KENDALL COUNTY
REGIONAL PLANNING COMMISSION

111 West Fox Street • Rooms 209 and 210 • Yorkville, IL • 60560

AGENDA

Wednesday, August 22, 2018 – 7:00 p.m.

CALL TO ORDER

ROLL CALL: Bill Ashton (Chair), Roger Bledsoe, Tom Casey, Larry Nelson, Ruben Rodriguez, John Shaw, Claire Wilson, Budd Wormley, Angela Zubko, and One Vacancy (Big Grove Township)

APPROVAL OF AGENDA

APPROVAL OF MINUTES Approval of Minutes from July 25, 2018 Meeting (Pages 3-9)

PETITIONS

1. **18 – 25 – Paul Kovacevich on Behalf of Tri-Star Development, Inc. (Pages 10-81)**

Request: Map Amendment Rezoning the Subject Properties from A-1 Agricultural District to R-1 One Family Residential District

PINs: 09-15-300-014, 09-16-400-002, 09-16-400-005, 09-16-400-006, 09-21-200-004, and 09-22-100-010

Location: Approximately 0.5 Miles West of Jughandle Road on the South Side of U.S. Route 52, Seward Township

Purpose: Petitioner wants to Rezone the Property in Order to Develop a Forty (40) Lot Single-Family Residential Subdivision

2. **18 – 26 – Maurice E. Ormiston as Trustee u/t/a No. 101 and Marilyn J. Ormiston as Trustee u/t/a 102 (Owners) and Gay Hoddy (Tenant) (Pages 82-140)**

Requests: Special Use Permit to Operate a Banquet Center at the Subject Property

Variance to Section 7.01.D .10.a of the Kendall County Zoning Ordinance to Allow a Banquet Center on a Non-Arterial or Non-Major Collector Roadway

Variance to Section 11.02.F.2 of the Kendall County Zoning Ordinance to Allow Off-Street Parking and Driving Aisles to Not Be Improved with a Permanent, Concrete, Unit Paver, Asphalt Surface or Some Other Environmentally Friendly or Green Design Practice

Variance to Section 11.02.F.12.B of the Kendall County Zoning Ordinance to Waive the Requirement for "Fully Shielded" or "Cut Off" Light Fixtures for the Parking Facility

PIN: 04-34-100-001

Location: 14905 Hughes Road, Fox Township

Purpose: Petitioners Desire to Operate a Banquet Facility with Variances at the Subject Property.

CITIZENS TO BE HEARD/PUBLIC COMMENT

NEW BUSINESS

None

OLD BUSINESS

None

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

1. Petition 18-15-Request for a Special Use Permit for Solar Panels on Harazin Property on Newark Road
2. Petition 18-20-Map Amendment for Fox Metro Property

OTHER BUSINESS/ANNOUNCEMENTS

ADJOURNMENT Next regularly scheduled meeting on Wednesday, September 26, 2018

If special accommodations or arrangements are needed to attend this County meeting, please contact the Administration Office at 630-553-4171, a minimum of 24-hours prior to the meeting time.

KENDALL COUNTY
REGIONAL PLANNING COMMISSION

Kendall County Office Building
Rooms 209 & 210
111 W. Fox Street, Yorkville, Illinois

Unapproved Meeting Minutes of July 25, 2018

Chairman Ashton called the meeting to order at 7:00 p.m.

ROLL CALL

Members Present: Bill Ashton, Tom Casey, Larry Nelson, Ruben Rodriguez, John Shaw, Claire Wilson (arrived at 7:02 p.m.), Budd Wormley, and Angela Zubko
Members Absent: Angela Zubko
Staff Present: Matthew H. Asselmeier, Senior Planner, Jasmine Brown Watkins, Office Assistant
In the Audience: June Alice, Bob Alice, Mark Perle, Priscilla Gruber, Linda Wilkinson, David Koukol, Peter Pasteris, Megan Jensen, Pete Bielby, and Jerry Callahan

APPROVAL OF AGENDA

Mr. Bledsoe made a motion, seconded by Mr. Casey, to approve the agenda as presented. With a voice vote of all ayes, the motion carried.

APPROVAL OF MINUTES

Mr. Shaw made a motion, seconded by Mr. Nelson, to approve the June 27, 2018, Kendall County Regional Planning Commission meeting minutes as presented. With a voice of all ayes, the motion carried.

PETITIONS

Amended Petition 17-28- Kendall County Planning, Building and Zoning Committee

Mr. Asselmeier summarized the request.

At their meeting on July 9, 2018, the Kendall County Planning, Building and Zoning Committee reviewed the concerns expressed by the Kendall County Regional Planning Commission at their June meeting. The Planning, Building and Zoning Committee's responses are listed in bold after each concern.

1. The exemption for the Forest Preserve District and lands owned by the State of Illinois and used for parks should be removed. The public health, safety, and welfare issues that the proposal seeks to address are the same for publicly owned lands and privately owned lands. **The activities of the Forest Preserve District are exempt from zoning if the activity is a permissible use as defined by the Downstate Forest Preserve Act.**

2. The Commission would like the proposal divided into three (3) parts: shotgun, rifle, and pistol. The Commission believes that this division would resolve issues related to minimum lot size and distance to neighboring structures. In talking with PBZ Chairman Davidson, Staff believes that the resulting division would simply cause petitioners to request three (3) special use permits. **The Planning, Building and Zoning Committee concurred with PBZ Chairman Davidson that prospective gun ranges would seek multiple special use permits. The County can evaluate proposals on a case-by-case basis and place appropriate restrictions on special use permits.**

3. Commissioners were concerned regarding the removal of the five (5) acre minimum lot size

requirement; ranges would simply have to meet the setbacks of the zoning district. PBZ Chairman Davidson would like the setbacks to be determined on a case-by-case basis. **The consensus of the Planning, Building and Zoning Committee was that a property would need to be of sufficient size to comply with the setback, berming, and noise requirements contained in the proposal.**

4. Commissioners were concerned regarding the removal of the one thousand foot (1,000') buffer between ranges and churches, schools, and neighboring houses. PBZ Chairman Davidson would like the distances to be determined on a case-by-case basis. **The consensus of the Planning, Building and Zoning Committee was that proposals should be evaluated on a case-by-case basis with the neighboring land uses taken into consideration when evaluating the individual application.**

5. Commissioners were concerned about the noise requirement. Unlike other noise regulations, the sixty-five (65) dBa requirement would be constant instead of lowering to fifty-five (55) dBa at 10:00 p.m. PBZ Chairman Davidson would like the noise regulations to be evaluated on a case-by-case basis. **The consensus of the Planning, Building and Zoning Committee was that proposals should be evaluated on a case-by-case basis with the neighboring land uses taken into consideration when evaluating the individual application.**

   There were no changes to the proposal.

Ms. Wilson looked into the downstate Downstate Forest Preserve Act and could not find exemptions that pertained to the special use permit applied to the Kendall County Forest Preserve. There are permits that can be granted to outside users.

Mr. Nelson stated that the decision of the County Board on this matter is not based on law. He questioned why the language should be put in if the Kendall County Forest Preserve is exempted. If the regulations are already in the law, there is no reason to put it in the ordinance.

Ms. Wilson questioned where the source of the proposal originated. Mr. Asselmeier noted the Planning, Building and Zoning Committee made the final call for what was put in the proposal.

Mr. Nelson understood looking at petitions on a case-by-case basis, but did felt that greater direction was needed.

Ms. Wilson questioned what reason for the minimum of five (5) acre lot size. Mr. Asselmeier noted it was set at that requirement back in 2015. The Planning, Building and Zoning Committee wanted the dimensions to be based on the setbacks, berming requirements and type of firearm. All the other setbacks would have to be met, even if the five (5) acre requirement is not obtained.

Mr. Shaw questioned the noise requirement and if shooting can last all night. Chairman Ashton responded that is depends on a case-by-case basis and that shooting could occur all night under the proposal. Chairman Ashton noted the Sheriff Department's range was approved years ago and the proposal does not apply to that range.

Discussion occurred regarding the Sheriff Department's range. Mr. Davidson responds that the special use allows lights. Chairman Ashton noted the special use permit did not allow lights. However, the special use permit should include lights if someone wants to put up lights. Mr. Nelson noted, if someone has a special use permit with no restrictions on hours of operation, it is reasonable for the individual to put up lights. Mr. Asselmeier noted the time for the range was 7 a.m. to 8 p.m. and that lighting shall meet the standards of the zoning order. Ms. Wilson agreed with Mr. Shaw. She stated she lives next to a shooting range and would not be okay with it going on after 10 p.m. She also advocated for a lower decimal level because noise can be disruptive and dangerous to the public.

Chairman Ashton stated the Board has already sent the proposal back in without their recommendation.

Mark Perle, Old Ridge Road, expressed disappointment that none of the points were really discussed at the July 9th meeting. There was no input taken from the citizens groups. He did not believe the general public will be receptive. The Planning, Building and Zoning Committee referred to David Lombardo as their expert. Mr. Nelson stated the Commission was an advisory board and provided all the information but the Planning, Building and Zoning Committee took a different approach.

Priscilla Gruber, Old Ridge Road, believed that the Planning, Building and Zoning Committee wanted to decide petitions on a case-by-case basis and she objected to that idea. She argued that the public has no guidelines and no one can plan or know what the neighborhood will be like. She argued that too much discretion lay with the people in office at that time, but County Board members change. She did not want to see the county adopt the policy. Mr. Nelson responded that Ms. Gruber should go to the County Board meeting. Ms. Wilson suggested that Ms. Gruber research the Downstate Forest Preserve Act.

Linda Wilkinson, Old Ridge Road, believed the County Board should take measures to enhance the quality of the residents. She argued that property values will decrease next to gun ranges. In her case, her property would be unsellable. She requested a negative recommendation.

Mr. Nelson made a motion to pass the proposal with no recommendation to the Zoning Board of Appeals. Ms. Wilson requested to amend Mr. Nelson's motion to stand by their original recommendation but does not second the motion. Mr. Bledsoe called to amend the motion to remove the case-by-case basis statement because of public opposition. Mr. Nelson did not amend his original motion and nobody seconded the motion. The motion died for lack of a second.

Ms. Wilson, second by Mr. Wormley made a motion to recommend approval of the proposal as presented.

Yes- (0)
No- Ashton, Bledsoe, Casey, Nelson, Rodriguez, Shaw, Wilson and Wormley (8)
Absent- Zubko (1)

The motion failed and will be recorded as a negative recommendation. This proposal will go to the Zoning Board of Appeals on August 27, 2018. Mr. Nelson asked why the proposal was not going to the July 30, 2018, Zoning Board of Appeals meeting. Mr. Asselmeier responded that, due to newspaper deadlines and uncertainty of the Planning, Building and Zoning Committee's response to the Commission's concerns, the proposal did not appear on the July Zoning Board of Appeals agenda.

Ms. Wilson referenced Priscilla Gruber's concerns as her reason for voting against the proposal. She believed that the proposal does not provide enough substance for making recommendations. Chairman Ashton did not believe that the issue of shooting sports was addressed. Also, if petitions will be looked at on a case-by-case basis, the Regional Planning Commission does not have any guidance to provide recommendations. Mr. Nelson believed the proposal will create unclear guidelines for the landowner and person applying for use.

Amended Petition-18-07 Kendall County Planning, Building and Zoning Committee
Mr. Asselmeier summarized the request.

Based on the comments received at the May and June Planning, Building and Zoning Committee meeting, Staff revised the proposal for renewing, amending, and revoking special use permits. At the June meeting of the

Planning, Building and Zoning Committee, the Committee voted to send the proposal back to the Kendall County Regional Planning Commission.

In the proposal, Staff removed the distinction between special use permit holders in violation of the conditions of their special use permit and special use permit holders not in violation of the conditions of their special use permit. Any special use permit requiring renewal would be required to follow the same procedure of renewal, amendment, or revocation. In the proposal, the County Board could initiate amendments to or revocations of special use permits requiring renewal by majority vote of the County Board and for any reason.

For clarification purposes, Staff also proposed changes to Section 13.08.F to address revocation of special use permits that do not have renewal or review procedures stated in their adoption ordinance. Staff proposed removing the establishment and use time requirements currently in the ordinance and allow the County Board to revoke a special use permit by a majority vote of the County Board for any reason.

Also for clarification purposes, Staff proposed changes to Section 13.08.M to address amendments to special use permits that do not have renewal or review procedures stated in their adoption ordinance. Under the proposal, the County Board could initiate amendments by a majority vote for any reason. The amendment procedure followed the same procedure as amendments to special use permits that possess renewal or review provisions.

Staff informed the Planning, Building and Zoning Committee, at both the May and June meetings, of the concerns of the Kendall County Regional Planning Commission. In particular, Staff noted that the Kendall County Regional Planning Commission believed that amendments and revocations should only occur after a special use permit holder had been found guilty in court and such revocations and amendments should occur by super-majority votes of the County Board. The Kendall County Regional Planning Commission also expressed concerns about the investments that special use permit holders made in their property and business that could be lost if a special use permit was revoked. The Planning, Building and Zoning Committee was also informed of the Kendall County Regional Planning Commission's concerns about holding property and special use permit holders accountable for violations of previous property and/or special use permit holders. The Planning, Building and Zoning Committee did not share the concerns of the Kendall Regional Planning Commission on these matters and they (the Planning, Building and Zoning Committee) believe the County Board should have the ability to amend and/or revoke special use permits as outlined in the proposal.

Mr. Bledsoe requested elaboration on Section 13.08R. Mr. Asselmeier responded that all existing special uses will be grandfathered. Any owner who wants to waive their grandfather rights may waive their rights using the provision contained in the proposal.

Mr. Nelson did not believe anyone who has a special use permit will be able to obtain any financial assistance from banks because the special use permit can be revoked at any point in time. The only recourse would be that people would go to court.

Ms. Wilson could not understand why the County Board would pass the ordinance. Mr. Nelson responded that the County would loss and it will negatively affect applicants by taking matters to court.

Ms. Wilson questioned County's motivation behind the special use revoking powers. She believed the County was trying to bankrupt people. Chairman Ashton believed the proposal is about power. Ms. Wilson stated the County has become unfriendly and Mr. Nelson believed the county is putting the new people at a disadvantage. Chairman Ashton did not understand the justification behind the special use permit revoke because most owners

were not abusing their permits. Mr. Asselmeier stated that there are approximately two hundred seventeen (217) special uses permits and only one (1) or two (2) caused problems.

Mr. Bledsoe questioned the use of the provision and believed the proposal will turn businesses away from the County.

Mr. Nelson hoped the United City of Yorkville will adopt the same ordinance regarding special use permits for solar fields. Mr. Asselmeier responded that the Yorkville solar panel ordinance requires renewal every two (2) years.

Mr. Davidson responded that the biggest concern is the campground on Van Emmon. Chairman Ashton questioned what the proposal will do for that campground. Mr. Davidson acknowledged that nothing will be done. Mr. Davidson did not approve of a simple majority vote. He agreed with Mr. Nelson that the court system will get involve and side with the owners. Mr. Nelson stated that the proposal is an example of bad governance because four (4) people can take away someone's zoning.

Dan Koukol, Oswego Township, argued that over sixty (60) people were employed via the special use permit within the County. He agreed with Mr. Nelson that the owners and users of the permits are builders of the County and patronize the local businesses. There are more positive versus negatives. The County has a solid waste plan that is updated every five (5) years and a Comprehensive Plan that is updated periodically. Special uses have been held by many families and businesses have grown up around the special use permits. The letter sent out was scary. He questioned when the last time the County Board had ten (10) members at the meeting. He believed it would easy for the county to revoke a special use if someone has a disagreement with someone on the County Board. Banks will not want to work with owners with the new special use permits because special use permits could be easily revoked. Ms. Wilson responded that the proposal will not apply to the grandfathered in special use permits. Chairman Ashton acknowledged that, after the permit is renewed, the proposal will apply.

Jerry Callahan, attorney for Green Organics, stated that he does not believe the grandfathering provisions are explicit. He discussed the Doctrine of Vested Rights and regulatory takings. He believed that the proposal was creating a problem with no standards regarding special use permits revocation. Mr. Asselmeier acknowledged that Green Organics is one (1) of the few special use permits that requires periodic renewal.

Pete Pasteris, Johnson Road, decided to use property for weddings venues as a way to save his farm. He acknowledged that he has followed the regulations in his special use permit. He has employed people on his farm and worked with local businesses. If the proposal is adopted, more people will leave the county. He expressed concerns that minor changes to his operations will cause a waiver of grandfathering. Mr. Nelson suggests Mr. Pasteris should attend the meeting on Monday, July 30, 2018.

Megan Jensen, Caton Farm Road said that she obtained her special use permit almost two (2) years ago. She understood the proposal does not affect them right now, but any changes they make to their property could cause them to lose grandfathering. She did not agree that a person's zoning should be revoked and they are trying to adhere to the law.

Mr. Davidson acknowledged Ms. Jensen's concerns and invited the audience to attend the County Board meeting. Advance signup for the County Board meeting is not necessary.

Mr. Nelson acknowledged that the proposal will go to the Zoning Board of Appeals on July 30th. Mr. Asselmeier agreed with Mr. Nelson and added that the proposal also has to be reviewed by townships and the townships are given thirty (30) days to file any objections. The proposal will go back to the Planning, Building

and Zoning Committee on September 10, 2018. If a township with a planning commission files a formal objection, eight (8) votes instead of six (6) votes are required for adoption at the County Board.

Pete Bielby, Fox River Drive stated that he recently was approved for a special use permit. He stated that the process for him went smoothly. He acknowledged that his special use permit follows his ownership and not his property. If Mr. Bielby applied before the ordinance is adopted, then he would follow the regulations in place at the time of application.

Mr. Nelson asked the audience if anyone at the meeting favored the ordinance. No one acknowledged.

Ms. Wilson, seconded by Mr. Bledsoe, made a motions to approve petition the petition as presented.

Yes- (0)
No- Ashton, Bledsoe, Casey, Nelson, Rodriguez, Shaw, Wilson and Wormley (8)
Absent- Zubko (1)

The motion failed and will be recorded as a negative recommendation. This proposal will go to the Zoning Board of Appeals on July 30, 2018.

CITIZENS TO BE HEARD/ PUBLIC COMMENT
None

NEW BUSINESS
None

OLD BUSINESS
None

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD
Mr. Asselmeier stated that Petition 18-14 regarding the Saar Map Amendment on Route 71 passed at the County Board.

OTHER BUSINESS/ANNOUNCEMENTS
Mr. Asselmeier announced three (3) petitions will be on the agenda in August:

1. Amendment to special use permit on Ashe Road; the petitioner requests to increase the amount of horses from twenty-four (24) to thirty-six (36).
2. Request for a special use permit for a banquet facility on Hughes Road and related variances.
3. Request for map amendment to rezone the Kovacevich property on U.S. 52 from A-1 to R-1 for a subdivision.

The next meeting of the Kendall County Regional Planning Commission is August 22, 2018.

ADJOURNMENT
Mr. Shaw made a motion, seconded by Mr. Casey, to adjourn. With a voice vote of all ayes, the motion passed unanimously. The Kendall County Regional Plan Commission meeting adjourned at 8:14 p.m.

Respectfully submitted by,
Matthew H. Asselmeier, AICP
Senior Planner

Enc.

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KENDALL COUNTY REGIONAL
PLANNING COMMISSION MEETING
JULY 25, 2018

NAME	ADDRESS	EMAIL ADDRESS
JUNE & BOB ALICE	[redacted]	
Mark Poetz		
Priseille Gruber		
Linda Wilkinson		
DAN Kowkd		
Patty Kasten		
megan Jensen		
Art Bichby		
Jerry Callahan		

DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Room 203
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(630) 553-4141 Fax (630) 553-4179

Petition 18-25
Paul Kovacevich on Behalf of Tri-Star Development, Inc.
Map Amendment Rezoning Property from A-1 to R-1

INTRODUCTION

Paul Kovacevich, on behalf of Tri-Star Development, Inc., is requesting a map amendment rezoning the subject property from A-1 to R-1 in order to be able to build a forty (40) lot single-family residential subdivision. The Petitioner would like to have the zoning in place prior to going through the subdivision process.

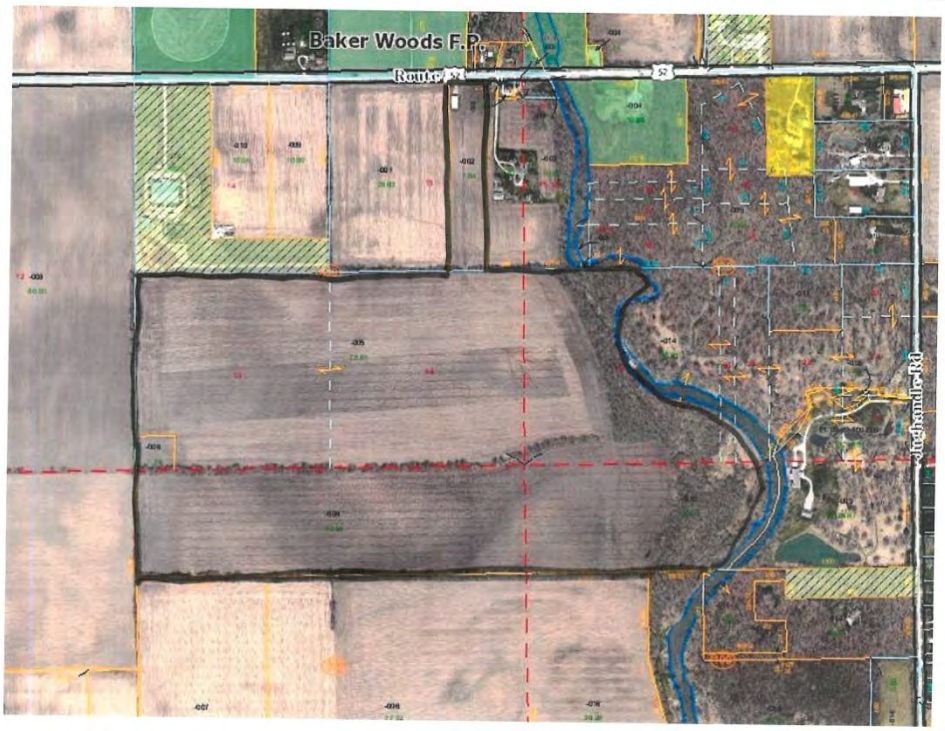
At their meeting on October 10, 2017, the Planning, Building and Zoning Committee received general information from the Petitioner and his attorney about this proposed development. The Planning, Building and Zoning Committee was open to allowing the Petitioner to submit an application for a traditional subdivision instead of a Residential Planned Development.

SITE INFORMATION

PETITIONER: Paul Kovacevich on Behalf of Tri-Star Development, Inc.

ADDRESS: Across Route 52 from 3045 Route 52, Minooka

LOCATION: Approximately 0.5 Miles West of Jughandle Road on the South Side of U.S. Route 52



TOWNSHIP: Seward

PARCEL #s: 09-15-300-014, 09-16-400-002, 09-16-400-005, 09-16-400-006, 09-21-200-004, and 09-22-100-010

LOT SIZE: 183 +/- Acres

EXISTING LAND USE: Agricultural

ZONING: A-1 Agricultural District

LRMP:

Future Land Use	Rural Residential (Max 0.65 DU/Acre)
Roads	U.S. 52 is a State Maintained Highway.
Trails	Joliet has trails planned along Route 52 and Minooka has trails planned along the Aux Sable Creek.
Floodplain/ Wetlands	There is a floodplain on the east side of the property along Aux Sable Creek and there are wetlands along the Aux Sable Creek and in the woods on the east side of the property.

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

APPLICABLE REGULATIONS: Section 13.07 – Map Amendment Procedures

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Single-Family Residential and Forest Preserve	A-1	Forest Preserve and Rural Residential	A-1
South	Agricultural	A-1	Rural Residential	A-1
East	Single-Family Residential and Wooded	A-1	Rural Residential	A-1, A-1 SU, and R-1 PUD
West	Agricultural and Horse Related A-1 SU	A-1 and A-1 SU	Rural Residential	A-1 and A-1 SU

The A-1 special use permit located to the east of the property is for agricultural product sales.

There is currently one (1) pole building located on the property which will be demolished.

There are six (6) houses located on Route 52 within one thousand feet (1,000') of the subject property. The aerial of the property is included as Attachment 2.

PHYSICAL DATA

ENDANGERED SPECIES REPORT

EcoCAT Report submitted and consultation was terminated (see Attachment 1, Pages 11-13).

NATURAL RESOURCES INVENTORY

The application for NRI was submitted on July 5, 2018 (see Attachment 1, Page 10). The NRI report

was completed on August 6, 2018. The LESA Score was 230 indicating a high level of protection. The NRI Report also noted concerns about soil suitability for certain uses (see Attachment 7).

ACTION SUMMARY

SEWARD TOWNSHIP

Petition information was sent to Seward Township on July 31, 2018.

CITY OF JOLIET

The subject property is within one point five (1.5) miles of the City of Joliet. The City of Joliet submitted comments on July 27, 2018 (see Attachment 5). They encouraged development to follow the Aux Sable Creek Watershed Plan.

VILLAGE OF SHOREWOOD

The Village of Shorewood expressed no opposition to the proposal (see Attachment 6).

MINOOKA FIRE PROTECTION DISTRICT

Petition Information was sent to the Minooka Fire Protection District on July 31, 2018.

ZPAC

ZPAC reviewed the request at their meeting on August 7, 2018. Ms. Andrews stated that a couple potential wetlands were located on the property. She requested that the Petitioner work with a wetland delineation specialist to identify these areas. The Petitioner said that the area was wet because of plugged drain tile. Ms. Andrews noted that three (3) lots were in floodway and six (6) lots were in the floodplain as shown on the current version of the preliminary plat. Soils ranged from poorly drained to somewhat poorly drained. Some building limitations exist because of the soils. A secondary septic field will be needed. Ms. Andrews expressed concerns about draw-down of the aquifer. Mr. Rybski expressed concerns about the difficulty of placing conventional septic systems on the proposed lots. The septic systems will have ongoing maintenance requirements. Many of the technologies are newer and they are still working out some of the issues with new technologies. Mr. Klaas asked if the Petitioner had any contact with the Illinois Department of Transportation regarding access off of Route 52. The response was they contacted the Illinois Department of Transportation, but have not received comments to date. The Petitioner stated a development like this does not exist in Kendall County and the covenants and restrictions are very restrictive. The clientele the Petitioner is targeting should not have difficulty maintaining the system. ZPAC unanimously recommended approval of the requested map minutes; the minutes are included as Attachment 8.

The Forest Preserve District did not have a representative at the ZPAC meeting. Following the meeting, they expressed concerns regarding the point of access for the lot that was proposed to be Forest Preserve property (see Attachment 9). As noted in the letter, the Forest Preserve District did not have any objections to the map amendment request.

GENERAL INFORMATION

The Petitioner desires the map amendment in order to construct a forty (40) lot single-family residential subdivision in the future (see Attachment 4). The Petitioner would like to secure the applicable zoning before submitting preliminary and final plats (see Attachment 1, Page 3). One (1) of the forty (40) lots will be transferred to the Forest Preserve District.

Lots 29 through 39 have an “A” designated lot attached to the primary lot. The “A” lot is floodplain and cannot have structures. The primary lot and the associated “A” lot is considered one (1) zoning lot under Kendall County’s Zoning Ordinance. Lot 40 will be transferred to the Forest Preserve District.

Because zoning cannot be conditioned under Illinois law, any of the requirements associated with development (i.e. construction of trails, restricting the sale of “A” lots from their primary lot, etc.) cannot occur until the subdivisions plats are submitted.

The Land Resource Management Plan calls for this area to be Rural Residential in the future. This classification has a maximum zero point six-five (0.65) density units per acre. If the zoning is approved, the maximum number of lots that could be developed is sixty-one (61); (183 acres/2.99 acres). This figure does

not take into consideration the undevelopable lands (i.e. wetlands, roads, etc.). The Petitioner is proposing fewer than the maximum number of lots. However, if the Petitioner did create a subdivision with R-1 zoning and the maximum number of lots permitted, the density units per acre would still be below zero point six-five (0.65).

Because the Land Resource Management Plan calls for this area to be Rural Residential in the future, Staff does not believe that the approval of this request would constitute spot zoning.

BUILDING CODES
Any new homes or accessory structures would be required to meet applicable building codes. Building related matters for a subdivision would be addressed during the subdivision process.

ACCESS
The property fronts Route 52. Staff has no concerns regarding the ability of Route 52 to support the proposed map amendment. Access related issues for a subdivision would be addressed during the subdivision process.

ODORS
No new odors are foreseen. Odor related issues for a subdivision would be addressed during the subdivision process.

LIGHTING
Any new lighting would be for residential use only. Lighting related issues for a subdivision would be addressed during the subdivision process.

SCREENING
No fencing or buffer is presently planned for the property. Screening related issues for a subdivision would be addressed during the subdivision process.

STORMWATER
Any new homes would have to be constructed per Kendall County's Stormwater Management Ordinance. WBK submitted comments on the proposal which are included as Attachment 10. Stormwater related issues for a subdivision would be addressed during the subdivision process.

UTILITIES
Electricity is onsite. New well and septic information would have to be evaluated as part of the subdivision or building permit processes.

FINDINGS OF FACT
Existing uses of property within the general area of the property in question. **The surrounding properties are zoned A-1 and are used for agricultural purposes with farmsteads located within the general area. A forest preserve is also located within the general area.**

The Zoning classification of property within the general area of the property in question. **All of the adjoining properties are zoned A-1. One (1) R-1 PUD subdivision is located within one half (1/2) mile of the subject property.**

The suitability of the property in question for the uses permitted under the existing zoning classification. **The property is presently zoned A-1 and can be used for farming. With proper design and taking into account the proximity of the Aux Sable Creek, R-1 related uses could also occur on the subject property.**

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested

by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. **The trend of development in the area has been static due to the economic downturn. However, a residentially zoned subdivision is located within one half (1/2) mile of the subject property.**

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **The proposed amendment is consistent with the Future Land Use Map contained in the Land Resource Management Plan which calls for the subject property to be Rural Residential. Per the definition of Rural Residential, uses permitted within the R-1 Zoning District are types of Rural Residential uses.**

RECOMMENDATION

Staff recommends approval of the proposed map amendment because the proposal is consistent with the Land Resource Management Plan. Specific concerns related to the development of the site into a residential subdivision should be addressed during the approval process for the preliminary and final plats.

ATTACHMENTS

1. Application Materials (Including the Petitioner's Findings of Fact, NRI, and EcoCat)
2. Aerial
3. Zoning Plat
4. Proposed Subdivision Plat
5. 7.27.18 Joliet Email
6. 7.30.18 Shorewood Letter
7. NRI Report
8. 8.7.18 ZPAC Minutes
9. 8.7.18 Forest Preserve Email and Letter
10. 8.14.18 WBK Letter

DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

APPLICATION

PROJECT NAME WEST CREEK FARMS **FILE #:** 18-25

NAME OF APPLICANT
TRI-STAR DEVELOPMENT, INC.

CURRENT LANDOWNER/NAME(s)
TRI-STAR DEVELOPMENT, INC.

SITE INFORMATION

ACRES	SITE ADDRESS OR LOCATION	ASSESSOR'S ID NUMBER (PIN)
183	Illinois Route 52 South of Baker Woods Forest Preserve	See attached page for PINs

EXISTING LAND USE	CURRENT ZONING	LAND CLASSIFICATION ON LRMP
Agricultural	A-1	Rural Development (Max Density = 0.65 DU/Acre)

REQUESTED ACTION (Check All That Apply):

___ SPECIAL USE
X MAP AMENDMENT (Rezone to R-1)
___ VARIANCE
___ ADMINISTRATIVE VARIANCE
___ A-1 CONDITIONAL USE for:_____
___ SITE PLAN REVIEW
___ TEXT AMENDMENT
___ RPD (___Concept; ___ Preliminary; ___ Final)
___ ADMINISTRATIVE APPEAL
___ PRELIMINARY PLAT
___ FINAL PLAT
___ OTHER PLAT (Vacation, Dedication, etc.)
___ AMENDMENT TO A SPECIAL USE (____ Major; ____ Minor)

[1]PRIMARY CONTACT	PRIMARY CONTACT MAILING ADDRESS	PRIMARY CONTACT EMAIL
Paul Kovacevich,	[redacted]	

PRIMARY CONTACT PHONE #	PRIMARY CONTACT FAX #	PRIMARY CONTACT OTHER # (Cell, etc.)
[redacted]		

[2]ENGINEER CONTACT	ENGINEER MAILING ADDRESS	ENGINEER EMAIL
Geotech, Inc.,	1207 Cedarwood Drive, Crest Hill, IL 60405	cpapesh@geotechconsultants.com

ENGINEER PHONE #	ENGINEER FAX #	ENGINEER OTHER # (Cell, etc.)
815-730-1010		

I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.

I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES.

SIGNATURE OF APPLICANT [redacted] **DATE** 7-23-18

FEE PAID:$ ~~5000.~~ 500.00
CHECK #: [redacted]

[1]*Primary Contact will receive all correspondence from County*
[2]*Engineering Contact will receive all correspondence from the County's Engineering Consultants*

RECEIVED
JUL 24 2018
KENDALL COUNTY PLANNING, BUILDING & ZONING
Date Stamp Here If Checklist Is Complete

Last Revised: 9.18.12
Map Amendment

Please fill out the following findings of fact to the best of your capabilities. § 13.07.F of the Zoning Ordinance lists the Finding of Fact criteria the Zoning Board of Appeals must answer in order to make a recommendation to the County Board on any **map amendment** request. They are as follows:

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

To the North: Forest preserve and residential and agricultural
To the West: Agricultural
To the East: Agricultural and residential
To the South: Agricultural

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

A-1
A-1 Special Use
Forest Preserve
R-1 PUD

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

The property is suitable for Agricultural use.
The property is likewise suitable for the proposed use, Rural Residential, and is so identified under the existing LRMP.

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

Due to economic conditions, there has been minimal development in the area. The property is designated as Rural Residential Development under the existing LRMP. The proposed development requests a density of .278 units per acre based upon a total development acreage of 140 of the total site acreage (183). Approximately 43 acres will be dedicated to the Kendall County Forest Preserve District.

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

This property is designated on the Future Land Use Plan as Rural Residential with a Maximum Density of 0.65 DU/Acre. and is totally consistent with the purpose and objectives of the LRMP.

ATTACHMENT TO REZONING APPLICATION

PROJECT NAME: WEST CREEK FARMS

"BRIEF JUSTIFICATION OF REASONS FOR REQUESTED REZONING AND INTENDED USES"

It is the desire of Tri-Star Development, Inc., to develop the real estate as a Residential Subdivision under the R-1 ONE-FAMILY ESTATE RESIDENCE DISTRICT, under the Kendall County Zoning Ordinance, and to re-zone the development site, 183 plus or minus acres, from the A-1 Zoning District to the R-1 ONE-FAMILY ESTATE RESIDENCE DISTRICT.

The proposed project would entail roughly 183 plus or minus acres lying west of the Aux Sable Creek and approximately 1/4 mile south of Route 52. One lot, and the entrance roadway, would be contained in the 250'+ strip connecting Route 52 with the main portion of the project. Minimum lot size is 3 acres; maximum lot size is 4.82 acres. Minimum lot frontage is 200 feet.

The proposed development contains a total of 40 lots (39 to be developed as Residential Lots, and 1 to be dedicated to the Forest Preserve District), situated along approximately 8,000 lineal feet of interior roadway. The development contemplates utilizing a rural cross section roadway, with open ditches and culverts. The development will be governed by the Kendall County Zoning Ordinance, along with a Homeowner's Association to further enhance and protect property values.

There is a market for the type and size of lots contemplated by this proposed development.

C:\Shared 2017\ZONING\Tri-Star\Justification.docx

Assessor's ID Numbers (PINs):

09-15-300-014
09-16-400-002
09-16-400-005
09-16-400-006
09-21-200-004
09-22-100-010

TRI-STAR DEVELOPMENT (GJN07251)
LEGAL DESCRIPTION
SUBDIVISION AREA

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 15, AND THAT PART OF THE SOUTHEAST QUARTER OF SECTION 16, AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 21 AND THAT PART OF THE NORTHWEST QUARTER OF SECTION 22, ALL IN TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SOUTHEAST QUARTER OF AFORESAID SECTION 16; THENCE SOUTH 88 DEGREES 34 MINUTES 47 SECONDS WEST ALONG SAID NORTH LINE, 250.01 FEET TO A POINT ON THE WEST LINE OF THE EAST 250.00 FEET OF SAID SOUTHEAST QUARTER, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 88 DEGREES 34 MINUTES 47 SECONDS WEST ALONG SAID NORTH LINE, 252.27 FEET A POINT ON THE WEST LINE OF THE EAST 502.26 FEET OF SAID SOUTHEAST QUARTER; THENCE SOUTH 01 DEGREES 03 MINUTES 18 SECONDS EAST ALONG SAID WEST LINE, 1327.14 FEET TO THE NORTH LINE OF THE SOUTH HALF OF SAID SOUTHEAST QUARTER; THENCE SOUTH 88 DEGREES 35 MINUTES 22 SECONDS WEST ALONG SAID NORTH LINE, 2145.80 FEET TO THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 00 DEGREES 58 MINUTES 56 SECONDS EAST ALONG THE SAID WEST LINE, 1326.79 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF AFORESAID SECTION 21; THENCE SOUTH 01 DEGREES 44 MINUTES 47 SECONDS EAST ALONG THE WEST LINE OF SAID NORTHEAST QUARTER, 717.77 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 43.65 ACRES OF SAID NORTHEAST QUARTER; THENCE NORTH 88 DEGREES 35 MINUTES 57 SECONDS EAST ALONG SAID SOUTH LINE, 2648.65 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER OF AFORESAID SECTION 22; THENCE NORTH 01 DEGREES 39 MINUTES 32 SECONDS WEST ALONG SAID WEST LINE, 0.37 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 43.65 ACRES OF SAID NORTHWEAST QUARTER; THENCE NORTH 88 DEGREES 22 MINUTES 13 SECONDS EAST ALONG SAID SOUTH LINE, 1260.00 FEET TO A POINT ON A LINE 65.00 FEET WEST OF AND PARALLEL WITH THE WESTERLY LINE OF LANDS CONVEYED BY TRUSTEE'S DEED, RECORDED ON AUGUST 27, 2014 AS DOCUMENT NUMBER 201400011624; THENCE NORTH 41 DEGREES 53 MINUTES 22 SECONDS EAST ALONG SAID PARALLEL LINE, 466.06 FEET; THENCE NORTH 15 DEGREES 32 MINUTES 56 SECONDS EAST ALONG SAID PARALLEL LINE, 137.09 FEET; THENCE NORTH 02 DEGREES 02 MINUTES 06 SECONDS EAST ALONG SAID PARALLEL LINE, 146.02 FEET; THENCE NORTH 09 DEGREES 00 MINUTES 04 SECONDS WEST ALONG SAID PARALLEL LINE, 100.91 FEET; THENCE NORTH 39 DEGREES 37 MINUTES 14 SECONDS WEST 404.44 FEET; THENCE NORTH 71 DEGREES 00 MINUTES 39 SECONDS WEST 639.95 FEET; THENCE NORTH 32 DEGREES 13 MINUTES 58 SECONDS WEST 687.26 FEET; THENCE NORTH 14 DEGREES 16 MINUTES 23 SECONDS WEST 199.05 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF AFORESAID SECTION 15, SAID POINT BEING LOCATED IN THE CENTERLINE OF AUX SABLE CREEK AND 363.50 FEET (AS MEASURED ALONG SAID NORTH LINE) EAST OF THE WEST LINE OF THE AFORESAID SOUTHWEST QUARTER; THENCE SOUTH 88 DEGREES 21 MINUTES 55 SECONDS WEST ALONG SAID NORTH LINE, 363.50 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF AFORESAID SECTION 16; THENCE SOUTH 88 DEGREES 35 MINUTES 22 SECONDS WEST ALONG SAID NORTH LINE, 250.00 FEET TO A POINT ON THE WEST LINE OF THE EAST 250.00 FEET OF SAID SOUTHEAST QUARTER; THENCE NORTH 01 DEGREES 03 MINUTES 18 SECONDS WEST ALONG SAID WEST LINE, 1327.19 FEET TO THE POINT OF BEGINNING, ALL SITUATED IN SEWARD TOWNSHIP, KENDALL COUNTY, ILLINOIS. Containing 183.165 acres more or less.

200700010249
Filed for Record in
KENDALL COUNTY, ILLINOIS
PAUL ANDERSON
03-28-2007 At 02:40 pm.
QUIT CLAIM 40.00
RHSP Surcharge 10.00

QUIT CLAIM DEED
Illinois

THE GRANTOR, Kovacevich Enterprises, Inc., a corporation created and existing under and by virtue of the laws of Delaware corporation., for and in consideration of the sum of Ten and 00/100 Dollars ($10.00), and other good and valuable consideration in hand paid, and pursuant to authority given by the Board of Directors of said Corporation,

CONVEYS and QUIT CLAIMS to

Tri-Star Development, Inc., an Illinois corporation, whose address is P.O. Box 208, Minooka, Illinois 60447, the following described Real Estate situated in the County of Kendall, in the State of Illinois, to-wit:

See attached legal description.

Permanent Real Estate Index Numbers: 09-15-300-003; 09-15-300-005; 09-15-300-013; 09-16-400-002; 09-16-400-005; 09-16-400-006; 09-21-200-004; 09-22-100-010

This transaction exempt pursuant to 35 ILCS 200/31-45 paragraph (e).

[redacted]

Attorney

IN WITNESS WHEREOF, said Grantor has caused its name to be signed to these presents by its President this 14th day of March, 2007.

Kovacevich Enterprises, Inc.,
a Delaware corporation

BY: [redacted]
Sam Kovacevich, President

State of ~~Illinois~~ Florida)
) ss.
County of ~~Kendall~~ Broward)

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that Stuart Garland, personally known to me to be the President of Kovacevich Enterprises, Inc., and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such President he signed and delivered the said instrument, pursuant to authority given by the Board of Directors of said Corporation, as his free and voluntary act, and as the free and voluntary act and deed of said Corporation, for the uses and purposes therein set forth.

Given under my hand and official seal, this 14th day of March, 2007.

NOTARY PUBLIC-STATE OF FLORIDA
Ernest L. Sullivan, Jr.
Commission # DD562710
Expires: JUNE 12, 2010
BONDED THRU ATLANTIC BONDING CO., INC.

[redacted]
Notary Public

This instrument was prepared by Gerald M. Newman, 222 S. Riverside Plaza, #2100, Chicago, IL. 60606.

