

**MINUTES**  
**KENDALL COUNTY**  
**ZONING BOARD OF APPEALS MEETING**  
111 WEST FOX STREET, Room 209 and 210  
YORKVILLE, IL 60560  
**March 2, 2020 – 7:00 p.m.**

**CALL TO ORDER**

Chairman Randy Mohr called the Zoning Board of Appeals meeting to order at 7:00 p.m.

**ROLL CALL:**

Members Present: Scott Cherry, Karen Clementi, Cliff Fox, Tom LeCuyer, Randy Mohr, Dick Thompson, and Dick Whitfield

Members Absent: None

Staff Present: Matthew Asselmeier, AICP, Senior Planner

Others Present: Ron Smrz, Len Pfaff, Laurie Pfaff, Ron Zier, and Margaret Rul

**MINUTES:**

Member Cherry made a motion, seconded by Member Clementi, to approve the minutes of the January 27, 2020 hearing/meeting. With a voice vote of seven (7) ayes, the motion was approved.

**PETITIONS**

The Zoning Board of Appeals started their review of Petition 19-34 at 7:01 p.m.

**Petition 19 – 34 –**

**Ronald Smrz on Behalf of the Bank of Lyon Trust**

**Request:** Special Use Permit for a Storage of Motor Vehicles, Boats, Trailers, and Other Recreational Vehicle Business

**PINs:** 02-35-151-003

**Location:** 7821 Route 71, Oswego Township

**Purpose:** Petitioner Wants to Operate a Storage Business on the Subject Property; Property is Zoned A-1 with a Special Use Permit

Mr. Asselmeier summarized the request.

Ron Smrz, on behalf of Bank of Lyon Trust, applied for a special use permit for outdoor storage of motor vehicles, boats, trailers, and other recreational vehicles at 7821 Route 71.

The application material and amended site plan were provided. The amended site plan was created after the Kendall County Regional Planning Commission meeting. The Petitioner updated the site plan to reflect concerns expressed by neighbors.

The property was granted a special use permit for the retail sale of nursery stock through Ordinance 1985-10, a copy of which was provided. This proposal will not impact the existing special use permit.

The property is approximately seventeen (17) acres in size, but the special use area is approximately one (1) acre in size.

The current land use is agricultural. The future land use is rural residential. Route 71 is a State maintained highway and is considered a Scenic Route at the subject property. Yorkville has a trail planned along Route 71. There is a farmable wetland on the property consisting of approximately a tenth (0.1) of an acre. The adjacent land uses are agricultural, single-family residential, and farmstead. The adjacent zonings are A-1, A-1 SU, R-1, R-3, and R-3 PUD. The Land Resource Management Plan calls for the area to be rural residential. The nearby zonings are A-1, A-1 SU, A-1 BP, R-3, RPD-2, and R-3 PUD.

The special use permit to the north is for a campground. The special use permit to the east is for a landscaping business.

Lyon Farm is located south of the subject property.

The Richard Young and Lyon Forest Preserves are in the vicinity.

The aerial of the property was provided.

Pictures of the property were provided.

EcoCat submitted on June 6, 2019, as part of the Wetland Delineation Report and found the Fox River INAI Site and Yorkville Seep INAI Site in the area. The entire Wetland Delineation Report was provided. The Petitioner submitted a formal EcoCat on December 23, 2019, and no negative impacts were foreseen.

NRI application submitted on August 2, 2019. The NRI Report was not available.

Oswego Township was emailed the original information on September 24, 2019. The revised site plan was emailed on February 19, 2020.

The Bristol-Kendall Fire Protection District was emailed the original information on September 24, 2019. They submitted on comments on January 31, 2020, which were provided. The revised site plan was emailed on February 19, 2020.

The United City of Yorkville was emailed the original information on September 24, 2019. The Yorkville Planning Commission reviewed the updated site plan at their meeting on February 12, 2020 and the Yorkville City Council reviewed the proposal at their meeting on February 25, 2020. Yorkville had no objections to the request. The email from Yorkville was provided.

ZPAC met on this proposal on October 1, 2019. Discussion occurred at that meeting regarding obtaining a variance to the Stormwater Management Ordinance. In the ensuing months, the Petitioner decided not to pursue the variance and amended the site plan to meet the requirements of the Kendall County Stormwater Management Ordinance. ZPAC reviewed the revised site plan at their meeting on January 7, 2020, and recommended approval of the proposal with no objections. The minutes of the October ZPAC meeting and the minutes of the January ZPAC meeting were provided.

The Kendall Regional Planning Commission reviewed this proposal at their meeting on January 22, 2020. Six (6) neighbors expressed opposition to the proposal. They were concerned about increased lighting,

traffic safety on Route 71, the desire to keep the area rural, leaks of motor vehicle related fuels and oils, the impact of leaks on local wells, a lack of screening or buffering, and concerns about abandoned vehicles on the property. Discussion occurred about the Scenic Route designation of Route 71 in this area. The suggestion was made to require that the lights be turned off during non-business hours of operation. The suggestion was made to not allow semis, cargo containers, or similar items to be stored on the property. The suggestion was made to have the special use expire when the Petitioner no longer lived on the property; the Petitioner was against this suggestion. It was noted that none of the existing special uses for this type of use in the A-1 District allow outdoor storage. The Kendall County Regional Planning Commission issued a negative recommendation on the proposal with all member present against the proposal; two (2) members were absent. Member Wilson and Chairman Ashton voted against the proposal because they wished that the Petitioner had talked to his neighbors at the beginning of the process. They felt the use was more appropriate in an industrial or business park. They were also concerned about potential leaks at the site. The minutes of this meeting were provided.

According to revised site plan, the Petitioner plans to offer rental space for fifty-one (51) parking stalls which is down from the two hundred (200) rental units in the original proposal. The proposed hours of operation are daily from 6:30 a.m. until 9:00 p.m.

Prospective renters would meet with the Petitioner at the property at a pre-arranged time to view the property, sign a contract, and receive their access code. The Petitioner plans to use the existing storage building shown as the office for the business.

The Petitioner and his wife would be the only employees of the business.

Following the Kendall County Regional Planning Commission meeting, the Petitioner was agreeable to not storing cargo containers.

No new structures are planned for the property. A new occupancy permit might be required for the existing storage building.

The location of the well was shown on the proposed site plan south of the existing house. No bathrooms or potable water sources would be available to patrons of the storage business.

The Petitioner indicated that the storage area would have a gravel base.

The site plan shows the proposed use to be away from the farmable wetland.

Following the Kendall County Regional Planning Commission meeting, the Petitioner agreed to only store non-motorized camp vehicles only, which would eliminate the concerns regarding motor vehicle related leaks.

The property fronts Route 71 and an existing access point off of Route 71 exists.

The Illinois Department of Transportation provided comments regarding this proposal which were provided. A new access permit will be required.

Parking will occur in the gravel areas east of the existing building.

The Petitioner provided a lighting plan showing six (6) new light poles, each fifteen feet (15') in height. The lighting plan was provided.

At the Kendall County Regional Planning Commission meeting, the Petitioner seemed agreeable to turning off the lights when the business was not operating.

The Petitioner plans to install a sign along Route 71. The sign must meet all of requirements of the Kendall County Zoning Ordinance and must not be illuminated.

The Petitioner plans to remove the three (3) existing Norway Spruce trees shown. The Petitioner plans to plant twenty-two (22) evergreens that will be between approximately four feet and six feet (4'-6') in height at the time of planting. The evergreens will be placed to the west, south, and east of the parking area. The evergreens will be planted by the end of May 2020. A vegetative swale is also planned for south of the parking area.

The Petitioner indicated that the storage area will have a chain-link fence around the storage area. The fence is planned to be six feet (6') in height.

There will be a twenty foot (20') wide automatic gate on the east side of the storage area to control access to the area. The lock on the gate will be timed to prevent patrons from accessing the property during non-business hours. The gate will be adjacent to the shed shown.

A security monitoring system will also be installed with cameras on the shed shown.

The Petitioner agreed to provide the Sheriff's Department and Bristol-Kendall Fire Protection District with a passcode to access the gate.

No information was provided regarding noise control.

No new odors are foreseen.

While very little trash or litter is expected to be generated by the proposal, no plans for litter control were provided.

If approved, this would be the sixth active special use permit for this type of storage in unincorporated Kendall County.

The Petitioner currently resides in the house on the property.

The Petitioner agreed that all items stored on the property would remain licensed and in good working order. The Petitioner agreed to follow the Kendall County Inoperable Vehicle Ordinance and the Junk and Debris Ordinance. The Petitioner also agreed that none of the vehicles stored as part of the special use permit would be for agricultural purposes.

Staff recommended approval of the requested special use permit for a storage facility for motor vehicles, boats, trailers, and other recreational vehicles subject to the following conditions and restrictions:



1. The site shall be developed substantially in accordance with the attached site plan, landscaping plan, and lighting plan. The light poles shall be a maximum fifteen feet (15') in height.
2. The operator(s) of the business allowed by this special use permit shall plant the vegetation identified in the landscaping plan, specifically a minimum of twenty-two (22) evergreens that will be between approximately four feet and six feet (4'-6') in height at the time of planting will be installed by the end of May 2020.
3. One (1) non-illuminated sign may be installed on the subject property in substantially the location shown on the site plan.
4. Only non-motorized camp vehicles may be stored on the property. No cargo containers may be stored on the property.
5. The vehicles stored on the premises may be stored outdoors.
6. None of the vehicles stored on premises shall be considered agricultural equipment as they relate to the business allowed by this special use permit.
7. All of the vehicles stored on the premises shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
8. The hours of operation for the business allowed by this special use permit shall be daily from 6:30 a.m. until 9:00 p.m. The operator(s) of the business allowed by this special use permit may reduce these hours of operation. Lights related to the business allowed by this special use permit shall be off during non-business hours.
9. The maximum number of employees for the business allowed by this special use permit shall be two (2), including the business owners.
10. The operator(s) of the business allowed by this special use permit shall provide the Kendall County Sheriff's Department and Bristol-Kendall Fire Protection District with passcodes to the gate upon the request of these agencies.
11. The operator(s) of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
12. The conditions and restrictions contained in Ordinance 1985-10 pertaining to the retail sale of nursery stock shall remain valid, enforceable, and separate from the conditions and restrictions for the special use permit for a storage facility for motor vehicles, boats, trailers, and other recreational vehicles.
13. The operator(s) of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
14. 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.
15. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Member Clementi asked what entity monitors the site to ensure that no motorized vehicles are placed on the property. Mr. Asselmeier responded that the Planning, Building and Zoning Department would

respond to complaints and, because the property is located along a highly traveled road, the Planning, Building and Zoning Department could observe violations from the highway.

Chairman Mohr requested clarification on motorized vehicles. Mr. Asselmeier stated that the special use classification was for storage of motor vehicles, boats, trailers, and other recreational vehicles. The Petitioner has agreed to a restriction limiting the type of items stored on the property to non-motorized items only. Non-motorized boats would be allowed. The Petitioner did not want any leaks into the soil.

Member LeCuyer asked about the land use classification of the property. Mr. Asselmeier responded that the Future Land Use Map calls for the property to be Rural Residential.

None of the other special use permits for this type of use on properties zoned A-1 have allowed outdoor storage.

Chairman Mohr swore in Ron Smrz, Len Pfaff, Laurie Pfaff, Ron Zier, and Margaret Rich.

Chairman Mohr opened the public hearing at 7:16 p.m.

Ron Smrz, Petitioner, noted that Route 71 is planned to be a four (4) lane highway with a large number of vehicles per day. He noted that a cell tower installation company is across the street to the south. He noted the trucking company, dog kennel, and preschool are in the vicinity. He plans to plant trees and leave many of the existing trees. He cannot make money off of trees. He does not foresee lots of noise. He and his wife live on the property and will monitor the property. He said that it was hard to make money on the property and houses were not under construction like they were previously. He thought about having horses on the property, but the finances do not work.

Len Pfaff, Ponderosa Drive, has lived at his property for thirty-one (31) years. He noted that the subdivision is a nice area. He did not want to see commercial property in the area. He expressed concerns that the Petitioner or a future owner could expand the special use.

Laurie Pfaff, Ponderosa Drive, expressed concerns that regarding the closeness of the proposed use to her property line. She felt that the proposed use was something found in an industrial park. She does not want this use placed in the residential area. She would like the area to remain an attractive area. She expressed concerns regarding the lighting proposed at the site; she was concerned about light pollution. She expressed concerns about enforcement of the restrictions at the property. She was concerned about unsanitary waste from trailers stored at the property. She was concerned that the special use could continue with successive owners. She felt the proposed use would negatively impact property values. She would like to see residential uses at the property; she would not oppose the construction of houses at the property.

Ron Zier, Ponderosa Drive, stated that he was opposed to the special use permit for the reasons stated by the previous speakers. He was in favor of farm animals in the area. He noted that the Petitioner addressed concerns regarding groundwater.

Margaret Rul, Ponderosa Drive, agreed with the previous speakers. She stated that she tried to sell her house and prospective buyers expressed concerns regarding the home's proximity to the highway. She believed that the proposed use will devalue properties in the area. She stated that constructing additional houses would be acceptable.

Mr. Smrz provided a map of the area. Without objection, the map was entered as an exhibit. Mr. Smrz pointed out adjoining land uses near his property. He noted the existing trees along the northern property line. He cannot see his neighbor's houses because of the trees.

It was noted that the proposed use would not be right up to the neighbors' houses.

Mr. Smrz noted that he sent letters as required, received approval from Yorkville, received approval from the State, and that he did everything he could to address the concerns of the neighbors.

Member Whitfield asked the distance from the parking area to the northern property line. Mr. Smrz responded two hundred fifty feet (250'). Mr. Smrz noted the location of trees.

Mr. Smrz said that he is unable to put houses on the property.

Discussion occurred regarding having the special use cease when ownership changes. Mr. Smrz agreed to having the special use cease when he no longer owns the property.

Mr. Smrz offered to install taller trees.

Chairman Mohr asked if this proposed use was allowed as part of the scenic trail status of the road. Mr. Asselmeier responded that no clear definition existed of the viewshed or defined scenic in the Land Resource Management Plan.

Without objection, Mr. Asselmeier read a fax from the Kendall County Historical Society supporting the requested special use permit.

Chairman Mohr adjourned the public hearing at 7:44 p.m.

Member Clementi made a motion, seconded by Member LeCuyer, to approve the first Finding of Fact as follows:

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 operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare provided that the operator of the business allowed by this special use permit develops the site according to the submitted site plan, follows the agreed upon hours of operation, and follows the Kendall County Inoperable Vehicle Ordinance, Kendall County Junk and Debris Ordinance, and related ordinances.

Discussion occurred regarding the timing of removal of septic waste.

The votes were as follows:

Ayes (6): Cherry, Fox, LeCuyer, Mohr, Thompson, and Whitfield  
Nays (1): Clementi  
Absent (0): None

The motion passed.

Member Clementi dissented because of concerns about the environmental impacts and the proposed special use's location in relation to wetlands, forest preserve, Lyon Farm, and the need to preserve the area environmentally. She was also concerned about septic waste from trailers.

Member LeCuyer made a motion, seconded by Member Whitfield, to approve the second Finding of Fact as follows:

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. Provided that the business operates as proposed, no injury should occur to other property and property values should not be negatively impacted.

The votes were as follows:

Ayes (0): None

Nays (7): Cherry, Clementi, Fox, LeCuyer, Mohr, Thompson, and Whitfield

Absent (0): None

The motion failed.

Member LeCuyer noted that the Future Land Use Map calls for the subject property to be residential and the proposed use could negatively impact the property values of nearby properties.

Member Clementi stated that the proposed use will substantially diminish property values.

Chairman Mohr expressed concerns about the actions of future property owners and the use could expand beyond the scope that the Petitioner proposed.

Member Thompson made a motion, seconded by Member Clementi, to approve the third Finding of Fact as follows:

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. This is true. The Illinois Department of Transportation has not expressed any concerns regarding this use locating at this property. The business will not have any restroom facilities or drinking water facilities for patrons. The Petitioner will have to secure a stormwater management permit.

The votes were as follows:

Ayes (7): Cherry, Clementi, Fox, LeCuyer, Mohr, Thompson, and Whitfield

Nays (0): None

Absent (0): None

The motion passed.

Member Whitfield made a motion, seconded by Member Clementi, to approve the fourth Finding of Fact as follows:

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. This is true.

The votes were as follows:

Ayes (7): Cherry, Clementi, Fox, LeCuyer, Mohr, Thompson, and Whitfield

Nays (0): None

Absent (0): None

The motion passed.

Member Clementi made a motion, seconded by Member Fox, to approve the fifth Finding of Fact as follows:

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 is consistent with an objective found on Page 6-34 of the Kendall County Land Resource Management Plan which calls for “a strong base of agricultural, commercial and industrial uses that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents” through the encouragement “. . . of locally owned businesses.”

The votes were as follows:

Ayes (3): Fox, Thompson, and Whitfield

Nays (4): Cherry, Clementi, LeCuyer, and Mohr

Absent (0): None

The motion failed.

Member Clementi noted that the proposed use is inconsistent with the scenic trail designation and that the proposed use is inconsistent with the area.

Chairman Mohr expressed concerns that the proposed special use would be the only outdoor storage special use in the A-1 District.

Member Whitfield made a motion, seconded by Member Fox, to recommend approval of the special use permit with the conditions proposed by Staff with the added recommendation that the special use permit shall cease when Ron Smrz no longer owns the property.

The votes were as follows:

Ayes (4): Cherry, Fox, Thompson, and Whitfield

Nays (3): Clementi, LeCuyer, and Mohr

Absent (0): None

The motion passed.

Member Clementi voted no because the proposal was inconsistent with the Land Resource Management Plan and scenic route designation. She was also concerns regarding the environmental impact.

Member LeCuyer voted no because of the Land Resource Management Plan and concerns that the proposal could lead to other non-residential type uses.

Chairman Mohr voted no because of the Land Resource Management Plan and setting the precedent for outdoor storage in other A-1 areas. He did not see the proposal helping anyone else except the Petitioner.

This proposal will go to the Kendall County Planning, Building and Zoning Committee on March 9, 2020.

The Zoning Board of Appeals completed their review of Petition 19-34 at 8:04 p.m.

The Zoning Board of Appeals started their review of Petition 19-39 at 8:04 p.m.

**19 – 39 – John Dollinger on Behalf of Hansel Ridge, LLC (Current Owner), Jason Shelley on Behalf of Goprobball, LLC (Prospective Buyer), and James and Denise Maffeo (Prospective Buyer)**

Request: Map Amendment Rezoning the Subject Property from A-1 Agricultural to B-3 Highway Business District and Special Use Permits for Indoor and Outdoor Storage

PIN: Northeastern 8.69 +/- Acres of 09-13-200-002

Location: 195 Route 52, Seward Township

Purpose: Petitioners Would Like to Operate an Indoor and Outdoor Storage Facility on the Property.

Mr. Asselmeier summarized the request.

Goprobball, LLC would like to purchase the subject property and sell the northeastern portion of the property to James and Denise Maffeo for indoor and outdoor storage.

At the January 22, 2020, Kendall County Regional Planning Commission meeting, the Petitioners requested a layover in order to provide an updated site plan based on the comments and concerns expressed at previous meetings on this Petition.

On February 19, 2020, the Petitioner submitted an email requesting a layover until the April meetings.

The notice of the Zoning Board of Appeals hearing was already printed prior to the ZPAC meeting. The Petitioner requests that the hearing be continued until after the finalized site plan and landscaping plan are submitted.

Chairman Mohr re-opened the public hearing at 8:04 p.m.

Chairman Mohr made a motion, seconded by Member Clementi, to lay over this Petition to April 27, 2020, at the request of the Petitioner.

The votes were as follows:

Ayes (7): Cherry, Clementi, Fox, LeCuyer, Mohr, Thompson, and Whitfield

Nays (0): None

Absent (0): None

The motion passed.

Chairman Mohr recessed the public hearing at 8:04 p.m.

The Zoning Board of Appeals completed their review of Petition 19-39 at 8:04 p.m.

The Zoning Board of Appeals started their review of Petition 19-41 at 8:04 p.m.

**19 – 41 – Kendall County Planning, Building and Zoning Committee**

**Request:** Text Amendments to the Kendall County Zoning Ordinance Pertaining to Zoning Ordinance Enforcement (Citation Authority), Hearing Officer, and Fines

**Purpose:** Proposal Moves the Procedure for Handling Violations from Various Sections to One Section; Establishes a Procedure for Issuing Citations and Remedies for Zoning Ordinance Violations; Abolishes the Hearing Officer for Zoning Ordinance Violations; Clarifies the Fine Structure.

Mr. Asselmeier summarized the request.

For the last several months, the Planning, Building and Zoning Committee has been discussing allowing the Planning, Building and Zoning Department to issue citations in an effort to streamline and increase the time for obtaining compliance for violations to the Zoning Ordinance.

In summary, this proposal does the following:

1. Moves the procedure for handling violations of the signage portion of the Ordinance (Section 12) to the same section as the procedure for handling other violations of the Zoning Ordinance. Violations to the signage portions of the Zoning Ordinance will be treated the same as violations of other portions of the Zoning Ordinance.
2. Establishes the procedures for issuing citations and other remedies of violations to the Zoning Ordinance.
3. Abolishes the Hearing Officer for Zoning Ordinance violations. All citations will be sent to court for hearings.
4. Clarifies the fines the County may pursue in cases of violations.

5. Sets the fine structure for violations of the site plan review portions of the Zoning Ordinance as the same as other violations of the Zoning Ordinance.
6. Moves the procedure for handling violations of the site plan review portions of the Zoning Ordinance to the same section as the procedure for handling other violations of the Zoning Ordinance. Violations to the site plan portions of the Zoning Ordinance will be treated the same as violations of other portions of the Zoning Ordinance.

On October 7, 2019, the Planning, Building and Zoning Committee voted to initiate this text amendment and have the State's Attorney's Office assist in preparing the amendment. On November 12, 2019, the Committee reviewed the changes Staff incorporated based on the State's Attorney's Office's comments and the Committee did not object to the changes to the proposal. The Committee was asked to review retaining the Hearing Officer. At their meeting on January 13, 2020, the Committee chose not to amend the proposal and remove the Hearing Officer.

This proposal was sent to the townships on January 22, 2020. To date, no comments have been received from the townships.

ZPAC reviewed this proposal at their meeting on February 4, 2020. ZPAC recommended approval of the proposal without objection; three (3) members were absent.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on February 26, 2020. Several Commissioners had concerns regarding enforcement procedures, processes, and having a paper trail. The Kendall County Regional Planning Commission recommended that the proposal be forwarded to the Kendall County Zoning Board of Appeals with a condition added that written administrative procedures be established regarding enforcement documentation and processing and that the Department provide quarterly reports to the Regional Planning Commission on the number of violations. Member Wilson voted against the amendment. All nine (9) Commissioners voted to forward the proposal to the Zoning Board of Appeals. The minutes of the meeting were provided.

The State's Attorney's Office has reviewed this proposal.

Discussion occurred regarding enforcement related to special uses.

Chairman Mohr opened the public hearing at 8:12 p.m.

No members of the public testified regarding this proposal.

Chairman Mohr adjourned the public hearing at 8:12 p.m.

Member LeCuyer made a motion, seconded by Member Thompson, to recommend approval of the requested text amendment.

The votes were as follows:

Ayes (7): Cherry, Clementi, Fox, LeCuyer, Mohr, Thompson, and Whitfield  
Nays (0): None



Absent (0): None

The motion passed.

The townships will be notified of the formal objection period and the proposal will go to the Kendall County Planning, Building and Zoning Committee on April 13, 2020.

The Zoning Board of Appeals completed their review of Petition 19-41 at 8:13 p.m.

#### **NEW BUSINESS/OLD BUSINESS**

##### **Discussion of February 1, 2020 Kendall Regional Planning Commission Annual Meeting**

Mr. Asselmeier read the report from the Annual Meeting.

The Board reviewed potential changes to the Future Land Use Map. This proposal will be reviewed by the Kendall County Comprehensive Land Plan and Ordinance Committee.

#### **REVIEW OF PETITIONS THAT WENT TO THE COUNTY BOARD**

Petition 19-47, regarding a kennel and veterinary at the northeast corner of Ridge and Bell Roads, was approved by the County Board.

#### **PUBLIC COMMENTS**

Mr. Asselmeier said that the owner of 3485 Route 126, the former location of ServPro, was pursuing a text amendment to the Zoning Ordinance allowing truck parking yards and areas a permitted use in the M-1 and M-2 Districts. The Petitioner was also requesting a change in the Future Land Use Map reclassifying the property as Mixed Use Business and a map amendment rezoning the property to M-1.

#### **ADJOURNMENT OF THE ZONING BOARD OF APPEALS**

Member Whitfield made a motion, seconded by Member Cherry, to adjourn. With a voice vote of seven (7) ayes, the motion passed. The Zoning Board of Appeals meeting adjourned at 8:33 p.m.

The next hearing/meeting will be on March 30, 2020.

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

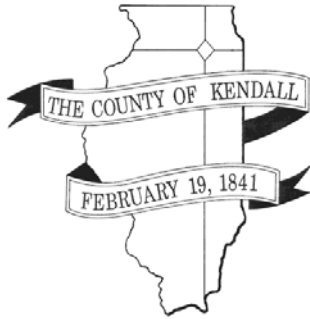
#### **Exhibits**

1. Memo on Petition 19-34 Dated February 26, 2020
2. Certificate of Publication and Mailings for Petition 19-34 (Not Included with Report but on file in Planning, Building and Zoning Office).
3. February 27, 2020 Fax from the Kendall County Historical Society
4. 8515 Van Emmon Road Aerial
5. Memo on Petition 19-39 Dated February 19, 2020
6. Certificate of Publication and Mailings for Petition 19-39 (Not Included with Report but on file in Planning, Building and Zoning Office).
7. Memo on Petition 19-41 Dated February 27, 2020
8. Certificate of Publication for Petition 19-41 (Not Included with Report but on file in Planning, Building and Zoning Office).

**KENDALL COUNTY  
ZONING BOARD OF APPEALS  
MARCH 2, 2020**

In order to be allowed to present any testimony, make any comment, engage in cross-examination, or ask any question during this public hearing, you must enter your name, address, and signature on this form prior to the commencement of the public hearing. By signing this registration sheet, you agree that you understand that anything you say will be considered sworn testimony, and that you will tell the truth, the whole truth and nothing but the truth.

[illegible]



## DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

### Petition 19-34

### Ron Smrz on Behalf of Bank of Lyon Trust A-1 Special Use – Storage of Motor Vehicles, Boats, Trailers and Other Recreational Vehicles

#### INTRODUCTION

Ron Smrz, on behalf of Bank of Lyon Trust, would like to establish a storage business for boats and RVs at the subject property. The application material and amended site plan are included as Attachments 1 and 2 respectively. The amended site plan was created after the Kendall County Regional Planning Commission meeting. The Petitioner updated the site plan to reflect concerns expressed by neighbors.

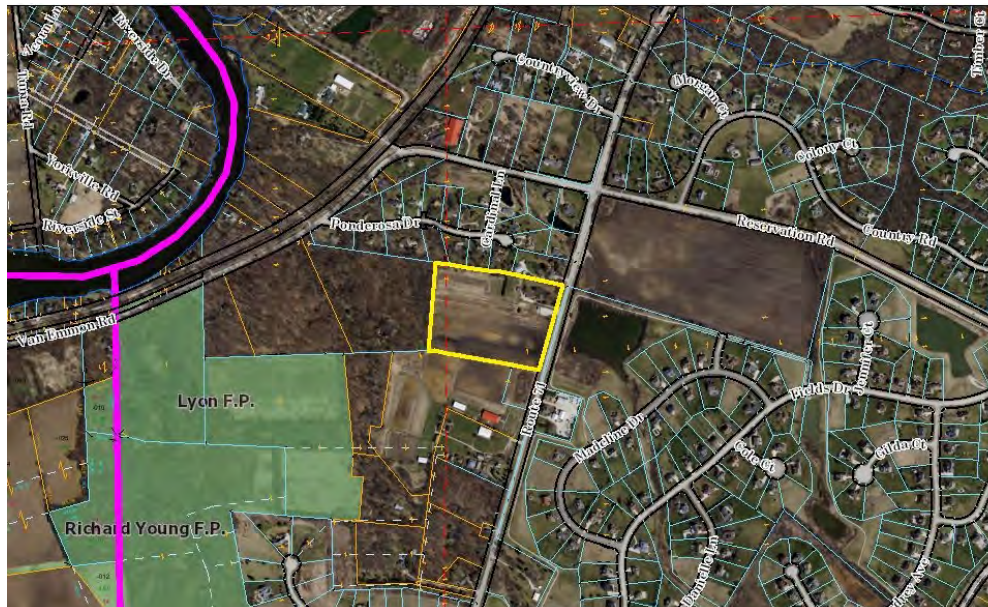
The property was granted a special use permit for the retail sale of nursery stock through Ordinance 1985-10, a copy of which is included as Attachment 3. This proposal will not impact the existing special use permit.

#### SITE INFORMATION

PETITIONER Ronald Smrz on Behalf of the Ronald Smrz Trust

ADDRESS 7821 Route 71

LOCATION Approximately 0.15 Miles South of the Intersection of Route 71 and Van Emmon Road on the West Side of Route 71



TOWNSHIP Oswego

PARCEL # 02-35-151-003

LOT SIZE 17 +/- Acres; 1 +/- Acre for Special Use Permit Area

EXISTING LAND USE     Agricultural/Farmstead/Landscaping Business

ZONING     A-1 Agricultural District

LRMP	Current Land Use	Agricultural
	Future Land Use	Rural Residential (Max 0.6 Du/Acre)
	Roads	Route 71 is a State Highway Classified as an Arterial. Route 71 is also Classified as a Scenic Road at this Property.
	Trails	Yorkville has a Trail Planned Along Route 71.
	Floodplain/ Wetlands	There is a Farmable Wetland on the Property Consisting of Approximately 0.11 Acres.

REQUESTED ACTION     A-1 Special Use to Operate a Storage of Motor Vehicles, Boats, and Recreation Vehicles

APPLICABLE REGULATIONS     Section 7.01 D.50 – A-1 Special Uses – Permits Storage facilities for motor vehicles, boats, trailers, and other recreational vehicles provided that the business shall be located on, and have direct access to, a State, County or Collector Highway as identified in the County’s LRMP, having an all-weather surface, designed to accommodate loads of at least 73,280 lbs. Unless specifically permitted under a special use permit, all storage shall be in enclosed buildings. Self-storage or mini-warehouse facilities are specifically prohibited in the Agricultural District.

Section 13.08 – Special Use Procedures

**SURROUNDING LAND USE**

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Single-Family Residential	R-3	Rural Residential (Max 0.6 DU/Acre)	A-1, A-1 SU, and R-3
South	Agricultural/Farmstead	A-1	Rural Residential/Open Space/Forest Preserve	A-1, A-1 BP, A-1 SU, and R-3 PUD
East	Single-Family Residential	A-1, A-1 SU, and R-3 PUD	Rural Residential	A-1, R-3 PUD, and RPD-2
West	Single-Family Residential and Wooded	A-1 and R-1	Rural Residential	A-1 and R-3

The special use permit to the north is for a campground. The special use permit to the east is for a landscaping business.

Lyon Farm is located south of the subject property.

The Richard Young and Lyon Forest Preserves are in the vicinity.

The aerial of the property is included as Attachment 4.

Pictures of the property are included as Attachments 6-10.

## **PHYSICAL DATA**

### **ENDANGERED SPECIES REPORT**

EcoCat submitted on June 6, 2019, as part of the Wetland Delineation Report and found the Fox River INAI Site and Yorkville Seep INAI Site in the area. (see Attachment 5, Pages 23-25). The entire Wetland Delineation Report is included as Attachment 5. The Petitioner submitted a formal EcoCat on December 23, 2019, and no negative impacts were foreseen.

### **NATURAL RESOURCES INVENTORY**

NRI application submitted on August 2, 2019 (see Attachment 1, Page 12). The NRI Report will be distributed at the March 2, 2020, Kendall County Zoning Board of Appeals Hearing.

## **ACTION SUMMARY**

### **OSWEGO TOWNSHIP**

Oswego Township was emailed the original information on September 24, 2019. The revised site plan was emailed on February 19, 2020.

### **BRISTOL-KENDALL FIRE PROTECTION DISTRICT**

The Bristol-Kendall Fire Protection District was emailed the original information on September 24, 2019. They submitted on comments on January 31, 2020, which are included as Attachment 15. The revised site plan was emailed on February 19, 2020.

### **UNITED CITY OF YORKVILLE**

The United City of Yorkville was emailed the original information on September 24, 2019. The Yorkville Planning Commission reviewed the updated site plan at their meeting on February 12, 2020 and the Yorkville City Council reviewed the proposal at their meeting on February 25, 2020. Yorkville had no objections to the request. The email from Yorkville is included as Attachment 16.

### **ZPAC**

ZPAC met on this proposal on October 1, 2019. Discussion occurred at that meeting regarding obtaining a variance to the Stormwater Management Ordinance. In the ensuing months, the Petitioner decided not to pursue the variance and amended the site plan to meet the requirements of the Kendall County Stormwater Management Ordinance. ZPAC reviewed the revised site plan at their meeting on January 7, 2020, and recommended approval of the proposal with no objections. The minutes of the October ZPAC meeting are included as Attachment 12. The minutes of the January ZPAC meeting are included as Attachment 13.

### **KCRPC**

The Kendall Regional Planning Commission reviewed this proposal at their meeting on January 22, 2020. Six (6) neighbors expressed opposition to the proposal. They were concerned about increased lighting, traffic safety on Route 71, the desire to keep the area rural, leaks of motor vehicle related fuels and oils, the impact of leaks on local wells, a lack of screening or buffering, and concerns about abandoned vehicles on the property. Discussion occurred about the Scenic Route designation of Route 71 in this area. The suggestion was made to require that the lights be turned off during non-business hours of operation. The suggestion was made to not allow semis, cargo containers, or similar items to be stored on the property. The suggestion was made to have the special expire when the Petitioner no longer lived on the property; the Petitioner was against this suggestion. It was noted that none of the existing special uses for this type of use in the A-1 District allow outdoor storage. The Kendall County Regional Planning Commission issued a negative recommendation on the proposal with all member present against the proposal; two (2) members were absent. Member Wilson and Chairman Ashton voted against the proposal because they wished that the Petitioner had talked to his neighbors at the beginning of the process. They felt the use was more appropriate in an industrial or business park. They were also concerned about potential leaks at the site. The minutes of this meeting are included as Attachment 14.

## **BUSINESS OPERATION**

According to revised site plan, the Petitioner plans to offer rental space for fifty-one (51) parking stalls which is down from the two hundred (200) rental units in the original proposal. The proposed hours of operation are daily from 6:30 a.m. until 9:00 p.m.

Prospective renters would meet with the Petitioner at the property at a pre-arranged time to view the property, sign a contract, and receive their access code. The Petitioner plans to use the existing storage building shown in Attachment 6 as the office for the business.

The Petitioner and his wife would be the only employees of the business.

Following the Kendall County Regional Planning Commission meeting, the Petitioner was agreeable to not storing cargo containers.

#### **BUILDING AND BUILDING CODES**

No new structures are planned for the property. A new occupancy permit might be required for the existing storage building.

#### **ENVIRONMENTAL HEALTH**

The location of the well was shown on the proposed site plan south of the existing house. No bathrooms or potable water sources would be available to patrons of the storage business.

#### **STORMWATER**

The Petitioner indicated that the storage area would have a gravel base.

The site plan shows the proposed use to be away from the farmable wetland.

The Petitioner plans to monitor the site for motor vehicle related leaks and would remove contaminated gravel from the property.

Following the Kendall County Regional Planning Commission meeting, the Petitioner agreed to only store non-motorized camp vehicles only, which would eliminate the concerns regarding motor vehicle related leaks.

#### **ROAD ACCESS**

The property fronts Route 71 and an existing access point off of Route 71 exists.

The Illinois Department of Transportation provided comments regarding this proposal which are included as Attachment 11. A new access permit will be required.

#### **PARKING AND INTERNAL TRAFFIC CIRCULATION**

Parking will occur in the gravel areas east of the existing building shown on Attachment 6.

#### **LIGHTING**

The Petitioner provided a lighting plan showing six (6) new light poles, each fifteen feet (15') in height. The lighting plan is included in Attachment 2.

At the Kendall County Regional Planning Commission meeting, the Petitioner seemed agreeable to turning off the lights when the business was not operating.

#### **SIGNAGE**

The Petitioner plans to install a sign along Route 71. The sign must meet all of requirements of the Kendall County Zoning Ordinance and must not be illuminated.

#### **LANDSCAPING**

The Petitioner plans to remove the three (3) existing Norway Spruce trees shown in Attachment 6. The Petitioner plans to plant twenty-two (22) evergreens that will be between approximately four feet and six feet (4'-6') in height at the time of planting. The evergreens will be placed to the west, south, and east of the parking area. The evergreens will be planted by the end of May 2020. A vegetative swale is also planned for south of the parking area.

#### **SECURITY**

The Petitioner indicated that the storage area will have a chain-link fence around the storage area. The fence is planned to be six feet (6') in height.

There will be a twenty foot (20') wide automatic gate on the east side of the storage area to control access to the area. The lock on the gate will be timed to prevent patrons from accessing the property during non-business hours. The gate will be adjacent to the shed shown in Attachment 6.

A security monitoring system will also be installed with cameras on the shed shown in Attachment 6.

The Petitioner agreed to provide the Sheriff's Department and Bristol-Kendall Fire Protection District with a passcode to access the gate.

#### **NOISE CONTROL**

No information was provided regarding noise control.

#### **ODOR CONTROL**

No new odors are foreseen.

#### **LITTER CONTROL PLAN**

While very little trash or litter is expected to be generated by the proposed, no plans for litter control were provided.

#### **RELATION TO OTHER SPECIAL USES**

If approved, this would be the sixth active special use permit for this type of storage in unincorporated Kendall County.

#### **GENERAL**

The Petitioner currently resides in the house on the property.

The Petitioner agreed that all items stored on the property would remain licensed and in good working order. The Petitioner agreed to follow the Kendall County Inoperable Vehicle Ordinance and the Junk and Debris Ordinance. The Petitioner also agreed that none of the vehicles stored as part of the special use permit would be for agricultural purposes.

#### **FINDINGS OF FACT**

It is Staff's understanding that the Petitioner may amend the site plan to reflect additional trees, the following Findings of Fact were based on the information available at the Kendall Regional Planning Commission meeting.

§ 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 operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare provided that the operator of the business allowed by this special use permit develops the site according to the submitted site plan, follows the agreed upon hours of operation, and follows the Kendall County Inoperable Vehicle Ordinance, Kendall County Junk and Debris Ordinance, and related ordinances.***

*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. **Provided that the business operates as proposed, no injury should occur to other property and property values should not be negatively impacted.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary*  
ZBA Memo – Prepared by Matt Asselmeier – February 26, 2020

*facilities have been or are being provided. This is true. The Illinois Department of Transportation has not expressed any concerns regarding this use locating at this property. The business will not have any restroom facilities or drinking water facilities for patrons. The Petitioner will have to secure a stormwater management permit.*

*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. This is true.*

*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 is consistent with an objective found on Page 6-34 of the Kendall County Land Resource Management Plan which calls for “a strong base of agricultural, commercial and industrial uses that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents” through the encouragement “. . . of locally owned businesses.”*

## **RECOMMENDATION**

Staff recommends approval of the requested special use permit for a storage facility for motor vehicles, boats, trailers, and other recreational vehicles subject to the following conditions and restrictions:

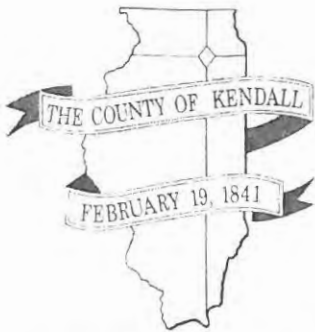
1. The site shall be developed substantially in accordance with the attached site plan, landscaping plan, and lighting plan (Attachment 2). The light poles shall be a maximum fifteen feet (15') in height.
2. The operator(s) of the business allowed by this special use permit shall plant the vegetation identified in the landscaping plan (Attachment 2), specifically a minimum of twenty-two (22) evergreens that will be between approximately four feet and six feet (4'-6') in height at the time of planting will be installed by the end of May 2020.
3. One (1) non-illuminated sign may be installed on the subject property in substantially the location shown on the site plan (Attachment 2).
4. Only non-motorized camp vehicles may be stored on the property. No cargo containers may be stored on the property.
5. The vehicles stored on the premises may be stored outdoors.
6. None of the vehicles stored on premises shall be considered agricultural equipment as they relate to the business allowed by this special use permit.
7. All of the vehicles stored on the premises shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
8. The hours of operation for the business allowed by this special use permit shall be daily from 6:30 a.m. until 9:00 p.m. The operator(s) of the business allowed by this special use permit may reduce these hours of operation. Lights related to the business allowed by this special use permit shall be off during non-business hours.
9. The maximum number of employees for the business allowed by this special use permit shall be two (2), including the business owners.
10. The operator(s) of the business allowed by this special use permit shall provide the Kendall County Sheriff's Department and Bristol-Kendall Fire Protection District with passcodes to the gate upon the request of these agencies.
11. The operator(s) of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
12. The conditions and restrictions contained in Ordinance 1985-10 pertaining to the retail sale of nursery stock shall remain valid, enforceable, and separate from the conditions and restrictions for the special use permit for a storage facility for motor vehicles, boats, trailers, and other recreational vehicles.
13. The operator(s) of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.



14. 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.
15. 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 Materials
2. Amended Site Plan with Lighting Plan
3. Ordinance 1985-10
4. Aerial
5. Wetland Delineation Report (Including EcoCat Information)
6. Storage Building
7. Looking West
8. Looking South
9. Looking North (Towards Site)
10. Looking East
11. 9-19-19 IDOT Email
12. October 1, 2019 ZPAC Minutes
13. January 7, 2020 ZPAC Minutes
14. January 22, 2020 Kendall County Regional Planning Commission Minutes
15. January 31, 2020 Bristol-Kendall Letter
16. February 26, 2020, Yorkville Email



# DEPARTMENT OF PLANNING, BUILDING & ZONING

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

## APPLICATION

PROJECT NAME Rt 71 STORAGE FILE # 19-34

NAME OF APPLICANT <u>RONALD SMRZ</u>		
CURRENT LANDOWNER/NAME(S) <u>RONALD SMRZ / TRUST</u>		
SITE INFORMATION ACRES <u>16.9</u>	SITE ADDRESS OR LOCATION <u>7821 RT 71 YORKVILLE, IL</u>	ASSESSOR'S ID NUMBER (PIN) <u>0235151003</u>
EXISTING LAND USE <u>FARMING / LANDSCAPE</u>	CURRENT ZONING <u>AG-SU</u>	LAND CLASSIFICATION ON LRMP
REQUESTED ACTION (Check All That Apply):		
<input checked="" type="checkbox"/> SPECIAL USE <input type="checkbox"/> MAP AMENDMENT (Rezone to _____) <input type="checkbox"/> VARIANCE <input type="checkbox"/> ADMINISTRATIVE VARIANCE <input type="checkbox"/> A-1 CONDITIONAL USE for: _____ <input type="checkbox"/> SITE PLAN REVIEW <input type="checkbox"/> TEXT AMENDMENT <input type="checkbox"/> RPD ( <input type="checkbox"/> Concept; <input type="checkbox"/> Preliminary; <input type="checkbox"/> Final ) <input type="checkbox"/> ADMINISTRATIVE APPEAL <input type="checkbox"/> PRELIMINARY PLAT <input type="checkbox"/> FINAL PLAT <input type="checkbox"/> OTHER PLAT (Vacation, Dedication, etc.) <input type="checkbox"/> AMENDMENT TO A SPECIAL USE ( <input type="checkbox"/> Major; <input type="checkbox"/> Minor )		
<sup>1</sup> PRIMARY CONTACT <u>RONALD SMRZ</u>	PRIMARY CONTACT MAILING ADDRESS [REDACTED]	PRIMARY CONTACT EMAIL [REDACTED]
PRIMARY CONTACT PHONE #	PRIMARY CONTACT FAX #	PRIMARY CONTACT OTHER # (Cell, etc.)
<sup>2</sup> ENGINEER CONTACT	ENGINEER MAILING ADDRESS	ENGINEER EMAIL
ENGINEER PHONE #	ENGINEER FAX #	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 <u>9/9/19</u>

FEE PAID: \$ 1155  
CHECK #: 690440

RECEIVED

SEP 16 2019

KENDALL COUNTY  
PLANNING, BUILDING  
& ZONING

Date Stamp Here If  
Checklist Is Complete

<sup>1</sup> Primary Contact will receive all correspondence from County

<sup>2</sup> Engineering Contact will receive all correspondence from the County's Engineering Consultants

Attachment 1, Page 2  
PROPOSED BOAT STORAGE 2.2 ACRES

7821 RT 71 YORKVILLE, IL

200 UNITS

GRAVEL BASE

AUTOMATIC GATE ACCESS

EVERGREEN TREES ON EAST + NORTH SIDES

CHAIN LINK FENCE AROUND COMPLETE 2.2 ACRES.

FULL YEAR STORAGE.

