum side yard setback requirement of 20 ft. (along the northern property line) for the B-3 district, but the Zoning Building Setback Requirement Data Table lists a 20 foot side yard setback. **Is the petitioner seeking to add a request for deviation to this standard in the PUD Agreement?**

RESPONSE: Side Yard Setback for the existing B-3 zoning parcel is to be updated to 20' to comply with the B-3 Zoning. PUD Plan to be revised accordingly and no deviation will be requested at this time.

b. **For the bulk requirements listed as to be determined (TBD), staff asks the petitioner to verify they will or will not meet this standard.**

RESPONSE: Noted.

14. **ACCESS** – As proposed, the site has one (1) point of access off of IL Route 47 for both the commercial and residential townhome lots.

a. Connectivity – The access off of Northland Lane leads to a looped unnamed future private roadway ending into two stubs to the south adjacent to the Prairie Gardens Subdivision but does not align with an existing connection.

b. Cross Access – 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 internal roadway will be private, the developer is required to include cross access easements for the residential and commercial parcels to share the ability for perpetual use as part of the Final Plat of Subdivision**.

c. Staff encourages a secondary access point for emergency and public safety vehicles.

RESPONSE: Noted and developer currently working with the fire department and public works on potential options of potential access points via commercial property.

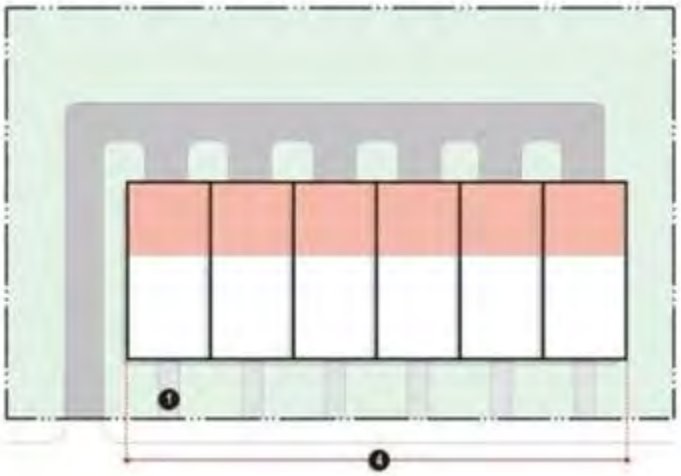
15. **PARKING** - According to the Concept PUD Plan submitted, there are **237 total residential parking spaces** to be provided on the property to accommodate the proposed townhome development as calculated below:

Unit #	# of Parking Spaces Provided
1-12	144
13	6
14-18	60
Guest Parking	27
TOTAL	**237**

a. Per Table 10-5-1(H)(5) Minimum Parking Requirements of the Yorkville Unified Development Ordinance, townhouse dwellings require a minimum of **2.25 parking spaces per dwelling unit**.

RESPONSE: Noted and does confirm compliance with UDO.

b. A minimum of one (1) of the parking spaces, as required in Section 10-5-1(H) of this UDO, shall be provided in an attached or detached garage located on rear or side façades unless otherwise approved (See image on next page).



i. **It is noted that the parking spaces provided are "driveway spaces" or surface parking, per the Off-Street Parking Data Table on the Concept Plan. Is the petitioner seeking relief from this requirement, as well?**

RESPONSE: The parking is considered in the following format:

- ***Two enclosed parking spaces per dwelling unit (attached garage) – UDO requires one (1) space so a credit of one (1) additional space per dwelling unit is to be noted only at this time.***
- ***Two driveway parking spaces per each dwelling unit***
- ***Additional off street parking location at various locations onsite to the development.***

16. **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 access to an existing sidewalk network along the frontage of IL Route 47.

    a. **It appears the petitioner is proposing to install an internal sidewalk network around the looped roadway.**

    RESPONSE: Noted. Proposed internal sidewalk circulation and connection to existing IL-Rte 47 corridor.

17. **STREET DESIGN** – Per Section 10-7-3(A)(2) of the Unified Development Ordinance, blocks shall not exceed one thousand three hundred twenty (1,320) feet in length.

    a. **While not a proposed public roadway, please verify the street length of the primary internal roadway from IL Route 47 to the curve located southwest of Unit 6.**

    RESPONSE: Please note a dimension of +/-1,275 from centerline of IL-Rte. 47 and west most centerline of internal access drive.

18. **COMPREHENSIVE PLAN** – The 2016 Comprehensive Plan Update designates this property as "Commercial Office (CO)" which encourages both large-scaled office uses in single developments or as part of an office park setting; such uses will be typically located along Yorkville's important transportation corridors, Illinois Route 47

and US 34 (Veterans Parkway). Office developments can include service-related uses, hospitals and clinics, hotels, and facilities for research and product development.

a. If the PUD is approved for the townhome development, staff would seek to amend the Comprehensive Plan to reclassify the 13-acre parcel as Mid-Density Residential (MDR) which is consistent with the proposed land use

RESPONSE: Noted.

LANDSCAPE PLAN COMMENTS:

19. **LANDSCAPING** – Section 10-5-3 establishes landscape standards for new developments. The petitioner has not submitted a landscape plan for review.

a. Per staff's review, the following sections of the Landscape Plan would apply to the residential lots:
   i. Section 10-5-3-C. Building Foundation Landscape Zone - All nonresidential, mixed-use, and multi-family development where a front yard setback is required, with the exception of food processing facilities regulated by the FDA, shall include landscape located at the building foundation as required by this section. Landscape required by this section shall be in addition to landscape required under other sections of this title. It is the objective of this section to provide a softening effect at the base of buildings.
   ii. Section 10-5-3-D. Parking Area Perimeter Landscape Zone - Landscape required by this section shall be in addition to landscape required under other sections of this title. It is the objective of this section to provide screening between off-street parking areas and rights-of-way, and to provide for the integration of stormwater management with required landscaping.
   iii. Section 10-5-3-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. **Transition Zone "A" Landscape buffer is required between the townhome development and the adjacent Greenbriar residential subdivision to the west and the Prairie Garden subdivision to the south.**
      2. **Transition Zone "B" Landscape buffer is required between the townhome development and the adjacent commercial land uses to the east.**
      3. **No Transition Zone Landscape buffer is required between the agricultural land use to the north**.

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
Minimum Number of Landscape Elements per 100 Linear Feet					
(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.

RESPONSE: Noted.

20. **SIGNAGE** – The petitioner has not provided a signage plan for the townhome or commercial 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?

RESPONSE: Noted and awaiting renderings. Attached is Ryan Homes Temporary sales signage.

SEE ENGINEERING REVIEW COMMENTS BELOW:

Engineering Enterprises Inc. Additional Comments (Letter dated December 9, 2024)

1. It is our understanding that the roadways are proposed to be private. Cross-access easements will need to be incorporated into the final plat.
   RESPONSE: Noted and to be included during Final Plat and Final Engineering based on outcome of rezoning and conceptual PUD plan approval.

2. A secondary access point is recommended for emergency and public safety purposes.
   RESPONSE: Noted and developer currently working with the fire department and public works on potential options of potential access points via the commercial property.

3. An IDOT permit will be required for access to RI 47.
   RESPONSE: Noted and access permit submittal to be forthcoming to IDOT as a next step request. Correspondence to be shared with the City on information received from IDOT.

4. The City will need to confirm the amount of parking provided.
   RESPONSE: Noted, based on UDO and comments provided, 2.25 parking requirement per unit will be required for development. Parking summary revised for clarification.

5. A 24’ E-E roadway does not meet City standards. The minimum City standard is 30' B-B.
   RESPONSE: Noted and per PUD plan development the request will be private access roadways with no parking and curb cuts for driveway depressions which would also limit parking opportunities on a private or public roadway.

6. Sidewalks should be 5’ in width, and the shared-use path should be at least 8’.
   RESPONSE: Note has been added to the PUD plan and as such and to move forward into final engineering.

7. The post office will most likely require a cluster mailbox system. An area should be identified.
   RESPONSE: Noted and added to the revised plan to include mailbox cluster for post master approval and additional discussions.

8. The location of trash enclosures should be identified.
   RESPONSE: Residential rollout collection containers would be standard per City waste collection program.

9. A conceptual landscape plan should be provided.
   RESPONSE: Noted to be provided as a deliverable prior to processing the PZC scheduled meeting.

10. The proposed water main must be looped and connected in two locations.
    RESPONSE: Noted, assumes that two water connections at/along the Route 47 frontage comply with this requirement.

Sincerely,

HR GREEN, INC.

David Schultz, P.E., LEED AP
Senior Project Manager / Associate
J:\2024\2402643.01\Corr\ltr-010225-City_Comment_Response_No1-ConceptPlanRev.docx

HRGreen®

2363 Sequoia Drive | Suite 101
Aurora, IL 60506
Main 630.553.7560 + **Fax** 713.965.0044

HRGREEN.COM

January 2, 2025

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

Re: Proposed Multi-Family Residential Townhome Development (1115, LLC)
PZC-2024-29 1115, LLC (Rezone & PUD)
Concept Plan Review Comment Response No. 2
HR Green Job No. 2402643.01

Dear Ms. Barksdale-Noble:

This letter provides responses to the comments in the review memo dated December 12, 2024. Our responses to the comments are shown in **bold** following the comment.

GENERAL PUD/ZONING COMMENTS:

1. Petitioner will confirm in writing that the identified Planned Unit Development modification standard #12 "Regional Utility Improvements" which is intended to apply to Planned Unit Developments that involve the construction of a utility improvement identified in the City or Yorkville Comprehensive Plan or other policy document adopted by a local, County, or regional entity, is not applicable to this development.
RESPONSE: Noted. With respect to potential benefit of adjoining parcels, the proposed development is to initiate cross access opportunity with adjoining property owner(s) and opportunity for utility cross connections for future adjoining development to the north. Please note that the existing developments that surround this parcel have created limitations and burdens as a result for community cross access connections and utility cross connection type of development. For example the east line is bounded by Rte. 47, the south line is existing development with site constraints, the west is also existing development with no planned cross connections, leaving the north the only opportunity for future development connectivity in which this property is forced to consider as the only option. The existing property exhibits a planning/development hardship where there are limitations for cross connections (secondary access) and decisions for remaining development area limitations to provide the necessary/requested requirements standards of today's current code requirements. For consideration to overcome this property has to be both viable for development and successful for all stakeholders involved in the community.

2. Petitioner will verify proposed R-4 General Multi-Family Residence District bulk and dimensional standards identified in staff's memo as "Undetermined".
RESPONSE: Noted, please refer to the zoning building setback summary chart that has been added to the PUD Plan for reference.

3. Petitioner will provide the proposed minimum unit square footage of livable space for the townhome dwellings.
RESPONSE: Noted, and statement of 1,400 sq.ft. of livable space has been added to the PUD Plan for reference.

4. Petitioner will clearly illustrate on the Site Plan, with dimensions, where the front yard for the townhouse development is located.

RESPONSE: Added as request additional dimensions throughout the concept plan along with a typical section noting front yard location for reference.

5. Petitioner will provide within the site data table calculations of the impervious surface for the proposed development broken down by building coverage, parking lot, sidewalks, and other hard surfaces.
RESPONSE: A statement has been added that the PUD plan is to comply with the R-4 UDO requirements of 70% imperviousness (maximum) and also provided a summary table of lot coverage.

6. Petitioner must denote the proposed building height in feet using the measurement standard as established in Section 10-3-10 of the Unified Development Ordinance.
RESPONSE: Added building height statement for reference to comply with R-4 UDO requirements.
   - ***Two enclosed parking spaces per dwelling unit (attached garage) – UDO requires one (1) space so a credit of one (1) additional space per dwelling unit is to be noted only at this time.***
   - ***Two driveway parking spaces per each dwelling unit***
   - ***Additional off street parking location at various locations onsite to the development.***

7. Petitioner will provide dimensions for "side to rear" townhome building separation on the Site Plan.
RESPONSE: Added additional dimensions to plan. See statement within the bulk and dimensional standards chart that was added for reference.

8. Petitioner will provide confirmation that the off-street parking for the units is provided via driveways and/or attached garages.
RESPONSE: Parking requirements have been listed by UDO requirements and proposed breakdown on the site plan. See response for note #6 above.

9. Petitioner will need to identify the location of trash dumpsters on the Site Plan.
RESPONSE: Residential rollout collection containers would be standard per City waste collection program would be proposed. Trash dumpsters for the commercial development to be provided at time of development of that parcel.

10. Petitioner must provide a written narrative explaining the strategy behind the building siting specifically for Units 5, 6, and 13 (i.e., constraints of the parcel due to irregular shape, conservation of existing mature tree line, and/or required stormwater basin location/size, etc.)
RESPONSE: Requesting Unit 5 and Unit 6 to be a motor court type arrangement/frontage under the "otherwise approved" category. Under this configuration, the intention was to provide planning or opportunity for a future "emergency cross connection" to the parcel to the north as needed in the future development as the property to the north has similar characteristics as this property regarding restricted secondary access.

11. Petitioner must provide percentages of proposed masonry product and premium siding materials for front façades of the townhome buildings to determine if relief to reduce the required use of masonry products or premium siding on the front façades of the townhome buildings from 50% to 25% is necessary.
RESPONSE: Proposed percentages to be 25% for masonry products & siding materials. Relief is requested per response No. 1 to provide flexibility for reducing housing cost to future residents which also allows greater visual diversity, unique community identity, sustainability, and flexibility to better serve the market.

12. Petitioner will revise Site Plan to illustrate conformance with required minimum 20-foot building side yard setback for B-3 zoned parcel.
RESPONSE: Plan has been revised to comply with the required setback for B-3 zoned parcel.

ACCESS/STREET DESIGN COMMENTS:

13. Petitioner shall address concerns regarding a secondary access point for emergency and public safety vehicles on the Site Plan.
RESPONSE: PUD Plan has been revised to include secondary temporary fire access lane to meet requirements for emergency and public safety measures as discussed with Fire Marshall.

14. Petitioner must provide written justification for proposed 24' curb-to-curb roadway width for the development, even though this roadway is proposed to be private.
RESPONSE: Plans has been revised to meet the local roadway width and typical section added for reference.

15. Petitioner must verify the street length of the primary internal roadway from IL Route 47 to the curve located southwest of Unit 6.
RESPONSE: Please note a dimension of +/-1,275 from centerline of IL-Rte. 47 and west most centerline of internal access drive.

LANDSCAPING COMMENT:

16. Petitioner may submit a landscape plan for review or acknowledge in writing that the following landscape standards, in addition to all other applicable landscaping requirements in the Unified Development Ordinance, will apply to the proposed development:
    a. Transition Zone "C" Landscape buffer is required between the townhome development and the adjacent Greenbriar residential subdivision to the west and the Prairie Garden subdivision to the south.
    b. Transition Zone "B" Landscape buffer is required between the townhome development and the adjacent commercial land uses to the east.
    c. No Transition Zone Landscape buffer is required between the agricultural land use to the north and the residential portion of the development.

RESPONSE: Please note that a conceptual landscaping plan is forthcoming after the economic development committee meeting regarding a submittal. In general, the Plan conforms to the listed transitional zone(s) as listed above.

SIGNAGE COMMENT:

17. Petitioner will provide a signage plan for the townhome and/or commercial development to be included as part of the Planned Unit Development if deviations from the Unified Development Ordinance are requested.
RESPONSE: Awaiting rendering and plans but will generally conform with the UDO. Temporary sales signage is requested and attached.

COMMUNITY MEETING COMMENT:

18. The Petitioner will make contact with the homeowners within the Greenbriar subdivision, specifically the

eight (8) properties immediately adjacent to the subject property, and the homeowners association (HOA) for the Prairie Gardens subdivision immediately south, prior to the Planning and Zoning Commission (PZC) public hearing.
RESPONSE: Petitioner is currently making coordination efforts to make contact.

If you have any questions or need additional information, please do not hesitate to contact me at 630-708-5002 or via email at dschultz@hrgreen.com.

Sincerely,

HR GREEN, INC.

David Schultz, P.E., LEED AP
Senior Project Manager / Associate

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Yorkville TH Project

Minimum signage needed:

- Signage on Rt 47 at entrance to community:
  - 120 sq ft sign face double sided (sign face 10'x12')
  - Max height 14'
  - Illumination permitted
- Ryan Homes Rigid Flags/Banners along entrance road
  - Qty: 4
  - Max heigh 13'
- Parking/Directional signage within community as needed:
  - 4 sq ft sign face (sign face 2'x2')
  - Max height 4'
- Model Signage (located on model lot):
  - Flagpole: 25' high
  - Hours sign: 12 sq ft sign face double sided, 5' off ground
  - Model ID: 3 sq ft sign face, 3' off ground
  - QR code sign: 3 sq ft sign face, 4' off ground
  - ADA Entrance sign: 1.5 sq ft sign face, 5' off ground
- Lot Signs: 5 sq ft sign face, 4' off ground
- Off-site signage/billboards: would like to be able to use off-site signage if necessary
- In addition to the permitted signs identified in the appropriate exhibit in the annexation/PUD, Developer shall have the right to from time to time install and utilize such other signage upon the Subject Property as otherwise permitted pursuant to the provisions of applicable ordinances of the City.

IG
IENTS

NCE DISTRICT

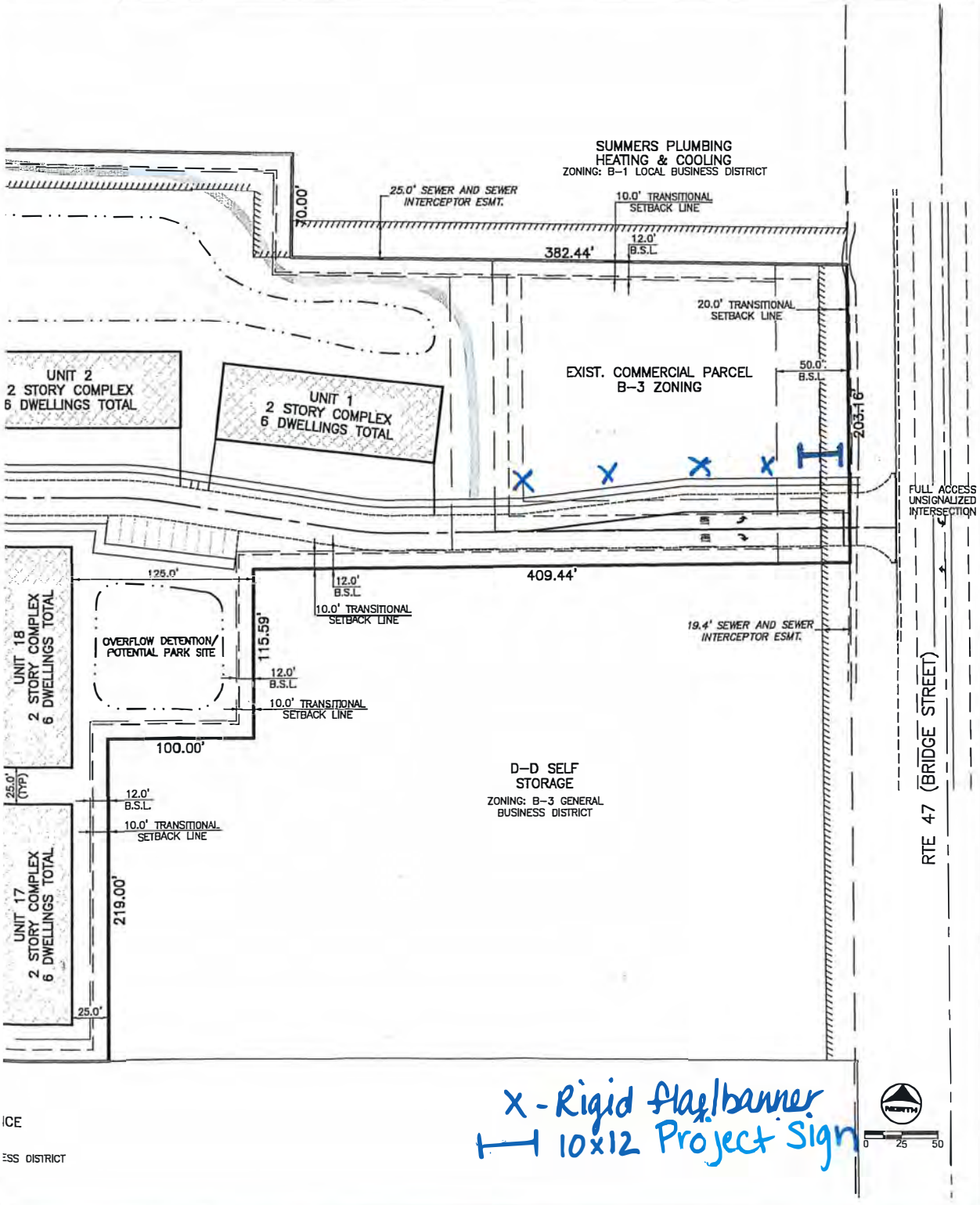
BUILDING

OFF-STREET PARKING DATA:

- PARKING REQUIREMENTS: DWELLING, TOWNHOUSE
  (105 UNITS) X 2.25/UNIT = 237 SPACES REQUIRED
  *(17) 6 UNIT COMPLEX'S (102 UNITS) X 2 = 204 DRIVEWAY SPACES
  *(1) 3 UNIT COMPLEX'S (3 UNITS) X 2 = 6 DRIVEWAY SPACES
  *OFF-STREET PARKING = 27 SPACES
- TOTAL NUMBER PARKING SPACES: 237
- PARKING RATIO PROVIDED= 2.26/UNIT

TYPICAL PARKING DATA SIZE REQUIREMENTS:

- TYPICAL ONSITE PARKING WIDTH: 9.0'
- TYPICAL ONSITE PARKING LENGTH: 18'
- TYPICAL ONSITE ISLE WIDTH: 22' MIN. (E-E)
- TYPICAL ONSITE ISLE WIDTH: 24' MIN. (F-F)



ICE

ESS DISTRICT

NO.	DATE	BY	REVISION DESCRIPTION

HRGreen.com
HRGreen

14.2± AC. MULTI-FAMILY RESIDENTIAL DEVELOPMENT
ADDRESS: 1115 S. BRIDGE ST. (IL. RTE. 47)
CLIENT: 1115 LLC.
UNITED CITY OF YORKVILLE, ILLINOIS

CONCEPT PLAN

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

DRAWN BY:	MPL
APPROVED:	DWS
JOB DATE:	10/25/2024
JOB NO:	2402643.01

DRAWING
CONCEPT

30132 - Chicago Division

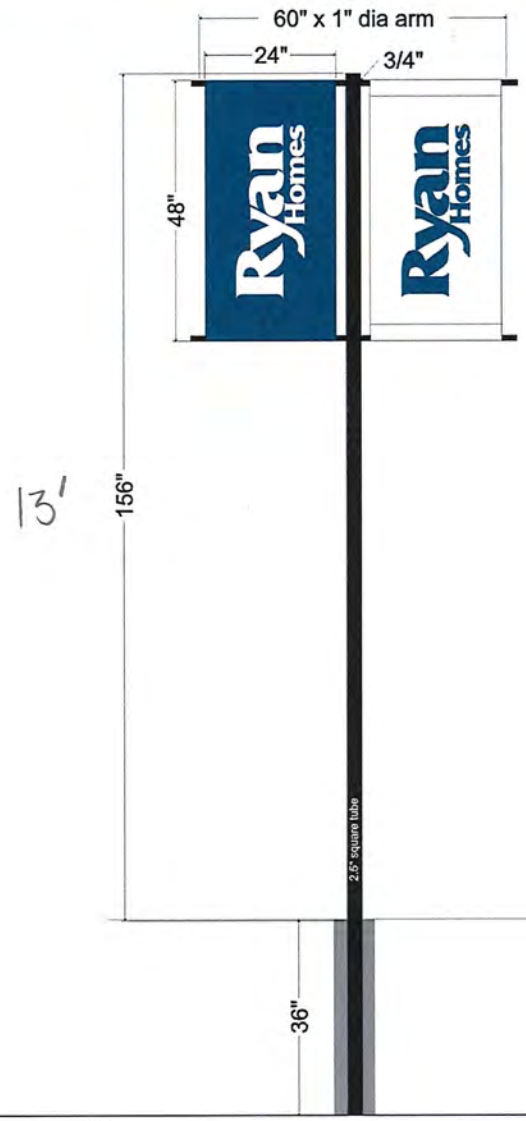
Date: 4/26/18

WAGNER SIGNS
2802 E. Troy Ave.
Indianapolis, IN 46203
317-788-0202 (Office)
317-788-1579 (Fax)

SK

295c
White

RIGID FLAGS/ BANNERS



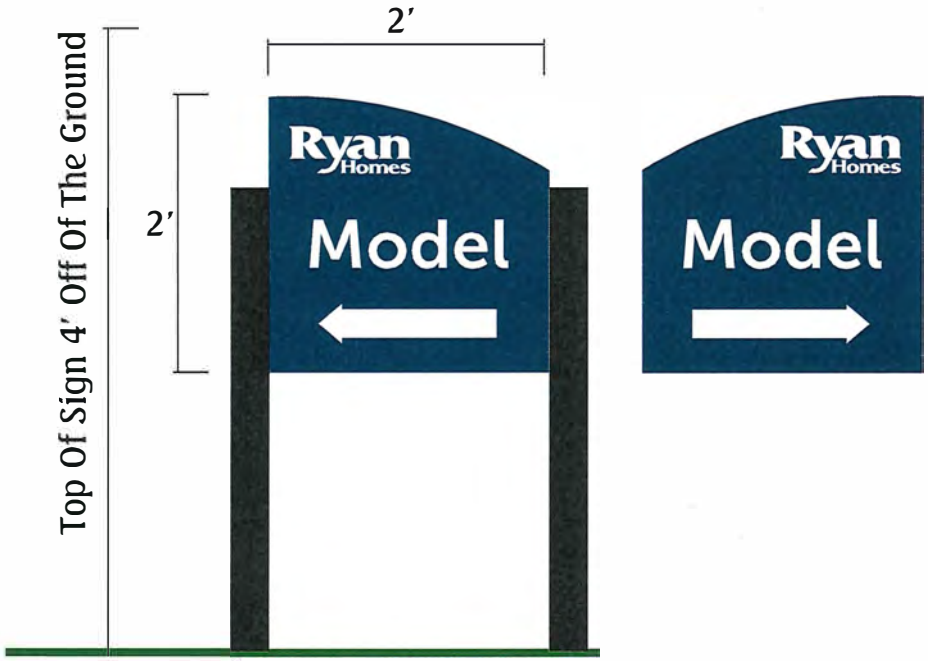
Quantity:	**2 Set-ups**
Finished Size:	**24"w x 48"h**
Image Process:	**Direct Print | No Bleed**
Laminate	**None**
Sides:	**Double**
Substrate:	**18oz Opaque Banner**
Mount:	**16' x 2.5" Square Tube Banner Pole**

Artwork File Name:	**N:/Builders/Ryan Homes/General Products/Pole Banners.fs**
Digital File Name:	**N:/DP/Builders/Ryan/General Products/Pole Banner 2x4 - Blue with Logo.eps**
Digital File Name:	**N:/DP/Builders/Ryan/General Products/Pole Banner 2x4 - White with Logo.eps**

All designs & proofs are property of Wagner Signs & are not to be posted, recreated, or duplicated without a written release. Client is responsible for approval of final design & specifications including accuracy of spelling, numerals & grammar, prior to production. Please note, the colors shown are only a close representation of the final product.

Ryan Homes
Ryan Homes
Ryan Homes
Ryan Homes

Devonvaire Farms: Model Directional Burma Shave



2'x2' Double Sided Burma Shave.
3/8" MDO Painted Ronan Dark Blue w/White Vinyl Copy Mounted To (2) Black Wooden 4"x4" Post. Back Of MDO Painted White.
Qty: 1

Approval Signature _____

SIGNSNOW 426 W. Fifth Ave. Naperville, IL. 60563 Phone: 630-357-2300 Fax: 630-357-3977 Signs@SignsNowNaperville.com

Ryan Homes
107
Cayman Isle
25' H

Cornerstone At Prairie Ridge: Sales Center Hours Sign

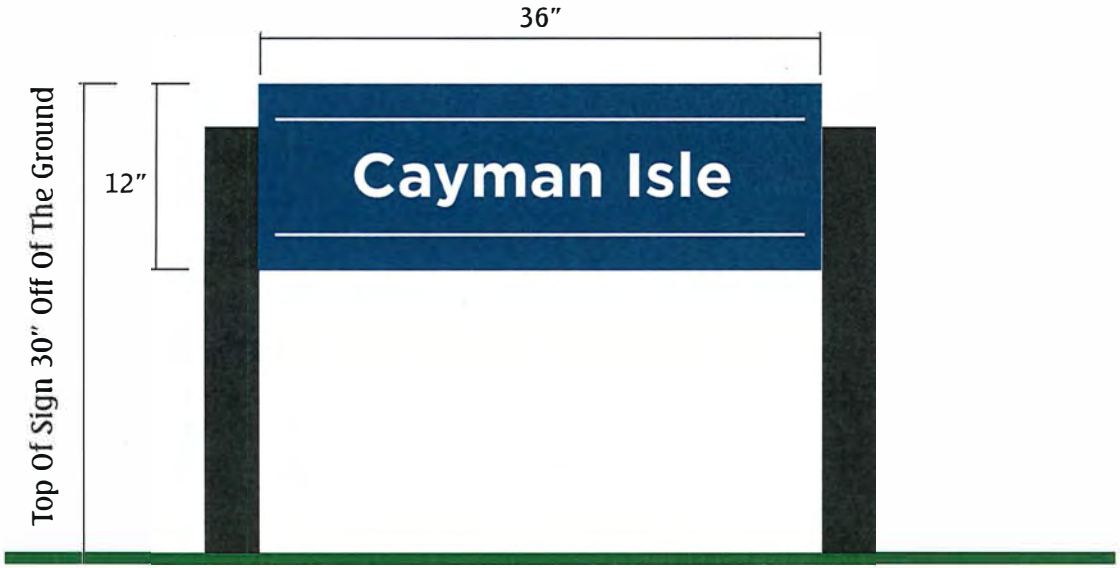
48"x36" Double Sided Sales Center Hours Sign.
3/8" MDO Painted Ronan Dark Blue w/White Vinyl Copy. Back Of MDO Painted Ronan Dark Blue.
Mounted To (2) Wooden 4"x4" Post Painted Black.
Qty: 2

18"x35.5" Digitally Printed Banner w/Hemmed Edges All The Way Around.
Installed Over Hours Once The Sign Is Installed.
Qty: 2

Approval Signature _____

SIGNSNOW 426 W. Fifth Ave. Naperville, IL. 60563 Phone: 630-357-2300 Fax: 630-357-3977 Signs@SignsNowNaperville.com

Cornerstone: Model ID Sign



12"x36"Single Sided 3/8" MDO Painted Ronan Dark Blue w/White Vinyl Copy
Mounted To 2 Wooden 4"x4" Post Painted Black. Back Of Sign Painted Ronan Dark Blue.
Qty: 1

Approval Signature _____

SIGNSNOW 426 W. Fifth Ave. Naperville, IL. 60563 Phone: 630-357-2300 Fax: 630-357-3977 Signs@SignsNowNaperville.com

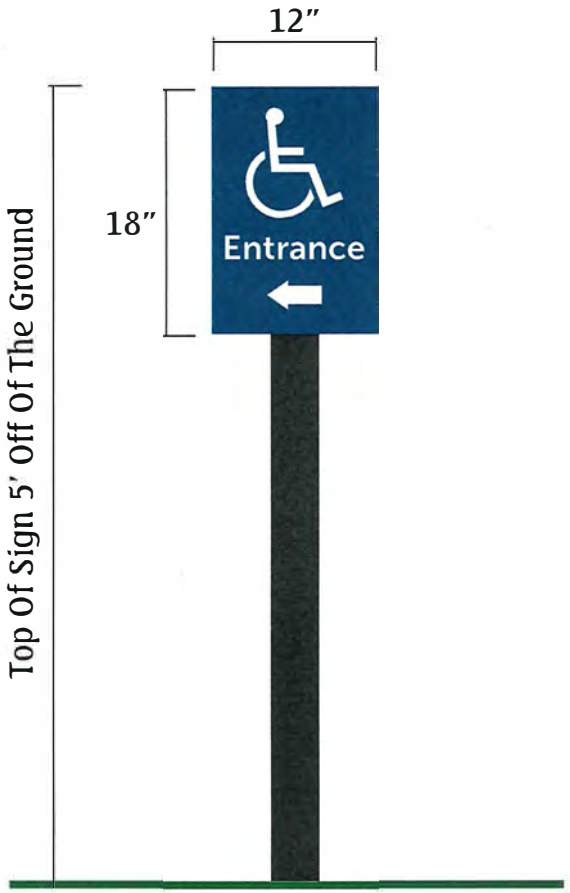
Cornerstone: Appointment Only Sign

24"x18" Single Sided 3/8" MDO w/Digital Print Mounted To 1 Wooden Post Painted Black.
Back Of MDO & Edges Painted Ronan Dark Blue.
Qty: 1

Approval Signature _____

SIGNSNOW 426 W. Fifth Ave. Naperville, IL. 60563 Phone: 630-357-2300 Fax: 630-357-3977 Signs@SignsNowNaperville.com

Devonaire: ADA Entrance Sign

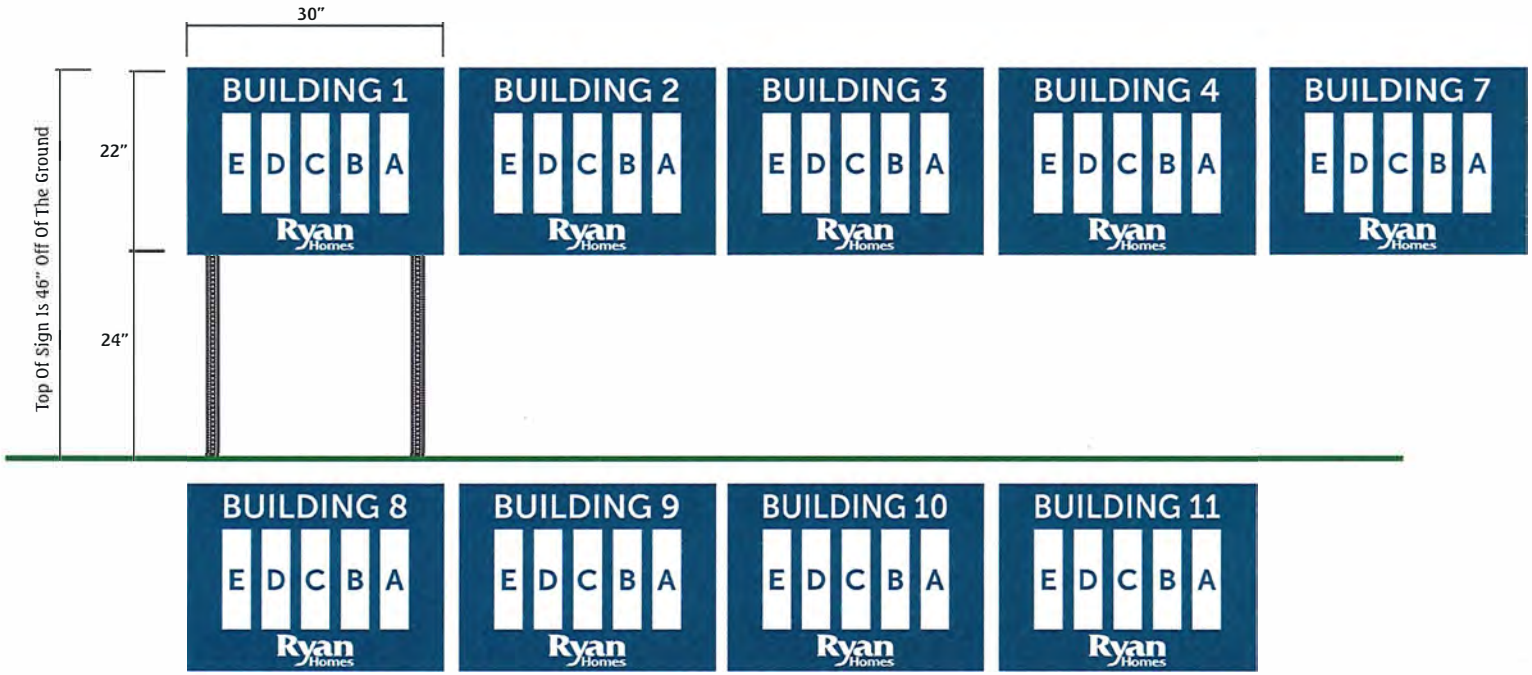


18"x12"Single Sided 3/8" MDO Painted Ronan Dark Blue w/White Vinyl Copy Mounted To 1 Wooden 4"x4" Post Painted Black. Back Of Sign Painted White.
Qty: 1

Approval Signature _____

SIGNSNOW 426 W. Fifth Ave. Naperville, IL. 60563 Phone: 630-357-2300 Fax: 630-357-3977 Signs@SignsNowNaperville.com

London Crossing: Lot Signs



22"x30" Single Sided 10mm Coro w/Digital Print Mounted To (2) Black U-channel Post.
Qty: 9

Approval Signature _____

SIGNSNOW 426 W. Fifth Ave. Naperville, IL. 60563 Phone: 630-357-2300 Fax: 630-357-3977 Signs@SignsNowNaperville.com

BUILDING 11
E D C B A
Ryan Homes

ENGINEERING ENTERPRISES, INC.

