MINUTES
KENDALL COUNTY
ZONING BOARD OF APPEALS MEETING
111 WEST FOX STREET, COUNTY BOARD ROOM (ROOMS 209 and 210)
YORKVILLE, IL 60560
September 27, 2021 – 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, Cliff Fox, Tom LeCuyer, Randy Mohr, and Dick Thompson
Members Absent: Karen Clementi and Dick Whitfield
Staff Present: Matthew Asselmeier, AICP, CFM, Senior Planner
Others Present: Scott Richmond, Lorena Gutierrez, Dan Kramer, Michael Ruffatto, and Robert VanderBeek

MINUTES:
Member LeCuyer made a motion, seconded by Member Fox, to approve the minutes of the August 30, 2021 hearing/meeting.

With a voice vote of five ayes, the motion carried.

Chairman Mohr swore in Scott Richmond, Lorena Gutierrez, Dan Kramer, Michael Ruffatto, and Robert VanderBeek.

PETITIONS
The Zoning Board of Appeals started their review of Petition 21-29 at 7:01 p.m.

Petition 21 – 29 – Lorena and Jose DeJesus Gutierrez and Refugio and Etelvina Alvarez on Behalf of JJ Gutierrez Lawn Care, LLC

Request:	Special Use Permit for a Landscaping Business and Variances to Sections 4:05.B and 7:01.G.2 of the Kendall County Zoning Ordinance Allowing Off-Street Parking in the Front Yard Setback
PIN:	08-02-300-012
Location:	12830 Ashley Road in Lisbon Township
Purpose:	Petitioner Wishes to Operate a Landscaping Business at the Property; Property is Zoned A-1

Mr. Asselmeier summarized the request.

In January 2021, Lorena and Jose DeJesus Gutierrez and Refugio and Etelvina Alvarez purchased the subject property and wished to operate JJ Gutierrez Lawn Care, LLC at the property.

The application materials, survey of the property, site plan, aerial of the property with site plan superimposed, and topographic survey were provided.

Based on the information provided, a variance to allow parking in the front yard setback was also required.

The property was located at 12830 Ashley Road and consisted of approximately one point five (1.5) acres.

The existing land use was Agricultural/Farmstead and the property was zoned A-1.

The Land Resource Management Plan called for the property to be Agriculture in the County and Plattville's Future Land Use Map called for the property to be Low Density Residential.

Ashley Road was a Township maintained major collector.

There were no trails planned in the area.

There were no floodplains or wetlands on the property.

The adjacent land uses were Agricultural and Farmstead.

The adjacent lands were zoned either A-1 in the County or A-1 inside the Village of Plattville.

The Land Resource Management Plan called for the area to the west to be Agricultural. Plattville's Future Land Use Map called for the area to be Low Density Residential.

The zoning districts within one half (1/2) mile were A-1, A-1 SU, and R-1 in the County and A-1 and R-1 inside the Village of Plattville.

Pictures of the property were provided.

The A-1 special use permit to the west is for electromagnetic compatibility testing.

EcoCAT Report was submitted on July 7, 2021, and consultation was terminated.

The NRI application was submitted on July 16, 2021. The LESA Score was 193 indicating a low level of protection.

Petition information was sent to Lisbon Township on August 5, 2021. The Lisbon Township Planning Commission reviewed this proposal at their meeting on September 14, 2021. The Commission voted to approve the proposal by a vote of three (3) in favor and one (1) in opposition. The Lisbon Township Board reviewed this proposal at their meeting on September 14, 2021. The motion to approve the proposal with the condition that the culvert be inspected by the Township Highway Commissioner was rejected by a vote of one (1) in favor and three (3) in opposition. The draft minutes of the Lisbon Township Board meeting were provided.

Petition information was sent to the Village of Plattville on August 5, 2021.

Petition information was sent to the Lisbon-Seward Fire Protection District on August 5, 2021. The Fire District sent an email on August 30, 2021 requesting one (1) fire extinguisher and one (1) first aid kit with applicable signage. The email was provided. The Petitioners were agreeable to this request.

ZPAC reviewed this proposal at their meeting on September 7, 2021. The Kendall County Soil and Water Conservation District noted the location of hydric soils on the property. The Kendall County Health Department stated their preference to have a dedicated well on the site or have clear language in any easements related to the well regarding usage of the well. The Petitioners indicated they were working on addressing the stormwater detention requirements. ZPAC recommended approval of the request by a vote of seven (7) in favor and zero (0) in opposition with three (3) members absent. The minutes of this meeting were provided.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on September 22, 2021. The Kendall County Regional Planning Commission recommended approval of the proposal by a vote of eight (8) in favor and one (1) in opposition with one (1) member absent. Chairman Ashton voted no because the Petitioner previously started operations at the property without securing proper zoning. The minutes of this meeting were provided.

The Petitioners purchased the property in 2021 and started running a landscaping business on the premises without proper zoning. Upon receiving the warning letter, the Petitioners ceased operations of the business and started applying for the special use permit. The Petitioners continue to live at the property.

According to the business plan, JJ Gutierrez Lawn Care has been in business since 2016. The business has five (5) employees. Employees arrive at the property at approximately 6:00 a.m., go to work sites by 7:00 a.m., finish at work sites by 4:00 p.m., and return to the property and leave to go home by 6:00 p.m. The business operates Monday through Saturday. Business equipment presently consists of three (3) six (6) wheel dump trucks, one (1) pickup truck, and five (5) trailers for carrying lawn equipment. The Petitioners did not anticipate adding additional employees or equipment.

If approved, the Petitioners plan to start operations immediately.

One (1) two (2) story, approximately two thousand (2,000) square foot house, constructed in 1936 was located on the property.

According to the site plan and the site plan superimposed over the aerial, the Petitioners planned to install one (1) forty foot by eight foot by six foot (40'X8'X6') storage container. The container would be used to store small landscaping equipment such as weed trimmers, power washers, ladders, blowers, and similar equipment.

The site plan and aerial also showed three (3) open storage areas; one (1) for gravel, one (1) for mulch, and one (1) for compost. The storage areas individually were ten feet (10') wide and eighteen feet (18') in depth. The piles of materials stored in these areas would be a maximum of seven feet (7') height.

Any structures related to the landscaping business would be required to obtain applicable building permits.

Per the site survey, the property was served by a shared well. The well was located northwest of the existing house. There was a septic system on the premises. Employees would not be able to use the well on the property and no onsite restrooms would be provided.

There was also a propane tank on the premises located northeast of the house.

No outdoor refuse area was planned as part of the special use.

The property drained to the southeast.

A stormwater management permit will be required. The topographic survey was provided.

WBK reviewed this proposal and provided comments in a letter dated August 9, 2021, which was provided. The Petitioners amended the site plan from their original submittal to include a raingarden. The Petitioners were also in discussions with the County to pay a fee-in-lieu in addition to the raingarden to address the detention requirements. The specific information regarding the raingarden will be addressed as part of the stormwater management permit.

Per the survey, access to the existing house was by an easement with the properties to the north and east of the subject property.

According to the site plan and the site plan superimposed over the aerial, the Petitioners proposed to install a new twenty foot (20') wide driveway five (5') feet to the north of the south property line. They also planned to install a culvert under the new driveway. Lisbon Township would have to approve this new access point.

According to the site plan and the site plan superimposed over the aerial, the Petitioners planned to install a gravel area approximately two hundred feet (200') in depth and one hundred fifteen feet (115') wide. There were five (5) parking spaces available on the west side of the gravel area for employee parking. The parking stalls would be ten feet (10') wide by twenty feet (20') long. There would also be a five (5) parking spaces on the east side of the property for trailers and trucks.

According to the site plan and the site plan superimposed over the aerial, the parking lot would be approximately forty-seven feet (47') from the centerline of Ashley Road. The right-of-way for Ashley Road has not been dedicated in this area. Per Sections 4:05.B and 7:01.G.2 of the Kendall County Zoning Ordinance, the parking area cannot encroach into the required one hundred fifty foot (150') front yard setback. The Petitioners were seeking a variance to allow the parking area as shown on the site plan.

No customers of the business would be invited onto the property.

If there is a motor vehicle or equipment related leak, the area impacted gravel and dirt would be removed and replaced with clean gravel and dirt.

Other than lighting related to signage, no additional lighting was planned as part of the special use.

According to the site plan superimposed over the aerial, the Petitioners planned to install one (1) two (2)-sided sign north of the arborvitae along the west side of the property. The sign would be six feet (6') wide and three feet (3') tall. The sign would be elevated approximately one point five feet (1.5') above grade.

The Petitioners would like the sign to be illuminated. Per Section 12:08.A.2.a of the Kendall County Zoning Ordinance, the sign could be illuminated between 6:00 a.m. and 11:00 p.m.

Two (2) existing A-1 zoned properties with special use permits for landscaping businesses, 1996 Cannonball Trail and 997 Harvey Road, had illuminated signs.

No security gates or fencing were planned as part of the special use.

The Petitioners had already planted sixteen (16) arborvitaes on the west side of the property as shown on the site plan and aerial. They were approximately three feet to four feet (3'-4') in height. They would grow to approximately sixteen feet (16') in height.

Fifteen (15) blue spruce trees would be planted near the southern property line in spring of 2022. The height at the time of planting would be five feet to six feet (5'-6') and they would grow to approximately twenty to twenty-five feet (20'-25') in height.

No information was provided regarding noise control.

No new odors were foreseen by the proposed use.

If approved, this would be the sixteenth (16^{th}) special use permit for a landscaping business in unincorporated Kendall County.

The proposed Findings of Fact for the special use permit 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. Provided the site is developed in accordance with the submitted site plan and provided a variance is granted regarding the location of the parking area, the operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare. The owners of the business allowed by the special use permit will not invite the public onto the property. Only landscape related materials and equipment will be stored at the subject property.

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

employees, hours of operation, site landscaping, and noise. Therefore, the neighboring property owners should not suffer loss in property values and the use will not negatively impact the adjacent 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. If Lisbon Township approves the new access point, then adequate points of ingress and egress will be provided. No customers will be allowed on the property and employees will not be able to use the well or restrooms in the existing house. The owners of the business allowed by the special use permit have applied for the applicable stormwater 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. Provided a variance is granted for the location of the parking area, the special use shall conform to the applicable regulations of the district.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. True, the proposed use is consistent with an objective found on Page 9-21 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".

The proposed Findings of Fact for the variance were as follows:

That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. The subject property is approximately two hundred feet (200') deep as measured from west to east. It would be difficult to have off-street parking and the proposed business on the subject property without a variance for parking.

That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. Most A-1 zoned properties, including properties that have existing special use permits for landscaping businesses, are larger and wider and do not have a need for a variance with regards to parking in the front yard setback.

That the alleged difficulty or hardship has not been created by any person presently having an interest in the property. The owners did not create the size or configuration of the subject property.

That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. The requested variance should not negatively impact any of the neighbors and will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood.

That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. Allowing the parking encroachment will not impair any of the above items.

Staff recommended approval of the special use permit for a landscaping business and variance to allow parking in the front yard setback subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the site plan and aerial showing the site plan, including the addition of the raingarden shown on the site plan.
2. A variance to Sections 4:05.B and 7:01.G.2 of the Kendall County Zoning Ordinance shall be granted allowing off-street parking no closer than forty-seven feet (47') from the centerline of Ashley Road.
3. The owners of the business allowed by the special use permit shall maintain the parking area shown on the site plan and in substantially the same location as depicted on the site plan. The parking area shall be gravel.
4. The owners of the businesses allowed by this special use permits shall diligently monitor the property for leaks from equipment and vehicles parked and stored items stored on the subject property and shall promptly clean up the site if leaks occur.
5. Any new structures and signs constructed or installed on the property shall not be considered for agricultural purposes and must secure applicable building permits.
6. Equipment and vehicles related to the business allowed by the special use permit may be stored outdoors.
7. None of the vehicles or equipment parked or stored on the subject property related to the business allowed by the special use permit shall be considered agricultural vehicles or agricultural equipment.
8. All of the vehicles and equipment stored on the subject property related to the business allowed by the special use permit shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
9. Except for the purposes of loading and unloading, all landscape related materials shall be stored indoors or in the designated storage areas shown on the site plan. The maximum height of the piles of landscaping related material shall be seven feet (7'), provided a Stormwater Management Permit is issued.
10. One (1) two (2)-sided business related sign may be installed in substantial the location shown on the site plan. The sign shall be a maximum of six feet (6') wide and three feet (3') tall. The sign may be elevated no greater than one point five feet (1.5') from the ground.
11. A minimum of sixteen (16) arborvitae shall be planted and maintained in substantially the locations shown on the site plan. The arborvitae shall be a minimum of three feet (3') tall at the time of planting and shall grow to approximately twelve feet (12'). Damaged or dead arborvitaes shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department.
12. A minimum of fifteen (15) blue spruce trees shall be planted by June 30, 2022, and maintained in substantially the locations shown on the site plan. The blue spruce trees shall be a minimum of five feet (5') tall at the time of planting and shall grow to approximately twenty feet (20').

Damaged or dead blue spruce trees shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department.

13. No landscape waste generated off the property can be burned on the subject property.

14. A maximum of five (5) employees of the business allowed by this special use permit, including the owners of the business allowed by this special use permit, may report to this site for work. No employees shall engage in the sale of landscaping related materials on the property.

15. No customers of the business allowed by this special use permit shall be invited onto the property by anyone associated with the use allowed by this special use permit.

16. The hours of operation of the business allowed by this special use permit shall be Monday through Saturday from 6:00 a.m. until 6:00 p.m. The owners of the business allowed by this special use permit may reduce these hours of operation.

17. The noise regulations are as follows:

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

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

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

18. At least one (1) functioning fire extinguisher and one (1) first aid kit shall be on the subject property. Applicable signage stating the location of the fire extinguisher and first aid kit shall be placed on the subject property.

19. The owners of the business allowed by this special use shall reside at the subject property as their primary place of residence.

20. The owners of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.

21. The property owner and operator 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.

22. 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.

23. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

24. This special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.

Chairman Mohr asked where the landscaping business had been operating on the property. Mr. Asselmeier responded that the Petitioners had been storing items approximately where the parking lot was located.

Chairman Mohr asked about the approval of the Lisbon Township Highway Commissioner regarding the access permit for the new driveway. Mr. Asselmeier responded that approval process was between the Petitioner and the Lisbon Township Highway Commissioner. If the Lisbon Township Highway Commissioner denied the access permit, the Petitioners would have to work with the adjoining property owners on using the existing driveway for the house.

Chairman Mohr opened the public hearing at 7:15 p.m.

Scott Richmond, Attorney for the Petitioner, stated that he did not have anything to add. The Petitioners wish to operate their landscaping business at the property. The property would be used for the storage of equipment and as a place for employees to report to for work. The Petitioner purchased the property in January 2021 and they do not work in the winter. In April, they brought equipment to the property and receive notice from the County that the use was not allowed without a special use permit. They hired Mr. Richmond, ceased operations at the property, and started the special use approval process.

Chairman Mohr asked if the Petitioners brought in the gravel shown on the aerial. Lorena Gutierrez responded that they added gravel to the property.

Mr. Richmond explained that the Petitioners would work with the property owner to the north for access, if the Lisbon Township Highway Commissioner denied access.

Chairman Mohr asked where the Petitioners take their landscaping materials. Ms. Gutierrez responded that they take those materials to another site.

Chairman Mohr closed the public hearing at 7:19 p.m.

Mr. Asselmeier noted the votes of the Lisbon Township Planning Commission and the Lisbon Township Board.

Member Cherry expressed concerns regarding the County's ability to enforce the restrictions in the special use permit. Member Cherry asked about burning regulations. Mr. Asselmeier explained State and Kendall County Health Department regulations and the potential revocation of the special use permit, if a violation occurs. Mr. Richmond noted that a township trustee lived in the area and the Petitioners understood that, if they violated the terms of their special use permit, the County probably

would be notified.

Mr. Asselmeier explained that the people operating the special use permit had to reside on the property. The special use permit runs with the land.

Member LeCuyer made a motion, seconded by Member Thompson, to approve the Findings of Fact for the special use permit and variance.

Discussion occurred regarding the lighted sign. The sign will have small, landscaping lights shining on it. The sign will not be internally illuminated.

The votes were as follows:
Ayes (5): Cherry, Fox, LeCuyer, Mohr, and Thompson
Nays (0): None
Abstain (0): None
Absent (2): Clementi and Whitfield

Member LeCuyer made a motion, seconded by Member Fox, to recommend approval of the special use permit and variance with the conditions proposed by Staff.

The votes were as follows:
Ayes (5): Cherry, Fox, LeCuyer, Mohr, and Thompson
Nays (0): None
Abstain (0): None
Absent (2): Clementi and Whitfield

The motion passed.

Lisbon Township will be notified of the results of the public hearing. The proposal will go to the Kendall County Planning, Building and Zoning Committee on Tuesday, October 12, 2021.

The Zoning Board of Appeals completed their review of Petitions 21-29 at 7:30 p.m.

Without objection, the hearings of Petition 21-30 and 21-31 were combined.

The Zoning Board of Appeals started their review of Petitions 21-30 and 21-31 at 7:30 p.m.

Petition 21 – 30 – Robert Velazquez on Behalf of Always Faithful Properties, LLC

Request: Map Amendment Rezoning the Subject Property from A-1 Agricultural District to B-3 Highway Business District
PIN: 05-28-400-002
Location: 10744 Route 47 in Kendall Township
Purpose: Petitioner Wishes to Rezone the Property to B-3 and Operate a Landscaping Business at the Property

Petition 21 – 31 – Robert Velazquez on Behalf of Always Faithful Properties, LLC

Request: Special Use Permit to Operate a Landscaping Business
PIN: 05-28-400-002
Location: 10744 Route 47 in Kendall Township
Purpose: Petitioner Wishes to Rezone the Property to B-3 and Operate a Landscaping Business at the Property

Mr. Asselmeier summarized the requests.

Robert Velazquez, on behalf of Always Faithful Properties, LLC, was requesting a map amendment rezoning approximately thirteen point seven (13.7) more or less acres from A-1 Agricultural District with a special use permit to B-3 Highway Business District in order to operate a landscaping business on the subject property after rezoning and after securing a special use permit to operate a landscaping business on the subject property.

The application materials, aerial of the property, plat of survey and site plan, and Ordinance 1982-10, which granted a special use permit for the storage of recreation vehicles, boats, and antique cars, were provided.

Route 47 is a State maintained Arterial Road. Yorkville has a trail planned along Route 47 in this area. IDOT has bicycle accommodations planned on the roadway.

There were no floodplains or wetlands on the property.

The adjacent land uses were Agricultural, Commercial and Utility.

The Future Land Use Map called for the area to be Transportation Corridor and Commercial.

The nearby zoning districts were A-1 and A-1 SU.

The A-1 special use permit to the south is for agricultural implement sales and service. The parcel to the southeast is owned by the Federal Aviation Administration and is used for a communication tower.

The subject property is over two (2) miles from the United City of Yorkville and the Village of Plattville. Yorkville's Comprehensive Plan calls for this area to be Estate/Conservation Residential. Plattville's Comprehensive Plan calls for this area to be commercial.

EcoCAT Report submitted and consultation terminated.

The application for NRI was submitted on July 7, 2021. The LESA Score was 235 indicating a high level of protection. The NRI was provided.

Petition information was sent to Kendall Township on August 27, 2021. The Kendall Township Planning Commission reviewed these proposals at their meeting on September 14, 2021. Discussion centered on stormwater drainage. The Kendall Township Planning Commission recommended approval of the proposal with a request that the County Stormwater Engineer examine the stomwater outlet elevation of the pond with consideration given to the impact of drainage on the surrounding properties by vote of

five (5) in favor and zero (0) in opposition. The Kendall Township Board recommended approval of this proposal on September 21, 2021.

Petition information was sent to the Bristol-Kendall Fire Protection District on August 27, 2021.

ZPAC reviewed these proposals at their meeting on September 7, 2021. The Petitioner requested that the maximum number of employees be increased from forty (40) to fifty (50) and the deadline to install landscaping be extended from May 15th to June 1st. The Kendall County Soil and Water Conservation District requested that the Petitioner install proper soil erosion and sediment control measures during construction and secure an NPDES Permit. The Kendall County Health Department requested that the Petitioner work with them on well and septic information. The Petitioner stated that he planned to consolidate operations and move from his current location on Route 71 to the subject property. ZPAC recommended approval of the requests by a vote of seven (7) in favor and zero (0) in opposition with three (3) members absent. The minutes of this meeting were provided.

The Kendall County Regional Planning Commission reviewed these proposals at their meeting on September 22, 2021. Discussion occurred regarding having illuminated signage because of the high volume and speed of traffic on Route 47. Discussion also occurred regarding the stormwater drainage plan. The Kendall County Regional Planning Commission recommended approval of the proposals with the change to allow the sign to be illuminated by a vote of nine (9) in favor and zero (0) in opposition with one (1) member absent. The minutes of this meeting were provided.

The Petitioner desired to rezone the subject property and obtain a special use permit to operate a landscaping business on the subject property.

According to the business plan provided, the business has a maximum of forty (40) employees during the busy summer season and as few as three (3) employees during the off-season. The County received information that the business could have a maximum of fifty (50) employees. Of these, approximately four (4) employees would be onsite constantly. The normal anticipated hours of operation for employees would be on Monday through Friday from 5:00 a.m. until 7:00 p.m. and from 7:00 a.m. until 1:00 p.m. on Saturdays. The Petitioner acknowledged that, during the winter, employees may arrive at the property anytime to clear snow from customers' properties. Hours of operation for members of the public would be Monday through Friday from 7:00 a.m. until 5:00 p.m. Hours of operation for deliveries would be Monday through Friday from 7:00 a.m. until 5:00 p.m. with limited Saturday hours.

No information was provided regarding the number of company trucks or other business related equipment that would be stored at the property.

If approved, the Petitioner planned to start construction immediately and start operations as quickly as possible.

According to the site plan, the Petitioner planned to construct the following buildings:

1. One (1) approximately four thousand (4,000) square foot, two (2) story office.

2. Two (2) approximately three thousand one hundred seventy-four (3,174) square foot, three (3) bay garages.

3. One (1) approximately one thousand one hundred fifty (1,150) square foot drive thru maintenance bay.

4. One (1) approximately one thousand two hundred fifty (1,250) square foot storage bay.

5. Three (3) nursery/hoop houses. The hoop houses would be approximately one thousand two hundred (1,200) square feet, one thousand six hundred (1,600) square feet, and two thousand six hundred (2,600) square feet in size respectively.

In addition to the above new structures, the site plan also showed the retention and repurpose of the following structures already located on the property:

1. Two (2) existing barns located near the northeast corner of the site. The barns are approximately nine thousand two hundred sixty-five (9,265) square feet and nine thousand two hundred fifty (9,250) square feet in size respectively. The barns will be used for storage.

2. One (1) existing barn located south of the development area. This barn is approximately one thousand four hundred sixty-five (1,465) square feet in size and will be used for bulk salt storage.

In addition to the proposed and existing buildings, the site plan showed twenty-two (22) concrete block bulk storage bins. The storage bins would be approximately fifteen feet (15') wide, thirty (30') feet deep, and eight feet (8') tall. The materials stored in these bins shall be a maximum ten feet (10') tall.

Any structures related to the landscaping business would be required to obtain applicable building permits.

Electricity was onsite. No information was provided regarding the well or septic system.

According to the site plan, an approximately five thousand (5,000) square foot septic field was planned northeast of Garage Building 2.

The site plan also showed three (3)-five hundred (500) gallon fuel tanks southeast of Garage Building 1.

One (1) trash dumpster surrounded by a six foot (6') wooden fence was also shown on the site plan southeast of Garage Building 1.

The property drained to the southeast. One (1) stormwater detention pond was planned at the southeast corner of the property.

A stormwater management permit will be required. Stormwater related information was included with the site plan. WBK submitted a comment letter dated September 8, 2021. As noted in the letter, WBK was requesting additional information on the pond.

At the Regional Planning Commission meeting, the Petitioner's Attorney noted there would not be a pond per se. A four foot (4') tall berm would be constructed at the southeast corner of the property to manage stormwater flow/evaporation to ensure the neighboring property did not receive additional runoff.

The property fronted Route 47.

According to the site plan, the existing gravel driveway will be removed and a twenty-four foot (24') wide paved drive will be installed.

The Illinois Department of Transportation had no concerns regarding this proposal; the emails regarding this proposal were provided.

According to the site plan, there were (2) two parking lots. The parking lot west of the Office Building had nineteen (19) parking spaces. The parking lot west of Existing Building 2 had sixteen (16) parking spaces. There was one (1) handicapped parking space in each parking lot. The site plan also showed outdoor parking spaces for company vehicles.

The westernmost parking lot was paved and the easternmost parking lot will be composed of limestone or asphalt screenings.

None of the parking areas were located in the required setbacks.

According the photometric plan, there will ten (10) RAR2-320L-165-4K7-4W(1) pole mounted lights located mostly around the perimeter of the developed area. Four (4) RAR2-320L-165-4K7-5QW(1) pole mounted lights will be located west and southwest of Existing Building 2. Three (3) RWL1-48L-25-4K7-4W lights will be located on Existing Storage Buildings 1 and 2. Two (2) RWL2-160L-80-4K7-WW lights will be located on the Garage Buildings 1 and 2. The pole mounted lights will be lowered to twenty feet (20') in height to comply with the Zoning Ordinance.

The anticipated foot-candles at the property lines will be 0.8 which was less than the 5.0 foot-candle maximum allowed by the Zoning Ordinance for adjoining properties planned to be commercial.

According to the site plan, there will be one (1) monument sign located approximately fifteen (15') east of the right-of-way line. The sign will be approximately five feet (5') in height and ten feet (10') feet in width, including supports.

The Kendall County Regional Planning Commission requested that sign be illuminated. The sign may be lit between the hours of 6:00 a.m. and 8:00 p.m.

According to the site plan, there will be one (1) six foot (6') wooden screen fence located along the northern property line north of the Existing Storage Buildings. The Petitioner also planned to install security cameras and an alarm system in all buildings. The Petitioner may install a gate at the main entrance if necessary.

According to the landscaping plan, the Petitioner planned to install the following landscaping around the western parking lot:

1. Three (3) Red Sunset Maples
2. Two (2) Skyline Honeylocusts
3. Fifteen (15) Annabella Hydrangeas
4. Ten (10) Alpine Currants
5. Twenty (20) Double Knock Out Roses
6. Eight (8) Blue Muffin Viburnum
7. One Hundred Forty (140) Autumn Joy Sedums
8. Three Hundred Eighty (380) Russian Stonecrops
9. Two Hundred Ten (210) Dart's Blue Perwinkle

The Petitioner also planned to install eight (8) Techny Arborvitaes around refuse area.

The shrubs shall be two feet (2') in height at the time of planting. The canopy trees will be two point five inch (2.5") caliber at the time of planting and shall grow to fifty feet (50') in height. The Techny Arborvitaes shall be a minimum six feet (6') in height at the time of planting. The Petitioner originally planned to install all landscaping by May 15, 2022, but requested the deadline for planting be extended to June 1, 2022.

In addition to the landscaping mentioned previously, the Petitioner planned to install two (2) hardscape courtyards and two (2) landscape garden showcase areas on the property as shown on the site plan. The site plan also showed a nursery stock area.

No information was provided regarding noise control.

No new odors are foreseen by the proposed use.

If approved, this would be the sixteenth (16^{th}) special use permit for a landscaping business in unincorporated Kendall County.

The proposed Findings of Fact for the map amendment were as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used for agricultural purposes or communication purposes.

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 permit for agricultural implement sales and service.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1 and could be used for many uses presently permitted under the A-1 zoning classification.

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 a mix of agricultural and commercial uses. Commercial uses in the area probably will increase as the Illinois Department of Transportation widens Route 47.

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 Transportation Corridor and Commercial. The B-3 Highway Business Districts is consistent with the Commercial classification. The Land Resource Management Plan calls for limited B-3 Highway Business District zoned property on lands classified as Transportation Corridor.

The proposed Finding of Fact for the special use permit 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. Provided the site is developed in accordance with the submitted site plan, the operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare.

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. Appropriate restrictions may be placed in the special use permit to regulate the number of employees, hours of operation, site landscaping, and noise. Therefore, the neighboring property owners should not suffer loss in property values and the use will not negatively impact the adjacent 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. Adequate utilities are planned for the site. The property has direct access to Route 47 and the Illinois Department of Transportation expressed no concerns regarding the proposed use. A stormwater management permit is required and that permit will address drainage.

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. The Petitioner is not requesting any variances to the applicable regulations of the district.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. True, the proposed use is consistent with a goal found on Page 7-26 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." An objective under this goal further states, "Explore economic development opportunities along Route 47 Corridor to enhance the tax base and to encourage local employment and shopping opportunities."

Staff recommended approval of the proposed map amendment because the proposal was consistent with the Land Resource Management Plan.

Staff recommended approval of the special use permit for a landscaping business subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the site plan, landscaping plan, and photometric plan, including allowing for illuminated signage. The gravel parking lot noted on the site plan shall be composed of either limestone or asphalt screenings. The fourteen (14) light poles shown on the site plan and mentioned in the photometric plan shall be a maximum twenty feet (20') feet in height. The owner of the business allowed by this special use permit may also install a security gate at the main driveway entrance.
2. All of the structures shown on the site plan shall be constructed and occupied by December 31, 2022. This date may be extended upon approval by the Kendall County Planning, Building and Zoning Committee. The business allowed by this special use permit may commence operations starting upon approval of the special use permit. However, customers shall not be invited onto the property until an occupancy permit has been issued for the office building.
3. The owners of the business allowed by this special use permit shall diligently monitor the property for leaks from equipment and vehicles parked and stored on the subject property and shall promptly clean up the site if leaks occur.
4. Any new structures and signs constructed or installed on the property shall not be considered for agricultural purposes and must secure applicable building permits.
5. Equipment and vehicles related to the business allowed by the special use permit may be stored outdoors.
6. None of the vehicles or equipment parked or stored on the subject property related to the business allowed by the special use permit shall be considered agricultural vehicles or agricultural equipment.
7. All of the vehicles and equipment stored on the subject property related to the business allowed by the special use permit shall be maintained in good condition with no deflated tires and shall be licensed if required by law.

8. Except for the purposes of loading and unloading, all landscape related materials shall be stored indoors or in the designated storage areas shown on the site plan. The maximum height of the piles of landscaping related material shall be ten feet (10'), provided a Stormwater Management Permit is issued.

9. One (1) two (2)-sided business related sign may be installed in substantially the location shown on the site plan. The sign shall be a maximum of ten (10') wide and five feet (5') tall, including supports. The sign may be illuminated between the hours of 6:00 a.m. and 8:00 p.m.

10. The landscaping shown on the landscaping plan shall be installed no later than June 1, 2022. This date may be extended upon approval by the Kendall County Planning, Building and Zoning Committee. The Red Sunset Maples shall be a minimum of two point five inch (2.5") caliber at the time of planting. The Skyline Honeylocusts shall be a minimum of two point five inch (2.5") caliber at the time of planting. The Techny Arborvitaes shall be a minimum six feet (6') tall at the time of planting. Damaged or dead plants that are part of the landscaping plan shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department. Nursery stock shall be exempt from this provision.

11. No landscape waste generated off the property can be burned on the subject property.

12. A maximum of fifty (50) employees of the business allowed by this special use permit, including the owners of the business allowed by this special use permit, may report to this site for work.

13. The hours of operation of the business allowed by this special use permit for the members of the public shall be Monday through Friday from 7:00 a.m. until 5:00 p.m. The owners of the business allowed by this special use permit may reduce these hours of operation.

14. The hours of operation of the business allowed by this special use permit for employees of the business shall be Monday through Friday from 5:00 a.m. until 7:00 p.m. and Saturday from 7:00 a.m. until 1:00 p.m. The owner of the business allowed by this special use permit may expand these hours of operation for employees to address the needs of customers impacted by snowfall. Business related deliveries may occur during these hours of operation. The owners of the business allowed by this special use permit may reduce these hours of operation.

15. The noise regulations are as follows:

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

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

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

16. The owners of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.

17. The property owner and operator 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.

18. 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.

19. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

20. This special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.

Chairman Mohr asked about the house. The house has been removed.

The southeast corner of the site is not wetland, but is being reserved for future drainage.

The portion of the site that not used by the landscaping business will have a low fescue cover crop on it.

Chairman Mohr asked if the parking was sufficient giving the number of employees and the retail aspects of the operation. Mr. Asselmeier responded that the parking plan meets the Zoning Ordinance and many employees will report to work site instead of the subject property.

Chairman Mohr opened the public hearing at 7:49 p.m.

Dan Kramer, Attorney for the Petitioner, provided a history of Robert Velazquez and the business. Mr. Kramer noted that the Petitioner wished to consolidate his operation at the subject property. The business was union. The request for fifty (50) employees was to plan for future growth. The primary business would be wholesale, but some retail would occur, but the primary use will not be a retail. The Petitioner's main clients were commercial entities. About half of the employees come to the property while the other half report directly to the job sites.

Mr. Kramer provided a history of the property. The older buildings were part of an egg farm.

Mr. Kramer explained the drainage patterns of the property. The retention facility will consist of land at the existing grade with a L-shaped four foot (4') tall berm. The facility would hold a one hundred (100) year storm with no runoff for a two (2) day period. There would be a twelve inch (12") pipe with a seven inch (7") restrictor at the top of the berm. A more intensive use on the undeveloped portion of the property would require a pipe to the creek off to the southeast of the property.

Some employees could park inside the old, existing buildings.

Mr. Kramer explained the negotiations between the Petitioner and IDOT regarding land needed for widening Route 47. The site has been setback to account for the widening of Route 47. The new access will have full access.

The old trees have been removed from the property.

Member Cherry asked why the Petitioner was relocating from his current location. Mr. Kramer responded the property on Route 71 was not larger enough for current business operations. The Petitioner would sell the existing business on Route 71. The special use permit for the property on Route 71 runs with the land.

Discussion occurred regarding the need to have illuminated signage because of traffic and the widening of Route 47.

Mr. Kramer explained that Yorkville classified areas that have not been studied were as Estate Residential on Yorkville's Future Land Use Map.

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

Member LeCuyer made a motion, seconded by Member Fox, to approve the Findings of Fact for the map amendment.

The votes were as follows:
Ayes (5): Cherry, Fox, LeCuyer, Mohr, and Thompson
Nays (0): None
Abstain (0): None
Absent (2): Clementi and Whitfield

The motion passed.

Member LeCuyer made a motion, seconded by Member Cherry, to recommend approval of the map amendment.

The votes were as follows:
Ayes (5): Cherry, Fox, LeCuyer, Mohr, and Thompson
Nays (0): None
Abstain (0): None
Absent (2): Clementi and Whitfield

The motion passed.

Member Fox made a motion, seconded by Member Thompson, to approve the Findings of Fact for the special use permit.

The votes were as follows:
Ayes (5): Cherry, Fox, LeCuyer, Mohr, and Thompson

Nays (0): None
Abstain (0): None
Absent (2): Clementi and Whitfield

The motion passed.

Member Thompson made a motion, seconded by Member LeCuyer, to recommend approval of the special use permit with the conditions proposed by Staff.

The votes were as follows:
Ayes (5): Cherry, Fox, LeCuyer, Mohr, and Thompson
Nays (0): None
Abstain (0): None
Absent (2): Clementi and Whitfield

The motion passed.

Because Kendall Township has already submitted favorable comments on the proposals, the proposals will go to the Kendall County Planning, Building and Zoning Committee on Tuesday, October 12, 2021.

The Zoning Board of Appeals completed their review of Petitions 21-30 and 21-31 at 8:08 p.m.

The Zoning Board of Appeals started their review of Petition 21-32 at 8:08 p.m.

Petition 21 – 32 – Gilbert L. Niznik on Behalf of the Gilbert L. Niznik Revocable Trust Dated September 15, 2017 and Michael and Eryn Ruffatto

Request: Map Amendment Rezoning the Subject Property from A-1 Agricultural District to R-1 One Family Residential District
PIN: 06-13-101-011
Location: East and South of 800 Route 126 in Na-Au-Say Township
Purpose: Ruffattoes Wish to Construct a Single-Family Home on the Property

Mr. Asselmeier summarized the request.

Michael and Eryn Ruffatto would like to purchase the subject property from the Gilbert L. Niznik Trust Dated September 15, 2017 and construct one (1) house.

The western one hundred feet (100') of the subject property was part of a landing strip per Ordinance 1992-6 and was not part of the rezoning request.

The application materials, aerial of the property, plat of survey, and Ordinance 1992-6 were provided.

The property was approximately twenty-seven (27) acres.

The Future Land Use Map called for the property to be Suburban Residential (Max 1.00 DU/Acre).

Route 126 was a State maintained Arterial.

The County had a trail planned along Route 126.

There is no floodplain on the property. There is a riverine wetland along the southeast corner of the property.

The adjacent land uses were Agricultural, Single-Family Residential, and an Airstrip.

The adjacent zoning districts were A-1, R-1 SU, and R-3.

The County's Future Land Use Map called for the area to be Suburban Residential (Max 1.00 DU/Acre) and Commercial. The Village of Plainfield's Future Land Use Map called for the area to be Medium Density Residential, Village Residential, and Low Density Residential.

The nearby zoning districts in the unincorporated area were A-1, A-1 SU, R-1 SU, and R-3. The nearby zoning districts in the Village of Plainfield were Low Density Single-Family Residential PUD.

The A-1 special use permit to the west was for professional offices. The R-1 special use to the west was for an airstrip.

EcoCAT Report submitted and consultation was terminated.

The application for NRI was submitted on August 12, 2021. The LESA Score was 185 indicating a low level of protection. The NRI Report was provided.

Petition information was sent to Na-Au-Say Township on August 27, 2021.

Petition information was sent to the Village of Plainfield on August 27, 2021.

Petition information was sent to the Plainfield Fire Protection District on August 27, 2021, and they had no concerns about the request; their email was provided.

ZPAC reviewed this proposal at their meeting on September 7, 2021. ZPAC recommended approval of the request by a vote of seven (7) in favor and zero (0) in opposition with three (3) members absent. The minutes of this meeting were provided.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on September 22, 2021. Neighbors David Cline, William Sales, Robert VanderBeek, and June Alice spoke in favor of the request. The Kendall County Regional Planning Commission recommended approval of the request by a vote of nine (9) in favor and zero (0) in opposition with one (1) member absent. The minutes of this meeting were provided.

The Petitioners desired to rezone the subject property in order to build one (1) house on the subject property.

Any new homes or accessory structures would be required to meet applicable building codes.

No public or private utilities were onsite.

The property fronted Route 126. Staff had no concerns regarding the ability of Route 126 to support the proposed map amendment.

Any new driveways constructed would be for residential purposes. Any new driveways would have to meet applicable regulations and secure proper permits.

No new odors are foreseen.

Any new lighting would be for residential use only.

Any fencing, landscaping, or screening would be for residential purposes.

Any signage would be residential in nature.

No noise was anticipated.

Any new homes would have to be constructed per Kendall County's Stormwater Management Ordinance.

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 for agricultural purposes or larger lot single-family residential uses. An airstrip is located on the subject property.

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1, R-3, and R-1 with a special use permit. Nearby properties inside the Village of Plainfield also have residential zoning.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1. Due to the property's size, a single-family home cannot be constructed on the property under A-1 zoning regulations.

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 a mix of agricultural and single-family residential uses found in rural settings.

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 Suburban Residential. The R-1 One Family Residential District is consistent with the Suburban Residential classification.

Staff recommended approval of the proposed map amendment because the proposal was consistent with the Land Resource Management Plan.

Chairman Mohr opened the public hearing at 8:15 p.m.

Dan Kramer, Attorney for the Petitioner, explained the division of the properties to the west. He also discussed the use of planes and the airstrip. The airstrip will be unchanged.

Mr. Kramer said the Ruffatto home would be south of the existing house on the neighboring property to the north and would meet all setbacks. The driveway would access Route 126 to the east of 800 Route 126. The access on Route 126 is already in existence. The remainder of the property would be farmed.

Discussion occurred regarding constructing additional homes on the property. Given the drainage patterns and access from Ridge Road, it would be difficult to access the southern portion of the property for additional houses.

Chairman Mohr closed the public hearing at 8:18 p.m.

Member LeCuyer made a motion, seconded by Member Cherry, to approve the Findings of Fact for the map amendment.

The votes were as follows:
Ayes (5): Cherry, Fox, LeCuyer, Mohr, and Thompson
Nays (0): None
Abstain (0): None
Absent (2): Clementi and Whitfield

The motion passed.

Member LeCuyer made a motion, seconded by Member Fox, to recommend approval of the map amendment.

The votes were as follows:
Ayes (5): Cherry, Fox, LeCuyer, Mohr, and Thompson
Nays (0): None
Abstain (0): None
Absent (2): Clementi and Whitfield

The motion passed.

Na-Au-Say Township and the Village of Plainfield will be notified of the results of the public hearing. The proposals will go to the Kendall County Planning, Building and Zoning Committee on Monday, November 8, 2021.

The Zoning Board of Appeals completed their review of Petition 21-32 at 8:19 p.m.

The Zoning Board of Appeals started their review of Petition 21-33 at 8:19 p.m.

Petition 21 – 33 – Elizabeth Bowyer on Behalf of Doragon Properties, LLC
Request: Special Use Permit to Operate a Craft Fair/Market (Sale of Agricultural Products, Pottery, Art and Home Décor Not Produced on the Premises) and Variance to Section

	7:01.D.48 to Allow the Craft Fair/Market on Land Designated as Agricultural in the Kendall County Land Resource Management Plan
PIN:	09-31-100-005
Location:	5681 Whitewillow Road, Minooka, Seward Township
Purpose:	Petitioner Wants To Operate a Market on the Property; Property is Zoned A-1 Agricultural with a Special Use Permit for a Landscaping Business

Mr. Asselmeier summarized the request.

The Petitioner would like to operate a monthly craft fair (sale of agricultural products not grown on premises and the sale of pottery, art, and home décor not produced on the premises) one (1) Saturday per month between April 1st and November 1st.

The Petitioner has been operating the craft fair without a special use and would like to come into compliance.

The Zoning Ordinance required the sale of pottery, art, and home décor products to be located on properties not designated as Agricultural on the Future Land Use Map. The Petitioners were seeking a variance to this provision.

The application materials, plat of survey, aerial of the entire property, and aerial of the area where craft fair/market would occur were provided.

The property was granted a special use permit for a landscaping business in 2005. This special use permit was also provided.

The property was approximately fifty (50) acres in size.

The Current and Future Land Uses were Agricultural.

Whitewillow Road was a County maintained Major Collector. Brisbin Road was a Township maintained Major Collector.

Minooka has trails planned along Whitewillow and Brisbin Roads.

There were no floodplains or wetlands on the property. The pond was permitted as part of the development of the landscaping business.

The adjacent land uses were Agricultural and Farmstead.

The adjacent zoning districts and nearby zoning districts were A-1.

The County's Future Land Use Map called for the area to be Agricultural. The Village of Minooka's Future Land Use Map called for the area to the north and south to be Traditional Neighborhood and the area to the east to be Light Industrial.

EcoCat submitted on August 24, 2021, and consultation was terminated.

The Petitioner did an NRI application as part of a proposed cannabis business at the subject property in April 2020. The LESA Score was 220 indicating a medium level of protection. The NRI Report was provided.

Seward Township was emailed information on August 27, 2021. Seward Township was emailed information on August 27, 2021. The Seward Township Planning Commission reviewed this proposal at their meeting on September 7, 2021. The Seward Township Planning Commission recommended approval of the request with the amendment to allow the Petitioners to increase the number of vendors to forty (40) upon notice to the Township. The minutes of this meeting were provided. The Seward Township Board concurred with the Seward Township Planning Commission at their meeting on September 14, 2021.

The Village of Minooka was emailed information on August 27, 2021.

Lisbon-Seward Fire Protection District was emailed information on August 27, 2021. They requested two (2) strategically placed fire extinguishers and first aid kits with related signage. The email from the Fire Protection District was provided.

ZPAC reviewed this proposal at their meeting on September 7, 2021. Discussion occurred regarding signage; the Petitioners' Attorney agreed to discuss having one (1) stationary sign only at the corner of Whitewillow and Brisbin Roads with his clients. The number of vendors was increased from thirty-one (31) to thirty-five (35). The Kendall County Health Department requested that the Petitioners contact them regarding the placement of the septic field in relation to the parking lot. ZPAC recommended approval of the request by a vote of seven (7) in favor and zero (0) in opposition with three (3) members absent. The minutes of this meeting were provided.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on September 22, 2021. The Kendall County Regional Planning Commission recommended approval of the proposal by a vote of eight (8) in favor and one (1) in opposition with one (1) member absent. Chairman Ashton voted no because the Petitioner previously started operations at the property without securing proper zoning. The minutes of this meeting were provided.

According to information provided to the County, the Petitioner would like to operate a thirty-one (31) stall craft fair west of the existing main building as identified in the provided aerial. The vendor stalls were approximately twelve foot by fourteen foot (12' X 14'). The stalls were made of wood with an area to erect a tent. The stalls were also numbered; pictures of an example stall and vendor row were provided.

No new buildings were planned for the site. No existing structures were planned for demolition.

Vendors sold a variety of craft products.

Section 7:01.D.48 placed several conditions and restrictions on special use permits regarding the sale of pottery, art, and home décor. These include:

1. A sit-down food area is allowed if incidental to the primary operation of retail sales.

2. The subject parcel must not be less than three (3) acres in size.

3. Must be along a hard surfaced road classified as an arterial or major collector in the Land Resource Management Plan.

4. Is located in an area not designated as Agricultural on the Land Resource Management Plan. The Petitioner was seeking a variance to this requirement.

5. Must occur in a manner that will preserve the existing farmhouse, barns, related structures, and the pastoral setting.

6. Must serve as a transitional use between agricultural areas and advancing suburban development.

7. Must serve to prevent spot zoning.

8. Retail and wholesale must occur in an existing building, unless otherwise approved by the County Board.

9. Any new structures must reflect the current architecture of the existing structures.

10. No outside display of goods.

11. Cannot generate noise, vibrations, glare, fumes, odors, or electrical interference beyond which normally occurs on A-1 zoned property.

12. Limited demolition of farmhouse and outbuildings is allowed.

13. Site plan is required.

14. Signage must follow the requirements in the Zoning Ordinance.

15. Off-street parking must follow the requirements in the Zoning Ordinance.

Assuming the County Board approved sales outside existing buildings, all of the above requirements of the Zoning Ordinance are addressed.

If approved, this would be the tenth (10th) special use permit for the sale of products not grown on the premises in the unincorporated area.

According to the business plan provided to the County, the Petitioner would like to operate the craft fair one (1) Saturday per month between April 1st and November 1st. Vendors started setting up at 6:00 a.m. The craft fair was open to the public from 8:00 a.m. until about 4:00 p.m. Vendors would leave the site by 6:00 p.m.

The Petitioner had five (5) full-time employees that monitor the craft fair, including herself and her husband.

The usual number patrons on the property at a given time for the craft fair was approximately fifty (50).

No new structures are planned for the property.

There were existing restrooms inside the building used for the landscaping business. There were two (2) porta-johns available for the vendors and patrons at the craft fair.

There was a private well onsite.

The Petitioner would make accommodations for vendors that want electricity.

The property drained to the southeast.

The Petitioners secured applicable permits in 2004 for the construction of the pond on the premises.

Based on the information provided, no stormwater permits were required because the Petitioner did not plan to add any impervious surface.

The property had access from Whitewillow Road.

According to the provided aerial, there were approximately eighty parking (80) spaces on the property. These included parking spaces east and south of the building used for the landscaping business. There was also parking available for vendors west of the vendor row. There were six (6) identified handicapped parking spaces on the property.

No additional lighting was planned as part of this project. The craft fair ended by dusk. If additional lighting were added, a photometric plan would be required because the number of parking spaces exceeds thirty (30).

The Petitioner planned to have one (1) mobile sign placed at the southeast corner of Whitewillow and Brisbin Roads. A picture of the sign was provided. The Petitioners would like the sign to remain at the intersection between May 1st and December 1st of each year. The sign would not be illuminated.

There were other directional signs located on the property and the landscaping business/nursery has separate signage for that portion of the business.

No additional landscaping was planned. Nursery materials along Whitewillow Road served as screening.

No information regarding noise control was provided.

The proposed Findings of Fact for the special use permit 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. True. The subject property

already has an established landscaping and nursery business. The proposed use will complement the existing special use and will minimally impact the area.

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. True. Conditions are proposed that will regulate hours of operation, site layout, and noise. No new buildings or other significant alterations away from the current appearance of the property or general area are planned.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. Utilities are already available at the property. Parking areas are already established. The property previously secured 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 provided the variance to allowing the use on property designated as Agricultural on the Land Resource Management Plan is approved.

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 9-21 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."

The proposed Findings of Fact for the variance were as follows:

That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. There is no topographical hardship.

That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. Very few A-1 zoned properties have an existing commercial use as intense as the use located on the subject property. Most properties zoned A-1 and classified as Agricultural on the Land Resource Management Plan do not have the existing facilities to support this type of use.

That the alleged difficulty or hardship has not been created by any person presently having an interest in the property. The owners did not create or request the land designation contained in the Land Resource Management Plan.

That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. The subject property already has a special use permit. The proposed use would only operate for a very brief time of the year. No improvements to the property are planned as part of the proposal. Therefore, no injury to the public welfare or other properties is foreseen.

That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. Because of the limited operations proposed and because no new structures are planned, the proposal will not impair the supply of light or air to adjacent properties, cause increased congestion on local streets, endanger public safety, or impair property values.

Staff recommended approval of the requested special use permit and variance subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the aerial. Other than parking and signage, the craft fair shall be limited to area designated as "Vendor Area" on the aerial. Any new structures related to the uses allowed by this special use permit shall require a major amendment to the special use permit and any new structures must reflect the current architecture of the existing structures.

2. A variance to Section 7:01.D.48 shall be granted to allow the sale of pottery, art, and home décor not produce on the premises to occur on property designated as Agricultural on the Future Land Use Map.

3. The subject parcel must remain at least three (3) acres in size.

4. The uses allowed by this special use permit must occur in a manner that will preserve the existing pastoral setting. To that end, no vendor stall located in the northern row of the vending area shall be open toward the north.

5. Retail and wholesale sales may occur outside existing buildings.

6. The uses allowed by this special use permit cannot generate noise, vibrations, glare, fumes, odors, or electrical interference beyond which normally occurs on A-1 zoned property.
7. A maximum of thirty-five (35) vendors may be on the subject property.
8. The uses allowed by this special use permit may operate a maximum of one (1) Saturday per month. The uses may be open for sale between the hours of 8:00 a.m. and 4:00 p.m. The property owner may reduce these hours of operation. Vendors may setup no earlier than two (2) hours prior to opening and must be offsite within two (2) hours of closing. The uses allowed by this special use permit may be operational between April 1st and November 1st.

9. A maximum of five (5) people, including the property owner and their family members, shall be employees of the business allowed by this special use permit.
10. The owners of the business allowed by this special use permit may install one (1) sign on the subject property at the southeast corner of Whitewillow and Brisbin Roads in substantially the size and appearance of the sign shown in the provided picture. The sign shall not be illuminated. The sign may be in place May 1st until December 1st. The owners of the business allowed by this special use permit may install additional directional signage for patrons inside the property.
11. The owner(s) or operator(s) of the business allowed by this special use permit shall ensure that garbage and trash shall be removed from the property at least one (1) time per week or as necessary to maintain the property clear of garbage and trash.
12. No music shall be generated by the uses allowed this special use permit.
13. Two (2) strategically placed operating fire extinguishers and first aid kits shall be placed on the subject property along with applicable signage for the fire extinguishers and first aid kits.
14. The operator(s) of the uses allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
15. The operator(s) of the uses allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of these types of uses.
16. The conditions and restrictions contained in this special use permit shall be separate from the conditions and restrictions contained in Ordinance 2005-37.
17. 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.
18. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
19. This special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.

Chairman Mohr requested clarification on the location of parking spaces. Mr. Asselmeier identified the location of parking spaces on the aerial.

Chairman Mohr asked why fencing was not required around the pond as was the case for the special use permit on Brisbin Road. Mr. Asselmeier responded that the pond at 14975 Brisbin Road was closer to the operations of the market than the pond at the subject property. The pond at the subject property is directly connected to craft fair.

Chairman Mohr opened the public hearing at 8:31 p.m.

Dan Kramer, Attorney for the Petitioner, explained the history of the property and the landscaping business on the property. Everyone parked on the property. No new development was planned. The Petitioner had not been aware of the need of the special use permit until they were notified by the County. The Petitioners then applied for the special use permit. Mr. Kramer noted that Seward

Township favored the use.

Chairman Mohr closed the public hearing at 8:33 p.m.

Member Thompson made a motion, seconded by Member Fox, to approve the Findings of Fact for the special use permit and variance.

The votes were as follows:
Ayes (5): Cherry, Fox, LeCuyer, Mohr, and Thompson
Nays (0): None
Abstain (0): None
Absent (2): Clementi and Whitfield

The motion passed.

Member LeCuyer made a motion, seconded by Member Cherry, to recommend approval of the special use permit and variance with the conditions proposed by Staff.

The votes were as follows:
Ayes (5): Cherry, Fox, LeCuyer, Mohr, and Thompson
Nays (0): None
Abstain (0): None
Absent (2): Clementi and Whitfield

The motion passed.

The proposal will go to the Kendall County Planning, Building and Zoning Committee on Tuesday, October 12, 2021.

Mr. Kramer noted that the Petitioner was waiting on the State regarding the status of their craft grower cannabis license and would be pursuing a special use permit for that use if awarded a license by the State.

The Zoning Board of Appeals completed their review of Petitions 21-33 at 8:37 p.m.

NEW BUSINESS/OLD BUSINESS

Approval of Fiscal Year 2021-2022 Meeting Calendar
Member LeCuyer made a motion, seconded by Member Thompson, to approve the meeting calendar.

The votes were as follows:
Ayes (5): Cherry, Fox, LeCuyer, Mohr, and Thompson
Nays (0): None
Abstain (0): None
Absent (2): Clementi and Whitfield

The motion passed.

REVIEW OF PETITIONS THAT WENT TO THE COUNTY BOARD

Mr. Asselmeier reported that Petition 21-26, regarding the banquet facility on Crimmin Road has been forwarded to the Committee of the Whole for discussion by the entire County Board.

Mr. Asselmeier reported that Petitions 21-27 and 21-28 were approved at the County Board.

PUBLIC COMMENTS

Mr. Asselmeier stated that, for the October meeting, there would be proposed text amendments to the Zoning Ordinance to address the recently passed Garden Act and Agricultural Experience Act. There were also requests for a special use permit for a landscaping business 3549 Bell Road, a text amendment request adding contractor services to the list of special uses in the A-1 District, and a request to amend the Future Land Use Map and rezone the property across from 16924 O'Brien Road for a house.

ADJOURNMENT OF THE ZONING BOARD OF APPEALS

Member Fox made a motion, seconded by Member LeCuyer, to adjourn.

With a voice vote of five (5) ayes, the motion carried.

The Zoning Board of Appeals meeting adjourned at 8:43 p.m.

The next hearing/meeting will be on November 1, 2021.

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

Exhibits

1. Memo on Petition 21-29 Dated September 23, 2021
2. Certificate of Publication for Petition 21-29 (Not Included with Report but on file in Planning, Building and Zoning Office)
3. Memo on Petition 21-30 Dated September 23, 2021
4. Certificate of Publication for Petition 21-30 (Not Included with Report but on file in Planning, Building and Zoning Office)
5. Memo on Petition 21-31 Dated September 23, 2021
6. Certificate of Publication for Petition 21-31 (Not Included with Report but on file in Planning, Building and Zoning Office)
7. Memo on Petition 21-32 Dated September 23, 2021
8. Certificate of Publication for Petition 21-32 (Not Included with Report but on file in Planning, Building and Zoning Office)
9. Memo on Petition 21-33 Dated September 23, 2021
10. Certificate of Publication for Petition 21-33 (Not Included with Report but on file in Planning, Building and Zoning Office)

KENDALL COUNTY
ZONING BOARD OF APPEALS
SEPTEMBER 27, 2021

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.

NAME	ADDRESS	SIGNATURE
Dan Kramer	21-30 21-32 21-31 21-33	[redacted]
Scott Richmond	21-29 [redacted]	

Matt Asselmeier

From: Steve Gengler <[redacted]>
Sent: Monday, September 27, 2021 11:30 AM
To: Matt Asselmeier
Subject: [External]Semper-Fi

Matthew H. Asselmeirr
Senior Planner
Kendall County Planning, Building and Zoning.
111 W. Fox Street
Yorkville, Il 60560

Dear Matt,

At the September 21st Kendall Township Board meeting the board voted unanimously to approve the motion from the Kendall Township Planning Commission.
The motion states

To recommend approval of zoning request (from Semper-Fi) to Kendall County Board. Subject to careful consideration of stormwater outlet elevation and retention by Kendall County Stormwater engineer, With request of consideration of a draintile to protect surrounding properties.

Thanks for your consideration,

Steve Gengler

Kendall Township Supervisor

Sent via the Samsung Galaxy S21 5G, an AT&T 5G smartphone
Get Outlook for Android

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

Petition 21-29
Lorena and Jose DeJesus Gutierrez and Refugio and Etelvina Alvarez on Behalf of JJ Gutierrez Lawn Care, LLC
A-1 Special Use Permit for Landscaping Business
Variance to Allow Parking in the Front Yard Setback

INTRODUCTION

In January 2021, Lorena and Jose DeJesus Gutierrez and Refugio and Etelvina Alvarez purchased the subject property and wished to operate JJ Gutierrez Lawn Care, LLC at the property.

The application materials are included as Attachment 1. The survey of the property is included as Attachment 2. The site plan is included as Attachment 3. The aerial of the property with site plan superimposed is included as Attachment 4. The topographic survey is included as Attachment 5.

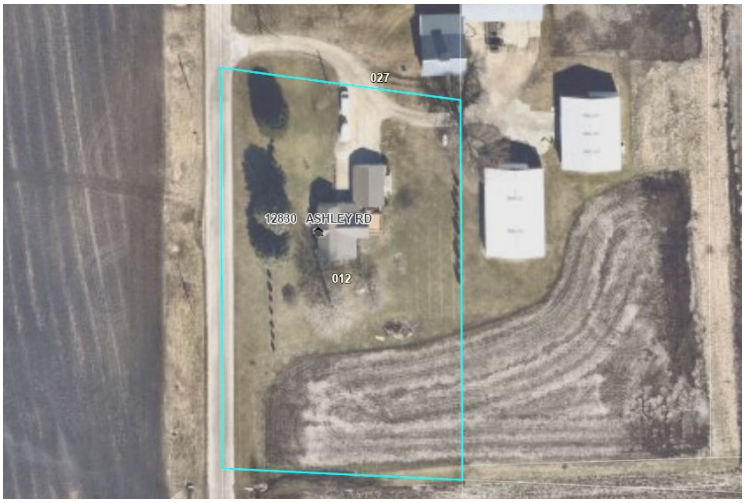
Based on the information provided, a variance to allow parking in the front yard setback is also required.

SITE INFORMATION

PETITIONERS: Lorena and Jose DeJesus Gutierrez and Refugio and Etelvina Alvarez on Behalf of JJ Gutierrez Lawn Care, LLC

ADDRESS: 12830 Ashley Road, Newark

LOCATION: Approximately 0.1 Miles North of Plattville Road on the East Side of Ashley Road



TOWNSHIP: Lisbon

PARCEL #: 08-02-300-012

LOT SIZE: 1.5 +/- Acres

EXISTING LAND USE: Agricultural/Farmstead

ZONING: A-1

LRMP:

Future Land Use	Agriculture (County) Low Density Residential (Max 0.65 DU/Acre) (Plattville)
Roads	Ashley Road is a Township maintained major collector.
Trails	There are no trails planned in the area.
Floodplain/ Wetlands	There are no floodplains or wetlands on the property.

REQUESTED ACTIONS: Special Use Permit for a Landscaping Business
Variance to Allow Parking in the Front Yard Setback

APPLICABLE REGULATIONS: Section 4:05.B – Permitted Obstructions in Required Yards
Section 7:01.D.30 – A-1 Special Uses
Section 7:01.G.2 – Setbacks on A-1 Zoned Property
Section 13:04 – Variance Procedures
Section 13:08 – Special Use Procedures

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Agricultural/Farmstead	A-1 (Plattville)	Low Density Residential (Max 0.65 DU/Acre) (Plattville)	A-1 (County) A-1 (Plattville)
South	Agricultural	A-1 (Plattville)	Low Density Residential (Plattville)	A-1 and R-1 (County) A-1 and R-1 (Plattville)
East	Agricultural/Farmstead	A-1 (Plattville)	Low Density Residential (Plattville)	A-1 (Plattville)
West	Agricultural Farmstead	A-1 (County)	Agriculture (County) Low Density Residential (Plattville)	A-1 and A-1 SU (County)

Pictures of the property are included as Attachments 6-9.

The A-1 special use permit to the west is for electromagnetic compatibility testing.

PHYSICAL DATA

ENDANGERED SPECIES REPORT

EcoCAT Report was submitted on July 7, 2021, and consultation was terminated, see Attachment 1,

Pages 9-11.

NATURAL RESOURCES INVENTORY
The NRI application was submitted on July 16, 2021, see Attachment 1, Page 8. The LESA Score was 193 indicating a low level of protection. The NRI Report is included as Attachment 10.

ACTION SUMMARY

LISBON TOWNSHIP
Petition information was sent to Lisbon Township on August 5, 2021. The Lisbon Township Planning Commission reviewed this proposal at their meeting on September 14, 2021. The Commission voted to approve the proposal by a vote of three (3) in favor and one (1) in opposition. The Lisbon Township Board reviewed this proposal at their meeting on September 14, 2021. The motion to approve the proposal with the condition that the culvert be inspected by the Township Highway Commissioner was rejected by a vote of one (1) in favor and three (3) in opposition. The draft minutes of the Lisbon Township Board meeting are included as Attachment 14.

VILLAGE OF PLATTVILLE
Petition information was sent to the Village of Plattville on August 5, 2021.

LISBON-SEWARD FIRE PROTECTION DISTRICT
Petition information was sent to the Lisbon-Seward Fire Protection District on August 5, 2021. The Fire District sent an email on August 30, 2021 requesting one (1) fire extinguisher and one (1) first aid kit with applicable signage. The email is included as Attachment 11. The Petitioners were agreeable to this request.

ZPAC
ZPAC reviewed this proposal at their meeting on September 7, 2021. The Kendall County Soil and Water Conservation District noted the location of hydric soils on the property. The Kendall County Health Department stated their preference to have a dedicated well on the site or have clear language in any easements related to the well regarding usage of the well. The Petitioners indicated they were working on addressing the stormwater detention requirements. ZPAC recommended approval of the request by a vote of seven (7) in favor and zero (0) in opposition with three (3) members absent. The minutes of this meeting are included as Attachment 12.

RPC
The Kendall County Regional Planning Commission reviewed this proposal at their meeting on September 22, 2021. The Kendall County Regional Planning Commission recommended approval of the proposal by a vote of eight (8) in favor and one (1) in opposition with one (1) member absent. Chairman Ashton voted no because the Petitioner previously started operations at the property without securing proper zoning. The minutes of this meeting are included as Attachment 15.

GENERAL INFORMATION
The Petitioners purchased the property in 2021 and started running a landscaping business on the premises without proper zoning. Upon receiving the warning letter, the Petitioners ceased operations of the business and started applying for the special use permit. The Petitioners continue to live at the property.

BUSINESS OPERATIONS
According to the business plan found on page 2 of Attachment 1, JJ Gutierrez Lawn Care has been in business since 2016. The business has five (5) employees. Employees arrive at the property at approximately 6:00 a.m., go to work sites by 7:00 a.m., finish at work sites by 4:00 p.m., and return to the property and leave to go home by 6:00 p.m. The business operates Monday through Saturday. Business equipment presently consists of three (3) six (6) wheel dump trucks, one (1) pickup truck, and five (5) trailers for carrying lawn equipment. The Petitioners presently do not anticipate adding additional employees or equipment.

If approved, the Petitioners plan to start operations immediately.

BUILDINGS AND BUILDING CODES
One (1) two (2) story, approximately two thousand (2,000) square foot house, constructed in 1936 is located on the property.

According to the site plan (Attachment 3) and the site plan superimposed over the aerial (Attachment 4), the Petitioners plan to install one (1) forty foot by eight foot by six foot (40'X8'X6') storage container. The container would be used to store small landscaping equipment such as weed trimmers, power washers, ladders, blowers, and similar equipment.

The site plan and aerial also show three (3) open storage areas; one (1) for gravel, one (1) for mulch, and one (1) for compost. The storage areas individually are ten feet (10') wide and eighteen feet (18') in depth. The piles of materials stored in these areas would be a maximum of seven feet (7') height.

Any structures related to the landscaping business would be required to obtain applicable building permits.

ENVIRONMENTAL HEALTH
Per the site survey (Attachment 2), the property is served by a shared well. The well is located northwest of the existing house. There is a septic system on the premises. Employees will not be able to use the well on the property and no onsite restrooms will be provided.

There is also a propane tank on the premises located northeast of the house.

No outdoor refuse area is planned as part of the special use.

STORMWATER
The property drains to the southeast. The topographic survey is included in Attachment 5.

WBK reviewed this proposal and provided comments in a letter dated August 9, 2021, which is included as Attachment 13. The Petitioners amended the site plan from their original submittal to include a raingarden. The Petitioners were also in discussions with the County to pay a fee-in-lieu in addition to the raingarden to address the detention requirements. The specific information regarding the raingarden will be addressed as part of the stormwater management permit.

ACCESS
Per the survey (Attachment 2), access to the existing house is by an easement with the properties to the north and east of the subject property.

According to the site plan (Attachment 3) and the site plan superimposed over the aerial (Attachment 4), the Petitioners propose to install a new twenty foot (20') wide driveway five (5') feet to the north of the south property line. They also plan to install a culvert under the new driveway. Lisbon Township would have to approve this new access point.

PARKING AND INTERNAL TRAFFIC CIRCULATION
According to the site plan (Attachment 3) and the site plan superimposed over the aerial (Attachment 4), the Petitioners plan to install a gravel area approximately two hundred feet (200') in depth and one hundred fifteen feet (115') wide. There are five (5) parking spaces available on the west side of the gravel area for employee parking. The parking stalls would be ten feet (10') wide by twenty feet (20') long. There would also be a five (5) parking spaces on the east side of the property for trailers and trucks.

According to the site plan (Attachment 3) and the site plan superimposed over the aerial (Attachment 4), the parking lot will be approximately forty-seven feet (47') from the centerline of Ashley Road. The right-of-way for Ashley Road has not been dedicated in this area. Per Sections 4:05.B and 7:01.G.2 of the Kendall County Zoning Ordinance, the parking area cannot encroach into the required one hundred fifty foot (150') front yard setback. The Petitioners are seeking a variance to allow the parking area as shown on the site plan.

No customers of the business would be invited onto the property.

If there is a motor vehicle or equipment related leak, the area impacted gravel and dirt will be removed and replaced with clean gravel and dirt.

LIGHTING
Other than lighting related to signage, no additional lighting is planned as part of the special use.

SIGNAGE
According to the site plan superimposed over the aerial (Attachment 4), the Petitioners plan to install one (1) two (2)-sided sign north of the arborvitae along the west side of the property. The sign would be six feet (6') wide and three feet (3') tall. The sign would be elevated approximately one point five feet (1.5') above grade.

The Petitioners would like the sign to be illuminated. Per Section 12:08.A.2.a of the Kendall County Zoning Ordinance, the sign could be illuminated between 6:00 a.m. and 11:00 p.m.

Two (2) existing A-1 zoned properties with special use permits for landscaping businesses, 1996 Cannonball Trail and 997 Harvey Road, have illuminated signs.

SECURITY
No security gates or fencing is planned as part of the special use.

LANDSCAPING
The Petitioners have already planted sixteen (16) arborvitaes on the west side of the property as shown on the site plan (Attachment 3) and aerial (Attachment 4). They are approximately three feet to four feet (3'-4') in height presently. They will grow to approximately sixteen feet (16') in height.

Fifteen (15) blue spruce trees will be planted near the southern property line in spring of 2022. The height at the time of planting will be five feet to six feet (5'-6') and they will grow to approximately twenty to twenty-five feet (20'-25') in height.

NOISE CONTROL
No information was provided regarding noise control.

ODORS
No new odors are foreseen by the proposed use.

RELATION TO OTHER SPECIAL USES
If approved, this would be the sixteenth (16^{th}) special use permit for a landscaping business in unincorporated Kendall County.

FINDINGS OF FACT-SPECIAL USE PERMIT
§ 13:08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to recommend in favor of the applicant on special use permit applications.

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. **Provided the site is developed in accordance with the submitted site plan and provided a variance is granted regarding the location of the parking area, the operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare. The owners of the business allowed by the special use permit will not invite the public onto the property. Only landscape related materials and equipment will be stored at the subject property.**

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

in the special use permit to regulate the number of employees, hours of operation, site landscaping, and noise. Therefore, the neighboring property owners should not suffer loss in property values and the use will not negatively impact the adjacent 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. **If Lisbon Township approves the new access point, then adequate points of ingress and egress will be provided. No customers will be allowed on the property and employees will not be able to use the well or restrooms in the existing house. The owners of the business allowed by the special use permit have applied for the applicable stormwater 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. **Provided a variance is granted for the location of the parking area, the special use shall conform to the applicable regulations of the district.**

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **True, the proposed use is consistent with an objective found on Page 9-21 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".**

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

That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. **The subject property is approximately two hundred feet (200') deep as measured from west to east. It would be difficult to have off-street parking and the proposed business on the subject property without a variance for parking.**

That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. **Most A-1 zoned properties, including properties that have existing special use permits for landscaping businesses, are larger and wider and do not have a need for a variance with regards to parking in the front yard setback.**

That the alleged difficulty or hardship has not been created by any person presently having an interest in the property. **The owners did not create the size or configuration of the subject property.**

That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. **The requested variance should not negatively impact any of the neighbors and will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood.**

That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. **Allowing the parking encroachment will not impair any of the above items.**

RECOMMENDATION
Staff recommends approval of the special use permit for a landscaping business and variance to allow parking in the front yard setback subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the attached site plan (Attachment 3) and aerial showing the site plan (Attachment 4), including the addition of a raingarden as shown on the attached site plan (Attachment 3).

2. A variance to Sections 4:05.B and 7:01.G.2 of the Kendall County Zoning Ordinance shall be granted allowing off-street parking no closer than forty-seven feet (47') from the centerline of Ashley Road.
3. The owners of the business allowed by the special use permit shall maintain the parking area shown on the site plan and in substantially the same location as depicted on the attached site plan (Attachment 3). The parking area shall be gravel.
4. The owners of the businesses allowed by this special use permits shall diligently monitor the property for leaks from equipment and vehicles parked and stored items stored on the subject property and shall promptly clean up the site if leaks occur.
5. Any new structures and signs constructed or installed on the property shall not be considered for agricultural purposes and must secure applicable building permits.
6. Equipment and vehicles related to the business allowed by the special use permit may be stored outdoors.
7. None of the vehicles or equipment parked or stored on the subject property related to the business allowed by the special use permit shall be considered agricultural vehicles or agricultural equipment.
8. All of the vehicles and equipment stored on the subject property related to the business allowed by the special use permit shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
9. Except for the purposes of loading and unloading, all landscape related materials shall be stored indoors or in the designated storage areas shown on the attached site plan (Attachment 3). The maximum height of the piles of landscaping related material shall be seven feet (7'), provided a Stormwater Management Permit is issued.
10. One (1) two (2)-sided business related sign may be installed in substantial the location shown on the attached site plan (Attachment 3). The sign shall be a maximum of six feet (6') wide and three feet (3') tall. The sign may be elevated no greater than one point five feet (1.5') from the ground.
11. A minimum of sixteen (16) arborvitae shall be planted and maintained in substantially the locations shown on the attached site plan (Attachment 3). The arborvitae shall be a minimum of three feet (3') tall at the time of planting and shall grow to approximately twelve feet (12'). Damaged or dead arborvitaes shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department.
12. A minimum of fifteen (15) blue spruce trees shall be planted by June 30, 2022, and maintained in substantially the locations shown on the attached site plan (Attachment 3). The blue spruce trees shall be a minimum of five feet (5') tall at the time of planting and shall grow to approximately twenty feet (20'). Damaged or dead blue spruce trees shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department.
13. No landscape waste generated off the property can be burned on the subject property.
14. A maximum of five (5) employees of the business allowed by this special use permit, including the owners of the business allowed by this special use permit, may report to this site for work. No employees shall engage in the sale of landscaping related materials on the property.
15. No customers of the business allowed by this special use permit shall be invited onto the property by anyone associated with the use allowed by this special use permit.
16. The hours of operation of the business allowed by this special use permit shall be Monday through Saturday from 6:00 a.m. until 6:00 p.m. The owners of the business allowed by this special use permit may reduce these hours of operation.
17. The noise regulations are as follows:

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

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

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

18. At least one (1) functioning fire extinguisher and one (1) first aid kit shall be on the subject property. Applicable signage stating the location of the fire extinguisher and first aid kit shall be placed on the subject property.

19. The owners of the business allowed by this special use shall reside at the subject property as their primary place of residence.

20. The owners of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.

21. The property owner and operator 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.

22. 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.

23. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

24. This special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.

ATTACHMENTS

1. Application Materials (Including Petitioner's Findings of Fact, NRI Application, and EcoCat)
2. Survey
3. Site Plan
4. Aerial with Site Plan Superimposed
5. Topographic Survey
6. Special Use Area North
7. Special Use Area Center
8. Special Use Area South
9. Existing Arborvitae
10. NRI Report
11. August 30, 2021 Lisbon Seward Fire Protection District Email
12. September 7, 2021 ZPAC Minutes (This Petition Only)
13. August 9, 2021 WBK Letter
14. September 14, 2021 Draft Lisbon Township Board Minutes
15. September 22, 2021 Kendall County Regional Planning Commission Minutes (This Petition Only)

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

APPLICATION

PROJECT NAME JJ Gutierrez Lawn Care Special Use **FILE #:** 21-29

NAME OF APPLICANT JJ Gutierrez Lawn Care, Inc.		
CURRENT LANDOWNER/NAME(s) Lorena Gutierrez, Jose DeJesus Gutierrez, Refugio Alvarez and Etelvina Alvarez		
SITE INFORMATION **ACRES** 1.5012	**SITE ADDRESS OR LOCATION** 12830 Ashley Rd., Newark, IL 60541	**ASSESSOR'S ID NUMBER (PIN)** 08-02-300-012
EXISTING LAND USE Residential/ Agricultural	**CURRENT ZONING** A1	**LAND CLASSIFICATION ON LRMP** Agricultural

REQUESTED ACTION (Check All That Apply):

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

[1]PRIMARY CONTACT Scott Richmond, Esq.	**PRIMARY CONTACT MAILING ADDRESS** [redacted]	**PRIMARY CONTACT EMAIL** [redacted]
PRIMARY CONTACT PHONE # [redacted]	**PRIMARY CONTACT FAX #** [redacted]	**PRIMARY CONTACT OTHER #(Cell, etc.)**
[2]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** 7-16-21

FEE PAID: $ 1155
CHECK #: 3449

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

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

APPLICATION

PROJECT NAME JJ Gutierrez Lawn Care Special Use **FILE #:**_____

NAME OF APPLICANT
JJ Gutierrez Lawn Care, Inc.

CURRENT LANDOWNER/NAME(s)
Lorena Gutierrez, Jose DeJesus Gutierrez, Refugio Alvarez and Etelvina Alvarez

SITE INFORMATION ACRES	SITE ADDRESS OR LOCATION	ASSESSOR'S ID NUMBER (PIN)
1.5012	12830 Ashley Road, Newark, IL 60541	08-02-300-012

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

REQUESTED ACTION (Check All That Apply):

_____SPECIAL USE ___ MAP AMENDMENT (Rezone to ____) X VARIANCE

_____ADMINISTRATIVE VARIANCE ___ A-1 CONDITIONAL USE for:_____ ___ SITE PLAN REVIEW

___ TEXT AMENDMENT ___ RPD (___Concept; ___ Preliminary; ___ Final) ___ ADMINISTRATIVE APPEAL
___ PRELIMINARY PLAT ___ FINAL PLAT ___ OTHER PLAT (Vacation, Dedication, etc.)
___ AMENDMENT TO A SPECIAL USE (_____Major; _____ Minor)

[1]PRIMARY CONTACT	PRIMARY CONTACT MAILING ADDRESS	PRIMARY CONTACT EMAIL
Scott Richmond, Esq.	[redacted]	[redacted]

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

[2]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** 7/26/21

FEE PAID:$_____
CHECK #:_____

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

Last Revised:
11.16.20

Date Stamp Here If Checklist Is Complete

Description of Proposed Use

The special use being applied for is to operate a landscaping business on the property at 12830 Ashley Road, Newark, IL. JJ Gutierrez Lawn Care, Inc. has been in business since 2016. The business has 5 employees and will operate Monday through Saturday from 7:00 a.m. to 6:00 p.m. The business provides landscaping services off site, so the operations will involve employees arriving prior to 7:00 a.m. and leaving the site in company vehicles for the day and returning after 6:00 p.m.

JJ Gutierrez Lawn Care has the following equipment which will be stored at the site:

3 dump trucks (6 wheel)

1 pickup truck

5 trailers for carrying lawn care equipment

JJ Gutierrez Lawn Care plans to have outside storage bins for dirt, mulch and gravel on site and will have a storage container for equipment and supplies.

The owners will reside on site at this property as well.

LEGAL DESCRIPTION

THAT PART OF THE SOUTHWEST ¼ OF SEC 2, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST ¼; THENCE NORTH ALONG THE WEST LINE OF SAID SOUTHWEST ¼ 505.85 FEET FOR A POINT OF BEGINNING; THENCE EASTERLY ALONG A LINE FORMING AN ANGLE OF 87 DEGREES 09 MINUTES 00 SECONDS WITH THE LAST DESCRIBED COURSE MEASURED COUNTER-CLOCKWISE THEREFROM, 200.78 FEET; THENCE NORTH PARALLEL WITH SAID WEST LINE 316.80 FEET; THENCE WESTERLY ALONG A LINE FORMING AN ANGLE OF 98 DEGREES 00 MINUTES 00 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM 202.50 FEET TO SAID WEST LINE; THENCE SOUTHERLY ALONG SAID WEST LINE 335.00 FEET TO THE POINT OF BEGINNING, IN LISBON TOWNSHIP, KENDALL COUNTY, ILLINOIS.

PIN: 08-02-300-012

Common address: 12830 Ashley Rd., Newark, IL 60541

20CSA620269A
213 CA

202100005470
DEBBIE GILLETTE
RECORDER - KENDALL COUNTY, IL
RECORDED: 3/3/2021 9:12 AM
REC FEE: 57.00 RHSPS: 10.00
STATE TAX: 230.00
COUNTY TAX: 115.00
PAGES: 3

WARRANTY DEED

Tenancy By The Entirety (Illinois)

THE GRANTORS,
JOHN S. HUGHES and
DEBRA A. HUGHES,
Husband and Wife,

of the [redacted]
in the County of Kendall
and State of Illinois

for and in consideration of Ten and 00/100 Dollars in hand paid, **CONVEY AND WARRANT TO:**

LORENA GUTIERREZ and JOSE DE JESUS GUTIERREZ and REFUGIO ALVAREZ and ETELVINA ALVAREZ

whose address is: [redacted]

not as Tenants by the Entirety or Tenants in Common, but as **Joint Tenants**, the following described Real Estate situated in the County of Kendall in the State of Illinois, to wit:

THAT PART OF THE SOUTHWEST ¼ OF SEC 2, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST ¼; THENCE NORTH ALONG THE WEST LINE OF SAID SOUTHWEST ¼ 505.85 FEET FOR A POINT OF BEGINNING; THENCE EASTERLY ALONG A LINE FORMING AN ANGLE OF 87 DEGREES 09 MINUTES 00 SECONDS WITH THE LAST DESCRIBED COURSE MEASURED COUNTER-CLOCKWISE THEREFROM, 200.78 FEET; THENCE NORTH PARALLEL WITH SAID WEST LINE 316.80 FEET; THENCE WESTERLY ALONG A LINE FORMING AN ANGLE OF 98 DEGREES 00 MINUTES 00 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM 202.50 FEET TO SAID WEST LINE; THENCE SOUTHERLY ALONG SAID WEST LINE 335.0 FEET TO THE POINT OF BEGINNING, IN LISBON TOWNSHIP, KENDALL COUNTY, ILLINOIS.

SUBJECT TO: Existing easements, covenants, and restrictions of record, 2020 and subsequent years real estate taxes.

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois. TO HAVE AND TO HOLD said premises, not as tenants by the entirety or as tenants in common, but as Joint Tenants.

Permanent Real Estate Index Number: 08-02-300-012
Address of Real Estate: 12830 Ashley Rd., Newark, IL 60541

Dated this 11 Day of January, 2021.

CHICAGO TITLE INSURANCE CO.
Aurora/Yorkville Office

Unofficial

[redacted]

JOHN S. HUGHES

[redacted]

DEBRA A. HUGHES

Warranty Deed - Tenancy by the Entirety

STATE OF ILLINOIS)
) SS.
COUNTY OF Kendall)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, CERTIFY THAT John S. Hughes and Debra A. Hughes personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered this 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 and notarial seal this 11th Day of January, 2021.