SECURITY CAMERA MONITOR SYSTEM

That part of the Northeast Quarter of Section 34 and part of the West Half of Section 35, Township 37 North, Range 7 East of the Third Principal Meridian described as follows: Commencing at the angle point in the Southerly line of a subdivision known as "Ponderosa, Oswego Township, Kendall County, Illinois"; thence Easterly along said Southerly line and said line extended 1,000.21 feet; thence Southeasterly along a line forming an angle of  $178^{\circ} 36' 34''$  with the last described course, measured clockwise therefrom 17.50 feet for the point of beginning; thence Southeasterly along the continuation of the last described course, 525.02 feet; thence Southeasterly along a line forming an angle of  $176^{\circ} 15' 46''$  with the last described course, measured counter-clockwise therefrom, 572.30 feet to the center line of Illinois State Route No. 71; thence Southwesterly along said center line 716.28 feet to a point which is 2,617.14 feet Northeasterly of, measured along said center line and the extension thereof, the intersection of said extended center line and the South line of said Section 35, thence Northwesterly along a line which forms an angle of  $95^{\circ} 02' 00''$  with the last described course, measured counter-clockwise therefrom, 929.88 feet; thence Westerly along a line which forms an angle of  $166^{\circ} 45' 31''$  with the last described course, measured clockwise therefrom, 55.0 feet; thence Northeasterly 709.57 feet to the point of beginning, in Oswego Township, Kendall County, Illinois, and containing 17.055 acres.

Tax Identification Number: 03-35-151-003

Common Address: 7821 Route 71, Yorkville, Illinois 60560



WARRANTY DEED IN TRUST

THIS INDENTURE WITNESSETH,  
THAT THE GRANTORS, RONALD  
O. SMRZ, a single person,  
JULIE A. SMRZ, a single  
person, and MARYANN B.  
SMRZ, by marriage, MARYANN  
B. SMRZ TYSZKA, a married  
person not residing on the  
real estate, of the County  
of Kendall, and State of  
Illinois, for and in con-  
sideration of Ten & NO/100  
(\$10.00) Dollars, and other good and valuable considerations, in hand  
paid, the receipt of which is hereby acknowledged, Convey and Warrant  
unto BANK OF LYONS, an Illinois Banking Corporation, whose address is  
8601 West Ogden Avenue, Lyons, Illinois 60534, as Trustee under the  
provisions of a trust agreement dated the 31st day of October, 1996,  
known as Trust Number 4165 the following described real estate in  
the County of Kendall and State of Illinois, to-wit:

SEE ATTACHED LEGAL DESCRIPTION

Common Address: 7821 Route 71, Yorkville, IL 60560

Permanent Real Estate Index No.: 03-35-151-003

TO HAVE AND TO HOLD the 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  
to vacate any subdivision of part thereof, and to resubdivide  
said property as often as desired, to contract to sell, to grant  
options to purchase, to sell on any terms, to convey either with  
or without consideration, to convey said premises or any part  
thereof to a successor successors in trust and to grant to such  
successor or successors in trust all of the title, estate, powers  
and authorities vested in said trustee, to donate, to dedicate,  
to 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 future, and upon any terms and for any period  
or periods of time, not exceeding in the case of any single  
demise the term of 99 years, and to renew or extend leases upon  
any terms and for any period or periods of time and to amend,  
change or modify leases and the terms and provisions thereof at  
any time or times hereafter, to contract to make leases and to  
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 to exchange said property, or any part

thereof, for other real or personal property, to grant easements or changes of any kind, to release, convey or assign any right, title or interest in or about or easement appurtenant to said premises or any part thereof, and to deal with said property and every part thereof in all other ways and for such other considerations as it 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 that 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 the delivery thereof 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 in 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 every such deed, trust deed, lease, mortgage or other instrument and (d) if the conveyance is made to a successor or successors in trust, that such successor or successors in trust have been properly appointed and are fully vested with all the title, estate, rights, powers, authorities, duties 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.

If the title to any of the above lands is now or hereafter registered, the Registrar of Titles is hereby directed not to register or note in the certificate of title or duplicate thereof, or memorial, the words "in trust", or "upon condition", or "with limitations" or words of similar import, in accordance with the statute in such case made and provided. And the said grantors hereby expressly waive and release any and all right or benefit under and by virtue of any and all statutes of the State of Illinois, providing for the exemption of homesteads from sale on execution or otherwise.

IN WITNESS WHEREOF, the grantors aforesaid have hereunto set their hands and seals this 31st day of October, 1996.

 (Seal)  
Ronald O. Smrz


 (Seal)  
Julie A. Smrz

 (Seal)  
Maryann B. Smrz Tyszka

STATE OF ILLINOIS            )  
                                      ) SS  
COUNTY OF KENDALL        )

I, the undersigned, a Notary Public, in and for said County and State aforesaid, DO HEREBY CERTIFY THAT RONALD O. SMRZ, JULIE A. SMRZ and MARYANN B. SMRZ TYSZKA, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, as having executed the same, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand Notarial Seal this 31st day of October, 1996.

  
Notary Public

Future Taxes To:

Ronald O. Smrz

7821 Route 71

Yorkville, IL 60560

This Instrument Prepared By: Thomas W. Grant, Attorney at Law

Whose Address is: P.O. Box 326, Yorkville, IL 60560

Return This Document To:

Thomas W. Grant, Attorney at Law

P.O. Box 326

Yorkville, IL 60560

DW15\A:\SMRZ.DD

That part of the Northeast Quarter of Section 34 and part of the West Half of Section 35, Township 37 North, Range 7 East of the Third Principal Meridian described as follows: Commencing at the angle point in the Southerly line of a subdivision known as "Ponderosa, Oswego Township, Kendall County, Illinois"; thence Easterly along said Southerly line and said line extended 1,000.21 feet; thence Southeasterly along a line forming an angle of  $178^{\circ} 36' 34''$  with the last described course, measured clockwise therefrom 17.50 feet for the point of beginning; thence Southeasterly along the continuation of the last described course, 525.02 feet; thence Southeasterly along a line forming an angle of  $176^{\circ} 15' 46''$  with the last described course, measured counter-clockwise therefrom, 572.30 feet to the center line of Illinois State Route No. 71; thence Southwesterly along said center line 716.28 feet to a point which is 2,617.14 feet Northeasterly of, measured along said center line and the extension thereof, the intersection of said extended center line and the South line of said Section 35, thence Northwesterly along a line which forms an angle of  $95^{\circ} 02' 00''$  with the last described course, measured counter-clockwise therefrom, 929.88 feet; thence Westerly along a line which forms an angle of  $166^{\circ} 45' 31''$  with the last described course, measured clockwise therefrom, 55.0 feet; thence Northeasterly 709.57 feet to the point of beginning, in Oswego Township, Kendall County, Illinois, and containing 17.055 acres.

Tax Identification Number: 03-35-151-003

Common Address: 7821 Route 71, Yorkville, Illinois 60560



PLAT ACT AFFIDAVIT

STATE OF ILLINOIS  
COUNTY KENDALL 1 ss.

THOMAS W. GRANT, being duly sworn on oath, states that he resides at 39 Meyer Street, Plano, IL 60545. That the attached deed is not in violation of Section 205/1 of Chapter 765 of the Illinois Compiled Statutes for one of the following reasons:

1. The sale or exchange is of an entire tract of land not being a part of a larger tract of land.
2. The division or subdivision of land is into parcels or tracts of 5 acres or more in size which does not involve any new streets or easements of access.
3. The division is of lots or blocks of less than 1 acre in any recorded subdivision which does not involve any new streets or easements of access.
4. The sale or exchange of parcels of land is between owners of adjoining and contiguous land.
5. The conveyance is of parcels of land or interests therein for use as right-of-way for railroads or other public utility facilities, which does not involve any new streets or easements of access.
6. The conveyance is of land owned by a railroad or other public utility which does not involve any new streets or easements of access.
7. The conveyance is of land for highway or public purpose or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use.
8. The conveyance is made to correct descriptions in prior conveyances.
9. The sale or exchange is of parcels or tracts of land following the division into no more than two parts of a particular parcel or tract of land existing on July 17, 1957, and not involving any new streets or easements of access.
10. The sale is of a single lot of less than 5 acres from a larger tract, the dimensions and configurations of said larger tract having been determined by the dimensions and configuration of said larger tract on October 1, 1973, and no sale prior to this sale, of any lot or lots from said larger tract having taken place since October 1, 1973, and a survey of said single lot having been made by a registered land surveyor.

CIRCLE NUMBER FROM FIRST PAGE WHICH IS APPLICABLE TO ATTACHED DEED.

AFFIANT further states that he makes this affidavit for the purpose of inducing the Recorder of Deeds of Kendall County, Illinois, to accept the attached deed for recording, and that all local requirements applicable to the subdivision of land are met by the attached deed and the tract described therein.

Thomas W. Grant

SUBSCRIBED and SWORN to before me this

6<sup>th</sup> day of December, A.D., 1996

Notary Public



Attachment 1 Page 9  
Department of Revenue  
STATEMENT OF EXEMPTION UNDER REAL ESTATE TRANSFER TAX ACT

I hereby declare that the attached represents a transaction exempt under provisions of Paragraph e, Section 4, of the Real Estate Tax Act as set forth below.

Dated this 6th day of December 1986

[Redacted Signature]  
Signature of Buyer, Seller or thru Representative

RECORDER'S DEED NUMBER \_\_\_\_\_ (OR) RECORDER'S RECORDING STAMP IMPRINT  
DATE RECORDED \_\_\_\_\_

INSTRUCTIONS

1. The following deeds shall be exempt from the Stamp and/or Declaration provisions of this Act and shall be accompanied by this Form in lieu of a Declaration at the time deed is presented for recordation:

Section 4:

- (a) Deeds representing real estate transfer made before the effective date of this Act, but recorded after such effective date
  - (b) Deeds to property acquired by any governmental body or from any governmental body or deeds to property between governmental bodies, or by or from any corporation, society or association, foundation or institution organized and operated exclusively for charitable, religious or educational purposes.
  - (c) Deeds which secure debt or other obligation.
  - (d) Deeds which without additional consideration, confirm, correct, modify, or supplement a deed previously recorded.
  - ☒ (e) Deeds where the actual consideration is less than \$100.00.
  - (f) Tax Deeds.
  - (g) Deeds of Release of property which is security for a debt or other obligation.
  - (h) Deeds of partition.
  - (i) Deeds made pursuant to mergers, consolidations or transfers or sales of substantially all of the assets of corporations pursuant to plans of reorganization.
  - (j) Deeds made by a subsidiary corporation to its parent corporation for no consideration other than the cancellation or surrender of the subsidiary's stock.
  - (k) Deeds wherein there is an actual exchange of real estate except that that money difference or money's worth paid from one to the other shall not be exempt from the tax.
  - (l) Deeds representing transfers subject to the unposition of a documentary stamp tax imposed by the government of the United States, except that such deeds shall not be exempt from filing the Declaration.
  - (m) Deeds issued to a holder of mortgage, as defined in Section 15-103 of the Code of Civil Procedure, pursuant to a mortgage foreclosure proceeding or pursuant to a transfer in-lieu of foreclosure.
2. This form is to be used in lieu of Declaration and retained by the Recorder of Deeds or Registrar of Titles.

Organizations that have been determined to be Charitable, Religious or Educational must affix a copy of the certification from the Department of Revenue or a copy of a Court Order.

# Parcel Information Report Kendall County 02-35-151-003

<b>Parcel No</b>	<b>Township</b>	<b>Tax Code</b>	<b>Property Class</b>	<b>Land Use</b>	<b>1977 Base Value</b>	<b>Senior Freeze Year</b>
02-35-151-003	Oswego Township	OS001	0011		9,820	
<b>Alternate Parcel No</b>	<b>Homesite Acres</b>	<b>Farm Acres</b>	<b>Gross Acres</b>	<b>TIF Base</b>	<b>EZone Parcel</b>	<b>Senior Freeze Value</b>
0343151003	0.7600	16.3000	17.0600	0	NO	0
<b>Parcel Status</b>	<b>Activation Year</b>	<b>Lot Dimension</b>	<b>Level Activated</b>			
			Township Assessor			

**Owner Name and Address**  
BANK OF LYONS %RON SMRZ  
P O BOX 576  
7821 RT 71  
YORKVILLE, IL 60560

## Alternate Name and Address

<b>Parcel Sales</b>	<b>Document Number</b>	<b>Date of Sale</b>	<b>Gross Selling Price</b>	<b>Net Selling Price</b>	<b>Valid Sale</b>	<b>Filing Date</b>	<b>Book</b>	<b>Page</b>
	84000155	01/01/1984	\$0.00	\$0.00	N			

**Site Address**  
7821 ROUTE 71  
YORKVILLE, IL 60560

**Legal Description**  
SEC 35-37-7

**Parcel Notes**  
BLDING PERMIT/HORSE BARN/07-06-00 AG CERT OF OCC/FARM BLDG/07-11-00 BLDING PRMT/ACCESS  
BLDING/02-27-01 ACREAGE ADJUSTMENT 2003 PER DAVE THOMPSON INCLUDE PART THAT IS IN SECTION 34  
1 STORY, 2454 SQ FT  
PROPERTY RECORD CARD ON FILE  
P O BOX # ADDED TO MAILING ADDRESS AS PER TAX BILL RECT \*\*6/10/10  
\*\*\*\*\*

## Exemption Information

<b>Year</b>	<b>Exemption</b>	<b>Begin Date</b>	<b>End Date</b>	<b>Amount Granted</b>
2019	Owner Occupied	01/01/2019	12/31/2019	6,000

## Assessment Information

<b>Tax Year</b>	<b>2019</b>	<b>Parcel No:</b>	<b>02-35-151-003</b>					
<b>Category</b>	<b>Partial Bldg Ind</b>	<b>Farm Land</b>	<b>Farm Building</b>	<b>Non Farm Land</b>	<b>Non Farm Building</b>	<b>Total New Construction</b>	<b>Total Demolition</b>	<b>Assessment Total</b>
Prior Year Equalized	N	3,500	4,312	21,184	66,550	0	0	95,546
Township Assessor	N	3,930	6,328	21,303	66,923	0	0	98,484

## Parcel Genealogy:

# KENDALL COUNTY DISCLOSURE OF BENEFICIARIES FORM

1. Applicant RONALD SMRZ  
 Address 7821 RT 71  
 City YORKVILLE State IL Zip 60560
2. Nature of Benefit Sought Special use
3. Nature of Applicant: (Please check one)
  - ☐ 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:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
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:  

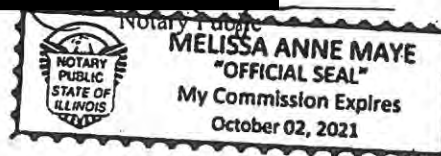
NAME	ADDRESS	INTEREST
<u>RONALD SMRZ</u>	[REDACTED]	[REDACTED]
<u>JULIE SMRZ</u>	[REDACTED]	[REDACTED]
<u>MARYANN ROTHMAN</u>	[REDACTED]	[REDACTED]
6. Name, address, and capacity of person making this disclosure on behalf of the applicant:  
Ronald Smrz, under power of direction - Land Trust  
 [REDACTED]

## VERIFICATION

I, Ronald O. Smrz, 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 read the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein are true in both substance and fact

Subscribed and sworn to before me this 12<sup>th</sup> day of August, A.D. 2019

(seal)





Kendall County Soil & Water  
Conservation District

RECEIVED  
AUG 02 2019

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

BY: MEA



www.kendallswcd.org

## NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

Petitioner: RONALD SMRZ Contact Person: RONALD SMRZ  
Address: [REDACTED]  
City, State, Zip: [REDACTED]  
Phone Number: [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 OSWEGO Township      N, Range      E, Section(s)       
Parcel Index Number(s) 0235151003  
Project or Subdivision Name      Number of Acres       
Current Use of Site AG-SU Proposed Use AG-SU  
Proposed Number of Lots      Proposed Number of Structures 0  
Proposed Water Supply existing Proposed type of Wastewater Treatment existing  
Proposed type of Storm Water Management N/A

### 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	\$	<u>375.00</u>
<u>    </u> Additional Acres at \$18.00 each	\$	<u>    </u>
<b>Total NRI Fee</b>	<b>\$</b>	<u>    </u>

**NOTE:** Applications are due by the 1<sup>st</sup> 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

Aug 2, 2019  
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# 1909 Date initially rec'd 8/2/19 Date all rec'd      Board Meeting       
Fee Due \$      Fee Paid \$      Check #      Over/Under Payment      Refund Due



Please fill out the following findings of fact to the best of your capabilities. §13.08.J of the Zoning Ordinance outlines findings that the Hearing Officer shall consider in rendering a decision, but is not required to make an affirmative finding on all items in order to grant a **special use**. They are as follows:

*That the establishment, maintenance, and operation of the special use will not be detrimental to, or endanger, the public health, safety, morals, comfort, or general welfare.* NONE

*That the special use will not be substantially injurious to the use and enjoyment of other properties 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.* NONE

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

*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 Hearing Officer.* YES

*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.* YES



# ENGINEERING PLANS FOR ROUTE 71 S

# SECTION 35, TOWNSHIP 37 NORTH , RANGE 7 EAST

**7821 US ROUTE 71  
YORKVILLE, IL 60560  
KENDALL COUNTY  
JANUARY, 2020**

## LEGEND

	PROPERTY BOUNDARY
	EXISTING CONTOUR LINE
	EXISTING STORM SEWER
	EXISTING SANITARY SEWER LINE
	EXISTING WATERMAIN
	EXISTING UNDERGROUND ELECTRIC
	EXISTING OVERHEAD ELECTRIC
	EXISTING GAS SERVICE
	EXISTING TELEPHONE
	PROPOSED CONTOUR LINE
	PROPOSED WATERMAIN
	PROPOSED STORM SEWER
	PROPOSED SANITARY SEWER LINE
	PROPOSED GREASE SERVICE LINE
	PROPOSED VENT LINE
	EXISTING FENCELINE
	PROPOSED SILT FENCE
	x 666.00 EXISTING SPOT SHOT
	x 666.00 PROPOSED SPOT GRADE

	EXIST	PROP	
WATER:			B-BOX
			HYDRANT
			VALVE
			VALVE VAULT
STORM:			INLET-CURB
			INLET OR MANHOLE
			FLARED END SECTION
SANITARY:			CLEANOUT
			MANHOLE
	R.O.W. MONUMENT		UTILITY POLE
	PROPERTY PIN		GUY WIRE LOC.
	P.K. NAIL		UTIL. CABINET
	CHISELED MARK		UTIL. PEDESTAL
	BENCHMARK		LIGHT POLE
	HUB & TACK		TRAFFIC SIGNAL
	SOIL BORING		ELECTRIC VAULT
	OVERLAND RELIEF		GAS VALVE
	FLOW DIRECTION		

## INDEX TO SHEETS

1. COVER SHEET
2. CIVIL SITE PLANS
3. GENERAL NOTES & DETAILS



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

Contractor and or sub-contractors shall verify locations of all underground utilities prior to digging. Contact J.U.L.I.E. (Joint Utility Locating for Excavators) at 1-800-892-0123 or dial 811.

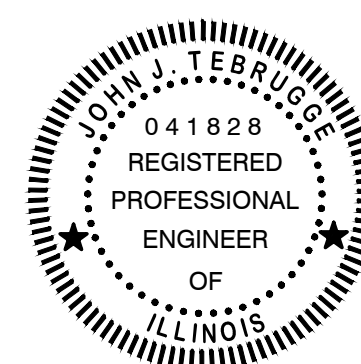
## UTILITY STATEMENT

THE UTILITIES SHOWN HAVE BEEN LOCATED FROM VISIBLE FIELD EVIDENCE AND EXISTING DRAWINGS, MAPS AND RECORDS SUPPLIED TO THE SURVEYOR. THE SURVEYOR MAKES NO GUARANTEES THAT THE UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM AVAILABLE INFORMATION. THE SURVEYOR HAS PHYSICALLY LOCATED VISIBLE STRUCTURES; HOWEVER, HE HAS NOT PHYSICALLY LOCATED THE UNDERGROUND LINES.

PROFESSIONAL ENGINEER'S CERTIFICATION  
STATE OF ILLINOIS, COUNTY OF KENDALL

I JOHN J. TEBRUGGE, A LICENSED PROFESSIONAL ENGINEER OF ILLINOIS, HEREBY CERTIFY THAT THESE PLANS HAVE BEEN PREPARED UNDER MY PERSONAL DIRECTION BASED ON AVAILABLE DOCUMENTS AND FIELD MEASUREMENTS FOR THE EXCLUSIVE USE OF THE CLIENT NOTED HEREON.

GIVEN UNDER MY HAND & SEAL THIS 24<sup>TH</sup> DAY OF JANUARY, 2020.

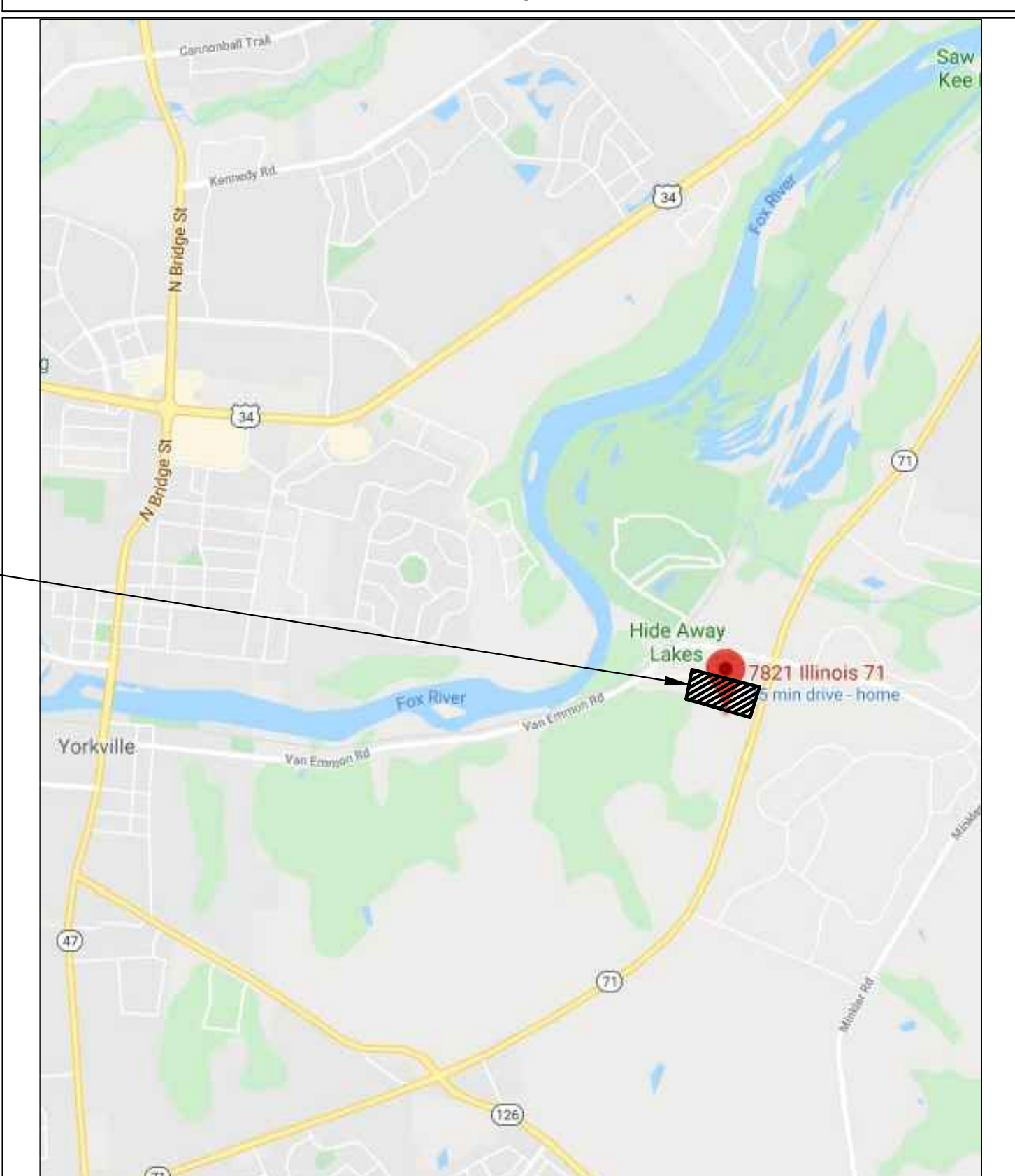


*John J. Bruggs*  
ILLINOIS REGISTERED PROFESSIONAL ENGINEER  
NO. 0062-041828 EXPIRES NOV. 30, 2021

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ALL RIGHTS RESERVED. NO PART OF THESE CIVIL ENGINEERING PLANS  
MAY BE REPRODUCED, DISTRIBUTED, OR TRANSMITTED IN ANY FORM  
OR BY ANY MEANS, INCLUDING PHOTOCOPYING, RECORDING, OR OTHER  
ELECTRONIC OR MECHANICAL METHODS, WITHOUT THE PRIOR WRITTEN  
PERMISSION OF TEBUGGE ENGINEERING.

## LOCATION MAP

N.T.S.



### BENCHMARKS:

SITE BENCHMARK: CROSS  
NOTCH (x) ON TOP OF  
BOX CULVERT HEADWALL  
ELEVATION=638.90 NGVD29

**PLANS PREPARED FOR:**

RON SMRZ  
7821 US ROUTE 71  
YORKVILLE, IL 60560  
PHONE: (630) 774-1761

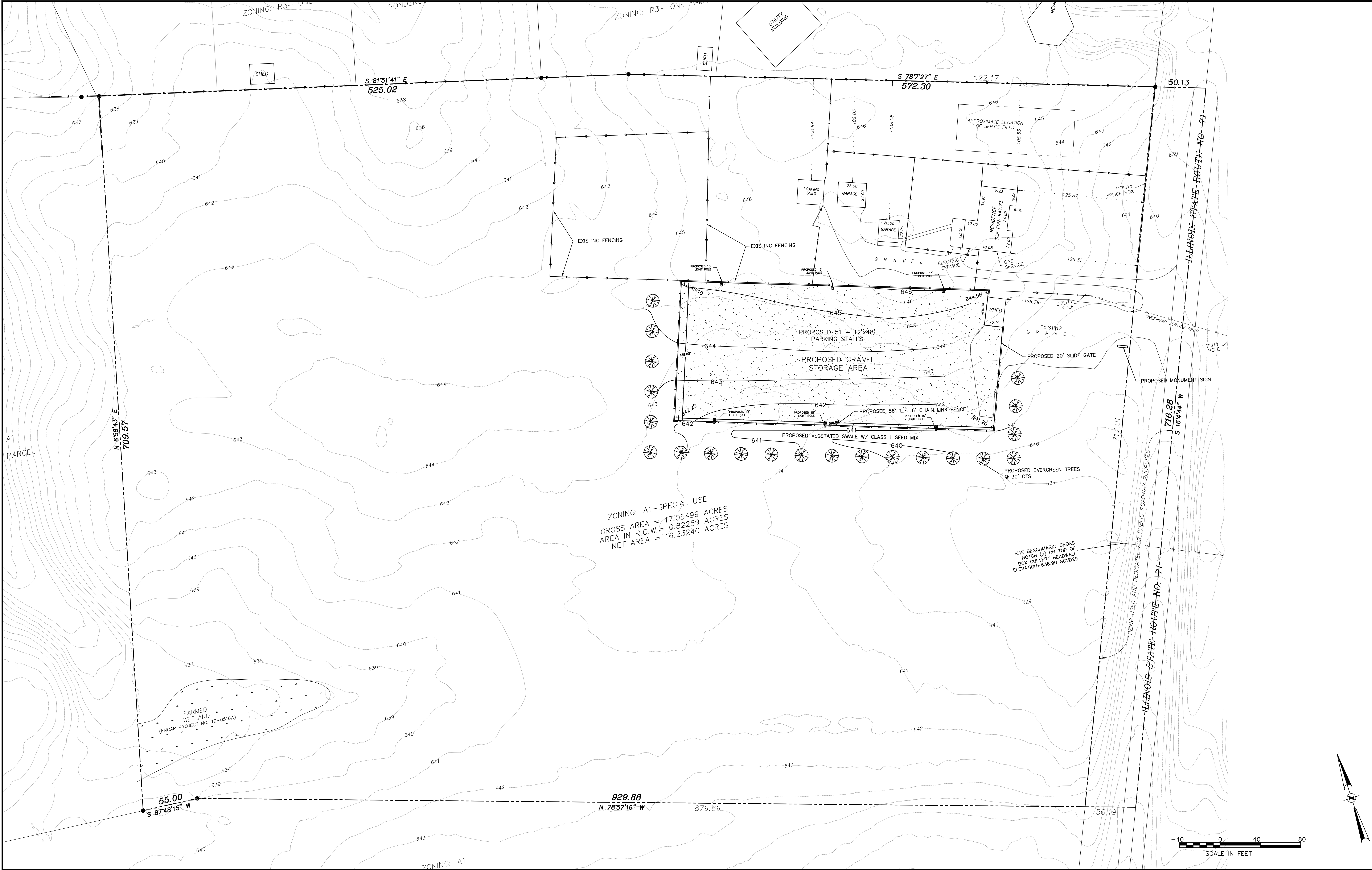
**CIVIL ENGINEER:**

TEBRUGGE ENGINEERING  
410 E CHURCH ST - SUITE A  
SANDWICH, ILLINOIS 60548  
(815) 786-0195

INFO@TEBRUGGEENGINEERING.COM  
WWW.TEBRUGGEENGINEERING.COM

[illegible]





REVISIONS	NO.	DATE	NOTES
	1	1.24.2020	ADDED 15' LIGHT POLES AND EXTENDED TREES AROUND



GENERAL CONDITIONS

1. ALL EARTHWORK, ROADWAY WORK, DRAINAGE WORK OR STORM SEWER WORK SHALL BE PERFORMED UTILIZING MATERIALS AND METHODS IN STRICT ACCORDANCE WITH THE ILLINOIS DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION" LATEST EDITION, AS WELL AS THE STANDARD DETAIL SHEETS ATTACHED TO THESE PLANS. ALL MUNICIPAL, COUNTY, STATE AND FEDERAL REQUIREMENTS AND STANDARDS SHALL BE STRICTLY ADHERED TO IN WORK PERFORMED UNDER THIS CONTRACT.
2. ALL SANITARY SEWER AND WATER MAIN WORK SHALL BE PERFORMED USING METHODS AND MATERIALS IN STRICT ACCORDANCE WITH THE LATEST EDITION OF "STANDARD SPECIFICATIONS FOR WATER AND SEWER MAIN CONSTRUCTION IN ILLINOIS", LATEST EDITION, AS WELL AS THE STANDARD DETAIL SHEETS ATTACHED TO THESE PLANS. ALL MUNICIPAL, COUNTY, STATE AND FEDERAL REQUIREMENTS AND STANDARDS SHALL BE STRICTLY ADHERED TO IN WORK PERFORMED UNDER THIS CONTRACT.
3. ANY SPECIFICATIONS WHICH ARE SUPPLIED ALONG WITH THE PLANS SHALL TAKE PRECEDENCE IN THE CASE OF A CONFLICT WITH THE STANDARD SPECIFICATIONS NOTED IN ITEMS NO. 1 AND 2 ABOVE. THE ABOVE STANDARD SPECIFICATIONS & THE CONSTRUCTION PLANS ARE TO BE CONSIDERED AS PART OF THE CONTRACT DOCUMENTS. INCIDENTAL ITEMS OR ACCESSORIES NECESSARY TO COMPLETE THIS WORK MAY NOT BE SPECIFICALLY NOTED BUT ARE TO BE CONSIDERED A PART OF THE CONTRACT.
4. PRIOR TO COMMENCEMENT OF CONSTRUCTION, THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS AFFECTING THEIR WORK WITH THE ACTUAL CONDITIONS AT THE JOB SITE. IF THERE ARE ANY DISCREPANCIES FROM WHAT IS SHOWN ON THE CONSTRUCTION PLANS, HE MUST IMMEDIATELY REPORT SAME TO THE ENGINEER BEFORE DOING ANY WORK. OTHERWISE THE CONTRACTOR WILL BE CONSIDERED TO HAVE PROCEEDED AT HIS OWN RISK AND EXPENSE. IN THE EVENT OF ANY DOUBT OR QUESTION ARISING WITH RESPECT TO THE TRUE MEANING OF THE CONSTRUCTION PLANS OR SPECIFICATIONS, THE DECISION OF THE ENGINEER SHALL BE FINAL AND CONCLUSIVE.
5. ALL WORK PERFORMED UNDER THIS CONTRACT SHALL BE GUARANTEED AGAINST ALL DEFECTS IN MATERIALS AND WORKMANSHIP OF WHATEVER NATURE BY THE CONTRACTOR AND HIS SURETY FOR A PERIOD OF 12 MONTHS FROM THE DATE OF FINAL ACCEPTANCE OF THE WORK BY THE GOVERNING MUNICIPALITY, OTHER APPLICABLE GOVERNMENTAL AGENCIES, AND THE OWNER.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL REQUIRED PERMITS FOR CONSTRUCTION ALONG OR ACROSS EXISTING STREETS OR HIGHWAYS. HE SHALL MAKE ARRANGEMENTS FOR THE PROPER BRACING, SHORING AND OTHER REQUIRED PROTECTION OF ALL ROADWAYS BEFORE CONSTRUCTION BEGINS, ALONG WITH ADEQUATE TRAFFIC CONTROL MEASURES. HE SHALL BE RESPONSIBLE FOR ANY DAMAGE TO THE STREETS OR ROADWAYS AND ASSOCIATED STRUCTURES AND SHALL MAKE REPAIRS AS NECESSARY TO THE SATISFACTION OF THE ENGINEER, AT NO ADDITIONAL COST TO THE OWNER.
7. THE UTILITY LOCATIONS, AND THE DEPTHS SHOWN ON THESE PLANS ARE APPROXIMATE ONLY, AND SHALL BE VERIFIED BY THE CONTRACTOR WITH ALL AFFECTED UTILITY COMPANIES PRIOR TO INITIATING CONSTRUCTION OPERATIONS. THE ENGINEER AND OWNER ASSUME NO RESPONSIBILITY FOR THE ADEQUACY, SUFFICIENCY OR EXACTNESS OF THESE UTILITY REPRESENTATIONS.
8. PRIOR TO STARTING CONSTRUCTION THE CONTRACTOR SHALL CONTACT THE OFFICE OF J.U.I.E. AT 1-800-892-0123 FOR EXACT FIELD LOCATION OF ALL UNDERGROUND UTILITIES IN THE PROXIMITY OF, AND ON, THE PROJECT SITE, IF THERE ARE ANY UTILITIES WHICH ARE NOT MEMBERS OF THE J.U.I.E. SYSTEM. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR DETERMINING THIS AND MAKE ARRANGEMENTS TO HAVE THESE UTILITIES FIELD LOCATED.
9. EASEMENTS FOR THE EXISTING UTILITIES, BOTH PUBLIC AND PRIVATE, AND UTILITIES WITHIN PUBLIC RIGHTS-OF-WAY ARE SHOWN ON THE PLANS ACCORDING TO AVAILABLE RECORDS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE EXACT LOCATION IN THE FIELD OF THESE UTILITY LINES AND THEIR PROTECTION FROM DAMAGE DURING CONSTRUCTION OPERATIONS. IF EXISTING UTILITY LINES OF ANY NATURE ARE ENCOUNTERED WHICH CONFLICT IN LOCATION WITH NEW CONSTRUCTION, THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR RELOCATING THESE FACILITIES AT HIS EXPENSE TO ACCOMMODATE THE NEW CONSTRUCTION.
10. ALL FIELD TILE ENCOUNTERED DURING CONSTRUCTION OPERATIONS SHALL BE CONNECTED TO THE PROPOSED STORM SEWER OR EXTENDED TO OUTLET INTO A PROPOSED DRAINAGE WAY. IF THIS CANNOT BE ACCOMPLISHED, THEN IT SHALL BE REPAIRED WITH NEW PIPE OF SIMILAR SIZE AND MATERIAL TO THE ORIGINAL LINE AND PUT IN ACCEPTABLE CONDITION. A RECORD OF THE LOCATION OF ALL FIELD TILE FOR ON-SITE DRAIN PIPE ENCOUNTERED SHALL BE KEPT BY THE CONTRACTOR AND TURNED OVER TO THE ENGINEER UPON COMPLETION OF THE PROJECT. THE COST OF THIS WORK SHALL BE CONSIDERED AS INCIDENTAL TO THE CONTRACT AND NO ADDITIONAL COMPENSATION WILL BE ALLOWED.
11. IT SHALL BE THE RESPONSIBILITY OF EACH RESPECTIVE CONTRACTOR TO REMOVE FROM THIS SITE ANY AND ALL MATERIALS AND DEBRIS WHICH RESULT FROM HIS CONSTRUCTION OPERATIONS AT NO ADDITIONAL EXPENSE TO THE OWNER.
12. THE ENGINEER AND OWNER ARE NOT RESPONSIBLE FOR THE CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES OR PROCEDURES, TIME OF PERFORMANCE, PROGRAMS OF FOR ANY SAFETY PRECAUTIONS USED BY THE CONTRACTOR. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR EXECUTION OF HIS WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS AND SPECIFICATIONS.
13. THE CONTRACTOR SHALL COMPLY WITH ALL STATE AND FEDERAL SAFETY REGULATIONS AS OUTLINED IN THE LATEST REVISIONS OF THE FEDERAL CONSTRUCTION SAFETY STANDARDS (SERIES 1926) AND WITH APPLICABLE PROVISIONS AND REGULATIONS OF THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) STANDARDS OF THE WILLIAMS STELGER OCCUPATIONAL HEALTH STATE SAFETY ACT OF 1970 (REVISED). THE CONTRACTOR, ENGINEERS, AND OWNER SHALL EACH BE RESPONSIBLE FOR HIS OWN RESPECTIVE AGENTS AND EMPLOYEES.
14. THE CONTRACTOR SHALL INDEMNIFY THE OWNER, THE ENGINEER, AND ALL GOVERNING AUTHORITIES, THEIR AGENTS SUCCESSORS AND ASSIGNS FROM ANY AND ALL LIABILITY WITH RESPECT TO THE CONSTRUCTION, INSTALLATION AND TESTING OF THE WORK REQUIRED ON THIS PROJECT. IT SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR TO PERFORM THE WORK OF THIS CONTRACT IN A MANNER WHICH STRICTLY COMPLIES WITH ANY AND ALL PERTINENT LOCAL, STATE OR NATIONAL CONSTRUCTION AND SAFETY CODES; THE ENGINEER, OWNER, AND GOVERNING AUTHORITIES ARE NOT RESPONSIBLE FOR ENSURING COMPLIANCE BY THE CONTRACTOR WITH SAID CODES AND ASSUME NO LIABILITY FOR ACCIDENTS, INJURIES, OR DEATHS, OR CLAIMS RELATING THERETO WHICH MAY RESULT FROM LACK OF ADHERENCE TO SAID CODES.

UNDERGROUND UTILITIES

1. ALL UTILITY TRENCHES BENEATH PROPOSED OR EXISTING UTILITIES, PROPOSED OR EXISTING PAVEMENT, DRIVEWAYS, SIDEWALKS AND FOR A DISTANCE OF TWO FEET ON EITHER SIDE OF SAME, AND/OR WHEREVER ELSE SHOWN ON THE CONSTRUCTION PLANS SHALL BE BACKFILLED WITH SELECT GRANULAR BACKFILL (CA-6 OR CA-7) AND THOROUGHLY COMPACTED IN ACCORDANCE WITH THE EARTHWORK SPECIFICATIONS.
2. UNLESS OTHERWISE INDICATED ON THE PLANS, STORM SEWER PIPE SHALL BE REINFORCED CONCRETE CULVERT PIPE OF THE CLASS AS INDICATED ON THE PLANS, AND CONFORMING TO ASTM C-76. JOINTS SHALL TYPICALLY BE A "TROWEL APPLIED" BITUMINOUS MASTIC COMPOUND IN ACCORDANCE WITH ASTM C-76 (OR C-14 AS MAY BE APPLICABLE OR RUBBER "O"-RING GASKET JOINTS CONFORMING TO ASTM C-443). LOCATIONS WHERE THE STORM SEWER CROSSES WATERMAINS AN "O"-RING JOINT IN ACCORDANCE WITH ASTM C-361 SHALL BE USED.
3. STORM SEWER MANHOLES SHALL BE PRECAST STRUCTURES, WITH THE DIAMETER DEPENDENT ON THE PIPE SIZE AND WITH APPROPRIATE FRAME AND LIDS (SEE CONSTRUCTION STANDARDS). LIDS SHALL BE IMPRINTED "STORM SEWER". ALL FLARED END SECTIONS SHALL HAVE A FRAME & GRATE INSTALLED.
4. THESE FRAME AND GRATES FOR STORM STRUCTURES SHALL BE USED UNLESS OTHERWISE INDICATED ON THE PLAN SET. USE NEENAH R-1712 OPEN LID (OR EQUAL) IN PAVEMENT AREAS, USE NEENAH R-1772-B OPEN OR CLOSED LID (OR EQUAL) IN GRASS AREAS, USE NEENAH R-3015 (OR EQUAL) FOR B6.12 CURB AREAS, AND NEENAH R-3509 (OR EQUAL) FOR DEPRESSED CURB AREAS.
5. STRUCTURES FOR SANITARY AND STORM SEWERS AND VALVE VAULTS FOR WATER SHALL BE IN ACCORDANCE WITH THESE IMPROVEMENT PLANS AND THE APPLICABLE STANDARD SPECIFICATIONS. WHERE GRANULAR TRENCH BACKFILL IS REQUIRED AROUND THESE STRUCTURES THE COST SHALL BE CONSIDERED AS INCIDENTAL AND SHALL BE INCLUDED IN THE CONTRACT UNIT PRICE FOR THE STRUCTURE.
6. ALL STORM SEWERS AND WATERMAINS SHALL HAVE COMPACTED CA-7 GRANULAR BEDDING, A MINIMUM OF 4" BELOW THE BOTTOM OF THE PIPE FOR THE FULL LENGTH. BEDDING SHALL EXTEND TO THE SPRING LINE OF THE PIPE. COST FOR THE BEDDING SHALL BE INCLUDED WITH THE UNIT PRICE BID FOR THE PIPE.
7. THE UNDERGROUND CONTRACTOR SHALL BE RESPONSIBLE FOR DEWATERING ANY EXCAVATION FOR THE INSTALLATION OF THE SEWER OR WATER SYSTEMS. ANY DEWATERING ENCOUNTERED SHALL BE INCIDENTAL TO THE RESPECTIVE UNDERGROUND UTILITY.
8. ALL STRUCTURES SHALL HAVE A MAXIMUM OF 8" OF ADJUSTING RINGS, UNLESS OTHERWISE NOTED.
9. ALL TOP FRAMES FOR STORM AND VALVE VAULT COVERS AND B-BOXES ARE TO BE ADJUSTED TO MEET FINAL FINISH GRADE UPON COMPLETION OF FINISHED GRADING AND FINAL INSPECTIONS. THIS ADJUSTMENT IS TO BE MADE BY THE UNDERGROUND CONTRACTOR AND THE COST IS TO BE INCIDENTAL. THE UNDERGROUND CONTRACTOR SHALL INSURE THAT ALL ROAD AND PAVEMENT INLETS OR STRUCTURES ARE AT FINISHED GRADE. ANY ADJUSTMENTS NECESSITATED BY THE CURB OR PAVING CONTRACTOR TO ACHIEVE FINAL RIM GRADE, RESULTING IN AN EXTRA FOR SAID ADJUSTMENTS, WILL BE CHARGED TO THE UNDERGROUND CONTRACTOR.
10. ALL FLOOR DRAINS AND FLOOR DRAIN SUMP PUMPS SHALL DISCHARGE INTO THE SANITARY SEWER.
11. ALL DOWNSPOUTS, FOOTING DRAINS AND SUBSURFACE STORM WATERS SHALL DISCHARGE INTO THE STORM SEWER OR ONTO THE GROUND AND BE DIRECTED TOWARDS A STORM SEWER STRUCTURE.
12. ANY ANTICIPATED COST OF SHEETING SHALL BE REFLECTED IN THE CONTRACT AMOUNTS. NO ADDITIONAL COST WILL BE ALLOWED FOR SHEETING OR BRACING.
13. THE CONTRACTOR SHALL INSTALL A 2"x4"x8" POST ADJACENT TO THE TERMINUS OF THE SANITARY SERVICE, WATERMAIN SERVICE, SANITARY MANHOLES, STORM STRUCTURES, AND WATER VAULTS. THE POST SHALL EXTEND A MINIMUM OF 4 FT. ABOVE THE GROUND. SAID POST SHALL BE PAINTED AS FOLLOWS: SANITARY-GREEN, WATER-BLUE, AND STORM-RED.
14. IT SHALL BE THE RESPONSIBILITY OF THE UNDERGROUND CONTRACTOR TO REMOVE FROM THE SITE ANY AND ALL MATERIALS AND DEBRIS WHICH RESULT FROM HIS CONSTRUCTION OPERATIONS AT NO ADDITIONAL EXPENSE TO THE OWNER.