52 Wheeler Road, Sugar Grove, IL 60554
Ph: 630.466.6700 • Fx: 630.466.6701
www.eeiweb.com

January 8, 2025

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

Re: 1115, LLC
Annexation and Rezoning Review
United City of Yorkville

Dear Krysti:

We have reviewed the revised concept plan for the above-referenced project dated December 17, 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. It is our understanding that the roadways are proposed to be private. Cross-access easements will need to be incorporated into the final plat. The developer has acknowledged that this will be addressed with final engineering.

2. A secondary access point is recommended for emergency and public safety purposes. This will be addressed with final engineering.

3. A conceptual landscape plan should be provided.

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. 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. Patrick Winninger, Winninger Excavating (via email)
Mr. Dave Schultz, HR Green (via email)
TNP, PGW2, EEI (Via e-mail)

Memorandum

To: Plan Council
From: Krysti Barksdale-Noble, Community Development Director
Date: December 6, 2024
Subject: **PZC 2024-29 1115, LLC (Rezone & PUD)**
Proposed Multi-Family Residential Townhome Development

I have reviewed the applications for Rezoning and Planned Unit Development (PUD) approval for a multi-family townhome project known as 1115, LLC received November 15, 2024 and submitted by Richard L. Williams, attorney, on behalf of Patrick Winninger, contract purchaser/petitioner. The property owners are Brent and Tracy Schalhamer, who have provided a letter of authorization for the requested approvals. Also submitted is a Concept PUD plan prepared by HR Green dated 10/25/24. A supplemental architectural rendering was provided by the petitioner on December 5, 2006.

The petitioner intends to purchase and redevelop approximately 14 acres of land comprised of two (2) parcels: a 1-acre rectangular parcel and a 13-acre irregularly-shaped parcel, previously operated as Parfection Park and located at 1115 South Bridge Street. The proposal seeks to rezone the 13-acre parcel from R-1 Single-Family Suburban Residence District to R-4 General Multi-Family Residence District for the purpose of developing a townhome community with 18 buildings totaling 105 townhome units. The one-acre parcel will remain zoned as B-3 General Business District, with plans for a future commercial development.

Based upon my review of the applications, documents, and concept plan, I have compiled the following comments:

GENERAL PUD/ ZONING COMMENTS:

1. **PLANNED UNIT DEVELOPMENT STANDARDS –** Section 10-8-8 of City's Unified Development Ordinance (UDO) establishes standards for Planned Unit Development (PUDs). PUDs are allowed to modify standards of the base district as long as the requested modifications are specifically identified and demonstrates how each allowance is compatible with surrounding development, is necessary for proper development of the site, and is aligned with at least one (1) modification standard found in Section 10-8-8D of the UDO.
    a. The petitioner has listed **one (1) proposed deviation** from the Yorkville Unified Development Ordinance's Appearance Standards (Section 10-5-8(C)(2)(b)) to reduce the required use of masonry products or premium siding on the front façades of the townhome buildings from 50% to 25% (*See "Appearance Standards" comment #11*)
    b. The petitioner has identified two (2) modification standards the proposed PUD will meet per Section 10-8-8D.
        i. Modification Standard #1 "Landscape Conservation and Visual Enhancement" which states the Planned Unit Development preserves and enhances existing landscape, trees, and natural features such as rivers, streams, ponds, groves, and landforms.
            1. **Staff believes this modification standard does apply due to the conservation of an existing densely vegetated mature tree line buffering the subject property from the adjacent single-family residential development to the west (Greenbriar Subdivision).**

ii. Modification Standard #12 "Regional Utility Improvements" which is intended to apply to Planned Unit Developments that involve the construction of a utility improvement identified in the City or Yorkville Comprehensive Plan or other policy document adopted by a local, County, or regional entity.

1. **Staff does not believe this modification standard applies, as the project does not identify regional utility improvements provided that will benefit any parcels other than for the development of the subject property**.

c. Petitioner has provided written responses to the standards for special use and for Planned Unit Development (PUD) which will be entered into the record during the public hearing process.

2. **ZONING –** The Petitioner is seeking to rezone the 13-acre parcel of the subject property from R-1 Single-Family Suburban Residence District to R-4 General Multi-Family Residence District. The following are the current immediate surrounding zoning and land uses:

	Zoning	Land Use
North	B-3 General Business District A-1 Agricultural (Kendall County)	Commercial/Office Agriculture
East	B-3 General Business District IL Route 47 (Bridge Street)	Commercial/Office Transportation Land Use
South	R-3 Multi-Family Attached Residence District B-3 General Business District	Prairie Gardens Subdivision Commercial/Office
West	R-2 Single-Family Traditional Residence District	Greenbriar Subdivision (PUD)

3. **PERMITTED USES** – Per Table 10-3-12 (B) of the Yorkville Unified Development Ordinance (UDO), "townhome dwellings" are permitted land uses in the R-4 General Multi-Family Residence District. The R-4 District is intended for moderate to high density multi-family buildings and complexes.

4. **BULK & DIMENSIONAL STANDARDS -** Per the Table 10-3-9(A) Bulk and Dimensional Standards, the following compares current R-4 General Multi-Family Residence District standards with the proposed Planned Unit Development (PUD) for the residential townhomes:

	R-4 Zoning Regulations	Proposed PUD
Min. Lot Area	15,000 sq. ft.[1]	13.163 acres
Min. Lot Size per DU	5,000 sq. ft.	Undetermined
Min. Lot Width	90 feet	200+ feet
Front Yard Setback	30 feet	Undetermined
Rear Yard Setback	40 feet	40 feet
Side Yard Setback	12 feet or 60% of building height (20 ft. corner)	12 feet
Max. Density	8 du/acre	7.9 du/acre
Max. Lot Coverage	70%	Undetermined

[1] Nonresidential principal uses shall have a minimum lot size of 15,000 square feet and 100-foot width. A one-story structure shall have a minimum of 1,200 square feet and a **two-story structure shall have a minimum of 1,400 square feet of livable space.**

Max. Dwelling Height	40 feet	2 stories

5. **MINIMUM LOT SIZE/WIDTH PER DWELLING UNIT –** Minimum lot size per dwelling unit is 5,000 sq. ft. with a minimum lot width of 90 ft. for attached uses. **Petitioner must provide lot dimensions for each unit.**

    a. **Note:** Any two-story structure within the R-4 District shall have a minimum of 1,400 square feet of livable space. The petitioner proposes each townhome unit will be 2 stories and contain six (6) dwellings per building (except Unit 13 which will have 3 dwelling units). **What is the minimum unit square feet of livable space?**

6. **YARD SETBACKS** – Minimum front yard setback for R-4 District is 30 feet. **Petitioner shall clearly illustrate, with dimensions, where they propose the front yard for the townhouse development is located**.

7. **LOT COVERAGE –** Maximum lot coverage for the R-4 District is 70% per Section 10-3-9(A) of the Unified Development Ordinance. **Please provide within the site data table calculations of the impervious surface for the proposed development broken down by building coverage, parking lot, sidewalks, and other hard surfaces.**

8. **MAXIMUM BUILDING HEIGHT** - Maximum building height for the R-4 District is 80 feet. While the Petitioner has indicated the structure is 2 stories, **the Petitioner must also denote the proposed building height in feet using the measurement standard as established in Section 10-3-10 of the Unified Development Ordinance**.

9. **BUILDING SEPARATION** – Per Section 10-3-9(B) of the Unified Development Ordinance, minimum building separation standards are **only required for the R-3 Multi-Family Attached Residence District.** However, the petitioner has provided minimum separation dimensions on the Concept Plan. Below is a comparison of the R-3 minimum building separation and the proposed R-4 townhome PUD:

Table 10-3-9(B) Building Separation Requirements in R-3		Proposed Minimum Building Separation for R-4
Side to side	20 feet	25 feet
Side to rear	40 feet	Undetermined
Rear to rear	60 feet	60 feet
Front to side	50 feet	84.5 feet
Front to front	50 feet	72 - 95 feet
Rear to front	100 feet	N/A

10. **MULTI-FAMILY RESIDENTIAL USE STANDARDS** – Per Section 10-4-2(B) of the Unified Development Ordinance multi-family dwelling developments shall meet the following standards:

    a. The main entrance to a multi-family dwelling shall face the primary perimeter or internal street.

        i. **Units 5 and 6 do not appear to meet this standard unless the unit face a secondary internal street and/or common open space**.

    b. All off-street parking shall be located to the side or rear of the primary building. Off-street parking located to the side of the primary building shall be set back a minimum of one (1) foot from the front elevation of the primary building.

        i. **It appears off-street parking for the units are provided via driveways and/or attached garages. Please confirm.**

ii. **Guest on-site parking appears to meet this standard.**

c. A maximum of one (1) curb cut shall be permitted per street frontage unless otherwise recommended by the Public Works Director and approved by the Planning and Zoning Commission.

i. Site will utilize existing single curb cut off of IL Route 47. Units will have frontage off of an internal private roadway. (See additional comments under "Access")

d. Service areas, dumpsters, utilities and the required nonvegetative screening thereof shall not be visible from rights-of-way.

i. **Where are trash dumpsters proposed to be located?**

e. The entrance to a townhouse shall face the primary public street unless otherwise approved.

i. **This appears to be the case for all units except Units 5 and 6**.

f. A maximum width of a townhome cluster shall be two hundred (200) lineal feet.

i. **Proposed plan indicates a maximum width of 150 ft for each townhome complex building**.

g. The siting of the townhouse units in a cluster shall be staggered in order to define street edges, entry points, and public gathering spaces.

i. **Townhouse units are designed in uniformed lined formation (barrack style) rather than in clusters. Staff requests the petitioner explain the strategy behind the building siting (i.e., constraints of the parcel due to irregular shape, conservation of existing mature tree line, and/or required stormwater basin location/size, etc.)**.

11. **APPEARANCE STANDARDS –** Per Section 10-5-8 of the Unified Development Ordinance, there are special provisions for design standards for multi-family development, as explained below:

a. **Residential –** Single-Family Attached and Multiple-Family Residential Units must incorporate:

i. Facade treatments that vary between buildings adjacent to one another. Facade variations may include building materials or colors in any one (1) or more of the following:

1. Siding;
2. Masonry;
3. Roof;
4. Paint/stain;
5. Doors.

ii. Parking areas shall be treated with decorative elements, building wall extensions, plantings, berms and other innovative means so as to largely screen parking areas from view from public ways.

iii. The height and scale of each building shall be compatible with its site and adjoining buildings.

iv. Newly installed utility services, and service revisions necessitated by exterior alterations, shall be underground.

v. The architectural character of the building shall be in keeping with the topographical dictates of the site.

vi. Masonry products shall be incorporated on the front facade of at least seventy-five (75) percent of the total buildings in the approved community 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.

b. **The petitioner has provided elevations for the proposed townhome development, and they are seeking relief to reduce the required use of masonry products or premium siding on the front façades of the townhome buildings from 50% to 25%.**

i. **However, staff has reviewed the elevations and has determined the minimum required premium siding is 20% due to the presence of the following major architectural features which accounts for a 30% credit: decorative dormers, projecting bay windows, and covered porches.**

ii. **If the architectural renderings are accurate, is a deviation needed?**

c. **Commercial –** Commercial Design Standards are subject to:

i. 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.

ii. 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.

iii. Masonry products shall not be painted.

iv. **While no plans are proposed for the commercial B-3 zoned parcel, is the petitioner also seeking appearance standards relief?**

12. **HOA** – **Is the developer proposing to create an HOA for the common open space, guest parking area and stormwater management outlot?**

13. **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 lot:

	B-3 Zoning Regulations	Existing Commercial Parcel
Min. Lot Area	10,000 sq. ft.	1.02 acres
Front Yard Setback	50 feet	50 feet
Rear Yard Setback	20 feet	20 feet
Side Yard Setback	20 feet	12 feet
Corner Yard Setback	30 feet	N/A

Max. Lot Coverage	80%	TBD
Max. Building Height	80 feet	TBD

a. The proposed Concept PUD Plan appears not meet the minimum side yard setback requirement of 20 ft. (along the northern property line) for the B-3 district, but the Zoning Building Setback Requirement Data Table lists a 20 foot side yard setback. **Is the petitioner seeking to add a request for deviation to this standard in the PUD Agreement?**

b. **For the bulk requirements listed as to be determined (TBD), staff asks the petitioner to verify they will or will not meet this standard.**

14. **ACCESS** – As proposed, the site has one (1) point of access off of IL Route 47 for both the commercial and residential townhome lots.

a. Connectivity – The access off of Northland Lane leads to a looped unnamed future private roadway ending into two stubs to the south adjacent to the Prairie Gardens Subdivision but does not align with an existing connection.

b. Cross Access – 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 internal roadway will be private, the developer is required to include cross access easements for the residential and commercial parcels to share the ability for perpetual use as part of the Final Plat of Subdivision.**

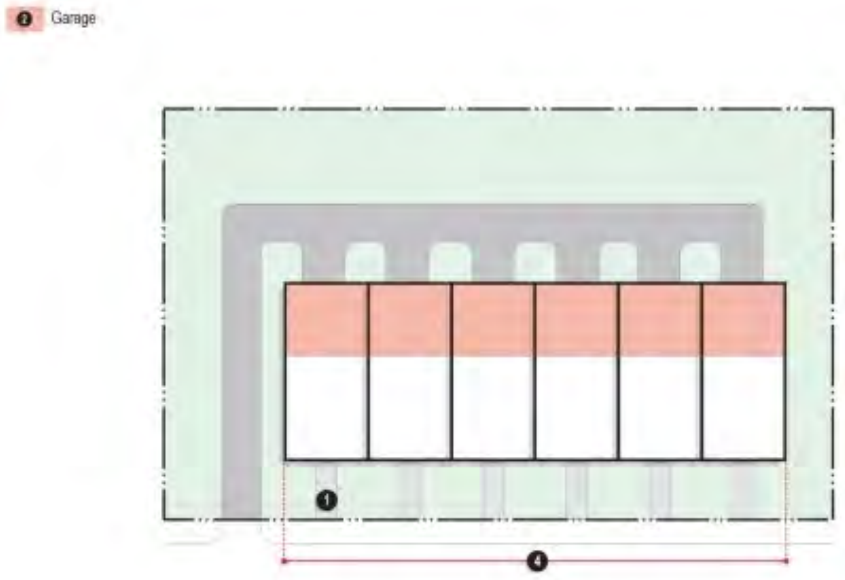
c. **Staff encourages a secondary access point for emergency and public safety vehicles**.

15. **PARKING** - According to the Concept PUD Plan submitted, there are **237 total residential parking spaces** to be provided on the property to accommodate the proposed townhome development as calculated below:

Unit #	# of Parking Spaces Provided
1-12	144
13	6
14-18	60
Guest Parking	27
TOTAL	**237**

a. Per Table 10-5-1(H)(5) Minimum Parking Requirements of the Yorkville Unified Development Ordinance, townhouse dwellings require a minimum of **2.25 parking spaces per dwelling unit**.

b. A minimum of one (1) of the parking spaces, as required in Section 10-5-1(H) of this UDO, shall be provided in an attached or detached garage located on rear or side façades unless otherwise approved (See image on next page).



i. **It is noted that the parking spaces provided are "driveway spaces" or surface parking, per the Off-Street Parking Data Table on the Concept Plan. Is the petitioner seeking relief from this requirement, as well?**

16. **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 access to an existing sidewalk network along the frontage of IL Route 47.

    a. **It appears the petitioner is proposing to install an internal sidewalk network around the looped roadway.**

17. **STREET DESIGN** – Per Section 10-7-3(A)(2) of the Unified Development Ordinance, blocks shall not exceed one thousand three hundred twenty (1,320) feet in length.

    a. **While not a proposed public roadway, please verify the street length of the primary internal roadway from IL Route 47 to the curve located southwest of Unit 6**.

18. **COMPREHENSIVE PLAN** – The 2016 Comprehensive Plan Update designates this property as "Commercial Office (CO)" which encourages both large-scaled office uses in single developments or as part of an office park setting; such uses will be typically located along Yorkville's important transportation corridors, Illinois Route 47 and US 34 (Veterans Parkway). Office developments can include service-related uses, hospitals and clinics, hotels, and facilities for research and product development.

    a. **If the PUD is approved for the townhome development, staff would seek to amend the Comprehensive Plan to reclassify the 13-acre parcel as Mid-Density Residential (MDR) which is consistent with the proposed land use.**

LANDSCAPE PLAN COMMENTS:

19. **LANDSCAPING** – Section 10-5-3 establishes landscape standards for new developments. The petitioner has not submitted a landscape plan for review.

    a. Per staff's review, the following sections of the Landscape Plan would apply to the residential lots:

        i. Section 10-5-3-C. Building Foundation Landscape Zone - All nonresidential, mixed-use, and multi-family development where a front yard setback is required, with the exception of food processing facilities regulated by the FDA, shall include landscape located at the building foundation as required by this section. Landscape required by this section shall be in addition to landscape required under other sections of this title. It is the objective of this section to provide a softening effect at the base of buildings.

        ii. Section 10-5-3-D. Parking Area Perimeter Landscape Zone - Landscape required by this section shall be in addition to landscape required under other sections of this title. It is the objective of this section to provide screening between off-street parking areas and rights-of-way, and to provide for the integration of stormwater management with required landscaping.

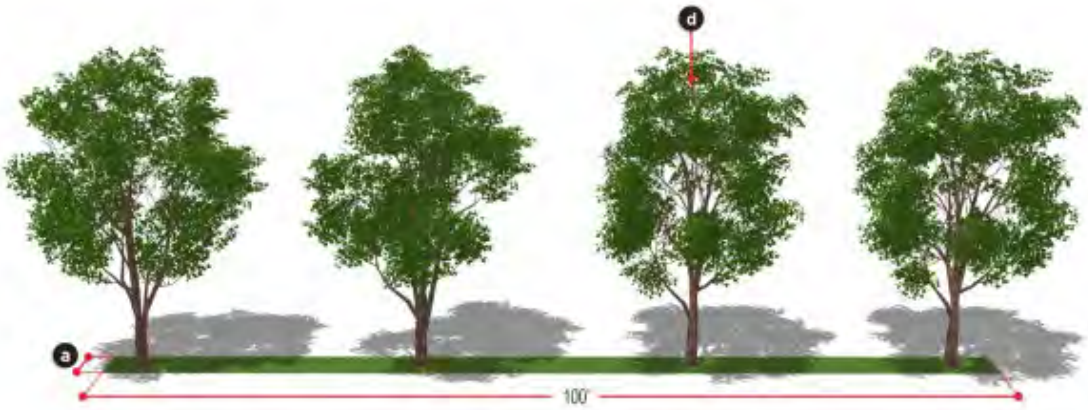
        iii. Section 10-5-3-F. Transition Zone Landscape Requirements - Transition zone landscape shall be required along interior side and rear property lines of all nonresidential, mixed use, and multi-family development. It is not expected that the transition area will totally screen such uses but rather will minimize land use conflicts and enhance aesthetics.

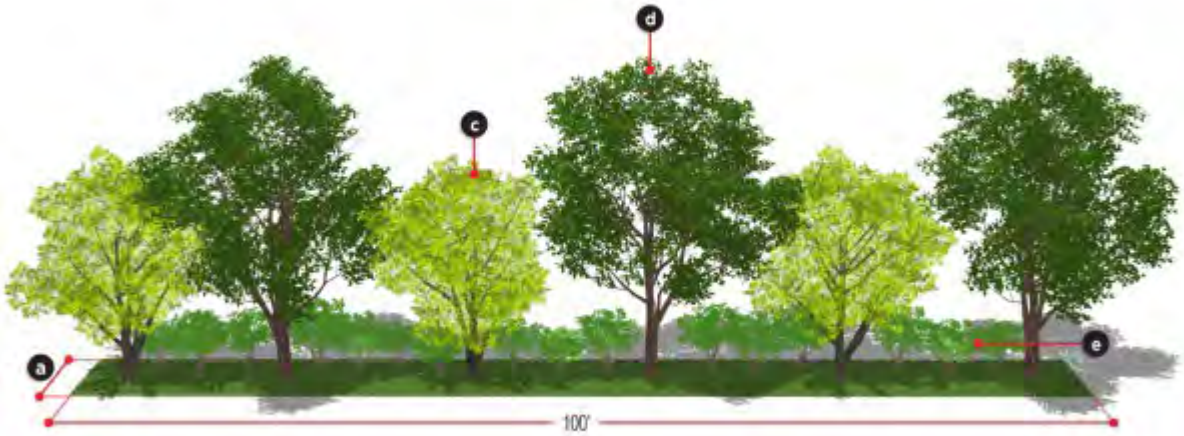
            1. **Transition Zone "A" Landscape buffer is required between the townhome development and the adjacent Greenbriar residential subdivision to the west and the Prairie Garden subdivision to the south.**

            2. **Transition Zone "B" Landscape buffer is required between the townhome development and the adjacent commercial land uses to the east.**

            3. **No Transition Zone Landscape buffer is required between the agricultural land use to the north.**

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
Minimum Number of Landscape Elements per 100 Linear Feet					
(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.					





20. **SIGNAGE** – The petitioner has not provided a signage plan for the townhome or commercial 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?**

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

Date: November 18, 2024
To: Krysti Barksdale Noble, Community Development Director
From: James Jensen, Chief of Police
Reference: Plan Review PZC 2024-29 (Prairie Gardens Subdivision)
List Project Address 1115 S. Bridge Street
List Petitioner Name Patrick Winninger
List Project Name
List Project Number

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

Signage

Handicapped Signage Required: __X__ Yes ____ No
Comments: **If handicapped parking is provided proper signage would be 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: **Will there be no parking signs posted anywhere else?**

No Parking Locations: **TBD**

Dedicated parking signage needed? ____ Yes __X__ No
____ Located by Park
____ School
____ Common Parking Area

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

Are there Street Name Conflicts? ____ Yes __X__ No

Comments: **N/A**

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? ____ Yes __X__ No

Comments: **None**

NO Construction Traffic Signage being requested? ____ Yes __X__ No

Location: _____

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

Roadway

Street Width: **N/A**

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

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

Comments: **Depending on street widths, parking on both sides of street should be limited.**

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? ____ Yes __X__ No

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651 Prairie Pointe Drive
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Telephone: 630-553-4340
Fax: 630-553-1141

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	__X__ Yes	____ No

Comments: **None**

****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	__X__ No
Total Entrance/Exits for development? __1__		
Are vehicle entrance/exits safe?	____ Yes	__X__ No
Are warning signs for cross traffic requested?	__X__ Yes	____ No

Comments: **Entrance/Exit is onto Rt. 47 which is a four-lane roadway uncontrolled.**

Raised Median & Signage for Right in & Right Out?	____ Yes	__X__ No

Comments: **N/A**

Emergency Contact for after hours during construction: _____

Comments: **Please provide information** _____

Is this a gated or controlled access development?	____ Yes	__X__ 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

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

Comments: **Mailbox locations are not on the plan. If there is going to be cluster mailboxes, they should be placed appropriately so as to not cause choke points with traffic.**

Are sidewalks being planned for the development? ____ Yes ____ No
Comments: **I assume sidewalks will be included in this development.**

Are sidewalk crosswalks needed? ____ Yes ____ No
Comments: **Crosswalks are recommended pursuant to MUTCD Standards**

Are there bike paths planned for the development? ____ Yes __X__ 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?**

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**

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

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.

From: Michael J. Torrence
To: Krysti Barksdale-Noble
Subject: RE: Plan Council December 12, 2024 - PZC 2024-29 1115, LLC (Rezone & PUD)
Date: Monday, November 18, 2024 2:38:51 PM
Attachments: image001.png
image002.png
image003.png

Hi Krysti,
I always have a concern with the siding, as fire travels much easier up the vinyl siding vs just about anything else. I also notice only one way in and out. I have touched base with pete on the one way in and out. They are looking into other options.
Thank You

From: Krysti Barksdale-Noble <knoble@yorkville.il.us>
Sent: Friday, November 15, 2024 4:47 PM
To: Sara Mendez <smendez@yorkville.il.us>; Bart Olson <BOlson@yorkville.il.us>; Erin Willrett <ewillrett@yorkville.il.us>; Eric Dhuse <edhuse@yorkville.il.us>; Peter Ratos <pratos@yorkville.il.us>; Contact_Brad Sanderson <bsanderson@eeiweb.com>; James Jensen <JJensen@yorkville.il.us>; Ray Mikolasek <rmikolasek@yorkville.il.us>; Garrett Carlyle <gcarlyle@yorkville.il.us>; Michael J. Torrence <MTorrence@bkfire.org>; 'Cyrus McMains' <cyrus@ybsd.org>
Cc: Tim Evans <tevans@yorkville.il.us>; Jori Behland <jBehland@yorkville.il.us>; Monica Cisija <mcisija@yorkville.il.us>; Kathleen F. Orr <kfo@ottosenlaw.com>; lynn@dlkllc.com; Megan Lamb <mlamb@ottosenlaw.com>
Subject: Plan Council December 12, 2024 - PZC 2024-29 1115, LLC (Rezone & PUD)
Importance: High

All,

Please see the attached Plan Council distribution memo for the **Thursday, December 12, 2024** meeting regarding **1115, LLC (Rezone & PUD).** The petitioner is seeking to rezone the 13-acre parcel from R-1 Single-Family Suburban Residence District to R-4 General Multi-Family Residence District to develop a townhome community with 18 buildings totaling 105 townhome units. Additionally, the petitioner requests a deviation from the Yorkville Unified Development Ordinance's Appearance Standards (Section 10-5-8(C)(2)(b)) to reduce the required use of masonry products or premium siding on the front façades of the townhome buildings from 50% to 25%. The subject parcel's common address is 1115 South Bridge Street. I have attached the referenced documents, for your convenience.

Please let me know if you have any questions regarding the materials. Comments are requested due by Friday, December 6th.

Best Regards,

Krysti J. Barksdale-Noble, AICP

(she/her)
Community Development Director
United City of Yorkville
651 Prairie Pointe Drive
Yorkville, Illinois 60560
(630) 553-8573
(630) 742-7808
www.yorkville.il.us

December 9, 2024

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

Re: ***1115, LLC***
Annexation and Rezoning Review
United City of Yorkville

Dear Krysti:

We have reviewed the concept plan for the above-referenced project dated October 25, 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. It is our understanding that the roadways are proposed to be private. Cross access easements will need to be incorporated into the final plat.

2. A secondary access point is recommended for emergency and public safety purposes.

3. An IDOT permit will be required for access to Rt 47.

4. The City will need to confirm the amount of parking provided.

5. A 24' E-E roadway does not meet City standards. The minimum City standard is 30' B-B.

6. Sidewalks should be 5' in width, and the shared-use path should be at least 8'.

7. The post office will most likely require a cluster mailbox system. An area should be identified.

8. The location of trash enclosures should be identified.

9. A conceptual landscape plan should be provided.

10. The proposed water main must be looped and connected in two locations.

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. 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. Patrick Winninger, Winninger Excavating (via email)
Mr. Dave Schultz, HR Green (via email)
TNP, PGW2, EEI (Via e-mail)

Fox Haven Townhomes

FEES PER UNIT

A paid receipt from the School District Office, 602-A Center Parkway
Yorkville, must be presented to the City prior to issuance of permit $3,000

Separate Yorkville-Bristol Sanitary District fee - made payable to Y.B.S.D. $1,870

United City of Yorkville Fees

1. Building Permit
   Cost $650 plus $0.20 per square foot (SF) $650 + $0.20(SF)

2. Water Connection Fees TH $6,761
   (see note 'a" below)

3. Water Meter Cost $550 Current Rate

4. City Sewer Connection Fees $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	$2,218	N / A	N / A
School	N / A	$1,494.49	N / A	N / A
Land-Cash Fees Total	$0.00	$3,712.64	$0.00	$0.00

9. Road Contribution $2,000

Notes:
a. Rate effective 5/1/25 and subject to annual increases per Ord. 2023-28

CERTIFIED MAILING
AFFIDVIT

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

I, Patrick Winninger, Manager of 1115, LLC, an Illinois limited liability company, the 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, February 12, 2025 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 January 23, 2025.