MAIL TO:

Herbert B. Rosenberg
Schoenberg, Fisher, Newman & Rosenberg, Ltd.
222 S. Riverside Plaza
Suite 2100
Chicago, IL. 60606

SEND TAX BILLS TO:

Tri-Star Development, Inc
P.O. Box 208
Minooka Illinois 60447

F:\cbe\Clients\Kovacevich\332\QUITCLAI.wpd

Legal Description

THE WEST 252.26 FEET OF THE EAST 502.26 FEET OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 16; AND ALSO THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 16; AND ALSO THE NORTH 43.65 ACRES OF THE NORTHEAST QUARTER OF SECTION 21; AND ALSO THAT PART OF THE SOUTHWEST QUARTER OF SECTION 15 AND PART OF THE NORTHWEST QUARTER OF SECTION 22, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 15, THENCE NORTH 89 DEGREES, 36 MINUTES, 00 SECONDS EAST ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 15, 1091.99 FEET; THENCE SOUTH 0 DEGREES, 24 MINUTES, 00 SECONDS EAST TO THE SOUTH RIGHT OF WAY LINE OF U.S. ROUTE 52, 40.0 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 35 MINUTES, 42 SECONDS EAST ALONG SAID SOUTH RIGHT OF WAY LINE 539.63 FEET; THENCE SOUTH 0 DEGREES, 01 MINUTES, 04 SECONDS WEST 672.08 FEET; THENCE NORTH 89 DEGREES, 35 MINUTES, 42 SECONDS EAST PARALLEL TO THE SOUTH RIGHT OF WAY LINE OF SAID U.S. ROUTE 52, 324.16 FEET TO THE WEST LINE OF LANGELAND'S SUBDIVISION; THENCE SOUTH ALONG THE WEST LINE OF SAID SUBDIVISION 287.19 FEET TO THE SOUTHWEST CORNER OF SAID SUBDIVISION; THENCE SOUTH 89 DEGREES, 40 MINUTES, 20 SECONDS EAST ALONG THE SOUTH LINE OF SAID SUBDIVISION, 135.15 FEET; THENCE SOUTH 0 DEGREES, 01 MINUTES, 04 SECONDS WEST, 326.85 FEET TO THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 15; THENCE EAST ALONG SAID SOUTH LINE TO THE EAST LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH ALONG SAID EAST LINE 1328.00 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF AFORESAID SECTION 22, A DISTANCE OF 717.35 FEET TO THE SOUTH LINE OF NORTH 43.65 ACRES OF SAID NORTHWEST QUARTER; THENCE WEST ALONG THE SAID SOUTH LINE TO THE WEST LINE OF SAID NORTHWEST QUARTER; THENCE NORTH ALONG SAID WEST LINE TO THE NORTHWEST CORNER OF SAID SECTION 22; THENCE NORTH ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF AFORESAID SECTION 15, A DISTANCE OF 1324.19 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF SAID SOUTHWEST QUARTER; THENCE EAST ALONG THE NORTH LINE OF THE SOUTH HALF OF SAID SOUTHWEST QUARTER 370.50 FEET TO THE CENTERLINE OF AUX SABLE CREEK; THENCE NORTHERLY ALONG SAID CENTER LINE TO A LINE DRAWN PARALLEL WITH AND 620.7 FEET SOUTH OF, AS MEASURED AT RIGHT ANGLES THERETO, THE NORTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 89 DEGREES, 36 MINUTES, 00 SECONDS EAST ALONG SAID PARALLEL LINE 717.0 FEET; THENCE NORTH 0 DEGREES, 24 MINUTES, 00 SECONDS WEST 580.7 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL: BEGINNING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 15; THENCE NORTH 0 DEGREES 00 MINUTES 13 SECONDS EAST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, 426.00 FEET; THENCE NORTH 84 DEGREES 22 MINUTES 17 SECONDS WEST, 260.00 FEET; THENCE NORTH 5 DEGREES 37 MINUTES 43 SECONDS EAST, 36.00 FEET; THENCE NORTH 87 DEGREES 19 MINUTES 31 SECONDS WEST, 386.00 FEET; THENCE SOUTH 75 DEGREES 24 MINUTES 43 SECONDS

WEST, 112.00 FEET; THENCE SOUTH 14 DEGREES 35 MINUTES 17 SECONDS EAST, 114.00 FEET; THENCE SOUTH 46 DEGREES 24 MINUTES 43 SECONDS WEST, 202.00 FEET; THENCE SOUTH 42 DEGREES 50 MINUTES 11 SECONDS WEST, 104.86 FEET; THENCE SOUTH 18 DEGREES 17 MINUTES 03 SECONDS WEST, 114.29 FEET TO THE CENTERLINE OF AUX SABLE CREEK; THENCE SOUTH 7 DEGREES 43 MINUTES 27 SECONDS EAST ALONG SAID CENTERLINE, 150.00 FEET; THENCE SOUTH 3 DEGREES 18 MINUTES 43 SECONDS WEST ALONG SAID CENTERLINE, 160.00 FEET; THENCE SOUTH 16 DEGREES 49 MINUTES 33 SECONDS WEST ALONG SAID CENTERLINE, 160.00 FEET; THENCE SOUTH 43 DEGREES 09 MINUTES 58 SECONDS WEST ALONG SAID CENTERLINE, 419.79 FEET TO THE SOUTH LINE OF THE AFORESAID NORTH 43.65 ACRES OF THE NORTHWEST QUARTER OF SECTION 22; THENCE NORTH 89 DEGREES 38 MINUTES 17 SECONDS EAST ALONG SAID SOUTH LINE, 1300.00 FEET TO THE EAST LINE OF THE AFORESAID NORTHWEST QUARTER OF SECTION 22; THENCE NORTH 0 DEGREES 16 MINUTES 42 SECONDS WEST ALONG SAID EAST LINE, 717.38 FEET TO THE POINT OF BEGINNING, AND ALSO EXCEPTING THEREFROM THE LAND CONTAINED IN QUIT CLAIM DEED RECORDED AS DOCUMENT NUMBER 912009, DESCRIBED AS FOLLOWS: LOT 22 (EXCEPT THE SOUTH 10 ACRES) IN SECTION 15, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE MAP THEREOF RECORDED IN THE RECORDER'S OFFICE OF KENDALL COUNTY IN PLAT BOOK 2 ON PAGE 67, ALL IN THE TOWNSHIP OF SEWARD, IN KENDALL COUNTY, ILLINOIS.

Kendall County Soil & Water Conservation District

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

www.kendallswcd.org

NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

Petitioner: TRI-STAR DEVELOPMENT, INC. **Contact Person:** PAUL KOVACEVICH
Address: 26647 S. SAMANDRA CT
City, State, Zip: CHANNAHON IL 60410
Phone Num [redacted] ( )
Email: [redacted]
Please select: How would you like to receive a copy of the NRI Report? ☒ Email ☐ Mail

Site Location & Proposed Use
Township Name SEWARD Township 35 N, Range 8 E, Section(s) 15, 16, 21, 22
Parcel Index Number(s) 09-15-300-014, 09-16-400-002, 09-16-400-005, 09-16-400-006, 09-21-200-004, 09-22-100-010
Project or Subdivision Name WEST CREEK FARMS Number of Acres 183
Current Use of Site A-1 AGRICULTURE Proposed Use R-1 RESIDENTIAL
Proposed Number of Lots 39 Proposed Number of Structures APPROXIMATELY 39
Proposed Water Supply PRIVATE WELL Proposed type of Wastewater Treatment PRIVATE SEPTIC
Proposed type of Storm Water Management WILL FOLLOW COUNTY ORDINANCES. NO DETENTION REQUIRED PER COUNTY ORDINANCES

Type of Request
- ☐ Change in Zoning from A-1 to R-1
- ☐ Variance (Please describe fully on separate page)
- ☐ Special Use Permit (Please describe fully on separate page)

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

In addition to this completed application form, please including the following to ensure proper processing:
- ☐ **Plat of Survey/Site Plan** – showing location, legal description and property measurements
- ☐ **Concept Plan** - showing the locations of proposed lots, buildings, roads, stormwater detention, open areas, etc.
- ☐ If available: topography map, field tile map, copy of soil boring and/or wetland studies
- ☐ **NRI fee** (Please make checks payable to Kendall County SWCD)

The NRI fees, as of July 1, 2010, are as follows:
Full Report: $375.00 for five acres and under, plus $18.00 per acre for each additional acre or any fraction thereof over five.
Executive Summary Report: $300.00 (KCSWCD staff will determine when a summary or full report will be necessary.)

Fee for first five acres and under	$ 375.00
135 Additional Acres at $18.00 each	$ 2,430.00
Total NRI Fee	$ 2,805.00

→ 183 TOTAL, LESS 5 ACRES, LESS 43 ACRES (LOT 40) WHICH WILL BE DONATED TO KCFPD.

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

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

[redacted] 7-3-18
Petitioner or Authorized Agent **Date**

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

FOR OFFICE USE ONLY
NRI# 1806 Date initially rec'd 7/5/18 Date all rec'd 7/5/18 Board Meeting 7/16/18
Fee Due $_____ Fee Paid $_____ Check #[redacted] Over/Under Payment _____ Refund Due_____

Illinois Department of
Natural Resources

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

Bruce Rauner, Governor
Wayne Rosenthal, Director

June 29, 2018

Thomas Carroll, P.E.
Geotech Inc.
1207 Cedarwood Drive
Crest Hill, IL 60403

RE: West Creek Farms Subdivision
Project Number(s): 1812469 [07251]
County: Kendall

Dear Applicant:

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

The Department recommends that measures be taken to ensure no increase in siltation into Aux Sable Creek INAI Site.

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

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

Please contact me if you have questions regarding this review.

Bradley Hayes

Bradley Hayes
Division of Ecosystems and Environment
217-785-5500

EcoCAT
Ecological Compliance Assessment Tool

ILLINOIS DEPARTMENT OF NATURAL RESOURCES

Applicant: Geotech Inc.
Contact: Thomas Carroll, P.E.
Address: 1207 Cedarwood Drive
Crest Hill, IL 60403

IDNR Project Number: 1812469
Date: 06/28/2018
Alternate Number: 07251

Project: West Creek Farms Subdivision
Address: U.S. Route 52, half mile west of Jughandle Road, Kendall County

Description: 39 lot single family residential subdivision on approximately 183 acres

Natural Resource Review Results

Consultation for Endangered Species Protection and Natural Areas Preservation (Part 1075)

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

Aux Sable Creek INAI Site
Greater Redhorse *(Moxostoma valenciennesi)*
Greater Redhorse *(Moxostoma valenciennesi)*

An IDNR staff member will evaluate this information and contact you to request additional information or to terminate consultation if adverse effects are unlikely.

Location

The applicant is responsible for the accuracy of the location submitted for the project.

County: Kendall

Township, Range, Section:
35N, 8E, 15
35N, 8E, 16
35N, 8E, 21
35N, 8E, 22

IL Department of Natural Resources Contact
Natalia Jones
217-785-5500
Division of Ecosystems & Environment

Government Jurisdiction
IL Environmental Protection Agency
Alan Keller
1021 North Grand Avenue East
PO Box 19276
Springfield, Illinois 62794 -9276

Disclaimer

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, compliance with applicable statutes and regulations is required.

Terms of Use

By using this website, you acknowledge that you have read and agree to these terms. These terms may be revised by IDNR as necessary. If you continue to use the EcoCAT application after we post changes to these terms, it will mean that you accept such changes. If at any time you do not accept the Terms of Use, you may not continue to use the website.

1. The IDNR EcoCAT website was developed so that units of local government, state agencies and the public could request information or begin natural resource consultations on-line for the Illinois Endangered Species Protection Act, Illinois Natural Areas Preservation Act, and Illinois Interagency Wetland Policy Act. EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if proposed actions are in the vicinity of protected natural resources. By indicating your agreement to the Terms of Use for this application, you warrant that you will not use this web site for any other purpose.

2. Unauthorized attempts to upload, download, or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure Protection Act.

3. IDNR reserves the right to enhance, modify, alter, or suspend the website at any time without notice, or to terminate or restrict access.

Security

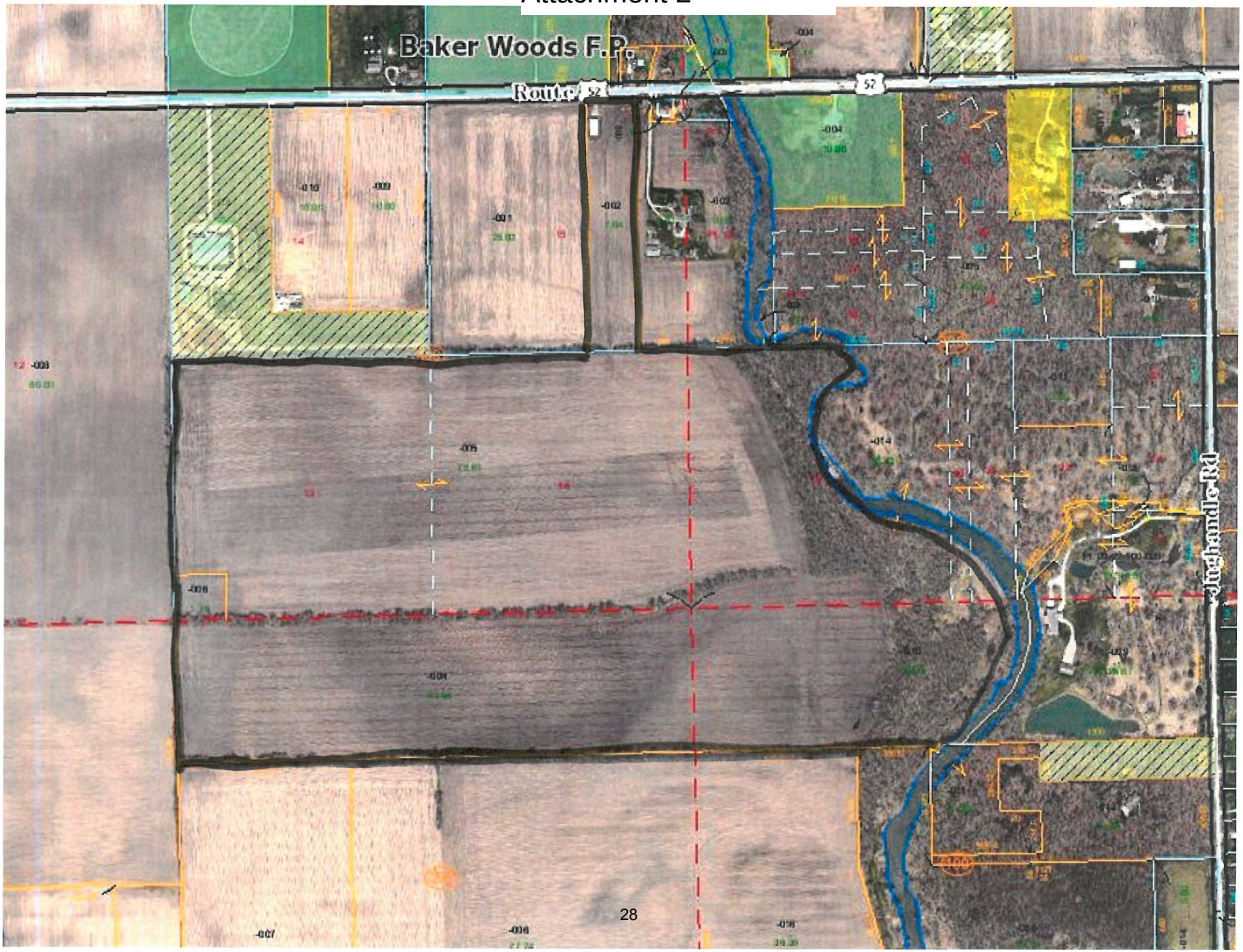
EcoCAT operates on a state of Illinois computer system. We may use software to monitor traffic and to identify unauthorized attempts to upload, download, or change information, to cause harm or otherwise to damage this site. Unauthorized attempts to upload, download, or change information on this server is strictly prohibited by law.

Unauthorized use, tampering with or modification of this system, including supporting hardware or software, may subject the violator to criminal and civil penalties. In the event of unauthorized intrusion, all relevant information regarding possible violation of law may be provided to law enforcement officials.

Privacy

EcoCAT generates a public record subject to disclosure under the Freedom of Information Act. Otherwise, IDNR uses the information submitted to EcoCAT solely for internal tracking purposes.

Attachment 2

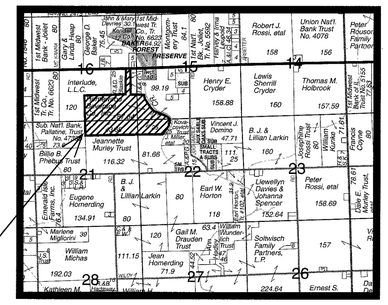


PLAT OF SURVEY

LEGAL DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 15, AND THAT PART OF THE SOUTHEAST QUARTER OF SECTION 16, AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 21 AND THAT PART OF THE NORTHWEST QUARTER OF SECTION 22, ALL IN TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SOUTHEAST QUARTER OF AFORESAID SECTION 16; THENCE SOUTH 88 DEGREES 34 MINUTES 47 SECONDS WEST ALONG SAID NORTH LINE, 250.01 FEET TO A POINT ON THE WEST LINE OF THE EAST 250.00 FEET OF SAID SOUTHEAST QUARTER, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 88 DEGREES 34 MINUTES 47 SECONDS WEST ALONG SAID NORTH LINE, 252.27 FEET A POINT ON THE WEST LINE OF THE EAST 502.26 FEET OF SAID SOUTHEAST QUARTER; THENCE SOUTH 01 DEGREES 03 MINUTES 18 SECONDS EAST ALONG SAID WEST LINE, 1327.14 FEET TO THE NORTH LINE OF THE SOUTH HALF OF SAID SOUTHEAST QUARTER; THENCE SOUTH 88 DEGREES 35 MINUTES 22 SECONDS WEST ALONG SAID NORTH LINE, 2145.80 FEET TO THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 00 DEGREES 58 MINUTES 56 SECONDS EAST ALONG THE SAID WEST LINE, 1326.79 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF AFORESAID SECTION 21; THENCE SOUTH 01 DEGREES 44 MINUTES 47 SECONDS EAST ALONG THE WEST LINE OF SAID NORTHEAST QUARTER, 717.77 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 43.65 ACRES OF SAID NORTHEAST QUARTER; THENCE NORTH 88 DEGREES 35 MINUTES 57 SECONDS EAST ALONG SAID SOUTH LINE, 2648.65 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER OF AFORESAID SECTION 22; THENCE NORTH 01 DEGREES 39 MINUTES 32 SECONDS WEST ALONG SAID WEST LINE, 0.37 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 43.65 ACRES OF SAID NORTHEAST QUARTER; THENCE NORTH 88 DEGREES 22 MINUTES 13 SECONDS EAST ALONG SAID SOUTH LINE, 1260.00 FEET TO A POINT ON A LINE 65.00 FEET WEST OF AND PARALLEL WITH THE WESTERLY LINE OF LANDS CONVEYED BY TRUSTEE'S DEED, RECORDED ON AUGUST 27, 2014 AS DOCUMENT NUMBER 201400011624; THENCE NORTH 41 DEGREES 53 MINUTES 22 SECONDS EAST ALONG SAID PARALLEL LINE, 466.06 FEET; THENCE NORTH 15 DEGREES 32 MINUTES 56 SECONDS EAST ALONG SAID PARALLEL LINE, 137.09 FEET; THENCE NORTH 02 DEGREES 02 MINUTES 06 SECONDS EAST ALONG SAID PARALLEL LINE, 146.02 FEET; THENCE NORTH 09 DEGREES 00 MINUTES 04 SECONDS WEST ALONG SAID PARALLEL LINE, 100.91 FEET; THENCE NORTH 39 DEGREES 37 MINUTES 14 SECONDS WEST 404.44 FEET; THENCE NORTH 71 DEGREES 00 MINUTES 39 SECONDS WEST 639.95 FEET; THENCE NORTH 32 DEGREES 13 MINUTES 58 SECONDS WEST 687.26 FEET; THENCE NORTH 14 DEGREES 16 MINUTES 23 SECONDS WEST 199.05 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF AFORESAID SECTION 15, SAID POINT BEING LOCATED IN THE CENTERLINE OF AUX SABLE CREEK AND 363.50 FEET (AS MEASURED ALONG SAID NORTH LINE) EAST OF THE WEST LINE OF THE AFORESAID SOUTHWEST QUARTER; THENCE SOUTH 88 DEGREES 21 MINUTES 55 SECONDS WEST ALONG SAID NORTH LINE, 363.50 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF AFORESAID SECTION 16; THENCE SOUTH 88 DEGREES 35 MINUTES 22 SECONDS WEST ALONG SAID NORTH LINE, 250.00 FEET TO A POINT ON THE WEST LINE OF THE EAST 250.00 FEET OF SAID SOUTHEAST QUARTER; THENCE NORTH 01 DEGREES 03 MINUTES 18 SECONDS WEST ALONG SAID WEST LINE, 1327.19 FEET TO THE POINT OF BEGINNING, ALL SITUATED IN SEWARD TOWNSHIP, KENDALL COUNTY, ILLINOIS. Containing 183.165 acres more or less.

LOCATION MAP



P.I.N. 09-15-300-014 (PART)
09-16-400-002
09-16-400-005
09-16-400-006
09-21-200-004
09-22-100-010

SCOPE OF DEVELOPMENT

TOTAL AREA = 183.165 ACRES
CURRENT ZONING = COUNTY A-1 ZONING
PROPOSED ZONING = R-1 ONE FAMILY ESTATE RESIDENCE DISTRICT

EXISTING SYMBOLS LEGEND

- SURVEY MONUMENT
- SURVEY MONUMENT – R.O.W. MARKER
- UTILITY POLE GUY WIRE
- UTILITY POLE
- STREET LIGHT
- SIGN
- UTILITY HAND HOLE
- UTILITY DOUBLE HAND HOLE
- UTILITY HEAVY DUTY HAND HOLE
- UTILITY JUNCTION BOX
- UTILITY SPLICE BOX – GENERAL
- UTILITY SPLICE BOX – TELEPHONE
- STORM SEWER CATCH BASIN
- STORM SEWER FLARED END SECTION (FES)
- STORM SEWER MANHOLE
- STORM SEWER INLET

Scale: 1" = 200'

GENERAL NOTES

1. THE BASIS OF BEARING AND MEASUREMENT FOR THIS DEVELOPMENT, AS SHOWN, IS THE STATE PLANE OF ILLINOIS–EAST, ZONE EAST DATUM.
2. ANY IMPROVEMENTS SHOWN HEREON, WERE LOCATED USING A COMBINATION OF GLOBAL POSITIONING SYSTEMS (GPS) AND CONVENTIONAL SURVEYING METHODS BY GEOTECH, INC. COMPLETED IN THE SPRING OF 2018. THE LOCATION OF THE AUX SABLE CREEK WAS TAKEN FROM AERIAL PHOTOS.
3. ELEVATIONS UTILIZED FOR THE GRADES AS SHOWN, WERE TAKEN FROM NGS CONTROL POINTS, NAVD 88 DATUM. FIRST POINT BEING POINT DESIGNATION: WRI 028, POINT ID: DP5483, ELEV=576.47 REC – 576.45 MEAS LOCATED NEAR THE NORTHEAST CORNER OF U.S. ROUTE 52 AND JUGHANDLE ROAD. SECOND POINT BEING POINT DESIGNATION: WRI 029, POINT ID: DP5484, ELEV=579.78 REC – 579.70 MEAS, LOCATED APPROXIMATELY ONE–HALF MILE WEST OF JUGHANDLE ROAD ALONG THE NORTH SIDE OF U.S. ROUTE 52.
4. THE SUBJECT PROPERTY IS CURRENTLY VACANT FARM LAND.
5. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.
6. FOR THIS SURVEY TO BE CONSIDERED AN ORIGINAL DOCUMENT, THE SURVEYOR'S SEAL MUST EITHER BE EMBOSSED OR A RUBBER STAMP IN THE COLOR RED.
7. GEOTECH INCORPORATED PROFESSIONAL DESIGN FIRM NUMBER 184–000165.
8. A PORTION OF THIS PROPERTY IS DETERMINED TO BE LOCATED WITHIN ZONE AE (REGULATORY FLOODWAY AND FLOODPLAIN WITH BASE FLOOD ELEVATION) AND ZONE X, PURSUANT TO FEMA FLOOD INSURANCE RATE MAPS (FIRM) MAP NUMBERS 17093C0140H AND 17093C0145H, BOTH WITH AN EFFECTIVE DATE OF 01–08–2014. BASE FLOOD ELEVATION NEAR THE SOUTHERN END OF THE DEVELOPED PROPERTY IS 572.5; THE BASE FLOOD ELEVATION NEAR THE NORTHERN END OF THE MAIN BODY OF THE PROPOSED DEVELOPMENT IS APPROXIMATELY 573.5; AND THE BASE FLOOD ELEVATION ALONG THE SOUTH SIDE OF U.S. ROUTE 52 IS 574.0.
9. ACCORDING TO THE NATIONAL WETLANDS INVENTORY MAPS, ALL EXISTING WETLANDS WITHIN THIS SURVEYED PARCEL ARE LOCATED WITHIN THE LIMITS OF AUX SABLE CREEK AND THE FLOODWAY AREA.
10. THE NORTH, WEST AND SOUTHERN LIMITS OF THE MAIN BODY OF THE SURVEYED PARCEL HAVE SUBSTANTIAL TREE LINES ALONG THE FIELD LINES. ALL EFFORTS WILL BE MADE TO SAVE THESE TREE LINES TO CREATE A NATURAL BUFFER TO THE ADJOINING PROPERTIES IN THESE LOCATIONS.
11. THERE IS A TREE LINE THAT RUNS IN AN EASE/WEST DIRECTION ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 16. THIS TREE LINE IS SUBJECT TO REMOVAL FOR ANY PROPOSED DEVELOPMENTS; BUT EFFORTS WILL BE MAKE TO RETAIN THE REMAINDER OF THE TREES NOT LOCATED WITHIN THE AREAS OF FUTURE IMPROVEMENTS.
12. THE EXISTING TREE LINE AND FOREST AREA TO THE WEST SIDE OF AUX SABLE CREEK, WILL REMAIN IN ITS ENTIRETY AS LOCATED.
13. THERE ARE NO KNOWN EASEMENTS LOCATED WITHIN THE LIMITS OF THE SURVEYED PARCEL.

OWNER/DEVELOPER
TRI–STAR DEVELOPMENT, INC.
26647 S. SAMANTHA COURT
CHANNAHON, IL 60410
C/O PAUL KOVACEVICH
(815) 482–9848

ENGINEER
GEOTECH, INC.
C/O CHRISTOPHER M. PAPESH
1207 CEDARWOOD DRIVE
CREST HILL, IL 60403
(815) 730–1010

STATE OF ILLINOIS)
COUNTY OF WILL) SS

I, CHRISTOPHER M. PAPESH, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF ILLINOIS, DO HEREBY CERTIFY THAT I HAVE SURVEYED, STAKED, AND LOCATED THE IMPROVEMENTS ON AND PLATTED THE LAND DESCRIBED IN THE FOREGOING CAPTION AND SHOWN ON THIS PLAT, AND THAT THIS PLAT IS A CORRECT REPRESENTATION THEREOF, DATED AT CREST HILL, ILLINOIS THIS 3rd DAY OF May, 2018, A.D.

CHRISTOPHER M. PAPESH 3369 CREST HILL ILLINOIS STATE OF ILLINOIS

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3369
LICENSE EXPIRATION DATE 11/30/2018

GEOTECH INC.
CONSULTING ENGINEERS – LAND SURVEYORS
1207 CEDARWOOD DRIVE CREST HILL, ILLINOIS 60403 815/730–1010

PROJECT: TRI–STAR DEVELOPMENT		FIELD BOOK #:	
DRAWN BY: C.P.	DATE: 04/27/18	SCALE: 1"=200'	JOB NO. 07251

COMPARE THIS PLAT WITH YOUR RECORDS AND IMMEDIATELY REPORT ANY DISCREPANCIES

PRELIMINARY PLAT OF WEST CREEK FARMS

A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 15, PART OF THE SOUTHEAST QUARTER OF SECTION 16, PART OF THE NORTHEAST QUARTER OF SECTION 21, AND PART OF THE NORTHWEST QUARTER OF SECTION 22, ALL IN TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KENDALL COUNTY, ILLINOIS.

LEGAL DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 15, AND THAT PART OF THE SOUTHEAST QUARTER OF SECTION 16, AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 21 AND THAT PART OF THE NORTHWEST QUARTER OF SECTION 22, ALL IN TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SOUTHEAST QUARTER OF AFORESAID SECTION 16; THENCE SOUTH 88 DEGREES 34 MINUTES 47 SECONDS WEST ALONG SAID NORTH LINE, 250.01 FEET TO A POINT ON THE WEST LINE OF THE EAST 250.00 FEET OF SAID SOUTHEAST QUARTER, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 88 DEGREES 34 MINUTES 47 SECONDS WEST ALONG SAID NORTH LINE, 252.27 FEET A POINT ON THE WEST LINE OF THE EAST 502.26 FEET OF SAID SOUTHEAST QUARTER; THENCE SOUTH 01 DEGREES 03 MINUTES 18 SECONDS EAST ALONG SAID WEST LINE, 1327.14 FEET TO THE NORTH LINE OF THE SOUTH HALF OF SAID SOUTHEAST QUARTER; THENCE SOUTH 88 DEGREES 35 MINUTES 22 SECONDS WEST ALONG SAID NORTH LINE, 2145.80 FEET TO THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 00 DEGREES 58 MINUTES 56 SECONDS EAST ALONG THE SAID WEST LINE, 1326.79 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF AFORESAID SECTION 21; THENCE SOUTH 01 DEGREES 44 MINUTES 47 SECONDS EAST ALONG THE WEST LINE OF SAID NORTHEAST QUARTER, 717.77 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 43.65 ACRES OF SAID NORTHEAST QUARTER; THENCE NORTH 88 DEGREES 35 MINUTES 57 SECONDS EAST ALONG SAID SOUTH LINE, 2648.65 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER OF AFORESAID SECTION 22; THENCE NORTH 01 DEGREES 39 MINUTES 32 SECONDS WEST ALONG SAID WEST LINE, 0.37 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 43.65 ACRES OF SAID NORTHWEST QUARTER; THENCE NORTH 88 DEGREES 22 MINUTES 13 SECONDS EAST ALONG SAID SOUTH LINE, 1260.00 FEET TO A POINT ON A LINE 65.00 FEET WEST OF AND PARALLEL WITH THE WESTERLY LINE OF LANDS CONVEYED BY TRUSTEE'S DEED, RECORDED ON AUGUST 27, 2014 AS DOCUMENT NUMBER 201400011624; THENCE NORTH 41 DEGREES 53 MINUTES 22 SECONDS EAST ALONG SAID PARALLEL LINE, 466.06 FEET; THENCE NORTH 15 DEGREES 32 MINUTES 56 SECONDS EAST ALONG SAID PARALLEL LINE, 137.09 FEET; THENCE NORTH 02 DEGREES 02 MINUTES 06 SECONDS EAST ALONG SAID PARALLEL LINE, 146.02 FEET; THENCE NORTH 09 DEGREES 00 MINUTES 04 SECONDS WEST ALONG SAID PARALLEL LINE, 100.91 FEET; THENCE NORTH 39 DEGREES 37 MINUTES 14 SECONDS WEST 404.44 FEET; THENCE NORTH 71 DEGREES 00 MINUTES 39 SECONDS WEST 639.95 FEET; THENCE NORTH 32 DEGREES 13 MINUTES 58 SECONDS WEST 687.26 FEET; THENCE NORTH 14 DEGREES 16 MINUTES 23 SECONDS WEST 199.05 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF AFORESAID SECTION 15, SAID POINT BEING LOCATED IN THE CENTERLINE OF AUX SABLE CREEK AND 363.50 FEET (AS MEASURED ALONG SAID NORTH LINE) EAST OF THE WEST LINE OF THE AFORESAID SOUTHWEST QUARTER; THENCE SOUTH 88 DEGREES 21 MINUTES 55 SECONDS WEST ALONG SAID NORTH LINE, 363.50 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF AFORESAID SECTION 16; THENCE SOUTH 88 DEGREES 35 MINUTES 22 SECONDS WEST ALONG SAID NORTH LINE, 250.00 FEET TO A POINT ON THE WEST LINE OF THE EAST 250.00 FEET OF SAID SOUTHEAST QUARTER; THENCE NORTH 01 DEGREES 03 MINUTES 18 SECONDS WEST ALONG SAID WEST LINE, 1327.19 FEET TO THE POINT OF BEGINNING, ALL SITUATED IN SEWARD TOWNSHIP, KENDALL COUNTY, ILLINOIS. Containing 183.165 acres more or less.

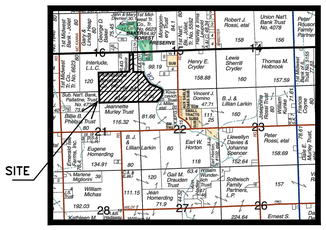
SCOPE OF DEVELOPMENT

TOTAL AREA	= 183.165 ACRES
ROADWAY AREA	= 13.438 ACRES
OPEN SPACE AREA	= 43.557 ACRES
OPEN SPACE LOTS	= 1 LOT (40)
RESIDENTIAL AREA	= 126.303 ACRES
RESIDENTIAL LOTS	= 39 LOTS (1–39)
MINIMUM LOT SIZE	= 3.0 ACRES (130,680 S.F.)
MINIMUM LOT WIDTH	= 200 FEET (AT SETBACK)
AVERAGE LOT SIZE	= 3.238 ACRES
DENSITY	= 0.21 UNITS/ACRE (39/183.165)

NATURAL RESOURCES CONSERVATION SERVICE
WEB SOIL SURVEY – USDA–NRCS CERTIFIED
SURVEY AREA DATA: VERSION 14, OCTOBER 1, 2017

SOIL TYPE	DESCRIPTION
69A	MILFORD SILTY CLAY LOAM, 0 TO 2 PERCENT SLOPES
91A	SWYGERT SILTY CLAY LOAM, 0 TO 2 PERCENT SLOPES
91B	SWYGERT SILTY CLAY LOAM, 2 TO 4 PERCENT SLOPES
91C2	SWYGERT SILTY CLAY LOAM, 4 TO 6 PERCENT SLOPES, ERODED
189A	MARTINTON SILT LOAM, 0 TO 2 PERCENT SLOPES
189B	MARTINTON SILT LOAM, 2 TO 4 PERCENT SLOPES
235A	BRYCE SILTY CLAY, 0 TO 2 PERCENT SLOPES

LOCATION MAP



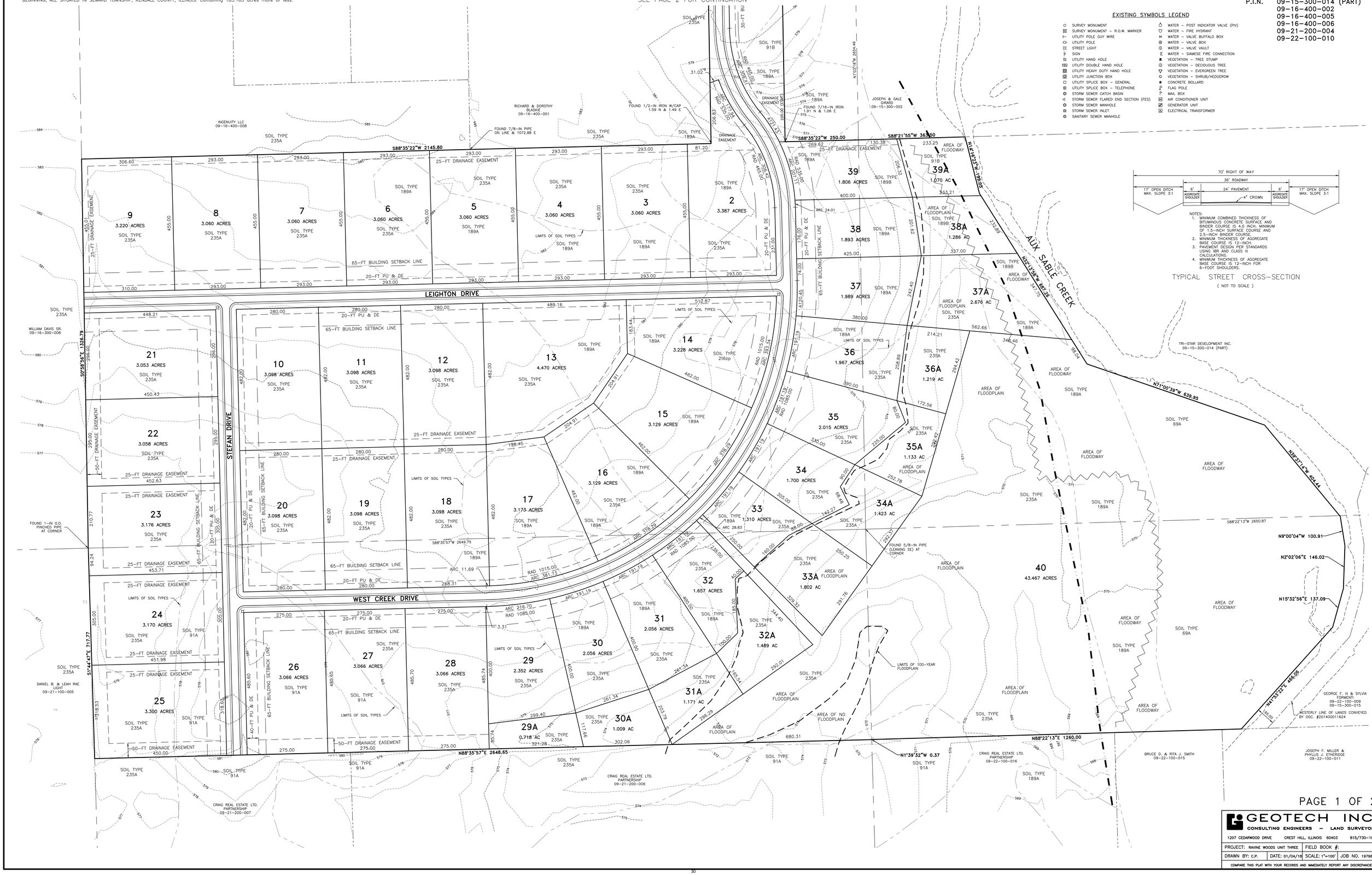
Scale: 1" = 100'

P.I.N. 09-15-300-014 (PART)
09-16-400-002
09-16-400-005
09-16-400-006
09-21-200-004
09-22-100-010

EXISTING SYMBOLS LEGEND

- SURVEY MONUMENT
- SURVEY MONUMENT – R.O.W. MARKER
- UTILITY POLE GUY WIRE
- UTILITY POLE
- STREET LIGHT
- SIGN
- UTILITY HAND HOLE
- UTILITY DOUBLE HAND HOLE
- UTILITY HEAVY DUTY HAND HOLE
- UTILITY JUNCTION BOX
- UTILITY SPLICE BOX – GENERAL
- UTILITY SPLICE BOX – TELEPHONE
- STORM SEWER CATCH BASIN
- STORM SEWER FLARED END SECTION (FES)
- STORM SEWER MANHOLE
- STORM SEWER INLET
- SANITARY SEWER MANHOLE
- WATER – POST INDICATOR VALVE (PIV)
- WATER – FIRE HYDRANT
- WATER – VALVE BUFFALO BOX
- WATER – VALVE BOX
- WATER – VALVE VAULT
- WATER – SIAMESE FIRE CONNECTION
- VEGETATION – TREE STUMP
- VEGETATION – DECIDUOUS TREE
- VEGETATION – EVERGREEN TREE
- VEGETATION – SHRUB/HEDGEROW
- CONCRETE BOLLARD
- FLAG POLE
- MAIL BOX
- AIR CONDITIONER UNIT
- GENERATOR UNIT
- ELECTRICAL TRANSFORMER

SEE PAGE 2 FOR CONTINUATION



70' RIGHT OF WAY
36' ROADWAY
17' OPEN DITCH MAX. SLOPE 3:1
6" AGGREGATE SHOULDER
24' PAVEMENT
4" CROWN
6" AGGREGATE SHOULDER
17' OPEN DITCH MAX. SLOPE 3:1

NOTES:
1. MINIMUM COMBINED THICKNESS OF BITUMINOUS CONCRETE SURFACE AND BINDER COURSE IS 4.0 INCH. MINIMUM OF 1.5–INCH SURFACE COURSE AND 2.5–INCH BINDER COURSE.
2. MINIMUM THICKNESS OF AGGREGATE BASE COURSE IS 12–INCH.
3. PAVEMENT DESIGN PER STANDARDS USING IBR AND CLASS III CALCULATIONS.
4. MINIMUM THICKNESS OF AGGREGATE BASE COURSE IS 12–INCH FOR 6–FOOT SHOULDERS.

TYPICAL STREET CROSS–SECTION
(NOT TO SCALE)

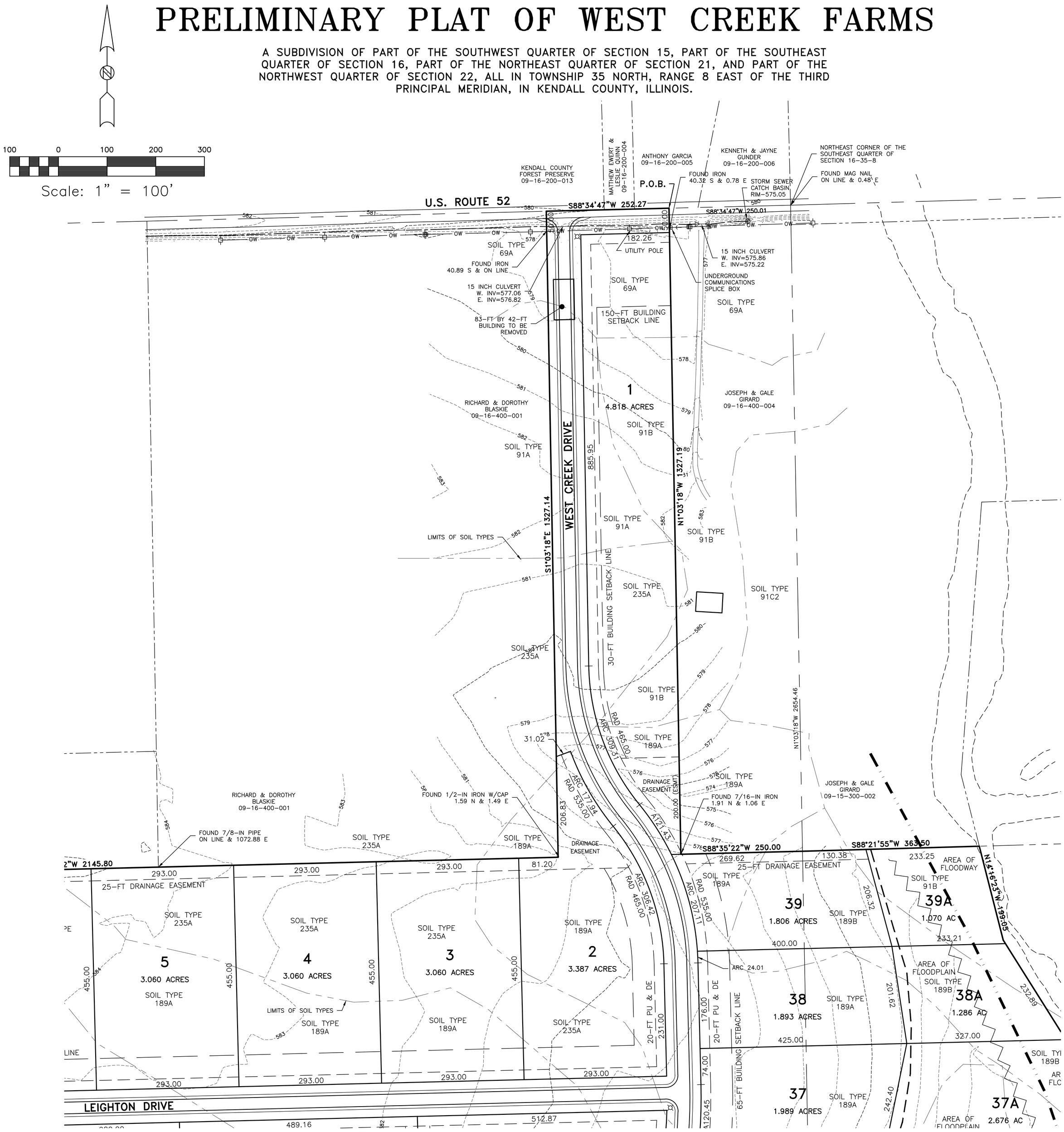
GEOTECH INC.
CONSULTING ENGINEERS – LAND SURVEYORS
1207 CEDARWOOD DRIVE CREST HILL, ILLINOIS 60403 815/730–1010

PROJECT: RAVINE WOODS UNIT THREE	FIELD BOOK #:	
DRAWN BY: C.P.	DATE: 01/04/18	SCALE: 1"=100'	JOB NO. 19796

COMPARE THIS PLAT WITH YOUR RECORDS AND IMMEDIATELY REPORT ANY DISCREPANCIES

PRELIMINARY PLAT OF WEST CREEK FARMS

A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 15, PART OF THE SOUTHEAST QUARTER OF SECTION 16, PART OF THE NORTHEAST QUARTER OF SECTION 21, AND PART OF THE NORTHWEST QUARTER OF SECTION 22, ALL IN TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KENDALL COUNTY, ILLINOIS.