EARTHWORK

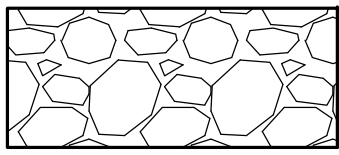
1. ALL EARTHWORK OPERATIONS SHALL BE IN ACCORDANCE WITH SECTION 200 OF THE I.D.O.T. SPECIFICATIONS.
2. THE CONTRACTOR SHALL PROTECT ALL PROPERTY PINS AND SURVEY MONUMENTS AND SHALL RESTORE ANY WHICH ARE DISTURBED BY HIS OPERATIONS AT NO ADDITIONAL COST TO THE CONTRACT.
3. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE ALL MATERIAL QUANTITIES AND APPRISE HIMSELF OF ALL SITE CONDITIONS. THE CONTRACT PRICE SUBMITTED BY THE CONTRACTOR SHALL BE CONSIDERED AS LUMP SUM FOR THE COMPLETE PROJECT. NO CLAIMS FOR EXTRA WORK WILL BE RECOGNIZED UNLESS ORDERED IN WRITING BY THE OWNER.
4. PRIOR TO ONSET OF MASS GRADING OPERATIONS THE EARTHWORK CONTRACTOR SHALL FAMILIARIZE HIMSELF WITH THE SOIL EROSION CONTROL SPECIFICATIONS, THE INITIAL ESTABLISHMENT OF EROSION CONTROL PROCEDURES AND THE PLACEMENT OF SILT FENCING, ETC. TO PROTECT ADJACENT PROPERTY SHALL OCCUR BEFORE MASS GRADING BEGINS, AND IN ACCORDANCE WITH THE SOIL EROSION CONTROL CONSTRUCTION SCHEDULE.
5. THE GRADING OPERATIONS ARE TO BE CLOSELY SUPERVISED AND INSPECTED, PARTICULARLY DURING THE REMOVAL OF UNSUITABLE MATERIAL AND THE CONSTRUCTION OF EMBANKMENTS OR BUILDING PADS, BY THE SOILS ENGINEER OR HIS REPRESENTATIVE. ALL TESTING, INSPECTION AND SUPERVISION OF SOIL QUALITY, UNSUITABLE REMOVAL AND ITS REPLACEMENT AND OTHER SOILS RELATED OPERATIONS SHALL BE ENTIRELY THE RESPONSIBILITY OF THE SOILS ENGINEER.
6. THE GRADING AND CONSTRUCTION OF THE SITE IMPROVEMENTS SHALL NOT CAUSE PONDING OF STORM WATER. ALL AREAS ADJACENT TO THESE IMPROVEMENTS SHALL BE GRADED TO ALLOW POSITIVE DRAINAGE.
7. THE PROPOSED GRADING ELEVATIONS SHOWN ON THE PLANS ARE FINISH GRADE. A MINIMUM OF SIX INCHES (6") OF TOPSOIL IS TO BE PLACED BEFORE FINISH GRADE ELEVATIONS ARE ACHIEVED.
8. THE SELECTED STRUCTURAL FILL MATERIAL SHALL BE PLACED IN LEVEL UNIFORM LAYERS SO THAT THE COMPACTED THICKNESS IS APPROXIMATELY SIX INCHES (6"); IF COMPACTION EQUIPMENT DEMONSTRATES THE ABILITY TO COMPACT A GREATER THICKNESS, THEN A GREATER THICKNESS MAY BE SPECIFIED. EACH LAYER SHALL BE THOROUGHLY MIXED DURING SPREADING TO INSURE UNIFORMITY.
9. EMBANKMENT MATERIAL WITHIN ROADWAY, PARKING LOT, AND OTHER STRUCTURAL CLAY FILL AREAS SHALL BE COMPACTED TO A MINIMUM OF NINETY-FIVE PERCENT (95%) OF MAXIMUM DENSITY IN ACCORDANCE WITH ASTM SPECIFICATION D-1557 (MODIFIED PROCTOR METHOD), OR TO SUCH OTHER DENSITY AS MAY BE DETERMINED APPROPRIATE BY THE SOILS ENGINEER. EMBANKMENT MATERIAL SHALL BE COMPACTED TO A MINIMUM OF NINETY-FIVE (95%) OF MAXIMUM DENSITY IN ACCORDANCE WITH ASTM DESIGNATION D-1557 (MODIFIED PROCTOR METHOD) OR TO SUCH OTHER DENSITY AS MAY BE DETERMINED APPROPRIATE BY THE SOIL ENGINEER.
10. EMBANKMENT MATERIAL (RANDOM FILL) WITHIN NON-STRUCTURAL FILL AREAS SHALL BE COMPACTED TO A MINIMUM OF NINETY PERCENT (90%) OF MAXIMUM DENSITY IN ACCORDANCE WITH ASTM SPECIFICATION D-157 (MODIFIED PROCTOR METHOD).
11. THE SUB GRADE FOR PROPOSED STREET AND PAVEMENT AREAS SHALL BE PROOF-ROLLED BY THE CONTRACTOR AND ANY UNSTABLE AREAS ENCOUNTERED SHALL BE REMOVED AND REPLACED AS DIRECTED BY THE SOILS ENGINEER.
12. SOIL BORING REPORTS, IF AVAILABLE, ARE SOLELY FOR THE INFORMATION AND GUIDANCE OF THE CONTRACTORS. THE OWNER AND ENGINEER MAKE NO REPRESENTATION OR WARRANTY REGARDING THE INFORMATION CONTAINED IN THE BORING LOGS. THE CONTRACTOR SHALL MAKE HIS OWN INVESTIGATIONS AND SHALL PLAN HIS WORK ACCORDINGLY. ARRANGEMENTS TO ENTER THE PROPERTY DURING THE BIDDING PHASE MAY BE MADE UPON REQUEST OF THE OWNER. THERE WILL BE NO ADDITIONAL PAYMENT FOR EXPENSES INCURRED BY THE CONTRACTOR RESULTING FROM ADVERSE SOIL OR GROUND WATER CONDITIONS.
13. IT SHALL BE THE RESPONSIBILITY OF THE EXCAVATION CONTRACTOR TO REMOVE FROM THE SITE ANY AND ALL MATERIALS AND DEBRIS WHICH RESULT FROM HIS CONSTRUCTION OPERATIONS AT NO ADDITIONAL EXPENSE TO THE OWNER.

PAVING & WALKS

1. WORK UNDER THIS SECTION SHALL INCLUDE FINAL SUBGRADE SHAPING AND PREPARATION: FORMING, JOINTING, PLACEMENT OF ROADWAY AND PAVEMENT BASE COURSE MATERIALS AND SUBSEQUENT BINDER AND/OR SURFACE COURSES; PLACEMENT, FINISHING AND CURING OF CONCRETE; FINAL CLEAN-UP; AND ALL RELATED WORK.
2. ALL PAVING AND SIDEWALK WORK SHALL BE DONE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS (I.D.O.T.) AND PER LOCAL REGULATIONS.
3. SUBGRADE FOR PROPOSED PAVEMENT SHALL BE FINISHED BY THE EXCAVATION CONTRACTOR TO WITHIN 0.1 FOOT, PLUS OR MINUS, OF THE PLAN ELEVATION. THE PAVING CONTRACTOR SHALL SATISFY HIMSELF THAT THE SUBGRADE HAS BEEN PROPERLY PREPARED AND THAT THE FINISH TOP SUBGRADE ELEVATION HAS BEEN GRADED WITHIN TOLERANCES ALLOWED IN THESE SPECIFICATIONS. UNLESS THE PAVING CONTRACTOR ADVISES THE OWNER AND ENGINEER IN WRITING PRIOR TO FINE GRADING FOR BASE COURSE CONSTRUCTION, IT IS UNDERSTOOD THAT HE HAS APPROVED AND ACCEPTS THE RESPONSIBILITY FOR THE SUBGRADE. PRIOR TO THE PLACEMENT OF PAVEMENT BASE MATERIAL ON THE PAVING CONTRACTOR SHALL FINE GRADE THE SUBGRADE SO AS TO INSURE THE PROPER THICKNESS OF PAVEMENT COURSES. NO CLAIMS FOR EXCESS BASE MATERIALS DUE TO IMPROPER SUBGRADE PREPARATION WILL BE HONORED.
4. THE PROPOSED PAVEMENT SHALL CONSIST OF THE SUB-BASE COURSE, BITUMINOUS AGGREGATE BASE COURSE, BITUMINOUS BINDER COURSE, AND BITUMINOUS SURFACE COURSE, OF THE THICKNESS AND MATERIALS AS SPECIFIED ON THE CONSTRUCTION PLANS. PRIME COAT SHALL BE APPLIED TO THE SUB-BASE COURSE AT A RATE OF 0.5 GALLONS PER SQUARE YARD, UNLESS SHOWN AS A BID ITEM. PRIME COAT SHALL BE CONSIDERED AS INCIDENTAL TO THE COST OF THE CONTRACT. ALL PAVEMENT SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE "I.D.O.T. STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION," CURRENT EDITION.
5. AFTER THE INSTALLATION OF THE BASE COURSE, ALL TRAFFIC SHALL BE KEPT OFF THE BASE UNTIL THE BINDER COURSE IS LAID. AFTER INSTALLATION OF THE BINDER COURSE AND UPON INSPECTION AND APPROVAL BY GOVERNING AUTHORITY, THE PAVEMENT SHALL BE CLEANED, PRIMED AND THE SURFACE COURSE LAID. ALL DAMAGED AREAS IN THE BINDER, BASE OR CURB AND GUTTER SHALL BE REPAIRED TO THE SATISFACTION OF THE OWNER PRIOR TO LAYING THE SURFACE COURSE. THE PAVING CONTRACTOR SHALL PROVIDE WHATEVER EQUIPMENT AND MANPOWER IS NECESSARY, INCLUDING THE USE OF POWER BROOMS TO PREPARE THE PAVEMENT FOR APPLICATION OF THE SURFACE COURSE. EQUIPMENT AND MANPOWER TO CLEAN PAVEMENT SHALL BE CONSIDERED INCIDENTAL TO THE COST OF THE CONTRACT. PRIME COAT ON THE BINDER COURSE SHALL BE CONSIDERED AS INCIDENTAL TO THE COST OF THE CONTRACT AND SHALL BE APPLIED TO THE BINDER AT A RATE OF 0.5 GALLONS PER SQUARE YARD.
6. CURING AND PROTECTION OF ALL EXPOSED CONCRETE SURFACES SHALL BE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS.
7. SIDEWALKS SHALL BE OF THE THICKNESS AND DIMENSIONS AS SHOWN IN THE CONSTRUCTION PLANS. ALL SIDEWALK CONCRETE SHALL DEVELOP A MINIMUM OF 3,500-PSI COMPRESSIVE STRENGTH AT 28 DAYS. CONTRACTION JOINTS SHALL BE SET AT 5' CENTERS, AND 3/4" PRE-MOLDED FIBER EXPANSION JOINTS SET AT 50' CENTERS AND WHERE THE SIDEWALK MEETS THE CURB, A BUILDING, OR ANOTHER SIDEWALK, OR AT THE END OF EACH POUR. ALL SIDEWALKS CONSTRUCTED OVER UTILITY TRENCHES SHALL BE REINFORCED WITH THREE NO. 5 REINFORCING BARS (10' MINIMUM LENGTH). ALL SIDEWALKS CROSSING DRIVEWAYS SHALL BE A MINIMUM OF 6" THICK AND REINFORCED WITH 6X6 #6 WELDED WIRE MESH. ALL SIDEWALKS SHALL BE BROOM FINISHED. IF A MANHOLE FRAME FALLS WITHIN THE LIMITS OF A SIDEWALK, A BOX-OUT SECTION SHALL BE PLACED AROUND THE MANHOLE FRAME WITH A 3/4" EXPANSION JOINT.
8. BACKFILLING ALONG PAVEMENT SHALL BE THE RESPONSIBILITY OF THE EARTHWORK CONTRACTOR.
9. IT SHALL BE THE RESPONSIBILITY OF THE PAVING CONTRACTOR TO REMOVE FROM THE SITE ANY AND ALL MATERIAL AND DEBRIS, WHICH RESULTS FROM HIS CONSTRUCTION OPERATIONS AT NO ADDITIONAL EXPENSE TO THE OWNER.
10. TESTING OF THE SUB-BASE, BASE COURSE, BINDER COURSE, SURFACE COURSE AND CONCRETE WORK SHALL BE REQUIRED IN ACCORDANCE WITH THE "I.D.O.T. STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION" CURRENT EDITION, AND IN ACCORDANCE WITH THE SPECIFIC REQUIREMENTS OF THE GOVERNING MUNICIPALITY. A QUALIFIED TESTING FIRM SHALL BE EMPLOYED BY THE OWNER TO PERFORM THE REQUIRED TESTS.
11. PAINTED PAVEMENT MARKINGS AND SYMBOLS, OF THE TYPE AND COLOR AS NOTED ON THE CONSTRUCTION PLANS, SHALL BE INSTALLED IN ACCORDANCE WITH SECTION T-502 OF SAME SPECIFICATIONS.
12. PAINTED PAVEMENT MARKINGS AND SYMBOLS SHALL BE INSTALLED ONLY WHEN THE AMBIENT AIR TEMPERATURE IS 40 DEGREES FAHRENHEIT AND THE FORECAST CALL FOR RISING TEMPERATURES.
13. ALL EXISTING CURB AND PAVEMENT SHALL BE PROTECT DURING CONSTRUCTION. ANY DAMAGE TO THE CURB OR PAVEMENT WILL BE REPAIRED OR REPLACED AT NO ADDITIONAL COST TO THE OWNER.
14. ANY SIDEWALK THAT IS DAMAGED OR NOT ADA COMPLIANT, INCLUDING SIDEWALK RAMPS, MUST BE REPLACED PRIOR TO FINAL INSPECTION APPROVAL.

ALL DISTURBED AREAS THAT ARE NOT BEING MULCHED SHALL RECEIVE A MINIMUM OF 6" OF PULVERIZED TOP SOIL & BE SEEDED

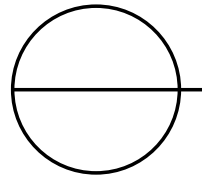
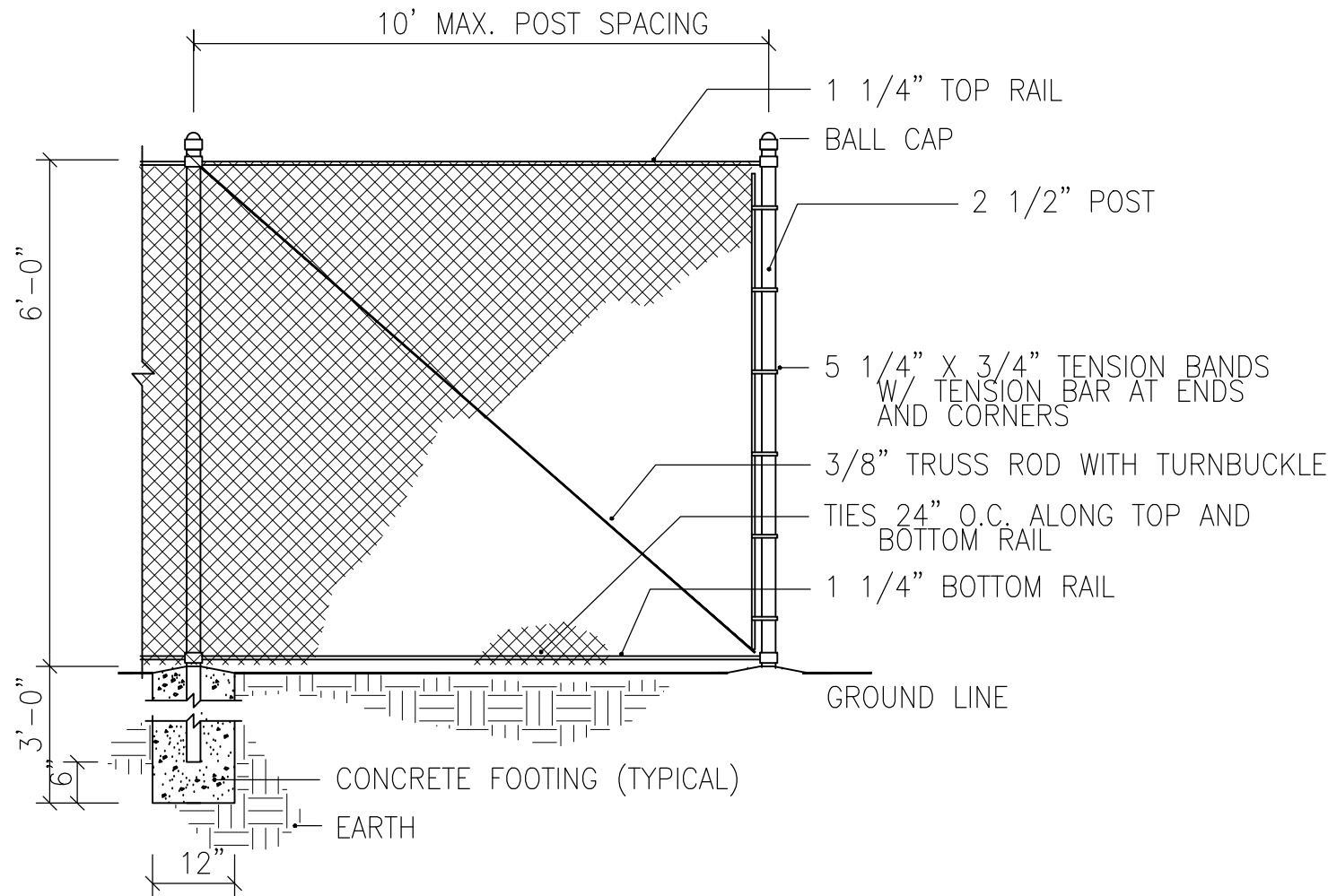
VEGETATED SWALE SHALL HAVE 6" TOPSOIL AND BE SEEDED WITH IDOT CLASS 1 SEEDMIX



10' AGGREGATE COURSE, TYPE A, CA-6

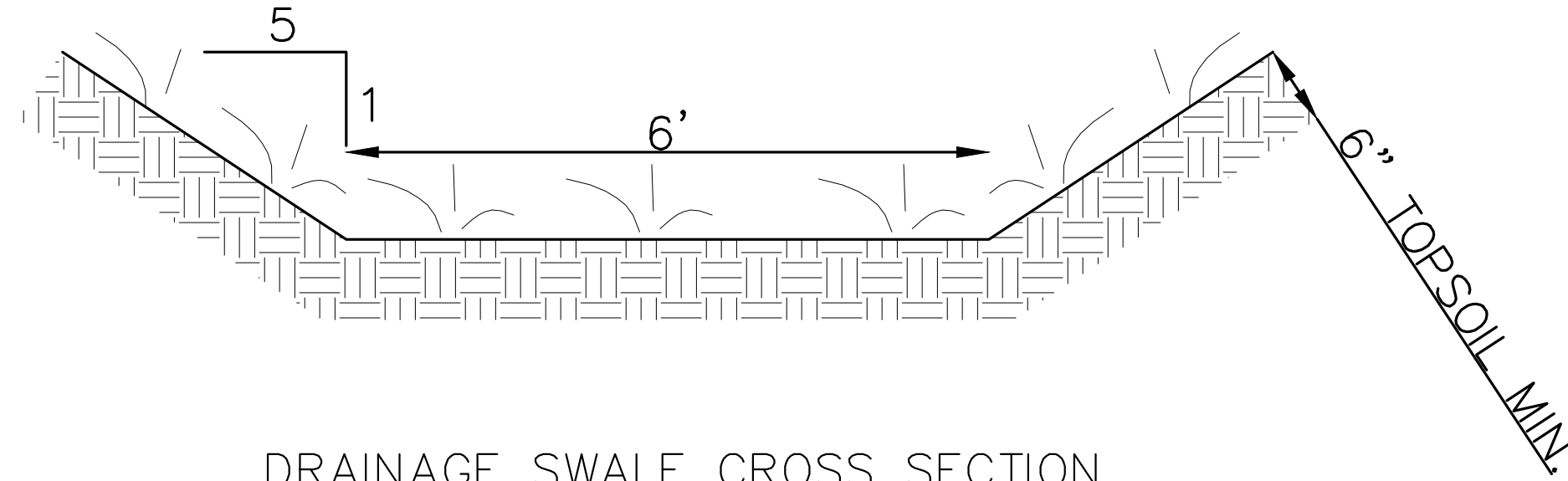
TYPICAL GRAVEL DETAIL

N.T.S.



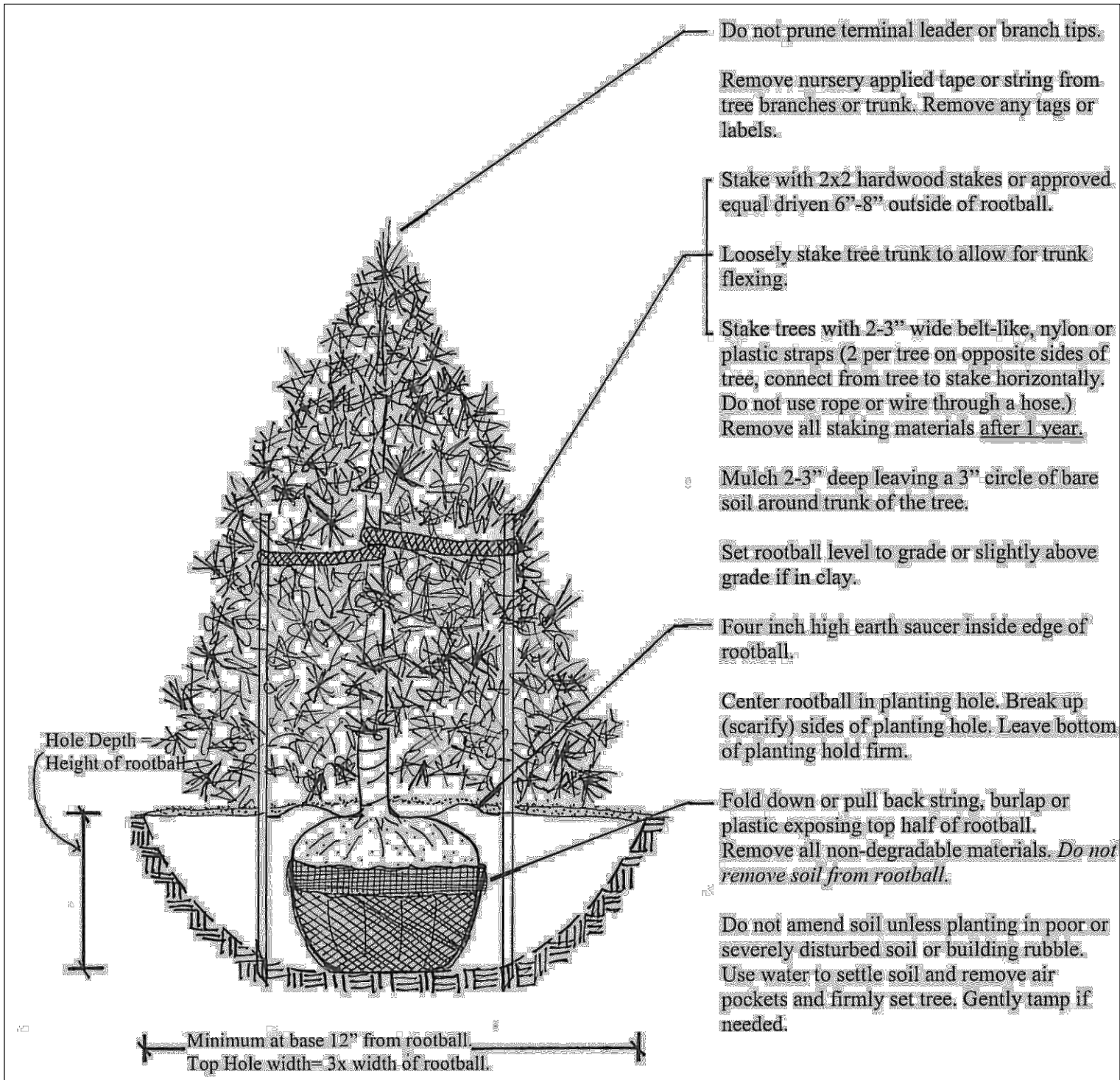
FENCING

CHAIN LINK FENCE



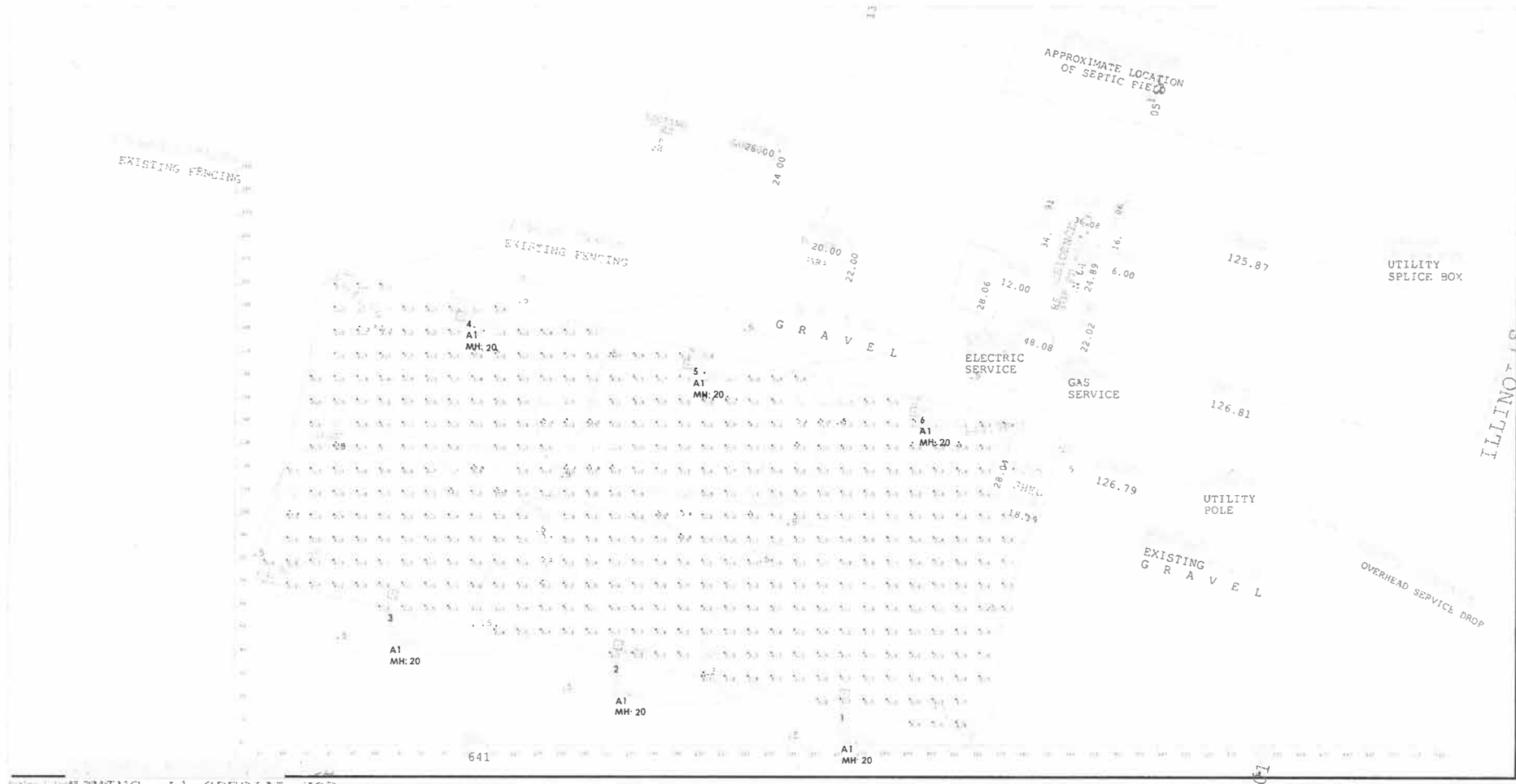
DRAINAGE SWALE CROSS SECTION

N.T.S.



Evergreen Tree Planting and Staking Detail

REVISIONS	NO.	DATE	NOTES
	1	1.24.2020	ADDED 15' LIGHT POLES AND EXTENDED TREES AROUND



Scale: 1" = 10' ZONING: A1-SPECIAL USE

Luminaire Schedule	Symbol	Qty	Label	Arrangement	Lum. Watts	Arr. Watts	Lum. Lumens	Arr. Lum. Lumens	LLF	Description
		6	A1	SINGLE	174.5	174.5	25849	25849	0.900	RAR2-480L-185-4K7-4W

Calculation Summary	Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min	Description
PARKING LOT_PLanar		Illuminance	Fc	2.63	5.8	0.5	5.26	11.60	READINGS TAKEN @ GRADE LEVEL

Luminaire Location Summary	LumNo	Label	X	Y	Z	Orient	Tilt
1	A1		1052.512	581.648	20	75	0
2	A1		954.512	581.648	20	75	0
3	A1		856.512	603.648	20	75	0
4	A1		889.168	740.145	20	261.006	0
5	A1		987.645	719.394	20	261.006	0
6	A1		1085.717	698.728	20	261.006	0

Parking Lot Design Guide	(for "road" conditions)	Basic, Enhanced Security (in consideration of personal security lighting for public spaces)	Security (security lighting for public spaces)	High Security (security lighting for public spaces)
Minimum Horizontal Illuminance measured on parking surface without any shadowing from any object	3.0 fc	15.1	15.1	15.1
Uniformity Ratio	20:1	2.5:1	5.0:1	5.0:1
Maximum to Minimum Vertical Illuminance (for facial recognition measured at 5' above the parking surface at the point of lowest horizontal illuminance)	1:0.1	1:0.1	1:0.1	1:0.1
Recommendations based on RP-33-99 RP-25-98 9th Edition IESNA Lighting Handbook				

enlighten



Date Comments

Revisions

Drawn By: Jose Sotocedo  
 Design By: jose.sotocedo@enlighten.com  
 Date: 12/20/2019  
 Scale: 1" = 20'

Project Name: 7821 US  
 Client Name: Adam S. Kille  
 Project Manager: JEFFREY GREEN



ORDINANCE 85-10  
ESTABLISHING CONDITIONS AND RESTRICTIONS ON A PARCEL OF LAND

02-35-151-003

WHEREAS, Ronald Smrz did petition the Zoning Board of Appeals of Kendall County for a public hearing in the manner required by law and the ordinances of Kendall County, Illinois for a proposed establishment of a special use as provided by the Kendall County Zoning Ordinance adopted January 16, 1940; and

A-154

WHEREAS, said Zoning Board of Appeals did thereupon publish notice of a hearing on said proposed special use as provided by the Statutes of the State of Illinois, and did then hold a public hearing on said proposed special use on the 30th day of August, 1985 in the Kendall County Board Room and at the conclusion of said hearing said Zoning Board of Appeals voted in favor of recommending to the County Board of Kendall County, Illinois that the petition be granted subject to conditions and restrictions; and

NOW THEREFORE, BE IT ORDAINED by the County Board of Kendall County, Illinois that the following described property be granted the special use for the retail sale of nursery stock, and that the Zoning Administrator be hereby ordered and directed to change the zoning map to show the special use classification legally described as follows:

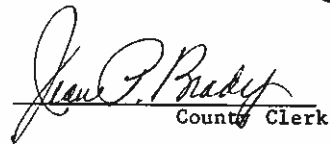
That part of the North East 1/4 of Section 34 and part of the West 1/2 of Section 35, Township 37 North, Range 07 East of the Third Principal Meridian described as follows: Commencing at an angle point in the Southerly line of a subdivision known as "Ponderosa Oswego Township, Kendall County, Illinois", thence Easterly along said Southerly line and said line extended 1000.21 feet; thence Southeasterly along a line forming an angle of 178 degrees, 36 minutes, 34 seconds with the last described course, measured clockwise therefrom 17.50 feet for the point of beginning thence Southeasterly along the continuation of the last described course 525.02 feet; thence Southeasterly along a line forming an angle of 176 degrees, 15 minutes, 46 seconds with the last described course, measured counter clockwise therefrom, 572.30 feet to the center line of Illinois State Route No. 71; thence Southwesterly along said center line 716.28 feet to a point which is 2617.14 feet Northeasterly of measured along said center line and the center line tangent extended, the intersection of said extended center line tangent and the South line of said Section 35, thence Northwesterly along a line wich forming an angle of 095 degrees, 02 minutes, 00 seconds with the last described course, measured counter clockwise therefrom, 929.88 feet; thence Westerly along a line which forms an angle of 166 degrees, 45 minutes, 31 seconds with the last described course, measured clockwise therefrom, 55.0 feet; thence Northeasterly 709.57 feet to the point of beginning; in the Township of Oswego, Kendall County, Illinois.

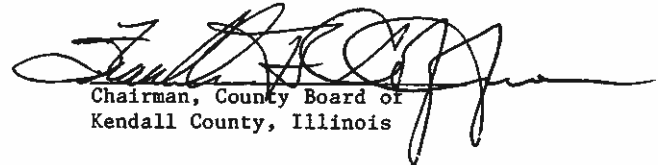
BE IT FURTHER ORDAINED that the above special use classification shall be expressly made subject to the following conditions and restrictions:

1. The property owner will provide and maintain a turn-around facility for cars leaving the parking area and entering Route 71 in a forward motion.

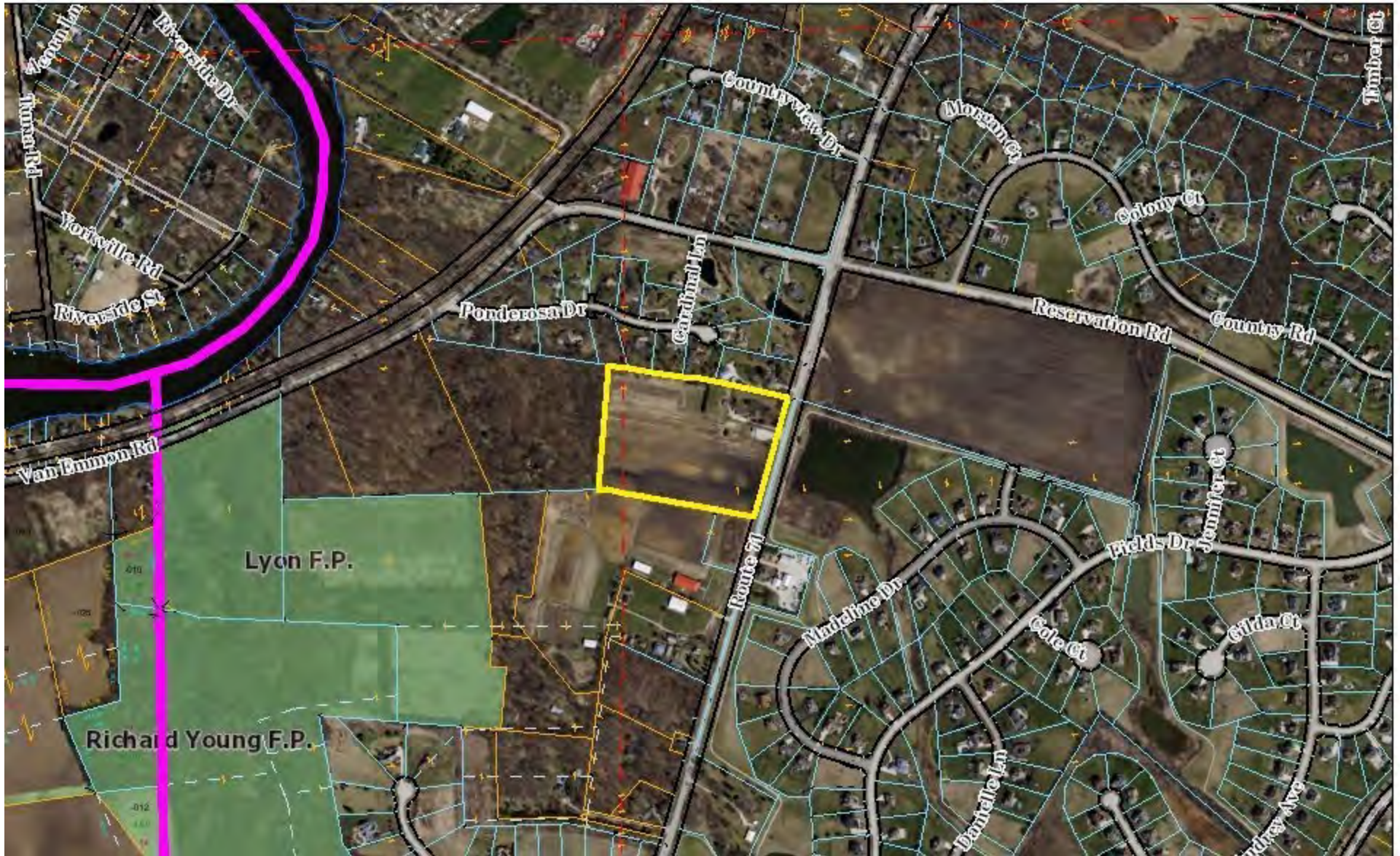
PASSED THIS 10th day of September, 1985.

ATTEST:

  
County Clerk

  
Chairman, County Board of  
Kendall County, Illinois







2585 Wagner Ct.  
DeKalb, IL 60115  
Phone: 815.748.4500  
Fax: 815.748.4255  
www.encapinc.net

## TRANSMITTAL LETTER

<b>TO:</b> Ron Smrz	<b>DATE:</b> June 20, 2019
[REDACTED]	<b>PROJECT:</b> 7821 Route 71
[REDACTED]	
<b>ATTN:</b>	ENCAP Project # 19-0516A

We are sending you:	Date of Enclosed Materials	# of Copies
2019 Wetland Delineation Report	June 20, 2019	2+PDF

CC:	Date of Enclosed Materials	# of Copies

Via: ☒ UPS Ground ☐ UPS Overnight ☐ U.S. Mail ☒ Electronic

## THESE ARE TRANSMITTED AS CHECKED BELOW:

☐ For Approval ☐ As Requested ☒ For your review ☒ For your use

REMARKS: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Signed: Robert Van Herik



**WETLAND DELINEATION REPORT**  
**7821 ROUTE 71**  
**OSWEGO TOWNSHIP, KENDALL COUNTY, ILLINOIS**

**Prepared for:** Mr. Ron Smrz



**Date Prepared:** June 20, 2019

**ENCAP, Inc. Project #:** 19-0516A



2585 Wagner Ct.  
DeKalb, IL 60115  
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## WETLAND DELINEATION REPORT

7821 Route 71 / Ron Smrz

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### Attachments

- USFWS Section 7 Consultation Review Summary
- IDNR EcoCAT Natural Resource Review Results
- Floristic Quality Data Sheets
- Wetland Determination Data Forms
- Site Photographs
- WETS Station Data
- Historical Aerial Slide Photographs: 1993, 2002, 2006, 2008, 2009, 2010 (Wet)
- Exhibits
  - A – Location Map
  - B – National Wetlands Inventory
  - C – Soil Map
  - D – 2018 USGS Topographic Map
  - E –Flood Insurance Rate Map
  - F – ISHPO HARGIS Map
  - G – Aerial Photograph



## WETLAND DELINEATION REPORT

**Project Name and Client:** 7821 Route 71 / Ron Smrz

**Project Number:** 19-0516A

**Location:** Illinois, Kendall County, Oswego Township, Yorkville, T37N R7E, NW 1/4 of Section 35  
Latitude 41.642582; Longitude -88.406551

**Date of Site Visit:** May 29, 2019

**Field Investigators:** R. Van Herik & S. Milano

### EXECUTIVE SUMMARY

The project area (approximately 17 acres in size) is located in Yorkville, Kendall County, Illinois (Exhibit A: Location Map). The project area, as presented in this report, represents the property limits investigated by ENCAP, Inc. for the presence of regulated surface water resources. These limits do not necessarily reflect the boundaries of any proposed development activities. The project area is generally bounded by residential property to the north, agricultural land to the south, Illinois Route 71 to the east, and woodland to the west. The project area is located within the Fox River watershed.

The project area consists of an agricultural field most recently used for produce. The site topography was generally flat and sloped slightly to the south. A residence and its associated barn and horse pasture is located within the northeast portion of the project area.

One farmed wetland totaling 0.11 acres was identified on the southwestern portion of the project area. The limits of the farmed wetland were identified using protocol established by the U.S. Department of Agriculture (USDA). Wetland boundaries were identified using methods sanctioned by the United States Army Corps of Engineers (USACE).

Basic information regarding wetland regulations may be found in the Regulatory Statement portion of this report. Briefly, the U.S. Army Corps of Engineers (USACE) regulates all Waters of the United States that are currently or historically navigable and all wetlands that are connected to or associated with these waterways. The Kendall County Stormwater Management Ordinance and United City of Yorkville provides for the protection of wetlands and other depressional storage areas from damaging modifications and adverse changes in runoff quality and quantity associated with land developments. It appears that the wetland identified on site will be considered jurisdictional and therefore regulated by the USACE, due to its connection to the Fox River.

Based on a June 3, 2019 review of the U.S. Fish and Wildlife Service (USFWS) technical assistance website, sensitive (federally threatened or endangered) plant or animal species habitat are not located on or adjacent to the project area and the proposed project will have "no effect" on those species (see attached USFWS Review Summary). Further consultation with this agency is not required for a Section 404 Permit from the USACE. According to the Illinois

Department of Natural Resources (IDNR), two Illinois Natural Areas Inventory Sites are located within the vicinity of the project area. This project was submitted for information only. If further permitting is required for site development, additional consultation will be required from the IDNR (see attached correspondence).

At the time of this wetland delineation report, current regulations state that this delineation is valid for 2 years from the date of site visit.

## **PROJECT PURPOSE**

The purpose of the site visit was to identify regulated surface water resources on, or within 100 feet of the project area. A floodplain determination was not included as part of our investigation. On-site wetland areas encountered were delineated using standard methods sanctioned by the United States Army Corps of Engineers in the Corps of Engineers Wetlands Delineation Manual (1987) and 2010 Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Midwest Region and the United States Department of Agriculture National Food Security Act Manual (1994 and 1996). Plant observations were made for calculating the Coefficient of Conservatism (c) and Floristic Quality Index (FQI) for each wetland plant community using the Wilhelm method (Swink and Wilhelm, 1994).

## METHODS

### 1987 USACE Wetland Delineation Manual and 2010 Midwest Regional Supplement.

Prior to the site visit, a preliminary site evaluation is performed using aerial photography and natural resource mapping. Potential wetland areas identified by these resources are evaluated in the field to determine if they meet the requirements for a wetland based on the USACE parameters of vegetation, hydrology, and soils. In general, positive indication of each of the three parameters must be demonstrated to classify an area as wetland. Each of these parameters is discussed below.

- **Vegetation** – Three vegetative indicators are applied to plant communities in order to determine if the hydrophytic vegetation criterion is met.
  1. More than 50% of the dominant plant species across all strata must be hydrophytic (water tolerant). The U.S. Fish Wildlife Service has prepared a regional list of plants occurring in wetlands which assigns the plant species different indicators. Wetland plants fall into three indicator classes based on differing tolerances to water level and soil saturation. These indicators are rated obligate wetland (OBL), facultative wetland (FACW), or facultative (FAC). Dominant plant species are recorded at sample points within investigated areas.
  2. The prevalence index is 3.0 or less. The prevalence index is a weighted-average wetland indicator status of all plant species in a sampling plot. Each indicator status category is given a numeric value (OBL = 1, FACW = 2, FAC = 3, FACU = 4, and UPL = 5) and weighting is by abundance. A prevalence index of 3.0 or less indicates that hydrophytic vegetation is present. The prevalence index is used to determine whether hydrophytic vegetation is present on sites where indicators of hydric soil and wetland hydrology are present but the vegetation initially fails the dominance test.
  3. The plant community passes either the dominance test (Indicator 1) or the prevalence index (Indicator 2) after reconsideration of the indicator status of certain plant species that exhibit morphological adaptations for life in wetlands. Common morphological adaptations include but are not limited to adventitious roots, multi-stemmed trunks, shallow root systems developed on or near the soil surface, and buttressing in tree species. To apply this indicator, these morphological features must be observed on more than 50% of the individuals of a FACU species living in an area where indicators of hydric soil and wetland hydrology are present.
- **Hydrology** – To be considered a wetland, an area must have 14 or more consecutive days of flooding or ponding, or a water table 12 inches or less below the soil surface, during the growing season at a minimum frequency of 5 years in 10. Wetland hydrology indicators are divided into four groups as described below:
  - **Group A** – indicators are based on the direct observation of surface water or groundwater during a site visit.
  - **Group B** – consists of evidence that the site is subject to flooding or ponding, although it may not be inundated currently. These indicators include water marks, drift deposits, sediment deposits, and similar features.
  - **Group C** – consists of other evidence that the soil is saturated currently or was saturated recently. Some of these indicators, such as oxidized rhizopheres surrounding living roots and the presence of reduced iron or sulfur in the soil profile, indicate that the soil has been saturated for an extended period.

- **Group D** – consists of landscape and vegetation characteristics that indicate contemporary rather than historical wet conditions. These indicators include stunted or stressed plants, geomorphic position, and the FAC-neutral test.

Wetland hydrology indicators are intended as one-time observations of site conditions that are sufficient evidence of wetland hydrology. Within each group, indicators are divided into two categories – *primary* and *secondary*. One primary indicator from any group is sufficient to conclude that wetland hydrology is present. In the absence of a primary indicator, two or more secondary indicators from any group are required to conclude that wetland hydrology is present.

- **Soils** - To be considered a wetland, an area must contain hydric soil. Hydric soils are formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic (lacking oxygen) conditions in the upper part. Soils generally, but not always, will develop indicators that are formed predominantly by the accumulation or loss of iron, manganese, sulfur, or carbon compounds in a saturated and anaerobic environment. The most current edition of the United States Department of Agriculture, Natural Resource Conservation Service *Field Indicators of Hydric Soils in the United States* is used for identification of hydric soils. Field indicators of hydric soils include but are not limited to the presence of any of the following: histic epipedon, sulfidic odor, at least 2 centimeters of muck, depleted matrix, and/or redoximorphic features. Field indicators are usually examined in the top 24 inches of the soil. Soil colors are determined using *Munsell Soil Color Charts*.

Areas meeting these three criteria are staked in the field for surveying purposes. Boundaries are demarcated in the field with pink flagged pin stakes labeled "WETLAND DELINEATION." Staked boundaries are mapped on an aerial photograph included in this report. Approximate off-site wetland boundaries are identified on the aerial photograph and were determined using available aerial photographs, wetland maps, and field observation.

#### **Farmed Wetland Determinations.**

ENCAP, Inc. conducted a wetland determination on the farmed portion of the project area using National Food Security Act Manual (NFSAM) methodology. Aerial photographs are reviewed in order to identify potential farmed wetland signatures. The identified suspect areas are then field investigated to confirm that the areas are in fact wetlands. Copies of the aerial photographs used in identifying farmed wetlands are included in this report.