1115, LLC,
An Illinois limited liability company

By: _____
Name: Patrick Winninger
Its: Manager

Subscribed and sworn to before me this
28 day of January, 2025

_____
Notary Public

JENNIFER WINNINGER
OFFICIAL SEAL
Notary Public - State of Illinois
My Commission Expires
August 10, 2026

Name	Address	Parcel Number
CC STUDIOS RE LLC	9020 WILCOX CT, NEWARK, IL 60541	0505228002
RUSSELL R MARY L NIEMAN	1402 WALSH DR, YORKVILLE, IL 60560	0505207027
JENNIFER L MICHAEL P THOMS	451 E BARBERRY CIR, YORKVILLE, IL 60560	0505206011
BRISTOL KENDALL FIRE DIST	103 E BEAVER ST, YORKVILLE, IL 60560	0505228006
KATHLEEN M KENDALL MICHAEL W MITCHELL	101 D COLONIAL PKWY, YORKVILLE, IL 60560	0505227020
GLENN KAREN ERICKSON	351 GARDEN CIR, YORKVILLE, IL 60560	0505252064
JODY A THOMPSON DEC OF TR	455 E BARBERRY CIR, YORKVILLE, IL 60560	0505206010
CLEMENS ACRES LLC	208 ELIZABETH ST, YORKVILLE, IL 60560	0232454014
DONALD R THERESA M TANIS TRUST	218 ELIZABETH ST, YORKVIILE, IL 60560	0232454009
BOARD OF ED OF YORKVILLE COMM UNIT SCHOOL DIST 115	800 GAME FARM RD, YORKVILLE, IL 60560	0505252093
DAVID LISA SCHILLINGER	327 GARDEN CIR, YORKVILLE, IL 60560	0505252014
LAURENDA R BATES TR	325 GARDEN CIR, YORKVILLE, IL 60560	0505252090
BRENT D KRISTINE J DAGGETT	467 BARBERRY CIR E, YORKVILLE, IL 60560	0505206009
CAMPBELL LIVING TRUST DAVID B DENISE A CAMPBELL	210 ELIZABETH ST, YORKVILLE, IL 60560	0232454013
KENNETH C CYNTHIA K ROGERS LIV REV TR	407 E BARBERRY CIR, YORKVILLE, IL 60560	0505206017
RONALD J DOLORES J SCHENEKL DEC OF TR	487 SPICE BUSH CT, YORKVILLE, IL 60560	0505206022
JEFFREY L PATRICIA S LUPTAK	458 BARBERRY CIR E, YORKVILLE, IL 60560	0505207014
RYAN MEGAN RAUPP	497 E BARBERRY CIR, YORKVILLE, IL 60560	0505206004
BETTY NADEN LIV TR	334 GARDEN CIR, YORKVILLE, IL 60560	0505253016
MICHAEL DAWN R RAMEY	447 BARBERRY CIR E, YORKVILLE, IL 60560	0505206012
GEORGIANNA RAE BURNS	329 GARDEN CIR, YORKVILLE, IL 60560	0505252017
ROBERT H KRANTZ	328 GARDEN CIR, YORKVILLE, IL 60560	0505253010
SHEILA MEIER	332 GARDEN CIR, YORKVILLE, IL 60560	0505253012
JORDAN J SARAH M MILLER	433 E BARBERRY CIR, YORKVILLE, IL 60560	0505206014
BRISTOL KENDALL FIRE DIST	103 E BEAVER ST, YORKVILLE, IL 60560	duplicate
BETH ANN ERIC H OTTO 2018 LIVING TRUST	1452 WALSH DR, YORKVILLE, IL 60560	0505207031
FLODSTROM JENNIFER PERO DONALD W	494 E BARBERRY CIR, YORKVILLE, IL 60560	0505207007
NEWLY WEDS FOODS INC	8550 W BRYN MAWR AVE STE100, CHICAGO, IL 60631	0505227028
HANSFORD FAMILY TRUST	337 GARDEN CIR, YORKVILLE, IL 60560	0505252023
ANN F FAILLA	326 GARDEN CIR, YORKVILLE, IL 60560	0505253008
MANFRED MICHAELA RAAVEL	102 C COLONIAL PKWY, YORKVILLE, IL 60560	0505228021
CRANE JENNIFER LOUISE SHARP BRENNAN EDWARD	444 E BARBERRY CIR, YORKVILLE, IL 60560	0505207017
NOMAN S TINA A QAMAR	1442 WALSH DR, YORKVILLE, IL 60560	0505207030
SORTZ PROPERTIES LLC	53 RIVERSIDE DR, YORKVILLE, IL 60560	0505227015
ANGELA CHARLTON	428 E BARBERRY CIR, YORKVILLE, IL 60560	0505207020
SUSAN W LOPEZ	306 GARDEN CIR, YORKVILLE, IL 60560	0505253036
BETTY JO FINAZZO TRUST	353 GARDEN CIR, YORKVILLE, IL 60560	0505252053
PRAIRIE GARDENS TOWNHOME ASSOC ASSOCIATION PROPERTY MGMT	PO BOX 976, OSWEGO, IL 60543	0505252063
CLEMENS ACRES LLC	208 ELIZABETH ST, YORKVILLE, IL 60560	duplicate
ENRIQUE DIAZ MANAGER EED LLC 106C COLONIAL	2588C ROCK CREEK RD, PLANO, IL 60545	0505228013
BETTY LOU JOHNSON	356 GARDEN CIR, YORKVILLE, IL 60560	0505253014
DUNTOV-DAVIDSON INC	1207 S BRIDGE ST, YORKVILLE, IL 60560	0505226012
ALAN R CAROLE J RABOINE	307 GARDEN CIR, YORKVILLE, IL 60560	0505252035
DODD REVOCABLE LIV TRUST CAROL DODD	321 GARDEN CIR, YORKVILLE, IL 60560	0505252019
RICHARD D ROBERTA M SORIS	12 COTSWOLD WAY, YORKVILLE, IL 60560	0505227013
ROBERT L KUNTZENDOEF	488 SPICE BUSH CT, YORKVILLE, IL 60560	0505206024
FIRST NATIONAL BANK DEKALB	1207 BADGER, YORKVILLE, IL 60560	0505226005
PRAIRIE GARDENS TOWNHOME ASSOC ASSOCIATION PROPERTY MGMT	PO BOX 976, OSWEGO, IL 60543	duplicate
RONALD R MIKA	303 GARDEN CIR, YORKVILLE, IL 60560	0505252080
GARY D CYNTHIA A BELL	324 GARDEN CIR, YORKVILLE, IL 60560	0505253006
BRANDON R BIERUT	102 B COLONIAL PKWY, YORKVILLE, IL 60560	0505228020
BOLOR EGSHIG D FOSTER WILLIAM D	452 E BARBERRY CIR, YORKVILLE, IL 60560	0505207015
HAMPTON DANIELLE CARREON ABRAHAM	443 E BARBERRY CIR, YORKVILLE, IL 60560	0505206013
JURGEN K MARY ANNE PRITSCHET	491 SPICE BUSH CT, YORKVILLE, IL 60560	0505206021
BRISTTANY A CROSBY DEC TRUST	412 E BARBERRY CIR, YORKVILLE, IL 60560	0505207023
BILLY DIANNA MORTON	507 BUCKTHORNE CT, YORKVILLE, IL 60560	0505208001
FRANK GROESCH RICHARD WILLMAN	28 LAUREL CT, YORKVILLE, IL 60560	0505227006
RICHARD D ROBERTA M SORIS	12 COTSWOLD WAY, YORKVILLE, IL 60560	duplicate
RYAN KARI WEST	80 LONG GROVE RD, YORKVILLE, IL 60560	0505227014
KYLE LEA JUNGKANS	216 W ELIZABETH ST, YORKVILLE, IL 60560	0232454010
MANFRED MICHAELA RAAVEL	131 POPLAR DR, YORKVILLE, IL 60560	0505228022
STEVEN HEUBEL	1256 S BRIDGE ST, YORKVILLE, IL 60560	0505229009
H H PROPERTY GROUP INC	8850 WILCOX CT, NEWARK, IL 60541	0505229012
ERWIN DALE CHRISTINA R STEVENS	411 E BARBERRY CIR, YORKVILLE, IL 60560	0505206016
BENITA OBERHELLMAN TRUST	339 GARDEN CIR, YORKVILLE, IL 60560	0505252021
BOTKIN DEBRA K MANDEL BRUCE L JT TEN TR	333 GARDEN CIR, YORKVILLE, IL 60560	0505252031
SANDRA ROGERS	301 GARDEN CIR, YORKVILLE, IL 60560	0505252045
RITA S HARRY TR	347 GARDEN CIR, YORKVILLE, IL 60560	0505252049
PRAIRIE GARDENS TOWNHOME ASSOC ASSOCIATION PROPERTY MGMT	PO BOX 976, OSWEGO, IL 60543	duplicate
CAROL E WISSMILLER	208 W ELIZABETH ST, YORKVILLE, IL 60560	duplicate 0232454014
MARK B BARBARA J WALTER	214 ELIZABETH ST, YORKVILLE, IL 60560	0232454011
JOHNSON REV LIC TRUST	212 ELIZABETH ST, YORKVILLE, IL 60560	0232454012
OLD SECOND NATIONAL BANK TRUSTEE	1107A S BRIDGE ST, YORKVILLE, IL 60560	0505226017
WARREN L DEIDRE J SCHUMACHER	309 GARDEN CIR, YORKVILLE, IL 60560	0505252033
ARTURO GUADALUPE MENDEZ	336 GARDEN CIR, YORKVILLE, IL 60560	0505253018
NCI YORKVILLE NVA LLC NOVOGRODER COMPANIES INC	875 N MICHIGAN AVE STE 3612, CHICAGO, IL 60611	0505252002
KRISTIN PRETZER	485 E BARBERRY CIR, YORKVILLE, IL 60560	0505206006
PRISMA ARREDONDO JAYME RODRIGUEZ	220 W ELIZABETH ST, YORKVILLE, IL 60560	0232454008
DANIEL BETHANY R BREYNE	1358 WALSH DR, YORKVILLE, IL 60560	0505206002
EDMOND STEPHANIE RAAVEL	101 C COLONIAL PKWY, YORKVILLE, IL 60560	0505227019
MELVIN D KONRATH TR	484 E BARBERRY CIR, YORKVILLE, IL 60560	0505207009

FRANK R LAUREL L WILLIAM	28 LAUREL CT, YORKVILLE, IL 60560	duplicate
GRACE HOLISTIC EDUCATION CENTER NFP	201 GARDEN ST, YORKVILLE, IL 60560	0505252003
MARK JAMI KOENIG	423 E BARBERRY CIR, YORKVILLE, IL 60560	0505206015
DEVIN ANGELA NELSON	484 SPICE BUSH CT, YORKVILLE, IL 60560	0505206023
BRISTOL KENDALL FIRE DIST	103 E BEAVER ST, YORKVILLE, IL 60560	duplicate
BRENT E OTTO	1462 WALSH DR, YORKVILLE, IL 60560	0505207032
ENRIQUE DIAZ MANAGER EED LLC 106D COLONIAL	2588C ROCK CREEK RD, PLANO, IL 60545	duplicate
EED LLC 106B COLONIAL	2588C ROCK CREEK RD, PLANO, IL 60545	duplicate
KENNETH RITA MENNE	471 E BARBERRY CIR, YORKVILLE, IL	0505206008
KELLY N BIELAWA	424 E BARBERRY CIR, YORKVILLE, IL 60560	0505207021
DOUGLAS D GAYLE N THANEPOHN	488 E BARBERRY CIR, YORKVILLE, IL 60560	0505207008
WAYNE PATRICIA NORR	226 ELIZABETH ST, YORKVILLE, IL 60560	0232454018
GENE ROBYN WILBERG	352 GARDEN CIR, YORKVILLE, IL 60560	0505253020
GUY F JR JANICE R LAPORE	304 GARDEN CIR, YORKVILLE, IL 60560	0505253038
BRENT A SCHALHAMER	11119 RYANS WAY, HOLLAND, MI, 49423	0505201004 subject property
BPH TRUST BRYAN L PATRICIA A HARBIN	17 W ROYAL OAKS DR, BRISTOL, IL 60512	0505228019
JOAN E KELLER	302 GARDEN CIR, YORKVILLE, IL 60560	0505253034
JONATHAN C KIMBERLY BEHRENS	1432 WALSH DR, YORKVILLE, IL 60560	0505207029
PRAIRIE GARDENS TOWNHOME ASSOC ASSOCIATION PROPERTY MGMT	PO BOX 976, OSWEGO, IL 60543	duplicate
PRAIRIE GARDENS TOWNHOME ASSOC ASSOCIATION PROPERTY MGMT	PO BOX 976, OSWEGO, IL 60543	duplicate
LAVALLEE JAMIE HOULE ANTHONY J	1372 WALSH DR, YORKVILLE, IL 60560	0505206003
MATTHEW J KLEINWACHTER	7665 RTE 47, YORKVILLE, IL 60560	0505227017
CARL P CAROL A BOSI TRUST	345 GARDEN CIR, YORKVIILE, IL 60560	0505252039
PHILLIP AMY MOREL	710 S CENTER ST, PLANO, IL 60545	0505227018
ENRIQUE DIAZ MGR EED LLC 106A COLONIAL	2588C ROCK CREEK RD, PLANO, IL 60545	duplicate
FELIPE DOROTHY SANCHEZ	222 W ELIZABETH ST, YORKVILLE, IL 60560	0232454007
BRADLEY T STACY RUSS WATKINS	224 ELIZABETH ST, YORKVILLE, IL 60560	0232454006
DALE WAYNE DALE ROBIN L	478 E BARBERRY CIR, YORKVILLE, IL 60560	0505207010
KAREN H ANDERSON TR	331 GARDEN CIR, YORKVILLE, IL 60560	0505252029
JAMES KRISTEN STEPIEN	1422 WALSH DR, YORKVILLE, IL 60560	0505207028
BRENT A TRACY SCHALHAMER	11119 RYANS WAY, HOLLAND, MI, 49423	duplicate-subject property
JULIE LOUISE RICHMOND	506 W BARBERRY CIR, YORKVILLE, IL 60560	0505128019
PRAIRIE GARDENS TOWNHOME ASSOC ASSOCIATION PROPERTY MGMT	PO BOX 976, OSWEGO, IL 60543	duplicate
RODNEY JOELLEN MOSS	474 E BARBERRY CIR, YORKVILLE, IL 60560	0505207011
EMILY E UNTERBERG	464 E BARBERRY CIR, YORKVILLE, IL 60560	0505207013
MARK KIMBERLY A SCHMIDT	434 E BARBERRY CIR, YORKVILLE, IL 60560	0505207019
BRIDGE STREET LUMBER LLC	1111 S BRIDGE ST, YORKVILLE IL 60560	0505226014
FERNANDO GERMAN ANDREA SOFIA HERNANDEZ	206 W ELIZABETH ST, YORKVILLE, IL 60560	0232454015
BATCHELDER LIVING TRUST	323 GARDEN CIR, YORKVILLE, IL 60560	0505252027
DINA MCCLAREN	343 GARDEN CIR, YORKVILLE, IL 60560	0505252037
RICHARD Z SANDY A SPANSKI LIV TR	341 GARDEN CIR, YORKVILLE, IL 60560	0505252043
PATRICIA J MILLER	354 GARDEN CIR, YORKVILLE, IL 60560	0505253022
RICHARD D II TERESA L GROESCH	8433 W HIGHPOINT RD, YORKVILLE, IL 60560	0505228002
FALATO MICHAEL A FALATO GREGORY P RICHARD G FALATO	335 GARDEN CIR, YORKVILLE, IL 60560	0505252025
THOMAS E DONNA L CEBULA	422 E BARBERRY CIR, YORKVILLE, IL 60560	0505207022
DANIEL H JENNIFER M KOKES	491 E BARBERRY CIR, YORKVILLE, IL 60560	0505206005
RUDY L JR HAZEL K HALL	305 GARDEN CIR, YORKVILLE, IL 60560	0505252076
ASSOCIATION PROPERTY MGT PRAIRIE GARDEN TOWNHOME ASSOC	PO BOX 976, OSWEGO, IL 60543	duplicate
PRAIRIE GARDENS TOWNHOME ASSOC ASSOCIATION PROPERTY MGMT	PO BOX 976, OSWEGO, IL 60543	duplicate
RICHARD GROESCH	8433 W HIGHPOINT RD, YORKVILLE, IL 60560	0505228024
JOHN GORDON	477 BARBERRY CIR, YORKVILLE, IL 60560	0505206007
ALEC C MEGAN A STEVENS	468 E BARBERRY CIR, YORKVILLE, IL 60560	0505207012
HOLLY H FATIMA	448 BARBERRY CIR, YORKVILLE, IL 60560	0505207016
ASSOCIATION PROPERTY MGT PRAIRIE GARDEN TOWNHOME ASSOC	PO BOX 976, OSWEGO, IL 60543	duplicate
FRANK R LAUREL L WILLIAM	28 LAUREL CT, YORKVILLE, IL 60560	duplicate
RONALD JR SHARON COBB % COBB CONDON ASSOCATION 106	106 COLONIAL PKWY, YORKVILLE, IL 60560	0505228009

PUBLIC NOTICE
NOTICE OF PUBLIC HEARING
BEFORE
UNITED CITY OF YORKVILLE
PLANNING AND ZONING COMMISSION
PZC 2024-29

NOTICE IS HEREBY GIVEN THAT 1115, LLC, the petitioner, along with property owners Brent and Tracy Schalhamer, has submitted applications to the United City of Yorkville, Kendall County, Illinois, requesting rezoning and special use authorization for a Planned Unit Development (PUD). The petitioner intends to purchase and redevelop approximately 14 acres comprising two parcels: a one-acre rectangular parcel and a 13-acre parcel, previously operated as Parfection Park.

The proposal seeks to rezone the 13-acre parcel from R-1 Single-Family Suburban Residence District to R-4 General Multi-Family Residence District to develop a townhome community with 18 buildings totaling 105 townhome units. Additionally, the petitioner requests a deviation from the Yorkville Unified Development Ordinance's Appearance Standards (Section 10-5-8(C)(2)(b)) to reduce the required use of masonry products or premium siding on the front façades of the townhome buildings from 50% to 25%.

The one-acre parcel will remain zoned as B-3 General Business District, with plans for future commercial development. The property is generally located west of IL Route 47 (S. Bridge Street), east of the Green Briar subdivision, and north of the Prairie Garden development. The subject parcel's common address is 1115 South Bridge Street.

The legal description is as follows:

PARCEL1:

THAT PART OF THE NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST 1/4; THENCE SOUTH 89 DEGREES 40 MINUTES 05 SECONDS WEST ALONG THE NORTH LINE OF SAID NORTHEAST 1/4, 655.52 FEET TO THE TANGENT CENTER LINE OF ILLINOIS STATE ROUTE NO. 47, BEING ALSO THE WEST LINE OF FOX INDUSTRIAL PARK, UNIT 1, YORKVILLE, KENDALL COUNTY, ILLINOIS; EXTENDED FROM THE SOUTH; THENCE SOUTH 01 DEGREES 44 MINUTES 07 SECONDS EAST ALONG SAID EXTENDED TANGENT CENTER LINE AND SAID TANGENT CENTER LINE, 464.33 FEET; THENCE SOUTH 89 DEGREES 40 MINUTES 05 SECONDS WEST, 446.87 FEET; THENCE SOUTH 00 DEGREES 19 MINUTES 55 SECONDS EAST, 70.00 FEET; THENCE NORTH 89 DEGREES 40 MINUTES 05 SECONDS EAST, 138.57 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 01 DEGREES 44 MINUTES 07 SECONDS EAST, 185.12 FEET; THENCE NORTH 88 DEGREES 15 MINUTES 53 SECONDS EAST, 249.93 FEET TO THE WESTERLY RIGHT OF WAY LINE OF SAID ROUTE 47 BEING A LINE DRAWN PARALLEL WITH AND 60.0 FEET WEST OF SAID CENTER LINE; THENCE NORTH 01 DEGREES 44 MINUTES 07 SECONDS WEST ALONG SAID WESTERLY RIGHT OF WAY LINE 179.00 FEET TO A LINE DRAWN NORTH 89 DEGREES 40 MINUTES 05 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 40 MINUTES 05

SECONDS WEST, 250.0 FEET TO THE POINT OF BEGINNING IN THE UNITED CITY OF THE VILLAGE OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

EXCEPT

PART OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM, NAO 1983 -EAST ZONE: COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 5; THENCE SOUTH 87 DEGREES 29 MINUTES 43 SECONDS WEST 199.803 METERS (655.52 FEET) ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5 TO THE TANGENT CENTERLINE OF FAP 326 (IL 47) EXTENDED FROM THE SOUTH; THENCE SOUTH 03 DEGREES 54 MINUTES 29 SECONDS EAST 216.984 METERS (534.36 FEET) ALONG SAID TANGENT CENTERLINE AND CENTERLINE OF FAP 326 (IL 47); THENCE SOUTH 87 DEGREES 29 MINUTES 43 SECONDS WEST 18.293 METERS [60.02 FEET] TO THE POINT OF BEGINNING, SAID POINT BEING ON THE WESTERLY EXISTING RIGHT OF WAY LINE OF FAP 326 (IL 47); THENCE SOUTH 03 DEGREES 54 MINUTES 29 SECONDS EAST 54.559 METERS (179.00 FEET) ALONG SAID WESTERLY EXISTING RIGHT OF WAY LINE; THENCE SOUTH 86 DEGREES 05 MINUTES 31 SECONDS WEST 1.712 METERS (5.62 FEET); THENCE NORTH 03 DEGREES 54 MINUTES 29 SECONDS WEST 54.601METERS (179.14 FEET); THENCE NORTH 87 DEGREES 29 MINUTES 43 SECONDS EAST 1.712 METERS (5.62 FEET) TO THE POINT OF BEGINNING, SITUATED IN THE IN THE UNITED CITY OF YORKVILLE, COUNTY OF KENDALL AND STATE OF ILLINOIS, HEREBY RELEASING AND WAIVING ALL RIGHT UNDER AND BY VIRTUE OF THE HOMESTEAD EXEMPTION LAWS OF THE STATE.

PARCEL 2:

THAT PART OF THE NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST 1/4; THENCE SOUTH 89 DEGREES 40 MINUTES 05 SECONDS WEST ALONG THE NORTH LINE OF SAID NORTHEAST 1/4, 655.52 FEET TO THE TANGENT CENTER LINE OF ILLINOIS STATE ROUTE NO. 47, BEING ALSO THE WEST LINE OF FOX INDUSTRIAL PARK, UNIT 1, YORKVILLE, KENDALL COUNTY, ILLINOIS, EXTENDED FROM THE SOUTH; THENCE SOUTH 01 DEGREES 44 MINUTES 07 SECONDS EAST ALONG SAID EXTENDED TANGENT CENTER LINE AND SAID TANGENT CENTER LINE, 464.33 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "A"; THENCE SOUTH 89 DEGREES 40 MINUTES 05 SECONDS WEST, 446.87 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 19 MINUTES 55 SECONDS EAST, 70.00 FEET; THENCE NORTH 89 DEGREES 40 MINUTES 05 SECONDS EAST, 138.57 FEET; THENCE SOUTH 01 DEGREES 44 MINUTES 07 SECONDS EAST, 188.12 FEET; THENCE NORTH 88 DEGREES 15 MINUTES 53 SECONDS EAST, 249.93 FEET TO THE WESTERLY RIGHT OF WAY LINE OF SAID ROUTE 47 BEING A LINE DRAWN PARALLEL WITH AND 60.0 FEET WEST OF SAID CENTER LINE; THENCE SOUTH 01 DEGREES 44 MINUTES 07 SECONDS EAST ALONG SAID WESTERLY RIGHT OF WAY LINE 18.0 FEET; THENCE SOUTH 88 DEGREES 15 MINUTES 53 SECONDS WEST, 415.57 FEET; THENCE SOUTH 01 DEGREES 07 MINUTES 53 SECONDS EAST, 118.53 FEET; THENCE SOUTH 88 DEGREES 52 MINUTES 07 SECONDS WEST, 100.00 FEET; THENCE SOUTH 01 DEGREES 07 MINUTES 53 SECONDS EAST, 219.0 FEET TO A LINE DRAWN SOUTH 88 DEGREES 52 MINUTES 07 SECONDS WEST FROM A POINT ON SAID CENTER LINE WHICH IS 611.12 FEET

SOUTHERLY OF SAID POINT "A"; THENCE SOUTH 88 DEGREES 52 MINUTES 07 SECONDS WEST, 859.67 FEET TO AN OLD CLAIM LINE; THENCE NORTH 11 DEGREES 59 MINUTES 56 SECONDS EAST ALONG SAID OLD CLAIM LINE 645.91 FEET TO A LINE DRAWN SOUTH 89 DEGREES 40 MINUTES 05 SECONDS WEST FROM THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 40 MINUTES 05 SECONDS EAST, 838.91 FEET TO THE POINT OF BEGINNING, IN THE UNITED CITY OF THE VILLAGE OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

EXCEPT PART OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE (NAD 83): COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 5; THENCE SOUTH 87 DEGREES 29 MINUTES 43 SECONDS WEST 199.803 METERS (655.52 FEET) ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5 TO THE TANGENT CENTERLINE OF FAP 326 (IL 47) EXTENDED FROM THE SOUTH; THENCE SOUTH 03 DEGREES 54 MINUTES 29 SECONDS EAST 216.984 METERS (711.89 FEET) ALONG SAID TANGENT CENTERLINE AND CENTERLINE OF FAP 326 (IL 47); THENCE SOUTH 86 DEGREES 05 MINUTES 31 SECONDS WEST 18.288 METERS (60.00 FEET) TO THE POINT OF BEGINNING, BEING ON THE WESTERLY EXISTING RIGHT OF WAY LINE OF FAP 326 (IL 47); THENCE SOUTH 03 DEGREES 54 MINUTES 29 SECONDS EAST 7.315 METERS (24.00 FEET) ALONG SAID WESTERLY EXISTING RIGHT OF WAY LINE; THENCE SOUTH 86 DEGREES 05 MINUTES 31 SECONDS WEST 1.712 METERS (5.62 FEET); THENCE NORTH 03 DEGREES 54 MINUTES 29 SECONDS WEST 7.315 METERS (24.00 FEET); THENCE NORTH 86 DEGREES 05 MINUTES 31 SECONDS EAST 1.712 METERS (5.62 FEET) TO THE POINT OF BEGINNING, SITUATED IN THE UNITED CITY OF YORKVILLE, COUNTY OF KENDALL AND STATE OF ILLINOIS, HEREBY RELEASING AND WAIVING ALL RIGHT UNDER AND BY VIRTUE OF THE HOMESTEAD EXEMPTION LAWS OF THE STATE.

PINs: 05-05-226-013 and 05-05-201-004

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

NOTICE IS HEREWITH GIVEN THAT the Planning and Zoning Commission for the United City of Yorkville will conduct a Public Hearing on said applications on **Wednesday, February 12, 2025 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

Dear Resident,

I hope this letter finds you well. I am writing you to introduce Fox Haven a townhome development proposed for the vacant land that used to be the home of Parfection Driving Range. As a resident, business owner, and stakeholder in our community, I believe this project will bring significant benefits to our neighborhood. The proposed development involves constructing a series of modern townhomes that will provide much-needed housing options for our growing community.

We understand the importance of community input and are committed to engaging with residents throughout the planning and development process. We will hold public meetings and provide regular updates to ensure transparency and address any concerns. We are hoping you are available to meet for a project meeting on Tuesday 1.28.25 anytime between 6PM and 7PM. The meeting will be at Craft'd 2075 Marketview Dr Yorkville, IL. At this meeting we would like to present a site plan, renderings and answer any questions or concerns that you may have.

I believe this project will be a positive addition to our community, and I am eager to discuss it further with you. Please feel free to contact me at 630.699.5877 or pwinninger@winexc.com to arrange a meeting or if you have any questions.

Thank you for considering this proposal. I look forward to your positive response.
Sincerely,

Patrick Winninger & Matt Christensen

Fox Haven
CEO

FOX HAVEN TOWNHOMES

1/28/2025

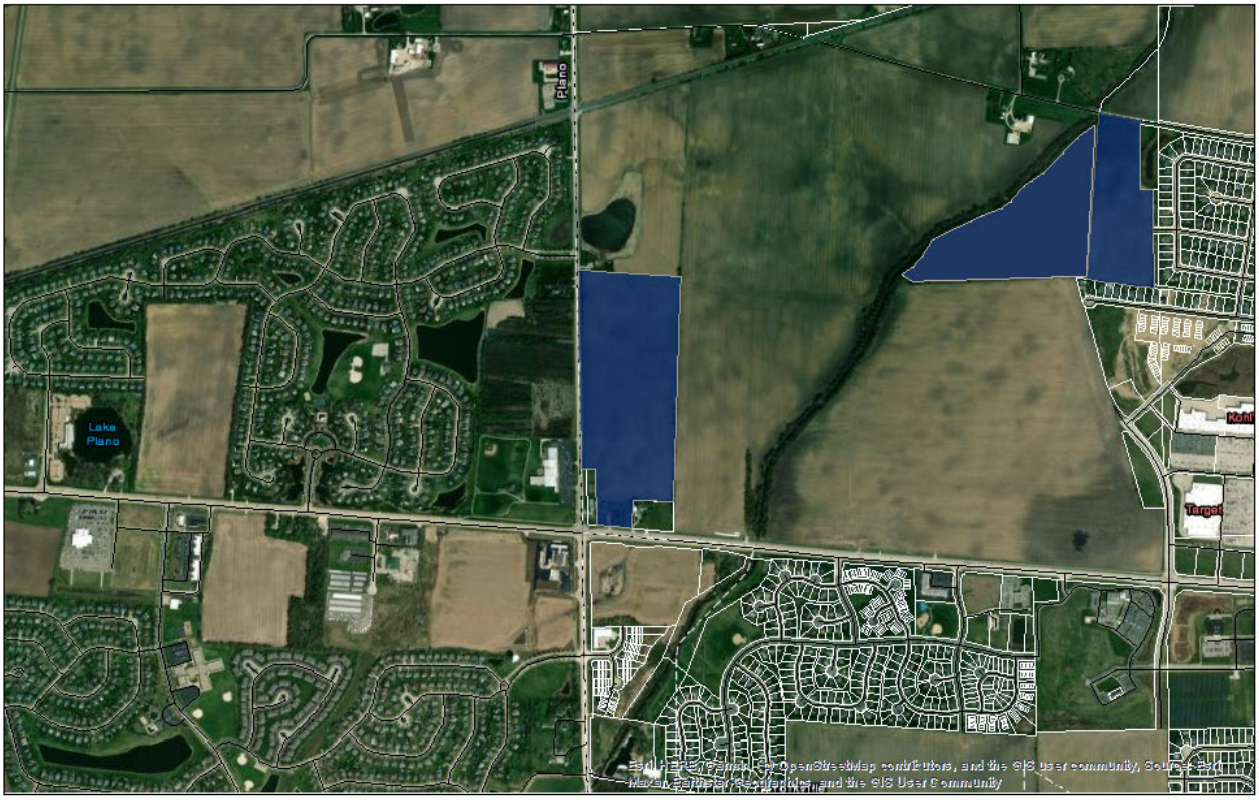
NAME	ADDRESS	EMAIL	PHONE
Matt Christensen		[redacted]	
PATRICK WINNINGER			
Dave & Lisa Schilliger			
MARK + Kim Schmidt			
Don + Theresa Tanis			
Alec Stevens			
HOLLY & VERNON FATIMA			
Angie Charlton			
Bob Hyde			
Laurenda Bates			

Memorandum

To: Planning and Zoning Commission
From: Krysti Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Sara Mendez, Planner I
Date: February 3, 2025
Subject: **PZC 2024-31 Hamman – Kelaka, LLC**
Annexation and Rezoning Requests

SUMMARY:

David Hamman, on behalf of Kelaka, LLC, has filed applications with the United City of Yorkville, Kendall County, Illinois, for both annexation and rezoning of certain properties. The annexation request involves two parcels totaling approximately 62.54 acres, located south of Faxon Road and west of Iroquois Lane, which are currently undeveloped and used for farming. This annexation, pursued through an annexation agreement, aims to facilitate future data center development. Additionally, the petitioner seeks rezoning of three parcels totaling approximately 112.44 acres, including the annexed parcels and one parcel north of West Veterans Parkway (US 34) and east of Eldamain Road. The rezoning request proposes a change from R-1 Single-Family Suburban Residential District and B-3 General Business District to M-2 General Manufacturing District to accommodate future uses consistent with a proposed data center development.



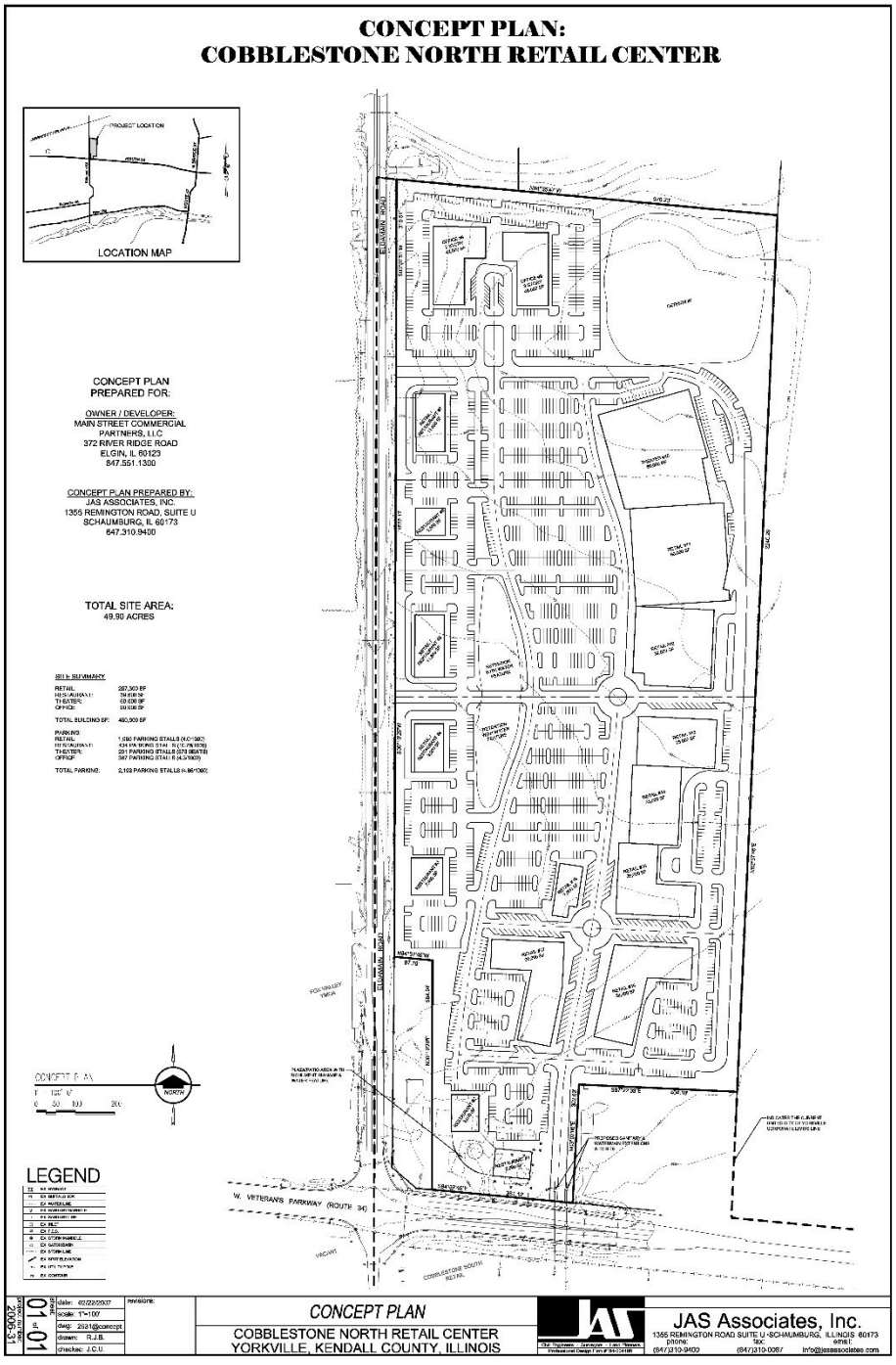
HAMMAN-KELAKA, LLC

United City of Yorkville, Illinois
Date: November 18, 2024
File Location: I:\ARCGIS TEMPLATES\HAMMAN-KELAKA,LLC

PROPERTY BACKGROUND:

The three (3) subject parcels total 112.44 acres. Two (2) parcels, which abut each other, are currently unincorporated and zoned A-1 Agriculture in Kendall County. The larger parcel (#02-19-200-011) is approximately 35 acres in area and is a remnant from the former Kelaka parcel. The second parcel (#02-19-200-008) totals approximately 21-acres. The remaining parcel (#02-19-300-018), approximately 52-acres, is located approximately 2,400 feet southwest of the other parcels and separated by the Rob Roy Creek, is zoned B-3 General Business District within the City of Yorkville. The two largest parcels are also part of the Rob Roy Drainage District.