SEE PAGE 1 FOR CONTINUATION

EXISTING SYMBOLS LEGEND

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- VEGETATION – SHRUB/HEDGEROW
- CONCRETE BOLLARD
- FLAG POLE
- MAIL BOX
- AIR CONDITIONER UNIT
- GENERATOR UNIT
- ELECTRICAL TRANSFORMER

GENERAL NOTES

1. THE BASIS OF BEARING AND MEASUREMENT FOR THIS DEVELOPMENT, AS SHOWN, IS THE STATE PLANE OF ILLINOIS–EAST, ZONE EAST DATUM.
2. ANY IMPROVEMENTS SHOWN HEREON, WERE LOCATED USING A COMBINATION OF GLOBAL POSITIONING SYSTEMS (GPS) AND CONVENTIONAL SURVEYING METHODS BY GEOTECH, INC. COMPLETED IN THE SPRING OF 2018. THE LOCATION OF THE AUX SABLE CREEK WAS TAKEN FROM AERIAL PHOTOS.
3. ELEVATIONS UTILIZED FOR THE GRADES AS SHOWN, WERE TAKEN FROM NGS CONTROL POINTS, NAVD 88 DATUM. FIRST POINT BEING POINT DESIGNATION: WRI 028, POINT ID: DP5483, ELEV=576.47 REC – 576.45 MEAS LOCATED NEAR THE NORTHEAST CORNER OF U.S. ROUTE 52 AND JUGHANDLE ROAD. SECOND POINT BEING POINT DESIGNATION: WRI 029, POINT ID: DP5484, ELEV=579.78 REC – 579.70 MEAS, LOCATED APPROXIMATELY ONE–HALF MILE WEST OF JUGHANDLE ROAD ALONG THE NORTH SIDE OF U.S. ROUTE 52.
4. THE SUBJECT PROPERTY IS CURRENTLY VACANT FARM LAND.
5. THE PROPOSED ENTRANCE ROAD (WEST CREEK DRIVE) WILL BE APPROVED BY THE ILLINOIS DEPARTMENT OF TRANSPORTATION. A COPY OF THIS PLAT HAS BEEN FILED WITH THE I.D.O.T. FOR THEIR REVIEW AND APPROVAL. ANY STATE REVIEW COMMENTS WILL BE SHARED WITH THE COUNTY STAFF.
6. THE STORM CULVERT PIPE SIZES FOR EACH INDIVIDUAL DRIVEWAY ACCESSES TO ALL PUBLIC ROADS WITHIN THIS SUBDIVISION, AND ALL OTHER INTERSECTIONS AND CROSSINGS WILL BE DETERMINED DURING FINAL DESIGN AND PER KENDALL COUNTY REVIEW AND APPROVAL.
7. ROADSIDE DITCHES WILL BE COVERED WITH 4 INCHES OF TOPSOIL AND SEEDED PER KENDALL COUNTY SUBDIVISION ORDINANCE.
8. THERE WILL BE THREE NEW PUBLIC STREETS WITHIN THIS DEVELOPMENT; EACH HAVING A RIGHT OF WAY WIDTH OF 70 FEET. PLEASE REFER TO TYPICAL STREET CROSS SECTION FOR SPECIFICS REGARDING DESIGN STANDARDS.
9. THE EASEMENT ALONG THE PROPOSED STREET RIGHT OF WAY SHALL BE 25–FOOT DRAINAGE & UTILITY EASEMENTS. (DUE)
10. THE PROPOSED RESIDENTIAL LOTS WILL BE SERVICED BY PRIVATE WATER WELLS AND PRIVATE SEWERAGE DISPOSAL SYSTEMS. IT IS ANTICIPATED THAT THE LOCATION OF THE SEPTIC FIELD WILL BE IN THE REARS OF THE PROPOSED LOTS, WITH THE WATER WELLS LOCATED IN THE FRONT YARDS. THE SIZE AND TYPE OF PRIVATE SEWERAGE SYSTEMS REQUIRED WILL BE DETERMINED BY THE KENDALL COUNTY HEALTH DEPARTMENT. PERMITS WILL NEED TO BE OBTAINED FROM THE KENDALL COUNTY HEALTH DEPARTMENT FOR EACH OF THE PRIVATE WATER AND SEWERAGE SYSTEMS. A COPY OF THIS PLAT HAS BEEN FILED WITH THE HEALTH DEPARTMENT FOR THEIR REVIEW AND APPROVAL.
11. A PORTION OF THIS PROPERTY IS DETERMINED TO BE LOCATED WITHIN ZONE AE (REGULATORY FLOODWAY AND FLOODPLAIN WITH BASE FLOOD ELEVATION) AND ZONE X, PURSUANT TO FEMA FLOOD INSURANCE RATE MAPS (FIRM) MAP NUMBERS 17093C0140H AND 17093C0145H, BOTH WITH AN EFFECTIVE DATE OF 01–08–2014. BASE FLOOD ELEVATION NEAR THE SOUTHERN END OF THE DEVELOPED PROPERTY IS 572.5; THE BASE FLOOD ELEVATION NEAR THE NORTHERN END OF THE MAIN BODY OF THE PROPOSED DEVELOPMENT IS APPROXIMATELY 573.5; AND THE BASE FLOOD ELEVATION ALONG THE SOUTH SIDE OF U.S. ROUTE 52 IS 574.0.
12. ACCORDING TO THE NATIONAL WETLANDS INVENTORY MAPS, ALL EXISTING WETLANDS WITHIN THIS PROPOSED DEVELOPMENT ARE CONTAINED WITHIN THE "A" LOTS AND LOT 40.
13. DUE TO THE SIZE OF THE PROPOSED LOTS, NO STORM WATER DETENTION WILL BE REQUIRED FOR THIS DEVELOPMENT.
14. THE PROPOSED "A" LOTS ARE LOTS THAT CONTAIN FLOODPLAIN. THEY ARE TO BE SOLD WITH AND WILL REMAIN WITH THEIR RESPECTIVE NUMBERED LOTS, TO MAINTAIN MINIMUM LOT SIZES. NO BUILDING, GRADING, FILLING, OR OTHER ALTERATIONS OR IMPROVEMENTS WILL BE PERMITTED ON THE "A" LOTS. THE SUBDIVISION COVENANTS AND RESTRICTIONS WILL CONTAIN SPECIFICS REGARDING THE "A" LOTS.
15. THE NORTH, WEST AND SOUTHERN LIMITS OF THE MAIN BODY OF THE PROPOSED DEVELOPMENT HAVE SUBSTANTIAL TREE LINES ALONG THE FIELD LINES. ALL EFFORTS WILL BE MADE TO SAVE THESE TREE LINES TO CREATE A NATURAL BUFFER BETWEEN THIS DEVELOPMENT AND THE ADJOINING PROPERTIES IN THESE LOCATIONS. THE SUBDIVISION COVENANTS AND RESTRICTIONS WILL SET FORTH THE DEVELOPERS INTENT FOR THE EXISTING TREE LINE.
16. THERE IS A TREE LINE THAT RUNS IN AN EASE/WEST DIRECTION ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 16. WITH THE EXCEPTION OF THE PROPOSED ROAD, UTILITY AND DRAINAGE CROSSINGS; THIS TREE LINE WILL REMAIN FOR THE INITIAL DEVELOPMENT. THE TREE LINE WILL ULTIMATELY BE THE RESPONSIBILITY OF THE INDIVIDUAL LOT OWNERS AND THEIR PLANS TO IMPROVE THEIR LOTS. THE SUBDIVISION COVENANTS AND RESTRICTIONS WILL SET FORTH THE DEVELOPERS INTENT FOR THE EXISTING TREE LINE.
17. THE EXISTING TREE LINE AND FOREST AREA TO THE WEST SIDE OF AUX SABLE CREEK, WILL REMAIN IN ITS ENTIRETY AS LOCATED ON THE OPEN SPACE LOT, TO BE CONVEYED TO THE KENDALL COUNTY FOREST PRESERVE DISTRICT.
18. THE PROPOSED PRIVATE WATER WELLS WILL BE LOCATED IN THE PORTION OF EACH LOT LOCATED BETWEEN THE FRONT OF THE PRIMARY STRUCTURE AND THE EDGE OF THE STREET RIGHT OF WAYS, BUT CANNOT BE WITHIN 20 FEET OF THE FRONT OR SIDE PROPERTY LINES OR WITHIN ANY EASEMENTS. THE PROPOSED SEPTIC SYSTEMS WILL BE LOCATED IN THE REARS OF EACH LOT WITHIN A DISTANCE OF 100 FEET FROM THE REAR OF EACH PROPOSED PRIMARY STRUCTURE, BUT NOT WITHIN 100 FEET OF ANY PRIVATE WATER WELL OR WITHIN 20 FEET TO THE SIDE OR REAR PROPERTY LINES OR WITHIN ANY EASEMENTS.
19. LOT 40 WILL BE CONVEYED TO THE KENDALL COUNTY FOREST PRESERVE DISTRICT.
20. THE DEVELOPER WILL PROVIDE SUBDIVISION COVENANTS AND RESTRICTIONS FOR SPECIFIC RULES REGARDING THEIR REQUIREMENTS FOR EACH INDIVIDUAL PROPERTY OWNER, WITHIN THIS DEVELOPMENT.

OWNER/DEVELOPER

TRI–STAR DEVELOPMENT, INC.
26647 S. SAMANTHA COURT
CHANNAHON, IL 60410
C/O PAUL KOVACEVICH
(815) 482–9848

ENGINEER

GEOTECH, INC.
C/O THOMAS CARROLL
1207 CEDARWOOD DRIVE
CREST HILL, IL 60403
(815) 730–1010

NATURAL RESOURCES CONSERVATION SERVICE
WEB SOIL SURVEY – USDA–NRCS CERTIFIED
SURVEY AREA DATA: VERSION 14, OCTOBER 1, 2017

SOIL TYPE	DESCRIPTION
69A	MILFORD SILTY CLAY LOAM, 0 TO 2 PERCENT SLOPES
91A	SWYGERT SILTY CLAY LOAM, 0 TO 2 PERCENT SLOPES
91B	SWYGERT SILTY CLAY LOAM, 2 TO 4 PERCENT SLOPES
91C2	SWYGERT SILTY CLAY LOAM, 4 TO 6 PERCENT SLOPES, ERODED
189A	MARTINTON SILT LOAM, 0 TO 2 PERCENT SLOPES
189B	MARTINTON SILT LOAM, 2 TO 4 PERCENT SLOPES
235A	BRYCE SILTY CLAY, 0 TO 2 PERCENT SLOPES

STATE OF ILLINOIS)
COUNTY OF KENDALL) ss

APPROVED BY ORDINANCE OF THE KENDALL COUNTY BOARD

ON THIS _____ DAY OF _____, 2018.

_____
COUNTY BOARD PRESIDENT

_____
COUNTY CLERK

STATE OF ILLINOIS)
COUNTY OF KENDALL) ss

APPROVED BY KENDALL COUNTY, PLAN COMMISSION

ON THIS _____ DAY OF _____, 2018.

_____
CHAIRPERSON

_____
SECRETARY

PREPARED BY: _____
CHRISTOPHER M. PAPESH, I.P.L.S. NO. 3369
EXPIRATION DATE: 11/30/2018

DATE: *May 30, 2018*

GJN07251

2

GEOTECH INC.
CONSULTING ENGINEERS – LAND SURVEYORS
1207 CEDARWOOD DRIVE CREST HILL, ILLINOIS 60403 815/730–1010

WEST CREEK FARMS

PRELIMINARY PLAT OF SUBDIVISION

DRAWN BY: CMP JOB # GJN07251
CHECKED BY: CT/MM DATE: 05/23/2018

DATE BY REVISION

Matt Asselmeier

From: Schwarz, Michael [mschwarz@jolietcity.org]
Sent: Friday, July 27, 2018 12:30 PM
To: Matt Asselmeier
Cc: Thomas Grant; Jackson, Kendall B; Torri, James N; Bernhard, Jayne; Miller, Helen
Subject: RE: Tri-Star Development Rezoning Request on U.S. 52 Near Jughandle Road
Attachments: Distribution Form.pdf; Muni Distance Map.pdf; Tri-Star Rezoning - Tax Parcel Map.pdf; Joliet-Shorewood Boundary Agreement Map.pdf

Matt,

Thank you for providing the attached notice and distance map for the proposed Kendall County rezoning for Tri-Star Development, Inc. property which is located with the 1.5-mile extraterritorial jurisdiction of the City of Joliet. I have also attached a Kendall County tax parcel map with the subject parcels highlighted for reference.

The subject property is located outside of the City's planning area. The subject property is located on the Shorewood side of the Joliet-Shorewood mutual planning boundary in this area, which extends westward along the north line of Sections 15 and 16 in Seward Township (IGA and map attached). Although the Joliet-Shorewood Boundary Agreement expired in 2014, City staff will honor the previous planning boundary line until a new boundary agreement is established. We do encourage Kendall County to carefully consider the potential impacts that any development may have on the adjacent Aux Sable Creek and follow any pertinent recommendations from the *Aux Sable Creek Watershed Plan*.

Please feel free to contact me if you have any questions or require additional information.

Sincerely,
Mike

Michael J. Schwarz, AICP
Planning Director
City of Joliet, Planning Division
150 W. Jefferson St.
Joliet, IL 60432
Phone: (815) 724-4041
Email: mschwarz@jolietcity.org

From: Matt Asselmeier [mailto:masselmeier@co.kendall.il.us]
Sent: Wednesday, July 25, 2018 8:25 AM
To: Schwarz, Michael <mschwarz@jolietcity.org>
Cc: Thomas Grant <[redacted].net>
Subject: Tri-Star Development Rezoning Request on U.S. 52 Near Jughandle Road

Mike:

The Kendall County Planning, Building and Zoning Department received a request to rezone approximately 183 acres from A-1 to R-1 on U.S. Route 52 approximately ½ mile west of Jughandle Road on the south side of Route 52 (PINs: 09-15-300-014, 09-16-400-002, 09-16-400-005, 09-16-400-006, 09-21-200-200-004, 09-22-100-010). Upon approval of the rezoning, the property owner would like to do a 40 lot single-family residential subdivision; they have not submitted a preliminary or flat plat at this time.

Attachment 6

Shorewood
ILLINOIS

Established 1957

July 30, 2018

Matthew H. Asselmeier, AICP
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498

Re: Tri-Star Development Inc. Map Amendment Application form A-1 top R-1

Mr. Asselmeier,

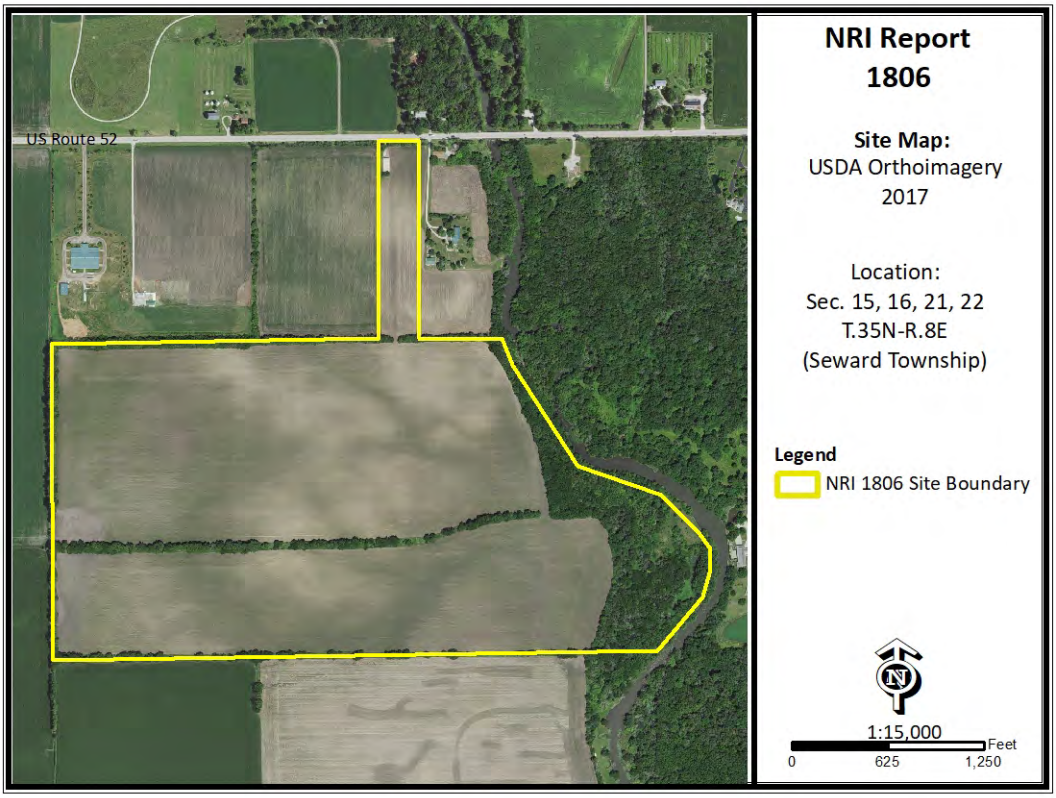
Thank you for contacting the Village of Shorewood regarding the proposed Map Amendment for the 183 Acres in unincorporated Kendall County (PINs: 09-15-300-014, 09-16-400-002, 09-16-400-005, 09-16-400-006, 09-21-200-004 and 09-22-100-010).

As we discussed, the subject property in this petition lies within the long range planning area of the Village of Shorewood but well outside the current one and one-half mile extra-territorial jurisdiction of the Village. The Village of Shorewood's Community Comprehensive Plan identifies the future land use of the subject property as residential.

Sincerely,

Rodney Tonelli AICP
Interim Community Development Director

NATURAL RESOURCE INFORMATION (NRI) REPORT: 1806



August 2018

Petitioner: Tri-Star Development, Inc.
Contact: Paul Kovacevich

Prepared by:

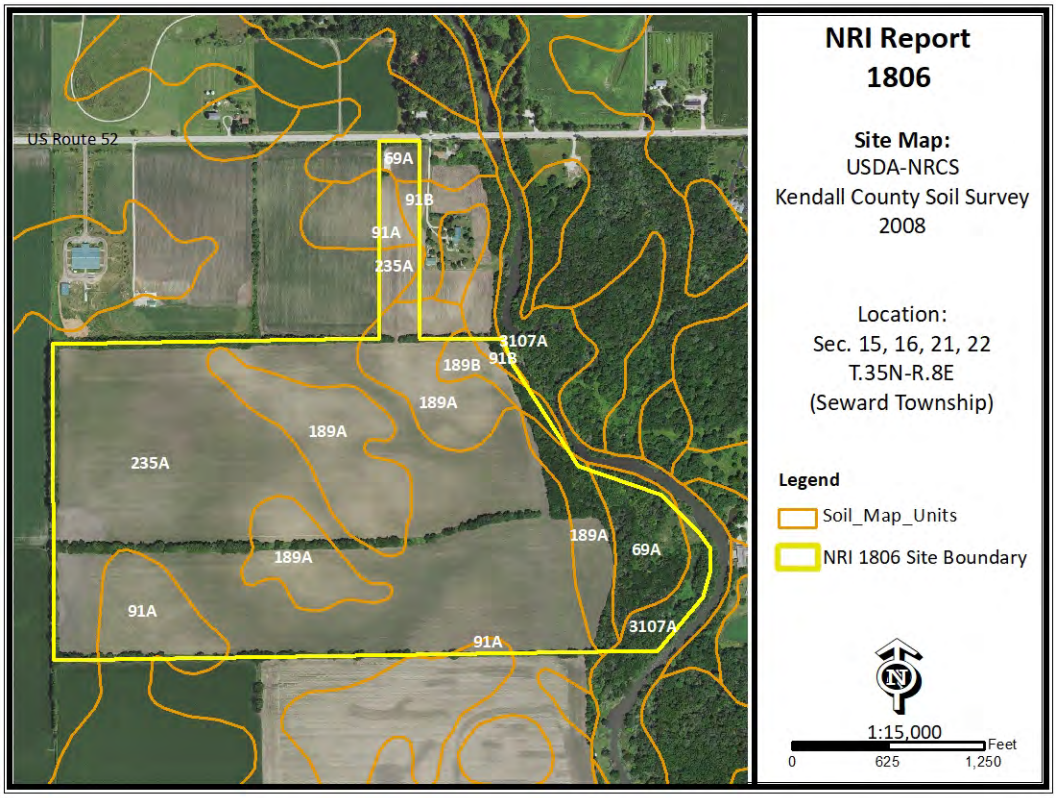
Kendall County Soil & Water Conservation District
7775A Route 47 • Yorkville, Illinois 60560
Phone: (630)553-5821 x3 • Fax: (630)553-7442
www.kendallswcd.org

1806 **Executive Summary** **August 2018**

Petitioner: Tri-Star Development, Inc.
Contact Person: Paul Kovacevich
County or Municipality the petition is filled with: Kendall County
Location of Parcel: Sections 15, 16, 21 & 22, T.35N.-R.8E. (Seward Township) of the 3rd Principal Meridian
Project or Subdivision Name: West Creek Farms
Existing Zoning & Land Use: A-1; Cropland, Wooded
Proposed Zoning & Land Use: R-1; Residential
Proposed Water Source: Well
Proposed Type of Sewage Disposal System: Septic
Proposed Type of Storm Water Management: Petitioner notes that no detention is required
Size of Site: 183 acres (43 acres Open Space to be donated to Kendall County Forest Preserve District)
Land Evaluation Site Assessment Score: 230 (Land Evaluation:88; Site Assessment:142)

Natural Resource Concerns

Soil Map:



SOIL INFORMATION:
Based on information from the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) 2008 Kendall County Soil Survey, this parcel is shown to contain the following soil types (please note this does not replace the need for or results of onsite soil testing; please refer to onsite soil test results for planning/engineering purposes):

Table 1:

Map Unit	Soil Name	Drainage Class	Hydrologic Group	Hydric Designation	Farmland Designation
69A	Milford silty clay loam, 0-2% slopes	Poorly Drained	C/D	Hydric	Prime Farmland (if drained)
91A	Swygert silty clay loam, 0-2% slopes	Somewhat Poorly Drained	C/D	Hydric Inclusions	Prime Farmland
91B	Swygert silty clay loam, 2-4% slopes	Somewhat Poorly Drained	C/D	Hydric Inclusions	Prime Farmland
189A	Martinton silt loam, 0-2% slopes	Somewhat Poorly Drained	C/D	Hydric Inclusions	Prime Farmland
189B	Martinton silt loam, 2-4% slopes	Somewhat Poorly Drained	C/D	Hydric Inclusions	Prime Farmland
235A	Bryce silty clay, 0-2% slopes	Poorly Drained	C/D	Hydric	Prime Farmland (if drained)
3107A	Sawmill silty clay loam, heavy till plain, 0-2% slopes, frequently flooded	Poorly Drained	B/D	Hydric	Prime Farmland (if drained and either protected from flooding or not frequently flooded during the growing season.

Hydrologic Soil Groups: Soils have been classified into four (A, B, C, D) hydrologic groups based on runoff characteristics due to rainfall. If a soil is assigned to a dual hydrologic group (A/D, B/D or C/D), the first letter is for drained areas and the second letter is for undrained areas.

- ✓ **Hydrologic group A:** Soils have a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.
- ✓ **Hydrologic group B:** Soils have a moderate infiltration rate when thoroughly wet, consist chiefly of moderately deep to deep, moderately well drained to well drained soils that have a moderately fine to moderately coarse texture. These soils have a moderate rate of water transmission.
- ✓ **Hydrologic group C:** Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.
- ✓ **Hydrologic group D:** Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

Hydric Soils: A hydric soil is one that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile that supports the growth or regeneration of hydrophytic vegetation. Soils with hydric inclusions have map units dominately made up of non-hydric soils that may have inclusions of hydric soils in the lower positions on the landscape. Of the soils found onsite, all are classified as either hydric (soil map units 69A, 235A and 3107A) or as having hydric inclusions (soil map units 91A, 91B, 189A, 189B).

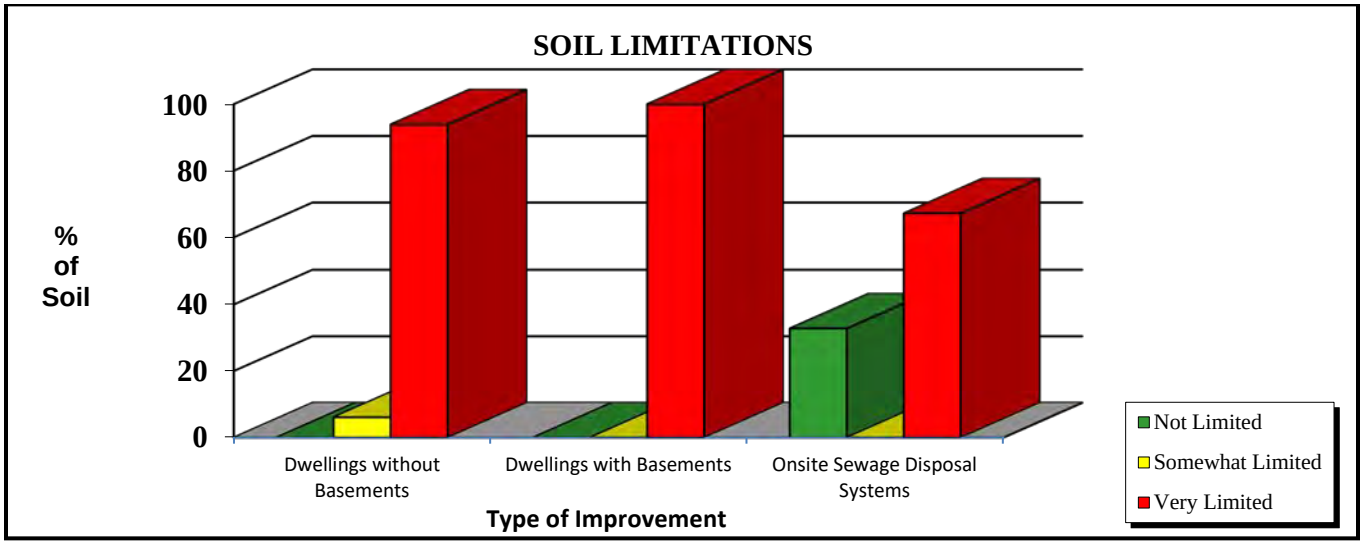
Prime Farmland: Prime farmland is land that has the best combination of physical and chemical characteristics for agricultural production. Prime farmland soils are an important resource to Kendall County and some of the most productive soils in the United States occur locally. Of the soils found onsite, all are designated as prime farmland.

Soil Limitations: Limitations for dwellings without basements, dwellings with basements and conventional septic systems.

Table 2a:

Soil Type	Dwellings without Basements	Dwellings with Basements	Conventional Septic Systems
69A	Very Limited	Very Limited	Unsuitable: Wet
91A	Somewhat Limited	Very Limited	Suitable
91B	Very Limited	Very Limited	Suitable
189A	Very Limited	Very Limited	Suitable
189B	Very Limited	Very Limited	Suitable
235A	Very Limited	Very Limited	Unsuitable: Wet
3107A	Very Limited	Very Limited	Unsuitable: Frequently Flooded

Septic Systems: The factors considered for determining suitability are the characteristics and qualities of the soil that affect the limitations for absorbing waste from domestic sewage disposal systems. The major features considered are soil permeability, percolation rate, groundwater level, depth to bedrock, flooding hazards, and slope. Soils are deemed unsuitable per the Kendall County Subdivision Control Ordinance. Installation of an on-site sewage disposal system in soils designated as unsuitable may necessitate the installation of a non-conventional onsite sewage disposal system. For more information please contact the Kendall County Health Department (811 W. John Street, Yorkville, IL; (630)553-9100 ext. 8026).



Kendall County Land Evaluation and Site Assessment (LESA):

Decision-makers in Kendall County use the Land Evaluation and Site Assessment (LESA) system to determine the suitability of a land use change and/or a zoning request as it relates to agricultural land. The LESA system was developed by the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) and takes into consideration local conditions such as physical characteristics of the land, compatibility of surrounding land-uses, and urban growth factors. The LESA system is a two-step procedure that includes:

- **LAND EVALUATION (LE)** – The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland or forestland. The best group is assigned a value of 100 and all other groups are assigned lower values. The Land Evaluation is based on data from the Kendall County Soil Survey. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.
  - ✓ The Land Evaluation score for this site is 88, indicating that this site is **currently well suited** for agricultural uses.

- **SITE ASSESSMENT (SA)** – The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The Kendall County LESA Committee is responsible for this portion of the LESA system.
    - ✓ The Site Assessment score for this site is 138.

The **LESA Score for this site is 226 which indicates a high level of protection** for the proposed project site. Note: Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

Wetlands: The U.S. Fish & Wildlife Service's National Wetland Inventory map **does potentially indicate** the presence of a wetland(s) on the proposed project site. To determine if a wetland is present, a wetland delineation specialist, who is recognized by the U.S. Army Corps of Engineers, should determine the exact boundaries and value of the wetlands.

Floodplain: The parcel is located within the floodplain.

Sediment and Erosion Control: Development on this site should include an erosion and sediment control plan in accordance with local, state and federal regulations. Soil erosion on construction sites is a resource concern because suspended sediment from areas undergoing development is a primary nonpoint source of water pollution. Please consult the *Illinois Urban Manual* (http://www.aiswcd.org/illinois-urban-manual/) for appropriate best management practices.

LAND USE FINDINGS:

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed development plans for Petitioner Tri-Star Development, Inc. for the proposed rezoning from A-1 to R-1 with Kendall County located in Sections 15, 16, 21 and 22 of Seward Township (T.35N-R.8E) of the 3rd Principal Meridian) in Kendall County. Based on the information provided by the petitioner and a review of natural resource related data available to the Kendall County SWCD, the SWCD Board presents the following information.

The Kendall County SWCD has always had the opinion that Prime Farmland should be preserved whenever feasible. A land evaluation, which is a part of the Land Evaluation and Site Assessment (LESA) was conducted on this parcel. The soils on this parcel scored an 88 out of a possible 100 points indicating the soils are well suited for agricultural uses. The total LESA Score for this site is 230 which indicates a high level of protection for the proposed project site. Additionally, all the soils found onsite are classified as prime farmland.

A review of the proposed project, as submitted with the preliminary plat, indicates that a portion of the lots have the potential to be within the floodway and floodplain along the eastern portion of the property. As a result, future lot owners may have the potential to be affected by flooding. In addition, in reviewing the soils found within the project site as mapped by the U.S. Department of Agriculture, the soils are denoted as either being hydric or having hydric inclusions and are also classified as being poorly drained to somewhat poorly drained; these two soil properties may indicate future drainage related impacts. The information provided by the Petitioner also denotes that the lots will be served by individual wells; based on the Groundwater Study for Kendall County, there is the potential for a drawdown of the aquifer that may impact future landowners within the project area; we recommend consulting the study completed by the Illinois Geological Survey for details.

Additionally, soils found on the project site are rated for specific uses and can have potential limitations for development. Soil types with severe limitations do not preclude the ability to develop the site for the proposed use but it is important to note the limitation that may require soil reclamation, special design/engineering, or maintenance to obtain suitable soil conditions to support development with significant limitations. This report indicates that for soils located on the parcel, 100% are very limited for dwellings with basements; 93.9% are very limited for dwellings without basements; 67.1% are unsuitable for onsite conventional sewage disposal systems. This information is based on the soil in an undisturbed state. Since the scope of the project includes the use of onsite septic systems, please consult with the Kendall County Health Department.

This site is located within Illinois River Watershed and Aux Sable Creek subwatershed.

This development should include a soil erosion and sediment control plan to be implemented during construction. Sediment may become a primary non-point source of pollution; eroded soils during the construction phase can create unsafe conditions on roadways, degrade water quality and destroy aquatic ecosystems lower in the watershed.

For intense use it is recommended that the drainage tile survey completed on the parcel to locate the subsurface drainage tile be taken into consideration during the land use planning process. Drainage tile expedites drainage and facilitates farming. It is imperative that these drainage tiles remain undisturbed. Impaired tile may affect a few acres or hundreds of acres of drainage.

The information that is included in this Natural Resources Information Report is to assure the Land Developers take into full consideration the limitations of that land that they wish to develop. Guidelines and recommendations are also a part of this report and should be considered in the planning process. The Natural Resource Information Report is required by the Illinois Soil and Water Conservation District Act (Ill. Complied Statues, Ch. 70, Par 405/22.02a).

Deanna Bazan — SWCD Board Representative

Aug. 6, 2018 — Date

KENDALL CO SOIL AND WATER CONSERVATION DISTRICT NATURAL RESOURCE INFORMATION REPORT (NRI)

NRI Report Number	1806
Date District Board Reviews Application	August 2018
Applicant's Name	Tri-Star Development, Inc.
Size of Parcel	183 acres
Current Zoning & Use	A-1; Agricultural, Wooded
Proposed Zoning & Use	R-1; Residential
Parcel Index Number(s)	09-15-300-014, 09-16-400-002, 09-16-400-005, 09-16-400-006, 09-21-200-004, 09-22-100-010
Contact Person	Paul Kovacevich

Copies of this report or notification of the proposed land-use change were provided to:	***Yes***	***No***
The Applicant	X	
The Applicant's Legal Representation	X	
The Local/Township Planning Commission	X	
The Village/City/**County** Planning and Zoning Department or Appropriate Agency	X	
The Kendall County Soil and Water Conservation District Files	X	

Report Prepared By: *Megan Andrews* Position: *Resource Conservationist*

TABLE OF CONTENTS

PURPOSE AND INTENT

The purpose of this report is to inform officials of the local governing body and other decision-makers with natural resource information. This information may be useful when undertaking land use decisions concerning variations, amendments or relief of local zoning ordinances, proposed subdivision of vacant or agricultural lands and the subsequent development of these lands. This report is a requirement under Section 22.02a of the Illinois Soil and Water Conservation Districts Act.

The intent of this report is to present the most current natural resource information available in a readily understandable manner. It contains a description of the present site conditions, the present resources, and the potential impacts that the proposed change may have on the site and its resources. The natural resource information was gathered from standardized data, on-site investigations and information furnished by the petitioner. This report must be read in its entirety so that the relationship between the natural resource factors and the proposed land use change can be fully understood.

Due to the limitations of scale encountered with the various resource maps, the property boundaries depicted in the various exhibits in this report provide a generalized representation of the property location and may not precisely reflect the legal description of the PIQ (Parcel in Question).

This report, when used properly, will provide the basis for proper land use change decisions and development while protecting the natural resource base of the county. It should not be used in place of detailed environmental and/or engineering studies that are warranted under most circumstances, but in conjunction with those studies.

The conclusions of this report in no way indicate that a certain land use is not possible, but it should alert the reader to possible problems that may occur if the capabilities of the land are ignored. Any questions on the technical data supplied in this report or if anyone feels that they would like to see more additional specific information to make the report more effective, please contact:

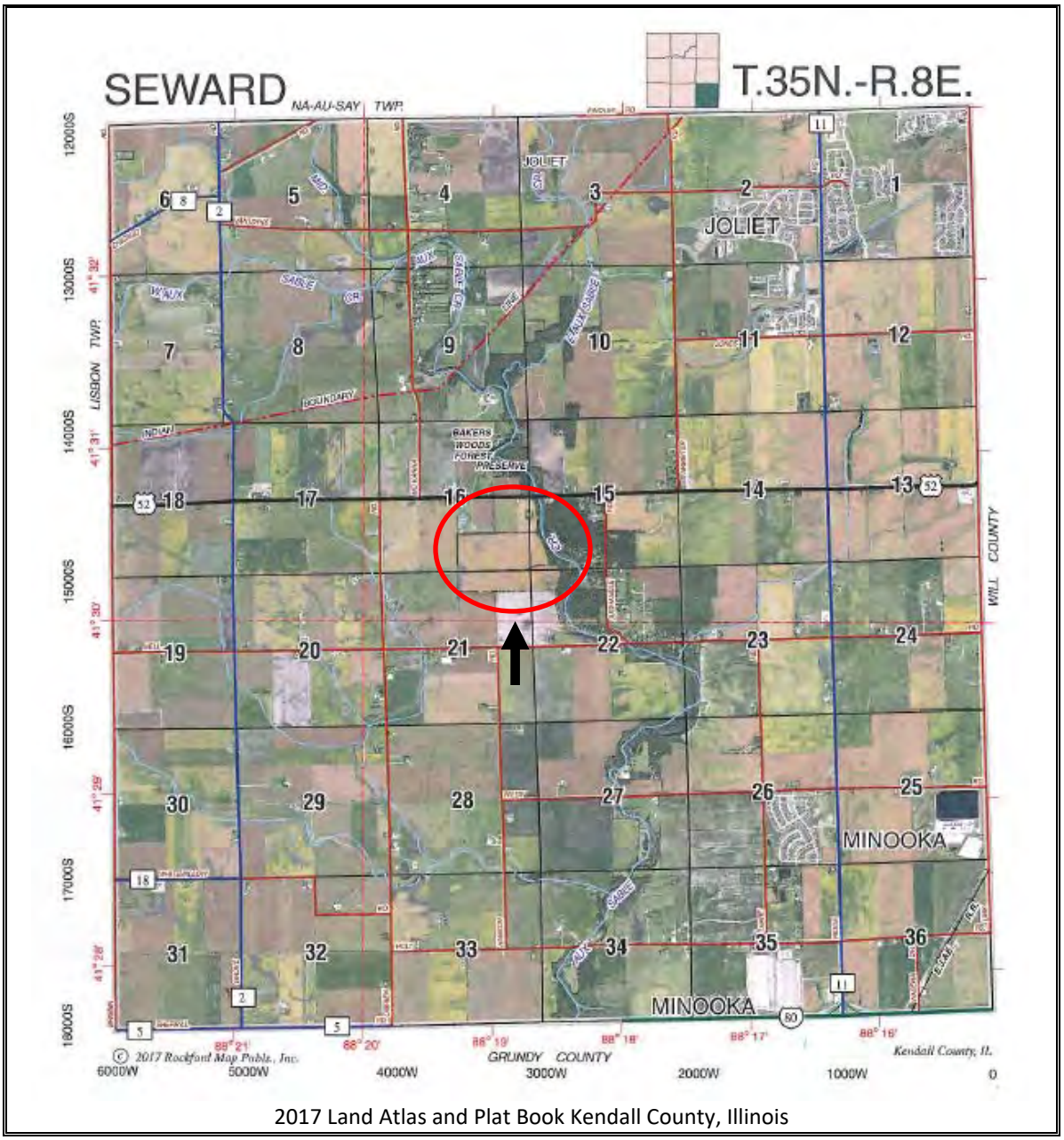
Kendall County Soil and Water Conservation District
7775A Route 47, Yorkville, IL 60560
Phone: (630) 553-5821 ext. 3
FAX: (630) 553-7442
E-mail: Megan.Andrews@il.nacdnet.net

PARCEL LOCATION

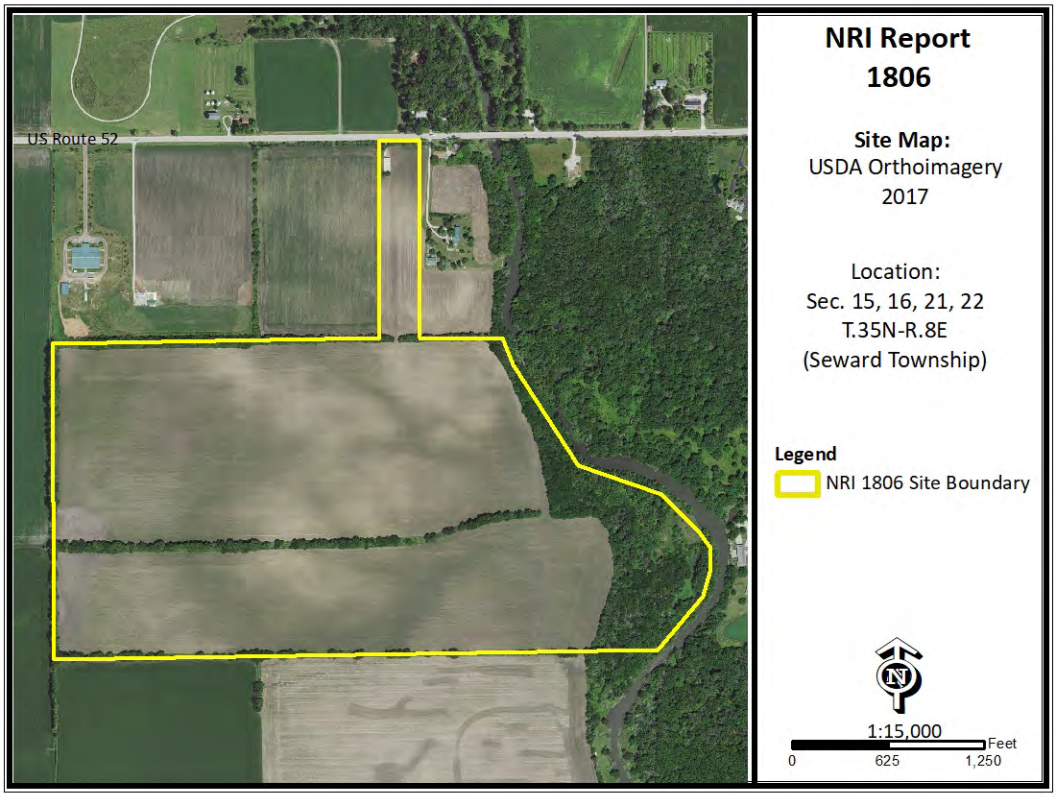
Location Map for Natural Resources Information Report # 1806

Sections 15, 16, 21 & 22 of Township 35 North, Range 8 East (Seward Township) on 183 acres. This parcel is located on the south side of US Route 52 and southwest of the intersection of US Route 52 and Jughandle Road. The parcel is located in unincorporated Kendall County.

Figure 1: 2017 Plat Map and 2017 Aerial Map with NRI Site Boundary



2017 Land Atlas and Plat Book Kendall County, Illinois



ARCHAEOLOGIC/CUTURAL RESOURCES

Simply stated, cultural resources are all the past activities and accomplishments of people. They include the following: buildings; objects made or used by people; locations; and less tangible resources, such as stories, dance forms, and holiday traditions. The Soil and Water Conservation District most often encounters cultural resources as historical properties. These may be prehistoric or historical sites, buildings, structures, features, or objects. The most common type of historical property that the Soil and Water Conservation District may encounter is non-structural archaeological sites. These sites often extend below the soil surface, and must be protected against disruption by development or other earth moving activity if possible. Cultural resources are *non-renewable* because there is no way to "grow" a site to replace a disrupted site.

Landowners with historical properties on their land have ownership of that historical property. However, the State of Illinois owns all of the following: human remains, grave markers, burial mounds, and artifacts associated with graves and human remains.

Non-grave artifacts from archaeological sites and historical buildings are the property of the landowner. The landowner may choose to disturb a historical property, but may not receive federal or state assistance to do so. If an earth moving activity disturbs human remains, the landowner must contact the county coroner within 48 hours.

The Illinois Historic Preservation Agency has not been notified of the proposed land use change by the Kendall County SWCD. The applicant may need to contact the IHPA according to current Illinois law.

ECOLOGICALLY SENSITIVE AREAS

What is Biological Diversity and Why Should it be Conserved?[1]

Biological diversity, or biodiversity, is the range of life on our planet. A more thorough definition is presented by botanist Peter H. Raven: "At the simplest level, biodiversity is the sum total of all the plants, animals, fungi and microorganisms in the world, or in a particular area; all of their individual variation; and all of the interactions between them. It is the set of living organisms that make up the fabric of the planet Earth and allow it to function as it does, by capturing energy from the sun and using it to drive all of life's processes; by forming communities of organisms that have, through the several billion years of life's history on Earth, altered the nature of the atmosphere, the soil and the water of our Planet; and by making possible the sustainability of our planet through their life activities now." (Raven 1994)

It is not known how many species occur on our planet. Presently, about 1.4 million species have been named. It has been estimated that there are perhaps 9 million more that have not been identified. What is known is that they are vanishing at an unprecedented rate. Reliable estimates show extinction occurring at a rate several orders of magnitude above "background" in some ecological systems. (Wilson 1992, Hoose 1981)

The reasons for protecting biological diversity are complex, but they fall into four major categories.

First, loss of diversity generally weakens entire natural systems. Healthy ecosystems tend to have many natural checks and balances. Every species plays a role in maintaining this system. When simplified by the loss of diversity, the system becomes more susceptible to natural and artificial perturbations. The chances of a system-wide collapse increase. In parts of the midwestem United States, for example, it was only the remnant areas of natural prairies that kept soil intact during the dust bowl years of the 1930s. (Roush 1982)

Simplified ecosystems are almost always expensive to maintain. For example, when synthetic chemicals are relied upon to control pests, the target species are not the only ones affected. Their predators are almost always killed or driven away, exasperating the pest problem. In the meantime, people are unintentionally breeding pesticide-resistant pests. A process has begun where people become perpetual guardians of the affected area, which requires the expenditure of financial resources and human ingenuity to keep the system going.

A second reason for protecting biological diversity is that it represents one of our greatest untapped resources. Great benefits can be reaped from a single species. About 20 species provide 90% of the world's food. Of these 20, just three, wheat, maize and rice-supply over one half of that food. American wheat farmers need new varieties every five to 15 years to compete with pests and diseases. Wild strains of wheat are critical genetic reservoirs for these new varieties.

Further, every species is a potential source of human medicine. In 1980, a published report identified the market value of prescription drugs from higher plants at over $3 billion. Organic alkaloids, a class of chemical compounds used in medicines, are found in an estimated 20% of plant species. Yet only 2% of plant species have been screened for these compounds. (Hoose 1981)

The third reason for protecting diversity is that humans benefit from natural areas and depend on healthy ecosystems. The natural world supplies our air, our water, our food and supports human economic activity. Further,

[1]Taken from *The Conservation of Biological Diversity in the Great Lakes Ecosystem: Issues and Opportunities*, prepared by the Nature Conservancy Great Lakes Program 79W. Monroe Street, Suite 1309, Chicago, IL 60603, January 1994

humans are creatures that evolved in a diverse natural environment between forest and grasslands. People need to be reassured that such places remain. When people speak of "going to the country," they generally mean more than getting out of town. For reasons of their own sanity and well being, they need a holistic, organic experience. Prolonged exposure to urban monotony produces neuroses, for which cultural and natural diversity cure.