## MAP REVIEW

- The **National Wetlands Inventory** does not identify any aquatic resources within the project area (Exhibit B).
- The **Soil Map** identifies the following soils within the project area: La Rose silt loam (60C2), Camden silt loam (134C2), Mayville silt loam (193A & B), and Elpaso silty clay loam (356A). Elpaso silty clay loam is considered hydric in Kendall County (Exhibit C).
- The **2018 United States Geological Survey (USGS) Topographic Map** does not identify any surface drainage within or adjacent to the project area (Exhibit D).
- The **Flood Insurance Rate Map** identifies the project area outside the 500-year floodplain (Exhibit E).
- The **Illinois State Historic Preservation Office (ISHPO) Historic Architectural Resources Geographic Information System (HARGIS) Map** identifies area of high probability archeology overlying the western half of the project area (Exhibit F).



## SPECIFIC DESCRIPTION OF IDENTIFIED WATER RESOURCES

**Farmed Wetland 1.** This wetland (0.11 acres in size) is located within the southwest portion of the project area. Farmed Wetland 1 drains offsite to the northwest and into an unnamed tributary of the Fox River. The on-site portion of Farmed Wetland 1 consisted of a depressional area dominated by wet-meadow and sedge species, as well as areas of saturated soil and standing water. The area appears to have been farmed within the past 5 years, but not within the last 2 years. The buffer surrounding Farmed Wetland 1 consisted of unplanted agricultural land to the north, east, and south, and woodland dominated by mature trees and scrub-shrub vegetation to the west. Farmed Wetland 1 exhibited wetland signatures in 1 of the 5 historic aerial photographs from years with normal precipitation. The location and acreage of Farmed Wetland 1 were determined through aerial photograph interpretation, and its boundaries were field staked by ENCAP, Inc.

Farmed Wetland 1 will be under the jurisdiction of the U.S. Army Corps of Engineers due to its connection to the Fox River. Two sample points were established within and adjacent to Farmed Wetland 1 to characterize the vegetation, soils, and hydrology (Exhibit G: Aerial Photograph).

Farmed Wetland 1 was primarily vegetated by Bent Grass (*Agrostis stolonifera*), Black Bent (*Agrostis gigantea*), Purslane Speedwell (*Veronica peregrina*), and Fox Sedge (*Carex vulpinoidea*). The mapped soil series is Camden silt loam, a non-hydric soil. USDA field indicator F3: Depleted Matrix provided evidence of hydric soil. Saturation, drainage patterns, geomorphic position, and a positive FAC-neutral test provided evidence of persistent hydrology (See Wetland Determination Data Forms).

The native mean Coefficient of Conservatism ( $\hat{c}$ ) for Farmed Wetland 1 was 1.64, and the native Floristic Quality Index (FQI) of Farmed Wetland 1 was 8.20 (see attached Floristic Quality Data). These values indicate a low quality plant community. The wildlife habitat quality as determined using the Michigan Department of Natural Resources (MIDNR) Wildlife Habitat Evaluation Methodology (MRWQ) was low (see below).

### WILDLIFE HABITAT QUALITY AS DETERMINED USING THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES (MIDNR) WILDLIFE HABITAT EVALUATION METHOD (MRWQ)

Observers: R. Van Herik & S. Milano

Date: 5/29/19

#### Farmed Wetland 1

##### A. Utilization by Wildlife

Wildlife Use:	Score:	Observation/Notes:
Significant	3	
Evident	2	
Low	1	
Occasional	0.5	
Non-existent	0	
Sub-Total Score:	0.5	

**B. Interspersion of Vegetative Cover**

<u>Interspersion:</u>	<u>Score:</u>	<u>Community Type:</u>	<u>% Cover:</u>
High	3	Emergent	5%
Medium	2	Scrub-Shrub	10%
Low	<b>1</b>	Wet-Meadow	50%
		Forested	10%
Sub-Total Score:	1	Aquatic	0%
		Other	5%

**C. Vegetative Cover to Open Water**

<u>Cover:</u>	<u>Score:</u>
>95% Cover	<b>0.5</b>
76% - 95% Cover, Peripheral	1.5
76% - 95% Cover, Various	2.5
26% - 75% Cover, Peripheral	2.0
26% - 75% Cover Patches	3.0
5% - 25% Cover, Peripheral	1.0
<5% Cover	0.5
Sub-Total Score:	0.5

**Farmed Wetland 1 Total Score: 2.0**

## INVESTIGATION OF FARMED AREAS

During the field investigation, the majority of the site consisted of agricultural land. ENCAP, Inc. evaluated Farm Service Agency (FSA) aerial photographs (slides) year-by-year using NRCS wetland signature criteria. Wetland signatures consist of wetland vegetation, surface water, drowned-out crops, patches of greener vegetation, and avoided areas. Areas exhibiting wetland signatures in >50% or more of reviewed aerial photographs and containing hydric soil are considered farmed wetlands. Additionally, if areas do not exhibit wetland signatures in >50% or more of reviewed aerial photographs but do exhibit positive primary or secondary wetland hydrology indicators in the field, they are also considered farmed wetlands. See the attached aerial photographs for years reviewed and wetland signatures observed. WETS Station data from Aurora, Illinois (closest location available) is also attached.

**Table 1. Slide Analysis Summary**  
**Smrz, Ron / 7821 IL Route 71**

Year	FSA Slide #:	Precipitation	Sample Points	
			Type of Signature / Corresponding Number	
			A	C
1993	n/a	Normal	N	N
2002	n/a	Normal	N	N
2006	n/a	Normal	N	N
2008	n/a	Normal	N	N
2009	n/a	Normal	D/1	N
2010	n/a	Wet	N	N
Percent wetland signatures present in years with normal precipitation			20%	0%
Hydric soil present based on field inspection			Yes	Yes
Identified as wetland on the NWI			No	No
Qualifies as Farmed Wetland			Yes*	No

D=Discoloration

N=No Wetland Signatures Observed

Y= Yes / Identified

\*This area exhibited primary and secondary wetland hydrology indicators in the field.



## **ADDITIONAL AREAS INVESTIGATED FOR WETLAND STATUS**

Two additional vegetated sites located within the project area were examined to determine if they satisfied wetland criteria. Neither of these sites so qualified; therefore, they are referred to as Investigated Areas in this report. Each area is briefly described herein and USACE data forms are provided to support our negative findings (See USACE data forms).

**Investigated Area 1.** This investigated area is located in the East portion of the project area (Exhibit G: Aerial Photograph – Sample Point C). This area was investigated because it consisted of an area of agricultural field with standing water.

Investigated Area 1 was primarily vegetated by Canada Thistle (*Cirsium arvense*). The mapped soil series is Mayville silt loam, a non-hydric soil. USDA field indicator F6: Redox Dark Surface, provided evidence of hydric soil. Evidence of persistent hydrology was not observed, as the water was due to recent and significant rain events (See Wetland Determination Data Forms).

Based on the non-persistent hydrology, Investigated Area 1 does not qualify as farmed wetland.

**Investigated Area 2.** This investigated area is located adjacent to the East portion of the project area (Exhibit G: Aerial Photograph – Sample Point D). This area was investigated because it consisted of a culvert that receives run-off from the agricultural field and contained a mix of hydrophytic and upland vegetation.

Investigated Area 2 was primarily vegetated by Narrow-leaf cattail (*Typha angustifolia*) and Curly Dock (*Rumex crispus*). The mapped soil series is Mayville silt loam, a non-hydric soil. The field investigated soils did not exhibit hydric characteristics. Saturation, drainage patterns, geomorphic position, and a positive FAC-neutral test provided evidence of persistent hydrology (See Wetland Determination Data Forms).

Based on the presence of non-hydric soil, Investigated Area 2 does not qualify as wetland.

## REGULATORY STATEMENT

**Federal Regulations:** The deposition of dredged or fill materials into federally jurisdictional wetlands or Waters of the United States is regulated by the USACE under Section 404 of the Clean Water Act.

The Nationwide 39 Permit authorizes 0.1 acre or less of low quality wetlands to be filled without mitigation. If over 0.1 acre is proposed for filling or is subject to secondary impacts, in-kind mitigation may be required at a ratio of 1.5:1, or greater. The aggregate total loss of waters of the U.S. authorized by NWP 39 cannot exceed 0.5 acre or 300 linear feet of streambed.

Under the existing regulations, secondary impacts (both on-site and off-site) from filling also must be evaluated. Mitigation may be required at a higher rate if a project will significantly alter wetland functions such as stormwater detention, water filtration, sediment trapping, and/or wildlife habitat.

Before mitigation will be approved, reasonable proof that avoidance or minimization of wetland impacts has been attempted must be provided to the Corps.

A USACE permit is not required if the wetlands are avoided and construction erosion near a wetland is controlled.

**Kendall County Stormwater Management Ordinance:** In September 2002 Kendall County adopted a Stormwater Management Ordinance. The ordinance provides for the protection of wetlands and other depressional storage areas from damaging modifications and adverse changes in runoff quality and quantity associated with land developments. Specifically, the ordinance requires the following:

1. Existing wetlands shall not be modified for the purposes of stormwater detention unless it is demonstrated that the existing wetland is low in quality and the proposed modifications will maintain or improve its habitat and ability to perform beneficial functions.
2. Existing storage and release rate characteristics of wetlands and other depressional storage areas shall be maintained and the volume of detention storage provided to meet the requirements of the ordinance shall be in addition to this existing storage.
3. The existing wetland shall be protected during construction by appropriate soil erosion and sediment control measures and shall not be filled.
4. Site drainage patterns shall not be altered to substantially decrease or increase the existing area tributary to the wetland.
5. All runoff from the development shall be routed through a preliminary detention/sedimentation basin designed to provide a minimum 24-hour hydraulic detention time, before being discharged to the wetland. This basin shall be constructed before property grading begins.
6. A buffer strip of at least 25 feet in width, preferably vegetated with native plant species, shall be maintained or restored around the periphery of the wetland.

In addition, the Kendall County Stormwater Management Ordinance discourages the placement of detention basins in floodplains and streams. However, detention in these areas is allowed if certain requirements are met. We recommend reviewing the ordinance for further information.

**United City of Yorkville Wetland Protection Ordinance:** The United City of Yorkville has a draft Wetland Protection Ordinance for Water Quality and Stormwater Management Benefits. The principal objective of the ordinance is the protection, preservation, replacement, proper maintenance, restoration, and use in accordance with the character, adaptability, and stability of the Isolated Waters of Yorkville in order to prevent their pollution or contamination; minimize their disturbance, and prevent damage from erosion, siltation, and flooding. Although there is not a timeline for adopting the ordinance, the City is using it as a guide for reviews and they advise petitioners to follow it as much as possible.

A wetland permit under this ordinance shall be required for any impacts to wetlands not already under the jurisdiction of the USACE.

Wetland Impacts are broken down into six categories:

1. Category I: < 1 acre of isolated wetland impact that does not qualify as a High Quality Aquatic Resource.
2. Category II: > 1 acre of isolated wetland impact that does not qualify as a High Quality Aquatic Resource.
3. Category III: Impacts to roadside ditches and stormwater management facilities that are not under USACE jurisdiction.
4. Category IV: Impacts for the restoration, creation, and enhancement of isolated waters and are net gains in aquatic resource function.
5. Category V: Impact to High Quality Aquatic Resources
6. Category VI: Impacts to Farmed Wetlands

Wetland mitigation shall be required for all Category V impacts, and all impacts greater than 0.25 acres for Categories I, II, IV, and VI. Wetland mitigation shall not be required for Category III impacts. Wetland mitigation ratios are as follows:

- Category I & II – 1.5:1
- Category VI – 1:1
- Category V or HQAR – 10:1
- Category III – no mitigation is required but the hydrologic functions must be replaced through BMP's.

Wetland mitigation areas cannot be created within areas that are part of a remnant plant community. Wetland enhancement can be used as mitigation credit at 0.25:1. For cumulative wetland impacts that do not affect HQAR less than or equal to 1.0 acre a fee-in-lieu of mitigation fee may be required. If the following conditions may require fee-in-lieu

1. No on-site or adjacent wetlands could be expanded.
2. Total wetland impact size is 2.0 acres or less and long term viability is questionable.

Mitigation paid in-lieu is determined by assuming 1.5 times greater than the on-site mitigation acreage.

Impacts to wetlands prior to the issuance of a permit are considered HQAR.

Wetlands with a Floristic Quality Index (FQI) greater than or equal to 35, or a C of C value greater than or equal to 3.5 typically must be preserved.

Detention facilities may be created within isolated farmed wetlands or isolated wetlands with more than 75% coverage by Reed Canary Grass, Purple Loosestrife, Common Reed, and Buckthorn species. These detention facilities must be naturalized with native wetland vegetation, and have no more than a 4 foot bounce. Naturalized stormwater detention facilities within permitted types of isolated wetlands may be utilized as mitigation credit, and must be managed and monitored for 3 growing seasons.

For preserved wetlands the FQI shall be calculated for 2 years after commencement of development, and cannot be 5 points less than the original FQI. This monitoring must be done until all development is completed if development exceeds 2 years.

For any impacts to isolated waters of Yorkville associated wetland buffers must comply with this ordinance. Buffers are not required for Category III impacts (isolated roadside ditches and stormwater management facilities). For USACE wetlands within the United City of Yorkville the most stringent buffer requirements apply. There are two types of buffers, linear buffers and waterbody buffers.

Linear buffers consist of all channels (not HQAR) these channels would require a minimum 30 foot buffer; 5 additional feet are required for every slope >10% that is towards the waterbody up to a 100 foot buffer. Class A & B streams with an IBI >40 require a buffer of 100 feet. Linear buffers also include streambank stabilization that results in a change in land use the required buffer can vary from a minimum of 30 feet with a 100 foot maximum. If the stabilization project does not involve a change in land use, a 10 foot buffer is required.

Waterbody buffers are required for wetlands that are > 0.25 acres and do not qualify as HQAR. If a wetland is greater than 0.25 acres with a c-value < 2.8 and an FQI <20 a 30 foot buffer is required; 5 additional feet are required for every slope > 10% that is towards the wetland up to a 100 foot buffer. If a wetland is greater than 0.25 acres with a c-value > 2.8 and/or an FQI >20 a 50 foot buffer is required; 5 additional feet are required for every slope > 10% that is towards the wetland up to a 100 foot buffer. All HQAR wetlands with and FQI >25 and a c-value >3.2 a 100 foot buffer is required.

The Ordinance allows for buffer averaging, however no less than 50% of the buffer can be impacted. Also buffer reduction cannot occur when slope is equal to or greater than 3:1, unless there are existing features (i.e. berm) that prohibits sheet flow into a waterbody, in this case the existing feature must be maintained. Recreational paths are allowed to be within buffer areas, however, they must be a minimum of 10 feet in width. If path is not a mowed grass path then it must be at least 15 feet away from the wetland. Utility facilities & maintenance and drainage facilities are allowed within the buffer as long as they are in compliance with all state and federal regulations.

The United City of Yorkville has 30 days to review and approve a permit, if extends beyond the 30 days the permit is considered approved.

**Illinois Department of Natural Resources Agency Action Plans for Interagency Wetlands Policy Act of 1989:** The Illinois Interagency Wetlands Policy Act of 1989 is intended to ensure that there is no overall net loss of the State's existing wetland acres or their functional values resulting from State-supported activities. The Act charges State agencies with a further duty to "preserve, enhance and create wetlands where necessary to increase the quality and quantity of the State's wetland resource base."



The Interagency Wetlands Policy Act of 1989 states that any construction, land management or other activity performed by, or for which financial assistance is administered or provided by, a State agency that will result in an adverse impact to a wetland shall be subject to compliance. This includes, but is not limited to the following:

- The alteration, removal, excavation, or dredging of soil, sand, gravel, minerals, organic matter, vegetation, or naturally occurring minerals of any kind from a wetland;
- The discharge or deposit of fill material or dredged material in a wetland;
- The alteration of existing drainage characteristics, sedimentation patterns, or flood retention characteristics of a wetland;
- The disturbance of water level or water table of a wetland;
- The destruction or removal of plant life that would alter the character of a wetland, except for activities undertaken in accordance with the Illinois Noxious Weed Act;
- The transfer of State owned wetlands to any entity other than another state agency; and
- Other actions that cause or may cause adverse wetland impacts.

The Act is to be implemented through a State Wetland Mitigation Policy. The State Wetland Mitigation Policy requires preservation of wetlands as the primary objective. Where adverse wetland impacts are unavoidable, progressive levels of compensation based upon the level of impact to the existing wetland and the location of compensation wetlands are required.

**Archaeological Survey Requirements:** An archaeological survey may be required before a Section 404 permit will be issued for wetland impacts. The U.S. Army Corps of Engineers will make this determination as part of the permit application review. The archaeological survey must cover all areas of the project area, not wetlands only. If you already have a letter from the Illinois State Historic Preservation Office (ISHPO) stating an archaeological survey is required, you should act on it because the USACE will support this notification.

## **RECOMMENDATIONS**

One farmed wetland totaling 0.11 acres was identified on the project area. The farmed wetland boundary must be scaled from the attached aerial photograph (Exhibit G) onto the property boundary survey.

Any impacts to jurisdictional wetland, Waters of the U.S., or associated buffers will require U.S. Army Corps of Engineers, United City of Yorkville, and/or Kendall County notification. ENCAP, Inc. can assist you with permit applications, agency negotiations, wetland design plans, and mitigation plans which may be applicable to your project. The wetland consultant should be involved during the planning and design stages of the project to avoid complications with the agencies after the plan has been drafted. Proper planning regarding wetlands can reduce delays caused by the permitting process and costly changes in site plans.

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**USFWS Section 7 Consultation Review Summary**



2585 Wagner Ct.  
DeKalb, IL 60115  
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Fax: 815.748.4255  
www.encapinc.net

June 3, 2019

U.S. Fish and Wildlife Service  
Rock Island Illinois Field Office  
1511 47<sup>th</sup> Avenue  
Moline, IL 61265

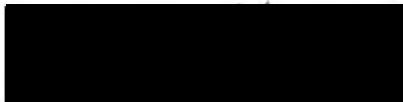
**Re: USFWS Review Summary - Section 7 Endangered Species Act Consultation**  
**Project: 7821 Route 71, located in Illinois, Kendall County, Oswego Township,**  
**Yorkville, T37N R7E Section 35; Latitude 41.642582 N; Longitude -88.403551**  
**W**  
**ENCAP, Inc. project # 19-0516A**  
**Client: Smrz, Ron**

The project area consists of agricultural field most recently used for produce vegetables and totals approximately 17 acres. The site topography was generally flat and sloped slightly to the south. A residence and its associated barn and horse pasture is located within the northeast portion of the project area. The proposed project includes developing part of the property for an RV storage area.

ENCAP, Inc. carefully reviewed the U.S. Fish and Wildlife Service (USFWS) technical assistance website on June 3, 2019, for federally listed threatened and endangered species. According to the website, 3 species are listed and may be present in Kendall County: the Indiana Bat (*Myotis sodalis*), Northern long-eared bat (*Myotis septentrionalis*), and Eastern Prairie Fringed Orchid (*Platanthera leucophaea*).

Limited wildlife habitat exists within the project area. The majority of the site is an active agricultural field. One small farmed wetland was located in the southwest portion of the property and was dominated by low quality and invasive/ non-native vegetation including Bent Grass (*Agrostis stolonifera*), Black Bent (*Agrostis gigantea*), Purslane Speedwell (*Veronica peregrina*), and Fox Sedge (*Carex vulpinoidea*). The farmed wetland has a native mean C-Value of 1.64 and a native FQI-Value 8.20. This wetland would be considered low-quality and does not contain sedge meadow habitats. No mature trees are located on the site.

Neither of the areas on-site contain suitable habitats for the Indiana Bat, Northern long-eared bat, or Eastern Prairie Fringed Orchid. No mature trees exist on-site, and the area does not contain high-quality sedge meadow or wet-mesic habitat. Therefore, ENCAP, Inc. concludes that the 7821 Route 71 project does not contain the aforementioned listed species, their habitats, or designated critical habitat and will have "no effect" on the aforementioned species.



Robert Van Herik  
Junior Ecological Consultant  
ENCAP, Inc.

**IDNR EcoCAT Natural Resources Review Results**



**Applicant:** ENCAP, Inc.  
**Contact:** Susan Rowley  
**Address:** 2585 Wagner Court  
DeKalb, IL 60115  
  
**Project:** 7821 IL Route 71  
**Address:** 7821 IL Route 71, Yorkville

**IDNR Project Number:** 1911645  
**Date:** 06/06/2019

**Description:** Development for RV Storage

### Natural Resource Review Results

*This project was submitted for information only. It is not a consultation under Part 1075.*

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

Fox River INAI Site  
Yorkville Seep INAI Site

#### Location

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

**County:** Kendall

**Township, Range, Section:**

37N, 7E, 34

37N, 7E, 35



#### **IL Department of Natural Resources**

##### **Contact**

Impact Assessment Section  
217-785-5500  
Division of Ecosystems & Environment

#### **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.

IDNR Project Number: 1911645

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.
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IDNR Project Number: 1911645

**EcoCAT Receipt****Project Code** 1911645**APPLICANT****DATE**

ENCAP, Inc.  
 Susan Rowley  
 2585 Wagner Ct  
 DeKalb, IL 60115

6/6/2019

DESCRIPTION	FEE	CONVENIENCE FEE	TOTAL PAID
EcoCAT Consultation	\$ 25.00	\$ 1.00	\$ 26.00

TOTAL PAID \$ 26.00

Illinois Department of Natural Resources  
 One Natural Resources Way  
 Springfield, IL 62702  
 217-785-5500  
[dnr.ecocat@illinois.gov](mailto:dnr.ecocat@illinois.gov)

**Floristic Quality Data Sheets**

**SITE:** 7821 Route 71  
**LOCALE:** Farmed Wetland 1  
**BY:** R. Van Herik & S.  
**NOTES:** Milano  
 29-May-19

CONSERVATISM-BASED METRICS		ADDITIONAL METRICS	
MEAN C (NATIVE SPECIES)	1.64	SPECIES RICHNESS (ALL)	33
MEAN C (ALL SPECIES)	1.24	SPECIES RICHNESS (NATIVE)	25
MEAN C (NATIVE TREES)	2.33	% NON-NATIVE	0.24
MEAN C (NATIVE SHRUBS) n/a		WET INDICATOR (ALL)	-0.42
MEAN C (NATIVE HERBACEOUS)	1.55	WET INDICATOR (NATIVE)	-0.48
FQAI (NATIVE SPECIES)	8.20	% HYDROPHYTE (MIDWEST)	0.79
FQAI (ALL SPECIES)	7.14	% NATIVE PERENNIAL	0.45
ADJUSTED FQAI	14.27	% NATIVE ANNUAL	0.24
% C VALUE 0	0.58	% ANNUAL	0.33
% C VALUE 1-3	0.24	% PERENNIAL	0.61
% C VALUE 4-6	0.18		
% C VALUE 7-10	0.00		

SPECIES ACRONYM	SPECIES NAME (NWPL/ MOHLENBROCK)	SPECIES (SYNONYM)	COMMON NAME	C VALUE	MIDWEST WET INDICATOR	NC-NE WET INDICATOR	WET INDICATOR (NUMERIC)	HABIT	DURATION	NATIVITY
aceneg	Acer negundo	Acer negundo var. violaceum	Ash-Leaf Maple	0 FAC	FAC		0 Tree	Perennial	Native	
agrgig	Agrostis gigantea	ALBA	Black Bent	0 FACW	FACW		-1 Grass	Perennial	Adventive	
agrsto	Agrostis stolonifera	Agrostis alba palustris	Spreading Bent	2 FACW	FACW		-1 Grass	Perennial	Native	
ambtri	Ambrosia trifida	Ambrosia trifida	Great Ragweed	0 FAC	FAC		0 Forb	Annual	Native	
bidfro	Bidens frondosa	frondosa	Devil's-Pitchfork	1 FACW	FACW		-1 Forb	Annual	Native	
cxvulp	Carex vulpinoidea	Carex vulpinoidea	Common Fox Sedge	2 FACW	OBL		-1 Sedge	Perennial	Native	
cirarv	Cirsium arvense	ARVENSE	Canadian Thistle	0 FACU	FACU		1 Forb	Perennial	Adventive	
echcru	Echinochloa crus-galli	Echinochloa crusgalli	Large Barnyard Grass	0 FACW	FAC		-1 Grass	Annual	Native	
epicil	Epilobium ciliatum	Epilobium ciliatum	Fringed Willowherb	0 FACW	FACW		-1 Forb	Perennial	Native	
eriann	Erigeron annuus	Erigeron annuus	Eastern Daisy Fleabane	0 FACU	FACU		1 Forb	Biennial	Native	
frapen	Fraxinus pennsylvanica	Fraxinus pennsylvanica subintegerma; Fraxinus lanceolata	Green Ash	4 FACW	FACW		-1 Tree	Perennial	Native	
glystr	Glyceria striata	Glyceria striata var. stricta	Fowl Manna Grass	4 OBL	OBL		-2 Grass	Perennial	Native	
impcap	Impatiens capensis	Impatiens capensis	Spotted Touch-Me-Not	3 FACW	FACW		-1 Forb	Annual	Native	
jugnig	Juglans nigra	Juglans nigra	Black Walnut	3 FACU	FACU		1 Tree	Perennial	Native	
juneff	Juncus effusus ssp. solutus	Juncus effusus	Lamp Rush	5 OBL	OBL		-2 Forb	Perennial	Native	
junten	Juncus tenuis	Juncus tenuis	Lesser Poverty Rush	0 FAC	FAC		0 Forb	Perennial	Native	
lemmio	Lemna minor	Lemna minor	Common Duckweed	5 OBL	OBL		-2 Forb	Annual	Native	
oenbie	Oenothera biennis	Oenothera biennis	King's-Cureall	0 FACU	FACU		1 Forb	Biennial	Native	
permac	Persicaria maculosa	POLYGONUM PERSICARIA	Lady's-Thumb	0 FACW	FAC		-1 Forb	Annual	Adventive	



pervir	Persicaria virginiana	Polygonum virginianum	Jumpseed	4 FAC	FAC	0 Forb	Perennial	Native
plamaj	Plantago major	PLANTAGO MAJOR	Great Plantain	0 FAC	FACU	0 Forb	Perennial	Adventive
potnor	Potentilla norvegica	Potentilla norvegica	Norwegian Cinquefoil	0 FAC	FAC	0 Forb	Annual	Native
rumcri	Rumex crispus	RUMEX CRISPUS	Curly Dock	0 FAC	FAC	0 Forb	Perennial	Adventive
schflu	Schoenoplectus fluviatilis	Scirpus fluviatilis; Bolboschoenus fluviatilis	River Club-Rush	4 OBL	OBL	-2 Sedge	Perennial	Native
setpum	Setaria pumila	SETARIA GLAUCA	Yellow Bristle Grass	0 FAC	FAC	0 Grass	Annual	Adventive
solalt	Solidago altissima	Solidago altissima	Tall Goldenrod	1 FACU	FACU	1 Forb	Perennial	Native
sympil	Symphotrichum pilosum	Aster pilosus	White Oldfield American-Aster	0 FACU	FACU	1 Forb	Perennial	Native
thlarv	Thlaspi arvense	THLASPI ARVENSE	Field Pennycress	0 FACU	UPL	1 Forb	Annual	Adventive
toxrad	Toxicodendron radicans	Rhus radicans	Eastern Poison-Ivy	2 FAC	FAC	0 Vine	Perennial	Native
typang	Typha angustifolia	TYPHA ANGUSTIFOLIA	Narrow-Leaf Cat-Tail	0 OBL	OBL	-2 Forb	Perennial	Adventive
verpee	Veronica peregrina	Veronica peregrina	Neckweed	0 FACW	FAC	-1 Forb	Annual	Native
vitrip	Vitis riparia	Vitis riparia var. sylvatica	River-Bank Grape	1 FACW	FAC	-1 Vine	Perennial	Native
xanstr	Xanthium strumarium	Xanthium strumarium var. canadense; Xanthium strumarium var. glabratum	Rough Cocklebur	0 FAC	FAC	0 Forb	Annual	Native

**Wetland Determination Data Forms**

## WETLAND DETERMINATION DATA FORM – Midwest Region

Project/Site: 7821 IL Route 71 City/County: Yorkville / Kendall Sampling Date: 5/29/19

Applicant/Owner: Smrz, Ron State: IL Sampling Point: A

Investigator(s) R. Van Herik & S. Milano Section, Township, Range: S35 T37N R7E

Landform (hillslope, terrace, etc.): Agricultural Field Depression Local Relief (concave, convex, none): Concave

Slope (%): 0% Lat: 41.642582 Long: -88.406551 Datum: Farmed Wetland 1

Soil Map Unit Name: Camden silt loam, 5 to 10 percent slopes, eroded (134C2) NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no explain in remarks)

Are vegetation ☒ Soil ☒ Hydrology ☒ significantly disturbed? Are normal circumstances present? Yes ☐ No ☒

Are vegetation ☐ Soil ☐ Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

## SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Is the Sampled Area Within a Wetland?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Hydric Soils Present ?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Wetland Hydrology Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Remarks: Tilled and tiled for agriculture. This area meets the hydric soils and wetland hydrology criteria to qualify as a farmed wetland. This area has been farmed in the last 5 years, and therefore is considered a farmed wetland.			

## VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>30'</u> )	Absolute % Cover	Dominant Species?	Indicator Status	<b>Dominance Test worksheet:</b> Number of Dominant Species That are OBL, FACW, or FAC: <u>3</u> (A) Total Number of Dominant Species Across All Strata: <u>4</u> (B) Percent of Dominant Species That are OBL, FACW, or FAC: <u>75%</u> (A/B) <b>Prevalence Index worksheet:</b> Total % Cover of: _____ Multiply by: _____ OBL species: _____ x 1 = _____ FACW species: _____ x 2 = _____ FAC species: _____ x 3 = _____ FACU species: _____ x 4 = _____ UPL species: _____ x 5 = _____ Column Totals: _____ (A) Prevalence Index = B/A = _____
1. <u>Juglans nigra</u>	<u>5</u>	<u>Y</u>	<u>FACU</u>	
2. _____				
3. _____				
4. _____				
5. _____				
<u>5</u> = Total Cover				
Sapling/Shrub Stratum (Plot size: <u>15'</u> )				
1. _____				
2. _____				
3. _____				
4. _____				
5. _____				
<u>0</u> = Total Cover				
Herb Stratum (Plot size: <u>5'</u> )				
1. <u>Agrostis stolonifera</u>	<u>30</u>	<u>Y</u>	<u>FACW</u>	
2. <u>Agrostis gigantea</u>	<u>15</u>	<u>Y</u>	<u>FACW</u>	
3. <u>Carex vulpinoidea</u>	<u>15</u>	<u>Y</u>	<u>FACW</u>	
4. <u>Bidens frondosa</u>	<u>5</u>	<u>N</u>	<u>FACW</u>	
5. <u>Veronica peregrina</u>	<u>5</u>	<u>N</u>	<u>FACW</u>	
6. <u>Rumex crispus</u>	<u>3</u>	<u>N</u>	<u>FAC</u>	
7. <u>Potentilla norvegica</u>	<u>2</u>	<u>N</u>	<u>FAC</u>	
8. _____				
9. _____				
10. _____				
<u>75</u> = Total Cover				
Woody Vine Stratum (Plot size: <u>30'</u> )				
1. _____				
2. _____				
<u>0</u> = Total Cover				
<b>Hydrophytic Vegetation Indicators:</b> <input type="checkbox"/> Rapid Test for Hydrophytic Vegetation <input checked="" type="checkbox"/> Dominance Test is >50% <input type="checkbox"/> Prevalence Index is ≤ 3.0 <sup>1</sup> <input type="checkbox"/> Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet) <input type="checkbox"/> Problematic Hydrophytic Vegetation <sup>1</sup> (Explain) <sup>1</sup> Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic				
<b>Hydrophytic Vegetation Present?</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>				
<b>Remarks:</b> (Include photo numbers here or on a separate sheet) Photograph 1 (See Site Photos)				

## SOIL

Sampling Point A

Profile Description: (Describe the depth needed to document the indicator or confirm the absence of indicators)								
Depth (Inches)	Matrix		Redox Features		Type <sup>1</sup>	Loc <sup>2</sup>	Texture	Remarks
	Color (Moist)	%	Color (Moist)	%				
0-18	10YR 4/1	80	7.5YR 4/3	15	C	M	SiCL	
			10YR 6/2	5	D	M		
18-24	10YR 3/1	65	10YR 5/2	30	D	M	SiCL	
			7.5YR 4/3	5	C	M		

<sup>1</sup>Type: C = Concentration, D = Depletion, RM = Reduced Matrix, CS = Covered or Coated Sand Grains    <sup>2</sup>Location: PL = Pore Lining, M = Matrix

<b>Hydric Soil Indicators</b> <input type="checkbox"/> Histosol (A1) <input type="checkbox"/> Histic Epipedon (A2) <input type="checkbox"/> Black Histic (A3) <input type="checkbox"/> Hydrogen Sulfide (A4) <input type="checkbox"/> Stratified Layers (A5) <input type="checkbox"/> 2 cm Muck (A10) <input type="checkbox"/> Depleted below Dark Surface (A11) <input type="checkbox"/> Thick Dark Surface (A12) <input type="checkbox"/> Sandy Mucky Mineral (S1) <input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)	<input type="checkbox"/> Sandy Gleyed Matrix (S4) <input type="checkbox"/> Sandy Redox (S5) <input type="checkbox"/> Stripped Matrix (S6) <input type="checkbox"/> Loamy Mucky Mineral (F1) <input type="checkbox"/> Loamy Gleyed Matrix (F2) <input checked="" type="checkbox"/> Depleted Matrix (F3) <input type="checkbox"/> Redox Dark Surface (F6) <input type="checkbox"/> Depleted Dark Surface (F7) <input type="checkbox"/> Redox Depressions (F8)	<b>Indicators for Problematic Hydric Soils<sup>3</sup></b> <input type="checkbox"/> Coast Prairie Redox (A16) <input type="checkbox"/> Dark Surface (S7) <input type="checkbox"/> Iron- Manganese Masses (F12) <input type="checkbox"/> Very Shallow Dark Surface (TF12) <input type="checkbox"/> Other (Explain in Remarks)
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<sup>3</sup> Indicators of hydrophytic vegetation and wetland hydrology must be present unless disturbed or problematic.

<b>Restrictive Layer (if observed)</b> Type: _____ Depth: _____	<b>Hydric Soil Present?</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
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Remarks: \_\_\_\_\_

## HYDROLOGY

<b>Wetland Hydrology Indicators:</b> Primary Indicators (Minimum of one is required; check all that apply)		Secondary Indicators (minimum of two required)
<input type="checkbox"/> Surface Water (A1) <input type="checkbox"/> High Water Table (A2) <input checked="" type="checkbox"/> Saturation (A3) <input type="checkbox"/> Water Marks (B1) <input type="checkbox"/> Sediment Deposits (B2) <input type="checkbox"/> Drift Deposits (B3) <input type="checkbox"/> Algal Mat or Crust (B4) <input type="checkbox"/> Iron Deposits (B5) <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)	<input type="checkbox"/> Water Stained Leaves (B9) <input type="checkbox"/> Aquatic Fauna (B 3) <input type="checkbox"/> True Aquatic Plants (B14) <input type="checkbox"/> Hydrogen Sulfide Odor (C1) <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) <input type="checkbox"/> Presence of Reduced Iron (C4) <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6) <input type="checkbox"/> Thin Muck Surface (C7) <input type="checkbox"/> Gauge or Well Data (D9) <input type="checkbox"/> Other (Explain in Remarks)	<input type="checkbox"/> Surface Soil Cracks (B6) <input checked="" type="checkbox"/> Drainage Patterns (B10) <input type="checkbox"/> Dry-Season Water Table (C2) <input type="checkbox"/> Crayfish Burrows (C8) <input type="checkbox"/> Saturation Visible on Aerial Imagery (C9) <input type="checkbox"/> Stunted or Stressed Plants (D1) <input checked="" type="checkbox"/> Geomorphic Position (D2) <input checked="" type="checkbox"/> FAC-Neutral Test (D5)
<b>Field Observations:</b> Surface Water Present?    Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Depth (inches) <u>N/A</u> Water Table Present?    Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Depth (inches) <u>N/A</u> Saturation Present?    Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Depth (inches) <u>0"</u> (includes capillary fringe)		<b>Wetland Hydrology Present?</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:		
Remarks: This area displayed farmed wetland signatures in 1 of 5 historical aerial photographs with normal precipitation.		

# WETLAND DETERMINATION DATA FORM – Midwest Region

Project/Site: 7821 IL Route 71 City/County: Yorkville / Kendall Sampling Date: 5/29/19  
 Applicant/Owner: Smrz, Ron State: IL Sampling Point: B  
 Investigator(s) R. Van Herik & S. Milano Section, Township, Range: S35 T37N R7E  
 Landform (hillslope, terrace, etc.): Agricultural Field Local Relief (concave, convex, none): Convex  
 Slope (%): 0% Lat: 41.642582 Long: -88.406551 Datum: Farmed Wetland 1 – Upland  
 Soil Map Unit Name: Mayville silt loam, 0 to 2 percent slopes (193A) NWI classification: None  
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no explain in remarks)  
 Are vegetation ☒ Soil ☒ Hydrology ☒ significantly disturbed? Are normal circumstances present? Yes ☐ No ☒  
 Are vegetation ☐ Soil ☐ Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

## SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☐ No ☒  
 Hydric Soils Present? Yes ☐ No ☒  
 Wetland Hydrology Present? Yes ☐ No ☒  
 Is the Sampled Area Within a Wetland? Yes ☐ No ☒  
 Remarks: Tilled and tiled for agriculture.

## VEGETATION – Use scientific names of plants.

Tree Stratum	(Plot size: 30' )	Absolute % Cover	Dominant Species?	Indicator Status
1.				
2.				
3.				
4.				
5.				
		0	= Total Cover	
Sapling/Shrub Stratum	(Plot size: 15' )			
1.				
2.				
3.				
4.				
5.				
		0	=Total Cover	
Herb Stratum	(Plot size: 5' )			
1.	Capsella bursa-pastoris	30	Y	FACU
2.	Erigeron annuus	20	Y	FACU
3.	Persicaria pensylvanica	15	Y	FACW
4.	Schedonorus pratensis	10	N	FACU
5.				
6.				
7.				
8.				
9.				
10.				
		75	=Total Cover	
Woody Vine Stratum	(Plot size: 30' )			
1.				
2.				
		0	=Total Cover	

**Dominance Test worksheet:**  
 Number of Dominant Species That are OBL, FACW, or FAC: 1 (A)  
 Total Number of Dominant Species Across All Strata: 3 (B)  
 Percent of Dominant Species That are OBL, FACW, or FAC 33% (A/B)

**Prevalence Index worksheet:**  
 Total % Cover of: \_\_\_\_\_ Multiply by: \_\_\_\_\_  
 OBL species: \_\_\_\_\_ x 1 = \_\_\_\_\_  
 FACW species: \_\_\_\_\_ x 2 = \_\_\_\_\_  
 FAC species: \_\_\_\_\_ x 3 = \_\_\_\_\_  
 FACU species: \_\_\_\_\_ x 4 = \_\_\_\_\_  
 UPL species: \_\_\_\_\_ x 5 = \_\_\_\_\_  
 Column Totals \_\_\_\_\_ (A) \_\_\_\_\_  
 Prevalence Index = B/A = \_\_\_\_\_

**Hydrophytic Vegetation Indicators:**  
☐ Rapid Test for Hydrophytic Vegetation  
☐ Dominance Test is >50%  
☐ Prevalence Index is ≤ 3.0<sup>1</sup>  
☐ Morphological Adaptations<sup>1</sup> (Provide supporting data in Remarks or on a separate sheet)  
☐ Problematic Hydrophytic Vegetation<sup>1</sup> (Explain)  
<sup>1</sup>Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic

**Hydrophytic Vegetation Present?** Yes ☐ No ☒

Remarks: (Include photo numbers here or on a separate sheet)  
 Photograph 2 (See Site Photos)

Sampling Point B**SOIL****Profile Description: (Describe the depth needed to document the indicator or confirm the absence of indicators)**

Depth (Inches)	Matrix		Redox Features		Type <sup>1</sup>	Loc <sup>2</sup>	Texture L	Remarks
	Color (Moist)	%	Color (Moist)	%				
0-14	10YR 4/2	100			C	M	SiCL	
14-20	10YR 4/2	80	7.5YR 4/3	20	C	M	C	
20-26	10YR 4/2	70	10YR 4/6	20	C	M		
			10YR 6/4	10	C	M		

<sup>1</sup>Type: C = Concentration, D= Depletion, RM = Reduced Matrix, CS = Covered or Coated Sand Grains    <sup>2</sup>Location: PL =Pore Lining, M = Matrix

**Hydric Soil Indicators**

- ☐ Histosol (A1)  
☐ Histic Epipedon (A2)  
☐ Black Histic (A3)  
☐ Hydrogen Sulfide (A4)  
☐ Stratified Layers (A5)  
☐ 2 cm Muck (A10)  
☐ Depleted below Dark Surface (A11)  
☐ Thick Dark Surface (A12)  
☐ Sandy Mucky Mineral (S1)  
☐ 5 cm Mucky Peat or Peat (S3)

- ☐ Sandy Gleyed Matrix (S4)  
☐ Sandy Redox (S5)  
☐ Stripped Matrix (S6)  
☐ Loamy Mucky Mineral (F1)  
☐ Loamy Gleyed Matrix (F2)  
☐ Depleted Matrix (F3)  
☐ Redox Dark Surface (F6)  
☐ Depleted Dark Surface (F7)  
☐ Redox Depressions (F8)

**Indicators for Problematic Hydric Soils<sup>3</sup>**

- ☐ Coast Prairie Redox (A16)  
☐ Dark Surface (S7)  
☐ Iron- Manganese Masses (F12)  
☐ Very Shallow Dark Surface (TF12)  
☐ Other (Explain in Remarks)

<sup>3</sup> Indicators of hydrophytic vegetation and wetland hydrology must be present unless disturbed or problematic.

**Restrictive Layer (if observed)**

Type: \_\_\_\_\_  
 Depth: \_\_\_\_\_

Hydric Soil Present? Yes ☐ No ☒

Remarks:

**HYDROLOGY****Wetland Hydrology Indicators:**

Primary Indicators (Minimum of one is required: check all that apply)

- ☐ Surface Water (A1)  
☐ High Water Table (A2)  
☐ Saturation (A3)  
☐ Water Marks (B1)  
☐ Sediment Deposits (B2)  
☐ Drift Deposits (B3)  
☐ Algal Mat or Crust (B4)  
☐ Iron Deposits (B5)  
☐ Inundation Visible on Aerial Imagery (B7)  
☐ Sparsely Vegetated Concave Surface (B8)  
☐ Water Stained Leaves (B9)  
☐ Aquatic Fauna (B 3)  
☐ True Aquatic Plants (B14)  
☐ Hydrogen Sulfide Odor (C1)  
☐ Oxidized Rhizospheres on Living Roots (C3)  
☐ Presence of Reduced Iron (C4)  
☐ Recent Iron Reduction in Tilled Soils (C6)  
☐ Thin Muck Surface (C7)  
☐ Gauge or Well Data (D9)  
☐ Other (Explain in Remarks)

**Secondary Indicators (minimum of two required)**

- ☐ Surface Soil Cracks (B6)  
☐ Drainage Patterns (B10)  
☐ Dry-Season Water Table (C2)  
☐ Crayfish Burrows (C8)  
☐ Saturation Visible on Aerial Imagery (C9)  
☐ Stunted or Stressed Plants (D1)  
☐ Geomorphic Position (D2)  
☐ FAC-Neutral Test (D5)

**Field Observations:**

Surface Water Present? Yes ☐ No ☒ Depth (inches) N/A  
 Water Table Present? Yes ☐ No ☒ Depth (inches) N/A  
 Saturation Present? Yes ☐ No ☒ Depth (inches) N/A  
 (includes capillary fringe)

Wetland Hydrology Present? Yes ☐ No ☒

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:



## WETLAND DETERMINATION DATA FORM – Midwest Region

Project/Site: 7821 IL Route 71 City/County: Yorkville / Kendall Sampling Date: 5/29/19  
 Applicant/Owner: Smrz, Ron State: IL Sampling Point: C  
 Investigator(s) R. Van Herik & S. Milano Section, Township, Range: S35 T37N R7E  
 Landform (hillslope, terrace, etc.): Agricultural Field Depression Local Relief (concave, convex, none): Concave  
 Slope (%): 0% Lat: 41.642582 Long: -88.406551 Datum: Investigated Area 1  
 Soil Map Unit Name: Mayville silt loam, 0 to 2 percent slopes (193A) NWI classification: None  
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no explain in remarks)  
 Are vegetation ☒ Soil ☒ Hydrology ☒ significantly disturbed? Are normal circumstances present? Yes ☐ No ☒  
 Are vegetation ☐ Soil ☐ Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

## SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Is the Sampled Area Within a Wetland?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Hydric Soils Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Wetland Hydrology Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Remarks: Tilled and tiled for agriculture.			

## VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>30'</u> )	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That are OBL, FACW, or FAC: <u>1</u> (A) Total Number of Dominant Species Across All Strata: <u>2</u> (B) Percent of Dominant Species That are OBL, FACW, or FAC: <u>50%</u> (A/B)
1. <u>Acer rubrum</u>	<u>15</u>	<u>Y</u>	<u>FAC</u>	
2. _____				
3. _____				
4. _____				
5. _____	<u>15</u>			
<u>15</u> = Total Cover				
Sapling/Shrub Stratum (Plot size: <u>15'</u> )				Prevalence Index worksheet: Total % Cover of: _____ Multiply by: _____ OBL species: _____ x 1 = _____ FACW species: _____ x 2 = _____ FAC species: _____ x 3 = _____ FACU species: _____ x 4 = _____ UPL species: _____ x 5 = _____ Column Totals _____ (A) _____ Prevalence Index = B/A = _____
1. _____				
2. _____				
3. _____				
4. _____				
5. _____				
<u>0</u> = Total Cover				
Herb Stratum (Plot size: <u>5'</u> )				Hydrophytic Vegetation Indicators: <input type="checkbox"/> Rapid Test for Hydrophytic Vegetation <input type="checkbox"/> Dominance Test is >50% <input type="checkbox"/> Prevalence Index is ≤ 3.0 <sup>1</sup> <input type="checkbox"/> Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet) <input type="checkbox"/> Problematic Hydrophytic Vegetation <sup>1</sup> (Explain) <sup>1</sup> Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic
1. <u>Cirsium arvense</u>	<u>30</u>	<u>Y</u>	<u>FACU</u>	
2. <u>Rumex crispus</u>	<u>5</u>	<u>N</u>	<u>FAC</u>	
3. <u>Matricaria discoidea</u>	<u>5</u>	<u>N</u>	<u>FACU</u>	
4. <u>Bromus inermis</u>	<u>2</u>	<u>N</u>	<u>FACU</u>	
5. _____				
6. _____				
7. _____				
8. _____				
9. _____				
10. _____	<u>42</u>			
<u>42</u> = Total Cover				
Woody Vine Stratum (Plot size: <u>30'</u> )				Hydrophytic Vegetation Present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
1. _____				
2. _____	<u>0</u>			
<u>0</u> = Total Cover				
Remarks: (Include photo numbers here or on a separate sheet) Photograph 7 (See Site Photos)				



Sampling Point C**SOIL**

**Profile Description: (Describe the depth needed to document the indicator or confirm the absence of indicators)**

Depth (Inches)	Matrix		Redox Features		Type <sup>1</sup>	Loc <sup>2</sup>	Texture SiCL	Remarks
	Color (Moist)	%	Color (Moist)	%				
0-20	10YR 3/1	80	7.5YR 4/3	10	C	M		
			10YR 5/2	10	D	M		
20-24	10YR 2/1	95	10YR 4/1	5	D	M		

<sup>1</sup>Type: C = Concentration, D = Depletion, RM = Reduced Matrix, CS = Covered or Coated Sand Grains    <sup>2</sup>Location: PL = Pore Lining, M = Matrix

**Hydric Soil Indicators**

<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Sandy Gleyed Matrix (S4)	<b>Indicators for Problematic Hydric Soils<sup>3</sup></b> <input type="checkbox"/> Coast Prairie Redox (A16) <input type="checkbox"/> Dark Surface (S7) <input type="checkbox"/> Iron- Manganese Masses (F12) <input type="checkbox"/> Very Shallow Dark Surface (TF12) <input type="checkbox"/> Other (Explain in Remarks)
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Sandy Redox (S5)	
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Stripped Matrix (S6)	
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Loamy Mucky Mineral (F1)	
<input type="checkbox"/> Stratified Layers (A5)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)	
<input type="checkbox"/> 2 cm Muck (A10)	<input type="checkbox"/> Depleted Matrix (F3)	
<input type="checkbox"/> Depleted below Dark Surface (A11)	<input checked="" type="checkbox"/> Redox Dark Surface (F6)	
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Depleted Dark Surface (F7)	
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Redox Depressions (F8)	
<input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)		

<sup>3</sup> Indicators of hydrophytic vegetation and wetland hydrology must be present unless disturbed or problematic.

**Restrictive Layer (if observed)**  
 Type: \_\_\_\_\_  
 Depth: \_\_\_\_\_

**Hydric Soil Present?** Yes ☒ No ☐

**Remarks:**

**HYDROLOGY**

**Wetland Hydrology Indicators:**

Primary Indicators (Minimum of one is required: check all that apply)

<input checked="" type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Water Stained Leaves (B9)	<b>Secondary Indicators (minimum of two required)</b> <input type="checkbox"/> Surface Soil Cracks (B6) <input type="checkbox"/> Drainage Patterns (B10) <input type="checkbox"/> Dry-Season Water Table (C2) <input type="checkbox"/> Crayfish Burrows (C8) <input type="checkbox"/> Saturation Visible on Aerial Imagery (C9) <input type="checkbox"/> Stunted or Stressed Plants (D1) <input type="checkbox"/> Geomorphic Position (D2) <input type="checkbox"/> FAC-Neutral Test (D5)
<input checked="" type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Aquatic Fauna (B3)	
<input checked="" type="checkbox"/> Saturation (A3)	<input type="checkbox"/> True Aquatic Plants (B14)	
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)	
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)	
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Presence of Reduced Iron (C4)	
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)	
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Thin Muck Surface (C7)	
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)	<input type="checkbox"/> Gauge or Well Data (D9)	
<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)	<input type="checkbox"/> Other (Explain in Remarks)	

**Field Observations:**

Surface Water Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Depth (inches) <u>3"</u>	<b>Wetland Hydrology Present?</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Water Table Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Depth (inches) <u>0"</u>	
Saturation Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Depth (inches) <u>0"</u>	

(includes capillary fringe)

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

**Remarks:** Water perched on surface from recent and significant rain events. This does not constitute normal wetland hydrology.

## WETLAND DETERMINATION DATA FORM – Midwest Region

Project/Site: 7821 IL Route 71 City/County: Yorkville / Kendall Sampling Date: 5/29/19  
 Applicant/Owner: Smrz, Ron State: IL Sampling Point: D  
 Investigator(s) R. Van Herik & S. Milano Section, Township, Range: S35 T37N R7E  
 Landform (hillslope, terrace, etc.): Depression Local Relief (concave, convex, none): Concave  
 Slope (%): 0% Lat: 41.642582 Long: -88.406551 Datum: Investigated Area 2  
 Soil Map Unit Name: Mayville silt loam, 0 to 2 percent slopes (193A) NWI classification: None  
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no explain in remarks)  
 Are vegetation ☐ Soil ☐ Hydrology ☐ significantly disturbed? Are normal circumstances present? Yes ☒ No ☐  
 Are vegetation ☐ Soil ☐ Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

## SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Is the Sampled Area Within a Wetland?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Hydric Soils Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Wetland Hydrology Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Remarks:			

## VEGETATION – Use scientific names of plants.

Tree Stratum	(Plot size: 30')	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1.					
2.					Total Number of Dominant Species Across All Strata: <u>2</u> (B)
3.					Percent of Dominant Species That are OBL, FACW, or FAC: <u>100%</u> (A/B)
4.					Prevalence Index worksheet:
5.					
0 = Total Cover					OBL species: _____ x 1 = _____
Sapling/Shrub Stratum (Plot size: 15')					FACW species: _____ x 2 = _____
1.					FAC species: _____ x 3 = _____
2.					FACU species: _____ x 4 = _____
3.					UPL species: _____ x 5 = _____
4.					Column Totals _____ (A) _____
5.					Prevalence Index = B/A = _____
0 = Total Cover					Hydrophytic Vegetation Indicators:
Herb Stratum (Plot size: 5')					
1.	<u>Typha angustifolia</u>	<u>20</u>	<u>Y</u>	<u>OBL</u>	<input type="checkbox"/> Rapid Test for Hydrophytic Vegetation
2.	<u>Rumex crispus</u>	<u>15</u>	<u>Y</u>	<u>FAC</u>	<input checked="" type="checkbox"/> Dominance Test is >50%
3.	<u>Schedonorus pratensis</u>	<u>10</u>	<u>N</u>	<u>FACU</u>	<input type="checkbox"/> Prevalence Index is ≤ 3.0 <sup>1</sup>
4.	<u>Cirsium arvense</u>	<u>10</u>	<u>N</u>	<u>FACU</u>	<input type="checkbox"/> Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet)
5.					<input type="checkbox"/> Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)
6.					<sup>1</sup> Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic
7.					Hydrophytic Vegetation Present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
8.					
9.					
10.					
55 = Total Cover					
Woody Vine Stratum (Plot size: 30')					
1.					
2.					
0 = Total Cover					
Remarks: (Include photo numbers here or on a separate sheet)					
Photograph 8 (See Site Photos)					

Sampling Point D**SOIL****Profile Description: (Describe the depth needed to document the indicator or confirm the absence of indicators)**

Depth (Inches)	Matrix		Redox Features		Type <sup>1</sup>	Loc <sup>2</sup>	Texture SiCL	Remarks
	Color (Moist)	%	Color (Moist)	%				
0-2	10YR 3/1	100						

<sup>1</sup>Type: C = Concentration, D = Depletion, RM = Reduced Matrix, CS = Covered or Coated Sand Grains      <sup>2</sup>Locaton: PL = Pore Lining, M = Matrix

**Hydric Soil Indicators**

- ☐ Histosol (A1)  
☐ Histic Epipedon (A2)  
☐ Black Histic (A3)  
☐ Hydrogen Sulfide (A4)  
☐ Stratified Layers (A5)  
☐ 2 cm Muck (A10)  
☐ Depleted below Dark Surface (A11)  
☐ Thick Dark Surface (A12)  
☐ Sandy Mucky Mineral (S1)  
☐ 5 cm Mucky Peat or Peat (S3)

- ☐ Sandy Gleyed Matrix (S4)  
☐ Sandy Redox (S5)  
☐ Stripped Matrix (S6)  
☐ Loamy Mucky Mineral (F1)  
☐ Loamy Gleyed Matrix (F2)  
☐ Depleted Matrix (F3)  
☐ Redox Dark Surface (F6)  
☐ Depleted Dark Surface (F7)  
☐ Redox Depressions (F8)

**Indicators for Problematic Hydric Soils<sup>3</sup>**

- ☐ Coast Prairie Redox (A16)  
☐ Dark Surface (S7)  
☐ Iron- Manganese Masses (F12)  
☐ Very Shallow Dark Surface (TF12)  
☐ Other (Explain in Remarks)

<sup>3</sup>Indicators of hydrophytic vegetation and wetland hydrology must be present unless disturbed or problematic.

**Restrictive Layer (if observed)**

Type: Rock Fill  
 Depth: 2"

Hydric Soil Present? Yes ☐ No ☒

Remarks:

**HYDROLOGY****Wetland Hydrology Indicators:**

Primary Indicators (Minimum of one is required: check all that apply)

- ☐ Surface Water (A1)  
☐ High Water Table (A2)  
☒ Saturation (A3)  
☐ Water Marks (B1)  
☐ Sediment Deposits (B2)  
☐ Drift Deposits (B3)  
☐ Algal Mat or Crust (B4)  
☐ Iron Deposits (B5)  
☐ Inundation Visible on Aerial Imagery (B7)  
☐ Sparsely Vegetated Concave Surface (B8)  
☐ Water Stained Leaves (B9)  
☐ Aquatic Fauna (B 3)  
☐ True Aquatic Plants (B14)  
☐ Hydrogen Sulfide Odor (C1)  
☐ Oxidized Rhizospheres on Living Roots (C3)  
☐ Presence of Reduced Iron (C4)  
☐ Recent Iron Reduction in Tilled Soils (C6)  
☐ Thin Muck Surface (C7)  
☐ Gauge or Well Data (D9)  
☐ Other (Explain in Remarks)

**Secondary Indicators (minimum of two required)**

- ☐ Surface Soil Cracks (B6)  
☒ Drainage Patterns (B10)  
☐ Dry-Season Water Table (C2)  
☐ Crayfish Burrows (C8)  
☐ Saturation Visible on Aerial Imagery (C9)  
☐ Stunted or Stressed Plants (D1)  
☒ Geomorphic Position (D2)  
☒ FAC-Neutral Test (D5)

**Field Observations:**

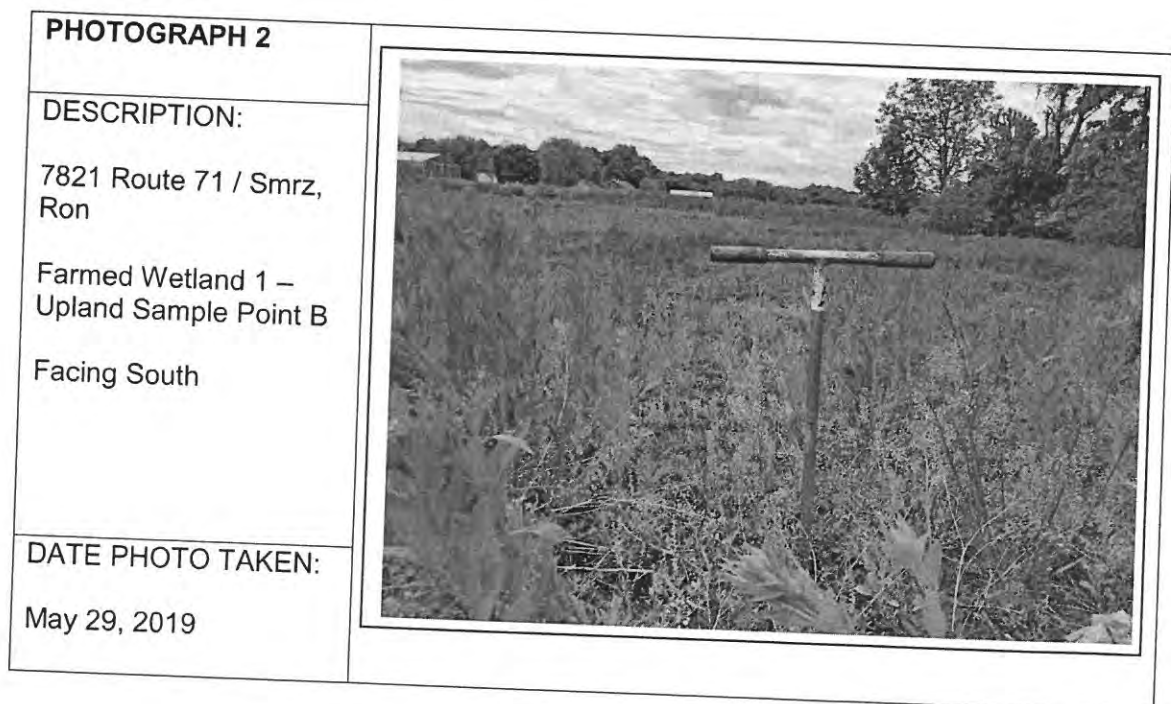
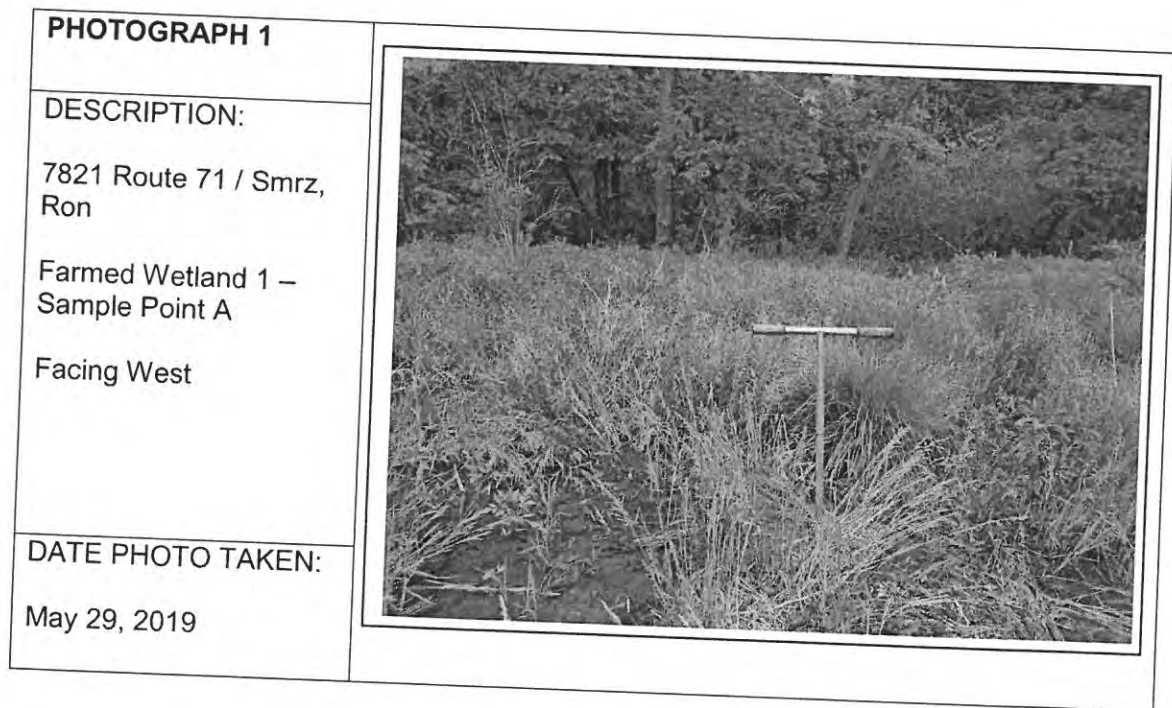
Surface Water Present? Yes ☐ No ☒ Depth (inches) N/A  
 Water Table Present? Yes ☐ No ☒ Depth (inches) N/A  
 Saturation Present? Yes ☒ No ☐ Depth (inches) 0"  
 (includes capillary fringe)

Wetland Hydrology Present? Yes ☒ No ☐


Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:


Remarks:

## **Site Photographs**





<b>PHOTOGRAPH 3</b>	
<b>DESCRIPTION:</b>  7821 Route 71 / Smrz, Ron  Farmed Wetland 1 – Pipe Connection  Facing Northwest	
<b>DATE PHOTO TAKEN:</b>  May 29, 2019	

<b>PHOTOGRAPH 4</b>	
<b>DESCRIPTION:</b>  7821 Route 71 / Smrz, Ron  Farmed Wetland 1 – Pipe Connection  Facing West	
<b>DATE PHOTO TAKEN:</b>  May 29, 2019	

ENCAP, Inc.

**PHOTOGRAPH 5**

**DESCRIPTION:**

7821 Route 71 / Smrz,  
Ron

Farmed Wetland 1 -  
Overview

Facing West

**DATE PHOTO TAKEN:**

May 29, 2019



**PHOTOGRAPH 6**

**DESCRIPTION:**

7821 Route 71 / Smrz,  
Ron

Farmed Wetland 1 -  
Overview

Facing East


**DATE PHOTO TAKEN:**

May 29, 2019

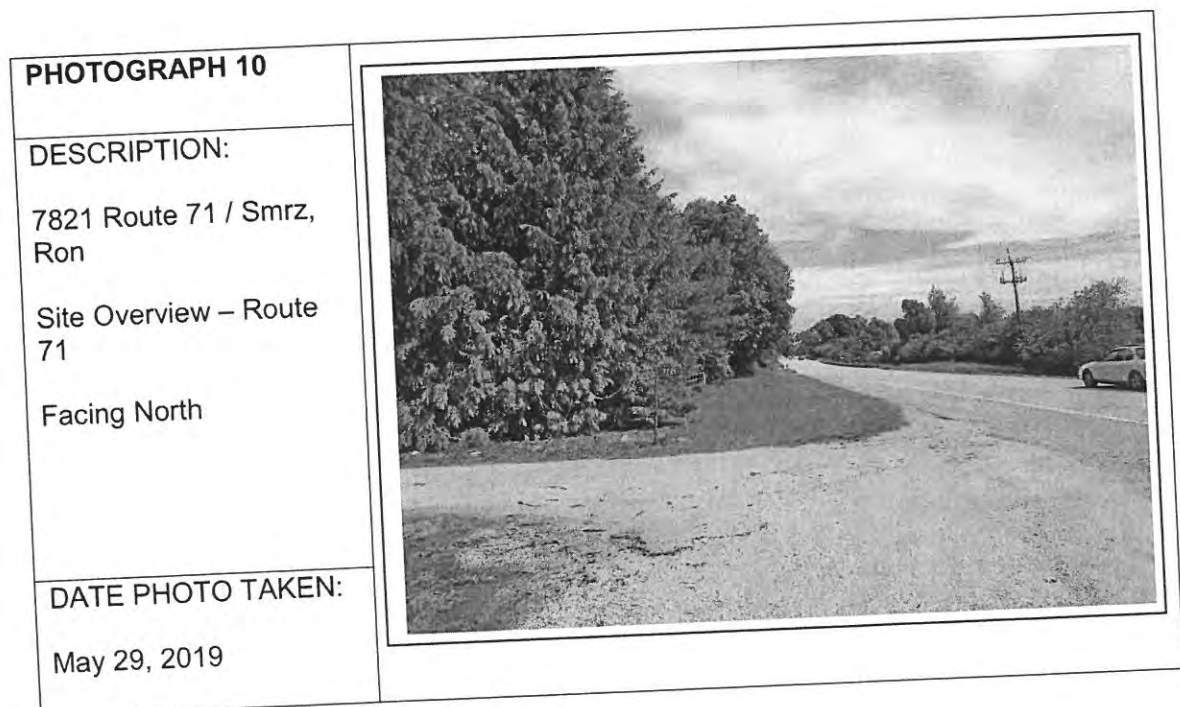
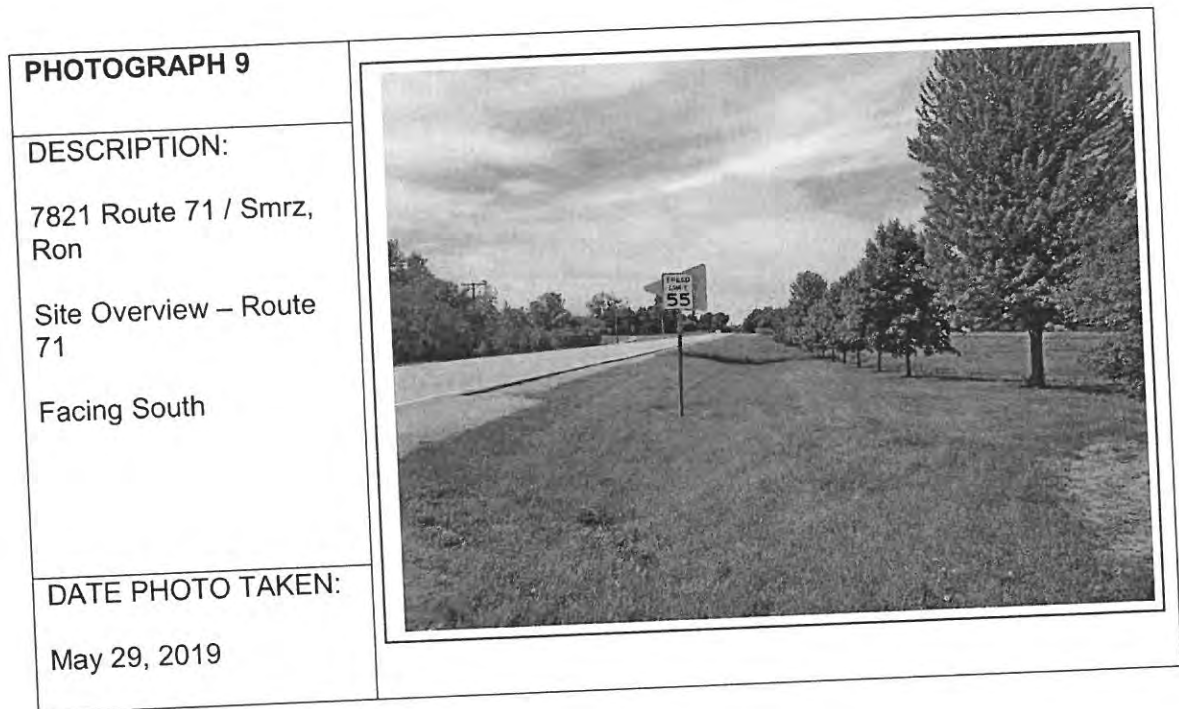


ENCAP, Inc.


<b>PHOTOGRAPH 7</b>	
<b>DESCRIPTION:</b>  7821 Route 71 / Smrz, Ron  Investigated Area 1 – Sample Point C  Facing East	
<b>DATE PHOTO TAKEN:</b>  May 29, 2019	


<b>PHOTOGRAPH 8</b>	
<b>DESCRIPTION:</b>  7821 Route 71 / Smrz, Ron  Investigated Area 2 – Sample Point D  Facing East	
<b>DATE PHOTO TAKEN:</b>  May 29, 2019	

ENCAP, Inc.



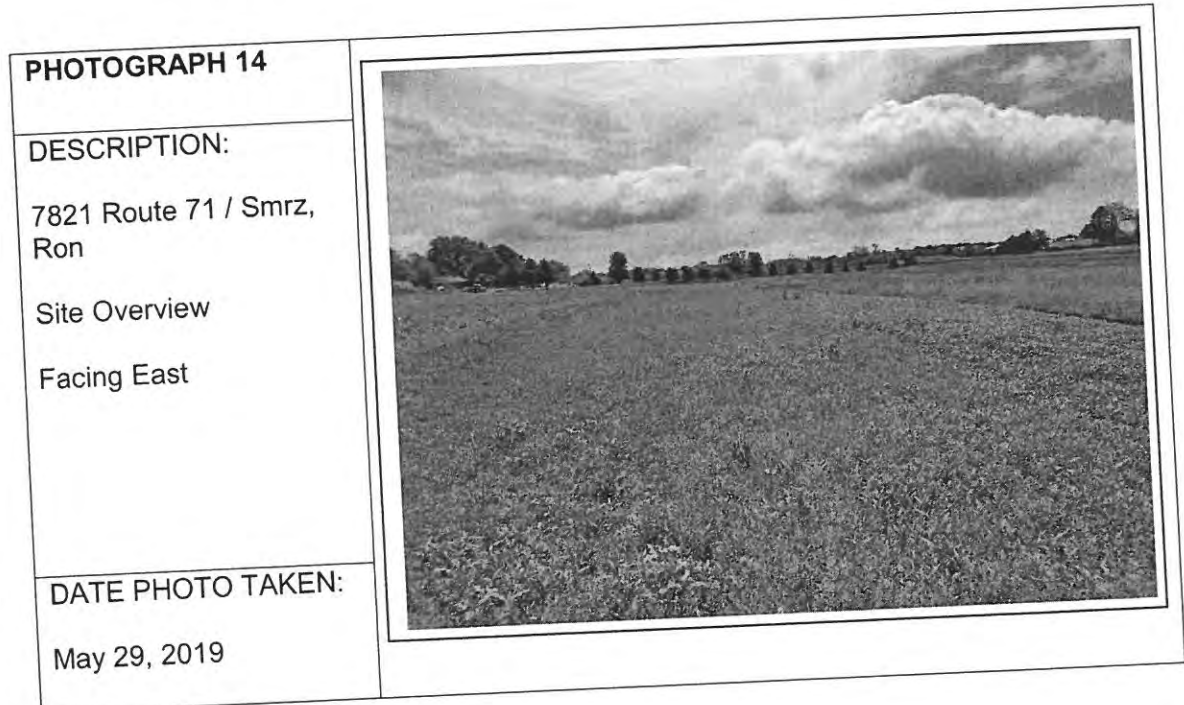
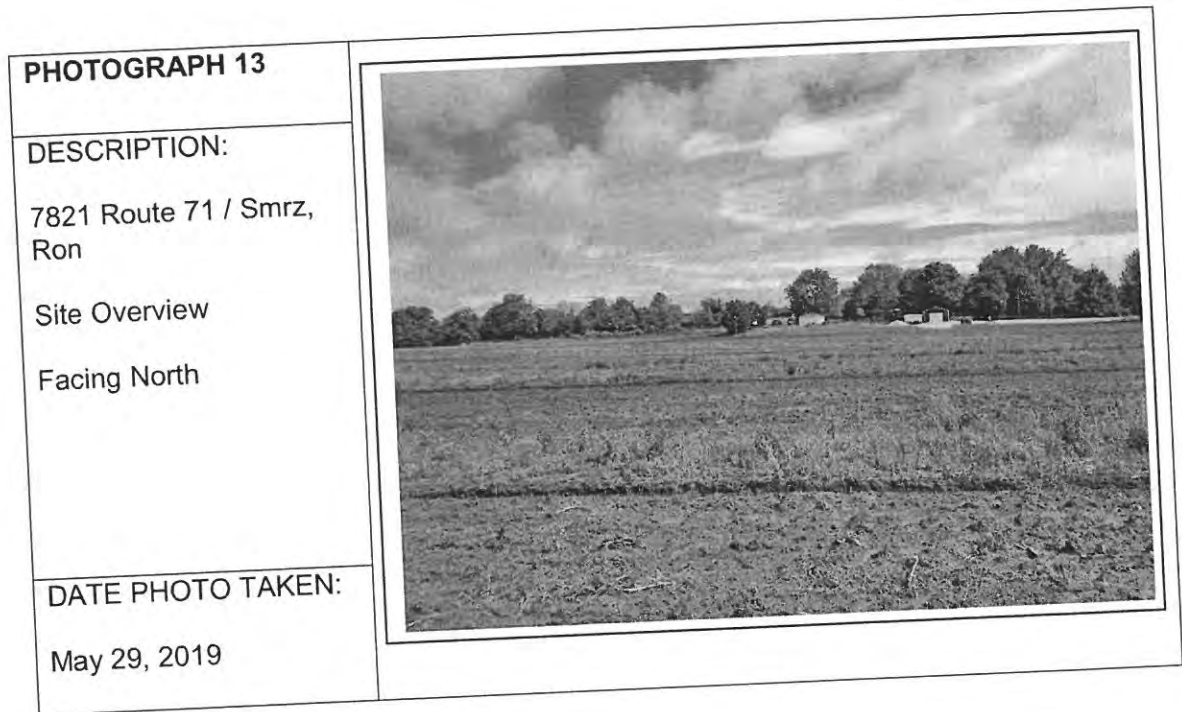
ENCAP, Inc.

<b>PHOTOGRAPH 11</b>	
<b>DESCRIPTION:</b>  7821 Route 71 / Smrz, Ron  Site Overview  Facing South	
<b>DATE PHOTO TAKEN:</b>  May 29, 2019	


<b>PHOTOGRAPH 12</b>	
<b>DESCRIPTION:</b>  7821 Route 71 / Smrz, Ron  Site Overview  Facing West	
<b>DATE PHOTO TAKEN:</b>  May 29, 2019	

ENCAP, Inc.






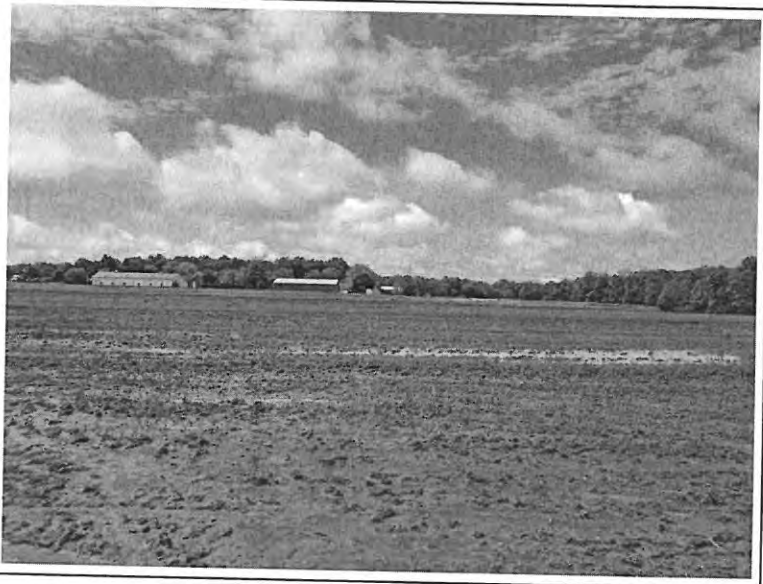
ENCAP, Inc.

<b>PHOTOGRAPH 15</b>	
<b>DESCRIPTION:</b>  7821 Route 71 / Smrz, Ron  Site Overview  Facing Northwest	
<b>DATE PHOTO TAKEN:</b>  May 29, 2019	

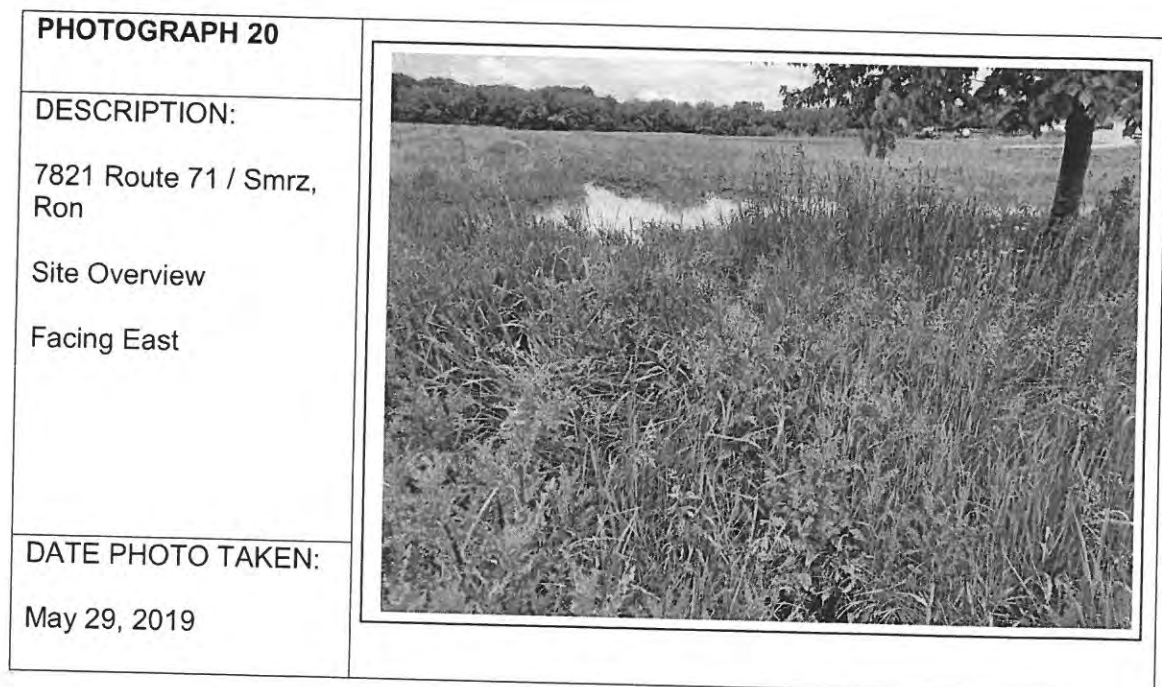
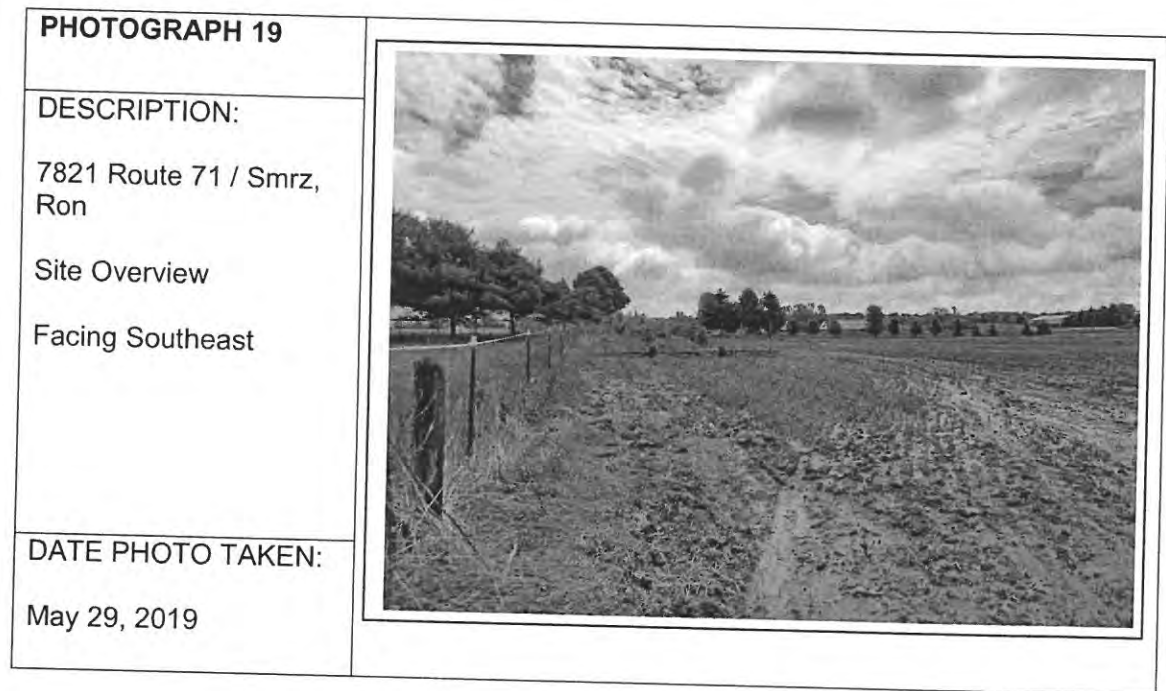
<b>PHOTOGRAPH 16</b>	
<b>DESCRIPTION:</b>  7821 Route 71 / Smrz, Ron  Site Overview  Facing East	
<b>DATE PHOTO TAKEN:</b>  May 29, 2019	

ENCAP, Inc.

<b>PHOTOGRAPH 17</b>	
<b>DESCRIPTION:</b>  7821 Route 71 / Smrz, Ron  Site Overview  Facing East	
<b>DATE PHOTO TAKEN:</b>  May 29, 2019	

<b>PHOTOGRAPH 18</b>	
<b>DESCRIPTION:</b>  7821 Route 71 / Smrz, Ron  Site Overview  Facing South	
<b>DATE PHOTO TAKEN:</b>  May 29, 2019	

ENCAP, Inc.



ENCAP, Inc.

**WETS Station Data**

Aurora\_IL0338 Kane County FORM

WETS Station: IL0338

	Average	<30%	>30%
April	3.88	2.79	4.59
May	3.91	2.7	4.65
June	4.34	3.04	5.14
July	4.39	2.76	5.3

CLIMATIC EVALUATION OF PRECIPITATION  
3 MONTHS BEFORE AERIAL CROP  
HISTORY SLIDES

DATE: \_\_\_\_\_

COUNTY: \_\_\_\_\_

LANDOWNER: \_\_\_\_\_

TRACT NO. \_\_\_\_\_

PREPARED BY: \_\_\_\_\_

April		May		June		July*		April		May		June		Score		RECORD OF WETLAND		
Year	Percip-itation	Type of Month	Percip-itation	Type of Month	Percip-itation	Type of Month	Percip-itation	Type of Month	Score 1X	Score 2X	Score 3X	Score for Year	Type of Year	Year	Best Years	SIGNATURES OBSERVED ON AERIAL PHOTOGRAPHY		
78	5.14	Wet	4.85	Wet	3.65	Normal	8.56	Wet	3	6	6	15	WET	78				
79	6.06	Wet	2.6	Dry	5.34	Wet	3.68	Normal	3	2	9	14	NORMAL	79	79			
80	3.26	Normal	2.7	Normal	3.2	Normal	3.81	Normal	2	4	6	12	NORMAL	80	80			
81	5.82	Wet	5.09	Wet	6.44	Wet	3.97	Normal	3	6	9	18	WET	81				
82	3.25	Normal	3.64	Normal	2.96	Dry	6.34	Wet	2	4	3	9	DRY	82				
83	6.59	Wet	4.22	Normal	4.98	Normal	6.97	Wet	3	4	6	13	NORMAL	83	83			
84	4.02	Normal	4.12	Normal	5.78	Wet	1.83	Dry	2	4	9	15	WET	84				
85	1.93	Dry	2.63	Dry	2.7	Dry	3.26	Normal	1	2	3	6	DRY	85				
86	1.75	Dry	3.23	Normal	4.19	Normal	3.25	Normal	1	4	6	11	NORMAL	86	86			
87	2.49	Dry	5.14	Wet	5.83	Wet	3.78	Normal	1	6	9	16	WET	87				
88	3.18	Normal	1.86	Dry	0.95	Dry	3.4	Normal	2	2	3	7	DRY	88				
89	1.12	Dry	1.94	Dry	4.29	Normal	6.63	Wet	1	2	6	9	DRY	89				
90	1.89	Dry	8	Wet	6.31	Wet	4.41	Normal	1	6	9	16	WET	90				
91	4.47	Normal	5.8	Wet	1	Dry	1.45	Dry	2	6	3	11	NORMAL	91	91			
92	3.31	Normal	0.75	Dry	2.22	Dry	4.45	Normal	2	2	3	7	DRY	92				
93	4.66	Wet	2.03	Dry	9.56	Wet	2.34	Dry	3	2	9	14	NORMAL	93	93			
94	1.98	Dry	1.57	Dry	6.03	Wet	2.46	Dry	1	2	9	12	NORMAL	94	94			
95	5.8	Wet	4.54	Normal	3.01	Dry	3.73	Normal	3	4	3	10	NORMAL	95	95			
96	2.69	Dry	4.64	Normal	5.63	Wet	21.5	Wet	1	4	9	14	NORMAL	96	96			
97	2.59	Dry	3.96	Normal	2.25	Dry	1.53	Dry	1	4	3	8	DRY	97				
98	5.6	Wet	3.08	Normal	5.31	Wet	3.24	Normal	3	4	9	16	WET	98				
99	5.74	Wet	4.21	Normal	4.67	Normal	3.57	Normal	3	4	6	13	NORMAL	99	99			
0	5	Wet	3.76	Normal	5.59	Wet	4.47	Normal	3	4	9	16	WET	0				
1	3.63	Normal	3.15	Normal	3.29	Normal	2.13	Dry	2	4	6	12	NORMAL	1	1			
2	4.94	Wet	4.62	Normal	3.09	Normal	2.34	Dry	3	4	6	13	NORMAL	2	2			
3	2.52	Dry	7.91	Wet	1.99	Dry	7.83	Wet	1	6	3	10	NORMAL	3	3			
4	0.94	Dry	6.6	Wet	6.19	Wet	2.7	Dry	1	6	9	16	WET	4				
5	2.12	Dry	2.65	Dry	1.11	Dry	2.36	Dry	1	2	3	6	DRY	5				
6	4.23	Normal	3.89	Normal	3.76	Normal	1.31	Dry	2	4	6	12	NORMAL	6	6			
7	3.86	Normal	1.19	Dry	2.92	Dry	5.02	Normal	2	2	3	7	DRY	7				
8	3.22	Normal	5.17	Wet	3.63	Normal	3.36	Normal	2	6	6	14	NORMAL	8	8			
9	5.68	Wet	4.22	Normal	3.89	Normal	2.12	Dry	3	4	6	13	NORMAL	9	9			
10	2.31	Dry	6.61	Wet	7.75	Wet	6.45	Wet	1	6	9	16	WET	10				
11	5.26	Wet	5.13	Wet	5.89	Wet	4.57	Normal	3	6	9	18	WET	11				
12	2.29	Dry	1.98	Dry	1.75	Dry	2.35	Dry	1	2	3	6	DRY	12				
13	10.44	Wet	4.77	Wet	6.04	Wet	1.74	Dry	3	6	9	18	WET	13				
14	3.23	Normal	5.35	Wet	8.16	Wet	4.82	Normal	2	6	9	17	WET	14				

SCORE

TYPE OF YEAR

Dry =

1

Dry =

6 to 9

Normal =

2

Normal =

10 to 14

Wet =

3

Wet =

15 to 18

\* July data is only used if the photo appears to have an unusually high number of surface water signatures indicating that the photo was taken soon after an unusually wet period. Otherwise it is assumed that the photo was taken in late June or early July before most of July's precipitation.