[redacted]

Notary Public

"OFFICIAL SEAL"
KELLY A HELLAND
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 12/3/2023

SEND SUBSEQUENT TAX BILLS TO:
Lorena Gutierrez & Jose De Jesus Gutierrez
Refugio Alvarez & Etelvina Alvarez
[redacted]

THIS DOCUMENT PREPARED BY:
Attorney Kelly A. Helland
Law Offices of Daniel J. Kramer
[redacted]

AFTER RECORDING RETURN TO:
Attorney Gregg Littlejohn
[redacted]

Unofficial Document

Debbie Gillette
Kendall County Clerk & Recorder

PLAT ACT AFFIDAVIT OF METES AND BOUNDS

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

Kelly A. Helland, being duly sworn on oath, states that affiant resides at 1107 A S. Bridge St. And further states that: (please check the appropriate box)

A. [Y] That the attached deed is not in violation of 765 ILCS 205/1(a), in that the sale or exchange is of an entire tract of land not being part of a larger tract of land; or

B. [ ] That the attached deed is not in violation of 765 ILCS 205/1(b) for one of the following reasons: (please circle the appropriate number)

1. The division or subdivision of land into parcels or tracts of 5.0 acres or more in size which does not involve any new streets or easements of access;
2. The division of lots or blocks of less than one (1) acre in any recorded subdivision which does not involve any new streets or easements of access;
3. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
4. The conveyance of parcels of land or interests therein for use as right of way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
5. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
6. The conveyance of land for highway or other public purposes 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;
7. Conveyances made to correct descriptions in prior conveyances;
8. The sale or exchange of parcels or tracts of land following the division into not more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959, and not involving any new streets or easements of access;
9. The sale of a single lot of less than 5.0 acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land;
10. The conveyance is of land described in the same manner as title was taken by grantor(s).

AFFIANT further states that S he makes this affidavit for the purpose of inducing the Recorder of Deeds of Kendall County, Illinois, to accept the attached deed for recording.

SUBSCRIBED AND SWORN TO BEFORE ME

This 11th day of January 20 21.

[redacted]
Signature of Notary Public

[redacted]
Signature of Affiant

Unofficial

111 West Fox Street, Yorkville IL 60560-1498
Tel: (630) 553-4104 • Fax: (630) 553-4119 • Email: Dgillette@co.kendall.il.us

COPY

Kendall County Soil & Water Conservation District

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

www.kendallswcd.org

NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

Petitioner: JJ Gutierrez Lawn Care, Inc. **Contact Person:** Scott Richmond, Esq.

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 Lisbon Township 37 N, Range 7 E, Section(s) 2

Parcel Index Number(s) 08-02-300-012

Project or Subdivision Name JJGutierrez Lawn Care Special Use Number of Acres 1.5012

Current Use of Site Residential/Agriculture Proposed Use Residential/Landscaping Business

Proposed Number of Lots 1 Proposed Number of Structures 1

Proposed Water Supply Well Proposed type of Wastewater Treatment Septic

Proposed type of Storm Water Management No change

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 Zoning

In addition to this completed application form, please including the following to ensure proper processing:

- ☒ **Plat of Survey/Site Plan** – showing location, legal description and property measurements
- ☒ **Concept Plan** - showing the locations of proposed lots, buildings, roads, stormwater detention, open areas, etc.
- ☒ If available: topography map, field tile map, copy of soil boring and/or wetland studies
- ☒ **NRI fee** (Please make checks payable to Kendall County SWCD)

The NRI fees, as of July 1, 2010, are as follows:

Full Report: $375.00 for five acres and under, plus $18.00 per acre for each additional acre or any fraction thereof over five.

Executive Summary Report: $300.00 (KCSWCD staff will determine when a summary or full report will be necessary.)

Fee for first five acres and under	$ 375.00
_____ Additional Acres at $18.00 each	$ _____
Total NRI Fee	**$ 375.00**

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

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

[redacted] 7-16-21

Petitioner or Authorized Agent **Date**

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

FOR OFFICE USE ONLY

NRI#_____ Date initially rec'd _____ Date all rec'd _____ Board Meeting _____

Fee Due $_____ Fee Paid $ _____ Check #_____ Over/Under Payment _____ Refund Due_____

EcoCAT
Ecological Compliance Assessment Tool

Applicant: JJ Gutierrez Lawn Care, Inc.
Contact: Scott Richmond
Address: [redacted]

IDNR Project Number: 2200195
Date: 07/07/2021

Project: JJ Gutierrez Lawn Care Special Use
Address: 12830 Ashley Rd., Newark

Description: Special use application to operate landscaping business with landscape material storage and vehicle storage on site

Natural Resource Review Results

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

The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

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

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

County: Kendall

Township, Range, Section:
35N, 7E, 2



IL Department of Natural Resources Contact
Adam Rawe
217-785-5500
Division of Ecosystems & Environment

Government Jurisdiction
Kendall County Zoning
Matthew Asselmeier
111 West Fox St., Room 204
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: 2200195

EcoCAT
Ecological Compliance Assessment Tool

ILLINOIS DEPARTMENT OF NATURAL RESOURCES

EcoCAT Receipt

Project Code 2200195

APPLICANT	DATE
JJ Gutierrez Lawn Care, Inc. Scott Richmond [redacted]	7/7/2021

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

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 Zoning Board of Appeals 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. The operation of the landscape business will not adversely impact the public health,safety, morals, comfort or general welfare. Business vehicles will leave in the morning and return at night and only landscape materials and equipment will be stored on site. This is not a retail business.

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.

There will be no advserse impact on the County or surrounding area. There will be no new structures and outside storage will be limited to landscape materials and parking of vehicles. Landscaping will be put in place to buffer neighbors.

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

Adequate utilities, roads and points of ingress and egress already exist. A proposed driveway entrance off of Ashley Rd. at the south end of the property will provide additional access and will be constructed to County standards.

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 There are no variances being requested and the landscape business will conform with all applicable codes and requirements of the County.

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

The use is consistent with the County Land Resource Management Plan. At will remain A-1 and the use will remain essentially agricultural.

Please fill out the following findings of fact to the best of your capabilities. § 13:04 of the Zoning Ordinance outlines findings that the Zoning Board of Appeals shall take into consideration the extent to which the following conditions have been established by the evidence:

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

1. This lot is only 200' deep (East-West) and to require a 150' setback for vehicle parking will put a hardship on the owner because there is not enough room to maneuver vehicles if that is required.

2. A sign without illumination will only be able to be seen during daylight hours and this will be a hardship upon the owner, particulary in the winter when daylight is limited.

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

1. Typically, A-1 is agricultural use with residential, and therefore, parking spaces are not required for those properties. They are generally larger than the 1.5 acres here as well and provide more room for parking with setbacks than the subject property in this petition.

2. There are not typically signs on A-1 properties and therefore, illumination is not an issue.

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

1.The hardship is created by the dimensions of the lot and this was not created by the owner.

2. The hardship is derived from the ordinance limiting signs in the A-1 zoning district to being non-illuminated and was not caused by the owner.

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

1. The variance in the setback for parking will not be detrimental or injurious to the public. The parking area will be screened. Also, use will be limited to cars entering between 6-7 a.m. and leaving by 6:00 p.m. The vehicles will not be coming and going during the hours in between. This is a parking area for employee vehicles only, not commercial vehicles.

2. The illumination of the 3'x6' sign will be limited to ground lighting and will only be illuminated during permitted hours.

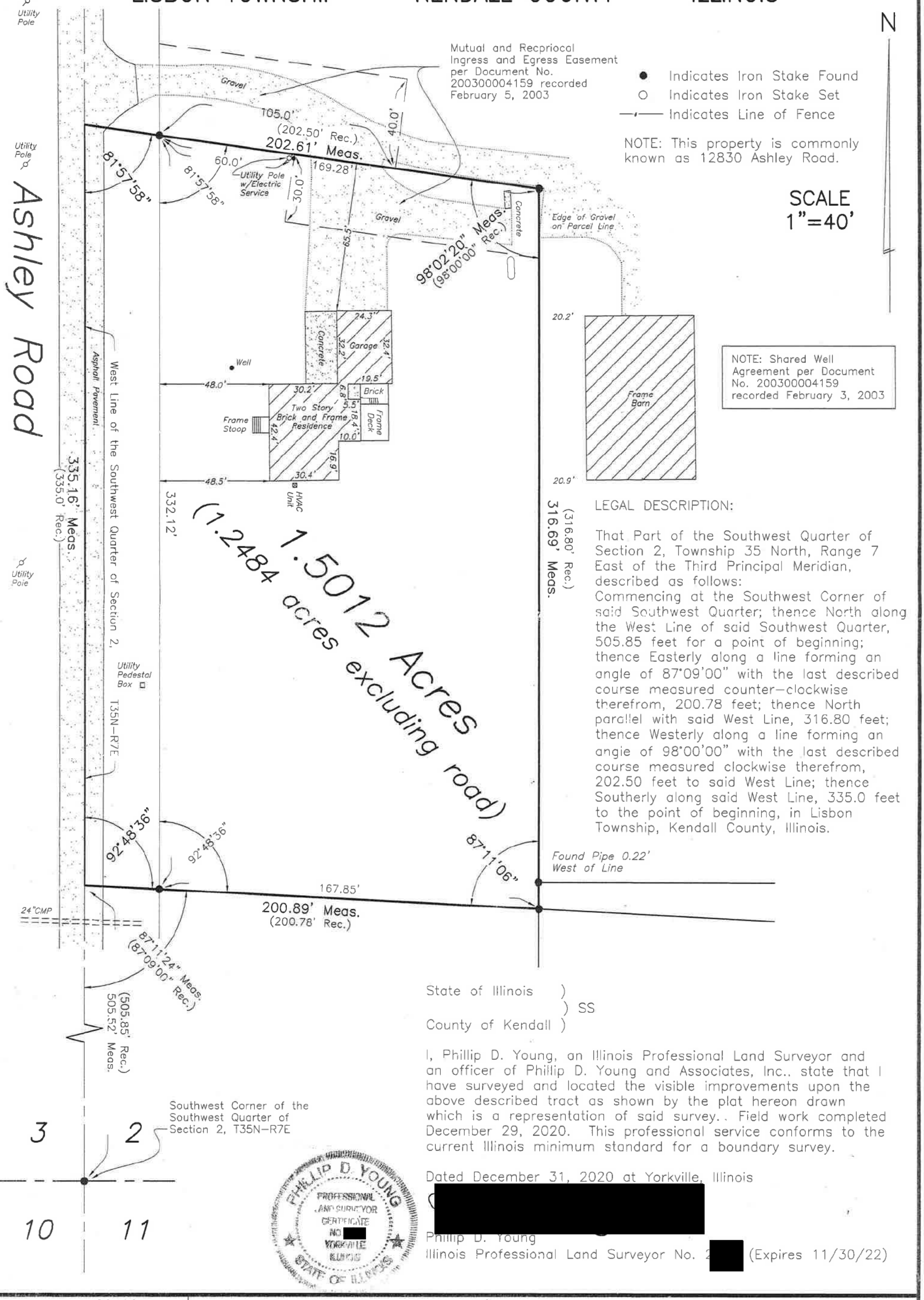
That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood.

1. The parking area will not impair any light or air to adjacent property. The parking area will not subsantially increase congestion. There are only 5-6 employees and they come in during the morning and leave by 6:00 p.m. at the latest. One trip in, one trip out. There is no increase in the danger of fire or to publich safety and property values will not diminish as a result.

2. There is no impact whatsoever to adjacent properties by ground illuminating the sign on the property.

Attachment 2

PLAT OF SURVEY OF
PART OF THE SOUTHWEST QUARTER OF SECTION 2, T35N–R7E, 3rd PM
LISBON TOWNSHIP KENDALL COUNTY ILLINOIS



Mutual and Recpriocal Ingress and Egress Easement per Document No. 200300004159 recorded February 5, 2003

● Indicates Iron Stake Found
○ Indicates Iron Stake Set
—•— Indicates Line of Fence

NOTE: This property is commonly known as 12830 Ashley Road.

NOTE: Shared Well Agreement per Document No. 200300004159 recorded February 3, 2003

LEGAL DESCRIPTION:

That Part of the Southwest Quarter of Section 2, Township 35 North, Range 7 East of the Third Principal Meridian, described as follows:
Commencing at the Southwest Corner of said Southwest Quarter; thence North along the West Line of said Southwest Quarter, 505.85 feet for a point of beginning; thence Easterly along a line forming an angle of 87°09'00" with the last described course measured counter–clockwise therefrom, 200.78 feet; thence North parallel with said West Line, 316.80 feet; thence Westerly along a line forming an angle of 98°00'00" with the last described course measured clockwise therefrom, 202.50 feet to said West Line; thence Southerly along said West Line, 335.0 feet to the point of beginning, in Lisbon Township, Kendall County, Illinois.

State of Illinois)
) SS
County of Kendall)

I, Phillip D. Young, an Illinois Professional Land Surveyor and an officer of Phillip D. Young and Associates, Inc., state that I have surveyed and located the visible improvements upon the above described tract as shown by the plat hereon drawn which is a representation of said survey. Field work completed December 29, 2020. This professional service conforms to the current Illinois minimum standard for a boundary survey.

Dated December 31, 2020 at Yorkville, Illinois

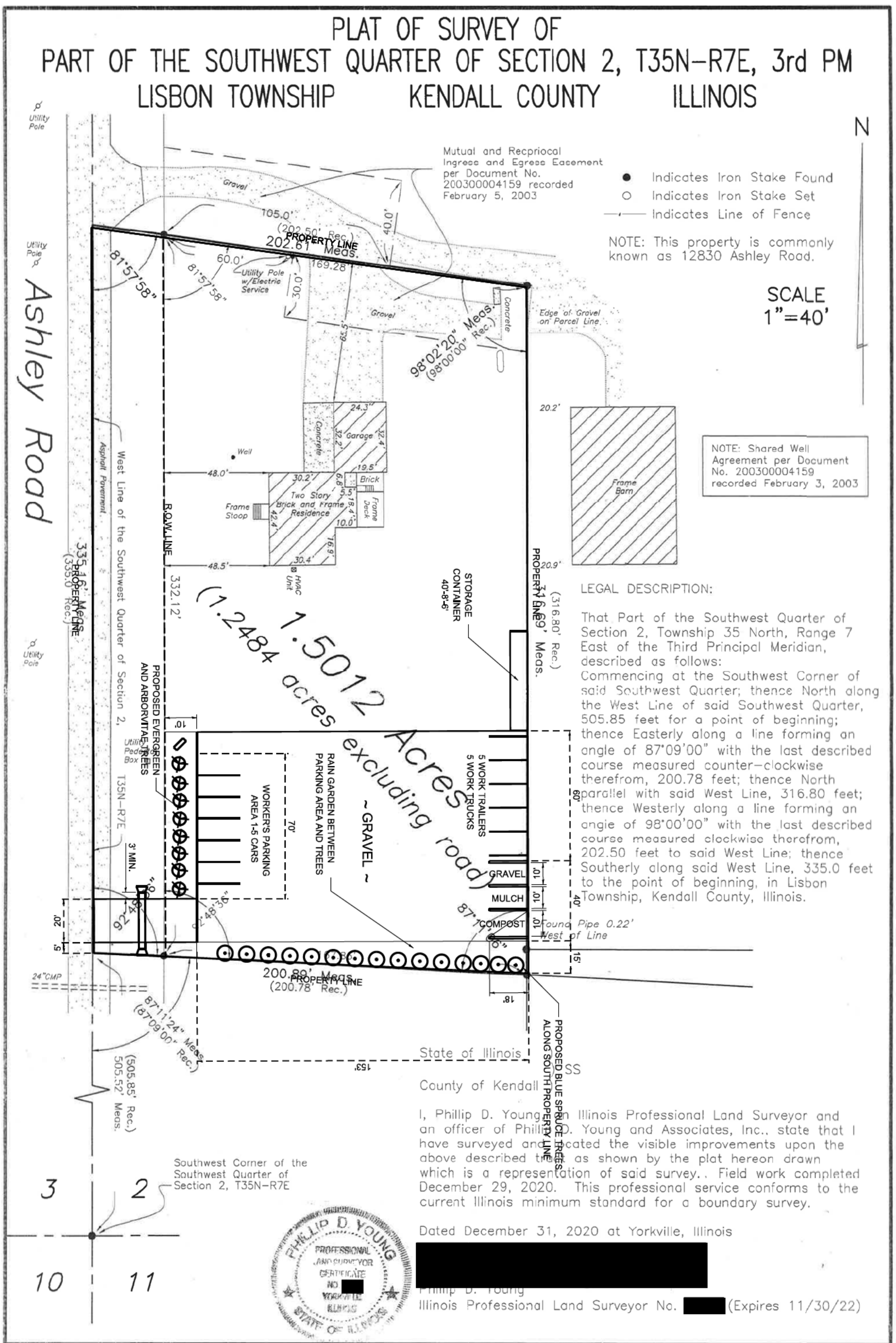
PHILLIP D. YOUNG PROFESSIONAL LAND SURVEYOR CERTIFICATE NO. [redacted] YORKVILLE ILLINOIS STATE OF ILLINOIS

[redacted]
Phillip D. Young
Illinois Professional Land Surveyor No. [redacted] (Expires 11/30/22)

JOB NO.	20408
JOB NAME	ATTY. HELLAND
DWG FILE	20408

Phillip D. Young and Associates, Inc.
LAND SURVEYING – TOPOGRAPHIC MAPPING – Lic.#184–002775
1107B South Bridge Street
Yorkville, Illinois 60560
Telephone (630)553–1580

PLAT OF SURVEY OF
PART OF THE SOUTHWEST QUARTER OF SECTION 2, T35N–R7E, 3rd PM
LISBON TOWNSHIP KENDALL COUNTY ILLINOIS



JOB NO.	20408
JOB NAME	ATTY. HELLAND
DWG FILE	20408

Phillip D. Young and Associates, Inc.
LAND SURVEYING – TOPOGRAPHIC MAPPING – Lic.#184–002775

1107B South Bridge Street
Yorkville, Illinois 60560
Telephone (630)553–1580

REVISIONS

NO.	DATE	DESCRIPTION	NO.	DATE	DESCRIPTION

DESIGNED: JCE
DRAWN: JCE
CHECKED: RGN
DATE: 07/14/2021

PROJECT NUMBER: 21.0465
FILE:
SCALE: 1"=5' H, 1"=2'V

Hampton, Lenzini and Renwick, Inc.
Civil & Structural Engineers . Land Surveyors . Environmental Services
ELGIN . SPRINGFIELD . CRYSTAL LAKE . MT CARMEL
www.hlrengineering.com
184.000959 ILLINOIS PROFESSIONAL DESIGN FIRM: LS / PE / SE CORPORATION

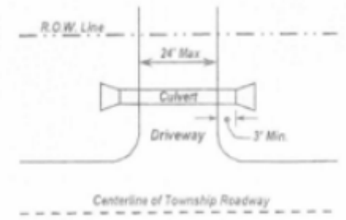
12830 Ashley Road, Newark, IL 60541

PLAT PLAN

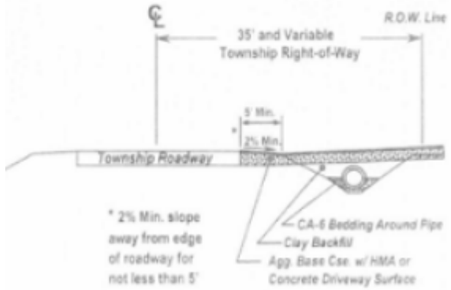
TOTAL SHEETS: 2
SHEET NUMBER: 2

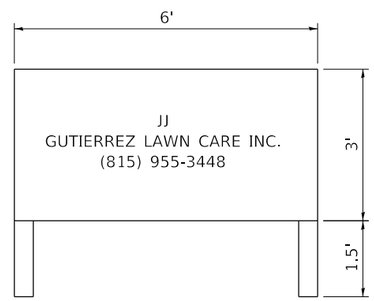


Roadways without Curb



Typical Section





NOTE: SIGN WILL BE ILLUMINATED
BY GROUND SOLAR LIGHTS

SIGN DETAIL

REVISIONS					
NO.	DATE	DESCRIPTION	NO.	DATE	DESCRIPTION

DESIGNED: JCE
DRAWN: JCE
CHECKED: RGN
DATE: 07/26/2021

PROJECT NUMBER: 21.0465
FILE:
SCALE:1"=5' H, 1"=2'V

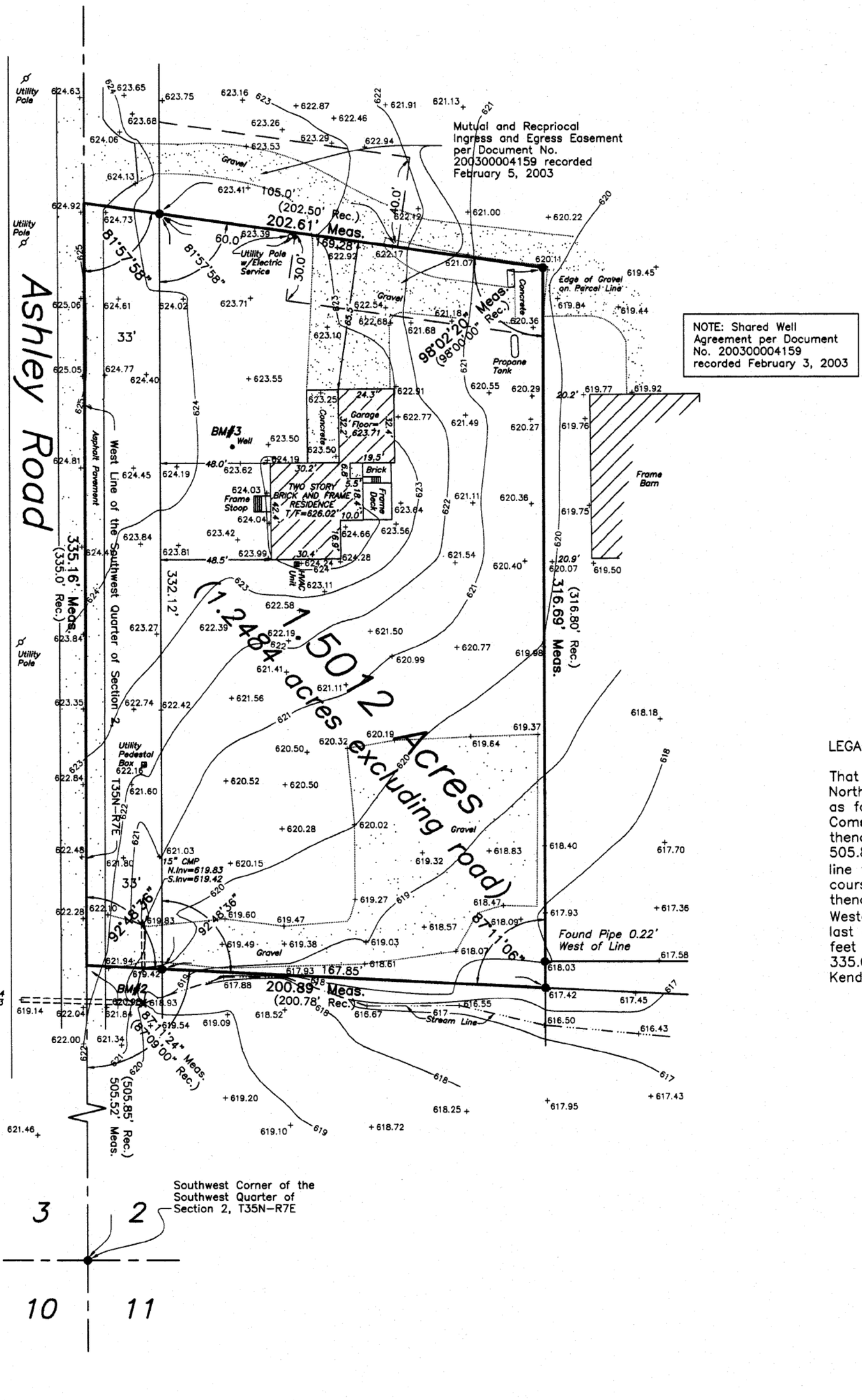
Hampton, Lenzlnl and Renwlck, Inc.
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www.hlrengineering.com
184.000959 ILLINOIS PROFESSIONAL DESIGN FIRM LS / PE / SE CORPORATION

12830 ASHLEY ROAD, NEWARK, IL 60541

AERIAL PLAN

TOTAL SHEETS	SHEET NUMBER
2	1

PLAT OF SURVEY AND TOPOGRAPHY OF
PART OF THE SOUTHWEST QUARTER OF SECTION 2, T35N–R7E, 3rd PM
LISBON TOWNSHIP KENDALL COUNTY ILLINOIS



LEGAL DESCRIPTION:

That Part of the Southwest Quarter of Section 2, Township 35 North, Range 7 East of the Third Principal Meridian, described as follows:
Commencing at the Southwest Corner of said Southwest Quarter; thence North along the West Line of said Southwest Quarter, 505.85 feet for a point of beginning; thence Easterly along a line forming an angle of 87°09'00" with the last described course measured counter–clockwise therefrom, 200.78 feet; thence North parallel with said West Line, 316.80 feet; thence Westerly along a line forming an angle of 98°00'00" with the last described course measured clockwise therefrom, 202.50 feet to said West Line; thence Southerly along said West Line, 335.0 feet to the point of beginning, in Lisbon Township, Kendall County, Illinois.

N

SCALE
1"=40'

- ● Indicates Iron Stake Found
- ○ Indicates Iron Stake Set
- —•— Indicates Line of Fence
- + 630.53 Indicates Spot Elevation
- —630— Indicates Contour Elevation

NOTE: This property is commonly known as 12830 Ashley Road.

BENCHMARKS (NAVD 1988)

OFFSITE VERTICAL CONTROL BM#1 --
(Kendall County Benchmark #510b)
Brass Marker on the Southeast corner of double box culvert over a tributary to West Aux Sable Creek and Ashley Road South of Platville Road.
Elevation = 608.13

BM#2 -- Top of East end of 24" Corrugated Metal Pipe at the Southwest corner of Subject Parcel.
Elevation = 620.98

BM#3 -- Top of Well Cap West of the House on the Subject Parcel.
Elevation = 624.36

State of Illinois)
) SS
County of Kendall)

I, Phillip D. Young, an Illinois Professional Land Surveyor and an officer of Phillip D. Young and Associates, Inc., state that I have surveyed and located the visible improvements upon the above described tract as shown by the plat hereon drawn which is a representation of said survey. Field work completed June 30, 2021. This professional service conforms to the current Illinois minimum standard for a boundary survey.

Dated July 2, 2021 at Yorkville, Illinois

[redacted]
Phillip D. Young
Illinois Professional Land Surveyor No. [redacted] (Expires 11/30/22)

PHILLIP D. YOUNG PROFESSIONAL LAND SURVEYOR CERTIFICATE NO. [redacted] YORKVILLE ILLINOIS STATE OF ILLINOIS

JOB NO.	20408
JOB NAME	ATTY. RICHMOND
DWG FILE	20408A3

Phillip D. Young and Associates, Inc.
LAND SURVEYING – TOPOGRAPHIC MAPPING – Lic.#184–002775
1107B South Bridge Street
Yorkville, Illinois 60560
Telephone (630)553–1580

Attachment 6 Special Use Area North



Attachment 7 Special Use Area Center



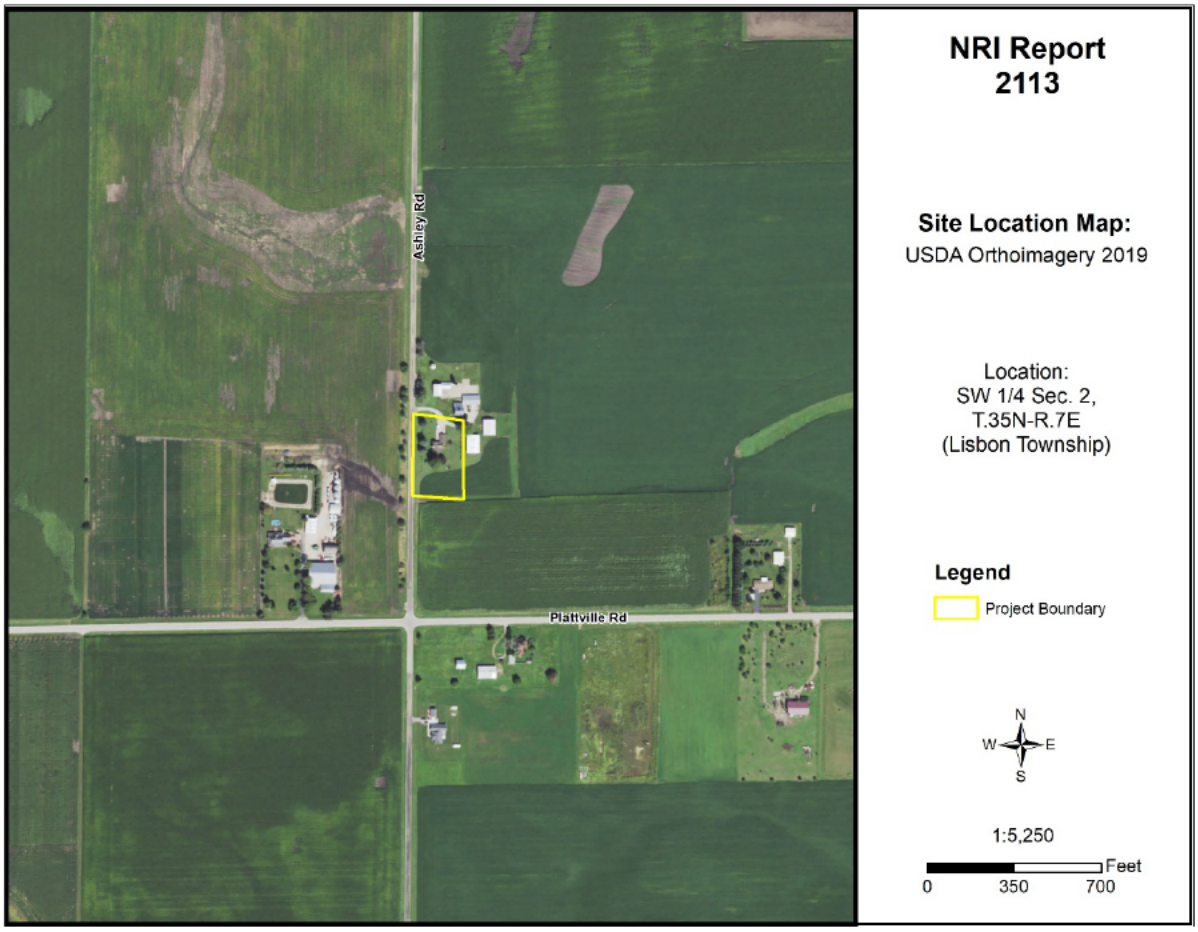
Attachment 8 Special Use Area South



Attachment 9 Existing Arborvitae



NATURAL RESOURCE INFORMATION (NRI) REPORT: #2113



Aug. 2021

Petitioner: JJ Gutierrez Lawn Care, Inc.
Contact: Scott Richmond, Esq.

Prepared By:

Kendall County Soil & Water Conservation District

7775A Route 47
Yorkville, Illinois 60560
Phone: (630) 553-5821 x3
Fax: (630) 553-7442
www.kendallswcd.org

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

Natural Resource Information Report Number	2113
Date District Board Reviews Application	August 2021
Applicant's Name	JJ Gutierrez Lawn Care, Inc.
Size of Parcel	(+/-) 1.5 acres
Current Zoning & Use	A-1 Agricultural; Residential/Agriculture
Proposed Zoning & Use	A-1 SU Agricultural Special Use; Residential/Landscaping Business
Parcel Index Number(s)	08-02-300-012
Contact Person	Scott Richmond, Esq.

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

Report Prepared By: *Alyse Olson* Position: *Resource Conservationist*

PURPOSE AND INTENT

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

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

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

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

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

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

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EXECUTIVE SUMMARY

Natural Resource Information Report Number	#2113
Petitioner	JJ Gutierrez Lawn Care, Inc.
Contact Person	Scott Richmond, Esq.
County or Municipality the Petition is Filed With	Kendall County
Location of Parcel	SW ¼ of Section 2, Township 35 North, Range 7 East (Lisbon Township) of the 3rd Principal Meridian
Project or Subdivision Name	JJ Gutierrez Lawn Care, Inc.
Existing Zoning & Land Use	A-1 Agricultural; Residential/Agriculture
Proposed Zoning & Land Use	A-1 SU Agricultural Special Use; Residential/Landscaping Business
Proposed Water Source	Well
Proposed Type of Sewage Disposal System	Septic
Proposed Type of Storm Water Management	No change
Size of Site	(+/-) 1.5 acres
Land Evaluation Site Assessment Score	193 (Land Evaluation: 97; Site Assessment: 96)

NATURAL RESOURCE CONSIDERATIONS

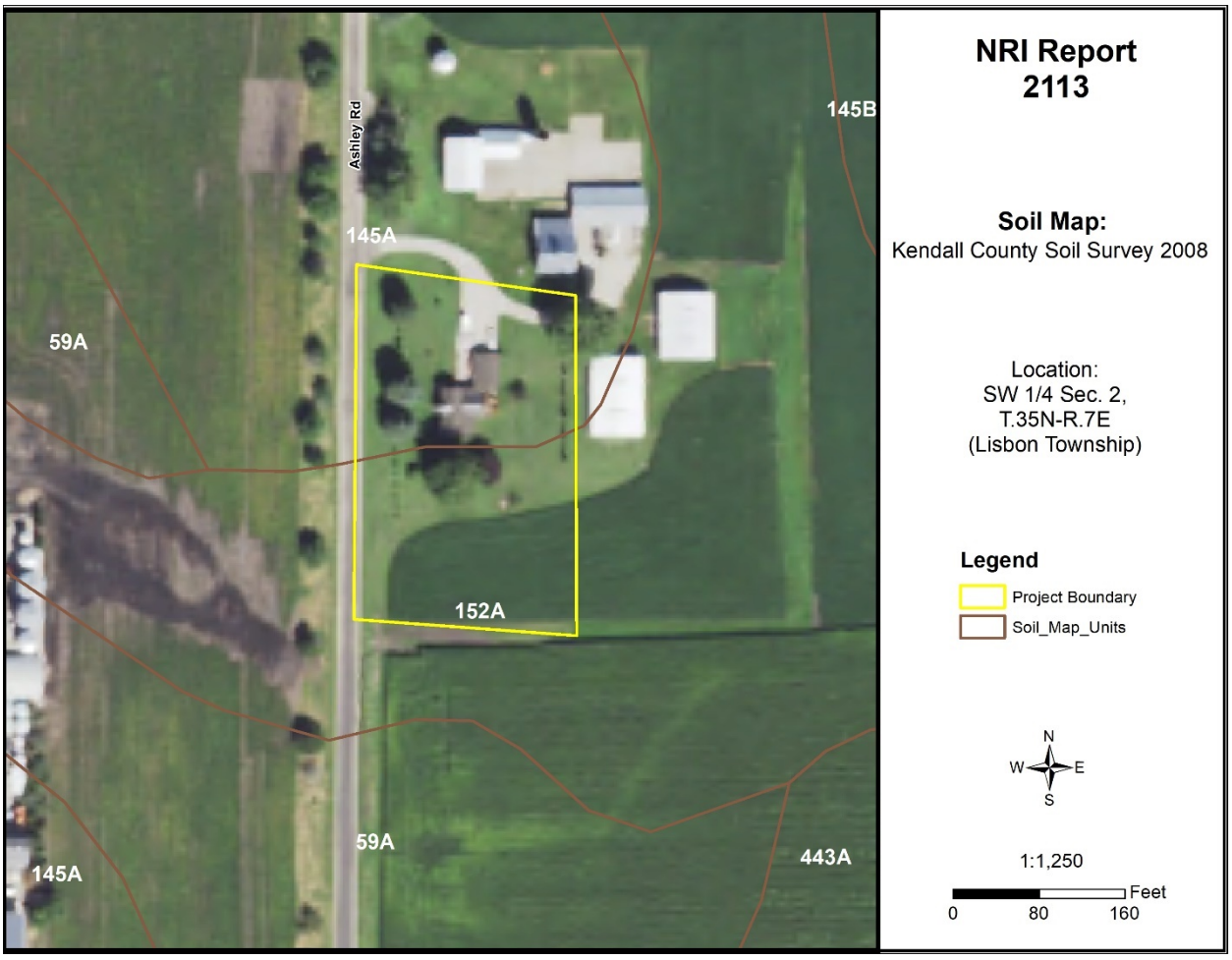


Figure 1: Soil Map

SOIL INFORMATION

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

Table 1: Soils Information

Map Unit	Soil Name	Drainage Class	Hydrologic Group	Hydric Designation	Farmland Designation
145A	Saybrook silt loam, 0-2% slopes	Moderately Well Drained	C	Non-Hydric	Prime Farmland
152A	Drummer silty clay loam, 0-2% slopes	Poorly Drained	B/D	Hydric	Prime Farmland if drained

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

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

Hydric Soils – A hydric soil is one that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile that supports the growth or regeneration of hydrophytic vegetation. Soils with hydric inclusions have map units dominantly made up of non-hydric soils that may have inclusions of hydric soils in the lower positions on the landscape. Of the soils found onsite, one is classified as hydric soil (152A Drummer silty clay loam), and one is classified as non-hydric soil (145A Saybrook silt loam).

Prime Farmland – Prime farmland is land that has the best combination of physical and chemical characteristics for agricultural production. Prime farmland soils are an important resource to Kendall County and some of the most productive soils in the United States occur locally. Of the soils found onsite, one is designated as prime farmland (145A Saybrook silt loam) and the other is designated as prime farmland if drained (152A Drummer silty clay loam).

Soil Limitations – The USDA-NRCS Web Soil Survey rates the limitations of soils for dwellings with basements, dwellings without basements, small commercial buildings, shallow excavations, lawns/landscaping, and local roads and streets. Soils have different properties which influence the development of building sites. The USDA-NRCS classifies soils as Not Limited, Somewhat Limited, and Very Limited. Soils that are Not Limited indicates that the soil has properties that are favorable for the specified use. They will perform well and will have low maintenance. Soils that are Somewhat Limited are moderately favorable, and their limitations can be overcome through special planning, design, or installation. Soils that are Very Limited have features that are unfavorable for the specified use, and their limitations cannot easily be overcome.

Table 2: Soil Limitations

Soil Type	Small Commercial Buildings	Shallow Excavations	Lawns/ Landscaping	Conventional Septic Systems
145A	Somewhat Limited	Somewhat Limited	Somewhat Limited	Suitable/ Not Limited
152A	Very Limited	Very Limited	Very Limited	Unsuitable/ Very Limited

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

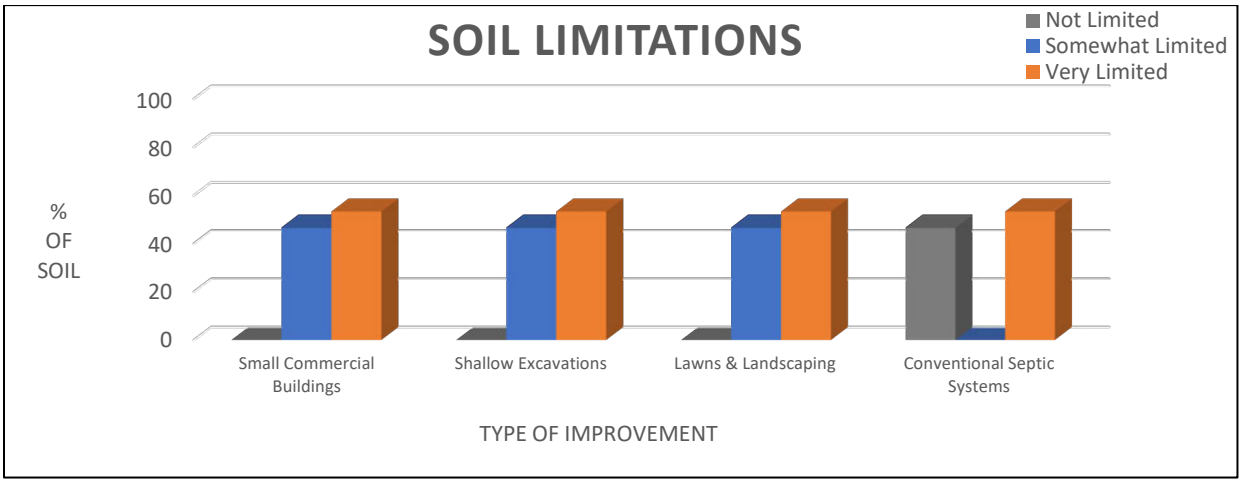


Figure 2: Soil Limitations

KENDALL COUNTY LAND EVALUATION AND SITE ASSESSMENT (LESA)

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

- **Land Evaluation (LE)**: The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland, or forestland. The best group is assigned a value of 100 and all other groups are assigned lower values. The Land Evaluation is based on data from the Kendall County Soil Survey. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.
    - The Land Evaluation score for this site is **97**, indicating that this site is **well suited** for agricultural uses.
- **Site Assessment (SA)**: The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The Site Assessment value is based on a 200-point scale and accounts for 2/3 of the total score. The Kendall County LESA Committee is responsible for this portion of the LESA system.
    - The Site Assessment score for this site is **96**.

The **LESA Score for this site is 193 out of a possible 300, which indicates a low level of protection** for the proposed project site. Note: Selecting the project site with the lowest total points will generally protect

the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County. If the project is agricultural in nature, however, a higher score may provide an indication of the suitability of the project as it relates to the compatibility with existing agricultural land use.

WETLANDS

The U.S. Fish & Wildlife Service's National Wetland Inventory map **does not indicate the presence** of a wetland(s) on the proposed project site. To determine if a wetland is present, a wetland delineation specialist, who is recognized by the U.S. Army Corps of Engineers, should determine the exact boundaries and value of the wetlands.

FLOODPLAIN

The Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) for Kendall County, Community Panel No. 17093C0125G (effective date February 4, 2009) was reviewed to determine the presence of floodplain and floodway areas within the project site. According to the map, the parcel **is not located within** the floodplain and floodway.

SEDIMENT AND EROSION CONTROL

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

LAND USE FINDINGS:

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed development plans for Petitioner JJ Gutierrez Lawn Care, Inc. for the proposed Special Use Permit to operate a landscaping business on parcel 08-02-300-012 within Lisbon Township of Kendall County located in the SW ¼ of Section 2, Township 35N, and Range 7E of the 3rd Principal Meridian. Based on the information provided by the petitioner and a review of natural resource related data available to the Kendall County SWCD, the SWCD Board presents the following information.

The Kendall County SWCD has always had the opinion that Prime Farmland should be preserved whenever feasible. Of the soils found onsite, 100% are classified as prime farmland or prime farmland if drained. A land evaluation (LE), which is a part of the Land Evaluation and Site Assessment (LESA), was conducted on this parcel. The soils on this parcel scored a 97 out of a possible 100 points indicating that the soils are well suited for agricultural uses. The total LESA Score for this site is 193 out of a possible 300, which indicates a low level of protection for the proposed project site. Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County. If the project is agricultural in nature, however, a higher score may provide an indication of the suitability of the project as it relates to the compatibility with existing agricultural land use.

Soils found on the project site are rated for specific uses and can have potential limitations for development. Soil types with severe limitations do not preclude the ability to develop the site for the proposed use, but it is important to note that the limitation may require soil reclamation, special design/engineering, or maintenance to obtain suitable soil conditions to support development with significant limitations. This report indicates that for soils located on the parcel, 53% are very limited for small commercial buildings, shallow excavations, and lawns/landscaping. The remaining soils are considered somewhat limited for these types of developments. Additionally, 53% of the soils are considered unsuitable for conventional septic systems. This information is based on the soil in an undisturbed state. If the scope of the project may include the use of onsite septic systems, please consult with the Kendall County Health Department.

This site is located within the Upper Illinois River watershed and the West Branch Aux Sable Creek/Lisbon Creek sub watershed. This development should include a soil erosion and sediment control plan to be implemented during construction. Sediment may become a primary non-point source of pollution; eroded soils during the construction phase can create unsafe conditions on roadways, degrade water quality and destroy aquatic ecosystems lower in the watershed.

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

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

[redacted]

SWCD Board Representative

08/09/2021

Date

PARCEL LOCATION

Location Map for Natural Resources Information Report #2113

SW ¼ of Section 2, Township 35 North, Range 7 East (Lisbon Township) on 1.5 acres. This parcel is located on the east side of Ashley Road, west of N Church Road, south of Penman Road, and north of Plattville Road in Newark, IL. The parcel is part of unincorporated Kendall County.

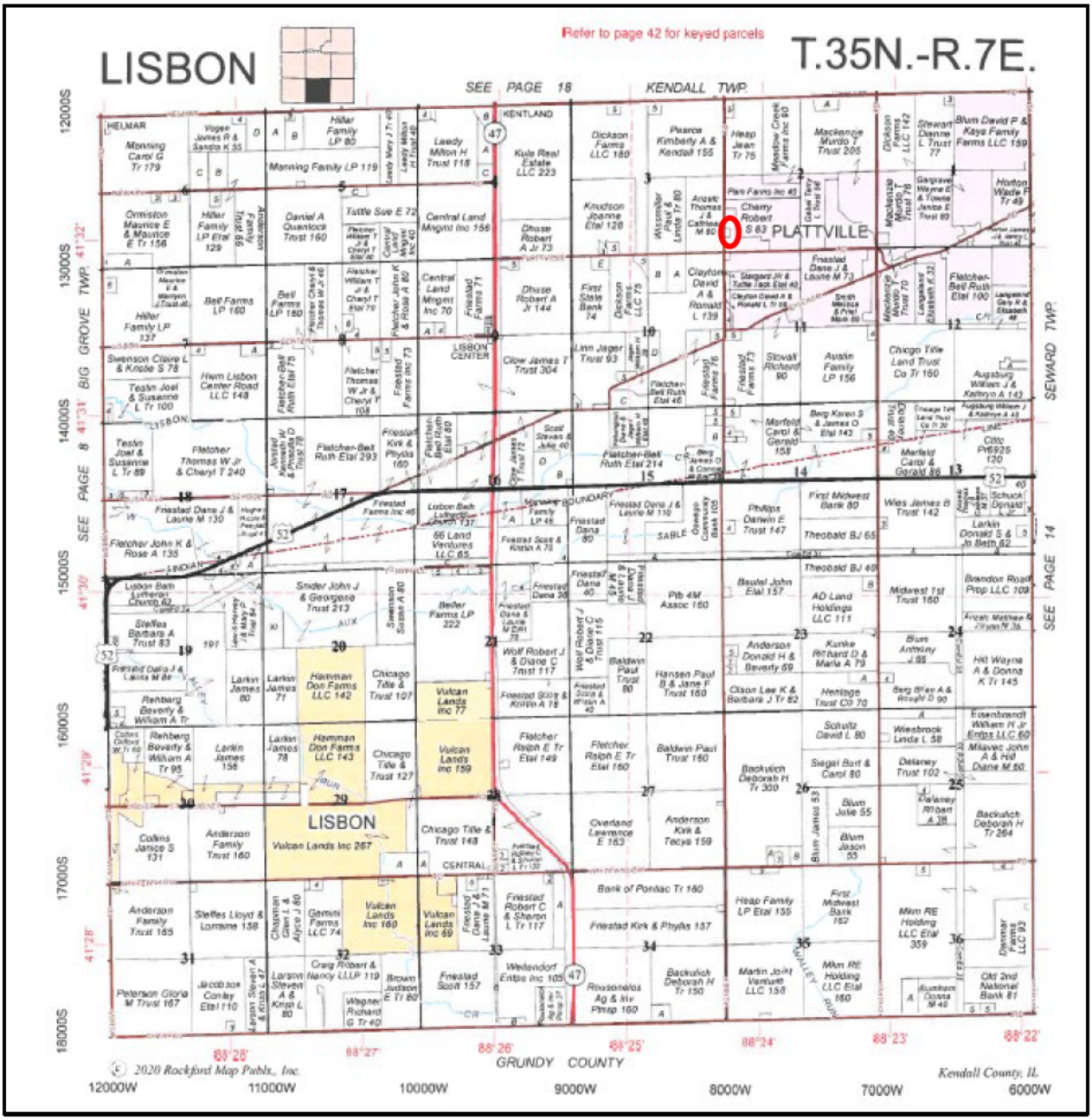


Figure 3: 2021 Plat Map

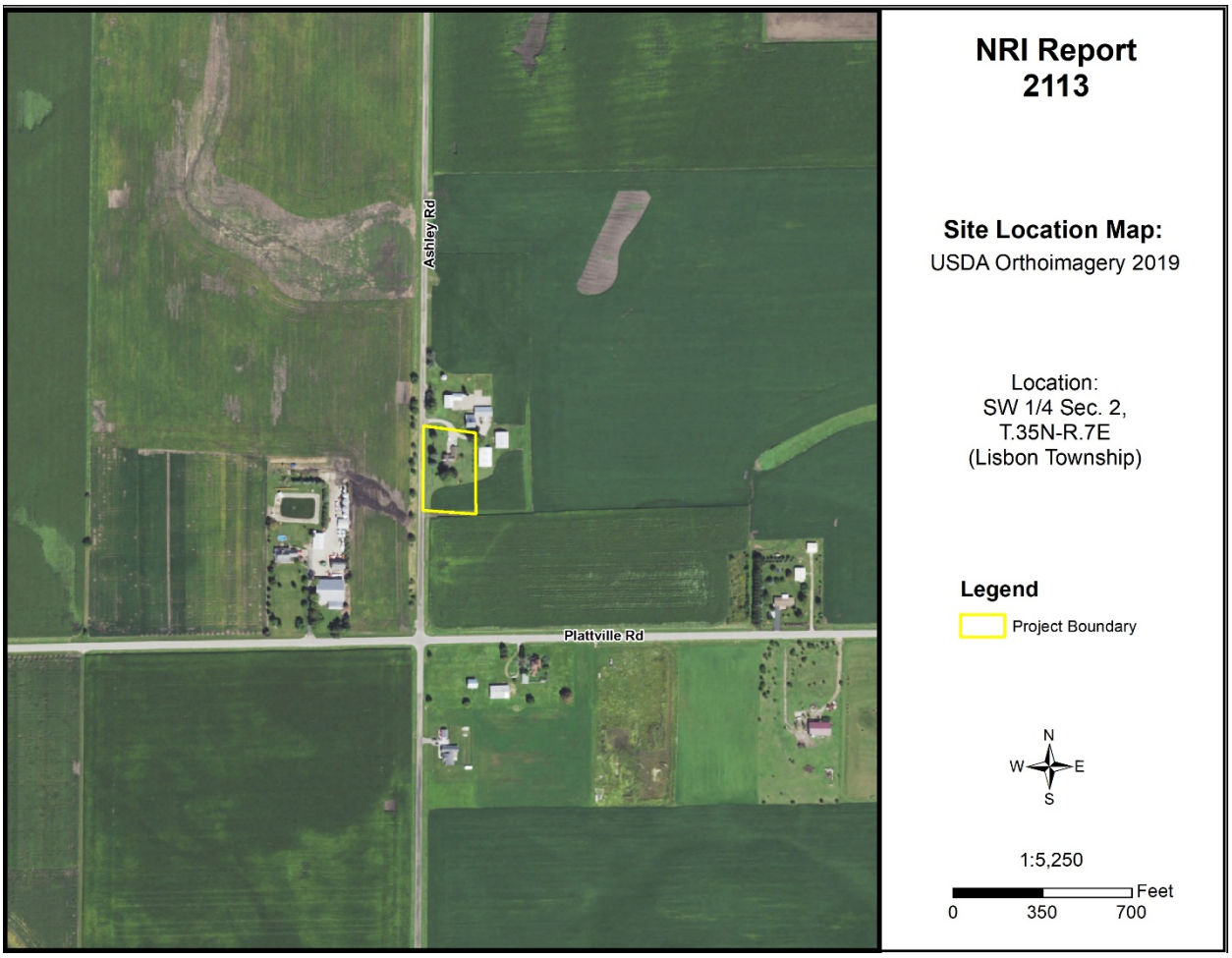


Figure 4: 2019 Aerial Map with NRI Site Boundary

ARCHAEOLOGIC/CULTURAL RESOURCES INFORMATION

Simply stated, cultural resources are all the past activities and accomplishments of people. They include the following: buildings; objects made or used by people; locations; and less tangible resources, such as stories, dance forms, and holiday traditions.

The Soil and Water Conservation District most often encounters cultural resources as historical properties. These may be prehistoric or historical sites, buildings, structures, features, or objects. The most common type of historical property that the Soil and Water Conservation District may encounter is non-structural archaeological sites. These sites often extend below the soil surface and must be protected against disruption by development or other earth moving activity if possible. Cultural resources are *non-renewable* because there is no way to "grow" a site to replace a disrupted site.

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

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

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

ECOLOGICALLY SENSITIVE AREAS

WHAT IS BIOLOGICAL DIVERSITY AND WHY SHOULD IT BE CONSERVED?[1]

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

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

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

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

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

Further, every species is a potential source of human medicine. In 1980, a published report identified the market value of prescription drugs from higher plants at over $3 billion. Organic alkaloids, a class of

chemical compounds used in medicines, are found in an estimated 20% of plant species. Yet only 2% of plant species have been screened for these compounds (Hoose 1981).

The third reason for protecting diversity is that humans benefit from natural areas and depend on healthy ecosystems. The natural world supplies our air, our water, our food and supports human economic activity. Further, humans are creatures that evolved in a diverse natural environment between forest and grasslands. People need to be reassured that such places remain. When people speak of "going to the country," they generally mean more than getting out of town. For reasons of their own sanity and wellbeing, they need a holistic, organic experience. Prolonged exposure to urban monotony produces neuroses, for which cultural and natural diversity cure.

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

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

BIOLOGICAL RESOURCES CONCERNING THE SUBJECT PARCEL

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

Office maps indicate that ecologically sensitive area(s) are not located near the parcel in question (PIQ).

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

SOILS INFORMATION

IMPORTANCE OF SOILS INFORMATION

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

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

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

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

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

Soil interpretations do not eliminate the need for on-site study and testing of specific sites for the design and construction for specific uses. They can be used as a guide for planning more detailed investigations and for avoiding undesirable sites for an intended use. The scale of the maps and the range of error limit the use of the soil delineation.

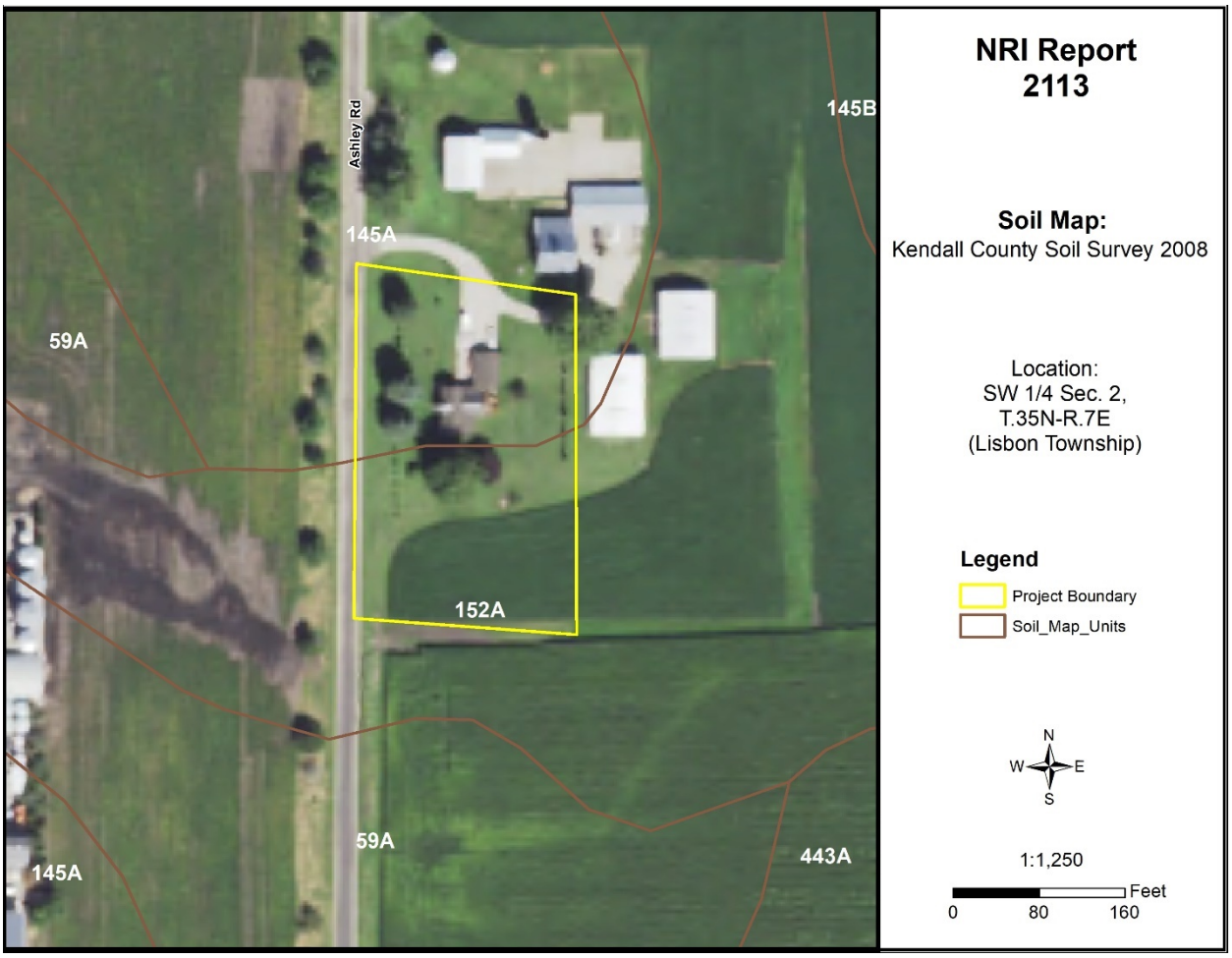


Figure 5: Soil Map

Table 3: Soil Map Unit Descriptions

Symbol	Descriptions	Acres	Percent
145A	Saybrook silt loam, 0-2% slopes	0.7	46.7%
152A	Drummer silty clay loam, 0-2% slopes	0.8	53.3%

Source: National Cooperative Soil Survey – USDA-NRCS

SOILS INTERPRETATIONS EXPLANATION

GENERAL – NONAGRICULTURAL

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

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

LIMIATIONS RATINGS

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

BUILDING LIMITATIONS

BUILDING ON POORLY SUITED OR UNSUITABLE SOILS

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

Small Commercial Buildings – Ratings are for structures that are less than three stories high and do not have basements. The foundation is assumed to be spread footings of reinforced concrete built on disturbed soil at a depth of 2 feet or at the depth of maximum frost penetration, whichever is deeper. The ratings are based on soil properties that affect the capacity of the soil to support a load without movement and on the properties that affect excavation and construction costs.

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

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

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

Table 4: Building Limitations

Soil Type	Small Commercial Buildings	Shallow Excavations	Lawns & Landscaping	Onsite Conventional Sewage Systems	Acres	%
145A	**Somewhat Limited:** Shrink-swell	**Somewhat Limited:** Depth to saturated zone; Dusty; Unstable excavation walls	**Somewhat Limited:** Dusty	**Suitable**	0.7	46.7%
152A	**Very Limited:** Ponding; Depth to saturated zone; Shrink-swell	**Very Limited:** Ponding; Depth to saturated zone; Dusty; Unstable excavation walls	**Very Limited:** Ponding; Depth to saturated zone; Dusty	**Unsuitable:** Wet	0.8	53.3%
% Very Limited	**53.3%**	**53.3%**	**53.3%**	**53.3%**		

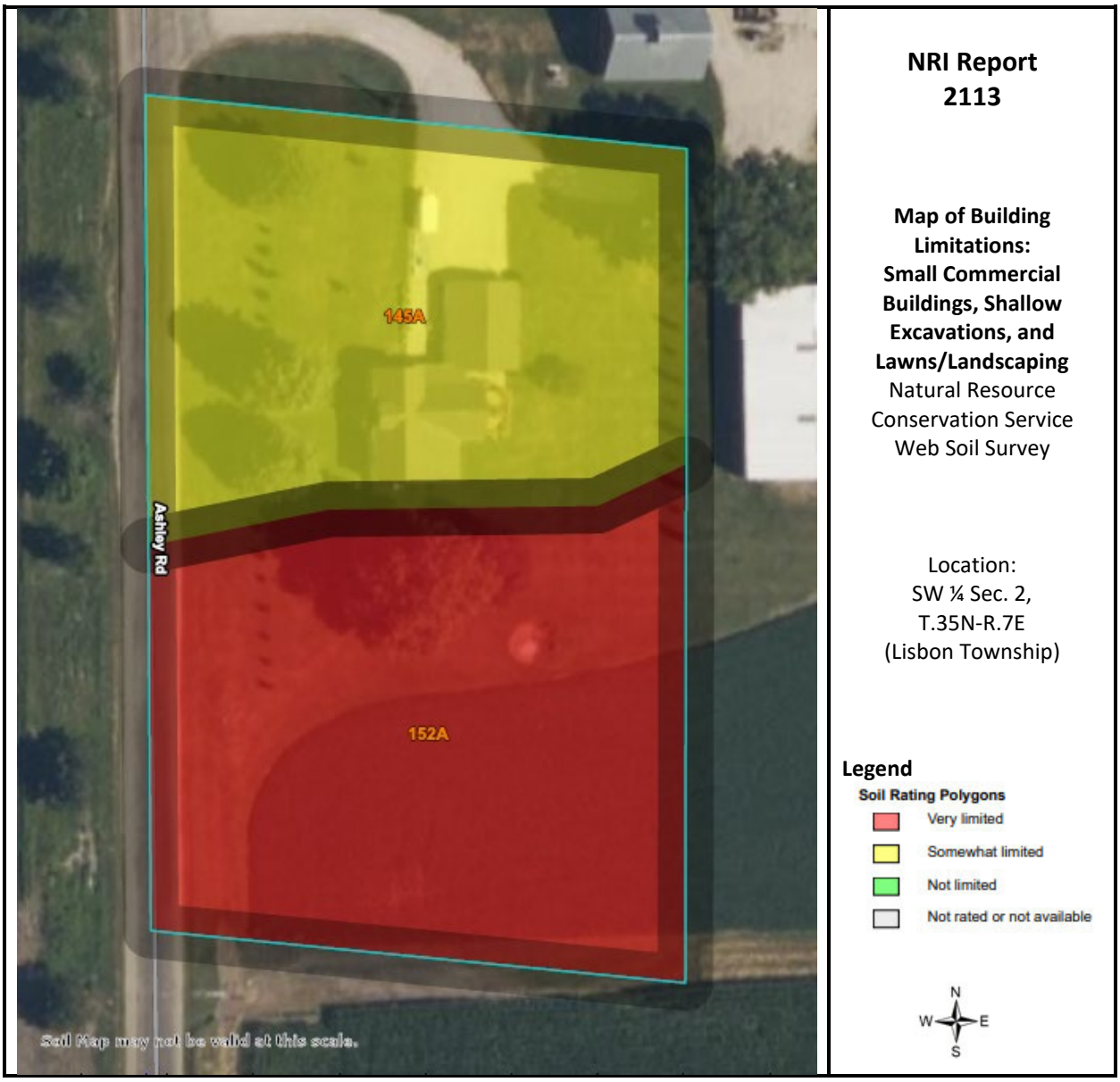


Figure 6A: Map of Building Limitations – Small Commercial Buildings, Shallow Excavations, and Lawns/Landscaping

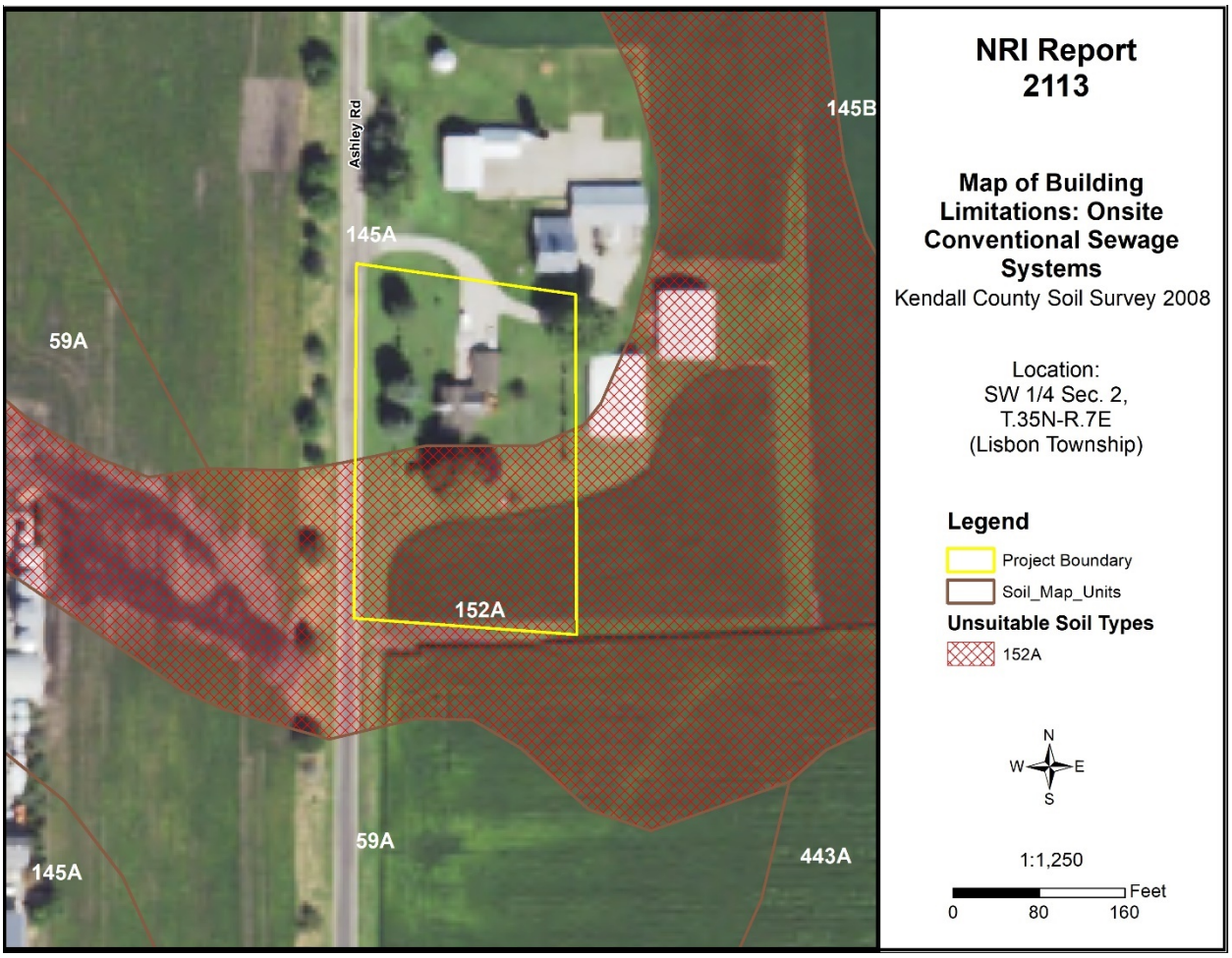


Figure 6B: Map of Building Limitations – Onsite Conventional Sewage Systems

SOIL WATER FEATURES

Table 5, below, gives estimates of various soil water features that should be taken into consideration when reviewing engineering for a land use project.

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

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

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

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

MONTHS – The portion of the year in which a water table, ponding, and/or flooding is most likely to be a concern.

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

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

- **Duration:** Expressed as *very brief* if less than 2 days, *brief* if 2 to 7 days, *long* if 7 to 30 days and *very long* if more than 30 days.
- **Frequency:** Expressed as: *none* meaning ponding is not possible; *rare* means unlikely but possible under unusual weather conditions (chance of ponding is 0-5% in any year); *occasional* means that it occurs, on the average, once or less in 2 years (chance of ponding is 5 to 50% in any year); and frequent means that it occurs, on the average, more than once in 2 years (chance of ponding is more than 50% in any year).

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

- **Duration:** Expressed as: *extremely brief* if 0.1 hour to 4 hours; *very brief* if 4 hours to 2 days; *brief* if 2 to 7 days; *long* if 7 to 30 days; and *very long* if more than 30 days.
- **Frequency:** Expressed as: *none* means flooding is not probable; *very rare* means that it is very unlikely but possible under extremely unusual weather conditions (chance of flooding is less than 1% in any year); *rare* means that it is unlikely but possible under unusual weather conditions (chance of flooding is 1 to 5% in any year); *occasional* means that it occurs infrequently under normal weather conditions (chance of flooding is 5 to 50% in any year but is less than 50% in all months in any year); and *very frequent* means that it is likely to occur very often under normal weather conditions (chance of flooding is more than 50% in all months of any year).

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

Table 5: Water Features

Map Unit	Hydrologic Group	Surface Runoff	Water Table	Ponding	Flooding
145A	C	Low	January **Upper/Lower Limit**: -- February – April **Upper Limit:** 2.0’-3.5’ **Lower Limit:** 2.2’-3.8’ May – December **Upper/Lower Limit**: --	January – December **Surface Water Depth**: -- **Duration**: -- **Frequency**: None	January – December **Duration**: -- **Frequency**: None
152A	B/D	Negligible	January – May **Upper Limit:** 0.0’-1.0’ **Lower Limit:** 6.0’ June – December **Upper/Lower Limit**: --	January – May **Surface Water Depth:** 0.0’-0.5’ **Duration:** Brief (2 to 7 days) **Frequency:** Frequent June – December **Surface Water Depth**: -- **Duration**: -- **Frequency**: None	January – December **Duration**: -- **Frequency**: None

SOIL EROSION AND SEDIMENT CONTROL

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

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

Soil erosion during and after this proposed construction can be a primary non-point source of water pollution. Eroded soil during the construction phase can create unsafe conditions on roadways, decrease the storage capacity of lakes, clog streams and drainage channels, cause deterioration of aquatic habitats, and increase water treatment costs. Soil erosion also increases the risk of flooding by choking culverts, ditches, and storm sewers and by reducing the capacity of natural and man-made detention facilities.

The general principles of erosion and sedimentation control measures include:

- Reducing or diverting flow from exposed areas, storing flows, or limiting runoff from exposed areas
- Staging construction to keep disturbed areas to a minimum
- Establishing or maintaining temporary or permanent groundcover
- Retaining sediment on site
- Properly installing, inspecting, and maintaining control measures

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

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

Table 6: Soil Erosion Potential

Soil Type	Slope	Rating	Acreage	Percent of Parcel
145A	0-2%	Slight	0.7	46.7%
152A	0-2%	Slight	0.8	53.3%

PRIME FARMLAND SOILS

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

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

Table 7: Prime Farmland Soils

Soil Types	Prime Designation	Acreage	Percent
145A	Prime Farmland	0.7	46.7%
152A	Prime Farmland if drained	0.8	53.3%
% Prime Farmland	**100%**		

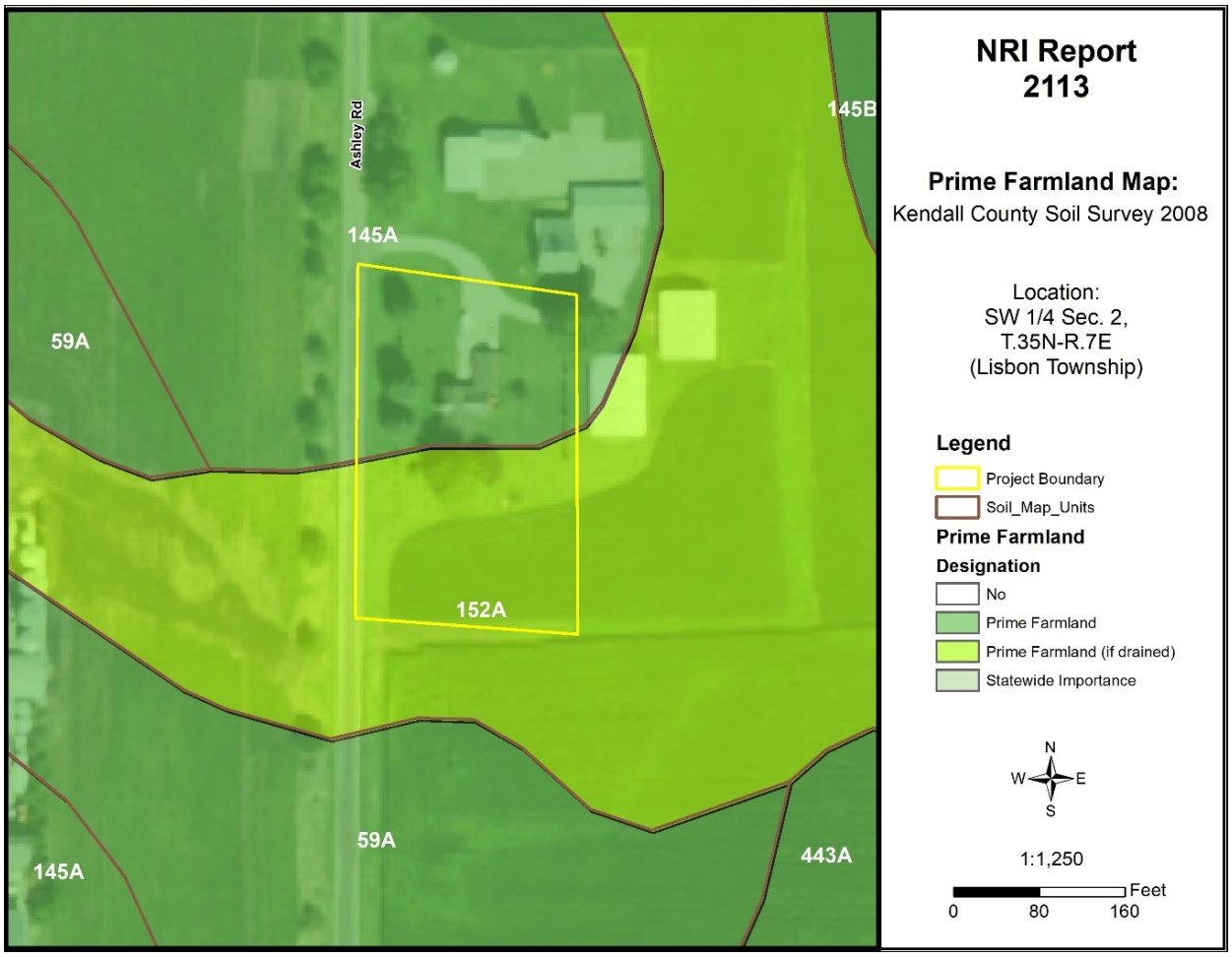


Figure 7: Map of Prime Farmland Soils

LAND EVALUATION AND SITE ASSESSMENT (LESA)

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

LAND EVALUATION (LE)

The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland, or forestland. The best group is assigned a value of 100, and all other groups are assigned lower values. The Land Evaluation is based on data from the Kendall County Soil Survey. The LE score is calculated by multiplying the relative value of each soil type by the number of acres of that soil. The sum of the products is then divided by the total number of acres; the answer is the Land Evaluation score on this site. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.

SITE ASSESSMENT (SA)

The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The value group is a predetermined value based upon prime farmland designation. The Kendall County LESA Committee is responsible for this portion of the LESA system.

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

Table 8A: Land Evaluation Computation

Soil Type	Value Group	Relative Value	Acres	Product (Relative Value x Acres)
145A	2	94	0.7	65.8
152A	1	100	0.8	80
Totals			**1.5**	**145.8**
LE Calculation			(Product of relative value / Total Acres) 145.8 / 1.5 = 97.2	
LE Score			**LE = 97**	

The Land Evaluation score for this site is 97, indicating that this site is designated as prime farmland that is well suited for agricultural uses considering the Land Evaluation score is above 80.

Table 8B: Site Assessment Computation

A.	**Agricultural Land Uses**	**Points**
	1. Percentage of area in agricultural uses within 1.5 miles of site. (20-10-5-0)	20
	2. Current land use adjacent to site. (30-20-15-10-0)	30
	3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0)	5
	4. Size of site. (30-15-10-0)	0
B.	**Compatibility / Impact on Uses**	
	1. Distance from city or village limits. (20-10-0)	0
	2. Consistency of proposed use with County Land Resource Management Concept Plan and/or municipal comprehensive land use plan. (20-10-0)	0
	3. Compatibility of agricultural and non-agricultural uses. (15-7-0)	0
C.	**Existence of Infrastructure**	
	1. Availability of public sewage system. (10-8-6-0)	10
	2. Availability of public water system. (10-8-6-0)	10
	3. Transportation systems. (15-7-0)	15
	4. Distance from fire protection service. (10-8-6-2-0)	6
	Site Assessment Score:	**96**

The Site Assessment score for this site is 96. The Land Evaluation value (97) is added to the Site Assessment value (96) to obtain a LESA Score of 193. The table below shows the level of protection for the proposed project site based on the LESA Score.

Table 9: LESA Score Summary

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

Land Evaluation Value: 97 + **Site Assessment Value:** 96 = **LESA Score: 193**

The LESA Score for this site is 193 which indicates a low level of protection for the proposed project site. Note: Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County. If the project is agricultural in nature, however, a higher score may provide an indication of the suitability of the project as it relates to the compatibility with existing agricultural land use.

LAND USE PLANS

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

DRAINAGE, RUNOFF, AND FLOOD INFORMATION

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

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

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

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

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

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

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

For this reason, the Kendall County SWCD recommends that the developer for intense uses such as a subdivision calculate the preconstruction Q value for the exit point(s). A stormwater management system

should be designed, installed, and maintained to limit the postconstruction Q value to be at or below the preconstruction value.

IMPORTANCE OF FLOOD INFORMATION

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

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

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

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

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

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

If the available maps indicate the presence of a floodplain on the PIQ, the petitioner should contact the IDOT-OWR and FEMA to delineate a floodplain elevation for the parcel. If a portion of the property is indeed floodplain, applicable state, county, and local regulations will need to be reflected in the site plans.

Another indication of flooding potential can be found in the soils information. Hydric soils indicate the presence of drainageways, areas subject to ponding, or a naturally occurring high water table. These need to be considered along with the floodplain information when developing the site plan and the stormwater management plan. Development on hydric soils can contribute to the loss of water storage within the soil and the potential for increased flooding in the area.

This parcel is located on fairly flat topography (slopes 0 to 2%) with an elevation of approximately 618-624' above sea level. According to the FIRM map, the parcel in question is outside of the floodway and floodplain. The parcel drains predominantly southeast.

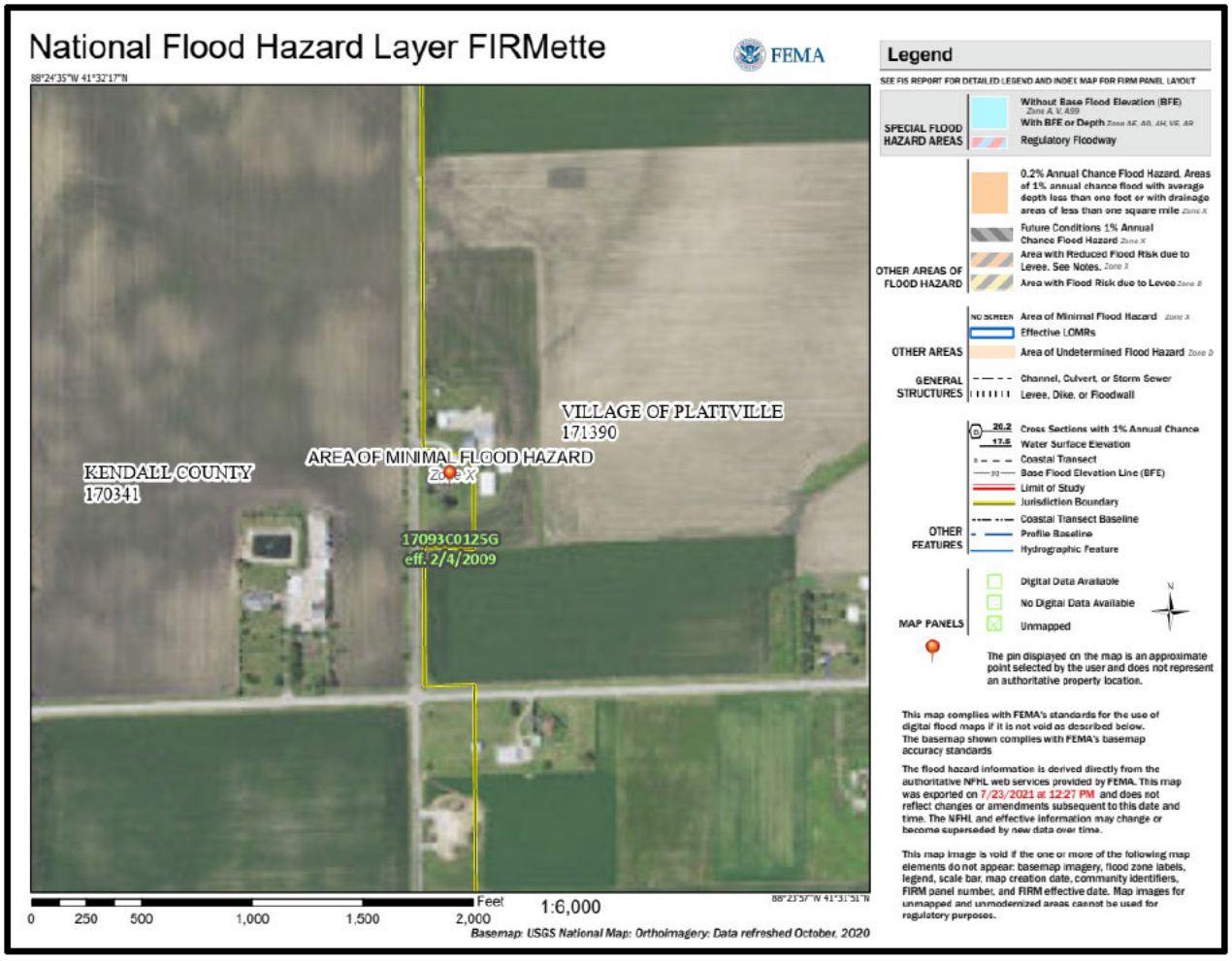


Figure 8: FEMA Floodplain Map

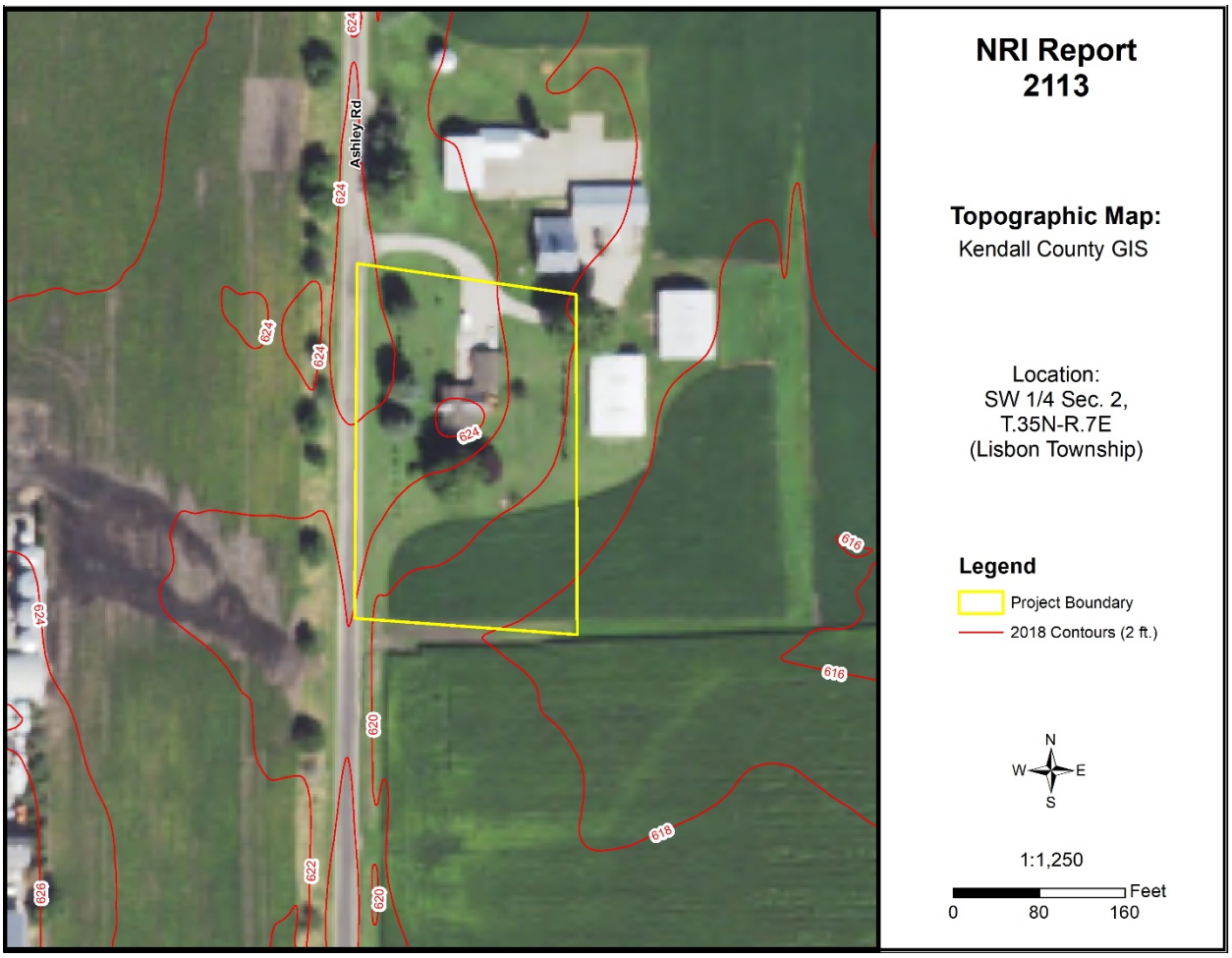


Figure 9: Topographic Map

WATERSHED PLANS

WATERSHED AND SUB WATERSHED INFORMATION

A watershed is the area of land that drains into a specific point including a stream, lake, or other body of water. High points on the Earth's surface, such as hills and ridges define watersheds. When rain falls in the watershed, it flows across the ground towards a stream or lake. Rainwater carries pollutants such as oils, pesticides, and soil.