In 2007, a proposal for "Cobblestone North" was submitted to the City for the currently zoned B-3 parcel, featuring a Conceptual Plan (provided below). The plan was for a commercial center spanning approximately 50 acres including a mix of retail, restaurant, theater, and office uses. However, the development never materialized, and the land has remained undeveloped for the past 18 years.



REZONING REQUEST:

Under Section 10-3-4 of the Yorkville Unified Development Ordinance (UDO), any property annexed into the city is initially zoned as R-1 Single-Family Suburban Residential District. However, the petitioner is requesting rezoning to the M-2 General Manufacturing District to facilitate the development of a proposed data center. These facilities, as defined by the UDO, house networked computers, storage systems, and computing infrastructure used for the collection, processing, storage, and distribution of data.

The M-2 General Manufacturing District, outlined in Section 10-3-6-F of the UDO, is intended for manufacturing and industrial uses with potentially greater off-site impacts than those allowed in the M-1 Limited Manufacturing District. This district is designed to balance industrial development with nearby residential and commercial areas by mitigating impacts such as noise, traffic, and visual disturbances.

According to Table 10-3-12(B) of the UDO, data centers are permitted land uses within the M-2 District. The petitioner has addressed the rezoning standards outlined in the UDO, and these will be evaluated by all recommending bodies. Additionally, staff has prepared a chart summarizing the current zoning and land uses of the surrounding area to assess the potential impacts of the proposed rezoning and future use for each parcel.

The following are the current immediate surrounding zoning and land uses of parcels #02-19-200-008 and #02-19-200-011 which are proposed to be annexed and rezoned:

	Zoning	Land Use
North	R-2 Single-Family Traditional Residence District A-1 Agricultural District Faxon Road	Farmland (Whispering Meadows) Farmland (Loftus Property) Transportation Land Use
East	R-2 Single-Family Traditional Residence District	Kylyn's Ridge Subdivision
South	A-1 Agricultural District (Kendall County)	Farmland (DMYF, LLLP proposed rezoning for M-2 General Manufacturing)
West	A-1 Agricultural District (Kendall County) M-2 General Manufacturing District	Farmland Farmland (Kelaka)

The following are the current immediate surrounding zoning and land uses of parcel #02-19-300-018 which is proposed to be rezoned:

	Zoning	Land Use
North	A-1 Agricultural District (Kendall County)	Farmland
East	A-1 Agricultural District (Kendall County)	Farmland (DMYF, LLLP proposed rezoning for M-2 General Manufacturing)
South	US 34 (Veterans Parkway) B-3 General Business District	Transportation Land Use Farmland/Undeveloped (Cobblestone Commons)
West	Eldamain Road B-4 Commercial Recreation (Kendall County) B-6 Business District PUD (Plano)	Transportation Land Use Commercial (Fox Valley YMCA) Undeveloped/Farmland

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

ANNEXATION AGREEMENT:

Given the subject parcels location along a major arterial roadway (US 34) and its proximity to the Kylyn's Ridge residential development, 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. This will be consistent with the recently recommended conditions for the DMYF, LLLP project.

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."
12. **Agricultural Use** – defined as "The employment of land for the primary purpose of raising, harvesting, and selling crops, or feeding (including grazing), breeding, managing, selling, or producing livestock, poultry, furbearing animals, or honeybees, or by dairying and the sale of dairy products, by any other horticultural, floricultural or viticulture use, by animal husbandry, or by any combination thereof. It also includes the current employment of land for the primary purpose of obtaining a profit by stabling or training equines including, but not limited to, providing riding lessons, training clinics and schooling shows."
13. **Retail Store, General** – less than one (1) acre - defined as "A building or portion of a building providing area for the selling of new or used goods, wares, and merchandise directly to the consumer for whom the goods are furnished."
14. **Retail Store, General** – greater than one (1) acre - defined as "A building or portion of a building providing area for the selling of new or used goods, wares, and merchandise directly to the consumer for whom the goods are furnished."
15. **Medical Clinic/Office** – defined as "An establishment where patients are admitted for study and treatment by two (2) or more licensed physicians, dentists, psychologists, or similar professional healthcare practitioners and their professional associates. The term shall include but not be limited to offices of physicians, chiropractors, dentists, and acupuncturists."
16. **Treatment Center** – defined as "One (1) or more buildings designed and used for the medical and surgical diagnosis and treatment. This definition excludes hospitals and nursing homes."

The above identified limited permitted land uses shall be in effect for the term of the annexation agreement, twenty (20) years and a sunset clause may also be recommended to revert the zoning of the annexed parcels to R-1 Single Family Suburban Residence District zoning if no development has occurred at the term of the agreement.

BUFFER SETBACK/TRANSITION ZONE – Due to the proximity of the subject parcels to an existing residential development and major roadways (US 34 and Eldamain Road), staff recommends that any future development incorporate a minimum 100-foot landscaped buffer. This buffer should include elements such

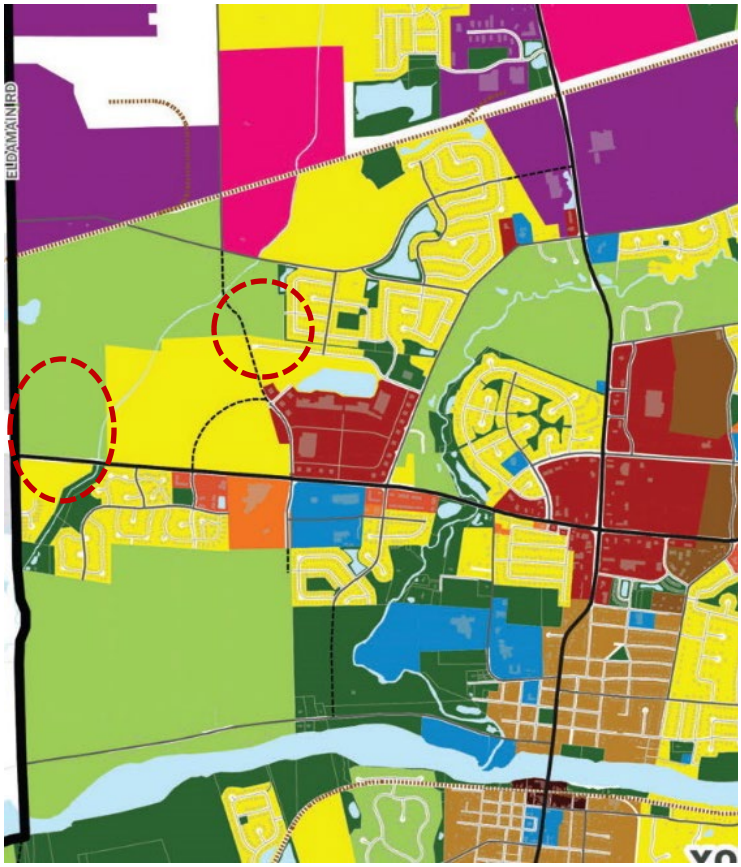
as vegetation, solid fencing, green walls, stormwater management areas, living groundcover, and/or turf to ensure effective visual screening and physical separation between the land uses.

SITE PLAN REVIEW – Staff further recommends that any proposed development plan, regardless if it's an outright permitted land use, shall be required to submit any and all plans for review and approval by the City Council prior to commencing any construction, grading or other work or issuance of a building permit on the Subject Property due to the subject parcels' adjacency to an existing residential development and major roadways (US 34 & Eldamain Road).

All of the above recommendations were considered at public hearing for the proposed annexation on February 11, 2025 before the City Council. Staff will provide a verbal update regarding any feedback received at that meeting.

THE COMPREHENSIVE PLAN:

The 2016 Comprehensive Plan Update designates these parcels as "Estate/Conservation Residential (ECR)" which is intended to provide flexibility for residential design to accommodate low-density detached single-family housing yet preserving sensitive environmental and scenic features. This land use designation has also been used as a holding category for parcels not likely to develop within the 10-year horizon of the comprehensive plan's timeline. Additionally, 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 to the west/north and the DMYF, LLLP project pending approval to the south/east of the subject parcels, 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 "Estate/Conservation Residential (ECR)" to "General Industrial (GI)".

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.

Due to the proximity of existing residential land uses immediately to the east, the Kylyn's Ridge subdivision, staff recommended the petitioner conduct a community meeting, possibly via the homeowners'

association (HOA), regarding the proposed future land use of the subject property prior to the City Council and Planning and Zoning Commission public hearings. The petitioner held a community meeting on January 29th at the Old Second Bank.

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 annexation agreement, staff supports the rezoning requests. This aligns with the Comprehensive Plan's recommended strategy of closing unincorporated "gap" areas within Yorkville's corporate boundaries to manage growth and is consistent with the trend in future development within the area as illustrated in the attached Data Center Developments Map.

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 MOTIONS:

REZONING PARCELS 02-19-200-008 and #02-19-200-011

In consideration of testimony presented during a Public Hearing on February 12, 2025 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 two (2) parcels totaling approximately 62.54 acres and generally located immediately south of Faxon Road and west of Iroquois Lane, subject to {insert any additional conditions of the Planning and Zoning Commission}…

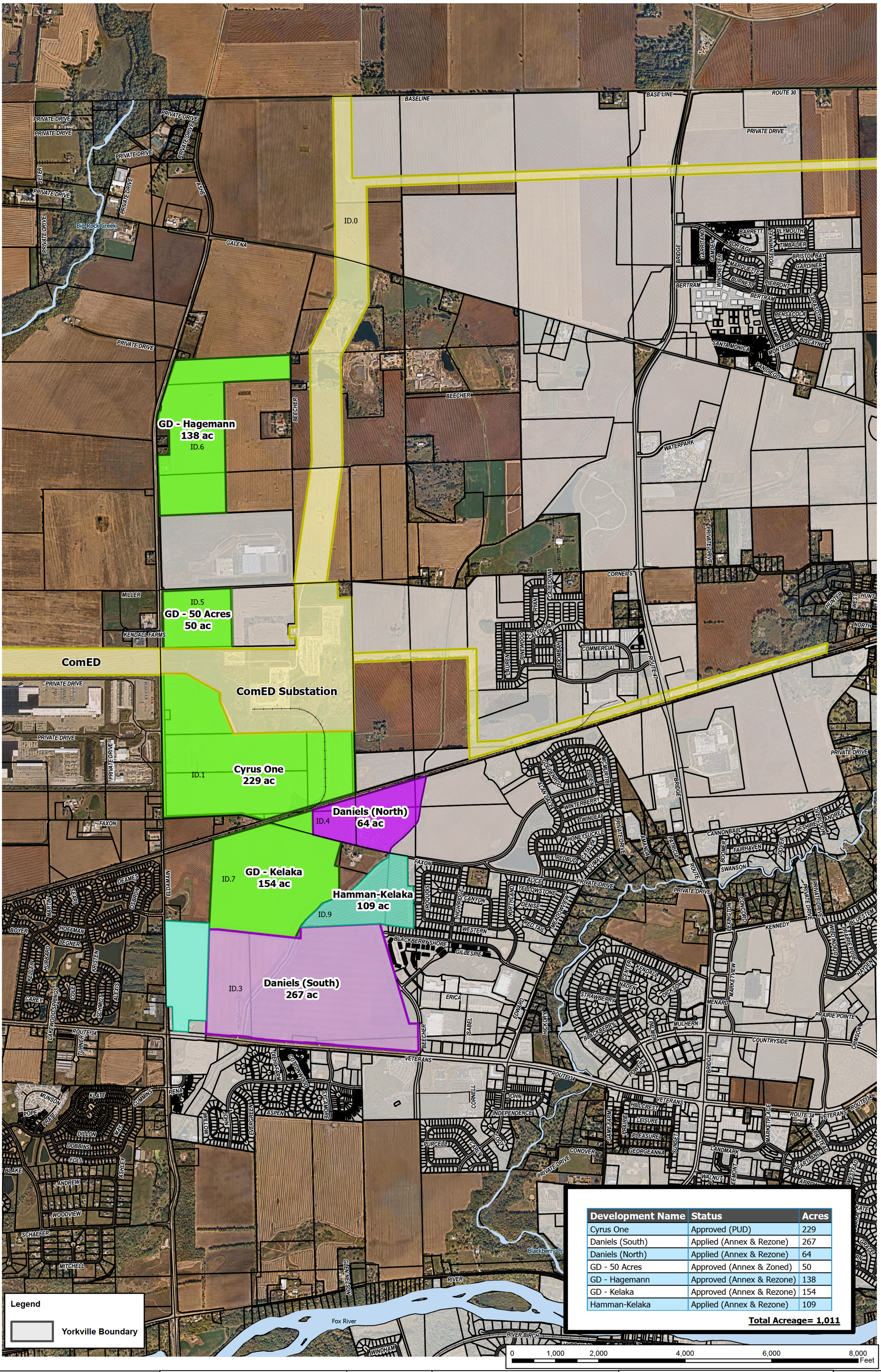
REZONING PARCEL #02-19-300-018

In consideration of testimony presented during a Public Hearing on February 12, 2025 and discussion of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council a request for rezoning from B-3 General Business District to M-2 General Manufacturing District for a proposed future data center for an approximately 50-acre parcel located immediately north of West

Veterans Parkway (US 34) and east of Eldamain Road subject to {insert any additional conditions of the Planning and Zoning Commission}…

ATTACHMENTS:

1. Map of Applied for and Approved Data Center Developments
2. Rezoning Applications
3. Public Hearing Notice
4. Plan Council Packet dated December 2, 2024
5. Resident emails



Development Name	Status	Acres
Cyrus One	Approved (PUD)	229
Daniels (South)	Applied (Annex & Rezone)	267
Daniels (North)	Applied (Annex & Rezone)	64
GD - 50 Acres	Approved (Annex & Zoned)	50
GD - Hagemann	Approved (Annex & Rezone)	138
GD - Kelaka	Approved (Annex & Rezone)	154
Hamman-Kelaka	Applied (Annex & Rezone)	109

Total Acreage= 1,011

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

United City of Yorkville
651 Prairie Pointe Drive
Yorkville, IL 60560

DATE:	DECEMBER 2024
PROJECT NO.:	YO2442
BY:	MJT
PATH:	H:\GIS\PUBLIC\YORKVILLE\2024\YO2444
FILE:	Eldamain Transportation Planning\Eldamain Corridor Study

LOCATION MAP
UNITED CITY OF YORKVILLE, ILLINOIS

DATA CENTER PROJECT MAP

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 ANNEXATION

INTENT AND PURPOSE

The purpose of this application is to allow unincorporated land that is contiguous and adjacent to the Yorkville corporate limits to annex into the City. All newly annexed land is automatically zoned to the most restrictive classification under the city's zoning ordinance (R-1 Single-Family Suburban Residence District). Therefore, all voluntary annexation petitions which are seeking a different zoning classification will have to adhere to the rezoning process outlined in "Title 10, Chapter 4, Section 10 Amendments."

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

For a complete explanation of what is legally required throughout the process, please refer to "Title 10, Chapter 4, Section 11 Annexations" of the Yorkville, Illinois City Code.

APPLICATION PROCEDURE

STEP 1
APPLICATION SUBMITTAL

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

The following must be submitted:

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

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

The petitioner is responsible for payment of recording fees and public hearing costs, including written transcripts of the public hearing and outside consultant costs (i.e. legal review, land planner, zoning coordinator, environmental, etc.). The petitioner will be required to establish a deposit account with the City to cover these fees.

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

STEP 2
PLAN COUNCIL

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

This step is dependent on the complexity of requests 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.

United City of Yorkville
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APPLICATION FOR ANNEXATION

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
CITY COUNCIL PUBLIC HEARING

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

If there is not a request for rezoning or PUD agreement, then the request will go directly to the City Council for a public hearing. The petitioner will attend and present their request at a public hearing conducted by the City Council. The City Council will conduct a public hearing on the request, take public comments, and discuss the request.

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 annexation request will be reviewed. Depending on the complexity of the request this meeting may be held at the same meeting of the public hearing. 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.

NECESSARY NOTIFICATIONS

The entities listed below must be notified in writing, by certified or registered mail, of the proposed annexations at least ten (10) days prior to the action taken at City Council. Notices must be delivered to the individual board members at their respective home addresses:

- ☐ Trustees of the fire protection district
- ☐ Trustees of the public library district
- ☐ Township Highway Commissioner, Township Trustees, Township Supervisor, and Township Clerk if land to be annexed includes any highway under township jurisdiction

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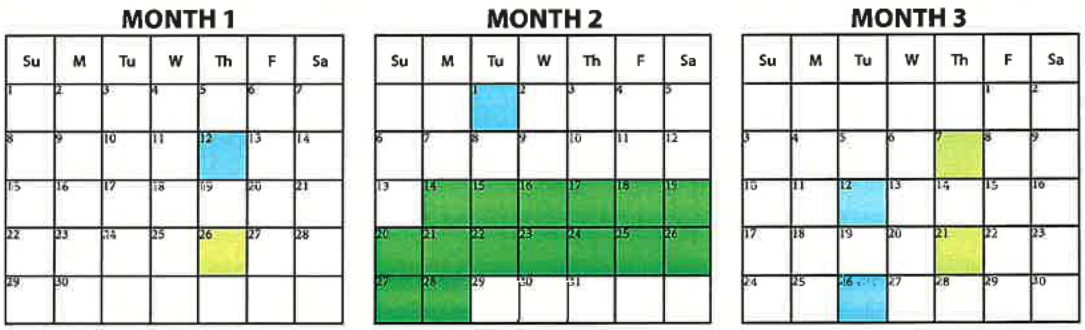
APPLICATION FOR ANNEXATION

SAMPLE MEETING SCHEDULE



Plan Council Meeting

Economic Development Committee

City Council Public Hearing

Meeting Date

Updated Materials Submitted for Meeting

Public Notice Mailing Window

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

DORMANT APPLICATIONS

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

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

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

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

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APPLICATION FOR ANNEXATION

INVOICE & WORKSHEET PETITION APPLICATION

CONCEPT PLAN REVIEW	☐ Engineering Plan Review deposit	$500.00	Total: $
AMENDMENT	☐ Annexation	$500.00	Total: $
	☐ Plan	$500.00	
	☐ Plat	$500.00	
	☐ P.U.D.	$500.00	
ANNEXATION	☒ $250.00 + $10 per acre for each acre over 5 acres		Total: $ 825.40
62.54 (# of Acres) - 5 = 57.54 (Acres over 5) x $10 = $575.40 (Amount for Extra Acres) + $250 = $ 825.40 (Total Amount)			
REZONING	☐ $200.00 + $10 per acre for each acre over 5 acres		Total: $ 200.00
If annexing and rezoning, charge only 1 per acre fee; if rezoning to a PUD, charge PUD Development Fee - not Rezoning Fee			
--- (# of Acres) - 5 = --- (Acres over 5) x $10 = --- (Amount for Extra Acres) + $200 = $ 200.00 (Total Amount)			
SPECIAL USE	☐ $250.00 + $10 per acre for each acre over 5 acres		Total: $
_____ (# of Acres) - 5 = _____ (Acres over 5) x $10 = _____ (Amount for Extra Acres) + $250 = $ _____ (Total Amount)			
ZONING VARIANCE	☐ $85.00 + $500.00 outside consultants deposit		Total: $
PRELIMINARY PLAN FEE	☐ $500.00		Total: $
PUD FEE	☐ $500.00		Total: $
FINAL PLAT FEE	☐ $500.00		Total: $
ENGINEERING PLAN REVIEW DEPOSIT	☐ Less than 1 acre	$5,000.00	Total: $ 2,500.00 (minimum required)
	☐ Over 1 acre, less than 10 acres	$10,000.00	
	☐ Over 10 acres, less than 40 acres	$15,000.00	
	☐ Over 40 acres, less than 100 acres	$20,000.00	
	☐ Over 100 acres	$25,000.00	
OUTSIDE CONSULTANTS DEPOSIT *Legal, land planner, zoning coordinator, environmental services*	For Annexation, Subdivision, Rezoning, and Special Use:		Total: $ 5,000.00
	☐ Less than 2 acres	$1,000.00	
	☐ Over 2 acres, less than 10 acres	$2,500.00	
	☒ Over 10 acres	$5,000.00	
		TOTAL AMOUNT DUE:	$ 8,525.40

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APPLICATION FOR ANNEXATION

DATE:	PZC NUMBER:	DEVELOPMENT NAME:

PETITIONER INFORMATION

NAME: David Hamman, Manager — COMPANY: Kelaka LLC

MAILING ADDRESS: 13665 Townhouse Road

CITY, STATE, ZIP: Newark, Illinois 60541 — TELEPHONE: ○ BUSINESS ○ HOME

EMAIL: daveh.hhstone@gmail.com — FAX:

PROPERTY INFORMATION

NAME OF HOLDER OF LEGAL TITLE: Kelaka LLC, an Illinois limited liability company

IS THE PROPERTY OCCUPIED OR VACANT: Vacant

IF OCCUPIED, PLEASE LIST ALL NAMES OF ELECTORS (THOSE REGISTERED TO VOTE) RESIDING ON THE PROPERTY: N/A

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

PROPERTY STREET ADDRESS: Faxon Road

DESCRIPTION OF PROPERTY'S PHYSICAL LOCATION:

62.54 acres of vacant land located south of Faxon Road, and West of Iroquois Lane

CURRENT ZONING CLASSIFICATION: A1 Kendall County

ZONING AND LAND USE OF SURROUNDING PROPERTIES

NORTH: Kendall County A1

EAST: R-2 Single-Family, Yorkville

SOUTH: R-2 Single-Family, Yorkville

WEST: Kendall County A1

KENDALL COUNTY PARCEL IDENTIFICATION NUMBER(S)

02-19-200-008			
02-19-200-011			

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 ANNEXATION

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

ATTORNEY INFORMATION

NAME: John F. Philipchuck	COMPANY: Dommermuth Cobine West Gensler Philipchuck and Corrigan, Ltd.
MAILING ADDRESS: 111 E. Jefferson Avenue, Suite 200	
CITY, STATE, ZIP: Naperville, Illinois 60540	TELEPHONE: 630-355-5800 ext 115
EMAIL: jfp@dbcw.com	FAX: 630-355-5976

ENGINEER INFORMATION

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

LAND PLANNER/SURVEYOR INFORMATION

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

ATTACHMENTS

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

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

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

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APPLICATION FOR ANNEXATION

AGREEMENT

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

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

Dave Hamman — 10-29-2024

PETITIONER SIGNATURE - David Hamman — DATE

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

Kelaka LLC, an Illinois limited liability company

Dave Hamman — 10-29-2024

OWNER SIGNATURE - David Hamman, Manager — DATE

SUBSCRIBED and SWORN to before me this 29th day of October, 2024.

John Fred Philipchuck

NOTARY PUBLIC

JOHN FRED PHILIPCHUCK
OFFICIAL SEAL
Notary Public - State of Illinois
Commission No. 987046
My Commission Expires February 13, 2028

THIS APPLICATION MUST BE NOTARIZED PLEASE NOTARIZE HERE:

United City of Yorkville
800 Game Farm Road
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: 21.12 acres of vacant land South of Faxon Road; West of Iroquois Lane

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: Kelaka LLC	COMPANY:
MAILING ADDRESS: 13665 Townhouse Road	
CITY, STATE, ZIP: Newark, Illinois 60541	TELEPHONE:
EMAIL: daveh.hhstone@gmail.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.

Kelaka LLC
PRINT NAME

Owner
TITLE

Dave Hamman
SIGNATURE* David Hamman, Manager

10-29-2024
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

CERTIFIED MAILING
AFFIDAVIT

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

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

_____
Signature of Petitioner(s)

Subscribed and sworn to before me this

_____ day of _____, 20_____

_____
Notary Public

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:	PARCEL NUMBER:
SUBDIVISION:	LOT/UNIT:
APPLICANT INFORMATION	
NAME:	TELEPHONE: ○ HOME ○ BUSINESS
ADDRESS:	E-MAIL: ○ HOME ○ BUSINESS
CITY, STATE, ZIP:	FAX:
SIGN INFORMATION	
DATE OF PICK UP:	NUMBER OF SIGNS:
DATE OF PUBLIC HEARING:	SIGN RETURN DATE:

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.

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.

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.

_____ _____

SIGNATURE/AUTHORIZED AGENT DATE

DATE RETURNED: _____

RECEIVED BY: _____ PZC# _____

EXHIBIT A
LEGAL DESCRIPTION

PART OF SECTION 19, AND ALSO A PART OF THE NORTHWEST 1/4 OF SECTION 20, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 19; THENCE SOUTH 0 DEGREES, 39 MINUTES, 04 SECONDS EAST ALONG THE EAST LINE OF SAID SECTION 19, A DISTANCE OF 147.18 FEET; THENCE SOUTH 82 DEGREES, 38 MINUTES, 28 SECONDS EAST, 1885.72 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 82 DEGREES, 38 MINUTES, 28 SECONDS WEST, 1885.72 FEET TO THE EAST LINE OF SAID SECTION 19; THENCE NORTH 81 DEGREES, 25 MINUTES, 39 SECONDS WEST, 839.38 FEET TO A LINE DRAWN NORTH 88 DEGREES, 28 MINUTES, 32 SECONDS EAST FROM THE CENTER OF SAID SECTION 19; THENCE SOUTH 88 DEGREES, 28 MINUTES, 32 SECONDS WEST, 1826.22 FEET TO THE CENTER OF SAID SECTION 19; THENCE SOUTH 0 DEGREES, 45 MINUTES, 07 SECONDS EAST ALONG THE QUARTER SECTION LINE, 257.40 FEET; THENCE NORTH 83 DEGREES, 55 MINUTES, 03 SECONDS WEST, 1944.30 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 19, WHICH IS 1930.58 FEET SOUTH 88 DEGREES, 28 MINUTES, 32 SECONDS WEST FROM THE CENTER OF SAID SECTION 19; THENCE SOUTH 88 DEGREES, 28 MINUTES, 32 SECONDS WEST ALONG SAID NORTH LINE, 204.60 FEET; THENCE NORTH 3 DEGREES, 24 MINUTES, 35 SECONDS EAST, 2079.52 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN RAILROAD, INC.; THENCE NORTHEASTERLY ALONG SAID OUTHERLY RIGHT-OF-WAY LINE ON A BEARING OF NORTH 73 DEGREES, 57 MINUTES, 26 SECONDS EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 2417.61 FEET; THENCE SOUTH 0 DEGREES, 41 MINUTES, 37 SECONDS WEST 565.44 FEET TO THE CENTERLINE OF FAXON ROAD; THENCE SOUTH 74 DEGREES, 54 MINUTES, 09 SECONDS EAST, ALONG SAID CENTER LINE 1028.97 FEET; THENCE SOUTH 76 DEGREES, 33 MINUTES, 23 SECONDS EAST, ALONG SAID CENTERLINE 630.71 FEET; THENCE SOUTH 79 DEGREES, 19 MINUTES, 23 SECONDS EAST ALONG SAID CENTERLINE 904.87 FEEET; THENCE SOUTH 80 DEGREES, 15 MINUTES, 53 SECONDS EAST ALONG SAID CENTER LINE 765.83 FEET; THENCE SOUTH 80 DEGREES, 27 MINUTES, 23 SECONDS EAST, ALONG SAID CENTER LINE 351.94 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND AS CONVEYED TO FRANCIS G. YABSLEY AND PHYLLIS A. YABSLEY, BY DOCUMENT NUMBER 865742, AS RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS, KENDALL COUNTY, ILLINOIS; THENCE ALONG THE WEST LINE OF SAID YABSLEY TRACT, SOUTH 09 DEGREES, 32 MINUTES, 37 SECONDS WEST, 460.00 FEET TO THE SOUTHWEST CORNER OF SAID YABSLEY TRACT; THENCE ALONG THE SOUTH LINE OF SAID YABSLEY TRACK, SOUTH 80 DEGREES, 27 MINUTES, 23 SECONDS EAST, 475.00 FEET TO THE SOUTHEAST CORNER OF SAID YABSLEY TRACT; THENCE ALONG THE EAST LINE OF SAID YABSLEY TRACT, NORTH 09 DEGREES, 32 MINUTES, 37 SECONDS EAST, 460.00 FEET TO THE NORTHEAST CORNER OF SAID YABSLEY TRACT, SAID POINT ALSO BEING IN THE CENTERLINE OF SAID FAXON ROAD; THENCE ALONG SAID CENTERLINE, SOUTH 80 DEGREES, 27 MINUTES, 23 SECONDS EAST, 275.00 FEET; THENCE SOUTH 04 DEGREES, 21 MINUTES, 17 SECONDS WEST, 1549.81 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF BRISTOL, KENDALL COUNTY, ILLINOIS.

EXCEPT THE PART FALLING IN THE FOLLOWING DESCRIBED LAND:

THAT PART OF SECTION 19 AND ALSO THAT PART OF SECTION 20, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 19; THENCE SOUTH 00 DEGREES 39 MINUTES 04 SECONDS EAST, ALONG THE EAST LINE OF SAID SECTION 19, A DISTANCE OF 147.18 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 82 DEGREES 38 MINUTES 28 SECONDS EAST, A DISTANCE OF 1885,72 FEET; THENCE NORTH 04 DEGREES 21 MINUTES 17 SECONDS EAST, A DISTANCE OF 1549.81 FEET TO THE CENTERLINE OF FAXON ROAD: THENCE NORTH 80 DEGREES 27 MINUTES 23

SECONDS WEST ALONG THE CENTERLINE OF FAXON ROAD, A DISTANCE OF 275.00 FEET; THENCE SOUTH 09 DEGREES 32 MINUTES 37 SECONDS WEST, A DISTANCE OF 460.00 FEET; THENCE NORTH 80 DEGREES 27 MINUTES 23 SECONDS WEST A DISTANCE OF 475.00 FEET; THENCE NORTH 09 DEGREES 32 MINUTES 37 SECONDS EAST, A DISTANCE OF 460.00 FEET TO THE CENTERLINE OF FAXON ROAD; THENCE NORTH 80 DEGREES 27 MINUTES 23 SECONDS WEST ALONG SAID ROAD CENTERLINE, A DISTANCE OF 351.94 FEET; THENCE NORTH 80 DEGREES 15 MINUTES 53 SECONDS WEST, ALONG THE CENTERLINE OF FAXON ROAD, A DISTANCE OF 765.83 FEET; THENCE NORTH 79 DEGREES 19 MINUTES 23 SECONDS WEST, ALONG SAID ROAD CENTERLINE, A DISTANCE OF 332.13 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 698.12 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 130.00 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 971.15 FEET; THENCE SOUTH 81 DEGREES 25 MINUTES 39 SECONDS EAST, A DISTANCE OF 50.79 FEET TO THE POINT OF BEGINNING, IN BRISTOL TOWNSHIP, KENDALL COUNTY,ILLINOIS.