COMMENTS: \_\_\_\_\_

Next 1 Wheaton 3 SE IL9221 DuPage County

Next 2 Elgin IL2736 Kane County

Next 3 Joliet Brandon RD DAM\_IL4530 Will County

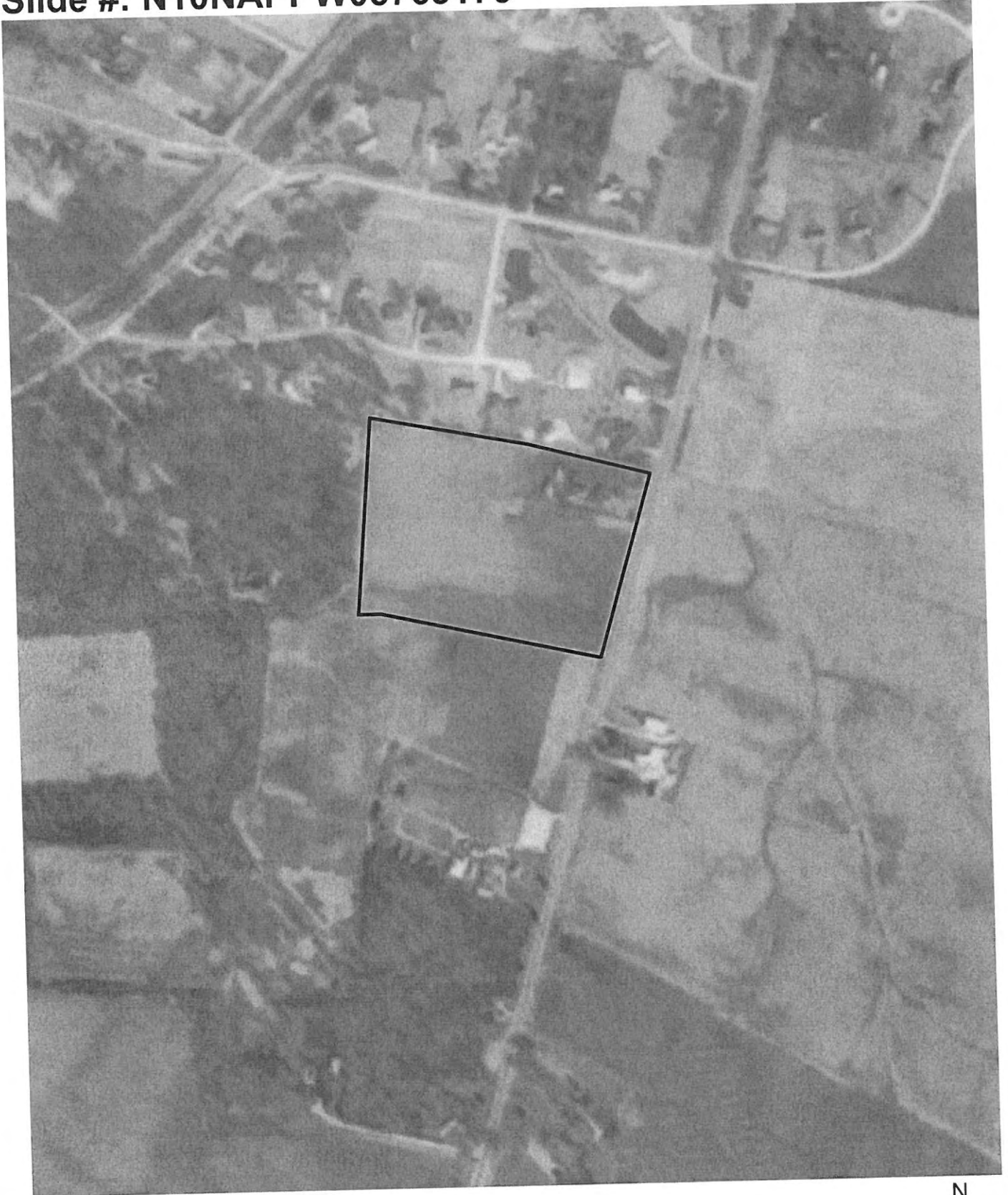
Next Closest Site Next 4



**Historical Aerial Slide Photographs: 1993, 2002, 2006, 2008, 2009, 2010 -  
Wet**

**Slide #: N10NAPPW05763175**

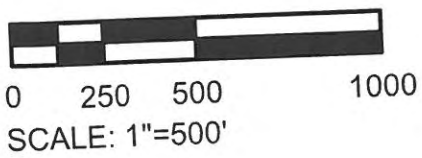
**Year: 1993**



0 250 500 1000  
SCALE: 1"=500'



Year: 2002

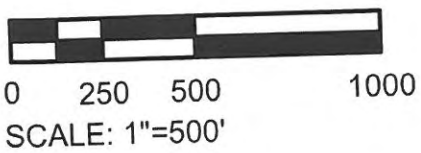


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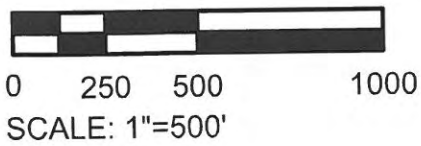




Year: 2008



Year: 2009





**Year: 2010- WET**



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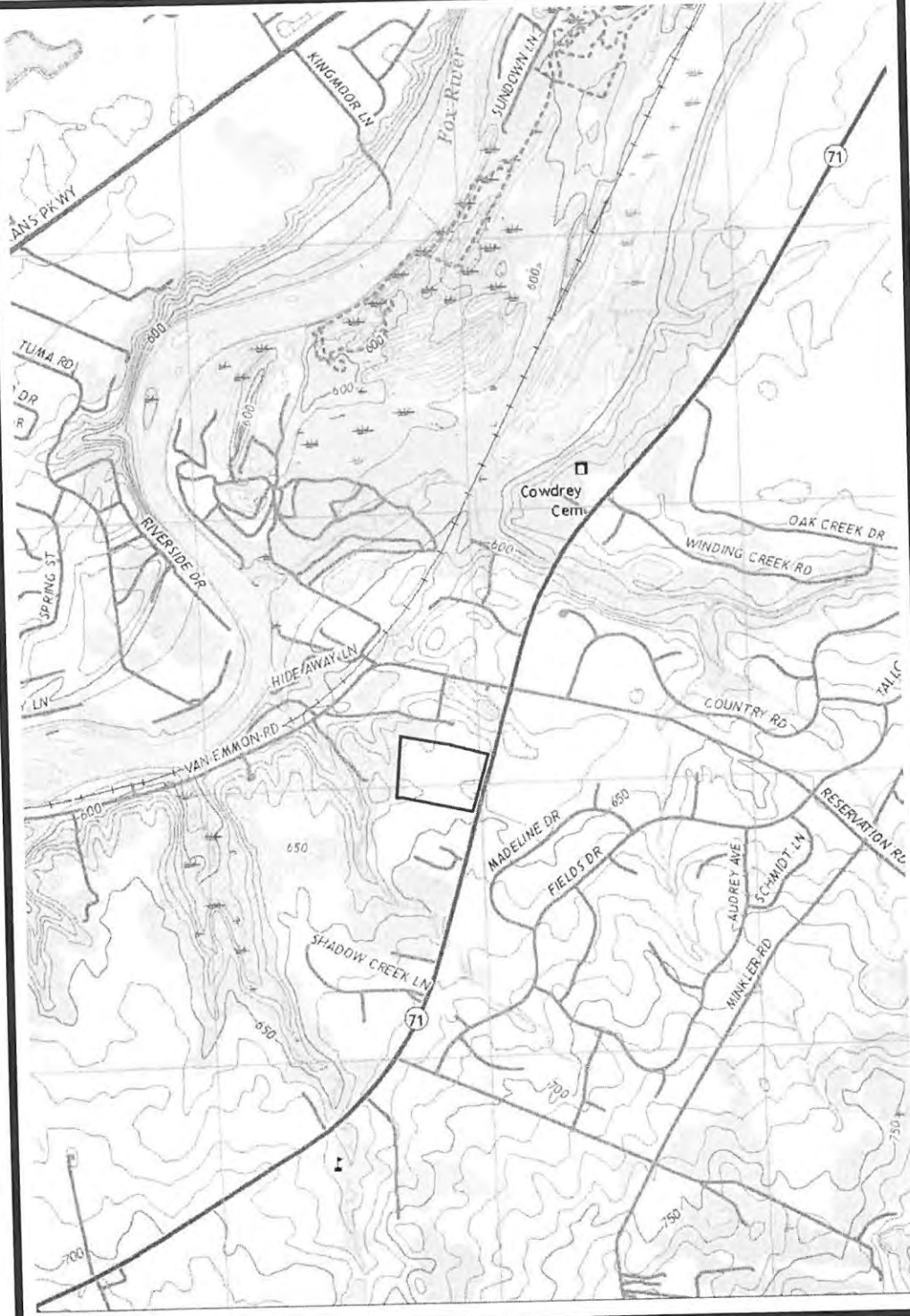


**Exhibits A - G**



**LEGEND:**

Project Area



**Location Map**

Source: U.S. Geological Survey  
 Section 35 T37N R7E  
 Latitude: 41.642582 Longitude: -88.406551

**7821 IL Route 71, Yorkville**

Project Number: 19-0516A

**Smrz, Ron**



0 1000 2000 4000  
 SCALE: 1"= 2000'



**NORTH**

**Exhibit A**



**LEGEND:**

Project Area

**Wetlands**

- Estuarine and Marine
- Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine



**National Wetlands Inventory**

Source: U.S. Fish & Wildlife Service

**7821 IL Route 71, Yorkville**

Project Number: 19-0516A

**Smrz, Ron**



0 125 250 500  
SCALE: 1"=250'









NORTH

**Exhibit B**



**LEGEND:**

Project Area

-  Hydric (100%)
-  Hydric (66 to 99%)
-  Hydric (33 to 65%)
-  Hydric (1 to 32%)
-  Not Hydric (0%)
-  Not rated or not available



**Soil Map**

Source: U.S. Department of Agriculture  
Natural Resources Conservation Service  
Web Soil Survey 3.1

**7821 IL Route 71, Yorkville**

Project Number: 19-0516A

**Smrz, Ron**



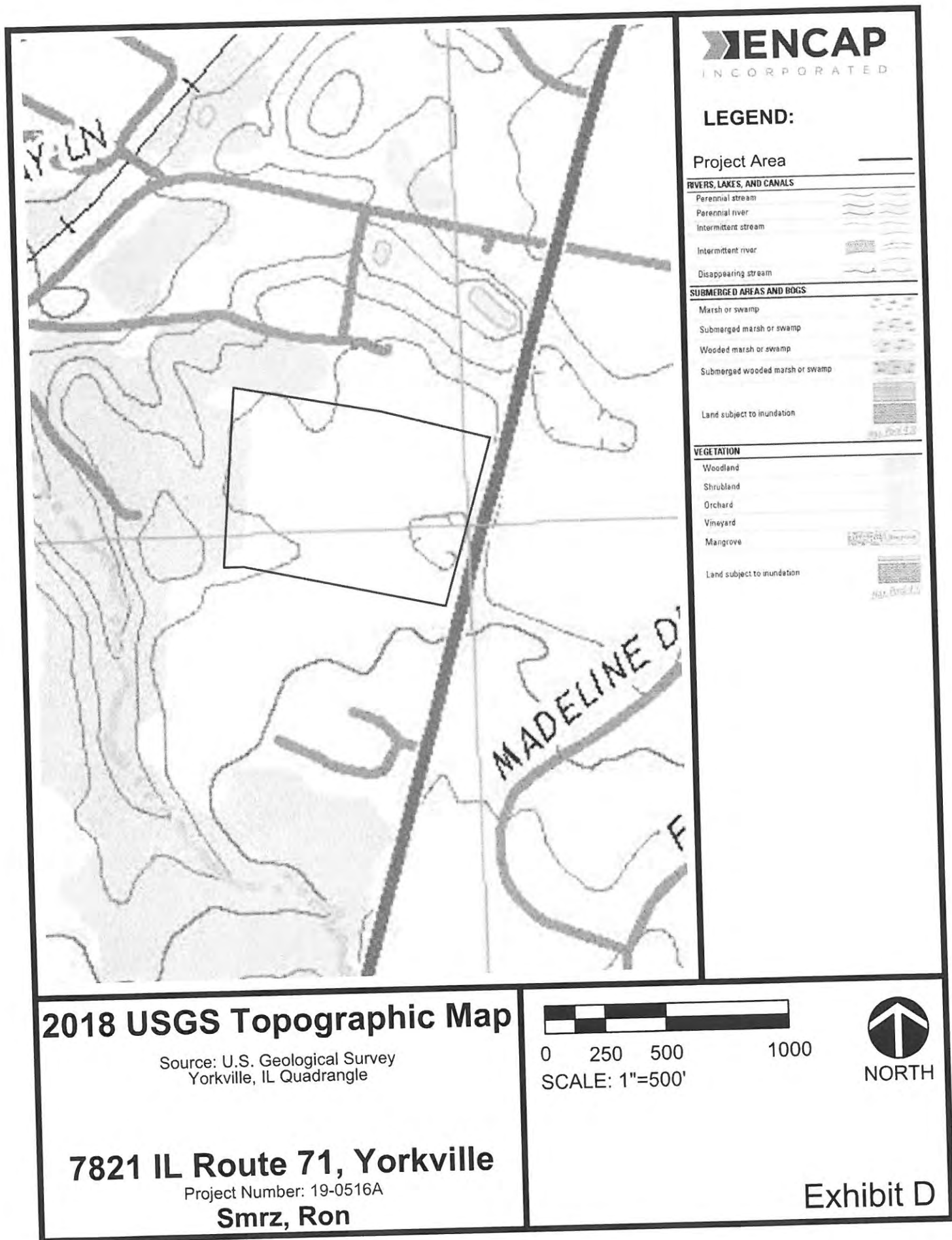
0 125 250 500  
SCALE: 1"=250'



**NORTH**

**Exhibit C**







**ENCAP**  
 INCORPORATED

**LEGEND:**
**Project Area**

- SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD**  
 The 1% annual chance flood (100-year flood) also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard areas in the areas subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zone A, AE, AH, AO, AR, X, and VE. The base flood elevation is the water surface elevation of the 1% annual chance flood.
- ZONE A** Areas of Flood Hazard determined by the Flood Insurance Rate Map.
- ZONE AH** Areas of Flood Hazard determined by the Flood Insurance Rate Map.
- ZONE AO** Areas of Flood Hazard determined by the Flood Insurance Rate Map.
- ZONE AR** Areas of Flood Hazard determined by the Flood Insurance Rate Map.
- ZONE ARS** Areas of Flood Hazard determined by the Flood Insurance Rate Map.
- ZONE V** Areas of Flood Hazard determined by the Flood Insurance Rate Map.
- ZONE VE** Areas of Flood Hazard determined by the Flood Insurance Rate Map.
- FLOODWAY AREAS IN ZONE AE**  
 The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.
- OTHER FLOOD AREAS**  
**ZONE X** Areas of 1% annual chance flood, areas of the 1% annual chance flood with average depths of less than 1 foot or with average depths less than 1 foot, and areas subject to flooding from the 1% annual chance flood.
- OTHER AREAS**  
**ZONE A** Areas of Flood Hazard determined by the Flood Insurance Rate Map.
- ZONE D** Areas of Flood Hazard determined by the Flood Insurance Rate Map.
- COASTAL HAZARD RESPONSE SYSTEM (CHRS) AREAS**  
**OTHERWISE PROTECTED AREAS (OPAs)**  
 CHRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.
- 1% Annual Chance Floodplain Boundary**  
**0.2% Annual Chance Floodplain Boundary**  
**Floodway Boundary**  
**Zone D Boundary**  
**CHRS and OPA Boundary**  
**Boundary defining Special Flood Hazard Area Zone A and floodway**  
**Zone A Flood Hazard Area of Floodway**  
**Base Flood Elevation (BFE) and water surface elevation (WSE) line**  
**Base Flood Elevation (BFE) and water surface elevation (WSE) line**
- ENCAP**  
 INCORPORATED



# Flood Insurance Rate Map

Source: Federal Emergency Management Agency (FEMA)  
 Panel Number: 0045H  
 Effective Date: January 8, 2014

## 7821 IL Route 71, Yorkville

Project Number: 19-0516A  
**Smrz, Ron**



0 250 500 1000  
 SCALE: 1"=500'



NORTH

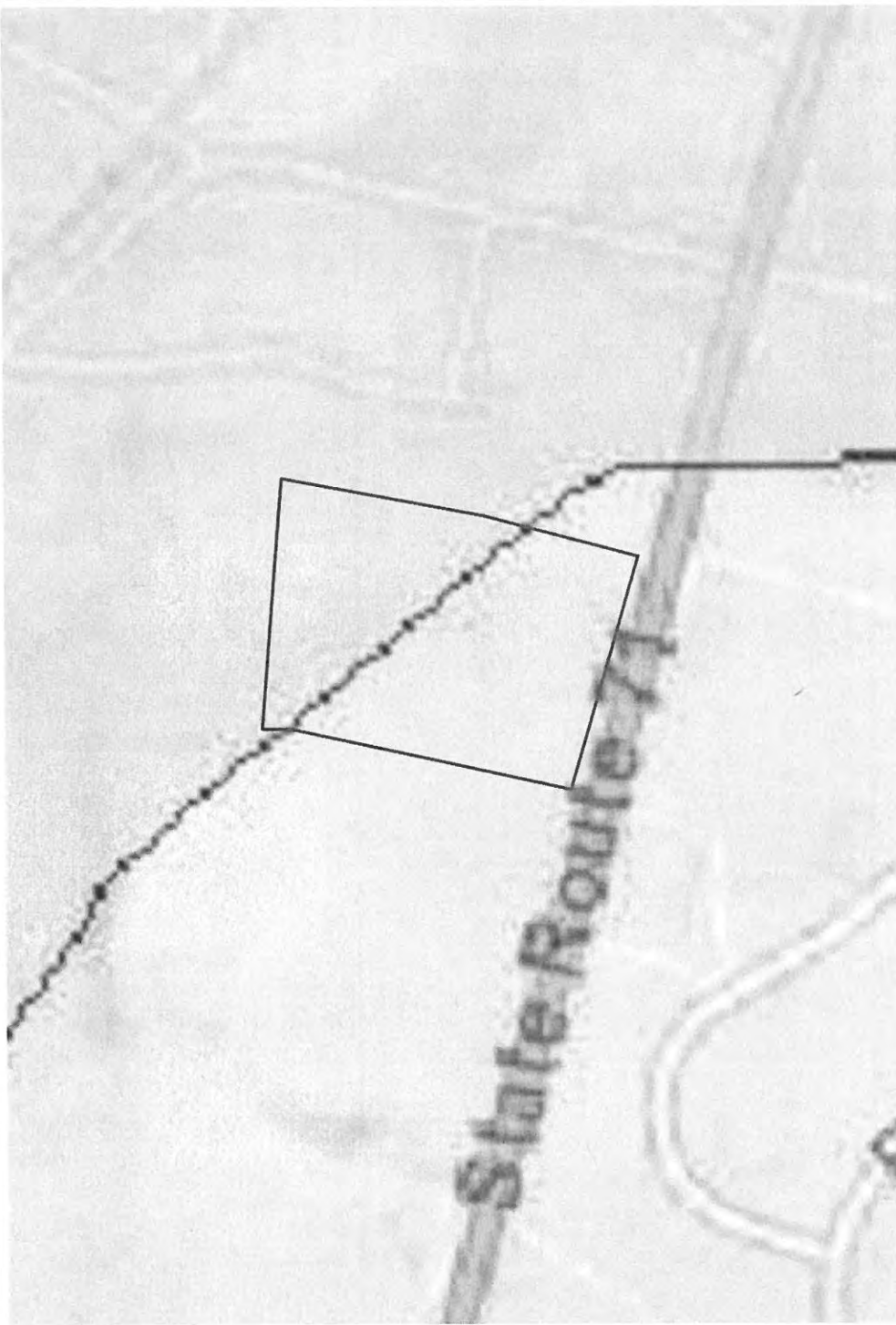
## Exhibit E



### LEGEND:

#### Project Area

- ▲ Determined eligible for the NR
- ▲ Entered in the NR
- ▲ Part of a NR Historic District
- ▲ Part of a NR Historic District - contributing
- ▲ Part of a NR Historic District - non-contribu
- ▲ Undetermined
- High Probability Archeology



## Historic Architectural Resources Geographic Information System

Source: Illinois Historic Preservation Agency

### 7821 IL Route 71, Yorkville

Project Number: 19-0516A

**Smrz, Ron**



0 250 500

1000

SCALE: 1"=500'



NORTH

## Exhibit F



**LEGEND:**

- Project Area ———
- Approximate Off-site Wetland Boundary ———
- On-site Farmed Wetland Boundary ———
- Sample Points A-D



**Aerial Photograph**

Image Courtesy of Google Earth  
2018

**7821 IL Route 71, Yorkville**

Project Number: 19-0516A

**Smrz, Ron**



**Exhibit G**



*Applicant:* ENCAP, Inc.  
*Contact:* Susan Rowley  
*Address:* 2585 Wagner Court  
 DeKalb, IL 60115

*IDNR Project Number:* 2004996  
*Date:* 12/23/2019  
*Alternate Number:* 1911645

*Project:* 7821 IL Route 71  
*Address:* 7821 IL Toure 71, Yorkville

*Description:* Development for RV Storage

## 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:

Fox River INAI Site  
 Yorkville Seep INAI Site

**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:*

37N, 7E, 34

37N, 7E, 35



#### **IL Department of Natural Resources**

##### **Contact**

Adam Rawe  
 217-785-5500  
 Division of Ecosystems & Environment

#### **Government Jurisdiction**

Kendall County Planning, Building & Zoning  
 Matt Asselmeier  
 111 West Fox Street  
 Yorkville, Illinois 60560

#### **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.

IDNR Project Number: 2004996

**EcoCAT Receipt****Project Code** 2004996**APPLICANT****DATE**

ENCAP, Inc.  
Susan Rowley  
2585 Wagner Court  
DeKalb, IL 60115

12/23/2019

**DESCRIPTION****FEE****CONVENIENCE FEE****TOTAL PAID**

EcoCAT Consultation

\$ 125.00

\$ 2.81

\$ 127.81

**TOTAL PAID****\$ 127.81**

Illinois Department of Natural Resources  
One Natural Resources Way  
Springfield, IL 62702  
217-785-5500  
[dnr.ecocat@illinois.gov](mailto:dnr.ecocat@illinois.gov)





## Illinois Department of Natural Resources

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

JB Pritzker, Governor

Colleen Callahan, Director

December 23, 2019

Susan Rowley  
ENCAP, Inc.  
2585 Wagner Court  
DeKalb, IL 60115

**RE: 7821 IL Route 71**  
**Project Number(s): 2004996 [1911645]**  
**County: Kendall**

Dear Applicant:

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

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

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

Please contact me if you have questions regarding this review.



Adam Rawe  
Division of Ecosystems and Environment  
217-785-5500

Trees To Be Removed



09/23/2019 10:20





09/23/2019 10:21





09/23/2019 10:23



Attachment 9 Looking North  
(Towards Site)



09/23/2019 10:23





09/23/2019 10:23



**Matt Asselmeier**

---

**From:** Broviak, David E <David.Broviak@illinois.gov>  
**Sent:** Thursday, September 19, 2019 2:53 PM  
**To:** Matt Asselmeier  
**Cc:** Fran Klaas; Phillips, Wayne L; Magolan, Thomas J  
**Subject:** [External]RE: 7821 Route 71 Question  
**Attachments:** Scanned from a Xerox Multifunction Printer.pdf; Site Plan.pdf

Matt,

Thank you for your email. IDOT has no concerns regarding this type of business operating at this location. The developer will be required to apply to IDOT for an access permit because of the proposed change in use at the location. At that time we will likely notify them that there is a proposed improvement along IL 71 which will require the Department to acquire ROW along IL 71.

I've included a DRAFT plan sheet for the location.

Here is a link to the study website <http://idot.illinois.gov/projects/IL-71-Study>

Thank you,  
Dave Broviak P.E.  
District 3 Studies & Plans Engineer  
Illinois Department of Transportation  
700 East Norris Drive  
Ottawa, IL 61350

Ph 815-434-8423

---

**From:** Matt Asselmeier <masselmeier@co.kendall.il.us>  
**Sent:** Thursday, September 19, 2019 12:13 PM  
**To:** Broviak, David E <David.Broviak@illinois.gov>  
**Cc:** Klaas, Francis <fklaas@co.kendall.il.us>  
**Subject:** [External] 7821 Route 71 Question

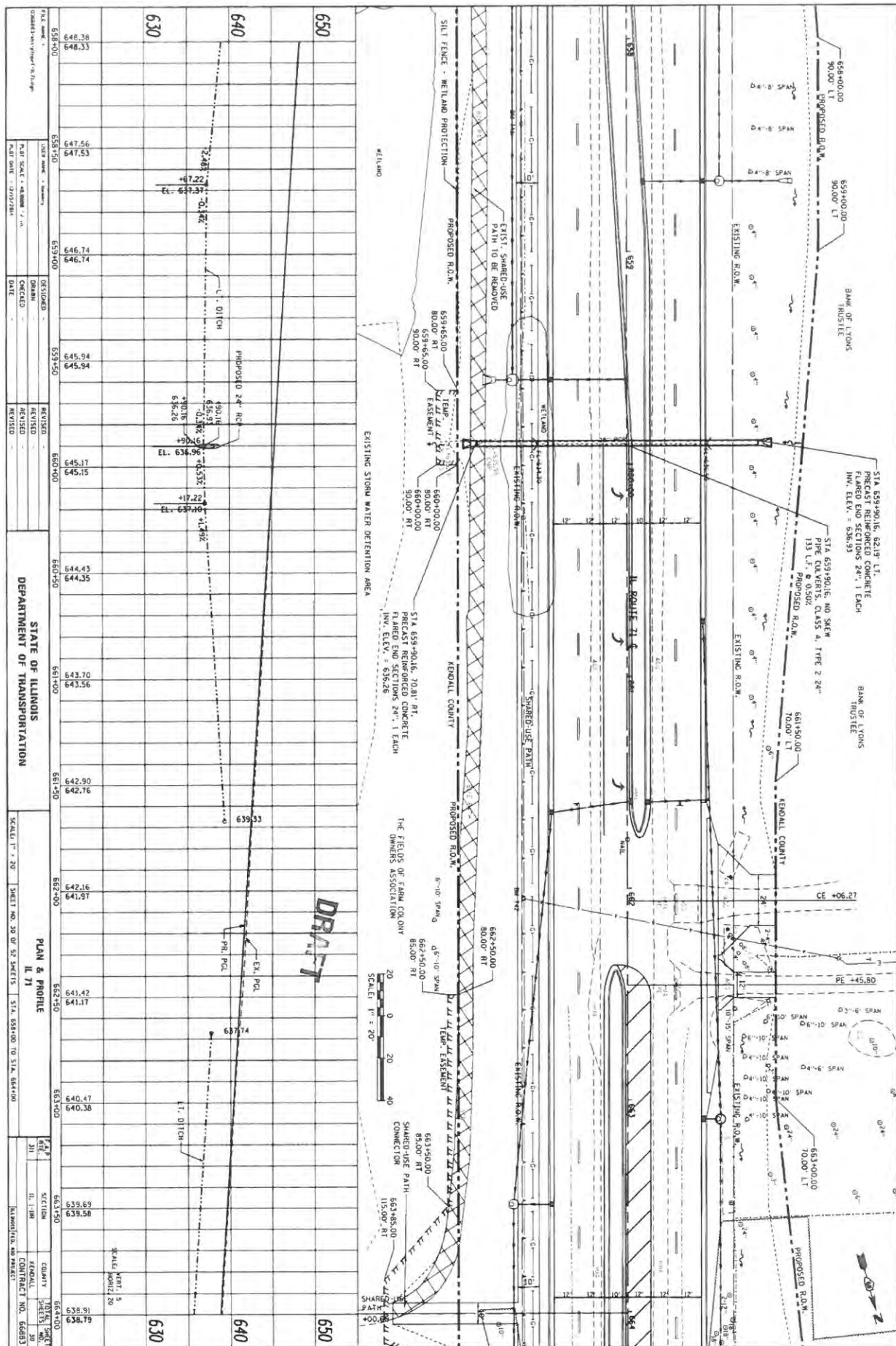
Dave:

Kendall County received a request for a special use permit for a motor vehicle, boat, and trailer storage business at 7821 Route 71. Does IDOT have any concerns regarding this type of business operating at this location?

The proposed site plan is attached.

Thanks,

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



**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)  
October 1, 2019 – Meeting Minutes**

PBZ Chairman Matthew Prochaska called the meeting to order at 9:00 a.m.

Present:

Megan Andrews – Soil and Water Conservation District  
Matt Asselmeier – PBZ Department  
David Guritz – Forest Preserve  
Fran Klaas – Highway Department  
Commander Jason Langston – Sheriff's Department  
Matthew Prochaska – PBZ Committee Chair  
Aaron Rybski – Health Department

Absent:

Meagan Briganti – GIS  
Greg Chismark – WBK Engineering, LLC  
Brian Holdiman – PBZ Department

Audience:

John Sharkey, Ronald Smrz, Caitlin Paloian, and Laura Gay

**AGENDA**

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

**MINUTES**

Mr. Guritz made a motion, seconded by Ms. Andrews, to approve the September 3, 2019, meeting minutes. With a voice vote of all ayes, the motion carried unanimously.

**PETITIONS**

**Petition 19-32 John and Erin Sharkey and Theodore Parks**

Mr. Asselmeier summarized the request.

John and Erin Sharkey and Theodore Parks would like to vacate the ten foot (10') public utility and drainage easement that runs along and parallel the northern lot lines of Lots 1 and 4 in Highgrove Subdivision. The Petitioners own the property immediately north of the subdivision and would like to construct buildings inside the current easement.

After submitting the application to vacate the easement in question, the Petitioners agreed to relocate the easement to the northern boundary of PINs 09-07-200-034 and 09-07-200-033.

The property is located at 13315D and 13315A Grove Road in Seward Township.

The property is zoned R-2 One Family Residential. The current land use is one-family residential. The future land use is rural residential. There are no floodplains or wetlands on the property. The adjacent land uses are agricultural, single-family residential, farmstead, and park. The adjacent zonings are A-1, RPD-2, and R-2. The Land Resource Management Plan calls for the entire area to be rural residential.

Seward Township was emailed information on September 23, 2019, and did not submit any comments.

The Petitioners originally wanted to vacate the ten foot (10') public utility and drainage easement that runs along and parallel the northern lot lines of Lots 1 and 4 in Highgrove Subdivision. The Petitioners own the property immediately north of the subdivision and would like to construct buildings inside the current easement.

On September 6, 2019, Fran Klaas sent an email expressing no opposition to the proposal on the condition that no public utilities were located in the easement and that the easement be relocated to the north portion of the Petitioners' respective properties (09-07-200-034 and 09-07-200-033).

Also on September 6, 2019, Greg Chismark submitted comments concurring with Fran Klaas. Mr. Chismark also requested that the easement be extended north along the eastern property line of Lot 1 to the new easement location.

The emails from Fran Klaas and Greg Chismark were provided.

The Petitioners contacted JULIE to determine no utilities would be impacted by vacating the easement. The JULIE information was provided.

As of September 9, 2019, the Petitioners agreed to the requests of the County and had their engineer prepare an updated plat showing the relocated and extended easements.

Mr. Guritz asked about drainage facilities in the current easement. Mr. Asselmeier said that no existing drainage facilities are located in the existing easement.

Mr. Rybski asked about the plans for the lots to the north of the subject property. Mr. Asselmeier said that the lots are planned to be used residentially as part of the Petitioners' yards.

Mr. Guritz made a motion, seconded by Mr. Klaas, to recommend approval of the requested easement vacation and relocation.

Ayes (7): Andrews, Asselmeier, Guritz, Klaas, Langston, Prochaska, and Rybski  
Nays (0): None  
Present (0): None  
Absent (3): Briganti, Chismark, and Holdiman

The motion passed. This proposal will go to the Kendall County Planning, Building and Zoning Committee on October 7, 2019, at 6:30 p.m.

**Petition 19-34 Ronald Smrz on Behalf of the Ronald Smrz Trust**

Mr. Asselmeier summarized the request.

Ron Smrz, on behalf of the Ronald Smrz Trust, would like to establish a storage business for boats and RVs at the subject property.

The property is located at 7821 Route 71. The property is approximately seventeen (17) acres in size and the original proposed area for the special use permit was approximately two (2) acres in size.

The current land use is agricultural. The future land use is rural residential. Route 71 is a State maintained highway and is considered a Scenic Route at the subject property. Yorkville has a trail planned along Route 71. There is a farmable wetland on the property consisting of approximately a tenth (0.1) of an acre. The adjacent land uses are agricultural, single-family residential, and farmstead. The adjacent zonings are A-1, A-1 SU, R-1, R-3, and R-3 PUD. The Land Resource Management Plan calls for the area to be rural residential. The nearby zonings are A-1, A-1 SU, A-1 BP, R-3, RPD-2, and R-3 PUD.

The subject property has a special use permit for a landscaping business.

The special use permit to the north is for a campground. The special use permit to the east is for a landscaping business.

Lyon Farm is located south of the subject property.

The Richard Young and Lyon Forest Preserves are in the vicinity.

The aerial of the property and other pictures of the property were provided.

EcoCat submitted on June 6, 2019, as part the Wetland Delineation Report and found the Fox River INAI Site and Yorkville Seep INAI Site in the area. The entire Wetland Delineation Report was provided.

NRI application submitted on August 2, 2019.

Oswego Township was emailed information on September 24, 2019.

The Bristol-Kendall Fire Protection District was emailed information on September 24, 2019.

The United City of Yorkville was emailed information on September 24, 2019.

According to the information provided to the County, the Petitioner originally planned to offer rental space for two hundred (200) rental units. The Petitioner would offer year-round storage access twenty-four (24) hours a day, seven (7) days a week. The Petitioner reduced the size of the operation to avoid having to provide onsite stormwater detention.

Prospective renters would meet with the Petitioner at the property at a pre-arranged time to view the property, sign a contract, and receive their access code. The Petitioner plans to use the existing storage building shown in Attachment 6 as the office for the business.

The Petitioner and his wife would be the only employees of the business.

No new structures are planned for the property. A new occupancy permit might be required for the existing storage building.

The location of the well was shown on the proposed site plan south of the existing house. No bathrooms or potable water sources would be available to patrons of the storage business.

The Petitioner indicated that the storage area would have a gravel base.

The property fronts Route 71 and an existing access point off of Route 71 exists.

The Illinois Department of Transportation provided comments regarding this proposal. A new access permit will be required.

Parking will occur in the gravel areas east of the existing building shown. The Petitioner originally proposed having fifteen (15) parking spaces. Per the Americans with Disabilities Act, at least one (1) of these spaces must be handicapped accessible. The Petitioner may change the parking layout.

The Petitioner plans to install lighting on the exterior of the shed.

The Petitioner plans to install a sign along Route 71. The sign must meet all of requirements of the Kendall County Zoning Ordinance and must not be illuminated.

The Petitioner plans to remove the three (3) existing Norway Spruce trees. The Petitioner originally planned to plant forty (40) evergreens that will be between approximately four feet and six feet (4'-6') in height at the time of planting. The evergreens were to be placed to the north and east of the storage area. The Petitioner may change the number of evergreen depending on the revised site plan. The evergreens would be planted by the end of May 2020.

The Petitioner indicated that the storage area will have a chain-link fence around the storage area. The fence is planned to be six feet (6') in height.

There will be a twenty foot (20') wide automatic gate on the east side of the storage area to control access to the area. The gate will be adjacent to the shed.

A security monitoring system will also be installed with cameras on the shed.

No information was provided regarding noise control.

No new odors are foreseen.

While very little trash or litter is expected to be generated by the proposed, no plans for litter control were provided.

If approved, this would be the fifth active special use permit for this type of storage in unincorporated Kendall County.

The Petitioner currently resides in the house on the property.

The Petitioner agreed that all items stored on the property would remain licensed and in good working order. The Petitioner agreed to follow the Kendall County Inoperable Vehicle Ordinance and the Junk and Debris Ordinance. The Petitioner also agreed that none of the vehicles stored as part of the special use permit would be for agricultural purposes.



A revised site plan was submitted with a smaller project footprint in order to not have to install onsite storage of stormwater.

Mr. Guritz asked about the threshold for stormwater. Mr. Asselmeier read the threshold from the Stormwater Management Ordinance.

Commander Langston asked about size limitations for vehicles stored on the property. Mr. Smrz responded that the maximum would be approximately thirty-nine feet (39'). Commander Langston expressed concerns regarding larger vehicles accessing the property. Mr. Smrz noted that the State has plans to widen Route 71. Mr. Smrz will ask the State to see if a larger entrance is necessary.

Ms. Andrews noted that the Kendall County Soil and Water Conservation District reviewed the proposal last month and will forward her report.

Mr. Rybski noted the locations of the existing well and septic and expressed no concerns related to the Health Department.

Mr. Asselmeier asked about a plan to address leaks such as motor oil leaks. Mr. Smrz said that he would check the site daily for leaks and will have spill pad clean-up kits available. Contaminated gravel will be disposed of properly.

Discussion occurred regarding the stormwater requirements. The Petitioner expressed concerns about the retention area across Route 71. Mr. Klaas suggested that a variance could be pursued.

The Petitioner stated that he wanted to examine his site plan to see what type of stormwater variance would be necessary and to see the costs associated with the project.

Mr. Rybski made a motion, seconded by Mr. Klaas, to postpone the Petition until the Petitioner supplies an updated site plan or makes a decision regarding the Stormwater Management Ordinance requirements. With a voice vote of all ayes, the motion carried unanimously.

#### **Petition 19-35 John and Laura Gay**

Mr. Asselmeier summarized the request.

John and Laura Gay would like to establish a kennel, The Pets Home Pet Resort and Spa, at the subject property which they own at 3601 Plainfield Road. They are also requesting a variance to allow the kennel to be approximately thirty feet, six and one half inches (30'-6 ½") from property zoned other than residential at the kennel's closest point with neighboring property.

The property is approximately five (5) acres in size and the special use area is approximately four point seven (4.7) acres in size.

The existing land use is agricultural and single-family residential. The future land use is suburban residential. There are no trails planned in the area. There are no floodplains or wetlands on the property, but Morgan Creek runs along the northern boundary of the property.

The adjacent land uses are agricultural, farmstead, and single-family residential. The adjacent zoning is A-1. The Land Resource Management Plan calls for the area to be suburban residential with commercial to the south of the property. The adjacent zonings are A-1 and R-1 in the County and R-2 inside the Village of Oswego.

The Ashcroft Place subdivision is located within one half mile (1/2) to the north.

The Deerpath Trails and Morgan Crossing subdivisions are located within one half (1/2) mile to the west.

EcoCat submitted on July 22, 2019, and found no protection species or sites in the vicinity.

NRI application submitted on September 12, 2019.

Oswego Township was emailed information on September 23, 2019.

Oswego Fire Protection District was emailed information on September 23, 2019. They requested the building to be fire alarmed. They requested the building to be sprinkled. They also requested turn-around capabilities for fire apparatus on the subject property.

The Village of Oswego was emailed information on September 23, 2019.

The Petitioners currently reside in the one-story frame house on the property.

Because of the shape of the property, a variance is required to the distance from the kennel to non-residentially zoned property.

According to the information provided to the County, the Petitioners plan to offer pet daycare, boarding, and grooming services. The proposed hours of operation are Monday through Friday from 6:00 a.m. until 6:00 p.m. The Petitioners plan to hire five (5) employees. The maximum number of dogs planned for the site is one hundred (100). Per the Kendall County Zoning Ordinance, all animals will be indoors by sunset. The Petitioners believe the area is lacking this type of service.

As noted in the site plan, the Petitioners plan to construct an approximately four thousand, one hundred fifty (4,150) square foot building southeast of the existing home on the property. The building shall consist of fourteen (14) rooms including a lobby, manager's office, restroom, bathroom, break room, laundry, dog bathing room, three (3) pet suites, and pet areas for small, medium, and large dogs. A six foot (6') tall wood fence would be located approximately fifteen feet (15') from the building to the southeast and northeast. The fenced area would be approximately six hundred twenty (620) square feet in size and serve as a play area for the dogs.

Building and Occupancy Permits will be required for the new building.

The Petitioner indicated that they are working with the Health Department regarding well and septic facilities.

The property fronts Plainfield Road and curb cut already exists for the proposed driveway for the kennel. The Petitioners are going to remove an existing driveway connection on the property. If this removal occurs, there would be one (1) dedicated entrance for the residence and one (1) dedicated entrance for the kennel.

The Petitioners believe most of the traffic generated by the proposed business will occur in the morning and early evening when patrons drop-off and pick-up their pets.

The Petitioners propose to install an eleven (11) spot parking lot. One (1) of the spaces would be handicapped accessible. The parking lot would access Plainfield Road through a twenty-two foot (22') wide asphalt driveway.

The Petitioners plan to installed three (3) lights along the driveway and in the parking lot. These lights are twelve feet (12') in height. Two (2) wall pack will be installed along the east side of the building. Four (4) wall lights will be installed on the building; three (3) will be on the north side of the building and one (1) will be on the east side of the building. The description of the types of lighting that might be installed were provided. The exact light fixtures are not known.

The Petitioners plan to have one (1) sign along Plainfield Road.

The Petitioners plan to install eight (8) canopy trees, six (6) deciduous shrubs, twenty-eight (28) evergreen shrubs, and six (6) groundcovers, grass, and perennials. The specific location of the plants can be found on the site plan.

The Petitioners believe the distance of their facility to existing houses combined with having the dogs indoors by sunset will prevent any noise issues.

The Petitioners plan to install an eight foot by ten foot (8' X 10') refuse enclosure at the northeastern end of the parking lot. The enclosure is proposed to be six feet (6') tall surrounded by brick with a steel gate for access. Refuse will be picked up weekly.

If approved, this would be the fifth active special use permit for a kennel in unincorporated Kendall County.

Chairman Prochaska asked if the Petitioners were agreeable to the requests of the Oswego Fire Protection District. Ms. Paloian responded that her clients are going through a cost estimate related to the sprinkling and alarming requirements. Ms. Paloian asked about the requirements regarding the turn-around. Mr. Asselmeier said that the Oswego Fire

Protection District would have to be contacted regarding their specifications. The property is on well and septic and a new well and septic will be installed for the special use permit.

Mr. Rybski noted that the wash water from the dogs is also domestic waste. He encouraged the Petitioners to meet with the Health Department before any well and septic permits are issued. Refuse needs to be picked up as frequently to prevent overflow.

Commander Langston asked about peak capacity and the impacts on traffic on Plainfield Road. The Petitioners anticipate most traffic occurring in the mornings and evenings when customers pick-up and drop-off their dogs. The Petitioners do not foresee a large amount of traffic.

Mr. Asselmeier asked about weekend hours of operation. Ms. Paloian responded that the Petitioners will be onsite to handle dogs boarded over the weekend, but there will not be any drop-offs or pick-ups over the weekend. The dogs will not be outside for play during the weekend. The Petitioners will apply for a sign permit after a special use is issued.

Ms. Andrews stated that she is working on the NRI Report.

Mr. Klaas asked if the special use permit goes with the property. Mr. Asselmeier responded that this special use permit would go with the property.

Mr. Klaas asked about estimate traffic generation per day. The exact number was unknown, but was not planned to exceed one hundred (100) new trips per day. Ms. Gay noted that they pick-up some dogs as part of the kennel business.

Mr. Klaas requested a fifteen foot (15') right-of-way dedication for Plainfield Road.

Ms. Andrews made a motion, seconded by Mr. Klaas, to recommended approval of the Petition.

Ayes (7): Andrews, Asselmeier, Guritz, Klaas, Langston, Prochaska, and Rybski  
Nays (0): None  
Present (0): None  
Absent (3): Briganti, Chismark, and Holdiman

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on October 23, 2019, at 7:00 p.m.

#### **REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD**

None

#### **OLD BUSINESS/NEW BUSINESS**

##### **Approval of Fiscal Year 2019-2020 Meeting Calendar**

Mr. Asselmeier made a motion, seconded by Ms. Andrews, to approve the meeting calendar. With a voice vote of all ayes, the motion carried unanimously.

#### **CORRESPONDENCE**

None

#### **PUBLIC COMMENT**

None

#### **ADJOURNMENT**

Mr. Guritz made a motion, seconded by Mr. Rybski, to adjourn. With a voice vote of all ayes, the motion carried. The ZPAC, at 9:47 a.m., adjourned.

Respectfully Submitted,  
Matthew H. Asselmeier, AICP  
Senior Planner

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)  
January 7, 2020 – Unapproved Meeting Minutes**

PBZ Chairman Matthew Prochaska called the meeting to order at 9:00 a.m.

**Present:**

Matt Asselmeier – PBZ Department  
Meagan Briganti – GIS  
David Guritz – Forest Preserve  
Brian Holdiman – PBZ Department  
Fran Klaas – Highway Department  
Commander Jason Langston – Sheriff's Department  
Matthew Prochaska – PBZ Committee Chair  
Aaron Rybski – Health Department

**Absent:**

Megan Andrews – Soil and Water Conservation District  
Greg Chismark – WBK Engineering, LLC

**Audience:**

Anne Vickery, Dan Kramer, Mike Cook, and Ron Smrz

**AGENDA**

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

**MINUTES**

Mr. Guritz made a motion, seconded by Commander Langston, to approve the November 5, 2019, meeting minutes. With a voice vote of all ayes, the motion carried unanimously.

**PETITIONS**

**Petition 19-34 Ronald Smrz on Behalf of the Ronald Smrz Trust**

Mr. Asselmeier stated that the changes from the last time the Petitioner appeared at ZPAC were that the site had been reduced to space for fifty-one (51) parking stalls, the new hours of operation would be from 6:00 a.m. until 9:00 p.m., six (6) new light poles would be installed, seven (7) evergreens would be planted southeast of the parking area, and the Petitioner would monitor the site for motor vehicle related leaks and remove the contaminated gravel.

Mr. Asselmeier asked Mr. Smrz how he would control the parking area in relation to the hours of operation. Mr. Smrz indicated that the lock for the gate would have a timer.

A stormwater permit will be required, if the special use permit is approved.

Commander Langston asked about access for first responders to the gated area. Mr. Smrz said that he would give a passcode to the Sheriff and local fire protection district.

No offices and no restroom facilities would be onsite.

Mr. Klaas made a motion, seconded by Mr. Rybski, to recommend approval of the proposal.

Ayes (8): Asselmeier, Briganti, Guritz, Holdiman, Klaas, Langston, Prochaska, and Rybski  
Nays (0): None  
Present (0): None  
Absent (2): Andrews and Chismark

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on January 22, 2020.

**Petition 19-37 John Dollinger on Behalf of Hansel Ridge, LLC**

Dan Kramer, Attorney for the Petitioner, explained his client was purchasing approximately eight (18) acres for the athletic facility and indoor and outdoor storage facility. East of the proposed storage facility, approximately three point five (3.5) acres would be left vacant for future commercial development.

Mr. Kramer felt that the proposed uses would complement educational uses and retail uses.

Mr. Kramer acknowledged the traffic concerns at the intersection of Route 52 and County Line Road. The busy time for the athletic facility would be between the end of October and the beginning of spring. Games would occur the entire weekend. The Petitioners would like to start construction in the spring and be fully operational by fall. A traffic study was forthcoming. He believed that it would be difficult to have a left-turn lane going north. Traffic could be directed down Baltz Road. A view corridor could be considered.

Mr. Asselmeier read an email from the Village of Shorewood. The proposal will be reviewed at the Shorewood Planning Commission meeting in February 2020.

Mr. Rybski made a motion, seconded by Ms. Briganti, to forward the proposal.

Ayes (8): Asselmeier, Briganti, Guritz, Holdiman, Klaas, Langston, Prochaska, and Rybski  
Nays (0): None  
Present (0): None  
Absent (2): Andrews and Chismark

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on January 22, 2020.

**Petition 19-38 John Dollinger on Behalf of Hansel Ridge, LLC and Jason Shelley on Behalf of Goprobball, LLC**

Mr. Kramer explained the structure of the domed athletic facility.

Mr. Kramer believed that the proposed use will work well with the adjacent school property and nearby residential developments.

Approximately eight (8) fastball teams train at the company's existing facility and nine (9) additional teams are planned to be added at this proposed facility.