Historically, the lack of attention to biological diversity, and the ecological processes it supports, has resulted in economic hardships for segments of the basin's human population.

The final reason for protecting biological diversity is that species and natural systems are intrinsically valuable. The above reasons have focused on the benefits of the natural world to humans. All things possess intrinsic value simply because they exist.

Biological Resources Concerning the Subject Parcel

As part of the Natural Resources Information Report, staff checks office maps to determine if any nature preserves are in the general vicinity of the parcel in question. If there is a nature preserve in the area, then that resource will be identified as part of the report. The SWCD recommends that every effort be made to protect that resource. Such efforts should include, but are not limited to erosion control, sediment control, stormwater management, and groundwater monitoring.

Office maps indicate that ecologically sensitive areas, Baker Woods Forest Preserve and Aux Sable Creek, are located near the parcel in question (PIQ).

SOILS INFORMATION

Importance of Soils Information

Soils information comes from the Natural Resources Conservation Service Soil Maps and Descriptions for Kendall County. This information is important to all parties involved in determining the suitability of the proposed land use change.

Each soil polygon is given a number, which represents its soil type. The letter found after the soil type number indicates the soils slope class.

Each soil map unit has limitations for a variety of land uses such as septic systems, buildings with basements, and buildings without basements. It is important to remember that soils do not function independently of each other. The behavior of a soil depends upon the physical properties of adjacent soil types, the presence of artificial drainage, soil compaction, and its position in the local landscape.

The limitation categories (slight, moderate or severe) indicate the potential for difficulty in using that soil unit for the proposed activity and, thus, the degree of need for thorough soil borings and engineering studies. A limitation does not necessarily mean that the proposed activity cannot be done on that soil type. It does mean that the reasons for the limitation need to be thoroughly understood and dealt with in order to complete the proposed activity successfully. A severe limitation indicates that the proposed activity will be more difficult and costly to do on that soil type than on a soil type with a moderate or slight rating.

Soil survey interpretations are predictions of soil behavior for specified land uses and specified management practices. They are based on the soil properties that directly influence the specified use of the soil. Soil survey interpretations allow users of soil surveys to plan reasonable alternatives for the use and management of soils.

Soil interpretations do not eliminate the need for on-site study and testing of specific sites for the design and construction for specific uses. They can be used as a guide for planning more

detailed investigations and for avoiding undesirable sites for an intended use. The scale of the maps and the range of error limit the use of the soil delineation.

Figure 2: Soil Map

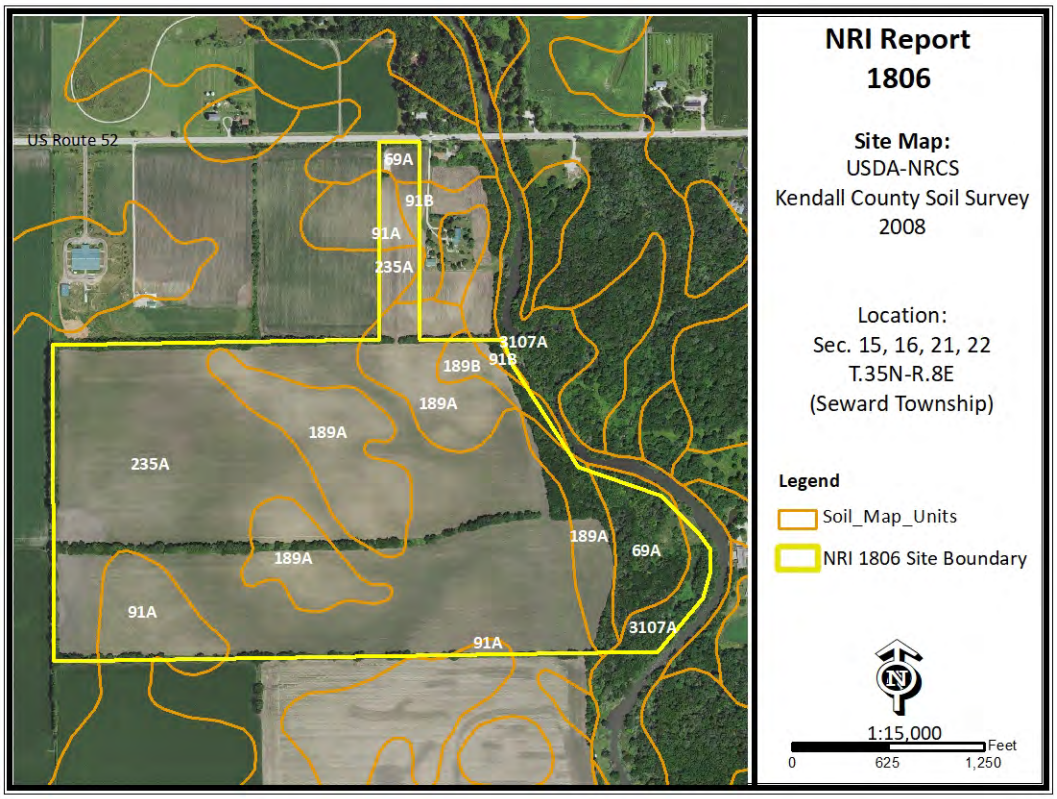


Table 1: Soil Map Unit Descriptions

Symbol	Descriptions	Acres	Percent
69A	Milford silty clay loam, 0-2% slopes	9.9	5.4%
91A	Swygert silty clay loam, 0-2% slopes	11.2	6.1%
91B	Swygert silty clay loam, 2-4% slopes	2.3	1.3%
189A	Martinton silt loam, 0-2% slopes	43.3	23.7%
189B	Martinton silt loam, 2-4% slopes	3.3	1.8%
235A	Bryce silty clay, 0-2% slopes	108.1	59.1%
3107A	Sawmill silty clay loam, 0-2% slopes, frequently flooded	4.9	2.6%

*SOURCE: National Cooperative Soil Survey – USDA-NRCS

SOIL INTERPRETATIONS EXPLANATION

Nonagricultural

General

These interpretative ratings help engineers, planners, and others to understand how soil properties influence behavior when used for nonagricultural uses such as building site development or construction materials. This report gives ratings for proposed uses in terms of limitations and restrictive features. The tables list only the most restrictive features. Other features may need treatment to overcome soil limitations for a specific purpose.

Ratings come from the soil's "natural" state, that is, no unusual modification occurs other than that which is considered normal practice for the rated use. Even though soils may have limitations, an engineer may alter soil features or adjust building plans for a structure to compensate for most degrees of limitations. Most of these practices, however, are costly. The final decision in selecting a site for a particular use generally involves weighing the costs for site preparation and maintenance. Soil properties influence development of building sites, including the selection of the site, the design of the structure, construction, performance after construction, and maintenance. Soil limitation ratings of slight, moderate, and severe are given for the types of proposed improvements that are listed or inferred by the petitioner as entered on the report application and/or zoning petition. The most common types of building limitation that this report gives limitations ratings for is: septic systems. It is understood that engineering practices can overcome most limitations for buildings with and without basements, and small commercial buildings. Limitation ratings for these types of buildings are not commonly provided. Organic soils, when present on the parcel, are referenced in the hydric soils section of the report. This type of soil is considered to be unsuitable for all types of construction.

Limitations Ratings

1. ***Not Limited*** - This soil has favorable properties for the use. The degree of limitation is minor. The people involved can expect good performance and low maintenance.
2. ***Somewhat Limited*** - This soil has moderately favorable properties for the use. Special planning, design, or maintenance can overcome this degree of limitation. During some part of the year, the expected performance is less desirable than for soils rated slight.
3. ***Very Limited*** - This soil has one or more properties that are unfavorable for the rated use. These may include the following: steep slopes, bedrock near the surface, flooding, high shrink-swell potential, a seasonal high water table, or low strength. This degree of limitation generally requires major soil reclamation, special design, or intensive maintenance, which in most situations is difficult and costly.

BUILDING LIMITATIONS

Building on Poorly Suited or Unsuitable Soils: Can present problems to future property owners such as cracked foundations, wet basements, lowered structural integrity and high maintenance costs associated with these problems. The staff of the Kendall County SWCD strongly urges scrutiny by the plat reviewers when granting parcels with these soils exclusively.

Dwellings without Basements - Ratings are for undisturbed soil for a houses of three stories or less of less than 3 stories without a basement. The foundation is assumed to be spread footings of reinforced concrete at a depth of 2 feet or the depth of maximum frost penetration, whichever is deeper. The ratings for dwellings are based on soil properties that affect the capacity of the soil to support a load without movement and on the properties that affect excavation and construction costs.

Dwellings with Basements - Ratings are for undisturbed soil for a building structure of less than 3 stories with a basement. The foundation is assumed to be spread footings of reinforced concrete built on undisturbed soil at a depth of about 7 feet. The ratings for dwellings are based on soil properties that affect the capacity of the soil to support a load without movement and on the properties that affect excavation and construction costs.

Shallow Excavations - Trenches or holes dug to a maximum depth of 5 or 6 feet for utility lines, open ditches or other purposes. Ratings are based on soil properties that influence the ease of digging and the resistance to sloughing.

Lawns and Landscaping - Require soils on which turf and ornamental trees and shrubs can be established and maintained (irrigation is not considered in the ratings). The ratings are based on the soil properties that affect plant growth and trafficability after vegetation is established.

Onsite Sewage Disposal – The factors considered are the characteristics and qualities of the soil that affect the limitations for absorbing waste from domestic sewage disposal systems. The major features considered are soil permeability, percolation rate, groundwater level, depth to bedrock, flooding hazards, and slope. The table below indicates soils that are deemed unsuitable per the Kendall County Subdivision Control Ordinance. Installation of an on-site sewage disposal system in soils designated as unsuitable may necessitate the installation of a non-conventional onsite sewage disposal system. For more information please contact the Kendall County Health Department – Environmental Health at (630)553-9100 x8026.

Table 2a: Building Limitations

Soil Type	Dwellings without Basements	Dwellings with Basements	Shallow Excavations	Lawns/Landscaping	Acreage	Percent
69A	**Very Limited:** Ponding; Depth to saturated zone; Shrink-swell	**Very Limited:** Ponding; Depth to saturated zone; Shrink-swell	**Very Limited**: Ponding; Depth to saturated zone; Unstable excavation walls; Dusty; Too clayey	**Very Limited:** Ponding; Depth to saturated zone; Dusty	9.9	5.4%
91A	**Somewhat Limited:** Depth to saturated zone; Shrink-swell	**Very Limited:** Depth to saturated zone; Shrink-swell	**Very Limited:** Depth to saturated zone; Too clayey; Dusty; Unstable excavation walls	**Somewhat Limited:** Depth to saturated zone; Dusty	11.2	6.1%
91B	**Very Limited:** Shrink-swell; Depth to saturated zone	**Very Limited:** Depth to saturated zone; Shrink-swell	**Very Limited:** Depth to saturated zone; Too clayey; Unstable excavation walls; Dusty	**Somewhat Limited:** Depth to saturated zone; Dusty	2.3	1.3%
189A	**Very Limited:** Shrink-swell; Depth to saturated zone	**Very Limited:** Depth to saturated zone; Shrink-swell	**Very Limited:** Depth to saturated zone; Dusty; Unstable excavation walls	**Somewhat Limited:** Depth to saturated zone; Dusty	43.3	23.7%
189B	**Very Limited:** Shrink-swell; Depth to saturated zone	**Very Limited:** Depth to saturated zone; Shrink-swell	**Very Limited:** Depth to saturated zone; Dusty; Unstable excavation walls	**Somewhat Limited:** Depth to saturated zone; Dusty	3.3	1.8%
235A	**Very Limited:** Ponding; Depth to saturated zone; Shrink-swell	**Very Limited:** Ponding; Depth to saturated zone; Shrink-swell	**Very Limited:** Ponding; Depth to saturated zone; Too clayey; Unstable excavation walls; Dusty	**Very Limited:** Ponding; Depth to saturated zone; Too clayey; Dusty	108.1	59.1%
3107A	**Very Limited:** Ponding; Flooding; Depth to saturated zone; Shrink-swell	**Very Limited:** Ponding; Flooding; Depth to saturated zone; Shrink-swell	**Very Limited:** Ponding; Depth to saturated zone; Flooding; Dusty; Unstable excavation walls	**Very Limited:** Ponding; Flooding; Depth to saturated zone; Dusty	4.9	2.6%
% Very Limited	**93.9%**	**100%**	**100%**	**67.1%**		

Figure 3a: Map of Building Limitations – Dwellings without Basements

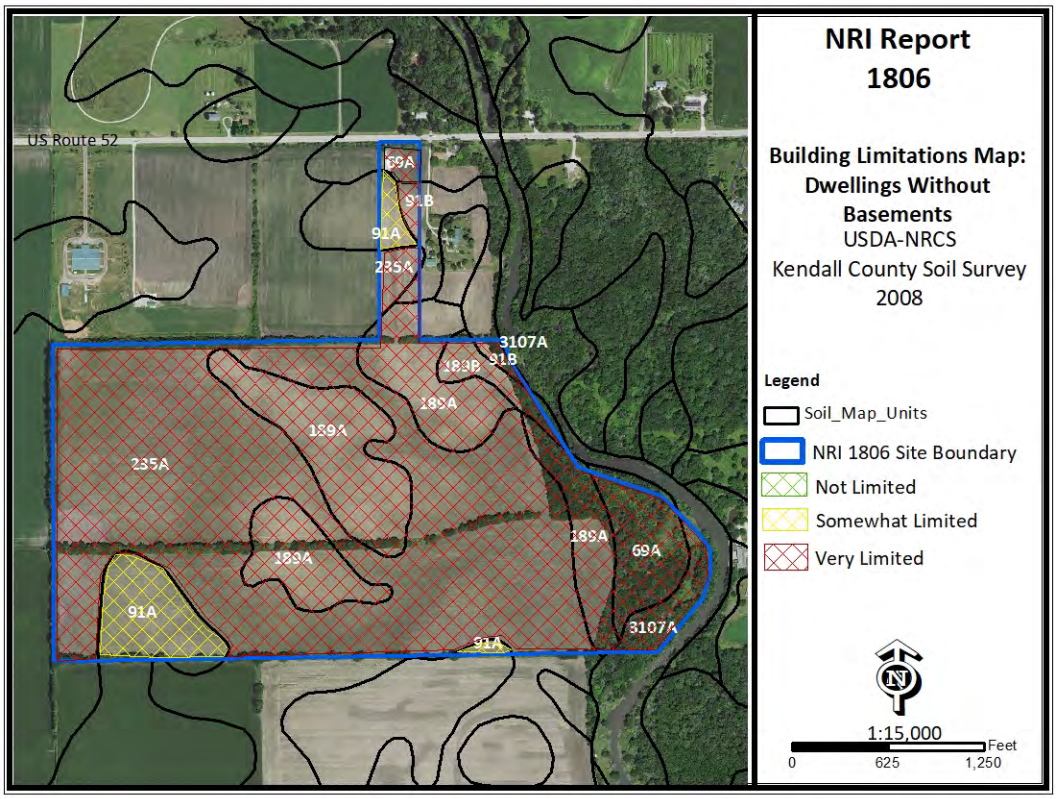


Figure 3b: Map of Building Limitations – Dwellings with Basements

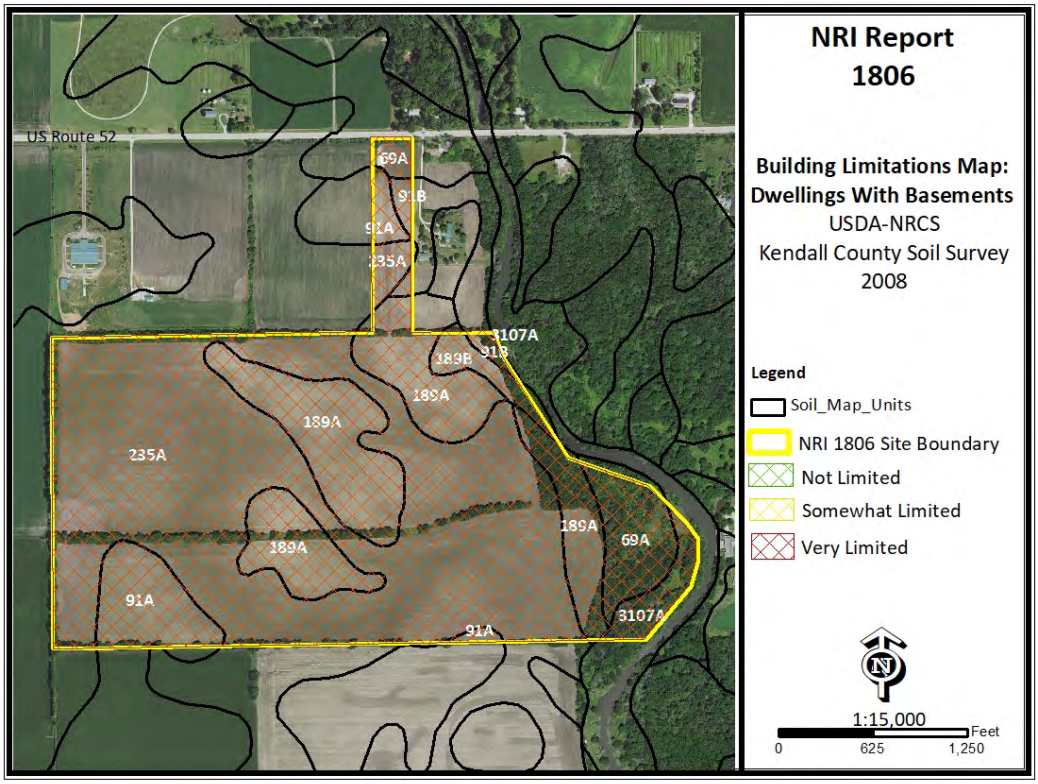


Figure 3c: Map of Building Limitations – Shallow Excavation

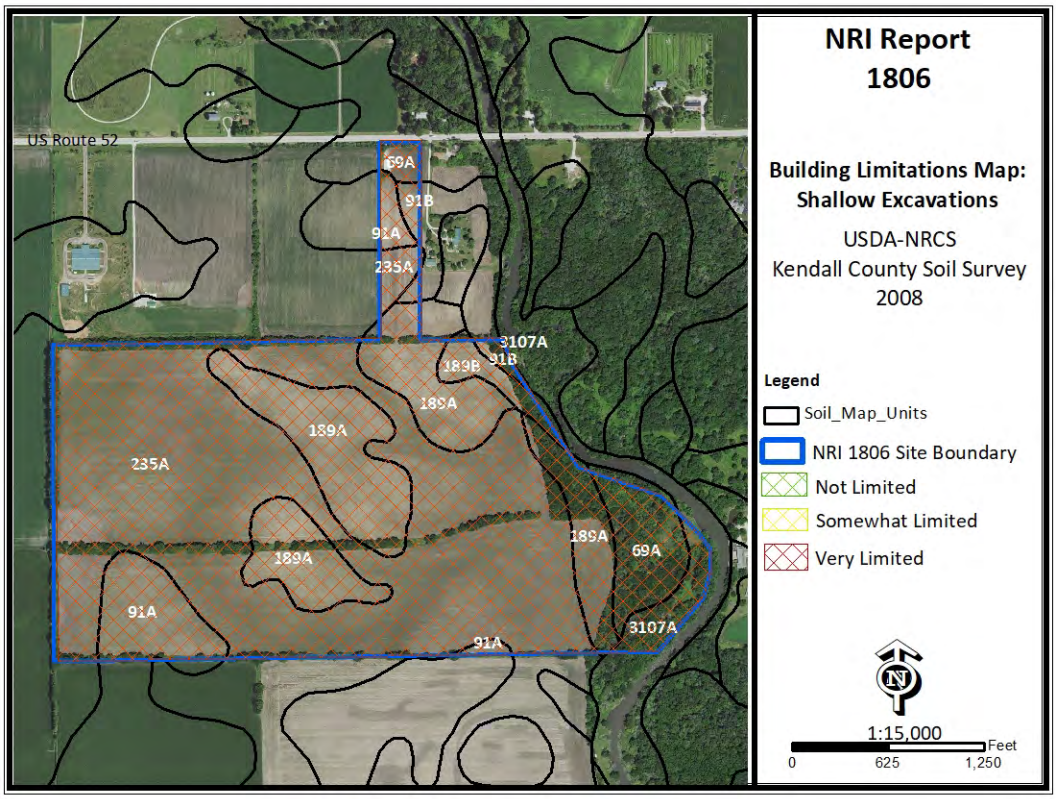


Figure 3d: Map of Building Limitations – Lawns/Landscaping

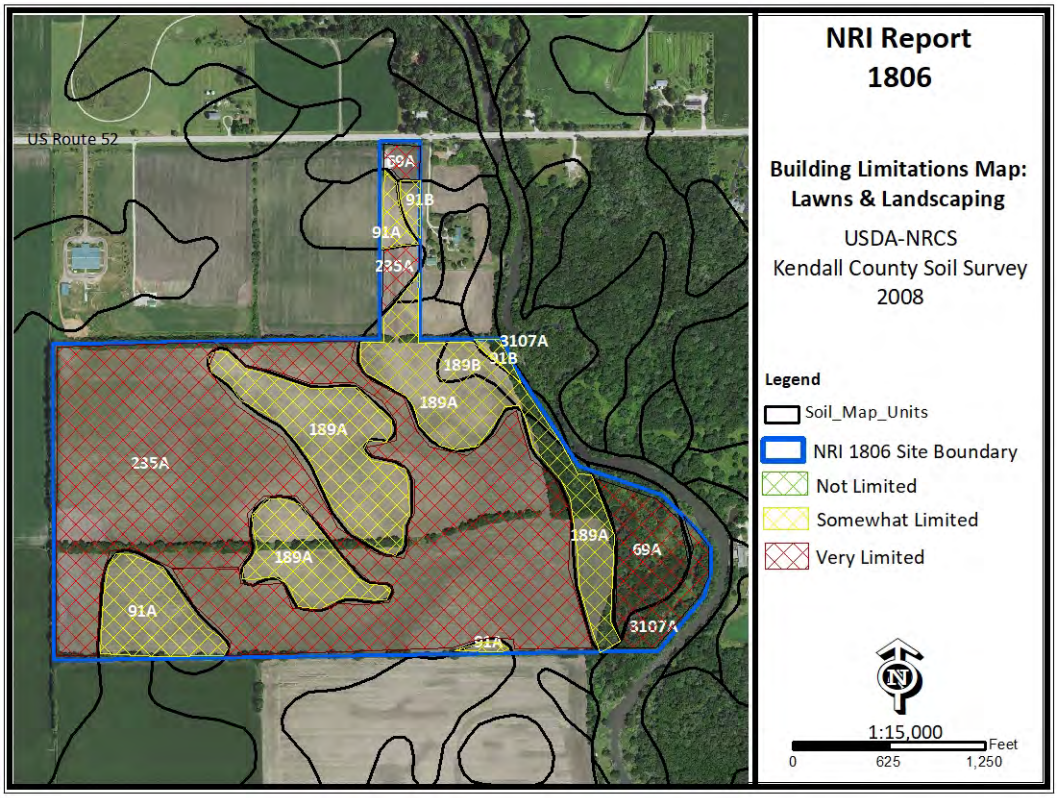
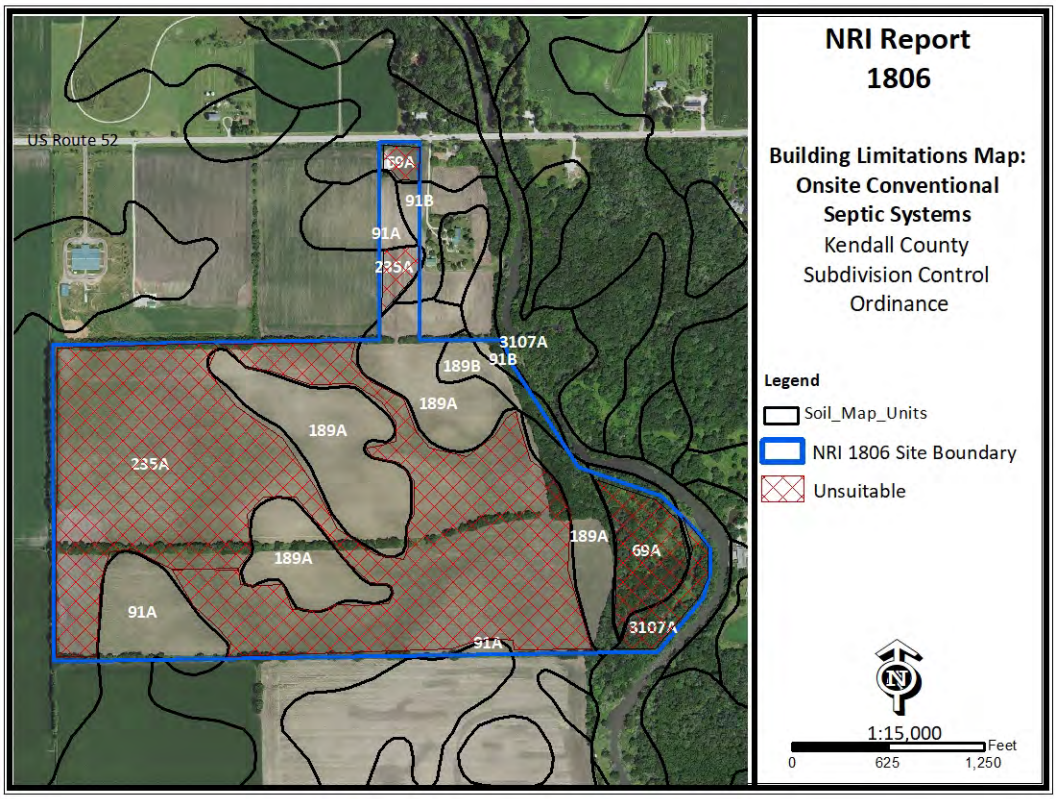


Table 2b: Building Limitations: Conventional Onsite Sewage Disposal System

Soil Type	Suitability	Reason to Avoid	Acreage	Percent
69A	Unsuitable	Wet	9.9	5.4%
91A	Suitable	--	11.2	6.1%
91B	Suitable	--	2.3	1.3%
189A	Suitable	--	43.3	23.7%
189B	Suitable	--	3.3	1.8%
235A	Unsuitable	Wet	108.1	59.1%
3107A	Unsuitable	Frequently Flooded	4.9	2.6%
% Unsuitable	**67.1%**			

Figure 3e: Map of Building Limitations – Conventional Onsite Sewage Disposal System



SOIL WATER FEATURES

This table gives estimates of various soil water features that should be taken into consideration when reviewing engineering for a land use project.

Hydrologic Soil Groups (HSGs): The groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

Group A: Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B: Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately

fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C: Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D: Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

Note: If a soil is assigned to a dual hydrologic group (A/D, B/D or C/D) the first letter is for drained areas and the second is for undrained areas.

Surface Runoff: Refers to the loss of water from an area by flow over the land surface. Surface runoff classes are based upon slope, climate and vegetative cover and indicates relative runoff for very specific conditions (it is assumed that the surface of the soil is bare and that the retention of surface water resulting from irregularities in the ground surface is minimal). The classes are: negligible, very low, low, medium, high and very high.

Months: Indicates the portion of the year in which a water table, ponding, and/or flooding is most likely to be a concern.

Water Table: Refers to a saturated zone in the soil and the data indicates, by month, depth to the top (upper limit) and base (lower limit) of the saturated zone in most years. These estimates are based upon observations of the water table at selected sites and on evidence of a saturated zone (grayish colors or mottles (redoximorphic features)) in the soil. Note: A saturated zone that lasts for less than a month is not considered a water table.

Ponding: Refers to standing water in a closed depression and the data indicates surface water depth, duration and frequency of ponding.

Duration: Expressed as *very brief* if less than 2 days, *brief* is 2 to 7 days, *long* if 7 to 30 days and *very long* if more than 30 days.

Frequency: Expressed as: *none* meaning ponding is not possible; *rare* means unlikely but possible under unusual weather conditions (chance of ponding is 0-5% in any year); *occasional* means that it occurs, on the average, once or less in 2 years (chance of ponding is 5 to 50% in any year); and frequent means that it occurs, on the average, more than once in 2 years (chance of ponding is more than 50% in any year).

Flooding: The temporary inundation of an area caused by overflowing streams, by runoff from adjacent slopes, or by tides. Water standing for short periods after rainfall or snowmelt is not considered flooding, and water standing in swamps and marshes is considered ponding rather than flooding.

Duration: Expressed as: *extremely brief* if 0.1 hour to 4 hours; *very brief* if 4 hours to 2 days; *brief* if 2 to 7 days; *long* if 7 to 30 days; and *very long* if more than 30 days.

Frequency: Expressed as: *none* means flooding is not probable; *very rare* means that it is very unlikely but possible under extremely unusual weather conditions (chance of flooding is less than 1% in any year); *rare* means that it is unlikely but possible under unusual weather conditions (chance of flooding is 1 to 5% in any year); *occasional* means that it occurs infrequently under normal weather conditions (chance of flooding is 5 to 50% in any year but is less than 50% in all months in any year); and *very frequent* means that it is likely to occur very often under normal weather conditions (chance of flooding is more than 50% in all months of any year).

Note: The information is based on evidence in the soil profile. In addition, consideration is also given to local information about the extent and levels of flooding and the relation of each soil on the landscape to historic floods. Information on the extent of flooding based on soil data is less specific than that provided by detailed engineering surveys that delineate flood-prone areas at specific flood frequency levels.

Table 3: Water Features

Map Unit	Hydrologic Group	Surface Runoff	Water Table	Ponding	Flooding
69A	C/D	Negligible	January - May Upper Limit: 0.0'-1.0' Lower Limit: >6.0'	January - May Surface Water Depth & Duration: - 0.0-0.5; Brief Frequency: Frequent	January - May None
91A	C/D	Medium	January - May Upper Limit: 1.0'-2.0' Lower Limit: 2.9'-4.8'	January - May Surface Water Depth & Duration: -- Frequency: None	January - May None
91B	C/D	High	January - May Upper Limit: 1.0'-2.0' Lower Limit: 2.9'-5.1'	January - May Surface Water Depth & Duration: -- Frequency: None	January - May None
189A	C/D	Low	January - May Upper Limit: 1.0'-2.0' Lower Limit: >6.0'	January - May Surface Water Depth & Duration: -- Frequency: None	January - May None
189B	C/D	Medium	January - May Upper Limit: 1.0'-2.0' Lower Limit: >6.0'	January - May Surface Water Depth & Duration: -- Frequency: None	January - May None
235A	C/D	Negligible	January - May Upper Limit: 0.0'-1.0' Lower Limit: >6.0'	January - May Surface Water Depth & Duration: - 0.0-0.5; Brief Frequency: Frequent	January - May None
3107A	B/D	Negligible	January – May Upper Limit: 0.0'-1.0' Lower Limit: >6.0'	January - May Surface Water Depth & Duration: - 0.0-0.5; Brief Frequency: Frequent	Jan – June; Nov-Dec Duration: Brief Frequency: Frequent

SOIL EROSION & SEDIMENT CONTROL

Erosion is the wearing away of the soil by water, wind, and other forces. Soil erosion threatens the Nation's soil productivity and contributes the most pollutants in our waterways. Water causes about two thirds of erosion on agricultural land. Four properties, mainly, determine a soil's erodibility: texture, slope, structure, organic matter content.

Slope has the most influence on soil erosion potential when the site is under construction. Erosivity and runoff increase as slope grade increases. The runoff then exerts more force on the particles, breaking their bonds more readily and carrying them farther before deposition. The longer water flows along a slope before reaching a major waterway, the greater the potential for erosion.

Soil erosion during and after this proposed construction can be a primary non-point source of water pollution. Eroded soil during the construction phase can create unsafe conditions on roadways, decrease the storage capacity of lakes, clog streams and drainage channels, cause deterioration of aquatic habitats, and increase

water treatment costs. Soil erosion also increases the risk of flooding by choking culverts, ditches and storm sewers, and by reducing the capacity of natural and man-made detention facilities.

The general principles of erosion and sedimentation control measures include:

- reducing or diverting flow from exposed areas, storing flows or limiting runoff from exposed areas,
- staging construction in order to keep disturbed areas to a minimum,
- establishing or maintaining or temporary or permanent groundcover,
- retaining sediment on site and

- properly installing, inspecting and maintaining control measures.

Erosion control practices are useful controls only if they are properly located, installed, inspected and maintained.

The SWCD recommends an erosion control plan for all building sites, especially if there is a wetland or stream nearby.

Table 4: Soil Erosion Potential

Soil Type	Slope	Rating	Acreage	Percent of Parcel
69A	0-2%	Slight	9.9	5.4%
91A	0-2%	Slight	11.2	6.1%
91B	2-4%	Slight	2.3	1.3%
189A	0-2%	Slight	43.3	23.7%
189B	2-4%	Slight	3.3	1.8%
235A	0-2%	Slight	108.1	59.1%
3107A	0-2%	Slight	4.9	2.6%

PRIME FARMLAND SOILS

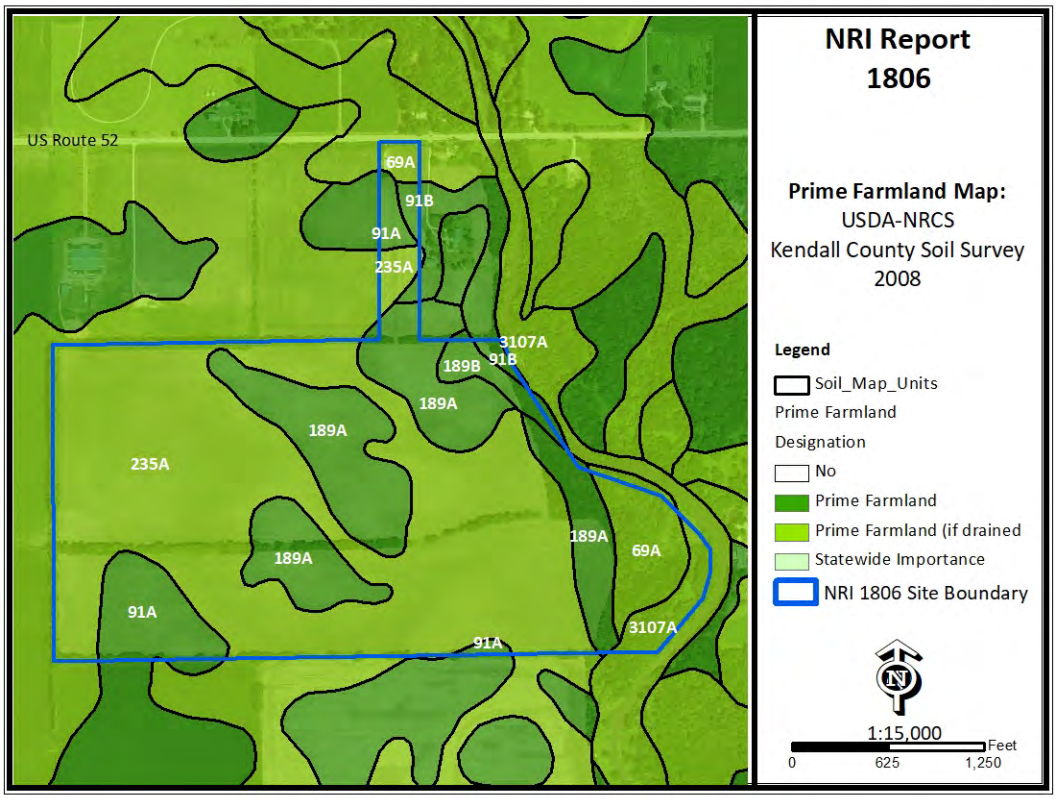
Prime farmland soils are an important resource to Kendall County. Some of the most productive soils in the United States occur locally. Each soil map unit in the United States is assigned a prime or non-prime rating. Prime agricultural land does not need to be in the production of food & fiber.

Section 310 of the NRCS general manual states that urban or built-up land on prime farmland soils is not prime farmland. The percentages of soils map units on the parcel reflect the determination that urban or built up land on prime farmland soils is not prime farmland.

Table 5: Prime Farmland Soils

Soil Types	Prime Designation	Acreage	Percent
69A	Prime Farmland (if drained)	9.9	5.4%
91A	Prime Farmland	11.2	6.1%
91B	Prime Farmland	2.3	1.3%
189A	Prime Farmland	43.3	23.7%
189B	Prime Farmland	3.3	1.8%
235A	Prime Farmland (if drained)	108.1	59.1%
3107A	Prime Farmland if drained and either protected from flooding or not frequently flooded during the growing season	4.9	2.6%
% Prime Farmland	100%		

Figure 4: Map of Prime Farmland Soils



LAND EVALUATION & SITE ASSESSMENT (LESA)

Decision-makers in Kendall County use the Land Evaluation and Site Assessment (LESA) system to determine the suitability of a land use change and/or a zoning request as it relates to agricultural land. The LESA system was developed by the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) and takes into consideration local conditions such as physical characteristics of the land, compatibility of surrounding land-uses, and urban growth factors. The LESA system is a two-step procedure that includes:

LAND EVALUATION (LE) – The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland or forestland. The best group is assigned a value of 100 and all other groups are assigned lower values. The Land Evaluation is based on data from the Kendall County Soil Survey. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.

SITE ASSESSMENT (SA) – The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The Kendall County LESA Committee is responsible for this portion of the LESA system.

The value group is a predetermined value based upon prime farmland designation. The LE score is calculated by multiplying the relative value of each soil type by the number of acres of that soil. The sum of the products is then divided by the total number of acres; the answer is the Land Evaluation score on this site.

Please Note: A land evaluation (LE) score will be compiled for every project parcel. However, when a parcel is located within municipal planning boundaries, a site assessment score is not compiled as the scoring factors are not applicable. As a result, only the LE score is available and a full LESA score is unavailable for the parcel.

Table 6a: Land Evaluation Computation

Soil Type	Value Group	Relative Value	Acres	Product (Relative Value x Acres)
69A	3	87	9.9	861.3
91A	4	79	11.2	884.8
91B	4	79	2.3	181.7
189A	2	94	43.3	4070.2
189B	3	87	3.3	287.1
235A	3	87	108.1	9404.7
3107A	3	87	4.9	426.3
Totals			**183.0**	**16116.1**
LE Score		**LE= 16116.1/183.0**		**LE=88**

The Land Evaluation score for this site is 88, indicating that this site is currently designated as prime farmland that is well suited for agricultural uses.

Table 6b: Site Assessment Computation

A.	**Agricultural Land Uses**	**Points**
	1. Percentage of area in agricultural uses within 1.5 miles of site. (20-10-5-0)	20
	2. Current land use adjacent to site. (30-20-15-10-0)	20
	3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0)	0
	4. Size of site. (30-15-10-0)	30
B.	**Compatibility / Impact on Uses**	
	1. Distance from city or village limits. (20-10-0)	20
	2. Consistency of proposed use with County Land Resource Management Concept Plan and/or municipal comprehensive land use plan. (20-10-0)	0
	3. Compatibility of agricultural and non-agricultural uses. (15-7-0)	15
C.	**Existence of Infrastructure**	
	1. Availability of public sewage system. (10-8-6-0)	10
	2. Availability of public water system. (10-8-6-0)	10
	3. Transportation systems. (15-7-0)	7
	4. Distance from fire protection service. (10-8-6-2-0)	10
	Site Assessment Score:	**142**

Land Evaluation Value: 88 + **Site Assessment Value:** 142 = **LESA Score: 230**

LESA SCORE	LEVEL OF PROTECTION
0-200	Low
201-225	Medium
226-250	High
251-300	Very High

The **LESA Score for this site is 226 which indicates a high level of protection** for the proposed project site. Note: Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

LAND USE PLANS

Many counties, municipalities, villages and townships have developed land-use plans. These plans are intended to reflect the existing and future land-use needs of a given community. Please contact the Kendall County Planning, Building & Zoning for information regarding the County's comprehensive land use plan and map.

DRAINAGE, RUNOFF AND FLOOD INFORMATION

U.S.G.S Topographic maps give information on elevations, which are important mostly to determine slopes, drainage directions, and watershed information.

Elevations determine the area of impact of floods of record. Slope information determines steepness and erosion potential. Drainage directions determine where water leaves the PIQ, possibly impacting surrounding natural resources.

Watershed information is given for changing land use to a subdivision type of development on parcels greater than 10 acres.

What is a watershed?

Simply stated, a watershed is the area of land that contributes water to a certain point. The watershed boundary is important because the area of land in the watershed can now be calculated using an irregular shape area calculator such as a dot counter or planimiter.

Using regional storm event information, and site specific soils and land use information, the peak stormwater flow through the point marked "O" for a specified storm event can be calculated. This value is called a "Q" value (for the given storm event), and is measured in cubic feet per second (CFS).

When construction occurs, the Q value naturally increases because of the increase in impermeable surfaces. This process decreases the ability of soils to accept and temporarily hold water. Therefore, more water runs off and increases the Q value.

Theoretically, if each development, no matter how large or small, maintains their preconstruction Q value after construction by the installation of stormwater management systems, the streams and wetlands and lakes will not suffer damage from excessive urban stormwater.

For this reason, the Kendall County SWCD recommends that the developer for intense uses such as a subdivision calculate the preconstruction Q value for the exit point(s). A stormwater management system should be designed, installed, and maintained to limit the postconstruction Q value to be at or below the preconstruction value.

Importance of Flood Information

A floodplain is defined as land adjoining a watercourse (riverine) or an inland depression (non-riverine) that is subject to periodic inundation by high water. Floodplains are important areas demanding protection since they have water storage and conveyance functions which affect upstream and down stream flows, water quality and quantity, and suitability of the land for human activity. Since floodplains play distinct and vital roles in the hydrologic cycle, development that interferes with their hydrologic and biologic functions should be carefully considered.

Flooding is both dangerous to people and destructive to their properties. The following maps, when combined with wetland and topographic information, can help developers and future homeowners to "sidestep" potential flooding or ponding problems.

FIRM is the acronym for the Flood Insurance Rate Map, produced by the Federal Emergency Management Agency. These maps define flood elevation adjacent to tributaries and major bodies of water, and superimpose that onto a simplified USGS topographic map. The scale of the FIRM maps is generally dependent on the size and density of parcels in that area. (This is to correctly determine the parcel location and flood plain location.) The FIRM map has three (3) zones. A is the zone of 100 year flood, zone B is the 100 to 500 year flood, and zone C is outside the flood plain.

The Hydrologic Atlas (H.A.) Series of the Flood of Record Map is also used for the topographic information. This map is different from the FIRM map mainly because it will show isolated, or pocketed flooded areas. Kendall County uses both these maps in conjunction with each other for flooded area determinations. The Flood of Record maps, show the areas of flood for various years. Both of these maps stress that the recurrence of flooding is merely statistical. That is to say a 100-year flood may occur twice in one year, or twice in one week, for that matter.

It should be noted that greater floods than those shown on the two maps are possible. The flood boundaries indicated provide a historic record only until the map publication date. Additionally, these flood boundaries are a function of the watershed conditions existing when the maps were produced. Cumulative changes in runoff characteristics caused by urbanization can result in an increase in flood height of future flood episodes.

Floodplains play a vital role in reducing the flood damage potential associated with an urbanizing area and, when left in an undisturbed state, also provide valuable wildlife habitat benefits. If it is the petitioner's intent to conduct floodplain filling or modification activities, the petitioner and the Unit of Government responsible need to consider the potentially adverse effects this type of action could have on adjacent properties. The change or loss of natural floodplain storage often increases the frequency and severity of flooding on adjacent property.

If the available maps indicate the presence of a floodplain on the PIQ, the petitioner should contact the IDOT-DWR and FEMA to delineate a floodplain elevation for the parcel. If a portion of the property is indeed floodplain, applicable state, county and local regulations will need to be reflected in the site plans.
Another indication of flooding potential can be found in the soils information. Hydric soils indicate the presence of drainageways, areas subject to ponding, or a naturally occurring high water table. These need to be considered along with the floodplain information when developing the site plan and the stormwater management plan. If the site does include these hydric soils and development occurs, thus raising the concerns of the loss of water storage in these soils and the potential for increased flooding in the area.