AND EXCEPT THE PART FALLING IN THE FOLLOWING DESCRIBED LAND:

THAT PART OF THE NORTHEAST 1/4 OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
COMMENCING AT THE CENTER OF SAID SECTION 19; THENCE SOUTH 00 DEGREES 46 MINUTES 07 SECONDS EAST ALONG THE QUARTER SECTION LINE, 257.40 FEET; THENCE NORTH 83 DEGREES 55 MINUTES 03 SECONDS WEST, 120.0 FEET; THENCE NORTH 22 DEGREES 13 MINUTES 31 SECONDS EAST, 296.51 FEET; THENCE NORTH 46 DEGREES 38 MINUTES 37 SECONDS EAST 788.19 FEET; THENCE NORTH 68 DEGREES 41 MINUTES 58 SECONDS EAST, 390.87 FEET FOR A POINT OF BEGINNING; THENCE NORTH 68 DEGREES 41 MINUTES 58 SECONDS EAST, 207.58 FEET; THENCE NORTH 45 DEGREES 58 MINUTES 23 SECONDS EAST, 375.65 FEET; THENCE NORTH 48 DEGREES 02 MINUTES 41 SECONDS EAST, 242.00 FEET; THENCE NORTH 48 DEGREES 12 MINUTES 10 SECONDS EAST, 692.93 FEET TO A POINT IN THE CENTER LINE OF FAXON ROAD; THENCE NORTH 79 DEGREES 19 MINUTES 23 SECONDS WEST ALONG SAID CENTER LINE, 184.02 FEET; THENCE NORTH 76 DEGREES 33 MINUTES 23 SECONDS WEST ALONG SAID CENTER LINE, 630.71 FEET TO THE CENTER LINE OF BEECHER ROAD; THENCE NORTH 74 DEGREES 54 MINUTES 09 SECONDS WEST ALONG SAID FAXON ROAD CENTER LINE, 327.00 FEET; THENCE SOUTH 06 DEGREES 6 MINUTES 20 SECONDS WEST, 574.54 FEET; THENCE SOUTH 00 DEGREES 57 MINUTES 56 SECONDS EAST, 654.81 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PART THEREOF CONVEYED TO WAYNE AND DELORES CRUISE BY A TRUSTEE'S DEED RECORDED JUNE 4, 1990 AS DOCUMENT NO. 903549 IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

AND EXCEPT THE PART FALLING IN THE FOLLOWING DESCRIBED LAND

THAT PART OF THE NE 1/4 OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 19, THENCE SOUTH 0 DEGREES 46 MINUTES 07 SECONDS EAST ALONG THE QUARTER SECTION LINE, 257.40 FEET; THENCE NORTH 63 DEGREES 66 MINUTES 03 SECONDS WEST, 120.00 FEET; THENCE NORTH 22 DEGREES 13 MINUTES 31 SECONDS EAST, 296.61 FEET; THENCE NORTH 46 DEGREES 38 MINUTES 37 SECONDS EAST, 788.19 FEET; THENCE NORTH 68 DEGREES 41 MINUTES 68 SECONDS EAST, 698.46 FEET; THENCE NORTH 45 DEGREES 68 MINUTES 23 SECONDS EAST, 375.65 FEET; THENCE NORTH 48 DEGREES 02 MINUTES 41 SECONDS EAST, 242.00 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 46 DEGREES 12 MINUTES 10 SECONDS EAST, 692.93 FEET TO A POINT IN THE CENTERLINE OF FAXON ROAD; THENCE NORTH 79 DEGREES 19 MINUTES 23 SECONDS WEST ALONG SAID CENTERLINE, 184.02 FEET, THENCE NORTH 76 DEGREES 33 MINUTES 23 SECONDS WEST ALONG SAID CENTERLINE, 630.71 FEET; THENCE NORTH 74 DEGREES 54 MINUTES 09 SECONDS WEST ALONG SAID CENTERLINE, 350.00 FEET; THENCE SOUTH 13 DEGREES 26 MINUTES 37

SECONDS WEST, 670.60 FEET; THENCE SOUTH 76 DEGREES 33 MINUTES 23 SECONDS EAST, 759.31 FEET TO THE POINT OF BEGINNING IN THE TOWNSHIP OF BRISTOL, KENDALL COUNTY, ILLINOIS.

AND EXCEPT THE PART FALLING IN THE FOLLOWING DESCRIBED LAND

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

BEGINNING AT THE CENTER OF SAID SECTION 19; THENCE SOUTH 00 DEGREES 46 MINUTES 07 SECONDS EAST, ALONG THE QUARTER SECTION LINE, A DISTANCE OF 257.40 FEET; THENCE NORTH 83 DEGREES 55 MINUTES 03 SECONDS WEST, 1944.30 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 19, WHICH IS 1930.58 FEET SOUTH 88 DEGREES 28 MINUTES 32 SECONDS WEST FROM THE CENTER OF SAID SECTION 19; THENCE SOUTH 88 DEGREES 28 MINUTES 32 SECONDS WEST ALONG SAID NORTH LINE, 204.49 FEET; THENCE NORTH 03 DEGREES 24 MINUTES 35 SECONDS EAST, 2079.52 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN - SANTE FE RAILWAY; THENCE NORTH 73 DEGREES 57 MINUTES 26 SECONDS EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 2417.61 FEET; THENCE SOUTH 00 DEGREES 41 MINUTES 37 SECONDS WEST, 565.44 FEET TO THE CENTERLINE OF FAXON ROAD; THENCE SOUTH 74 DEGREES 54 MINUTES 09 SECONDS EAST ALONG THE CENTERLINE, 678.89 FEET TO A POINT THAT IS 350.00 FEET NORTH 74 DEGREES 54 MINUTES 09 SECONDS WEST OF THE CENTERLINE OF BEECHER ROAD; THENCE SOUTH 13 DEGREES 26 MINUTES 37 SECONDS WEST, 570.50 FEET; THENCE SOUTH 76 DEGREES 33 MINUTES 23 SECONDS EAST, 96.63 FEET; THENCE SOUTH 00 DEGREES 57 MINUTES 56 SECONDS EAST, 654.81 FEET; THENCE SOUTH 68 DEGREES 41 MINUTES 58 SECONDS WEST, 390.87 FEET; THENCE SOUTH 46 DEGREES 38 MINUTES 37 SECONDS WEST, 784.04 FEET TO THE QUARTER SECTION LINE; THENCE SOUTH 00 DEGREES 46 MINUTES 07 SECONDS EAST, ALONG SAID QUARTER SECTION LINE, 32.36 FEET TO THE POINT OF BEGINNING.

EXHIBIT B

02-19-200-001 ROBERT M ILDEFONSA LIV TRUST LOFTUS 11159 FAXON RD YORKVILLE IL 60560	**02-19-200-002** YORKVILLE MEADOWS LLC C/O SHERRIE CHIOU 80 REMINGTON RD. SCHAUMBURG IL 60173	**02-20-100-011** YORKVILLE MEADOWS LLC C/O SHERRIE CHIOU 80 REMINGTON RD. SCHAUMBURG IL 60173
02-19-200-005 LA FORTALEZA LLC 1481 PLAINFIELD RD OSWEGO IL 60543	**02-19-200-011** KELAKA LLC 181 S LINCOLNWAY NORTH AURORA IL 60542	**02-19-400-009** DANIELS MALINSKI YORKVILLE FAMILY LLLP 405 E SHERIDAN RD LAKE BLUFF IL 60044
02-19-200-010 KYLYNS RIDGE HOMEOWNERS ASSN MAXIMUM PROPERTY MGMT PO BOX 1094 YORKVILLE IL 60560	**02-20-125-023** KYLYNS RIDGE HOMEOWNERS ASSN MAXIMUM PROPERTY MGMT PO BOX 1094 YORKVILLE IL 60560	**02-20-125-002** UNITED CITY OF YORKVILLE 651 PRAIRIE POINTE DR YORKVILLE IL 60560
02-20-125-008 LOUIS A ARCH 2389 IROQUOIS LN YORKVILLE IL 60560	**02-20-125-009** SEAN A CARA L BAKEL 2387 IROQUOIS LN YORKVILLE IL 60560	**02-20-125-010** RAYMOND E MICHELLE E SHIELDS 2385 IROQUOIS LN YORKVILLE IL 60560
02-20-125-011 KYLE NICOLE OSTERLOH 2383 IROQUOIS LN YORKVILLE IL 60560	**02-20-125-012** ALFREDA SOLISZKO 2381 IROQUOIS LN YORKVILLE IL 60560	**02-20-125-013** OSCAR JR URBINA 2361 IROQUOIS LN YORKVILLE IL 60560
02-20-125-014 DONALD T AMY L VANDERMYDE 2341 IROQUOIS LN YORKVILLE IL 60560	**02-20-125-015** THOMAS CHRISTY FALLON 2321 IROQUOIS LN YORKVILLE IL 60560	**2-20-125-016** JAMES P CAROL J KICHER 2301 IROQUOIS LN YORKVILLE IL 60560
02-20-125-017 TIMOTHY ANDREW MARIA JANE KESSLER 2281 IROQUOIS LN YORKVILLE IL 60560	**02-20-125-018** CHAD M AMBER R GREEN 2261 IROQUOIS LN YORKVILLE IL 60560	**02-20-125-019** ROBERT ELIZABETH DELGADO 2241 IROQUOIS LN YORKVILLE IL 60560
02-20-125-020 LUZ M DELACRUZ JUAN M SILVA 2221 IROQUOIS LN YORKVILLE IL 60560	**02-20-125-021** JEFFREY C GROS REV LIV TR 2201 IROQUOIS LN YORKVILLE IL 60560	**02-20-125-022** KYLYNS RIDGE HOMEOWNERS ASSN MAXIMUM PROPERTY MGMT PO BOX 1094 YORKVILLE IL 60560
02-20-126-015 ROBERTO VANESSA A GARCIA 2202 IROQUOIS LN YORKVILLE IL 60560	**02-20-126-014** JEAN INGEMUNSON DEC LIV TR 2222 IROQUOIS LN YORKVILLE IL 60560	**2-20-126-013** GARY E KRYSTAL L ANDERSON 2242 IROQUOIS LN YORKVILLE IL 60560
02-20-126-012 JERRY F CAROLE J NIEWOLD TR 2262 IROQUOIS LN YORKVILLE IL 60560	**02-20-126-011** SIRINTHONE SAMANTHA CHRISTOPHER MICHAEL DIPPING 2282 IROQUOIS LN YORKVILLE IL 60560	**02-20-126-010** ERIC D VIGH 2302 IROQUOIS LN YORKVILLE IL 60560
02-20-126-009 MICAHEL G ANTONETTE M PETERSEN 2322 IROQUOIS LN YORKVILLE IL 60560	**02-20-126-008** RYAN P MALLORY A SUPPLE 2342 IROQUOIS LN YORKVILLE IL 60560	**02-20-126-007** KAREN DEANGELIS REV TRUST 2384 IROQUOIS LN YORKVILLE IL 60560

EXHIBIT B

02-20-126-006 ARLENE M PEDERSEN TR 2386 IROQUOIS LN YORKVILLE IL 60560	**02-20-126-005** JOHN ANITA FAY 2388 IROQUOIS LN YORKVILLE IL 60560	**02-20-126-004** BLAKE CLOUGH MELINDA M HAFENRICHTER 2392 IROQUOIS LN YORKVILLE IL 60560
02-20-126-030 BRIAN JENNIFER BRASFIELD 981 CANYON TRL CT YORKVILLE IL 60560	**02-20-126-029** ROBERT ROSEMARY FISCHER 991 CANYON TRAIL CT YORKVILLE IL 60560	**02-20-126-028** NATHAN B SARAH S BAXA 1001 CANYON TRL CT YORKVILLE IL 60560
02-20-126-027 LORI A QUILES 1002 CANYON TRAIL CT YORKVILLE IL 60560	**02-20-126-026** DAVID V GINA M DAMATO 992 CANYON TRAIL CT YORKVILLE IL 60560	**02-20-126-025** STEV M MICHELLE HALBESMA 982 CANYON TRAIL CT YORKVILLE IL 60560
02-20-126-018 CHRISTOPHER JEANNE ARBET 1021 WHITE PLAINS LN YORKVILLE IL 60560	**02-20-126-017** KATHLEEN A WORLEY 1031 WHITE PLAINS LN YORKVILLE IL 60560	**02-20-126-016** SCOTT DOUGLAS SMITH 1041 WHITE PLAINS LN YORKVILLE IL 60560
02-20-128-005 KYLYNS RIDGE HOMEOWNERS ASSN MAXIMUM PROPERTY MGMT PO BOX 1094 YORKVILLE IL 60560	**02-20-128-001** MATTHEW HUBER 2181 IROQUOIS LN YORKVILLE IL 60560	**02-20-128-002** STEVEN CAROL F ROGERS 2161 IROQUOIS LN YORKVILLE IL 60560
02-20-128-003 PAUL P MARIE E REULAND 2141 IROQUOIS LN YORKVILLE IL 60560	**02-20-128-004** ETHAN ERIN TRZEBIATOWSKI 2121 IROQUOIS LN YORKVILLE IL 60560	**02-20-325-001** TODD W IDERAN LINDA A SKOGEN 2101 IROQUOIS LN YORKVILLE IL 60560
02-20-325-002 MICHAEL SARAH TESCH 1184 WESTERN LN YORKVILLE IL 60560	**02-20-325-003** NICOLE MATTHEW DABROS 1164 WESTERN LN YORKVILLE IL 60560	**02-20-325-004** JEFFREY NANCY HEWLETT 1144 WESTERN LN YORKVILLE IL 60560-4585
02-20-325-005 MUSTAFA MOHAMMED 1124 WESTERN LN YORKVILLE IL 60560	**02-20-325-006** JEREMY J RACHEL M ALLWAY 1104 WESTERN LN YORKVILLE IL 60560	**02-20-325-007** BRADLEY R BEACH 1084 WESTERN LN YORKVILLE IL 60560
02-20-127-008 IAROSLAV DERKACH 1163 WESTERN LN YORKVILLE IL 60560	**02-20-127-009** MUNOZ KAROLL Z PAYNE TYRELL M 1143 WESTERN LN YORKVILLE IL 60560	**02-20-127-010** ERIK R KRISTIN E ANDERSON 1123 WESTERN LN YORKVILLE IL 60560
2-20-127-011 ESCAMILLA ELIDIA CASTILLO ALFREDO 1103 WESTERN LN YORKVILLE IL 60560	**02-20-127-012** STEVEN R SR DEBRA J SEPE 1083 WESTERN LN YORKVILLE IL 60560	**02-20-127-003** DOUGLAS J MYNATT 1002 WHITE PLAINS LN YORKVILLE IL 60560
02-20-127-004 MATTHEW BERARD 1022 WHITE PLAINS LN YORKVILLE IL 60560	**02-20-127-005** MATTHEW C NICOLE KAHLE 1032 WHITE PLAINS LN YORKVILLE IL 60560	**02-20-127-006** GREGORY J JAMIE L PATRICIA A CHIPMAN 1042 WHITE PLAINS LN YORKVILLE IL 60560
2-20-127-007 MICHAEL J ZABRAMSKI 1052 WHITE PLAINS LN YORKVILLE IL 60560	**02-19-480-001** DONALD S MARY A MAHER BARTALONE 1171 BLACKBERRY SHORE LN YORKVILLE IL 60560	**02-19-480-002** JENNIFER L JONATHON D KLOTZ 1161 BLACKBERRY SHORE LN YORKVILLE IL 60560

EXHIBIT B

02-19-480-003 JONATHAN M KAREN D STALLER 1151 BLACKBERRY SHORE LN YORKVILLE IL 60560	**02-19-480-004** NANCY L MONDEK TRUST 1141 BLACKBERRY SHORE LN YORKVILLE IL 60560	**02-19-480-005** BRIAN ANTHONY BAILEY ROSE CARRABOTTA 1131 BLACKBERRY SHORE LN YORKVILLE IL 60560
02-19-480-006 KENNETH E MARY F CRISER 1121 BLACKBERRY SHORE LN YORKVILLE IL 60560	**2-19-480-007** ALAN PATRICIA STEPKA 1111 BLACKBERRY SHORE LN YORKVILLE IL 60560	**02-19-480-008** DONALD J JR SNYDER 1101 BLACKBERRY SHORE LN YORKVILLE IL 60560
02-19-480-009 CRUZ CONTRERAS MARIA GABRIELA DUARTE CARLOS JULIAN 1091 BLACKBERRY SHORE LN YORKVILLE IL 60560	**02-20-352-001** MCCUE DEVELOPMENT INC P O BOX 154 BRISTOL IL 60512	**02-20-352-002** RICARDO JR LOPEZ 1081 BLACKBERRY SHORE LN YORKVILLE IL 60560
02-20-352-003 MCCUE DEVELOPMENT INC P O BOX 154 BRISTOL IL 60512	**02-20-352-004** MCCUE DEVELOPMENT INC P O BOX 154 BRISTOL IL 60512	**02-20-352-005** MCCUE DEVELOPMENT INC P O BOX 154 BRISTOL IL 60512
02-20-352-006 ELLIS III KEISHA L BAILEY 1041 BLACKBERRY SHORE LN YORKVILLE IL 60560	**02-20-352-007** AGUIRRE GAMALIEL GALLEGOS OLGA L 1031 BLACKBERRY SHORE LN YORKVILLE IL 60560	**02-20-352-008** MCCUE DEVELOPMENT INC P O BOX 154 BRISTOL IL 60512
02-20-352-009 BRADLEY A ANGELA D REEVERTS 1011 BLACKBERRY SHORE LN YORKVILLE IL 60560	**02-20-353-073** ABBY PROPERTIES LLC 1951 RENA LN YORKVILLE IL 60560	**02-19-481-003** ABBY PROPERTIES LLC 1951 RENA LN YORKVILLE IL 60560
02-19-481-004 ABBY PROPERTIES LLC 1951 RENA LN YORKVILLE IL 60560	**02-19-481-005 thru 028** ABBY PROPERTIES LLC 1951 RENA LN YORKVILLE IL 60560	**02-20-353-073** ABBY PROPERTIES LLC 1951 RENA LN YORKVILLE IL 60560
2-20-353-074 ELIZABETH M BINGE 1060 GILLESPIE LN YORKVILLE IL 60560	**02-20-353-075 thru 078** ABBY PROPERTIES LLC 1951 RENA LN YORKVILLE IL 60560	**2-20-353-079** KYLE R HOGAN 1050 GILLESPIE LN YORKVILLE IL 60560
02-20-353-080 DIANE L EWING 1061 GILLESPIE LN YORKVILLE IL 60560	**02-20-353-081 thru 084** ABBY PROPERTIES LLC 1951 RENA LN YORKVILLE IL 60560	**02-20-353-085** JUAN O MORENO 1051 GILLESPIE LN YORKVILLE IL 60560
02-20-353-086 LORELEI K JACK A RENALDI 1609 VANTAGE DR SHOREWOOD IL 60404	**02-20-353-087** ABBY PROPERTIES LLC 1951 RENA LN YORKVILLE IL 60560	**02-20-353-088** CHARLOTTE MANFORD 1036 GILLESPIE LN YORKVILLE IL 60560
02-20-353-089, 090 ABBY PROPERTIES LLC 1951 RENA LN YORKVILLE IL 60560	**02-20-353-091** RICHARD D III MINNICK 1030 GILLESPIE LN YORKVILLE IL 60560	**02-20-353-092** ABEL JR SARA N MARIN 1041 GILLESPIE LN YORKVILLE IL 60560
02-20-353-093 thru 095 ABBY PROPERTIES LLC 1951 RENA LN YORKVILLE IL 60560	**02-20-353-096** RAY TREVINO 1033 GILLESPIE LN YORKVILLE IL 60560	**02-20-353-097** ALICIA LOVE 1031 GILLESPIE LN YORKVILLE IL 60560

EXHIBIT B

02-20-353-098 thru 101 ABBY PROPERTIES LLC 1951 RENA LN YORKVILLE IL 60560	**02-20-353-102** NICOLE NATHAN JOLLEY 1019 GILLESPIE LN YORKVILLE IL 60560	**02-20-353-103** TRENTON DANIEL JAI LY MARIE BROWNING 1021 GILLESPIE LN YORKVILLE IL 60560
02-20-353-104 NICOLE ROCHA 1020 GILLESPIE LN YORKVILLE IL 60560	**02-20-353-105** HILL COREY T GAVIN TONI A 1018 GILLESPIE LN YORKVILLE IL 60560	**02-20-353-106 thru 108** ABBY PROPERTIES LLC 1951 RENA LN YORKVILLE IL 60560
02-20-353-109 EDDIE MARILYN JACKSON 1010 GILLESPIE LN YORKVILLE IL 60560	**02-19-481-017 thru 027** ABBY PROPERTIES LLC 1951 RENA LN YORKVILLE IL 60560	**02-19-481-028** KATHRYN L PANTHER 1151 GILLESPIE LN YORKVILLE IL 60560
02-20-353-110 thru 115 ABBY PROPERTIES LLC 1951 RENA LN YORKVILLE IL 60560	**02-20-353-116** HAMES OLIVIA KLIMAVICIUS MICHAEL 1110 GILLESPIE LN YORKVILLE IL 60560	**02-20-353-117** MIGGINS DESIREE RAMSEY MIGGINS YOHANTZ 1108 GILLESPIE LN YORKVILLE IL 60560
02-20-353-118, 119 ABBY PROPERTIES LLC 1951 RENA LN YORKVILLE IL 60560	**02-20-353-120** REBECCA A JAKUBOWSKI 1102 GILLESPIE LN YORKVILLE IL 60560	**02-20-353-121** ANTHONY I MOLLY K ROSADO 1100 GILLESPIE LN YORKVILLE IL 60560
02-19-200-007 LA FORTALEZA LLC 1481 PLAINFIELD RD OSWEGO IL 60543	**02-19-200-005** LA FORTALEZA LLC 1481 PLAINFIELD RD OSWEGO IL 60543	**02-19-200-006** DONALD J CAROL S HAMMAN 13351 B FAXON RD PLANO IL 60545
02-19-100-013 JOSEPH HAMMAN DAVID HAMMAN HAMMAN JAMES 6275 STATE ROUTE 71 OSWEGO IL 60543		

United City of Yorkville 651
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APPLICATION FOR REZONING

INTENT AND PURPOSE

Rezoning is a type of map amendment which allows for the reclassification of a property's zoning district. A request for rezoning must not be arbitrary. There are several land use factors which are considered during the review process for a rezoning request including the suitability of surrounding land uses and zoning districts, local development trends, potential traffic impacts, and the overall public health and safety of the community.

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

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

APPLICATION PROCEDURE

STEP 1 — APPLICATION SUBMITTAL

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

The following must be submitted:

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

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

The petitioner is responsible for payment of recording fees and public hearing costs, including written transcripts of the public hearing and outside consultant costs (i.e. legal review, land planner, zoning coordinator, environmental, etc.). The petitioner will be required to establish a deposit account with the City to cover these fees.

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

STEP 2 — PLAN COUNCIL

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

The petitioner must present the proposed request to the Plan Council. The members of the Council include the Community Development Director, City Engineer, the Building Department Official, the Public Works Director, the Director of Parks and Recreation, a Fire Department Representative, and a Police Department Representative. This meeting is held to provide the petitioner with guidance from all City staff departments to ensure the petitioner is aware of all requirements and regulations for their development. Upon recommendation by the Plan Council, the petitioner will move forward to the Economic Development Committee.

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APPLICATION FOR REZONING

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. No rezoning request shall be recommended by the Planning and Zoning Commission unless it follows the standards set forth in City's Zoning Ordinance.

The petitioner is responsible for sending certified public hearing notices to adjacent property owners within five hundred (500) feet of the subject property no less than fifteen (15) days and no more than thirty (30) days prior to the public hearing date. The public hearing notice will be drafted by the City as well as published in a local newspaper. Additionally, a public hearing notice sign must be placed on the property no less than fifteen (15) days prior to the public hearing.

A certified affidavit must be filed by the petitioner with the Community Development Department containing the names, addresses and permanent parcel numbers of all parties that were notified. The Certified Mailing Affidavit form is attached to this document.

STEP 5
CITY COUNCIL

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

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

SUMMARY OF RESPONSIBILITIES

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

PETITIONER

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

CITY STAFF

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

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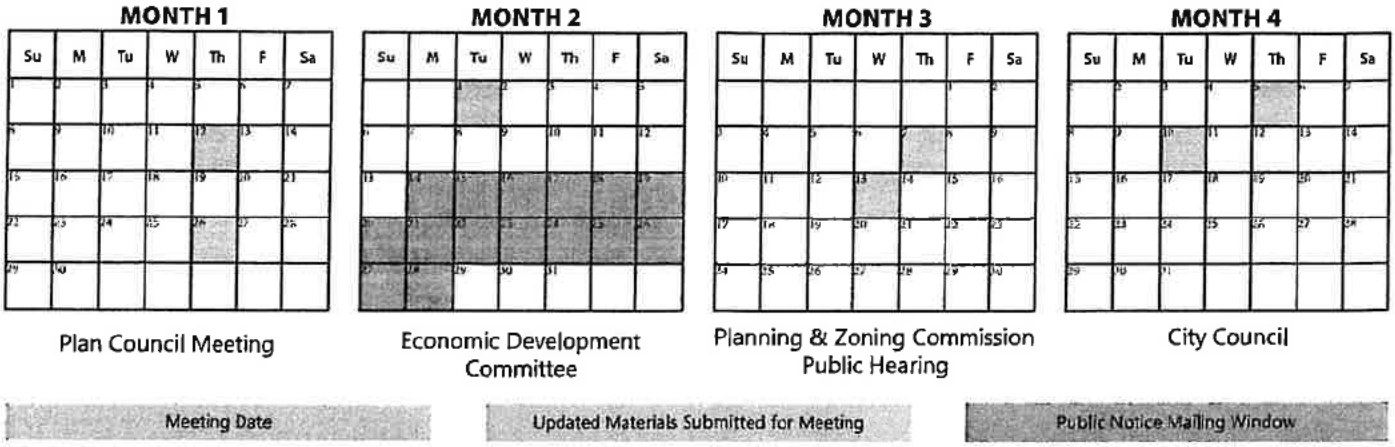
APPLICATION FOR REZONING

SAMPLE MEETING SCHEDULE



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

DORMANT APPLICATIONS

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

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

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

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

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APPLICATION FOR REZONING

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

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APPLICATION FOR REZONING

DATE:	PZC NUMBER:	DEVELOPMENT NAME:

PETITIONER INFORMATION

NAME: David Hamman	COMPANY: Kekala LLC
MAILING ADDRESS: 13665 Townhouse Road	
CITY, STATE, ZIP: Newark, Illinois 60541	TELEPHONE: ○ BUSINESS ○ HOME
EMAIL: daveh.hhstone@gmail.com	FAX:

PROPERTY INFORMATION

NAME OF HOLDER OF LEGAL TITLE: Kelaka LLC, an Illinois limited liability company

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

PROPERTY STREET ADDRESS: Faxon Road

DESCRIPTION OF PROPERTY'S PHYSICAL LOCATION:

62.54 acres of vacant land located south of Faxon Road, and West of Iroquois Lane

CURRENT ZONING CLASSIFICATION: A1 Kendall County	REQUESTED ZONING CLASSIFICATION:
COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION:	TOTAL ACREAGE: 62.54

ZONING AND LAND USE OF SURROUNDING PROPERTIES

NORTH: Kendall County A1

EAST: R-2 Single-Family, Yorkville

SOUTH: R-2 Single-Family, Yorkville

WEST: Kendall County A1

KENDALL COUNTY PARCEL IDENTIFICATION NUMBER(S)

02-19-200-008			
02-19-200-011			

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APPLICATION FOR REZONING

ATTORNEY INFORMATION	
NAME: John F. Philipchuck	COMPANY: Dommermuth Cobine West Gensler Philipchuck and
MAILING ADDRESS: 111 E. Jefferson Avenue, Suite 200	
CITY, STATE, ZIP: Naperville, Illinois 60540	TELEPHONE: 630-355-5800 ext 115
EMAIL: jfp@dbcw.com	FAX: 630-355-5976
ENGINEER INFORMATION	
NAME:	COMPANY:
MAILING ADDRESS:	
CITY, STATE, ZIP:	TELEPHONE:
EMAIL:	FAX:
LAND PLANNER/SURVEYOR INFORMATION	
NAME:	COMPANY:
MAILING ADDRESS:	
CITY, STATE, ZIP:	TELEPHONE:
EMAIL:	FAX:

ATTACHMENTS

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

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

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APPLICATION FOR REZONING

REZONING STANDARDS

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

Existing Zoning is A-1 Agriculture in Kendall County. Land to the North is vacant R-2 Single Family Traditional Residence. Property to the East and South is also R-2 and contains single-family homes. Land to the West is farmland and contains a small farmette and is zoned A-1 in the County.

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:

The Property in question has been historically used for farming. Residential uses have taken place to the East and South, however the trend of development in the area has been for manufacturing type uses such as the Menards facility in Plano and a solid waste Transfer Station, indoor commercial growing greenhouse, and a ComEd Substation.

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

Annexation to the City is being requested with M-2, General Manufacturing Zoning District which by combining with other vacant land to the West, can attract additional Data Center developments. Property values are greatly diminished with the current Agricultural Zoning classification.

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

Annexation to the City with M-2 Zoning will increase the property value to the Petitioner while maintaining the existing zoning or a residential zoning upon annexation, will result in a continued dimunition in property value with no resulting benefit to the Public. Proper development of the Property will protect adjacent residential uses and will promote and enhance the public health, safety, morals and general welfare of the Public.

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APPLICATION FOR REZONING

REZONING STANDARDS

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

This property has been used for agricultural purposes since the settlement of this part of Illinois. It is in the line of development from the Eldamain Road manufacturing corridor going East. Utilities are or have been extended to this area for the purpose of encouraging non-residential development.

PLEASE STATE THE COMMUNITY NEED FOR THE PROPOSED LAND USE:

More jobs and land uses that generate higher property taxes benefits the City of Yorkville and surrounding areas and the taxing bodies that serve residents of the Community.

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

Yorkville continues to encourage economic development within its borders and has accommodated requests such as this when appropriate, such as in the current situation where this property, when developed in conjunction with other adjacent property, can attract top tier high tech users.

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

Current planning is to combine this property with other parcels to the West in order to create an assemblage that will attract desirable top tier high tech users. Traffic in the area can be adequately handled by Eldamain Road and Route 34.

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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:

Current development trends in the area and the Country for that matter, suggest this is the time to create zoning assemblages that can attract job creating businesses that benefit the hosting community and surrounding areas. Now is not the time to maintain small agricultural parcels.

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

Due to recent development proposals and land sales in the area of the Subject Property, it is not economically feasible, nor desirable to maintain small acreages such as this, as farm ground. This property is next in line to be considered for higher and better land usage, especially when it can be combined with other adjacent property to the West.

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.

Dave Hamman — 10-29-2024

PETITIONER SIGNATURE David Hamman — DATE

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

Kelaka LLC, an Illinois limited liability company

Dave Hamman — 10-29-2024

OWNER SIGNATURE - David Hamman, Manager — DATE

SUBSCRIBED and SWORN to before me this 29th day of October, 2024.

John Fred Philipchuck

NOTARY PUBLIC

THIS APPLICATION MUST BE NOTARIZED PLEASE NOTARIZE HERE:

JOHN FRED PHILIPCHUCK
OFFICIAL SEAL
Notary Public - State of Illinois
Commission No. 987046
My Commission Expires February 13, 2028

United City of Yorkville
800 Game Farm Road
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:

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:	COMPANY:
MAILING ADDRESS:	
CITY, STATE, ZIP:	TELEPHONE:
EMAIL:	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 _____ 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:		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		

CERTIFIED MAILING
AFFIDAVIT

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

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

_____
Signature of Petitioner(s)

Subscribed and sworn to before me this

_____ day of _____, 20_____

_____
Notary Public

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 PUBLIC HEARING SIGN

PERMIT NUMBER:	DATE/TIME RECEIVED:
SITE ADDRESS:	PARCEL NUMBER:
SUBDIVISION:	LOT/UNIT:

APPLICANT INFORMATION	
NAME:	TELEPHONE: O HOME O BUSINESS
ADDRESS:	E-MAIL: O HOME O BUSINESS
CITY, STATE, ZIP:	FAX:

SIGN INFORMATION	
DATE OF PICK UP:	NUMBER OF SIGNS:
DATE OF PUBLIC HEARING:	SIGN RETURN DATE:

The undersigned hereby states that they have acquired Public Hearing Signs from the United City of Yorkville's Community Development Department and agrees to return said sign/s to Yorkville City Hall, 800 Game Farm Road, Yorkville, Illinois, immediately following the date of the public hearing.

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.

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.

_____ _____

SIGNATURE/AUTHORIZED AGENT DATE

DATE RETURNED: _____

RECEIVED BY: _____ PZC# _____

EXHIBIT A
LEGAL DESCRIPTION

PART OF SECTION 19, AND ALSO A PART OF THE NORTHWEST 1/4 OF SECTION 20, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 19; THENCE SOUTH 0 DEGREES, 39 MINUTES, 04 SECONDS EAST ALONG THE EAST LINE OF SAID SECTION 19, A DISTANCE OF 147.18 FEET; THENCE SOUTH 82 DEGREES, 38 MINUTES, 28 SECONDS EAST, 1885.72 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 82 DEGREES, 38 MINUTES, 28 SECONDS WEST, 1885.72 FEET TO THE EAST LINE OF SAID SECTION 19; THENCE NORTH 81 DEGREES, 25 MINUTES, 39 SECONDS WEST, 839.38 FEET TO A LINE DRAWN NORTH 88 DEGREES, 28 MINUTES, 32 SECONDS EAST FROM THE CENTER OF SAID SECTION 19; THENCE SOUTH 88 DEGREES, 28 MINUTES, 32 SECONDS WEST, 1826.22 FEET TO THE CENTER OF SAID SECTION 19; THENCE SOUTH 0 DEGREES, 45 MINUTES, 07 SECONDS EAST ALONG THE QUARTER SECTION LINE, 257.40 FEET; THENCE NORTH 83 DEGREES, 55 MINUTES, 03 SECONDS WEST, 1944.30 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 19, WHICH IS 1930.58 FEET SOUTH 88 DEGREES, 28 MINUTES, 32 SECONDS WEST FROM THE CENTER OF SAID SECTION 19; THENCE SOUTH 88 DEGREES, 28 MINUTES, 32 SECONDS WEST ALONG SAID NORTH LINE, 204.60 FEET; THENCE NORTH 3 DEGREES, 24 MINUTES, 35 SECONDS EAST, 2079.52 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN RAILROAD, INC.; THENCE NORTHEASTERLY ALONG SAID OUTHERLY RIGHT-OF-WAY LINE ON A BEARING OF NORTH 73 DEGREES, 57 MINUTES, 26 SECONDS EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 2417.61 FEET; THENCE SOUTH 0 DEGREES, 41 MINUTES, 37 SECONDS WEST 565.44 FEET TO THE CENTERLINE OF FAXON ROAD; THENCE SOUTH 74 DEGREES, 54 MINUTES, 09 SECONDS EAST, ALONG SAID CENTER LINE 1028.97 FEET; THENCE SOUTH 76 DEGREES, 33 MINUTES, 23 SECONDS EAST, ALONG SAID CENTERLINE 630.71 FEET; THENCE SOUTH 79 DEGREES, 19 MINUTES, 23 SECONDS EAST ALONG SAID CENTERLINE 904.87 FEEET; THENCE SOUTH 80 DEGREES, 15 MINUTES, 53 SECONDS EAST ALONG SAID CENTER LINE 765.83 FEET; THENCE SOUTH 80 DEGREES, 27 MINUTES, 23 SECONDS EAST, ALONG SAID CENTER LINE 351.94 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND AS CONVEYED TO FRANCIS G. YABSLEY AND PHYLLIS A. YABSLEY, BY DOCUMENT NUMBER 865742, AS RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS, KENDALL COUNTY, ILLINOIS; THENCE ALONG THE WEST LINE OF SAID YABSLEY TRACT, SOUTH 09 DEGREES, 32 MINUTES, 37 SECONDS WEST, 460.00 FEET TO THE SOUTHWEST CORNER OF SAID YABSLEY TRACT; THENCE ALONG THE SOUTH LINE OF SAID YABSLEY TRACK, SOUTH 80 DEGREES, 27 MINUTES, 23 SECONDS EAST, 475.00 FEET TO THE SOUTHEAST CORNER OF SAID YABSLEY TRACT; THENCE ALONG THE EAST LINE OF SAID YABSLEY TRACT, NORTH 09 DEGREES, 32 MINUTES, 37 SECONDS EAST, 460.00 FEET TO THE NORTHEAST CORNER OF SAID YABSLEY TRACT, SAID POINT ALSO BEING IN THE CENTERLINE OF SAID FAXON ROAD; THENCE ALONG SAID CENTERLINE, SOUTH 80 DEGREES, 27 MINUTES, 23 SECONDS EAST, 275.00 FEET; THENCE SOUTH 04 DEGREES, 21 MINUTES, 17 SECONDS WEST, 1549.81 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF BRISTOL, KENDALL COUNTY, ILLINOIS.