Ms. Vickery asked the square footage of the dome. Mr. Kramer said that the dome is approximately eighty thousand (80,000) square feet.

The final size of the detention pond has not been determined; it will be wet-bottomed.

A pre-annexation agreement with Shorewood is under consideration. A Chatham annexation was not desired.

Mr. Rybski requested that Mr. Kramer consider the septic needs of future commercial businesses that could locate on the property.

Mr. Kramer noted that Shorewood wanted the special use only on the storage portion of the property and that the property be subdivided to separate the storage use from the rest of the property.

Mr. Klaas made a motion, seconded by Mr. Guritz, to forward the proposal.

Ayes (8): Asselmeier, Briganti, Guritz, Holdiman, Klaas, Langston, Prochaska, and Rybski  
Nays (0): None  
Present (0): None  
Absent (2): Andrews and Chismark

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on January 22, 2020.

**Petition 19-39 John Dollinger on Behalf of Hansel Ridge, LLC, Jason Shelley on Behalf of Goprobball, LLC, and James and Denise Maffeo**

Mr. Kramer noted discussions with Shorewood for a plat of the site.

Mr. Kramer noted the private road at the south end of the site with a utility easement for future utility extensions.

The Petitioners agreed to do a sixty foot (60') right-of-way dedication as measured from the centerline of County Line Road. Ten feet (10') inside the right-of-way dedication would be available for utilities.



Shorewood requested that some of the fence be removed and replaced with buildings rearing County Line Road. The site plan will be revised to reflect this request.

The landscaping plan and signage plan needs more definition.

Mr. Kramer requested that the Petition advance to the Planning Commission and he will provide updated plans.

Mr. Klaas made a motion, seconded by Mr. Guritz, to forward the proposal.

Ayes (8): Asselmeier, Briganti, Guritz, Holdiman, Klaas, Langston, Prochaska, and Rybski  
Nays (0): None  
Present (0): None  
Absent (2): Andrews and Chismark

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on January 22, 2020.

**Petition 19-47 Deb Chow on Behalf of Jade Restorations, Inc. and D. Howard on Behalf of Bullmastiff Construction Company, LTD**

Mr. Asselmeier summarized the request.

Jade Restorations, Inc. is working with Bullmastiff Construction Company to construct a kennel and veterinary clinic at the subject property. At this time, Jade Restorations, Inc. has no plans to sell the subject property.

The application material site plan, landscaping plan, photometric plan, and proposed building information were provided.

The property is approximately twenty (20) acres in size, but the special use portion would cover approximately eight point five (8.5) acres.

The future land use is commercial.

Ridge Road is a County Road classified as an Arterial Road. Bell Road is a Township Road classified as a Minor Collector. Minooka has a trail planned along Ridge Road. Shorewood has a trail planned along Bell Road.

The adjacent land uses are agricultural in all directions with a farmstead and landscaping business to the west.

The adjacent zoning are A-1 and A-1 SU. There is R-1 zoning within one half (1/2) mile to the east. There are twelve (12) homes located within one half (1/2) mile of the subject property. The special uses to the north and south are landing strips. The special use to the east is for natural gas compression. The special use to the west is for a landscaping business.

The EcoCat was submitted on December 5, 2019, and consultation was terminated.

The NRI application was submitted on December 18, 2019.

Seward Township was emailed information on December 31, 2019.

The Minooka Fire Protection District was emailed information on December 31, 2019, and they wanted the Petitioner to be aware of the new kennel regulations regarding staffing and sprinkling.

The Village of Shorewood was emailed information on December 31, 2019. They expressed concerns regarding noise, but were comfortable with the County addressing those concerns.

The Village of Minooka was emailed information on December 31, 2019.

According to the information provided to the County, the Petitioners plan to offer veterinary services, pet daycare, boarding, and grooming services. The proposed hours of operation for both uses will be Monday through Friday from 6:00 a.m. until 7:00 p.m. The kennel will employ between fifteen and thirty (15-30) people per day and the veterinary will be employ between fifteen and twenty (15-20) people per day. The kennel will be staffed at all times. Grooming services will be provided as needed. Overlap in employees will occur. The maximum number of animals planned for the kennel forty (40). Per the Kendall County Zoning Ordinance, all animals will be indoors by sunset.

As noted in the site plan, the Petitioners plan to construct an approximately eighteen thousand (18,000) square foot building facing south towards Bell Road. The proposed location of the building on the property was placed in accordance to the setback requirements of the Kendall County Zoning Ordinance.

Elevations of the building and rendering of the site were provided.

As noted in building diagram, the building shall consist of waiting areas for grooming and exams, eight (8) exam rooms, a treatment room with pharmacy area, two (2) surgery rooms, an X-ray room, a recovery room, two (2) isolation rooms, a doctor's room, a staff room, a janitorial room, a cat boarding room, three (3) bathrooms, a laundry area, a grooming area, a store, a storage area, a groom kennel, two (2) play areas, a pool, and a boarding kennel area. The building is planned to be slightly over twenty-three feet (23') tall at its highest point and made of metal.

Two (2) approximately twelve thousand (12,000) square foot outdoor play areas are planned on both sides of the kennel wing of the building. A six foot (6') tall cedar fence would be located around the outdoor play area.

Building and Occupancy Permits will be required for the new building.

The site plan shows one (1) raised septic field west of the building and parking lot and one (1) raised septic field south of the parking lot. The proposed well would be located east of the building.

The site plan shows two (2) wet detention ponds on the north side of the subject property. A dual-phase restricted stormwater detention outlet is planned to discharge stormwater at the northwest corner of the site into ditches along the east side of Ridge Road.

If the special use permit is approved, the Petitioners would need to secure a stormwater management permit from Kendall County.

The property fronts Bell Road and two (2) points of ingress/egress are planned from Bell Road.

The Petitioners plan to dedicate right-of-way for a depth of fifty feet (50') along the entire Bell Road frontage of the property and a depth of seventy-five feet (75') along the entire Ridge Road side of the property.

The Petitioners propose to install a fifty-two (52) stall parking lot to the south and east of the building. Three (3) of the spaces would be handicapped accessible.

The Petitioners plan to install six (6) lights along the driveway and in the parking lot. The lights will be LED and on poles a maximum twenty feet (20') in height. There will be an additional eight (8) building mounted lights at various locations around the exterior of the building. Lighting information can be found on the photometric plan.

The Petitioners plan to have one (1) monument sign along Bell Road and one (1) monument sign along Ridge Road. Both signs are planned to be four feet by eight feet (4'X8') and a maximum of eight feet (8') in height. Neither sign will be illuminated.

Per the landscaping plan, the Petitioners plan to install thirty-eight (38) shade trees of various types, seventy-eight (78) evergreen trees of various types, sixty-eight (68) evergreen shrubs of various types, two hundred eighty-two (282) deciduous shrubs of various types, and one hundred fifteen (115) perennials of various types. In addition, a wet-to-mesic prairie seed mix is planned around the stormwater detention ponds.

Berms are planned along the west, east, and southeast corner of the property. An additional berm is planned south of the parking lot. The berms will vary in height from three feet (3') to seven feet (7').

A topsoil stockpile area is planned east of the parking lot.

Noise will be addressed with soundproofing of the building, the fence mentioned previously, the installation of trees and berms, and having the animals indoors by sunset.

The Petitioners plan to install a refuse enclosure at the northern end of the eastern parking lot. The screening shall be either of wood or masonry construction at least seven feet (7') in height. The Petitioners also indicated that they may screen the refuse area with a chain link fence and dense plantings.

If approved, this would be the sixth active special use permit for a kennel and second active special use for a veterinary establishment in unincorporated Kendall County.

Mr. Rybski asked about design engineering and soil analysis. Mr. Cook said that they have retained a septic engineer. Soil tests and percolation tests have not been completed. Mr. Rybski advised Mr. Cook of the requirement of a preliminary meeting with the Health Department regarding the septic system. Mr. Rybski advised Mr. Cook of the well monitoring requirements.

Mr. Klaas said that he was fine with the proposed right-of-way dedication.

Ms. Vickery said that she will review the Bell Road right-of-way dedication.

Mr. Holdiman advised Mr. Cook that the County adopted the 2018 versions of the International Codes.

Mr. Klaas asked if the building would have a basement. Mr. Cook said the building will be slab on grade.

Mr. Asselmeier asked if either business planned to have Saturday hours. Mr. Cook said that drop-offs and pick-ups would not occur on weekends. The clinic could have emergency hours on weekends.

Mr. Asselmeier asked when the landscaping will be installed. Mr. Cook said the landscaping timeline has not been determined. The goal is to open the business late in 2020 or early 2021.

Mr. Asselmeier asked about the frequency of refuse pick-up. Mr. Cook said that pick-up would occur a few times per week.

Mr. Klaas made a motion, seconded by Ms. Briganti, to forward the proposal.

Ayes (8): Asselmeier, Briganti, Guritz, Holdiman, Klaas, Langston, Prochaska, and Rybski  
Nays (0): None  
Present (0): None  
Absent (2): Andrews and Chismark

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on January 22, 2020.

#### **REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD**

Petition 19-26 regarding the landscaping business at 276 Route 52 was approved by the County Board.

Petition 19-31 regarding cannabis zoning regulations was approved by the County Board.

Petition 19-35 regarding a kennel at 3601 Plainfield Road was approved by the County Board.

#### **OLD BUSINESS/NEW BUSINESS**

Mr. Asselmeier noted that the Kendall County Regional Planning Commission's Annual Meeting will be Saturday, February 1<sup>st</sup>, at 9:00 a.m.

#### **CORRESPONDENCE**

None

#### **PUBLIC COMMENT**

None

#### **ADJOURNMENT**

Mr. Guritz made a motion, seconded by Mr. Rybski, to adjourn. With a voice vote of all ayes, the motion carried. The ZPAC, at 9:50 a.m., adjourned.

Respectfully Submitted,  
Matthew H. Asselmeier, AICP  
Senior Planner

Encs.

IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

[illegible]

**Matt Asselmeier**

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**From:** Rodney Bradberry <rbradberry@minookafire.com>  
**Sent:** Monday, January 6, 2020 1:41 PM  
**To:** Matt Asselmeier  
**Subject:** [External]FYI

Matt,

Just an FYI, I am sure you are aware of this; however, if not ( see attachment) this location will be required staffed at all times or have a sprinkler system/fire alarm.

<https://www.chicagotribune.com/news/breaking/ct-kennel-fire-safety-law-20190807-ytkwawanybfmroj6hb32yps2pq-story.html>

Any questions please contact me.

Thanks.

Rodney Bradberry  
Fire Inspector

Minooka Fire Protection Distric  
7901 E. Minooka Rd.  
Minooka IL 60447  
Direct: 815-467-5637  
Cell: 815-531-9967

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This email was Malware checked by UTM 9. <http://www.sophos.com>



**Matt Asselmeier**

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**From:** Engel\_Natalie <nengel@vil.shorewood.il.us>  
**Sent:** Monday, January 6, 2020 5:29 PM  
**To:** Matt Asselmeier  
**Cc:** Chrisse\_Kelley  
**Subject:** [External]ZPAC Meeting

Hi Matt,

Happy New Year!

Kelley and I will not be able to attend tomorrow's ZPAC meeting but wanted to provide some comments regarding the projects within 1 ½ miles of Shorewood's boundaries.

**Petitions 19-37, 19-38 and 19-39**

We met with Dan Kramer to discuss the projects. We provided some feedback and suggestions regarding the site layout and zoning uses. He was open to our comments and agreed to carry them back to his clients.

They will be submitting applications to the Village and we hope to bring forward their proposals for discussion at our February 5, 2020 Planning and Zoning Commission meeting. I will touch base with you when we have applications and a staff report.

**Petition 19-47**

Our main concerns regarding the Doggy Day Care project are about noise impacts on the neighbors. We are comfortable that you are addressing these concerns so we defer to you on this project.

When the site and engineering plans are available, please have the applicants send over a copy to Shorewood so that we can determine whether they trigger our Subdivision and Development Ordinance.

Thank you Matt! Please let us know if you have any questions or need any information from us.

**Natalie Engel, AICP**

*Village Planner*



Village of Shorewood

One Towne Center Blvd | Shorewood, IL 60404  
815.553.2314

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Attachment 14, Page 1  
**KENDALL COUNTY**  
**REGIONAL PLANNING COMMISSION**

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

**Meeting Minutes of January 22, 2020 - 7:00 p.m.**

Chairman Ashton called the meeting to order at 7:01 p.m.

**ROLL CALL**

Members Present: Bill Ashton, Roger Bledsoe, Tom Casey, Bill Davis, Dave Hamman, Larry Nelson, and Claire Wilson

Members Absent: Karin McCarthy-Lange and Ruben Rodriguez

Staff Present: Matthew H. Asselmeier, Senior Planner

Others Present: Ron Smrz, Dan Kramer, Emily Hoffmann, Michael Cook, Deb Chow, Pat Colaric, Sylvia Torto, Mike Torto, Len Pfaff, Laurie Pfaff, Ron Zier, Zach, Morerod, and Kyle Breyne

**APPROVAL OF AGENDA**

Member Bledsoe made a motion, seconded by Member Casey, to approve the agenda. With a voice vote of seven (7) ayes, the motion carried.

**APPROVAL OF MINUTES**

Member Bledsoe made a motion, seconded by Member Davis, to approve the minutes of the October 23, 2019 meeting. With a voice vote of seven (7) ayes, the motion carried.

**PUBLIC HEARING**

**19-37 John Dollinger on Behalf of Hansel Ridge, LLC**

The Kendall County Regional Planning Commission started their review of this Petition at 7:02 p.m.

Mr. Asselmeier summarized the Petition.

Hansel Ridge, LLC would like an amendment to the Future Land Use Map contained in the Land Resource Management Plan for approximately eighteen point seven more or less (18.7 +/-) acres located on the northern half of the property currently addressed as 195 Route 52. If approved, the Petitioner would like to rezone the property to allow an athletic facility and a storage business to be located on the property; both of these requests were submitted as separate petitions.

The application materials were provided. A map showing the property was provided; the northern portion of the property is the subject of this Petition.

The adjacent land uses were agricultural or agricultural related. The adjacent zonings were agricultural or agricultural with a special use permit. The Land Resource Management Plan calls for the area to be Suburban Residential and Public/Institutional. The zonings within one half (1/2) mile were agricultural or agricultural with a special use permit.

Pictures of the property were provided.

The property owner is not requesting a change in the Future Land Use Map for the southern twenty-one more or less (21 +/-) acres of their property. Their property will remain classified as Public/Institutional on the Future Land Use Map.

Minooka School District 111 owns the adjacent properties to the north and west of the subject property.

The A-1 special use to the north is for a church. The A-1 special use to the south is for a fertilizer and grain storage operation. The A-1 special use to the west appears to be for an airstrip. The property at 276 Route 52 has a special use permit for a landscaping business.

Seven (7) existing houses are within one half (1/2) mile of the subject property.

Petition information was sent to Seward Township on October 21, 2019. The Seward Township Planning Commission reviewed this request at their meeting on January 14, 2020. Concerns were expressed regarding traffic congestion and the potential for increased vehicular accidents. Discussion also occurred regarding drainage. The property's proximity to Shorewood and its location were the reasons for seeking the change to the Land Resource Management Plan and for the requested map amendments and special use permits. The Seward Township Planning Commission recommended approval of the request. The minutes of this meeting are included were provided.

The Seward Township Board reviewed this request at their meeting on January 14, 2020. They echoed the concerns of the Seward Township Planning Commission regarding traffic and drainage. The Seward Township Board recommended approval of the request. The minutes of this meeting were provided.

Petition information was sent to the Village of Shorewood on October 21, 2019. The Village of Shorewood submitted an email on January 6, 2020, stating that they were in discussions with the Petitioner and would have further review at the Village's February 5<sup>th</sup> Planning and Zoning Commission meeting. This email was provided.

The Troy Fire Protection District has no objections to commercial uses as this location.

ZPAC reviewed this proposal at their meetings on November 5, 2019, and January 7, 2020. At the November 5<sup>th</sup> meeting, discussion occurred regarding well and septic service at the site. The Petitioner agreed to a right-of-way dedication along the County Line Road frontage. At the January 7<sup>th</sup> meeting, the Petitioner provided updated septic information and updated traffic information. The final size of the detention pond had yet been determined. The Petitioner was working on a pre-annexation agreement with Shorewood that would allow the Village to annex the property when the property becomes contiguous to the Village. It was noted that the Village of Shorewood would like the special use to apply to only the storage portion of the property and that the acreage between the storage units and County Line Road be zoned business without a special use permit and that a formal subdivision occur. The Petitioner agreed to a sixty foot (60') right-of-way dedication as measured from the centerline of County Line Road including a ten foot (10') dedication for utilities. It was also noted that the Village of Shorewood requested the removal of some fencing and the reorientation of some of the storage buildings. It was noted that the landscaping plan and signage plan required more definition. ZPAC recommended forwarding the proposal to the Kendall County Regional Planning Commission without objection; two (2) members were absent. The minutes of these meetings were provided.

The Village of Shorewood's Future Land Use Map calls for this property to be Commercial and Government/Institutional.

Will County gives deference to the Village of Shorewood. Will County favors suburban development, whether that be commercial or residential, in this area.

The subject property was originally planned to be a future school location. The southern portion of the subject property and the property immediately to the north of the subject property are both planned to be Public/Institutional. In addition, the property to the west and the property to the north are both owned by the Minooka School District 111. A school could still be placed in the area. Therefore, uses that support and that are not in conflict with educational related uses, including many commercial uses, could be placed on the subject property.

Because commercial uses require site plan approval, because the Village of Shorewood's Comprehensive Plan calls for this property to be Commercial, and because many commercial uses could be placed on the subject property that would complement education uses, Staff recommends approval of the requested change.

Chairman Ashton opened the public hearing at 7:10 p.m.

Member Davis asked if any of the farm buildings would be removed. Dan Kramer, Attorney for the Petitioner, responded no; the farm buildings are not located on the portion of the property under consideration for the map change.

Pat Colaric, County Line Road, requested clarification of the request. Mr. Asselmeier explained that the existing Future Land Use Map calls for this property to be Public/Institutional. The Petitioner would like to rezone the property to commercial uses. One (1) of the criteria used to evaluate the rezoning from agricultural to business was consistency with the Land Resource Management Plan. The Petitioner needs the Future Land Use Map changed in order to have the rezoning request be consistent with the Land Resource Management Plan. Chairman Ashton said that the zoning portion of the request will occur later in the meeting. Mr. Colaric was concerned about commercial uses in the area because of traffic concerns.

Member Hamman asked if Minooka School District had any input on the proposal. Mr. Asselmeier responded that Minooka School District owns the property to the west and to the north of the subject property. The School District still has plans to use their property for educational purposes. The School District was notified of the hearing.

Dan Kramer, Attorney for the Petitioner, testified that the southern portion of the property would not be sold as part of the requested rezoning. Mr. Kramer explained the types of sports teams that would use the athletic facility. The athletic facility would have an indoor baseball field. The School District favors the idea. This facility would be four (4) times bigger than the facility on Galena Road. Mr. Kramer requested approval of the amendment to the Land Resource Management Plan.

Chairman Ashton adjourned the public hearing at 7:16 p.m.

Member Nelson made a motion, seconded by Member Casey, to recommend approval of Petition 19-37.

The votes were as follows:

Ayes (7): Ashton, Bledsoe, Casey, Davis, Hamman, Nelson, and Wilson

Nays (0): None

Absent (2): McCarthy-Lange and Rodriguez

The motion carried. The proposal goes to the Zoning Board of Appeals on January 27, 2020.

The Kendall County Regional Planning Commission concluded their review of Petition 19-37 at 7:17 p.m.

### **PETITIONS**

#### **19-34 Ronald Smrz on Behalf of the Bank of Lyon Trust**

Mr. Asselmeier summarized the request.

Ron Smrz, on behalf of Bank of Lyon Trust, would like to establish a storage business for boats and RVs at the subject property. The application material and amended site plan were provided. The Petitioner updated the site plan in December to address stormwater management concerns.

The property was granted a special use permit for the retail sale of nursery stock through Ordinance 1985-10, a copy of which was provided. This proposal will not impact the existing special use permit.

The property is approximately seventeen (17) acres in size, but the special use area is approximately one (1) acre in size.

The current land use is agricultural. The future land use is rural residential. Route 71 is a State maintained highway and is considered a Scenic Route at the subject property. Yorkville has a trail planned along Route 71. There is a farmable wetland on the property consisting of approximately a tenth (0.1) of an acre. The adjacent land uses are agricultural, single-family residential, and farmstead. The adjacent zonings are A-1, A-1 SU, R-1, R-3, and R-3 PUD. The Land Resource Management Plan calls for the area to be rural residential. The nearby zonings are A-1, A-1 SU, A-1 BP, R-3, RPD-2, and R-3 PUD.

The special use permit to the north is for a campground. The special use permit to the east is for a landscaping business.

Lyon Farm is located south of the subject property.

The Richard Young and Lyon Forest Preserves are in the vicinity.

The aerial of the property was provided.

Pictures of the property were provided.

EcoCat submitted on June 6, 2019, as part of the Wetland Delineation Report and found the Fox River INAI Site and Yorkville Seep INAI Site in the area. The entire Wetland Delineation Report was provided. The Petitioner submitted a formal EcoCat on December 23, 2019, and no negative impacts were foreseen.

NRI application submitted on August 2, 2019. The NRI Report was not available.

Oswego Township was emailed the original information on September 24, 2019. The revised site plan was emailed on December 31, 2019.

The Bristol-Kendall Fire Protection District was emailed the original information on September 24, 2019. The revised site plan was emailed on December 31, 2019.



The United City of Yorkville was emailed the original information on September 24, 2019. The revised site plan was emailed on December 31, 2019. Yorkville will be reviewing this proposal at their February meetings.

ZPAC met on this proposal on October 1, 2019. Discussion occurred at that meeting regarding obtaining a variance to the Stormwater Management Ordinance. In the ensuing months, the Petitioner decided not to pursue the variance and amended the site plan to meet the requirements of the Kendall County Stormwater Management Ordinance. ZPAC reviewed the revised site plan at their meeting on January 7, 2020, and recommended approval of the proposal with no objections. The minutes of the October ZPAC meeting were provided. The minutes of the January ZPAC meeting were provided.

According to revised site plan, the Petitioner plans to offer rental space for fifty-one (51) parking stalls which is down from the two hundred (200) rental units in the original proposal. The proposed hours of operation are daily from 6:00 a.m. until 9:00 p.m.

Prospective renters would meet with the Petitioner at the property at a pre-arranged time to view the property, sign a contract, and receive their access code. The Petitioner plans to use the existing storage building as the office for the business.

The Petitioner and his wife would be the only employees of the business.

No new structures are planned for the property. A new occupancy permit might be required for the existing storage building.

The location of the well was shown on the proposed site plan south of the existing house. No bathrooms or potable water sources would be available to patrons of the storage business.

The Petitioner indicated that the storage area would have a gravel base.

The site plan shows the proposed use to be away from the farmable wetland.

The Petitioner plans to monitor the site for motor vehicle related leaks and would remove contaminated gravel from the property.

The property fronts Route 71 and an existing access point off of Route 71 exists.

The Illinois Department of Transportation provided comments regarding this proposal. A new access permit will be required.

Parking will occur in the gravel areas east of the existing building.

The Petitioner provided a lighting plan showing six (6) new light poles, each twenty feet (20') in height. The lighting plan was provided.

The Petitioner plans to install a sign along Route 71. The sign must meet all of requirements of the Kendall County Zoning Ordinance and must not be illuminated.

The Petitioner plans to remove the three (3) existing Norway Spruce trees. The Petitioner plans to plant seven (7) evergreens that will be between approximately four feet and six feet (4'-6') in height at the time of planting. The evergreens will be placed southeast of the parking area. The evergreens will be planted by the end of May 2020. A vegetative swale is also planned for south of the parking area.

The Petitioner indicated that the storage area will have a chain-link fence around the storage area. The fence is planned to be six feet (6') in height.

There will be a twenty foot (20') wide automatic gate on the east side of the storage area to control access to the area. The lock on the gate will be timed to prevent patrons from accessing the property during non-business hours. The gate will be adjacent to the shed.

A security monitoring system will also be installed with cameras on the shed shown.

The Petitioner agreed to provide the Sheriff's Department and Bristol-Kendall Fire Protection District with a passcode to access the gate.

No information was provided regarding noise control.

No new odors are foreseen.

While very little trash or litter is expected to be generated by the proposed, no plans for litter control were provided.

If approved, this would be the fifth active special use permit for this type of storage in unincorporated Kendall County.

The Petitioner currently resides in the house on the property.

The Petitioner agreed that all items stored on the property would remain licensed and in good working order.

The Petitioner agreed to follow the Kendall County Inoperable Vehicle Ordinance and the Junk and Debris Ordinance. The Petitioner also agreed that none of the vehicles stored as part of the special use permit would be for agricultural purposes.

The proposed Findings of Fact were as follows:

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 operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare provided that the operator of the business allowed by this special use permit develops the site according to the submitted site plan, follows the agreed upon hours of operation, has a plan to address motor vehicle related leaks, and follows the Kendall County Inoperable Vehicle Ordinance and related ordinances.

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. Provided that the business operates as proposed, no injury should occur to other property and property values should not be negatively impacted.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. This is true. The Illinois Department of Transportation has not expressed any

concerns regarding this use locating at this property. The business will not have any restroom facilities or drinking water facilities for patrons. The Petitioner will have to secure a stormwater management permit.

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. This is true.

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 is consistent with an objective found on Page 6-34 of the Kendall County Land Resource Management Plan which calls for “a strong base of agricultural, commercial and industrial uses that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents” through the encouragement “. . . of locally owned businesses.”

Staff recommends approval of the requested special use permit for a storage facility for motor vehicles, boats, trailers, and other recreational vehicles subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the attached site plan, landscaping plan, and lighting plan.
2. The operator(s) of the business allowed by this special use permit shall plant the vegetation identified in the landscaping plan by the end of May 2020.
3. One (1) non-illuminated sign may be installed on the subject property in substantially the location shown on the site plan.
4. The motor vehicles, boats, trailers, and other recreational vehicles stored on the premises may be stored outdoors.
5. None of the motor vehicles, boats, trailers or other recreational vehicles stored on premises shall be considered agricultural equipment as they relate to the business allowed by this special use permit.
6. All of the motor vehicles, boats, trailers, and other recreational vehicles stored on the premises shall be maintained in good working order and shall be licensed.
7. The hours of operation for the business allowed by this special use permit shall be daily from 6:00 a.m. until 9:00 p.m. The operator(s) of the business allowed by this special use permit may reduce these hours of operation.
8. The maximum number of employees for the business allowed by this special use permit shall be two (2), including the business owners.
9. The operator(s) of the business allowed by this special use permit shall diligently monitor the property for motor vehicle related leaks and shall promptly and properly dispose and replace any gravel contaminated by such leaks.
10. The operator(s) of the business allowed by this special use permit shall provide the Kendall County Sheriff's Department and Bristol-Kendall Fire Protection District with passcodes to the gate upon the request of these agencies.
11. The operator(s) of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
12. The conditions and restrictions contained in Ordinance 1985-10 pertaining to the retail sale of nursery stock shall remain valid, enforceable, and separate from the conditions and restrictions for the special use permit for a storage facility for motor vehicles, boats, trailers, and other recreational vehicles.

13. The operator(s) of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
14. 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.
15. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Member Hamman asked about the lights. Mr. Asselmeier responded the site plan shows six (6) lights, twenty feet (20') in height. Member Hamman asked if the lights would be on all the time. Ron Smrz, Petitioner, stated the lights would be turned off when the business is closed.

Member Wilson asked about the landscaping business. Mr. Smrz responded that the property still has a special use permit for a landscaping business, but he did not operate the business.

Member Wilson asked about the type of fence. Mr. Smrz responded a chain linked fence.

Member Wilson asked about the distance from neighbors. Mr. Smrz responded several hundred feet.

Mr. Smrz lives on the premises.

Discussion occurred regarding the County's lighting regulations. Mr. Asselmeier noted the light poles were proposed at the maximum height, no light would cross the property line, and no neighboring property owner would see the light source. Having the lights off when the business during non-operational hours will be added as a condition.

Member Hamman asked if the Historical Society. Mr. Smrz responded that the Historical Society was sent notices.

Sylvia Torto expressed concerns about the lights and the view of vehicles stored on the property. She also expressed concerns about vehicles pulling in and out of the property.

Len Pfaff did not want a commercial business in the area. He expressed concerns about fuel leaks and noise. He would like the area to stay rural.

Ron Zier loves the rural atmosphere of the area. He does not favor lights or vehicles at the property.

Zack Morerod expressed concerns about his ability to resell his property if the proposed use occurs at the subject property.

Mike Torto echoed the concerns of his fellow neighbors. He would like additional landscaping on the north side of the subject property.

Mr. Smrz proposed to install additional trees. The original plan called for more trees, but they were removed as part of the stormwater control of the site.

Member Hamman asked about Route 71 improvements. Mr. Smrz stated that he would have full access at his property. The existing perimeter trees would be removed by the Illinois Department of Transportation and Mr. Smrz would request that the removed trees be replaced.

Mr. Smrz noted that his original proposal was much larger than what he is currently proposing.

Discussion occurred about installing a berm on the property.

Discussion occurred about the definitions of motor vehicles, recreational vehicle, and self-storage facility and mini-warehouse facility. Mr. Asselmeier read these definitions from the Zoning Ordinance. Member Wilson suggested a restriction not allowing semis, cargo containers, and the like not be stored on the property.

Member Wilson asked about leak control. Mr. Smrz described the method for soaking the leak and removing the gravel. Member Wilson expressed concerns that leaks might not be discovered immediately.

Mr. Asselmeier read the email from the Illinois Department of Transportation.

Concerns were expressed about derelict and abandoned vehicles, boats, and campers.

Zack Morerod asked if Commissioners would want this use in their backyards.

Laurie Pfaff expressed concerns about fuel leaks and well contamination. She also expressed concerns about increased lighting.

Chairman Ashton noted that the storage of recreational vehicles and boats are not allowed in some places in Kendall County.

Member Nelson suggested that the special use be tied to the Petitioner and not the land. Mr. Smrz opposed having the special use go away if he sold the property.

Discussion occurred about indoor storage. Upon review, none of the existing special use permits for this type of storage allows outside storage in the A-1 District.

Discussion occurred about the scenic route designation. The view shed area was not defined.

Chairman Ashton asked if the Petitioner wanted to table the request. The Petitioner asked for a vote.

Member Wilson made a motion, seconded by Member Nelson, to recommend approval of Petition 19-34.

The votes were as follows:

Ayes (0): None

Nays (7): Ashton, Bledsoe, Casey, Davis, Hamman, Nelson, and Wilson

Absent (2): McCarthy-Lange and Rodriguez

The motion failed. The proposal goes to the Zoning Board of Appeals on January 27, 2020.

Member Wilson voted no because she wished that the Petitioner had talked to his neighbors at the beginning of the process. She felt the use was more appropriate in an industrial or business park. She was also concerned about potential leaks at the site.

Chairman Ashton concurred with Member Wilson's reasons for recommending denial.

**19-38 John Dollinger on Behalf of Hansel Ridge, LLC and Jason Shelley on Behalf of Goprobball, LLC**

Mr. Asselmeier summarized the request.



Goprobball, LLC would like to purchase the subject property and construct an indoor baseball and soccer facility on the subject property. The site plan was provided.

Based on the original information submitted to the County, the property owner, Hansel Ridge, LLC, would like to sell the northern eighteen point seven more or less (18.7 +/-) acres for the proposed athletic facility and for an indoor and outdoor storage facility. The proposed athletic facility would be located on approximately nine point one-nine (9.19) acres on the northwest side of the property with a strip of land providing access to Line Road.

County Line Road is a Township Road classified as an Arterial.

There are no trails or floodplains or wetlands on the subject property.

The adjacent land uses are agricultural with a fertilizer and grain operation at the southwest corner of Route 52 and County Line Road. The adjacent zonings and zonings within one half (1/2) mile are A-1 or A-1 SU. The Kendall County Land Resource Management Plan calls for the property to the north and south to be Public/Institution and Suburban Residential. The property to the west is classified as Suburban Residential. The Will County Land Resource Management Plan calls for the property to the east to be Suburban Development. The Village of Shorewood's Comprehensive Plan calls for this property to be Commercial and Government/Institutional. Minooka School District 111 owns the property to the north and west and plans to use that property for educational purposes.

The aerial of the property and pictures of the property were provided.

The A-1 special use to the north is for a church. The A-1 special use to the south is for a fertilizer and grain storage operation. The A-1 special use to the west appears to be for an airstrip. The property at 276 Route 52 has a special use permit for a landscaping business.

Seven (7) existing houses are within one half (1/2) mile of the subject property.

EcoCAT Report submitted and consultation was terminated.

The application for NRI was submitted on September 26, 2019. The NRI Report was not available.

Petition information was sent to Seward Township on October 21, 2019. The Seward Township Planning Commission reviewed this request at their meeting on January 14, 2020. Concerns were expressed regarding traffic congestion and the potential for increased vehicular accidents. Discussion also occurred regarding drainage. The property's proximity to Shorewood and its location were the reasons for seeking the change to the Land Resource Management Plan and for the requested map amendments and special use permits. The Seward Township Planning Commission recommended approval of the request. The minutes of this meeting were provided.

The Seward Township Board reviewed this request at their meeting on January 14, 2020. They echoed the concerns of the Seward Township Planning Commission regarding traffic and drainage. The Seward Township Board recommended approval of the request. The minutes of this meeting were provided.

Petition information was sent to the Village of Shorewood on October 21, 2019. The Village of Shorewood submitted an email on January 6, 2020, stating that they were in discussions with the Petitioner and would have

further review at the Village's February 5<sup>th</sup> Planning and Zoning Commission meeting. This email was provided.

The Troy Fire Protection District has no objections to commercial uses at this location.

ZPAC reviewed this proposal at their meetings on November 5, 2019, and January 7, 2020. At the November 5<sup>th</sup> meeting, discussion occurred regarding well and septic service at the site. The Petitioner agreed to a right-of-way dedication along the County Line Road frontage. At the January 7<sup>th</sup> meeting, the Petitioner provided updated septic information and updated traffic information. The final size of the detention pond had yet been determined. The Petitioner was working on a pre-annexation agreement with Shorewood that would allow the Village to annex the property when the property becomes contiguous to the Village. It was noted that the Village of Shorewood would like the special use to apply to only the storage portion of the property and that the acreage between the storage units and County Line Road be zoned business without a special use permit and that a formal subdivision occur. The Petitioner agreed to a sixty foot (60') right-of-way dedication as measured from the centerline of County Line Road including a ten foot (10') dedication for utilities. It was also noted that the Village of Shorewood requested the removal of some fencing and the reorientation of some of the storage buildings. It was noted that the landscaping plan and signage plan required more definition. ZPAC recommended forwarding the proposal to the Kendall County Regional Planning Commission without objection; two (2) members were absent. The minutes of these meetings were provided.

Per State law, map amendments cannot be conditioned. However, Section 13.10 of the Kendall County Zoning Ordinance requires that commercial site plans be approved by the Kendall County ZPAC.

The Petitioner desires the map amendment in order to construct an indoor athletic facility.

Goprobball, LLC provided a business plan. As noted in the business plan, they would have between twenty (20) and forty (40) part-time employees with no more than four (4) to six (6) employees onsite. They have fifteen (15) existing traveling baseball teams and hope to expand to twenty-five (25) teams within the next five (5) years. They would also like to use the facility to attract other sports including girls soccer and softball. They would have a concession area and rehabilitation services would be provided onsite. The proposed hours of operation are between 8:00 a.m. and midnight. The proposed facility is approximately sixty-nine thousand, three hundred (69,300) square feet and will have a parking area to the east.

Any new structures would require applicable building permits.

The property will access County Line Road. County Line Road has an eighty thousand (80,000) pound weight restriction. Depending on the uses, additional right-of-way could be necessary and the Petitioner was agreeable to a right-of-way dedication as part of a special use permit.

No new odors are foreseen, but the site plan for future commercial activities on the site should be examined to address odors.

The parking lot will have lights. Security lighting will also be installed. Commercial establishments could have additional lights and illuminated signage on the building and associated with monument signage. The site plan of commercial establishments should be evaluated to address lighting.

Any fencing or buffering should be evaluated as part of the site plan review process.

The original site plan showed two detention ponds. The Petitioners indicated that the stormwater plans could be altered as part of the adjoining special use permit. Development on the site would require stormwater management permits.

Electricity is nearby. New well and septic information would have to be evaluated as part of the building permit process. The Petitioners provided septic plan information.

The proposed Findings of Fact were as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used agricultural or uses similar to agricultural uses such as farmsteads and fertilizer operations.

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1 or A-1 with a special use.

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.

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

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The Future Land Use Map in the Land Resource Management Plan classifies this property as Public/Institutional because Minooka School District #111 plans to construct a school on the property to the west. The Village of Shorewood's Future Land Use Map calls for this property to be Commercial and Government/Institutional. The property owner of the subject property submitted an application to reclassify the property as Commercial on the Future Land Use Map contained in the Kendall County Land Resource Management Plan. If this reclassification amendment to the Land Resource Management Plan is approved, then the proposed map amendment would be consistent with the purpose and objectives of the Land Resource Management Plan.

Provided that the amendment to the Land Resource Management Plan is approved reclassifying the subject property as Commercial, Staff recommended approval of this requested map amendment.

Dan Kramer, Attorney for the Petitioner, provided a history of the evolution of the project. He noted that the Health Department approved the well and septic plans. Mr. Kramer noted that a subdivision would occur at the site; there would be no additional access cuts on County Line Road. The stormwater detention ponds might be merged into one (1) pond.

Member Davis asked where the nearest sanitary sewer service was located. Mr. Kramer stated that the nearest sanitary sewer was at least one (1) mile away from the site.

Discussion occurred about the traffic safety at the intersection of Route 52 and County Line. Mr. Kramer clarified the minutes from Seward Township saying that the Petitioners cannot solve the traffic problem at the intersection. He noted that traffic for the athletic facility will be directed to Baltz Road.

Pat Colaric stated the proposal will exacerbate the traffic problems in the area. He would like to see the area stay rural. He would rather see the athletic facility than houses.

Member Nelson made a motion, seconded by Member Davis, to recommend approval of Petition 19-38.

The votes were as follows:

Ayes (7): Ashton, Bledsoe, Casey, Davis, Hamman, Nelson, and Wilson

Nays (0): None

Absent (2): McCarthy-Lange and Rodriguez

The motion carried. The proposal goes to the Zoning Board of Appeals on January 27, 2020.

**19-39 John Dollinger on Behalf of Hansel Ridge, LLC, Jason Shelley on Behalf of Goprobball, LLC, and James and Denise Maffeo**

Dan Kramer, Attorney for the Petitioner, requested that the Petition be laid over until the February 26, 2020, meeting in order to obtain an updated site plan.

Without objection, the Commission laid over the Petition as requested.

**19-47 Deb Chow on Behalf of Jade Restorations, Inc. and D. Howard on Behalf of Bullmastiff Construction Company, LTD**

Mr. Asselmeier summarized the request.

Jade Restorations, Inc. is working with Bullmastiff Construction Company to construct a kennel and veterinary clinic at the subject property. At this time, Jade Restorations, Inc. has no plans to sell the subject property.

The application material was provided. The site plan, landscaping plan, photometric plan, and proposed building information were provided.

The property is approximately twenty (20) acres in size, but the special use portion would cover approximately eight point five (8.5) acres.

The future land use is commercial.

Ridge Road is a County Road classified as an Arterial Road. Bell Road is a Township Road classified as a Minor Collector. Minooka has a trail planned along Ridge Road. Shorewood has a trail planned along Bell Road.

The adjacent land uses are agricultural in all directions with a farmstead and landscaping business to the west.

The adjacent zonings are A-1 and A-1 SU. There is R-1 zoning within one half (1/2) mile to the east. There are twelve (12) homes located within one half (1/2) mile of the subject property. The special uses to the north and south are landing strips. The special use to the east is for natural gas compression. The special use to the west is for a landscaping business.

There are twelve (12) homes located within one half (1/2) mile of the subject property.

The special uses to the north and south are landing strips. The special use to the east is for natural gas compression. The special use to the west is for a landscaping business.

The aerial of the property was provided.

EcoCat submitted on December 5, 2019, and consultation was terminated.

NRI application submitted on December 18, 2019. The NRI Report was not available.

Seward Township was emailed information on December 31, 2019. The Seward Township Planning Commission reviewed this request at their meeting on January 14, 2020. Concerns were expressed regarding drainage and traffic. The property's location and availability were the reasons for seeking the special use permit. The Seward Township Planning Commission recommended approval of the request. The minutes of this meeting was provided.

The Seward Township Board reviewed this request at their meeting on January 14, 2020. They echoed the concerns of the Seward Township Planning Commission regarding traffic and drainage. The Seward Township Board recommended approval of the request. The minutes of this meeting was provided.

The Minooka Fire Protection District was emailed information on December 31, 2019. They wanted the Petitioners to be aware of the new State kennel regulations regarding staffing and sprinkling requirements. The Minooka Fire Protection District's email was provided.

The Village of Shorewood was emailed information on December 31, 2019. The Village of Shorewood expressed concerns about noise. The Village of Shorewood's email was provided.

The Village of Minooka was emailed information on December 31, 2019.

ZPAC reviewed this proposal at their meeting on January 7, 2020. Discussion occurred about the soil analysis in relation to the well and septic system. The Highway Department was satisfied with the proposed right-of-way dedication for Ridge Road. The Petitioner will finalize hours of operation, the timeline for landscaping installation, and frequency of refuse pick-up. ZPAC recommended forwarding the proposal to the Kendall County Regional Planning Commission without any objections. The minutes of this meeting were provided.

According to the information provided to the County, the Petitioners plan to offer veterinary services, pet daycare, boarding, and grooming services. The proposed normal hours of operation for both uses will be Monday through Friday from 6:00 a.m. until 7:00 p.m. and Saturday and Sunday from 7:00 a.m. until 7:00 p.m. The veterinary establishment may be open beyond these hours of operation to handle medical emergencies. The maximum number of employees will be seventy (70), including part-time employees. The kennel will be staffed at all times. Overlap in employees will occur. Grooming services will be provided as needed. The maximum number of animals planned for the kennel is eighty (80). Per the Kendall County Zoning Ordinance, all animals will be indoors by sunset.

As noted in the site plan, the Petitioners plan to construct an approximately eighteen thousand (18,000) square foot building facing south towards Bell Road. The proposed location of the building on the property was placed in accordance to the setback requirements of the Kendall County Zoning Ordinance.

Elevations of the building were provided. A rendering of the site was provided.

The building shall consist of waiting areas for grooming and exams, eight (8) exam rooms, a treatment room with pharmacy area, two (2) surgery rooms, an X-ray room, a recovery room, two (2) isolation rooms, a doctor's room, a staff room, a janitorial room, a cat boarding room, three (3) bathrooms, a laundry area, a



grooming area, a store, a storage area, a groom kennel, two (2) play areas, a pool, and a boarding kennel area. The building is planned to be slightly over twenty-three feet (23') tall at its highest point and made of metal.

Two (2) approximately twelve thousand (12,000) square foot outdoor play areas are planned on both sides of the kennel wing of the building. A six foot (6') tall cedar fence would be located around the outdoor play area.

Building and Occupancy Permits will be required for the new building.

The site plan shows one (1) raised septic field west of the building and parking lot and one (1) raised septic field south of the parking lot. The proposed well would be located east of the building.

The site plan shows two (2) wet detention ponds on the north side of the subject property. A dual-phase restricted stormwater detention outlet is planned to discharge stormwater at the northwest corner of the site into ditches along the east side of Ridge Road.

If the special use permit is approved, the Petitioners would need to secure a stormwater management permit from Kendall County.

The property fronts Bell Road and two (2) points of ingress/egress are planned from Bell Road.

The Petitioners plan to dedicate right-of-way for a depth of fifty feet (50') along the entire Bell Road frontage of the property and a depth of seventy-five feet (75') along the entire Ridge Road side of the property.

The Petitioners propose to install a fifty-two (52) stall parking lot to the south and east of the building. Three (3) of the spaces would be handicapped accessible.

The Petitioners plan to install six (6) lights along the driveway and in the parking lot. The lights will be LED and on poles a maximum twenty feet (20') in height. There will be an additional eight (8) building mounted lights at various locations around the exterior of the building. Lighting information can be found on the photometric plan.

The Petitioners plan to have one (1) monument sign along Bell Road and one (1) monument sign along Ridge Road. Both signs are planned to be four feet by eight feet (4'X8') and a maximum of eight feet (8') in height. Neither sign will be illuminated.

Per the landscaping plan, the Petitioners plan to install thirty-eight (38) shade trees of various types, seventy-eight (78) evergreen trees of various types, sixty-eight (68) evergreen shrubs of various types, two hundred eighty-two (282) deciduous shrubs of various types, and one hundred fifteen (115) perennials of various types. In addition, a wet-to-mesic prairie seed mix is planned around the stormwater detention ponds.

Berms are planned along the west, east, and southeast corner of the property. An additional berm is planned south of the parking lot. The berms will vary in height from three feet (3') to seven feet (7').

A topsoil stockpile area is planned east of the parking lot.

Noise will be addressed with soundproofing of the building, the fence mentioned previously, the installation of trees and berms, and having the animals indoors by sunset.

The Petitioners plan to install a refuse enclosure at the northern end of the eastern parking lot. The screening shall be either of wood or masonry construction at least seven feet (7') in height. The Petitioners also indicated that they may screen the refuse area with a chain link fence and dense plantings.

If approved, this would be the sixth active special use permit for a kennel and second active special use for a veterinary establishment in unincorporated Kendall County.