Figure 5a: FEMA Floodplain Map – Northern Project Boundary

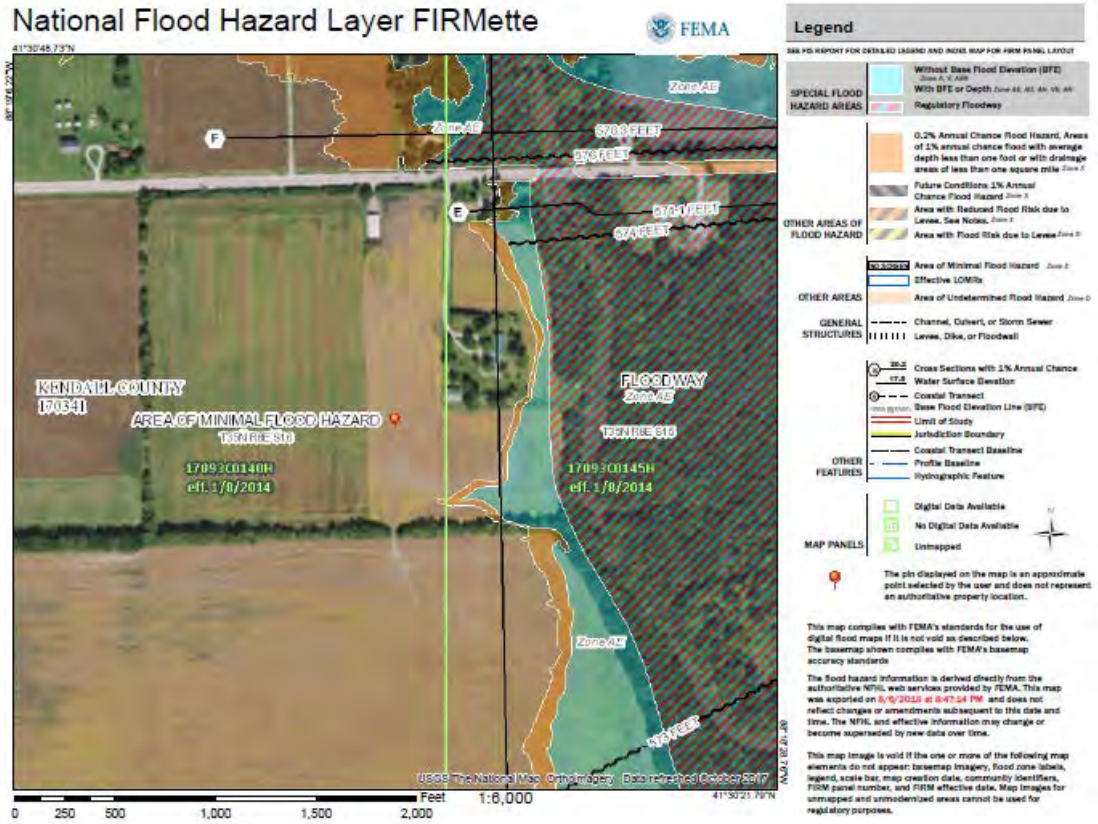


Figure 5b: FEMA Floodplain Map – Eastern Project Boundary

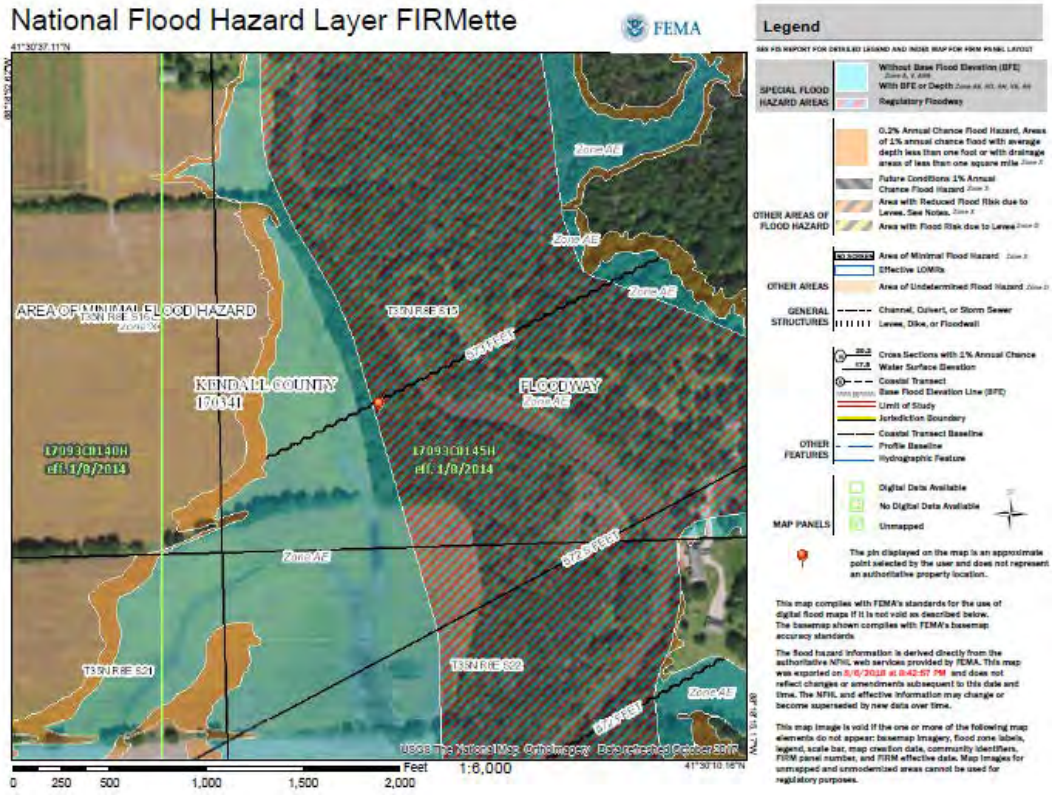


Figure 5c: FEMA Floodplain Map – Western Project Boundary

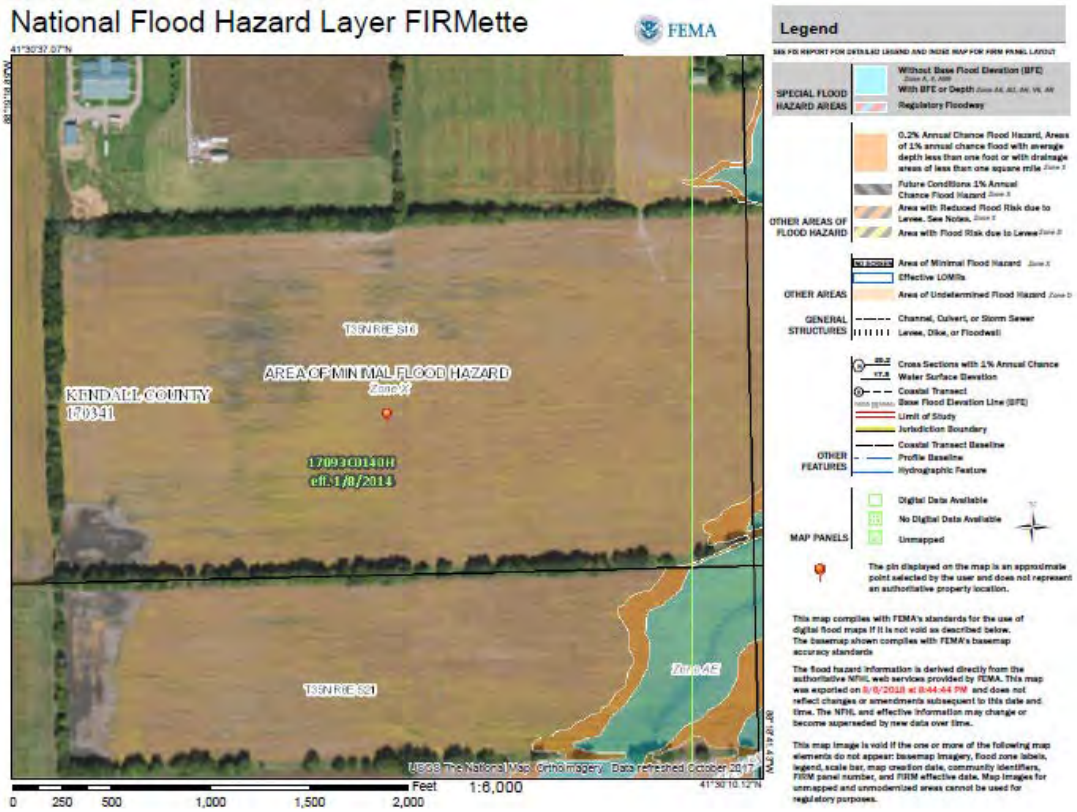
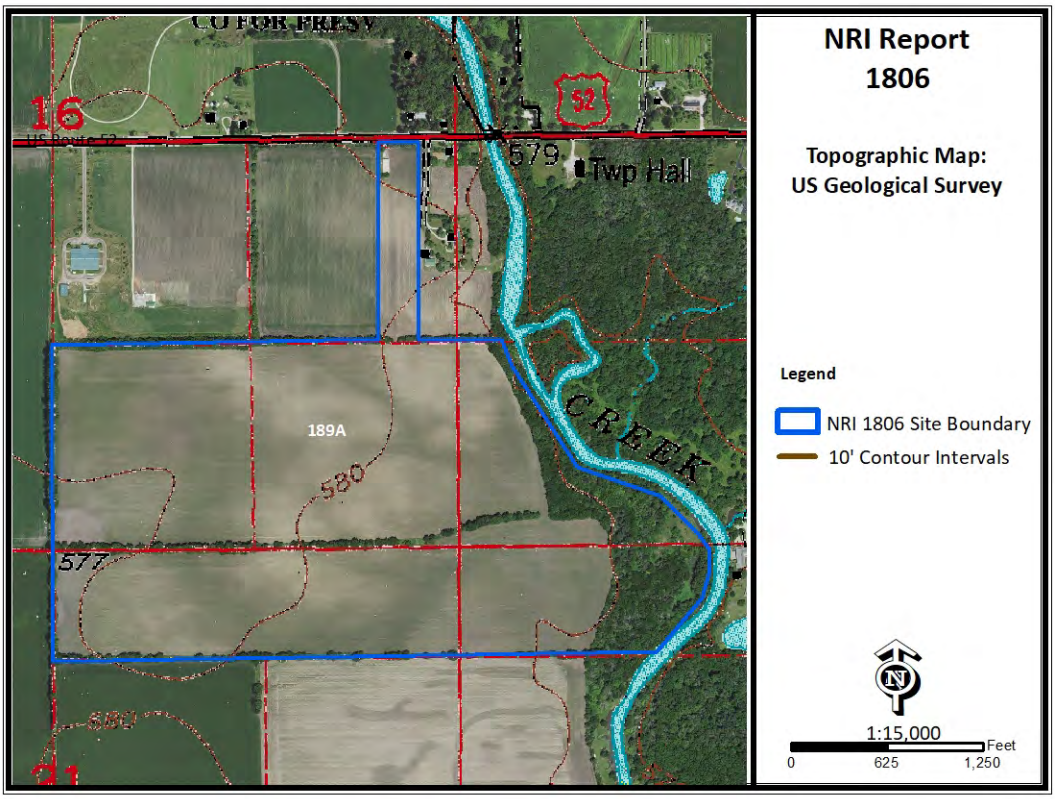


Figure 6: USGS Topographic Map



This parcel is located on topography (**slopes 0 to4%**) involving high and low areas (**elevation is approximately 580' above sea level**). The parcel lies within the **Illinois River Watershed and Aux Sable Creek subwatershed.**

WATERSHED PLANS

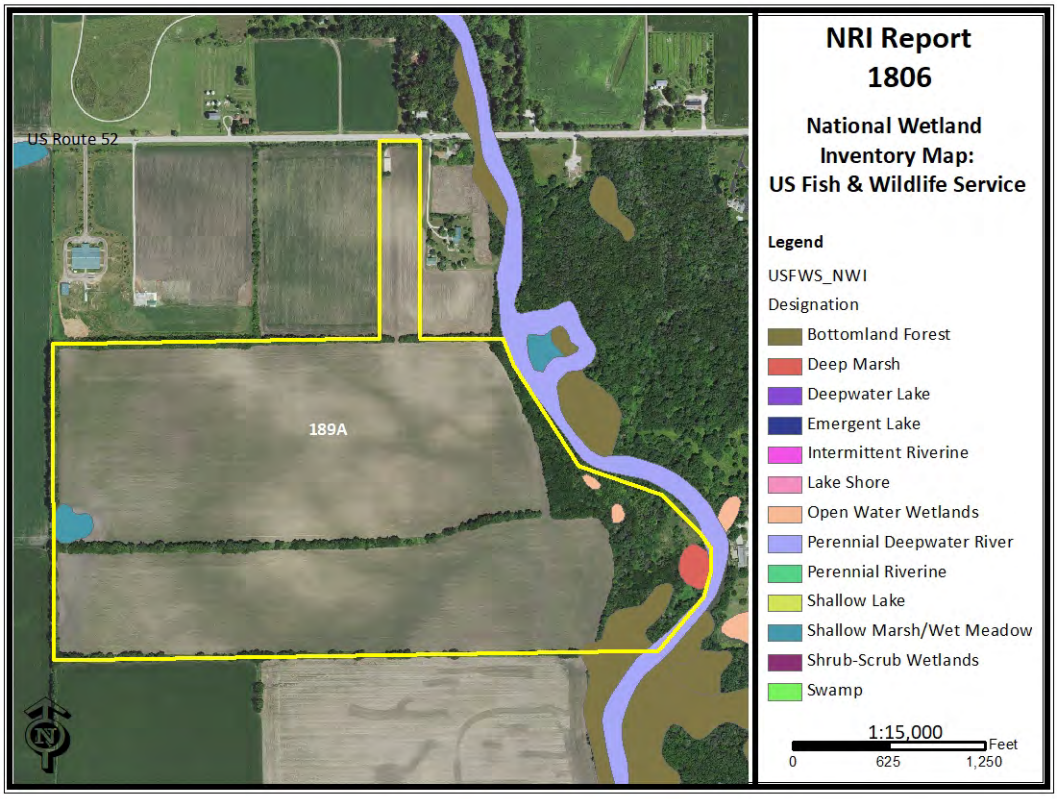
Watershed and Subwatershed Information

A watershed is the area of land that drains into a specific point including a stream, lake or other body of water. High points on the Earth's surface, such as hills and ridges define watersheds. When rain falls in the watershed, it flows across the ground towards a stream or lake. Rainwater carries any pollutants it comes in contact with such as oils, pesticides, and soil. Everyone lives in a watershed. Their actions can impact natural resources and people living downstream. Residents can minimize this impact by being aware of their environment and implications of their activities, implementing practices recommended in watershed plans and educating others about their watershed.
This parcel is located within the **Illinois River Watershed and Aux Sable Creek Subwatershed.**

The following are recommendations to developers for protection of this watershed:
-Preserve open space.
-Maintain wetlands as part of development.
-Use natural water management.
-Prevent soil from leaving a construction site.
-Protect subsurface drainage.
-Use native vegetation.
-Retain natural features.
-Mix housing styles and types.
-Decrease impervious surfaces.
-Reduce area disturbed by mass grading.
-Shrink lot size and create more open space.
-Maintain historical and cultural resources.
-Treat water where it falls.
-Preserve views.
-Establish and link trails.

WETLAND INFORMATION

Figure7: Wetland Map – USFWS National Wetland Inventory



Office maps indicate that wetlands **may be** present on the parcel in question (PIQ).

Importance of Wetland Information

Wetlands function in many ways to provide numerous benefits to society. They control flooding by offering a slow release of excess water downstream or through the soil. They cleanse water by filtering out sediment and some pollutants, and can function as rechargers of our valuable groundwater. They also are essential breeding, rearing, and feeding grounds for many species of wildlife.

These benefits are particularly valuable in urbanizing areas as development activity typically adversely affects water quality, increases the volume of stormwater runoff, and increases the demand for groundwater. In an area where many individual homes rely on shallow groundwater wells for domestic water supplies, activities that threaten potential groundwater recharge areas are contrary to the public good. The conversion of wetlands, with their sediment trapping and nutrient absorbing vegetation, to biologically barren stormwater detention ponds can cause additional degradation of water quality in downstream or adjacent areas.

It has been estimated that over 95% of the wetlands that were historically present in Illinois have been destroyed while only recently has the true environmental significance of wetlands been fully recognized. America is losing 100,000 acres of wetland a year, and has saved 5 million acres total (since 1934). One acre of wetland can filter 7.3 million gallons of water a year. These are reasons why our wetlands are high quality and important.

This section contains the NRCS (Natural Resources Conservation Service) Wetlands Inventory, which is the most comprehensive inventory to date. The NRCS Wetlands Inventory is reproduced from an aerial photo at a scale of 1" equals 660 feet. The NRCS developed these maps in cooperation with U.S. EPA (Environmental Protection Agency,) and the U.S. Fish and Wildlife Service, using the National Food Security Act Manual, 3rd Edition. The main purpose of these maps is to determine wetland areas on agricultural fields and areas that may be wetlands but are in a non-agriculture setting.

The NRCS Wetlands Inventory in no way gives an exact delineation of the wetlands, but merely an outline, or the determination that there is a wetland within the outline. For the final, most accurate wetland **determination** of a specific wetland, a wetland ***delineation*** must be certified by NRCS staff using the National Food Security Act Manual (on agricultural land.) On urban land, a certified wetland delineator must perform the delineation using the ACOE 1987 Manual. *See the glossary section for the definitions of "delineation" and "determination.*

Hydric Soils

Soils information gives another indication of flooding potential. The soils map on this page indicates the soil(s) on the parcel that the Natural Resources Conservation Service indicates as hydric. Hydric soils by definition have seasonal high water at or near the soil surface and/or have potential flooding or ponding problems. All hydric soils range from poorly suited to unsuitable for building. One group of the hydric soils, are the organic soils, which formed from dead organic material. Organic soils are unsuitable for building because of not only the high water table, but also their subsidence problems.

It is also important to add the possibility of hydric inclusions in a soil type. An inclusion is a soil polygon that is too small to appear on these maps. While relatively insignificant for agricultural use, hydric soil inclusions become more important to more intense uses such as a residential subdivision.

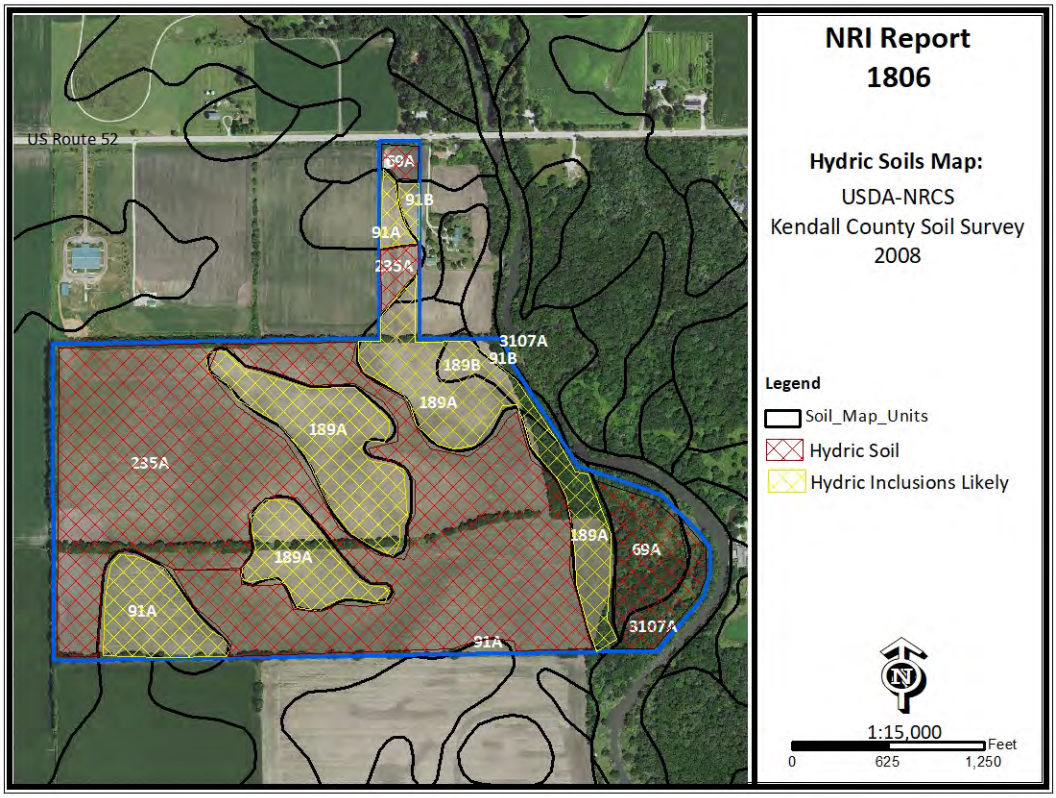
While considering hydric soils and hydric inclusions, it is noteworthy to mention that subsurface agriculture drainage tile occurs in almost all poorly drained and somewhat poorly drained soils. Drainage tile expedites drainage and facilitates farming. It is imperative that these drainage tiles remain undisturbed. A damaged subsurface drainage tile may return original hydrologic conditions to all of the areas that drained through the tile (ranging from less than one acre to many square miles.)

For an intense land use, such as a subdivision, the Kendall County SWCD recommends the following: a topographical survey with 1 foot contour intervals to accurately define the flood area on the parcel, an intensive soil survey to define most accurately the locations of the hydric soils and inclusions and a drainage tile survey on the area to locate the tiles that must be preserved to maintain subsurface drainage .

Table 7: Hydric Soils

Soil Types	Drainage Class	Hydric Designation	Hydric Inclusions Likely	Acreage	Percent
69A	Poorly drained	Hydric	No	9.9	5.4%
91A	Somewhat poorly drained	Non-hydric	Yes	11.2	6.1%
91B	Somewhat poorly drained	Non-hydric	Yes	2.3	1.3%
189A	Somewhat poorly drained	Non-hydric	Yes	43.3	23.7%
189B	Somewhat poorly drained	Non-hydric	Yes	3.3	1.8%
235A	Poorly drained	Hydric	No	108.1	59.1%
3107A	Poorly drained	Hydric	No	4.9	2.6%

Figure 8: Hydric Soils Map



WETLAND AND FLOODPLAIN REGULATIONS

PLEASE READ THE FOLLOWING IF YOU ARE PLANNING TO DO ANY WORK NEAR A STREAM (THIS INCLUDES SMALL UNNAMED STREAMS), LAKE, WETLAND OR FLOODWAY.

The laws of the United States and the State of Illinois assign certain agencies specific and different regulatory roles to protect the waters within the State's boundaries. These roles, when considered together, include protection of navigation channels and harbors, protection against flood way encroachments, maintenance and enhancement of water quality, protection of fish and wildlife habitat and recreational resources, and, in general, the protection of total public interest. Unregulated use of the waters within the State of Illinois could permanently destroy or alter the character of these valuable resources and adversely impact the public. Therefore, please contact the proper regulatory authorities when planning any work associated with Illinois waters so that proper consideration and approval can be obtained.

WHO MUST APPLY

Anyone proposing to dredge, fill, rip rap, or otherwise alter the banks or beds of, or construct, operate, or maintain any dock, pier, wharf, sluice, dam, piling, wall, fence, utility, flood plain or flood way subject to State or Federal regulatory jurisdiction should apply for agency approvals.

REGULATORY AGENCIES:

- **Wetlands or U.S. Waters: U.S. Army Corps of Engineers**, Rock Island District, Clock Tower Building, Rock Island, IL
- **Flood plains: Illinois Department of Natural Resources \ Office of Water Resources**, Natural Resources Way, Springfield, IL 62702-1270.
- **Water Quality \ Erosion Control: Illinois Environmental Protection Agency**, Springfield, IL

COORDINATION

We recommend early coordination with the regulatory agencies BEFORE finalizing work plans. This allows the agencies to recommend measures to mitigate or compensate for adverse impacts. Also, the agency can make possible environmental enhancement provisions early in the project planning stages. This could reduce time required to process necessary approvals.

CAUTION: Contact with the United States Army Corps of Engineers is strongly advised before commencement of any work in or near a water of the United States. This could save considerable time and expense. Persons responsible for willful and direct violation of Section 10 of the River And Harbor Act of 1899 or Section 404 of the Federal Water Pollution Control Act are subject to fines ranging up to $27,500 per day of violation and imprisonment for up to one year or both.

GLOSSARY

AGRICULTURAL PROTECTION AREAS (AG AREAS) - Allowed by P.A. 81-1173. An AG AREA consists of a minimum of 350 acres of farmland, as contiguous and compact as possible. Petitioned by landowners, AG AREAS protect for a period of ten years initially, then reviewed every eight years thereafter. AG AREA establishment exempts landowners from local nuisance ordinances directed at farming operations, and designated land cannot receive special tax assessments on public improvements that do not benefit the land, e.g. water and sewer lines.

AGRICULTURE - The growing, harvesting and storing of crops including legumes, hay, grain, fruit and truck or vegetable including dairying, poultry, swine, sheep, beef cattle, pony and horse production, fur farms, and fish and wildlife farms; farm buildings used for growing, harvesting and preparing crop products for market, or for use on the farm; roadside stands, farm buildings for storing and protecting farm machinery and equipment from the elements, for housing livestock or poultry and for preparing livestock or poultry products for market; farm dwellings occupied by farm owners, operators, tenants or seasonal or year around hired farm workers.

B.G. - Below Grade. Under the surface of the Earth.

BEDROCK - Indicates depth at which bedrock occurs. Also lists hardness as rippable or hard.

FLOODING - Indicates frequency, duration, and period during year when floods are likely to occur.

HIGH LEVEL MANAGEMENT - The application of effective practices adapted to different crops, soils, and climatic conditions. Such practices include providing for adequate soil drainage, protection from flooding, erosion and runoff control, near optimum tillage, and planting the correct kind and amount of high quality seed. Weeds, diseases, and harmful insects are controlled. Favorable soil reaction and near optimum levels of available nitrogen, phosphorus, and potassium for individual crops are maintained. Efficient use is made of available crop residues, barnyard manure, and/or green manure crops. All operations, when combined efficiently and timely, can create favorable growing conditions and reduce harvesting losses -- within limits imposed by weather.

HIGH WATER TABLE - A seasonal high water table is a zone of saturation at the highest average depth during the wettest part of the year. May be apparent, perched, or artesian kinds of water tables.

Water Table, Apparent - A thick zone of free water in the soil. An apparent water table is indicated by the level at which water stands in an uncased borehole after adequate time is allowed for adjustment in the surrounding soil.

Water Table, Artesian - A water table under hydrostatic head, generally beneath an impermeable layer. When this layer is penetrated, the water level rises in an uncased borehole.

Water Table, Perched - A water table standing above an unsaturated zone. In places an upper, or perched, water table is separated from a lower one by a dry zone.

DELINEATION - For Wetlands: A series of orange flags placed on the ground by a certified professional that outlines the wetland boundary on a parcel.

DETERMINATION - A polygon drawn on a map using map information that gives an outline of a wetland.

HYDRIC SOIL - This type of soil is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper part (USDA Natural Resources Conservation Service 1987)

INTENSIVE SOIL MAPPING - Mapping done on a smaller more intensive scale than a modern soil survey to determine soil properties of a specific site, e.g. mapping for septic suitability.

LAND EVALUATION AND SITE ASSESSMENT (L.E.S.A.) - LESA is a systematic approach for evaluating a parcel of land and to determine a numerical value for the parcel for farmland preservation purposes.

MODERN SOIL SURVEY - A soil survey is a field investigation of the soils of a specific area, supported by information from other sources. The kinds of soil in the survey area are identified and their extent shown on a map, and an accompanying report describes, defines, classifies, and interprets the soils. Interpretations predict the behavior of the soils under different used and the soils' response to management. Predictions are made for areas of soil at specific places. Soils information collected in a soil survey is useful in developing land-use plans and alternatives involving soil management systems and in evaluating and predicting the effects of land use.

PALUSTRINE - Name given to inland fresh water wetlands.

PERMEABILITY - Values listed estimate the range (in rate and time) it takes for downward movement of water in the major soil layers when saturated, but allowed to drain freely. The estimates are based on soil texture, soil structure, available data on

permeability and infiltration tests, and observation of water movement through soils or other geologic materials.

PIQ - Parcel in question

POTENTIAL FROST ACTION - Damage that may occur to structures and roads due to ice lens formation causing upward and lateral soil movement. Based primarily on soil texture and wetness.

PRIME FARMLAND - Prime farmland soils are lands that are best suited to food, feed, forage, fiber and oilseed crops. It may be cropland, pasture, woodland, or other land, but it is not urban and built up land or water areas. It either is used for food or fiber or is available for those uses. The soil qualities, growing season, and moisture supply are those needed for a well managed soil economically to produce a sustained high yield of crops. Prime farmland produces in highest yields with minimum inputs of energy and economic resources, and farming the land results in the least damage to the environment.

Prime farmland has an adequate and dependable supply of moisture from precipitation or irrigation. The temperature and growing season are favorable. The level of acidity or alkalinity is acceptable. Prime farmland has few or no rocks and is permeable to water and air. It is not excessively erodible or saturated with water for long periods and is not frequently flooded during the growing season. The slope ranges mainly from 0 to 5 percent. (Source USDA Natural Resources Conservation Service)

PRODUCTIVITY INDEXES - Productivity indexes for grain crops express the estimated yields of the major grain crops grown in Illinois as a single percentage of the average yields obtained under basic management from several of the more productive soils in the state. This group of soils is composed of the Muscatine, Ipava, Sable, Lisbon, Drummer, Flanagan, Littleton, Elburn and Joy soils. Each of the 425 soils found in Illinois are found in Circular 1156 from the Illinois Cooperative Extension Service.

SEASONAL - When used in reference to wetlands indicates that the area is flooded only during a portion of the year.

SHRINK-SWELL POTENTIAL - Indicates volume changes to be expected for the specific soil material with changes in moisture content.

SOIL MAPPING UNIT - A map unit is a collection of soil areas of miscellaneous areas delineated in mapping. A map unit is generally an aggregate of the delineations of many different bodies of a kind of soil or miscellaneous area but may consist of only one delineated body. Taxonomic class names and accompanying phase terms are used to name soil map units. They are described in terms of ranges of soil properties within the limits defined for taxa and in terms of ranges of taxadjuncts and inclusions.

SOIL SERIES - A group of soils, formed from a particular type of parent material, having horizons that, except for texture of the A or surface horizon, are similar in all profile characteristics and in arrangement in the soil profile. Among these characteristics are color, texture, structure, reaction, consistence, and mineralogical and chemical composition.

SUBSIDENCE - Applies mainly to organic soils after drainage. Soil material subsides due to shrinkage and oxidation.

TERRAIN - The area or surface over which a particular rock or group of rocks is prevalent.

TOPSOIL - That portion of the soil profile where higher concentrations of organic material, fertility, bacterial activity and plant growth take place. Depths of topsoil vary between soil types.

WATERSHED - An area of land that drains to an associated water resource such as a wetland, river or lake. Depending on the size and topography, watersheds can contain numerous tributaries, such as streams and ditches, and ponding areas such as detention structures, natural ponds and wetlands.

WETLAND - An area that has a predominance of hydric soils and that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances does support, a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions.

REFERENCES

Hydric Soils of the United States. USDA Natural Resources Conservation Service, 2007.

FIRM – Flood Insurance Rate Maps for Kendall County. Prepared by FEMA – Federal Emergency Management Agency.

Hydrologic Unit Map for Kendall County. Natural Resources Conservation Service, United States Department of Agriculture.

Land Evaluation and Site Assessment System. The Kendall County Department of Planning Building and Zoning, and The Kendall County Soil and Water Conservation District. In cooperation with: USDA, Natural Resources Conservation Service.

Soil Survey of Kendall County. United States Department of Agriculture 2008, Natural Resources Conservation Service.

Illinois Urban Manuel. Association of Illinois Soil & Water Conservation Districts, 2016

Kendall County Land Atlas and Plat Book. 19th Edition, 2014.

Potential For Contamination of Shallow Aquifers from Land Burial of Municipal Wastes. Illinois State Geological Survey.

Natural Resources Conservation Service Wetland Inventory Map. United States Department of Agriculture.

Geologic Road Map of Illinois. Department of Natural Resources, Illinois State Geological Survey, Natural Resources Building, 615 East Peabody, Champaign IL 61820-6964.

Wetlands - The Corps of Engineers' Administration of the Section 404 Program (GAO/RCED-88-110)

Soil Erosion by Water - United States Department of Agriculture Natural Resources Conservation Service. Agriculture Information Bulletin 513.

The Conservation of Biological Diversity in the Great Lakes Ecosystem: Issues and Opportunities, prepared by the Nature Conservancy Great Lakes Program 79W. Monroe Street, Suite 1309, Chicago, IL 60603, January 1994.

ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
August 7, 2018 – Unapproved Meeting Minutes

Senior Planner Matt Asselmeier called the meeting to order at 9:03 a.m.

Present:
Robert Davidson – PBZ Committee Chair
Aaron Rybski – Health Department
Fran Klaas – Highway Department
Megan Andrews – Soil and Water Conservation District
Jonathan Oelschlager – GIS
Deputy Commander Jason Langston – Sheriff's Department
Matt Asselmeier – PBZ Department

Absent:
David Guritz – Forest Preserve
Greg Chismark – WBK Engineering, LLC
Brian Holdiman – PBZ Department

Audience:
Dan Kramer, Tom Grant, Paul Kovacevich, John Whitehouse, and Gay Hoddy

AGENDA

Mr. Klaas made a motion, seconded by Mr. Rybski, to approve the agenda as proposed. With a voice vote of all ayes the motion carried.

MINUTES

Mr. Klaas made a motion, seconded by Ms. Andrews, to approve the June 5, 2018, meeting minutes. With a voice vote of all ayes the motion carried.

PETITIONS

Petition 18-24 Dorothy Flisk on Behalf of Skyfall Equestrian, LLC – Major Amendment to a Special Use Permit to Increase the Number of Horses Allowed Boarded from Twenty-Four (24) to Thirty (36) at 17 Ashe Roads (PIN 01-01-200-020 and 02-06-102-009) in Little Rock and Bristol Townships

Mr. Asselmeier summarized the request.

Dorothy Flisk, on behalf of Skyfall Equestrian, LLC, is requesting a major amendment to their special use permit to increase the number of horses allowed to be boarded in the stable from twenty-four (24) to thirty-six (36). The Petitioner desires the amendment to respond to increased market demand for stabling services.

The existing stable has twenty-six (26) horse stalls. The property has a total of sixteen (16) paddock areas and an "arena" area.

In the future, the Petitioner would like to demolish the accessory structures and construct an area for hay and straw and an additional twelve (12) stalls. The Petitioner would also like to construct a lounging arena north of the existing "arena" area.

The Petitioner has a waitlist and would like to expand because of the waitlist. If approved, the Petitioner would like to expand operations in the summer of 2019.

The existing land use is agricultural. The future land use is Rural Estate Residential.

The property does not have direct access to Ashe Road. Trails are planned along Ashe Road.

There are wetlands in the area. There is a floodplain to west and northwest of the subject property. Based on the Kendall County GIS, the Floodplain is approximately one hundred thirty feet (130') away from the property.

No EcoCat was required because no new buildings were proposed in the original application. No EcoCat was required for amendments in 2012. An EcoCat may be required if new structures are proposed in the future.

No NRI was required because no new buildings are proposed. No NRI was required for amendments in 2012. However, if new structures are proposed in the future, a NRI could be required.

Petition information was sent to Little Rock Township on August 1, 2018.

Petition information was sent to Bristol Township on August 1, 2018.

The City of Plano submitted a response on July 30, 2018, and have no objections.

Petition information was sent to the Bristol-Kendall Fire Protection District on August 1, 2018.

The Little Rock Fox Fire Protection District had no objections.

Mr. Asselmeier read the restrictions from the 2012 special use permit.

The Kendall County Planning, Building and Zoning Department has not received any complaints regarding the special use at the subject property.

The Kendall County Health Department received one (1) complaint since the issuance of the amended special use permit for manure related issues. The issue was unfounded.

The original ordinance granting the special use permit, Ordinance 2006-05, allowed thirty-six (36) horses to be stabled at the property.

Any new buildings would have to meeting applicable building codes.

A picture of the manure area was provided. The Petitioner currently has manure picked up four (4) days per week and has a mushroom farmer collect manure for composting once per week. The Petitioner indicated that they would construct a more secure, screened manure area with at least one (1) additional pad beneath the manure pile.

The Kendall County Health Department requested a more detailed manure management plan.

No new lighting is planned.

No additional fencing or buffering is planned.

No changes in impervious surface are planned. The stormwater situation may have to be reexamined if the Petitioner constructs new building(s).

No changes in utilities, well, or septic system are planned. Any new utilities would have to secure applicable permits.

Staff would like more detailed information, including a site plan showing the proposed new structure, before issuing a recommendation to increase the number of horses to thirty-six (36). Staff would like to note that, based on the current facilities at the property, a maximum of twenty-six (26) horses could be boarded on the property at the present time. If a manure management plan satisfactory to the Kendall County Health Department were submitted, Staff would have no objections to immediately increasing the number of horses allowed to be boarded from twenty-four (24) to twenty-six (26) instead of the requested thirty-six (36).

Dan Kramer, attorney for the Petitioner, stated that the building next to the manure area will be demolished. The property was foreclosed and the bank reduced the number of allowed horses to twenty-four (24). Not all of the lot owners have horses. Mr. Kramer requested that the Petitioner have a site plan prepared. No new septic or wells are planned. The Petitioner plans to pour one (1) big pad for manure; Mr. Davidson requested that elevations be shown on the site plan in the manure area.

Mr. Rybski requested a three (3) walled, concrete bottomed manure area. He also requested a copy of the contract with the mushroom farmer and the manure removal company. The manure would be removed once per week; the manure goes to a landfill.

Mr. Klaas asked if the homeowners' association had any objections to this proposal. Mr. Kramer responded the homeowners' association has no objections, but one (1) neighbor may oppose this request.

Mr. Rybski asked how far the manure area was from a water way. Mr. Kramer responded that the manure area was not near the hill.

Mr. Kramer stated that Bristol Township had no objections to the proposal.

Mr. Davidson made a motion, seconded by Mr. Rybski, to layover this Petition until a site plan is submitted, a more detailed manure management plan is submitted, and EcoCat and NRI applications are made.

Ayes (7): Andrews, Davidson, Klaas, Langston, Oelschlager, Rybski, and Asselmeier
Nays (0): None
Abstain (0): None
Absent (3): Chismark, Holdiman, and Guritz

The motion passed. This matter will appear on the August 27th Zoning Board of Appeals agenda with a request to layover.

Petition 18-25 Paul Kovacevich on Behalf of Tri-Star Development, Inc. – Map Amendment Rezoning Property Located Approximately 0.5 Miles West of Jughandle Road on the South Side of Route 52 (PINs 09-15-300-014, 09-16-400-002, 09-16-400-005, 09-16-400-006, 09-21-200-004, and 09-22-100-010) from A-1 to R-1 in Seward Township
Mr. Asselmeier summarized the request.

Paul Kovacevich, on behalf of Tri-Star Development, Inc., is requesting a map amendment rezoning the subject property from A-1 to R-1 in order to be able to build a forty (40) lot single-family residential subdivision. The Petitioner would like to have the zoning in place prior to going through the subdivision process. One (1) of the forty (40) lots will be transferred to the Forest Preserve District.

At their meeting on October 10, 2017, the Planning, Building and Zoning Committee received general information from the Petitioner and his attorney about this proposed development. The Planning, Building and Zoning Committee was open to allowing the Petitioner to submit an application for a traditional subdivision instead of a Residential Planned Development.

The future land use map calls for the area to be Rural Residential.

Lots 29 through 39 have an "A" designated lot attached to the primary lot. The "A" lot is floodplain and cannot have structures. The primary lot and the associated "A" lot is considered one (1) zoning lot under Kendall County's Zoning Ordinance. Lot 40 will be transferred to the Forest Preserve District.

Because zoning cannot be conditioned under Illinois law, any of the requirements associated with development (i.e. construction of trails, restricting the sale of "A" lots from their primary lot, etc.) cannot occur until the subdivisions plats are submitted.

The Land Resource Management Plan calls for this area to be Rural Residential in the future. This classification has a maximum zero point six-five (0.65) density units per acre. If the zoning is approved, the maximum number of lots that could be developed is sixty-one (61); (183 acres/2.99 acres). This figure does not take into consideration the undevelopable lands (i.e. wetlands, roads, etc.). The Petitioner is proposing fewer than the maximum number of lots. However, if the Petitioner did create a subdivision with R-1 zoning and the maximum number of lots permitted, the density units per acre would still be below zero point six-five (0.65).

Because the Land Resource Management Plan calls for this area to be Rural Residential in the future, Staff does not believe that the approval of this request would constitute spot zoning.

The property fronts Route 52. Staff has no concerns regarding the ability of Route 52 to support the proposed map amendment. Access related issues for a subdivision would be addressed during the subdivision process.

Joliet has trails planned along Route 52 and Minooka has trails planned along the Aux Sable Creek.

There is a floodplain on the east side of the property along Aux Sable Creek and there are wetlands along the Aux Sable Creek and in the woods on the east side of the property.

The A-1 special use permit located to the east of the property is for agricultural product sales.

There is currently one (1) pole building located on the property which will be demolished.

There are six (6) houses located on Route 52 within one thousand feet (1,000') of the subject property. The aerial of the property was provided.

The EcoCAT Report submitted and consultation was terminated.

The application for NRI was submitted on July 5, 2018 and LESA Score was 230 indicating a high level of protection.

Petition information was sent to Seward Township on July 31, 2018.

The subject property is within one point five (1.5) miles of the City of Joliet. The City of Joliet submitted comments on July 27, 2018. They encouraged development to follow the Aux Sable Creek Watershed Plan.

The Village of Shorewood expressed no opposition to the proposal.

Petition information was sent to the Minooka Fire Protection District on July 31, 2018.

Any new homes or accessory structures would be required to meet applicable building codes. Building related matters for a subdivision would be addressed during the subdivision process.

No new odors are foreseen. Odor related issues for a subdivision would be addressed during the subdivision process.

Any new lighting would be for residential use only. Lighting related issues for a subdivision would be addressed during the subdivision process.

No fencing or buffer is presently planned for the property. Screening related issues for a subdivision would be addressed during the subdivision process.

Any new homes would have to be constructed per Kendall County's Stormwater Management Ordinance. Stormwater related issues for a subdivision would be addressed during the subdivision process.

Electricity is onsite. New well and septic information would have to be evaluated as part of the subdivision or building permit processes.

Staff recommends approval of the proposed map amendment.

Tom Grant, attorney for the Petitioner, said the proposal will go to Seward Township on Tuesday, August 14th. The Petitioner may submit preliminary and final plats simultaneously.

Mr. Davidson asked the width of the property connect the property to Route 52. The response was approximately two hundred fifty feet (250').

Mr. Davidson asked how much of the acreage is wetlands. The Petitioner stated that he was not proposing development on the wetlands or in the floodplain and did not know the exact acreage of wetlands on the property.

Ms. Andrews stated that a couple potential wetlands were located on the property. She requested that the Petitioner work with a wetland delineation specialist to identify these areas. The Petitioner said that the area was wet because of plugged drain tile. Ms. Andrews noted that three (3) lots were in floodway and six (6) lots were in the floodplain as shown on the current version of the preliminary plat. Soils ranged from poorly drained to somewhat poorly drained. Some building limitations exist because of the soils. A secondary septic field will be needed. Ms. Andrews expressed concerns about draw-down of the aquifer.

Mr. Rybski expressed concerns about the difficulty of placing conventional septic systems on the proposed lots. The septic systems will have ongoing maintenance requirements. Many of the technologies are newer and they are still working out some of the issues with new technologies. He also discussed groundwater depletion. The Petitioner stated a development like this does not exist in Kendall County and the covenants and restrictions are very restrictive. The clientele the Petitioner is targeting should not have difficulty maintaining the system.

Mr. Davidson said that septic systems will not be installed in the ground unless drainage tile exists.

Mr. Klaas asked if the Petitioner had any contact with the Illinois Department of Transportation regarding access off of Route 52. The response was they contacted the Illinois Department of Transportation, but have not received comments to date.

Mr. Davidson made a motion, seconded by Mr. Klaas, to recommend approval of the map amendment as requested.

Ayes (7): Andrews, Davidson, Klaas, Langston, Oelschlager, Rybski, and Asselmeier
Nays (0): None
Abstain (0): None
Absent (3): Chismark, Holdiman, and Guritz

The motion passed unanimously. This matter will go before the Kendall County Regional Planning Commission on August 22nd.