EXCEPT THE PART FALLING IN THE FOLLOWING DESCRIBED LAND:

THAT PART OF SECTION 19 AND ALSO THAT PART OF SECTION 20, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 19; THENCE SOUTH 00 DEGREES 39 MINUTES 04 SECONDS EAST, ALONG THE EAST LINE OF SAID SECTION 19, A DISTANCE OF 147.18 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 82 DEGREES 38 MINUTES 28 SECONDS EAST, A DISTANCE OF 1885,72 FEET; THENCE NORTH 04 DEGREES 21 MINUTES 17 SECONDS EAST, A DISTANCE OF 1549.81 FEET TO THE CENTERLINE OF FAXON ROAD: THENCE NORTH 80 DEGREES 27 MINUTES 23

SECONDS WEST ALONG THE CENTERLINE OF FAXON ROAD, A DISTANCE OF 275.00 FEET; THENCE SOUTH 09 DEGREES 32 MINUTES 37 SECONDS WEST, A DISTANCE OF 460.00 FEET; THENCE NORTH 80 DEGREES 27 MINUTES 23 SECONDS WEST A DISTANCE OF 475.00 FEET; THENCE NORTH 09 DEGREES 32 MINUTES 37 SECONDS EAST, A DISTANCE OF 460.00 FEET TO THE CENTERLINE OF FAXON ROAD; THENCE NORTH 80 DEGREES 27 MINUTES 23 SECONDS WEST ALONG SAID ROAD CENTERLINE, A DISTANCE OF 351.94 FEET; THENCE NORTH 80 DEGREES 15 MINUTES 53 SECONDS WEST, ALONG THE CENTERLINE OF FAXON ROAD, A DISTANCE OF 765.83 FEET; THENCE NORTH 79 DEGREES 19 MINUTES 23 SECONDS WEST, ALONG SAID ROAD CENTERLINE, A DISTANCE OF 332.13 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 698.12 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 130.00 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 971.15 FEET; THENCE SOUTH 81 DEGREES 25 MINUTES 39 SECONDS EAST, A DISTANCE OF 50.79 FEET TO THE POINT OF BEGINNING, IN BRISTOL TOWNSHIP, KENDALL COUNTY,ILLINOIS.

AND EXCEPT THE PART FALLING IN THE FOLLOWING DESCRIBED LAND:

THAT PART OF THE NORTHEAST 1/4 OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
COMMENCING AT THE CENTER OF SAID SECTION 19; THENCE SOUTH 00 DEGREES 46 MINUTES 07 SECONDS EAST ALONG THE QUARTER SECTION LINE, 257.40 FEET; THENCE NORTH 83 DEGREES 55 MINUTES 03 SECONDS WEST, 120.0 FEET; THENCE NORTH 22 DEGREES 13 MINUTES 31 SECONDS EAST, 296.51 FEET; THENCE NORTH 46 DEGREES 38 MINUTES 37 SECONDS EAST 788.19 FEET; THENCE NORTH 68 DEGREES 41 MINUTES 58 SECONDS EAST, 390.87 FEET FOR A POINT OF BEGINNING; THENCE NORTH 68 DEGREES 41 MINUTES 58 SECONDS EAST, 207.58 FEET; THENCE NORTH 45 DEGREES 58 MINUTES 23 SECONDS EAST, 375.65 FEET; THENCE NORTH 48 DEGREES 02 MINUTES 41 SECONDS EAST, 242.00 FEET; THENCE NORTH 48 DEGREES 12 MINUTES 10 SECONDS EAST, 692.93 FEET TO A POINT IN THE CENTER LINE OF FAXON ROAD; THENCE NORTH 79 DEGREES 19 MINUTES 23 SECONDS WEST ALONG SAID CENTER LINE, 184.02 FEET; THENCE NORTH 76 DEGREES 33 MINUTES 23 SECONDS WEST ALONG SAID CENTER LINE, 630.71 FEET TO THE CENTER LINE OF BEECHER ROAD; THENCE NORTH 74 DEGREES 54 MINUTES 09 SECONDS WEST ALONG SAID FAXON ROAD CENTER LINE, 327.00 FEET; THENCE SOUTH 06 DEGREES 6 MINUTES 20 SECONDS WEST, 574.54 FEET; THENCE SOUTH 00 DEGREES 57 MINUTES 56 SECONDS EAST, 654.81 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PART THEREOF CONVEYED TO WAYNE AND DELORES CRUISE BY A TRUSTEE'S DEED RECORDED JUNE 4, 1990 AS DOCUMENT NO. 903549 IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

AND EXCEPT THE PART FALLING IN THE FOLLOWING DESCRIBED LAND

THAT PART OF THE NE 1/4 OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 19, THENCE SOUTH 0 DEGREES 46 MINUTES 07 SECONDS EAST ALONG THE QUARTER SECTION LINE, 257.40 FEET; THENCE NORTH 63 DEGREES 66 MINUTES 03 SECONDS WEST, 120.00 FEET; THENCE NORTH 22 DEGREES 13 MINUTES 31 SECONDS EAST, 296.61 FEET; THENCE NORTH 46 DEGREES 38 MINUTES 37 SECONDS EAST, 788.19 FEET; THENCE NORTH 68 DEGREES 41 MINUTES 68 SECONDS EAST, 698.46 FEET; THENCE NORTH 45 DEGREES 68 MINUTES 23 SECONDS EAST, 375.65 FEET; THENCE NORTH 48 DEGREES 02 MINUTES 41 SECONDS EAST, 242.00 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 46 DEGREES 12 MINUTES 10 SECONDS EAST, 692.93 FEET TO A POINT IN THE CENTERLINE OF FAXON ROAD; THENCE NORTH 79 DEGREES 19 MINUTES 23 SECONDS WEST ALONG SAID CENTERLINE, 184.02 FEET, THENCE NORTH 76 DEGREES 33 MINUTES 23 SECONDS WEST ALONG SAID CENTERLINE, 630.71 FEET; THENCE NORTH 74 DEGREES 54 MINUTES 09 SECONDS WEST ALONG SAID CENTERLINE, 350.00 FEET; THENCE SOUTH 13 DEGREES 26 MINUTES 37

SECONDS WEST, 670.60 FEET; THENCE SOUTH 76 DEGREES 33 MINUTES 23 SECONDS EAST, 759.31 FEET TO THE POINT OF BEGINNING IN THE TOWNSHIP OF BRISTOL, KENDALL COUNTY, ILLINOIS.

AND EXCEPT THE PART FALLING IN THE FOLLOWING DESCRIBED LAND

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

BEGINNING AT THE CENTER OF SAID SECTION 19; THENCE SOUTH 00 DEGREES 46 MINUTES 07 SECONDS EAST, ALONG THE QUARTER SECTION LINE, A DISTANCE OF 257.40 FEET; THENCE NORTH 83 DEGREES 55 MINUTES 03 SECONDS WEST, 1944.30 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 19, WHICH IS 1930.58 FEET SOUTH 88 DEGREES 28 MINUTES 32 SECONDS WEST FROM THE CENTER OF SAID SECTION 19; THENCE SOUTH 88 DEGREES 28 MINUTES 32 SECONDS WEST ALONG SAID NORTH LINE, 204.49 FEET; THENCE NORTH 03 DEGREES 24 MINUTES 35 SECONDS EAST, 2079.52 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN - SANTE FE RAILWAY; THENCE NORTH 73 DEGREES 57 MINUTES 26 SECONDS EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 2417.61 FEET; THENCE SOUTH 00 DEGREES 41 MINUTES 37 SECONDS WEST, 565.44 FEET TO THE CENTERLINE OF FAXON ROAD; THENCE SOUTH 74 DEGREES 54 MINUTES 09 SECONDS EAST ALONG THE CENTERLINE, 678.89 FEET TO A POINT THAT IS 350.00 FEET NORTH 74 DEGREES 54 MINUTES 09 SECONDS WEST OF THE CENTERLINE OF BEECHER ROAD; THENCE SOUTH 13 DEGREES 26 MINUTES 37 SECONDS WEST, 570.50 FEET; THENCE SOUTH 76 DEGREES 33 MINUTES 23 SECONDS EAST, 96.63 FEET; THENCE SOUTH 00 DEGREES 57 MINUTES 56 SECONDS EAST, 654.81 FEET; THENCE SOUTH 68 DEGREES 41 MINUTES 58 SECONDS WEST, 390.87 FEET; THENCE SOUTH 46 DEGREES 38 MINUTES 37 SECONDS WEST, 784.04 FEET TO THE QUARTER SECTION LINE; THENCE SOUTH 00 DEGREES 46 MINUTES 07 SECONDS EAST, ALONG SAID QUARTER SECTION LINE, 32.36 FEET TO THE POINT OF BEGINNING.

EXHIBIT B

02-19-200-001 ROBERT M ILDEFONSA LIV TRUST LOFTUS 11159 FAXON RD YORKVILLE IL 60560	**02-19-200-002** YORKVILLE MEADOWS LLC C/O SHERRIE CHIOU 80 REMINGTON RD. SCHAUMBURG IL 60173	**02-20-100-011** YORKVILLE MEADOWS LLC C/O SHERRIE CHIOU 80 REMINGTON RD. SCHAUMBURG IL 60173
02-19-200-005 LA FORTALEZA LLC 1481 PLAINFIELD RD OSWEGO IL 60543	**02-19-200-011** KELAKA LLC 181 S LINCOLNWAY NORTH AURORA IL 60542	**02-19-400-009** DANIELS MALINSKI YORKVILLE FAMILY LLLP 405 E SHERIDAN RD LAKE BLUFF IL 60044
02-19-200-010 KYLYNS RIDGE HOMEOWNERS ASSN MAXIMUM PROPERTY MGMT PO BOX 1094 YORKVILLE IL 60560	**02-20-125-023** KYLYNS RIDGE HOMEOWNERS ASSN MAXIMUM PROPERTY MGMT PO BOX 1094 YORKVILLE IL 60560	**02-20-125-002** UNITED CITY OF YORKVILLE 651 PRAIRIE POINTE DR YORKVILLE IL 60560
02-20-125-008 LOUIS A ARCH 2389 IROQUOIS LN YORKVILLE IL 60560	**02-20-125-009** SEAN A CARA L BAKEL 2387 IROQUOIS LN YORKVILLE IL 60560	**02-20-125-010** RAYMOND E MICHELLE E SHIELDS 2385 IROQUOIS LN YORKVILLE IL 60560
02-20-125-011 KYLE NICOLE OSTERLOH 2383 IROQUOIS LN YORKVILLE IL 60560	**02-20-125-012** ALFREDA SOLISZKO 2381 IROQUOIS LN YORKVILLE IL 60560	**02-20-125-013** OSCAR JR URBINA 2361 IROQUOIS LN YORKVILLE IL 60560
02-20-125-014 DONALD T AMY L VANDERMYDE 2341 IROQUOIS LN YORKVILLE IL 60560	**02-20-125-015** THOMAS CHRISTY FALLON 2321 IROQUOIS LN YORKVILLE IL 60560	**2-20-125-016** JAMES P CAROL J KICHER 2301 IROQUOIS LN YORKVILLE IL 60560
02-20-125-017 TIMOTHY ANDREW MARIA JANE KESSLER 2281 IROQUOIS LN YORKVILLE IL 60560	**02-20-125-018** CHAD M AMBER R GREEN 2261 IROQUOIS LN YORKVILLE IL 60560	**02-20-125-019** ROBERT ELIZABETH DELGADO 2241 IROQUOIS LN YORKVILLE IL 60560
02-20-125-020 LUZ M DELACRUZ JUAN M SILVA 2221 IROQUOIS LN YORKVILLE IL 60560	**02-20-125-021** JEFFREY C GROS REV LIV TR 2201 IROQUOIS LN YORKVILLE IL 60560	**02-20-125-022** KYLYNS RIDGE HOMEOWNERS ASSN MAXIMUM PROPERTY MGMT PO BOX 1094 YORKVILLE IL 60560
02-20-126-015 ROBERTO VANESSA A GARCIA 2202 IROQUOIS LN YORKVILLE IL 60560	**02-20-126-014** JEAN INGEMUNSON DEC LIV TR 2222 IROQUOIS LN YORKVILLE IL 60560	**2-20-126-013** GARY E KRYSTAL L ANDERSON 2242 IROQUOIS LN YORKVILLE IL 60560
02-20-126-012 JERRY F CAROLE J NIEWOLD TR 2262 IROQUOIS LN YORKVILLE IL 60560	**02-20-126-011** SIRINTHONE SAMANTHA CHRISTOPHER MICHAEL DIPPING 2282 IROQUOIS LN YORKVILLE IL 60560	**02-20-126-010** ERIC D VIGH 2302 IROQUOIS LN YORKVILLE IL 60560
02-20-126-009 MICAHEL G ANTONETTE M PETERSEN 2322 IROQUOIS LN YORKVILLE IL 60560	**02-20-126-008** RYAN P MALLORY A SUPPLE 2342 IROQUOIS LN YORKVILLE IL 60560	**02-20-126-007** KAREN DEANGELIS REV TRUST 2384 IROQUOIS LN YORKVILLE IL 60560

EXHIBIT B

02-20-126-006 ARLENE M PEDERSEN TR 2386 IROQUOIS LN YORKVILLE IL 60560	**02-20-126-005** JOHN ANITA FAY 2388 IROQUOIS LN YORKVILLE IL 60560	**02-20-126-004** BLAKE CLOUGH MELINDA M HAFENRICHTER 2392 IROQUOIS LN YORKVILLE IL 60560
02-20-126-030 BRIAN JENNIFER BRASFIELD 981 CANYON TRL CT YORKVILLE IL 60560	**02-20-126-029** ROBERT ROSEMARY FISCHER 991 CANYON TRAIL CT YORKVILLE IL 60560	**02-20-126-028** NATHAN B SARAH S BAXA 1001 CANYON TRL CT YORKVILLE IL 60560
02-20-126-027 LORI A QUILES 1002 CANYON TRAIL CT YORKVILLE IL 60560	**02-20-126-026** DAVID V GINA M DAMATO 992 CANYON TRAIL CT YORKVILLE IL 60560	**02-20-126-025** STEV M MICHELLE HALBESMA 982 CANYON TRAIL CT YORKVILLE IL 60560
02-20-126-018 CHRISTOPHER JEANNE ARBET 1021 WHITE PLAINS LN YORKVILLE IL 60560	**02-20-126-017** KATHLEEN A WORLEY 1031 WHITE PLAINS LN YORKVILLE IL 60560	**02-20-126-016** SCOTT DOUGLAS SMITH 1041 WHITE PLAINS LN YORKVILLE IL 60560
02-20-128-005 KYLYNS RIDGE HOMEOWNERS ASSN MAXIMUM PROPERTY MGMT PO BOX 1094 YORKVILLE IL 60560	**02-20-128-001** MATTHEW HUBER 2181 IROQUOIS LN YORKVILLE IL 60560	**02-20-128-002** STEVEN CAROL F ROGERS 2161 IROQUOIS LN YORKVILLE IL 60560
02-20-128-003 PAUL P MARIE E REULAND 2141 IROQUOIS LN YORKVILLE IL 60560	**02-20-128-004** ETHAN ERIN TRZEBIATOWSKI 2121 IROQUOIS LN YORKVILLE IL 60560	**02-20-325-001** TODD W IDERAN LINDA A SKOGEN 2101 IROQUOIS LN YORKVILLE IL 60560
02-20-325-002 MICHAEL SARAH TESCH 1184 WESTERN LN YORKVILLE IL 60560	**02-20-325-003** NICOLE MATTHEW DABROS 1164 WESTERN LN YORKVILLE IL 60560	**02-20-325-004** JEFFREY NANCY HEWLETT 1144 WESTERN LN YORKVILLE IL 60560-4585
02-20-325-005 MUSTAFA MOHAMMED 1124 WESTERN LN YORKVILLE IL 60560	**02-20-325-006** JEREMY J RACHEL M ALLWAY 1104 WESTERN LN YORKVILLE IL 60560	**02-20-325-007** BRADLEY R BEACH 1084 WESTERN LN YORKVILLE IL 60560
02-20-127-008 IAROSLAV DERKACH 1163 WESTERN LN YORKVILLE IL 60560	**02-20-127-009** MUNOZ KAROLL Z PAYNE TYRELL M 1143 WESTERN LN YORKVILLE IL 60560	**02-20-127-010** ERIK R KRISTIN E ANDERSON 1123 WESTERN LN YORKVILLE IL 60560
2-20-127-011 ESCAMILLA ELIDIA CASTILLO ALFREDO 1103 WESTERN LN YORKVILLE IL 60560	**02-20-127-012** STEVEN R SR DEBRA J SEPE 1083 WESTERN LN YORKVILLE IL 60560	**02-20-127-003** DOUGLAS J MYNATT 1002 WHITE PLAINS LN YORKVILLE IL 60560
02-20-127-004 MATTHEW BERARD 1022 WHITE PLAINS LN YORKVILLE IL 60560	**02-20-127-005** MATTHEW C NICOLE KAHLE 1032 WHITE PLAINS LN YORKVILLE IL 60560	**02-20-127-006** GREGORY J JAMIE L PATRICIA A CHIPMAN 1042 WHITE PLAINS LN YORKVILLE IL 60560
2-20-127-007 MICHAEL J ZABRAMSKI 1052 WHITE PLAINS LN YORKVILLE IL 60560	**02-19-480-001** DONALD S MARY A MAHER BARTALONE 1171 BLACKBERRY SHORE LN YORKVILLE IL 60560	**02-19-480-002** JENNIFER L JONATHON D KLOTZ 1161 BLACKBERRY SHORE LN YORKVILLE IL 60560

EXHIBIT B

02-19-480-003 JONATHAN M KAREN D STALLER 1151 BLACKBERRY SHORE LN YORKVILLE IL 60560	**02-19-480-004** NANCY L MONDEK TRUST 1141 BLACKBERRY SHORE LN YORKVILLE IL 60560	**02-19-480-005** BRIAN ANTHONY BAILEY ROSE CARRABOTTA 1131 BLACKBERRY SHORE LN YORKVILLE IL 60560
02-19-480-006 KENNETH E MARY F CRISER 1121 BLACKBERRY SHORE LN YORKVILLE IL 60560	**2-19-480-007** ALAN PATRICIA STEPKA 1111 BLACKBERRY SHORE LN YORKVILLE IL 60560	**02-19-480-008** DONALD J JR SNYDER 1101 BLACKBERRY SHORE LN YORKVILLE IL 60560
02-19-480-009 CRUZ CONTRERAS MARIA GABRIELA DUARTE CARLOS JULIAN 1091 BLACKBERRY SHORE LN YORKVILLE IL 60560	**02-20-352-001** MCCUE DEVELOPMENT INC P O BOX 154 BRISTOL IL 60512	**02-20-352-002** RICARDO JR LOPEZ 1081 BLACKBERRY SHORE LN YORKVILLE IL 60560
02-20-352-003 MCCUE DEVELOPMENT INC P O BOX 154 BRISTOL IL 60512	**02-20-352-004** MCCUE DEVELOPMENT INC P O BOX 154 BRISTOL IL 60512	**02-20-352-005** MCCUE DEVELOPMENT INC P O BOX 154 BRISTOL IL 60512
02-20-352-006 ELLIS III KEISHA L BAILEY 1041 BLACKBERRY SHORE LN YORKVILLE IL 60560	**02-20-352-007** AGUIRRE GAMALIEL GALLEGOS OLGA L 1031 BLACKBERRY SHORE LN YORKVILLE IL 60560	**02-20-352-008** MCCUE DEVELOPMENT INC P O BOX 154 BRISTOL IL 60512
02-20-352-009 BRADLEY A ANGELA D REEVERTS 1011 BLACKBERRY SHORE LN YORKVILLE IL 60560	**02-20-353-073** ABBY PROPERTIES LLC 1951 RENA LN YORKVILLE IL 60560	**02-19-481-003** ABBY PROPERTIES LLC 1951 RENA LN YORKVILLE IL 60560
02-19-481-004 ABBY PROPERTIES LLC 1951 RENA LN YORKVILLE IL 60560	**02-19-481-005 thru 028** ABBY PROPERTIES LLC 1951 RENA LN YORKVILLE IL 60560	**02-20-353-073** ABBY PROPERTIES LLC 1951 RENA LN YORKVILLE IL 60560
2-20-353-074 ELIZABETH M BINGE 1060 GILLESPIE LN YORKVILLE IL 60560	**02-20-353-075 thru 078** ABBY PROPERTIES LLC 1951 RENA LN YORKVILLE IL 60560	**2-20-353-079** KYLE R HOGAN 1050 GILLESPIE LN YORKVILLE IL 60560
02-20-353-080 DIANE L EWING 1061 GILLESPIE LN YORKVILLE IL 60560	**02-20-353-081 thru 084** ABBY PROPERTIES LLC 1951 RENA LN YORKVILLE IL 60560	**02-20-353-085** JUAN O MORENO 1051 GILLESPIE LN YORKVILLE IL 60560
02-20-353-086 LORELEI K JACK A RENALDI 1609 VANTAGE DR SHOREWOOD IL 60404	**02-20-353-087** ABBY PROPERTIES LLC 1951 RENA LN YORKVILLE IL 60560	**02-20-353-088** CHARLOTTE MANFORD 1036 GILLESPIE LN YORKVILLE IL 60560
02-20-353-089, 090 ABBY PROPERTIES LLC 1951 RENA LN YORKVILLE IL 60560	**02-20-353-091** RICHARD D III MINNICK 1030 GILLESPIE LN YORKVILLE IL 60560	**02-20-353-092** ABEL JR SARA N MARIN 1041 GILLESPIE LN YORKVILLE IL 60560
02-20-353-093 thru 095 ABBY PROPERTIES LLC 1951 RENA LN YORKVILLE IL 60560	**02-20-353-096** RAY TREVINO 1033 GILLESPIE LN YORKVILLE IL 60560	**02-20-353-097** ALICIA LOVE 1031 GILLESPIE LN YORKVILLE IL 60560

EXHIBIT B

02-20-353-098 thru 101 ABBY PROPERTIES LLC 1951 RENA LN YORKVILLE IL 60560	**02-20-353-102** NICOLE NATHAN JOLLEY 1019 GILLESPIE LN YORKVILLE IL 60560	**02-20-353-103** TRENTON DANIEL JAI LY MARIE BROWNING 1021 GILLESPIE LN YORKVILLE IL 60560
02-20-353-104 NICOLE ROCHA 1020 GILLESPIE LN YORKVILLE IL 60560	**02-20-353-105** HILL COREY T GAVIN TONI A 1018 GILLESPIE LN YORKVILLE IL 60560	**02-20-353-106 thru 108** ABBY PROPERTIES LLC 1951 RENA LN YORKVILLE IL 60560
02-20-353-109 EDDIE MARILYN JACKSON 1010 GILLESPIE LN YORKVILLE IL 60560	**02-19-481-017 thru 027** ABBY PROPERTIES LLC 1951 RENA LN YORKVILLE IL 60560	**02-19-481-028** KATHRYN L PANTHER 1151 GILLESPIE LN YORKVILLE IL 60560
02-20-353-110 thru 115 ABBY PROPERTIES LLC 1951 RENA LN YORKVILLE IL 60560	**02-20-353-116** HAMES OLIVIA KLIMAVICIUS MICHAEL 1110 GILLESPIE LN YORKVILLE IL 60560	**02-20-353-117** MIGGINS DESIREE RAMSEY MIGGINS YOHANTZ 1108 GILLESPIE LN YORKVILLE IL 60560
02-20-353-118, 119 ABBY PROPERTIES LLC 1951 RENA LN YORKVILLE IL 60560	**02-20-353-120** REBECCA A JAKUBOWSKI 1102 GILLESPIE LN YORKVILLE IL 60560	**02-20-353-121** ANTHONY I MOLLY K ROSADO 1100 GILLESPIE LN YORKVILLE IL 60560
02-19-200-007 LA FORTALEZA LLC 1481 PLAINFIELD RD OSWEGO IL 60543	**02-19-200-005** LA FORTALEZA LLC 1481 PLAINFIELD RD OSWEGO IL 60543	**02-19-200-006** DONALD J CAROL S HAMMAN 13351 B FAXON RD PLANO IL 60545
02-19-100-013 JOSEPH HAMMAN DAVID HAMMAN HAMMAN JAMES 6275 STATE ROUTE 71 OSWEGO IL 60543		

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APPLICATION FOR REZONING

INTENT AND PURPOSE

Rezoning is a type of map amendment which allows for the reclassification of a property's zoning district. A request for rezoning must not be arbitrary. There are several land use factors which are considered during the review process for a rezoning request including the suitability of surrounding land uses and zoning districts, local development trends, potential traffic impacts, and the overall public health and safety of the community.

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

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

APPLICATION PROCEDURE

STEP 1
APPLICATION SUBMITTAL

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

The following must be submitted:

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

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

The petitioner is responsible for payment of recording fees and public hearing costs, including written transcripts of the public hearing and outside consultant costs (i.e. legal review, land planner, zoning coordinator, environmental, etc.). The petitioner will be required to establish a deposit account with the City to cover these fees.

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

STEP 2
PLAN COUNCIL

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

The petitioner must present the proposed request to the Plan Council. The members of the Council include the Community Development Director, City Engineer, the Building Department Official, the Public Works Director, the Director of Parks and Recreation, a Fire Department Representative, and a Police Department Representative. This meeting is held to provide the petitioner with guidance from all City staff departments to ensure the petitioner is aware of all requirements and regulations for their development. Upon recommendation by the Plan Council, the petitioner will move forward to the Economic Development Committee.

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APPLICATION FOR REZONING

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. No rezoning request shall be recommended by the Planning and Zoning Commission unless it follows the standards set forth in City's Zoning Ordinance.

The petitioner is responsible for sending certified public hearing notices to adjacent property owners within five hundred (500) feet of the subject property no less than fifteen (15) days and no more than thirty (30) days prior to the public hearing date. The public hearing notice will be drafted by the City as well as published in a local newspaper. Additionally, a public hearing notice sign must be placed on the property no less than fifteen (15) days prior to the public hearing.

A certified affidavit must be filed by the petitioner with the Community Development Department containing the names, addresses and permanent parcel numbers of all parties that were notified. The Certified Mailing Affidavit form is attached to this document.

STEP 5
CITY COUNCIL

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

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

SUMMARY OF RESPONSIBILITIES

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

PETITIONER

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

CITY STAFF

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

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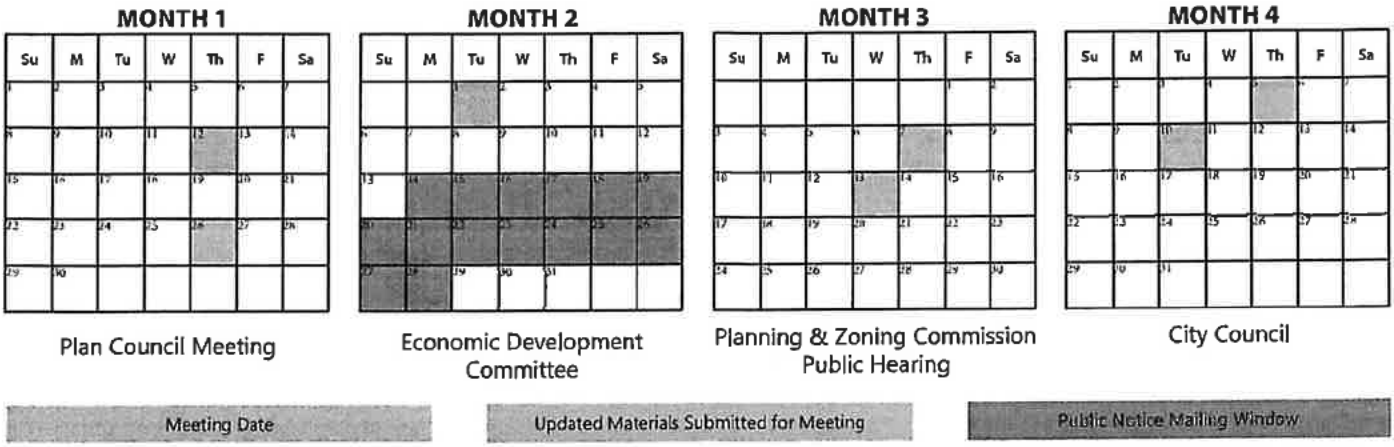
APPLICATION FOR REZONING

SAMPLE MEETING SCHEDULE



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

DORMANT APPLICATIONS

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

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

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

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

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APPLICATION FOR REZONING

INVOICE & WORKSHEET PETITION APPLICATION			
CONCEPT PLAN REVIEW	☐ Engineering Plan Review deposit	$500.00	Total: $
AMENDMENT	☐ Annexation	$500.00	Total: $
	☐ Plan	$500.00	
	☐ Plat	$500.00	
	☐ P.U.D.	$500.00	
ANNEXATION	☐ $250.00 + $10 per acre for each acre over 5 acres		Total: $
_____ - 5 = _____ x $10 = _____ + $250 = $ _____			
# of Acres / Acres over 5 / Amount for Extra Acres / Total Amount			
REZONING	☐ $200.00 + $10 per acre for each acre over 5 acres		Total: $ 649.00
If annexing and rezoning, charge only 1 per acre fee; if rezoning to a PUD, charge PUD Development Fee - not Rezoning Fee			
49.90 - 5 = 44.90 x $10 = 449.00 + $200 = $ 649.00			
# of Acres / Acres over 5 / Amount for Extra Acres / Total Amount			
SPECIAL USE	☐ $250.00 + $10 per acre for each acre over 5 acres		Total: $
_____ - 5 = _____ x $10 = _____ + $250 = $ _____			
# of Acres / Acres over 5 / Amount for Extra Acres / Total Amount			
ZONING VARIANCE	☐ $85.00 + $500.00 outside consultants deposit		Total: $
PRELIMINARY PLAN FEE	☐ $500.00		Total: $
PUD FEE	☐ $500.00		Total: $
FINAL PLAT FEE	☐ $500.00		Total: $
ENGINEERING PLAN REVIEW DEPOSIT	☐ Less than 1 acre	$5,000.00	Total: $
	☐ Over 1 acre, less than 10 acres	$10,000.00	
	☐ Over 10 acres, less than 40 acres	$15,000.00	
	☐ Over 40 acres, less than 100 acres	$20,000.00	
	☐ Over 100 acres	$25,000.00	
OUTSIDE CONSULTANTS DEPOSIT *Legal, land planner, zoning coordinator, environmental services*	For Annexation, Subdivision, Rezoning, and Special Use:		Total: $
	☐ Less than 2 acres	$1,000.00	
	☐ Over 2 acres, less than 10 acres	$2,500.00	
	☐ Over 10 acres	$5,000.00	
		TOTAL AMOUNT DUE:	$649.00

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APPLICATION FOR REZONING

DATE:	PZC NUMBER:	DEVELOPMENT NAME:

PETITIONER INFORMATION

NAME: David Hamman COMPANY: Kekala LLC

MAILING ADDRESS: 13665 Townhouse Road

CITY, STATE, ZIP: Newark, Illinois 60541 TELEPHONE: O BUSINESS O HOME

EMAIL: daveh.hhstone@gmail.com FAX:

PROPERTY INFORMATION

NAME OF HOLDER OF LEGAL TITLE: Kekala LLC

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

PROPERTY STREET ADDRESS: 49.90 acres vacant land on West Veteran's Parkway and Eldamain

DESCRIPTION OF PROPERTY'S PHYSICAL LOCATION: North of West Veteran's Parkway and east of Eldamain

CURRENT ZONING CLASSIFICATION: B-3 General Business District	REQUESTED ZONING CLASSIFICATION: M-2 General Manufacturing
COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION:	TOTAL ACREAGE: 49.90

ZONING AND LAND USE OF SURROUNDING PROPERTIES

NORTH: A-1 (County)

EAST: A-1 (County)

SOUTH: B-3 (City) w/Residential Use

WEST: A-1 (County), B-4 (YMCA), B-6 (Plano)

KENDALL COUNTY PARCEL IDENTIFICATION NUMBER(S)

02-19-300-018			

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APPLICATION FOR REZONING

ATTORNEY INFORMATION	
NAME: John F. Philipchuck	COMPANY: Dommermuth Cobine West Gensler Philipchuck and Corrigan, Ltd.
MAILING ADDRESS: 111 E. Jefferson Avenue, Suite 200	
CITY, STATE, ZIP: Naperville, Illinois 60540	TELEPHONE: 630-355-5800 ext 115
EMAIL: jfp@dbcw.com	FAX: 630-355-5976
ENGINEER INFORMATION	
NAME:	COMPANY:
MAILING ADDRESS:	
CITY, STATE, ZIP:	TELEPHONE:
EMAIL:	FAX:
LAND PLANNER/SURVEYOR INFORMATION	
NAME:	COMPANY:
MAILING ADDRESS:	
CITY, STATE, ZIP:	TELEPHONE:
EMAIL:	FAX:
ATTACHMENTS	

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

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

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APPLICATION FOR REZONING

REZONING STANDARDS

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

Current Zoning is B-3 General Business District in the City of Yorkville. The Property is being farmed. Property to the North and East is A-1 Agricultural in the County and is farmed. There is a Single family use on a small parcel; Property to the South is B-3 City with a residential use. Land to the West across Eldamain Road is County A-1, and B-4 for the YMCA, and Plano B-6, Business District and is vacant.