The proposed Findings of Fact were as follows:

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 operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare. The immediately adjacent properties are also zoned A-1 or A-1 with a special use permit. In addition, the site plan shows a six foot (6') tall fence around the outdoor play area. The proposed building will be soundproofed. The proposed landscaping and berming should also reduce noise coming from the property. The Petitioners intend to follow the Kendall County Zoning Ordinance as it relates to having all pets inside by dusk.

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 Petitioners plan to install fencing and security lighting. The Petitioners agreed to have animals indoors by sunset. The proposed hours of operation will also prevent injury to neighboring land uses.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. This is true. Adequate ingress and egress will be provided off of Bell Road. The Petitioners will have to secure applicable permits related to stormwater, well, and septic systems.

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. True, the Petitioners are not requesting any variances.

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 is consistent with an objective found on Page 6-34 of the Kendall County Land Resource Management Plan which calls for "a strong base of agricultural, commercial and industrial uses that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents" through the encouragement ". . . of locally owned businesses."

Staff recommended approval of the requested special use permit for a kennel and veterinary establishment subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the attached site plan, landscaping plan, and photometric plan.
2. Within sixty days (60) days of approval of this special use permit ordinance, the property owners shall convey land to Kendall County and Seward Township for Ridge Road and Bell Road right-of-way in the locations and depths shown on the Right-of-Way Plat of Dedication.

3. The use allowed by this special use permit shall be located a minimum of two hundred fifty feet (250') from the lot line of lots zoned residential or shown as Residential on the Land Resource Management Plan (LRMP) map and One Hundred Fifty Feet (150') from Lots Zoned Other Than Residential or Shown on the LRMP Map as non-residential.
4. Two (2) non-illuminated signs may be installed on the subject property in substantially the locations shown on the site plan.
5. All vegetation and berms shall be installed within six (6) months of the opening of either the kennel or veterinary establishment at the subject property. The businesses shall be considered open on the date when the Kendall County Planning, Building and Zoning Department issues a certificate of occupancy for the building. Damaged or dead vegetation shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department.
6. A maximum of eighty (80) pets may be kenneled on the subject property at any time.
7. All pets shall be indoors between the hours of sunset and sunrise except for the purposes of owners dropping-off and picking-up pets.
8. In the event that the kennel operations cease at the property, the veterinary business allowed by this special use permit may not board animals overnight except for medical treatment and observations.
9. The normal hours of operation for the businesses allowed by this special use permit shall be Monday through Friday from 6:00 a.m. until 7:00 p.m. and Saturday and Sunday from 7:00 a.m. until 7:00 p.m. The operator(s) of the business allowed by this special use permit may reduce these hours of operation. Pets experiencing medical emergencies at the kennel may be tended to outside the hours of operation. The veterinary establishment may be open beyond the hours of operation listed to handle medical emergencies.
10. The maximum combined number of employees for the businesses allowed by this special use permit shall be seventy (70), including the business owners.
11. Refuse shall be removed from the subject property at least one (1) time per week or as necessary to prevent litter or odors from emanating from the subject property.
12. Any construction on the property related to the businesses allowed by this special use permit shall not be considered as agricultural purposes and shall secure applicable permits.
13. The operator(s) of the businesses allowed by this special use permit may sell ancillary items related to their operations.
14. The operator(s) of the businesses allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
15. The operator(s) of the businesses allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of these types of businesses.
16. 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.
17. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Chairman Ashton asked about the fire hydrant. Mike Cook, Cook Engineering Group, responded that wet basins north of the site would be used as the water source. The hydrant would be a dry hydrant; the suggestion was made to change the plans to reflect the hydrant as a dry hydrant. The building will be sprinklered.

Member Davis made a motion, seconded by Member Hamman, to recommend approval of Petition 19-39 with the conditions proposed by Staff.

Member Casey asked about the animals that will be served at the site. Deb Chow responded that a horse rescue was planned for the back of the property in addition to the dog daycare.

Member Wilson asked if any of the Petitioners were veterinarians. Ms. Chow responded that her son is in veterinary school.

Discussion occurred about animals being indoors by sunset. It was noted that the business would close at 7:00 p.m.

Member Davis made a motion, seconded by Member Hamman, to recommend approval of Petition 19-47 with the conditions proposed by Staff.

The votes were as follows:

Ayes (7): Ashton, Bledsoe, Casey, Davis, Hamman, Nelson, and Wilson

Nays (0): None

Absent (2): McCarthy-Lange and Rodriguez

The motion carried. The proposal goes to the Zoning Board of Appeals on January 27, 2020.

Discussion occurred about the number of employees and the traffic impacts of those employees.

#### **CITIZENS TO BE HEARD/ PUBLIC COMMENT**

None

#### **NEW BUSINESS**

Member Nelson made a motion, seconded by Member Casey, to nominate Bill Ashton for the position of Chairman. No additional nominees were presented. With a voice vote of seven (7) ayes, the motion carried.

Member Nelson made a motion, seconded by Chairman Ashton, to nominate Ruben Rodriguez for the position of Vice Chairman. No additional nominees were presented. With a voice vote of seven (7) ayes, the motion carried.

Member Wilson made a motion, seconded by Chairman Ashton, to nominate Larry Nelson for the positions of Treasurer and Secretary. No additional nominees were presented. With a voice vote of seven (7) ayes, the motion carried.

Member Nelson made a motion, seconded by Chairman Ashton, to nominate Matt Asselmeier for the position of Recording Secretary. No additional nominees were presented. With a voice vote of seven (7) ayes, the motion carried.

#### **Appointments to Comprehensive Land Plan and Ordinance Committee**

Chairman Ashton announced the appointments to the Comprehensive Land Plan and Ordinance Committee as follows: Larry Nelson (Chairman), Chairman of the Kendall County Regional Planning Commission or Their Designee (Bill Ashton), Chairman of the Kendall County Zoning Board of Appeals or Their Designee (Randy Mohr), Chairman of the Kendall County Board or Their Designee (Scott Gryder), Chairman of the Kendall County Planning, Building and Zoning Committee or Their Designee (Matthew Prochaska), Megan Andrews, and Jeff Wehrli.

**Annual Meeting-February 1, 2020 at 9:00 a.m.**

The Commission reviewed the draft agenda for the Annual Meeting.

**OLD BUSINESS**

**Update on Zoning Ordinance Project**

Mr. Asselmeier reported that Comprehensive Land Plan and Ordinance Committee has completed their review of the Zoning Ordinance and the proposal will be advanced in sections with the intention of having the entire proposal enacted on December 1<sup>st</sup>.

**REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD**

Petition 19-26, regarding the landscaping business at 276 Route 52, was approved by the County Board. Several Commissioners noted that burning was occurring on the property and that the property owners were not taking care of the property.

Petition 19-31, regarding cannabis zoning regulations, was approved by the County Board.

Petition 19-35, regarding a kennel at 3601 Plainfield Road, was approved by the County Board.

**OTHER BUSINESS/ANNOUNCEMENTS**

Mr. Asselmeier reported that the text amendment to the Zoning Ordinance pertaining to citation authority, hearing officer, and fines will be on the February agenda. The owner of the property where ServPro was previously located submitted an application for a text amendment and special use permit for a trucking business at the property. However, the owner is also considering requesting a change to the Land Resource Management Plan and a map amendment at the property.

**ADJOURNMENT**

Member Casey made a motion, seconded by Member Hamman, to adjourn. With a voice vote of seven (7) ayes, the motion passed. The Kendall County Regional Plan Commission meeting adjourned at 9:35 p.m.

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

Enc.



**KENDALL COUNTY  
REGIONAL PLANNING COMMISSION  
JANUARY 22, 2020**

IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
Don Kramer	1117 N. S. Brook St Joliet IL 60560	19-37 / 19-38 / 19-39
PAT COLARTE		
RON SMRZ		
Sylvia Fortis		
Len Pfaff		
Ron Zies		
Jack Morehead		
Mike Fortis		

Kyle Boyce

Laurie Pfaff



## Bristol Kendall Fire Department Fire Prevention Bureau

103 East Beaver Street  
Yorkville, IL 60560-1704

Tel: 630 553-6186

Fax: 630 553-1482



01-31-2020

RE: 7821 Rt. 71

Matt Asselmeier,

This is a list of items that the Fire Departments will have concern about if the Storage Facility is allowed to be built by the County.

1. Access to the lot, (Knox Box) in case of emergency.
2. Fire Extinguishers in place.
3. Electrical connections to keep vehicles warm or charged.
4. Fuel storage on property for vehicles (gasoline or Propane)
5. Isles wide enough for Emergency vehicle access in case of Emergency/Fire.

If you have any questions or need further assistance feel free to contact me.

Respectfully,

Michael Torrence  
Battalion Chief/Fire Marshal  
Bristol Kendall Fire Protection District

**Matt Asselmeier**

---

**From:** Jason Engberg <jengberg@yorkville.il.us>  
**Sent:** Tuesday, February 25, 2020 8:15 PM  
**To:** Matt Asselmeier  
**Cc:** Krysti Barksdale-Noble  
**Subject:** [External]PZC 2020-04 - 1.5 Mile review - Ron Smrz

Hi Matt,

Planning and Zoning Commission on February 12<sup>th</sup> had no objection to this request. City Council reviewed the request tonight (February 25<sup>th</sup>) and had no objection to the request.

Please let me know if you need anything else.

Thanks,

**Jason Engberg, AICP**  
Senior Planner  
United City of Yorkville  
800 Game Farm Road  
Yorkville, Illinois 60560  
630.553.8555

**MINUTES – UNOFFICIAL UNTIL APPROVED**  
**KENDALL COUNTY**  
**ZONING BOARD OF APPEALS MEETING**  
111 WEST FOX STREET, Room 209 and 210  
YORKVILLE, IL 60560  
**January 27, 2020 – 7:00 p.m.**

**CALL TO ORDER**

Chairman Randy Mohr called the Zoning Board of Appeals meeting to order at 7:00 p.m.

**ROLL CALL:**

Members Present: Scott Cherry, Karen Clementi, Cliff Fox, Tom LeCuyer, Randy Mohr, and Dick Whitfield

Members Absent: Dick Thompson

Staff Present: Matthew Asselmeier, AICP, Senior Planner

Others Present: Dan Kramer, Emily Hoffmann, Michael Cook, Deb Chow, and Pat Colaric

**PETITIONS**

The Zoning Board of Appeals started their review of Petition 19-34 at 7:00 p.m.

**Petition 19 – 34 – Ronald Smrz on Behalf of the Bank of Lyon Trust**

**Request:** Special Use Permit for a Storage of Motor Vehicles, Boats, Trailers, and Other Recreational Vehicle Business

**PINs:** 02-35-151-003

**Location:** 7821 Route 71, Oswego Township

**Purpose:** Petitioner Wants to Operate a Storage Business on the Subject Property; Property is Zoned A-1 with a Special Use Permit

Mr. Asselmeier summarized the request.

Ron Smrz, on behalf of Bank of Lyon Trust, applied for a special use permit for outdoor storage of motor vehicles, boats, trailers, and other recreational vehicles at 7821 Route 71.

At the January 22, 2020, Kendall County Regional Planning Commission meeting, six (6) neighbors expressed opposition to the proposal. They were concerned about increased lighting, traffic safety on Route 71, the desire to keep the area rural, leaks of motor vehicle related fuels and oils, the impact of leaks on local wells, a lack of screening or buffering, and concerns about abandoned vehicles on the property. The Kendall County Regional Planning Commission recommended denial of the proposal with all seven (7) members present voting against the proposal; two (2) members of the Commission were absent.

The Petitioner would like to work with neighbors to address their concerns. The Petitioner requested that the hearing be continued until the March 2, 2020 Kendall County Zoning Board of Appeals meeting.

Staff has no objections to this request.

Mr. Asselmeier noted that this proposal will be reviewed by the Yorkville Planning Commission on February 12, 2020.

Chairman Mohr opened the public hearing at 7:02 p.m.

Member Clementi made a motion, seconded by Member LeCuyer, to lay over this Petition to March 2, 2020.

The votes were as follows:

Ayes (6): Cherry, Clementi, Fox, LeCuyer, Mohr, and Whitfield

Nays (0): None

Absent (1): Thompson

The motion passed.

Chairman Mohr recessed the public hearing at 7:02 p.m.

The Zoning Board of Appeals completed their review of Petition 19-34 at 7:02 p.m.

#### **ADJOURNMENT OF THE ZONING BOARD OF APPEALS**

Member Cherry made a motion, seconded by Member Fox, to adjourn. With a voice vote of six (6) ayes, the motion passed. The Zoning Board of Appeals meeting adjourned at 8:17 p.m.

The next hearing/meeting will be on March 2, 2020.

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

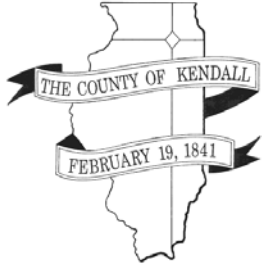
#### **Exhibits**

1. Memo on Petition 19-34 Dated January 24, 2020
2. Certificate of Publication and Mailings for Petition 19-34 (Not Included with Report but on file in Planning, Building and Zoning Office).

In order to be allowed to present any testimony, make any comment, engage in cross-examination, or ask any question during this public hearing, you must enter your name, address, and signature on this form prior to the commencement of the public hearing. By signing this registration sheet, you agree that you understand that anything you say will be considered sworn testimony, and that you will tell the truth, the whole truth and nothing but the truth.

[illegible]





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**DEPARTMENT OF PLANNING, BUILDING & ZONING**

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

**MEMORANDUM**

---

To: Kendall County Zoning Board of Appeals

From: Matthew H. Asselmeier, AICP, Senior Planner

Date: January 24, 2020

Re: Petition 19-34 Request for a Special Use Permit for Outdoor Storage at 7821 Route 71 in  
Oswego Township– Petitioner Requests a Layover

---

Ron Smrz, on behalf of Bank of Lyon Trust, applied for a special use permit for outdoor storage of motor vehicles, boats, trailers, and other recreational vehicles at 7821 Route 71.

At the January 22, 2020, Kendall County Regional Planning Commission meeting, six (6) neighbors expressed opposition to the proposal. They were concerned about increased lighting, traffic safety on Route 71, the desire to keep the area rural, leaks of motor vehicle related fuels and oils, the impact of leaks on local wells, a lack of screening or buffering, and concerns about abandoned vehicles on the property. The Kendall County Regional Planning Commission recommended denial of the proposal with all seven (7) members present voting against the proposal; two (2) members of the Commission were absent.

As noted in the attached email, the Petitioner would like to work with neighbors to address their concerns. The Petitioner requested that the hearing be continued until the March 2, 2020 Kendall County Zoning Board of Appeals meeting.

Staff has no objections to this request.

If you have any questions regarding this request, please let me know.

Thanks,

MHA

Enc.: January 23, 2020 Smrz Email Redacted

## Matt Asselmeier

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**From:** Ron Smrz [REDACTED]  
**Sent:** Thursday, January 23, 2020 3:12 PM  
**To:** Matt Asselmeier  
**Subject:** [External]Re: [External]Re: [External]Re: [External]Re: [External]Re: [External]Re: [External]  
Re: Fw: [External]RE: [External]7821 Rte 71

Matt : I am requesting an extension for petition 19-34 for the ZBA meeting on Jan 27,2020 to the March 2020 meeting date to make changes to my site plan by my engineer . I will present my changes to you and at the ZBA meeting

as soon as i get them from my engineer. The changes will be to the landscape and lighting design. Thank you Ronald Smrz

On Thu, Jan 23, 2020 at 5:32 AM Ron Smrz <[REDACTED]> wrote:

Matt: I appreciated all the info you gave out at the meeting last night. I am hopeful the changes i am making resolves any issues. One issue a gentleman brought up was vehicles just being abandoned on property with flat tires and trashed

would not happen per county regulations that i have agreed to all vehicles in good repair and licensed No semi trailers ,cargo trailers of any kind which you did explain and i appreciated very much. There seemed to be a lot of

confusion even though you read the details and we have a site plan. I will have a more visual detailed explanation of my plan at the next meetings to eliminate the misunderstandings. I am willing to shorten the hours from 6:30am

to 7:00pm due to the lighting requirements by the county. I am willing to abide by all county regulations to receive the permit. Thank you Ron

On Wed, Jan 22, 2020 at 10:10 PM Ron Smrz <[REDACTED]> wrote:

Matt: We will go with non-motorized camp vehicles only,eliminating any fuel or oil issues . Still keep the 51 sites and only have daylight hours from sunrise to sunset. Can we eliminate the lights all together if i am open only

during daylight hours?. I will plant evergreen trees around entire 1 acre parcel 20 ft apart 4 to 8 ft high. I believe this will resolve all the neighbors issues. If there are any issues with these please let me know and if there are, who i need to contact with the county to get this resolved. I believe i have accomplished everything required of me by the county and the neighbors issues to move forward at the next meetings to get my permit passes. Please allow me to make these changes due to i have fulfilled the requirements of the county and i have accommodated the neighbors wishes. Thank you Ron [REDACTED]. I will be in contact with you Monday. I will take these changes to the next meetings.

On Sat, Jan 18, 2020 at 9:23 AM Ron Smrz <[REDACTED]> wrote:

Matt: Will be there Jan 22 and 27th. Thank You Ron

On Fri, Jan 17, 2020 at 10:31 AM Matt Asselmeier <[masselmeier@co.kendall.il.us](mailto:masselmeier@co.kendall.il.us)> wrote:

Ron:

Here is the link to the Report that was sent to the Regional Planning Commission this morning,  
<https://www.co.kendall.il.us/wp-content/uploads/Petition-19-34.pdf>.



KENDALL COUNTY  
HISTORICAL SOCIETY  
P.O. BOX 123 • YORKVILLE, ILLINOIS 60560

KENDALL COUNTY ZONING BOARD OF APPEALS

2/27/20

# RE; PETITION 19-34 SPECIAL USE PERMIT FOR OUTDOOR STORAGE

THE KENDALL COUNTY HISTORICAL SOCIETY 7935 ROUTE 71 YORKVILLE , IL (Iyon farm)

PLEASE BE ADVISED THAT THE KCHS BOARD OF DIRECTORS HAVE NO OBJECTION TO A PERMIT  
FOR OUTDOOR STORAGE. WE SUGGEST SWIFT APPROVAL SO THAT CONSTRUCTION CAN  
START WHEN THE WEATHER MODERATES IN THE SPRING. THANK YOU

ATTN; MR MATTHEW ASSELMEIER

FAX 630 553 4179

  
WAYNE GREENWOOD DIRECTOR

Map Satellite Lot lines



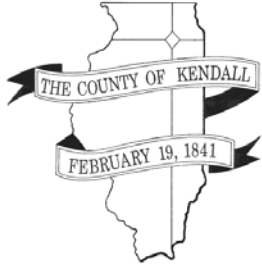
Directions Save Home Share



Google

Street

Imagery ©2020, Maxar Technologies, U.S. Geological Survey, USDA Farm Report



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**DEPARTMENT OF PLANNING, BUILDING & ZONING**

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

**MEMORANDUM**

---

To: Kendall County Zoning Board of Appeals

From: Matthew H. Asselmeier, AICP, Senior Planner

Date: February 19, 2020

Re: Petition 19-39 Request for a Special Use Permit for Indoor and Outdoor Storage at 195 Route 52 in Seward Township– Petitioner Requests a Layover

---

Goprobball, LLC would like to purchase the subject property and sell the northeastern portion of the property to James and Denise Maffeo for indoor and outdoor storage.

At the January 22, 2020, Kendall County Regional Planning Commission meeting, the Petitioners requested a layover in order to provide an updated site plan based on the comments and concerns expressed at previous meetings on this Petition.

On February 19, 2020, the Petitioner submitted the attached email requesting a layover until the April meetings.

The notice of the Zoning Board of Appeals hearing was already printed prior to the ZPAC meeting. The Petitioner requests that the hearing be continued until after the finalized site plan and landscaping plan are submitted.

If you have any questions regarding this request, please let me know.

Thanks,

MHA

## **Matt Asselmeier**

---

**From:** Daniel J Kramer <dkramer@dankramerlaw.com>  
**Sent:** Wednesday, February 19, 2020 8:16 AM  
**To:** Matt Asselmeier  
**Subject:** [External]B-3 Sp use on Storage

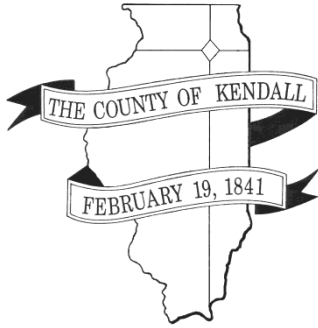
Matt John T. is still working on Drainage Design which will affect how final site plan looks. The issue that is causing some delay is configuration of detention facility. At face value it looked like why not make one continuous pond for both parcels. However in keeping an area deep enough for a dry hydrant for fire protection, it appears it may have to be two ponds. So we respectfully request to go to April Regional Plan Commission on Mafeo Storage.

Very Truly Yours,

Daniel J. Kramer  
Attorney at Law  
1107A S. Bridge Street  
Yorkville, IL. 60560  
Phone-630.553.9500  
Fax-630.553.5764

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## DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

### MEMORANDUM

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To: Kendall County Zoning Board of Appeals  
From: Matthew H. Asselmeier, AICP, Senior Planner  
Date: February 27, 2020  
Re: Petition 19-41 Request from the Kendall County Planning, Building and Zoning Committee for Text Amendments to the Kendall County Zoning Ordinance Pertaining to Zoning Code Enforcement (Citation Authority) and Fines

For the last several months, the Planning, Building and Zoning Committee has been discussing allowing the Planning, Building and Zoning Department to issue citations in an effort to streamline and increase the time for obtaining compliance for violations to the Zoning Ordinance.

In summary, this proposal does the following:

1. Moves the procedure for handling violations of the signage portion of the Ordinance (Section 12) to the same section as the procedure for handling other violations of the Zoning Ordinance. Violations to the signage portions of the Zoning Ordinance will be treated the same as violations of other portions of the Zoning Ordinance.
2. Establishes the procedures for issuing citations and other remedies of violations to the Zoning Ordinance.
3. Abolishes the Hearing Officer for Zoning Ordinance violations. All citations will be sent to court for hearings.
4. Clarifies the fines the County may pursue in cases of violations.
5. Sets the fine structure for violations of the site plan review portions of the Zoning Ordinance as the same as other violations of the Zoning Ordinance.
6. Moves the procedure for handling violations of the site plan review portions of the Zoning Ordinance to the same section as the procedure for handling other violations of the Zoning Ordinance. Violations to the site plan portions of the Zoning Ordinance will be treated the same as violations of other portions of the Zoning Ordinance.

On October 7, 2019, the Planning, Building and Zoning Committee voted to initiate this text amendment and have the State's Attorney's Office assist in preparing the amendment. On November 12, 2019, the Committee reviewed the changes Staff incorporated based on the State's Attorney's Office's comments and the Committee did not object to the changes to the proposal. The Committee was asked to review retaining the Hearing Officer. At their meeting on January 13, 2020, the Committee chose not to amend the proposal and remove the Hearing Officer.

This proposal was sent to the townships on January 22, 2020. To date, no comments have been received from the townships.

ZPAC reviewed this proposal at their meeting on February 4, 2020. ZPAC recommended approval of the proposal without objection; three (3) members were absent. The minutes of the meeting are attached.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on February 26, 2020. Several Commissioners had concerns regarding enforcement procedures, processes, and having a paper trail. The Kendall County Regional Planning Commission recommended that the proposal be forwarded to the Kendall County Zoning Board of Appeals with a condition added that written administrative procedures be established regarding enforcement documentation and processing and that the Department provide quarterly reports to the Regional Planning Commission on the number of violations. Member Wilson voted against the amendment. All nine (9) Commissioners voted to forward the proposal to the Zoning Board of Appeals. The minutes of the meeting are attached.

The redlined copy of the proposal is attached.

If you have any questions, please let me know.

MHA

ENCs.: Redlined Proposal

February 4, 2020 ZPAC Minutes

February 26, 2020 KCRPC Minutes

## Zoning Citation Authority Proposal

Reference 55 ILCS 5/5-12017 and 55 ILCS 5/5-1113

1. The first paragraph of Section 12:19 is amended as follows:

Any of the following shall be a violation of this ordinance and shall be subject to the **procedures in case of violation and penalties found in Section 13:00 of this Ordinance as well as the remedies set forth in Section 13:00 of this Ordinance.** ~~enforcement remedies and penalties in accordance with the terms and provisions of the applicable ordinances and codes established by the County Board regarding the creation of a Code Hearing Unit charged with the enforcement and administrative adjudication of violations to the provisions of this and all other applicable codes and ordinances of the County unless otherwise provided by law.~~

2. Section 12:20 is deleted in its entirety (language moved to Sections 13:01.A or 13:11).

### **12:20 ENFORCEMENT AND REMEDIES**

~~A. Any violation or attempted violation of this ordinance, or of any condition or requirement adopted pursuant hereto may be restrained, corrected, or abated, as the case may be, by injunction or other appropriate proceedings as provided for under the terms and provisions of the applicable ordinances and codes established by the County Board regarding the creation of a Code Hearing Unit charged with the enforcement and administrative adjudication of violations to the provisions of this and all other applicable codes and ordinances of the County unless otherwise provided by law: (Amended 8/17/04)~~

~~Issuing a stop-work order for any and all work on any signs in the same zoning lot;~~

~~Seeking an injunction or other order of restraint or abatement that requires the removal of the sign(s) or the correction of the nonconformity;~~

~~Imposing any penalties that can be imposed directly by the County under the zoning ordinance;~~

~~Seeking in court the imposition of any penalties that can be imposed by such court under the zoning ordinance; and~~

~~In the case of a sign that poses an immediate danger to the public health or safety, taking such measures as are available to the County under the applicable provisions of the zoning ordinance and building code for such circumstances.~~

~~Enforcement of building codes.~~

~~The County shall have such other remedies as provided for or allowed by state law for the violation of the zoning ordinance and building code.~~

~~All such remedies provided herein shall be cumulative. To the extent that state law may limit the availability of a particular remedy set forth herein for a certain violation or a part thereof, such remedy shall remain available for other violations or other parts of the same violation.~~

3. Section 13:01.A.3 is amended as follows:

**Procedure in case of violation.** Whenever the Zoning Administrator or his or her designee determines that a violation of this Ordinance has occurred, the Zoning Administrator or his or her designee shall sign and cause a written Citation to be served upon the owner, tenant, and/or occupant of the property (it being the intent of this Ordinance to make all such persons jointly and severally liable for compliance), which Citation shall inform the person served of the Ordinance violation and the date of a required court appearance.

Any violation or attempted violation of this Ordinance, or any condition or requirement adopted pursuant hereto may be restrained, corrected, or abated, as the case may be, by any of the following remedies or any other remedies available at law or in equity:

Issue a stop-work order for any and all work or use;

Revoke all permits and cause the cessation of any and all construction activities;

Seek an injunction or other order of restraint or abatement that requires the removal of the sign(s), the correction of the nonconformity, or the abatement of the activity or use;

Impose any penalties that can be imposed directly by the County under the Zoning Ordinance;

Seek in court the imposition of any penalties that can be imposed by such court under the Zoning Ordinance;

In the case of a sign, construction activity, or use that poses an immediate danger to the public health or safety, taking such measures as are available to the County under the applicable provisions of the zoning ordinance and building code for such circumstances; and

Enforcement of building codes.

All enforcement procedures found in this Ordinance are cumulative and the County shall have available all remedies for violations of this Ordinance as provided for or allowed by State law.

~~Whenever there is found a violation of the terms of this ordinance, the Zoning Administrator or his or her designee shall file a formal complaint in accordance with the procedures as established under the ordinances of the County regarding the creation of a Code Hearing Unit charged with the enforcement and administrative adjudication of violations to the provisions of this and all other applicable codes and ordinances of the County unless otherwise provided by law. When compliance is so secured, the Zoning Administrator shall issue an occupancy certificate certifying such compliance.~~

4. Section 13:01.D is deleted in its entirety.

#### ~~13.01.D. HEARING OFFICER.~~

~~A Hearing Officer shall be appointed by the County Board on the basis of training and experience which qualifies them to conduct hearings, make recommendations or findings of fact and conclusions on the matters heard and otherwise exercise and perform the powers, duties and functions delegated in accordance with this Section. The Hearing Officer shall receive such compensation as the County Board shall provide, and the County Board may establish a schedule of fees to defray the costs of providing a hearing officer. (Amended 4.20.04)~~

~~1. Powers and Duties. Hearing Officer shall be responsible for:~~

~~a) Conducting hearings and performing all other duties as assigned under the terms and provisions of the applicable ordinances and codes established by the County Board regarding the creation of a Code Hearing Unit charged with the enforcement and administrative adjudication of violations to the provisions of this and all other applicable codes and ordinances of the County. (Amended 3.21.18)~~

5. Section 13:09 is reserved and the following language is moved to Section 13:11 and amended as follows:

#### 13:11 PENALTIES.

Any person, firm or corporation who violates any of the provisions of this ordinance shall be guilty of a petty offense punishable by a fine not to exceed \$500 with each week the violation remains uncorrected constituting a separate offense ~~and shall be assessed in accordance with the terms and provisions of the applicable ordinances and codes established by the County Board regarding the creation of a Code Hearing Unit charged with the enforcement and administrative adjudication of violations to the provisions of this and all other applicable codes and ordinances of the County unless otherwise provided by law. (Amended 8.17.04).~~

In addition to the above, the County may take summary steps to abate violations to this Ordinance and charge the violator with the cost of abating the violation. Upon nonpayment, the County may file a lien against the property.

In addition to the fines herein, the County shall be entitled to all costs of prosecution, including attorney fees incurred by the County, and the cost, if any, of abating the violation.

6. Section 13:10.H is amended as follows (language moved to Sections 13:01.A.3 and 13:11):

#### 13.10 SITE PLAN REVIEW

H. Enforcement. It is the policy of the County that enforcement of this Site Plan review requirement is in the highest public interest. If any person, firm, or corporation violates the provisions of this **Section Chapter**, the County may exercise any or all of the remedies and penalties available under law. **including, but not limited to the following:**

~~1. Imposition of a fine of not less than \$100 nor more than \$1,000 for the first offense. For the second and subsequent offences, the fine shall not be less than \$500 nor more than \$1,000. A separate offense shall be deemed committed on each day during or on which such violation occurs or continues.~~

~~2. Said violation shall be considered a nuisance. The County may take summary steps to abate the nuisance and charge the violator with the cost of abating the nuisance. Upon nonpayment, the County may file a lien against the property.~~

~~3. If the violation occurs in connection with the development of property or the building of structures, the County may revoke all permits and cause the cessation of any and all construction.~~

~~4. The County may obtain an injunction requiring the abatement of the violation.~~

~~5. In addition to the fines herein, the County shall be entitled to all costs of prosecution, including attorney fees incurred by the County, and the cost, if any, of abating the violation.~~



**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)**  
**February 4, 2020 – Unapproved Meeting Minutes**

PBZ Chairman Matthew Prochaska called the meeting to order at 9:00 a.m.

**Present:**

Megan Andrews – Soil and Water Conservation District  
Matt Asselmeier – PBZ Department  
Meagan Briganti – GIS  
Brian Holdiman – PBZ Department  
Commander Jason Langston – Sheriff's Department  
Matthew Prochaska – PBZ Committee Chair  
Aaron Rybski – Health Department

**Absent:**

Greg Chismark – WBK Engineering, LLC  
Fran Klaas – Highway Department  
David Guritz – Forest Preserve

**Audience:**

None

**AGENDA**

Mr. Rybski made a motion, seconded by Ms. Andrews, to approve the agenda as presented. With a voice vote of seven (7) ayes, the motion carried.

**MINUTES**

Ms. Briganti made a motion, seconded by Commander Langston, to approve the January 7, 2020, meeting minutes. With a voice vote of seven (7) ayes, the motion carried.

**PETITIONS**

**Petition 19-41 Kendall County Planning, Building and Zoning Committee**

Mr. Asselmeier summarized the request.

For the last several months, the Planning, Building and Zoning Committee has been discussing allowing the Planning, Building and Zoning Department to issue citations in an effort to streamline and increase the time for obtaining compliance for violations to the Zoning Ordinance.

In summary, this proposal does the following:

1. Moves the procedure for handling violations of the signage portion of the Ordinance (Section 12) to the same section as the procedure for handling other violations of the Zoning Ordinance. Violations to the signage portions of the Zoning Ordinance will be treated the same as violations of other portions of the Zoning Ordinance.
2. Establishes the procedures for issuing citations and other remedies of violations to the Zoning Ordinance.
3. Abolishes the Hearing Officer for Zoning Ordinance violations. All citations will be sent to court for hearings.
4. Clarifies the fines the County may pursue in cases of violations.
5. Sets the fine structure for violations of the site plan review portions of the Zoning Ordinance as the same as other violations of the Zoning Ordinance.
6. Moves the procedure for handling violations of the site plan review portions of the Zoning Ordinance to the same section as the procedure for handling other violations of the Zoning Ordinance. Violations to the site plan portions of the Zoning Ordinance will be treated the same as violations of other portions of the Zoning Ordinance.

On October 7, 2019, the Planning, Building and Zoning Committee voted to initiate this text amendment and have the State's Attorney's Office assist in preparing the amendment. On November 12, 2019, the Committee reviewed the changes Staff incorporated based on the State's Attorney's Office's comments and the Committee did not object to the

changes to the proposal. The Committee was asked to review retaining the Hearing Officer. At their meeting on January 13, 2020, the Committee chose not to amend the proposal and remove the Hearing Officer.

The redlined proposal was reviewed by the Committee.

Mr. Holdiman made a motion, seconded by Ms. Briganti, to recommend approval of the proposal.

Ayes (7): Andrews, Asselmeier, Briganti, Holdiman, Langston, Prochaska, and Rybski  
Nays (0): None  
Present (0): None  
Absent (3): Chismark, Guritz, and Klaas

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on February 26, 2020.

#### **REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD**

None

#### **OLD BUSINESS/NEW BUSINESS**

Mr. Asselmeier distributed copies of the Planning, Building and Zoning Department's Annual Report. Mr. Holdiman noted that the County updated to the 2018 ICC Codes.

Mr. Asselmeier informed the Committee that the Kendall County Regional Planning Commission would initiate petitions to update the Zoning Ordinance. A general summary was provided to Committee members.

Mr. Asselmeier provided an update on proposed changes to the Land Resource Management Plan. The Kendall County Planning, Building and Zoning Committee would be reviewing these changes at their February 10<sup>th</sup> meeting.

#### **CORRESPONDENCE**

None

#### **PUBLIC COMMENT**

None

#### **ADJOURNMENT**

Ms. Andrews made a motion, seconded by Mr. Rybski, to adjourn. With a voice vote of seven (7) ayes, the motion carried. The ZPAC, at 9:17 a.m., adjourned.

Respectfully Submitted,  
Matthew H. Asselmeier, AICP  
Senior Planner

**KENDALL COUNTY  
REGIONAL PLANNING COMMISSION**

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

**Unapproved - Meeting Minutes of February 26, 2020 - 7:00 p.m.**

Chairman Ashton called the meeting to order at 7:02 p.m.

**ROLL CALL**

Members Present: Bill Ashton, Roger Bledsoe, Tom Casey, Dave Hamman, Karin McCarthy-Lange, Larry Nelson, Ruben Rodriguez, Bob Stewart, and Claire Wilson

Members Absent: None

Staff Present: Scott Koeppel, County Administrator

Others Present: None

Chairman Ashton introduced Bob Stewart from Kendall Township.

**APPROVAL OF AGENDA**

Member Wilson made a motion, seconded by Member Bledsoe, to approve the agenda. With a voice vote of nine (9) ayes, the motion carried.

**APPROVAL OF MINUTES**

Member Nelson made a motion, seconded by Member McCarthy-Lange, to approve the minutes of the January 22, 2020, meeting. With a voice vote of nine (9) ayes, the motion carried.

Member Nelson made a motion, seconded by Member McCarthy-Lange, to approve the minutes of the February 1, 2020, Annual Meeting. With a voice vote of nine (9) ayes, the motion carried.

**PETITIONS**

**19-41 Kendall County Planning, Building and Zoning Committee**

Mr. Koeppel summarized the request from Mr. Asselmeier's memo.

For the last several months, the Planning, Building and Zoning Committee has been discussing allowing the Planning, Building and Zoning Department to issue citations in an effort to streamline and increase the time for obtaining compliance for violations to the Zoning Ordinance.

In summary, this proposal does the following:

1. Moves the procedure for handling violations of the signage portion of the Ordinance (Section 12) to the same section as the procedure for handling other violations of the Zoning Ordinance. Violations to the signage portions of the Zoning Ordinance will be treated the same as violations of other portions of the Zoning Ordinance.
2. Establishes the procedures for issuing citations and other remedies of violations to the Zoning Ordinance.
3. Abolishes the Hearing Officer for Zoning Ordinance violations. All citations will be sent to court for hearings.

4. Clarifies the fines the County may pursue in cases of violations.
5. Sets the fine structure for violations of the site plan review portions of the Zoning Ordinance as the same as other violations of the Zoning Ordinance.
6. Moves the procedure for handling violations of the site plan review portions of the Zoning Ordinance to the same section as the procedure for handling other violations of the Zoning Ordinance. Violations to the site plan portions of the Zoning Ordinance will be treated the same as violations of other portions of the Zoning Ordinance.

On October 7, 2019, the Planning, Building and Zoning Committee voted to initiate this text amendment and have the State's Attorney's Office assist in preparing the amendment. On November 12, 2019, the Committee reviewed the changes Staff incorporated based on the State's Attorney's Office's comments and the Committee did not object to the changes to the proposal. The Committee was asked to review retaining the Hearing Officer. At their meeting on January 13, 2020, the Committee chose not to amend the proposal and remove the Hearing Officer.

This proposal was sent to the townships on January 22, 2020. To date, no comments have been received from the townships.

ZPAC reviewed this proposal at their meeting on February 4, 2020. ZPAC recommended approval of the proposal without objection; three (3) members were absent.

The redlined copy of the proposal was provided.

Mr. Koeppel noted that this proposal was similar to a parking ticket. This proposal is similar to the enforcement language in the Junk and Debris Ordinance and Inoperable Vehicle Ordinance. Compliance remains the primary goal.

Member Wilson asked about eliminating the Hearing Officer. Mr. Koeppel said that the County has a low volume of citations and the State's Attorney's Office favors cases going to courts. Municipalities have administrative adjudication because municipalities want control and collect fees. The Hearing Officer could be brought back if the number of cases increased.

Member Nelson asked if the County was in the field looking for violations. Mr. Koeppel responded that the County was complaint driven. However, now, if an inspector sees something while in the field, they can start the citation process. The County will not patrol per se. Member Nelson expressed concerns about selective enforcement.

Member Wilson requested clarification on the notice. Mr. Koeppel said that the party is given time to comply before a court date is set. The goal is resolve the glaring cases.

Member McCarthy-Lange encouraged having a paper trail for complaints. Mr. Koeppel stated the County has an existing complaint process which will remain in place if this proposal is adopted.

Member Wilson asked about the complaint process. Mr. Koeppel responded that someone submits the complaint. The complaint is then investigated. Cases currently go to the Planning, Building and Zoning Committee, which has the discretion for giving someone additional time to remedy a violation. If this proposal is approved, the party would have time to remedy the violation and then would go to court.

Member Nelson asked if devices were installed in County vehicles showing where and when they are going on investigations. Mr. Koeppel responded that GPS devices are not presently installed on or in Planning, Building and Zoning vehicles. Member Nelson suggested that such devices should be installed in the vehicles.

Member Wilson asked if violations go to tenants or to the property owner in the cases where the tenant committed the violation. Mr. Koeppel said the tenant would be notified, if possible. The owner would also get notified. The Planning, Building and Zoning Department would work with people to obtain compliance.

Member Wilson asked about the definition of “served upon”. Mr. Koeppel responded hand delivered.

Member Nelson made a motion, seconded by Member Hamman, that a condition be added that written administrative procedures be established regarding enforcement documentation and processing and that the Department provide quarterly reports to the Regional Planning Commission on the number of violations.

The votes were as follows:

Ayes (8): Ashton, Bledsoe, Casey, Hamman, McCarthy-Lange, Nelson, Rodriguez, and Stewart

Nays (1): Wilson

Absent (0): None

Member Wilson voted no because she felt that the proposal contains specific written procedures. Discussion occurred regarding the availability of certain information in complaints.

Member Nelson made a motion, seconded by Member Hamman, to forward the proposal to the Kendall County Zoning Board of Appeals as amended.

The votes were as follows:

Ayes (9): Ashton, Bledsoe, Casey, Hamman, McCarthy-Lange, Nelson, Rodriguez, Stewart, and Wilson

Nays (0): None

Absent (0): None

The motion passed. The proposal goes to the Zoning Board of Appeals on March 2, 2020.

#### **CITIZENS TO BE HEARD/ PUBLIC COMMENT**

None

#### **NEW BUSINESS**

##### **Approval to Initiate Text Amendments to Section 1:00 “Title” of the Kendall County Zoning Ordinance**

Mr. Koeppel summarized the proposal.

Mr. Nelson noted that the goal of the proposal was to have all of the sections in one (1), searchable document.

##### **Approval to Initiate Text Amendments to Section 2:00 “Intent and Purpose” of the Kendall County Zoning Ordinance**

No discussion occurred specifically on this topic.

##### **Approval to Initiate Text Amendments to Section 3:00 “Rules and Definitions” of the Kendall County Zoning Ordinance and Related Appendices**

Member Wilson asked about the purpose of Floor Area Ratio, specifically why grain elevators and petroleum tanks were included in the definition.

Member Casey asked about furriers.

**Approval to Initiate Text Amendments to Section 4:00 “General Provisions” of the Kendall County Zoning Ordinance**

Member Wilson asked about number of buildings in Section 4:10. The Section applies to residential buildings. Discussion occurred about adding a definition of principal building.

Member Nelson made a motion, seconded by Member Hamman, to layover the initiation of the Petitions until March.

With a voice vote of nine (9) ayes, the motion carried.

Further discussion on these matters will occur at the March 25, 2020, Comprehensive Land Plan and Ordinance Committee meeting.

Member Wilson asked if a way existed to get rid of some of the regulations. The response was some of the regulations were proposed for removal.

**OLD BUSINESS**

**Discussion of Amending the Future Land Use Map in Land Resource Management Plan by Having the Transportation Plan Correspond to the 2019-2039 Long Range Transportation Plan, Updating Municipal Boundaries, Reclassifying Islands in the Fox River from Unknown to Open Space and Reclassifying the Remaining Unknown Properties to Match Adjoining Land Use Classifications**

Mr. Koeppel summarized the request.

In December 2019, the County Board approved a 2019-2039 Long Range Transportation Plan.

This Plan has several changes from the Future Land Use Map contained in the Land Resource Management Plan. Fran Klaas suggested the following changes to the Land Resource Management Plan:

**Remove**

- Prairie Parkway
- Lisbon / Helmar Bypass.
- Caton Farm Road West Route 71
- Fox River Drive Westerly Bypass of Village of Newark.
- Whitfield Road Extension North to Griswold Springs Road
- Gates Lane West of Route 47
- County has now taken position to keep WIKADUKE Trail on the existing Stewart Road alignment all the way to Rance Road and then extend a new alignment northeasterly to Route 30 and Heggs Road, using the Village of Oswego’s alignment for the WIKADUKE Trail.

**Add**

- Millington Road Extending North of Lions Road to Connect to Route 34.
- Walker Road Relocated West of Route 71 to Make Connection to New Fox River Drive / Crimmins Rd intersection
- Westerly Extension of Collins Road West of Minkler Road to Route 71.



At their February meeting, the PBZ Committee suggested having Douglas Road's alignment correspond to the Village of Oswego's plans, aligning Cannonball Trail to Dickson Road and Gordon Street, aligning Millbrook Road and Whitfield Road behind the existing bank building, extending Cherry Road into the Henneberry Woods Forest Preserve, adding the extension of Johnson Road east from Ridge Road to the County Line, changing the Suburban Residential classification for the properties south of the Johnson Road extension to Mixed Use Business, and having the former FS property on Wabena Road be classified as Mixed Use Business.

In addition to the changes to the Transportation Plan changes, Staff is proposing to update the Future Land Use Map to reflect municipal annexations that occurred since the last map update, correct the classification of the Minooka School District property near the intersection of Route 52 and County Line Road, and to classify the parcels of land shown as "Unknown" on the Future Land Use Map.

Member Nelson requested that Fran Klaas attend an upcoming Comprehensive Land Plan and Ordinance Committee meeting to discuss the reasons for some of the proposal. Mr. Koeppel suggested that Chairman Gryder, who is also the Chair of the Highway Committee, attend the meeting as well. Discussion also occurred about having a joint meeting of the Highway Committee and Comprehensive Land Plan and Ordinance Committee.

Discussion occurred regarding Miller Road and the importance of placing roads on the Future Land Use Map.

Discussion occurred regarding changing future land uses along and near Route 47 in Lisbon Township.

#### **REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD**

Petition 19-47, regarding the kennel and veterinary at the northeast corner of Ridge Road and Bell Road, was approved.

#### **OTHER BUSINESS/ANNOUNCEMENTS**

Chairman Ashton reported that the text amendment to the Zoning Ordinance pertaining adding truck storage area or yard to the list of permitted uses in the M-1 was proposed by the owner of 3485 Route 126. The owner of this property wants to change the Future Land Use Map and rezone his property to M-1 in order to have that business on the property.

Discussion occurred regarding cannabis regulations.

Discussion occurred regarding a proposal in Springfield, SB 2466, related to the revocation of special use permits. A conviction would be required to revoke a special use permit.

#### **ADJOURNMENT**

Member Wilson made a motion, seconded by Member Rodriguez, to adjourn. With a voice vote of nine (9) ayes, the motion passed. The Kendall County Regional Plan Commission meeting adjourned at 8:29 p.m.

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