Everyone lives in a watershed. Their actions can impact natural resources and people living downstream. Residents can minimize this impact by being aware of their environment and the implications of their activities, implementing practices recommended in watershed plans, and educating others about their watershed.

The following are recommendations to developers for protection of this watershed:

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

This parcel is located within the Upper Illinois River Watershed and the West Branch Aux Sable Creek/Lisbon Creek Sub Watershed.

WETLAND INFORMATION

IMPORTANCE OF WETLAND INFORMATION

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

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

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

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

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

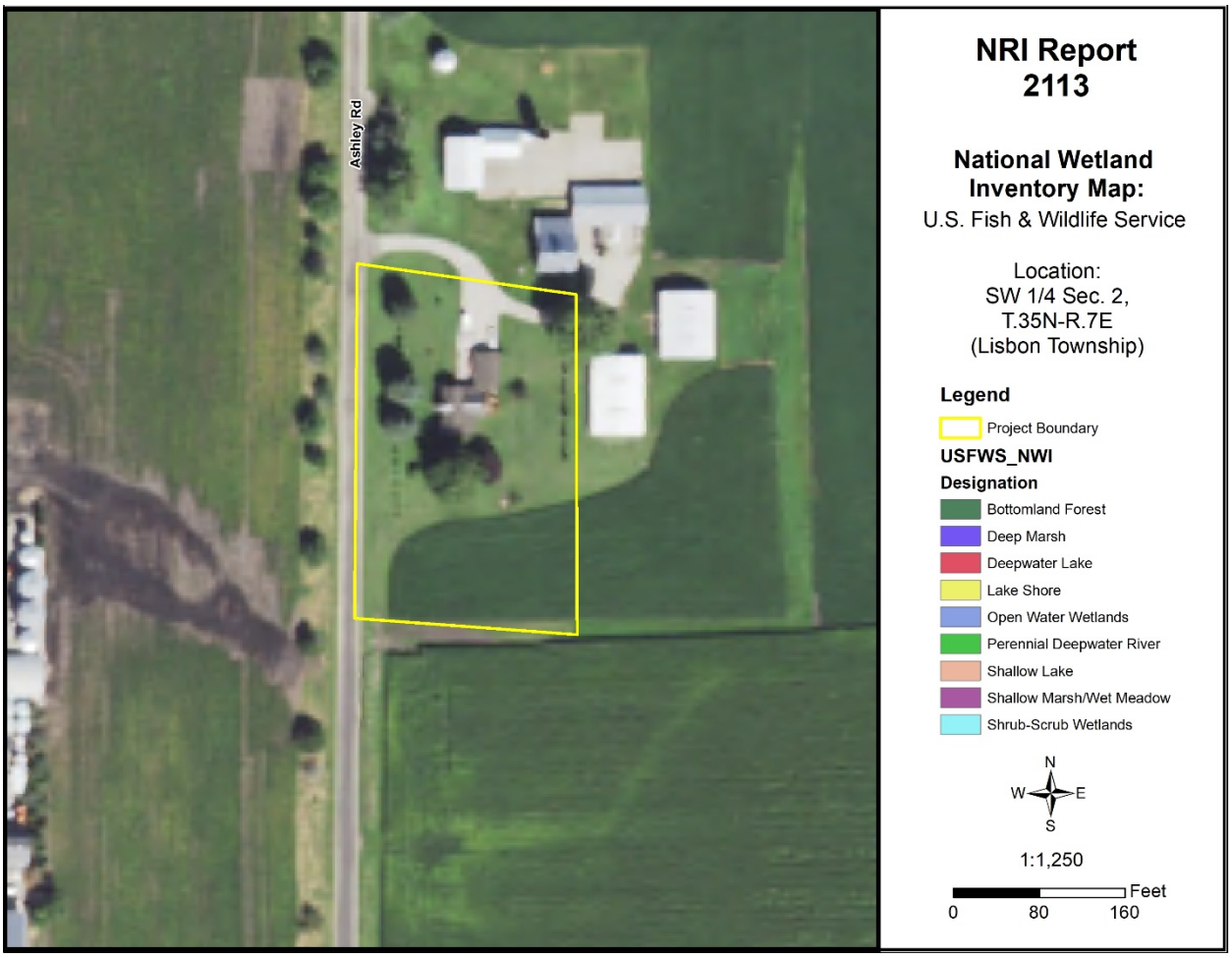


Figure 10: Wetland Map – USFWS National Wetland Inventory

Office maps indicate that mapped wetlands are not present on the parcel in question (PIQ).

HYDRIC SOILS

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

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

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

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

Table 10: Hydric Soils

Soil Types	Drainage Class	Hydric Designation	Hydric Inclusions Likely	Acreage	Percent
145A	Moderately Well Drained	Non-Hydric	No	0.7	46.7%
152A	Poorly Drained	Hydric	No	0.8	53.3%

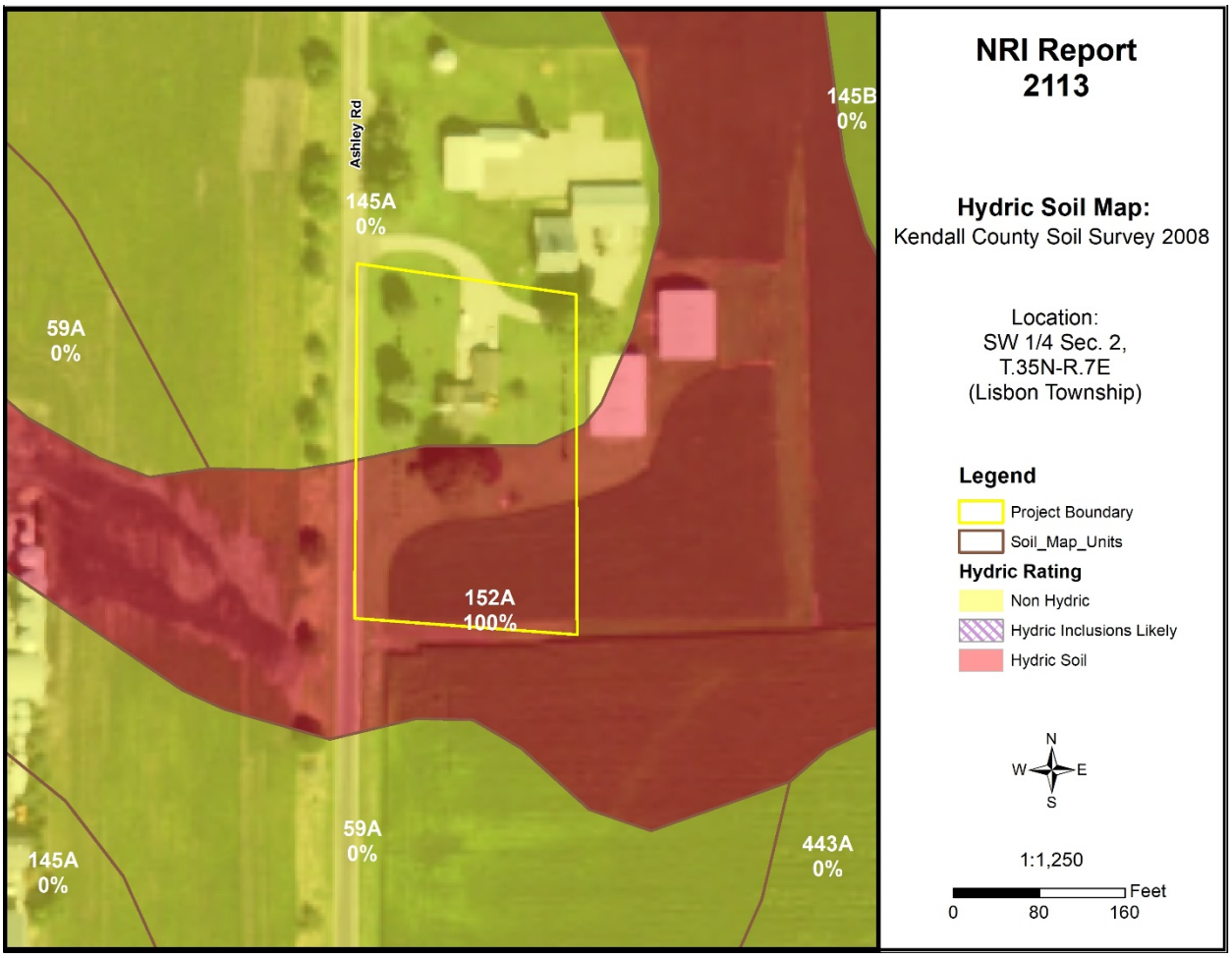


Figure 11: Hydric Soil Map

WETLAND AND FLOODPLAIN REGULATIONS

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

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

WHO MUST APPLY?

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

REGULATORY AGENCIES

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

COORDINATION

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

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

GLOSSARY

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

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

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

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

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

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

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

- **Watertable, Apparent**: A thick zone of free water in the soil. An apparent water table is indicated by the level at which water stands in an uncased borehole after adequate time is allowed for adjustment in the surrounding soil.
- **Watertable, Artesian**: A water table under hydrostatic head, generally beneath an impermeable layer. When this layer is penetrated, the water level rises in an uncased borehole.
- **Watertable, Perched**: A water table standing above an unsaturated zone. In places an upper, or perched, water table is separated from a lower one by a dry zone.

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

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

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

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

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

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

PALUSTRINE - Name given to inland freshwater wetlands.

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

PIQ - Parcel in question

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

PRIME FARMLAND - Prime farmland soils are lands that are best suited to food, feed, forage, fiber and oilseed crops. It may be cropland, pasture, woodland, or other land, but it is not urban and built up land or water areas. It either is used for food or fiber or is available for those uses. The soil qualities, growing season, and moisture supply are those needed for a well-managed soil economically to produce a sustained high yield of crops. Prime farmland produces in highest yields with minimum inputs of energy and economic resources and farming the land results in the least damage to the environment. Prime farmland has an adequate and dependable supply of moisture from precipitation or irrigation. The temperature and growing season are favorable. The level of acidity or alkalinity is acceptable. Prime farmland has few or no rocks and is permeable to water and air. It is not excessively erodible or saturated

with water for long periods and is not frequently flooded during the growing season. The slope ranges mainly from 0 to 5 percent (USDA Natural Resources Conservation Service).

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

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

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

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

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

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

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

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

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

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

REFERENCES

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

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

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

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

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

Illinois Urban Manual. Association of Illinois Soil & Water Conservation Districts, 2020.

Kendall County Land Atlas and Plat Book. 21st Edition, 2021.

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

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

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

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

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

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

Matt Asselmeier

From: Tim Wallace <lsfpd202@aol.com>
Sent: Monday, August 30, 2021 3:38 PM
To: Matt Asselmeier
Subject: [External]Re: Kendall County Zoning Petition 21-33

Matt, in reply to the following, 21-33, the Lisbon Seward Fire Protection District would like to see , two, strategically placed fire extinguishers along with first aid kits and a sign stating, First aid kit and fire extinguisher.

In regards to petition 21-29, we would like to see one, fire extinguisher and a first aid kit on site, along with a sign stating, first aid kit and fire extinguisher.

Thanks, feel free to call or email with questions,

Tim Wallace

ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
September 7, 2021 – Unapproved Meeting Minutes

PBZ Chairman Scott Gengler called the meeting to order at 9:00 a.m.

Present:
Matt Asselmeier – PBZ Department
Meagan Briganti – GIS Department
Scott Gengler – PBZ Committee Chair
Brian Holdiman – PBZ Department
Commander Jason Langston – Sheriff's Department
Alyse Olson – Soil and Water Conservation District
Aaron Rybski – Health Department

Absent:
Greg Chismark – WBK Engineering, LLC
David Guritz – Forest Preserve
Fran Klaas – Highway Department

Audience:
Scott Richmond, Lorena Gutierrez, Jose DeJesus Gutierrez, Dan Kramer, Mike Schoppe, and Robert Velazquez

PETITIONS

Petition 21-29 Lorena and Jose DeJesus Gutierrez and Refugio and Etelvina Alvarez on Behalf of JJ Gutierrez Lawn Care, LLC

Mr. Asselmeier summarized the request.

In January 2021, Lorena and Jose DeJesus Gutierrez and Refugio and Etelvina Alvarez purchased the subject property and wished to operate JJ Gutierrez Lawn Care, LLC at the property.

The application materials, survey of the property, site plan, aerial of the property with site plan superimposed, and topographic survey were provided.

Based on the information provided, a variance to allow parking in the front yard setback was also required.

The property was located at 12830 Ashley Road and consisted of approximately one point five (1.5) acres.

The existing land use was Agricultural/Farmstead and the property was zoned A-1.

The Land Resource Management Plan called for the property to be Agriculture in the County and Plattville's Future Land Use Map called for the property to be Low Density Residential.

Ashley Road was a Township maintained major collector.

There were no trails planned in the area.

There were no floodplains or wetlands on the property.

The adjacent land uses were Agricultural and Farmstead.

The adjacent lands were zoned either A-1 in the County or A-1 inside the Village of Plattville.

The Land Resource Management Plan called for the area to the west to be Agricultural. Plattville's Future Land Use Map called for the area to be Low Density Residential.

The zoning districts within one half (1/2) mile were A-1, A-1 SU, and R-1 in the County and A-1 and R-1 inside the Village of Plattville.

Pictures of the property were provided.

The A-1 special use permit to the west is for electromagnetic compatibility testing.

EcoCAT Report was submitted on July 7, 2021, and consultation was terminated.

The NRI application was submitted on July 16, 2021. The LESA Score was 193 indicating a low level of protection.

Petition information was sent to Lisbon Township on August 5, 2021.

Petition information was sent to the Village of Plattville on August 5, 2021.

Petition information was sent to the Lisbon-Seward Fire Protection District on August 5, 2021. The Fire Protection District requested one (1) fire extinguisher and one (1) first aid kit with applicable signage. The email was provided.

The Petitioners purchased the property in 2021 and started running a landscaping business on the premises without proper zoning. Upon receiving the warning letter, the Petitioners ceased operations of the business and started applying for the special use permit. The Petitioners continue to live at the property.

According to the business plan, JJ Gutierrez Lawn Care has been in business since 2016. The business has five (5) employees. Employees arrive at the property at approximately 6:00 a.m., go to work sites by 7:00 a.m., finish at work sites by 4:00 p.m., and return to the property and leave to go home by 6:00 p.m. The business operates Monday through Saturday. Business equipment presently consists of three (3) six (6) wheel dump trucks, one (1) pickup truck, and five (5) trailers for carrying lawn equipment. The Petitioners presently do not anticipate adding additional employees or equipment.

If approved, the Petitioners planned to start operations immediately.

One (1) two (2) story, approximately two thousand (2,000) square foot house, constructed in 1936 was located on the property.

According to the site plan and the site plan superimposed over the aerial, the Petitioners planned to install one (1) forty foot by eight foot by six foot (40'X8'X6') storage container. The container would be used to store small landscaping equipment such as weed trimmers, power washers, ladders, blowers, and similar equipment.

The site plan and aerial also showed three (3) open storage areas; one (1) for gravel, one (1) for mulch, and one (1) for compost. The storage areas individually were ten feet (10') wide and eighteen feet (18') in depth. The piles of materials stored in these areas would be a maximum of seven feet (7') height.

Any structures related to the landscaping business would be required to obtain applicable building permits.

Per the site survey, the property was served by a shared well. The well was located northwest of the existing house. There was a septic system on the premises. Employees will not be able to use the well on the property and no onsite restrooms will be provided.

There was also a propane tank on the premises located northeast of the house.

No outdoor refuse area was planned as part of the special use.

The property drained to the southeast.

A stormwater management permit will be required. The topographic survey was provided. Greg Chismark provided comments regarding the proposal; his letter was provided.

Per the survey, access to the existing house as by an easement with the properties to the north and east of the subject property.

According to the site plan and the site plan superimposed over the aerial, the Petitioners proposed to install a new twenty foot (20') wide driveway five (5') feet to the north of the south property line. They also planned to install a culvert under the new driveway. Lisbon Township would have to approve this new access point.

According to the site plan and the site plan superimposed over the aerial, the Petitioners planned to install a gravel area approximately two hundred feet (200') in depth and one hundred fifteen feet (115') wide. There were five (5) parking spaces available on the west side of the gravel area for employee parking. The parking stalls would be ten feet (10') wide by twenty feet (20') long. There would also be a five (5) parking spaces on the east side of the property for trailers and trucks.

According to the site plan and the site plan superimposed over the aerial, the parking lot will be approximately forty-seven feet (47') from the centerline of Ashley Road. The right-of-way for Ashley Road has not been dedicated in this area. Per Sections 4:05.B and 7:01.G.2 of the Kendall County Zoning Ordinance, the parking area cannot encroach into the required one hundred fifty foot (150') front yard setback. The Petitioners were seeking a variance to allow the parking area as shown on the site plan.

No customers of the business would be invited onto the property.

If there was a motor vehicle or equipment related leak, the area impacted gravel and dirt will be removed and replaced with clean gravel and dirt.

Other than lighting related to signage, no additional lighting was planned as part of the special use.

According to the site plan superimposed over the aerial, the Petitioners planned to install one (1) two (2)-sided sign north of the arborvitae along the west side of the property. The sign would be six feet (6') wide and three feet (3') tall. The sign would be elevated approximately one point five feet (1.5') above grade.

The Petitioners would like the sign to be illuminated. Per Section 12:08.A.2.a of the Kendall County Zoning Ordinance, the sign could be illuminated between 6:00 a.m. and 11:00 p.m.

Two existing A-1 zoned properties with special use permits for landscaping businesses, 1996 Cannonball Trail and 997 Harvey Road, have illuminated signs.

No security gates or fencing was planned as part of the special use.

The Petitioners have already planted sixteen (16) arborvitaes on the west side of the property as shown on the site plan and aerial. They were approximately three feet to four feet (3'-4') in height. They will grow to approximately sixteen feet (16') in height.

Fifteen (15) blue spruce trees will be planted near the southern property line in spring of 2022. The height at the time of planting will be five feet to six feet (5'-6') and they will grow to approximately twenty to twenty-five feet (20'-25') in height.

No information was provided regarding noise control.

No new odors were foreseen by the proposed use.

If approved, this would be the fourteenth (14^{th}) special use permit for a landscaping business in unincorporated Kendall County.

The proposed Findings of Fact for the special use permit 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. Provided the site is developed in accordance with the submitted site plan and provided a variance is granted regarding the location of the parking area, the operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare. The owners of the business allowed by the special use permit will not invite the public onto the property. Only landscape related materials and equipment will be stored at the subject property.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. Appropriate restrictions may be placed in the special use permit to regulate the number of employees, hours of operation, site landscaping, and noise. Therefore, the neighboring property owners should not suffer loss in property values and the use will not negatively impact the adjacent 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. If Lisbon Township approves the new access point, then adequate points of ingress and egress will be provided. No customers will be allowed on the property and employees will not be able to use the well or restrooms in the existing house. The owners of the business allowed by the special use permit have applied for the applicable stormwater 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. Provided a variance is granted for the location of the parking area, the special use shall conform to the applicable regulations of the district.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. True, the proposed use is consistent with an objective found on Page 9-21 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".

The proposed Findings of Fact for the variance were as follows:

That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. The subject property is approximately two hundred feet (200') deep as measured from west to east. It would be difficult to have off-street parking and the proposed business on the subject property without a variance for parking.

That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. Most A-1 zoned properties, including properties that have existing special use permits for landscaping businesses, are larger and wider and do not have a need for a variance with regards to parking in the front yard setback.

That the alleged difficulty or hardship has not been created by any person presently having an interest in the property. The owners did not create the size or configuration of the subject property.

That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. The requested variance should not negatively impact any of the neighbors and will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood.

That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. Allowing the parking encroachment will not impair any of the above items.

Staff recommended approval of the special use permit for a landscaping business and variance to allow parking in the front yard setback subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the site plan and aerial showing the site plan.
2. A variance to Sections 4:05.B and 7:01.G.2 of the Kendall County Zoning Ordinance shall be granted allowing off-street parking no closer than forty-seven feet (47') from the centerline of Ashley Road.
3. The owners of the business allowed by the special use permit shall maintain the parking area shown on the site plan and in substantially the same location as depicted on the site plan. The parking area shall be gravel.
4. The owners of the businesses allowed by this special use permits shall diligently monitor the property for leaks from equipment and vehicles parked and stored items stored on the subject property and shall promptly clean up the site if leaks occur.
5. Any new structures and signs constructed or installed on the property shall not be considered for agricultural purposes and must secure applicable building permits.
6. Equipment and vehicles related to the business allowed by the special use permit may be stored outdoors.

7. None of the vehicles or equipment parked or stored on the subject property related to the business allowed by the special use permit shall be considered agricultural vehicles or agricultural equipment.
8. All of the vehicles and equipment stored on the subject property related to the business allowed by the special use permit shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
9. Except for the purposes of loading and unloading, all landscape related materials shall be stored indoors or in the designated storage areas shown on the site plan. The maximum height of the piles of landscaping related material shall be seven feet (7'), provided a Stormwater Management Permit is issued.
10. One (1) two (2)-sided business related sign may be installed in substantial the location shown on the site plan. The sign shall be a maximum of six feet (6') wide and three feet (3') tall. The sign may be elevated no greater than one point five feet (1.5') from the ground.
11. A minimum of sixteen (16) arborvitae shall be planted and maintained in substantially the locations shown on the site plan. The arborvitae shall be a minimum of three feet (3') tall at the time of planting and shall grow to approximately twelve feet (12'). Damaged or dead arborvitaes shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department.
12. A minimum of fifteen (15) blue spruce trees shall be planted by June 30, 2022, and maintained in substantially the locations shown on the site plan. The blue spruce trees shall be a minimum of five feet (5') tall at the time of planting and shall grow to approximately twenty feet (20'). Damaged or dead blue spruce trees shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department.
13. No landscape waste generated off the property can be burned on the subject property.
14. A maximum of five (5) employees of the business allowed by this special use permit, including the owners of the business allowed by this special use permit, may report to this site for work. No employees shall engage in the sale of landscaping related materials on the property.
15. No customers of the business allowed by this special use permit shall be invited onto the property by anyone associated with the use allowed by this special use permit.
16. The hours of operation of the business allowed by this special use permit shall be Monday through Saturday from 6:00 a.m. until 6:00 p.m. The owners of the business allowed by this special use permit may reduce these hours of operation.
17. The noise regulations are as follows:

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

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

    EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.
18. The owners of the business allowed by this special use shall reside at the subject property as their primary place of residence.
19. The owners of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
20. The property owner and operator 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.

21. 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.

22. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

23. This special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.

Ms. Olson mentioned that the southern half of the site had hydric soils. Scott Richmond, Attorney for the Petitioners, explained that the site would be engineered, particularly with the driveway.

Mr. Rybski asked about the location of the water well. Mr. Richmond responded that the well was shared. The septic was onsite. Mr. Rybski recommended the property have its own well or that easements were clearly stated.

Mr. Gengler asked about the entrance onto the property. Mr. Asselmeier stated that Lisbon Township issues access permits and the County issues driveway permits.

Mr. Gengler thanked the Petitioners for submitting their application.

Mr. Gengler asked if restrooms would be onsite. Mr. Richmond responded that employees report to the site, leave for worksites, come back to the property at the end of the day, and leave.

The neighboring property owner sold the property to the Petitioners.

Mr. Richmond said that the Petitioners were working through the detention requirements.

Mr. Asselmeier made a motion, seconded by Mr. Holdiman, to recommend approval of the special use permit with the conditions proposed by Staff.

With a voice vote of seven (7) ayes, the motion carried.

The proposal goes to the Kendall County Regional Planning Commission on September 22, 2021.

PUBLIC COMMENT

None

ADJOURNMENT

Mr. Rybski made a motion, seconded by Ms. Briganti, to adjourn.

With a voice vote of seven (7) ayes, the motion carried.

The ZPAC, at 10:21 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP, CFM
Senior Planner

Enc.

KENDALL COUNTY
ZONING & PLATTING ADVISORY COMMITTEE
SEPTEMBER 7, 2021

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)
Dan Kramer 21-30	[redacted]	
Scott Richmond, Esq. 21-29		

August 9, 2021

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

Subject: 12830 Ashley Road (WBK Project 19-102.AB)

Dear Mr. Asselmeier:

WBK Engineering has completed a review of the subject project in Kendall County. The following material was provided to us for review:

- Stormwater Management Permit Application dated July 16, 2021 and received on August 2, 2021.
- Aerial Plan and Plat Plan prepared by HLR dated July 26, 2021 and received on August 2, 2021.
- Topographic Survey prepared by Philip D. Young and Associates dated July 2, 2021 and received on February 25, 2021.

These documents have been reviewed for conformance with the Kendall County Stormwater Ordinance. The following comments are offered for the petitioner's consideration and require resolution prior to our recommendation for approval.

1. Submit a stormwater narrative that describes the total area of disturbance, the amount of gravel and storage areas proposed (considered as impervious) and if stormwater storage is required under the ordinance.
2. The topographic survey identifies the drainage way to be colinear with the south property line. Delineate tributary area, design flows and proposed grades such that the flow impacts can be verified and mitigated.
3. Depict the limits of disturbance, proposed grades and drainage patterns on the Aerial Plan.
4. Depict erosion control measures and whether an NOI is necessary for the project.
5. Proposed work appears to be immediately adjacent to property lines. Verify if adjacent owner approval is necessary.
6. Provide culvert sizing and calculations for the driveway culvert on Ashley Road.
7. Provide documentation of approval for the new driveway access to Ashley Road.
8. Verify limits of wetlands or USACE jurisdiction on site.

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

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

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

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

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

Sincerely,

[redacted]

Gr

WBK Engineering, LLC

DRAFT MINUTES

At the regular Town Meeting held in Lisbon Township and Kendall County in the State of Illinois at the Plattville Fire Barn on September 14, 2021 meeting was called to order by Darlene Ashton, Town Clerk. The following official business was transacted at 7:30 pm.

Present were Supervisor Joseph Slivka, Trustees Tom Anzelc, Bill Ashton, Tara Kunkel, Scott Wallin and Clerk Darlene Ashton. Road Commissioner Kevin Kunkel was absent. Guests were Deputy Casey Kailus, Cathy & Phillip Anzelc, Dave Smith and Keri Horton.

The minutes of the August 10, 2021 meeting were read. Trustee Ashton made the motion to accept the minutes. Trustee Anzelc seconded the motion. Motion carried.

Deputy Kailus reported that the Kendall County Sheriffs are warning of telephone scams. Callers are claiming to be a lieutenant and a warrant has been issued for their arrest. The Sheriff's department will never request money. They are still encouraging the 9pm rule due to a number of burglaries and theft. They want cars locked and everything taken inside and not kept in cars. They participated in Cop on a roof top and the funeral procession for Officer Ella French.

OLD BUSINESS

A motion to amend the agenda to include item to reverse the $10,000 from town fund to the Road & Bridge fund came from Trustee Kunkel. Seconded by Trustee Wallin. Motion carried.
A motion to hire law firm Burton Fuller and Associates came from Trustee Kunkel Seconded by Trustee Ashton. Motion carried.

The building will be 72 x 136 at a cost of $338,400 for the shell. The doors will be $38,000. The building will be on hold until the price will come down on lumber.

NEW BUSINESS

Dave Smith from the Lisbon Township Planning Commission gave an overview of the J.J. Gutierrez Lawn Care. They would like to put in a new driveway and gravel pad to keep trucks. They voted 3-1 to approve their plan. A motion to approve the J.J. Gutierrez Lawn Care petition with the stipulation that the culvert will be inspected and signed off by the Road Commissioner Kevin Kunkel was presented by Trustee Kunkel and seconded by Trustee Ashton. The Lisbon Township board voted by a roll call vote. Trustee Kunkel yes, Trustee Ashton no, Trustee Anzelc no, Trustee Wallin no. The motion was denied.

A motion to pay the bills came from Trustee Ashton. Seconded by Trustee Wallin. Motion carried.

No public comments.

A motion to adjourn came from Trustee Kunkel, Seconded by Trustee Wallin. Motion carried.

Respectfully Submitted,

Darlene Ashton, Clerk

KENDALL COUNTY
REGIONAL PLANNING COMMISSION

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

Unapproved - Meeting Minutes of September 22, 2021 - 7:00 p.m.

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

ROLL CALL

Members Present: Bill Ashton, Roger Bledsoe, Tom Casey, Dave Hamman, Karin McCarthy-Lange, Larry Nelson, Ruben Rodriguez (arrived at 7:05 p.m.), Claire Wilson (arrived at 7:05 p.m.), and Seth Wormley
Members Absent: Bob Stewart
Staff Present: Matthew H. Asselmeier, Senior Planner
Others Present: Scott Richmond, Lorena Gutierrez, Dan Kramer, Eryn Ruffatto, David Cline, William Sales, June Alice, and Robert VanderBeek

PETITIONS

Petition 21 – 29 – Lorena and Jose DeJesus Gutierrez and Refugio and Etelvina Alvarez on Behalf of JJ Gutierrez Lawn Care, LLC

Mr. Asselmeier summarized the request.

In January 2021, Lorena and Jose DeJesus Gutierrez and Refugio and Etelvina Alvarez purchased the subject property and wished to operate JJ Gutierrez Lawn Care, LLC at the property.

The application materials, survey of the property, site plan, aerial of the property with site plan superimposed, and topographic survey were provided.

Based on the information provided, a variance to allow parking in the front yard setback was also required.

The property was located at 12830 Ashley Road and consisted of approximately one point five (1.5) acres.

The existing land use was Agricultural/Farmstead and the property was zoned A-1.

The Land Resource Management Plan called for the property to be Agriculture in the County and Plattville's Future Land Use Map called for the property to be Low Density Residential.

Ashley Road was a Township maintained major collector.

There were no trails planned in the area.

There were no floodplains or wetlands on the property.

The adjacent land uses were Agricultural and Farmstead.

The adjacent lands were zoned either A-1 in the County or A-1 inside the Village of Plattville.

The Land Resource Management Plan called for the area to the west to be Agricultural. Plattville's Future Land Use Map called for the area to be Low Density Residential.

The zoning districts within one half (1/2) mile were A-1, A-1 SU, and R-1 in the County and A-1 and R-1 inside the Village of Plattville.

Pictures of the property were provided.

The A-1 special use permit to the west is for electromagnetic compatibility testing.

EcoCAT Report was submitted on July 7, 2021, and consultation was terminated.

The NRI application was submitted on July 16, 2021. The LESA Score was 193 indicating a low level of protection.

Petition information was sent to Lisbon Township on August 5, 2021. The Lisbon Township Planning Commission reviewed this proposal at their meeting on September 14, 2021. The Commission voted to approve the proposal by a vote of three (3) in favor and one (1) in opposition. The Lisbon Township Board reviewed this proposal at their meeting on September 14, 2021. The motion to approve the proposal with the condition that the culvert be inspected by the Township Highway Commissioner was rejected by a vote of one (1) in favor and three (3) in opposition. The draft minutes of the Lisbon Township Board meeting were provided.

Petition information was sent to the Village of Plattville on August 5, 2021.

Petition information was sent to the Lisbon-Seward Fire Protection District on August 5, 2021. The Fire District sent an email on August 30, 2021 requesting one (1) fire extinguisher and one (1) first aid kit with applicable signage. The email was provided. The Petitioners were agreeable to this request.

ZPAC reviewed this proposal at their meeting on September 7, 2021. The Kendall County Soil and Water Conservation District noted the location of hydric soils on the property. The Kendall County Health Department stated their preference to have a dedicated well on the site or have clear language in any easements related to the well regarding usage of the well. The Petitioners indicated they were working on addressing the stormwater detention requirements. ZPAC recommended approval of the request by a vote of seven (7) in favor and zero (0) in opposition with three (3) members absent. The minutes of this meeting were provided.

The Petitioners purchased the property in 2021 and started running a landscaping business on the premises without proper zoning. Upon receiving the warning letter, the Petitioners ceased operations of the business and started applying for the special use permit. The Petitioners continue to live at the property.

Members Rodriguez and Wilson arrived at this time (7:05 p.m.)

According to the business plan, JJ Gutierrez Lawn Care has been in business since 2016. The business has five (5) employees. Employees arrive at the property at approximately 6:00 a.m., go to work sites by 7:00 a.m., finish at work sites by 4:00 p.m., and return to the property and leave to go home by 6:00 p.m. The business operates Monday through Saturday. Business equipment presently consists of three (3) six (6) wheel dump trucks, one (1) pickup truck, and five (5) trailers for carrying lawn equipment. The Petitioners did not anticipate adding additional employees or equipment.

If approved, the Petitioners plan to start operations immediately.

One (1) two (2) story, approximately two thousand (2,000) square foot house, constructed in 1936 was located on the property.

According to the site plan and the site plan superimposed over the aerial, the Petitioners planned to install one (1) forty foot by eight foot by six foot (40'X8'X6') storage container. The container would be used to store small landscaping equipment such as weed trimmers, power washers, ladders, blowers, and similar equipment.

The site plan and aerial also showed three (3) open storage areas; one (1) for gravel, one (1) for mulch, and one (1) for compost. The storage areas individually were ten feet (10') wide and eighteen feet (18') in depth. The piles of materials stored in these areas would be a maximum of seven feet (7') height.

Any structures related to the landscaping business would be required to obtain applicable building permits.

Per the site survey, the property was served by a shared well. The well was located northwest of the existing house. There was a septic system on the premises. Employees would not be able to use the well on the property and no onsite restrooms would be provided.

There was also a propane tank on the premises located northeast of the house.

No outdoor refuse area was planned as part of the special use.

The property drained to the southeast.

A stormwater management permit will be required. The topographic survey was provided.

WBK reviewed this proposal and provided comments in a letter dated August 9, 2021, which was provided. The Petitioners amended the site plan from their original submittal to include a raingarden. The Petitioners were also in discussions with the County to pay a fee-in-lieu in addition to the raingarden to address the detention requirements. The specific information regarding the raingarden will be addressed as part of the stormwater management permit.

Per the survey, access to the existing house was by an easement with the properties to the north and east of the subject property.

According to the site plan and the site plan superimposed over the aerial, the Petitioners proposed to install a new twenty foot (20') wide driveway five (5') feet to the north of the south property line. They also planned to install a culvert under the new driveway. Lisbon Township would have to approve this new access point.

According to the site plan and the site plan superimposed over the aerial, the Petitioners planned to install a gravel area approximately two hundred feet (200') in depth and one hundred fifteen feet (115') wide. There were five (5) parking spaces available on the west side of the gravel area for employee parking. The parking stalls would be ten feet (10') wide by twenty feet (20') long. There would also be a five (5) parking spaces on the east side of the property for trailers and trucks.

According to the site plan and the site plan superimposed over the aerial, the parking lot would be approximately forty-seven feet (47') from the centerline of Ashley Road. The right-of-way for Ashley Road has not been dedicated in this area. Per Sections 4:05.B and 7:01.G.2 of the Kendall County Zoning Ordinance, the parking area cannot encroach into the required one hundred fifty foot (150') front yard setback. The Petitioners were seeking a variance to allow the parking area as shown on the site plan.

No customers of the business would be invited onto the property.

If there is a motor vehicle or equipment related leak, the area impacted gravel and dirt would be removed and replaced with clean gravel and dirt.

Other than lighting related to signage, no additional lighting was planned as part of the special use.

According to the site plan superimposed over the aerial, the Petitioners planned to install one (1) two (2)-sided sign north of the arborvitae along the west side of the property. The sign would be six feet (6') wide and three feet (3') tall. The sign would be elevated approximately one point five feet (1.5') above grade.

The Petitioners would like the sign to be illuminated. Per Section 12:08.A.2.a of the Kendall County Zoning Ordinance, the sign could be illuminated between 6:00 a.m. and 11:00 p.m.

Two (2) existing A-1 zoned properties with special use permits for landscaping businesses, 1996 Cannonball Trail and 997 Harvey Road, had illuminated signs.

No security gates or fencing were planned as part of the special use.

The Petitioners had already planted sixteen (16) arborvitaes on the west side of the property as shown on the site plan and aerial. They were approximately three feet to four feet (3'-4') in height. They would grow to approximately sixteen feet (16') in height.

Fifteen (15) blue spruce trees would be planted near the southern property line in spring of 2022. The height at the time of planting would be five feet to six feet (5'-6') and they would grow to approximately twenty to twenty-five feet (20'-25') in height.

No information was provided regarding noise control.

No new odors were foreseen by the proposed use.

If approved, this would be the sixteenth (16^{th}) special use permit for a landscaping business in unincorporated Kendall County.

The proposed Findings of Fact for the special use permit 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. Provided the site is developed in accordance with the submitted site plan and provided a variance is granted regarding the location of the parking area, the operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare. The owners of the business allowed by the special use permit will not invite the public onto the property. Only landscape related materials and equipment will be stored at the subject property.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. Appropriate restrictions may be placed in the special use permit to regulate the number of employees, hours of operation, site landscaping, and noise. Therefore, the neighboring property owners should not suffer loss in property values and the use will not negatively impact the adjacent 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. If Lisbon Township approves the new access point, then adequate points of ingress and egress will be provided. No customers will be allowed on the property and employees will not be able to use the well or restrooms in the existing house. The owners of the business allowed by the special use permit have applied for the applicable stormwater 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. Provided a variance is granted for the location of the parking area, the special use shall conform to the applicable regulations of the district.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. True, the proposed use is consistent with an objective found on Page 9-21 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".

The proposed Findings of Fact for the variance were as follows:

That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. The subject property is approximately two hundred feet (200') deep as measured from west to east. It would be difficult to have off-street parking and the proposed business on the subject property without a variance for parking.

That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. Most A-1 zoned properties, including properties that have existing special use permits for landscaping businesses, are larger and wider and do not have a need for a variance with regards to parking in the front yard setback.

That the alleged difficulty or hardship has not been created by any person presently having an interest in the property. The owners did not create the size or configuration of the subject property.

That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. The requested variance should not negatively impact any of the neighbors and will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood.

That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. Allowing the parking encroachment will not impair any of the above items.

Staff recommended approval of the special use permit for a landscaping business and variance to allow parking in the front yard setback subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the site plan and aerial showing the site plan, including the addition of the raingarden shown on the site plan.

2. A variance to Sections 4:05.B and 7:01.G.2 of the Kendall County Zoning Ordinance shall be granted allowing off-street parking no closer than forty-seven feet (47') from the centerline of Ashley Road.
3. The owners of the business allowed by the special use permit shall maintain the parking area shown on the site plan and in substantially the same location as depicted on the site plan. The parking area shall be gravel.
4. The owners of the businesses allowed by this special use permits shall diligently monitor the property for leaks from equipment and vehicles parked and stored items stored on the subject property and shall promptly clean up the site if leaks occur.
5. Any new structures and signs constructed or installed on the property shall not be considered for agricultural purposes and must secure applicable building permits.
6. Equipment and vehicles related to the business allowed by the special use permit may be stored outdoors.
7. None of the vehicles or equipment parked or stored on the subject property related to the business allowed by the special use permit shall be considered agricultural vehicles or agricultural equipment.
8. All of the vehicles and equipment stored on the subject property related to the business allowed by the special use permit shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
9. Except for the purposes of loading and unloading, all landscape related materials shall be stored indoors or in the designated storage areas shown on the site plan. The maximum height of the piles of landscaping related material shall be seven feet (7'), provided a Stormwater Management Permit is issued.
10. One (1) two (2)-sided business related sign may be installed in substantial the location shown on the site plan. The sign shall be a maximum of six feet (6') wide and three feet (3') tall. The sign may be elevated no greater than one point five feet (1.5') from the ground.
11. A minimum of sixteen (16) arborvitae shall be planted and maintained in substantially the locations shown on the site plan. The arborvitae shall be a minimum of three feet (3') tall at the time of planting and shall grow to approximately twelve feet (12'). Damaged or dead arborvitaes shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department.
12. A minimum of fifteen (15) blue spruce trees shall be planted by June 30, 2022, and maintained in substantially the locations shown on the site plan. The blue spruce trees shall be a minimum of five feet (5') tall at the time of planting and shall grow to approximately twenty feet (20'). Damaged or dead blue spruce trees shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department.
13. No landscape waste generated off the property can be burned on the subject property.
14. A maximum of five (5) employees of the business allowed by this special use permit, including the owners of the business allowed by this special use permit, may report to this site for work. No employees shall engage in the sale of landscaping related materials on the property.
15. No customers of the business allowed by this special use permit shall be invited onto the property by anyone associated with the use allowed by this special use permit.

16. The hours of operation of the business allowed by this special use permit shall be Monday through Saturday from 6:00 a.m. until 6:00 p.m. The owners of the business allowed by this special use permit may reduce these hours of operation.

17. The noise regulations are as follows:

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

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

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

18. At least one (1) functioning fire extinguisher and one (1) first aid kit shall be on the subject property. Applicable signage stating the location of the fire extinguisher and first aid kit shall be placed on the subject property.

19. The owners of the business allowed by this special use shall reside at the subject property as their primary place of residence.

20. The owners of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.

21. The property owner and operator 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.

22. 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.

23. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
24. This special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.

Chairman Ashton about the well. Scott Richmond, Attorney for the Petitioners clarified that the well was not shared. The driveway is shared. Discussion occurred regarding the driveway easement with the adjoining property owner. The new gravel driveway was highlighted; the new driveway will be used for business related vehicles.

Member Casey asked what the Petitioners would do with landscaping materials if they cannot burn on the premises. Mr. Richmond responded the Petitioners would dispose of the materials properly.

Member McCarthy-Lange asked why the Lisbon Township Planning Commission voted in favor of the proposal and the Lisbon Township Board voted against the proposal. Chairman Ashton said that he voted against the proposal as a Lisbon Township Trustee because the Petitioners started operating without obtaining proper zoning permits. However, Chairman Ashton noted that the Petitioners seemed very nice. Mr. Richmond said the violation was not intentional and the Petitioners were attempting to get the business into compliance. The Petitioners were trying to get into compliance as quickly as possible. Member Rodriguez stated that he felt the Petitioners were trying to correct the matter. Member Nelson concurred with Member Rodriguez.

The Petitioners purchased the property in early 2021.

Member Rodriguez asked where the business operated when they ceased operating the subject property. Lorena Gutierrez said they were renting with a neighbor. She originally felt that they were not a landscaping business because they were only storing vehicles at the property and not selling landscaping materials.

Member Nelson asked if any other reason existed, besides originally operating without proper zoning permits, to deny the request. Chairman Ashton expressed concerns regarding the waterway along the south side of the property. Mr. Richmond noted the new raingarden to address sheet flow. The Petitioners were also planning to pay a fee-in-lieu to be in compliance with the Kendall County Stormwater Management Ordinance. A culvert will be put under the driveway where the driveway meets Ashley Road.

Member Nelson made a motion, seconded by Member Rodriguez, to recommend approval of the special use permit and variance with the conditions proposed by Staff.

The votes were as follows:
Ayes (8): Bledsoe, Casey, Hamman, McCarthy-Lange, Nelson, Rodriguez, Wilson, and Wormley
Nays (1): Ashton
Absent (1): Stewart
Abstain (0): None

The motion carried.

Chairman Ashton voted no because the Petitioners started operations without proper zoning permits.

This proposal will go to the Kendall County Zoning Board of Appeals on September 27, 2021.

CITIZENS TO BE HEARD/ PUBLIC COMMENT
None

ADJOURNMENT
Member Wilson made a motion, seconded by Member Rodriguez, to adjourn. With a voice of nine (9) ayes, the motion carried.

The Kendall County Regional Planning Commission meeting adjourned at 8:44 p.m.

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

Enc.

KENDALL COUNTY
REGIONAL PLANNING COMMISSION
SEPTEMBER 22, 2021

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)
Dan Kramer 21-30 21-32 Atty 21-31 21-33	[redacted]	
Scott Richmond Attorney		
DAVID CLINE		
William SALES		
JUNE ALICE		
Robert VanderBeek		

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

Petition 21-30
Robert Velazquez on Behalf of Always Faithful Properties, LLC
Map Amendment Rezoning Property from A-1 with a Special Use Permit to B-3

INTRODUCTION

Robert Velazquez, on behalf of Always Faithful Properties, LLC, is requesting a map amendment rezoning approximately thirteen point seven (13.7) more or less acres from A-1 Agricultural District with a special use permit to B-3 Highway Business District in order to operate a landscaping business on the subject property after rezoning and after securing a special use permit to operate a landscaping business on the subject property.

The application materials are included as Attachment 1. The aerial of the property is included as Attachment 2. The plat of survey and site plan are included as Attachment 3. Ordinance 1982-10, which granted a special use permit for the storage of recreation vehicles, boats, and antique cars, is included as Attachment 4.

SITE INFORMATION

PETITIONER: Robert Velazquez on Behalf of Always Faithful Properties, LLC

ADDRESS: 10744 Route 47, Yorkville

LOCATION: Approximately 0.10 Miles North of Caton Farm Road on the East Side of Route 47



TOWNSHIP: Kendall

PARCEL #: 05-28-400-002

LOT SIZE: 13.7 +/- Acres

EXISTING LAND USE: Agricultural/Farmstead/Special Use for Storage of Recreational Vehicles/Boats/Antique Cars

ZONING: A-1 Agricultural District

LRMP:

Future Land Use	Transportation Corridor/Commercial
Roads	Route 47 is a State maintained Arterial Road.
Trails	Yorkville has a trail planned along Route 47 in this area. IDOT has bicycle accommodations planned on the roadway.
Floodplain/ Wetlands	There are no floodplains or wetlands on the property.

REQUESTED ACTION: Map Amendment Rezoning Property from A-1 to B-3

APPLICABLE REGULATIONS: Section 13:07 – Map Amendment Procedures

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Agricultural	A-1	Transportation Corridor	A-1
South	Agricultural/Commercial/Utility	A-1 SU	Commercial	A-1 SU
East	Agricultural	A-1	Transportation Corridor/Commercial	A-1
West	Agricultural	A-1	Transportation Corridor Commercial	A-1

The A-1 special use permit to the south is for agricultural implement sales and service. The parcel to the southeast is owned by the Federal Aviation Administration and is used for a communication tower.

The subject property is over two (2) miles from the United City of Yorkville and the Village of Plattville. Yorkville's Comprehensive Plan calls for this area to be Estate/Conservation Residential. Plattville's Comprehensive Plan calls for this area to be commercial.

PHYSICAL DATA

ENDANGERED SPECIES REPORT

EcoCAT Report submitted and consultation terminated (see Attachment 1, Pages 10 and 11).

NATURAL RESOURCES INVENTORY

The application for NRI was submitted on July 7, 2021. The LESA Score was 235 indicating a high level of protection. The NRI was included as Attachment 5.

ACTION SUMMARY

KENDALL TOWNSHIP

Petition information was sent to Kendall Township on August 27, 2021. The Kendall Township Planning Commission reviewed this proposal at their meeting on September 14, 2021. Discussion centered on stormwater drainage. The Kendall Township Planning Commission recommended

approval of the proposal with a request that the County Stormwater Engineer examine the stomwater outlet elevation of the pond with consideration given to the impact of drainage on the surrounding properties by vote of five (5) in favor and zero (0) in opposition.

The Kendall Township Board recommended approval of this proposal on September 21, 2021.

BRISTOL-KENDALL FIRE PROTECTION DISTRICT
Petition information was sent to the Bristol-Kendall Fire Protection District on August 27, 2021.

ZPAC
ZPAC reviewed this proposal at their meeting on September 7, 2021. ZPAC reviewed this proposal at their meeting on September 7, 2021. The Petitioner requested that the maximum number of employees be increased from forty (40) to fifty (50) and the deadline to install landscaping be extended from May 15th to June 1st. The Kendall County Soil and Water Conservation District requested that the Petitioner install proper soil erosion and sediment control measures during construction and secure an NPDES Permit. The Kendall County Health Department requested that the Petitioner work with them on well and septic information. The Petitioner stated that he planned to consolidate operations and move from his current location on Route 71 to the subject property. ZPAC recommended approval of the request by a vote of seven (7) in favor and zero (0) in opposition with three (3) members absent. The minutes of this meeting are included as Attachment 6.

RPC
The Kendall County Regional Planning Commission reviewed this proposal at their meeting on September 22, 2021. The Kendall County Regional Planning Commission recommended approval by a vote of nine (9) in favor and zero (0) in opposition with one (1) member absent. The minutes of this meeting are included as Attachment 7.

GENERAL INFORMATION
The Petitioner desires to rezone the subject property and obtain a special use permit to operate a landscaping business on the subject property.

BUILDING CODES
Any new structures would be required to meet applicable building codes.

UTILITIES
Electricity is onsite. No information was provided regarding the well and septic system.

ACCESS
The property fronts Route 47.

PARKING AND INTERNAL TRAFFIC CIRCULATION
Any new driveways and parking lots would be reviewed as part of the special use permit or site plan review processes.

ODORS
Any new odors could be addressed as part of the special use permit process.

LIGHTING
Any new lighting would be reviewed as part of the special use permit or site plan review processes.

LANDSCAPING AND SCREENING
Any fencing, landscaping, or screening would be reviewed as part of the special use permit or site plan review processes.

SIGNAGE
Any signage would be reviewed as part of the special use permit or site plan review processes.

NOISE CONTROL
Any noise would be reviewed as part of the special use permit or site plan review processes.

STORMWATER
Stormwater would be reviewed as part of the special use permit or site plan review processes.

FINDINGS OF FACT
§13:07.F of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to recommend in favor of the applicant on map amendment applications. They are listed below in *italics.* Staff has provided findings in **bold** below based on the recommendation:

Existing uses of property within the general area of the property in question. **The surrounding properties are used for agricultural purposes or communication purposes.**

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 permit for agricultural implement sales and service.**

The suitability of the property in question for the uses permitted under the existing zoning classification. **The property is presently zoned A-1 and could be used for many uses presently permitted under the A-1 zoning classification.**

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 a mix of agricultural and commercial uses. Commercial uses in the area probably will increase as the Illinois Department of Transportation widens Route 47.**

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 Transportation Corridor and Commercial. The B-3 Highway Business Districts is consistent with the Commercial classification. The Land Resource Management Plan calls for limited B-3 Highway Business District zoned property on lands classified as Transportation Corridor.**

RECOMMENDATION
Staff recommends approval of the proposed map amendment because the proposal is consistent with the Land Resource Management Plan.

ATTACHMENTS
1. Application Materials (Including the Petitioner's Findings of Fact, NRI, and EcoCat)
2. Aerial
3. Plat of Survey and Site Plan
4. Ordinance 1982-10
5. NRI
6. September 7, 2021 ZPAC Minutes (This Petition Only)
7. September 22, 2021 Kendall County Regional Planning Commission Minutes (This Petition Only)

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

APPLICATION

PROJECT NAME _____ **FILE #:**_____

NAME OF APPLICANT		
Always Faithful Properties, LLC		
CURRENT LANDOWNER/NAME(s)		
Always Faithful Properties, LLC		
SITE INFORMATION		
ACRES	SITE ADDRESS OR LOCATION	ASSESSOR'S ID NUMBER (PIN)
13.6485 acres	10744 Route 47, Yorkville, Illinois 60560	05-28-400-002
EXISTING LAND USE	CURRENT ZONING	LAND CLASSIFICATION ON LRMP
Farm	A-1	A-1

REQUESTED ACTION (Check All That Apply):

___ SPECIAL USE	X MAP AMENDMENT (Rezone to B-3	___ VARIANCE
___ADMINISTRATIVE VARIANCE	___ A-1 CONDITIONAL USE for:_____	___ SITE PLAN REVIEW
___ TEXT AMENDMENT	___ RPD (___Concept; ___ Preliminary; ___ Final)	___ ADMINISTRATIVE APPEAL
___ PRELIMINARY PLAT	___ FINAL PLAT	___ OTHER PLAT (Vacation, Dedication, etc.)
___ AMENDMENT TO A SPECIAL USE (_____Major; _____ Minor)		

[1]**PRIMARY CONTACT**	**PRIMARY CONTACT MAILING ADDRESS**	**PRIMARY CONTACT EMAIL**
Daniel J. Kramer	[redacted]	[redacted]
PRIMARY CONTACT PHONE #	**PRIMARY CONTACT FAX #**	**PRIMARY CONTACT OTHER #**(Cell, etc.)
[redacted]	[redacted]	
[2]**ENGINEER CONTACT**	**ENGINEER MAILING ADDRESS**	**ENGINEER EMAIL**
John Tebrugge		[redacted]
ENGINEER PHONE #	**ENGINEER FAX #**	**ENGINEER OTHER #** (Cell, etc.)
[redacted]		

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 X [redacted] **DATE** 7-7-2021

FEE PAID:$ 500.00
CHECK #: 1669

RECEIVED
JUL 26 2021
KENDALL COUNTY PLANNING, BUILDING & ZONING
Date Stamp Here If Checklist Is Complete

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

Last Revised:
12.15.20

Always Faithful, LLC

Please fill out the following findings of fact to the best of your capabilities. § 13:07.F of the Zoning Ordinance lists the Finding of Fact criteria the Zoning Board of Appeals must answer in order to make a recommendation to the County Board on any **map amendment** request. They are as follows:

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

The existing uses of the property within the general area are a mix of agricultural and business endeavors. The property is located very close to the Kendall Township Highway Department, and the related Office Complex immediately adjacent to it; as well as intensive B3 Automotive Repair business at the corner of Walker and Route 47. The subject property was previously used intensively in the agricultural district for a White Hen Egg Farm back in the 60's through the 80's and then later on for storage facilities. The adjacent use of the property is for truck pulls and farm machinery repair.

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

The zoning class of the property is primarily an Agricultural District with related business uses up and down Route 47 that some are Zoned B3 some are Zoned A1 Special Use and the County Land Resource Management Plan calls for Commercial Uses along State Highway 47.

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

The suitability of the property for intense Agricultural use is no longer relevant in that most of the egg production facilities where the barns that remain on the property were used having moved to the Southern States in this Country. It is a smaller parcel which likewise is not conducive to intensive row crop farming. Its location on the State Highway and adjacent to Caton Farm Road which likewise serves as a main County collector is ideal for the Landscape business, including deliveries and exposure to public viewing.

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 continued Agricultural together with Commercial uses developing along the Route 47 Commercial corridor.

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

Development of Commercial uses that need an all weather and Class II Highway are precisely what are intended for the Route 47 Commercial Corridor serving the County and the various Municipalities located thereon.

That part of the Southeast Quarter of Section 28, Township 36 North, Range 7 East of the Third Principal Meridian, described as follows: Commencing at the Southwest corner of said Southeast Quarter; thence North along the West line of said Quarter, 642.65 feet for the point of beginning; thence Easterly at right angles to said West line 647.36 feet; thence Northerly along a line forming an angle of 89 degrees 35 minutes 05 seconds, measured clockwise from the last described course, 1012.69 feet; thence Westerly along a line forming an angle of 89 degrees 56 minutes 12 seconds, measured clockwise from the last described course, 640.04 feet to the West line of said Southeast Quarter thence Southerly along said West line 1007.32 feet to the point of beginning (except that part thereof lying within the right of way of Illinois State Route No. 47 and being described in a Judgment recorded November 13, 1991 as Document No. 917979) in the Township of Kendall, Kendall County, Illinois.

QUIT CLAIM DEED

Statutory (Illinois)

202100006874
DEBBIE GILLETTE
RECORDER - KENDALL COUNTY, IL
RECORDED: 3/17/2021 01:02 PM
QCD: 57.00 RHSPS FEE: 10.00
PAGES: 4

THE GRANTOR,

Roberto R. Velazquez,
A married person
Of the Bristol
in the County of Kendall
and State of Illinois

for and in consideration of $10.00 in hand paid, CONVEY and QUIT CLAIM TO:

Always Faithful Properties LLC, an Illinois Limited Liability Company

whose address is: [redacted]

all interest in the following described Real Estate situated in the County of Kendall in the State of Illinois to wit:

See attached legal description

SUBJECT TO: Existing easements, covenants, and restrictions of record, and 2020 and subsequent years real estate taxes.

Hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Permanent Real Estate Index Number: 05-28-400-002
Address of Real Estate: 10744 Route 47, Yorkville, Illinois 60560

Dated this 18 day of February, 2021.

[redacted]
Roberto R. Velazquez

Quit Claim Deed

STATE OF ILLINOIS)
) SS.
COUNTY OF KENDALL)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, CERTIFY THAT Roberto R. Velazquez personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered this instrument as his 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 and notarial seal this 18th Day of February, 2021.

[redacted]
Notary Public

"OFFICIAL SEAL"
COLLEEN HANSON
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 11/18/2023

SEND SUBSEQUENT TAX BILLS TO:
AFTER RECORDING, RETURN TO:
Always Faithful Properties LLC
[redacted]

THIS DOCUMENT PREPARED BY:
Law Offices of Daniel J. Kramer
[redacted]

This Transaction EXEMPT under provisions of 35ILCS 200/31-45, Par. E.
Dated February 18, 2021.
Signed [redacted]

That part of the Southeast Quarter of Section 28, Township 36 North, Range 7 East of the Third Principal Meridian, described as follows: Commencing at the Southwest corner of said Southeast Quarter; thence North along the West line of said Quarter, 642.65 feet for the point of beginning; thence Easterly at right angles to said West line 647.36 feet; thence Northerly along a line forming an angle of 89 degrees 35 minutes 05 seconds, measured clockwise from the last described course, 1012.69 feet; thence Westerly along a line forming an angle of 89 degrees 56 minutes 12 seconds, measured clockwise from the last described course, 640.04 feet to the West line of said Southeast Quarter thence Southerly along said West line 1007.32 feet to the point of beginning (except that part thereof lying within the right of way of Illinois State Route No. 47 and being described in a Judgment recorded November 13, 1991 as Document No. 917979) in the Township of Kendall, Kendall County, Illinois.

Debbie Gillette
Kendall County Clerk & Recorder

PLAT ACT AFFIDAVIT OF METES AND BOUNDS

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

David J. Kramer, being duly sworn on oath, states that affiant resides at Yorkville, Illinois. And further states that: (please check the appropriate box)

A. [X] That the attached deed is not in violation of 765 ILCS 205/1(a), in that the sale or exchange is of an entire tract of land not being part of a larger tract of land; or

B. [ ] That the attached deed is not in violation of 765 ILCS 205/1(b) for one of the following reasons: (please circle the appropriate number)

1. The division or subdivision of land into parcels or tracts of 5.0 acres or more in size which does not involve any new streets or easements of access;
2. The division of lots or blocks of less than one (1) acre in any recorded subdivision which does not involve any new streets or easements of access;
3. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
4. The conveyance of parcels of land or interests therein for use as right of way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
5. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
6. The conveyance of land for highway or other public purposes 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;
7. Conveyances made to correct descriptions in prior conveyances;
8. The sale or exchange of parcels or tracts of land following the division into not more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959, and not involving any new streets or easements of access;
9. The sale of a single lot of less than 5.0 acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land;
10. The conveyance is of land described in the same manner as title was taken by grantor(s).

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.

SUBSCRIBED AND SWORN TO BEFORE ME

This 18th day of February, 2021.

[redacted]
Signature of Notary Public

[redacted]
Signature of Affiant

"OFFICIAL SEAL"
COLLEEN HANSON
NOTARY PUBLIC STATE OF ILLINOIS
MY COMMISSION EXPIRES 11/18/2023

111 West Fox Street, Yorkville IL 60560-1498
(630) 553-4104 • Fax: (630) 553-4119 • Email: Dgillette@co.kendall.il.us

"OFFICIAL SEAL"
COLLEEN HANSON
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 11/18/2023

KENDALL COUNTY
DISCLOSURE OF BENEFICIARIES FORM

1. Applicant Always Faithful Properties, LLC

   Address [redacted]

   City [redacted] State [redacted] Zip [redacted]

2. Nature of Benefit Sought Own land and run landscape business

3. Nature of Applicant: (Please check one)
   - ___ Natural Person
   - ___ Corporation
   - ___ Land Trust/Trustee
   - ___ Trust/Trustee
   - ___ Partnership
   - ___ Joint Venture

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

   An LLC which is Limited Liabilty Company to own land

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
Robert Velazquez	[redacted]	

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

   Robert Velazquez [redacted]

IFICATION

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

Subscribed and sworn to before me this 7th day of July, A.D. 2021

(seal)

"OFFICIAL SEAL"
COLLEEN HANSON
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 11/18/2023

[redacted]
Notary Public

Kendall County Soil & Water Conservation District

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

www.kendallswcd.org

NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

Petitioner: Always Faithful Properties, LLC
Address: [redacted]
City, State, Zip: [redacted]
Phone Number: [redacted]
Email: [redacted]

Contact Person: Daniel J. Kramer [redacted]

Please select: How would you like to receive a copy of the NRI Report? ☐ Email ☐ Mail

Site Location & Proposed Use

Township Name Kendall Township 36 N, Range 7 E, Section(s) 28
Parcel Index Number(s) 05-28-400-002
Project or Subdivision Name Always Faithful Properties, LLC Number of Acres 13.6485
Current Use of Site Home & Agricutural Proposed Use Operate Landscaping business & related storage
Proposed Number of Lots 1 Proposed Number of Structures 4
Proposed Water Supply well Proposed type of Wastewater Treatment septic
Proposed type of Storm Water Management

Type of Request

☑ Change in Zoning from A-1 to B-3
☐ 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 Planning, Buiding, & Zoning

In addition to this completed application form, please including the following to ensure proper processing:

☑ **Plat of Survey/Site Plan** – showing location, legal description and property measurements
☑ **Concept Plan** - showing the locations of proposed lots, buildings, roads, stormwater detention, open areas, etc.
☐ If available: topography map, field tile map, copy of soil boring and/or wetland studies
◉ **NRI fee** (Please make checks payable to Kendall County SWCD)
The NRI fees, as of July 1, 2010, are as follows:
Full Report: $375.00 for five acres and under, plus $18.00 per acre for each additional acre or any fraction thereof over five.
Executive Summary Report: $300.00 (KCSWCD staff will determine when a summary or full report will be necessary.)

Fee for first five acres and under	$ 375.00
9 Additional Acres at $18.00 each	$ 162.00
Total NRI Fee	$ 537.00

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

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

X [redacted] 7-7-2021

Petitioner or Authorized Agent **Date**

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

FOR OFFICE USE ONLY

NRI#_____ Date initially rec'd _____ Date all rec'd _____ Board Meeting _____
Fee Due $_____ Fee Paid $ _____ Check #_____ Over/Under Payment _____ Refund Due_____

EcoCAT
Ecological Compliance Assessment Tool

ILLINOIS DEPARTMENT OF NATURAL RESOURCES

Applicant: Always Faithful Properties, LLC
Contact: Robert Velazquez
Address: [redacted]

Project: Semper Fi Land Site Plan
Address: 10744 US Route 47, Yorkville

IDNR Project Number: 2115269
Date: 06/30/2021

Description: Construct buildings, planting areas, showcase area and detention pond for a landscaping business.

Natural Resource Review Results

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

The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

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

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

County: Kendall

Township, Range, Section:
36N, 7E, 28



IL Department of Natural Resources Contact
Brian Willard
217-785-5500
Division of Ecosystems & Environment

Government Jurisdiction
IL Environmental Protection Agency
Division of Water Pollution Control
PO Box 19276
Springfield, Illinois 62794

Disclaimer

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

IDNR Project Number: 2115269

Terms of Use

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

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

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

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

Security

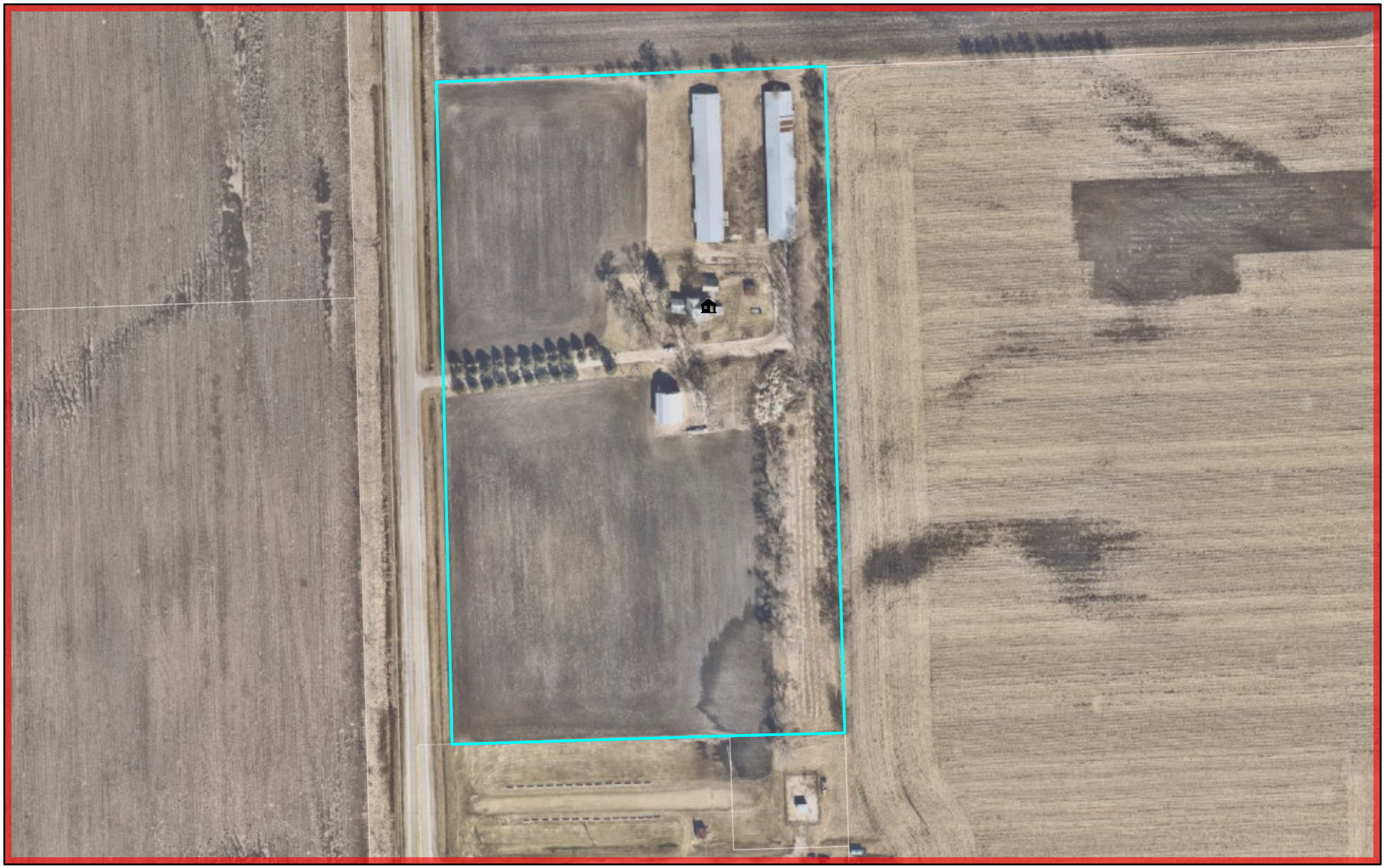
EcoCAT operates on a state of Illinois computer system. We may use software to monitor traffic and to identify unauthorized attempts to upload, download, or change information, to cause harm or otherwise to damage this site. Unauthorized attempts to upload, download, or change information on this server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

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

Privacy

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

Attachment 2



July 14, 2021

Kendall County Address Points

Parcels

Ownership Parcel

1:3,360

0 0.02 0.04 0.08 mi

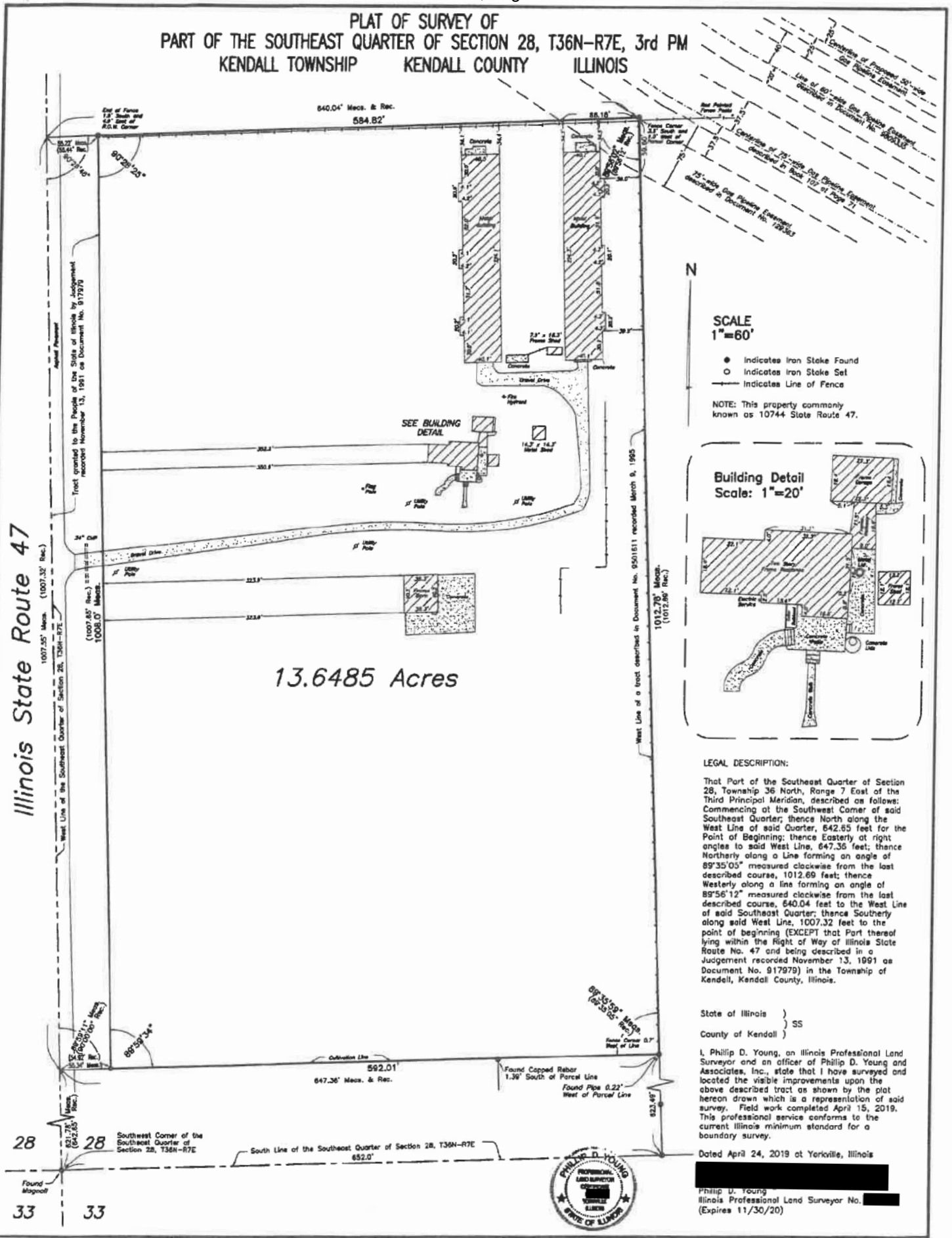
0 0.03 0.07 0.13 km

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Kendall County Web GIS

View GIS Disclaimer at https://www.co.kendall.il.us/departments/geographic-information-systems/gis-disclaimer-page/.

PLAT OF SURVEY OF
PART OF THE SOUTHEAST QUARTER OF SECTION 28, T36N–R7E, 3rd PM
KENDALL TOWNSHIP KENDALL COUNTY ILLINOIS



LEGAL DESCRIPTION:

That Part of the Southeast Quarter of Section 28, Township 36 North, Range 7 East of the Third Principal Meridian, described as follows: Commencing at the Southwest Corner of said Southeast Quarter; thence North along the West Line of said Quarter, 642.65 feet for the Point of Beginning; thence Easterly at right angles to said West Line, 647.36 feet; thence Northerly along a Line forming an angle of 89°35'05" measured clockwise from the last described course, 1012.69 feet; thence Westerly along a line forming an angle of 89°56'12" measured clockwise from the last described course, 640.04 feet to the West Line of said Southeast Quarter; thence Southerly along said West Line, 1007.32 feet to the point of beginning (EXCEPT that Part thereof lying within the Right of Way of Illinois State Route No. 47 and being described in a Judgement recorded November 13, 1991 as Document No. 917979) in the Township of Kendall, Kendall County, Illinois.

State of Illinois)
) SS
County of Kendall)

I, Phillip D. Young, an Illinois Professional Land Surveyor and an officer of Phillip D. Young and Associates, Inc., state that I have surveyed and located the visible improvements upon the above described tract as shown by the plat hereon drawn which is a representation of said survey. Field work completed April 15, 2019. This professional service conforms to the current Illinois minimum standard for a boundary survey.

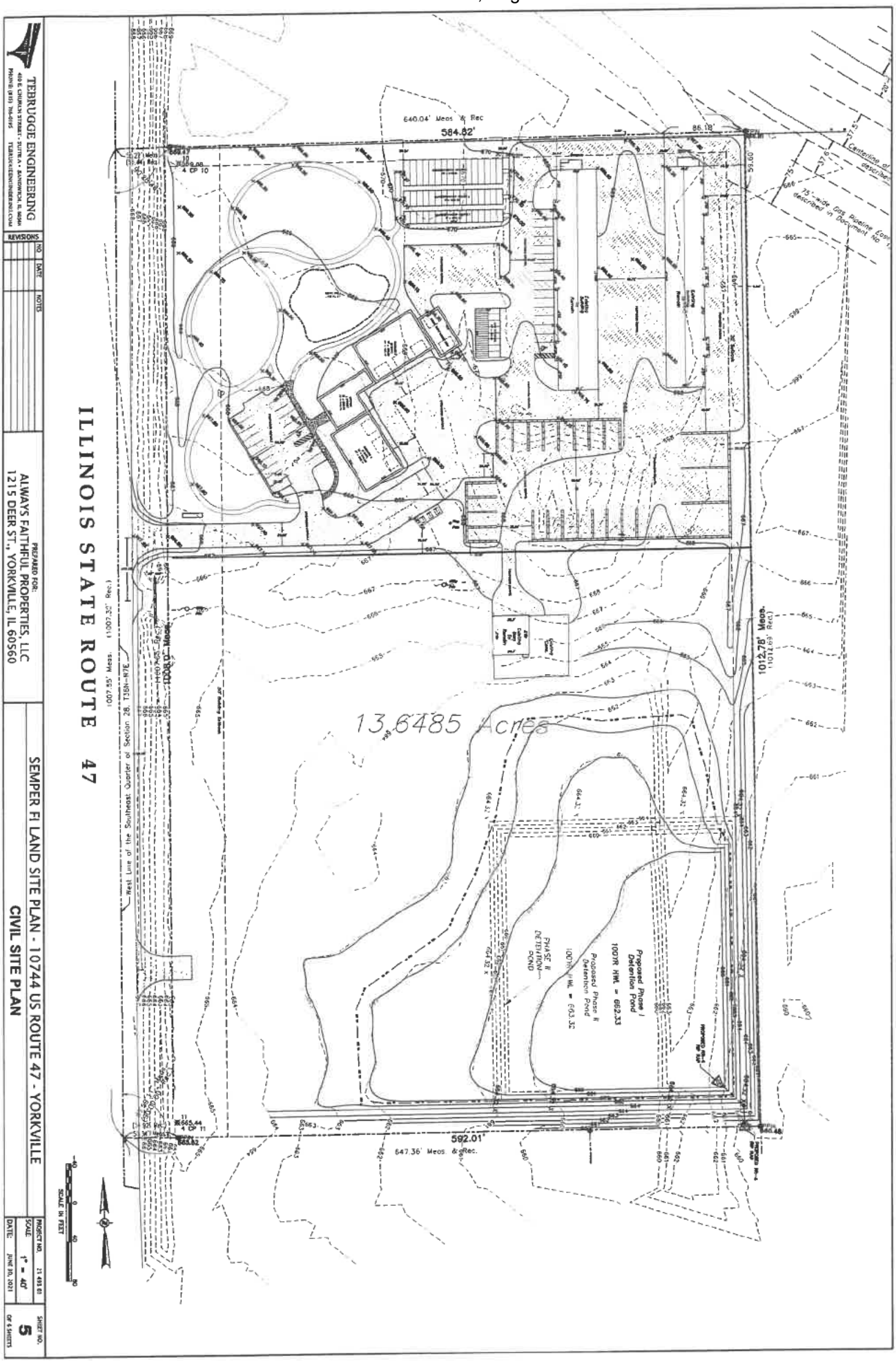
Dated April 24, 2019 at Yorkville, Illinois

[redacted]
Phillip D. Young
Illinois Professional Land Surveyor No. [redacted]
(Expires 11/30/20)

PHILLIP D. YOUNG PROFESSIONAL LAND SURVEYOR STATE OF ILLINOIS

JOB NO.	19076
JOB NAME	ATTY. HEM
DWG FILE	19076

Phillip D. Young and Associates, Inc.
LAND SURVEYING – TOPOGRAPHIC MAPPING – Lic.#184–002775
1107B South Bridge Street
Yorkville, Illinois 60560
Telephone (630)553–1580



TEBRUGGE ENGINEERING
410 E. CHAPMAN STREET • PUTNAM, IL 61560
PHONE (815) 760-4795
TEBRUGGEENGINEERING@GMAIL.COM

REVISIONS	NO	DATE	NOTES

PREPARED FOR:
ALWAYS FAITHFUL PROPERTIES, LLC
1215 DEER ST., YORKVILLE, IL 60560

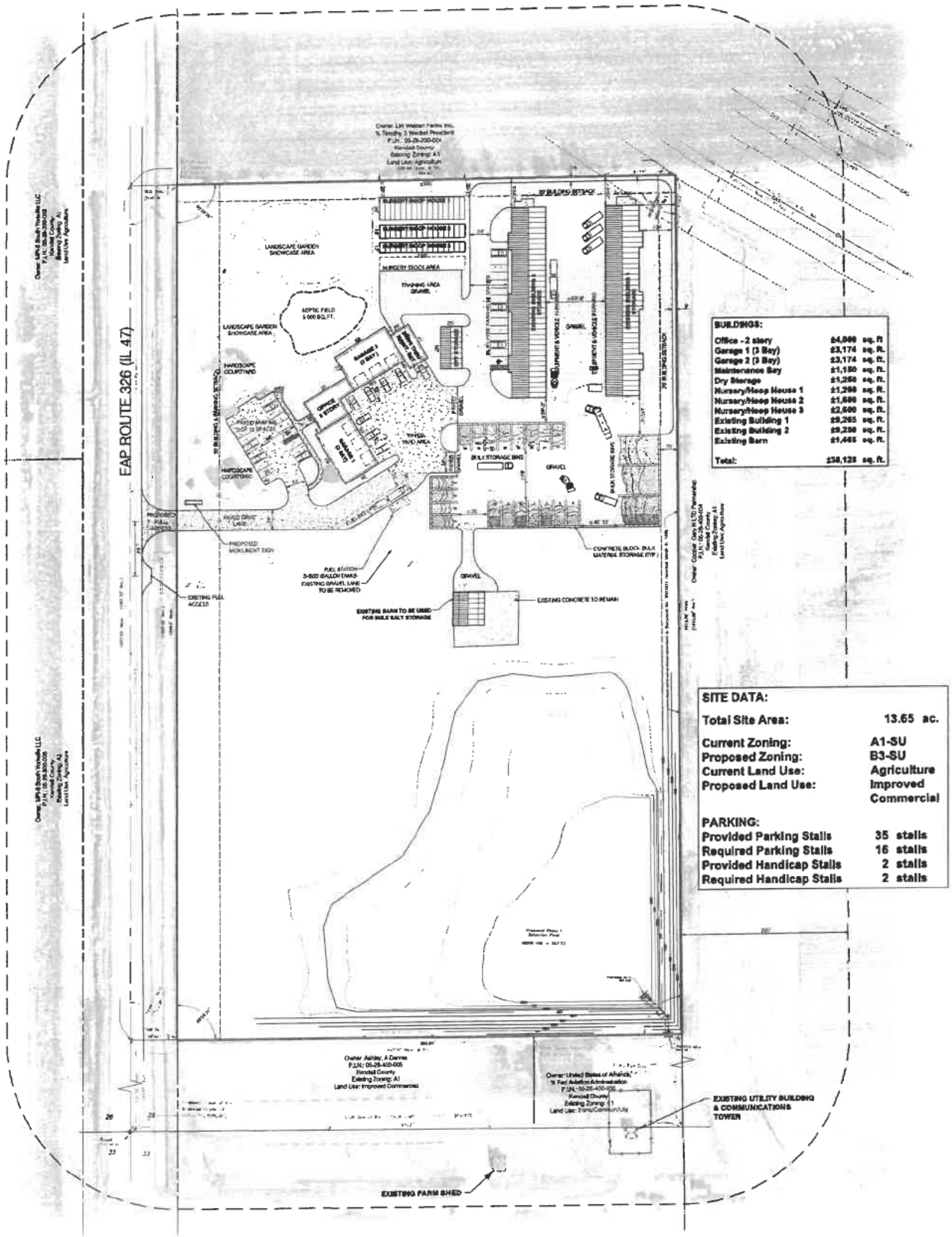
SEMPER FI LAND SITE PLAN - 10744 US ROUTE 47 - YORKVILLE

CIVIL SITE PLAN

PROJECT NO. 21 493 01
SCALE 1" = 40'
DATE: JUNE 30, 2021
SHEET NO. 5 OF 5 SHEETS

SEMPER FI ROUTE 47 PROPERTY

Kendall County, Illinois



BUILDINGS:

Office - 2 story	4,000 sq. ft
Garage 1 (3 Bay)	3,174 sq. ft.
Garage 2 (3 Bay)	3,174 sq. ft.
Maintenance Bay	1,150 sq. ft.
Dry Storage	1,250 sq. ft.
Nursery/Hoop House 1	1,200 sq. ft.
Nursery/Hoop House 2	1,600 sq. ft.
Nursery/Hoop House 3	2,600 sq. ft.
Existing Building 1	9,265 sq. ft.
Existing Building 2	9,250 sq. ft.
Existing Barn	1,465 sq. ft.
Total:	38,128 sq. ft.