A used vehicle sales lot is located at the Northeast Corner of Eldamain and Route 34.

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:

Properties East of Eldamain Road and North and South of Faxon Road have requested M-2 General Manufacturing District zoning from the City of Yorkville. Current trends have been a transition from farming uses to proposed Data Centers.

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

Increased interest in Data Centers and Manufacturing uses such as Menards in Plano have increased the need and desire for manufacturing zoning. Current B-3 zoning does not permit such uses and brick and mortar retail demand in the Eldamain corridor is minimal.

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

The highest and best use of the Property is for manufacturing uses. To maintain the existing business district zoning does a disservice to the Petitioner as those types of uses are not in demand in this area. A change to manufacturing zoning will allow the Property to properly develop and enhance the public health, safety, morals and general welfare of the Public.

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APPLICATION FOR REZONING

REZONING STANDARDS

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

The B-3 zoning was a good holding pattern during the expansion of Eldamain Road. However, the nearby ComEd Substation and high line availability, together with a proposed Data Center usage has driven the need for manufacturing zoning rather than retail and service uses.

PLEASE STATE THE COMMUNITY NEED FOR THE PROPOSED LAND USE:

The rezoning of the Property to M-2 Manufacturing uses will allow for the creation of more job opportunities in the City of Yorkville. Increased property taxes for the City and other taxing bodies such as the School District will follow, thus lessening the tax burden on the residential homes in the City.

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

The City of Yorkville has recognized the significance of the expansion of Eldamain Road and the resources available from the ComEd facilities in the area to allow for a change in the past land use designations for the area to now attract new development.

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

The City in conjunction with the Kendall County Highway Department and the City of Plano have anticipated the future growth of this sector and because of their exemplary planning for increased traffic by the widening of Route 34 and Eldamain Road, the change in zoning will not impact the area traffic negatively.

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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:

Large acreages of Commercial Zoned Property in this area are not conducive to current development trends. Keeping a business zoning on this property only makes it available for farming use. A change to M-2 will encourage manufacturing uses such as a Data Center which in turn creates new jobs and increases property tax revenues to the Public.

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

The Property lies adjacent to Eldamain Road. This corridor has been planned for manufacturing uses, not retail uses such as anticipated with the B-3 General Business District retail and service type of uses. The current trend of development is manufacturing, not commercial uses.

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.

Dave Hamman — 10-29-2024

PETITIONER SIGNATURE - David Hamman — **DATE**

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

Kelaka LLC, an Illinois limited liability company

Dave Hamman — 10-29-2024

OWNER SIGNATURE - David Hamman, Manager — **DATE**

SUBSCRIBED and SWORN to before me this 29 day of October, 2024.

John Fred Philipchuck

NOTARY PUBLIC

THIS APPLICATION MUST BE NOTARIZED PLEASE NOTARIZE HERE:

JOHN FRED PHILIPCHUCK
OFFICIAL SEAL
Notary Public - State of Illinois
Commission No. 987048
My Commission Expires February 13, 2028

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APPLICANT DEPOSIT ACCOUNT/ ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY

PROJECT NUMBER:	FUND ACCOUNT NUMBER:	PROPERTY ADDRESS:

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:	COMPANY:
MAILING ADDRESS:	
CITY, STATE, ZIP:	TELEPHONE:
EMAIL:	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 _____ 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

CERTIFIED MAILING
AFFIDAVIT

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

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

_____
Signature of Petitioner(s)

Subscribed and sworn to before me this

_____ day of _____, 20_____

_____
Notary Public

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:	PARCEL NUMBER:
SUBDIVISION:	LOT/UNIT:
APPLICANT INFORMATION	
NAME:	TELEPHONE: O HOME O BUSINESS
ADDRESS:	E-MAIL: O HOME O BUSINESS
CITY, STATE, ZIP:	FAX:
SIGN INFORMATION	
DATE OF PICK UP:	NUMBER OF SIGNS:
DATE OF PUBLIC HEARING:	SIGN RETURN DATE:

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.

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.

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.

_____ _____

SIGNATURE/AUTHORIZED AGENT DATE

DATE RETURNED: _____

RECEIVED BY: _____ PZC# _____

EXHIBIT A

LEGAL DESCRIPTION

THAT PART OF THE WEST HALF OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE CENTER LINE OF U.S. ROUTE 34 AND THE WEST LINE OF SAID SECTION 19; THENCE NORTH ALONG SAID WEST LINE OF SECTION 19, 50.21 FEET TO A POINT OF THE FORMER NORTH RIGHT OF WAY LINE OF SAID U.S. ROUTE 34; THENCE SOUTH 84 DEGREES 36 MINUTES 32 SECONDS EAST ALONG SAID FORMER RIGHT OF WAY LINE 148.00 FEET; THENCE NORTH 00 DEGREES 10 MINUTES 27 SECONDS EAST PARALLEL WITH SAID WEST LINE OF SECTION 19, 15.06 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID U.S. ROUTE 34 FOR THE POINT OF BEGINNING; THENCE SOUTH 84 DEGREES 36 MINUTES 32 SECONDS EAST ALONG SAID NORTHERLY RIGHT OF WAY LINE, 361.08 FEET; THENCE NORTH 03 DEGREES 02 MINUTES 53 SECONDS EAST, 302.64 FEET; THENCE SOUTH 87 DEGREES 21 MINUTES 53 SECONDS EAST, 404.14 FEET TO AN OLD FENCE LINE REPRESENTING AN OLD DEED LINE; THENCE NORTH 02 DEGREES 38 MINUTES 07 SECONDS EAST ALONG SAID OLD FENCE LINE 2240.63 FEET; THENCE NORTH 84 DEGREES 40 MINUTES 09 SECONDS WEST, 976.08 FEET TO THE EASTERLY RIGHT OF WAY LINE OF ELDAMAIN ROAD; THENCE SOUTH 00 DEGREES 10 MINUTES 27 SECONDS WEST ALONG SAID EASTERLY RIGHT OF WAY LINE, 1984.53 FEET TO A POINT 600.00 FEET NORTHERLY OF SAID FORMER RIGHT OF WAY OF U.S. ROUTE 34; THENCE SOUTH 84 DEGREES 36 MINUTES 32 SECONDS EAST PARALLEL WITH SAID FORMER RIGHT OF WAY LINE, 97.79 FEET; THENCE SOUTH 00 DEGREES 10 MINUTES 27 SECONDS WEST PARALLEL WITH SAID EASTERLY RIGHT OF WAY LINE OF ELDAMAIN ROAD, 584.94 FEET TO THE POINT OF BEGINNING (EXCEPT THAT PART, IF ANY, FALLING IN THE FOLLOWING DESCRIBED TRACT: THAT PART OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE WEST LINE OF SAID SOUTHWEST QUARTER WITH THE NORTH RIGHT OF WAY LINE OF ILLINOIS ROUTE 34; THENCE NORTH 00 DEGREES 10 MINUTES 28 SECONDS EAST ALONG SAID WEST LINE 600 FEET; THENCE SOUTH 84 DEGREES 36 MINUTES 32 SECONDS EAST, PARALLEL WITH THE NORTH LINE OF ROUTE 34, 148 FEET; THENCE SOUTH 00 DEGREES 10 MINUTES 28 SECONDS WEST, PARALLEL WITH SAID WEST LINE, 600 FEET TO SAID NORTH LINE; THENCE NORTH 84 DEGREES 36 MINUTES 32 SECONDS WEST, ALONG SAID NORTH LINE 148 FEET TO THE POINT OF BEGINNING; ALSO EXCEPT THAT PART, IF ANY, FALLING IN THE FOLLOWING DESCRIBED TRACT: THAT PART OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN BEING DESCRIBED BY COMMENCING AT A POINT ON THE WEST LINE OF SAID SECTION 19 AT THE INTERSECTION OF THE CENTER LINE OF U.S. ROUTE 34; THENCE SOUTH 86 DEGREES 11 MINUTES 48 SECONDS EAST ALONG SAID CENTER LINE, 503.76 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 86 DEGREES 11 MINUTES 48 SECONDS EAST ALONG SAID CENTER LINE, 134.00 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 38,197.20 FEET; THENCE EASTERLY ALONG SAID CENTER LINE CURVE, A DISTANCE OF 275.36 FEET TO A POINT WHOSE CHORD BEARS SOUTH 85 DEGREES 58 MINUTES 32 SECONDS EAST, 275.36 FEET; THENCE NORTH 01 DEGREES 02 MINUTES 51 SECONDS EAST, 388.32 FEET; THENCE NORTH 87 DEGREES 21 MINUTES 53 SECONDS WEST, 404.14 FEET; THENCE SOUTH 03 DEGREES 02 MINUTES 53 SECONDS WEST, 367.63 FEET TO THE POINT OF BEGINNING; ALSO EXCEPT THAT PART, IF ANY, FALLING IN THE FOLLOWING DESCRIBED TRACT: THAT PART OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE NORTH 00 DEGREES 20 MINUTES 44 SECONDS WEST ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, 254.37 FEET FOR A POINT OF BEGINNING; THENCE NORTH 00 DEGREES 20 MINUTES 44 SECONDS WEST ALONG SAID WEST LINE 1517.74 FEET TO THE SOUTHERLY LINE OF THE BURLINGTON NORTHERN, INC. RAILROAD RIGHT OF WAY; THENCE NORTH 73 DEGREES 57 MINUTES 53 SECONDS EAST ALONG SAID SOUTHERLY LINE 1197.36 FEET TO THE LANDS FORMERLY OWNED BY CALVIN WHEELER; THENCE SOUTH 03 DEGREES 25 MINUTES 05 SECONDS WEST ALONG SAID WHEELER'S LANDS, 1939.92 FEET; THENCE NORTH 85 DEGREES 05 MINUTES 42 SECONDS WEST 1029.63 FEET TO THE POINT OF BEGINNING; ALSO EXCEPT THAT PART, IF ANY, LYING EAST OF THE FOLLOWING LINE AND ITS EXTENSION NORTHERLY: COMMENCING AT A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 19 THAT IS 1930.58 FEET SOUTH 88 DEGREES 28 MINUTES 32 SECONDS WEST FROM THE CENTER OF SAID SECTION 19; THENCE SOUTH 88 DEGREES 28 MINUTES 32 SECONDS WEST ALONG SAID NORTH LINE 204.60 FEET FOR THE POINT OF BEGINNING OF SAID LINE; THENCE SOUTH 02 DEGREES 08 MINUTES 40 SECONDS WEST 2489.33 FEET TO THE CENTER LINE OF U.S. HIGHWAY NO. 34 FOR THE TERMINATION OF SAID LINE; AND ALSO EXCEPT THAT PART, IF ANY, DESCRIBED IN A DEED RECORDED JANUARY 29, 1997 AS DOCUMENT 9700933), IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

EXHIBIT B

02-19-100-006 DONALD J RICHARD A BRUMMEL 12340 FAXON RD PLANO IL 60545	**02-19-100-007** THOMAS JUANITA HATCHER 3420 ELDAMAIN RD PLANO IL 60545	**02-19-100-013** JOSEPH HAMMAN DAVID HAMMAN JAMES HAMMAN 6275 STATE ROUTE 71 OSWEGO IL 60543
02-19-300-016 OLD 2ND NATIONAL BANK SVITSKI MARK LEANN 361 CAPITOL DR UNIT D SUGAR GROVE IL 60554	**02-19-300-017** CMP PROPERTIES DEVELOPMENT 202 RUGLEY RD WESTERN SPRINGS IL 60558	**02-19-300-019** DANIELS MALINSKI YORKVILLE FAMILY LLLP 405 E SHERIDAN RD LAKE BLUFF IL 60044
01-24-275-094 LAKEWOOD SPRINGS HOMEOWNERS 438 WEBER RD ROMEOVILLE IL 60446	**01-24-275-093** LAKEWOOD SPRINGS HOMEOWNERS 438 WEBER RD ROMEOVILLE IL 60446	**01-24-275-084** MARCO A TOCHIMANI MARIA CARDOSO 706 DEAMES ST PLANO IL 60545
01-24-275-085 ANNA M CLEMENS E HOG 702 DEAMES ST PLANO IL 60545	**01-24-275-086** CURTIS L HEATHER M SCHOOLFIELD 642 DEAMES ST PLANO IL 60545	**01-24-275-087** MICHAEL G ALANIS 638 DEAMES ST PLANO IL 60545
01-24-275-088 CUELLAR YOLANDA A MARTINEZ JOSE FELIX CUELLAR 634 DEAMES ST PLANO IL 60545	**01-24-275-089** %AMERICAN HOMES 4 RENT PROPERTIES FOUR LLC AMERICAN HOMES 4 RENT LP ATTN PROPERTY TAX DEPARTMENT 23975 PARK SORRENTO SUITE 300 CALABASAS CA 91302	**01-24-275-090** KAREN M PARTYKA LAND TRUST 626 DEAMES ST PLANO IL 60545
01-24-275-091 JOHN MICHAEL JR SACCOMANDO 622 DEAMES ST PLANO IL 60545	**01-24-275-092** LUIS E MARIA S ESPARZA 618 DEAMES ST PLANO IL 60545	**01-24-277-013** AMERICAN HOMES 4 RENT PROPERTIES ONE LLC 23975 PARK SORRENTO STE 300 CALBASAS CA 91302
01-24-277-014 DAVID J ANNA ZIELINSKI 623 DEAMES ST PLANO IL 60545	**01-24-277-015** DB MIM I LLC 27 N WACKER STE 435 CHICAGO IL 60606	**01-24-277-016** HECTOR MANUEL PEREZ GUZMAN 629 DEAMES ST PLANO IL 60545
01-24-277-017 JANET RUSSELL 633 DEAMES ST PLANO IL 60545	**01-24-277-018** CHANDRASHEKARA N MATHA 550 15TH ST UNIT 504 SAN DIEGO CA 92101	**01-24-277-019** JERRY PARKER 641 DEAMES ST PLANO IL 60545
01-24-277-020 VERGIL L BARROS 701 DEAMES ST PLANO IL 60545	**01-24-277-010** JAVIER IMELDA CEPEDA 624 OSBRON ST PLANO IL 60545	**01-24-277-011** DANIEL ALMA DICARLO 880 ANDRIX CT CONCORD CA 94518
01-24-277-012 AH4R I IL LLC ATTN PROPERTY TAX DEPARTMENT 23975 PARK SORRENTO SUITE 300 CALABASAS CA 91302	**01-24-279-011** LAKEWOOD SPRINGS HOMEOWNERS 438 WEBER RD ROMEOVILLE IL 60446	**01-24-279-010** CAMILO A PONCE OLARTE 4150 OSBRON ST PLANO IL 60545
01-24-279-009 JONATHAN R KIMBERLY J MALKOSKY 4146 OSBRON ST PLANO IL 60545	**01-24-279-008** JAMES ELSA SHERIDAN 4142 OSBRON ST PLANO IL 60545	**01-24-279-007** DOLORES MATIAS 4138 OSBRON ST PLANO IL 60545
01-24-200-031 RANDALL SCOTT KAREN WADE TR 3475 ELDAMAIN RD PLANO IL 60545	**01-24-400-023** NANCY D J MARTIN DEC LIVING TRUST 14255 RIVER RD PLANO IL 60545	**01-24-400-024** BRUMMEL FAMILY TRUST 4 12340 FAXON RD PLANO IL 60545

EXHIBIT B

01-24-400-010 FOX VALLEY FAMILY YMCA INC 3875 ELDAMAIN RD PLANO IL 60545	**01-24-400-040** FOX VALLEY FAMILY YMCA INC 3875 ELDAMAIN RD PLANO IL 60545	**01-24-400-038** JANE FOSTER 610 E MAIN ST PLANO IL 60545
01-24-400-043 GRECO/REGGI PLANO LLC 1301 SCHIFERL RD BARTLETT IL 60103	**01-24-400-042** LENNYS GAS N WASH PLANO LLC 8200 W 185TH ST UNIT K TINLEY PARK IL 60487	**02-30-100-018** 111 MAPLE STREET LLC 1307 SCHIFERL RD BARTLETT IL 60103
02-30-100-017 PENN KYLE PENN LAWRENCE R 7249 WHITFIELD RD NEWARK IL 60540		

Memorandum

To: Plan Council
From: Krysti Barksdale-Noble, Community Development Director
Date: December 2, 2024
Subject: **PZC 2024-31 Dave Hamman – Kelaka, LLC**
Proposed Annexation and Rezoning Request

I have reviewed the annexation and rezoning applications for the subject parcels submitted by David Hamman, on behalf of Kelaka, LLC, petitioner/owner. The real property consists of three (3) parcels totaling approximately 112.44 acres. Two (2) parcels are generally located immediately south of Faxon Road and west of Iroquois Lane and one (1) parcel is located immediately north of West Veterans Parkway (US 34) and east of Eldamain Road. The petitioner is requesting annexation and rezoning of two (2) parcels (#02-19-200-008 and #02-19-200-011) from R-1 Single-Family Suburban Residential District to M-2 General Manufacturing District, as well as rezoning one (1) parcel (#02-19-300-018) from B-3 General Business District to M-2 General Manufacturing District. These requests are for a proposed future data center land use.

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

GENERAL ZONING/LAND USE COMMENTS:

The three (3) subject parcels total 112.44 acres. Two (2) parcels, which abut each other, are currently unincorporated and zoned A-1 Agriculture in Kendall County. The larger parcel (#02-19-200-011) is approximately 35 acres in area and is a remnant from the former Kelaka parcel. The second parcel (#02-19-200-008) totals approximately 21-acres. The remaining parcel (#02-19-300-018), approximately 52-acres, is located approximately 2,400 feet southwest of the other parcels and separated by the Rob Roy Creek, is zoned B-3 General Business District within the City of Yorkville and previously planned for a commercial development known as Cobblestone North. The two largest parcels are also part of the Rob Roy Drainage District.

1. **ZONING** – The following are the current immediate surrounding zoning and land uses of parcels #02-19-200-008 and #02-19-200-011 which are proposed to be annexed and rezoned:

	Zoning	Land Use
North	R-2 Single-Family Traditional Residence District A-1 Agricultural District Faxon Road	Farmland (Whispering Meadows) Farmland (Loftus Property) Transportation Land Use
East	R-2 Single-Family Traditional Residence District	Kylyn's Ridge Subdivision
South	A-1 Agricultural District (Kendall County)	Farmland (DMYF, LLLP proposed rezoning for M-2 General Manufacturing)
West	A-1 Agricultural District (Kendall County) M-2 General Manufacturing District	Farmland Farmland (Kelaka)

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.

2. **ZONING** - The following are the current immediate surrounding zoning and land uses of parcel #02-19-300-018 which is proposed to be rezoned:

	Zoning	Land Use
North	A-1 Agricultural District (Kendall County)	Farmland
East	A-1 Agricultural District (Kendall County)	Farmland (DMYF, LLLP proposed rezoning for M-2 General Manufacturing)
South	US 34 (Veterans Parkway) B-3 General Business District	Transportation Land Use Farmland/Undeveloped (Cobblestone Commons)
West	Eldamain Road B-4 Commercial Recreation (Kendall County) B-6 Business District PUD (Plano)	Transportation Land Use Commercial (Fox Valley YMCA) Undeveloped/Farmland

   a. **Petitioner has provided written responses to the Standards for Rezoning which will be entered into the record during the public hearing process**.

3. **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.

4. **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

5. **COMPREHENSIVE PLAN** – The 2016 Comprehensive Plan Update designates these parcels as "Estate/Conservation Residential (ECR)" which is intended to provide flexibility for residential design to accommodate low-density detached single-family housing yet preserving sensitive environmental and scenic features. This land use designation has also been used as a holding category for parcels not likely to develop within the 10-year horizon of the comprehensive plan's timeline. Additionally, 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 to the west/north and the DMYF, LLLP project pending approval to the south/east of the subject parcels, 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 "Estate/Conservation Residential (ECR)" to "General Industrial (GI)".**

ANNEXATION COMMENTS:

6. **ANNEXATION AGREEMENT** – Given the subject parcels location along a major arterial roadway (US 34) and its proximity to the Kylyn's Ridge residential development, 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. This will be consistent with the recently recommended conditions for the DMYF, LLLP project.

    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."

12. **Agricultural Use** – defined as "The employment of land for the primary purpose of raising, harvesting, and selling crops, or feeding (including grazing), breeding, managing, selling, or producing livestock, poultry, furbearing animals, or honeybees, or by dairying and the sale of dairy products, by any other horticultural, floricultural or viticulture use, by animal husbandry, or by any combination thereof. It also includes the current employment of land for the primary purpose of obtaining a profit by stabling or training equines including, but not limited to, providing riding lessons, training clinics and schooling shows."

13. **Retail Store, General** – less than one (1) acre - defined as "A building or portion of a building providing area for the selling of new or used goods, wares, and merchandise directly to the consumer for whom the goods are furnished."

14. **Retail Store, General** – greater than one (1) acre - defined as "A building or portion of a building providing area for the selling of new or used goods, wares, and merchandise directly to the consumer for whom the goods are furnished."

15. **Medical Clinic/Office** – defined as "An establishment where patients are admitted for study and treatment by two (2) or more licensed physicians, dentists, psychologists, or similar professional healthcare practitioners and their professional associates. The term shall include but not be limited to offices of physicians, chiropractors, dentists, and acupuncturists."

16. **Treatment Center** – defined as "One (1) or more buildings designed and used for the medical and surgical diagnosis and treatment. This definition excludes hospitals and nursing homes."

ii. **The above identified limited permitted land uses shall be in effect for the term of the annexation agreement, twenty (20) years and a sunset clause may also be recommended to revert the zoning of the annexed parcels to R-1 Single Family Suburban Residence District zoning if no development has occurred at the term of the agreement.**

7. **BUFFER SETBACK/TRANSITION ZONE – Due to the proximity of the subject parcels to an existing residential development and major roadways (US 34 and Eldamain Road), staff recommends that any future development incorporate a minimum 100-foot landscaped buffer. This buffer should include elements such as vegetation, solid fencing, green walls, stormwater management areas, living groundcover, and/or turf to ensure effective visual screening and physical separation between the land uses.**

8. **SITE PLAN REVIEW – Staff further recommends that any proposed development plan, regardless if it's an outright permitted land use, shall be required to submit any and all plans for review and approval by the City Council prior to commencing any construction, grading or other work or issuance of a building permit on the Subject Property due to the subject parcels' adjacency to an existing residential development and major roadways (US 34 & Eldamain Road)**.

9. **PLAT OF ANNEXATION** – A plat of annexation shall be an exhibit to the annexing ordinance. The city engineer will prepare the exhibit.

10. **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, the Kylyn's Ridge subdivision, staff recommends the petitioner conduct a community meeting, possibly via the homeowners' association (HOA), regarding the proposed future land use of the subject property prior to the City Council and Planning and Zoning Commission public hearings.**

December 6, 2024

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

Re: ***Hamman-Kelaka, LLC***
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 October 29, 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 a portion of 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 is available through our office for the design engineer to utilize.

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. Faxon Road will be required to be reconstructed across the frontage of the property.

4. The connections to the sanitary sewer will generally come from an existing interceptor sewer. Additional study will be required to analyze the ability of the City to provide sewer service.

5. The connections to the water distribution system will require additional study and will depend on the site plan. In addition, depending on the ultimate development additional water system infrastructure may be required.

6. Connections to US Route 34 and Eldamain Road will need to be coordinated during the land planning process.

7. Prior to construction, detailed final engineering plans will need to be submitted for review.

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. 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. John Philipchuck, (via email)
TNP, PGW2, EEI (Via e-mail)

From: John Philipchuck
To: Krysti Barksdale-Noble
Cc: daveh.hhstone@gmail.com; Anna Voightman; Kathleen West
Subject: Kelaka LLC, Annexation and Zoning
Date: Monday, December 30, 2024 12:19:10 PM

Hello Krysti. I am responding to your correspondence dated December 12th regarding the Plan Council meeting follow-up under the heading General Zoning/Annexation Agreement Comments. 1. My client is in agreement as to your list of future land uses for the property in the M-2 District should a data center campus not be developed on the property. 2. My client agrees to a minimum of a 100 foot landscaped buffer with the existing Kylyn's Ridge Subdivision. We do not agree with a similar buffer restriction along Eldamain Road or US Route 34. The Comprehensive Plan does not depict such a setback along Route 34 and there is no such requirement in the adjacent Daniels property agreement. The proposed rezoning and future land use along Eldamain Road is different than the anticipated residential uses in the Comprehensive Plan and therefore a 100 foot landscape buffer from Eldamain Road should not be imposed. The Eldamain corridor is now becoming an Industrial/Manufacturing center. 3. My client is in agreement with City Council review prior to commencing any construction, grading, other work or the issuance of a building permit on the property.

Thank you for your continuing efforts to support this annexation and land use change.

John F. Philipchuck
Dommermuth, Cobine, West, Gensler,
Philipchuck and Corrigan, Ltd.
111 E. Jefferson Avenue Suite 200
Naperville, IL 60540
(630)355-5800
(630)355-5976 (fax)
jfp@dbcw.com
www.napervillelawyers.com

PUBLIC NOTICE
NOTICE OF PUBLIC HEARING
BEFORE
UNITED CITY OF YORKVILLE
PLANNING AND ZONING COMMISSION
PZC 2024-31

NOTICE IS HEREBY GIVEN THAT David Hamman, on behalf of Kelaka, LLC, petitioner/owner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting rezoning classification. The real property consists of three (3) parcels totaling approximately 112.44 acres. Two (2) parcels are generally located immediately south of Faxon Road and west of Iroquois Lane and one (1) parcel is located immediately north of West Veterans Parkway (US 34) and east of Eldamain Road. The petitioner is requesting rezoning approval from R-1 Single-Family Suburban Residential District and B-3 General Business District to M-2 General Manufacturing District.

The legal description of the subject parcels are as follows:

PARCELS 1 & 2:

PART OF SECTION 19, AND ALSO A PART OF THE NORTHWEST 1/4 OF SECTION 20, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 19; THENCE SOUTH 0 DEGREES, 39 MINUTES, 04 SECONDS EAST ALONG THE EAST LINE OF SAID SECTION 19, A DISTANCE OF 147.18 FEET; THENCE SOUTH 82 DEGREES, 38 MINUTES, 28 SECONDS EAST, 1885.72 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 82 DEGREES, 38 MINUTES, 28 SECONDS WEST, 1885.72 FEET TO THE EAST LINE OF SAID SECTION 19; THENCE NORTH 81 DEGREES, 25 MINUTES, 39 SECONDS WEST, 839.38 FEET TO A LINE DRAWN NORTH 88 DEGREES, 28 MINUTES, 32 SECONDS EAST FROM THE CENTER OF SAID SECTION 19; THENCE SOUTH 88 DEGREES, 28 MINUTES, 32 SECONDS WEST, 1826.22 FEET TO THE CENTER OF SAID SECTION 19; THENCE SOUTH 0 DEGREES, 45 MINUTES, 07 SECONDS EAST ALONG THE QUARTER SECTION LINE, 257.40 FEET; THENCE NORTH 83 DEGREES, 55 MINUTES, 03 SECONDS WEST, 1944.30 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 19, WHICH IS 1930.58 FEET SOUTH 88 DEGREES, 28 MINUTES, 32 SECONDS WEST FROM THE CENTER OF SAID SECTION 19; THENCE SOUTH 88 DEGREES, 28 MINUTES, 32 SECONDS WEST ALONG SAID NORTH LINE, 204.60 FEET; THENCE NORTH 3 DEGREES, 24 MINUTES, 35 SECONDS EAST, 2079.52 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN RAILROAD, INC.; THENCE NORTHEASTERLY ALONG SAID OUTHERLY RIGHT-OF-WAY LINE ON A BEARING OF NORTH 73 DEGREES, 57 MINUTES, 26 SECONDS EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 2417.61 FEET; THENCE SOUTH 0 DEGREES, 41 MINUTES, 37 SECONDS WEST 565.44 FEET TO THE CENTERLINE OF FAXON ROAD; THENCE SOUTH 74 DEGREES, 54 MINUTES, 09 SECONDS EAST, ALONG SAID CENTER LINE 1028.97 FEET; THENCE SOUTH 76 DEGREES, 33 MINUTES, 23 SECONDS EAST, ALONG SAID CENTERLINE 630.71 FEET; THENCE SOUTH 79 DEGREES, 19 MINUTES, 23 SECONDS EAST ALONG SAID CENTERLINE 904.87 FEEET; THENCE SOUTH 80 DEGREES, 15 MINUTES, 53 SECONDS EAST ALONG SAID CENTER LINE 765.83 FEET; THENCE SOUTH 80 DEGREES, 27 MINUTES, 23 SECONDS EAST, ALONG SAID CENTER LINE 351.94 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND AS CONVEYED TO FRANCIS G. YABSLEY AND PHYLLIS A. YABSLEY, BY DOCUMENT NUMBER 865742, AS RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS, KENDALL COUNTY, ILLINOIS; THENCE

ALONG THE WEST LINE OF SAID YABSLEY TRACT, SOUTH 09 DEGREES, 32 MINUTES, 37 SECONDS WEST, 460.00 FEET TO THE SOUTHWEST CORNER OF SAID YABSLEY TRACT; THENCE ALONG THE SOUTH LINE OF SAID YABSLEY TRACK, SOUTH 80 DEGREES, 27 MINUTES, 23 SECONDS EAST, 475.00 FEET TO THE SOUTHEAST CORNER OF SAID YABSLEY TRACT; THENCE ALONG THE EAST LINE OF SAID YABSLEY TRACT, NORTH 09 DEGREES, 32 MINUTES, 37 SECONDS EAST, 460.00 FEET TO THE NORTHEAST CORNER OF SAID YABSLEY TRACT, SAID POINT ALSO BEING IN THE CENTERLINE OF SAID FAXON ROAD; THENCE ALONG SAID CENTERLINE, SOUTH 80 DEGREES, 27 MINUTES, 23 SECONDS EAST, 275.00 FEET; THENCE SOUTH 04 DEGREES, 21 MINUTES, 17 SECONDS WEST, 1549.81 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF BRISTOL, KENDALL COUNTY, ILLINOIS.

EXCEPT THE PART FALLING IN THE FOLLOWING DESCRIBED LAND:

THAT PART OF SECTION 19 AND ALSO THAT PART OF SECTION 20, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 19; THENCE SOUTH 00 DEGREES 39 MINUTES 04 SECONDS EAST, ALONG THE EAST LINE OF SAID SECTION 19, A DISTANCE OF 147.18 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 82 DEGREES 38 MINUTES 28 SECONDS EAST, A DISTANCE OF 1885,72 FEET; THENCE NORTH 04 DEGREES 21 MINUTES 17 SECONDS EAST, A DISTANCE OF 1549.81 FEET TO THE CENTERLINE OF FAXON ROAD: THENCE NORTH 8O DEGREES 27 MINUTES 23 SECONDS WEST ALONG THE CENTERLINE OF FAXON ROAD, A DISTANCE OF 275.00 FEET; THENCE SOUTH 09 DEGREES 32 MINUTES 37 SECONDS WEST, A DISTANCE OF 460.00 FEET; THENCE NORTH 80 DEGREES 27 MINUTES 23 SECONDS WEST A DISTANCE OF 475.00 FEET; THENCE NORTH 09 DEGREES 32 MINUTES 37 SECONDS EAST, A DISTANCE OF 460.00 FEET TO THE CENTERLINE OF FAXON ROAD; THENCE NORTH 80 DEGREES 27 MINUTES 23 SECONDS WEST ALONG SAID ROAD CENTERLINE, A DISTANCE OF 351.94 FEET; THENCE NORTH 80 DEGREES 15 MINUTES 53 SECONDS WEST, ALONG THE CENTERLINE OF FAXON ROAD, A DISTANCE OF 765.83 FEET; THENCE NORTH 79 DEGREES 19 MINUTES 23 SECONDS WEST, ALONG SAID ROAD CENTERLINE, A DISTANCE OF 332.13 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 698.12 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 130.00 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 971.15 FEET; THENCE SOUTH 81 DEGREES 25 MINUTES 39 SECONDS EAST, A DISTANCE OF 50.79 FEET TO THE POINT OF BEGINNING, IN BRISTOL TOWNSHIP, KENDALL COUNTY,ILLINOIS.