Petition 18-26 Maurice E. Ormiston as Trustee u/t/a No. 101 and Marilyn J. Ormiston as Trustee u/t/a 102 (Owners) and Gay Hoddy (Operator) Request a Special Use Permit to Operate a Banquet Facility, a Variance to the Requirement that the Facility Must Be Located on an Arterial or Major Collector Road, a Variance to the Requirement for Hard Surface Parking Areas (Except for the ADA Required Parking Spaces), and a Variance that the Property not be Required to Have Fully Shielded Parking Facility Lighting at 14905 Hughes Road (PIN: 04-34-100-001) in Fox Township; Property is Zoned A-1

Mr. Asselmeier summarized the request.

Gay Hoddy is the daughter-in-law of the Owners of the subject property. Ms. Hoddy would like to establish a banquet facility called the Harvest Moon Barn at the subject property and is requesting variances to the requirement that the facility must be located on an arterial or major collector road, the requirement for hard surface parking areas (except for the ADA required parking spaces), and that the property not be required to have fully shielded parking facility lighting.

Ms. Hoddy's provided a business plan.

Events would be held in the frame barn located on the north side of site. Tents could be set up to the west of the barn. Based on the current size of the barn (approximately 1100 square feet), approximately one hundred twenty (120) people could fit inside the barn. Ms. Hoddy anticipates the largest group of attendees to be approximately two hundred fifty (250) people including staff. No members of the public would be allowed in the loft of the barn. At some point in the future, Ms. Hoddy may put concrete pavement in the barn; the current pavement is compacted gravel.

The facility would be operational from May 1st through October 31st. Ms. Hoddy would like the ability to have events outside these dates, weather permitting. The majority of events would be on weekends. However, she would like the ability to have weekday events as well. She seemed open to capping the number of events per week. The proposed hours of operation for events would be from 4:00 p.m. until Midnight. Setup for events would start at 10:00 a.m. and take down from events would be completed by 1:00 a.m.

Ms. Hoddy plans to have two (2) hostesses and four (4) servers at a maximum. She would be responsible for security.

All events would be catered, both food and drink.

The reserving party would be responsible for securing applicable insurance. Ms. Hoddy will also have insurance.

The banquet hall will be used for weddings, birthdays, retirement parties, and similar events.

She has over twenty (20) years of experience as a waitress and banquet related work. She has taken CPR classes in the past and plans to take a refresher course.

Ms. Hoddy reported that she has received at least four (4) phone calls requesting weddings at the property. She had her wedding at the property. One (1) niece had a wedding at the property and another niece is planning a wedding at the property.

Ms. Hoddy agreed to follow all applicable laws related to this type of business and she also agreed to follow the Kendall County Right to Farm Clause.

If approved, Ms. Hoddy would like to start having events in May 2019.

The current and future land use for the property is agricultural.

Hughes Road is a local, township road.

The EcoCat submitted on July 11, 2018; consultation was termination.

NRI application submitted on July 11, 2018.

Fox Township was emailed information on July 30, 2018.

Newark Fire Protection District was emailed information on July 30, 2018.

The United City of Yorkville was emailed information on July 30, 2018. While the property is within one point five (1.5) miles of the Yorkville City Limits, the subject property is not included in Yorkville's extraterritorial planning area as shown on the Yorkville Future Land Use Map.

Mr. Asselmeier read the restrictions for banquet halls listed in the Zoning Ordinance.

A Change of Occupancy Permit will be required for each existing structure that will be used in conjunction with the proposed banquet facility.

Ms. Hoddy indicated that all water used for events will be brought into the site; no well water will be used. Porta-potties will be used for events. According to the site plan, one (1) handicapped accessible porta-potty and two (2) other porta-potties will be located to the northeast of the barn. Refuse containers and a dumpster will be located near the porta-potties. An ADA approved path from the barn to the handicapped accessible porta-potty will be installed with lights.

Ms. Hoddy submitted a parking plan showing sixty-three (63) parking spaces including four (4) handicapped parking spaces. The parking area is planned to be grass except for the handicapped parking spaces; Ms. Hoddy is requesting a variance to allow this type of parking. Parking will be to the south of the house west of the driveway and to the east of the driveway. No parking will encroach in the required setbacks.

Ms. Hoddy submitted a photometric plan and lighting is shown on the parking plan. According to the plan, two (2) new lights would be added for the parking lot west of the driveway. Two (2) new lights would be added to the parking lot east of the driveway. One (1) new light would be installed north of the handicapped parking area. Eight (8) solar powered lights will be installed on the walkway between the barn and the handicapped parking area. Ms. Hoddy indicated additional lighting could be installed along the south and east sides of the barn.

A non-illuminated sign is proposed on the west side of the driveway as shown on the site plan (Attachment 2, Page 2). The sign will be approximately thirty-two (32) square feet in size and two (2) faced. The location and type of sign proposed meet the requirements of the Kendall County Zoning Ordinance.

Ms. Hoddy does not plan to install any additional landscaping.

The barn would not be air conditioned and the doors on the south and east sides would likely be open during events. Ms. Hoddy would like music to be played outside of the barn. Ms. Hoddy agreed to follow the Kendall County noise regulations. However, she did not provide a method for tracking noise.

Mr. Asselmeier noted that Kendall County previously granted a special use permit at 13889 Hughes Road (Ordinance 2016-05) for a banquet facility. This banquet facility is approximately one point two (1.5) miles from the nearest major collector road (Newark Road via Hollenback Road). The proposed banquet facility at the subject property is approximately one point two (1.2) miles from Route 71.

Before Staff makes a recommendation on the request, Staff would like to express the following concerns:

1. The proposal calls for having events many days during the week. Most of the previously issued special use permits for banquet facilities have restricted events to weekends.

2. Ms. Hoddy indicated all events would be catered and the well and septic system would not be impacted. Staff would like confirmation from the Health Department that this method of operating this type of business is permissible.

3. Ms. Hoddy indicated that she will be responsible for security at the site. Staff would like the opinion of the Sheriff's Department if this way of handling security is permissible.

4. The site has one point of ingress and egress on Hughes Road. Staff would like verification that the Newark Fire Protection District and the Sheriff's Department have no concerns with the layout of the site from a public safety perspective.

5. Ms. Hoddy indicated that the parking areas will not be paved. Staff would like comments from WBK on this matter.

6. No landscaping is planned for the site. Based on the Kendall County GIS, the barn at the subject property is approximately six hundred two feet (602') from the house at 14838 Hughes Road. The parking area east of the driveway is approximately two hundred twenty-four feet (224') from the house at 14838 Hughes Road. In comparison, the closest barn at 9111 Ashley Road is approximately six hundred twenty-four feet (624') from the house across the street and the parking area is approximately four hundred eleven feet (411') from the house across the street. The impact of noise and light on the adjoining property are concerns.

7. The results of the NRI would also be needed before a final recommendation is offered.

Based the current information provided, Staff suggests the following conditions and restrictions:

1. The site, including parking plan, shall be developed in accordance to the attached site plan.
2. The lighting shall be developed in accordance to the attached site plan and photometric plan. The operator of the banquet facility may install two (2) decorative lights on the south side of the barn and two (2) decorative lights on the east side of the barn.
3. Events shall be confined the framed barn, patio area, and grassy area west of the barn. No events may be held in the loft or second story or above of the framed barn, the corn crib, garage, residents, or any new barns or accessory buildings on the property without an amendment to this special use permit.
4. A variance should be granted to the requirement that the facility shall have direct access to a road designated as an arterial roadway or major collector road as identified in the Land Resource Management Plan.
5. The subject parcel must be a minimum of 5 acres.
6. The use of this property shall be in compliance with all applicable ordinances. The banquet facility shall conform to the regulations of the Kendall County Health Department and the Kendall County Liquor Control Ordinance. (Ord. 99-34)
7. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the zoning ordinance except where variances are granted.
8. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance. The signage shall be developed in accordance to the attached site plan. The signage will not be illuminated.
9. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
10. The noise regulations are as follows:

    Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.

    Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.

EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.

11. Event shall be held between May 1 and October 31. The property owner or banquet operator may hold events outside of this timeframe with the approval of the Planning, Building and Zoning Committee.
12. No more than four (4) events in a seven (7) day period may be held at the property.
13. Setup for events shall not commence prior to 10:00 a.m.
14. All events must cease by Midnight except for cleaning up after an event which must cease by 1:00 a.m.
15. A new certificate of occupancy must be issued for the framed barn.
16. The operator of the banquet facility allowed by this special use permit shall reside at the subject property as their primary place of residence.
17. The operator of the banquet facility and property owner(s) acknowledge and agree to follow Kendall County's Right to Farm Clause.
18. The property owner and operator of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
19. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
20. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Mr. Klaas noted that the Highway Commissioner had no concerns regarding access on Hughes Road.

Ms. Andrews stated that her board was still reviewing the proposal and the report should be completed by the end of the week of August 13th.

Mr. Davidson asked if the Petitioner changed to allow use of the septic system, would that change require an amendment to the special use permit. Mr. Asselmeier responded an amendment to the special use permit would be required. Mr. Davidson suggested amending the recommendation to allow use of the septic system. John Whitehouse, engineer for the Petitioner, stated they did not want to amend the special use permit if a septic system is installed in the future.

Discussion also occurred about requiring landscaping, berming, and/or trees if the neighbors complain. Mr. Whitehouse expressed concerns installing buffering because of a complaint; he wondered who would investigate a complaint and if a complaint, whether founded or unfounded, would trigger a buffering requirement.

Mr. Langston asked noted that the openings on the barns face the neighboring properties. He requested clarification on music playing outside the barn. The Petitioner agreed not to have music outside the barn except wedding ceremony music.

Mr. Langston asked about security. The Petitioner stated that if she had a security issues, she would call 911. No private security would be provided.

Mr. Langston expressed no concerns regarding ingress/egress at this site.

Mr. Rybski indicated that private events are not under the jurisdiction of the Health Department so long as the well is not used. If all the water is trucked in, that is fine.

Mr. Whitehouse said that he would provide additional information on the lines for the septic field.

Mr. Asselmeier indicated that WBK had concerns about the unpaved parking area. Mr. Asselmeier indicated that, if the area looked bad, Ms. Hoddy's business would suffer because some prospective customers would not want to have events at a location that looked undesirable. Mr. Davidson said the Petitioner will have to let the grass grow slightly higher and mow it frequently.

Mr. Whitehouse noted that the Zoning Ordinance required that lighting related to the special use permit must be turned off within one (1) hour of the end of the event.

Mr. Klaas made a motion, seconded by Ms. Andrews, to recommend approval of the special use permit and variances with the conditions proposed by Staff and to allow the Petitioner to remove the porta-potties if adequate facilities are installed.

Ayes (7): Andrews, Davidson, Klaas, Langston, Oelschlager, Rybski, and Asselmeier
Nays (0): None
Abstain (0): None
Absent (3): Chismark, Holdiman, and Guritz

The motion passed unanimously. This matter will go before the Kendall County Regional Planning Commission on August 22nd.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Mr. Asselmeier reported that Petition 18-14 regarding the Saar map amendment on Route 71 by the County Board.

Mr. Asselmeier noted that the solar panel special use request on Newark Road is under review at the Committee of the Whole.

The proposed banquet facility on Route 30 is still attempting to resolve their access issues with the Illinois Department of Transportation.

OLD BUSINESS/NEW BUSINESS

None

PUBLIC COMMENT

None

ADJOURNMENT

Ms. Andrews made a motion, seconded by Mr. Rybski to adjourn. With a voice vote of all ayes, the motion carried. The ZPAC, at 10:15 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP
Senior Planner

Matt Asselmeier

From: David Guritz
Sent: Tuesday, August 07, 2018 12:10 PM
To: Matt Asselmeier
Cc: Judy Gilmour
Subject: TriStar Subdivision Development - Seward Township - Route 52
Attachments: SKM_C36818080710070.pdf; Thomas Grant - Tri-Star Development Inc. - DRAFT.pdf

Good morning Matt & Judy:

The District has been copied on the service list for this proposed subdivision.

I spoke with Tri-Star's Attorney Thomas Grant today, and a draft letter is attached on behalf of the District with respect to the proposed land-cash donation.

Matt, President Gilmour and I met with Mr. Kovacevich earlier this year to review the proposed subdivision plan. During this meeting, the District expressed concerns that the proposed access corridor to Lot 40 from West Creek Drive would not provide the District with the vehicular access needed to properly maintain, manage, and develop public access to the proposed 43.46-acre forest preserve. Per discussions with Mr. Kovacevich, the proposed access corridor between lots 32 and 33 will serve as a drainage channel for the subdivision.

The District requested relocation of the access corridor to the north/northeast to allow for District vehicular access. The plan on the preliminary plat remains unchanged from the initial proposal reviewed by the District. Mr. Kovacevich indicated that this will be looked at as part of the development of the final plat, with the corridor moved to the northeast, likely between lots 36 and 37.

As the current public hearing is focused on zoning only, the District does not have comments related to the proposed re-zoning, but I would like to have the District's concerns formally stated/recorded as part of the record for the public hearing.

Regards,

Dave

Dave Guritz
Director
Kendall County Forest Preserve District
(630) 553-4131
dguritz@co.kendall.il.us

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HISTORIC KENDALL COUNTY COURTHOUSE 110 WEST MADISON STREET YORKVILLE, IL 60560

August 7, 2018

Thomas W. Grant
Attorney at Law
200 Hillcrest Avenue
PO Box 326
Yorkville, IL 60560

Sent Via E-Mail: [redacted]

Dear Mr. Grant:

This letter is submitted on behalf of the District with respect to the proposed land-cash donation of 43.467 acres within the Aux Sable Creek riparian corridor.

Kendall County Forest Preserve District has been included within the service list for the proposed Tri-Star Development, Inc. subdivision re-zoning petition 18-25. The District has no comments related to the proposed application for rezoning from A-1 to R-1.

President Gilmour and I met with Mr. Kovacevich earlier this year to review the proposed subdivision plan. During this meeting, the District expressed concerns that the proposed access corridor to Lot 40 from West Creek Drive would not provide the District with the future vehicular access needed to properly manage, maintain, and establish public access to the proposed 43.46-acre forest preserve. Per discussions with Mr. Kovacevich, the District understands that the proposed access corridor on the Preliminary Plat of West Creek Farms will serve as a drainage channel for the subdivision. Based on follow-up phone communications today, TriStar Development, Inc. will examine the District's concerns as part of the development of the final plat for the subdivision.

The District is requesting relocation of the access corridor to the north/northeast to allow for District vehicular access. The plan included in the August 1, 2018 letter remains unchanged from the initial proposal reviewed by the District.

Regards,

David Guritz
Executive Director

Cc: Kendall County Board of Commissioners
Paul Kovacevich

WBK engineering

August 14, 2018

Mr. Matt Asselmeier
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498

Subject: Kendall County Petition 18-25 Tri-Star Development US 52

Dear Mr. Asselmeier:

WBK Engineering has reviewed the stormwater submittal and site plans for the subject project. We received the following information:

- Kendall County Petition 18-25 Application for map amendment including supporting documents:
  - Plat of Survey dated April 27, 2018 received July 31, 2018
  - Preliminary Platy West Creek Farms dated January 4, 2018 received July 31, 2018

The following comments are offered for the petitioner's consideration and require resolution prior to our recommendation for approval.

1. We recommend a single lot encompass all areas of the floodplain within the subject development. We agree with the concept of the floodplain to be dedicated to the Forest Preserve and recommend that be expanded to all floodplain area within the development. We do not recommend selling floodplain lots as part of a single family development.

2. The average lots size for buildable single family lots is 2.85 acres. Please verify this value and the need for stormwater storage for the project.

Final Engineering plans shall be accompanied by a Stormwater Management Report that includes items identified in the County Ordinance including but not limited to:

1. Field tile survey

2. Clear delineation of off-site tributary areas and flow calculations

3. Wetland determination

WBK Engineering, LLC
WBKEngineering.com
Part of the Mno-Bmadsen Family

St. Charles Office
116 West Main Street, Suite 201
St. Charles, IL 60174
630.443.7755

Aurora Office
8 East Galena Boulevard, Suite 402
Aurora, IL 60506
630.701.2245

4. Overland flood routes through the subdivision identifying critical cross sections, flow and water surface elevation calculations and easements.

The applicant's design professionals are responsible for performing and checking all design computations, dimensions, details, and specifications in accordance with all applicable codes and regulations, and obtaining all permits necessary to complete this work. In no way does this review relieve applicant's design professionals of their duties to comply with the law and any applicable codes and regulations, nor does it relieve the Contractors in any way from their sole responsibility for the quality and workmanship of the work and for strict compliance with the permitted plans and specifications.

If you have any questions or comments, please contact us at (630) 443-7755.

Sincerely,

Greg Chismark, P.E.
Municipal Practice Principal
WBK Engineering LLC

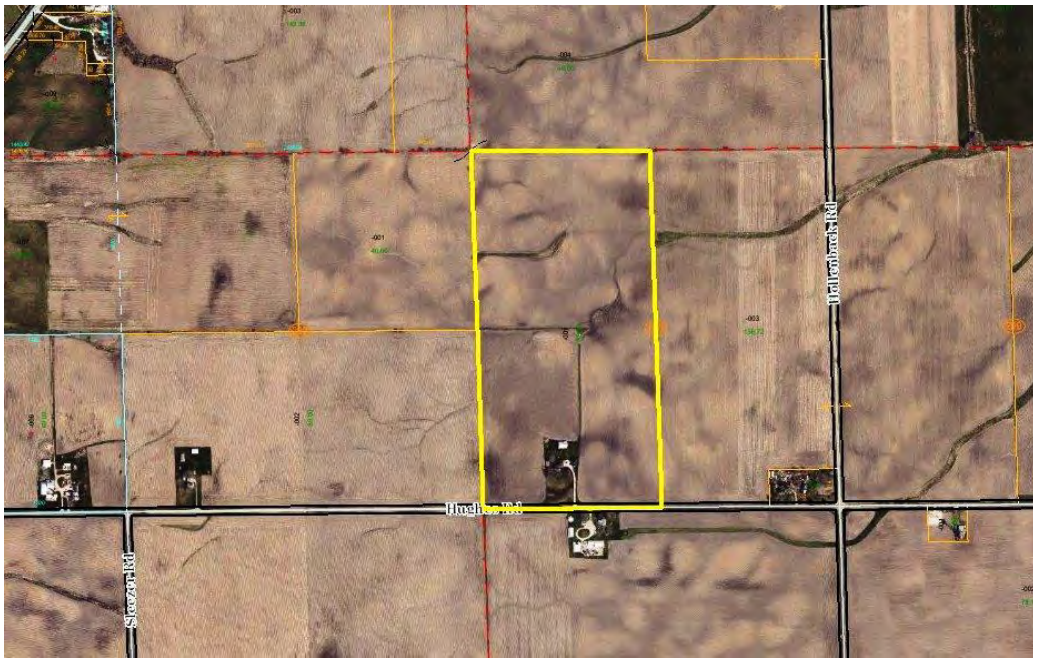
DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Room 203
Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

Petition 18-26
Maurice E. Ormiston as Trustee u/t/a No. 101 and Marilyn J. Ormiston as Trustee u/t/a 102 (Owners) and Gay Hoddy (Operator)
A-1 Special Use – Banquet Facility and Variances to Location and Parking Areas

INTRODUCTION
Gay Hoddy is the daughter-in-law of the Owners of the subject property. Ms. Hoddy would like to establish a banquet facility at the subject property and is requesting variances to the requirement that the facility must be located on an arterial or major collector road, the requirement for hard surface parking areas (except for the ADA required parking spaces), and that the property not be required to have fully shielded parking facility lighting.

SITE INFORMATION

PETITIONER	Maurice E. Ormiston as Trustee u/t/a No. 101 and Marilyn J. Ormiston as Trustee u/t/a 102 (Owners) and Gay Hoddy (Operator)
ADDRESS	14905 Hughes Road, Newark
LOCATION	Approximately 1.2 Miles East of Route 71 on the North Side of Hughes Road (Approximately 0.5 Miles East of Sleezer Road)



TOWNSHIP Fox

PARCEL # 04-34-100-001

LOT SIZE 5.112 +/- Acres

EXISTING LAND USE Agricultural/Single Family Residential

ZONING A-1 Agricultural District

LRMP

Current Land Use	Agricultural and Single-Family Residential
Future Land Use	Agricultural
Roads	Hughes Road is a Township Road Classified as a Local Road.
Trails	None
Floodplain/ Wetlands	None

REQUESTED ACTION A-1 Special Use to Operate a Banquet Facility with variances to be located on a non-arterial or non-collector road, allow off-street parking and driving aisles to not be improved with a permanent, concrete, unit paver, asphalt surface or some other environmentally friendly or green design practice and to waive the requirement for "fully shielded" or "cut off" light fixtures for the parking facility.

APPLICABLE REGULATIONS Section 7.01 D.10 – A-1 Special Uses – Permits Banquet Facilities to be Located in the A-1 District with Approval of a Special Use Provided that the Facility Meets Certain Criteria

Section 7.01.D.10.a – Requires Banquet Facilities to be Have Direct Access to an

Arterial Roadway or Major Collector Road as Defined in the Land Resource Management Plan

Section 11.02.F.2 – Additional Regulations – Parking – Design and Maintenance – Surfacing – Requires All Required Open Off-Street Parking Areas and Access Drives Constructed or Re-Constructed after May 20, 2008 (Effective Date of This Amendment) in all Zoning Districts Shall Be Improved with a Permanent, Concrete, Unit Paver, Asphalt Surface or Some Other Environmentally Friendly Surface or Green Design Practices. (Petitioners are not asking for a variance to the requirements for ADA parking stalls.)

Section 11.02.F.12 – Additional Regulations – Parking – Light – Only "fully shielded" or "cut-off" light fixtures are allowed. Fully shielded means that no light is emitted above the horizontal plane of the luminaries.

Section 13.04 – Variations

Section 13.08 – Special Use Procedures

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Agricultural	A-1	Agricultural	A-1
South	Agricultural/Farmstead	A-1	Agricultural	A-1
East	Agricultural/Farmstead	A-1	Agricultural	A-1
West	Agricultural	A-1	Agricultural	A-1

PHYSICAL DATA

ENDANGERED SPECIES REPORT

EcoCat submitted on July 11, 2018; consultation was termination (see Attachment 1, Pages 16 and 17).

NATURAL RESOURCES INVENTORY

NRI application submitted on July 11, 2018 (see Attachment 1, Page 15).

ACTION SUMMARY

FOX TOWNSHIP

Fox Township was emailed information on July 30, 2018.

NEWARK FIRE PROTECTION DISTRICT

Newark Fire Protection District was emailed information on July 30, 2018.

UNITED CITY OF YORKVILLE

The United City of Yorkville was emailed information on July 30, 2018. While the property is within one point five (1.5) miles of the Yorkville City Limits, the subject property is not included in Yorkville's extraterritorial planning area as shown on the Yorkville Future Land Use Map.

ZPAC

ZPAC reviewed this proposal at their meeting on August 7, 2018. The consensus of ZPAC was to allow the Petitioner to install or expand her septic system in the future (thus removing the need for porta-potties) without having to amend her site plan. Discussion also occurred about requiring landscaping, berming, and/or trees if the neighbors complain. John Whitehouse, engineer for the Petitioner, expressed concerns installing buffering because of a complaint; he wondered who would investigate a complaint and if a complaint, whether founded or unfounded, would trigger a buffering

requirement. The Petitioner agreed not to have music outside the barn except wedding ceremony music. No private security would be provided. Mr. Rybski indicated that private events are not under the jurisdiction of the Health Department so long as the well is not used. If all the water is trucked in, that is fine. Mr. Whitehouse said that he would provide additional information on the lines for the septic field. Mr. Asselmeier indicated that WBK had concerns about the unpaved parking area. Mr. Asselmeier indicated that, if the area looked bad, Ms. Hoddy's business would suffer because some prospective customers would not want to have events at a location that looked undesirable. Mr. Davidson said the Petitioner will have to let the grass grow slightly higher and mow it frequently. The minutes of this meeting are included as Attachment 20

GENERAL

Gay Hoddy lives on the subject property with her husband and would like to operate the Harvest Moon Barn banquet facility. Ms. Hoddy requires a special use permit to operate a banquet facility at the subject property. Pictures of the property are included as Attachment 4-19. The barn furthest to the north will be used for events. The building with red doors will not be used for events.

This type of use is permitted as a special use on an A-1 property with certain conditions. Those conditions include:

a. **The facility shall have direct access to a road designated as an arterial roadway or major collector road as identified in the Land Resource Management Plan. (Variance is required for this requirement.)**

b. The subject parcel must be a minimum of 5 acres.

c. The use of this property shall be in compliance with all applicable ordinances. The banquet facility shall conform to the regulations of the Kendall County Health Department and the Kendall County Liquor Control Ordinance. (Ord. 99-34)

d. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the zoning ordinance.

e. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance.

f. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.

g. The noise regulations are as follows:

   Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.

   Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.

   EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.

BUSINESS OPERATION

Ms. Hoddy's business plans are included on Attachment 1, Page 3. The site plan is included as Attachment 2.

Events would be held in the frame barn located on the north side of site. Tents could be set up to the west of the barn. Based on the current size of the barn (approximately 1100 square feet), approximately one hundred twenty (120) people could fit inside the barn. Ms. Hoddy anticipates the largest group of attendees to be approximately two hundred fifty (250) people including staff. No members of the public would be allowed in the loft of the barn. At some point in the future, Ms. Hoddy may put concrete pavement in the barn; the current pavement is compacted gravel.

The facility would be operational from May 1st through October 31st. Ms. Hoddy would like the ability to have events outside these dates, weather permitting. The majority of events would be on weekends. However, she would like the ability to have weekday events as well. She seemed open to capping the number of events per week. The proposed hours of operation for events would be from 4:00 p.m. until Midnight. Setup for events would start at 10:00 a.m. and take down from events would be completed by 1:00 a.m.

Ms. Hoddy plans to have two (2) hostesses and four (4) servers at a maximum.

In the event of a security issue, Ms. Hoddy would call 911. The Sheriff's Department had no objections to this plan.

All events would be catered, both food and drink.

The reserving party would be responsible for securing applicable insurance. Ms. Hoddy will also have insurance.

The banquet hall will be used for weddings, birthdays, retirement parties, and similar events.

Ms. Hoddy and her husband live on the property. She has over twenty (20) years of experience as a waitress and banquet related work. She has taken CPR classes in the past and plans to take a refresher course.

Ms. Hoddy reported that she has received at least four (4) phone calls requesting weddings at the property. She had her wedding at the property. One (1) niece had a wedding at the property and another niece is planning a wedding at the property.

Ms. Hoddy agreed to follow all applicable laws related to this type of business and she also agreed to follow the Kendall County Right to Farm Clause.

If approved, Ms. Hoddy would like to start having events in May 2019.

BUILDING CODES
A Change of Occupancy Permit will be required for each existing structure that will be used in conjunction with the proposed banquet facility.

ENVIRONMENTAL HEALTH
Ms. Hoddy indicated that all water used for events will be brought into the site; no well water will be used. Porta-potties will be used for events. According to the site plan (Attachment 2, Page 2), one (1) handicapped accessible porta-potty and two (2) other porta-potties will be located to the northeast of the barn. Refuse containers and a dumpster will be located near the porta-potties. An ADA approved path from the barn to the handicapped accessible porta-potty will be installed with lights.

ROAD ACCESS
The Fox Township Highway Commissioner informed the Kendall County Highway Engineer that he had no issues with the proposed use at the subject property.

PARKING AND INTERNAL TRAFFIC CIRCULATION
Ms. Hoddy submitted a parking plan showing sixty-three (63) parking spaces including four (4) handicapped parking spaces (See Attachment 2, Pages 2 and 3). The parking area is planned to be grass except for the handicapped parking spaces; Ms. Hoddy is requesting a variance to allow this type of parking. Parking will be to the south of the house west of the driveway and to the east of the driveway. No parking will encroach in the required setbacks.

Staff discussed the lack of paved parking areas with WBK. WBK submitted comments on this proposal which are included as Attachment 21. If the grass is maintained correctly, no parking or erosion issues related to bare soil should arise.

The ADA parking areas will be hard surfaced.

The Kendall County Sheriff's Department expressed no concerns regarding the internal traffic circulation pattern as it relates to public health and safety concerns at the site.

LIGHTING
Ms. Hoddy submitted a photometric plan (Attachment 3) and lighting is shown on the parking plan (Attachment 2, Pages 2 and 3). According to the plan, two (2) new lights would be added for the parking lot west of the driveway. Two (2) new lights would be added to the parking lot east of the driveway. One (1) new light would be installed north of the handicapped parking area. Eight (8) solar powered lights will be installed on the walkway between the barn and the handicapped parking area. Ms. Hoddy indicated additional lighting could be installed along the south and east sides of the barn.

SIGNAGE
A non-illuminated sign is proposed on the west side of the driveway as shown on the site plan (Attachment 2, Page 2). The sign will be approximately thirty-two (32) square feet in size and two (2) faced. The location and type of sign proposed meet the requirements of the Kendall County Zoning Ordinance.

LANDSCAPING
Ms. Hoddy does not plan to install any additional landscaping.

NOISE CONTROL
The barn would not be air conditioned and the doors on the south and east sides would likely be open during events.

Ms. Hoddy indicated that no music related to events would originate outside the barn except for music related to a wedding ceremony.

Ms. Hoddy agreed to follow the Kendall County noise regulations. However, she did not provide a method for tracking noise.

RELATION TO OTHER SPECIAL USES
Kendall County previously granted a special use permit at 13889 Hughes Road (Ordinance 2016-05) for a banquet facility. This banquet facility is approximately one point two (1.5) miles from the nearest major collector road (Newark Road via Hollenback Road). The proposed banquet facility at the subject property is approximately one point two (1.2) miles from Route 71.

Based on the Kendall County GIS, the barn at the subject property is approximately six hundred two feet (602') from the house at 14838 Hughes Road. The parking area east of the driveway is approximately two hundred twenty-four feet (224') from the house at 14838 Hughes Road. In comparison, the closest barn at 9111 Ashley Road is approximately six hundred twenty-four feet (624') from the house across the street and the parking area is approximately four hundred eleven feet (411') from the house across the street. The impact of noise and light on the adjoining property are concerns.

FINDINGS OF FACT-SPECIAL USE
§ 13.08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order recommend in favor of the applicant on special use permit applications. They are listed below in *italics.* Staff has provided findings in **bold** below based on the recommendation:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. **The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, or general welfare, provided that the site is developed in accordance with an approved site plan. The Kendall County Sheriff's Department, Fox Township Road District, and Newark Fire Protection District have not submitted comments expressing concerns for public health and safety. However, without proper buffering or screening, light and noise from the proposed use could impact the comfort of the property located southeast of the subject property.**

That the special use will not be substantially injurious to the use and enjoyment of other property in the

immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. **The proposed use could be injurious to the enjoyment of other property in the immediate vicinity due to noise and light created from the proposed use. Some of the negative impacts of the proposed use on properties in the immediate vicinity could be mitigated by restrictions related to hours of operation, number of events, and buffering within the ordinance granting the special use permit.**

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **True, adequate utilities, drainage, and points of ingress and egress are provided.**

That 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 County Board pursuant to the recommendation of the Zoning Board of Appeals. **Provided that variances are approved regarding distance to arterial and collector roads, the waiver of the requirement that off-street parking areas and access drives be improved with a permanent, concrete, unit paver, asphalt surface, or some other environmentally friendly surface or green design practice, and the waiver of the requirement that only "fully shielded" or "cut-off" light fixture are allowed, the special use would conform to the applicable regulations of the district.**

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **True, the proposed use in consistent with an objective found on Page 3-6 of the Kendall County Land Resource Management Plan which states as an objective "Encourage Agriculture and Agribusiness." Also, if the business allowed by this special use permit were to cease operations, the land could be easily converted to other uses allowed in the A-1 Zoning District.**

FINDINGS OF FACT-VARIANCE

§ 13.04.A.3 of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to grant variations. They are listed below in *italics.* Staff has provided findings in **bold** below based on the recommendation:

That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. **If the owner of the business allowed by this special use permit were required to install the required parking, the property would have greater difficulty reverting back to a farmstead if the business ceased operations. The required light is for businesses located in a more developed, commercial area and not a rural, agricultural area. The proposed banquet facility is approximately one point two (1.2) miles from an arterial roadway (Route 71); an existing, approved banquet facility on the same road is approximately one point five (1.5) miles away from an arterial roadway or major collector roadway.**

That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. **This is not true. Other banquet facilities in the rural areas could face similar concerns related to lighting, parking, and access to an arterial roadway or major collector roadway. The specific number of properties sharing similar characteristics is unknown.**

That the alleged difficulty or hardship has not been created by any person presently having an interest in the property. **While no one involved with the requested special use permit and variances platted the subject property, the Petitioners created the hardship by desiring to have a banquet facility at the subject property.**

That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. **True, the**

Kendall County Sheriff's Department, Fox Township Road District, and the Newark Fire Protection District have not expressed any concerns regarding the proposed use being materially detrimental to the public welfare or injurious to other property in the neighborhood.

That 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 of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. **True, the proposed use will not block light or air from adjacent properties. The proposed use will not cause an increase in congestion on public streets because events will not be held every day. Provided the business allowed by the special use permit follows the restrictions placed on the special use permit, no increase to the danger of fire or the endangerment of public safety should occur. Data does not exist as to whether the placement of the proposed use will diminish or impair the property value of the property located southeast of the subject property.**

RECOMMENDATION
Because a similar special use permit and similar variances were granted at a property near the subject property, Staff recommends approval of the requested special use permit and variances, pending review of the NRI, subject to the following conditions and restrictions:

1. The site, including parking plan, shall be developed in accordance to the attached site plan. The owner of the business allowed by this special use permit may remove the porta-potties shown on the site plan if adequate, permitted facilities (i.e. septic system) are installed on the property for use at the banquet facility (**Amended by ZPAC**). The owner of the business allowed by this special use permit may also install one or more temporary tents located west of the framed barn. (**Clarified after ZPAC**).
2. A maximum of two hundred fifty (250) guests in attendance at a banquet center related event may be on the subject property at a given time (**Added after ZPAC**).
3. The lighting shall be developed in accordance to the attached site plan and photometric plan. The operator of the banquet facility may install two (2) decorative lights on the south side of the barn and two (2) decorative lights on the east side of the barn.
4. Events shall be confined to the framed barn, patio area, and grassy area west of the barn. No events may be held in the loft or second story or above of the framed barn, the corn crib, garage, residents, or any new barns or accessory buildings on the property without an amendment to this special use permit.
5. A variance shall be granted to the requirement that the facility shall have direct access to a road designated as an arterial roadway or major collector road as identified in the Land Resource Management Plan as required in Section 7.01.D.10.a of the Kendall County Zoning Ordinance (**Clarified after ZPAC**).
6. The subject parcel must be a minimum of five (5) acres.
7. The use of this property shall be in compliance with all applicable ordinances. The banquet facility shall conform to the regulations of the Kendall County Health Department and the Kendall County Liquor Control Ordinance. (Ord. 99-34)
8. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the zoning ordinance except where variances are granted.
9. A variance shall be granted to the requirement contained in Section 11.02.F.2 of the Kendall County Zoning Ordinance that the business allowed by this special use permit shall be exempt from the requirement that all required open off-street parking areas and access drives constructed or re-constructed after May 20, 2008 shall be improved with a permanent, concrete, unit paver, asphalt surface or some other environmentally friendly surface or green design practices. This variance shall not be extended to parking and parking related facilities required by the Americans with Disabilities Act (**Clarified after ZPAC**).
10. A variance shall be granted to the requirement contained in Section 11.02.F.12.B of the Kendall County Zoning Ordinance that the business allowed by this special use permit shall provide only "fully shielded" or "cut-off" light fixtures (**Clarified after ZPAC**).

11. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance. The signage shall be developed in accordance to the attached site plan. The signage will not be illuminated.
12. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
13. The noise regulations are as follows:

    Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.

    Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.

    EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.

14. No music shall originate outside of any building associated with the special use permit. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony (**Added at ZPAC**).
15. Event shall be held between May 1 and October 31. The property owner or banquet operator may hold events outside of this timeframe with the approval of the Planning, Building and Zoning Committee.
16. No more than four (4) events in a seven (7) day period may be held at the property.
17. Setup for events shall not commence prior to 10:00 a.m.
18. All events must cease by Midnight except for cleaning up after an event which must cease by 1:00 a.m.
19. A new certificate of occupancy must be issued for the framed barn.
20. The operator of the banquet facility allowed by this special use permit shall reside at the subject property as their primary place of residence.
21. The operator of the banquet facility and property owner(s) acknowledge and agree to follow Kendall County's Right to Farm Clause.
22. The property owner and operator of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
23. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
24. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

ATTACHMENTS

1. Application (Including Business Plan and Findings of Fact)
2. Site Plan
3. Photometric Plan
4. Aerial
5. Front Property and West Parking Area
6. Driveway Looking North
7. East Parking Area

8. Looking Southeast from Driveway
9. Looking South from West Parking Area
10. Looking Southeast from West Parking Area
11. Looking South from East Parking Area
12. Barn and ADA Parking Area
13. Location of Porta-Potties and Trash Receptacles
14. Inside Barn East
15. Inside Barn Middle
16. Inside Barn West
17. Inside Barn Southwest
18. Inside Barn Facing South
19. Inside Barn Facing South from East Door
20. 8.7.18 ZPAC Minutes
21. 8.13.18 WBK Letter

DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

APPLICATION

PROJECT NAME The Harvest Moon Barn **FILE #:** 18-26

NAME OF APPLICANT Gay Hoddy		
CURRENT LANDOWNER/NAME(s) Maurice E. Ormiston as Trustee u/t/a No. 101 (50%) & Marilyn J. Ormiston as Trustee u/t/a/ No. 102 (50%)		
SITE INFORMATION ACRES 5.11236	SITE ADDRESS OR LOCATION 14905 Hughes Road, Newark, IL 60541-9480	ASSESSOR'S ID NUMBER (PIN) 04-34-100-001
EXISTING LAND USE Agricultural	CURRENT ZONING A-1	LAND CLASSIFICATION ON LRMP Agricultural

REQUESTED ACTION (Check All That Apply):

_____SPECIAL USE
___ MAP AMENDMENT (Rezone to ____)
X VARIANCE
_____ADMINISTRATIVE VARIANCE
___ A-1 CONDITIONAL USE for:_____
___ SITE PLAN REVIEW
___ TEXT AMENDMENT
___ PRELIMINARY PLAT
___ RPD (___Concept; ___ Preliminary; ___ Final)
___ FINAL PLAT
___ ADMINISTRATIVE APPEAL
___ OTHER PLAT (Vacation, Dedication, etc.)
___ AMENDMENT TO A SPECIAL USE (_____Major; _____ Minor)

[1]**PRIMARY CONTACT** Gay Hoddy	**PRIMARY CONTACT MAILING ADDRESS** [redacted]	**PRIMARY CONTACT EMAIL**
PRIMARY CONTACT PHONE # [redacted]	**PRIMARY CONTACT FAX #**	**PRIMARY CONTACT OTHER #**(Cell, etc.)
[2]**ENGINEER CONTACT** John T. Whitehouse, PE,PLS	**ENGINEER MAILING ADDRESS** 52 Wheeler Rd. Sugar Grove, IL 60554-9595	**ENGINEER EMAIL** jwhitehouse@eeiweb.com
ENGINEER PHONE # 630-466-6717	**ENGINEER FAX #** 630-466-9701	**ENGINEER OTHER #** (Cell, etc.)

I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.

I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES.

SIGNATURE OF APPLICANT [redacted] **DATE** 7-22-2018

FEE PAID:$ 1455
CHECK #: [redacted]

RECEIVED
JUL 24 2018
KENDALL COUNTY PLANNING, BUILDING & ZONING
Date Stamp Here If Checklist Is Complete

[1]*Primary Contact will receive all correspondence from County*
[2]*Engineering Contact will receive all correspondence from the County's Engineering Consultants*

THE COUNTY OF KENDALL
FEBRUARY 19, 1841

DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

APPLICATION

PROJECT NAME ___The Harvest Moon Barn _____ **FILE #:**_____

NAME OF APPLICANT
Gay Hoddy

CURRENT LANDOWNER/NAME(s)
Maurice E. Ormiston as Trustee u/t/a No. 101 (50%) & Marilyn J. Ormiston as Trustee u/t/a No. 102 (50%)

SITE INFORMATION

ACRES	SITE ADDRESS OR LOCATION	ASSESSOR'S ID NUMBER (PIN)
5.1126	14905 Hughes Road, Newark, IL 60541-9480	04-34-100-001

EXISTING LAND USE	CURRENT ZONING	LAND CLASSIFICATION ON LRMP
Agricultural	A-1	Agricultural

REQUESTED ACTION (Check All That Apply):

- X SPECIAL USE
- ___ MAP AMENDMENT (Rezone to ____)
- X VARIANCE
- _____ADMINISTRATIVE VARIANCE
- ___ A-1 CONDITIONAL USE for:_____
- X SITE PLAN REVIEW
- ___ TEXT AMENDMENT
- ___ RPD (___Concept; ___ Preliminary; ___ Final)
- ___ ADMINISTRATIVE APPEAL
- ___ PRELIMINARY PLAT
- ___ FINAL PLAT
- ___ OTHER PLAT (Vacation, Dedication, etc.)
- ___ AMENDMENT TO A SPECIAL USE (_____Major; _____Minor)

[1]PRIMARY CONTACT	PRIMARY CONTACT MAILING ADDRESS	PRIMARY CONTACT EMAIL
Gay Hoddy	[redacted]	

PRIMARY CONTACT PHONE # [redacted]

PRIMARY CONTACT OTHER # (Cell, etc.)

[2]ENGINEER CONTACT	ENGINEER MAILING ADDRESS	ENGINEER EMAIL
John T. Whitehouse, PE,PLS	52 Wheeler Road, Sugar Grove, IL 60554	jwhitehouse@eeiweb.com

ENGINEER PHONE #	ENGINEER FAX #	ENGINEER OTHER # (Cell, etc.)
630-466-6717	630-466-6701	

I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.

I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES.

SIGNATURE OF APPLICANT [redacted] **DATE** 7-19-18

FEE PAID:$_____
CHECK #:_____

[1]*Primary Contact will receive all correspondence from County*
[2]*Engineering Contact will receive all correspondence from the County's Engineering Consultants*

NARRATIVE

FOR THE PROPOSED HARVEST MOON BARN

SPECIAL USE REQUEST TO
KENDALL COUNTY, ILLINOIS

THE PROPOSED HARVEST MOON BARN WILL BE LOCATED ON 5.11 ACRES OF THE PROPERTY IDENTIFIED BY PIN 04-34-100-001, LOCATED AT 14905 HUGHES ROAD IN FOX TOWNSHIP, KENDALL COUNTY, ILLINOIS.

THE PROPOSED HARVEST MOON BARN WILL BE A CELEBRATION BARN, TYPICALLY SERVICING WEDDINGS, BUT MAY ALSO INCLUDE BIRTHDAYS, GRADUATIONS, RETIREMENTS, etc. THE CAPACITY OF THE FACILITY WILL BE 250 PERSONS, INCLUDING THE SERVICE STAFF.

THE PROPOSED OPERATION WILL BE SEASONAL, TYPICAL RANGE OF DATES WOULD BE MAY 1st THROUGH OCTOBER 31st, WITH ACTUAL BEGINNING AND END OF PERIOD BEING WEATHER DEPENDENT. DAYS OF OPERATION WILL TYPICALLY WEEKENDS, INCLUDING FRIDAYS, BUT NOT EXCLUDING AN OCCASIONAL WEEKDAY EVENT. HOURS OF OPERATION FOR EVENTS WILL BE GENERALLY 4 PM TO 11 PM, WITH SOME EVENTS ENDING AT MIDNIGHT. EVENT PREPARATION WOULD TYPICALLY BEGIN AT 10:00 AM FOR A 4:00 PM START. TYPICAL PART-TIME EMPLOYEES WILL CONSIST OF TWO (2) HOSTS/HOSTESSES AND FOUR (4) SERVERS, DURING SCHEDULED EVENTS ONLY. NO EXCEPTIONS FROM THE COUNTY'S NOISE RESTRICTIONS ARE BEING REQUESTED.

CATERED FOOD, SOFT DRINKS AND ALCOHOLIC BEVERAGES ARE PLANNED TO BE SERVED TO EVENT GUESTS. ALL FOOD AND ALCOHOLIC BEVERAGE SERVICE WILL BE PROVIDED BY LICENSED VENDORS. ALL REQUIREMENTS OF THE KENDALL COUNTY HEALTH DEPARTMENT AND THE LIQUOR CONTROL COMMISSION WILL BE STRICTLY FOLLOWED FOR PERMITTING AND OPERATION.

REQUIRED PARKING SPACES IS 63 (BASED ON FACILITY CAPACITY OF 250 PERSONS), WITH MINIMUM 3 ADA ACCESSIBLE. PROVIDED PARKING SPACES IS 63 WITH 4 BEING ADA COMPLIANT ALONG WITH ACCESSIBLE ROUTES TO FACILITY AND TEMPORARY RESTROOM FACILITIES. NO ADDITIONAL SITE LANDSCAPING IS PROPOSED.