SITE DATA:

Total Site Area:	13.65 ac.
Current Zoning:	A1-SU
Proposed Zoning:	B3-SU
Current Land Use:	Agriculture
Proposed Land Use:	Improved Commercial

PARKING:

Provided Parking Stalls	35 stalls
Required Parking Stalls	16 stalls
Provided Handicap Stalls	2 stalls
Required Handicap Stalls	2 stalls

Prepared For: ALWAYS FAITHFUL PROPERTIES, LLC
[redacted]

SITE PLAN

25' 100' 200'
0' 50' Graphic Scale 1"=50'

Prepared By:
Date: December 29, 2020
Revised: May 26, 2021
Sheet 1 of 1

sda Schoppe Design Associates, Inc.
LAND PLANNING & LANDSCAPE ARCHITECTURE
126 S. Main Street
Oswego, IL 60543
p: 630 551-3355
f: 630 551-3639
schoppedesign.net

Attachment 4

82-10

ORDINANCE

AMENDING KENDALL COUNTY ZONING ORDINANCE AS AMENDED

WHEREAS, Herbert DeKing 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 amendment to the Kendall County Zoning Ordinance adopted January 16, 1940; and

WHEREAS, said Zoning Board of Appeals did thereupon publish notice of a hearing on said proposed amendment to said Zoning Ordinance as provided by the Statutes of the State of Illinois, and did then hold a public hearing on said proposed amendment on the 5th day of October, 1982, A.D., on the site described in the petition 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 and the Zoning maps and ordinance be amended in the manner required by law; and

NOW THEREFORE, BE IT ORDAINED by the County Board of Kendall County, Illinois that the following described property be and it is hereby rezoned from A1, Agriculture District to A1SU, Agriculture District, Special Use for Storage of RV's, Boats and Licensed Antique Cars, and that the County Clerk be and she is hereby ordered and directed to change the zoning map, to show the change in zoning classification:

That part of the South 100 acres of the Southeast Quarter of Section 28, Township 36 North, Range 7 East of the Third Principal Meridian described as follows: Commencing at the Southwest corner of said Southeast Quarter; thence North along the West line of said Quarter Section, 642.65 feet for the point of beginning; thence Easterly at right angles to said West line, 647.36 feet; thence Northerly along a line forming an angle of 89°35'05.4" (as measured clockwise) from the last described course, 1012.69 feet to the North line of the said South 100 acres as occupied; thence Westerly along said North line, 640.04 feet to the West line of said Southeast Quarter; thence Southerly along said West line, 1007.32 feet to the point of beginning containing 14.925 acres in the Township of Kendall, Kendall County, Illinois.

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

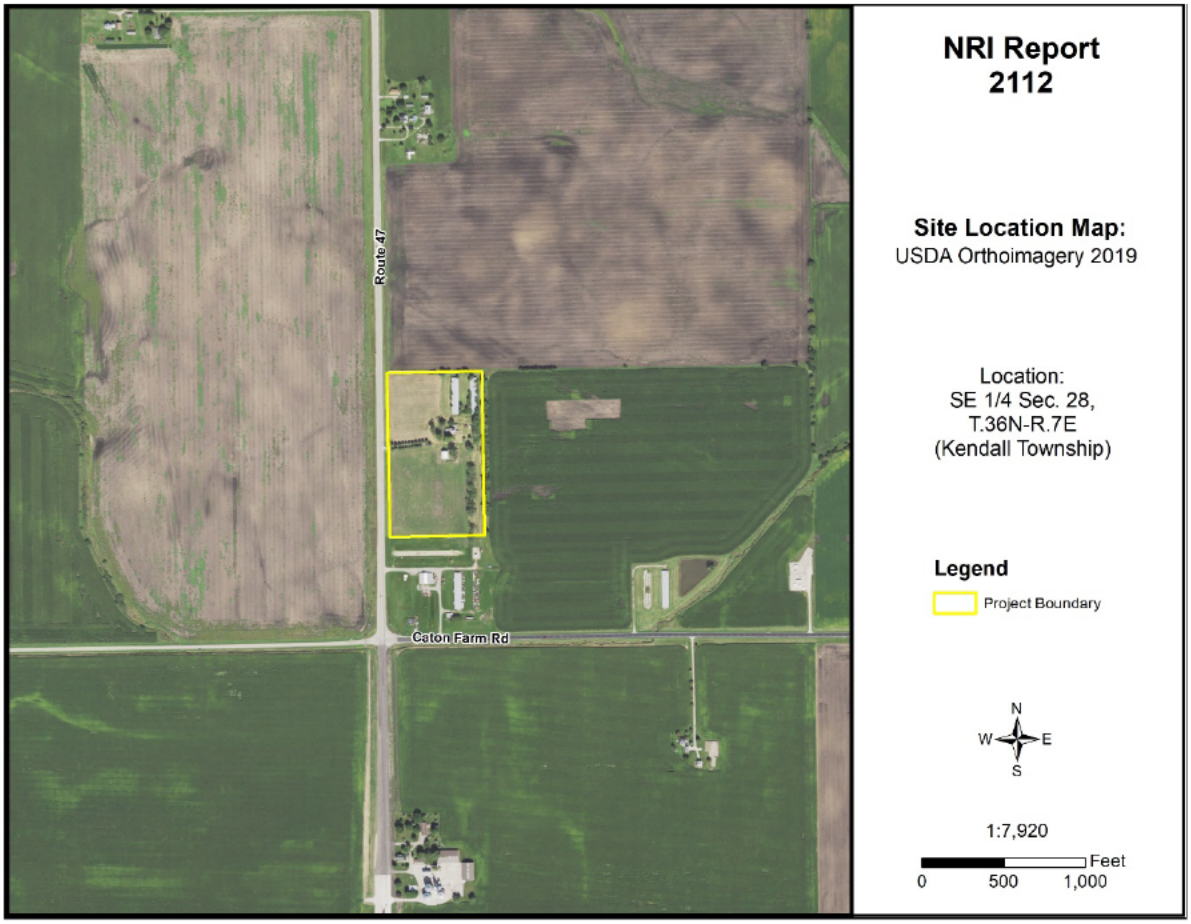
1. All antique cars must be licensed.
2. No work is to be done on vehicles and boats during storage.
3. All vehicles and boat batteries must be removed.
4. No outside storage will be permitted.

PASSED THIS 12th day of October, 1982.

Robert L. Cherry
Chairman, County Board of Kendall County
Illinois

ATTEST: Jean P. Brady
County Clerk

NATURAL RESOURCE INFORMATION (NRI) REPORT: #2112



Aug. 2021

Petitioner: Always Faithful Properties, LLC
Contact: Attorney Daniel J. Kramer

Prepared By:

Kendall County Soil & Water Conservation District

7775A Route 47
Yorkville, Illinois 60560
Phone: (630) 553-5821 x3
Fax: (630) 553-7442
www.kendallswcd.org

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

Natural Resource Information Report Number	2112
Date District Board Reviews Application	August 2021
Applicant's Name	Always Faithful Properties, LLC
Size of Parcel	(+/-) 13.65 acres
Current Zoning & Use	A-1 SU Agricultural Special Use; Cropland and Vacant Farm Residence
Proposed Zoning & Use	B-3 Highway Business; Landscaping Business & Related Storage
Parcel Index Number(s)	05-28-400-002
Contact Person	Attorney Daniel J. Kramer

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

Report Prepared By: *Alyse Olson* Position: *Resource Conservationist*

PURPOSE AND INTENT

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

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

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

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

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

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

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EXECUTIVE SUMMARY

Natural Resource Information Report Number	#2112
Petitioner	Always Faithful Properties, LLC
Contact Person	Attorney Daniel J. Kramer
County or Municipality the Petition is Filed With	Kendall County
Location of Parcel	SE ¼ of Section 28, Township 36 North, Range 7 East (Kendall Township) of the 3rd Principal Meridian
Project or Subdivision Name	Always Faithful Properties, LLC
Existing Zoning & Land Use	A-1 SU Agricultural Special Use; Cropland and Vacant Farm Residence
Proposed Zoning & Land Use	B-3 Highway Business; Landscaping Business & Related Storage
Proposed Water Source	Well
Proposed Type of Sewage Disposal System	Septic
Proposed Type of Storm Water Management	On-site detention pond
Size of Site	(+/-) 13.65 acres
Land Evaluation Site Assessment Score	235 (Land Evaluation: 98; Site Assessment: 137)

NATURAL RESOURCE CONSIDERATIONS

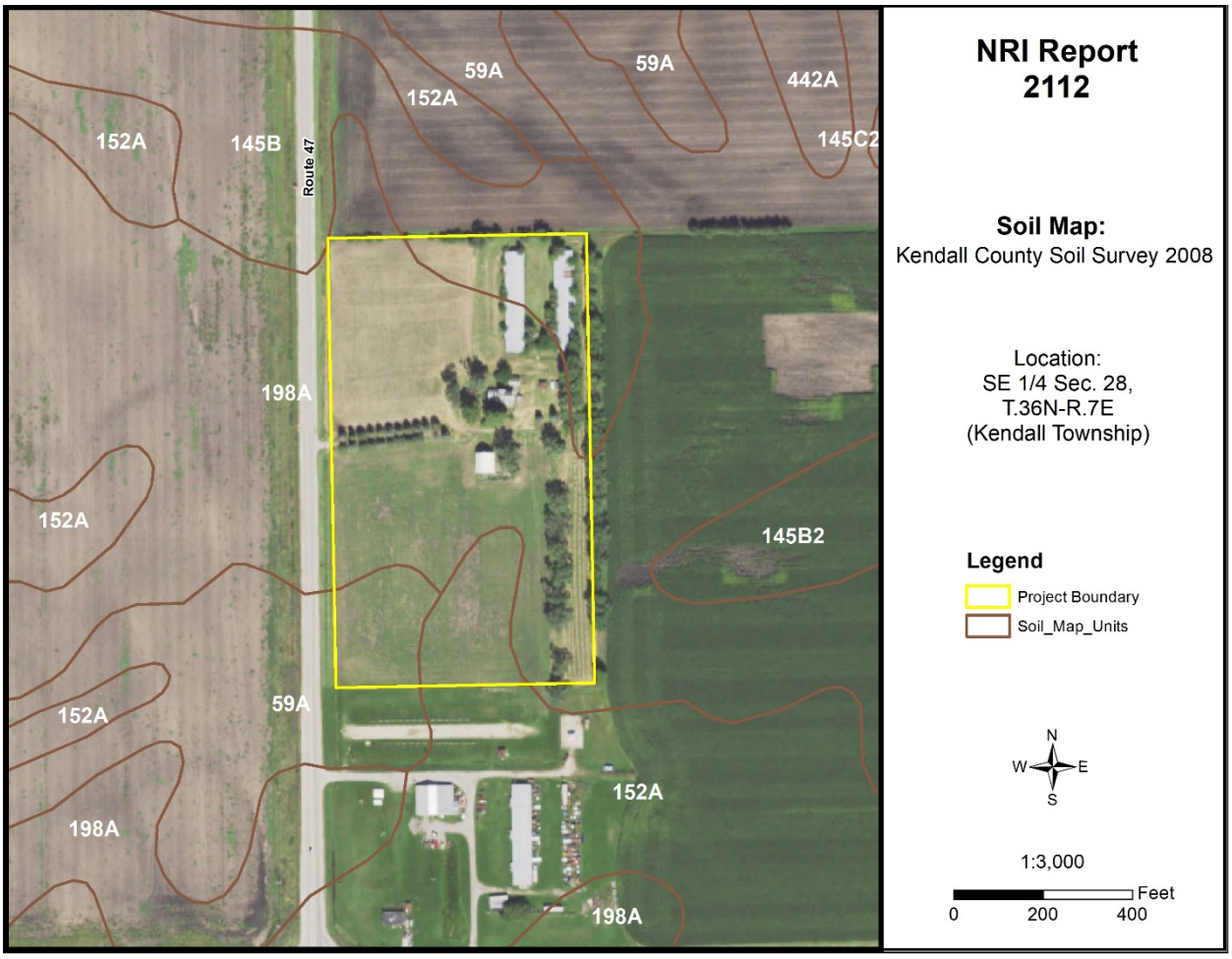


Figure 1: Soil Map

SOIL INFORMATION

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

Table 1: Soils Information

Map Unit	Soil Name	Drainage Class	Hydrologic Group	Hydric Designation	Farmland Designation
59A	Lisbon silt loam, 0-2% slopes	Somewhat Poorly Drained	C/D	Non-Hydric	Prime Farmland
145B	Saybrook silt loam, 2-5% slopes	Moderately Well Drained	C	Non-Hydric	Prime Farmland
152A	Drummer silty clay loam, 0-2% slopes	Poorly Drained	B/D	Hydric	Prime Farmland if drained
198A	Elburn silt loam, 0-2% slopes	Somewhat Poorly Drained	B/D	Non-Hydric	Prime Farmland

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

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

Hydric Soils – A hydric soil is one that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile that supports the growth or regeneration of hydrophytic vegetation. Soils with hydric inclusions have map units dominantly made up of non-hydric soils that may have inclusions of hydric soils in the lower positions on the landscape. Of the soils found onsite, one is classified as hydric soil (152A Drummer silty clay loam), and the remaining three are classified as non-hydric soils (59A Lisbon silt loam, 145B Saybrook silt loam, and 198A Elburn silt loam). Elburn silt loam is a non-hydric soil that contains hydric inclusions.

Prime Farmland – Prime farmland is land that has the best combination of physical and chemical characteristics for agricultural production. Prime farmland soils are an important resource to Kendall County and some of the most productive soils in the United States occur locally. Of the soils found onsite, three are designated as prime farmland (59A Lisbon silt loam, 145B Saybrook silt loam, and 198A Elburn silt loam) and one is designated as prime farmland if drained (152A Drummer silty clay loam).

Soil Limitations – The USDA-NRCS Web Soil Survey rates the limitations of soils for dwellings with basements, dwellings without basements, small commercial buildings, shallow excavations, lawns/landscaping, and local roads and streets. Soils have different properties which influence the development of building sites. The USDA-NRCS classifies soils as Not Limited, Somewhat Limited, and Very Limited. Soils that are Not Limited indicates that the soil has properties that are favorable for the specified use. They will perform well and will have low maintenance. Soils that are Somewhat Limited are moderately favorable, and their limitations can be overcome through special planning, design, or installation. Soils that are Very Limited have features that are unfavorable for the specified use, and their limitations cannot easily be overcome.

Table 2: Soil Limitations

Soil Type	Small Commercial Buildings	Shallow Excavations	Lawns/ Landscaping	Local Roads & Streets	Conventional Septic Systems
59A	Somewhat Limited	Very Limited	Somewhat Limited	Very Limited	Suitable/ Not Limited
145B	Somewhat Limited	Somewhat Limited	Somewhat Limited	Very Limited	Suitable/ Not Limited
152A	Very Limited	Very Limited	Very Limited	Very Limited	Unsuitable/ Very Limited
198A	Somewhat Limited	Very Limited	Somewhat Limited	Very Limited	Suitable/ Not Limited

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

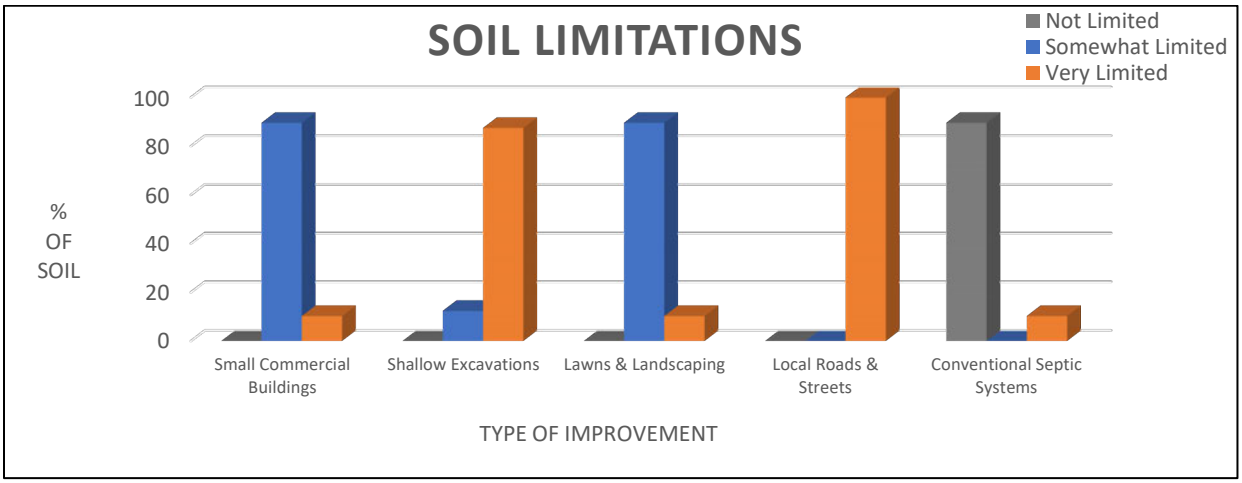


Figure 2: Soil Limitations

KENDALL COUNTY LAND EVALUATION AND SITE ASSESSMENT (LESA)

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

- **Land Evaluation (LE)**: The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland, or forestland. The best group is assigned a value of 100 and all other groups are assigned lower values. The Land Evaluation is

based on data from the Kendall County Soil Survey. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.

- The Land Evaluation score for this site is **98**, indicating that this site is **well suited** for agricultural uses.

- **Site Assessment (SA)**: The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The Site Assessment value is based on a 200-point scale and accounts for 2/3 of the total score. The Kendall County LESA Committee is responsible for this portion of the LESA system.
    - The Site Assessment score for this site is **137**.

The **LESA Score for this site is 235 out of a possible 300, which indicates a high level of protection** for the proposed project site. Note: Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County. If the project is agricultural in nature, however, a higher score may provide an indication of the suitability of the project as it relates to the compatibility with existing agricultural land use.

WETLANDS

The U.S. Fish & Wildlife Service's National Wetland Inventory map **does not indicate the presence** of a wetland(s) on the proposed project site. To determine if a wetland is present, a wetland delineation specialist, who is recognized by the U.S. Army Corps of Engineers, should determine the exact boundaries and value of the wetlands.

FLOODPLAIN

The Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) for Kendall County, Community Panel No. 17093C0125G (effective date February 4, 2009) was reviewed to determine the presence of floodplain and floodway areas within the project site. According to the map, the parcel **is not located within** the floodplain and floodway.

SEDIMENT AND EROSION CONTROL

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

LAND USE FINDINGS:

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed development plans for Petitioner Always Faithful Properties, LLC for the proposed change in zoning from A-1 to B-3 to operate a landscaping business including the storage of landscape materials on parcel 05-28-400-002 within Kendall Township of Kendall County located in the SE ¼ of Section 28, Township 36N, and Range 7E of the 3rd Principal Meridian. Based on the information provided by the petitioner and a review of natural resource related data available to the Kendall County SWCD, the SWCD Board presents the following information.

The Kendall County SWCD has always had the opinion that Prime Farmland should be preserved whenever feasible. Of the soils found onsite, 100% are classified as prime farmland or prime farmland if drained. A land evaluation (LE), which is a part of the Land Evaluation and Site Assessment (LESA), was conducted on this parcel. The soils on this parcel scored a 98 out of a possible 100 points indicating that the soils are well suited for agricultural uses. The total LESA Score for this site is 235 out of a possible 300, which indicates a high level of protection for the proposed project site. Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County. If the project is agricultural in nature, however, a higher score may provide an indication of the suitability of the project as it relates to the compatibility with existing agricultural land use.

Soils found on the project site are rated for specific uses and can have potential limitations for development. Soil types with severe limitations do not preclude the ability to develop the site for the proposed use, but it is important to note that the limitation may require soil reclamation, special design/engineering, or maintenance to obtain suitable soil conditions to support development with significant limitations. This report indicates that for soils located on the parcel, 100% are very limited for local roads and streets (paved and unpaved), 88% are very limited for shallow excavations, and 10% are very limited for small commercial buildings and lawns/landscaping. The remaining soils are considered somewhat limited for these types of developments. Additionally, 10% of the soils are considered unsuitable for conventional septic systems. This information is based on the soil in an undisturbed state. If the scope of the project may include the use of onsite septic systems, please consult with the Kendall County Health Department.

This site is located within the Upper Illinois River watershed and the West Branch Aux Sable Creek/Lisbon Creek sub watershed. This development should include a soil erosion and sediment control plan to be implemented during construction. Sediment may become a primary non-point source of pollution; eroded soils during the construction phase can create unsafe conditions on roadways, degrade water quality and destroy aquatic ecosystems lower in the watershed.

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

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

[redacted]

SWCD Board Representative

08/09/2021

Date

PARCEL LOCATION

Location Map for Natural Resources Information Report #2112

SE ¼ of Section 28, Township 36 North, Range 7 East (Kendall Township) on 13.65 acres. This parcel is located on the east side of IL Route 47, west of Ashley Road, south of Walker Road, and north of Caton Farm Road in Yorkville, IL. The parcel is part of unincorporated Kendall County.

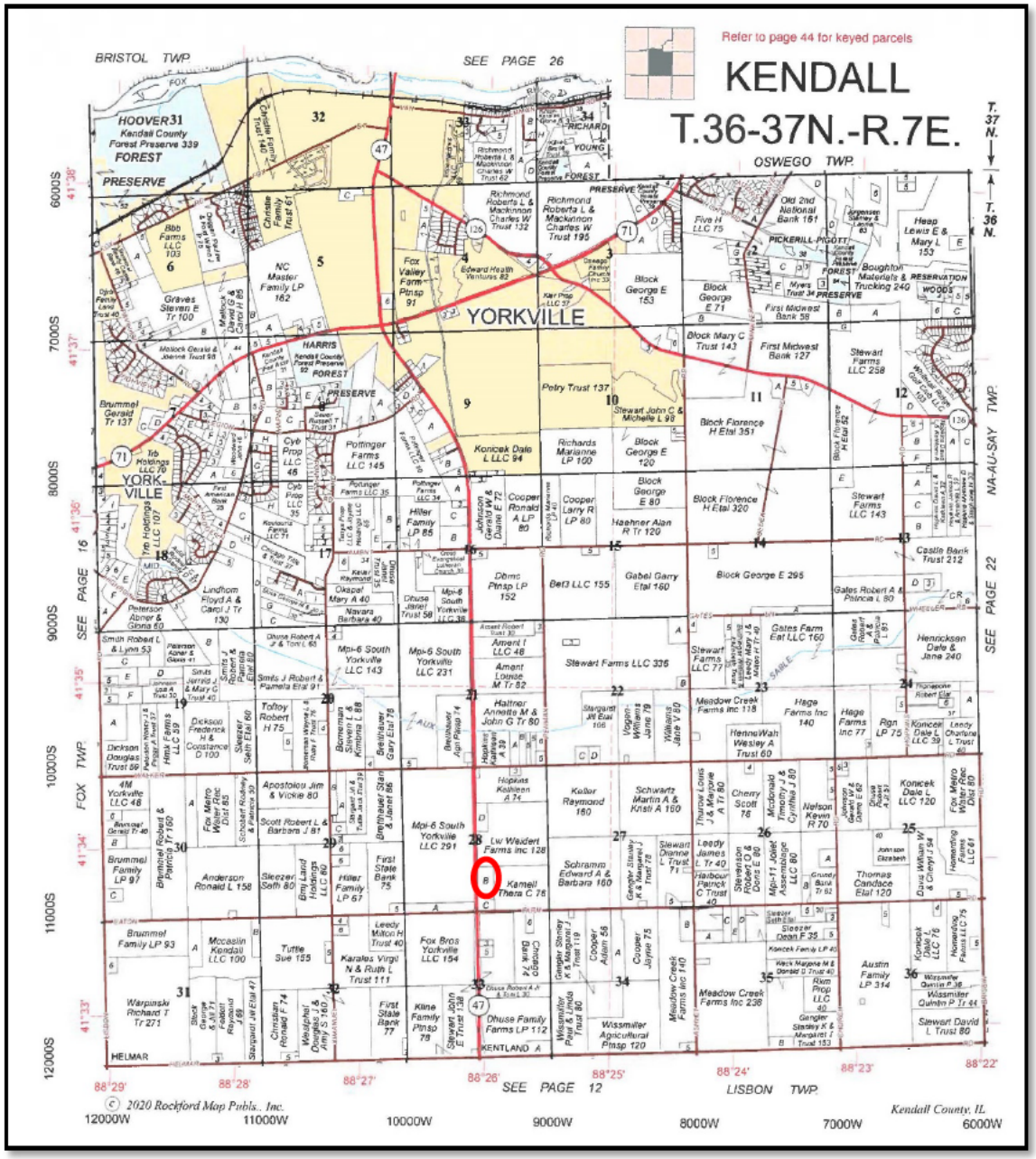


Figure 3: 2021 Plat Map

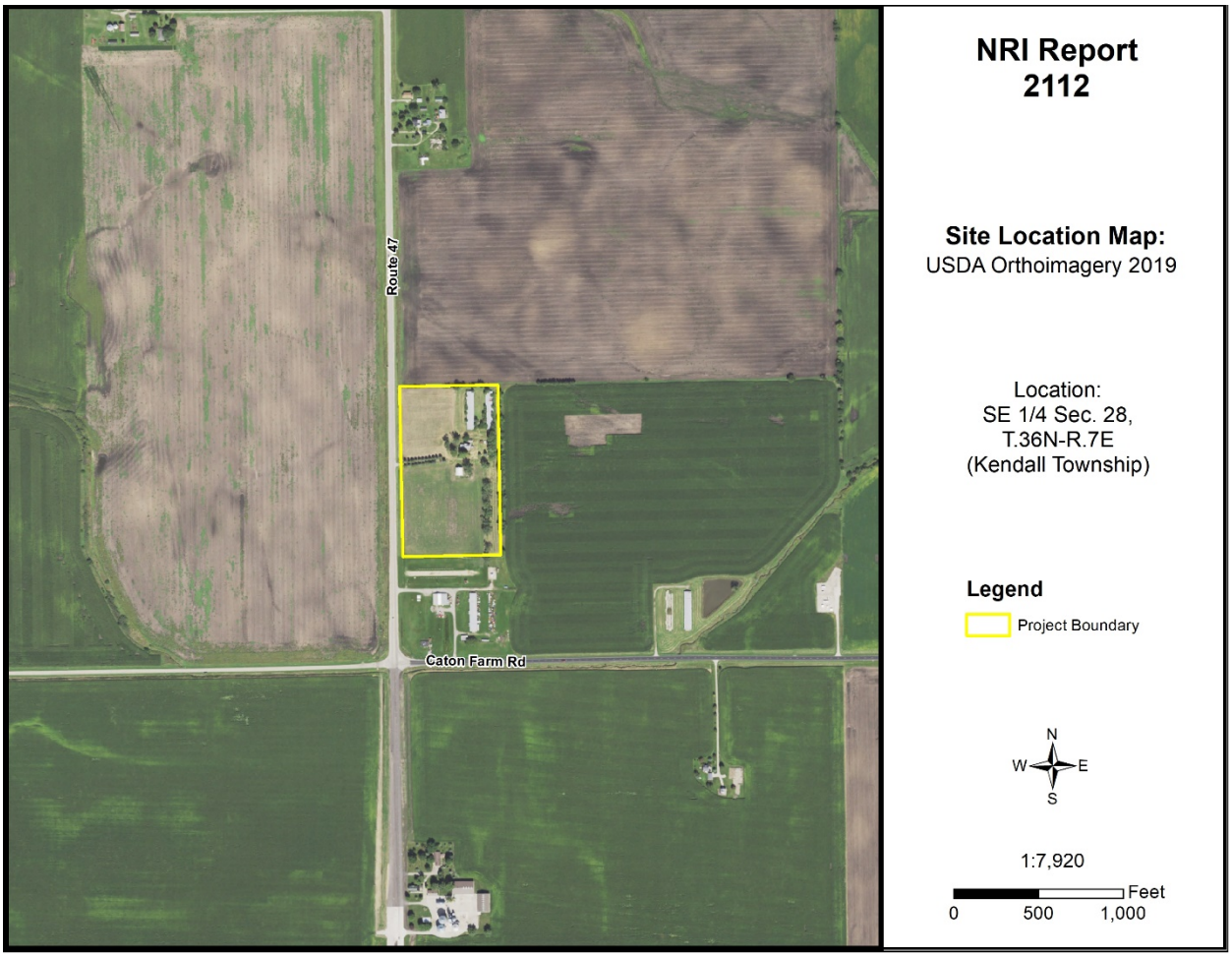


Figure 4: 2019 Aerial Map with NRI Site Boundary

ARCHAEOLOGIC/CULTURAL RESOURCES INFORMATION

Simply stated, cultural resources are all the past activities and accomplishments of people. They include the following: buildings; objects made or used by people; locations; and less tangible resources, such as stories, dance forms, and holiday traditions.

The Soil and Water Conservation District most often encounters cultural resources as historical properties. These may be prehistoric or historical sites, buildings, structures, features, or objects. The most common type of historical property that the Soil and Water Conservation District may encounter is non-structural archaeological sites. These sites often extend below the soil surface and must be protected against disruption by development or other earth moving activity if possible. Cultural resources are *non-renewable* because there is no way to "grow" a site to replace a disrupted site.

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

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

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

ECOLOGICALLY SENSITIVE AREAS

WHAT IS BIOLOGICAL DIVERSITY AND WHY SHOULD IT BE CONSERVED?[1]

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

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

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

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

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

Further, every species is a potential source of human medicine. In 1980, a published report identified the market value of prescription drugs from higher plants at over $3 billion. Organic alkaloids, a class of

chemical compounds used in medicines, are found in an estimated 20% of plant species. Yet only 2% of plant species have been screened for these compounds (Hoose 1981).

The third reason for protecting diversity is that humans benefit from natural areas and depend on healthy ecosystems. The natural world supplies our air, our water, our food and supports human economic activity. Further, humans are creatures that evolved in a diverse natural environment between forest and grasslands. People need to be reassured that such places remain. When people speak of "going to the country," they generally mean more than getting out of town. For reasons of their own sanity and wellbeing, they need a holistic, organic experience. Prolonged exposure to urban monotony produces neuroses, for which cultural and natural diversity cure.

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

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

BIOLOGICAL RESOURCES CONCERNING THE SUBJECT PARCEL

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

Office maps indicate that ecologically sensitive area(s) <u>are</u> located near the parcel in question (PIQ). A tributary that outlets to West Aux Sable Creek is located approximately 700 feet south/southeast of the PIQ.

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

SOILS INFORMATION

IMPORTANCE OF SOILS INFORMATION

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

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

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

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

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

Soil interpretations do not eliminate the need for on-site study and testing of specific sites for the design and construction for specific uses. They can be used as a guide for planning more detailed investigations and for avoiding undesirable sites for an intended use. The scale of the maps and the range of error limit the use of the soil delineation.

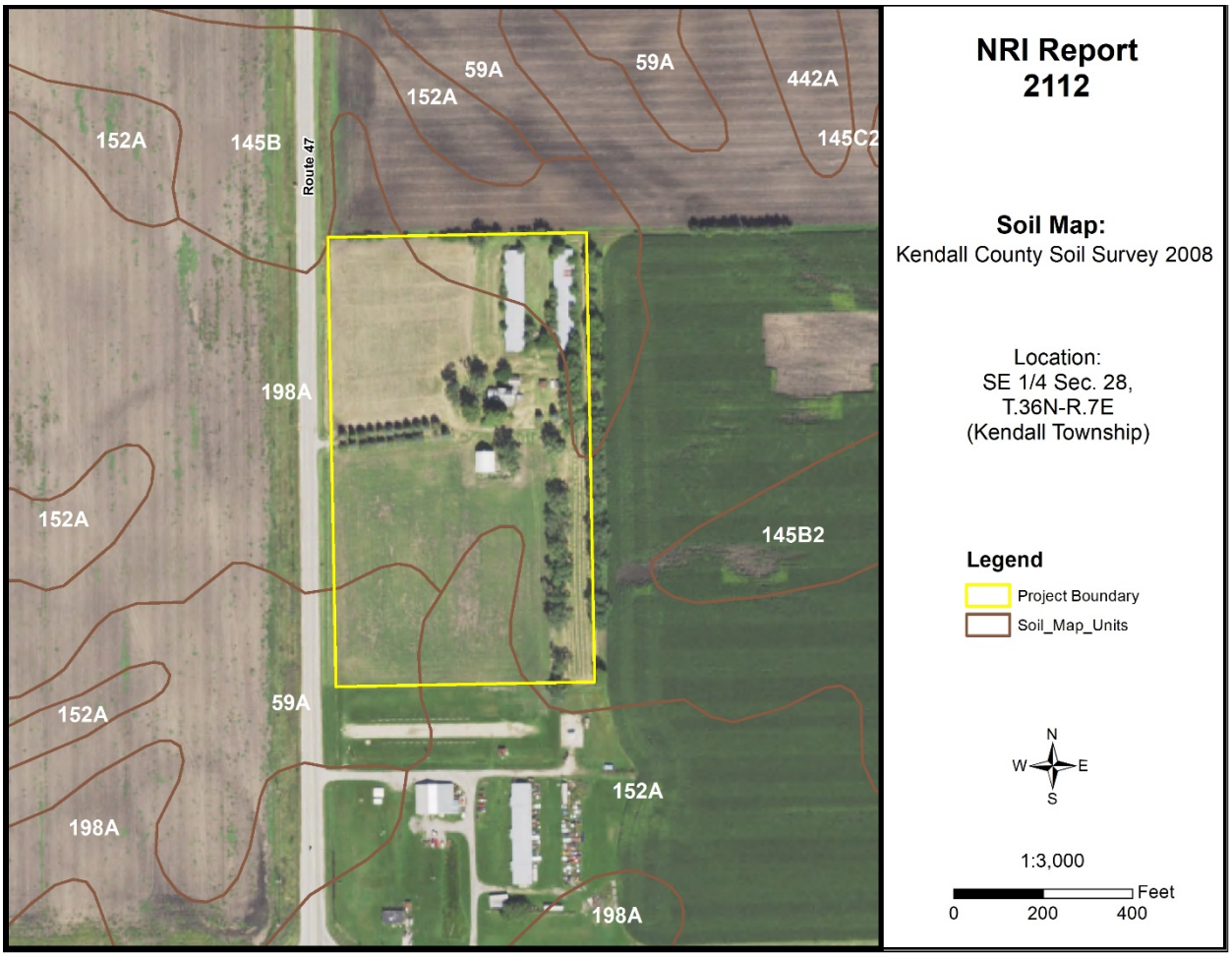


Figure 5: Soil Map

Table 3: Soil Map Unit Descriptions

Symbol	Descriptions	Acres	Percent
59A	Lisbon silt loam, 0-2% slopes	1.2	9.0%
145B	Saybrook silt loam, 2-5% slopes	1.7	12.4%
152A	Drummer silty clay loam, 0-2% slopes	1.4	10.3%
198A	Elburn silt loam, 0-2% slopes	9.3	68.2%

Source: National Cooperative Soil Survey – USDA-NRCS

SOILS INTERPRETATIONS EXPLANATION

GENERAL – NONAGRICULTURAL

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

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

LIMIATIONS RATINGS

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

BUILDING LIMITATIONS

BUILDING ON POORLY SUITED OR UNSUITABLE SOILS

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

Small Commercial Buildings – Ratings are for structures that are less than three stories high and do not have basements. The foundation is assumed to be spread footings of reinforced concrete built on disturbed soil at a depth of 2 feet or at the depth of maximum frost penetration, whichever is deeper. The ratings are based on soil properties that affect the capacity of the soil to support a load without movement and on the properties that affect excavation and construction costs.

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

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

Local Roads and Streets – They have an all-weather surface and carry automobile and light truck traffic all year. They have a subgrade of cut or fill soil material, a base of gravel, crushed rock or soil material stabilized by lime or cement; and a surface of flexible material (asphalt), rigid material (concrete) or gravel with a binder. The ratings are based on the soil properties that affect the east of excavation and grading and the traffic-supporting capacity.

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

Table 4: Building Limitations

Soil Type	Small Commercial Buildings	Shallow Excavations	Lawns & Landscaping	Local Roads & Streets	Onsite Conventional Sewage Systems	Acres	%
59A	**Somewhat Limited:** Depth to saturated zone; Shrink-swell	**Very Limited**: Depth to saturated zone; Dense layer; Dusty; Unstable excavation walls	**Somewhat Limited:** Depth to saturated zone; Dusty	**Very Limited:** Frost action; Low strength; Depth to saturated zone; Shrink-swell	**Suitable**	1.2	9.0%
145B	**Somewhat Limited:** Shrink-swell	**Somewhat Limited:** Depth to saturated zone; Dusty; Unstable excavation walls	**Somewhat Limited:** Dusty	**Very Limited:** Frost action; Low strength; Shrink-swell	**Suitable**	1.7	12.4%
152A	**Very Limited:** Ponding; Depth to saturated zone; Shrink-swell	**Very Limited:** Ponding; Depth to saturated zone; Dusty; Unstable excavation walls	**Very Limited:** Ponding; Depth to saturated zone; Dusty	**Very Limited:** Ponding; Depth to saturated zone; Frost action; Low strength; Shrink-swell	**Unsuitable:** Wet	1.4	10.3%
198A	**Somewhat Limited:** Depth to saturated zone; Shrink-swell	**Very Limited:** Depth to saturated zone; Dusty; Unstable excavation walls	**Somewhat Limited:** Depth to saturated zone; Dusty	**Very Limited:** Frost action; Low strength; Depth to saturated zone; Shrink-swell	**Suitable**	9.3	68.2%
% Very Limited	**10.3%**	**87.5%**	**10.3%**	**100%**	**10.3%**		

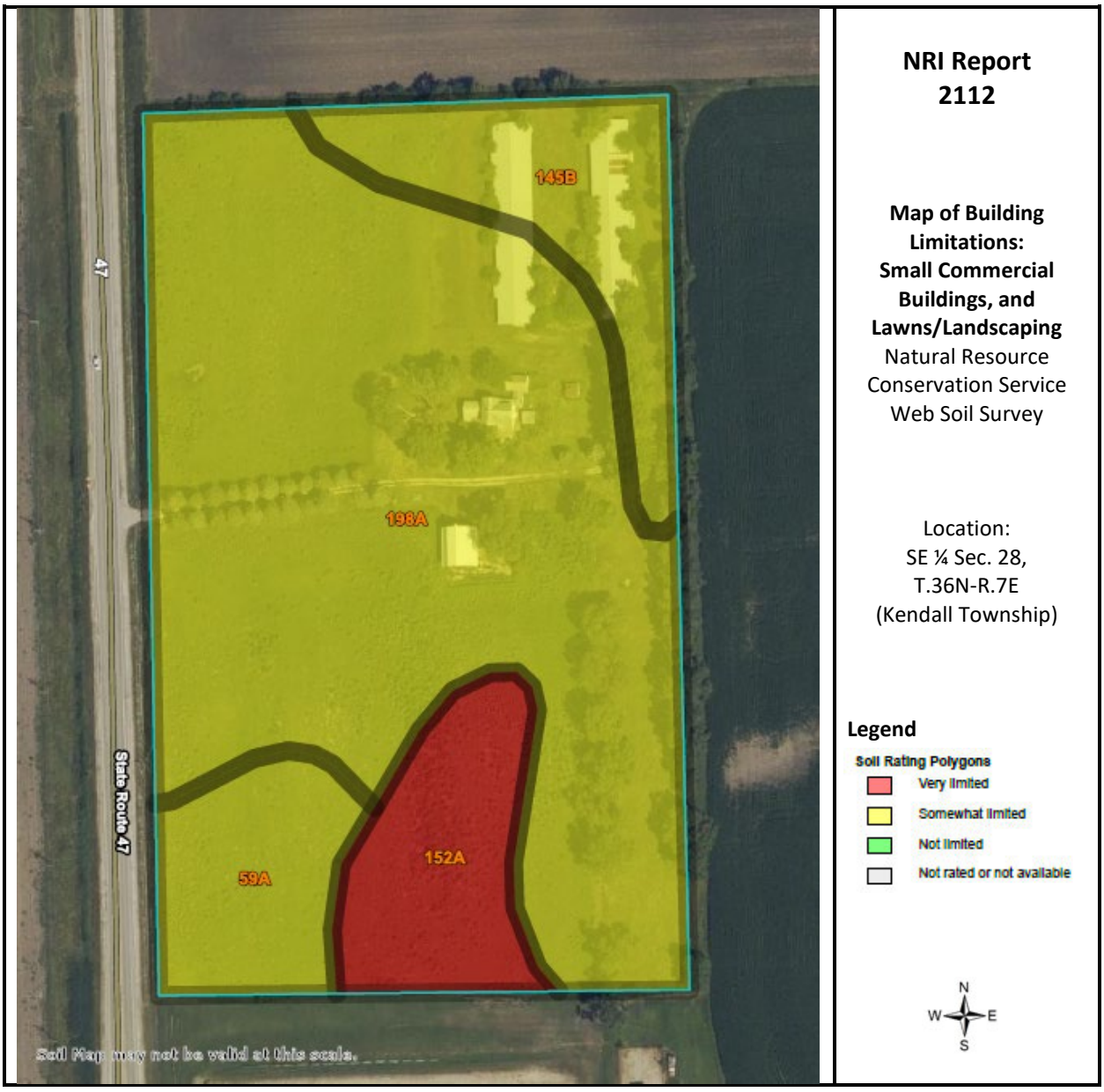


Figure 6A: Map of Building Limitations – Small Commercial Buildings and Lawns/Landscaping

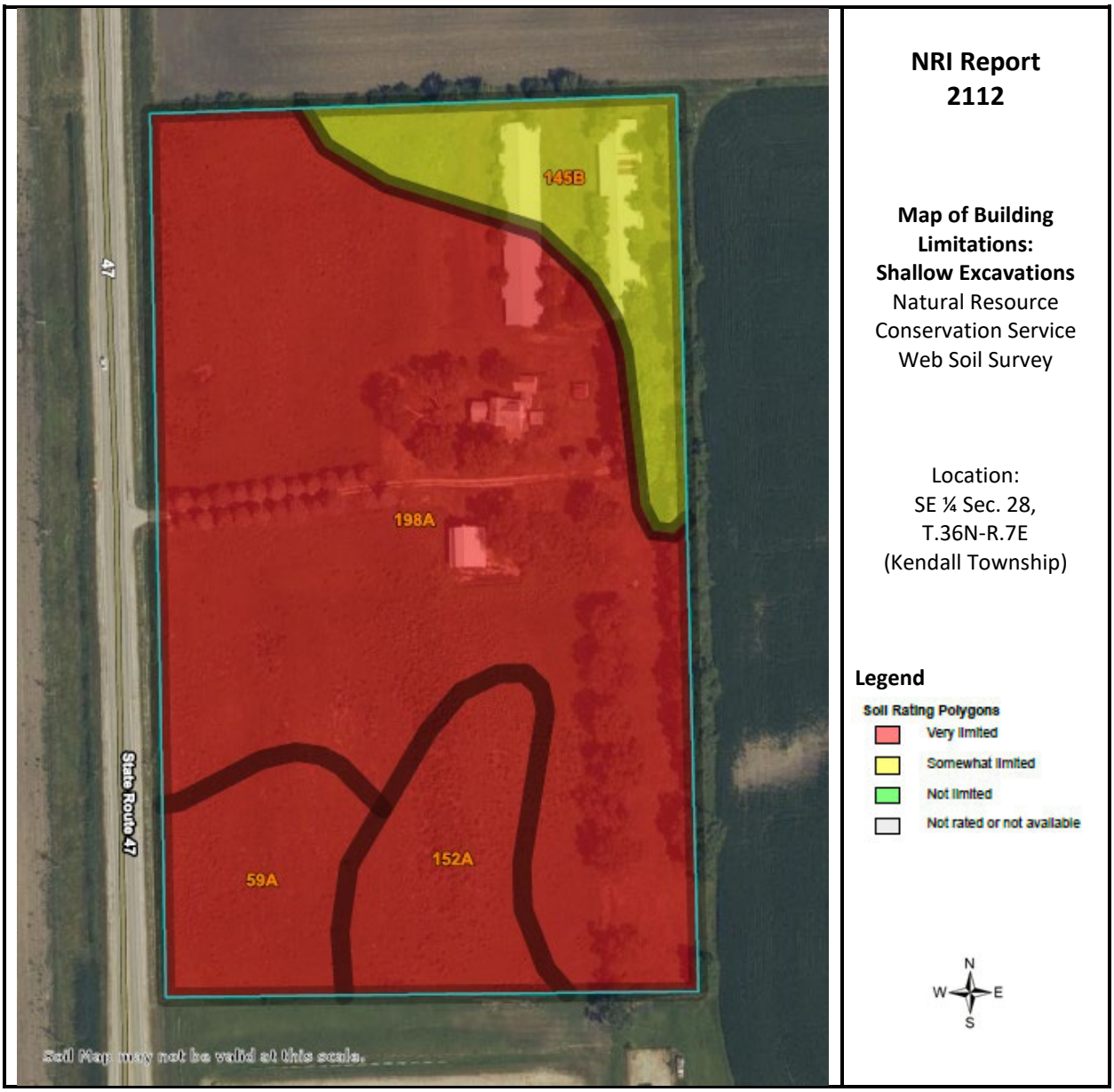


Figure 6B: Map of Building Limitations – Shallow Excavations

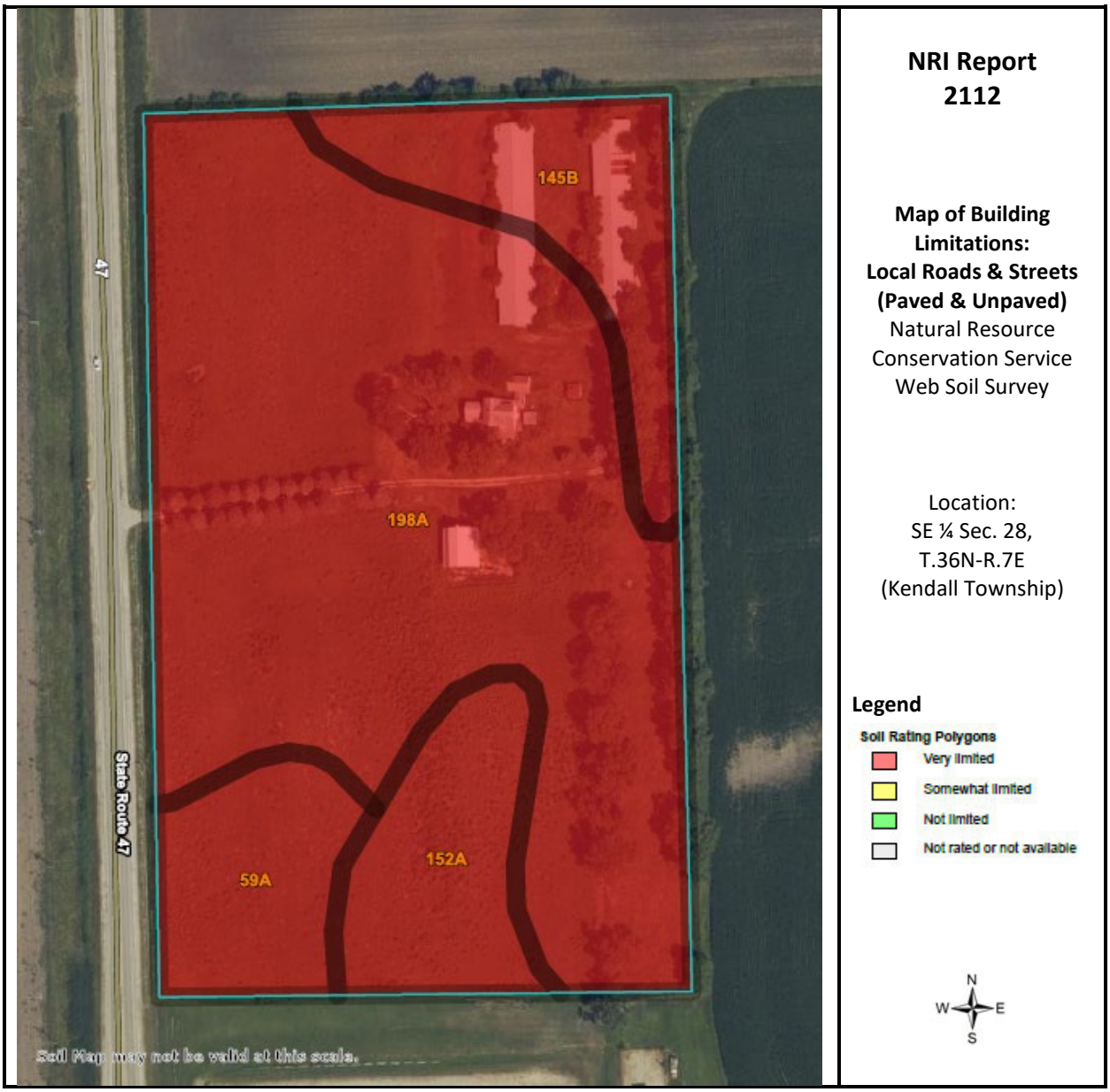


Figure 6C: Map of Building Limitations – Local Roads & Streets (Paved & Unpaved)

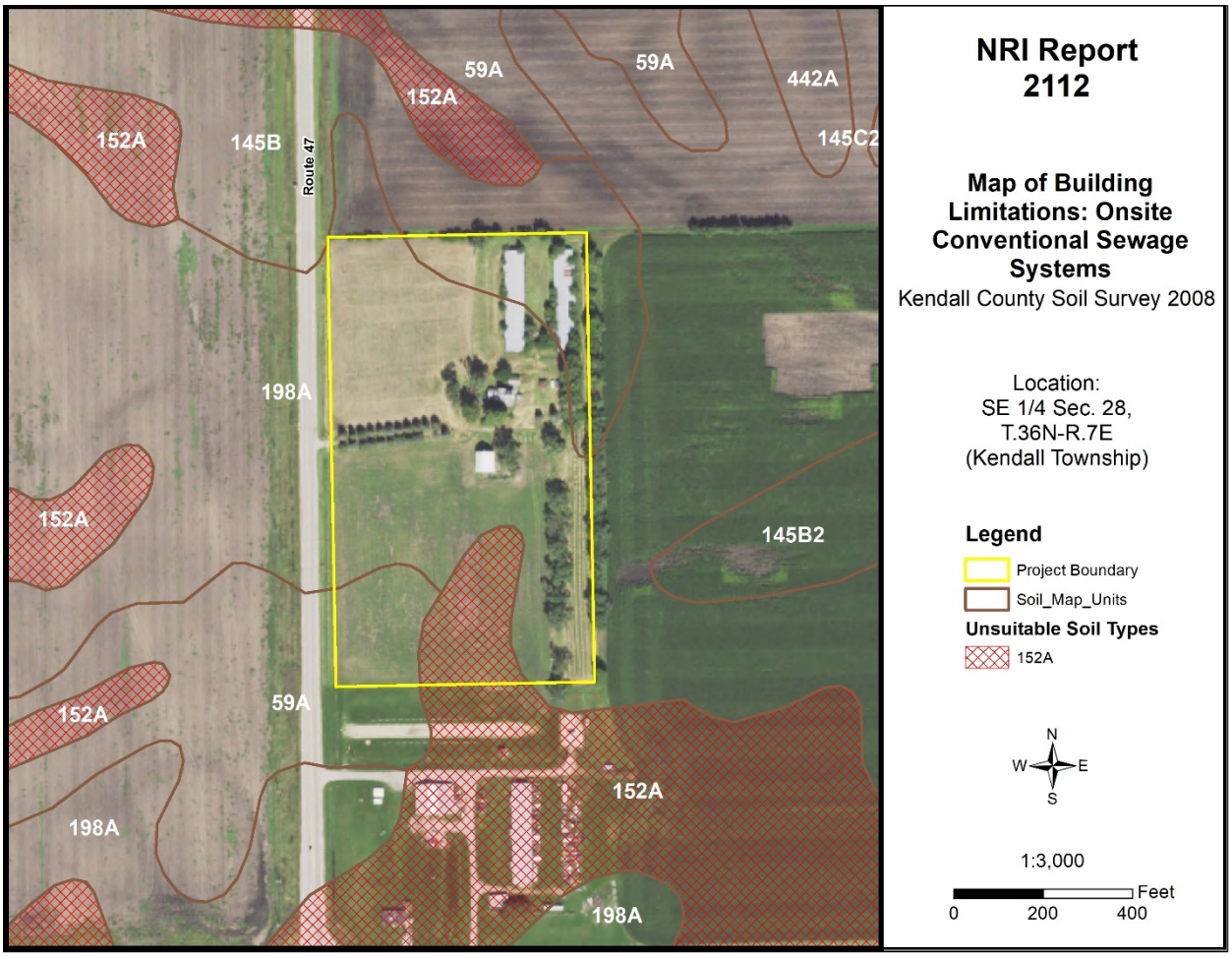


Figure 6D: Map of Building Limitations – Onsite Conventional Sewage System

SOIL WATER FEATURES

Table 5, below, gives estimates of various soil water features that should be taken into consideration when reviewing engineering for a land use project.

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

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

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

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

MONTHS – The portion of the year in which a water table, ponding, and/or flooding is most likely to be a concern.

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

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

- **Duration:** Expressed as *very brief* if less than 2 days, *brief* if 2 to 7 days, *long* if 7 to 30 days and *very long* if more than 30 days.
- **Frequency:** Expressed as: *none* meaning ponding is not possible; *rare* means unlikely but possible under unusual weather conditions (chance of ponding is 0-5% in any year); *occasional* means that it occurs, on the average, once or less in 2 years (chance of ponding is 5 to 50% in any year); and frequent means that it occurs, on the average, more than once in 2 years (chance of ponding is more than 50% in any year).

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

- **Duration:** Expressed as: *extremely brief* if 0.1 hour to 4 hours; *very brief* if 4 hours to 2 days; *brief* if 2 to 7 days; *long* if 7 to 30 days; and *very long* if more than 30 days.
- **Frequency:** Expressed as: *none* means flooding is not probable; *very rare* means that it is very unlikely but possible under extremely unusual weather conditions (chance of flooding is less than 1% in any year); *rare* means that it is unlikely but possible under unusual weather conditions (chance of flooding is 1 to 5% in any year); *occasional* means that it occurs infrequently under normal weather conditions (chance of flooding is 5 to 50% in any year but is less than 50% in all months in any year); and *very frequent* means that it is likely to occur very often under normal weather conditions (chance of flooding is more than 50% in all months of any year).

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

Table 5: Water Features

Map Unit	Hydrologic Group	Surface Runoff	Water Table	Ponding	Flooding
59A	C/D	Low	January – May **Upper Limit:** 1.0’-2.0’ **Lower Limit:** 2.0’-4.0’ June – December **Upper/Lower Limit**: --	January – December **Surface Water Depth**: -- **Duration**: -- **Frequency**: None	January – December **Duration**: -- **Frequency**: None
145B	C	Low	January **Upper/Lower Limit**: -- February – April **Upper Limit:** 2.0’-3.5’ **Lower Limit:** 2.2’-3.8’ May – December **Upper/Lower Limit**: --	January – December **Surface Water Depth**: -- **Duration**: -- **Frequency**: None	January – December **Duration**: -- **Frequency**: None
152A	B/D	Negligible	January – May **Upper Limit:** 0.0’-1.0’ **Lower Limit:** 6.0’ June – December **Upper/Lower Limit**: --	January – May **Surface Water Depth:** 0.0’-0.5’ **Duration:** Brief (2 to 7 days) **Frequency:** Frequent June – December **Surface Water Depth**: -- **Duration**: -- **Frequency**: None	January – December **Duration**: -- **Frequency**: None
198A	B/D	Low	January – May **Upper Limit:** 1.0’-2.0’ **Lower Limit:** 6.0’ June – December **Upper/Lower Limit**: --	January – December **Surface Water Depth**: -- **Duration**: -- **Frequency**: None	January – December **Duration**: -- **Frequency**: None

SOIL EROSION AND SEDIMENT CONTROL

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

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

Soil erosion during and after this proposed construction can be a primary non-point source of water pollution. Eroded soil during the construction phase can create unsafe conditions on roadways, decrease the storage capacity of lakes, clog streams and drainage channels, cause deterioration of aquatic habitats, and increase water treatment costs. Soil erosion also increases the risk of flooding by choking culverts, ditches, and storm sewers and by reducing the capacity of natural and man-made detention facilities.

The general principles of erosion and sedimentation control measures include:

- Reducing or diverting flow from exposed areas, storing flows, or limiting runoff from exposed areas
- Staging construction to keep disturbed areas to a minimum
- Establishing or maintaining temporary or permanent groundcover
- Retaining sediment on site
- Properly installing, inspecting, and maintaining control measures

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

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

Table 6: Soil Erosion Potential

Soil Type	Slope	Rating	Acreage	Percent of Parcel
59A	0-2%	Slight	1.2	9.0%
145B	2-5%	Slight	1.7	12.4%
152A	0-2%	Slight	1.4	10.3%
198A	0-2%	Slight	9.3	68.2%

PRIME FARMLAND SOILS

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

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

Table 7: Prime Farmland Soils

Soil Types	Prime Designation	Acreage	Percent
59A	Prime Farmland	1.2	9.0%
145B	Prime Farmland	1.7	12.4%
152A	Prime Farmland if drained	1.4	10.3%
198A	Prime Farmland	9.3	68.2%
% Prime Farmland	**100%**		

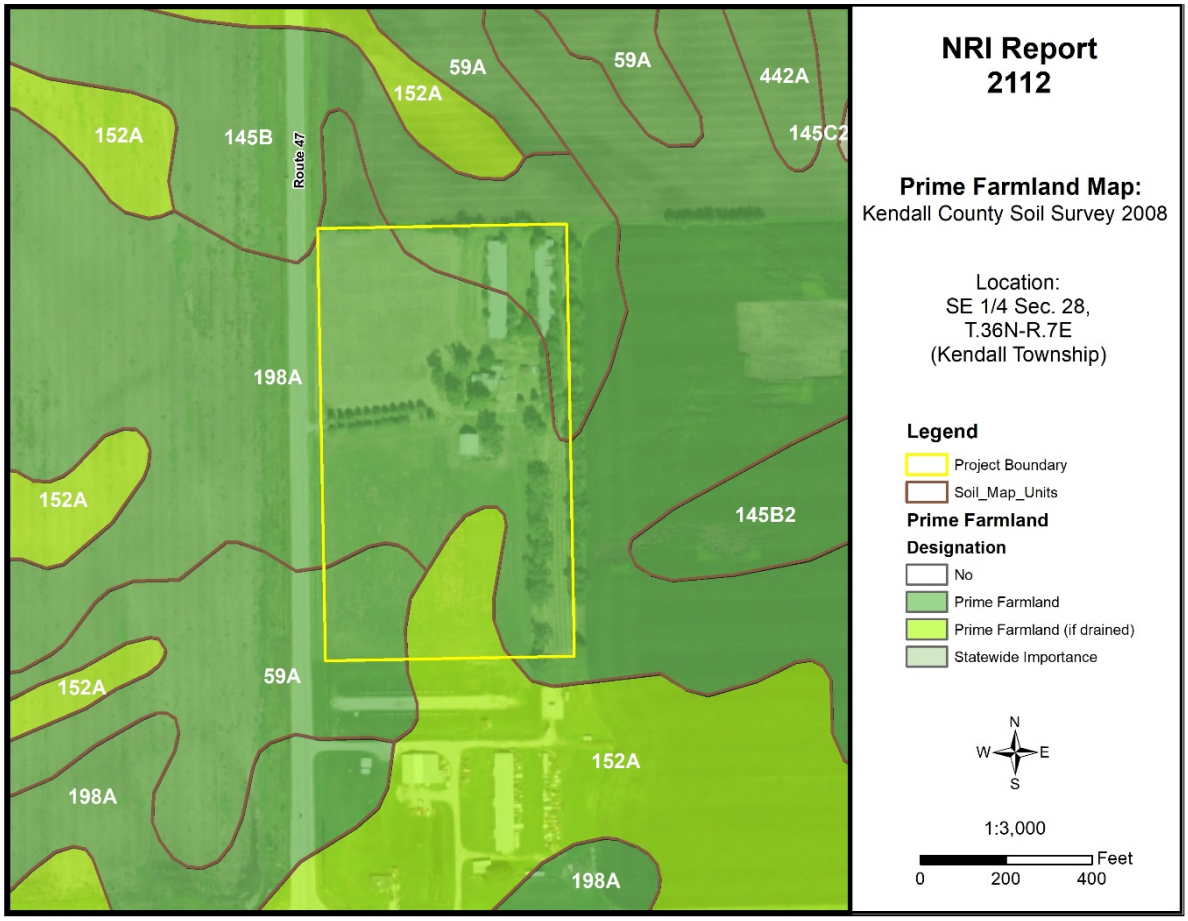


Figure 7: Map of Prime Farmland Soils

LAND EVALUATION AND SITE ASSESSMENT (LESA)

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

LAND EVALUATION (LE)

The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland, or forestland. The best group is assigned a value of 100, and all other groups are assigned lower values. The Land Evaluation is based on data from the Kendall County Soil Survey. The LE score is calculated by multiplying the relative value of each soil type by the number of acres of that soil. The sum of the products is then divided by the total number of acres; the answer is the Land Evaluation score on this site. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.

SITE ASSESSMENT (SA)

The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The value group is a predetermined value based upon prime farmland designation. The Kendall County LESA Committee is responsible for this portion of the LESA system.

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

Table 8A: Land Evaluation Computation

Soil Type	Value Group	Relative Value	Acres	Product (Relative Value x Acres)
59A	2	94	1.2	112.8
145B	2	94	1.7	159.8
152A	1	100	1.4	140
198A	1	100	9.3	930
Totals			**13.7**	**1,342.6**
LE Calculation			(Product of relative value / Total Acres) 1,342.6 / 13.7 = 98	
LE Score			**LE = 98**	

The Land Evaluation score for this site is 98, indicating that this site is designated as prime farmland that is well suited for agricultural uses considering the Land Evaluation score is above 80.

Table 8B: Site Assessment Computation

A.	**Agricultural Land Uses**	**Points**
	1. Percentage of area in agricultural uses within 1.5 miles of site. (20-10-5-0)	20
	2. Current land use adjacent to site. (30-20-15-10-0)	20
	3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0)	15
	4. Size of site. (30-15-10-0)	0
B.	**Compatibility / Impact on Uses**	
	1. Distance from city or village limits. (20-10-0)	20
	2. Consistency of proposed use with County Land Resource Management Concept Plan and/or municipal comprehensive land use plan. (20-10-0)	20
	3. Compatibility of agricultural and non-agricultural uses. (15-7-0)	7
C.	**Existence of Infrastructure**	
	1. Availability of public sewage system. (10-8-6-0)	10
	2. Availability of public water system. (10-8-6-0)	10
	3. Transportation systems. (15-7-0)	7
	4. Distance from fire protection service. (10-8-6-2-0)	8
	Site Assessment Score:	**137**

The Site Assessment score for this site is 137. The Land Evaluation value (98) is added to the Site Assessment value (137) to obtain a LESA Score of 235. The table below shows the level of protection for the proposed project site based on the LESA Score.

Table 9: LESA Score Summary

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

Land Evaluation Value: 98 + **Site Assessment Value:** 137 = **LESA Score: 235**

The LESA Score for this site is 235 which indicates a high level of protection for the proposed project site. Note: Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County. If the project is agricultural in nature, however, a higher score may provide an indication of the suitability of the project as it relates to the compatibility with existing agricultural land use.

LAND USE PLANS

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

DRAINAGE, RUNOFF, AND FLOOD INFORMATION

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

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

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

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

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

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

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

For this reason, the Kendall County SWCD recommends that the developer for intense uses such as a subdivision calculate the preconstruction Q value for the exit point(s). A stormwater management system

should be designed, installed, and maintained to limit the postconstruction Q value to be at or below the preconstruction value.

IMPORTANCE OF FLOOD INFORMATION

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

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

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

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

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

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

If the available maps indicate the presence of a floodplain on the PIQ, the petitioner should contact the IDOT-OWR and FEMA to delineate a floodplain elevation for the parcel. If a portion of the property is indeed floodplain, applicable state, county, and local regulations will need to be reflected in the site plans.

Another indication of flooding potential can be found in the soils information. Hydric soils indicate the presence of drainageways, areas subject to ponding, or a naturally occurring high water table. These need to be considered along with the floodplain information when developing the site plan and the stormwater management plan. Development on hydric soils can contribute to the loss of water storage within the soil and the potential for increased flooding in the area.

This parcel is located on gradual topography (slopes 0 to 5%) with an elevation of approximately 660-672' above sea level. According to the FIRM map, the parcel in question is outside of the floodway and floodplain. The parcel drains predominantly southeast.

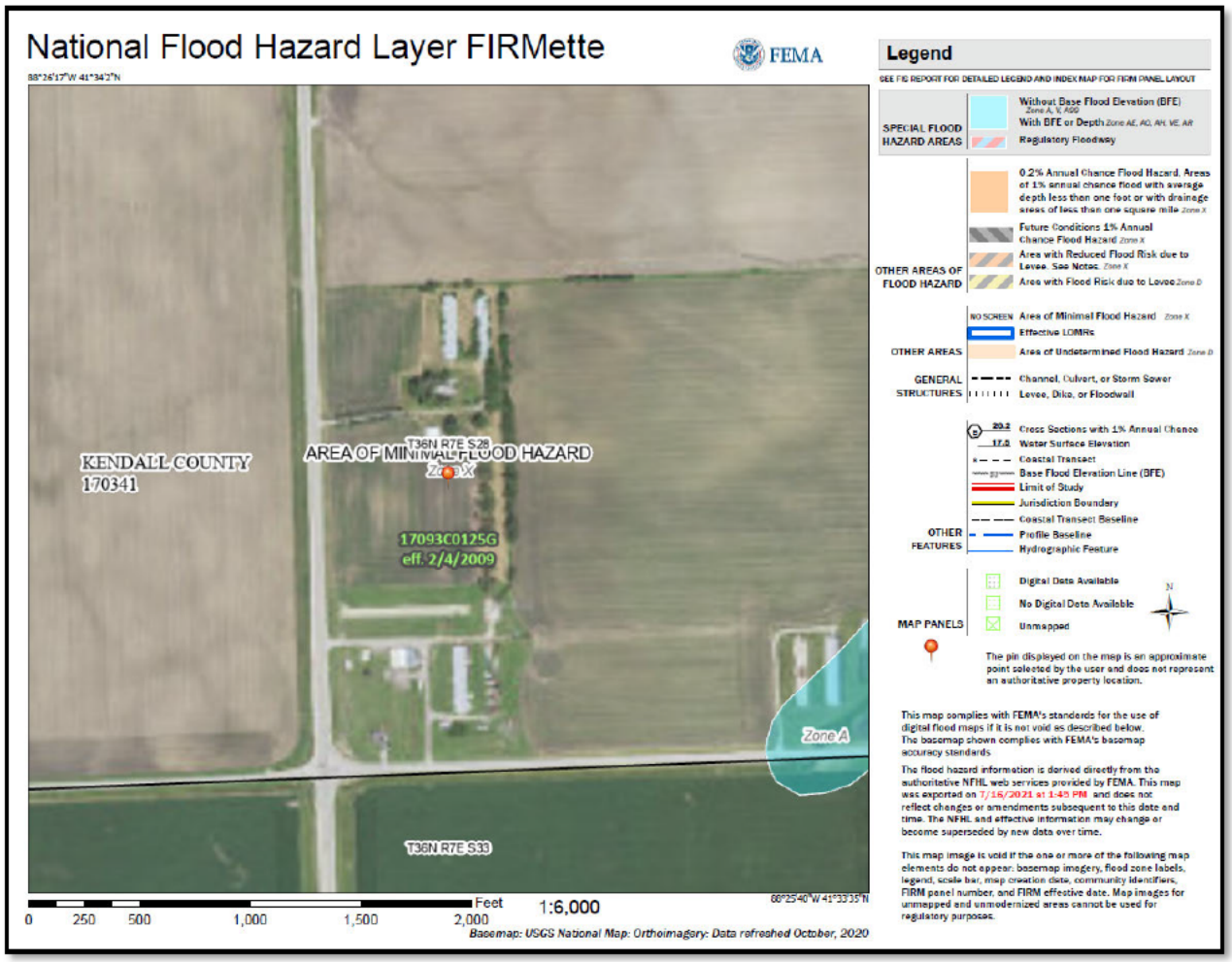


Figure 8: FEMA Floodplain Map

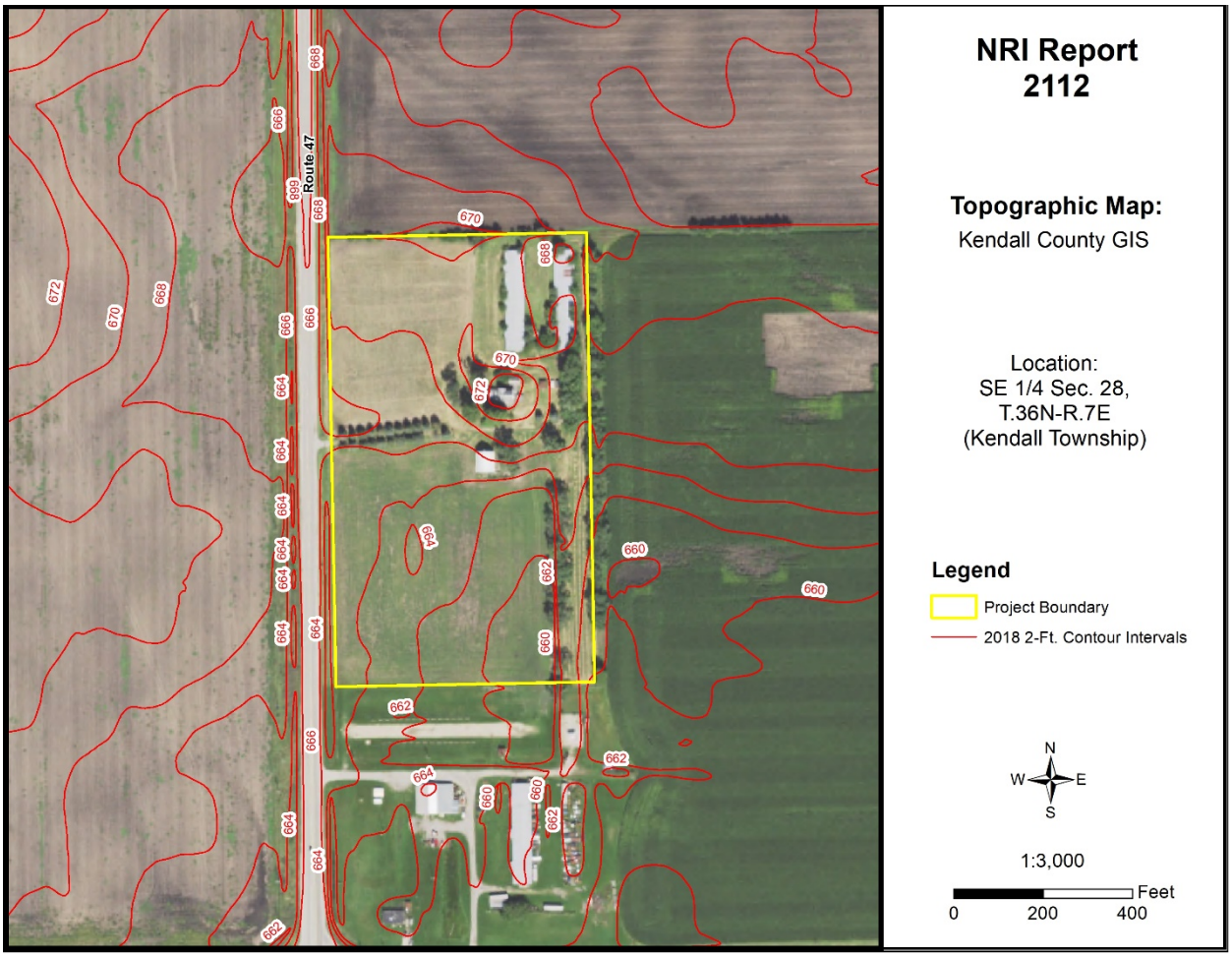


Figure 9: Topographic Map

WATERSHED PLANS

WATERSHED AND SUB WATERSHED INFORMATION

A watershed is the area of land that drains into a specific point including a stream, lake, or other body of water. High points on the Earth's surface, such as hills and ridges define watersheds. When rain falls in the watershed, it flows across the ground towards a stream or lake. Rainwater carries pollutants such as oils, pesticides, and soil.

Everyone lives in a watershed. Their actions can impact natural resources and people living downstream. Residents can minimize this impact by being aware of their environment and the implications of their activities, implementing practices recommended in watershed plans, and educating others about their watershed.

The following are recommendations to developers for protection of this watershed:

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

This parcel is located within the Upper Illinois River Watershed and the West Branch Aux Sable Creek/Lisbon Creek Sub Watershed.

WETLAND INFORMATION

IMPORTANCE OF WETLAND INFORMATION

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

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

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

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

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

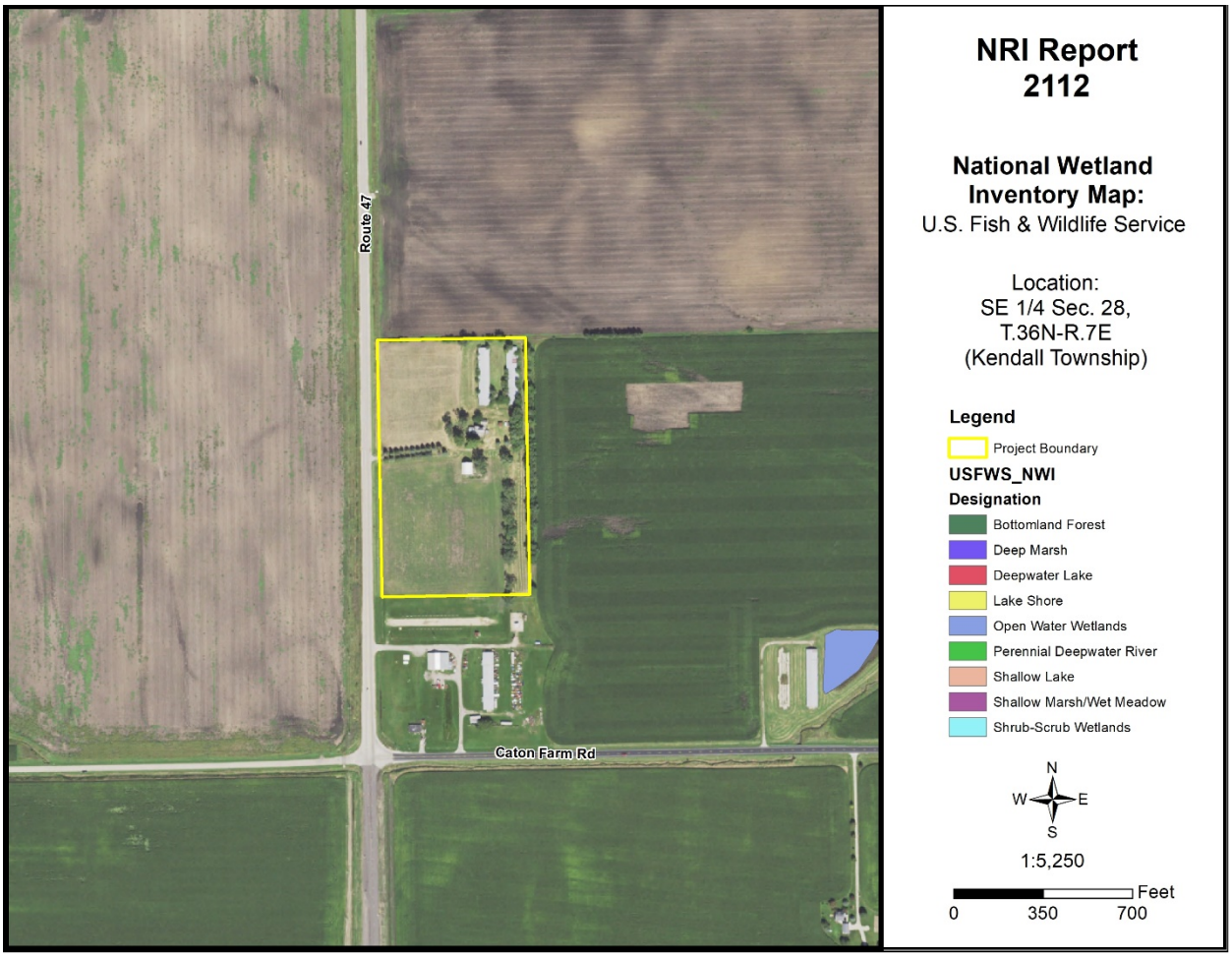


Figure 10: Wetland Map – USFWS National Wetland Inventory

Office maps indicate that mapped wetlands are not present on the parcel in question (PIQ).