AND EXCEPT THE PART FALLING IN THE FOLLOWING DESCRIBED LAND:

THAT PART OF THE NORTHEAST 1/4 OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
COMMENCING AT THE CENTER OF SAID SECTION 19; THENCE SOUTH 00 DEGREES 46 MINUTES 07 SECONDS EAST ALONG THE QUARTER SECTION LINE, 257.40 FEET; THENCE NORTH 83 DEGREES 55 MINUTES 03 SECONDS WEST, 120.0 FEET; THENCE NORTH 22 DEGREES 13 MINUTES 31 SECONDS EAST, 296.51 FEET; THENCE NORTH 46 DEGREES 38 MINUTES 37 SECONDS EAST 788.19 FEET; THENCE NORTH 68 DEGREES 41 MINUTES 58 SECONDS EAST, 390.87 FEET FOR A POINT OF BEGINNING; THENCE NORTH 68 DEGREES 41 MINUTES 58 SECONDS EAST, 207.58 FEET; THENCE NORTH 45 DEGREES 58 MINUTES 23 SECONDS EAST, 375.65 FEET; THENCE NORTH 48 DEGREES 02 MINUTES 41 SECONDS EAST, 242.00 FEET; THENCE NORTH 48 DEGREES 12 MINUTES 10 SECONDS EAST, 692.93 FEET TO A POINT IN THE CENTER LINE OF FAXON ROAD; THENCE NORTH 79 DEGREES

19 MINUTES 23 SECONDS WEST ALONG SAID CENTER LINE, 184.02 FEET; THENCE NORTH 76 DEGREES 33 MINUTES 23 SECONDS WEST ALONG SAID CENTER LINE, 630.71 FEET TO THE CENTER LINE OF BEECHER ROAD; THENCE NORTH 74 DEGREES 54 MINUTES 09 SECONDS WEST ALONG SAID FAXON ROAD CENTER LINE, 327.00 FEET; THENCE SOUTH 06 DEGREES 6 MINUTES 20 SECONDS WEST, 574.54 FEET; THENCE SOUTH 00 DEGREES 57 MINUTES 56 SECONDS EAST, 654.81 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PART THEREOF CONVEYED TO WAYNE AND DELORES CRUISE BY A TRUSTEE'S DEED RECORDED JUNE 4, 1990 AS DOCUMENT NO. 903549 IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

AND EXCEPT THE PART FALLING IN THE FOLLOWING DESCRIBED LAND

THAT PART OF THE NE 1/4 OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 19, THENCE SOUTH 0 DEGREES 46 MINUTES 07 SECONDS EAST ALONG THE QUARTER SECTION LINE, 257.40 FEET; THENCE NORTH 63 DEGREES 66 MINUTES 03 SECONDS WEST, 120.00 FEET; THENCE NORTH 22 DEGREES 13 MINUTES 31 SECONDS EAST, 296.61 FEET; THENCE NORTH 46 DEGREES 38 MINUTES 37 SECONDS EAST, 788.19 FEET; THENCE NORTH 68 DEGREES 41 MINUTES 68 SECONDS EAST, 698.46 FEET; THENCE NORTH 45 DEGREES 68 MINUTES 23 SECONDS EAST, 375.65 FEET; THENCE NORTH 48 DEGREES 02 MINUTES 41 SECONDS EAST, 242.00 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 46 DEGREES 12 MINUTES 10 SECONDS EAST, 692.93 FEET TO A POINT IN THE CENTERLINE OF FAXON ROAD; THENCE NORTH 79 DEGREES 19 MINUTES 23 SECONDS WEST ALONG SAID CENTERLINE, 184.02 FEET, THENCE NORTH 76 DEGREES 33 MINUTES 23 SECONDS WEST ALONG SAID CENTERLINE, 630.71 FEET; THENCE NORTH 74 DEGREES 54 MINUTES 09 SECONDS WEST ALONG SAID CENTERLINE, 350.00 FEET; THENCE SOUTH 13 DEGREES 26 MINUTES 37 SECONDS WEST, 670.60 FEET; THENCE SOUTH 76 DEGREES 33 MINUTES 23 SECONDS EAST, 759.31 FEET TO THE POINT OF BEGINNING IN THE TOWNSHIP OF BRISTOL, KENDALL COUNTY, ILLINOIS.

AND EXCEPT THE PART FALLING IN THE FOLLOWING DESCRIBED LAND

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

BEGINNING AT THE CENTER OF SAID SECTION 19; THENCE SOUTH 00 DEGREES 46 MINUTES 07 SECONDS EAST, ALONG THE QUARTER SECTION LINE, A DISTANCE OF 257.40 FEET; THENCE NORTH 83 DEGREES 55 MINUTES 03 SECONDS WEST, 1944.30 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 19, WHICH IS 1930.58 FEET SOUTH 88 DEGREES 28 MINUTES 32 SECONDS WEST FROM THE CENTER OF SAID SECTION 19; THENCE SOUTH 88 DEGREES 28 MINUTES 32 SECONDS WEST ALONG SAID NORTH LINE, 204.49 FEET; THENCE NORTH 03 DEGREES 24 MINUTES 35 SECONDS EAST, 2079.52 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN - SANTE FE RAILWAY; THENCE NORTH 73 DEGREES 57 MINUTES 26 SECONDS EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 2417.61 FEET; THENCE SOUTH 00 DEGREES 41 MINUTES 37 SECONDS WEST, 565.44 FEET TO THE CENTERLINE OF FAXON ROAD; THENCE SOUTH 74 DEGREES 54 MINUTES 09 SECONDS EAST ALONG THE CENTERLINE, 678.89 FEET TO A POINT THAT IS 350.00 FEET NORTH 74 DEGREES 54 MINUTES 09 SECONDS WEST OF THE CENTERLINE OF BEECHER ROAD;

THENCE SOUTH 13 DEGREES 26 MINUTES 37 SECONDS WEST, 570.50 FEET; THENCE SOUTH 76 DEGREES 33 MINUTES 23 SECONDS EAST, 96.63 FEET; THENCE SOUTH 00 DEGREES 57 MINUTES 56 SECONDS EAST, 654.81 FEET; THENCE SOUTH 68 DEGREES 41 MINUTES 58 SECONDS WEST, 390.87 FEET; THENCE SOUTH 46 DEGREES 38 MINUTES 37 SECONDS WEST, 784.04 FEET TO THE QUARTER SECTION LINE; THENCE SOUTH 00 DEGREES 46 MINUTES 07 SECONDS EAST, ALONG SAID QUARTER SECTION LINE, 32.36 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

THAT PART OF THE WEST HALF OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE CENTER LINE OF U.S. ROUTE 34 AND THE WEST LINE OF SAID SECTION 19; THENCE NORTH ALONG SAID WEST LINE OF SECTION 19, 50.21 FEET TO A POINT OF THE FORMER NORTH RIGHT OF WAY LINE OF SAID U.S. ROUTE 34; THENCE SOUTH 84 DEGREES 36 MINUTES 32 SECONDS EAST ALONG SAID FORMER RIGHT OF WAY LINE 148.00 FEET; THENCE NORTH 00 DEGREES 10 MINUTES 27 SECONDS EAST PARALLEL WITH SAID WEST LINE OF SECTION 19, 15.06 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID U.S. ROUTE 34 FOR THE POINT OF BEGINNING; THENCE SOUTH 84 DEGREES 36 MINUTES 32 SECONDS EAST ALONG SAID NORTHERLY RIGHT OF WAY LINE, 361.08 FEET; THENCE NORTH 03 DEGREES 02 MINUTES 53 SECONDS EAST, 302.64 FEET; THENCE SOUTH 87 DEGREES 21 MINUTES 53 SECONDS EAST, 404.14 FEET TO AN OLD FENCE LINE REPRESENTING AN OLD DEED LINE; THENCE NORTH 02 DEGREES 38 MINUTES 07 SECONDS EAST ALONG SAID OLD FENCE LINE 2240.63 FEET; THENCE NORTH 84 DEGREES 40 MINUTES 09 SECONDS WEST, 976.08 FEET TO THE EASTERLY RIGHT OF WAY LINE OF ELDAMAIN ROAD; THENCE SOUTH 00 DEGREES 10 MINUTES 27 SECONDS WEST ALONG SAID EASTERLY RIGHT OF WAY LINE, 1984.53 FEET TO A POINT 600.00 FEET NORTHERLY OF SAID FORMER RIGHT OF WAY OF U.S. ROUTE 34; THENCE SOUTH 84 DEGREES 36 MINUTES 32 SECONDS EAST PARALLEL WITH SAID FORMER RIGHT OF WAY LINE, 97.79 FEET; THENCE SOUTH 00 DEGREES 10 MINUTES 27 SECONDS WEST PARALLEL WITH SAID EASTERLY RIGHT OF WAY LINE OF ELDAMAIN ROAD, 584.94 FEET TO THE POINT OF BEGINNING (EXCEPT THAT PART, IF ANY, FALLING IN THE FOLLOWING DESCRIBED TRACT: THAT PART OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE WEST LINE OF SAID SOUTHWEST QUARTER WITH THE NORTH RIGHT OF WAY LINE OF ILLINOIS ROUTE 34; THENCE NORTH 00 DEGREES 10 MINUTES 28 SECONDS EAST ALONG SAID WEST LINE 600 FEET; THENCE SOUTH 84 DEGREES 36 MINUTES 32 SECONDS EAST, PARALLEL WITH THE NORTHLINE OF ROUTE 34, 148 FEET; THENCE SOUTH 00 DEGREES 10 MINUTES 28 SECONDS WEST, PARALLEL WITH SAID WEST LINE, 600 FEET TO SAID NORTH LINE; THENCE NORTH 84 DEGREES 36 MINUTES 32 SECONDS WEST, ALONG SAID NORTH LINE 148 FEET TO THE POINT OF BEGINNING; ALSO EXCEPT THAT PART, IF ANY, FALLLING IN THE FOLLOWING DESCRIBED TRACT: THAT PART OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN BEING DESCRIBED BY COMMENCING AT A POINT ON THE WEST LINE OF SAID SETION 19 AT THE INTERSECTION OF THE CENTER LINE OF U.S. ROUTE 34; THENCE SOUTH 86 DEGREES 11 MINUTES 48 SECONDS EAST ALONG SAID CENTER LINE, 503.76 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 86 DEGREES 11 MINUTES 48 SECONDS EAST ALONG SAID CENTER LINE, 134.00 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 38,197.20 FEET; THENCE EASTERLY ALONG SAID CENTER LINE CURVE, A DISTANCE OF 275.36 FEET TO A POINT WHOSE CHORD BEARS

SOUTH 85 DEGREES 58 MINUTES 32 SECONDS EAST, 275.36 FEET; THENCE NORTH 01 DEGREES 02 MINUTES 51 SECONDS EAST, 388.32 FEET; THENCE NORTH 87 DEGREES 21 MINUTES 53 SECONDS WEST, 404.14 FEET; THENCE SOUTH 03 DEGREES 02 MINUTES 53 SECONDS WEST, 367.63 FEET TO THE PONT OF BEGINNING; ALSO EXCEPT THAT PART, IF ANY, FALLING IN THE FOLLOWING DECRIBED TRACT: THAT PART OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE NORTH 00 DEGREES 20 MINUTES 44 SECONDS WEST ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, 254.37 FEET FOR A POINT OF BEGINNING; THENCE NORTH 00 DEGREES 20 MINUTES 44 SECONDS WEST ALONG SAID WEST LINE 1517.74 FEET TO THE SOUTHERLY LINE OF THE BURLINGTON NORTHERN, INC. RAILROAD RIGHT WAY; THENCE NORTH 73 DEGREES 57 MINUTES 53 SECONDS EAST ALONG SAID SOUTHERLY LINE 1197.36 FEET TO THE LANDS FORMERLY OWNED BY CALVIN WHEELER; THENCE SOUTH 03 DEGREES 25 MINUTES 05 SECONDS WEST ALONG SAID WHEELER'S LANDS, 1939.92 FEET; THENCE NORTH 85 DEGREES 05 MINUTES 42 SECONDS WEST 1029.63 FEET TO THE POINT OF BEGINNING; ALSO EXCEPT THAT PART, IF ANY, LYING EAST OF THE FOLLOWING LINE AND ITS EXTENSION NORTHERLY: COMMENCING AT A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 19 THAT IS 1930.58 FEET SOUTH 88 DEGREES 28 MINUTES 32 SECONDS WEST FROM THE CENTER OF SAID SECTION 19; THENCE SOUTH 88 DEGREES 28 MINUTES 32 SECONDS WEST ALONG SAID NORTH LINE 204.60 FEET FOR THE POINT OF BEGINNING OF SAID LINE; THENCE SOUTH 02 DEGREES 08 MINUTES 40 SECONDS WEST 2489.33 FEET TO THE CENTER LINE OF U.S. HIGHWAY NO. 34 FOR THE TERMINATION OF SAID LINE; AND ALSO EXCEPT THAT PART, IF ANY, DESCRIBED IN DEED RECORDED JANUARY 29, 1997 AS DOCUMENT 9700933), IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

PERMANENT TAX NUMBERS: **02-19-200-008; 02-19-200-011, AND 02-19-300-018**

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, February 12, 2025 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

From: [redacted]
Sent: Monday, February 3, 2025 2:23:35 PM
To: John Purcell <jpurcell@yorkville.il.us>
Subject: Yorkville Citizen Concerned with Potential Upcoming Rezoning

Dear Mayor Purcell,

Wanted to reach out to you as a concerned Yorkville citizen. I received documents for an upcoming Yorkville Public Hearing for Rezoning Residential to Manufacturing.
My current address is [redacted] with my wife and 2 small children.

I am new to participating in city public hearings and was hoping to see your opinions on this and some insite.
DMYF, LLLP (Annexation & Rezone) | Yorkville, IL - Official Website
I attended this Hearing and felt very out of place since it was all new to me.

The upcoming Public hearing will be Annexing and Rezoning of a section of land that will directly impact my residence, as well as 22 of my neighbors.
Hamman- Kelaka, LLC (Annexation and Rezone) | Yorkville, IL - Official Website

My concerns are on how close this potential rezoning of Residential to Manufacturing would be to a current residential neighborhood. When looking on a map you can see how far these potential rezoning from Residential to Manufacturing section will be to 23 residential houses. (Most North / West of the upcoming request)

I am in support of the growth in Yorkville; however I believe this potential rezoning to Manufacturing is too close to existing Yorkville Residence.
Yorkville City Council just approved to convert over 270acres of land to Manufacturing at the end of last year next door to my neighborhood. How much closer does Manufacturing zoning need to be to existing Yorkville Residence? I did not move to Yorkville to live in a Manufacturing Zone.

I and my wife's dream was to grow old in our current house however this won't be a possibility if 70ft tall warehouses are casting a shadow over my house.

Do you agree / understand my concerns with this upcoming Rezoning request?
Do you have any suggestions on how to approach the council during the hearing?

The Rezoning hearing is scheduled for February 12, 2025 at 19:00

Thank you for your time and hope to hear back soon!

Brian A. Carrabotta

[redacted]

Memorandum

To: Planning and Zoning Commission
From: Sara Mendez, Planner I
CC: Bart Olson, City Administrator
Krysti Barksdale-Noble, Community Development Director
Date: January 31, 2025
Subject: **PZC 2024-32 515 W Washington Street – Variance**
Fence Location

SUMMARY:

The petitioner, Kyle Corniels, is seeking variance approval for an approximate 0.28-acre parcel located at 515 W Washington Street in Yorkville, Illinois. The property is located at the end of the cul-de-sac on west Washington Street and immediately south of West Fox Street. The petitioner is requesting a variance to Section 10-5-5. Fences in the Unified Development Ordinance. The purpose of this request is to allow the fence to extend beyond the front plane of the primary building façade in a residential district.

515 W WASHINGTON STREET
United City of Yorkville, Illinois
Date: November 14, 2024
File Location: I:\ARCGIS TEMPLATES\515 W WASHINGTON STREET

PROPERTY BACKGROUND:

The property is zoned R-2 Single-Family Traditional Residence District and is surrounded by other R-2 zoned single family homes. The property is comprised of one (1) parcel owned by the petitioner and is uniquely positioned at the end of the cul-de-sac on west Washington Street. The location results in the home's primary building façade facing the curve of the street, rather than a straight section of the street, creating an atypical orientation. Due to the atypical lot configuration, the front plane of the house extends along a portion of what would typically be considered a side yard. This area of the City was developed before any modern zoning regulations existed and therefore the structures and parcels in the area are uniquely placed and shaped. The photo below illustrates the positioning of the home on the lot.

PROJECT DESCRIPTION:

The petitioner is requesting approval for a cedar fence already constructed on the property. The fence, which stands at 6 feet tall and tapers to 4 feet, extends beyond the front plane of the primary building façade. Initially, the petitioner contacted the City's Community Development Department regarding plans to construct a privacy fence. Concerned about the unique layout of the home, the petitioner consulted City Staff and was informed that a variance application would be required due to the fence's proposed location. To accommodate the petitioner's timeline, as the fence installation was planned for the fall of 2024 and the variance process typically takes 2-3 months, the City issued a contingent fence permit in September 2024. The permit allowed the fence to be installed while requiring the petitioner to formally apply for a variance. The variance application was subsequently filed on November 12, 2024.

Section 10-5-5 of the City's Unified Development Ordinance specifies that fences may be built up to the property line but must not extend beyond the front plane of the primary building façade in residential districts. The petitioner seeks a variance from this ordinance to allow the fence to extend beyond the front plane of the home, as illustrated in the plat below.

The unique configuration of the property contributes to the need for this variance. The home is located at the end of a cul-de-sac, causing the front plane of the primary building façade—considered the front side of the home in this case—to extend into an area that would typically be classified as a side yard. Additionally, the setbacks of the home further influence the property's layout. Below is a table comparing the minimum yard setbacks required by the Unified Development Ordinance with those of 515 W. Washington Street.

	UDO Minimum Required Setbacks	515 West Washington Street Setbacks
Front Yard	30 feet	78 feet
Side Yard	10 feet	30 feet
Side Yard	10 feet	31 feet
Rear Yard	40 feet	15 feet

The front yard setback of 78 feet, far exceeding the UDO minimum of 30 feet, pushes the home further back on the lot. On the other hand, the rear yard setback is significantly reduced at 15 feet, compared to the required 40 feet, further affecting the home's overall placement and alignment with the curve of the street.

Together, these factors—the large front yard setback, reduced rear yard setback, and the home's location at the end of the cul-de-sac—result in the primary building façade extending into what would typically be the side yard. This creates challenges in adhering to the standards of Section 10-5-5 for building a privacy fence, which supports the request for a variance.

STANDARDS FOR GRANTING A VARIANCE:

Section 10-8-9-C states specific standards for variations which all recommendation bodies will review. **The petitioner has provided answers to each of the criteria in the application 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. A particular hardship to the owner would result because of the physical surroundings, shape, or topographical conditions of the subject property, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.
2. The conditions upon which the petition for a Variation is based are unique to the subject property and are not applicable, generally, to other properties within the same zoning district.
3. The difficulty or hardship is not created by any person presently having an interest in the property.
4. The Variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
5. The proposed Variation will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger to the public, or substantially diminish or impair property values within the neighborhood.
6. The proposed Variation is consistent with the official comprehensive plan and other development standards and policies of the City.

STAFF COMMENTS

Staff supports the request for a variance due to the uniqueness of the property. The large front yard setback, the reduced rear yard setback, and the home's location at the end of the cul-de-sac creates challenges in adhering to the standards of Section 10-5-5 for building a privacy fence, which supports the request for a variance. The final vote is scheduled for the February 25, 2025 City Council meeting.

PROPOSED MOTION:

In consideration of testimony presented during a Public Hearing on February 12, 2025 and approval of the findings of fact, the Planning and Zoning Commission recommends approval of a request to vary the fence regulation contained in Section 10-5-5 of the Unified Development Ordinance to permit a fence to extend beyond the front plane of the primary building façade in a residential district of the subject property and further subject to {insert any additional conditions of the Planning and Zoning Commission}…

ATTACHMENTS:

1. Petitioner Application (with attachments)
2. Public Hearing Notice

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 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.

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 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:

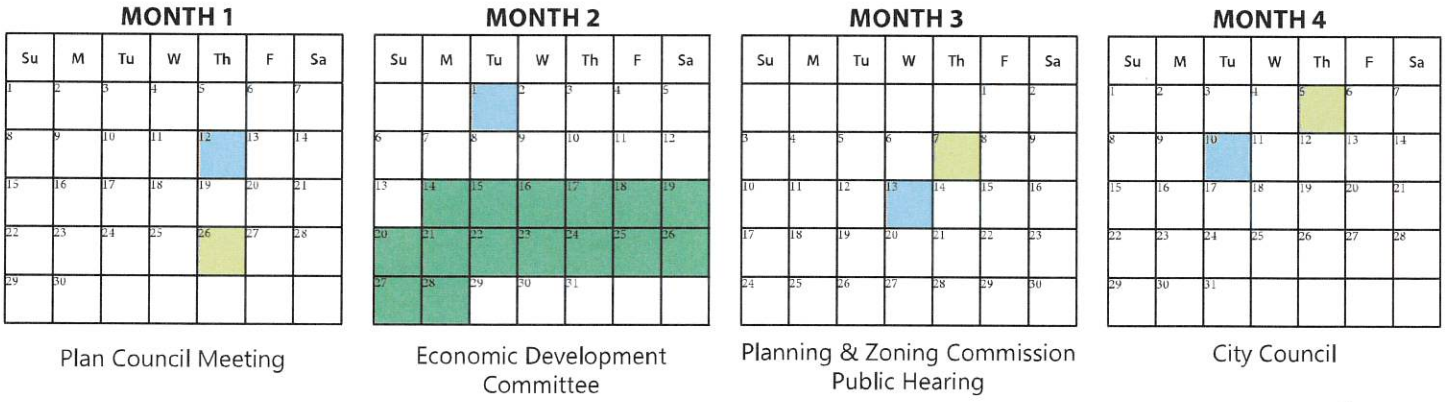
PETITIONER

- ☐ 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



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

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APPLICATION FOR VARIANCE

DATE: 11-12-24	PZC NUMBER:	DEVELOPMENT NAME: Fred ATLee

PETITIONER INFORMATION

NAME: Kyle Corniels	COMPANY:
MAILING ADDRESS: 515 W. Washington St.	
CITY, STATE, ZIP: Yorkville IL. 60560	TELEPHONE: ○ BUSINESS ◉ HOME 630-514-3798
EMAIL: KCorniels@Gmail.com	FAX:

PROPERTY INFORMATION

NAME OF HOLDER OF LEGAL TITLE: Kyle Corniels

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

PROPERTY STREET ADDRESS: 515 W. Washington St.

DESCRIPTION OF PROPERTY'S PHYSICAL LOCATION:
Cul-de-sac at West end of Washington St.

CURRENT ZONING CLASSIFICATION: R2

ZONING AND LAND USE OF SURROUNDING PROPERTIES

NORTH: Residential
EAST: Residential
SOUTH: Residential
WEST: Residential

KENDALL COUNTY PARCEL IDENTIFICATION NUMBER(S)

02-32-403-008			

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Fax: 630-553-7575
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APPLICATION FOR VARIANCE

ATTORNEY INFORMATION	
NAME:	COMPANY:
MAILING ADDRESS:	
CITY, STATE, ZIP:	TELEPHONE:
EMAIL:	FAX:
ENGINEER INFORMATION	
NAME:	COMPANY:
MAILING ADDRESS:	
CITY, STATE, ZIP:	TELEPHONE:
EMAIL:	FAX:
LAND PLANNER/SURVEYOR INFORMATION	
NAME:	COMPANY:
MAILING ADDRESS:	
CITY, STATE, ZIP:	TELEPHONE:
EMAIL:	FAX:

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:

Section 10-5-5.B.1

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:

Due to shape of our lot the house was not built square to the street. This makes most of my side yard fall out of the guide lines for a privacy fence.

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:

our house was not built square to the street due to being on a cul-de-sac lot with only little frontage to the street.

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:

Due to shape of our lot the house is not built square to the street. This makes most of my side yard fall out of the guide lines for a privacy fence.

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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:

IT is for a Fence being built between ours And our neighbors 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:

IT is a 6' privacy Fence between our properties

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.

[signature] 11-12-24

PETITIONER SIGNATURE DATE

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

[signature] 11-12-24

OWNER SIGNATURE DATE

THIS APPLICATION MUST BE NOTARIZED PLEASE NOTARIZE HERE: Bobbie M Blystone 11/12/24

BOBBIE BLYSTONE
OFFICIAL SEAL
Notary Public, State of Illinois
My Commission Expires
February 18, 2025

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:

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:	COMPANY:
MAILING ADDRESS:	
CITY, STATE, ZIP:	TELEPHONE:
EMAIL:	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 _____ 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:		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		

CERTIFIED MAILING
AFFIDAVIT

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

I/We, Kyle Connells, 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

12 day of November, 2024

Bobbie M Blystone
Notary Public

BOBBIE BLYSTONE
OFFICIAL SEAL
Notary Public, State of Illinois
My Commission Expires
February 18,2025

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: 2024-1429	**DATE/TIME RECEIVED:**
SITE ADDRESS: 575 W. Washington St.	PARCEL NUMBER: 02-32-403-008
SUBDIVISION: Fred Atlee	LOT/UNIT: 1

APPLICANT INFORMATION

NAME: Kyle Connells	TELEPHONE: ◉ HOME ○ BUSINESS 630-574-3798
ADDRESS: 575 W. Washington St.	E-MAIL: ◉ HOME ○ BUSINESS KConnells@gmail.com
CITY, STATE, ZIP: Yorkville IL. 60560	FAX:

SIGN INFORMATION

DATE OF PICK UP:	NUMBER OF SIGNS:
DATE OF PUBLIC HEARING:	SIGN RETURN DATE:

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, Yorkville, Illinois, immediately following the date of the public hearing.

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.

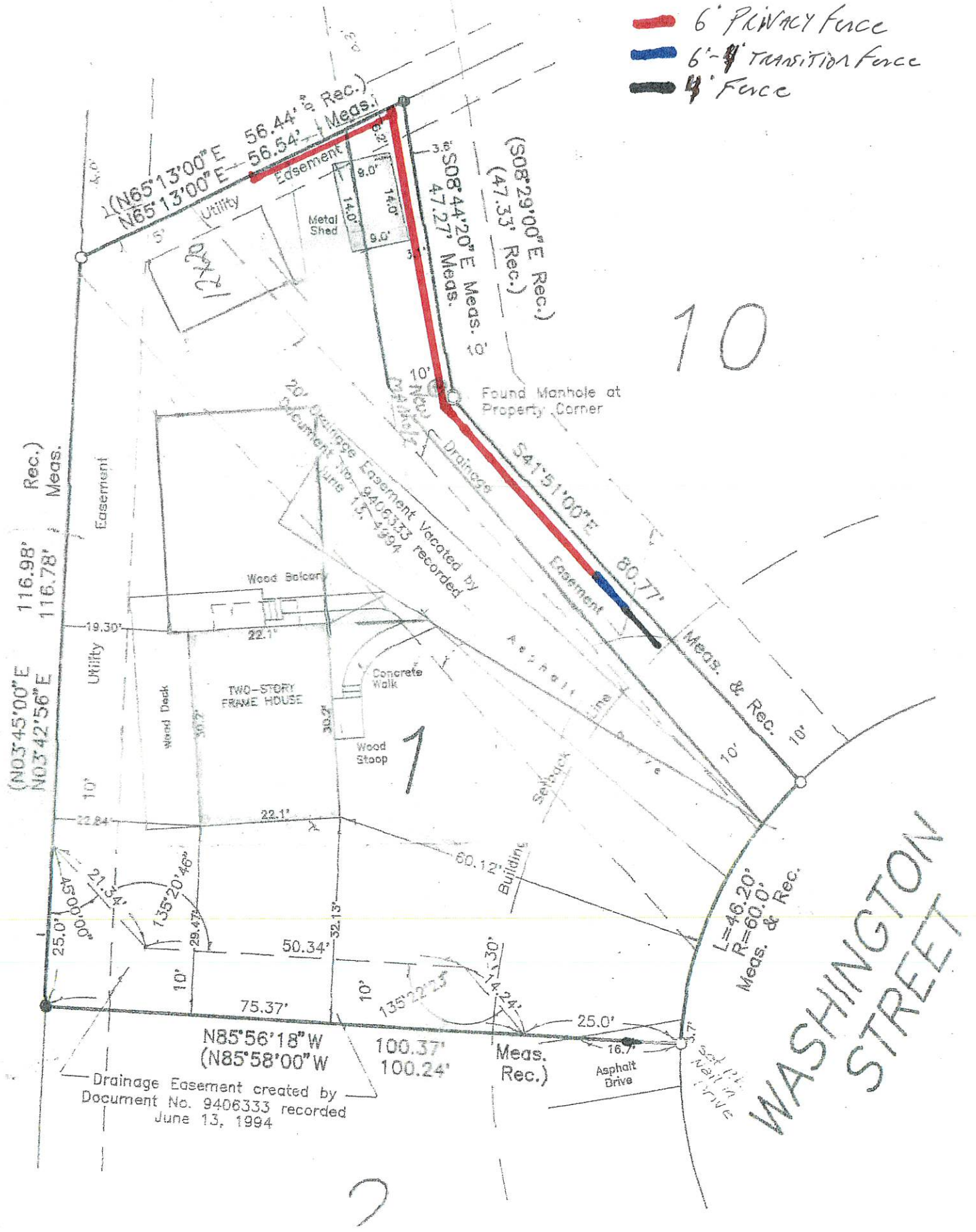
Petitioner or Representative further agrees to pay to the United City of Yorkville the full amount of the purchase price for each sign not returned to the United City of Yorkville within seven (7) days after the date of the public hearing.

SIGNATURE/AUTHORIZED AGENT _____ DATE _____

DATE RETURNED: _____

RECEIVED BY: _____ PZC# _____

DIVISION OF LOTS 11 & 12 OF UNIT TWO, FRED ATLEE SUBDIVISIO
YORKVILLE KENDALL COUNTY ILLINOIS



CHICAGO TRIBUNE
media group

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: 7752294
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 1/13/2025, and the last publication of the notice was made in the newspaper dated and published on 1/13/2025.

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

PUBLICATION DATES: **Jan 13, 2025.**

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

14th Day of January, 2025, by

Chicago Tribune Media Group

Jeremy Gates

CHICAGO TRIBUNE
media group

PUBLIC NOTICE
NOTICE OF PUBLIC HEARING
BEFORE
UNITED CITY OF YORKVILLE
PLANNING AND ZONING
COMMISSION
PZC 2024-32

NOTICE IS HEREBY GIVEN THAT Kyle Corniels, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting relief from Section 10-5-5 of the Unified Development Ordinance requiring fences not extend beyond the front plane of the primary building facade in residential districts for a residential parcel located at 515 W. Washington Street. The purpose of this request is to allow for the fence on the petitioner's property to extend beyond the front plane of their home. The real property, zoned R-2 Single-Family Traditional Residence District, is located at the end of the cul-de-sac on West Washington Street and immediately south of West Fox Street, in Yorkville, Illinois.

The legal description is as follows:

LT 1 RE-SUB OF LTS 11 & 12 FRED ATLEE SUB UNIT 2 CITY OF YORKVILLE

PIN: 02-32-403-008

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 application on **Wednesday, February 12, 2025 at 7 p.m.** at the United City of Yorkville, City Hall, located at 651 Prairie Pointe Drive, Yorkville, Illinois 60560.

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

All interested parties are invited to attend the public hearing and will be given an opportunity to be heard. Any written comments should be addressed to the United City of Yorkville Community Development Department, City Hall, 651 Prairie Pointe Drive, Yorkville, Illinois, and will be accepted up to the date of the public hearing.

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

JORI BEHLAND
City Clerk
1/13/2025 7752294

Chicago Tribune - chicagotribune.com
160 N Stetson Avenue, Chicago, IL 60601
(312) 222-2222 - Fax: (312) 222-4014

ASCENCIO JAZMIN LUNA CLAUDIA MARTINEZ
508 DOLPH ST
YORKVILLE IL 60560

LYNN M WHITE LIV TRUST
514 W FOX ST
YORKVILLE IL 60560

LAWRENCE COREY CZERWINSKI
507 DOLPH ST
YORKVILLE IL 60560

ADAM MARCLEY
514 W WASHINGTON ST
YORKVILLE IL 60560

JOHNSON RAYMOND E JOHNSON CASEY
513 W WASHINGTON ST
YORKVILLE IL 60560

ZIESEMER DENISE ZIESEMER ALAINA M
665 WHITE OAK WAY
YORKVILLE IL 60560

CHRISTIE FAMILY TRUST
41 WOODLAND TRL
LINCOLNSHIRE IL 60069

JEFFREY S PAMELA S HAHN
510 W WASHINGTON ST
YORKVILLE IL 60560

DANIEL GRIGALUNAS
506 W DOLPH
YORKVILLE IL 60560

XFIVE J LLC 506 W FOX
399 WEGNER DR
WEST CHICAGO IL 60185

ABNER ROYANN SHEHADEH ADAM
505 W WASHINGTON ST
YORKVILLE IL 60560

DEANNE KYLE CORNIELS
515 W WASHINGTON ST
YORKVILLE IL 60560

NOAH HANNAH ROMERO
809 MORGAN ST
YORKVILLE IL 60560

JUAN ACEVEDO
511 W DOLPH ST
YORKVILLE IL 60560

BROWN ANGELA RENE LIV TR BROWN RONALD D LIV TR
508 W WASHINGTON ST
YORKVILLE IL 60560

ZEPP JESSICA PRIGNANO AGNES PATRICIA
515 W FOX RD
YORKVILLE IL 60560

RICHARD STANNETTE KRABER
505 DOLPH ST
YORKVILLE IL 60560

CAREN L BARNES
507 W WASHINGTON ST
YORKVILLE IL 60560

CAROLYN A POTTINGER
PO BOX 345
509 1/2 FOX RD
YORKVILLE IL 60560

DECKER JANICE L LIV TRUST DECKER CRAIG R LIV TRUST
510 W DOLPH ST
YORKVILLE IL 60560

RUSSELL G SHIRLEY M DINGES
667 WHITE OAK WAY
YORKVILLE IL 60560

EUGENE J DOETSCH III
516 W WASHINGTON ST
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