Applicant's answers in support of Findings of Fact for Special Use

J. STANDARDS. No special use shall be recommended by the Zoning Board of Appeals unless said Zoning Board of Appeals shall make a written finding. The Zoning Board of Appeals shall consider the following in rendering a decision, but is not required to make an affirmative finding on all items (Amended 3.21.18):

1. That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.

THE ESTABLISHMENT AND OPERATION OF THE SUBJECT SPECIAL USE WILL ENHANCE THE PUBLIC COMFORT AND GENERAL WELFARE IN THAT IT WILL PROVIDE ANOTHER SUCH VENUE IN RURAL KENDALL COUNTY TO SATISFY A CURRENT HIGH DEMAND FOR THE OFFERED SERVICES.

2. That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to ensure the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole.

THE PROPERTY ON WHICH THE PROPOSED SPECIAL USE IS PLANNED IS AGRICULTURAL WITH A SINGLE RESIDENCE AND ACCESSORY FARM BUILDINGS. NO NEW BUILDINGS ARE PROPOSED, BUT THE EXISTING BARN WILL BE USED FOR THE SCHEDULED EVENTS. A VERY SIMILAR FACILITY IS LOCATED 1 MILE TO THE EAST ON HUGHES ROAD, WHICH FACILITY IS OPERATING UNDER A KENDALL COUNTY SPECIAL USE. NO ADVERSE IMPACTS TO SURROUNDING PROPERTIES HAVE BEEN CAUSED BY THAT SPECIAL USE AND NONE IS EXPECTED IN ASSOCIATION WITH THIS REQUEST. THE PROPOSED USE WILL OCCUPY APPROXIMATELY 5 ACRES OF AN 80-ACRE AGRICULTURAL PROPERTY. EXCLUDING ON-PREMISE PARKING, ALL THE PROPOSED SPECIAL USE ACTIVITIES WILL OCCUR A MINIMUM OF 440 FEET FROM THE NEAREST ADJOINING PROPERTY LINE WHICH IS THE CENTERLINE OF HUGHES ROAD TO THE SOUTH.

2. That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided.

THE EXISTING RESIDENCE AND ACCESSORY FARM BUILDINGS ARE SERVED BY ELECTRICITY. NEW LIGHTING WILL BE HIGH EFFICIENCY LED LIGHTING OR SOLAR LED LIGHTING WITH LITTLE DEMAND ON CURRENT RESOURCES. THE PROPOSED FACILITY WILL BE SERVED BY A SINGLE POINT OF ACCESS TO HUGHES ROAD WHICH HAS NO SIGHT DISTANCE ISSUES IN EITHER DIRECTION. THE EXISTING RESIDENCE IS SERVED BY A WELL AND SEPTIC SYSTEM, BOTH OF WHICH WILL NOT BE IMPACTED BY THE SPECIAL USE. PROFESSIONALLY MAINTAINED PORTABLE SANITARY WASTE FACILITIES WILL BE UTILIZED AND REFUSE WILL BE HANDLED WITH WHEELED CONTAINERS PROVIDED BY A LICENSED WASTE HAULER.

3. That 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 County Board pursuant to the recommendation of the Zoning Board of Appeals.

ALL REGULATIONS OF THE AGRICULTURAL DISTRICT AND ZONING ORDINANCE WILL BE FOLLOWED WITH THE EXCEPTION OF THE FOLLOWING REQUESTED VARIATIONS FROM CERTAIN REGULATIONS ASSOCIATED WITH THIS SPECIAL USE APPLICATION.

a. ACCESS TO OTHER THAN AN ARTERIAL ROADWAY OR MAJOR COLLECTOR.
b. HARD SURFACE PARKING AREA
c. FULLY SHIELDED PARKING FACILITY LIGHTING.
d. ANY OTHER VARIATIONS REQUIRED TO ALLOW PROPOSED FACILITY AS PRESENTED.

4. *That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies.*

THE PROPOSED SPECIAL USE IS NOT WITHIN 1.5 MILES OF ANY MUNICIPALITY AND IS CONSISTENT WITH THE LAND RESOURCE MANAGEMENT PLAN IN THAT ONLY A VERY SMALL AREA, LESS THAN 0.25 ACRES IS BEING REMOVED FROM CROP PRODUCTION. THE PROPOSED SPECIAL USE IS CONSISTENT WITH ADOPTED COUNTY POLICIES IN THAT A VERY SIMILAR FACILITY IS CURRENTLY OPERATING UNDER A COUNTY SPECIAL USE PERMIT.

Please fill out the following findings of fact to the best of your capabilities. § 13.04 of the Zoning Ordinance outlines findings that the Zoning Board of Appeals shall take into consideration the extent to which the following conditions have been established by the evidence:

That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out.

THE PHYSICAL SURROUNDINGS OF THE SUBJECT PROPERTY, BEING LOCATED ON A LOCAL ROAD, WOULD NOT ALLOW THE PROPOSED SPECIAL USE IF THE STRICT LETTER OF THE REGULATIONS WAS CARRIED OUT. A SIMILAR FACILITY DOES OPERATE AS A SPECIAL USE ON THE SAME LOCAL ROAD 1 MILE TO THE EAST OF THE SUBJECT PROPERTY. THE VARIANCES ASSOCIATED WITH THE PARKING FACILITY ARE NOT RELATED TO PHYSICAL SURROUNDINGS, PROPERTY SHAPE OR TOPOGRAPHY.

That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification.

THE REQUESTED VARIATIONS WOULD GENERALLY NOT BE APPLICABLE TO OTHER PROPERTIES IN THE A-1 DISTRICT. SINCE THESE REQUESTED VARIANCES ARE BEING REQUESTED IN CONJUNCTION WITH A SPECIAL USE APPLICATION, WHICH SPECIAL USE CATEGORY DOES NOT SPECIFICALLY ADDRESS THE PROPOSED USE, THE APPLICANT BELIEVES THE REQUESTED VARIANCES ARE NECESSARY TO MAINTAIN A RURAL ATMOSPHERE FOR THE PROPOSED USE.

That the alleged difficulty or hardship has not been created by any person presently having an interest in the property.

THE VARIATIONS REQUESTED ARE NOT DIFFICULTIES OR HARDSHIPS CREATED BY ANYONE, BUT MINOR VARIATIONS TO THE REGULATIONS OF THE ZONING ORDINANCE. THIS TYPE OF FACILITY IS NOT SPECIFICALLY DISCUSSED IN THE ZONING ORDINANCE SO THE REQUESTED VARIANCES ARE FOR FUNCTIONAL AND NOT HARDSHIP REASONS.

That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located.

THE REQUESTED VARIATIONS REGARDING PARKING FACILITY SURFACING, SHIELDED LIGHTING AND ACCESS TO OTHER THAN AN ARTERIAL OR MAJOR COLLECTOR ROADWAY WILL NOT BE MATERIALLY DETRIMENTAL OR INJURIOUS TO OTHER PROPERTIES. THE OCCASIONAL USE OF TURF PARKING AREAS IS A VERY GREEN DESIGN IN LIEU OF A LARGE IMPERVIOUS SURFACE THAT WOULD INCREASE STORMWATER RUNOFF.

That 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 of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood.

THE PROPOSED FACILITY WILL NOT BE A FULL TIME OPERATION. THERE WILL BE AN OCCASIONAL INCREASE IN TRAFFIC VOLUMES BUT NOT TO THE DETRIMENT OF THE NEIGHBORHOOD. THE EXISTING TRAFFIC ON THE SUBJECT LOCAL ROAD IS VERY LOW. THIS TYPE OF FACILITY IS IN HIGH DEMAND AT THIS TIME AND SHOULD NOT SUBSTANTIALLY DIMINISH OR IMPAIR NEIGHBORHOOD PROPERTY VALUES.

LEGAL DESCRIPTION OF PARCEL
SUBJECT TO SPECIAL USE PERMIT APPLICATION
AND VARIANCE APPLICATION

THAT PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID WEST HALF; THENCE NORTH 89 DEGREES 41 MINUTES 16 SECONDS EAST, ALONG THE SOUTH LINE OF SAID NORTH HALF, 425.00 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 18 MINUTES 44 SECONDS WEST, 240.00 FEET; THENCE NORTH 89 DEGREES 41 MINUTES 16 SECONDS EAST, 175.00 FEET; THENCE NORTH 02 DEGREES 40 MINUTES 49 SECONDS WEST, 100.09 FEET; THENCE SOUTH 89 DEGREES 41 MINUTES 16 SECONDS WEST, 170.86 FEET; THENCE NORTH 00 DEGREES 18 MINUTES 44 SECONDS WEST, 260.00 FEET; THENCE NORTH 89 DEGREES 41 MINUTES 16 SECONDS EAST, 400.00 FEET; THENCE SOUTH 00 DEGREES 18 MINUTES 44 SECONDS EAST, 600.00 FEET TO SAID SOUTH LINE; THENCE SOUTH 89 DEGREES 41 MINUTES 16 SECONDS WEST, 400.00 FEET TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS.

THE ABOVE DESCRIBED PROPERTY CONTAINS 5.1126 Acres

98 11/24/1998 08:49A 1 of 1
Paul Anderson, Kendall County, IL Recorder

DEED IN TRUST

THIS INDENTURE WITNESSETH, that Grantors, Maurice E. Ormiston and Marilyn J. Ormiston, husband and wife, of the County of Kendall, State of Illinois, for and in consideration of Ten and no/100ths Dollars, and other good and valuable consideration in hand paid, receipt of which is hereby acknowledged, Convey and Quitclaim unto

MARILYN J. ORMISTON,

Trustee under the provisions of a Trust Agreement dated the 20th day of December, 1980, known as Trust No. 102, the following described real estate in the County of Kendall, and State of Illinois, to-wit:

An undivided one-half (1/2) interest in and to the following described premises::

The Northwest fractional quarter of Section 6, Township 35 North, Range 7 East of the Third Principal Meridian, (EXCEPT that part described as follows: Beginning at the Northwest corner of said Northwest fractional quarter; thence East along the section line to the extended East line of Block 3 of the Village of Helmar; thence South to the Southeast corner of Block 4 of the Village of Helmar; thence West along the South line of Block 4, and said line, extended, to the West line of Section 6; thence North along said West line to the point of beginning; also EXCEPT that part of the Northwest fractional quarter of Section 6, Township 35 North, Range 7 East of the Third Principal Meridian, described as follows: Commencing at the Northwest corner of said fractional quarter section; thence East along the North line of said section 297.11 feet to the Northerly extension of the East line of Block 3 of the Village of Helmar for the point of beginning; thence continuing East along said North line, 345.0 feet; thence South 00 degrees 55 minutes 08 seconds West, 280.0 feet; thence North 90 degrees West, 345.0 feet to the East line of said Block 3; thence North 00 degrees 55 minutes 08 seconds East along said East line, 280.0 feet to the point of beginning), in the Township of Lisbon, Kendall County, Illinois; (P.I.N. #_____); ALSO

The Northeast Quarter of the Northeast Quarter of Section 33, and the West Half of the Northwest Quarter of Section 34, all in Township 36 North, Range 6 East of the Third Principal Meridian, in the Township of Fox, County of Kendall and State of Illinois, and more commonly known as 14905 Hughes Road, Newark, Illinois;; (P.I.N. #04-33-200-001 and 04-34-100-001); ALSO

Government Lot 1 and the North 82 acres of Government Lot 2 of the Southwest

fractional Quarter of Section 6 and the North Half of Government Lot 1 of the Northwest fractional quarter of Section 7, all in Township 35 North, Range 7 East of the Third Principal Meridian, in the Township of Lisbon, County of Kendall and State of Illinois. (P.I.N. #_____)

TO HAVE AND TO HOLD said premises with the appurtenances thereunto upon the trusts and for the uses and purposes herein and in such trust agreement set forth.

Full power and authority is hereby granted to said trustee to improve, manage, protect and subdivide said premises or any part thereof, to dedicate parks, streets, highways, or alleys and vacate any subdivision or part thereof, and resubdivide said property as often as desired, contract to sell, grant options to purchase, sell on any terms, convey either with or without consideration, convey said premises or any part thereof to a successor in trust, and grant to such successor in trust all the title, estate, powers and authorities vested in said trustee, to donate, dedicate, mortgage, pledge or otherwise encumber said property, or any part thereof, to lease said property, or any part thereof, from time to time, in possession or reversion, by leases to commence in praesenti or in futuro, and upon any terms and for any period of time, not exceeding in the case of any single demise the term of 198 years, and to renew or extend leases upon any terms and for any period of time and amend, change or modify leases and the terms and provisions thereof at any time hereafter, to contract to make leases and grant options to lease and options to renew leases and options to purchase the whole or any part of the reversion and to contract respecting the manner of fixing the amount of present or future rentals, to partition or exchange said property, or any part thereof, for other real or personal property, grant easements or changes of any kind, release, convey or assign any right, title or interest in or about or easement appurtenant to said premises or any part thereof, and deal with said property and every part thereof in all other ways and for such other considerations as would be lawful for any person owning the same to deal with the same, whether similar to or different from the ways above specified, at any time or times hereafter.

In no case shall any party dealing with said trustee in relation to said premises, or to whom said premises or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by said trustee, be obliged to see to the application of any purchase money, rent, or money borrowed or advanced on said premises, or be obliged to see the terms of this trust have been complied with, or be obliged to inquire into the necessity or expediency of any act of said trustee, or be obliged or privileged to inquire into any of the terms of said trust agreement; and every deed, trust deed, mortgage, lease or other instrument executed by said trustee in relation to said real estate shall be conclusive evidence in favor of every person relying upon or claiming under any such conveyance, lease or other instrument (a) that at the time of delivery the trust created by this Indenture and by said trust agreement was in full force and effect, (b) that such conveyance or other instrument was executed in accordance with the trusts, conditions and limitations contained in this Indenture and said trust agreement or in some amendment thereof and binding upon all beneficiaries thereunder, (c) that said trustee was duly authorized and empowered to execute and deliver such deed, trust deed, lease, mortgage or other instrument and (d) if the conveyance is made to successors in trust, such successors have been properly appointed and are fully vested with all title, estate, rights, powers, authorities, and obligations of its, his or their predecessor in trust.

The interest of each and every beneficiary hereunder and of all persons claiming under them or any of them, shall be only in the earnings, avails and proceeds arising from the sale or other disposition of said real estate, and such interest is hereby declared to be personal property, and no beneficiary hereunder shall have any title or interest, legal or equitable, in or to said real estate as such, but only an interest in the earnings, avails and proceeds thereof as aforesaid.

Grantors hereby waive and release any and all right or benefit under and by virtue of statutes of the State of Illinois, providing for the exemption of homesteads from sale on execution or otherwise.

IN WITNESS WHEREOF, Grantors aforesaid have hereunto set their hands and seals this 17th day of November, 1998.

[redacted] (SEAL) [redacted] (SEAL)
Maurice E. Ormiston Marilyn J. Ormiston

STATE OF ILLINOIS)
) -ss-
COUNTY OF DE KALB)

I, the undersigned, a Notary Public in and for and residing in said County, in the State aforesaid, **DO HEREBY CERTIFY**, that Maurice E. Ormiston and Marilyn J. Ormiston, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 17th day of November, 1998.

[redacted]
Notary Public

Return to and Taxes to Grantee at:
Maurice E. Ormiston
[redacted]

Exempt under provisions of Paragraph e, Section 4, Real
11-17-98
Date Buyer, Seller or Representative [redacted]

This instrument was prepared by:
Ronald G. Klein
555 Bethany Road, DeKalb, IL 60115

jh oct98 143

9816560 11/24/1998 08:49A 1 of 1
Paul Anderson, Kendall County, IL Recorder

DEED IN TRUST

THIS INDENTURE WITNESSETH, that Grantors, Maurice E. Ormiston and Marilyn J. Ormiston, husband and wife, of the County of Kendall, State of Illinois, for and in consideration of Ten and no/100ths Dollars, and other good and valuable consideration in hand paid, receipt of which is hereby acknowledged, Convey and Quitclaim unto

MAURICE E. ORMISTON,

Trustee under the provisions of a Trust Agreement dated the 20th day of December, 1980, known as Trust No. 101, the following described real estate in the County of Kendall, and State of Illinois, to-wit:

An undivided one-half (1/2) interest in and to the following described premises::

The Northwest fractional quarter of Section 6, Township 35 North, Range 7 East of the Third Principal Meridian, (EXCEPT that part described as follows: Beginning at the Northwest corner of said Northwest fractional quarter; thence East along the section line to the extended East line of Block 3 of the Village of Helmar; thence South to the Southeast corner of Block 4 of the Village of Helmar; thence West along the South line of Block 4, and said line, extended, to the West line of Section 6; thence North along said West line to the point of beginning; also EXCEPT that part of the Northwest fractional quarter of Section 6, Township 35 North, Range 7 East of the Third Principal Meridian, described as follows: Commencing at the Northwest corner of said fractional quarter section; thence East along the North line of said section 297.11 feet to the Northerly extension of the East line of Block 3 of the Village of Helmar for the point of beginning; thence continuing East along said North line, 345.0 feet; thence South 00 degrees 55 minutes 08 seconds West, 280.0 feet; thence North 90 degrees West, 345.0 feet to the East line of said Block 3; thence North 00 degrees 55 minutes 08 seconds East along said East line, 280.0 feet to the point of beginning), in the Township of Lisbon, Kendall County, Illinois; (P.I.N. #_____); ALSO

The Northeast Quarter of the Northeast Quarter of Section 33, and the West Half of the Northwest Quarter of Section 34, all in Township 36 North, Range 6 East of the Third Principal Meridian, in the Township of Fox, County of Kendall and State of Illinois, and more commonly known as 14905 Hughes Road, Newark, Illinois; (P.I.N. #04-33-200-001 and 04-34-100-001); ALSO

Government Lot 1 and the North 82 acres of Government Lot 2 of the Southwest

fractional Quarter of Section 6 and the North Half of Government Lot 1 of the Northwest fractional quarter of Section 7, all in Township 35 North, Range 7 East of the Third Principal Meridian, in the Township of Lisbon, County of Kendall and State of Illinois. (P.I.N. #_____)

TO HAVE AND TO HOLD said premises with the appurtenances thereunto upon the trusts and for the uses and purposes herein and in such trust agreement set forth.

Full power and authority is hereby granted to said trustee to improve, manage, protect and subdivide said premises or any part thereof, to dedicate parks, streets, highways, or alleys and vacate any subdivision or part thereof, and resubdivide said property as often as desired, contract to sell, grant options to purchase, sell on any terms, convey either with or without consideration, convey said premises or any part thereof to a successor in trust, and grant to such successor in trust all the title, estate, powers and authorities vested in said trustee, to donate, dedicate, mortgage, pledge or otherwise encumber said property, or any part thereof, to lease said property, or any part thereof, from time to time, in possession or reversion, by leases to commence in praesenti or in futuro, and upon any terms and for any period of time, not exceeding in the case of any single demise the term of 198 years, and to renew or extend leases upon any terms and for any period of time and amend, change or modify leases and the terms and provisions thereof at any time hereafter, to contract to make leases and grant options to lease and options to renew leases and options to purchase the whole or any part of the reversion and to contract respecting the manner of fixing the amount of present or future rentals, to partition or exchange said property, or any part thereof, for other real or personal property, grant easements or changes of any kind, release, convey or assign any right, title or interest in or about or easement appurtenant to said premises or any part thereof, and deal with said property and every part thereof in all other ways and for such other considerations as would be lawful for any person owning the same to deal with the same, whether similar to or different from the ways above specified, at any time or times hereafter.

In no case shall any party dealing with said trustee in relation to said premises, or to whom said premises or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by said trustee, be obliged to see to the application of any purchase money, rent, or money borrowed or advanced on said premises, or be obliged to see the terms of this trust have been complied with, or be obliged to inquire into the necessity or expediency of any act of said trustee, or be obliged or privileged to inquire into any of the terms of said trust agreement; and every deed, trust deed, mortgage, lease or other instrument executed by said trustee in relation to said real estate shall be conclusive evidence in favor of every person relying upon or claiming under any such conveyance, lease or other instrument (a) that at the time of delivery the trust created by this Indenture and by said trust agreement was in full force and effect, (b) that such conveyance or other instrument was executed in accordance with the trusts, conditions and limitations contained in this Indenture and said trust agreement or in some amendment thereof and binding upon all beneficiaries thereunder, (c) that said trustee was duly authorized and empowered to execute and deliver such deed, trust deed, lease, mortgage or other instrument and (d) if the conveyance is made to successors in trust, such successors have been properly appointed and are fully vested with all title, estate, rights, powers, authorities, and obligations of its, his or their predecessor in trust.

The interest of each and every beneficiary hereunder and of all persons claiming under them or any of them, shall be only in the earnings, avails and proceeds arising from the sale or other disposition of said real estate, and such interest is hereby declared to be personal property, and no beneficiary hereunder shall have any title or interest, legal or equitable, in or to said real estate as such, but only an interest in the earnings, avails and proceeds thereof as aforesaid.

Grantors hereby waive and release any and all right or benefit under and by virtue of statutes of the State of Illinois, providing for the exemption of homesteads from sale on execution or otherwise.

IN WITNESS WHEREOF, Grantors aforesaid have hereunto set their hands and seals this 17th day of November, 1998.

[redacted] (SEAL) [redacted] (SEAL)

Maurice E. Ormiston Marilyn J. Ormiston

STATE OF ILLINOIS)
) -ss-
COUNTY OF DE KALB)

I, the undersigned, a Notary Public in and for and residing in said County, in the State aforesaid, **DO HEREBY CERTIFY**, that Maurice E. Ormiston and Marilyn J. Ormiston, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 17th day of November, 1998.

[redacted]

Notary Public

Return to and Taxes to Grantee at:
Maurice E. Ormiston
[redacted]

This instrument was prepared by:
Ronald G. Klein
555 Bethany Road, DeKalb, IL 60115

jh oct98 143

[redacted]

KENDALL COUNTY
DISCLOSURE OF BENEFICIARIES FORM

1. Applicant Gayle Hoddy

   Address 14905 Hughes Road

   City Newark State IL Zip 60541

2. Nature of Benefit Sought Special Use Permit

3. Nature of Applicant: (Please check one)
   - X Natural Person (a)
   - ___ Corporation (b)
   - ___ Land Trust/Trustee (c)
   - ___ Trust/Trustee (d)
   - ___ Partnership (e)
   - ___ Joint Venture (f)

4. If applicant is an entity other than described in Section 3, briefly state the nature and characteristics of the applicant:

   Applicant is daughter-in-law of the property owners and resides on the property.

5. If your answer to Section 3 you have checked letter b, c, d, e, or f, identify by name and address each person or entity who is a 5% shareholder in case of a corporation, a beneficiary in the case of a trust or land trust, a joint venture in the case of a joint venture, or who otherwise has proprietary interest, interest in profits and losses or right to control such entity:

NAME	ADDRESS	INTEREST
Maurice E. Ormiston Trust	11718 Newark Road, Newark, IL 60541-9236	50%
Marilyn J. Ormiston Trust	11718 Newark Road, Newark, IL 60541-9236	50%

6. Name, address, and capacity of person making this disclosure on behalf of the applicant:

   Maurice E. Ormiston 11718 Newark Road, Newark, IL 60541-9236, Beneficiary

VERIFICATION

I, [redacted], being first duly sworn under oath that I am the person making this disclosure on behalf of the applicant, that I am duly authorized to make the disclosure, that I have red the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein are true in both substance and fact.

[redacted] Trustee

Subscribed and sworn to before me this 17th day of July . A.D. 2018

(seal)

[redacted]
Notary Public

OFFICIAL SEAL
DIANE YOHNKA JORSTAD
NOTARY PUBLIC, STATE OF ILLINOIS
County of Grundy
My Commission Expires 03/21/2020

Kendall County Soil & Water Conservation District

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

www.kendallswcd.org

NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

Petitioner: Gayle Hoddy
Address: [redacted]
City, State, Zip: [redacted]
Phone Number: [redacted]
Email: [redacted]

Contact Person: John T. Whitehouse, P.E., P.L.S.
52 Wheeler Road
Sugar Grove, IL 60554-9595
( ) 630-466-6717
jwhitehouse@eeiweb.com

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

Site Location & Proposed Use

Township Name Fox Township 36 N, Range 6 E, Section(s) 34
Parcel Index Number(s) 04-34-100-001
Project or Subdivision Name Harvest Moon Barn Number of Acres 5.11
Current Use of Site Agricultural-Residential Proposed Use Wedding and Reception Facility
Proposed Number of Lots No new lots Proposed Number of Structures No new structures
Proposed Water Supply Existing Well Proposed type of Wastewater Treatment Portable
Proposed type of Storm Water Management Not applicable

Type of Request

☐ Change in Zoning from _____ to _____
☐ Variance (Please describe fully on separate page)
☑ Special Use Permit (Please describe fully on separate page)
Name of County or Municipality the request is being filed with: Kendall County

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

☑ **Plat of Survey/Site Plan** – showing location, legal description and property measurements
☑ **Concept Plan** - showing the locations of proposed lots, buildings, roads, stormwater detention, open areas, etc.
◉ If available: topography map, field tile map, copy of soil boring and/or wetland studies
◉ **NRI fee** (Please make checks payable to Kendall County SWCD)
The NRI fees, as of July 1, 2010, are as follows:
Full Report: $375.00 for five acres and under, plus $18.00 per acre for each additional acre or any fraction thereof over five.
Executive Summary Report: $300.00 (KCSWCD staff will determine when a summary or full report will be necessary.)

Fee for first five acres and under	$ 375.00
1 Additional Acres at $18.00 each	$ 18.00
Total NRI Fee	**$** 393.00

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

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

[redacted]
Petitioner or Authorized Agent

7-11-2018
Date

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

FOR OFFICE USE ONLY

NRI# 1806 Date initially rec'd 7/16/18 Date all rec'd 7/16/18 Board Meeting 8/13/18
Fee Due $ 300.00 Fee Paid $ 393.00 Check # 1918 Over/Under Payment $93 Refund Due _____

EcoCAT
Ecological Compliance Assessment Tool

ILLINOIS DEPARTMENT OF NATURAL RESOURCES

Applicant: Gayle Hoddy
Contact: John T. Whitehouse
Address: 14905 Hughes Road
Newark, IL 60541

Project: Harvest Moon Barn
Address: 14905 Hughes Road, Newark

IDNR Project Number: 1900312
Date: 07/11/2018

Description: A request for a Special Use Permit from Kendall County to operate a wedding and reception facility in an existing barn on an existing agricultural property.

Natural Resource Review Results

Consultation for Endangered Species Protection and Natural Areas Preservation (Part 1075)

The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

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

Location

The applicant is responsible for the accuracy of the location submitted for the project.

County: Kendall

Township, Range, Section:
36N, 6E, 34

IL Department of Natural Resources Contact
Natalia Jones
217-785-5500
Division of Ecosystems & Environment

Government Jurisdiction
Kendall County
John T. Whitehouse
52 Wheeler Road
Sugar Grove, Illinois 60554

Disclaimer

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, compliance with applicable statutes and regulations is required.

IDNR Project Number: 1900312

Terms of Use

By using this website, you acknowledge that you have read and agree to these terms. These terms may be revised by IDNR as necessary. If you continue to use the EcoCAT application after we post changes to these terms, it will mean that you accept such changes. If at any time you do not accept the Terms of Use, you may not continue to use the website.

1. The IDNR EcoCAT website was developed so that units of local government, state agencies and the public could request information or begin natural resource consultations on-line for the Illinois Endangered Species Protection Act, Illinois Natural Areas Preservation Act, and Illinois Interagency Wetland Policy Act. EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if proposed actions are in the vicinity of protected natural resources. By indicating your agreement to the Terms of Use for this application, you warrant that you will not use this web site for any other purpose.

2. Unauthorized attempts to upload, download, or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure Protection Act.

3. IDNR reserves the right to enhance, modify, alter, or suspend the website at any time without notice, or to terminate or restrict access.

Security

EcoCAT operates on a state of Illinois computer system. We may use software to monitor traffic and to identify unauthorized attempts to upload, download, or change information, to cause harm or otherwise to damage this site. Unauthorized attempts to upload, download, or change information on this server is strictly prohibited by law.

Unauthorized use, tampering with or modification of this system, including supporting hardware or software, may subject the violator to criminal and civil penalties. In the event of unauthorized intrusion, all relevant information regarding possible violation of law may be provided to law enforcement officials.

Privacy

EcoCAT generates a public record subject to disclosure under the Freedom of Information Act. Otherwise, IDNR uses the information submitted to EcoCAT solely for internal tracking purposes.

DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

ENGINEERING CONSULTANT FEES

I, Gay Hoddy (Applicant Name) understand that Kendall County uses the services of a consultant for engineering reviews and inspections and that I will be responsible for payment of services on The Harvest Moon Barn (Project Name) project. I authorize the consulting services to proceed.

☒ IF THIS IS ***NOT*** PART OF A BUILDING PERMIT APPLICATION, PLEASE CHECK THE BOX AND COMPLETE THIS SECTION:

I hereby submit a deposit of 1200 ($ Amount) payable to the **Kendall County Treasurer** to be used by Kendall County to reimburse consultant for charges invoiced for work done in the review, approval and inspection of the proposed improvements.

I understand that if the deposit is depleted that I may be required to replenish the deposit to have work proceed.

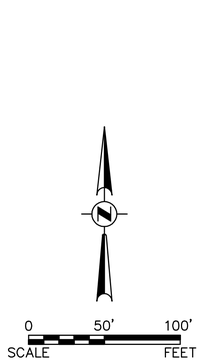
I further understand that Kendall County will not issue a Building Permit or a Certificate of Occupancy as the case may be until I provide payment or proof of payment for the engineering services.

Signature of Applicant: [redacted] Date: 7-22-2018

PLAT OF SURVEY

THAT PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID WEST HALF; THENCE NORTH 89 DEGREES 41 MINUTES 16 SECONDS EAST, ALONG THE SOUTH LINE OF SAID NORTH HALF, 425.00 FEET FOR THE POINT OF BEGINNING;
THENCE NORTH 00 DEGREES 18 MINUTES 44 SECONDS WEST, 240.00 FEET;
THENCE NORTH 89 DEGREES 41 MINUTES 16 SECONDS EAST, 175.00 FEET;
THENCE NORTH 02 DEGREES 40 MINUTES 49 SECONDS WEST, 100.09 FEET;
THENCE SOUTH 89 DEGREES 41 MINUTES 16 SECONDS WEST, 170.86 FEET;
THENCE NORTH 00 DEGREES 18 MINUTES 44 SECONDS WEST, 260.00 FEET;
THENCE NORTH 89 DEGREES 41 MINUTES 16 SECONDS EAST, 400.00 FEET;
THENCE SOUTH 00 DEGREES 18 MINUTES 44 SECONDS EAST, 600.00 FEET TO SAID SOUTH LINE; THENCE SOUTH 89 DEGREES 41 MINUTES 16 SECONDS WEST, 400.00 FEET TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS.

THE ABOVE DESCRIBED PROPERTY CONTAINS 5.1126 Acres



SITE REFERENCE MARK 1
CUT CROSS ON THE NORTHEAST CORNER OF CONCRETE PAD WITH MANHOLE COVER, 120' NORTH OF HOUSE ELEVATION = 753.21 (NAVD88)

SITE REFERENCE MARK 2
NORTHWEST CORNER OF CONCRETE STOOP ON THE NORTH SIDE OF THE CORN CRIB ON THE EAST SIDE OF PROPERTY ELEVATION = 751.30 (NAVD88)

NOTES:

1. THE BASIS OF BEARINGS IS THE ILLINOIS STATE PLANE COORDINATE SYSTEM.
2. FOR BUILDING LINES, EASEMENTS AND OTHER RESTRICTIONS NOT SHOWN HEREON, REFER TO YOUR DEED, TITLE POLICY, ZONING ORDINANCE, ETC. COMPARE ALL POINTS BEFORE BUILDING AND REPORT ANY DIFFERENCE AT ONCE. CONTACT UTILITY COMPANIES BEFORE BUILDING

STATE OF ILLINOIS)
)SS
COUNTY OF KANE)

THIS IS TO CERTIFY THAT WE, ENGINEERING ENTERPRISES INC., HAVE PERFORMED A BOUNDARY SURVEY OF THE PROPERTY DESCRIBED IN THE ABOVE LEGAL DESCRIPTION, AS SHOWN BY THE ANNEXED PLAT, WHICH IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. FIELD WORK PERFORMED APRIL 13, 2018.

GIVEN UNDER MY HAND AND SEAL AT SUGAR GROVE, ILLINOIS, THIS 13th DAY OF JULY, 2018.

BY: _____
JOHN T. W HITEHOUSE, P.E., P.L.S.
PROFESSIONAL LAND SURVEYOR #2724
(EXPIRES 11-30-18)

ENGINEERING ENTERPRISES, INC.
PROFESSIONAL DESIGN FIRM #184-002003
(EXPIRES 04-30-19)

JOHN T. WHITEHOUSE 35-2724 PROFESSIONAL LAND SURVEYOR STATE OF ILLINOIS SUGAR GROVE, IL

Engineering Enterprises, Inc.
CONSULTING ENGINEERS
52 Wheeler Road
Sugar Grove, Illinois 60554
630.466.6700 / www.eeiweb.com

GAY HODDY
THE HALF MOON BARN
14905 HUGHES ROAD
NEWARK, IL 60541-9480

NO.	DATE	REVISIONS

PLAT OF SURVEY

DATE: JULY 13, 2018
PROJECT NO. P16008
FILE NO P18006 CIVIL BASE
PAGE 1 OF 1

Plotted: July 23, 2018 @ 2:02 PM By: John Whitehouse - Tab: S.U. Plat of Survey

SPECIAL USE PARCEL
WITHIN PIN 04-34-100-001

THE WEST HALF OF NW-1/4
OF SECTION 34-36-6

HUGHES ROAD
#14905

LEGAL DESCRIPTION OF PARCEL
SUBJECT TO SPECIAL USE APPLICATION

THAT PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID WEST HALF; THENCE NORTH 89 DEGREES 41 MINUTES 16 SECONDS EAST, ALONG THE SOUTH LINE OF SAID NORTH HALF, 425.00 FEET FOR THE POINT OF BEGINNING;
THENCE NORTH 00 DEGREES 18 MINUTES 44 SECONDS WEST, 240.00 FEET;
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THENCE NORTH 00 DEGREES 18 MINUTES 44 SECONDS WEST, 260.00 FEET;
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THENCE SOUTH 00 DEGREES 18 MINUTES 44 SECONDS EAST, 600.00 FEET TO SAID SOUTH LINE; THENCE SOUTH 89 DEGREES 41 MINUTES 16 SECONDS WEST, 400.00 FEET TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS.

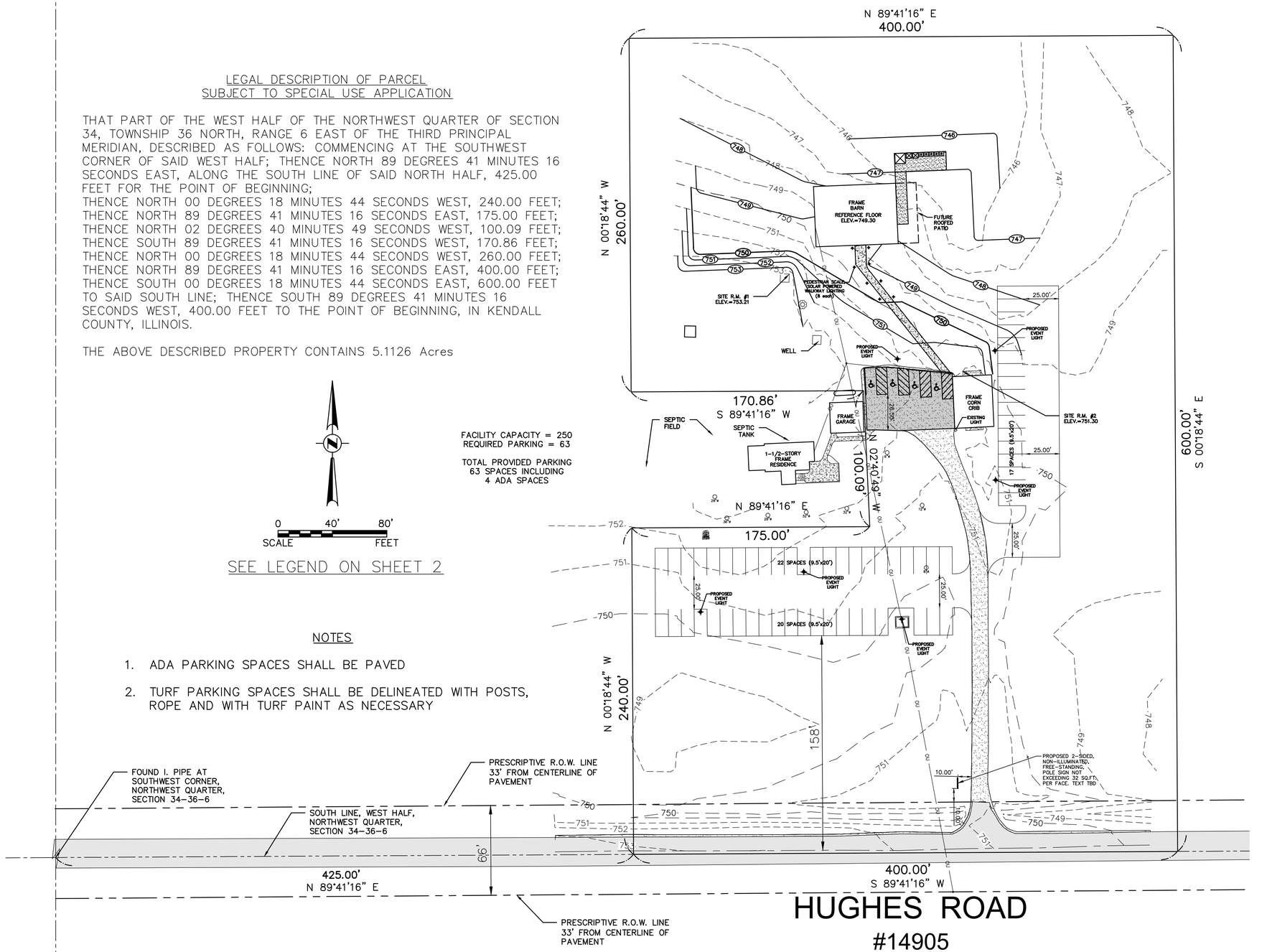
THE ABOVE DESCRIBED PROPERTY CONTAINS 5.1126 Acres

0 40' 80'
SCALE FEET

SEE LEGEND ON SHEET 2

FACILITY CAPACITY = 250
REQUIRED PARKING = 63

TOTAL PROVIDED PARKING
63 SPACES INCLUDING
4 ADA SPACES



NOTES

1. ADA PARKING SPACES SHALL BE PAVED
2. TURF PARKING SPACES SHALL BE DELINEATED WITH POSTS, ROPE AND WITH TURF PAINT AS NECESSARY

ENGINEER'S & SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THESE PLANS AND LEGAL DESCRIPTION WERE PREPARED BY ME.

DATED AT SUGAR GROVE, ILLINOIS,

THIS 11th DAY OF MAY, 2018.