HYDRIC SOILS

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

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

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

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

Table 10: Hydric Soils

Soil Types	Drainage Class	Hydric Designation	Hydric Inclusions Likely	Acreage	Percent
59A	Somewhat Poorly Drained	Non-Hydric	No	1.2	9.0%
145B	Moderately Well Drained	Non-Hydric	No	1.7	12.4%
152A	Poorly Drained	Hydric	No	1.4	10.3%
198A	Somewhat Poorly Drained	Non-Hydric	Yes	9.3	68.2%

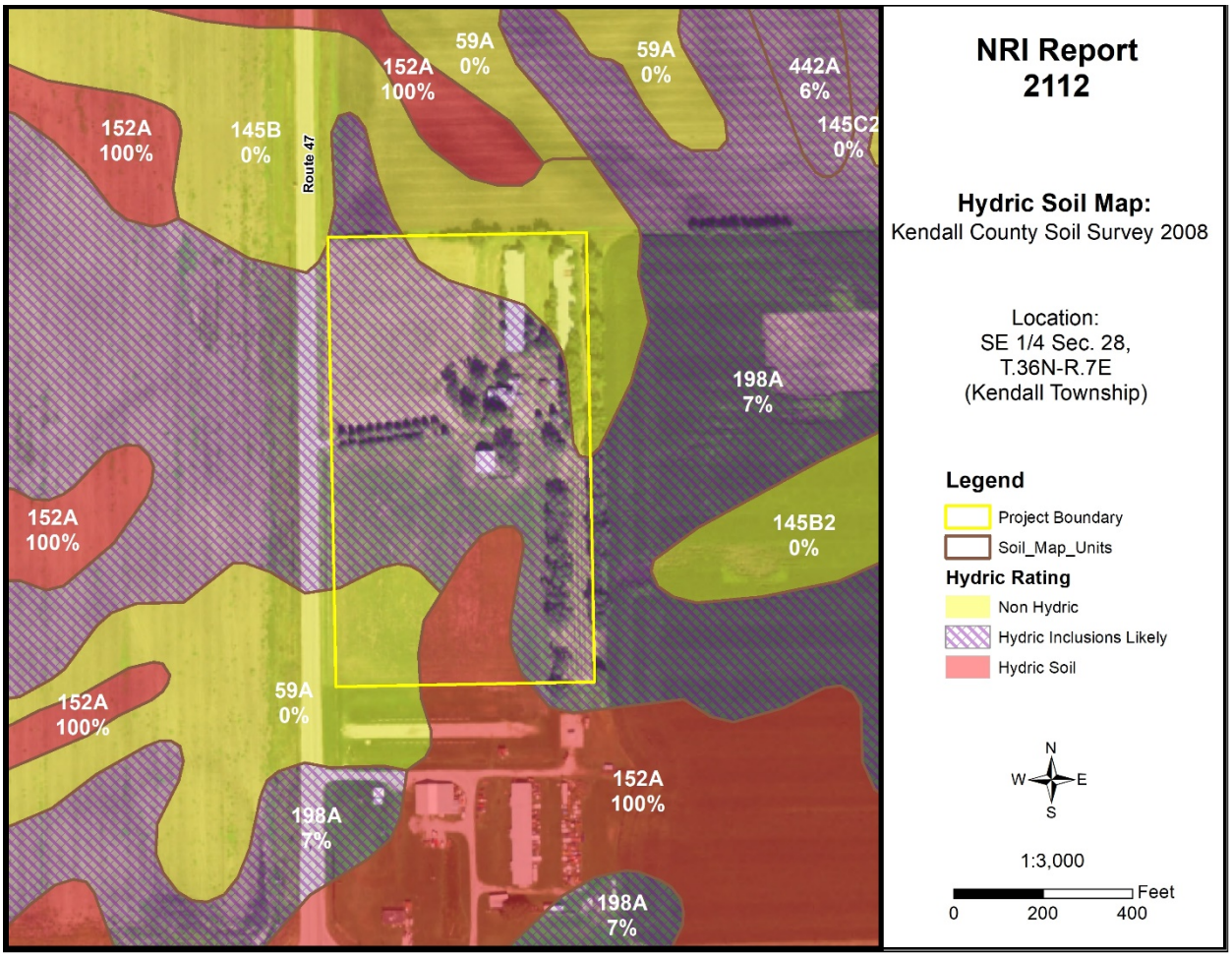


Figure 11: Hydric Soil Map

WETLAND AND FLOODPLAIN REGULATIONS

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

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

WHO MUST APPLY?

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

REGULATORY AGENCIES

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

COORDINATION

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

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

GLOSSARY

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

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

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

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

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

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

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

- **Watertable, Apparent**: A thick zone of free water in the soil. An apparent water table is indicated by the level at which water stands in an uncased borehole after adequate time is allowed for adjustment in the surrounding soil.
- **Watertable, Artesian**: A water table under hydrostatic head, generally beneath an impermeable layer. When this layer is penetrated, the water level rises in an uncased borehole.
- **Watertable, Perched**: A water table standing above an unsaturated zone. In places an upper, or perched, water table is separated from a lower one by a dry zone.

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

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

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

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

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

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

PALUSTRINE - Name given to inland freshwater wetlands.

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

PIQ - Parcel in question

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

PRIME FARMLAND - Prime farmland soils are lands that are best suited to food, feed, forage, fiber and oilseed crops. It may be cropland, pasture, woodland, or other land, but it is not urban and built up land or water areas. It either is used for food or fiber or is available for those uses. The soil qualities, growing season, and moisture supply are those needed for a well-managed soil economically to produce a sustained high yield of crops. Prime farmland produces in highest yields with minimum inputs of energy and economic resources and farming the land results in the least damage to the environment. Prime farmland has an adequate and dependable supply of moisture from precipitation or irrigation. The temperature and growing season are favorable. The level of acidity or alkalinity is acceptable. Prime farmland has few or no rocks and is permeable to water and air. It is not excessively erodible or saturated

with water for long periods and is not frequently flooded during the growing season. The slope ranges mainly from 0 to 5 percent (USDA Natural Resources Conservation Service).

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

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

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

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

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

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

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

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

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

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

REFERENCES

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

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

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

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

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

Illinois Urban Manual. Association of Illinois Soil & Water Conservation Districts, 2020.

Kendall County Land Atlas and Plat Book. 21st Edition, 2021.

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

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

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

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

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

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

ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
September 7, 2021 – Unapproved Meeting Minutes

PBZ Chairman Scott Gengler called the meeting to order at 9:00 a.m.

Present:
Matt Asselmeier – PBZ Department
Meagan Briganti – GIS Department
Scott Gengler – PBZ Committee Chair
Brian Holdiman – PBZ Department
Commander Jason Langston – Sheriff's Department
Alyse Olson – Soil and Water Conservation District
Aaron Rybski – Health Department

Absent:
Greg Chismark – WBK Engineering, LLC
David Guritz – Forest Preserve
Fran Klaas – Highway Department

Audience:
Scott Richmond, Lorena Gutierrez, Jose DeJesus Gutierrez, Dan Kramer, Mike Schoppe, and Robert Velazquez

PETITIONS

Petition 21-30 and 21-31 Robert Velazquez on Behalf of Always Faithful Properties, LLC
Mr. Asselmeier summarized the request.

Robert Velazquez, on behalf of Always Faithful Properties, LLC, was requesting a map amendment rezoning approximately thirteen point seven (13.7) more or less acres from A-1 Agricultural District with a special use permit to B-3 Highway Business District in order to operate a landscaping business on the subject property after rezoning and after securing a special use permit to operate a landscaping business on the subject property.

The application materials, aerial of the property, plat of survey and site plan, and Ordinance 1982-10, which granted a special use permit for the storage of recreation vehicles, boats, and antique cars, were provided.

Route 47 is a State maintained Arterial Road. Yorkville has a trail planned along Route 47 in this area. IDOT has bicycle accommodations planned on the roadway.

There were no floodplains or wetlands on the property.

The adjacent land uses were Agricultural, Commercial and Utility.

The Future Land Use Map called for the area to be Transportation Corridor and Commercial.

The nearby zoning districts were A-1 and A-1 SU.

The A-1 special use permit to the south is for agricultural implement sales and service. The parcel to the southeast is owned by the Federal Aviation Administration and is used for a communication tower.

The subject property is over two (2) miles from the United City of Yorkville and the Village of Plattville. Yorkville's Comprehensive Plan calls for this area to be Estate/Conservation Residential. Plattville's Comprehensive Plan calls for this area to be commercial.

EcoCAT Report submitted and consultation terminated.

The application for NRI was submitted on July 7, 2021. The LESA Score was 235 indicating a high level of protection. The NRI was provided.

Petition information was sent to Kendall Township on August 27, 2021.

Petition information was sent to the Bristol-Kendall Fire Protection District on August 27, 2021.

The Petitioner desired to rezone the subject property and obtain a special use permit to operate a landscaping business on the subject property.

According to the business plan provided, the business has a maximum of forty (40) employees during the busy summer season and as few as three (3) employees during the off-season. The County received information that the business could have a maximum of fifty (50) employees. Of these, approximately four (4) employees would be onsite constantly. The normal anticipated hours of operation for employees would be on Monday through Friday from 5:00 a.m. until 7:00 p.m. and from 7:00 a.m. until 1:00 p.m. on Saturdays. The Petitioner acknowledged that, during the winter, employees may arrive at the property anytime to clear snow from customers' properties. Hours of operation for members of the public would be Monday through Friday from 7:00 a.m. until 5:00 p.m. Hours of operation for deliveries would be Monday through Friday from 7:00 a.m. until 5:00 p.m. with limited Saturday hours.

No information was provided regarding the number of company trucks or other business related equipment would be stored at the property.

If approved, the Petitioner planned to start construction immediately start operations as quickly as possible.

According to the site plan, the Petitioner planned to construct the following buildings:

1. One (1) approximately four thousand (4,000) square foot, two (2) story office.

2. Two (2) approximately three thousand one hundred seventy-four (3,174) square foot, three (3) bay garages.

3. One (1) approximately one thousand one hundred fifty (1,150) square foot drive thru maintenance bay.

4. One (1) approximately one thousand two hundred fifty (1,250) square foot storage bay.

5. Three (3) nursery/hoop houses. The hoop houses would be approximately one thousand two hundred (1,200) square feet, one thousand six hundred (1,600) square feet, and two thousand six hundred (2,600 square feet in size respectively.

In addition to the above new structures, the site plan also showed the retention and repurpose of the following structures already located on the property:

1. Two (2) existing barns located near the northeast corner of the site. The barns are approximately nine thousand two hundred sixty-five (9,265) square feet and nine thousand two hundred fifty (9,250) square feet in size respectively. The barns will be used for storage.

2. One (1) existing barn located south of the development area. This barn is approximately one thousand four hundred sixty-five (1,465) square feet in size and will be used for bulk salt storage.

In addition to the proposed and existing buildings, the site plan showed twenty-two (22) concrete block bulk storage bins. The storage bins would be approximately fifteen feet (15') wide, thirty (30') feet deep, and eight feet (8') tall. The materials stored in these bins shall be a maximum ten feet (10') tall.

Any structures related to the landscaping business would be required to obtain applicable building permits.

Electricity was onsite. No information was provided regarding the well or septic system.

According to the site plan, an approximately five thousand (5,000) square foot septic field was planned northeast of Garage Building 2.

The site plan also showed three (3)-five hundred (500) gallon fuel tanks southeast of Garage Building 1.

One (1) trash dumpster surrounded by a six foot (6') wooden fence was also shown on the site plan southeast of Garage Building 1.

The property drained to the southeast. One (1) stormwater detention pond was planned at the southeast corner of the property.

A stormwater management permit will be required. Stormwater related information is included with the site plan.

The property fronted Route 47.

According to the site plan, the existing gravel driveway will be removed and a twenty-four foot (24') wide paved drive will be installed.

The Illinois Department of Transportation had no concerns regarding this proposal; the emails regarding this proposal were provided.

According to the site plan, there were (2) two parking lots. The parking lot west of the Office Building had nineteen (19) parking spaces. The parking lot west of Existing Building 2 had sixteen (16) parking spaces. There was one (1) handicapped parking space in each parking lot. The site plan also showed outdoor parking spaces for company vehicles.

The westernmost parking lot was paved and the easternmost parking lot will be composed of limestone or asphalt screenings.

None of the parking areas were located in the required setbacks.

According the photometric plan, there will ten (10) RAR2-320L-165-4K7-4W(1) pole mounted lights located mostly around the perimeter of the developed area. Four (4) RAR2-320L-165-4K7-5QW(1) pole mounted lights will be located west and southwest of Existing Building 2. Three (3) RWL1-48L-25-4K7-4W lights will be located on Existing Storage Buildings 1 and 2. Two (2) RWL2-160L-80-4K7-WW lights will be located on the Garage Buildings 1 and 2. The pole mounted lights will be lowered to twenty feet (20') in height to comply with the Zoning Ordinance.

The anticipated foot-candles at the property will be 0.8 which was less than the 5.0 foot-candle maximum allowed by the Zoning Ordinance for adjoining properties planned to be commercial.

According to the site plan, there will be one (1) monument sign located approximately fifteen (15') east of the right-of-way line. The sign will be approximately five feet (5') in height and ten feet (10') feet in width, including supports. The sign will not be illuminated.

According to the site plan, there will be one (1) six foot (6') wooden screen fence located along the northern property line north of the Existing Storage Buildings. The Petitioner also planned to install security cameras and an alarm system in all buildings. The Petitioner may install a gate at the main entrance if necessary.

According to the landscaping plan, the Petitioner planned to install the following landscaping around the western parking lot:

1. Three (3) Red Sunset Maples
2. Two (2) Skyline Honeylocusts
3. Fifteen (15) Annabella Hydrangeas
4. Ten (10) Alpine Currants
5. Twenty (20) Double Knock Out Roses
6. Eight (8) Blue Muffin Viburnum
7. One Hundred Forty (140) Autumn Joy Sedums
8. Three Hundred Eighty (380) Russian Stonecrops
9. Two Hundred Ten (210) Dart's Blue Perwinkle

The Petitioner also planned to install eight (8) Techny Arborvitaes around refuse area.

The shrubs shall be two feet (2') in height at the time of planting. The canopy trees will be two point five inch (2.5") caliber at the time of planting and shall grow to fifty feet (50') in height. The Techny Arborvitaes shall be a minimum six feet (6') in height at the time of planting. The Petitioner planned to install all landscaping by May 15, 2022.

In addition to the landscaping mentioned previously, the Petitioner planned to install two (2) hardscape courtyards and two (2) landscape garden showcase areas on the property as shown on the site plan. The site plan also showed a nursery stock area.

No information was provided regarding noise control.

No new odors are foreseen by the proposed use.

If approved, this would be the fifteenth (15th) special use permit for a landscaping business in unincorporated Kendall County.

The proposed Findings of Fact for the map amendment were as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used for agricultural purposes or communication purposes.

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 permit for agricultural implement sales and service.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1 and could be used for many uses presently permitted under the A-1 zoning classification.

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 a mix of agricultural and commercial uses. Commercial uses in the area probably will increase as the Illinois Department of Transportation widens Route 47.

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 Transportation Corridor and Commercial. The B-3 Highway Business Districts is consistent with the Commercial classification. The Land Resource Management Plan calls for limited B-3 Highway Business District zoned property on lands classified as Transportation Corridor.

The proposed Finding of Fact for the special use permit 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. Provided the site is developed in accordance with the submitted site plan, the operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare.

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. Appropriate restrictions may be placed in the special use permit to regulate the number of employees, hours of operation, site landscaping, and noise. Therefore, the neighboring property owners should not suffer loss in property values and the use will not negatively impact the adjacent 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. Adequate utilities are planned for the site. The property has direct access to Route 47 and the Illinois Department of Transportation expressed no concerns regarding the proposed use. A stormwater management permit is required and that permit will address drainage.

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. The Petitioner is not requesting any variances to the applicable regulations of the district.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. True, the proposed use is consistent with a goal found on Page 7-26 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." An objective under this goal further states, "Explore economic development opportunities along Route 47 Corridor to enhance the tax base and to encourage local employment and shopping opportunities."

Staff recommended approval of the proposed map amendment because the proposal was consistent with the Land Resource Management Plan.

Staff recommended approval of the special use permit for a landscaping business subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the submitted site plan, landscaping plan, and photometric plan. The gravel parking lot noted on the site plan shall be composed of either limestone or asphalt screenings. The fourteen (14) light poles shown on the site plan and mentioned in the photometric plan shall be a maximum twenty feet (20') feet in height. The owner of the business allowed by this special use permit may also install a security gate at the main driveway entrance.
2. All of the structures shown on the submitted site plan shall be constructed and occupied by December 31, 2022. This date may be extended upon approval by the Kendall County Planning, Building and Zoning Committee. The business allowed by this special use permit may commence operations starting upon approval of the special use permit. However, customers shall not be invited onto the property until an occupancy permit has been issued for the office building.
3. The owners of the business allowed by this special use permit shall diligently monitor the property for leaks from equipment and vehicles parked and stored on the subject property and shall promptly clean up the site if leaks occur.
4. Any new structures and signs constructed or installed on the property shall not be considered for agricultural purposes and must secure applicable building permits.
5. Equipment and vehicles related to the business allowed by the special use permit may be stored outdoors.
6. None of the vehicles or equipment parked or stored on the subject property related to the business allowed by the special use permit shall be considered agricultural vehicles or agricultural equipment.
7. All of the vehicles and equipment stored on the subject property related to the business allowed by the special use permit shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
8. Except for the purposes of loading and unloading, all landscape related materials shall be stored indoors or in the designated storage areas shown on the submitted site plan. The maximum height of the piles of landscaping related material shall be ten feet (10'), provided a Stormwater Management Permit is issued.
9. One (1) two (2)-sided business related sign may be installed in substantially the location shown on the submitted site plan. The sign shall be a maximum of ten (10') wide and five feet (5') tall, including supports. The sign will not be illuminated.
10. The landscaping shown on the submitted landscaping plan shall be installed no later than May 15, 2022. This date may be extended upon approval by the Kendall County Planning, Building and Zoning Committee. The Red Sunset Maples shall be a minimum of two point five inch (2.5") caliber at the time of planting. The Skyline Honeylocusts shall be a minimum of two point five inch (2.5") caliber at the time of planting. The Techny Arborvitaes shall be a minimum six feet (6') tall at the time of planting. Damaged or dead plants that are part of the landscaping plan shall

be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department. Nursery stock shall be exempt from this provision.

11. No landscape waste generated off the property can be burned on the subject property.

12. A maximum of fifty (50) employees of the business allowed by this special use permit, including the owners of the business allowed by this special use permit, may report to this site for work.

13. The hours of operation of the business allowed by this special use permit for the members of the public shall be Monday through Friday from 7:00 a.m. until 5:00 p.m. The owners of the business allowed by this special use permit may reduce these hours of operation.

14. The hours of operation of the business allowed by this special use permit for employees of the business shall be Monday through Friday from 5:00 a.m. until 7:00 p.m. and Saturday from 7:00 a.m. until 1:00 p.m. The owner of the business allowed by this special use permit may expand these hours of operation for employees to address the needs of customers impacted by snowfall. Business related deliveries may occur during these hours of operation. The owners of the business allowed by this special use permit may reduce these hours of operation.

15. The noise regulations are as follows:

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

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

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

16. The owners of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.

17. The property owner and operator 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.

18. 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.

19. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

20. This special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.

Ms. Olson requested that a soil erosion and sediment control plan be in place during construction. She also requested that an NPDES Permit be secured. Dan Kramer, Attorney for the Petitioner, was agreeable to these requests.

Mr. Rybski asked about the well and septic system. Mr. Kramer said that a well was on the property and capped. Robert Velazquez said the septic system tank has been identified and abandoned and will get the necessary permits for the septic system.

Mr. Asselmeier explained the uses in the B-3 Zoning District.

Mr. Velazquez said that the business would be consolidated at this site.

Mr. Kramer requested that the deadline to install landscaping be moved June 1, 2022.

Mr. Asselmeier made a motion, seconded by Mr. Holdiman, to recommend approval of the requested map amendment.

With a voice vote of seven (7) ayes, the motion carried.

Mr. Asselmeier made a motion, seconded by Mr. Holdiman, to recommend approval of the requested special use permit with conditions proposed by Staff as amended by increasing the number of employees to fifty (50) and changing the deadline to install landscaping to June 1, 2022.

With a voice vote of seven (7) ayes, the motion carried.

The proposals go to the Kendall County Regional Planning Commission on September 22, 2021.

PUBLIC COMMENT

None

ADJOURNMENT

Mr. Rybski made a motion, seconded by Ms. Briganti, to adjourn.

With a voice vote of seven (7) ayes, the motion carried.

The ZPAC, at 10:21 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP, CFM
Senior Planner

Enc.

KENDALL COUNTY
ZONING & PLATTING ADVISORY COMMITTEE
SEPTEMBER 7, 2021

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)
Dan Kramer 21-30	[redacted]	
Scott Richmond, Esq. 21-29		

KENDALL COUNTY
REGIONAL PLANNING COMMISSION

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

Unapproved - Meeting Minutes of September 22, 2021 - 7:00 p.m.

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

ROLL CALL

Members Present: Bill Ashton, Roger Bledsoe, Tom Casey, Dave Hamman, Karin McCarthy-Lange, Larry Nelson, Ruben Rodriguez (arrived at 7:05 p.m.), Claire Wilson (arrived at 7:05 p.m.), and Seth Wormley
Members Absent: Bob Stewart
Staff Present: Matthew H. Asselmeier, Senior Planner
Others Present: Scott Richmond, Lorena Gutierrez, Dan Kramer, Eryn Ruffatto, David Cline, William Sales, June Alice, and Robert VanderBeek

PETITIONS

Petitions 21-30 and 21-31 Robert Velazquez on Behalf of Always Faithful Properties, LLC

Mr. Asselmeier summarized the request.

Robert Velazquez, on behalf of Always Faithful Properties, LLC, was requesting a map amendment rezoning approximately thirteen point seven (13.7) more or less acres from A-1 Agricultural District with a special use permit to B-3 Highway Business District in order to operate a landscaping business on the subject property after rezoning and after securing a special use permit to operate a landscaping business on the subject property.

The application materials, aerial of the property, plat of survey and site plan, and Ordinance 1982-10, which granted a special use permit for the storage of recreation vehicles, boats, and antique cars, were provided.

Route 47 is a State maintained Arterial Road. Yorkville has a trail planned along Route 47 in this area. IDOT has bicycle accommodations planned on the roadway.

There were no floodplains or wetlands on the property.

The adjacent land uses were Agricultural, Commercial and Utility.

The Future Land Use Map called for the area to be Transportation Corridor and Commercial.

The nearby zoning districts were A-1 and A-1 SU.

The A-1 special use permit to the south is for agricultural implement sales and service. The parcel to the southeast is owned by the Federal Aviation Administration and is used for a communication tower.

The subject property is over two (2) miles from the United City of Yorkville and the Village of Plattville. Yorkville's Comprehensive Plan calls for this area to be Estate/Conservation Residential. Plattville's Comprehensive Plan calls for this area to be commercial.

EcoCAT Report submitted and consultation terminated.

The application for NRI was submitted on July 7, 2021. The LESA Score was 235 indicating a high level of protection. The NRI was provided.

Petition information was sent to Kendall Township on August 27, 2021. The Kendall Township Planning Commission reviewed this proposal at their meeting on September 14, 2021. Discussion centered on stormwater drainage. The Kendall Township Planning Commission recommended approval of the proposal with a request that the County Stormwater Engineer examine the stomwater outlet elevation of the pond with consideration given to the impact of drainage on the surrounding properties by vote of five (5) in favor and zero (0) in opposition. The Kendall Township Board recommended approval of this proposal on September 21, 2021.

Petition information was sent to the Bristol-Kendall Fire Protection District on August 27, 2021.

ZPAC reviewed this proposal at their meeting on September 7, 2021. The Petitioner requested that the maximum number of employees be increased from forty (40) to fifty (50) and the deadline to install landscaping be extended from May 15th to June 1st. The Kendall County Soil and Water Conservation District requested that the Petitioner install proper soil erosion and sediment control measures during construction and secure an NPDES Permit. The Kendall County Health Department requested that the Petitioner work with them on well and septic information. The Petitioner stated that he planned to consolidate operations and move from his current location on Route 71 to the subject property. ZPAC recommended approval of the request by a vote of seven (7) in favor and zero (0) in opposition with three (3) members absent. The minutes of this meeting were provided.

The Petitioner desired to rezone the subject property and obtain a special use permit to operate a landscaping business on the subject property.

According to the business plan provided, the business has a maximum of forty (40) employees during the busy summer season and as few as three (3) employees during the off-season. The County received information that the business could have a maximum of fifty (50) employees. Of these, approximately four (4) employees would be onsite constantly. The normal anticipated hours of operation for employees would be on Monday through Friday from 5:00 a.m. until 7:00 p.m. and from 7:00 a.m. until 1:00 p.m. on Saturdays. The Petitioner acknowledged that, during the winter, employees may arrive at the property anytime to clear snow from customers' properties. Hours of operation for members of the public would be Monday through Friday from 7:00 a.m. until 5:00 p.m. Hours of operation for deliveries would be Monday through Friday from 7:00 a.m. until 5:00 p.m. with limited Saturday hours.

No information was provided regarding the number of company trucks or other business related equipment would be stored at the property.

If approved, the Petitioner planned to start construction immediately start operations as quickly as possible.

According to the site plan, the Petitioner planned to construct the following buildings:

1. One (1) approximately four thousand (4,000) square foot, two (2) story office.

2. Two (2) approximately three thousand one hundred seventy-four (3,174) square foot, three (3) bay garages.

3. One (1) approximately one thousand one hundred fifty (1,150) square foot drive thru maintenance bay.

4. One (1) approximately one thousand two hundred fifty (1,250) square foot storage bay.

5. Three (3) nursery/hoop houses. The hoop houses would be approximately one thousand two hundred (1,200) square feet, one thousand six hundred (1,600) square feet, and two thousand six hundred (2,600 square feet in size respectively.

In addition to the above new structures, the site plan also showed the retention and repurpose of the following structures already located on the property:

1. Two (2) existing barns located near the northeast corner of the site. The barns are approximately nine thousand two hundred sixty-five (9,265) square feet and nine thousand two hundred fifty (9,250) square feet in size respectively. The barns will be used for storage.

2. One (1) existing barn located south of the development area. This barn is approximately one thousand four hundred sixty-five (1,465) square feet in size and will be used for bulk salt storage.

In addition to the proposed and existing buildings, the site plan showed twenty-two (22) concrete block bulk storage bins. The storage bins would be approximately fifteen feet (15') wide, thirty (30') feet deep, and eight feet (8') tall. The materials stored in these bins shall be a maximum ten feet (10') tall.

Any structures related to the landscaping business would be required to obtain applicable building permits.

Electricity was onsite. No information was provided regarding the well or septic system.

According to the site plan, an approximately five thousand (5,000) square foot septic field was planned northeast of Garage Building 2.

The site plan also showed three (3)-five hundred (500) gallon fuel tanks southeast of Garage Building 1.

One (1) trash dumpster surrounded by a six foot (6') wooden fence was also shown on the site plan southeast of Garage Building 1.

The property drained to the southeast. One (1) stormwater detention pond was planned at the southeast corner of the property.

A stormwater management permit will be required. Stormwater related information was included with the site plan. WBK submitted a comment letter dated September 8, 2021. As noted in the letter, WBK was requesting additional information on the pond.

The property fronted Route 47.

According to the site plan, the existing gravel driveway will be removed and a twenty-four foot (24') wide paved drive will be installed.

The Illinois Department of Transportation had no concerns regarding this proposal; the emails regarding this proposal were provided.

According to the site plan, there were (2) two parking lots. The parking lot west of the Office Building had nineteen (19) parking spaces. The parking lot west of Existing Building 2 had sixteen (16) parking spaces.

There was one (1) handicapped parking space in each parking lot. The site plan also showed outdoor parking spaces for company vehicles.

The westernmost parking lot was paved and the easternmost parking lot will be composed of limestone or asphalt screenings.

None of the parking areas were located in the required setbacks.

According the photometric plan, there will ten (10) RAR2-320L-165-4K7-4W(1) pole mounted lights located mostly around the perimeter of the developed area. Four (4) RAR2-320L-165-4K7-5QW(1) pole mounted lights will be located west and southwest of Existing Building 2. Three (3) RWL1-48L-25-4K7-4W lights will be located on Existing Storage Buildings 1 and 2. Two (2) RWL2-160L-80-4K7-WW lights will be located on the Garage Buildings 1 and 2. The pole mounted lights will be lowered to twenty feet (20') in height to comply with the Zoning Ordinance.

The anticipated foot-candles at the property lines will be 0.8 which was less than the 5.0 foot-candle maximum allowed by the Zoning Ordinance for adjoining properties planned to be commercial.

According to the site plan, there will be one (1) monument sign located approximately fifteen (15') east of the right-of-way line. The sign will be approximately five feet (5') in height and ten feet (10') feet in width, including supports. The sign will not be illuminated.

According to the site plan, there will be one (1) six foot (6') wooden screen fence located along the northern property line north of the Existing Storage Buildings. The Petitioner also planned to install security cameras and an alarm system in all buildings. The Petitioner may install a gate at the main entrance if necessary.

According to the landscaping plan, the Petitioner planned to install the following landscaping around the western parking lot:

1. Three (3) Red Sunset Maples
2. Two (2) Skyline Honeylocusts
3. Fifteen (15) Annabella Hydrangeas
4. Ten (10) Alpine Currants
5. Twenty (20) Double Knock Out Roses
6. Eight (8) Blue Muffin Viburnum
7. One Hundred Forty (140) Autumn Joy Sedums
8. Three Hundred Eighty (380) Russian Stonecrops
9. Two Hundred Ten (210) Dart's Blue Perwinkle

The Petitioner also planned to install eight (8) Techny Arborvitaes around refuse area.

The shrubs shall be two feet (2') in height at the time of planting. The canopy trees will be two point five inch (2.5") caliber at the time of planting and shall grow to fifty feet (50') in height. The Techny Arborvitaes shall

be a minimum six feet (6') in height at the time of planting. The Petitioner originally planned to install all landscaping by May 15, 2022, but requested the deadline for planting be extended to June 1, 2022.

In addition to the landscaping mentioned previously, the Petitioner planned to install two (2) hardscape courtyards and two (2) landscape garden showcase areas on the property as shown on the site plan. The site plan also showed a nursery stock area.

No information was provided regarding noise control.

No new odors are foreseen by the proposed use.

If approved, this would be the sixteenth (16^{th}) special use permit for a landscaping business in unincorporated Kendall County.

The proposed Findings of Fact for the map amendment were as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used for agricultural purposes or communication purposes.

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 permit for agricultural implement sales and service.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1 and could be used for many uses presently permitted under the A-1 zoning classification.

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 a mix of agricultural and commercial uses. Commercial uses in the area probably will increase as the Illinois Department of Transportation widens Route 47.

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 Transportation Corridor and Commercial. The B-3 Highway Business Districts is consistent with the Commercial classification. The Land Resource Management Plan calls for limited B-3 Highway Business District zoned property on lands classified as Transportation Corridor.

The proposed Finding of Fact for the special use permit 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. Provided the site is developed in accordance with the submitted site plan, the operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare.

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. Appropriate restrictions may be placed in the special use permit to regulate the number of employees, hours of operation, site landscaping, and noise. Therefore, the neighboring property owners should not suffer loss in property values and the use will not negatively impact the adjacent 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. Adequate utilities are planned for the site. The property has direct access to Route 47 and the Illinois Department of Transportation expressed no concerns regarding the proposed use. A stormwater management permit is required and that permit will address drainage.

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. The Petitioner is not requesting any variances to the applicable regulations of the district.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. True, the proposed use is consistent with a goal found on Page 7-26 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." An objective under this goal further states, "Explore economic development opportunities along Route 47 Corridor to enhance the tax base and to encourage local employment and shopping opportunities."

Staff recommended approval of the proposed map amendment because the proposal was consistent with the Land Resource Management Plan.

Staff recommended approval of the special use permit for a landscaping business subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the submitted site plan, landscaping plan, and photometric plan. The gravel parking lot noted on the site plan shall be composed of either limestone or asphalt screenings. The fourteen (14) light poles shown on the site plan and mentioned in the photometric plan shall be a maximum twenty feet (20') feet in height. The owner of the business allowed by this special use permit may also install a security gate at the main driveway entrance.
2. All of the structures shown on the submitted site plan shall be constructed and occupied by December 31, 2022. This date may be extended upon approval by the Kendall County Planning, Building and Zoning Committee. The business allowed by this special use permit may commence operations starting upon approval of the special use permit. However, customers shall not be invited onto the property until an occupancy permit has been issued for the office building.
3. The owners of the business allowed by this special use permit shall diligently monitor the property for leaks from equipment and vehicles parked and stored on the subject property and shall promptly clean up the site if leaks occur.
4. Any new structures and signs constructed or installed on the property shall not be considered for agricultural purposes and must secure applicable building permits.

5. Equipment and vehicles related to the business allowed by the special use permit may be stored outdoors.

6. None of the vehicles or equipment parked or stored on the subject property related to the business allowed by the special use permit shall be considered agricultural vehicles or agricultural equipment.

7. All of the vehicles and equipment stored on the subject property related to the business allowed by the special use permit shall be maintained in good condition with no deflated tires and shall be licensed if required by law.

8. Except for the purposes of loading and unloading, all landscape related materials shall be stored indoors or in the designated storage areas shown on the submitted site plan. The maximum height of the piles of landscaping related material shall be ten feet (10'), provided a Stormwater Management Permit is issued.

9. One (1) two (2)-sided business related sign may be installed in substantially the location shown on the submitted site plan. The sign shall be a maximum of ten (10') wide and five feet (5') tall, including supports. The sign will not be illuminated.

10. The landscaping shown on the submitted landscaping plan shall be installed no later than June 1, 2022. This date may be extended upon approval by the Kendall County Planning, Building and Zoning Committee. The Red Sunset Maples shall be a minimum of two point five inch (2.5") caliber at the time of planting. The Skyline Honeylocusts shall be a minimum of two point five inch (2.5") caliber at the time of planting. The Techny Arborvitaes shall be a minimum six feet (6') tall at the time of planting. Damaged or dead plants that are part of the landscaping plan shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department. Nursery stock shall be exempt from this provision.

11. No landscape waste generated off the property can be burned on the subject property.

12. A maximum of fifty (50) employees of the business allowed by this special use permit, including the owners of the business allowed by this special use permit, may report to this site for work.

13. The hours of operation of the business allowed by this special use permit for the members of the public shall be Monday through Friday from 7:00 a.m. until 5:00 p.m. The owners of the business allowed by this special use permit may reduce these hours of operation.

14. The hours of operation of the business allowed by this special use permit for employees of the business shall be Monday through Friday from 5:00 a.m. until 7:00 p.m. and Saturday from 7:00 a.m. until 1:00 p.m. The owner of the business allowed by this special use permit may expand these hours of operation for employees to address the needs of customers impacted by snowfall. Business related deliveries may occur during these hours of operation. The owners of the business allowed by this special use permit may reduce these hours of operation.

15. The noise regulations are as follows:

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

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

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

16. The owners of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.

17. The property owner and operator 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.

18. 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.

19. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

20. This special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.

Member Nelson made a motion, seconded by Member Rodriguez, to recommend approval of the map amendment.

The votes were as follows:
Ayes (9): Ashton, Bledsoe, Casey, Hamman, McCarthy-Lange, Nelson, Rodriguez, Wilson, and Wormley
Nays (0): None
Absent (1): Stewart
Abstain (0): None

The motion carried.

Member Nelson requested a lighted sign because of the large amount of traffic on Route 47 during business hours. Dan Kramer, Attorney for the Petitioner, suggested low level lights that turn off when the business closes.

Mr. Kramer provided a history of the business, including noting that the business is unionized.

Mr. Kramer noted that the property drains to the southeast. The water currently ponds in the southeast corner. No pond will be dug on the property. A L-shaped berm will be constructed at the southeast corner of the property that will be four feet (4') in height.

Member Nelson made a motion, seconded by Member Wilson, to recommend approval of the special use permit with the conditions proposed by Staff and the addition of allowing the sign to be lit.

The votes were as follows:

Ayes (9): Ashton, Bledsoe, Casey, Hamman, McCarthy-Lange, Nelson, Rodriguez, Wilson, and Wormley
Nays (0): None
Absent (1): Stewart
Abstain (0): None

The motion carried.

These proposals will go to the Kendall County Zoning Board of Appeals on September 27, 2021.

The site on Route 71 will be vacated. The special use permit at that property stays with the property.

The Petitioner would like to be operational in the spring of 2022.

The property will have full access when Route 47 is widened.

CITIZENS TO BE HEARD/ PUBLIC COMMENT
None

ADJOURNMENT
Member Wilson made a motion, seconded by Member Rodriguez, to adjourn. With a voice of nine (9) ayes, the motion carried.

The Kendall County Regional Planning Commission meeting adjourned at 8:44 p.m.

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

Enc.

KENDALL COUNTY
REGIONAL PLANNING COMMISSION
SEPTEMBER 22, 2021

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)
Dan Kramer 21-30 21-32 Atty 21-31 21-33	[redacted]	
Scott Richmond Attorney		
DAVID CLINE		
William SALES		
JUNE ALICE		
Robert VanderBeek		

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

Petition 21-31
Robert Velazquez on Behalf of Always Faithful Properties, LLC
Special Use Permit for Landscaping Business

INTRODUCTION

Robert Velazquez, on behalf of Always Faithful Properties, LLC, is requesting a special use permit for a landscaping business on the subject property.

The Petitioner is also requesting a map amendment rezoning the subject property from A-1 Agricultural District with a special use permit to B-3 Highway Business District (See Petition 21-30).

The application materials are included as Attachment 1. The aerial of the property is included as Attachment 2. The site plan is included as Attachment 3. The landscaping plan is included as Attachment 4. The photometric plan is included as Attachment 5.

SITE INFORMATION

PETITIONER: Robert Velazquez on Behalf of Always Faithful Properties, LLC

ADDRESS: 10744 Route 47, Yorkville

LOCATION: Approximately 0.10 Miles North of Caton Farm Road on the East Side of Route 47



TOWNSHIP: Kendall

PARCEL #: 05-28-400-002

LOT SIZE: 13.7 +/- Acres

EXISTING LAND Agricultural/Farmstead/Special Use for Storage of Recreational

USE: Vehicles/Boats/Antique Cars

ZONING: A-1 Agricultural District

LRMP:

Future Land Use	Transportation Corridor/Commercial
Roads	Route 47 is a State maintained Arterial Road.
Trails	Yorkville has a trail planned along Route 47 in this area. IDOT has bicycle accommodations planned on the roadway.
Floodplain/ Wetlands	There are no floodplains or wetlands on the property.

REQUESTED ACTION: Special Use Permit for Landscaping Business

APPLICABLE REGULATIONS: Section 9:03.C.15 B-3 Special Uses
Section 13:08 – Special Use Procedures

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Agricultural	A-1	Transportation Corridor	A-1
South	Agricultural/Commercial/Utility	A-1 SU	Commercial	A-1 SU
East	Agricultural	A-1	Transportation Corridor/Commercial	A-1
West	Agricultural	A-1	Transportation Corridor Commercial	A-1

The A-1 special use permit to the south is for agricultural implement sales and service. The parcel to the southeast is owned by the Federal Aviation Administration and is used for a communication tower.

The subject property is over two (2) miles from the United City of Yorkville and the Village of Plattville. Yorkville's Comprehensive Plan calls for this area to be Estate/Conservation Residential. Plattville's Comprehensive Plan calls for this area to be commercial.

PHYSICAL DATA

ENDANGERED SPECIES REPORT

EcoCAT Report submitted and consultation terminated (see Attachment 1, Pages 10 and 11).

NATURAL RESOURCES INVENTORY

The application for NRI was submitted on July 7, 2021. The LESA Score was 235 indicating a high level of protection. The NRI was included as Attachment 6.

ACTION SUMMARY

KENDALL TOWNSHIP

Petition information was sent to Kendall Township on August 27, 2021. The Kendall Township Planning Commission reviewed this proposal at their meeting on September 14, 2021. Discussion centered on stormwater drainage. The Kendall Township Planning Commission recommended approval of the proposal with a request that the County Stormwater Engineer examine the stomwater

outlet elevation of the pond with consideration given to the impact of drainage on the surrounding properties by vote of five (5) in favor and zero (0) in opposition.

The Kendall Township Board recommended approval of this proposal on September 21, 2021.

BRISTOL-KENDALL FIRE PROTECTION DISTRICT
Petition information was sent to the Bristol-Kendall Fire Protection District on August 27, 2021.

ZPAC
ZPAC reviewed this proposal at their meeting on September 7, 2021. The Petitioner requested that the maximum number of employees be increased from forty (40) to fifty (50) and the deadline to install landscaping be extended from May 15th to June 1st. The Kendall County Soil and Water Conservation District requested that the Petitioner install proper soil erosion and sediment control measures during construction and secure an NPDES Permit. The Kendall County Health Department requested that the Petitioner work with them on well and septic information. The Petitioner stated that he planned to consolidate operations and move from his current location on Route 71 to the subject property. ZPAC recommended approval of the request by a vote of seven (7) in favor and zero (0) in opposition with three (3) members absent. The minutes of this meeting are included as Attachment 8.

RPC
The Kendall County Regional Planning Commission reviewed this proposal at their meeting on September 22, 2021. Discussion occurred regarding having illuminated signage because of the high volume and speed of traffic on Route 47. Discussion also occurred regarding the stormwater drainage plan. The Kendall County Regional Planning Commission recommended approval of the proposal with the change to allow the sign to be illuminated by a vote of nine (9) in favor and zero (0) in opposition with one (1) member absent. The minutes of the meeting are included as Attachment 10.

BUSINESS OPERATIONS
According to the business plan found on page 2 of Attachment 1, the business has a maximum of fifty (50) employees during the busy summer season and as few as three (3) employees during the off-season. Of these, approximately four (4) employees would be onsite constantly. The normal anticipated hours of operation for employees would be on Monday through Friday from 5:00 a.m. until 7:00 p.m. and from 7:00 a.m. until 1:00 p.m. on Saturdays. The Petitioner acknowledged that, during the winter, employees may arrive at the property anytime to clear snow from customers' properties. Hours of operation for members of the public would be Monday through Friday from 7:00 a.m. until 5:00 p.m. Hours of operation for deliveries would be Monday through Friday from 7:00 a.m. until 5:00 p.m. with limited Saturday hours.

No information was provided regarding the number of company trucks or other business related equipment would be stored at the property.

If approved, the Petitioner plans to start construction immediately start operations as quickly as possible.

BUILDINGS AND BUILDING CODES
According to the site plan (Attachment 3, Page 7), the Petitioner plans to construct the following buildings:

1. One (1) approximately four thousand (4,000) square foot, two (2) story office.

2. Two (2) approximately three thousand one hundred seventy-four (3,174) square foot, three (3) bay garages.

3. One (1) approximately one thousand one hundred fifty (1,150) square foot drive thru maintenance bay.

4. One (1) approximately one thousand two hundred fifty (1,250) square foot storage bay.

5. Three (3) nursery/hoop houses. The hoop houses would be approximately one thousand two hundred (1,200) square feet, one thousand six hundred (1,600) square feet, and two thousand six hundred (2,600) square feet in size respectively.

In addition to the above new structures, the site plan also shows the retention and repurpose of the following structures already located on the property:

1. Two (2) existing barns located near the northeast corner of the site. The barns are approximately nine thousand two hundred sixty-five (9,265) square feet and nine thousand two hundred fifty (9,250) square feet in size respectively. The barns will be used for storage.

2. One (1) existing barn located south of the development area. This barn is approximately one thousand four hundred sixty-five (1,465) square feet in size and will be used for bulk salt storage.

In addition to the proposed and existing buildings, the site plan shows twenty-two (22) concrete block bulk storage bins. The storage bins would be approximately fifteen feet (15') wide, thirty (30') feet deep, and eight feet (8') tall. The materials stored in these bins shall be a maximum ten feet (10') tall.

Any structures related to the landscaping business would be required to obtain applicable building permits.

ENVIRONMENTAL HEALTH
Electricity is presently onsite. No information was provided regarding the well or septic system.

According to the site plan (Attachment 3, Page 7), an approximately five thousand (5,000) square foot septic field is planned northeast of Garage Building 2.

The site plan also shows three (3)-five hundred (500) gallon fuel tanks southeast of Garage Building 1.

One (1) trash dumpster surrounded by a six foot (6') wooden fence is also shown on the site plan southeast of Garage Building 1.

STORMWATER
The property drains to the southeast. One (1) stormwater detention pond is planned at the southeast corner of the property.

A stormwater management permit will be required. Stormwater related information is included with the site plan (Attachment 3). WBK submitted a comment letter dated September 8, 2021, which is included as Attachment 9. As noted in the letter, WBK was requesting additional information on the pond.

At the Regional Planning Commission meeting, the Petitioner's Attorney noted there would not be a pond per se. A four foot (4') tall berm would be constructed at the southeast corner of the property to manage stormwater flow/evaporation to ensure the neighboring property did not receive additional runoff.

ACCESS
The property fronts Route 47.

According to the site plan (Attachment 3, Page 7), the existing gravel driveway will be removed and a twenty-four foot (24') wide paved drive will be installed.

The Illinois Department of Transportation had no concerns regarding this proposal; the emails regarding this proposal are included as Attachment 7.

PARKING AND INTERNAL TRAFFIC CIRCULATION
According to the site plan (Attachment 3, Page 7), there are (2) two parking lots. The parking lot west of the Office Building has nineteen (19) parking spaces. The parking lot west of Existing Building 2 has sixteen (16) parking spaces. There is one (1) handicapped parking space in each parking lot. The site plan also shows outdoor parking spaces for company vehicles.

The westernmost parking lot is paved and the easternmost parking lot will be composed of limestone or asphalt screenings.

None of the parking areas are located in the required setbacks.

LIGHTING
According the photometric plan (Attachment 5), there will ten (10) RAR2-320L-165-4K7-4W(1) pole mounted lights located mostly around the perimeter of the developed area. Four (4) RAR2-320L-165-4K7-5QW(1) pole mounted lights will be located west and southwest of Existing Building 2. Three (3) RWL1-48L-25-4K7-4W lights will be located on Existing Storage Buildings 1 and 2. Two (2) RWL2-160L-80-4K7-WW lights will be located on the Garage Buildings 1 and 2. The pole mounted lights will be lowered to twenty feet (20') in height to comply with the Zoning Ordinance.

The anticipated foot-candles at the property lines will be 0.8 which is less than the 5.0 foot-candle maximum allowed by the Zoning Ordinance for adjoining properties planned to be commercial.

SIGNAGE
According to the site plan (Attachment 3, Page 7), there will be one (1) monument sign located approximately fifteen (15') east of the right-of-way line. The sign will be approximately five feet (5') in height and ten feet (10') feet in width, including supports.

The Kendall County Regional Planning Commission requested that sign be illuminated. The sign may be lit between the hours of 6:00 a.m. and 8:00 p.m.

SECURITY
According to the site plan (Attachment 3, Page 7), there will be one (1) six foot (6') wooden screen fence located along the northern property line north of the Existing Storage Buildings. The Petitioner also plans to install security cameras and an alarm system in all buildings. The Petitioner may install a gate at the main entrance if necessary.

LANDSCAPING
According to the landscaping plan (Attachment 4), the Petitioner plans to install the following landscaping around the western parking lot:

1. Three (3) Red Sunset Maples
2. Two (2) Skyline Honeylocusts
3. Fifteen (15) Annabella Hydrangeas
4. Ten (10) Alpine Currants
5. Twenty (20) Double Knock Out Roses
6. Eight (8) Blue Muffin Viburnum
7. One Hundred Forty (140) Autumn Joy Sedums
8. Three Hundred Eighty (380) Russian Stonecrops
9. Two Hundred Ten (210) Dart's Blue Perwinkle

The Petitioner also plans to install eight (8) Techny Arborvitaes around refuse area.

The shrubs shall be two feet (2') in height at the time of planting. The canopy trees will be two point five inch (2.5") caliber at the time of planting and shall grow to fifty feet (50') in height. The Techny Arborvitaes shall be a minimum six feet (6') in height at the time of planting. The Petitioner plans to install all landscaping by June 1, 2022.

In addition to the landscaping mentioned previously, the Petitioner plans to install two (2) hardscape courtyards and two (2) landscape garden showcase areas on the property as shown on the site plan (Attachment 3, Page 7). The site plan also shows a nursery stock area.

NOISE CONTROL
No information was provided regarding noise control.

ODORS
No new odors are foreseen by the proposed use.

RELATION TO OTHER SPECIAL USES
If approved, this would be the sixteenth (16th) special use permit for a landscaping business in unincorporated Kendall County.

FINDINGS OF FACT-SPECIAL USE PERMIT
§ 13:08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to recommend in favor of the applicant on special use permit applications.

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. **Provided the site is developed in accordance with the submitted site plan, the operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare.**

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. **Appropriate restrictions may be placed in the special use permit to regulate the number of employees, hours of operation, site landscaping, and noise. Therefore, the neighboring property owners should not suffer loss in property values and the use will not negatively impact the adjacent 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. **Adequate utilities are planned for the site. The property has direct access to Route 47 and the Illinois Department of Transportation expressed no concerns regarding the proposed use. A stormwater management permit is required and that permit will address drainage.**

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. **The Petitioner is not requesting any variances to the applicable regulations of the district.**

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **True, the proposed use is consistent with a goal found on Page 7-26 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." An objective under this goal further states, "Explore economic development opportunities along Route 47 Corridor to enhance the tax base and to encourage local employment and shopping opportunities."**

RECOMMENDATION
Staff recommends approval of the special use permit for a landscaping business subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the attached site plan (Attachment 3), landscaping plan (Attachment 4), and photometric plan (Attachment 5), including allowing for illuminated signage. The gravel parking lot noted on the site plan shall be composed of either limestone or asphalt screenings. The fourteen (14) light poles shown on the site plan and mentioned in the photometric plan shall be a maximum twenty feet (20') feet in height. The owner of the business allowed by this special use permit may also install a security gate at the main driveway entrance.
2. All of the structures shown on the attached site plan (Attachment 3) shall be constructed and occupied by December 31, 2022. This date may be extended upon approval by the Kendall County Planning, Building and Zoning Committee. The business allowed by this special use permit may commence operations starting upon approval of the special use permit. However, customers shall not be invited onto the property until an occupancy permit has been issued for the office building.
3. The owners of the business allowed by this special use permit shall diligently monitor the property for leaks from equipment and vehicles parked and stored on the subject property and shall promptly clean up the site if leaks occur.
4. Any new structures and signs constructed or installed on the property shall not be considered for agricultural purposes and must secure applicable building permits.
5. Equipment and vehicles related to the business allowed by the special use permit may be stored outdoors.
6. None of the vehicles or equipment parked or stored on the subject property related to the business allowed by the special use permit shall be considered agricultural vehicles or agricultural equipment.
7. All of the vehicles and equipment stored on the subject property related to the business allowed by the special use permit shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
8. Except for the purposes of loading and unloading, all landscape related materials shall be stored indoors or in the designated storage areas shown on the attached site plan (Attachment 3). The maximum height of the piles of landscaping related material shall be ten feet (10'), provided a Stormwater Management Permit is issued.
9. One (1) two (2)-sided business related sign may be installed in substantially the location shown on the attached site plan (Attachment 3). The sign shall be a maximum of ten (10') wide and five feet (5') tall, including supports. The sign may be illuminated between the hours of 6:00 a.m. and 8:00 p.m.
10. The landscaping shown on the attached landscaping plan (Attachment 4) shall be installed no later than June 1, 2022. This date may be extended upon approval by the Kendall County Planning, Building and Zoning Committee. The Red Sunset Maples shall be a minimum of two point five inch (2.5") caliber at the time of planting. The Skyline Honeylocusts shall be a minimum of two point five inch (2.5") caliber at the time of planting. The Techny Arborvitaes shall be a minimum six feet (6') tall at the time of planting. Damaged or dead plants that are part of the landscaping plan shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department. Nursery stock shall be exempt from this provision.
11. No landscape waste generated off the property can be burned on the subject property.
12. A maximum of fifty (50) employees of the business allowed by this special use permit, including the owners of the business allowed by this special use permit, may report to this site for work.
13. The hours of operation of the business allowed by this special use permit for the members of the public shall be Monday through Friday from 7:00 a.m. until 5:00 p.m. The owners of the business allowed by this special use permit may reduce these hours of operation.

14. The hours of operation of the business allowed by this special use permit for employees of the business shall be Monday through Friday from 5:00 a.m. until 7:00 p.m. and Saturday from 7:00 a.m. until 1:00 p.m. The owner of the business allowed by this special use permit may expand these hours of operation for employees to address the needs of customers impacted by snowfall. Business related deliveries may occur during these hours of operation. The owners of the business allowed by this special use permit may reduce these hours of operation.

15. The noise regulations are as follows:

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

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

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

16. The owners of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.

17. The property owner and operator 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.

18. 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.

19. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

20. This special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.

ATTACHMENTS

1. Application Materials (Including the Petitioner's Findings of Fact, NRI, and EcoCat)
2. Aerial
3. Site Plan
4. Landscaping Plan
5. Photometric Plan
6. NRI
7. IDOT Emails
8. September 7, 2021 ZPAC Minutes (This Petition Only)
9. September 8, 2021 WBK Comment Letter
10. September 22, 2021 Kendall County Regional Planning Commission Minutes (This Petition Only)

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

APPLICATION

PROJECT NAME Always Faithful Sh **FILE #:** 21-31

NAME OF APPLICANT		
Always Faithful Properties, LLC		
CURRENT LANDOWNER/NAME(s)		
Always Faithful Properties, LLC		
SITE INFORMATION		
ACRES	SITE ADDRESS OR LOCATION	ASSESSOR'S ID NUMBER (PIN)
13.6485	10744 Route 47, Yorkville, Illinois 60560	05-28-400-002
EXISTING LAND USE	CURRENT ZONING	LAND CLASSIFICATION ON LRMP
Farm	A-1	A-1

REQUESTED ACTION (Check All That Apply):

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

[1]**PRIMARY CONTACT**	**PRIMARY CONTACT MAILING ADDRESS**	**PRIMARY CONTACT EMAIL**
Daniel J. Kramer	[redacted]	[redacted]
PRIMARY CONTACT PHONE #	**PRIMARY CONTACT FAX #**	**PRIMARY CONTACT OTHER #**(Cell, etc.)
[redacted]	[redacted]	
[2]**ENGINEER CONTACT**	**ENGINEER MAILING ADDRESS**	**ENGINEER EMAIL**
John Tebrugge	[redacted]	
ENGINEER PHONE #	**ENGINEER FAX #**	**ENGINEER OTHER #** (Cell, etc.)
[redacted]		

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**

FEE PAID: $2705
CHECK #: 1670

RECEIVED
AUG 24 2021
KENDALL COUNTY
PLANNING, BUILDING
& ZONING

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

SUPPLEMENTAL BUSINESS PLAN

Generally speaking during the Landscape Season the Applicant could have Employees showing up as early as 5:00 a.m. to pick up equipment and go out to jobs. Generally speaking there would not be more than twenty (20) employees showing up at the Business Headquarters with many of the crews already having equipment in their possession and going directly to jobs.

Obviously with the zoning requested we hope his business keeps expanding. Currently in season he has about 35 to 40 employees; and when the landscaping ends in late October and he moves into snowplowing season he might have as few as three (3) drivers and as many as fifteen (15) if there are huge snow events. Those drivers could come at anytime of the day or night depending on the needed snowplowing for Commercial and Residential Customers and depending on the amount of snowfall.

As to the in-season landscaping, there generally would be no employees or activities on site after return of all equipment at night which would be 7:00 p.m. at the latest Monday-Friday; and on Saturday's form 7:00 a.m. until 1:00 p.m.

Typical hours of operation at the site where members of the public or deliveries could take place would be from 7:00 a.m. to 5:00 p.m. Monday-Friday and no deliveries anticipated at all on Sunday and very limited on Saturday to the business open hours. On-site during season there would be three or four Supervisory, Accounting, Sales and Managerial employees.

Anticipated start date would be literally as soon as Zoning and Special Use were approved, site grading and construction would begin to take place.

That part of the Southeast Quarter of Section 28, Township 36 North, Range 7 East of the Third Principal Meridian, described as follows: Commencing at the Southwest corner of said Southeast Quarter; thence North along the West line of said Quarter, 642.65 feet for the point of beginning; thence Easterly at right angles to said West line 647.36 feet; thence Northerly along a line forming an angle of 89 degrees 35 minutes 05 seconds, measured clockwise from the last described course, 1012.69 feet; thence Westerly along a line forming an angle of 89 degrees 56 minutes 12 seconds, measured clockwise from the last described course, 640.04 feet to the West line of said Southeast Quarter thence Southerly along said West line 1007.32 feet to the point of beginning (except that part thereof lying within the right of way of Illinois State Route No. 47 and being described in a Judgment recorded November 13, 1991 as Document No. 917979) in the Township of Kendall, Kendall County, Illinois.

QUIT CLAIM DEED

Statutory (Illinois)

202100006874

DEBBIE GILLETTE
RECORDER - KENDALL COUNTY, IL

RECORDED: 3/17/2021 01:02 PM
RCD: 57.00 RMSPS FEE: 10.00
PAGES: 4

THE GRANTOR,

Roberto R. Velazquez,
[redacted]

for and in consideration of $10.00 in hand paid, CONVEY and QUIT CLAIM TO:

Always Faithful Properties LLC, an Illinois Limited Liability Company

whose address is: [redacted]

all interest in the following described Real Estate situated in the County of Kendall in the State of Illinois to wit:

See attached legal description

SUBJECT TO: Existing easements, covenants, and restrictions of record, and 2020 and subsequent years real estate taxes.

Hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Permanent Real Estate Index Number: 05-28-400-002
Address of Real Estate: 10744 Route 47, Yorkville, Illinois 60560

Dated this 18 day of February, 2021.

[redacted]
Roberto R. Velazquez

Quit Claim Deed

STATE OF ILLINOIS)
) SS.
COUNTY OF KENDALL)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, CERTIFY THAT Roberto R. Velazquez personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered this instrument as his 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 and notarial seal this 18th Day of February, 2021.

[redacted]
Notary Public

"OFFICIAL SEAL"
COLLEEN HANSON
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 11/18/2023

SEND SUBSEQUENT TAX BILLS TO:
AFTER RECORDING, RETURN TO:
Always Faithful Properties LLC
[redacted]

THIS DOCUMENT PREPARED BY:
Law Offices of Daniel J. Kramer
1107A S. Bridge Street
Yorkville, IL 60560

This Transaction EXEMPT under provisions of 35ILCS 200/31-45, Par. E.
Dated February 18, 2021.
Signed [redacted]

That part of the Southeast Quarter of Section 28, Township 36 North, Range 7 East of the Third Principal Meridian, described as follows: Commencing at the Southwest corner of said Southeast Quarter; thence North along the West line of said Quarter, 642.65 feet for the point of beginning; thence Easterly at right angles to said West line 647.36 feet; thence Northerly along a line forming an angle of 89 degrees 35 minutes 05 seconds, measured clockwise from the last described course, 1012.69 feet; thence Westerly along a line forming an angle of 89 degrees 56 minutes 12 seconds, measured clockwise from the last described course, 640.04 feet to the West line of said Southeast Quarter thence Southerly along said West line 1007.32 feet to the point of beginning (except that part thereof lying within the right of way of Illinois State Route No. 47 and being described in a Judgment recorded November 13, 1991 as Document No. 917979) in the Township of Kendall, Kendall County, Illinois.

Debbie Gillette
Kendall County Clerk & Recorder

PLAT ACT AFFIDAVIT OF METES AND BOUNDS

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

David J. Kramer, being duly sworn on oath, states that affiant resides at Yorkville, Illinois. And further states that: (please check the appropriate box)

A. [X] That the attached deed is not in violation of 765 ILCS 205/1(a), in that the sale or exchange is of an entire tract of land not being part of a larger tract of land; or

B. [ ] That the attached deed is not in violation of 765 ILCS 205/1(b) for one of the following reasons: (please circle the appropriate number)

1. The division or subdivision of land into parcels or tracts of 5.0 acres or more in size which does not involve any new streets or easements of access;
2. The division of lots or blocks of less than one (1) acre in any recorded subdivision which does not involve any new streets or easements of access;
3. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
4. The conveyance of parcels of land or interests therein for use as right of way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
5. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
6. The conveyance of land for highway or other public purposes 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;
7. Conveyances made to correct descriptions in prior conveyances;
8. The sale or exchange of parcels or tracts of land following the division into not more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959, and not involving any new streets or easements of access;
9. The sale of a single lot of less than 5.0 acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land;
10. The conveyance is of land described in the same manner as title was taken by grantor(s).

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.

SUBSCRIBED AND SWORN TO BEFORE ME

This 18th day of February, 2021.

[redacted]
Signature of Notary Public

"OFFICIAL SEAL"
COLLEEN HANSON
NOTARY PUBLIC STATE OF ILLINOIS
MY COMMISSION EXPIRES 11/18/2023

[redacted]
Signature of Affiant

111 West Fox Street, Yorkville IL 60560-1498
(630) 553-4104 • Fax: (630) 553-4119 • Email: Dgillette@co.kendall.il.us

"OFFICIAL SEAL"
COLLEEN HANSON
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 11/18/2023

KENDALL COUNTY
DISCLOSURE OF BENEFICIARIES FORM

1. Applicant Always Faithful Properties, LLC

   Address [redacted]

   City [redacted] State [redacted] Zip [redacted]

2. Nature of Benefit Sought Own land and run landscape business

3. Nature of Applicant: (Please check one)
   - ___ Natural Person
   - ___ Corporation
   - ___ Land Trust/Trustee
   - ___ Trust/Trustee
   - ___ Partnership
   - ___ Joint Venture

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

   An LLC which is Limited Liabilty Company to own land

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
Robert Velazquez	[redacted]	

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

   Robert Velazquez 1996 Cannonball Trail, Bristol, IL 60512

VERIFICATION

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

Subscribed and sworn to before me this 7th day of July, A.D. 2021

[redacted]
Notary Public

(seal)

"OFFICIAL SEAL"
COLLEEN HANSON
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 11/18/2023

Kendall County Soil & Water Conservation District

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

www.kendallswcd.org

NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

Petitioner: Always Faithful Properties, LLC
Address [redacted]
City, State, Zip: [redacted]
Phone Number [redacted]
Email: [redacted]

Contact Person: Daniel J. Kramer
[redacted]

Please select: How would you like to receive a copy of the NRI Report? ☐ Email ☐ Mail

Site Location & Proposed Use

Township Name Kendall Township 36 N, Range 7 E, Section(s) 28
Parcel Index Number(s) 05-28-400-002
Project or Subdivision Name Always Faithful Properties, LLC Number of Acres 13.6485
Current Use of Site Home & Agricutural Proposed Use Operate Landscaping business & related storage
Proposed Number of Lots 1 Proposed Number of Structures 4
Proposed Water Supply well Proposed type of Wastewater Treatment septic
Proposed type of Storm Water Management

Type of Request

☑ Change in Zoning from A-1 to B-3
☐ 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 Planning, Buiding, & Zoning

In addition to this completed application form, please including the following to ensure proper processing:

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

The NRI fees, as of July 1, 2010, are as follows:

Full Report: $375.00 for five acres and under, plus $18.00 per acre for each additional acre or any fraction thereof over five.
Executive Summary Report: $300.00 (KCSWCD staff will determine when a summary or full report will be necessary.)

Fee for first five acres and under	$ 375.00
9 Additional Acres at $18.00 each	$ 162.00
Total NRI Fee	$ 537.00

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

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

X [redacted]
Petitioner or Authorized Agent

7-7-2021
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#_____ Date initially rec'd _____ Date all rec'd _____ Board Meeting _____
Fee Due $_____ Fee Paid $ _____ Check #_____ Over/Under Payment _____ Refund Due_____

EcoCAT
Ecological Compliance Assessment Tool

ILLINOIS DEPARTMENT OF NATURAL RESOURCES

Applicant: Always Faithful Properties, LLC
Contact: Robert Velazquez
Address: [redacted]

IDNR Project Number: 2115269
Date: 06/30/2021

Project: Semper Fi Land Site Plan
Address: 10744 US Route 47, Yorkville

Description: Construct buildings, planting areas, showcase area and detention pond for a landscaping business.

Natural Resource Review Results

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

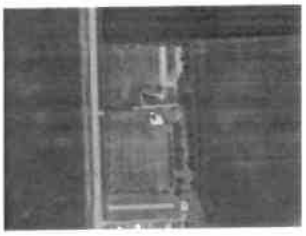
The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

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

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

County: Kendall

Township, Range, Section:
36N, 7E, 28



IL Department of Natural Resources Contact
Brian Willard
217-785-5500
Division of Ecosystems & Environment

Government Jurisdiction
IL Environmental Protection Agency
Division of Water Pollution Control
PO Box 19276
Springfield, Illinois 62794

Disclaimer

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

IDNR Project Number: 2115269

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.

Always Faithful LLC

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 Zoning Board of Appeals 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.

The operation of a landscape business at the subject's site does not endanger the public health, safety, morals, comfort or general welfare. It provides a useful service to the citizenry of Kendall County. The petitioner proposes a large parking lot that accommodates the landscape business and display as well as fenced storage area.

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.

The proposed use is not injurious or detrimental to the enjoyment of properties in the immediate vicinity which consists of surrounding farmland which does not interfere with this proposed use.

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

The property is served by a main state highway so adequate roadways exist, and there are proposed adequate on-site drainage and other necessary facilities to accommodate the use.

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

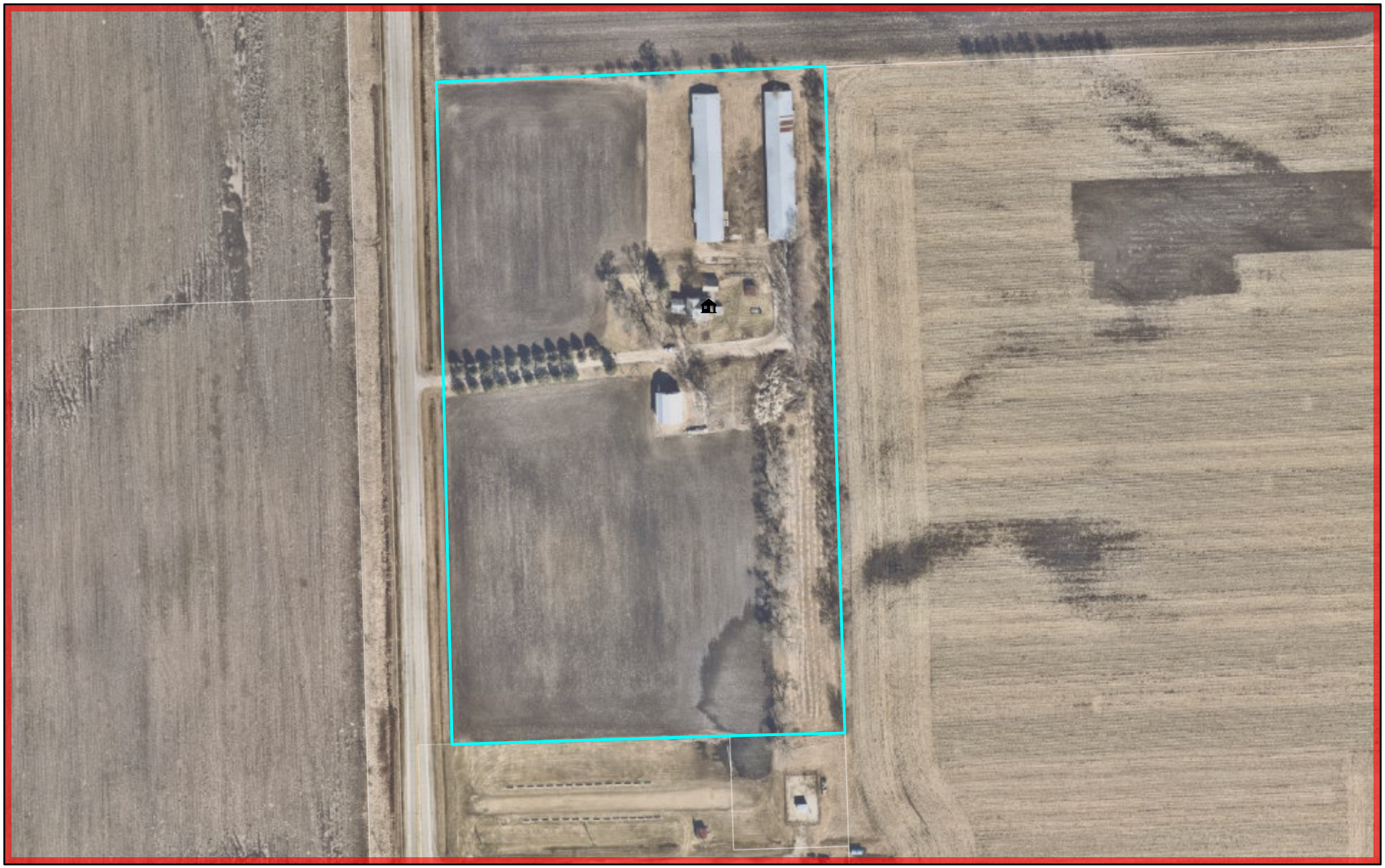
The special use requested is a permissible special use under the Kendall County B-3 Zoning Ordinance and petitioner can accommodate all of the conditions of the Kendall County Special Use.

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

The proposed used to accommodate small local businesses which encourage the tax base, increase, increased employment, and provides an useful community service and trade used by many residential property owners and commercial users within the county. The petitioner is a

long established business in the county and needs the additional site to expand and has grown up and attended Kendall County schools.

Attachment 2



July 14, 2021

Kendall County Address Points

Parcels

Ownership Parcel

1:3,360

0 0.02 0.04 0.08 mi

0 0.03 0.07 0.13 km

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Kendall County Web GIS

View GIS Disclaimer at https://www.co.kendall.il.us/departments/geographic-information-systems/gis-disclaimer-page/.

ENGINEERING PLANS
FOR
SEMPER FI LAND SITE PLAN

SECTION 28, TOWNSHIP 36 NORTH , RANGE 7 EAST
10744 US ROUTE 47
YORKVILLE, IL 60560
KENDALL COUNTY
AUGUST, 2021

LEGEND

- PROPERTY BOUNDARY
- 600 EXISTING CONTOUR LINE
- EXISTING STORM SEWER
- EXISTING SANITARY SEWER LINE
- EXISTING WATERMAIN
- EXISTING UNDERGROUND ELECTRIC
- EXISTING OVERHEAD ELECTRIC
- EXISTING GAS SERVICE
- EXISTING TELEPHONE
- 672 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 686.00 EXISTING SPOT SHOT
- x 686.00 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
- PROPERTY PIN
- P.K. NAIL
- CHISELED MARK
- BENCHMARK
- HUB & TACK
- SOIL BORING
- OVERLAND RELIEF
- FLOW DIRECTION
- UTILITY POLE
- GUY WIRE LOC.
- UTIL CABINET
- UTIL PEDESTAL
- LIGHT POLE
- TRAFFIC SIGNAL
- ELECTRIC VAULT
- GAS VALVE

INDEX TO SHEETS

1. COVER SHEET
2. EXISTING CONDITIONS & DEMOLITION PLAN
3. STORMWATER POLLUTION & PREVENTION PLAN 1
4. STORMWATER POLLUTION & PREVENTION PLAN 2
5. CIVIL SITE PLANS
6. GENERAL NOTES & DETAILS

LOCATION MAP
N.T.S.



BENCHMARKS:

1. UNITED CITY OF YORKVILLE - SURVEY CONTROL MONUMENTS # 6
   LOCATED AT THE NORTHWEST CORNER OF SYCAMORE ROAD AND JOHN STREET
   ELEVATION = 656.64 - (NAVD 88 DATUM)
2. UNITED CITY OF YORKVILLE - SURVEY CONTROL MONUMENTS # 7
   LOCATED IN FRONT OF YORKVILLE CITY HALL
   ELEVATION = 635.08 - (NAVD 88 DATUM)

PLANS PREPARED FOR:

ALWAYS FAITHFUL PROPERTIES, LLC
[redacted]

811 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 SURVEYOR. THE SURVEYOR MAKES NO GUARANTEE 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 REASONABLY POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS PHYSICALLY LOCATED VISIBLE STRUCTURES; HOWEVER, HE WAS 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 23RD DAY OF AUGUST, 2021.

JOHN J. TEBRUGGE REGISTERED PROFESSIONAL ENGINEER OF ILLINOIS

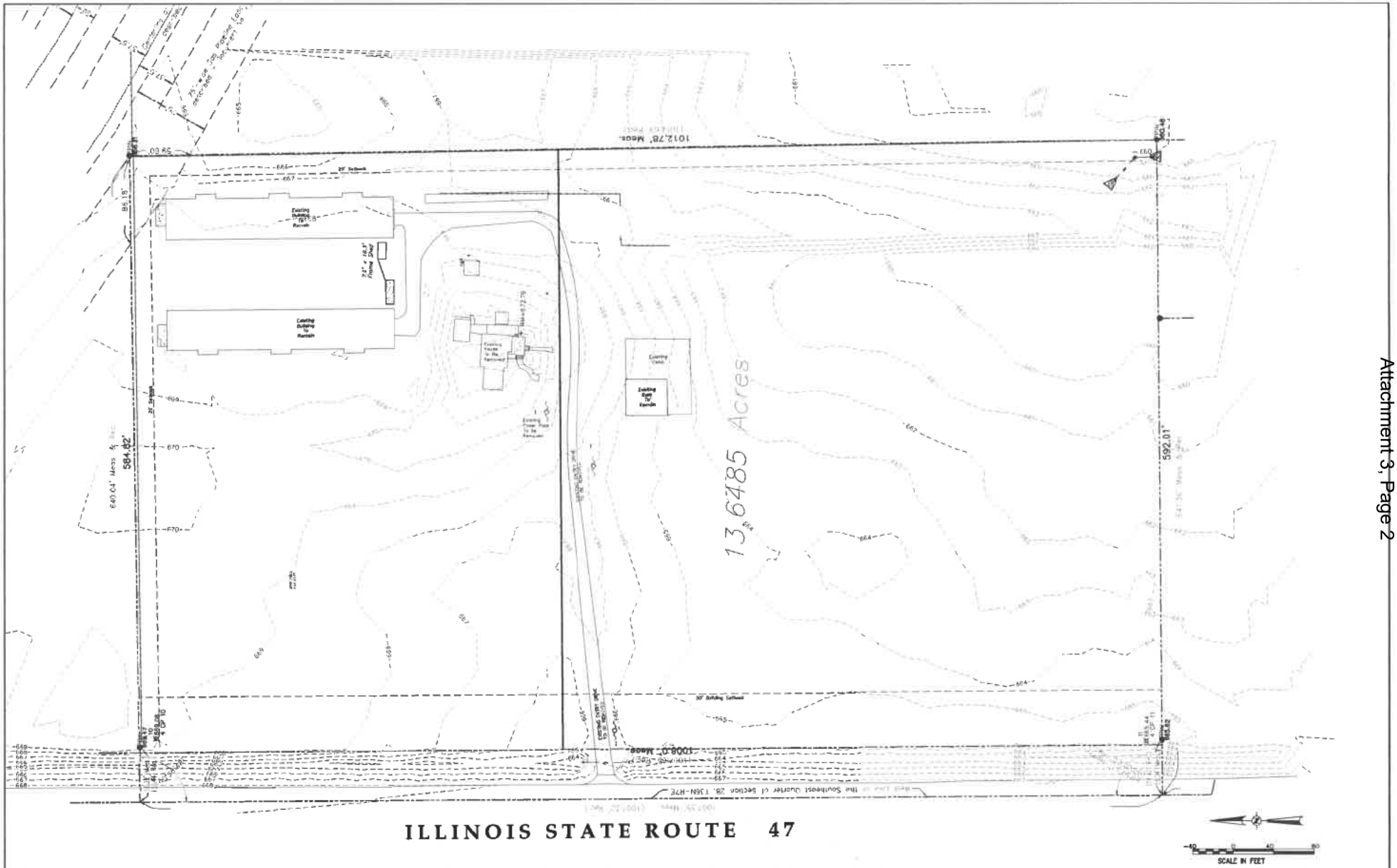
[redacted]
ILLINOIS REGISTERED PROFESSIONAL ENGINEER
NO. [redacted] EXPIRES NOV. 30, 2021

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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 TEBRUGGE ENGINEERING.

CIVIL ENGINEER:
TEBRUGGE ENGINEERING
410 E CHURCH ST - SUITE A
SANDWICH, ILLINOIS 60548
(815) 786-0195
INFO@TEBRUGGEENGINEERING.COM
WWW.TEBRUGGEENGINEERING.COM

REVISIONS

NO.	DATE	NOTES



TEBRUGGE ENGINEERING
410 E. CHURCH STREET • SUITE A • SANDWICH, IL 60548
PHONE: (815) 786-0195 TEBRUGGEENGINEERING.COM

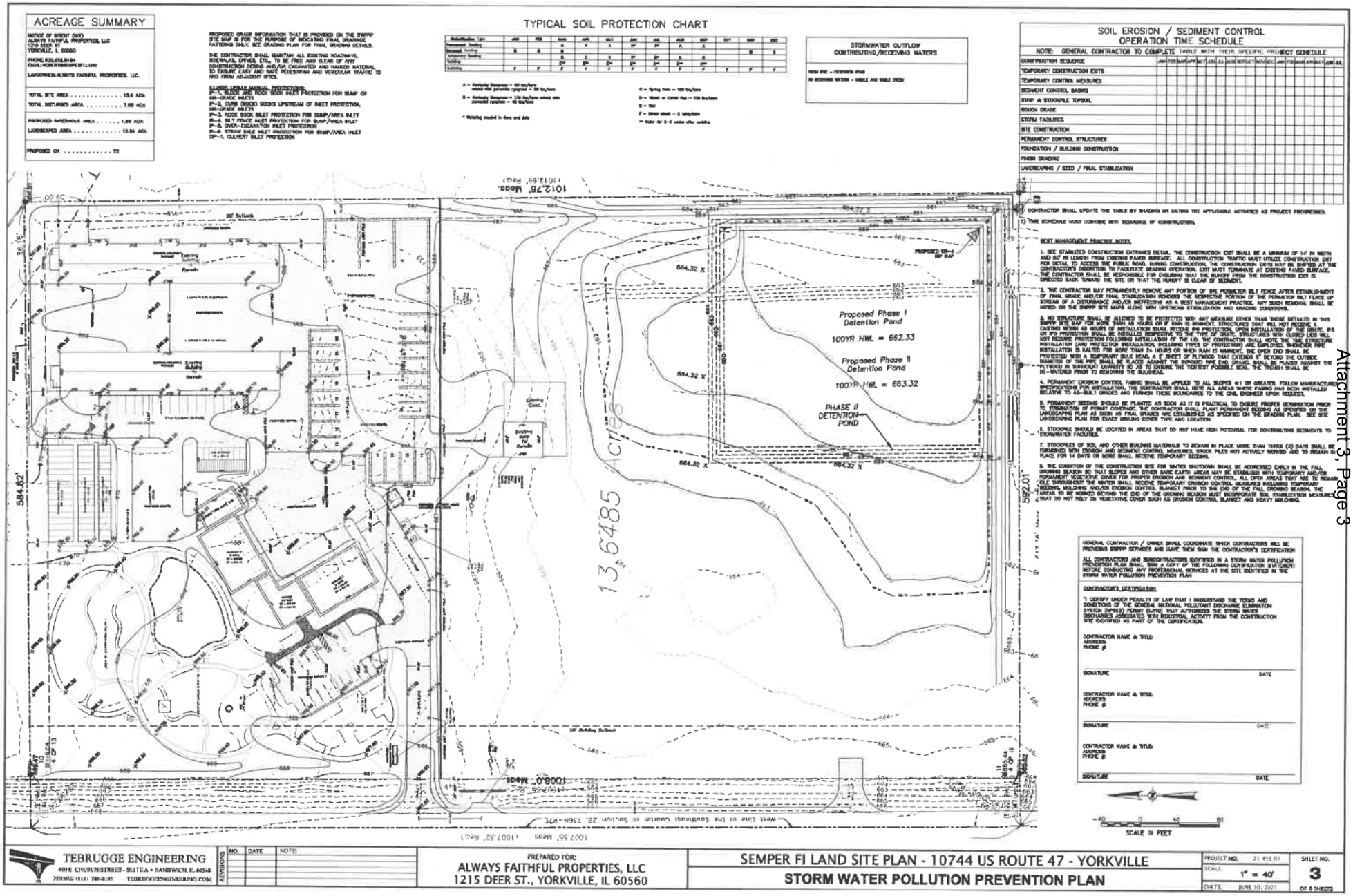
REVISIONS	NO.	DATE	NOTES

PREPARED FOR:
ALWAYS FAITHFUL PROPERTIES, LLC
1215 DEER ST., YORKVILLE, IL 60560

SEMPER FI LAND SITE PLAN - 10744 US ROUTE 47 - YORKVILLE
EXISTING CONDITIONS & DEMOLITION PLAN

PROJECT NO.	21-451.01
SCALE	1" = 40'
DATE	JUNE 30, 2021
SHEET NO.	2
	OF 6 SHEETS

Attachment 3, Page 2


ACREAGE SUMMARY
NOTICE OF INTENT (NOI)
ALWAYS FAITHFUL PROPERTIES, LLC
1215 DEER ST.
YORKVILLE, IL 60560
PHONE: 630.618.8484
EMAIL: ROBERTBENEDICT1.LLC@
LANDOWNER: ALWAYS FAITHFUL PROPERTIES, LLC.
TOTAL SITE AREA ..... 13.6 ACRES
TOTAL DISTURBED AREA ..... 7.68 ACRES
PROPOSED IMPERVIOUS AREA ..... 1.56 ACRES
LANDSCAPED AREA ..... 13.04 ACRES
PROPOSED CN 72
PROPOSED GRADE INFORMATION THAT IS PROVIDED ON THE SWPPP SITE MAP IS FOR THE PURPOSE OF INDICATING FINAL DRAINAGE PATTERNS ONLY. SEE GRADING PLAN FOR FINAL GRADING DETAILS.
THE CONTRACTOR SHALL MAINTAIN ALL EXISTING ROADWAYS, SIDEWALKS, DRIVES, ETC., TO BE FREE AND CLEAR OF ANY CONSTRUCTION DEBRIS AND/OR EXCAVATED AND HAULED MATERIAL TO ENSURE EASY AND SAFE PEDESTRIAN AND VEHICULAR TRAFFIC TO AND FROM ADJACENT SITES.
BUILDING URBANA MANUAL PROTECTIONS
SP-1, BLOCK AND ROCK SOCK INLET PROTECTION FOR SUMP OR ON-GRADE INLETS
SP-2, CURB (SOCK) SOCKS UPSTREAM OF INLET PROTECTION, ON-GRADE INLETS
SP-3, ROCK SOCK INLET PROTECTION FOR SUMP/AREA INLET
SP-4, SILT FENCE INLET PROTECTION FOR SUMP/AREA INLET
SP-5, OVER-EXCAVATION INLET PROTECTION
SP-6, STRAW BALE INLET PROTECTION FOR SUMP/AREA INLET
DP-1, CULVERT INLET PROTECTION
TYPICAL SOIL PROTECTION CHART
STORMWATER OUTFLOW CONTRIBUTING/RECEIVING WATERS
SOIL EROSION / SEDIMENT CONTROL OPERATION TIME SCHEDULE
NOTE: GENERAL CONTRACTOR TO COMPLETE TABLE WITH THEIR SPECIFIC PROJECT SCHEDULE
CONSTRUCTION SEQUENCE
TEMPORARY CONSTRUCTION EXITS
TEMPORARY CONTROL MEASURES
SEDIMENT CONTROL BASINS
STRIP & STOCKPILE TOPSOIL
ROUGH GRADE
STORM FACILITIES
SITE CONSTRUCTION
PERMANENT CONTROL STRUCTURES
FOUNDATION / BUILDING CONSTRUCTION
FINISH GRADING
LANDSCAPING / SEED / FINAL STABILIZATION
1) CONTRACTOR SHALL UPDATE THE TABLE BY SHADING OR DATING THE APPLICABLE ACTIVITIES AS PROJECT PROGRESSES.
2) TIME SCHEDULE MUST COINCIDE WITH SEQUENCE OF CONSTRUCTION.
BEST MANAGEMENT PRACTICE NOTES
1. SEE STABILIZED CONSTRUCTION ENTRANCE DETAIL. THE CONSTRUCTION EXIT SHALL BE A MINIMUM OF 14' IN WIDTH AND 50' IN LENGTH FROM EXISTING PAVED SURFACE. ALL CONSTRUCTION TRAFFIC MUST UTILIZE CONSTRUCTION EXIT PER DETAIL, TO ACCESS THE PUBLIC ROAD. DURING CONSTRUCTION, THE CONSTRUCTION EXITS MAY BE SHIFTED AT THE CONTRACTOR'S DISCRETION TO FACILITATE GRADING OPERATION, EXIT MUST TERMINATE AT EXISTING PAVED SURFACE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ENSURING THAT THE RUNOFF FROM THE CONSTRUCTION EXIT IS DIRECTED BACK TOWARD THE SITE OR THAT THE RUNOFF IS CLEAR OF SEDIMENT.
2. THE CONTRACTOR MAY PERMANENTLY REMOVE ANY PORTION OF THE PERIMETER SILT FENCE AFTER ESTABLISHMENT OF FINAL GRADES AND/OR FINAL STABILIZATION REMOVING ONE RESPECTIVE PORTION OF THE PERIMETER SILT FENCE UP-STREAM OF A DISTURBANCE AND/OR INEFFECTIVE AS A BEST MANAGEMENT PRACTICE, ANY SUCH REMOVAL SHALL BE NOTED ON THE SWPPP SITE MAPS ALONG WITH UPSTREAM STABILIZATION AND GRADING CONDITIONS.
3. NO STRUCTURE SHALL BE ALLOWED TO BE PROTECTED WITH ANY MEASURE OTHER THAN THOSE DETAILED IN THIS SWPPP SITE MAP FOR MORE THAN 48 HOURS OR IF RAIN IS IMMINENT. STRUCTURES THAT WILL NOT RECEIVE A CASTING WITHIN 48 HOURS OF INSTALLATION SHALL RECEIVE IP3 PROTECTION. UPON INSTALLATION OF THE GRATE, IP3 OR IP2 PROTECTION SHALL BE INSTALLED RESPECTIVE TO THE TYPE OF GRATE. STRUCTURES WITH CLOSED LIDS WILL NOT REQUIRE PROTECTION FOLLOWING INSTALLATION OF THE LID. THE CONTRACTOR SHALL NOTE THE TIME STRUCTURE INSTALLATION (AND PROTECTION INSTALLATION, INCLUDING TYPES OF PROTECTION) ARE EMPLOYED. WHENEVER PIPE INSTALLATION IS HALTED FOR MORE THAN 24 HOURS OR WHEN RAIN IS IMMINENT, THE OPEN END SHALL BE PROTECTED WITH A TEMPORARY BULK HEAD, A 3' SHEET OF PLYWOOD THAT EXTENDS 6" BEYOND THE OUTSIDE DIAMETER OF THE PIPE, SHALL BE PLACED AGAINST THE EXPOSED PIPE END. GRAVEL SHALL BE PLACED AGAINST THE PLYWOOD IN SUFFICIENT QUANTITY TO FILL TO ENSURE THE TIGHTEST POSSIBLE SEAL. THE TRENCH SHALL BE RE-WATERED PRIOR TO REMOVING THE BULKHEAD.
4. PERMANENT EROSION CONTROL FABRIC SHALL BE APPLIED TO ALL SLOPES 4:1 OR GREATER. FOLLOW MANUFACTURERS SPECIFICATIONS FOR INSTALLATION. THE CONTRACTOR SHALL NOTE ALL AREAS WHERE FABRIC HAS BEEN INSTALLED RELATIVE TO AS-BUILT GRADES AND FURNISH THESE BOUNDARIES TO THE CIVIL ENGINEER UPON REQUEST.
5. PERMANENT SEEDING SHOULD BE PLANTED AS SOON AS IT IS PRACTICAL TO ENSURE PROPER GERMINATION PRIOR TO TERMINATION OF PERMIT COVERAGE. THE CONTRACTOR SHALL PLANT PERMANENT SEEDING AS SPECIFIED ON THE LANDSCAPING PLAN AS SOON AS FINAL GRADES ARE ESTABLISHED AS SPECIFIED ON THE GRADING PLAN. SEE SITE LANDSCAPING PLAN FOR EXACT SEEDING COVER TYPE AND LOCATION.
6. STOCKPILE SHOULD BE LOCATED IN AREAS THAT DO NOT HAVE HIGH POTENTIAL FOR CONTRIBUTING SEDIMENTS TO STORMWATER FACILITIES.
7. STOCKPILES OF SOIL AND OTHER BUILDING MATERIALS TO REMAIN IN PLACE MORE THAN THREE (3) DAYS SHALL BE PROTECTED WITH EROSION AND SEDIMENT CONTROL MEASURES. STOCK PILES NOT ACTIVELY WORKED AND TO REMAIN IN PLACE FOR 14 DAYS OR MORE SHALL RECEIVE TEMPORARY SEEDING.
8. THE CONDITION OF THE CONSTRUCTION SITE FOR WINTER SHUTDOWN SHALL BE ADDRESSED EARLY IN THE FALL GROWING SEASON SO THAT SLOPES AND OTHER BARE EARTH AREAS MAY BE STABILIZED WITH TEMPORARY AND/OR PERMANENT VEGETATIVE COVER FOR PROPER EROSION AND SEDIMENT CONTROL. ALL OPEN AREAS THAT ARE TO REMAIN IDLE THROUGHOUT THE WINTER SHALL RECEIVE TEMPORARY EROSION CONTROL MEASURES INCLUDING TEMPORARY SEEDING, MULCHING AND/OR EROSION CONTROL BLANKET PRIOR TO THE END OF THE FALL GROWING SEASON. THE AREAS TO BE WORKED BEYOND THE END OF THE GROWING SEASON MUST INCORPORATE SOIL STABILIZATION MEASURES THAT DO NOT RELY ON VEGETATIVE COVER SUCH AS EROSION CONTROL BLANKET AND HEAVY MULCHING.
GENERAL CONTRACTOR / OWNER SHALL COORDINATE WHICH CONTRACTORS WILL BE PROVIDING SWPPP SERVICES AND HAVE THEM SIGN THE CONTRACTOR'S CERTIFICATION
ALL CONTRACTORS AND SUBCONTRACTORS IDENTIFIED IN A STORM WATER POLLUTION PREVENTION PLAN SHALL SIGN A COPY OF THE FOLLOWING CERTIFICATION STATEMENT BEFORE CONDUCTING ANY PROFESSIONAL SERVICES AT THE SITE IDENTIFIED IN THE STORM WATER POLLUTION PREVENTION PLAN
CONTRACTOR'S CERTIFICATION:
"I CERTIFY UNDER PENALTY OF LAW THAT I UNDERSTAND THE TERMS AND CONDITIONS OF THE GENERAL NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT (ILR10) THAT AUTHORIZES THE STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY FROM THE CONSTRUCTION SITE IDENTIFIED AS PART OF THE CERTIFICATION.
CONTRACTOR NAME & TITLE:
ADDRESS:
PHONE #
SIGNATURE
DATE
CONTRACTOR NAME & TITLE:
ADDRESS:
PHONE #
SIGNATURE
DATE
CONTRACTOR NAME & TITLE:
ADDRESS:
PHONE #
SIGNATURE
DATE
Proposed Phase I Detention Pond
100YR HWL = 662.33
Proposed Phase II Detention Pond
100YR HWL = 663.32
PHASE II DETENTION POND
Existing Building
Existing Conc.
Existing Barn
Existing Garage
Existing Shed
Existing Pavilion
Existing Building
Existing Building
Existing Building

I. GENERAL NOTES & DESCRIPTION

The Storm Water Pollution Prevention Plan (SWPPP) includes, but is not limited to the Erosion and Sediment Control Plan detailed in the Engineering Plans with the Detail Sheet, the Notice of Intent, Permit Authorization, General Permit, Notice of Termination, all records of inspection and any activities which are started during the course of the project, and other documents as may be required by reference in this SWPPP. Changes, modifications, revisions, additions, or deletions shall become part of this SWPPP and shall:

- Be identified and such amendments shall be responsible for implementing any measures of the SWPPP must be identified and made jointly this SWPPP by signing the SWPPP certification in accordance with Part V.G7 (Signatory Requirements) of the ILR10 Permit.

All signed certifications must be kept with the SWPPP documents and be available for inspection.

The Contractor and all sub-contractors involved with construction activity that disturbs site soil or who implement a pollutant control measure identified in the Storm Water Pollution Prevention Plan must comply with the following requirements of the Illinois Pollutant Discharge Elimination System (IPDES) General Permit, the NPDES Permit No. ILR10 for the State of Illinois and any local governing agency having jurisdiction concerning erosion and sediment control.

A. GENERAL PERMIT INFORMATION

All construction sites that will result in the disturbance of one acre or more must be permitted under the Illinois General NPDES Permit. The Notice of Intent (NOI) has been submitted at the address below. The NOI is for the onsite and offsite improvements. The NPDES Permit will be issued 30 days after the postmark date of the submittal of the NOI and valid party list.

Permit Information: The Owner has mailed the Owner-signed NOI form and the listed yearly fee of $500 to the address listed below. The Contractor will be responsible for submitting said subsequent $500 yearly fee, if applicable. A copy of the signed NOI form will be supplied to the Contractor.

Permit is entitled by the Illinois Environmental Protection Agency (IEPA) to the statutory construction activities over length of time that the SWPPP and the ILR10 is in effect, beginning the post-issue date of the NOI.

Transfer information: If a portion of the property is sold, that new Owner may obtain their own general permit by submitting a separate NOI. The original NOI copy has to provided by re-submitting the NOI with pending acreage and checking the box "change of information". Also include documentation indicating that a lot has been sold. The acreage difference and the date of sale. There is no fee involved when modifying this NOI.

There are no requirements for a pre-construction meeting from any of the reviewing agencies.

Agency Information:	
Illinois Environmental Protection Agency	City of Aurora
Bureau of Water Pollution Control	Engineering Division
1021 North Grand Avenue East	44 East Downer Place
Springfield, Illinois 62794	Aurora, Illinois 60505
Phone: (217) 782-0610	Phone: (630) 256-3000

B. PUBLIC POSTING

The following documents will be supplied to the contractor and must be posted on the Entrance Sign in a prominent place for public viewing until termination of permit coverage has been obtained by filing the Notice of Termination (NOT):

1. Notice of Intent signed in accordance with ILR10.
2. Permit Authorization from the Illinois Environmental Agency (IEPA).
3. Construction Site Notice.

The location of the SWPPP must be clearly stated.

C. RETENTION OF RECORDS

A complete copy of the SWPPP, including copies of all inspection reports, site revisions, etc., must be retained at the project site of all times during the duration of the project (and NOT be filed) and kept in the permanent project records of the Contractor for at least three years after the date of Termination (NOT).

D. CONTRACTOR/SUB-CONTRACTOR LIST

The Contractor must provide names and addresses of all sub-contractors working on this project who will be involved with the major construction activities that disturb site soil. This information must be kept with the SWPPP.

E. CONTRACTOR/SUB-CONTRACTOR CERTIFICATION FORM

The Contractor and all sub-contractors involved with ground disturbance or installation and maintenance of any Best Management Practice (BMP) on site must sign a copy of the Contractor Certification that will be supplied to the Contractor. This information must be kept with the SWPPP.

F. INSPECTIONS

At least once every seven calendar days and with 24 hours of a 0.5 in rainfall event, inspections by designated Contractor Compliance Officer must be made to determine the effectiveness of the SWPPP. If the BMPs at a point of operation have a structural inspection form, the both forms must be completed. The SWPPP, including the local stormwater practices implemented on the plants, shall be modified as needed to reduce or prevent pollutants from discharging from the site.

An example SWP Inspection Form will be supplied to the Contractor.

A delegation of authority letter authorizing the Contractor Compliance Officer to sign the inspection forms will also be supplied to the Contractor.

The inspector must be a person familiar with the site, the nature of major construction activities, and qualified to evaluate both overall system performance and individual component performance. The inspector must either be someone employed in pollutant maintenance to the SWPPP and the pollutant control devices, if needed, in order to increase effectiveness to a acceptable level, or someone with the authority to secure such things to happen. Additionally, the inspector must be properly authorized in accordance with the stormwater General Permit to enforce the corrective site actions as needed.

See Section VI on this sheet for further reporting requirements.

G. SWPPP UPDATES & AMENDMENTS

The SWPPP must be updated each time there are significant modifications to the pollution prevention system or a change of Contractors working on the project that disturb site soil. The SWPPP must be amended as necessary during the course of construction in order to keep it current with the latest construction activities and control measures in the site. Amending the SWPPP does not mean that it has to be re-printed. It is acceptable to add schedules, standard notes, modifications, and/or revised drawings. The site map should be the backbone of all storm water controls must be posted on the site and updated to reflect the progress of construction and changes to the SWPPP. Any control measure that has a potentially large impact on storm water quality must be approved by the Engineer, Municipality or authorized local agency. Such measures must be properly authorized in accordance with the stormwater General Permit to indicate changes in design, construction, operation, or maintenance.

H. DISCHARGE OF PETROLEUM PRODUCTS OR HAZARDOUS SUBSTANCES

Discharge of Petroleum products or other hazardous substances into storm water or the storm water (storm sewer) system is subject to reporting and clean up requirements. See section VI.3.3 of the SWPPP for State and local information on reporting spills. Refer to the General Permit for additional information.

I. NOTICE OF TERMINATION

Site has reached final stabilization as defined in the General Permit, with all permanent erosion and sedimentation control measures installed and all temporary erosion and sedimentation controls removed, the Contractor and sub-contractors involved must submit a Notice of Termination (NOT) approved by the Owner's representative, the Owner and Contractor, as applicable, must complete and submit a NOT.

J. CONTRACTOR RESPONSIBILITY

This SWPPP intends to control water-borne and fluid pollutant discharges by some combination of interception, containment, retention, and sedimentation. The Contractor and sub-contractors implementing this SWPPP must provide alert to the need to periodically refine and modify the SWPPP in order to accomplish the intended goals. The Contractor is ultimately responsible for all the conditions and permit compliance.

K. LOG OF CONSTRUCTION ACTIVITY

A record of dates when major ground-disturbing activities occur, when construction activities temporarily or permanently cease on a portion of the site, and when stabilization measures are initiated or completed must be maintained with the SWPPP. This is also a requirement of the General Permit. The Contractor must be familiar with the construction of any proposed grading activities in order to recommend improvement of construction and noted on the Site Map and General Specifications and construction activity times.

II. INTRODUCTION

This SWPPP includes the elements necessary to comply with the natural baseline ground control for construction activities administered by the US Environmental Protection Agency (EPA) under the National Pollutant Discharge Elimination System (NPDES) program, the NPDES Permit No. ILR10 for the State of Illinois, and all Local governing agency requirements. This SWPPP must be implemented at the start of construction.

Construction phase pollutant sources anticipated at the site are disturbed (bare) soil, vehicle fuels and lubricants, disturbed soils associated with building construction, and building materials. Without mitigation, each of these is a potential for some type of pollutant to be transported by storm water.

Project construction will consist primarily of site grading, utility service connections, and site paving to facilitate construction.

A. PURPOSE

A major goal of pollution prevention efforts during project construction is to control soil pollutants that originate on the site and prevent them from leaving as surface pollutants. The purpose of the SWPPP is to provide guidelines for satisfying that goal. A successful pollution prevention program also relies upon careful inspection and improvements during the construction process to enhance its effectiveness.

B. SCOPE

The SWPPP must be implemented before construction begins on the site. It primarily addresses the impact of storm rainfall and runoff on areas of the ground surface disturbed during the construction process. In addition, there are recommendations for controlling other sources of pollution that could accompany the major construction activities. Specifically, the construction sites' chemical and waste and debris pollutant control considerations controls are included. Temporary erosion and sedimentation controls are removed construction activities ensured herein have ceased, and a completed Notice of Termination (NOT) is transmitted to the governing agency.

III. PROJECT DESCRIPTION

Disturbed areas are the major construction activities that are subject of this SWPPP. Also included is the expansion are BMP installations or activities that must take place prior to construction activities. NOTE: Items that predominantly involve ground disturbance (e.g. to place trees and/or shrubs) are considered to be land disturbing activities.

All activities and time frames (beginning and ending dates) shall be noted on the Site Map. The sequence of construction is as follows:

Upon implementation and installation of the following storm inlets, parking, lay down, porta-pots, stand wash, concrete washout, material's area, fuel and material storage containers, solid waste containers, etc., immediately denote them on the Site Plan and note any changes in location as they occur throughout the construction process.

Typical Stage of Construction. Items shall be added or deleted as needed for each individual project.

Phase 1

1. Install stabilized construction entrances and SWPPP Entrance Sign.
2. Install silt fence(s) on the site (silt fence only those areas necessary to install silt fence).
3. Prepare temporary parking and storage areas.
4. Install and stabilize hydraulic control structures (dikes, swales, check dams, etc.).
5. Begin grading the site.
6. Start construction of building pads.

Phase 2

7. Temporarily seed, immediately construction, disrupted areas that will be inactive for 14 days or more.
8. Install inlet protection at all storm sewer inlets that receive flow from disturbed areas.
9. Complete grading and installation of permanent stabilization.
10. Prepare site for paving.
11. Pave site.
12. Install appropriate post-production erosion protection for ground cover as each progresses.
13. Complete grading and installation of permanent stabilization after approval of the Engineer and stabilize any areas disturbed by the removal of the BMP.

NOTE: The Contractor may complete construction-related activities concurrently only if all preceding BMPs have been completely installed.

The added schedule for implementing pollutant control measures will be described in project construction progress and reported by the Contractor at the Soil Erosion/Sediment Control Operation. Final schedules on the Erosion and Sediment Control Plans Sheet show alternative measures must always be in place before soil is disturbed.

IV. SITE DESCRIPTION

A. Site description

Site construction activities consist of removal of existing house, installation of new buildings, detention pond, and hard landscape, planting areas.

1. Total area of site = 12.6 acres
   Total disturbed area on site = 7.66 acres
2. Estimated site runoff coefficient after construction activities are complete: C=.73.
4. Site map included indicating drainage is proposed storm sewers site to included in SWPPP.
5. Site drainage is received by Jon Stein Drain located east of the development.

V. STORM WATER POLLUTION PREVENTION MEASURES AND CONTROLS

A variety of storm water pollutant controls are recommended for this project. These controls are intended for implementation primarily and will be used as needed to control pollutants created during the construction process. These include temporary sediment barriers and permanent storm retention ponds (which can also function as temporary sediment basins). Permanent stabilization of the construction site will be achieved by covering the soil with pavement, building foundation, vegetation, or other forms of soil stabilization.

A. EROSION AND SEDIMENT CONTROLS

1. Soil Stabilization

The purpose of soil stabilization is to prevent soil from eroding and leaving the site, to the natural condition, and to stabilization by another definition. The primary purpose for the land or the land or that project for construction activities that will be to provide a protective cover of grass, pavement, or building structure.

a) Temporary Seeding or Stabilization – All denuded areas that will be inactive for 14 days or more, must be established temporarily with the use of fast-germinating annual grass/grain varieties, straw/hay mulch, seed mulcher fiber, tackifier, netting or blanket.

b) Permanent Seeding or Sodding – All areas at final grade must be seeded or sodded within 14 days after completion of work in any area. The soil in the area must have permanent vegetation cover established in all areas not covered by landscape of the completion of all soil disturbing activities at site. Except for small sod areas, seeded areas should generally be protected with mulch or a rolled erosion control product. All areas to be sodded will have topsoil and other soil amendments as specified on the Landscape Plan.

2. Structural Controls

a) Silt Fence — Silt fence is a synthetic permeable woven or non-woven geotextile fabric incorporating metal support stakes at intervals sufficient to support the fence (3—foot maximum distance between posts), water, and sediment particles to pass below, through, or around the fence. It is designed to retain sediment-laden water and other contaminants of the storm water flow through the fabric and discharge site-free. Silt fence shall be located as close to the contour as possible to maximize the ponding capacity behind the fence and to minimize the amount of silt that could be washed around the ends of the fence. The Contractor may utilize triangular silt dike and/or other similar types of sediment control devices as may be approved by the Engineer. Silt fence shall be installed prior to any land grade along the perimeter and the other areas noted on the plans to prevent sediment from leaving the site. Silt fence shall be removed when the disturbed area is stabilized. Drainage areas shall not exceed 2 acres per 100 feet of silt fence for slopes less than 2 percent.

b) Construction Exit — At access points where the public street lies the construction site shall include a construction exit composed of coarse stone to the dimensions shown on the Existing Conditions and Demolition Plan. The rough texture of the stone helps to prevent tracking of soil and mud by the construction vehicles from through the center of the site and paving over the rough surface and the wheels of the vehicle remove most soil attached to vehicle tires.

In addition to the above of the construction exit, it may be necessary to install chutes such as plate (curbs, curb) to increase the duration and length. It may also be necessary to install a wheel wash system, if this device is necessary. Additional trap control must be installed to handle the additional discharge from this site.

All site access must be confined to the Construction Exit(s). Barricade, outlined to prevent use, any location other than Construction Exit(s) where vehicles or equipment may access the site.

c) Storm Sewer Inlet Protection — Curb and ground inlets are protected from the intrusion of sediment through a variety of methods as shown on the Erosion and Sediment Control Plan in the Construction drawings. The primary purpose of inlet protection devices is to trap soil that continues to flow overland or through storm sewer systems. It should be noted that inlet protection devices are not intended to be the primary means of sediment control for construction sites. Rather, they are intended to be a last line of defense to prevent sediment from entering storm sewers. Inlet protection devices must be installed in such a manner that they do not cause excessive amount of water.

d) Inspection and any necessary cleaning of the underground storm system shall be included as part of this

Final site stabilization is achieved when perennial vegetative cover provides permanent stabilization with a density greater than 70% of the entire area to be stabilized by vegetative cover. This is outside of areas paved, roofed, or having a building on them.

B. OTHER POLLUTANT CONTROLS

This section includes the controls of pollutants other than sediment and additional requirements of the General Permit.

1. Good Control

Construction Traffic must enter and exit the site at the stabilized construction exit. Water trucks or other dust control supply will be used as needed during construction to reduce dust generated on the site. Dust control must be provided in the manner in a degree that is in compliance with applicable Local and State dust control regulations.

2. Solid Waste Disposal

No solid materials, including building materials, are allowed to be discharged from the site with storm water. All solid waste, including garbage, debris, cigarette butts, and other such wastes must be placed in containers. The contractor(s) will be provided as necessary by a disposal licensed non-hazardous solid waste from the site. Owners for the contractors will be provided as necessary to meet State and Local requirements. The location of solid waste receptacles will be shown on the Site Plan.

Substances that have the potential for polluting surface and/or groundwater must be contained to eliminate exposure to storm water to control that they do not discharge from the site to storm. Wasted care must be permitted during equipment fueling and servicing operations. If a spill occurs, it must be controlled and disposed of so that it will not flow from the site. Any soil contaminated by petroleum product must be removed from the site and disposed of at one time required, potentially polluting substances should be handled in a manner consistent with the disposal they represent.

3. Sanitary Facilities

All personnel involved with construction activities must comply with State and Local sanitary or waste regulations. Temporary sanitary facilities will be provided at the site throughout the construction phase. They must be utilized by all construction personnel and will be serviced by a commercial operator. The location of sanitary facilities shall be shown on the Site Map.

4. Non-Storm Water Discharges

The following non-storm discharges at the site are not permitted under ILR10 except as follows: discharges from fire fighting activities; fire hydrant flushings; water used to wash vehicles where detergents are not used; water used to control dust; pumped water; uncontaminated groundwater; foundation or footing drains where flows are not contaminated with process materials such as solvents.

5. Concrete Waste from Concrete Ready-Mix Trucks

Discharge of excess or waste concrete and/or wash water from concrete trucks will be allowed on the construction site, but only in specifically designated areas where pollutants from these discharges will not enter surface waters, storm water and where water that will be discharged from the site. Alternatively, waste concrete can be placed into forms to make it into or other useful shapes. The Contractor must advise all concrete truck drivers about these procedures to be followed in accordance with applicable State and Federal regulations. The Owner representative is responsible for ensuring that these procedures are followed. Number of concrete washout areas will be shown on the Site Map.

6. Owner's Area

Contractor shall identify owner's area on the site and indicate location on the Site Map. To the extent practical, all equipment maintenance, washing activities, storage of material and waste products, and parking will be located within the area identified. Spare control, such as berms or diversion dikes, silt fence, straw bales, or other means necessary to prevent the escape of sediment from the area will be provided as needed. Good housekeeping practices will be used in the owner's area. Receptacles for debris and trash disposal shall also be provided.

7. Fuel Tanks

Temporary on-site fuel tanks for construction vehicles shall meet all State and Federal regulations. Tanks shall have secondary containment with the capacity required by the applicable regulations. The tanks shall be in good condition free of rust or other damage with proper construction establishment. Fuel storage areas will meet all SPCC, OSHA and other regulatory requirements for safety. Underground tanks will be used. Tanks shall be placed in a designated area and controlled sanitary shall be established in proper working condition at all times. The location of fuel tanks shall be shown on the Site Map.

8. Spill Prevention, Control and Countermeasure (SPCC) Plan must be developed if storage(s) of storage capacity at the construction site exceeds 1,320 gallons. Contractor shall meet sanitary requirements of designation of tanks and be trained in the prevention, containment, and response to spills and leaks. Contractor shall be the SPCC Plan and implement a SPCC Plan in accordance with the US Pollution Prevention regulations in Title 40 of the Code of Federal Regulations (CFR) Part 112 (40 CFR 112).

9. Hazardous Material Management and Spill Reporting Plan

Any hazardous or potentially hazardous material that is brought onto the construction site will be handled properly in order to reduce the potential for storm water pollution. All materials used on the construction site will be stored, used, and disposed of in accordance with the manufacturer's or applicable federal directions. Material Safety Data Sheets (MSDS) information will be kept on site for any and all applicable materials.

In the event of an accidental spill, immediate action will be undertaken by the Contractor to contain and remove any spilled material. All hazardous materials will be disposed of by the Contractor in the manner specified by Federal, State and Local regulations and by the manufacturer of such products. As soon as possible, the spill will be reported to the appropriate agencies. An emergency spill plan will be developed by the Contractor. All staff will be informed verbally and/or in writing of the spill plan. Spill prevention practices will be discussed at the pre-construction meeting. Spills of Toxic Materials in excess of the Federal limits will be properly reported. The Contractor will prepare a written report of any spill of petroleum products or hazardous substances in excess of reportable quantities and will provide notice to Owner within 24 hours of the occurrence of the spill.

Any spills of pollutants during site maintenance or operations within or adjacent to waters utilized by EPA shall be reported to the appropriate agency (i.e., the National Response Center (1-800-424-8802), in cases, 24 hr. Cass, Clay or Platte County Health Department, or an emergency response coordinator). Please see Attachment Section, Item 1, 40 CFR 110, 40 CFR 117, and 40 CFR 302 for reportable quantities and notification requirements. Maintain a record of the events in a log that includes a description of the spill, the cleanup activities completed, the date and time of the spill, and the person responsible for the spill. Site personnel should be familiar with the procedures required to control and clean up spills. Notification, cleanup, and disposal procedures must comply with applicable local, state, and federal regulations. Material spills should be recorded in a spill log and kept on file at the construction site. Spill kits should be located in material storage areas, on all vehicles, and in all construction trailers. Employees should be trained in spill containment and cleanup procedures.

10. Hazardous Waste

All hazardous waste materials will be disposed of in the manner specified by local or state regulations and by the manufacturer. Site personnel will be trained according to these practices. Sufficient quantities of these materials will be stored on site to clean up anticipated spills. Disposal of hazardous waste materials will be documented and records will be maintained by the Contractor.

11. Concrete Washout Area

Concrete washout area will be provided for concrete trucks and other concrete equipment. Concrete washout area will be located away from storm drains, open ditches or water bodies. Concrete washout area will be constructed in accordance with the Standard Specifications for Water and Sewer Construction in Illinois, latest edition. Concrete washout area will be maintained in accordance with the Standard Specifications for Water and Sewer Construction in Illinois, latest edition. Concrete washout area will be installed in accordance with the manufacturer's instructions and specifications. Concrete washout area will be maintained in accordance with the manufacturer's instructions and specifications. Concrete washout area will be maintained in accordance with the manufacturer's instructions and specifications.

C. CONSTRUCTION PHASE "BEST MANAGEMENT PRACTICES" (BMPs)

During the construction phase, the Contractor shall implement the following measures:

1. Materials resulting from the clearing and grubbing or excavation operations shall be stockpiled up slope from silt fence. Stockpiles shall be protected with appropriate erosion control measures. Excavated material is not to be placed in roadways, gutters, ditches, or drainage structures, and must be removed at the end of each working day.

2. The Contractor shall designate areas on the site plan for equipment cleaning, maintenance, and repair. The Contractor and sub-contractors shall utilize wash facilities for cleaning concrete, stucco, cleaning materials, and paints. Excess concrete or wash water shall not be discharged to storm sewers, roadways, ditches, streams, water bodies or wetland, and in areas located as far as practical from storm water inlets.

3. Use of detergents for large scale washing is prohibited (i.e. vehicles, buildings, personnel, surfaces, etc.).

4. Chemicals, paints, solvents, fertilizers and other toxic materials must be stored in water tight containers. Except during application, the containers must be kept in trailers or other storage facilities. Runoff containing these materials shall be collected, removed from the site, treated, and disposed of at an approved solid waste and chemical disposal facility.

D. OFF-SITE FACILITIES & THE OPERATIONAL CONTROL OF THE CONTRACTOR

Whenever dirt, mud, or other materials are tracked on the construction site or expected for placement in areas off of the primary construction site, the Contractor is responsible for immediately and at all times water sweeping and pollution control requirements are met for work site when roadway work requires or when water body activities are taken. Prior to the disturbance of any such site, Contractor will confirm that the operators of the site they are responsible for or controlling have been properly advised of required permits, and will comply with all laws, regulations and permit conditions applicable to said areas.

As an additional, work site pollution area that provides or receives material or is disposed to project activities must implement erosion and sediment control measures consisting of particular controls as of silent areas and silt dikes and sediment traps and must also provide for both temporary stabilization and for permanent non-vegetative after all disturbances are ended.

E. LOCAL PLANS

In addition to this SWPPP, construction activities associated with this project must comply with any guidelines set forth by Local regulatory agencies. The Contractor shall maintain documents addressing such compliance in this SWPPP.

F. INSPECTIONS AND SYSTEM MAINTENANCE

Between the Site Site SWPPP is fundamental and final status of construction has been submitted, all disturbed areas and pollutant controls must be inspected weekly and within 24 hours of the end of a storm event (0.5 inches or greater). The purpose of the inspections is to assess performance of pollutant controls. The inspections will be conducted by the Contractor's Compliance Officer. Based on the results of the inspection, the site description and pollution prevention measures identified in the SWPPP shall be revised as appropriate, but in no case later than 7 days following the inspection. Revisions to the SWPPP shall be made as necessary to ensure pollutant control practices are maintained at all times. Any sediment or other pollutants tracked off-site shall be removed at least daily. Any pollutant control measures that are damaged, ineffective, removed, or destroyed shall be repaired, maintained, or replaced, or additional steps as necessary to keep to address additional pollutant control.

Extension of disturbed areas by contractor during site inspections are listed below. This list is not intended to be comprehensive. During each inspection, the inspector must evaluate overall pollutant control system performance as well as individual controls at identified problem locations. The inspector must determine if additional controls are needed. Inspection forms should be maintained as appropriate for the development.

G. CONSTRUCTION EXIT AND TRUCK CUT

Locations where vehicles enter and exit the site must be inspected for evidence of off-site sediment tracking. A stabilized construction exit shall be maintained at each location where vehicles enter and exit. Each time that sediment is tracked off-site, additional work as necessary to prevent the release of sediment from vehicles leaving the site. Any sediment deposited on the roadway shall be removed by the end of the day. Sediment shall not be washed into storm sewer systems.

H. SEDIMENT CONTROL DEVICES

Each of the sediment control barriers must be inspected and they must be cleaned out at least three or four original capacity has been reduced by 50 percent of installed sediment storage. Silt fence must be repaired if there are breaches, undercutting, or collapse. Filter fabric will be replaced on an upland portion of the site and stabilized. Additional sediment barriers must be constructed as needed.

I. MATERIAL STORAGE AREAS

Inspections shall include material storage areas and areas used for storing materials that are exposed to rainfall for evidence of, or the potential for, pollutants entering the drainage system or discharging from the site. Appropriate measures for minimizing such exposure shall be implemented as necessary. The inspection shall include receptacles for hazardous waste. Hazardous waste must be disposed of in accordance with manufacturer's recommendations and waste disposal regulations. Broken containers must be replaced with new containers as soon as practicable.

J. VEHICLE STORAGE AREAS

Vehicle storage areas shall be inspected for evidence of, or the potential for, pollutants entering the drainage system or discharging from the site. Appropriate measures for minimizing such exposure shall be implemented as necessary. The inspection shall include receptacles for hazardous waste. Hazardous waste must be disposed of in accordance with manufacturer's recommendations and waste disposal regulations. Broken containers must be replaced with new containers as soon as practicable. Any pollutants that have come in contact with precipitation must be cleaned up immediately.

K. DISCHARGE POINTS

Each discharge point shall be inspected to determine whether erosion and sediment control measures are effective in preventing discharge of sediment from the site or impacts to receiving waters.

L. RECORDKEEPING

The Inspection Report Form must identify all deficiencies, any corrections, whether they are identified during the current inspection, or during a previous inspection. Deficiencies must be corrected by the next scheduled inspection. Based on inspection results, any maintenance necessary to correct deficiencies in the SWPPP or to accomplish them must be made immediately. Any revisions to the SWPPP must be completed within 7 calendar days following the inspection. All revisions to the SWPPP should be initialed if needed to help describe it. Attached, an important aspect of the inspection report is the description of the actions taken to implement the SWPPP. The report must include a statement that the site is in compliance with the SWPPP at the time of inspection and significantly identify all incidents of non-compliance.

The Inspection Report Form must summarize the scope of the inspection, name(s) and qualifications of personnel making the inspection, the date(s) of the inspection, and major observations relating to the implementation of the SWPPP, and actions taken in accordance with section 4.0 shall be made and retained as part of the plan for at least one year after the date of the inspection. The report shall be signed in accordance with Part V.G.2 of the General Permit.

If any violation of the provisions of this plan is identified during the conduct of the construction work covered by this plan, the Contractor's Compliance Officer shall complete and file an "Individual Incident Report" (IIR) report for the identified violation. The Contractor's Compliance Officer shall on forms provided by the IEPA and shall include specific information on the cause of noncompliance, actions taken and any additional measures that may be necessary to achieve compliance. In addition, the report of noncompliance shall be signed by a responsible authority in accordance with part V.G.2 of the General Permit. The report shall be submitted in accordance with the following schedule:

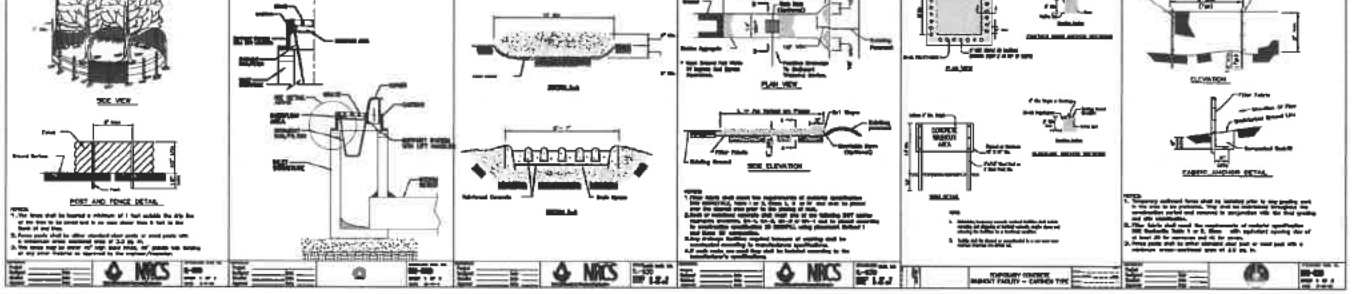
Illinois Environmental Protection Agency
Division of Water Pollution Control
Attn: Compliance Unit
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

Ultimately, it is the responsibility of the General Contractor to ensure the adequacy of the pollutant discharge controls listed above and the compliance of Contractor personnel. Failure to comply with the terms of this plan may result in the issuance of a Stop Work Order by the Owner, Municipality or authorized local agency. Failure to comply with the terms of this plan may result in the issuance of a Stop Work Order by the Owner, Municipality or authorized local agency. Failure to comply with the terms of this plan may result in the issuance of a Stop Work Order by the Owner, Municipality or authorized local agency.

M. ADDITIONAL STANDARD NOTES

UPDATED: MAY 15, 2017

1. Unless otherwise indicated, all vegetative and structural erosion and sediment control practices will be constructed according to minimum standards and specifications in the Illinois urban manual revised February 2002.
2. The temporary and water conservation details (KDSWCD) must be notified one week prior to the pre-construction conference, one week prior to the commencement of land disturbing activities, and one week prior to the final inspection.
3. A copy of the approved erosion and sediment control plan shall be maintained on the site at all times.
4. Prior to commencing land-disturbing activities in areas other than indicated on these plans (including but not limited to, additional phases of development and off-site borrow or waste areas) a supplementary erosion control plan shall be submitted to the owner for review by the KDSWCD.
5. The contractor is responsible for installation of any additional erosion control measures necessary to prevent erosion and sedimentation as determined by the KDSWCD.
6. During de-watering operations, water will be pumped into sediment basins or silt traps. De-watering directly into field tiles or stormwater structures is prohibited.
7. During de-watering operations, water will be pumped into sediment basins or silt traps. De-watering directly into field tiles or stormwater structures is prohibited.
8. Also, please add note to state that, "It is the responsibility of the landowner and/or general contractor to inform any sub-contractor(s) who may perform work on this project, of the requirements in implementing and maintaining these erosion control plans and the national pollutant discharge elimination system (NPDES) permit requirements set forth by the Illinois EPA."
9. All drop inlets on and adjacent to the site must have a sediment trapping or containment device installed during construction activities. Filter fabric on its own is not an approved method. A manufacture's spec may be used for prefabricated drop inlet protection as long as it is as restrictive as the Illinois Urban Manual Standard 881 for Inlet Protection.



CONTRACTOR'S RESPONSIBILITY
IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY ALL PARTIES INVOLVED WITH THIS PROJECT OF ANY DISCREPANCIES, ANY CONFLICTS WITH OR ERRORS OR OMISSIONS IN THE PLANS, SPECIFICATIONS AND/OR OTHER CONTRACT DOCUMENTS BEFORE ANY WORK IS PERFORMED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY AND ALL ERRORS AND OMISSIONS THAT ARE NOT REPORTED BEFORE THE WORK IS PERFORMED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY AND ALL ERRORS AND OMISSIONS THAT ARE NOT REPORTED BEFORE THE WORK IS PERFORMED.

CONCRETE WASHOUT NOTE
ALL CONCRETE WASHOUT SHOULD BE CONTAINED AT ALL TIMES. WASHOUT FACILITIES SHOULD NOT BE ALLOWED TO EXCEED 75% OF CAPACITY AND SHOULD NOT BE ALLOWED TO EXCEED BEYOND OR LEACH INTO THE SOIL UNDER ANY CIRCUMSTANCES. ANY WASTE SHALL BE DISPOSED OF PROPERLY AND THE LOCATION OF THE WASHOUT SHOULD BE DESIGNATED WITH PROPER SIGNAGE. FAILURE TO CORRECTLY COULD RESULT IN AN INCIDENCE OF NONCOMPLIANCE(S).

TEMPORARY CONCRETE WASHOUT FACILITY – EARTHEN TYPE

TEBRUGGE ENGINEERING
410 E. CHURCH STREET - SUITE A • SANDWICH, IL 60548
PHONE: (815) 786-8185 TEBRUGGEENGINEERING.COM

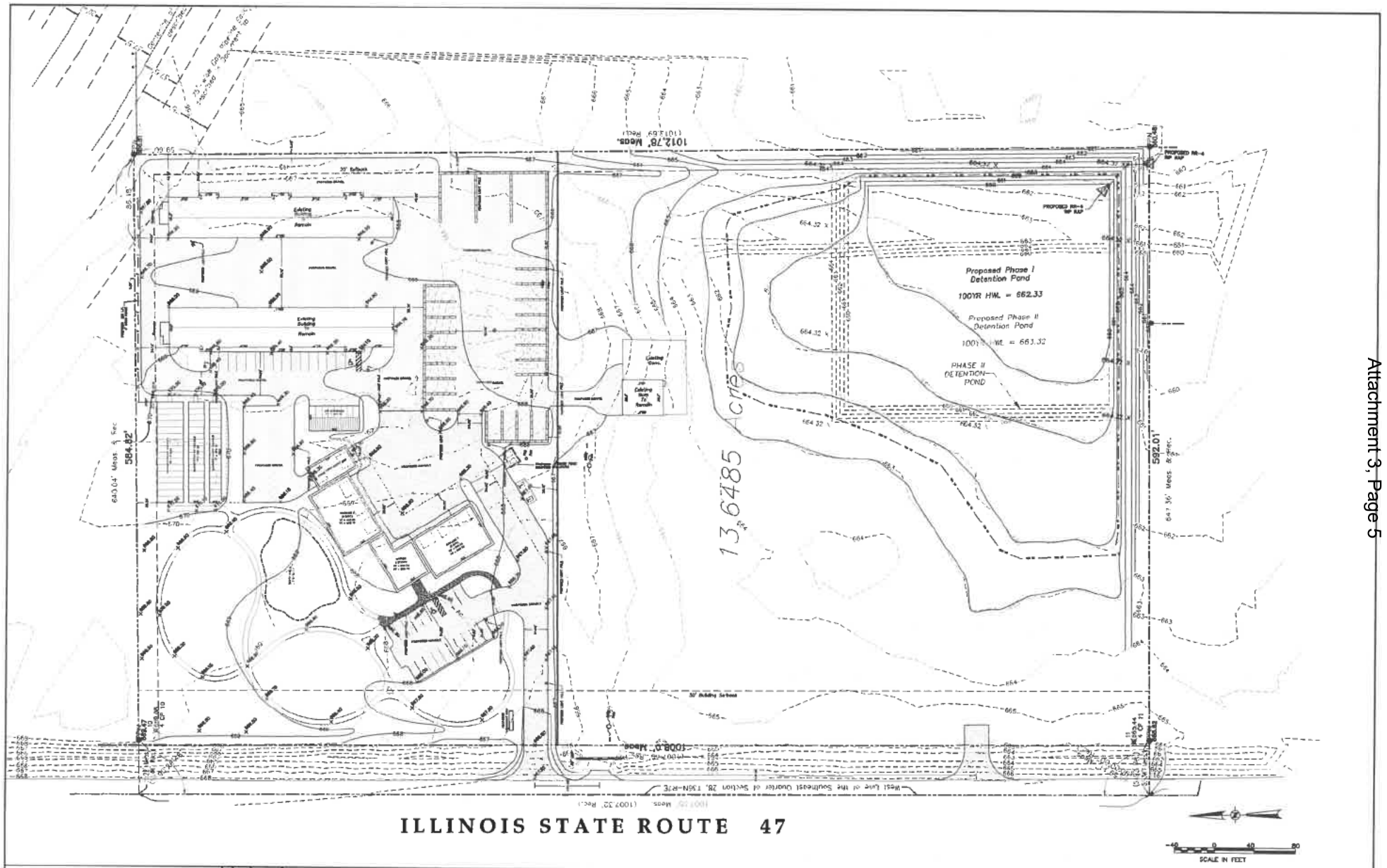
REVISIONS	NO.	DATE	NOTES

PREPARED FOR:
ALWAYS FAITHFUL PROPERTIES, LLC
1215 DEER ST., YORKVILLE, IL 60560

SEMPER FI LAND SITE PLAN - 10744 US ROUTE 47 - YORKVILLE
STORM WATER POLLUTION PREVENTION PLAN

PROJECT NO.	21 493 01
SCALE:	NTS
DATE:	JUNE 30, 2021
SHEET NO.	4
	OF 5 SHEETS

Attachment 3, Page 4



TEBRUGGE ENGINEERING
410 E. CHURCH STREET - SUITE A • SANDWICH, IL 60548
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REVISIONS	NO.	DATE	NOTES

PREPARED FOR:
ALWAYS FAITHFUL PROPERTIES, LLC
1215 DEER ST., YORKVILLE, IL 60560

SEMPER FI LAND SITE PLAN - 10744 US ROUTE 47 - YORKVILLE
CIVIL SITE PLAN

PROJECT NO. 21 493 07
SCALE 1" = 40'
DATE BID NO. 2023

SHEET NO. 5 OF 6 SHEETS

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 SEWER 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 ARE 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 ACCURACY, SUFFICIENCY OR EXACTNESS OF THESE UTILITY REPRESENTATIONS.

8. PRIOR TO STARTING CONSTRUCTION THE CONTRACTOR SHALL CONTACT THE OFFICE OF J.U.L.I.E. AT 1-800-892-0123 FOR EXACT FIELD LOCATION OF ALL UNDERGROUND FACILITIES IN THE VICINITY OF, AND ON, THE PROJECT SITE. IF THERE ARE ANY UTILITIES WHICH ARE NOT MEMBERS OF THE J.U.L.I.E. SYSTEM, THE CONTRACTOR SHALL BE TOTALLY 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 THOSE UTILITY LINES AND FOR THEIR PROTECTION FROM DAMAGE DUE TO CONSTRUCTION OPERATIONS. IF EXISTING UTILITY LINES OF ANY NATURE ARE ENCOUNTERED WHICH CONFLICT IN LOCATION WITH THE PROPOSED 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 STRUCTURES TO OUTLET INTO A PROPOSED DRAINAGE WAY. IF CLAIMED BE ACCOMPLISHED, THEN IT SHALL BE REPAIRED WITH NEW PIPE OF SIMILAR SIZE AND MATERIAL TO THE ORIGINAL LINE AND PUT IN ACCEPTABLE OPERATIONAL CONDITION. A RECORD OF THE LOCATION OF ALL TILE FOR ONSITE 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 OWNERS.

12. THE ENGINEER AND OWNER ARE NOT RESPONSIBLE FOR THE CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES OR PROCEDURES, OR FOR 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 THEIR 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 ASSEMBLING OF THE WORK RETURNED ON THIS PROJECT. IT SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR TO PERFORM THE WORK OF THIS CONTRACT IN A MANNER WHICH IS STRICTLY COMPLIED WITH ANY AND ALL APPLICABLE 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 MATERIAL (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, JOINTS, AND CONFORMING TO ASTM C-76. JOINTS SHALL TYPICALLY BE A "TYLENOL APPLIED" BITUMINOUS MASTIC COMPOUND IN ACCORDANCE WITH ASTM C-76 (OR C-443 AS MAY BE APPLICABLE OR RUBBER "O"-RING GASKET JOINTS CONFORMING TO ASTM D-443). LOCATIONS WHERE THE STORM SEWER CROSSES WATERMAINS ARE "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 PLATED 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 06.12 CURB AREAS, AND NEENAH R-3606 (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 THIS 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 FOR 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 CUTS 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 MANHOLE, 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, SUCH 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 FOR BUILDING PADS 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-1557 (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 THE REQUEST OF THE PROSPECTIVE BIDDER AT HIS OWN EXPENSE. THERE WILL BE NO ADDITIONAL COMPENSATION 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 PLACEMENT OF PAVEMENT BASE MATERIALS, THE PAVING CONTRACTOR SHALL FINE GRADE THE SUBGRADE SO AS TO ENSURE 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 0.25 GALLONS PER SQUARE YARD. UNLESS SHOWN AS A TWO TON, 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 0.15 GALLONS PER SQUARE YARD.

6. CURBING 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 3,000 PSI COMPRESSIVE STRENGTH AT 28 DAYS. CONTRACTION JOINTS SHALL BE SET AT 5' CENTERS, AND 3/4" PRE-MOLDED 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. 3 REINFORCING BARS (10' MINIMUM LENGTH). ALL SIDEWALKS CROSSING DRIVEWAYS SHALL BE A MINIMUM OF 6" THICK AND REINFORCED WITH 6X6 #8 WELDED WIRE MESH. ALL SIDEWALKS SHALL BE BROOM FINISHED. IF A MANHOLE 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.

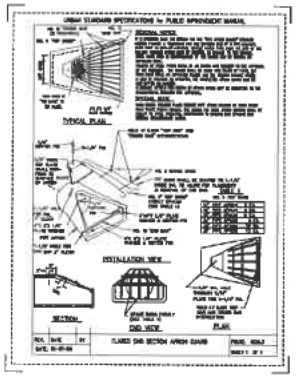
10. TESTING OF THE SUB-BASE, BASE COURSE, BINDER COURSE, SURFACE COURSE AND CONCRETE WORK SHALL BE REQUIRED IN ACCORDANCE WITH THE "I.D.O.T. STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION" CURRENT EDITION, AND IN ACCORDANCE WITH THE SPECIFIC REQUIREMENTS OF THE GOVERNING MUNICIPALITY. A QUALIFIED 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 780 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.

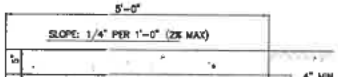




1 1/2" HMA IL-9.5, N-50 SURFACE COURSE
2 1/2" HMA IL-19, N-50 BINDER COURSE

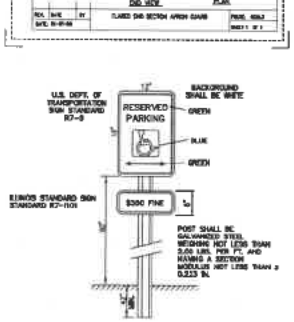
10" AGGREGATE COURSE, TYPE A, CA-6

TYPICAL PAVEMENT DETAIL



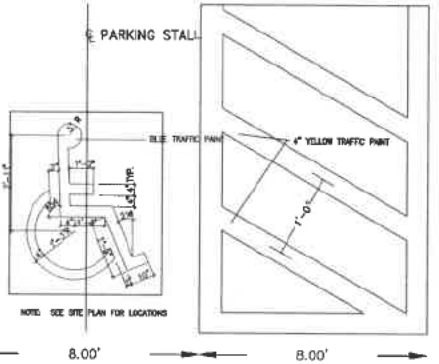
NOTES:
1. INSTALL TOOL JOINTS EVERY 5' CONCRETE TO BE 6" THICK AT DRIVEWAYS.
2. ANY SIDEWALK THAT IS DAMAGED OR NOT ADA COMPLIANT, INCLUDING SIDEWALK RAMPS, MUST BE REPLACED PRIOR TO FINAL INSPECTION APPROVAL.

SIDEWALK
N.T.S.

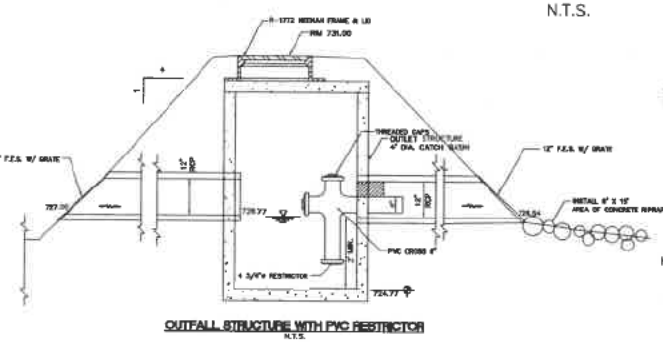


LOCATE SIGN AT EACH END OF HANDICAP PARKING AREA, 2 FT. FROM EDGE OF PAVEMENT

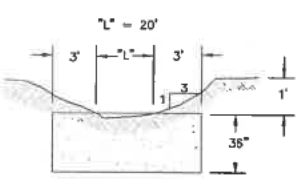
HANDICAP PARKING SIGN



HANDICAPPED PARKING DETAIL
N.T.S.



OUTFALL STRUCTURE WITH PVC RESTRICTOR
N.T.S.



FRONT VIEW



SIDE VIEW

NOTE:
"L" IS SIZED TO PASS 100 YR EVENT WITH ONE FOOT DEPTH OF WATER

CONCRETE OVERFLOW DETAIL
N.T.S.

ALL DISTURBED AREAS SHALL BE SEEDED WITH IDOT CLASS 1A SEEDMIX

TEBRUGGE ENGINEERING
410 E. CHURCH STREET - SUITE A • SANDWICH, IL 60548
PHONE: (815) 246-3190 TEBRUGGEENGINEERING.COM

REVISIONS	NO.	DATE	NOTES

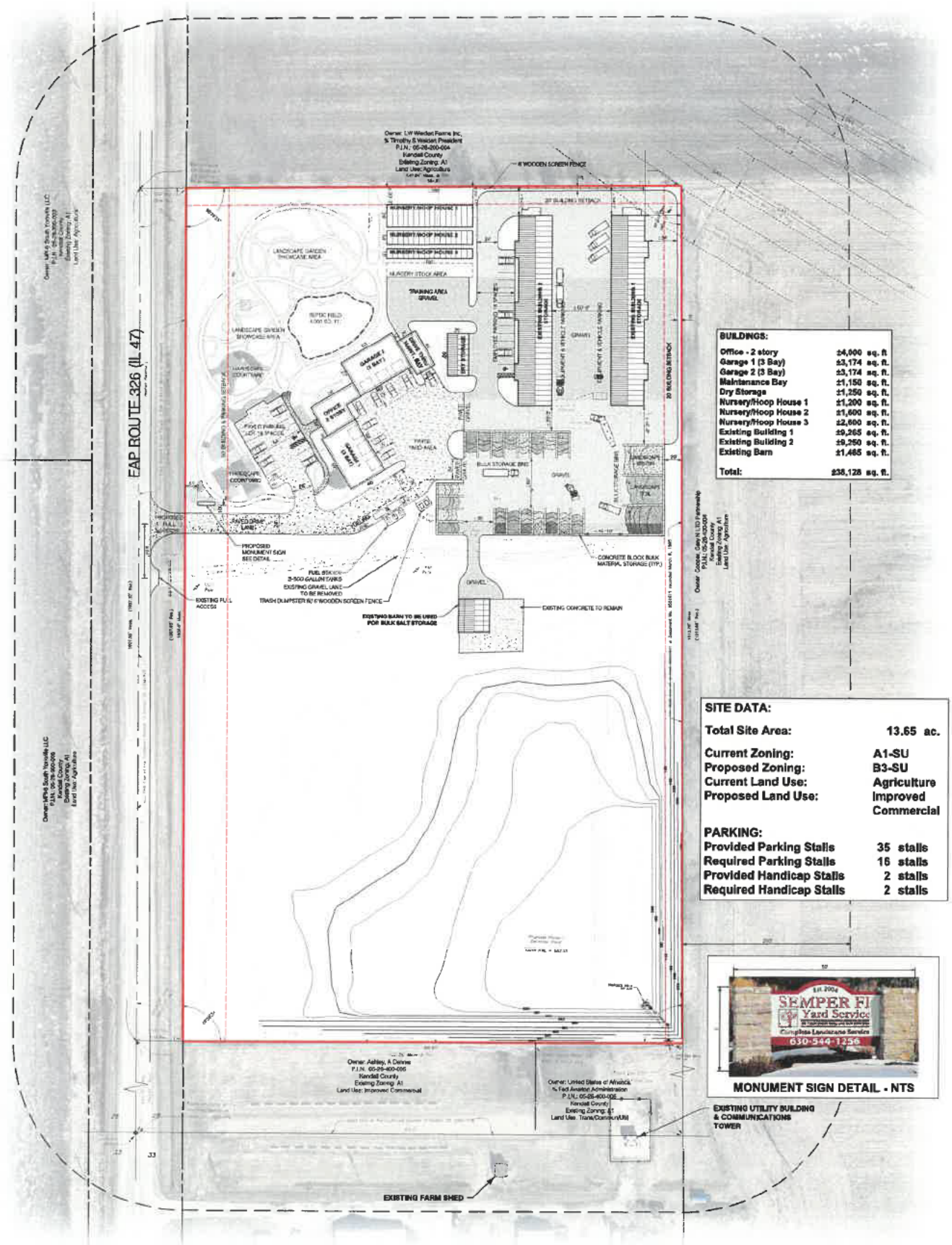
PREPARED FOR:
ALWAYS FAITHFUL PROPERTIES, LLC
1215 DEER ST., YORKVILLE, IL 60560

SEMPER FI LAND SITE PLAN - 10744 US ROUTE 47 - YORKVILLE
GENERAL NOTES & DETAILS

PROJECT NO.	21 493 01
SCALE:	NTS
DATE:	JUNE 30, 2021
SHEET NO.	6
	OF 6 SHEETS

SEMPER FI ROUTE 47 PROPERTY

Kendall County, Illinois



BUILDINGS:

Office - 2 story	±4,000 sq. ft.
Garage 1 (3 Bay)	±3,174 sq. ft.
Garage 2 (3 Bay)	±3,174 sq. ft.
Maintenance Bay	±1,150 sq. ft.
Dry Storage	±1,250 sq. ft.
Nursery/Hoop House 1	±1,200 sq. ft.
Nursery/Hoop House 2	±1,600 sq. ft.
Nursery/Hoop House 3	±2,600 sq. ft.
Existing Building 1	±9,265 sq. ft.
Existing Building 2	±9,250 sq. ft.
Existing Barn	±1,465 sq. ft.
Total:	±38,128 sq. ft.

SITE DATA:

Total Site Area:	13.65 ac.
Current Zoning:	A1-SU
Proposed Zoning:	B3-SU
Current Land Use:	Agriculture
Proposed Land Use:	Improved Commercial

PARKING:

Provided Parking Stalls	35 stalls
Required Parking Stalls	16 stalls
Provided Handicap Stalls	2 stalls
Required Handicap Stalls	2 stalls

MONUMENT SIGN DETAIL - NTS

SITE PLAN

25' 100' 200'

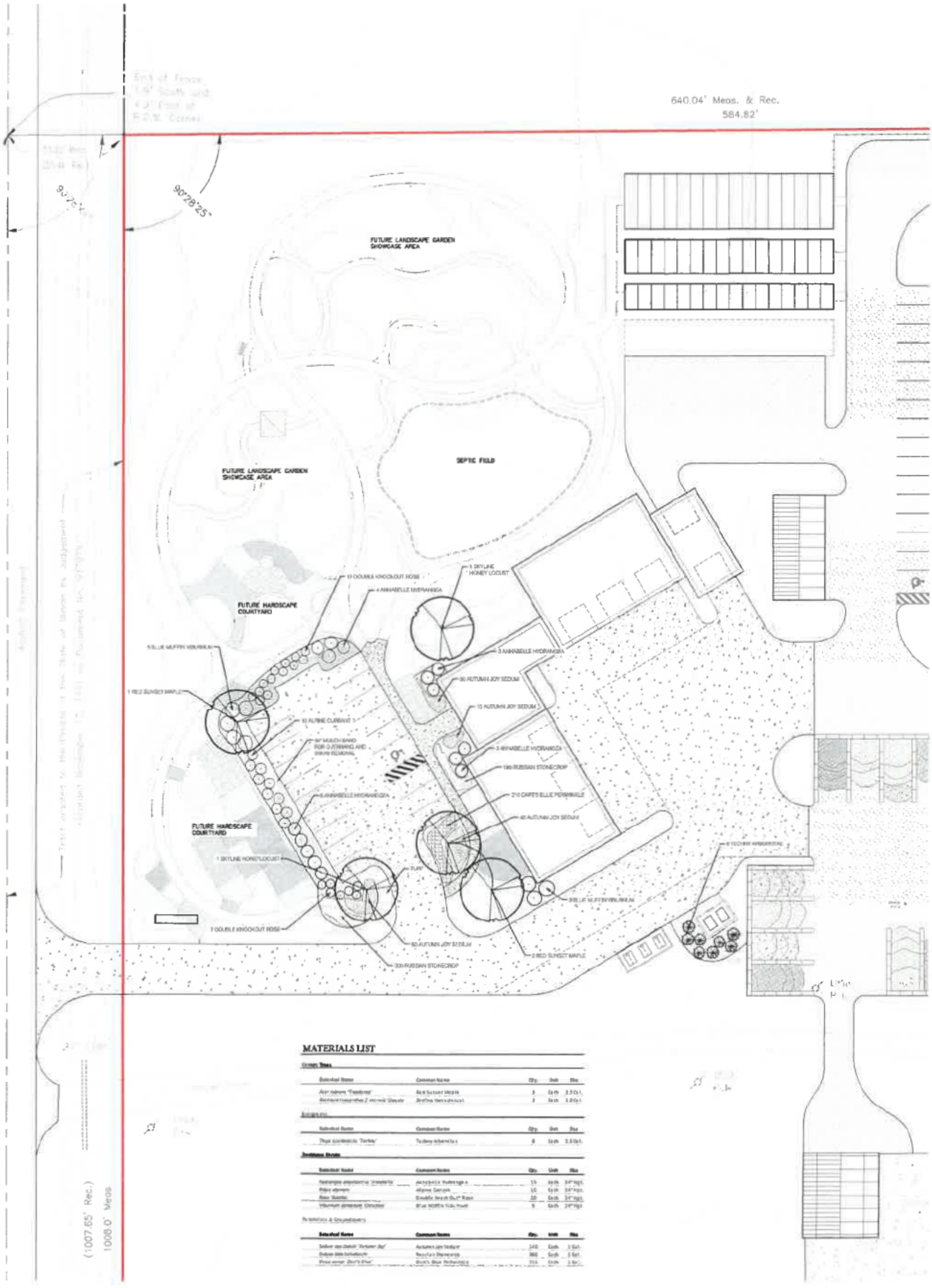
Prepared For: ALWAYS FAITHFUL PROPERTIES, LLC [redacted]

Prepared By:
Date: December 29, 2020
Revised: August 18, 2021

sda Schoppe Design Associates, Inc. LAND PLANNING & LANDSCAPE ARCHITECTURE
126 S. Main Street
Oswego, IL 60543
p: 630.551-3355
f: 630 551-3629
schoppedesign.net

SEMPER FI ROUTE 47 PROPERTY

Kendall County, Illinois



MATERIALS LIST

Deciduous Trees

Botanical Name	Common Name	Qty.	Unit	Size
Acer rubrum 'Franksred'	Red Sunset Maple	3	Each	2.5 Cal.
Amelanchier x grandiflora 'Autumn Brilliance'	Autumn Brilliance Serviceberry	3	Each	2.5 Cal.

Evergreens

Botanical Name	Common Name	Qty.	Unit	Size
Thuja occidentalis 'Techny'	Techny Arborvitae	8	Each	2.5 Cal.

Deciduous Shrubs

Botanical Name	Common Name	Qty.	Unit	Size
Hydrangea arborescens 'Annabelle'	Annabelle Hydrangea	15	Each	24" Hgt.
Potentilla fruticosa	Alpine Currant	10	Each	24" Hgt.
Rosa 'Radtko'	Double Knock Out® Rose	20	Each	24" Hgt.
Viburnum dentatum 'Christom'	Blue Muffin Viburnum	5	Each	24" Hgt.

Perennials & Groundcovers

Botanical Name	Common Name	Qty.	Unit	Size
Sedum spectabile 'Autumn Joy'	Autumn Joy Sedum	145	Each	1 Gal.
Sedum ellacombianum	Russian Stonecrop	300	Each	1 Gal.
Vinca minor 'Bowle's Blue'	Bowle's Blue Periwinkle	210	Each	1 Gal.

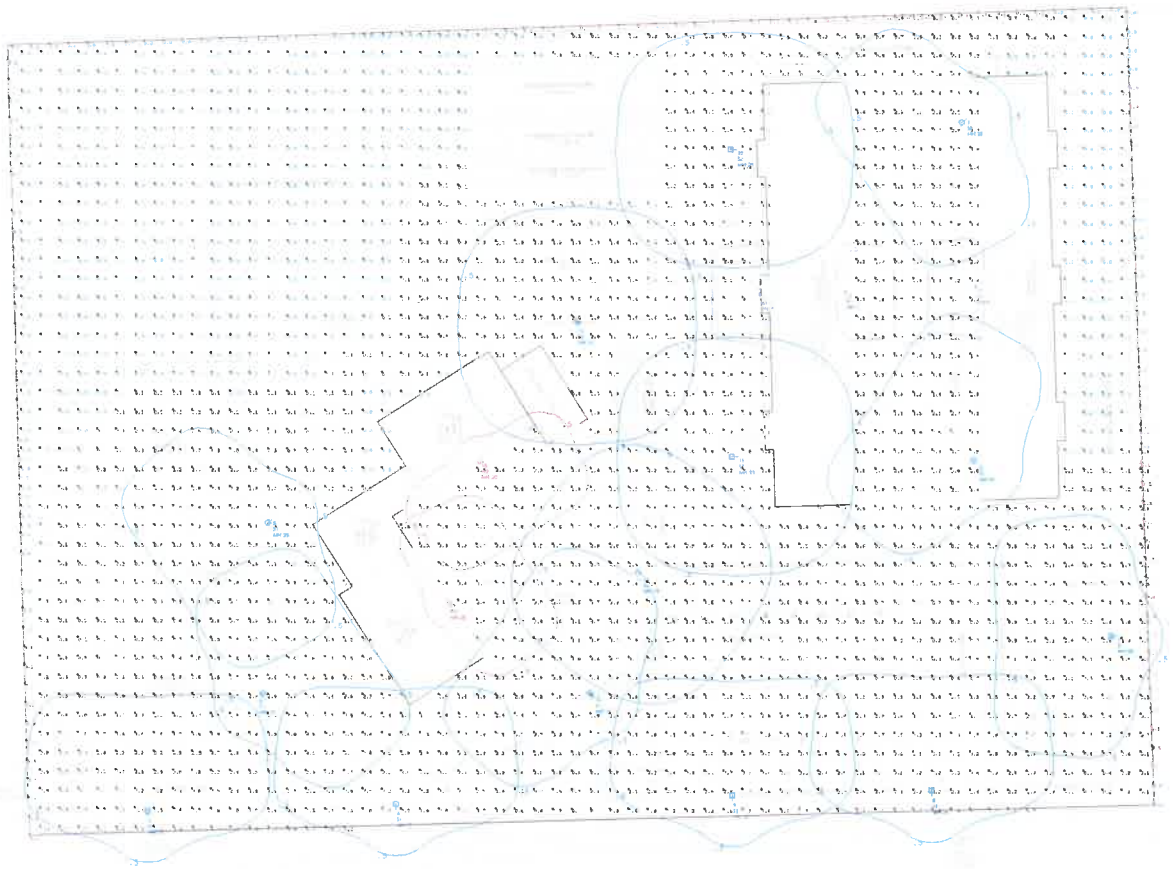
Prepared for: ALWAYS FAITHFUL PROPERTIES, LLC

LANDSCAPE PLAN

10' 40' 80'

Prepared By:
Date: AUGUST 18, 2021

sda
Schoppe Design Associates, Inc.
LAND PLANNING & LANDSCAPE ARCHITECTURE
126 S. Main Street
Chicago, IL 60543
p: 630 551-1335
f: 630 551-1619
schoppedesign.net



Luminaire Location Summary				
LumNo	Label	Mtg Ht	Orient	Tilt
1	RAR2-320L-165-4K7-4W (1)	25	215	0
2	RAR2-320L-165-4K7-4W (1)	25	145	0
3	RAR2-320L-165-4K7-4W (1)	25	90	0
4	RAR2-320L-165-4K7-4W (1)	25	90	0
5	RAR2-320L-165-4K7-4W (1)	25	215	0
6	RAR2-320L-165-4K7-4W (1)	25	35	0
7	RAR2-320L-165-4K7-4W (1)	25	180	0
8	RAR2-320L-165-4K7-4W (1)	25	90	0
9	RAR2-320L-165-4K7-4W (1)	25	90	0
10	RAR2-320L-165-4K7-4W (1)	25	145	0
11	RAR2-320L-165-4K7-5QW (1)	25	180	0
12	RAR2-320L-165-4K7-5QW (1)	25	180	0
13	RAR2-320L-165-4K7-5QW (1)	25	90	0
14	RAR2-320L-165-4K7-5QW (1)	25	145	0
15	RWL1-48L-25-4K7-4W	9	180	0
16	RWL1-48L-25-4K7-4W	9	0	0
17	RWL1-48L-25-4K7-4W	9	180	0
18	RWL2-160L-80-4K7-4W	20	302	0
19	RWL2-160L-80-4K7-4W	20	32	0

Luminaire Schedule - Part numbers are provided by the manufacturer and are only intended to be used as a reference to output and optics used.

Symbol	Qty	Tag	Arrangement	Lum. Watts	Arr. Watts	Lum. Lumens	Arr. Lum. Lumens	LLF	Manufacturer	Description
	10	S1	SINGLE	153.6	153.6	21310	21310	0.900	HUBBELL OUTDOOR	RAR2-320L-165-4K7-4W-UNV-AX-X
	4	S2	SINGLE	153.6	153.6	21834	21834	0.900	HUBBELL OUTDOOR	RAR-2-320L-165-4K7-5QW-UNV-AX-X
	3	W1	SINGLE	28	28	3679	3679	0.900	HUBBELL OUTDOOR	RWL1-48L-25-4K7-4W-UNV-X
	2	W2	SINGLE	80.8	80.8	11137	11137	0.900	HUBBELL OUTDOOR	RWL2-160L-80-4K7-4-UNV-X

Calculation Summary

Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min	Description
PROPERTY LINES	Illuminance	Fc	0.10	0.8	0.0	N.A.	N.A.	READINGS @ GRADE
SITE_Planar	Illuminance	Fc	1.17	5.2	0.0	N.A.	N.A.	READINGS @ GRADE
DRIVE LANE-FRONT-REAR PARKING	Illuminance	Fc	2.79	5.2	0.4	6.98	13.00	READINGS @ GRADE
EMPLOYEE PARKING-TRAINING AREAS	Illuminance	Fc	1.53	4.2	0.5	3.06	8.40	READINGS @ GRADE
TRUCK PARKING-STORAGE AREAS	Illuminance	Fc	1.66	4.1	0.2	8.30	20.50	READINGS @ GRADE

Parking Lot Design Guide	Basic (for typical conditions)	Basic Enhanced Security (in consideration of security or vandalism)	Security (security lighting for public spaces)	High Security (security lighting for public spaces)
	lux/fc	lux/fc	lux/fc	lux/fc
Minimum Horizontal Illuminance (Measured on parking surface without any shadowing from any object)	2.0/0.2	5.0/0.5	10.0/1.0	30.0-60.0/3.0-6.0
Uniformity Ratio Maximum - to - Minimum	20:1	15:1	15:1	*4:1 *Avg-Min
Minimum Vertical Illuminance (for facial recognition measured at 5' above the parking surface at the point of lowest horizontal illuminance)	1.0/0.1	2.5/0.25	5.0-8.0/0.5-0.8	12-60/1.2-6.0

Recommendations based on RP-33-99, RP-20-98, 9th Edition IESNA Lighting Handbook

PG-Enlighten is neither licensed nor insured to determine code compliance. Code compliance review by others.

enlighten

#	Date	Revisions
		Comment

Drawn By: Joeli Collins
Drawn By: joeli.collins@pg-enlighten.com
Date: 8/12/2021
Scale: 1" = 30'

Project Name: **SEMPER FI**

Location: 10744 US ROUTE 47, YORKVILLE, IL

HUBBELL Outdoor Lighting

DATE: LOCATION:

TYPE: PROJECT:

CATALOG #:

RATIO Series

AREA/SITE LIGHTER

FEATURES

- Low profile LED area/site luminaire with a variety of IES distributions for lighting applications such as retail, commercial and campus parking lots
- Featuring Micro Strike Optics which maximizes target zone illumination with minimal losses at the house-side, reducing light trespass issues
- Visual comfort standard
- Compact and lightweight design with low EPA
- 3G rated for high vibration applications including bridges and overpasses
- Control options including photo control, occupancy sensing, NX Distributed Intelligence™ and 7-Pin with networked controls
- Best in class surge protection available

c UL us IP66 DLC DLC PREMIUM BUY AMERICAN SOLUTIONS

See Certification Specifications



RELATED PRODUCTS

Airo | Cimarron LED | Ratio Family

CONTROL TECHNOLOGY

SiteSync LIGHTING CONTROL | NX DISTRIBUTED INTELLIGENCE | wiSCAPE

SPECIFICATIONS

CONSTRUCTION

- Rectilinear form mimics the traditional shoebox form factor keeping a similar but updated style and appearance, ideal for retrofit applications
- Die-cast housing with hidden vertical heat fins that are optimal for heat dissipation while keeping a clean smooth outer surface
- Corrosion resistant, die-cast aluminum housing with powder coat paint finish

OPTICS

- Entire optical aperture illuminates to create a larger luminous surface area resulting in a low glare appearance without sacrificing optical performance
- 80, 160, 320 or 480 midpower LEDs
- 3000K, 4000K or 5000K (70 CRI) CCT
- Zero uplight at 0 degrees of tilt
- Field rotatable optics

INSTALLATION

- Standard square arm mount, compatible with B3 drill pattern
- Optional universal mounting block for ease of installation during retrofit applications. Available as an option or accessory for square and round poles.
- Knuckle arm fitter option available for 2-3/8" OD tenon. Max tilt of 60 degrees with 4 degree adjustable increments. (Restrictions apply for 7-pin options)

ELECTRICAL

- Universal 120-277 VAC or 347-480 VAC input voltage, 50/60 Hz

ELECTRICAL (CONTINUED)

- Ambient operating temperature -40°C to 40°C
- Drivers have greater than 90% power factor and less than 20% THD
- LED drivers have output power over-voltage, over-current protection and short circuit protection with auto recovery
- Field replaceable surge protection device provides 20kA protection meeting ANSI/IEEE C62.41.2 Category C High and Surge Location Category C3; Automatically takes fixture off-line for protection when device is compromised

CONTROLS

- Photo control, occupancy sensor and wireless available for complete on/off and dimming control
- 7-pin ANSI C136.41-2013 photocontrol receptacle option available for twist lock photocontrols or wireless control modules (control accessories sold separately)
- 0-10V dimming leads available for use with control devices (provided by others, must specify lead length)
- SiteSync™ wireless control system is available via 7-pin See ordering information and details at: www.hubbelllighting.com/sitesync
- NX Distributed Intelligence™ available with in fixture wireless control module, features dimming and occupancy sensor
- wiSCAPE® available with in fixture wireless control module, features dimming and occupancy sensor via 7-pin

CERTIFICATIONS

- DLC® (DesignLights Consortium Qualified), with some Premium Qualified configurations. Please refer to the DLC website for specific product qualifications at www.designlights.org
- Listed to UL1598 and CSA C22.2#250.0-24 for wet locations and 40°C ambient temperatures
- 3G rated for ANSI C136.31 high vibration applications
- Fixture is IP66 rated
- Meets IDA recommendations using 3K CCT configuration at 0 degrees of tilt
- This product qualifies as a "designated country construction material" per FAR 52.225-11 Buy American-Construction Materials under Trade Agreements effective 04/23/2020. See Buy American Solutions

WARRANTY

- 5 year limited warranty
- See HLI Standard Warranty for additional information

KEY DATA	
Lumen Range	3,000–48,000
Wattage Range	25–340
Efficacy Range (LPW)	118–155
Fixture Projected Life (Hours)	L70>60K
Weights lbs. (kg)	13.5–24 (6.1–10.9)

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HUBBELL Lighting

HUBBELL Outdoor Lighting

DATE: LOCATION:

TYPE: PROJECT:

CATALOG #:

RATIO SERIES

AREA/SITE LIGHTER

ORDERING GUIDE

Example: RAR1-80L-25-3K7-2-UNV-ASQ-BL-NXWE-BC

CATALOG #

ORDERING INFORMATION

Series		# LEDs - Wattage		CCT/CRI		Distribution		Optics Rotation		Voltage	
RAR1	Ratio Area Size 1	**80L-25**	25W - 3,000 Lumens	**3K7**	3000K, 70 CRI	**2**	IES TYPE II	Blank for no rotation		**UNV**	Universal 120-277V
		80L-39	39W -5,200 Lumens	**4K7**	4000K, 70 CRI	**3**	IES TYPE III	**L**	Optic rotation left	**120**	120V
		80L-50	50W - 6,000 Lumens	**5K7**	5000K, 70 CRI	**4W**	IES TYPE IV	**R**	Optic rotation right	**208**	208V
		160L-70	70W - 9,000 Lumens			**5QW**	IES TYPE V			**240**	240V
		160L-100	100W - 12,000 Lumens							**277**	277V
		160L-115	115W - 15,000 Lumens							**347**	347V
		160L-135	135W - 18,000 Lumens							**480**	480V
RAR2	Ratio Area Size 2	**320L-110**	110W - 15,000 Lumens								
		320L-140	140W - 18,000 Lumens								
		320L-165	165W - 21,000 Lumens								
		480L-185	185W - 24,000 Lumens								
		480L-210	210W - 27,000 Lumens								
		480L-240	240W - 30,000 Lumens								
		480L-255	255W - 36,000 Lumens								
		480L-295	295W - 42,000 Lumens								
		480L-340	340W - 48,000 Lumens								

Mounting		Color		Control Options Network		Options	
ASQ	Arm mount for square pole/flat surface	**BLT**	Black Matte Textured	**NXWE**	NX Wireless Enabled (module + radio)	**BC**	Backlight control
ASQU	Universal arm mount for square pole/flat surface	**BLS**	Black Gloss Smooth	**NXSPW_F**	NX Wireless, PIR Occ. Sensor, Daylight Harvesting[2]	**CD**	Continuous dimming
Mounting Round Poles		**DBT**	Dark Bronze Matte Textured	**NXSP_F**	NX, PIR Occ. Sensor, Daylight Harvesting[2]	**F**	Fusing (must specify voltage)
A_	Arm mount for round pole[1]	**DBS**	Dark Brone Gloss Smooth	**Control Options Other**		**TB**	Terminal block
A_U	Universal arm mount for round pole[1]	**GTT**	Graphite Matte Textured	**SCP-40F**	Programmable occupancy sensor[4]	**2PF**	2 power feed with 2 drivers[3]
Mounting Other		**LGS**	Light Grey Gloss Smooth	**7PR**	7-Pin twist lock receptacle		
WB	Wall bracket	**PSS**	Platinum Silver Smooth	**7PR-SC**	7-Pin receptacle with shorting cap		
MAF	Mast arm fitter for 2-3/8" OD horizontal arm	**WHT**	White Matte Textured	**7PR-MD40F**	Low voltage sensor for 7PR		
K	Knuckle	**WHS**	White Gloss Smooth	**7PR-TL**	7-Pin PCR with photocontrol		
		VGT	Verde Green Textured				
		Color Option					
		CC	Custom Color				

Notes:

1 Replace "_" with "3" for 3.5"-4.13" OD pole, "4" for 4.18"-5.25" OD pole, "5" for 5.5"-6.5" OD pole

2 Replace "_" with "14" for up to 14' mounting height, "30F" for 15-30' mounting height

3 Not available with 25, 50, 255, 295 & 340W configurations

4 At least one SCPREMOTE required to program SCP motion sensor

STOCK ORDERING INFORMATION

Catalog Number	Lumens	Wattage	LED Count	CCT/CRI	Voltage	Distribution	Mounting	Finish
RAR1-100-4K-3	12,000	100W	160L	4000K/70CRI	120-277V	Type 3	Square Arm	Bronze
RAR1-100-4K-4W	12,000	100W	160L	4000K/70CRI	120-277V	Type 4W	Square Arm	Bronze
RAR1-135-4K-3	18,000	135W	160L	4000K/70CRI	120-277V	Type 3	Square Arm	Bronze
RAR1-135-4K-4W	18,000	135W	160L	4000K/70CRI	120-277V	Type 4W	Square Arm	Bronze
RAR2-165-4K-3	21,000	165W	320L	4000K/70CRI	120-277V	Type 3	Square Arm	Bronze
RAR2-165-4K-4W	21,000	165W	320L	4000K/70CRI	120-277V	Type 4W	Square Arm	Bronze

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HUBBELL Lighting

HUBBELL Outdoor Lighting

DATE: LOCATION:

TYPE: PROJECT:

CATALOG #:

RATIO SERIES

AREA/SITE LIGHTER

OPTIONS AND ACCESSORIES - STOCK (ORDERED SEPARATELY)

	Catalog Number	Description
☐	**RARRPA3DB**	Round pole adapter 3.5" to 4.13" for ASQ arm, 3.5" to 4.13" OD pole, dark bronze finish
☐	**RARA3UDB**	Universal mount for square pole or round pole 3.5" to 4.13", dark bronze finish
☐	**RARBC80L**	Ratio blacklight control 80L
☐	**RARBC160L**	Ratio blacklight control 160L
☐	**RARBC320L**	Ratio blacklight control 320L
☐	**RARBC480L**	Ratio blacklight control 480L

ACCESSORIES AND REPLACEMENT PARTS - MADE TO ORDER

	Catalog Number	Description
☐	**RAR–ASQU–XX**	Universal arm mount for square pole/flat surface[2]
☐	**RAR–A_U-XX**	Universal arm mount for round poles[1,2]
☐	**RAR–RPA_–XX**	Round pole adapter[1,2]
☐	**SETAVP-XX**	4" square pole top tenon adapter, 2 3/8" OD slipfitter[2]
☐	**RETAVP-XX**	4" round pole top tenon adapter; 2 3/8" OD slipfitter for max. Four fixtures (90o); order 4" round pole adapters separately[2]
☐	**BIRD–SPIKE–3**	Ratio size 1 bird deterrent/spikes
☐	**BIRD–SPIKE–4**	Ratio size 2 bird deterrent/spikes
☐	**RARWB–XX**	Wall bracket - use with Mast Arm Fitter or Knuckle[2]

1 Replace "_" with "3" for 3.5"-4.13" OD pole, "4" for 4.18"-5.25" OD pole, "5" for 5.5"-6.5" OD pole

2 Replace "XX" with desired color/paint finish

CONTROLS

Control Options	
Standalone	
SW7PR	SiteSync™ on fixture module via 7PR
SWUSB	SiteSync™ Software on USB
SWTAB	SiteSync™ Windows Tablet
SWBRG	SiteSync™ Wireless Bridge Node
SWFC	SiteSync™ Field Commission Serve
SCPREMOTE	Order at least one per project location to program and control
Networked – Wireless	
WIR-RME-L	wiSCAPE External Fixture Module[1,2]
NX Networked – Wireless	
NXOFM-1R1D-UNV	NX Wireless, Daylight Harvesting, BLE, 7 pin twisted lock

Notes:

1 Works with external networked photosensor

2 wiSCAPE Gateway required for system programming

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HUBBELL Lighting

HUBBELL Outdoor Lighting

DATE: LOCATION:

TYPE: PROJECT:

CATALOG #:

RATIO SERIES

AREA/SITE LIGHTER

PERFORMANCE DATA

Description	Nominal Wattage	System Watts	Dist. Type	5K (5000K NOMINAL 70 CRI)					4K (4000K NOMINAL 70 CRI)					3K (3000K NOMINAL 80 CRI)				
				Lumens	LPW	B	U	G	Lumens	LPW	B	U	G	Lumens	LPW	B	U	G
RAR1	25	25.4	2	3438	135	1	0	1	3445	136	1	0	1	3240	128	1	0	1
			3	3460	136	1	0	1	3467	136	1	0	1	3260	128	1	0	1
			4W	3406	134	1	0	1	3412	134	1	0	1	3209	126	1	0	1
			5QW	3483	137	2	0	1	3490	137	2	0	1	3282	129	2	0	1
	39	39	2	5263	139	1	0	2	5273	139	1	0	2	4960	131	1	0	2
			3	5297	139	1	0	2	5308	140	1	0	2	4991	131	1	0	2
			4W	5200	137	1	0	2	5210	137	1	0	2	4900	129	1	0	2
			5QW	5333	140	3	0	1	5344	141	3	0	1	5025	132	3	0	1
	50	49.8	2	6310	127	1	0	2	6323	127	1	0	2	5946	120	1	0	2
			3	6349	128	1	0	2	6362	128	1	0	2	5983	120	1	0	2
			4W	6233	125	1	0	2	6245	126	1	0	2	5873	118	1	0	2
			5QW	6392	129	3	0	1	6405	129	3	0	1	6023	121	3	0	1
	70	68.4	2	9486	139	1	0	2	9505	139	1	0	2	8938	131	1	0	2
			3	9544	140	1	0	2	9563	140	1	0	2	8993	131	1	0	2
			4W	9395	137	1	0	2	9414	138	1	0	2	8853	129	1	0	2
			5QW	9608	140	4	0	2	9628	141	4	0	2	9054	132	4	0	2
	100	90.0	2	11976	133	2	0	2	12000	133	2	0	2	11285	125	2	0	2
			3	12050	134	2	0	2	12074	134	2	0	2	11354	126	2	0	2
			4W	11861	132	2	0	2	11885	132	2	0	2	11177	124	2	0	2
			5QW	12131	135	4	0	2	12155	135	4	0	2	11431	127	4	0	2
	115	109.7	2	15572	142	2	0	2	15494	141	2	0	2	14871	136	2	0	2
			3	15833	144	2	0	2	15754	144	2	0	2	15121	138	2	0	2
			4W	15281	139	2	0	3	15205	139	2	0	3	14623	133	2	0	3
			5QW	15732	143	4	0	2	15653	143	4	0	2	15024	137	4	0	2
	135	133.3	2	17971	135	3	0	3	17881	134	3	0	3	17163	129	3	0	3
			3	18272	137	2	0	2	18181	136	2	0	2	17450	131	2	0	2
			4W	17635	132	2	0	3	17547	132	2	0	3	16876	127	2	0	3
			5QW	18156	136	4	0	2	18065	136	4	0	2	17339	130	4	0	2

RAR2 Performance Data on next page

♦ Lumen values are from photometric test performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown. Actual performance may differ as a result of end-user environment and application.