JOHN T. WHITEHOUSE 62-42859 LICENSED PROFESSIONAL ENGINEER OF ILLINOIS

JOHN T. WHITEHOUSE 35-2724 PROFESSIONAL LAND SURVEYOR STATE OF ILLINOIS SUGAR GROVE, IL

JOHN T. WHITEHOUSE, P.E., P.L.S.
ILLINOIS LIC. PROF. ENGINEER NO. 62-42859 (Exp. 11-30-19)
ILLINOIS PROF. LAND SURVEYOR NO. 35-2724 (Exp. 11-30-18)

Engineering Enterprises, Inc.
CONSULTING ENGINEERS
52 Wheeler Road
Sugar Grove, Illinois 60554
630.466.6700 / www.eeiweb.com
Illinois Professional Design Firm # 184-002003

GAY HODDY
14905 Hughes Road
Newark, IL 60541-9480

NO.	DATE	REVISIONS

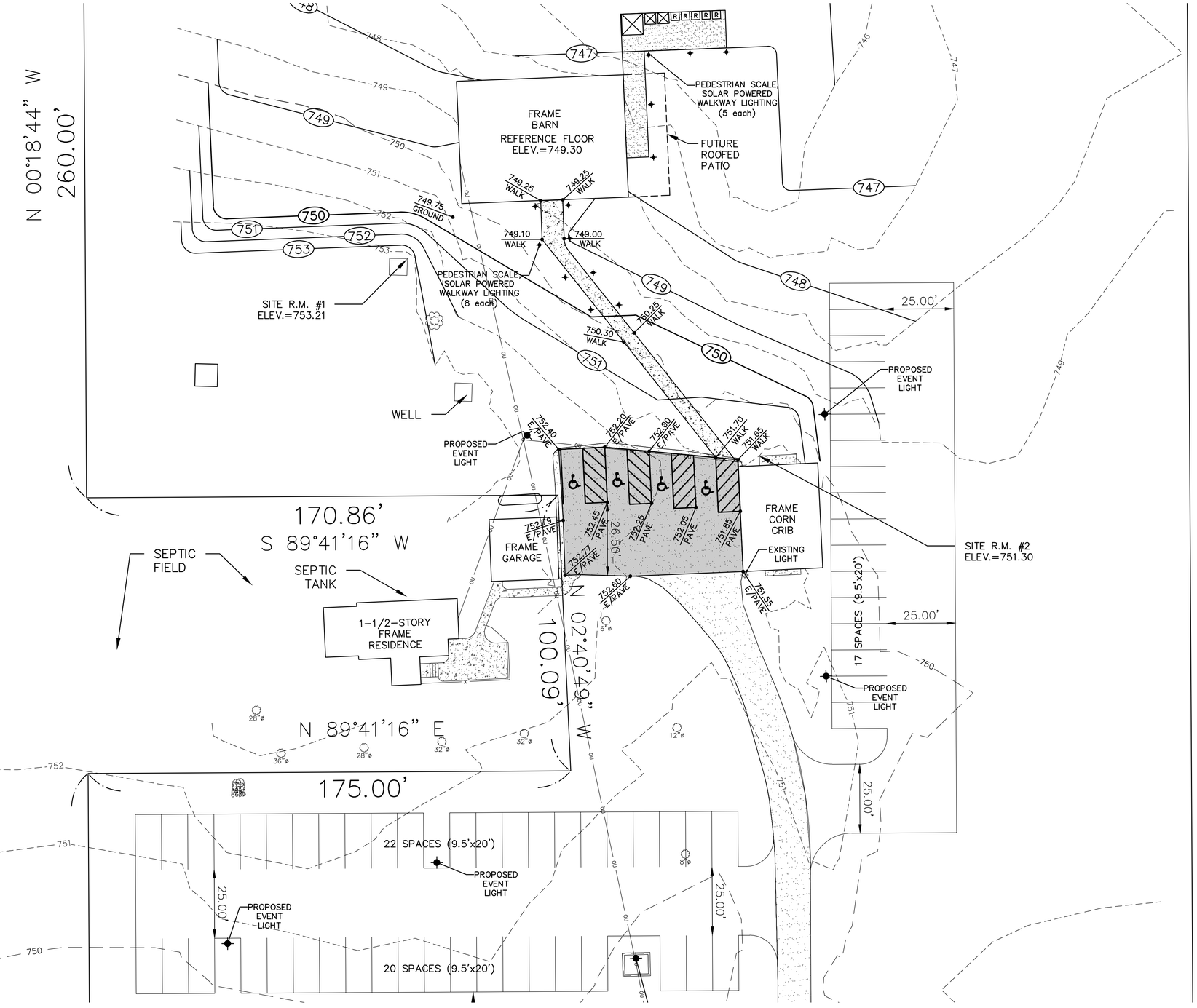
THE HARVEST MOON BARN
14905 HUGHES ROAD
KENDALL COUNTY, ILLINOIS

PROPOSED OVERALL SITE PLAN

DATE:	MAY, 2018
PROJECT NO:	P17043
FILE:	P18006 CIVIL BASE
SHEET	1 OF 4

Plotted: July 23, 2018 @ 10:42 AM By: John Whitehouse - Tab: Overall Site Plan

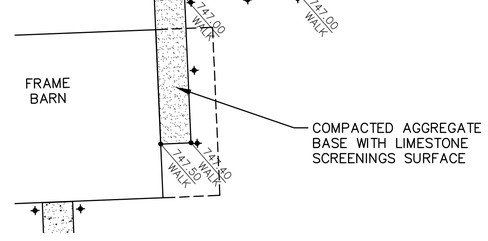
Path: H:\SUSKPROJ\P18006_DWG XREF\P18006 CIVIL BASE



0 20' 40'
SCALE FEET

LEGEND

EXISTING	DESCRIPTION	PROPOSED
896	CONTOUR	896
6" ø	TREE	
+ 000.00	ELEVATION	709.0 E/PAVE
	LIGHT	
	UTILITY POLE	
	BITUMINOUS PAVEMENT	
	CONCRETE	
	GRAVEL	
	DRAINAGE DIRECTION	



REFUSE AND SANITARY FACILITIES DETAIL

SITE REFERENCE MARK 1

CUT CROSS ON THE NORTHEAST CORNER OF CONCRETE PAD WITH MANHOLE COVER, 120' NORTH OF HOUSE

ELEVATION = 753.21 (NAVD88)

SITE REFERENCE MARK 2

NORTHWEST CORNER OF CONCRETE STOOP ON THE NORTH SIDE OF THE CORN CRIB ON THE EAST SIDE OF PROPERTY

ELEVATION = 751.30 (NAVD88)

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Illinois Professional Design Firm # 184-002003

GAY HODDY
14905 Hughes Road
Newark, IL 60541

NO.	DATE	REVISIONS

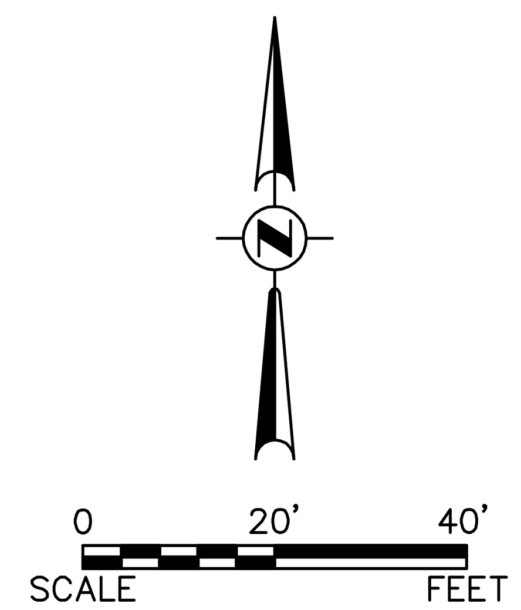
THE HARVEST MOON BARN
14905 HUGHES ROAD
KENDALL COUNTY, ILLINOIS

PROPOSED SITE PLAN DETAIL

DATE:	MAY, 2018
PROJECT NO:	P17043
FILE:	P18006 CIVIL BASE
SHEET	2 OF 4

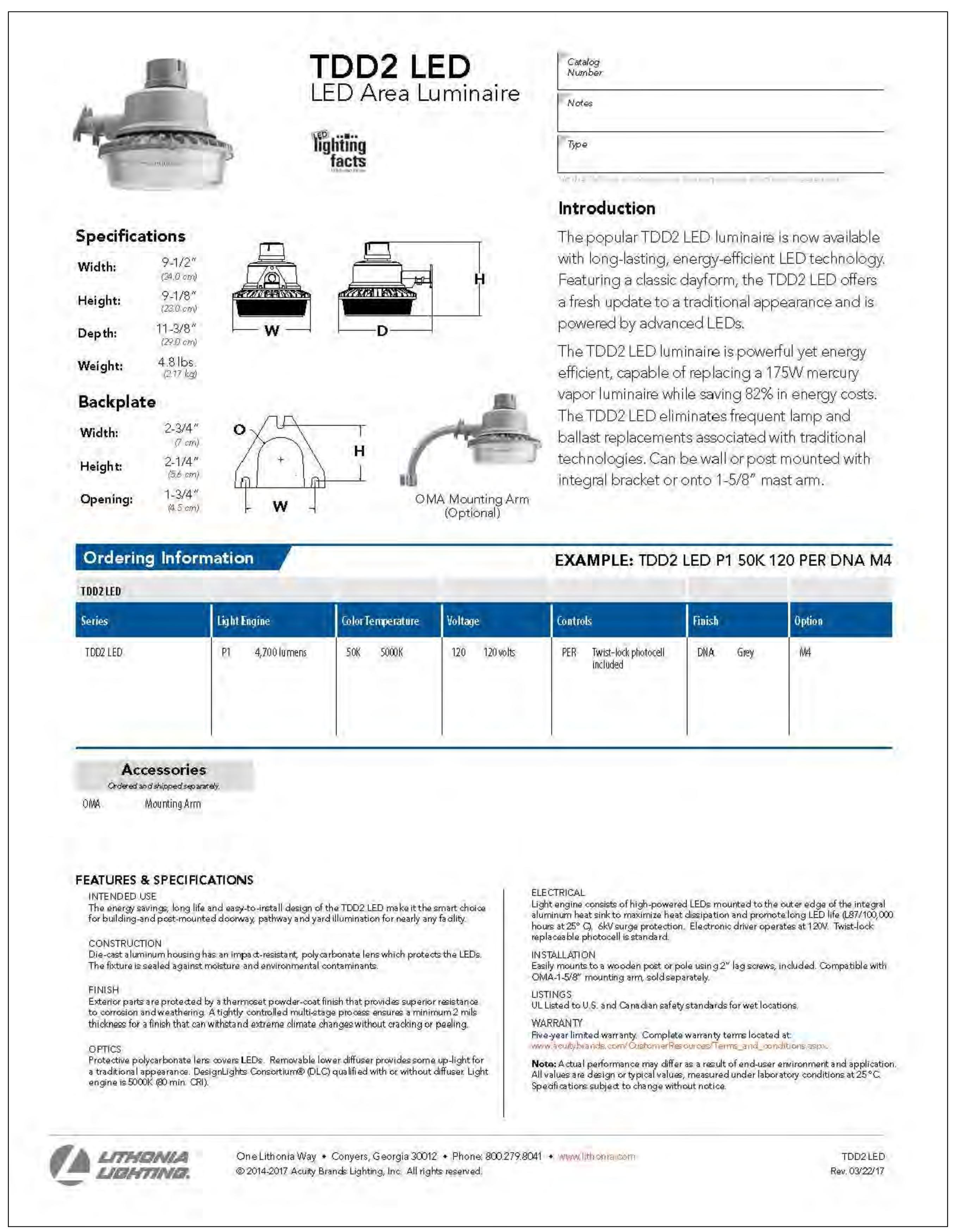
Plotted: July 23, 2018 @ 12:07 PM By: John Whitehouse - Tab: Site Plan Detail

Path: R:\2DSKPROJ\P18006_DWG XREF\P18006 CIVIL BASE



PHOTOMETRIC NOTES

THE FOOTCANDLE (Fc) PHOTMETRIC PROJECTIONS SHOWN HEREON ARE BASED ON LITHONIA LIGHTING FIXTURE TDD2 LED AREA LIGHT MOUNTED AT A HEIGHT OF 20 FEET.



TDD2 LED
LED Area Luminaire

Catalog Number
Notes
Type

Introduction

The popular TDD2 LED luminaire is now available with long-lasting, energy-efficient LED technology. Featuring a classic dayform, the TDD2 LED offers a fresh update to a traditional appearance and is powered by advanced LEDs.

The TDD2 LED luminaire is powerful yet energy efficient, capable of replacing a 175W mercury vapor luminaire while saving 82% in energy costs. The TDD2 LED eliminates frequent lamp and ballast replacements associated with traditional technologies. Can be wall or post mounted with integral bracket or onto 1-5/8" mast arm.

Specifications

Width: 9-1/2" (24.0 cm)
Height: 9-1/8" (23.0 cm)
Depth: 11-3/8" (29.0 cm)
Weight: 4.8 lbs. (2.17 kg)

Backplate

Width: 2-3/4" (7 cm)
Height: 2-1/4" (5.6 cm)
Opening: 1-3/4" (4.5 cm)

OMA Mounting Arm (Optional)

Ordering Information EXAMPLE: TDD2 LED P1 50K 120 PER DNA M4

TDD2 LED

Series	Light Engine	Color Temperature	Voltage	Controls	Finish	Option
TDD2 LED	P1 4,700 lumens	50K 5000K	120 120 volts	PER Twist-lock photocell included	DNA Grey	M4

Accessories
Ordered and shipped separately.
OMA Mounting Arm

FEATURES & SPECIFICATIONS

INTENDED USE
The energy savings, long life and easy-to-install design of the TDD2 LED make it the smart choice for building-and post-mounted doorway, pathway and yard illumination for nearly any facility.

CONSTRUCTION
Die-cast aluminum housing has an impact-resistant, polycarbonate lens which protects the LEDs. The fixture is sealed against moisture and environmental contaminants.

FINISH
Exterior parts are protected by a thermoset powder-coat finish that provides superior resistance to corrosion and weathering. A tightly controlled multi-stage process ensures a minimum 2 mils thickness for a finish that can withstand extreme climate changes without cracking or peeling.

OPTICS
Protective polycarbonate lens covers LEDs. Removable lower diffuser provides some up-light for a traditional appearance. DesignLights Consortium® (DLC) qualified with or without diffuser. Light engine is 5000K (80 min. CRI).

ELECTRICAL
Light engine consists of high-powered LEDs mounted to the outer edge of the integral aluminum heat sink to maximize heat dissipation and promote long LED life (L87/100,000 hours at 25° C). 6kV surge protection. Electronic driver operates at 120V. Twist-lock replaceable photocell is standard.

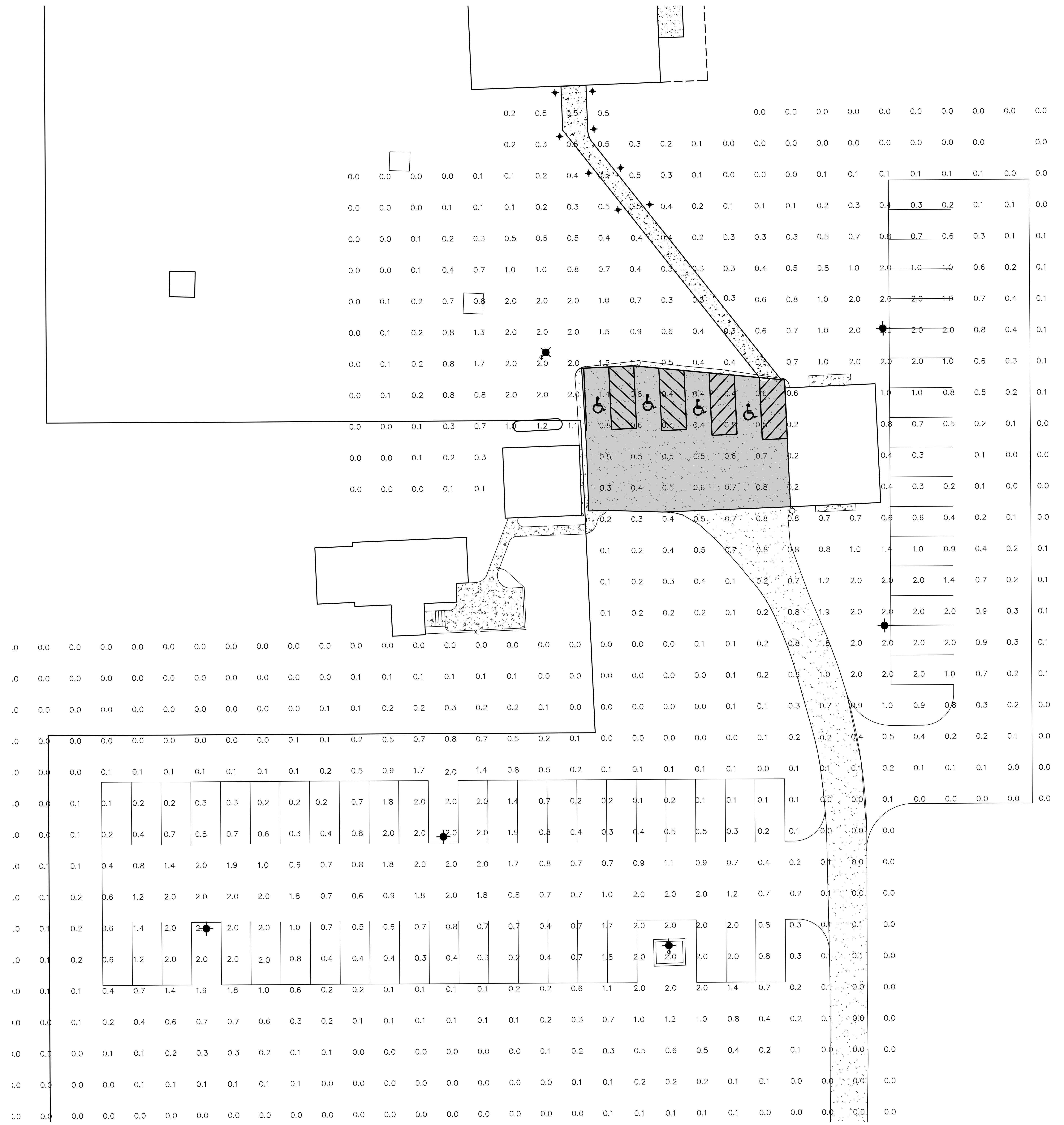
INSTALLATION
Easily mounts to a wooden post or pole using 2" lag screws, included. Compatible with OMA-1-5/8" mounting arm, sold separately.

LISTINGS
UL Listed to U.S. and Canadian safety standards for wet locations.

WARRANTY
Five-year limited warranty. Complete warranty terms located at: www.acuitybrands.com/CustomerResources/Terms_and_conditions.aspx

Note: Actual performance may differ as a result of end-user environment and application. All values are design or typical values, measured under laboratory conditions at 25°C. Specifications subject to change without notice.

LITHONIA LIGHTING. One Lithonia Way • Conyers, Georgia 30012 • Phone: 800.279.8041 • www.lithonia.com
© 2014-2017 Acuity Brands Lighting, Inc. All rights reserved.
TDD2 LED Rev. 03/22/17



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Illinois Professional Design Firm # 184–002003

GAY HODDY
14905 Hughes Road
Newark, IL 60541

NO.	DATE	REVISIONS

THE HARVEST MOON BARN
14905 HUGHES ROAD
KENDALL COUNTY, ILLINOIS

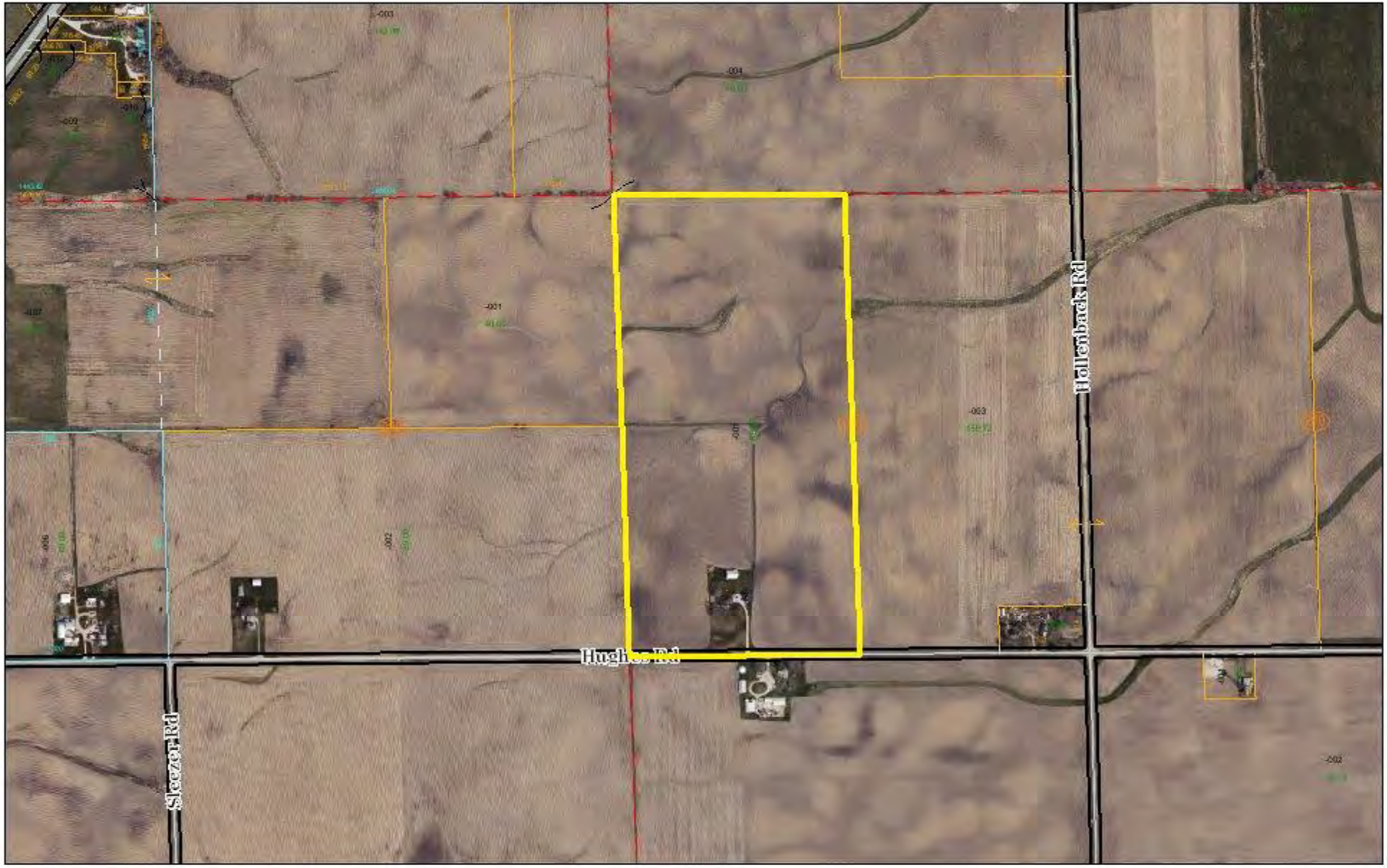
PROPOSED PARKING FACILITY PHOTOMETRIC PLAN

DATE: MAY, 2018
PROJECT NO: P17043
FILE: P18006 CIVIL BASE
SHEET 3 OF 4

Plotted: July 23, 2018 @ 12:04 PM By: John Whitehouse – Tab: Parking Photometrics

Path: H:\SDSKPROJ\P18006_DWG XREF\P18006 CIVIL BASE

Attachment 4
14905 Hughes Road



July 26, 2018

- Agricultural
- Agricultural-Building Permit
- Agricultural-Special Use
- Agricultural-Special Use-Planned Unit Development

1:12,699

0 0.1 0.2 0.4 mi

0 0.15 0.3 0.6 km

Kendall County Illinois GIS, FEMA
Kendall County Illinois GIS

Attachment 5 Front Property and West Parking Area

Attachment 6 Driveway Looking North

Attachment 7 East Parking Area


Attachment 8 Looking Southeast from Driveway

Attachment 9 Looking South from West Parking Area

Attachment 10 Looking Southeast from West Parking Area

Attachment 11 Looking South From East Parking Area

Attachment 12 Barn and ADA Parking Area

Attachment 13 Location of Porta-Potties and Trash Receptacles

Attachment 14 Inside Barn East

Attachment 15 Inside Barn Middle

Attachment 16 Inside Barn West


Attachment 17 Inside Barn Southwest
Harvest Moon
HAPPY HOUR

Attachment 18 Inside Barn Facing South


Attachment 19 Inside Barn Facing South from East Door

ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
August 7, 2018 – Unapproved Meeting Minutes

Senior Planner Matt Asselmeier called the meeting to order at 9:03 a.m.

Present:
Robert Davidson – PBZ Committee Chair
Aaron Rybski – Health Department
Fran Klaas – Highway Department
Megan Andrews – Soil and Water Conservation District
Jonathan Oelschlager – GIS
Deputy Commander Jason Langston – Sheriff's Department
Matt Asselmeier – PBZ Department

Absent:
David Guritz – Forest Preserve
Greg Chismark – WBK Engineering, LLC
Brian Holdiman – PBZ Department

Audience:
Dan Kramer, Tom Grant, Paul Kovacevich, John Whitehouse, and Gay Hoddy

AGENDA

Mr. Klaas made a motion, seconded by Mr. Rybski, to approve the agenda as proposed. With a voice vote of all ayes the motion carried.

MINUTES

Mr. Klaas made a motion, seconded by Ms. Andrews, to approve the June 5, 2018, meeting minutes. With a voice vote of all ayes the motion carried.

PETITIONS

Petition 18-24 Dorothy Flisk on Behalf of Skyfall Equestrian, LLC – Major Amendment to a Special Use Permit to Increase the Number of Horses Allowed Boarded from Twenty-Four (24) to Thirty (36) at 17 Ashe Roads (PIN 01-01-200-020 and 02-06-102-009) in Little Rock and Bristol Townships

Mr. Asselmeier summarized the request.

Dorothy Flisk, on behalf of Skyfall Equestrian, LLC, is requesting a major amendment to their special use permit to increase the number of horses allowed to be boarded in the stable from twenty-four (24) to thirty-six (36). The Petitioner desires the amendment to respond to increased market demand for stabling services.

The existing stable has twenty-six (26) horse stalls. The property has a total of sixteen (16) paddock areas and an "arena" area.

In the future, the Petitioner would like to demolish the accessory structures and construct an area for hay and straw and an additional twelve (12) stalls. The Petitioner would also like to construct a lounging arena north of the existing "arena" area.

The Petitioner has a waitlist and would like to expand because of the waitlist. If approved, the Petitioner would like to expand operations in the summer of 2019.

The existing land use is agricultural. The future land use is Rural Estate Residential.

The property does not have direct access to Ashe Road. Trails are planned along Ashe Road.

There are wetlands in the area. There is a floodplain to west and northwest of the subject property. Based on the Kendall County GIS, the Floodplain is approximately one hundred thirty feet (130') away from the property.

No EcoCat was required because no new buildings were proposed in the original application. No EcoCat was required for amendments in 2012. An EcoCat may be required if new structures are proposed in the future.

No NRI was required because no new buildings are proposed. No NRI was required for amendments in 2012. However, if new structures are proposed in the future, a NRI could be required.

Petition information was sent to Little Rock Township on August 1, 2018.

Petition information was sent to Bristol Township on August 1, 2018.

The City of Plano submitted a response on July 30, 2018, and have no objections.

Petition information was sent to the Bristol-Kendall Fire Protection District on August 1, 2018.

The Little Rock Fox Fire Protection District had no objections.

Mr. Asselmeier read the restrictions from the 2012 special use permit.

The Kendall County Planning, Building and Zoning Department has not received any complaints regarding the special use at the subject property.

The Kendall County Health Department received one (1) complaint since the issuance of the amended special use permit for manure related issues. The issue was unfounded.

The original ordinance granting the special use permit, Ordinance 2006-05, allowed thirty-six (36) horses to be stabled at the property.

Any new buildings would have to meeting applicable building codes.

A picture of the manure area was provided. The Petitioner currently has manure picked up four (4) days per week and has a mushroom farmer collect manure for composting once per week. The Petitioner indicated that they would construct a more secure, screened manure area with at least one (1) additional pad beneath the manure pile.

The Kendall County Health Department requested a more detailed manure management plan.

No new lighting is planned.

No additional fencing or buffering is planned.

No changes in impervious surface are planned. The stormwater situation may have to be reexamined if the Petitioner constructs new building(s).

No changes in utilities, well, or septic system are planned. Any new utilities would have to secure applicable permits.

Staff would like more detailed information, including a site plan showing the proposed new structure, before issuing a recommendation to increase the number of horses to thirty-six (36). Staff would like to note that, based on the current facilities at the property, a maximum of twenty-six (26) horses could be boarded on the property at the present time. If a manure management plan satisfactory to the Kendall County Health Department were submitted, Staff would have no objections to immediately increasing the number of horses allowed to be boarded from twenty-four (24) to twenty-six (26) instead of the requested thirty-six (36).

Dan Kramer, attorney for the Petitioner, stated that the building next to the manure area will be demolished. The property was foreclosed and the bank reduced the number of allowed horses to twenty-four (24). Not all of the lot owners have horses. Mr. Kramer requested that the Petitioner have a site plan prepared. No new septic or wells are planned. The Petitioner plans to pour one (1) big pad for manure; Mr. Davidson requested that elevations be shown on the site plan in the manure area.

Mr. Rybski requested a three (3) walled, concrete bottomed manure area. He also requested a copy of the contract with the mushroom farmer and the manure removal company. The manure would be removed once per week; the manure goes to a landfill.

Mr. Klaas asked if the homeowners' association had any objections to this proposal. Mr. Kramer responded the homeowners' association has no objections, but one (1) neighbor may oppose this request.

Mr. Rybski asked how far the manure area was from a water way. Mr. Kramer responded that the manure area was not near the hill.

Mr. Kramer stated that Bristol Township had no objections to the proposal.

Mr. Davidson made a motion, seconded by Mr. Rybski, to layover this Petition until a site plan is submitted, a more detailed manure management plan is submitted, and EcoCat and NRI applications are made.

Ayes (7): Andrews, Davidson, Klaas, Langston, Oelschlager, Rybski, and Asselmeier
Nays (0): None
Abstain (0): None
Absent (3): Chismark, Holdiman, and Guritz

The motion passed. This matter will appear on the August 27th Zoning Board of Appeals agenda with a request to layover.

Petition 18-25 Paul Kovacevich on Behalf of Tri-Star Development, Inc. – Map Amendment Rezoning Property Located Approximately 0.5 Miles West of Jughandle Road on the South Side of Route 52 (PINs 09-15-300-014, 09-16-400-002, 09-16-400-005, 09-16-400-006, 09-21-200-004, and 09-22-100-010) from A-1 to R-1 in Seward Township
Mr. Asselmeier summarized the request.

Paul Kovacevich, on behalf of Tri-Star Development, Inc., is requesting a map amendment rezoning the subject property from A-1 to R-1 in order to be able to build a forty (40) lot single-family residential subdivision. The Petitioner would like to have the zoning in place prior to going through the subdivision process. One (1) of the forty (40) lots will be transferred to the Forest Preserve District.

At their meeting on October 10, 2017, the Planning, Building and Zoning Committee received general information from the Petitioner and his attorney about this proposed development. The Planning, Building and Zoning Committee was open to allowing the Petitioner to submit an application for a traditional subdivision instead of a Residential Planned Development.

The future land use map calls for the area to be Rural Residential.

Lots 29 through 39 have an "A" designated lot attached to the primary lot. The "A" lot is floodplain and cannot have structures. The primary lot and the associated "A" lot is considered one (1) zoning lot under Kendall County's Zoning Ordinance. Lot 40 will be transferred to the Forest Preserve District.

Because zoning cannot be conditioned under Illinois law, any of the requirements associated with development (i.e. construction of trails, restricting the sale of "A" lots from their primary lot, etc.) cannot occur until the subdivisions plats are submitted.

The Land Resource Management Plan calls for this area to be Rural Residential in the future. This classification has a maximum zero point six-five (0.65) density units per acre. If the zoning is approved, the maximum number of lots that could be developed is sixty-one (61); (183 acres/2.99 acres). This figure does not take into consideration the undevelopable lands (i.e. wetlands, roads, etc.). The Petitioner is proposing fewer than the maximum number of lots. However, if the Petitioner did create a subdivision with R-1 zoning and the maximum number of lots permitted, the density units per acre would still be below zero point six-five (0.65).

Because the Land Resource Management Plan calls for this area to be Rural Residential in the future, Staff does not believe that the approval of this request would constitute spot zoning.

The property fronts Route 52. Staff has no concerns regarding the ability of Route 52 to support the proposed map amendment. Access related issues for a subdivision would be addressed during the subdivision process.

Joliet has trails planned along Route 52 and Minooka has trails planned along the Aux Sable Creek.

There is a floodplain on the east side of the property along Aux Sable Creek and there are wetlands along the Aux Sable Creek and in the woods on the east side of the property.

The A-1 special use permit located to the east of the property is for agricultural product sales.

There is currently one (1) pole building located on the property which will be demolished.

There are six (6) houses located on Route 52 within one thousand feet (1,000') of the subject property. The aerial of the property was provided.

The EcoCAT Report submitted and consultation was terminated.

The application for NRI was submitted on July 5, 2018 and LESA Score was 230 indicating a high level of protection.

Petition information was sent to Seward Township on July 31, 2018.

The subject property is within one point five (1.5) miles of the City of Joliet. The City of Joliet submitted comments on July 27, 2018. They encouraged development to follow the Aux Sable Creek Watershed Plan.

The Village of Shorewood expressed no opposition to the proposal.

Petition information was sent to the Minooka Fire Protection District on July 31, 2018.

Any new homes or accessory structures would be required to meet applicable building codes. Building related matters for a subdivision would be addressed during the subdivision process.

No new odors are foreseen. Odor related issues for a subdivision would be addressed during the subdivision process.

Any new lighting would be for residential use only. Lighting related issues for a subdivision would be addressed during the subdivision process.

No fencing or buffer is presently planned for the property. Screening related issues for a subdivision would be addressed during the subdivision process.

Any new homes would have to be constructed per Kendall County's Stormwater Management Ordinance. Stormwater related issues for a subdivision would be addressed during the subdivision process.

Electricity is onsite. New well and septic information would have to be evaluated as part of the subdivision or building permit processes.

Staff recommends approval of the proposed map amendment.

Tom Grant, attorney for the Petitioner, said the proposal will go to Seward Township on Tuesday, August 14th. The Petitioner may submit preliminary and final plats simultaneously.

Mr. Davidson asked the width of the property connect the property to Route 52. The response was approximately two hundred fifty feet (250').

Mr. Davidson asked how much of the acreage is wetlands. The Petitioner stated that he was not proposing development on the wetlands or in the floodplain and did not know the exact acreage of wetlands on the property.

Ms. Andrews stated that a couple potential wetlands were located on the property. She requested that the Petitioner work with a wetland delineation specialist to identify these areas. The Petitioner said that the area was wet because of plugged drain tile. Ms. Andrews noted that three (3) lots were in floodway and six (6) lots were in the floodplain as shown on the current version of the preliminary plat. Soils ranged from poorly drained to somewhat poorly drained. Some building limitations exist because of the soils. A secondary septic field will be needed. Ms. Andrews expressed concerns about draw-down of the aquifer.

Mr. Rybski expressed concerns about the difficulty of placing conventional septic systems on the proposed lots. The septic systems will have ongoing maintenance requirements. Many of the technologies are newer and they are still working out some of the issues with new technologies. He also discussed groundwater depletion. The Petitioner stated a development like this does not exist in Kendall County and the covenants and restrictions are very restrictive. The clientele the Petitioner is targeting should not have difficulty maintaining the system.

Mr. Davidson said that septic systems will not be installed in the ground unless drainage tile exists.

Mr. Klaas asked if the Petitioner had any contact with the Illinois Department of Transportation regarding access off of Route 52. The response was they contacted the Illinois Department of Transportation, but have not received comments to date.

Mr. Davidson made a motion, seconded by Mr. Klaas, to recommend approval of the map amendment as requested.

Ayes (7): Andrews, Davidson, Klaas, Langston, Oelschlager, Rybski, and Asselmeier
Nays (0): None
Abstain (0): None
Absent (3): Chismark, Holdiman, and Guritz

The motion passed unanimously. This matter will go before the Kendall County Regional Planning Commission on August 22nd.

Petition 18-26 Maurice E. Ormiston as Trustee u/t/a No. 101 and Marilyn J. Ormiston as Trustee u/t/a 102 (Owners) and Gay Hoddy (Operator) Request a Special Use Permit to Operate a Banquet Facility, a Variance to the Requirement that the Facility Must Be Located on an Arterial or Major Collector Road, a Variance to the Requirement for Hard Surface Parking Areas (Except for the ADA Required Parking Spaces), and a Variance that the Property not be Required to Have Fully Shielded Parking Facility Lighting at 14905 Hughes Road (PIN: 04-34-100-001) in Fox Township; Property is Zoned A-1

Mr. Asselmeier summarized the request.

Gay Hoddy is the daughter-in-law of the Owners of the subject property. Ms. Hoddy would like to establish a banquet facility called the Harvest Moon Barn at the subject property and is requesting variances to the requirement that the facility must be located on an arterial or major collector road, the requirement for hard surface parking areas (except for the ADA required parking spaces), and that the property not be required to have fully shielded parking facility lighting.

Ms. Hoddy's provided a business plan.

Events would be held in the frame barn located on the north side of site. Tents could be set up to the west of the barn. Based on the current size of the barn (approximately 1100 square feet), approximately one hundred twenty (120) people could fit inside the barn. Ms. Hoddy anticipates the largest group of attendees to be approximately two hundred fifty (250) people including staff. No members of the public would be allowed in the loft of the barn. At some point in the future, Ms. Hoddy may put concrete pavement in the barn; the current pavement is compacted gravel.

The facility would be operational from May 1st through October 31st. Ms. Hoddy would like the ability to have events outside these dates, weather permitting. The majority of events would be on weekends. However, she would like the ability to have weekday events as well. She seemed open to capping the number of events per week. The proposed hours of operation for events would be from 4:00 p.m. until Midnight. Setup for events would start at 10:00 a.m. and take down from events would be completed by 1:00 a.m.

Ms. Hoddy plans to have two (2) hostesses and four (4) servers at a maximum. She would be responsible for security.

All events would be catered, both food and drink.

The reserving party would be responsible for securing applicable insurance. Ms. Hoddy will also have insurance.

The banquet hall will be used for weddings, birthdays, retirement parties, and similar events.

She has over twenty (20) years of experience as a waitress and banquet related work. She has taken CPR classes in the past and plans to take a refresher course.

Ms. Hoddy reported that she has received at least four (4) phone calls requesting weddings at the property. She had her wedding at the property. One (1) niece had a wedding at the property and another niece is planning a wedding at the property.

Ms. Hoddy agreed to follow all applicable laws related to this type of business and she also agreed to follow the Kendall County Right to Farm Clause.

If approved, Ms. Hoddy would like to start having events in May 2019.

The current and future land use for the property is agricultural.

Hughes Road is a local, township road.

The EcoCat submitted on July 11, 2018; consultation was termination.

NRI application submitted on July 11, 2018.

Fox Township was emailed information on July 30, 2018.

Newark Fire Protection District was emailed information on July 30, 2018.

The United City of Yorkville was emailed information on July 30, 2018. While the property is within one point five (1.5) miles of the Yorkville City Limits, the subject property is not included in Yorkville's extraterritorial planning area as shown on the Yorkville Future Land Use Map.

Mr. Asselmeier read the restrictions for banquet halls listed in the Zoning Ordinance.

A Change of Occupancy Permit will be required for each existing structure that will be used in conjunction with the proposed banquet facility.

Ms. Hoddy indicated that all water used for events will be brought into the site; no well water will be used. Porta-potties will be used for events. According to the site plan, one (1) handicapped accessible porta-potty and two (2) other porta-potties will be located to the northeast of the barn. Refuse containers and a dumpster will be located near the porta-potties. An ADA approved path from the barn to the handicapped accessible porta-potty will be installed with lights.

Ms. Hoddy submitted a parking plan showing sixty-three (63) parking spaces including four (4) handicapped parking spaces. The parking area is planned to be grass except for the handicapped parking spaces; Ms. Hoddy is requesting a variance to allow this type of parking. Parking will be to the south of the house west of the driveway and to the east of the driveway. No parking will encroach in the required setbacks.

Ms. Hoddy submitted a photometric plan and lighting is shown on the parking plan. According to the plan, two (2) new lights would be added for the parking lot west of the driveway. Two (2) new lights would be added to the parking lot east of the driveway. One (1) new light would be installed north of the handicapped parking area. Eight (8) solar powered lights will be installed on the walkway between the barn and the handicapped parking area. Ms. Hoddy indicated additional lighting could be installed along the south and east sides of the barn.

A non-illuminated sign is proposed on the west side of the driveway as shown on the site plan (Attachment 2, Page 2). The sign will be approximately thirty-two (32) square feet in size and two (2) faced. The location and type of sign proposed meet the requirements of the Kendall County Zoning Ordinance.

Ms. Hoddy does not plan to install any additional landscaping.

The barn would not be air conditioned and the doors on the south and east sides would likely be open during events. Ms. Hoddy would like music to be played outside of the barn. Ms. Hoddy agreed to follow the Kendall County noise regulations. However, she did not provide a method for tracking noise.

Mr. Asselmeier noted that Kendall County previously granted a special use permit at 13889 Hughes Road (Ordinance 2016-05) for a banquet facility. This banquet facility is approximately one point two (1.5) miles from the nearest major collector road (Newark Road via Hollenback Road). The proposed banquet facility at the subject property is approximately one point two (1.2) miles from Route 71.

Before Staff makes a recommendation on the request, Staff would like to express the following concerns:

1. The proposal calls for having events many days during the week. Most of the previously issued special use permits for banquet facilities have restricted events to weekends.

2. Ms. Hoddy indicated all events would be catered and the well and septic system would not be impacted. Staff would like confirmation from the Health Department that this method of operating this type of business is permissible.

3. Ms. Hoddy indicated that she will be responsible for security at the site. Staff would like the opinion of the Sheriff's Department if this way of handling security is permissible.

4. The site has one point of ingress and egress on Hughes Road. Staff would like verification that the Newark Fire Protection District and the Sheriff's Department have no concerns with the layout of the site from a public safety perspective.

5. Ms. Hoddy indicated that the parking areas will not be paved. Staff would like comments from WBK on this matter.

6. No landscaping is planned for the site. Based on the Kendall County GIS, the barn at the subject property is approximately six hundred two feet (602') from the house at 14838 Hughes Road. The parking area east of the driveway is approximately two hundred twenty-four feet (224') from the house at 14838 Hughes Road. In comparison, the closest barn at 9111 Ashley Road is approximately six hundred twenty-four feet (624') from the house across the street and the parking area is approximately four hundred eleven feet (411') from the house across the street. The impact of noise and light on the adjoining property are concerns.

7. The results of the NRI would also be needed before a final recommendation is offered.

Based the current information provided, Staff suggests the following conditions and restrictions:

1. The site, including parking plan, shall be developed in accordance to the attached site plan.
2. The lighting shall be developed in accordance to the attached site plan and photometric plan. The operator of the banquet facility may install two (2) decorative lights on the south side of the barn and two (2) decorative lights on the east side of the barn.
3. Events shall be confined the framed barn, patio area, and grassy area west of the barn. No events may be held in the loft or second story or above of the framed barn, the corn crib, garage, residents, or any new barns or accessory buildings on the property without an amendment to this special use permit.
4. A variance should be granted to the requirement that the facility shall have direct access to a road designated as an arterial roadway or major collector road as identified in the Land Resource Management Plan.
5. The subject parcel must be a minimum of 5 acres.
6. The use of this property shall be in compliance with all applicable ordinances. The banquet facility shall conform to the regulations of the Kendall County Health Department and the Kendall County Liquor Control Ordinance. (Ord. 99-34)
7. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the zoning ordinance except where variances are granted.
8. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance. The signage shall be developed in accordance to the attached site plan. The signage will not be illuminated.
9. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
10. The noise regulations are as follows:

    Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.

    Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.

EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.

11. Event shall be held between May 1 and October 31. The property owner or banquet operator may hold events outside of this timeframe with the approval of the Planning, Building and Zoning Committee.
12. No more than four (4) events in a seven (7) day period may be held at the property.
13. Setup for events shall not commence prior to 10:00 a.m.
14. All events must cease by Midnight except for cleaning up after an event which must cease by 1:00 a.m.
15. A new certificate of occupancy must be issued for the framed barn.
16. The operator of the banquet facility allowed by this special use permit shall reside at the subject property as their primary place of residence.
17. The operator of the banquet facility and property owner(s) acknowledge and agree to follow Kendall County's Right to Farm Clause.
18. The property owner and operator of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
19. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
20. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Mr. Klaas noted that the Highway Commissioner had no concerns regarding access on Hughes Road.

Ms. Andrews stated that her board was still reviewing the proposal and the report should be completed by the end of the week of August 13th.

Mr. Davidson asked if the Petitioner changed to allow use of the septic system, would that change require an amendment to the special use permit. Mr. Asselmeier responded an amendment to the special use permit would be required. Mr. Davidson suggested amending the recommendation to allow use of the septic system. John Whitehouse, engineer for the Petitioner, stated they did not want to amend the special use permit if a septic system is installed in the future.

Discussion also occurred about requiring landscaping, berming, and/or trees if the neighbors complain. Mr. Whitehouse expressed concerns installing buffering because of a complaint; he wondered who would investigate a complaint and if a complaint, whether founded or unfounded, would trigger a buffering requirement.

Mr. Langston asked noted that the openings on the barns face the neighboring properties. He requested clarification on music playing outside the barn. The Petitioner agreed not to have music outside the barn except wedding ceremony music.

Mr. Langston asked about security. The Petitioner stated that if she had a security issues, she would call 911. No private security would be provided.

Mr. Langston expressed no concerns regarding ingress/egress at this site.

Mr. Rybski indicated that private events are not under the jurisdiction of the Health Department so long as the well is not used. If all the water is trucked in, that is fine.

Mr. Whitehouse said that he would provide additional information on the lines for the septic field.

Mr. Asselmeier indicated that WBK had concerns about the unpaved parking area. Mr. Asselmeier indicated that, if the area looked bad, Ms. Hoddy's business would suffer because some prospective customers would not want to have events at a location that looked undesirable. Mr. Davidson said the Petitioner will have to let the grass grow slightly higher and mow it frequently.

Mr. Whitehouse noted that the Zoning Ordinance required that lighting related to the special use permit must be turned off within one (1) hour of the end of the event.

Mr. Klaas made a motion, seconded by Ms. Andrews, to recommend approval of the special use permit and variances with the conditions proposed by Staff and to allow the Petitioner to remove the porta-potties if adequate facilities are installed.

Ayes (7): Andrews, Davidson, Klaas, Langston, Oelschlager, Rybski, and Asselmeier
Nays (0): None
Abstain (0): None
Absent (3): Chismark, Holdiman, and Guritz

The motion passed unanimously. This matter will go before the Kendall County Regional Planning Commission on August 22nd.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Mr. Asselmeier reported that Petition 18-14 regarding the Saar map amendment on Route 71 by the County Board.

Mr. Asselmeier noted that the solar panel special use request on Newark Road is under review at the Committee of the Whole.

The proposed banquet facility on Route 30 is still attempting to resolve their access issues with the Illinois Department of Transportation.

OLD BUSINESS/NEW BUSINESS

None

PUBLIC COMMENT

None

ADJOURNMENT

Ms. Andrews made a motion, seconded by Mr. Rybski to adjourn. With a voice vote of all ayes, the motion carried. The ZPAC, at 10:15 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP
Senior Planner

WBK engineering

August 13, 2018

Mr. Matt Asselmeier
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498

Subject: Kendall County Petition 18-26 Request for a Special Use Permit for a Banquet Facility and Variances at 14905 Hughes Road (WBK Project No. 16-0100.V)

Dear Mr. Asselmeier:

WBK Engineering has reviewed the stormwater submittal and site plans for the subject project. We received the following information:

- Kendall County Petition 18-26 Request for a Special Use Permit for a Banquet Facility and Variances at 14905 Hughes Road dated July 22, 2018.

The following comments are offered for the petitioner's consideration and require resolution prior to our recommendation for approval. It is noted that

1. Turf grass parking can be successful for limited use facilities. I do not see any stormwater impacts if turf grass can accommodate the needs of the property. The following concerns are noted:
    a. Large or frequent events on successive weekends during rainy weather could make access difficult or impossible for many vehicles.

    b. If the business is successful I would anticipate a request to place gravel over part or all of the turf parking area. I suggest the applicant plan on future gravel or asphalt and determine if stormwater detention is required.

2. Provide a stormwater narrative identifying the additional impervious surface requested now an in the future. Please note the ordinance threshold for allowable impervious surface prior to stormwater detention is cumulative.

3. Site circulation can be improved. Consider a drop off area for guests, food, equipment, etc. The parking layout also lacks a circulation pattern that is efficient.

WBK Engineering, LLC
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Part of the Mno-Bmadsen Family

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116 West Main Street, Suite 201
St. Charles, IL 60174
630.443.7755

Aurora Office
8 East Galena Boulevard, Suite 402
Aurora, IL 60506
630.701.2245

The applicant's design professionals are responsible for performing and checking all design computations, dimensions, details, and specifications in accordance with all applicable codes and regulations, and obtaining all permits necessary to complete this work. In no way does this review relieve applicant's design professionals of their duties to comply with the law and any applicable codes and regulations, nor does it relieve the Contractors in any way from their sole responsibility for the quality and workmanship of the work and for strict compliance with the permitted plans and specifications.

If you have any questions or comments, please contact us at (630) 443-7755.

Sincerely,

Greg Chismark, P.E.
Municipal Practice Principal
WBK Engineering LLC