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HUBBELL Lighting

HUBBELL Outdoor Lighting

DATE: LOCATION:

TYPE: PROJECT:

CATALOG #:

RATIO SERIES

AREA/SITE LIGHTER

PERFORMANCE DATA

Description	Nominal Wattage	System Watts	Dist. Type	5K (5000K NOMINAL 70 CRI)					4K (4000K NOMINAL 70 CRI)					3K (3000K NOMINAL 80 CRI)				
				Lumens	LPW	B	U	G	Lumens	LPW	B	U	G	Lumens	LPW	B	U	G
RAR2	110	100.3	2	15326	153	2	0	3	15357	153	2	0	3	14442	144	2	0	3
			3	15421	154	2	0	3	15452	154	2	0	3	14531	145	2	0	3
			4W	15180	151	2	0	2	15210	152	2	0	2	14304	143	2	0	2
			5QW	15525	155	4	0	2	15556	155	4	0	2	14629	146	4	0	2
	140	133.2	2	19395	146	2	0	3	19434	146	2	0	3	18276	137	2	0	3
			3	19515	147	2	0	3	19554	147	2	0	3	18389	138	2	0	3
			4W	19210	144	2	0	3	19248	145	2	0	3	18101	136	2	0	3
			5QW	19647	148	5	0	3	19686	148	5	0	3	18513	139	5	0	3
	165	153.6	2	21651	141	3	0	3	21695	141	3	0	3	20402	133	3	0	3
			3	21785	142	3	0	3	21828	142	3	0	3	20527	134	3	0	3
			4W	21444	140	3	0	3	21487	140	3	0	3	20206	132	3	0	3
			5QW	21932	143	5	0	3	21976	143	5	0	3	20666	135	5	0	3
	185	174.5	2	26046	149	3	0	3	26098	150	3	0	3	24543	141	3	0	3
			3	26207	150	3	0	3	26259	150	3	0	3	24694	142	3	0	3
			4W	25797	148	3	0	4	25849	148	3	0	4	24308	139	3	0	4
			5QW	26384	151	5	0	3	26437	152	5	0	3	24861	143	5	0	3
	210	198.2	2	28848	145	3	0	4	28906	146	3	0	4	27184	137	3	0	4
			3	29027	146	3	0	4	29085	147	3	0	4	27351	138	3	0	4
			4W	28572	144	3	0	4	28630	144	3	0	4	26924	136	3	0	4
			5QW	29222	147	5	0	4	29281	148	5	0	4	27536	139	5	0	4
	240	226.9	2	32087	141	3	0	4	32151	142	3	0	4	30235	133	3	0	4
			3	32285	142	3	0	4	32350	143	3	0	4	30422	134	3	0	4
			4W	31780	140	3	0	4	31844	140	3	0	4	29946	132	3	0	4
			5QW	32503	143	5	0	4	32568	144	5	0	4	30627	135	5	0	4
	255	257.0	2	37040	144	3	0	4	36854	143	3	0	4	35373	138	3	0	4
			3	37660	147	3	0	4	37472	146	3	0	4	35966	140	3	0	4
			4W	36347	141	3	0	5	36166	140	3	0	5	34782	135	3	0	5
			5QW	37420	146	5	0	4	37233	145	5	0	4	35736	139	5	0	4
	295	294.0	2	41733	142	3	0	4	41524	141	3	0	4	39855	136	3	0	4
			3	42432	144	3	0	4	42220	144	3	0	4	40523	138	3	0	4
			4W	40953	139	3	0	5	40748	139	3	0	5	39190	133	3	0	5
			5QW	42162	143	5	0	4	41951	143	5	0	4	40264	137	5	0	4
	340	347.1	2	48392	139	4	0	5	48150	139	4	0	5	46215	133	4	0	5
			3	49203	142	3	0	4	48957	141	3	0	4	46989	135	3	0	4
			4W	47488	137	4	0	5	47261	136	4	0	5	45443	131	4	0	5
			5QW	48889	141	5	0	5	48645	140	5	0	5	46689	135	5	0	5

* Lumen values are from photometric test performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown. Actual performance may differ as a result of end-user environment and application.

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HUBBELL Lighting

HUBBELL Outdoor Lighting

DATE: LOCATION:

TYPE: PROJECT:

CATALOG #:

RATIO SERIES

AREA/SITE LIGHTER

ELECTRICAL DATA

# OF LEDS	Nominal Wattage	Input Voltage	Oper. Current (Amps)	System Power (Watts)
RAR1	25	120	0.21	25.4
		208	0.12	
		240	0.11	
		277	0.09	
	39	120	0.32	38.0
		208	0.18	
		240	0.16	
		277	0.14	
		347	0.11	
		480	0.08	
	50	120	0.42	49.8
		208	0.24	
		240	0.21	
		277	0.18	
	70	120	0.57	68.4
		208	0.33	
		240	0.29	
		277	0.25	
	100	120	0.75	90.0
		208	0.43	
		240	0.38	
		277	0.32	
	115	120	0.91	109.7
		208	0.53	
		240	0.46	
		277	0.40	
		347	0.32	
		480	0.23	
	135	120	1.11	133.3
		208	0.64	
		240	0.56	
		277	0.48	
		347	0.38	
		480	0.28	

# OF LEDS	Nominal Wattage	Input Voltage	Oper. Current (Amps)	System Power (Watts)
RAR2	110	120	0.84	100.3
		208	0.48	
		240	0.42	
		277	0.36	
	140	120	1.11	133.2
		208	0.64	
		240	0.56	
		277	0.48	
	165	120	1.28	153.6
		208	0.74	
		240	0.64	
		277	0.55	
	185	120	1.45	174.5
		208	0.84	
		240	0.73	
		277	0.63	
	210	120	1.65	198.3
		208	0.95	
		240	0.83	
		277	0.72	
	240	120	1.89	226.9
		208	1.09	
		240	0.95	
		277	0.82	
	255	120	2.14	257.0
		208	1.24	
		240	1.07	
		277	0.93	
		347	0.74	
		480	0.54	
	295	120	2.45	294.0
		208	1.41	
		240	1.23	
		277	1.06	
		347	0.85	
		480	0.61	
	340	120	2.89	347.1
		208	1.67	
		240	1.45	
		277	1.25	
		347	1.00	
		480	0.72	

LUMINAIRE AMBIENT TEMPERATURE FACTOR (LATF)

Ambient Temperature		Lumen Multiplier
0° C	32° F	1.03
10° C	50° F	1.01
20° C	68° F	1.00
25° C	77° F	1.00
30° C	86° F	0.99
40° C	104° F	0.98
50° C	122° F	0.97

Use these factors to determine relative lumen output for average ambient temperatures from 0-40°C (32-104°F)

PROJECTED LUMEN MAINTENANCE

Ambient Temperature	OPERATING HOURS					
	0	25,000	TM-21-11 L90 36,000	50,000	100,000	L70 (Hours)
25°C / 77°F	1.00	0.97	0.95	0.93	0.86	238,000
40°C / 104°F	0.99	0.96	0.95	0.93	0.85	225,000

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HUBBELL Lighting

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DATE: LOCATION:

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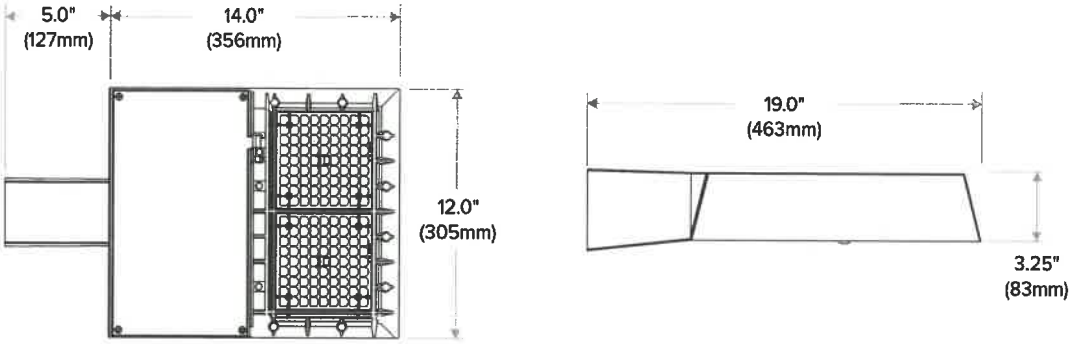
CATALOG #:

RATIO SERIES

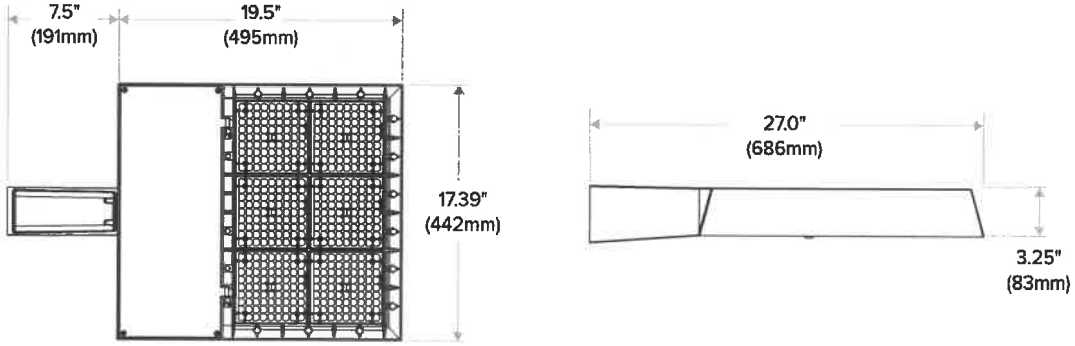
AREA/SITE LIGHTER

DIMENSIONS

RAR1

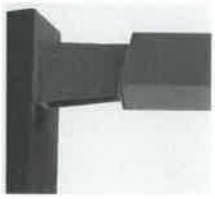


RAR2



ADDITIONAL INFORMATION

MOUNTING



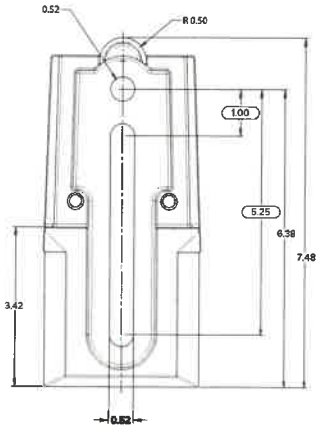
Arm Mount – Fixture ships with integral arm for ease of installation. Compatible with Hubbell Outdoor B3 drill pattern.

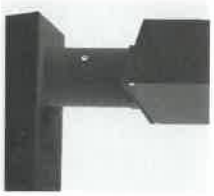


Knuckle – Knuckle mount 15° aiming angle increments for precise aiming and control, fits 2-3/8" tenons or pipes.

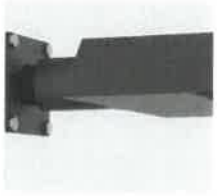


Universal Mounting – Universal mounting block for ease of installation. Compatible with drill patterns from 2.5" to 4.5"





MAF – Fits 2-3/8" OD arms Roadway applications.



Wall Mount – Wall mount bracket designed for building mount applications.

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HUBBELL Lighting

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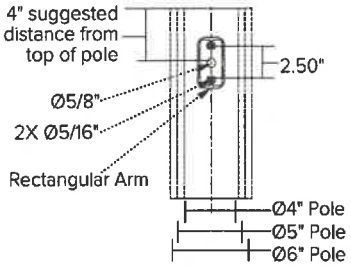
CATALOG #:

RATIO SERIES

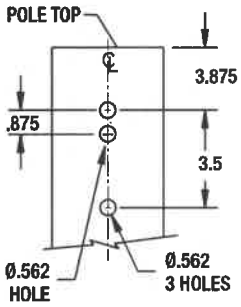
AREA/SITE LIGHTER

ADDITIONAL INFORMATION (CONT'D)

ARM MOUNT (ASQ)
Compatible with Pole drill pattern B3



UNIVERSAL MOUNTING (ASQU)
Compatible with pole drill pattern S2



SITESYNC 7-PIN MODULE



SW7PR

SiteSync LIGHTING CONTROL

- SiteSync features in a new form
- Available as an accessory for new construction or retrofit applications (with existing 7-Pin receptacle)

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HUBBELL Lighting

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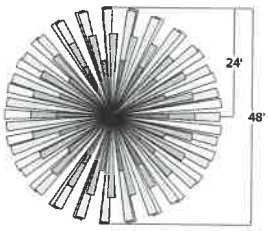
CATALOG #:

RATIO SERIES

AREA/SITE LIGHTER

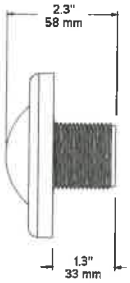
ADDITIONAL INFORMATION (CONT'D)

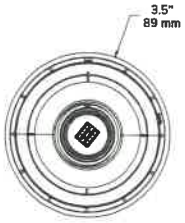
NXSP-14F



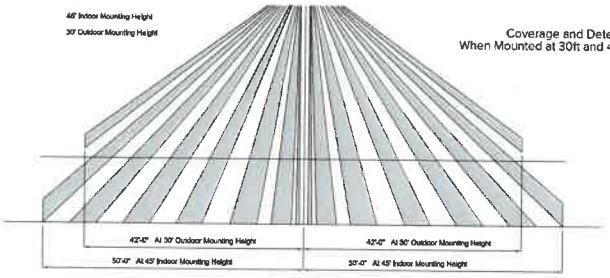


Sensor Lens Coverage and Detection Patterns
When Mounted at 8ft with Low Mount Lens

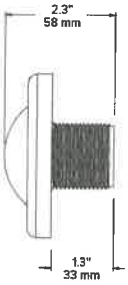


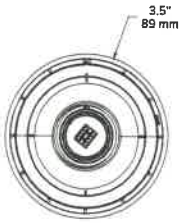


NXSP-30F

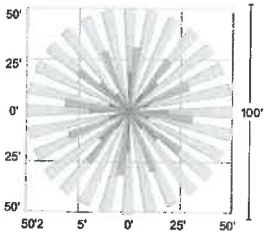


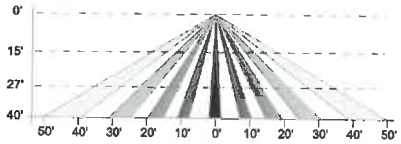
Coverage and Detection Patterns
When Mounted at 30ft and 45ft with Standard Lens

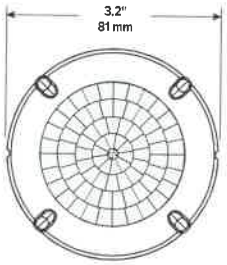




SCP-40F









RAR1 EPA

RAR-1	
EPA at 0°	EPA at 30°
.45ft.² .13m²	.56ft.² .17m²

RAR2 EPA

RAR-2	
EPA at 0°	EPA at 30°
.55ft.² .17m²	1.48ft.² .45m²

SHIPPING

Catalog Number	G.W(kg)/ CTN	Carton Dimensions		
		Length Inch (cm)	Width Inch (cm)	Height Inch (cm)
RAR1	15 (6.8)	20.75 (52.7)	15.125 (38.4)	6.9375 (17.6)
RAR2	19 (8.6)	25 (63.5)	15.125 (38.4)	6.9375 (17.6)

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HUBBELL Lighting

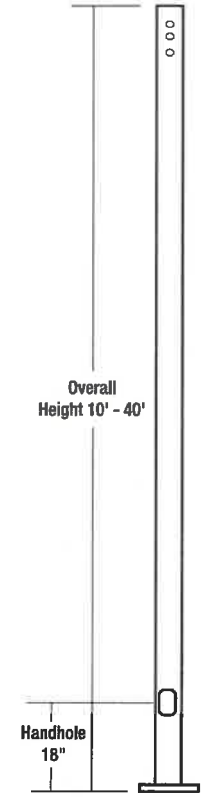
SSS-H SERIES POLES

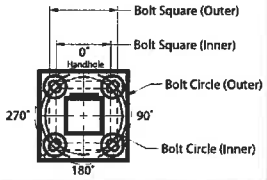
SQUARE STRAIGHT STEEL

Cat.#	
Job	Type

HUBBELL Outdoor Lighting

Approvals





APPLICATIONS

- Lighting installations for side and top mounting of luminaires with effective projected area (EPA) not exceeding maximum allowable loading of the specified pole in its installed geographic location

CONSTRUCTION

- SHAFT: One-piece straight steel with square cross section, flat sides and minimum 0.23" radius on all corners; Minimum yield of 46,000 psi (ASTM-A500, Grade B); Longitudinal weld seam to appear flush with shaft side wall; Steel base plate with axial bolt circle slots welded to pole shaft having minimum yield of 36,000 psi (ASTM A36)
- BASE COVER: Two-piece square aluminum base cover included standard
- POLE CAP: Pole shaft supplied with removable cover when applicable; Tenon and post-top configurations also available
- HAND HOLE: Rectangular 3x5 steel hand hole frame (2.38" x 4.38" opening); Mounting provisions for grounding lug located behind gasketed cover
- ANCHOR BOLTS: Four galvanized anchor bolts provided per pole with minimum yield of 55,000 psi (ASTM F1554). Galvanized hardware with two washers and two nuts per bolt for leveling

  Anchor bolt part numbers: 3/4 x 30 x 3 — TAB-30-M38

  1 x 36 x 4 — TAB-36-M38

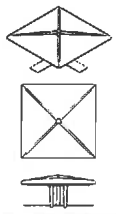
FINISH

- Durable thermoset polyester powder coat paint finish with nominal 3.0 mil thickness
- Powder paint prime applied over "white metal" steel substrate cleaned via mechanical shot blast method
- Decorative finish coat available in multiple standard colors; Custom colors available; RAL number preferable

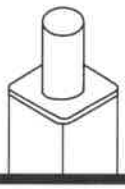
WAREHOUSE 'STOCKED' POLES:

- SSSH20-40A-4-HV-DB-RDC, SSSH25-40A-4-HV-DB-RDC and SSSH30-50B-4-HV-DB-RDC
- The HV designation in the above catalog numbers is a combination of the S2 pattern and the B3 pattern

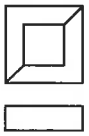
POLE CAP



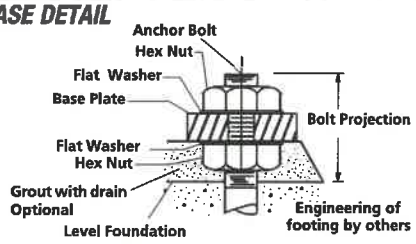
TENON



BASE COVER



BASE DETAIL



ORDERING INFORMATION

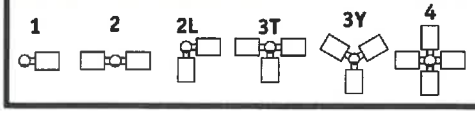
Reference page 2 for available configurations

ORDERING EXAMPLE:

SSS-H - 25 - 40 - A/B/C - 2L - S2 - DBT - UL

SERIES	HEIGHT	SHAFT	THICKNESS
SSS-H Square Straight Steel Pole Hubbell Outdoor	Reference page 2 Ordering matrix	Reference page 2 Ordering matrix	Reference page 2 Ordering matrix

MOUNTING ORIENTATION



MOUNTING	
1	Single arm mount
2	Two fixtures at 180°
2L	Two fixtures at 90°
3T	Three fixtures at 90°
4	Four fixtures at 90°
TA	Tenon (2.38" OD x 4" Tall)
TB	Tenon (2.88" OD x 4" Tall)
TC	Tenon (3.5" OD x 6" Tall)
TR[1]	Removable Tenon (2.38" x 4")
OT	Open Top (includes pole cap)

FINISH	
BLT	Black Matte Textured
BLS	Black Gloss Smooth
DBT	Dark Bronze Matte Textured
DBS	Dark Bronze Gloss Smooth
GTT	Graphite Matte Textured
LGS	Light Grey Gloss Smooth
PSS	Platinum Silver Smooth
WHT	White Matte Textured
WHS	White Gloss Smooth
VGT	Verde Green Textured

Color Option	
CC	Custom Color

OPTIONS	
GFI[2]	20 Amp GFCI Receptacle and Cover
EHH[2]	Extra Handhole
C05[2]	.5" Coupling
C07[2]	.75" Coupling
C20[2]	2" Coupling
MPB[2]	Mid-pole Luminaire Bracket
VM2	2nd mode vibration damper
LAB	Less Anchor Bolts
UL	UL Certified

DRILL PATTERN	
B3	2 bolt (2-½" spacing), Ratio
S2	2 bolt (3-½" spacing)

1 Removable tenon used in conjunction with side arm mounting. First specify desired arm configuration followed by the "TR" notation. Example: **SSS-H-25-40-A-1-S2-TR-DB**
2 Specify option location using logic found on page 2 **(Option Orientation)**
3 VM1 recommended on poles 20' and taller with EPA of less than 1.

ACCESSORIES- Order Separately

Catalog Number	Description
VM1[3]	1st mode vibration damper
VM2SXX	2nd mode vibration damper

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HUBBELL Lighting

ORDERING INFORMATION (Continued)

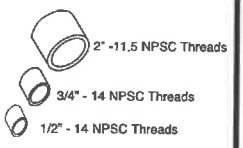
Catalog Number	Height		Nominal Shaft Dimensions	Wall Thickness	Bolt Circle (suggested)	Bolt Circle (range)	Bolt Square (range)	Base Plate Square	Anchor bolt size	Bolt Projection	Pole weight
	Feet	Meters									
SSS-H-10-40-A-XX-XX	10	3.0	4" square	0.125"	9"	8" - 10"	5.66" - 7.07"	9"	3/4" x 30" x 3"	3.5	77
SSS-H-12-40-A-XX-XX	12	3.7	4" square	0.125"	9"	8" - 10"	5.66" - 7.07"	9"	3/4" x 30" x 3"	3.5	90
SSS-H-14-40-A-XX-XX	14	4.3	4" square	0.125"	9"	8" - 10"	5.66" - 7.07"	9"	3/4" x 30" x 3"	3.5	103
SSS-H-16-40-A-XX-XX	16	4.9	4" square	0.125"	9"	8" - 10"	5.66" - 7.07"	9"	3/4" x 30" x 3"	3.5	116
SSS-H-18-40-A-XX-XX	18	5.5	4" square	0.125"	9"	8" - 10"	5.66" - 7.07"	9"	3/4" x 30" x 3"	3.5	129
SSS-H-20-40-A-XX-XX	20	6.1	4" square	0.125"	9"	8" - 10"	5.66" - 7.07"	9"	3/4" x 30" x 3"	3.5	142
SSS-H-25-40-A-XX-XX	25	7.6	4" square	0.125"	9"	8" - 10"	5.66" - 7.07"	9"	3/4" x 30" x 3"	3.5	175
SSS-H-14-40-B-XX-XX	14	4.3	4" square	.188"	11"	10" - 12"	7.07" - 8.48"	10.50"	3/4" x 30" x 3"	3.5	152
SSS-H-16-40-B-XX-XX	16	4.9	4" square	.188"	11"	10" - 12"	7.07" - 8.48"	10.50"	3/4" x 30" x 3"	3.5	171
SSS-H-18-40-B-XX-XX	18	5.5	4" square	.188"	11"	10" - 12"	7.07" - 8.48"	10.50"	3/4" x 30" x 3"	3.5	190
SSS-H-20-40-B-XX-XX	20	6.1	4" square	.188"	11"	10" - 12"	7.07" - 8.48"	10.50"	3/4" x 30" x 3"	3.5	209
SSS-H-25-40-B-XX-XX	25	7.6	4" square	.188"	11"	10" - 12"	7.07" - 8.48"	10.50"	3/4" x 30" x 3"	3.5	257
SSS-H-30-40-B-XX-XX	30	9.1	4" square	.188"	11"	10" - 12"	7.07" - 8.48"	10.50"	3/4" x 30" x 3"	3.5	304
SSS-H-16-50-B-XX-XX	16	4.9	5" square	.188"	11"	10.25" - 13.25"	7.25" - 9.37"	11.50"	1" x 36" x 4"	4.5	219
SSS-H-18-50-B-XX-XX	18	5.5	5" square	.188"	11"	10.25" - 13.25"	7.25" - 9.37"	11.50"	1" x 36" x 4"	4.5	243
SSS-H-20-50-B-XX-XX	20	6.1	5" square	.188"	11"	10.25" - 13.25"	7.25" - 9.37"	11.50"	1" x 36" x 4"	4.5	267
SSS-H-25-50-B-XX-XX	25	7.6	5" square	.188"	11"	10.25" - 13.25"	7.25" - 9.37"	11.50"	1" x 36" x 4"	4.5	327
SSS-H-30-50-B-XX-XX	30	9.1	5" square	.188"	11"	10.25" - 13.25"	7.25" - 9.37"	11.50"	1" x 36" x 4"	4.5	387
SSS-H-25-50-C-XX-XX	25	7.6	5" square	.25"	11"	10.25" - 13.25"	7.25" - 9.37"	11.50"	1" x 36" x 4"	4.5	427
SSS-H-30-50-C-XX-XX	30	9.1	5" square	.25"	11"	10.25" - 13.25"	7.25" - 9.37"	11.50"	1" x 36" x 4"	4.5	507
SSS-H-20-60-B-XX-XX	20	6.1	6" square	.188"	12"	11.00" - 13.25"	7.81" - 9.37"	12.25"	1" x 36" x 4"	5.0	329
SSS-H-25-60-B-XX-XX	25	7.6	6" square	.188"	12"	11.00" - 13.25"	7.81" - 9.37"	12.25"	1" x 36" x 4"	5.0	404
SSS-H-30-60-B-XX-XX	30	9.1	6" square	.188"	12"	11.00" - 13.25"	7.81" - 9.37"	12.25"	1" x 36" x 4"	5.0	479
SSS-H-35-60-B-XX-XX	35	10.7	6" square	.188"	12"	11.00" - 13.25"	7.81" - 9.37"	12.25"	1" x 36" x 4"	5.0	554
SSS-H-40-60-B-XX-XX	40	12.2	6" square	.188"	12"	11.00" - 13.25"	7.81" - 9.37"	12.25"	1" x 36" x 4"	5.0	629

NOTE Factory supplied template must be used when setting anchor bolts. Hubbell Lighting will deny any claim for incorrect anchorage placement resulting from failure to use factory supplied template and anchor bolts.

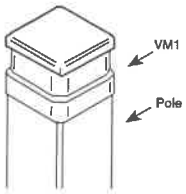
EHH - EXTRA HANDHOLE



C05 - C07 - C20 - COUPLING



VM1 - VIBRATION DAMPER 1ST MODE



Field Installed Pole Top damper designed to reduce pole top deflection or sway. VM1 is recommended for pole systems 25' and taller with a total EPA of 1.0 or less.

VM2 - VIBRATION DAMPER 2ND MODE



Factory installed, internal damper designed to alter pole resonance to reduce movement and material fatigue caused by 2nd mode vibration.

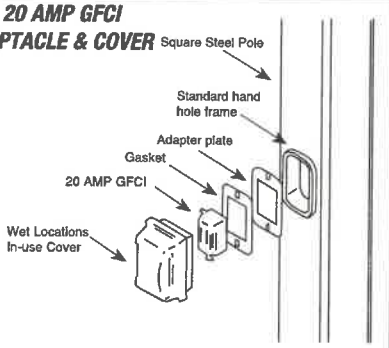
VM2SXX - VIBRATION DAMPER 2ND MODE



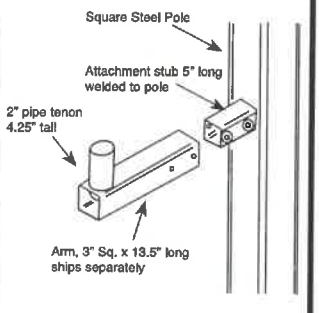
VM2S08 – 8'
VM2S12 – 12'
VM2S16 – 16'
VM2S20 – 20'
VM2S24 – 24'

Field installed, internal damper designed to alter pole resonance to reduce movement and material fatigue caused by 2nd mode vibration.

GFI – 20 AMP GFCI RECEPTACLE & COVER

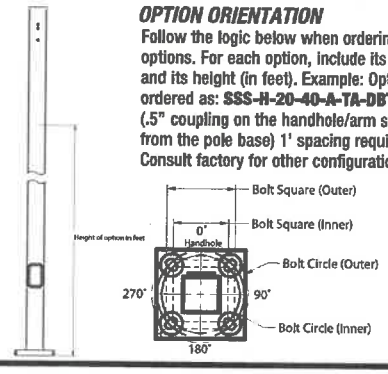


MPB - MID POLE BRACKET



OPTION ORIENTATION

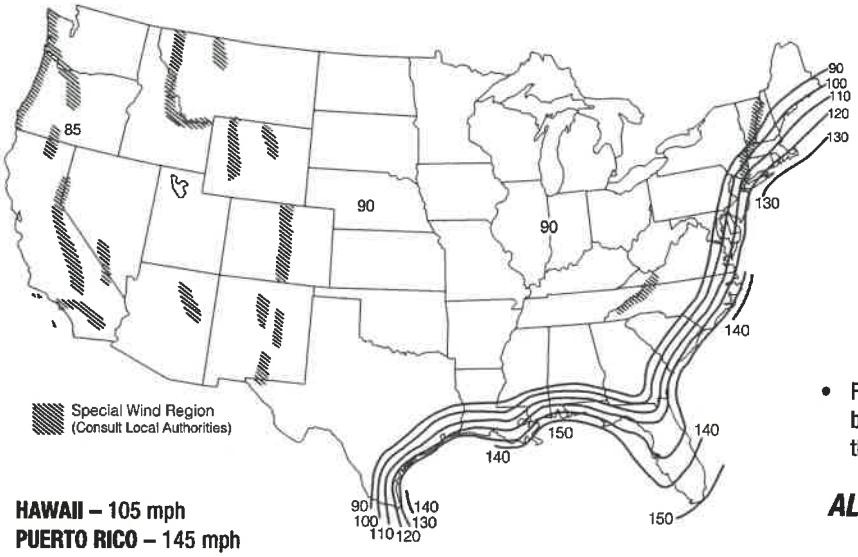
Follow the logic below when ordering location specific options. For each option, include its orientation (in degrees) and its height (in feet). Example: Option C07 should be ordered as: **SSS-H-20-40-A-TA-DBT-C07-0-15** (.5" coupling on the handhole/arm side of pole, 15 feet up from the pole base) 1' spacing required between option. Consult factory for other configurations.



For more information about pole vibration and vibration dampers, please consult https://hubbellcdn.com/ohwassets/HLI/outdoor/resources/literature/files/Pole_Wind_Induced_Flyer_HLOI0022.pdf
Due to our continued efforts to improve our products, product specifications are subject to change without notice.

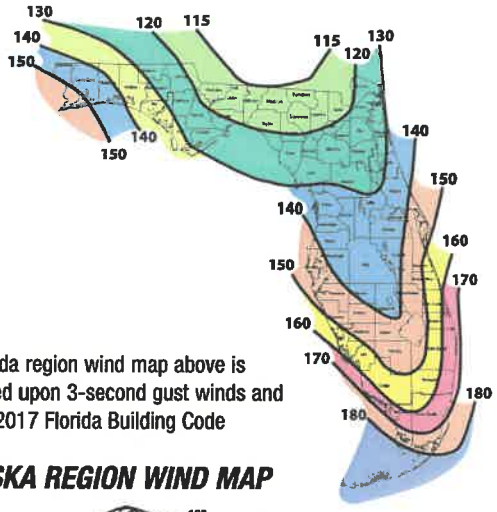
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ASCE7-05 WIND MAP



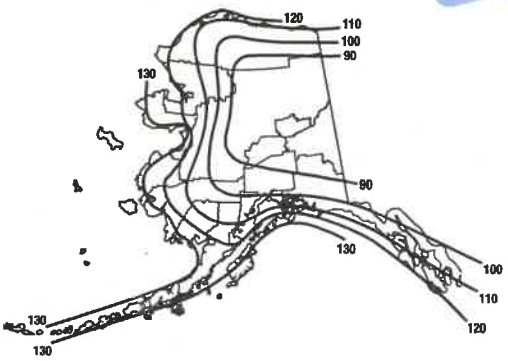
HAWAII – 105 mph
PUERTO RICO – 145 mph

FLORIDA REGION WIND MAP



- Florida region wind map above is based upon 3-second gust winds and the 2017 Florida Building Code

ALASKA REGION WIND MAP



ASCE 7-05 wind map EPA Load Rating - 3 second gust wind speeds (Use for all locations except Florida)										
Catalog Number	85	90	100	105	110	120	130	140	145	150
SSS-H-10-40-A	25.0	25.0	25.0	22.8	20.6	17.0	14.2	11.9	11.0	10.1
SSS-H-12-40-A	25.0	25.0	20.0	18.0	16.1	13.2	10.8	8.9	8.1	7.4
SSS-H-14-40-A	23.1	20.4	16.1	14.3	12.8	10.2	8.2	6.6	5.9	5.3
SSS-H-16-40-A	19.0	16.7	13.0	11.5	10.1	7.9	6.2	4.7	4.1	3.6
SSS-H-18-40-A	15.6	13.6	10.0	9.0	7.8	5.9	4.4	3.1	2.6	2.1
SSS-H-20-40-A	12.7	10.9	7.9	6.9	5.9	4.2	2.8	1.7	1.3	0.9
SSS-H-25-40-A	7.3	5.9	3.8	2.9	2.1	0.8	NR	NR	NR	NR
SSS-H-14-40-B	25.0	25.0	23.3	20.8	18.6	15.1	12.3	10.2	9.2	8.4
SSS-H-16-40-B	25.0	24.9	19.4	17.3	15.4	12.3	9.9	8.0	7.2	6.4
SSS-H-18-40-B	24.0	20.8	16.1	14.2	12.5	9.8	7.7	6.1	5.3	4.7
SSS-H-20-40-B	20.2	17.5	13.2	11.6	10.1	7.7	5.9	4.4	3.8	3.2
SSS-H-25-40-B	12.8	11.0	7.9	6.7	5.5	3.7	2.3	1.2	0.7	NR
SSS-H-30-40-B	8.0	6.6	4.1	3.1	2.2	0.8	NR	NR	NR	NR
SSS-H-16-50-B	25.0	25.0	25.0	25.0	24.8	20.1	16.5	13.6	12.3	11.2
SSS-H-18-50-B	25.0	25.0	25.0	22.9	20.4	16.4	13.2	10.7	9.6	8.6
SSS-H-20-50-B	25.0	25.0	21.3	18.9	16.7	13.2	10.4	8.1	7.2	6.3
SSS-H-25-50-B	20.7	17.8	13.3	11.5	9.8	7.2	5.0	3.3	2.6	1.9
SSS-H-30-50-B	13.5	11.3	7.7	6.2	4.9	2.8	1.1	NR	NR	NR
SSS-H-25-50-C	25.0	25.0	19.4	17.1	15.1	11.7	9.0	6.9	6.0	5.1
SSS-H-30-50-C	20.1	17.3	12.7	10.9	9.3	6.6	4.5	2.8	2.1	1.4
SSS-H-20-60-B	25.0	25.0	25.0	25.0	25.0	20.2	16.1	12.9	11.5	10.3
SSS-H-25-60-B	25.0	25.0	20.6	18.0	15.6	11.8	8.7	6.2	5.2	4.2
SSS-H-30-60-B	21.4	18.1	12.9	10.7	8.8	5.7	3.3	1.3	NR	NR
SSS-H-35-60-B	14.0	11.3	6.9	5.2	3.6	1.0	NR	NR	NR	NR
SSS-H-40-60-B	8.1	5.8	2.2	nr	NR	NR	NR	NR	NR	NR

Florida Building Code 2017 EPA Load Rating - 3 second gust wind speeds (Use for Florida only)								
Catalog Number	115	120	130	140	150	160	170	180
SSS-H-10-40-A	25.0	25.0	25.0	25.0	21.4	18.4	15.9	13.9
SSS-H-12-40-A	25.0	25.0	23.6	19.8	16.7	14.2	12.1	10.4
SSS-H-14-40-A	25.0	23.1	19.0	15.7	13.1	10.9	9.1	7.6
SSS-H-16-40-A	20.8	18.7	15.2	12.3	10.1	8.2	6.7	5.4
SSS-H-18-40-A	16.8	15.0	11.9	9.4	7.5	5.9	4.5	3.4
SSS-H-20-40-A	13.6	11.9	9.2	7.1	5.3	3.9	2.7	1.7
SSS-H-25-40-A	7.4	6.2	4.1	2.5	1.1	NR	NR	NR
SSS-H-14-40-B	25.0	23.6	19.4	16.1	13.4	11.2	9.4	7.8
SSS-H-16-40-B	21.4	19.2	15.6	12.7	10.4	8.5	6.9	5.6
SSS-H-18-40-B	17.2	15.4	12.2	9.7	7.7	6.1	4.7	3.6
SSS-H-20-40-B	13.9	12.3	9.5	7.3	5.5	4.1	2.9	1.9
SSS-H-25-40-B	7.7	6.4	4.3	2.6	1.3	NR	NR	NR
SSS-H-30-40-B	3.2	2.1	NR	NR	NR	NR	NR	NR
SSS-H-16-50-B	25.0	25.0	25.0	25.0	25.0	21.4	18.2	15.5
SSS-H-18-50-B	25.0	25.0	25.0	24.4	20.4	17.0	14.2	11.9
SSS-H-20-50-B	25.0	25.0	24.4	19.9	16.3	13.4	11.0	8.9
SSS-H-25-50-B	21.8	19.3	15.0	11.5	8.8	6.5	4.7	3.1
SSS-H-30-50-B	13.7	11.7	8.2	5.5	3.3	1.5	NR	NR
SSS-H-25-50-C	21.8	19.3	15.0	11.5	8.8	6.5	4.7	3.1
SSS-H-30-50-C	13.7	11.7	8.2	5.5	3.3	1.5	NR	NR
SSS-H-20-60-B	25.0	25.0	25.0	21.9	17.8	14.5	11.7	9.4
SSS-H-25-60-B	23.8	20.9	16.1	12.3	9.2	6.6	4.5	2.8
SSS-H-30-60-B	14.6	12.3	8.4	5.3	2.8	0.8	NR	NR
SSS-H-35-60-B	7.5	5.6	2.4	NR	NR	NR	NR	NR
SSS-H-40-60-B	1.8	NR	NR	NR	NR	NR	NR	NR

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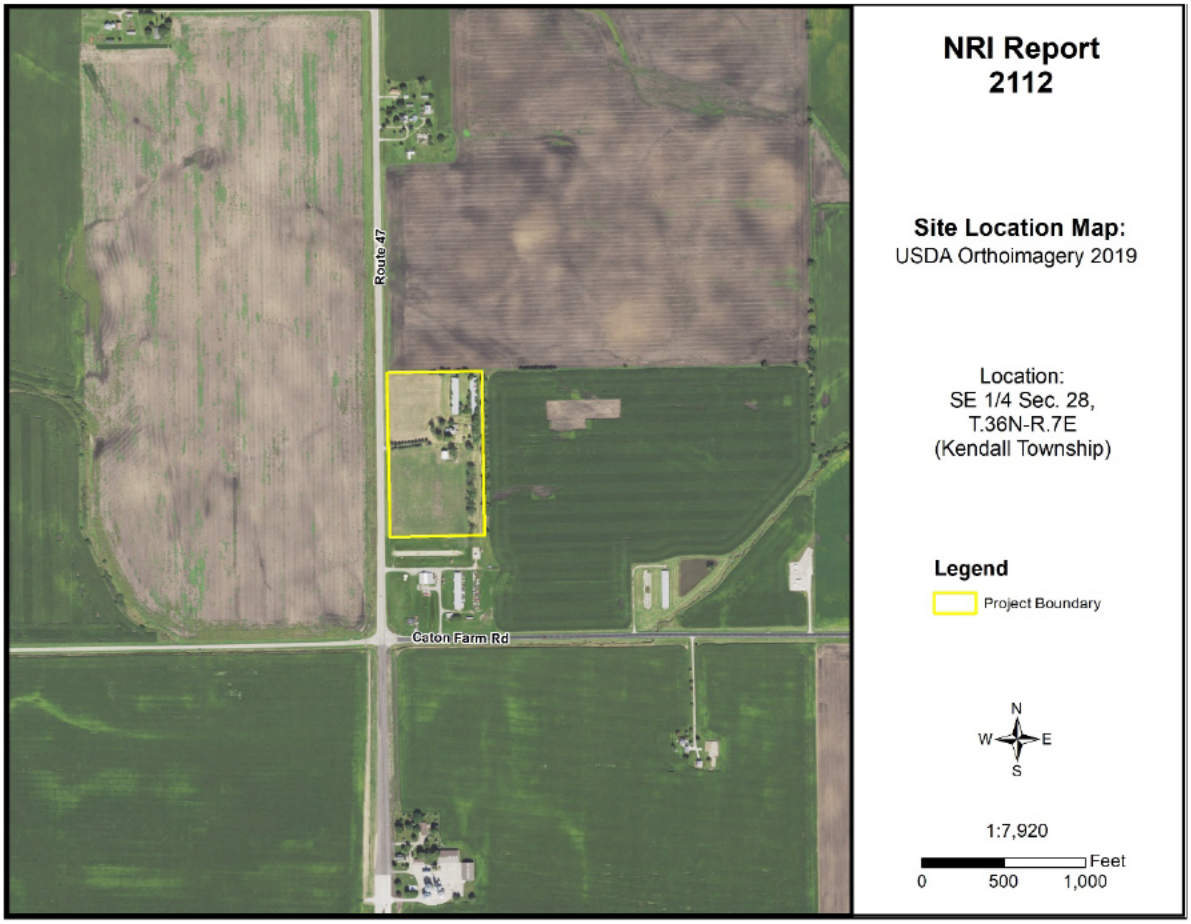
NOTES

- Allowable EPA, to determine max pole loading weight, multiply allowable EPA by 30 lbs.
- The tables for allowable pole EPA are based on the ASCE 7-05 Wind Map or the Florida Region Wind Map for the 2010 Florida Building Code. The Wind Maps are intended only as a general guide and cannot be used in conjunction with other maps. Always consult local authorities to determine maximum wind velocities, gusting and unique wind conditions for each specific application
- Allowable pole EPA for jobsite wind conditions must be equal to or greater than the total EPA for fixtures, arms, and accessories to be assembled to the pole. Responsibility lies with the specifier for correct pole selection. Installation of poles without luminaires or attachment of any unauthorized accessories to poles is discouraged and shall void the manufacturer's warranty
- Wind speeds and listed EPAs are for ground mounted installations. Poles mounted on structures (such as bridges and buildings) must consider vibration and coefficient of height factors beyond this general guide; Consult local and federal standards
- Wind Induced Vibration brought on by steady, unidirectional winds and other unpredictable aerodynamic forces are not included in wind velocity ratings. Consult Hubbell Lighting's Pole Vibration Application Guide for environmental risk factors and design considerations. https://hubbellcdn.com/ohwassets/HLI/outdoor/resources/literature/files/Pole_Wind_Induced_Flyer_HLOI0022.pdf
- Extreme Wind Events like, Hurricanes, Typhoons, Cyclones, or Tornadoes may expose poles to flying debris, wind shear or other detrimental effects not included in wind velocity ratings

Due to our continued efforts to improve our products, product specifications are subject to change without notice.

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NATURAL RESOURCE INFORMATION (NRI) REPORT: #2112



Aug. 2021

Petitioner: Always Faithful Properties, LLC
Contact: Attorney Daniel J. Kramer

Prepared By:

Kendall County Soil & Water Conservation District

7775A Route 47
Yorkville, Illinois 60560
Phone: (630) 553-5821 x3
Fax: (630) 553-7442
www.kendallswcd.org

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

Natural Resource Information Report Number	2112
Date District Board Reviews Application	August 2021
Applicant's Name	Always Faithful Properties, LLC
Size of Parcel	(+/-) 13.65 acres
Current Zoning & Use	A-1 SU Agricultural Special Use; Cropland and Vacant Farm Residence
Proposed Zoning & Use	B-3 Highway Business; Landscaping Business & Related Storage
Parcel Index Number(s)	05-28-400-002
Contact Person	Attorney Daniel J. Kramer

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

Report Prepared By: *Alyse Olson* Position: *Resource Conservationist*

PURPOSE AND INTENT

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

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

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

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

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

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

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EXECUTIVE SUMMARY

Natural Resource Information Report Number	#2112
Petitioner	Always Faithful Properties, LLC
Contact Person	Attorney Daniel J. Kramer
County or Municipality the Petition is Filed With	Kendall County
Location of Parcel	SE ¼ of Section 28, Township 36 North, Range 7 East (Kendall Township) of the 3rd Principal Meridian
Project or Subdivision Name	Always Faithful Properties, LLC
Existing Zoning & Land Use	A-1 SU Agricultural Special Use; Cropland and Vacant Farm Residence
Proposed Zoning & Land Use	B-3 Highway Business; Landscaping Business & Related Storage
Proposed Water Source	Well
Proposed Type of Sewage Disposal System	Septic
Proposed Type of Storm Water Management	On-site detention pond
Size of Site	(+/-) 13.65 acres
Land Evaluation Site Assessment Score	235 (Land Evaluation: 98; Site Assessment: 137)

NATURAL RESOURCE CONSIDERATIONS

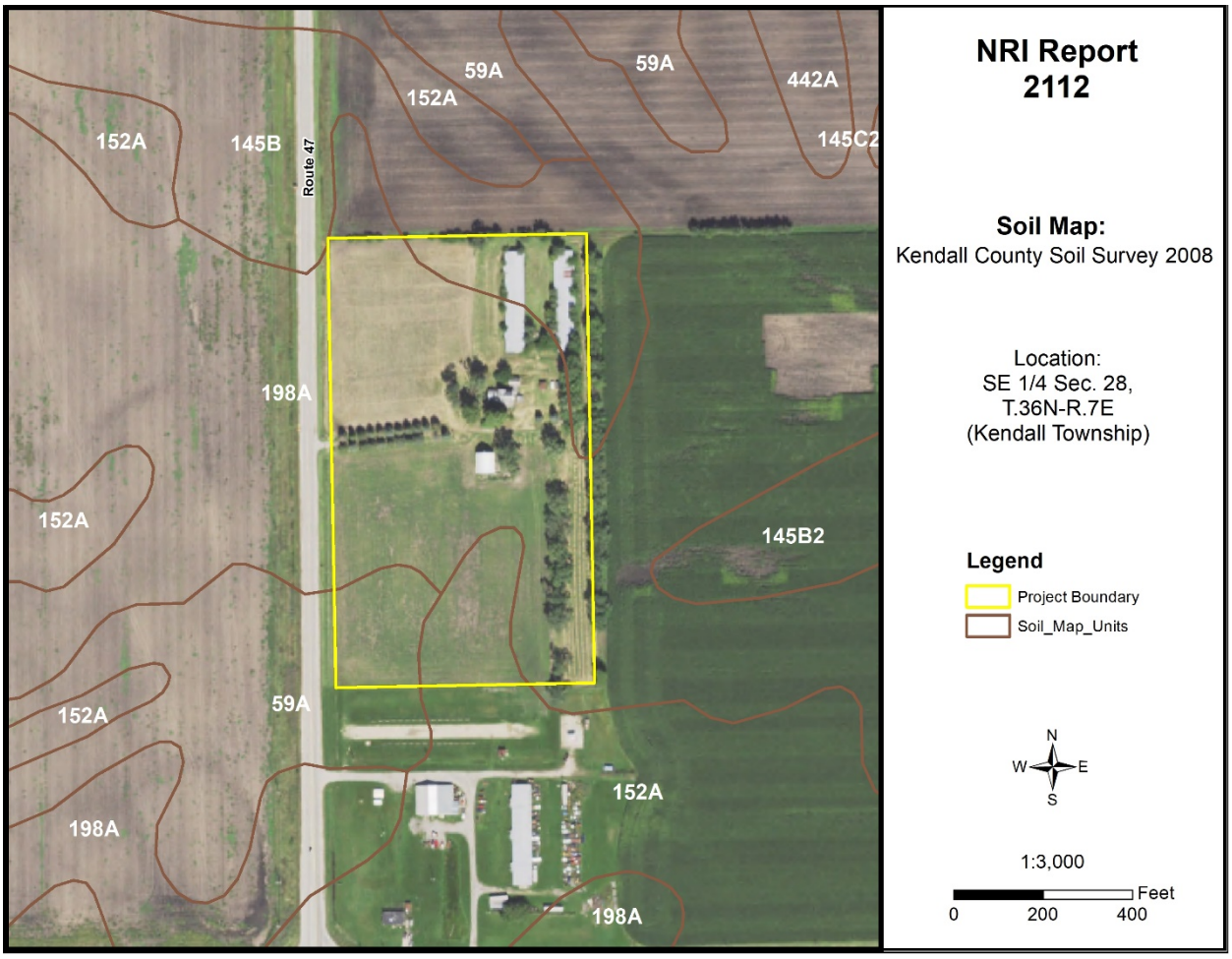


Figure 1: Soil Map

SOIL INFORMATION

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

Table 1: Soils Information

Map Unit	Soil Name	Drainage Class	Hydrologic Group	Hydric Designation	Farmland Designation
59A	Lisbon silt loam, 0-2% slopes	Somewhat Poorly Drained	C/D	Non-Hydric	Prime Farmland
145B	Saybrook silt loam, 2-5% slopes	Moderately Well Drained	C	Non-Hydric	Prime Farmland
152A	Drummer silty clay loam, 0-2% slopes	Poorly Drained	B/D	Hydric	Prime Farmland if drained
198A	Elburn silt loam, 0-2% slopes	Somewhat Poorly Drained	B/D	Non-Hydric	Prime Farmland

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

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

Hydric Soils – A hydric soil is one that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile that supports the growth or regeneration of hydrophytic vegetation. Soils with hydric inclusions have map units dominantly made up of non-hydric soils that may have inclusions of hydric soils in the lower positions on the landscape. Of the soils found onsite, one is classified as hydric soil (152A Drummer silty clay loam), and the remaining three are classified as non-hydric soils (59A Lisbon silt loam, 145B Saybrook silt loam, and 198A Elburn silt loam). Elburn silt loam is a non-hydric soil that contains hydric inclusions.

Prime Farmland – Prime farmland is land that has the best combination of physical and chemical characteristics for agricultural production. Prime farmland soils are an important resource to Kendall County and some of the most productive soils in the United States occur locally. Of the soils found onsite, three are designated as prime farmland (59A Lisbon silt loam, 145B Saybrook silt loam, and 198A Elburn silt loam) and one is designated as prime farmland if drained (152A Drummer silty clay loam).

Soil Limitations – The USDA-NRCS Web Soil Survey rates the limitations of soils for dwellings with basements, dwellings without basements, small commercial buildings, shallow excavations, lawns/landscaping, and local roads and streets. Soils have different properties which influence the development of building sites. The USDA-NRCS classifies soils as Not Limited, Somewhat Limited, and Very Limited. Soils that are Not Limited indicates that the soil has properties that are favorable for the specified use. They will perform well and will have low maintenance. Soils that are Somewhat Limited are moderately favorable, and their limitations can be overcome through special planning, design, or installation. Soils that are Very Limited have features that are unfavorable for the specified use, and their limitations cannot easily be overcome.

Table 2: Soil Limitations

Soil Type	Small Commercial Buildings	Shallow Excavations	Lawns/ Landscaping	Local Roads & Streets	Conventional Septic Systems
59A	Somewhat Limited	Very Limited	Somewhat Limited	Very Limited	Suitable/ Not Limited
145B	Somewhat Limited	Somewhat Limited	Somewhat Limited	Very Limited	Suitable/ Not Limited
152A	Very Limited	Very Limited	Very Limited	Very Limited	Unsuitable/ Very Limited
198A	Somewhat Limited	Very Limited	Somewhat Limited	Very Limited	Suitable/ Not Limited

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

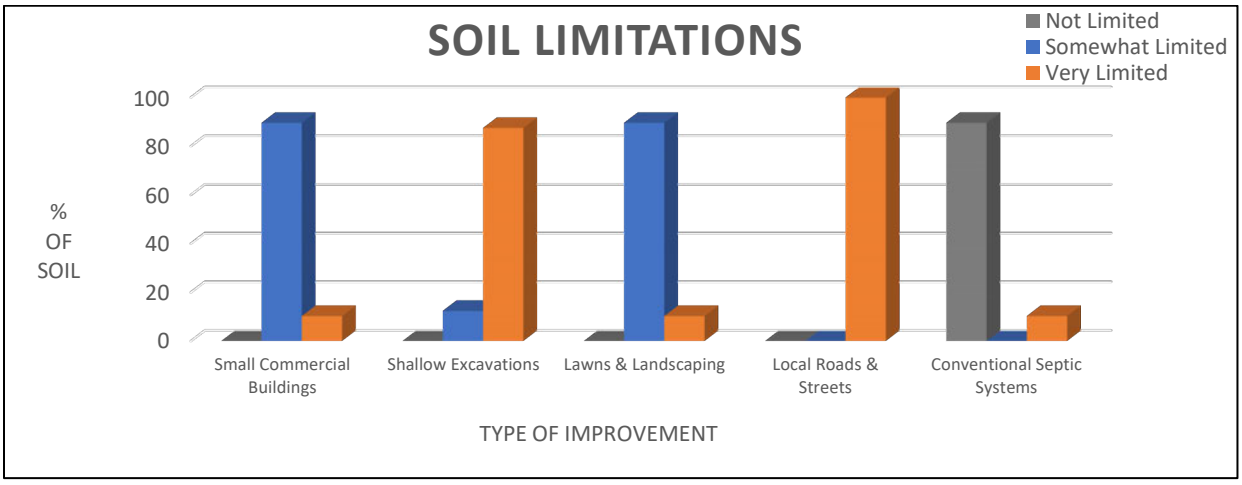


Figure 2: Soil Limitations

KENDALL COUNTY LAND EVALUATION AND SITE ASSESSMENT (LESA)

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

- **Land Evaluation (LE)**: The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland, or forestland. The best group is assigned a value of 100 and all other groups are assigned lower values. The Land Evaluation is

based on data from the Kendall County Soil Survey. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.

- The Land Evaluation score for this site is **98**, indicating that this site is **well suited** for agricultural uses.

- **Site Assessment (SA)**: The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The Site Assessment value is based on a 200-point scale and accounts for 2/3 of the total score. The Kendall County LESA Committee is responsible for this portion of the LESA system.
  - The Site Assessment score for this site is **137**.

The **LESA Score for this site is 235 out of a possible 300, which indicates a high level of protection** for the proposed project site. Note: Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County. If the project is agricultural in nature, however, a higher score may provide an indication of the suitability of the project as it relates to the compatibility with existing agricultural land use.

WETLANDS

The U.S. Fish & Wildlife Service's National Wetland Inventory map **does not indicate the presence** of a wetland(s) on the proposed project site. To determine if a wetland is present, a wetland delineation specialist, who is recognized by the U.S. Army Corps of Engineers, should determine the exact boundaries and value of the wetlands.

FLOODPLAIN

The Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) for Kendall County, Community Panel No. 17093C0125G (effective date February 4, 2009) was reviewed to determine the presence of floodplain and floodway areas within the project site. According to the map, the parcel **is not located within** the floodplain and floodway.

SEDIMENT AND EROSION CONTROL

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

LAND USE FINDINGS:

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed development plans for Petitioner Always Faithful Properties, LLC for the proposed change in zoning from A-1 to B-3 to operate a landscaping business including the storage of landscape materials on parcel 05-28-400-002 within Kendall Township of Kendall County located in the SE ¼ of Section 28, Township 36N, and Range 7E of the 3rd Principal Meridian. Based on the information provided by the petitioner and a review of natural resource related data available to the Kendall County SWCD, the SWCD Board presents the following information.

The Kendall County SWCD has always had the opinion that Prime Farmland should be preserved whenever feasible. Of the soils found onsite, 100% are classified as prime farmland or prime farmland if drained. A land evaluation (LE), which is a part of the Land Evaluation and Site Assessment (LESA), was conducted on this parcel. The soils on this parcel scored a 98 out of a possible 100 points indicating that the soils are well suited for agricultural uses. The total LESA Score for this site is 235 out of a possible 300, which indicates a high level of protection for the proposed project site. Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County. If the project is agricultural in nature, however, a higher score may provide an indication of the suitability of the project as it relates to the compatibility with existing agricultural land use.

Soils found on the project site are rated for specific uses and can have potential limitations for development. Soil types with severe limitations do not preclude the ability to develop the site for the proposed use, but it is important to note that the limitation may require soil reclamation, special design/engineering, or maintenance to obtain suitable soil conditions to support development with significant limitations. This report indicates that for soils located on the parcel, 100% are very limited for local roads and streets (paved and unpaved), 88% are very limited for shallow excavations, and 10% are very limited for small commercial buildings and lawns/landscaping. The remaining soils are considered somewhat limited for these types of developments. Additionally, 10% of the soils are considered unsuitable for conventional septic systems. This information is based on the soil in an undisturbed state. If the scope of the project may include the use of onsite septic systems, please consult with the Kendall County Health Department.

This site is located within the Upper Illinois River watershed and the West Branch Aux Sable Creek/Lisbon Creek sub watershed. This development should include a soil erosion and sediment control plan to be implemented during construction. Sediment may become a primary non-point source of pollution; eroded soils during the construction phase can create unsafe conditions on roadways, degrade water quality and destroy aquatic ecosystems lower in the watershed.

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

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

[redacted]

SWCD Board Representative

08/09/2021

Date

PARCEL LOCATION

Location Map for Natural Resources Information Report #2112

SE ¼ of Section 28, Township 36 North, Range 7 East (Kendall Township) on 13.65 acres. This parcel is located on the east side of IL Route 47, west of Ashley Road, south of Walker Road, and north of Caton Farm Road in Yorkville, IL. The parcel is part of unincorporated Kendall County.

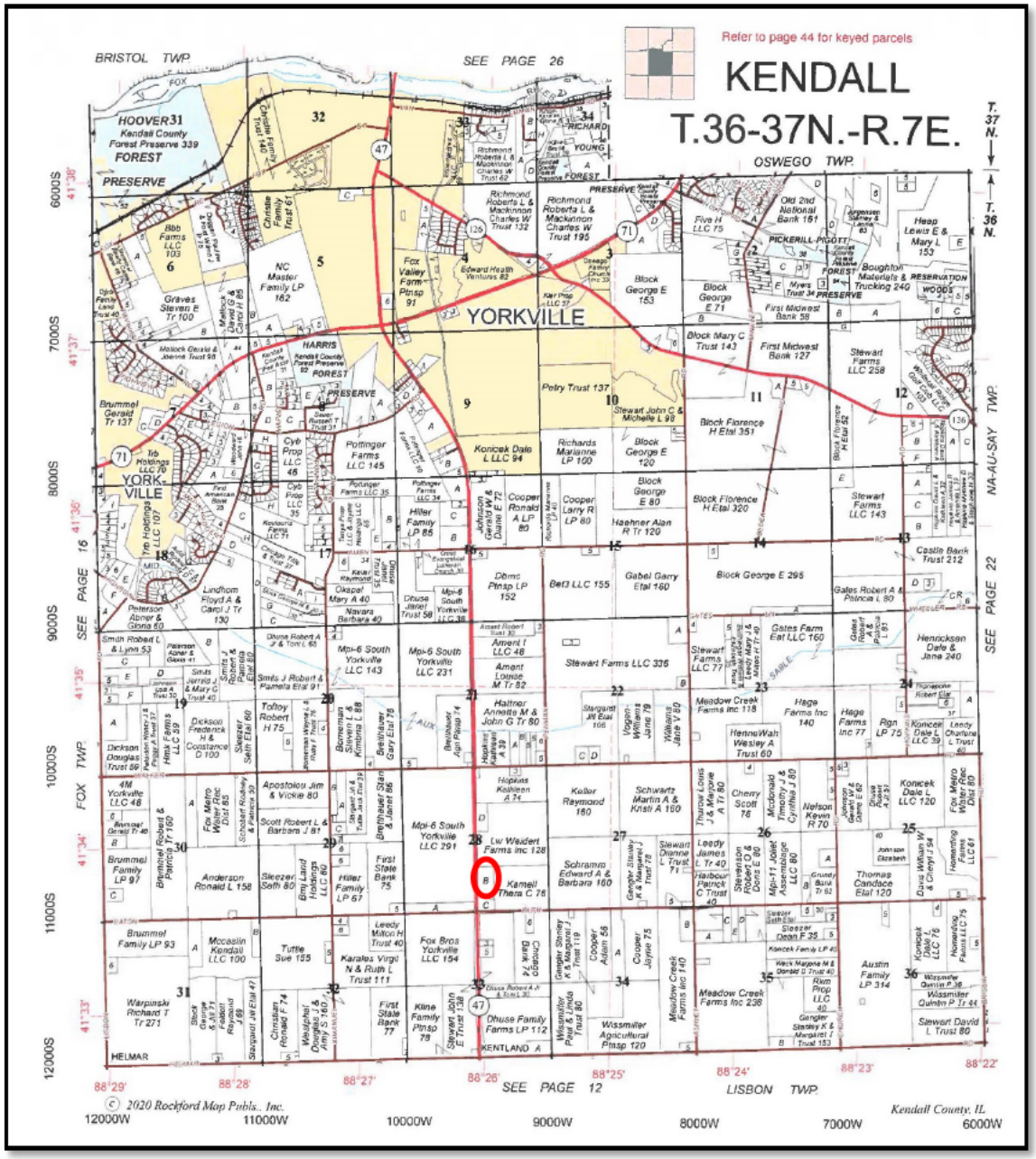


Figure 3: 2021 Plat Map

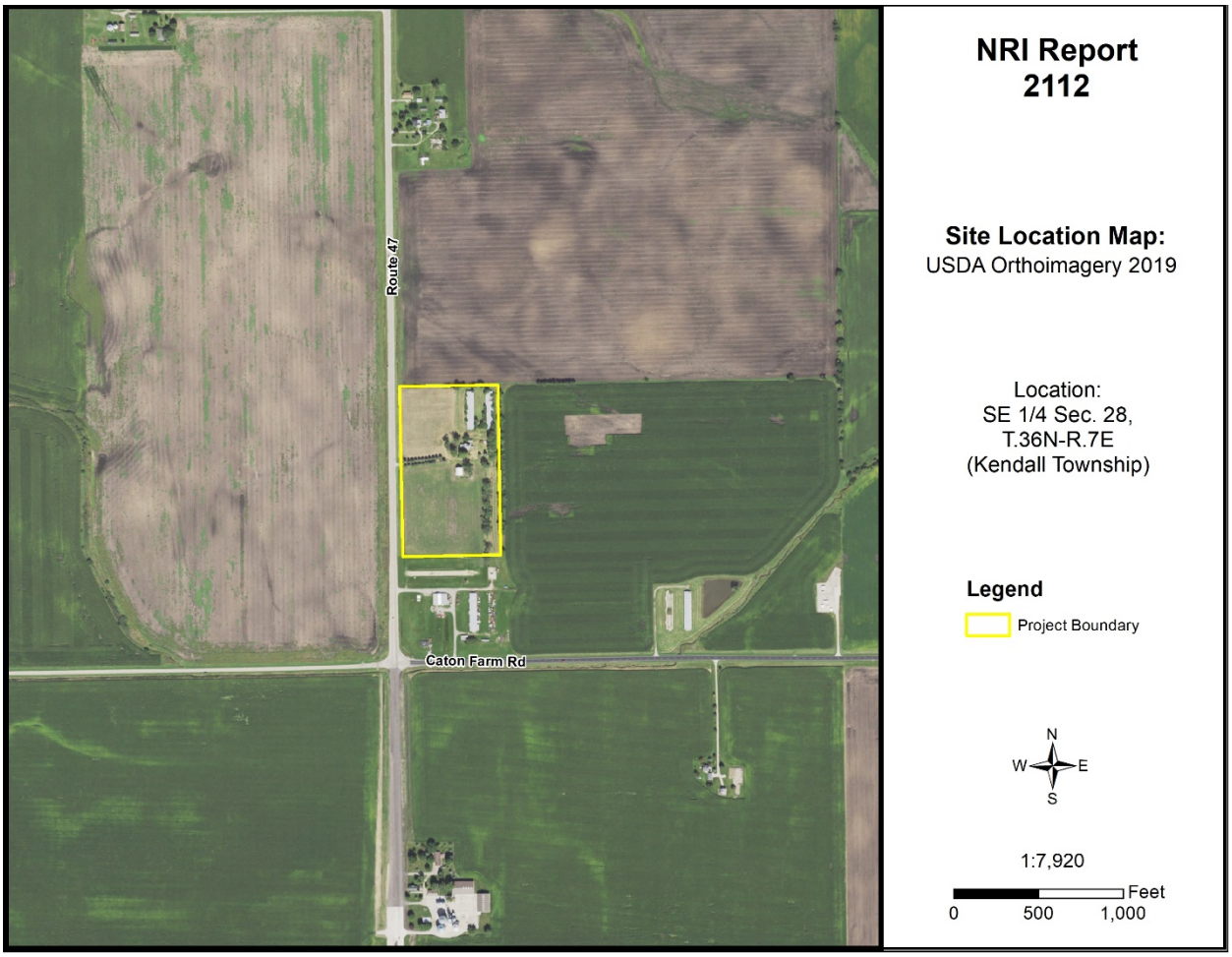


Figure 4: 2019 Aerial Map with NRI Site Boundary

ARCHAEOLOGIC/CULTURAL RESOURCES INFORMATION

Simply stated, cultural resources are all the past activities and accomplishments of people. They include the following: buildings; objects made or used by people; locations; and less tangible resources, such as stories, dance forms, and holiday traditions.

The Soil and Water Conservation District most often encounters cultural resources as historical properties. These may be prehistoric or historical sites, buildings, structures, features, or objects. The most common type of historical property that the Soil and Water Conservation District may encounter is non-structural archaeological sites. These sites often extend below the soil surface and must be protected against disruption by development or other earth moving activity if possible. Cultural resources are *non-renewable* because there is no way to "grow" a site to replace a disrupted site.

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

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

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

ECOLOGICALLY SENSITIVE AREAS

WHAT IS BIOLOGICAL DIVERSITY AND WHY SHOULD IT BE CONSERVED?[1]

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

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

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

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

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

Further, every species is a potential source of human medicine. In 1980, a published report identified the market value of prescription drugs from higher plants at over $3 billion. Organic alkaloids, a class of

chemical compounds used in medicines, are found in an estimated 20% of plant species. Yet only 2% of plant species have been screened for these compounds (Hoose 1981).

The third reason for protecting diversity is that humans benefit from natural areas and depend on healthy ecosystems. The natural world supplies our air, our water, our food and supports human economic activity. Further, humans are creatures that evolved in a diverse natural environment between forest and grasslands. People need to be reassured that such places remain. When people speak of "going to the country," they generally mean more than getting out of town. For reasons of their own sanity and wellbeing, they need a holistic, organic experience. Prolonged exposure to urban monotony produces neuroses, for which cultural and natural diversity cure.

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

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

BIOLOGICAL RESOURCES CONCERNING THE SUBJECT PARCEL

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

Office maps indicate that ecologically sensitive area(s) <u>are</u> located near the parcel in question (PIQ). A tributary that outlets to West Aux Sable Creek is located approximately 700 feet south/southeast of the PIQ.

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

SOILS INFORMATION

IMPORTANCE OF SOILS INFORMATION

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

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

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

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

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

Soil interpretations do not eliminate the need for on-site study and testing of specific sites for the design and construction for specific uses. They can be used as a guide for planning more detailed investigations and for avoiding undesirable sites for an intended use. The scale of the maps and the range of error limit the use of the soil delineation.

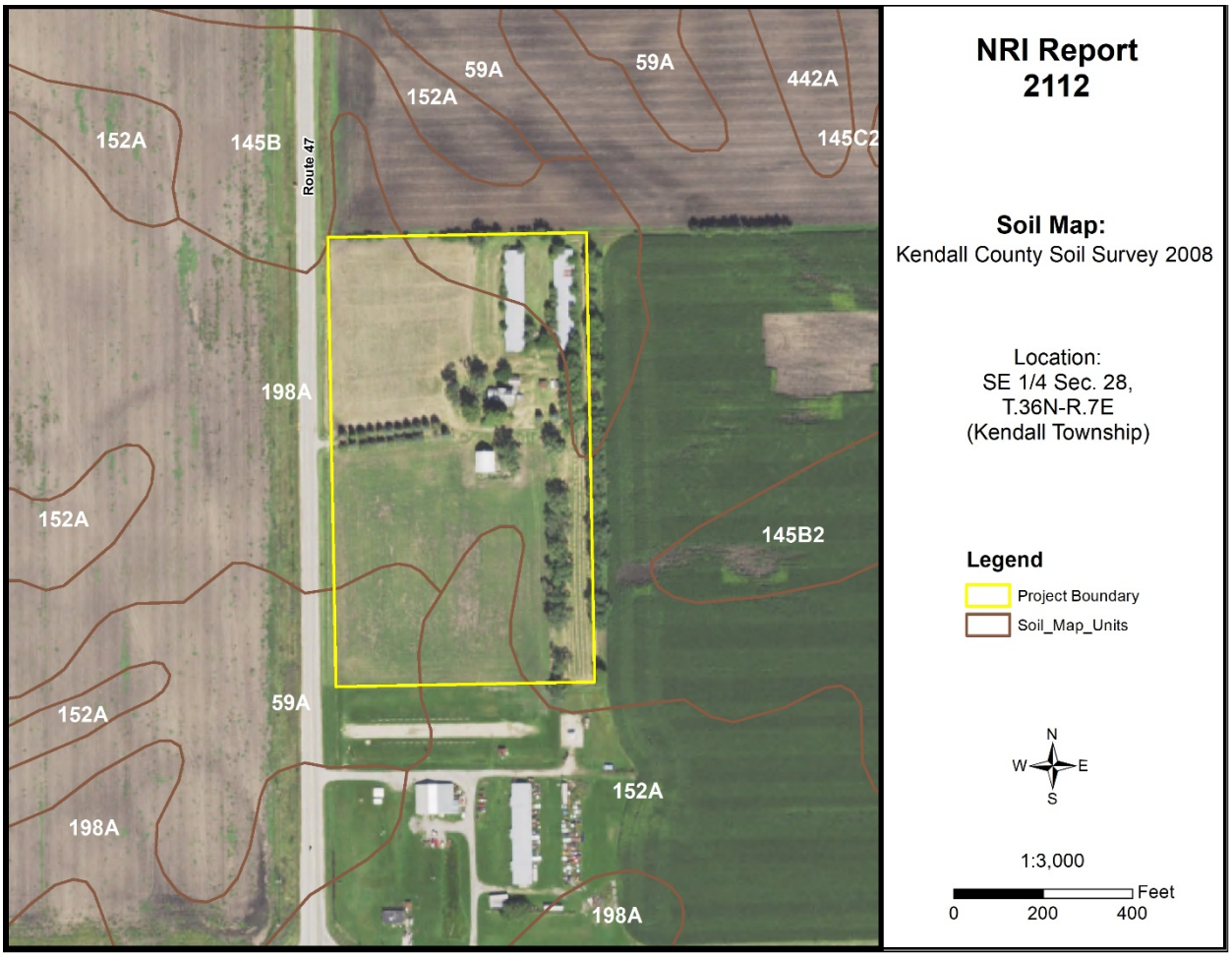


Figure 5: Soil Map

Table 3: Soil Map Unit Descriptions

Symbol	Descriptions	Acres	Percent
59A	Lisbon silt loam, 0-2% slopes	1.2	9.0%
145B	Saybrook silt loam, 2-5% slopes	1.7	12.4%
152A	Drummer silty clay loam, 0-2% slopes	1.4	10.3%
198A	Elburn silt loam, 0-2% slopes	9.3	68.2%

Source: National Cooperative Soil Survey – USDA-NRCS

SOILS INTERPRETATIONS EXPLANATION

GENERAL – NONAGRICULTURAL

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

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

LIMIATIONS RATINGS

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

BUILDING LIMITATIONS

BUILDING ON POORLY SUITED OR UNSUITABLE SOILS

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

Small Commercial Buildings – Ratings are for structures that are less than three stories high and do not have basements. The foundation is assumed to be spread footings of reinforced concrete built on disturbed soil at a depth of 2 feet or at the depth of maximum frost penetration, whichever is deeper. The ratings are based on soil properties that affect the capacity of the soil to support a load without movement and on the properties that affect excavation and construction costs.

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

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

Local Roads and Streets – They have an all-weather surface and carry automobile and light truck traffic all year. They have a subgrade of cut or fill soil material, a base of gravel, crushed rock or soil material stabilized by lime or cement; and a surface of flexible material (asphalt), rigid material (concrete) or gravel with a binder. The ratings are based on the soil properties that affect the east of excavation and grading and the traffic-supporting capacity.

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

Table 4: Building Limitations

Soil Type	Small Commercial Buildings	Shallow Excavations	Lawns & Landscaping	Local Roads & Streets	Onsite Conventional Sewage Systems	Acres	%
59A	**Somewhat Limited:** Depth to saturated zone; Shrink-swell	**Very Limited**: Depth to saturated zone; Dense layer; Dusty; Unstable excavation walls	**Somewhat Limited:** Depth to saturated zone; Dusty	**Very Limited:** Frost action; Low strength; Depth to saturated zone; Shrink-swell	**Suitable**	1.2	9.0%
145B	**Somewhat Limited:** Shrink-swell	**Somewhat Limited:** Depth to saturated zone; Dusty; Unstable excavation walls	**Somewhat Limited:** Dusty	**Very Limited:** Frost action; Low strength; Shrink-swell	**Suitable**	1.7	12.4%
152A	**Very Limited:** Ponding; Depth to saturated zone; Shrink-swell	**Very Limited:** Ponding; Depth to saturated zone; Dusty; Unstable excavation walls	**Very Limited:** Ponding; Depth to saturated zone; Dusty	**Very Limited:** Ponding; Depth to saturated zone; Frost action; Low strength; Shrink-swell	**Unsuitable:** Wet	1.4	10.3%
198A	**Somewhat Limited:** Depth to saturated zone; Shrink-swell	**Very Limited:** Depth to saturated zone; Dusty; Unstable excavation walls	**Somewhat Limited:** Depth to saturated zone; Dusty	**Very Limited:** Frost action; Low strength; Depth to saturated zone; Shrink-swell	**Suitable**	9.3	68.2%
% Very Limited	**10.3%**	**87.5%**	**10.3%**	**100%**	**10.3%**		

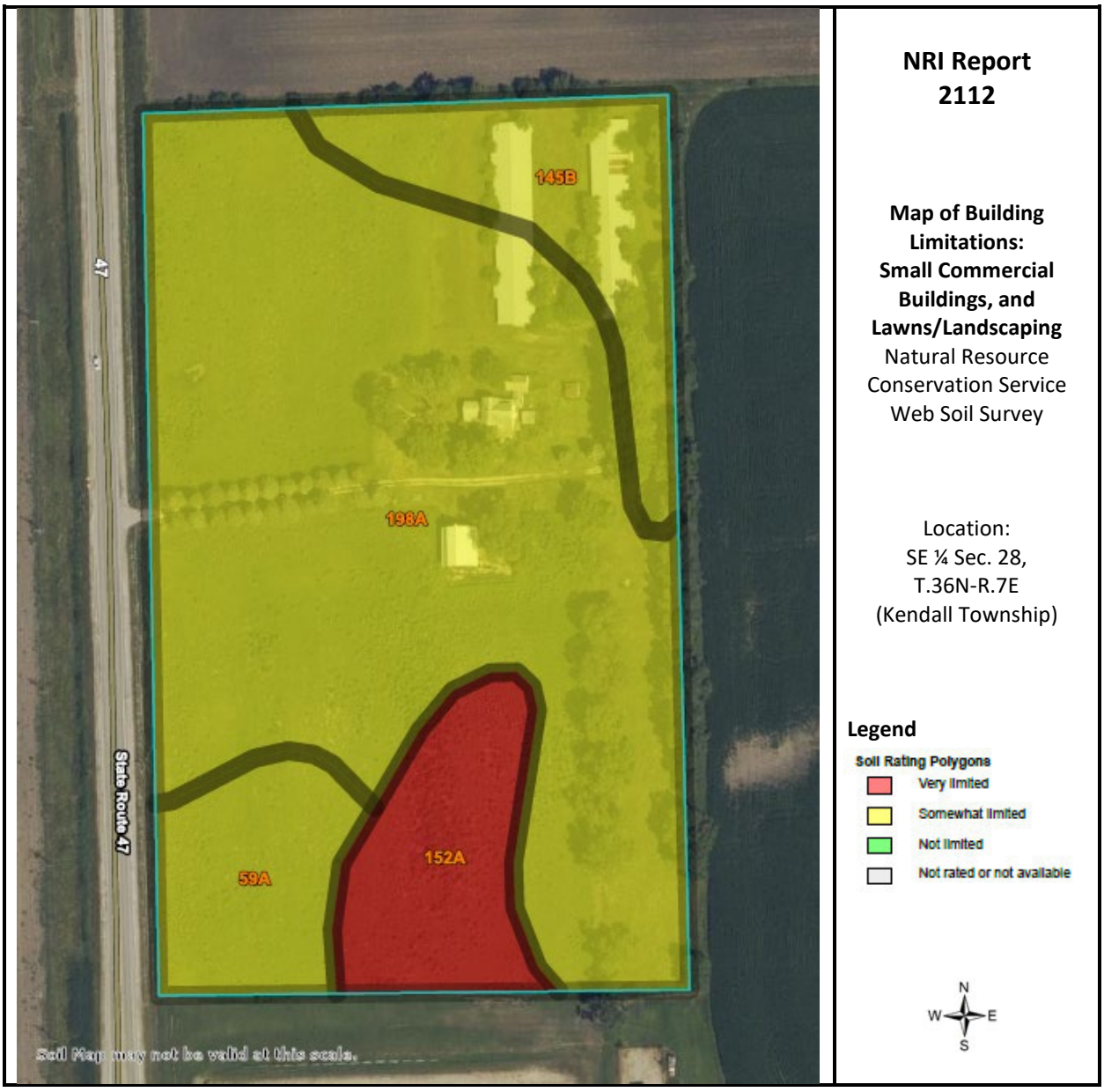


Figure 6A: Map of Building Limitations – Small Commercial Buildings and Lawns/Landscaping

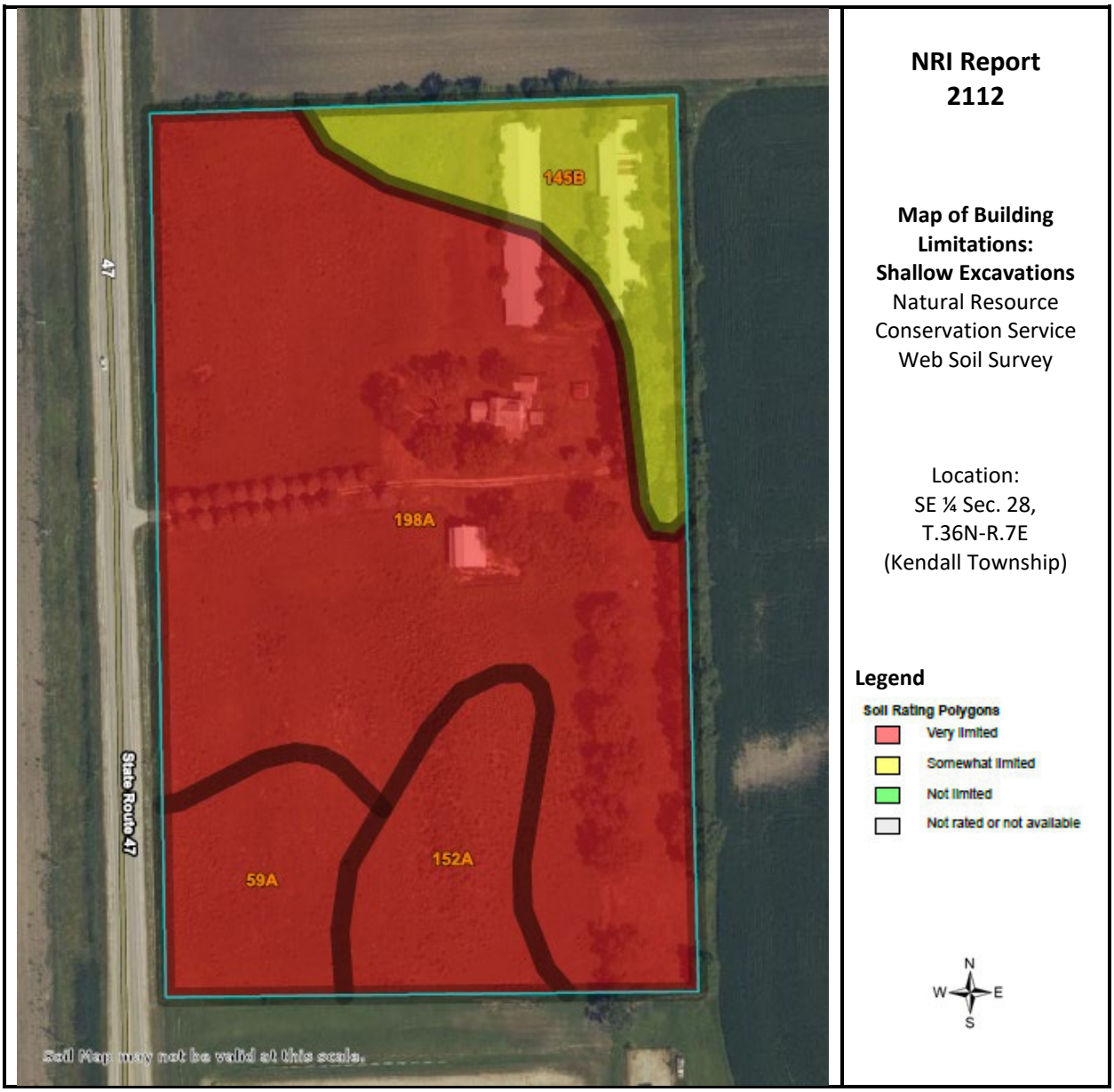


Figure 6B: Map of Building Limitations – Shallow Excavations

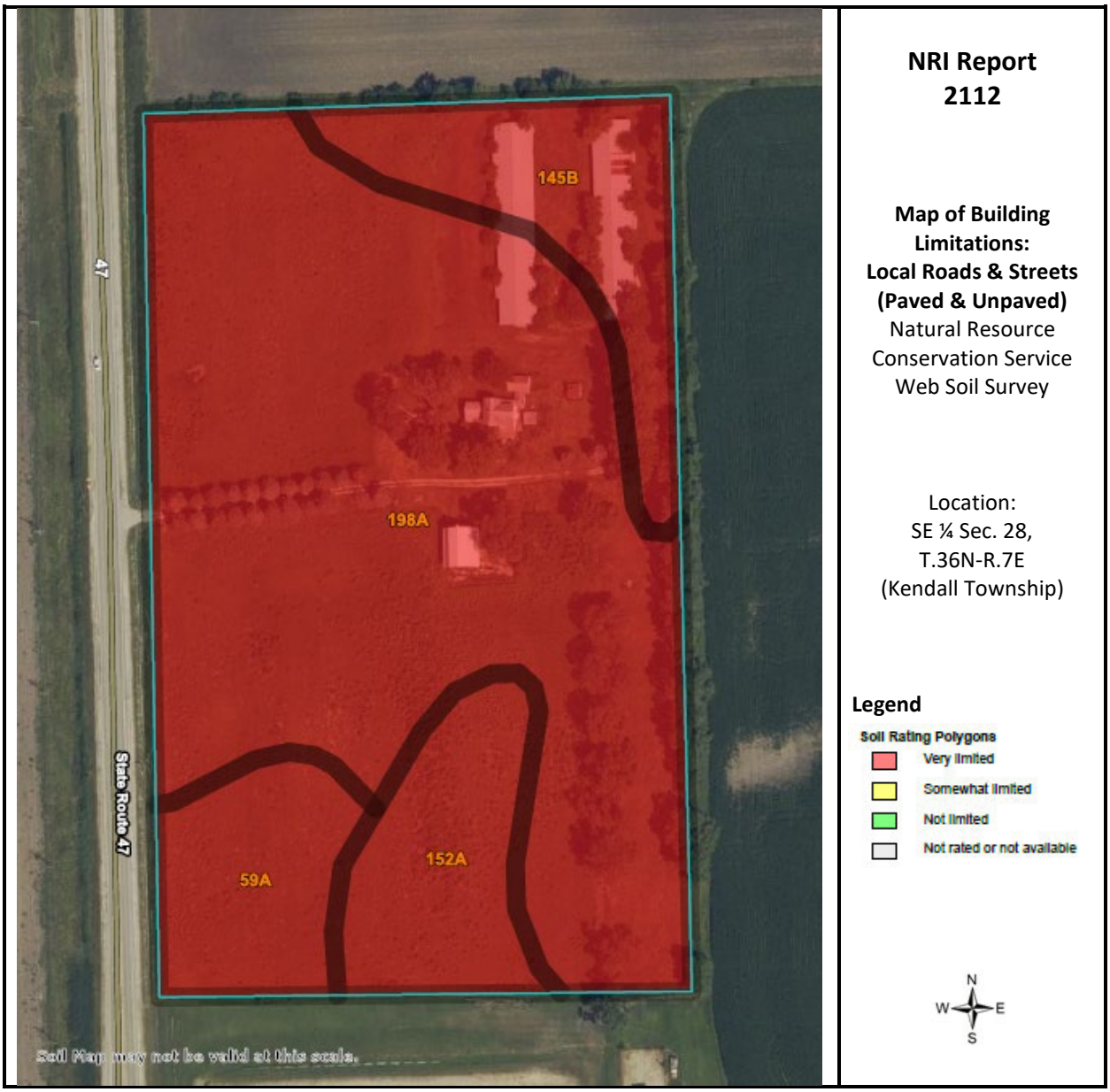


Figure 6C: Map of Building Limitations – Local Roads & Streets (Paved & Unpaved)

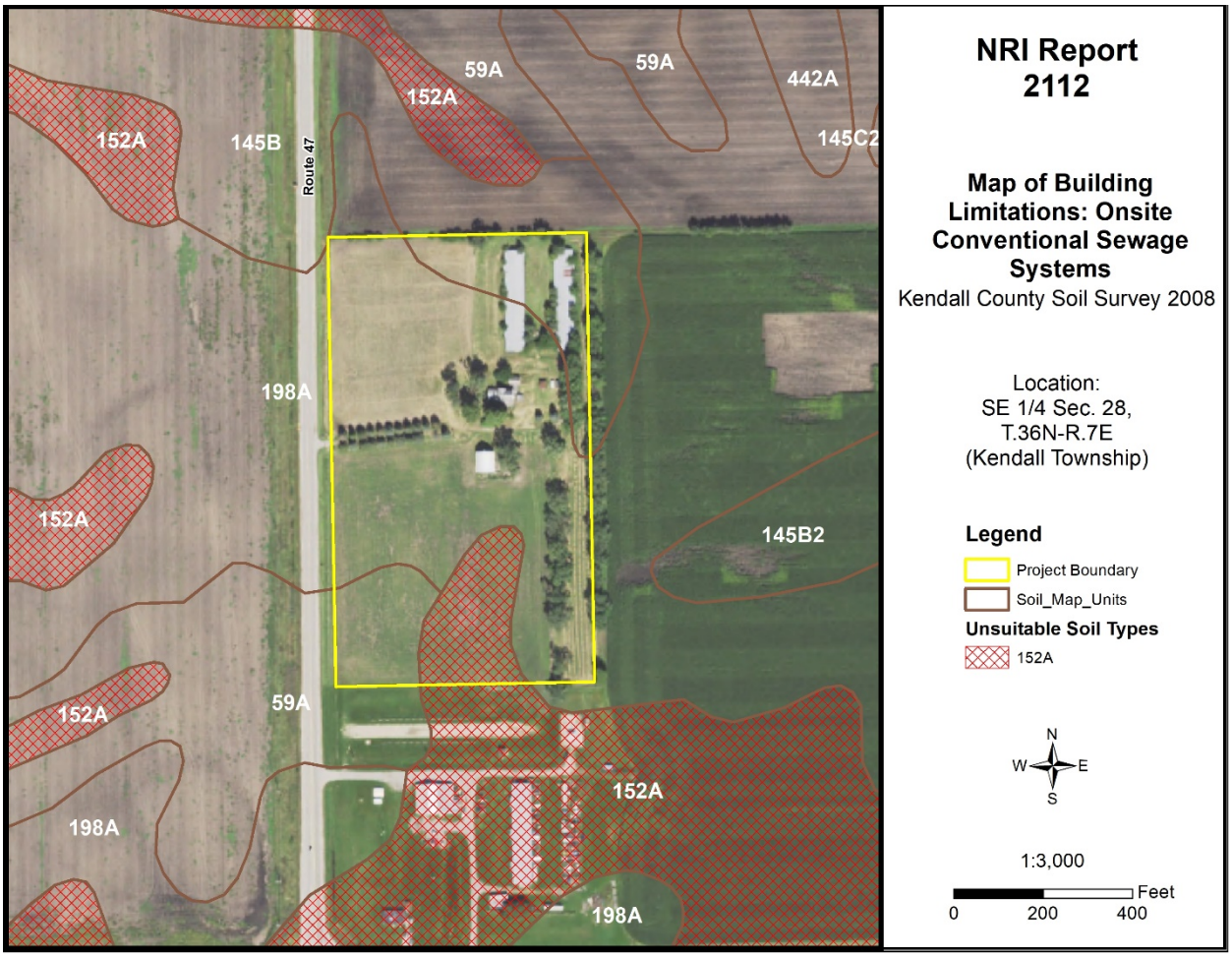


Figure 6D: Map of Building Limitations – Onsite Conventional Sewage System

SOIL WATER FEATURES

Table 5, below, gives estimates of various soil water features that should be taken into consideration when reviewing engineering for a land use project.

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

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

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

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

MONTHS – The portion of the year in which a water table, ponding, and/or flooding is most likely to be a concern.

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

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

- **Duration:** Expressed as *very brief* if less than 2 days, *brief* if 2 to 7 days, *long* if 7 to 30 days and *very long* if more than 30 days.
- **Frequency:** Expressed as: *none* meaning ponding is not possible; *rare* means unlikely but possible under unusual weather conditions (chance of ponding is 0-5% in any year); *occasional* means that it occurs, on the average, once or less in 2 years (chance of ponding is 5 to 50% in any year); and frequent means that it occurs, on the average, more than once in 2 years (chance of ponding is more than 50% in any year).

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

- **Duration:** Expressed as: *extremely brief* if 0.1 hour to 4 hours; *very brief* if 4 hours to 2 days; *brief* if 2 to 7 days; *long* if 7 to 30 days; and *very long* if more than 30 days.
- **Frequency:** Expressed as: *none* means flooding is not probable; *very rare* means that it is very unlikely but possible under extremely unusual weather conditions (chance of flooding is less than 1% in any year); *rare* means that it is unlikely but possible under unusual weather conditions (chance of flooding is 1 to 5% in any year); *occasional* means that it occurs infrequently under normal weather conditions (chance of flooding is 5 to 50% in any year but is less than 50% in all months in any year); and *very frequent* means that it is likely to occur very often under normal weather conditions (chance of flooding is more than 50% in all months of any year).

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

Table 5: Water Features

Map Unit	Hydrologic Group	Surface Runoff	Water Table	Ponding	Flooding
59A	C/D	Low	January – May **Upper Limit:** 1.0’-2.0’ **Lower Limit:** 2.0’-4.0’ June – December **Upper/Lower Limit**: --	January – December **Surface Water Depth**: -- **Duration**: -- **Frequency**: None	January – December **Duration**: -- **Frequency**: None
145B	C	Low	January **Upper/Lower Limit**: -- February – April **Upper Limit:** 2.0’-3.5’ **Lower Limit:** 2.2’-3.8’ May – December **Upper/Lower Limit**: --	January – December **Surface Water Depth**: -- **Duration**: -- **Frequency**: None	January – December **Duration**: -- **Frequency**: None
152A	B/D	Negligible	January – May **Upper Limit:** 0.0’-1.0’ **Lower Limit:** 6.0’ June – December **Upper/Lower Limit**: --	January – May **Surface Water Depth:** 0.0’-0.5’ **Duration:** Brief (2 to 7 days) **Frequency:** Frequent June – December **Surface Water Depth**: -- **Duration**: -- **Frequency**: None	January – December **Duration**: -- **Frequency**: None
198A	B/D	Low	January – May **Upper Limit:** 1.0’-2.0’ **Lower Limit:** 6.0’ June – December **Upper/Lower Limit**: --	January – December **Surface Water Depth**: -- **Duration**: -- **Frequency**: None	January – December **Duration**: -- **Frequency**: None

SOIL EROSION AND SEDIMENT CONTROL

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

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

Soil erosion during and after this proposed construction can be a primary non-point source of water pollution. Eroded soil during the construction phase can create unsafe conditions on roadways, decrease the storage capacity of lakes, clog streams and drainage channels, cause deterioration of aquatic habitats, and increase water treatment costs. Soil erosion also increases the risk of flooding by choking culverts, ditches, and storm sewers and by reducing the capacity of natural and man-made detention facilities.

The general principles of erosion and sedimentation control measures include:

- Reducing or diverting flow from exposed areas, storing flows, or limiting runoff from exposed areas
- Staging construction to keep disturbed areas to a minimum
- Establishing or maintaining temporary or permanent groundcover
- Retaining sediment on site
- Properly installing, inspecting, and maintaining control measures

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

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

Table 6: Soil Erosion Potential

Soil Type	Slope	Rating	Acreage	Percent of Parcel
59A	0-2%	Slight	1.2	9.0%
145B	2-5%	Slight	1.7	12.4%
152A	0-2%	Slight	1.4	10.3%
198A	0-2%	Slight	9.3	68.2%

PRIME FARMLAND SOILS

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

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

Table 7: Prime Farmland Soils

Soil Types	Prime Designation	Acreage	Percent
59A	Prime Farmland	1.2	9.0%
145B	Prime Farmland	1.7	12.4%
152A	Prime Farmland if drained	1.4	10.3%
198A	Prime Farmland	9.3	68.2%
% Prime Farmland	**100%**		

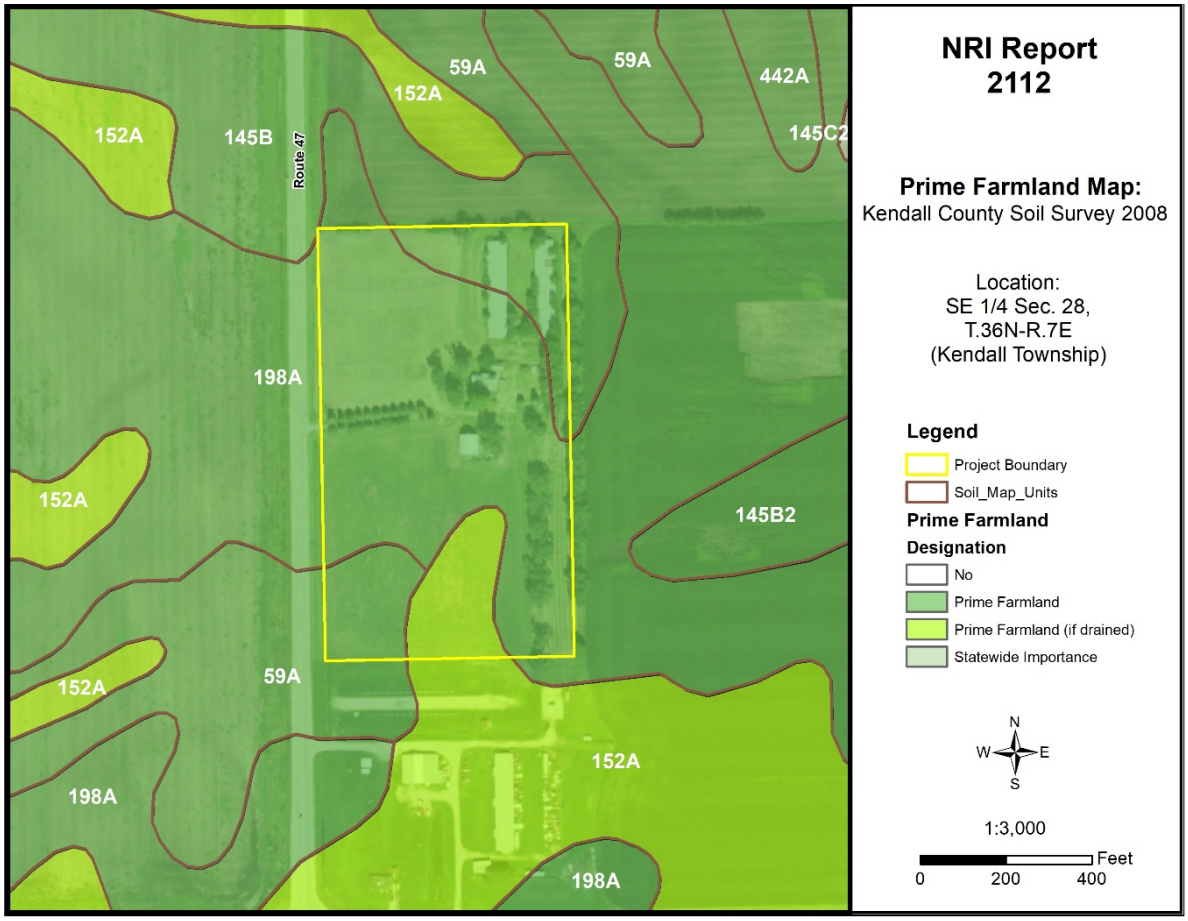


Figure 7: Map of Prime Farmland Soils

LAND EVALUATION AND SITE ASSESSMENT (LESA)

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

LAND EVALUATION (LE)

The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland, or forestland. The best group is assigned a value of 100, and all other groups are assigned lower values. The Land Evaluation is based on data from the Kendall County Soil Survey. The LE score is calculated by multiplying the relative value of each soil type by the number of acres of that soil. The sum of the products is then divided by the total number of acres; the answer is the Land Evaluation score on this site. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.

SITE ASSESSMENT (SA)

The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The value group is a predetermined value based upon prime farmland designation. The Kendall County LESA Committee is responsible for this portion of the LESA system.

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

Table 8A: Land Evaluation Computation

Soil Type	Value Group	Relative Value	Acres	Product (Relative Value x Acres)
59A	2	94	1.2	112.8
145B	2	94	1.7	159.8
152A	1	100	1.4	140
198A	1	100	9.3	930
Totals			**13.7**	**1,342.6**
LE Calculation			(Product of relative value / Total Acres) 1,342.6 / 13.7 = 98	
LE Score			**LE = 98**	

The Land Evaluation score for this site is 98, indicating that this site is designated as prime farmland that is well suited for agricultural uses considering the Land Evaluation score is above 80.

Table 8B: Site Assessment Computation

A.	**Agricultural Land Uses**	**Points**
	1. Percentage of area in agricultural uses within 1.5 miles of site. (20-10-5-0)	20
	2. Current land use adjacent to site. (30-20-15-10-0)	20
	3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0)	15
	4. Size of site. (30-15-10-0)	0
B.	**Compatibility / Impact on Uses**	
	1. Distance from city or village limits. (20-10-0)	20
	2. Consistency of proposed use with County Land Resource Management Concept Plan and/or municipal comprehensive land use plan. (20-10-0)	20
	3. Compatibility of agricultural and non-agricultural uses. (15-7-0)	7
C.	**Existence of Infrastructure**	
	1. Availability of public sewage system. (10-8-6-0)	10
	2. Availability of public water system. (10-8-6-0)	10
	3. Transportation systems. (15-7-0)	7
	4. Distance from fire protection service. (10-8-6-2-0)	8
	Site Assessment Score:	**137**

The Site Assessment score for this site is 137. The Land Evaluation value (98) is added to the Site Assessment value (137) to obtain a LESA Score of 235. The table below shows the level of protection for the proposed project site based on the LESA Score.

Table 9: LESA Score Summary

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

Land Evaluation Value: 98 + **Site Assessment Value:** 137 = **LESA Score: 235**

The LESA Score for this site is 235 which indicates a high level of protection for the proposed project site. Note: Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County. If the project is agricultural in nature, however, a higher score may provide an indication of the suitability of the project as it relates to the compatibility with existing agricultural land use.

LAND USE PLANS

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

DRAINAGE, RUNOFF, AND FLOOD INFORMATION

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

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

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

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

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

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

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

For this reason, the Kendall County SWCD recommends that the developer for intense uses such as a subdivision calculate the preconstruction Q value for the exit point(s). A stormwater management system

should be designed, installed, and maintained to limit the postconstruction Q value to be at or below the preconstruction value.

IMPORTANCE OF FLOOD INFORMATION

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

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

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

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

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

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

If the available maps indicate the presence of a floodplain on the PIQ, the petitioner should contact the IDOT-OWR and FEMA to delineate a floodplain elevation for the parcel. If a portion of the property is indeed floodplain, applicable state, county, and local regulations will need to be reflected in the site plans.

Another indication of flooding potential can be found in the soils information. Hydric soils indicate the presence of drainageways, areas subject to ponding, or a naturally occurring high water table. These need to be considered along with the floodplain information when developing the site plan and the stormwater management plan. Development on hydric soils can contribute to the loss of water storage within the soil and the potential for increased flooding in the area.

This parcel is located on gradual topography (slopes 0 to 5%) with an elevation of approximately 660-672' above sea level. According to the FIRM map, the parcel in question is outside of the floodway and floodplain. The parcel drains predominantly southeast.

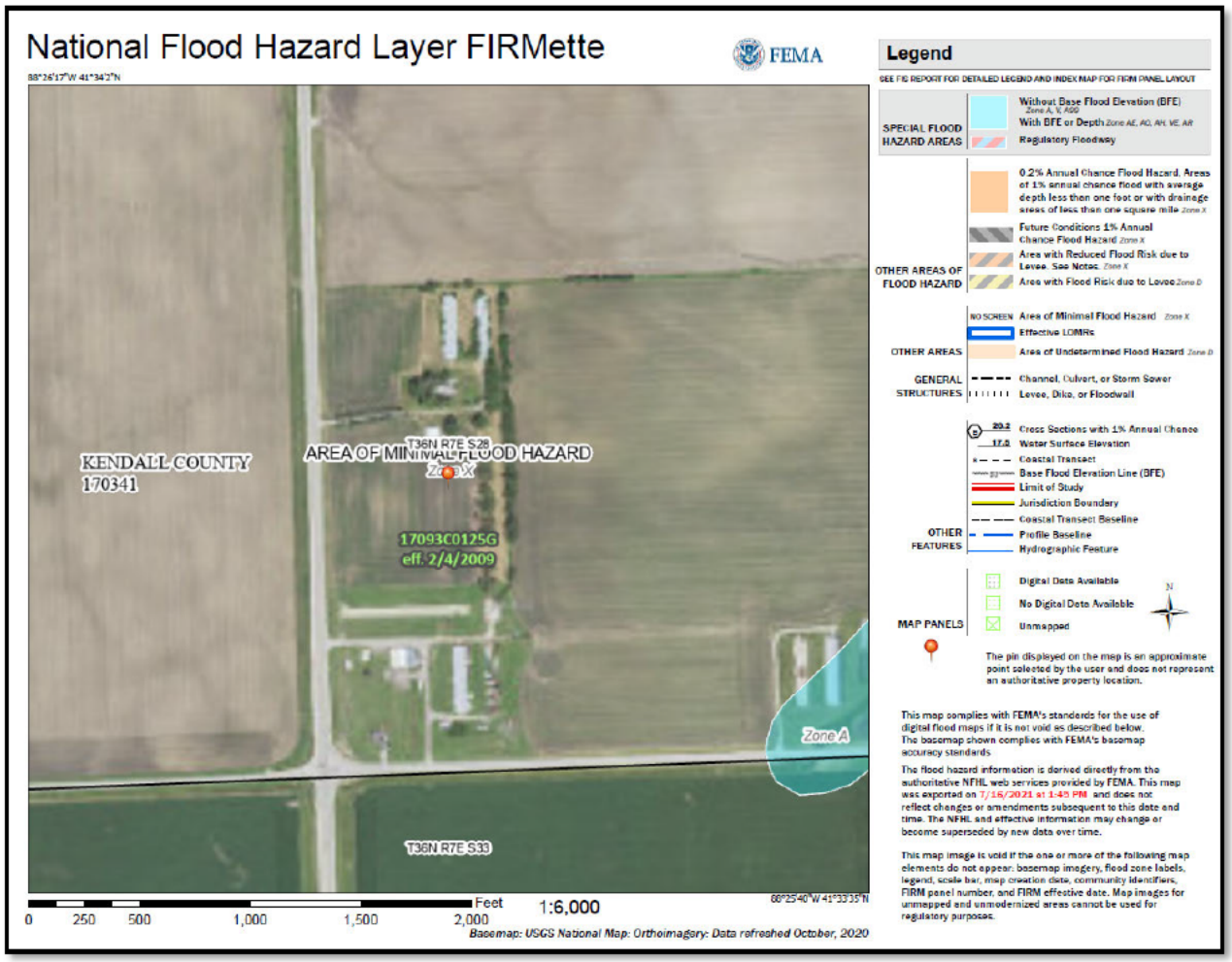


Figure 8: FEMA Floodplain Map

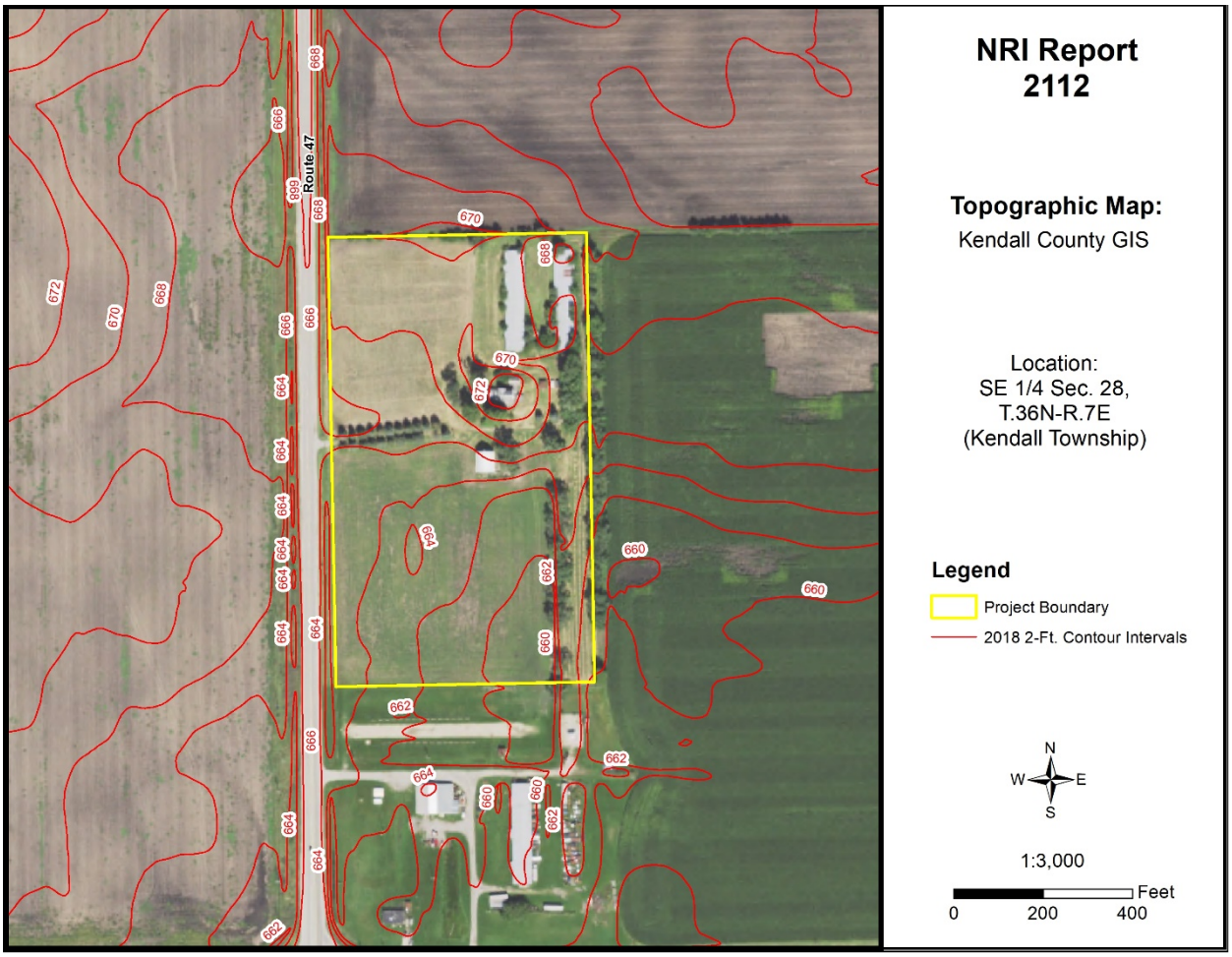


Figure 9: Topographic Map

WATERSHED PLANS

WATERSHED AND SUB WATERSHED INFORMATION

A watershed is the area of land that drains into a specific point including a stream, lake, or other body of water. High points on the Earth's surface, such as hills and ridges define watersheds. When rain falls in the watershed, it flows across the ground towards a stream or lake. Rainwater carries pollutants such as oils, pesticides, and soil.

Everyone lives in a watershed. Their actions can impact natural resources and people living downstream. Residents can minimize this impact by being aware of their environment and the implications of their activities, implementing practices recommended in watershed plans, and educating others about their watershed.

The following are recommendations to developers for protection of this watershed:

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

This parcel is located within the Upper Illinois River Watershed and the West Branch Aux Sable Creek/Lisbon Creek Sub Watershed.

WETLAND INFORMATION

IMPORTANCE OF WETLAND INFORMATION

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

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

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

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

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

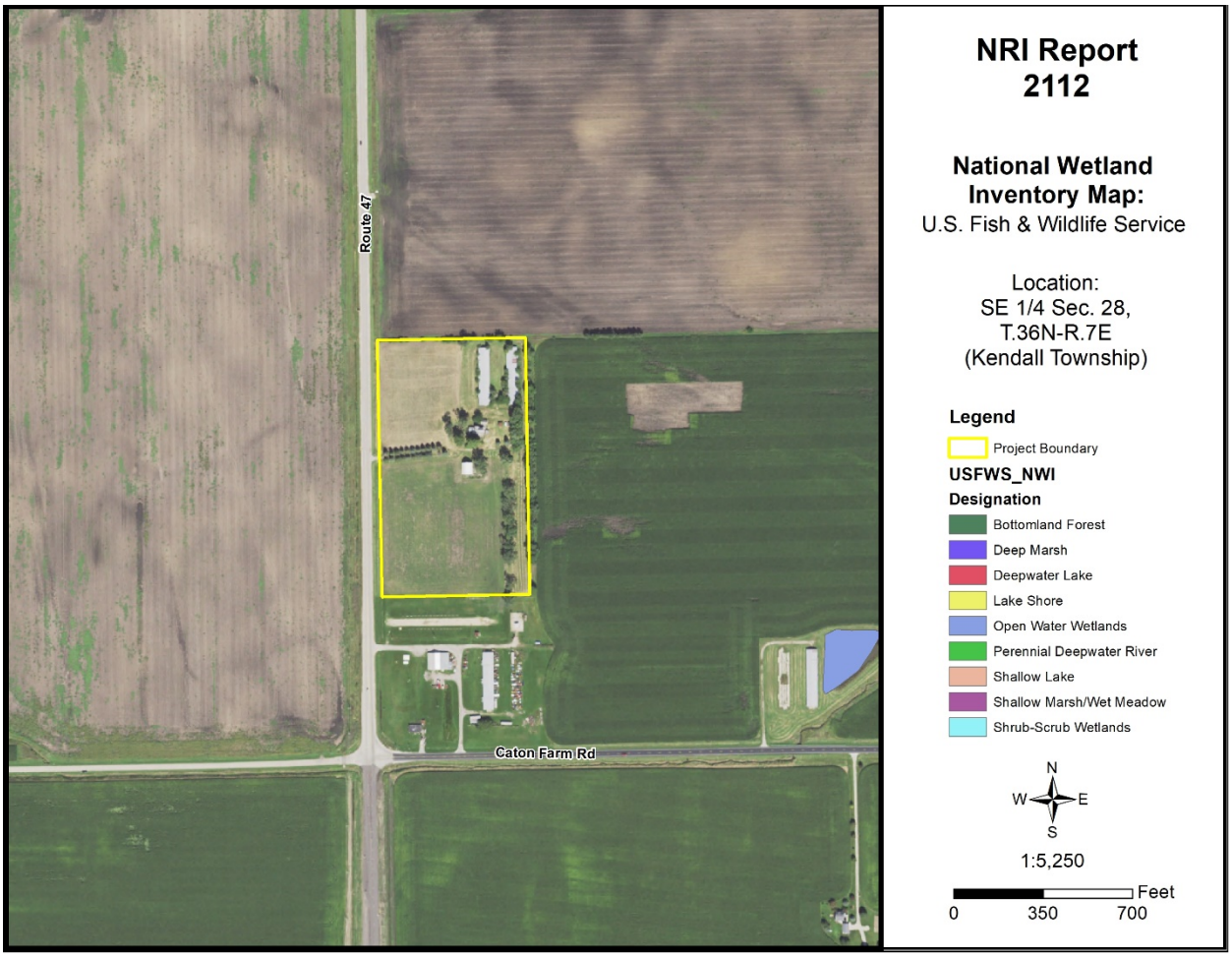


Figure 10: Wetland Map – USFWS National Wetland Inventory

Office maps indicate that mapped wetlands are not present on the parcel in question (PIQ).

HYDRIC SOILS

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

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

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

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

Table 10: Hydric Soils

Soil Types	Drainage Class	Hydric Designation	Hydric Inclusions Likely	Acreage	Percent
59A	Somewhat Poorly Drained	Non-Hydric	No	1.2	9.0%
145B	Moderately Well Drained	Non-Hydric	No	1.7	12.4%
152A	Poorly Drained	Hydric	No	1.4	10.3%
198A	Somewhat Poorly Drained	Non-Hydric	Yes	9.3	68.2%

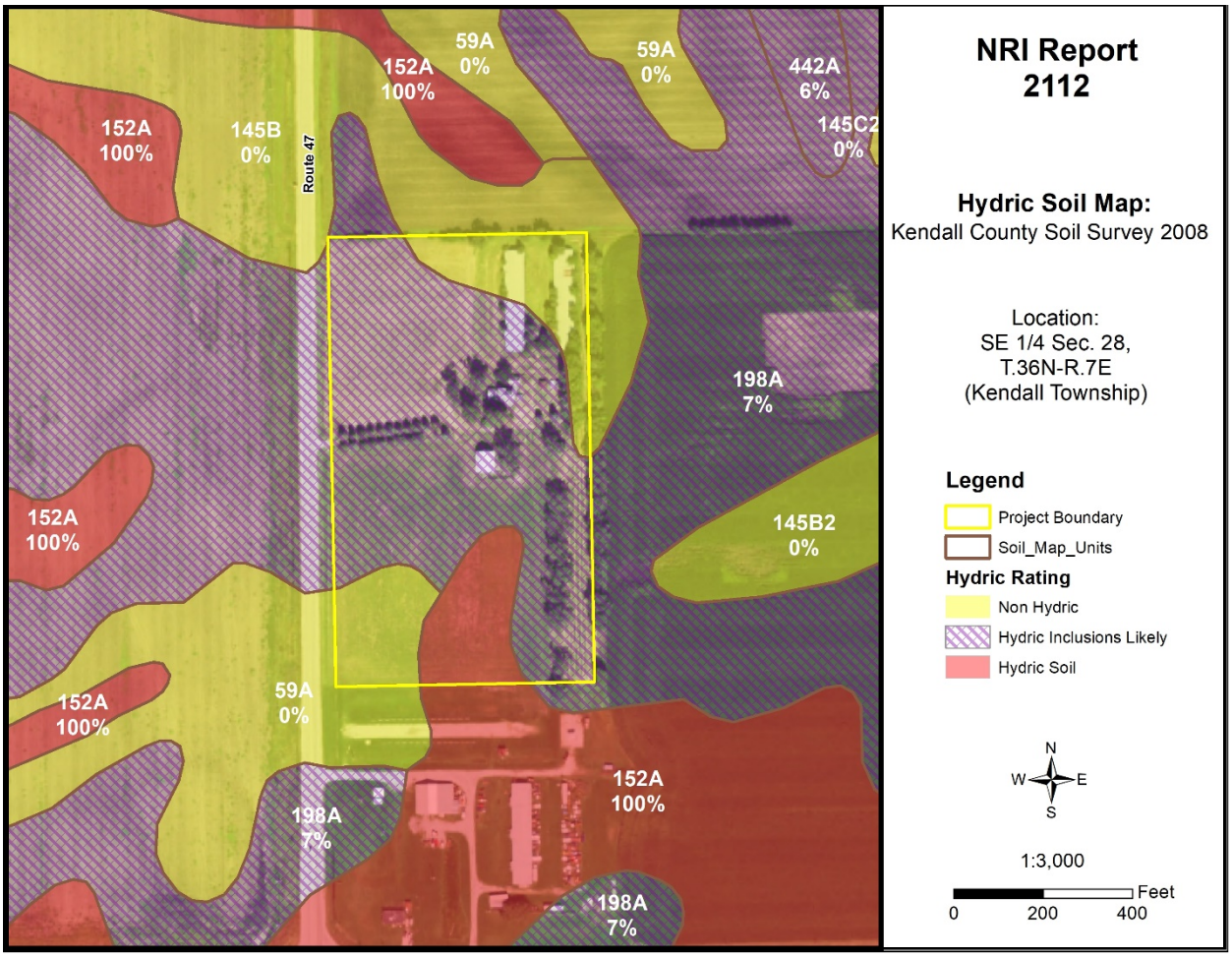


Figure 11: Hydric Soil Map

WETLAND AND FLOODPLAIN REGULATIONS

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

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

WHO MUST APPLY?

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

REGULATORY AGENCIES

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

COORDINATION

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

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

GLOSSARY

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

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

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

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

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

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

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

- **Watertable, Apparent**: A thick zone of free water in the soil. An apparent water table is indicated by the level at which water stands in an uncased borehole after adequate time is allowed for adjustment in the surrounding soil.
- **Watertable, Artesian**: A water table under hydrostatic head, generally beneath an impermeable layer. When this layer is penetrated, the water level rises in an uncased borehole.
- **Watertable, Perched**: A water table standing above an unsaturated zone. In places an upper, or perched, water table is separated from a lower one by a dry zone.

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

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

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

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

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

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

PALUSTRINE - Name given to inland freshwater wetlands.

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

PIQ - Parcel in question

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

PRIME FARMLAND - Prime farmland soils are lands that are best suited to food, feed, forage, fiber and oilseed crops. It may be cropland, pasture, woodland, or other land, but it is not urban and built up land or water areas. It either is used for food or fiber or is available for those uses. The soil qualities, growing season, and moisture supply are those needed for a well-managed soil economically to produce a sustained high yield of crops. Prime farmland produces in highest yields with minimum inputs of energy and economic resources and farming the land results in the least damage to the environment. Prime farmland has an adequate and dependable supply of moisture from precipitation or irrigation. The temperature and growing season are favorable. The level of acidity or alkalinity is acceptable. Prime farmland has few or no rocks and is permeable to water and air. It is not excessively erodible or saturated

with water for long periods and is not frequently flooded during the growing season. The slope ranges mainly from 0 to 5 percent (USDA Natural Resources Conservation Service).

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

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

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

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

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

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

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

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

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

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

REFERENCES

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

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

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

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

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

Illinois Urban Manual. Association of Illinois Soil & Water Conservation Districts, 2020.

Kendall County Land Atlas and Plat Book. 21st Edition, 2021.

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

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

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

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

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

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

Matt Asselmeier

From: Kannel, Joseph E <Joseph.Kannel@illinois.gov>
Sent: Wednesday, July 14, 2021 9:50 AM
To: Matt Asselmeier
Cc: Broviak, David E
Subject: RE: [External]RE: 10744 Route 47, Yorkville

Matt,

The bicycle accommodations on this project are on roadway. In the rural section, there will be 8' paved outside shoulders. In the far north end in the curb and gutter section, 13' driving lanes are provided for bicycle accommodation. The only sidewalk on the project is associated with existing sidewalk on a couple of the sideroads at the north end of the project.

Joe

From: Matt Asselmeier <masselmeier@co.kendall.il.us>
Sent: Wednesday, July 14, 2021 9:36 AM
To: Kannel, Joseph E <Joseph.Kannel@illinois.gov>
Cc: Klaas, Francis <fklaas@co.kendall.il.us>; Scott Koeppel <skoeppel@co.kendall.il.us>; Scott Gengler <sgengler@co.kendall.il.us>; Niemann, Steven M <Steven.Niemann@illinois.gov>; Ferguson, Scott A <Scott.Ferguson@illinois.gov>; Magolan, Thomas J <Thomas.Magolan@illinois.gov>; Broviak, David E <David.Broviak@illinois.gov>
Subject: RE: [External]RE: 10744 Route 47, Yorkville

Joe:

Does IDOT's planned improvements in this area include bike/pedestrian lanes?

Thanks,

Matthew H. Asselmeier, AICP, CFM
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

From: Broviak, David E [mailto:David.Broviak@illinois.gov]
Sent: Monday, July 12, 2021 10:12 AM
To: Matt Asselmeier <masselmeier@co.kendall.il.us>
Cc: Fran Klaas <FKlaas@co.kendall.il.us>; Scott Koeppel <skoeppel@co.kendall.il.us>; Scott Gengler <sgengler@co.kendall.il.us>; Kannel, Joseph E <Joseph.Kannel@illinois.gov>; Niemann, Steven M <Steven.Niemann@illinois.gov>; Ferguson, Scott A <Scott.Ferguson@illinois.gov>; Magolan, Thomas J <Thomas.Magolan@illinois.gov>
Subject: [External]RE: 10744 Route 47, Yorkville

Matt,

Thank you for the email concerning the change in use at 10744 IL Route 47 in Yorkville.

IDOT has no concerns related to the proposed rezoning or the issuing of a special use permit.

It is the responsibility of the property owner to ensure that the access from their property to the state highway meets the policy requirements for the proposed use. Enforcing the State of Illinois access compliance is the responsibility of the Department. Questions about our access requirements may be sent to the permit section by email at DOT.D3.Permits@illinois.gov .

Additional, the Department is currently preparing contract plans for an add lane improvement of this section of IL 47. As a public involvement best practice, Joe Kannel, IDOT's Project Engineer, will contact the current property owner with information about the proposed improvement.

Thanks again,
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: Monday, July 12, 2021 9:03 AM
To: Broviak, David E <David.Broviak@illinois.gov>
Cc: Klaas, Francis <fklaas@co.kendall.il.us>; Scott Koeppel <skoeppel@co.kendall.il.us>; Scott Gengler <sgengler@co.kendall.il.us>
Subject: [External] 10744 Route 47, Yorkville

Dave:

Kendall County received a request for a rezoning and special use permit for a landscaping business at 10744 Route 47, Yorkville (PIN: 05-28-400-002).

Does IDOT have any concerns with a change of use at this property?

If you need more information, please let me know.

Thanks,

Matthew H. Asselmeier, AICP, CFM
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
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ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
September 7, 2021 – Unapproved Meeting Minutes

PBZ Chairman Scott Gengler called the meeting to order at 9:00 a.m.

Present:
Matt Asselmeier – PBZ Department
Meagan Briganti – GIS Department
Scott Gengler – PBZ Committee Chair
Brian Holdiman – PBZ Department
Commander Jason Langston – Sheriff's Department
Alyse Olson – Soil and Water Conservation District
Aaron Rybski – Health Department

Absent:
Greg Chismark – WBK Engineering, LLC
David Guritz – Forest Preserve
Fran Klaas – Highway Department

Audience:
Scott Richmond, Lorena Gutierrez, Jose DeJesus Gutierrez, Dan Kramer, Mike Schoppe, and Robert Velazquez

PETITIONS

Petition 21-30 and 21-31 Robert Velazquez on Behalf of Always Faithful Properties, LLC
Mr. Asselmeier summarized the request.

Robert Velazquez, on behalf of Always Faithful Properties, LLC, was requesting a map amendment rezoning approximately thirteen point seven (13.7) more or less acres from A-1 Agricultural District with a special use permit to B-3 Highway Business District in order to operate a landscaping business on the subject property after rezoning and after securing a special use permit to operate a landscaping business on the subject property.

The application materials, aerial of the property, plat of survey and site plan, and Ordinance 1982-10, which granted a special use permit for the storage of recreation vehicles, boats, and antique cars, were provided.

Route 47 is a State maintained Arterial Road. Yorkville has a trail planned along Route 47 in this area. IDOT has bicycle accommodations planned on the roadway.

There were no floodplains or wetlands on the property.

The adjacent land uses were Agricultural, Commercial and Utility.

The Future Land Use Map called for the area to be Transportation Corridor and Commercial.

The nearby zoning districts were A-1 and A-1 SU.

The A-1 special use permit to the south is for agricultural implement sales and service. The parcel to the southeast is owned by the Federal Aviation Administration and is used for a communication tower.

The subject property is over two (2) miles from the United City of Yorkville and the Village of Plattville. Yorkville's Comprehensive Plan calls for this area to be Estate/Conservation Residential. Plattville's Comprehensive Plan calls for this area to be commercial.

EcoCAT Report submitted and consultation terminated.

The application for NRI was submitted on July 7, 2021. The LESA Score was 235 indicating a high level of protection. The NRI was provided.

Petition information was sent to Kendall Township on August 27, 2021.

Petition information was sent to the Bristol-Kendall Fire Protection District on August 27, 2021.

The Petitioner desired to rezone the subject property and obtain a special use permit to operate a landscaping business on the subject property.

According to the business plan provided, the business has a maximum of forty (40) employees during the busy summer season and as few as three (3) employees during the off-season. The County received information that the business could have a maximum of fifty (50) employees. Of these, approximately four (4) employees would be onsite constantly. The normal anticipated hours of operation for employees would be on Monday through Friday from 5:00 a.m. until 7:00 p.m. and from 7:00 a.m. until 1:00 p.m. on Saturdays. The Petitioner acknowledged that, during the winter, employees may arrive at the property anytime to clear snow from customers' properties. Hours of operation for members of the public would be Monday through Friday from 7:00 a.m. until 5:00 p.m. Hours of operation for deliveries would be Monday through Friday from 7:00 a.m. until 5:00 p.m. with limited Saturday hours.

No information was provided regarding the number of company trucks or other business related equipment would be stored at the property.

If approved, the Petitioner planned to start construction immediately start operations as quickly as possible.

According to the site plan, the Petitioner planned to construct the following buildings:

1. One (1) approximately four thousand (4,000) square foot, two (2) story office.

2. Two (2) approximately three thousand one hundred seventy-four (3,174) square foot, three (3) bay garages.

3. One (1) approximately one thousand one hundred fifty (1,150) square foot drive thru maintenance bay.

4. One (1) approximately one thousand two hundred fifty (1,250) square foot storage bay.

5. Three (3) nursery/hoop houses. The hoop houses would be approximately one thousand two hundred (1,200) square feet, one thousand six hundred (1,600) square feet, and two thousand six hundred (2,600 square feet in size respectively.

In addition to the above new structures, the site plan also showed the retention and repurpose of the following structures already located on the property:

1. Two (2) existing barns located near the northeast corner of the site. The barns are approximately nine thousand two hundred sixty-five (9,265) square feet and nine thousand two hundred fifty (9,250) square feet in size respectively. The barns will be used for storage.

2. One (1) existing barn located south of the development area. This barn is approximately one thousand four hundred sixty-five (1,465) square feet in size and will be used for bulk salt storage.

In addition to the proposed and existing buildings, the site plan showed twenty-two (22) concrete block bulk storage bins. The storage bins would be approximately fifteen feet (15') wide, thirty (30') feet deep, and eight feet (8') tall. The materials stored in these bins shall be a maximum ten feet (10') tall.

Any structures related to the landscaping business would be required to obtain applicable building permits.

Electricity was onsite. No information was provided regarding the well or septic system.

According to the site plan, an approximately five thousand (5,000) square foot septic field was planned northeast of Garage Building 2.

The site plan also showed three (3)-five hundred (500) gallon fuel tanks southeast of Garage Building 1.

One (1) trash dumpster surrounded by a six foot (6') wooden fence was also shown on the site plan southeast of Garage Building 1.

The property drained to the southeast. One (1) stormwater detention pond was planned at the southeast corner of the property.

A stormwater management permit will be required. Stormwater related information is included with the site plan.

The property fronted Route 47.

According to the site plan, the existing gravel driveway will be removed and a twenty-four foot (24') wide paved drive will be installed.

The Illinois Department of Transportation had no concerns regarding this proposal; the emails regarding this proposal were provided.

According to the site plan, there were (2) two parking lots. The parking lot west of the Office Building had nineteen (19) parking spaces. The parking lot west of Existing Building 2 had sixteen (16) parking spaces. There was one (1) handicapped parking space in each parking lot. The site plan also showed outdoor parking spaces for company vehicles.

The westernmost parking lot was paved and the easternmost parking lot will be composed of limestone or asphalt screenings.

None of the parking areas were located in the required setbacks.

According the photometric plan, there will ten (10) RAR2-320L-165-4K7-4W(1) pole mounted lights located mostly around the perimeter of the developed area. Four (4) RAR2-320L-165-4K7-5QW(1) pole mounted lights will be located west and southwest of Existing Building 2. Three (3) RWL1-48L-25-4K7-4W lights will be located on Existing Storage Buildings 1 and 2. Two (2) RWL2-160L-80-4K7-WW lights will be located on the Garage Buildings 1 and 2. The pole mounted lights will be lowered to twenty feet (20') in height to comply with the Zoning Ordinance.

The anticipated foot-candles at the property will be 0.8 which was less than the 5.0 foot-candle maximum allowed by the Zoning Ordinance for adjoining properties planned to be commercial.

According to the site plan, there will be one (1) monument sign located approximately fifteen (15') east of the right-of-way line. The sign will be approximately five feet (5') in height and ten feet (10') feet in width, including supports. The sign will not be illuminated.

According to the site plan, there will be one (1) six foot (6') wooden screen fence located along the northern property line north of the Existing Storage Buildings. The Petitioner also planned to install security cameras and an alarm system in all buildings. The Petitioner may install a gate at the main entrance if necessary.

According to the landscaping plan, the Petitioner planned to install the following landscaping around the western parking lot:

1. Three (3) Red Sunset Maples
2. Two (2) Skyline Honeylocusts
3. Fifteen (15) Annabella Hydrangeas
4. Ten (10) Alpine Currants
5. Twenty (20) Double Knock Out Roses
6. Eight (8) Blue Muffin Viburnum
7. One Hundred Forty (140) Autumn Joy Sedums
8. Three Hundred Eighty (380) Russian Stonecrops
9. Two Hundred Ten (210) Dart's Blue Perwinkle

The Petitioner also planned to install eight (8) Techny Arborvitaes around refuse area.

The shrubs shall be two feet (2') in height at the time of planting. The canopy trees will be two point five inch (2.5") caliber at the time of planting and shall grow to fifty feet (50') in height. The Techny Arborvitaes shall be a minimum six feet (6') in height at the time of planting. The Petitioner planned to install all landscaping by May 15, 2022.

In addition to the landscaping mentioned previously, the Petitioner planned to install two (2) hardscape courtyards and two (2) landscape garden showcase areas on the property as shown on the site plan. The site plan also showed a nursery stock area.

No information was provided regarding noise control.

No new odors are foreseen by the proposed use.

If approved, this would be the fifteenth (15th) special use permit for a landscaping business in unincorporated Kendall County.

The proposed Findings of Fact for the map amendment were as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used for agricultural purposes or communication purposes.

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 permit for agricultural implement sales and service.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1 and could be used for many uses presently permitted under the A-1 zoning classification.

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 a mix of agricultural and commercial uses. Commercial uses in the area probably will increase as the Illinois Department of Transportation widens Route 47.

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 Transportation Corridor and Commercial. The B-3 Highway Business Districts is consistent with the Commercial classification. The Land Resource Management Plan calls for limited B-3 Highway Business District zoned property on lands classified as Transportation Corridor.

The proposed Finding of Fact for the special use permit 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. Provided the site is developed in accordance with the submitted site plan, the operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare.

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. Appropriate restrictions may be placed in the special use permit to regulate the number of employees, hours of operation, site landscaping, and noise. Therefore, the neighboring property owners should not suffer loss in property values and the use will not negatively impact the adjacent 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. Adequate utilities are planned for the site. The property has direct access to Route 47 and the Illinois Department of Transportation expressed no concerns regarding the proposed use. A stormwater management permit is required and that permit will address drainage.

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. The Petitioner is not requesting any variances to the applicable regulations of the district.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. True, the proposed use is consistent with a goal found on Page 7-26 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." An objective under this goal further states, "Explore economic development opportunities along Route 47 Corridor to enhance the tax base and to encourage local employment and shopping opportunities."

Staff recommended approval of the proposed map amendment because the proposal was consistent with the Land Resource Management Plan.

Staff recommended approval of the special use permit for a landscaping business subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the submitted site plan, landscaping plan, and photometric plan. The gravel parking lot noted on the site plan shall be composed of either limestone or asphalt screenings. The fourteen (14) light poles shown on the site plan and mentioned in the photometric plan shall be a maximum twenty feet (20') feet in height. The owner of the business allowed by this special use permit may also install a security gate at the main driveway entrance.
2. All of the structures shown on the submitted site plan shall be constructed and occupied by December 31, 2022. This date may be extended upon approval by the Kendall County Planning, Building and Zoning Committee. The business allowed by this special use permit may commence operations starting upon approval of the special use permit. However, customers shall not be invited onto the property until an occupancy permit has been issued for the office building.
3. The owners of the business allowed by this special use permit shall diligently monitor the property for leaks from equipment and vehicles parked and stored on the subject property and shall promptly clean up the site if leaks occur.
4. Any new structures and signs constructed or installed on the property shall not be considered for agricultural purposes and must secure applicable building permits.
5. Equipment and vehicles related to the business allowed by the special use permit may be stored outdoors.
6. None of the vehicles or equipment parked or stored on the subject property related to the business allowed by the special use permit shall be considered agricultural vehicles or agricultural equipment.
7. All of the vehicles and equipment stored on the subject property related to the business allowed by the special use permit shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
8. Except for the purposes of loading and unloading, all landscape related materials shall be stored indoors or in the designated storage areas shown on the submitted site plan. The maximum height of the piles of landscaping related material shall be ten feet (10'), provided a Stormwater Management Permit is issued.
9. One (1) two (2)-sided business related sign may be installed in substantially the location shown on the submitted site plan. The sign shall be a maximum of ten (10') wide and five feet (5') tall, including supports. The sign will not be illuminated.
10. The landscaping shown on the submitted landscaping plan shall be installed no later than May 15, 2022. This date may be extended upon approval by the Kendall County Planning, Building and Zoning Committee. The Red Sunset Maples shall be a minimum of two point five inch (2.5") caliber at the time of planting. The Skyline Honeylocusts shall be a minimum of two point five inch (2.5") caliber at the time of planting. The Techny Arborvitaes shall be a minimum six feet (6') tall at the time of planting. Damaged or dead plants that are part of the landscaping plan shall

be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department. Nursery stock shall be exempt from this provision.

11. No landscape waste generated off the property can be burned on the subject property.

12. A maximum of fifty (50) employees of the business allowed by this special use permit, including the owners of the business allowed by this special use permit, may report to this site for work.

13. The hours of operation of the business allowed by this special use permit for the members of the public shall be Monday through Friday from 7:00 a.m. until 5:00 p.m. The owners of the business allowed by this special use permit may reduce these hours of operation.

14. The hours of operation of the business allowed by this special use permit for employees of the business shall be Monday through Friday from 5:00 a.m. until 7:00 p.m. and Saturday from 7:00 a.m. until 1:00 p.m. The owner of the business allowed by this special use permit may expand these hours of operation for employees to address the needs of customers impacted by snowfall. Business related deliveries may occur during these hours of operation. The owners of the business allowed by this special use permit may reduce these hours of operation.

15. The noise regulations are as follows:

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

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

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

16. The owners of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.

17. The property owner and operator 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.

18. 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.

19. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

20. This special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.

Ms. Olson requested that a soil erosion and sediment control plan be in place during construction. She also requested that an NPDES Permit be secured. Dan Kramer, Attorney for the Petitioner, was agreeable to these requests.

Mr. Rybski asked about the well and septic system. Mr. Kramer said that a well was on the property and capped. Robert Velazquez said the septic system tank has been identified and abandoned and will get the necessary permits for the septic system.

Mr. Asselmeier explained the uses in the B-3 Zoning District.

Mr. Velazquez said that the business would be consolidated at this site.

Mr. Kramer requested that the deadline to install landscaping be moved June 1, 2022.

Mr. Asselmeier made a motion, seconded by Mr. Holdiman, to recommend approval of the requested map amendment.

With a voice vote of seven (7) ayes, the motion carried.

Mr. Asselmeier made a motion, seconded by Mr. Holdiman, to recommend approval of the requested special use permit with conditions proposed by Staff as amended by increasing the number of employees to fifty (50) and changing the deadline to install landscaping to June 1, 2022.

With a voice vote of seven (7) ayes, the motion carried.

The proposals go to the Kendall County Regional Planning Commission on September 22, 2021.

PUBLIC COMMENT

None

ADJOURNMENT

Mr. Rybski made a motion, seconded by Ms. Briganti, to adjourn.

With a voice vote of seven (7) ayes, the motion carried.

The ZPAC, at 10:21 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP, CFM
Senior Planner

Enc.

KENDALL COUNTY
ZONING & PLATTING ADVISORY COMMITTEE
SEPTEMBER 7, 2021

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)
Dan Kramer 21-30	[redacted]	
Scott Richmond, Esq. 21-29		

September 8, 2021

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

Subject: 10744 Rte 47 (WBK Project 19-102.AF)

Dear Mr. Asselmeier:
WBK Engineering has completed a review of the subject project in Kendall County. The following material was provided to us for review:

- Stormwater Management Permit Application dated August 23, 2021 and received on August 27, 2021.
- Engineering Plans for Semper Fi Land Site Plan prepared by Tebrugge Engineering dated August 23, 2021 and received August 27, 2021.

These documents have been reviewed for conformance with the Kendall County Stormwater Ordinance. The following comments are offered for the petitioner's consideration and require resolution prior to our recommendation for approval.

1. Provide a stormwater report and narrative that describes the work to be performed. Several elements are required under the stormwater ordinance and shall be addressed; including:
    a. Identify the presence or lack thereof of floodplain and wetlands.
    b. Clarify the phasing of the project and what is to be constructed with Phase 1 & Phase 2.
    c. Identify the area of disturbance
    d. Identify the proposed area of impervious surface created
    e. Provide stormwater storage calculations including
        i. Release rate compliance verification
        ii. Stage storage discharge calculation
        iii. Hydrograph routing analysis
        iv. Off site areas flowing on to the property and any disturbed areas not captured by the project
    f. Field Tile Survey
2. Provide documentation of correspondence and approval of the proposed access to IL 47. Depict drainage provisions for the new access to IL 47.

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

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

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

3. It appears the proposed stormwater basin grading will trap runoff from the south. Also, the discharge location does not have a clear positive outlet. Furthermore, the point discharge needs to be changed to a sheet flow to minimize downstream ag field impacts.
4. Clarify proposed and existing grading. The PDF document was grainy and difficult to review.
5. The restrictor detail and overflow weir have elevations that do not corelate to the grading plan. Also, a restrictor with a weir wall is preferred to facilitate maintenance and overflows within the control structure if the orifice gets clogged.
6. Clarify the construction entrance location and detail, the extent of silt fence and extent of erosion control blanket. Identify if a Construction Activity NPDES-NOI is necessary for this project.

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

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

Sincerely,

[redacted]

Greg Chismark PE
WBK Engineering, LLC

KENDALL COUNTY
REGIONAL PLANNING COMMISSION

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

Unapproved - Meeting Minutes of September 22, 2021 - 7:00 p.m.

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

ROLL CALL

Members Present: Bill Ashton, Roger Bledsoe, Tom Casey, Dave Hamman, Karin McCarthy-Lange, Larry Nelson, Ruben Rodriguez (arrived at 7:05 p.m.), Claire Wilson (arrived at 7:05 p.m.), and Seth Wormley
Members Absent: Bob Stewart
Staff Present: Matthew H. Asselmeier, Senior Planner
Others Present: Scott Richmond, Lorena Gutierrez, Dan Kramer, Eryn Ruffatto, David Cline, William Sales, June Alice, and Robert VanderBeek

PETITIONS

Petitions 21-30 and 21-31 Robert Velazquez on Behalf of Always Faithful Properties, LLC

Mr. Asselmeier summarized the request.

Robert Velazquez, on behalf of Always Faithful Properties, LLC, was requesting a map amendment rezoning approximately thirteen point seven (13.7) more or less acres from A-1 Agricultural District with a special use permit to B-3 Highway Business District in order to operate a landscaping business on the subject property after rezoning and after securing a special use permit to operate a landscaping business on the subject property.

The application materials, aerial of the property, plat of survey and site plan, and Ordinance 1982-10, which granted a special use permit for the storage of recreation vehicles, boats, and antique cars, were provided.

Route 47 is a State maintained Arterial Road. Yorkville has a trail planned along Route 47 in this area. IDOT has bicycle accommodations planned on the roadway.

There were no floodplains or wetlands on the property.

The adjacent land uses were Agricultural, Commercial and Utility.

The Future Land Use Map called for the area to be Transportation Corridor and Commercial.

The nearby zoning districts were A-1 and A-1 SU.

The A-1 special use permit to the south is for agricultural implement sales and service. The parcel to the southeast is owned by the Federal Aviation Administration and is used for a communication tower.

The subject property is over two (2) miles from the United City of Yorkville and the Village of Plattville. Yorkville's Comprehensive Plan calls for this area to be Estate/Conservation Residential. Plattville's Comprehensive Plan calls for this area to be commercial.

EcoCAT Report submitted and consultation terminated.

The application for NRI was submitted on July 7, 2021. The LESA Score was 235 indicating a high level of protection. The NRI was provided.

Petition information was sent to Kendall Township on August 27, 2021. The Kendall Township Planning Commission reviewed this proposal at their meeting on September 14, 2021. Discussion centered on stormwater drainage. The Kendall Township Planning Commission recommended approval of the proposal with a request that the County Stormwater Engineer examine the stomwater outlet elevation of the pond with consideration given to the impact of drainage on the surrounding properties by vote of five (5) in favor and zero (0) in opposition. The Kendall Township Board recommended approval of this proposal on September 21, 2021.

Petition information was sent to the Bristol-Kendall Fire Protection District on August 27, 2021.

ZPAC reviewed this proposal at their meeting on September 7, 2021. The Petitioner requested that the maximum number of employees be increased from forty (40) to fifty (50) and the deadline to install landscaping be extended from May 15th to June 1st. The Kendall County Soil and Water Conservation District requested that the Petitioner install proper soil erosion and sediment control measures during construction and secure an NPDES Permit. The Kendall County Health Department requested that the Petitioner work with them on well and septic information. The Petitioner stated that he planned to consolidate operations and move from his current location on Route 71 to the subject property. ZPAC recommended approval of the request by a vote of seven (7) in favor and zero (0) in opposition with three (3) members absent. The minutes of this meeting were provided.

The Petitioner desired to rezone the subject property and obtain a special use permit to operate a landscaping business on the subject property.

According to the business plan provided, the business has a maximum of forty (40) employees during the busy summer season and as few as three (3) employees during the off-season. The County received information that the business could have a maximum of fifty (50) employees. Of these, approximately four (4) employees would be onsite constantly. The normal anticipated hours of operation for employees would be on Monday through Friday from 5:00 a.m. until 7:00 p.m. and from 7:00 a.m. until 1:00 p.m. on Saturdays. The Petitioner acknowledged that, during the winter, employees may arrive at the property anytime to clear snow from customers' properties. Hours of operation for members of the public would be Monday through Friday from 7:00 a.m. until 5:00 p.m. Hours of operation for deliveries would be Monday through Friday from 7:00 a.m. until 5:00 p.m. with limited Saturday hours.

No information was provided regarding the number of company trucks or other business related equipment would be stored at the property.

If approved, the Petitioner planned to start construction immediately start operations as quickly as possible.

According to the site plan, the Petitioner planned to construct the following buildings:

1. One (1) approximately four thousand (4,000) square foot, two (2) story office.

2. Two (2) approximately three thousand one hundred seventy-four (3,174) square foot, three (3) bay garages.

3. One (1) approximately one thousand one hundred fifty (1,150) square foot drive thru maintenance bay.

4. One (1) approximately one thousand two hundred fifty (1,250) square foot storage bay.

5. Three (3) nursery/hoop houses. The hoop houses would be approximately one thousand two hundred (1,200) square feet, one thousand six hundred (1,600) square feet, and two thousand six hundred (2,600 square feet in size respectively.

In addition to the above new structures, the site plan also showed the retention and repurpose of the following structures already located on the property:

1. Two (2) existing barns located near the northeast corner of the site. The barns are approximately nine thousand two hundred sixty-five (9,265) square feet and nine thousand two hundred fifty (9,250) square feet in size respectively. The barns will be used for storage.

2. One (1) existing barn located south of the development area. This barn is approximately one thousand four hundred sixty-five (1,465) square feet in size and will be used for bulk salt storage.

In addition to the proposed and existing buildings, the site plan showed twenty-two (22) concrete block bulk storage bins. The storage bins would be approximately fifteen feet (15') wide, thirty (30') feet deep, and eight feet (8') tall. The materials stored in these bins shall be a maximum ten feet (10') tall.

Any structures related to the landscaping business would be required to obtain applicable building permits.

Electricity was onsite. No information was provided regarding the well or septic system.

According to the site plan, an approximately five thousand (5,000) square foot septic field was planned northeast of Garage Building 2.

The site plan also showed three (3)-five hundred (500) gallon fuel tanks southeast of Garage Building 1.

One (1) trash dumpster surrounded by a six foot (6') wooden fence was also shown on the site plan southeast of Garage Building 1.

The property drained to the southeast. One (1) stormwater detention pond was planned at the southeast corner of the property.

A stormwater management permit will be required. Stormwater related information was included with the site plan. WBK submitted a comment letter dated September 8, 2021. As noted in the letter, WBK was requesting additional information on the pond.

The property fronted Route 47.

According to the site plan, the existing gravel driveway will be removed and a twenty-four foot (24') wide paved drive will be installed.

The Illinois Department of Transportation had no concerns regarding this proposal; the emails regarding this proposal were provided.

According to the site plan, there were (2) two parking lots. The parking lot west of the Office Building had nineteen (19) parking spaces. The parking lot west of Existing Building 2 had sixteen (16) parking spaces.

There was one (1) handicapped parking space in each parking lot. The site plan also showed outdoor parking spaces for company vehicles.

The westernmost parking lot was paved and the easternmost parking lot will be composed of limestone or asphalt screenings.

None of the parking areas were located in the required setbacks.

According the photometric plan, there will ten (10) RAR2-320L-165-4K7-4W(1) pole mounted lights located mostly around the perimeter of the developed area. Four (4) RAR2-320L-165-4K7-5QW(1) pole mounted lights will be located west and southwest of Existing Building 2. Three (3) RWL1-48L-25-4K7-4W lights will be located on Existing Storage Buildings 1 and 2. Two (2) RWL2-160L-80-4K7-WW lights will be located on the Garage Buildings 1 and 2. The pole mounted lights will be lowered to twenty feet (20') in height to comply with the Zoning Ordinance.

The anticipated foot-candles at the property lines will be 0.8 which was less than the 5.0 foot-candle maximum allowed by the Zoning Ordinance for adjoining properties planned to be commercial.

According to the site plan, there will be one (1) monument sign located approximately fifteen (15') east of the right-of-way line. The sign will be approximately five feet (5') in height and ten feet (10') feet in width, including supports. The sign will not be illuminated.

According to the site plan, there will be one (1) six foot (6') wooden screen fence located along the northern property line north of the Existing Storage Buildings. The Petitioner also planned to install security cameras and an alarm system in all buildings. The Petitioner may install a gate at the main entrance if necessary.

According to the landscaping plan, the Petitioner planned to install the following landscaping around the western parking lot:

1. Three (3) Red Sunset Maples
2. Two (2) Skyline Honeylocusts
3. Fifteen (15) Annabella Hydrangeas
4. Ten (10) Alpine Currants
5. Twenty (20) Double Knock Out Roses
6. Eight (8) Blue Muffin Viburnum
7. One Hundred Forty (140) Autumn Joy Sedums
8. Three Hundred Eighty (380) Russian Stonecrops
9. Two Hundred Ten (210) Dart's Blue Perwinkle

The Petitioner also planned to install eight (8) Techny Arborvitaes around refuse area.

The shrubs shall be two feet (2') in height at the time of planting. The canopy trees will be two point five inch (2.5") caliber at the time of planting and shall grow to fifty feet (50') in height. The Techny Arborvitaes shall

be a minimum six feet (6') in height at the time of planting. The Petitioner originally planned to install all landscaping by May 15, 2022, but requested the deadline for planting be extended to June 1, 2022.

In addition to the landscaping mentioned previously, the Petitioner planned to install two (2) hardscape courtyards and two (2) landscape garden showcase areas on the property as shown on the site plan. The site plan also showed a nursery stock area.

No information was provided regarding noise control.

No new odors are foreseen by the proposed use.

If approved, this would be the sixteenth (16^{th}) special use permit for a landscaping business in unincorporated Kendall County.

The proposed Findings of Fact for the map amendment were as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used for agricultural purposes or communication purposes.

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 permit for agricultural implement sales and service.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1 and could be used for many uses presently permitted under the A-1 zoning classification.

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 a mix of agricultural and commercial uses. Commercial uses in the area probably will increase as the Illinois Department of Transportation widens Route 47.

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 Transportation Corridor and Commercial. The B-3 Highway Business Districts is consistent with the Commercial classification. The Land Resource Management Plan calls for limited B-3 Highway Business District zoned property on lands classified as Transportation Corridor.

The proposed Finding of Fact for the special use permit 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. Provided the site is developed in accordance with the submitted site plan, the operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare.

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. Appropriate restrictions may be placed in the special use permit to regulate the number of employees, hours of operation, site landscaping, and noise. Therefore, the neighboring property owners should not suffer loss in property values and the use will not negatively impact the adjacent 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. Adequate utilities are planned for the site. The property has direct access to Route 47 and the Illinois Department of Transportation expressed no concerns regarding the proposed use. A stormwater management permit is required and that permit will address drainage.

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. The Petitioner is not requesting any variances to the applicable regulations of the district.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. True, the proposed use is consistent with a goal found on Page 7-26 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." An objective under this goal further states, "Explore economic development opportunities along Route 47 Corridor to enhance the tax base and to encourage local employment and shopping opportunities."

Staff recommended approval of the proposed map amendment because the proposal was consistent with the Land Resource Management Plan.

Staff recommended approval of the special use permit for a landscaping business subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the submitted site plan, landscaping plan, and photometric plan. The gravel parking lot noted on the site plan shall be composed of either limestone or asphalt screenings. The fourteen (14) light poles shown on the site plan and mentioned in the photometric plan shall be a maximum twenty feet (20') feet in height. The owner of the business allowed by this special use permit may also install a security gate at the main driveway entrance.
2. All of the structures shown on the submitted site plan shall be constructed and occupied by December 31, 2022. This date may be extended upon approval by the Kendall County Planning, Building and Zoning Committee. The business allowed by this special use permit may commence operations starting upon approval of the special use permit. However, customers shall not be invited onto the property until an occupancy permit has been issued for the office building.
3. The owners of the business allowed by this special use permit shall diligently monitor the property for leaks from equipment and vehicles parked and stored on the subject property and shall promptly clean up the site if leaks occur.
4. Any new structures and signs constructed or installed on the property shall not be considered for agricultural purposes and must secure applicable building permits.

5. Equipment and vehicles related to the business allowed by the special use permit may be stored outdoors.

6. None of the vehicles or equipment parked or stored on the subject property related to the business allowed by the special use permit shall be considered agricultural vehicles or agricultural equipment.

7. All of the vehicles and equipment stored on the subject property related to the business allowed by the special use permit shall be maintained in good condition with no deflated tires and shall be licensed if required by law.

8. Except for the purposes of loading and unloading, all landscape related materials shall be stored indoors or in the designated storage areas shown on the submitted site plan. The maximum height of the piles of landscaping related material shall be ten feet (10'), provided a Stormwater Management Permit is issued.

9. One (1) two (2)-sided business related sign may be installed in substantially the location shown on the submitted site plan. The sign shall be a maximum of ten (10') wide and five feet (5') tall, including supports. The sign will not be illuminated.

10. The landscaping shown on the submitted landscaping plan shall be installed no later than June 1, 2022. This date may be extended upon approval by the Kendall County Planning, Building and Zoning Committee. The Red Sunset Maples shall be a minimum of two point five inch (2.5") caliber at the time of planting. The Skyline Honeylocusts shall be a minimum of two point five inch (2.5") caliber at the time of planting. The Techny Arborvitaes shall be a minimum six feet (6') tall at the time of planting. Damaged or dead plants that are part of the landscaping plan shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department. Nursery stock shall be exempt from this provision.

11. No landscape waste generated off the property can be burned on the subject property.

12. A maximum of fifty (50) employees of the business allowed by this special use permit, including the owners of the business allowed by this special use permit, may report to this site for work.

13. The hours of operation of the business allowed by this special use permit for the members of the public shall be Monday through Friday from 7:00 a.m. until 5:00 p.m. The owners of the business allowed by this special use permit may reduce these hours of operation.

14. The hours of operation of the business allowed by this special use permit for employees of the business shall be Monday through Friday from 5:00 a.m. until 7:00 p.m. and Saturday from 7:00 a.m. until 1:00 p.m. The owner of the business allowed by this special use permit may expand these hours of operation for employees to address the needs of customers impacted by snowfall. Business related deliveries may occur during these hours of operation. The owners of the business allowed by this special use permit may reduce these hours of operation.

15. The noise regulations are as follows:

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

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

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

16. The owners of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.

17. The property owner and operator 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.

18. 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.

19. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

20. This special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.

Member Nelson made a motion, seconded by Member Rodriguez, to recommend approval of the map amendment.

The votes were as follows:
Ayes (9): Ashton, Bledsoe, Casey, Hamman, McCarthy-Lange, Nelson, Rodriguez, Wilson, and Wormley
Nays (0): None
Absent (1): Stewart
Abstain (0): None

The motion carried.

Member Nelson requested a lighted sign because of the large amount of traffic on Route 47 during business hours. Dan Kramer, Attorney for the Petitioner, suggested low level lights that turn off when the business closes.

Mr. Kramer provided a history of the business, including noting that the business is unionized.

Mr. Kramer noted that the property drains to the southeast. The water currently ponds in the southeast corner. No pond will be dug on the property. A L-shaped berm will be constructed at the southeast corner of the property that will be four feet (4') in height.

Member Nelson made a motion, seconded by Member Wilson, to recommend approval of the special use permit with the conditions proposed by Staff and the addition of allowing the sign to be lit.

The votes were as follows:

Ayes (9): Ashton, Bledsoe, Casey, Hamman, McCarthy-Lange, Nelson, Rodriguez, Wilson, and Wormley
Nays (0): None
Absent (1): Stewart
Abstain (0): None

The motion carried.

These proposals will go to the Kendall County Zoning Board of Appeals on September 27, 2021.

The site on Route 71 will be vacated. The special use permit at that property stays with the property.

The Petitioner would like to be operational in the spring of 2022.

The property will have full access when Route 47 is widened.

CITIZENS TO BE HEARD/ PUBLIC COMMENT
None

ADJOURNMENT
Member Wilson made a motion, seconded by Member Rodriguez, to adjourn. With a voice of nine (9) ayes, the motion carried.

The Kendall County Regional Planning Commission meeting adjourned at 8:44 p.m.

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

Enc.

KENDALL COUNTY
REGIONAL PLANNING COMMISSION
SEPTEMBER 22, 2021

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)
Dan Kramer 21-30 21-32 Atty 21-31 21-33	[redacted]	
Scott Richmond Attorney		
DAVID CLINE		
William SALES		
JUNE ALICE		
Robert VanderBeek		

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

Petition 21-32
Gilbert L. Niznik on Behalf of the Gilbert L. Niznik Trust Dated September 15, 2017 and Michael and Eryn Ruffatto Map Amendment Rezoning Property from A-1 to R-1

INTRODUCTION

Michael and Eryn Ruffatto would like to purchase the subject property from the Gilbert L. Niznik Trust Dated September 15, 2017 and construct one (1) house.

The western one hundred feet (100') of the subject property is part of a landing strip per Ordinance 1992-6 and is not part of the rezoning request.

The application materials are included as Attachment 1. The aerial of the property is included as Attachment 2. The plat of survey is included as Attachment 3. Ordinance 1992-6 is included as Attachment 4.

SITE INFORMATION

PETITIONER: Gilbert L. Niznik on Behalf of the Gilbert L. Niznik Trust Dated September 15, 2017 and Michael and Eryn Ruffatto

ADDRESS: East and South of 800 Route 126, Plainfield

LOCATION: Approximately 0.25 Miles West of Ridge Road on the South Side of Route 126

TOWNSHIP: Na-Au-Say

PARCEL #: 06-13-101-011

LOT SIZE: 27.15 +/-

EXISTING LAND USE: Agricultural

ZONING: A-1 Agricultural District

LRMP:

Future Land Use	Suburban Residential (Max 1.00 DU/Acre)
Roads	Route 126 is a State Maintained Arterial.
Trails	The County has a trail planned along Route 126.
Floodplain/ Wetlands	There is no floodplain on the property. There is a riverine wetland along the southeast corner of the property.

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

APPLICABLE REGULATIONS: Section 13:07 – Map Amendment Procedures

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Agricultural/Single-Family Residential	A-1	Suburban Residential (Max 1.00 DU/Acre)/Commercial (County) Medium Density Residential/Village Residential (Plainfield)	A-1
South	Agricultural	A-1	Suburban Residential (County) Village Residential (Plainfield)	A-1
East	Agricultural/Single-Family Residential	A-1 and R-3	Suburban Residential (County) Village Residential (Plainfield)	A-1 and R-3
West	Single-Family Residential/Airstrip	A-1 and R-1 SU	Suburban Residential (County) Low Density Residential (Plainfield)	A-1, A-1 SU, and R-1 SU (County) Low Density Single-Family Residential PUD (Plainfield)

The A-1 special use permit to the west is for professional offices. The R-1 special use to the west is for an airstrip.

PHYSICAL DATA

ENDANGERED SPECIES REPORT

EcoCAT Report submitted (see Attachment 1, Pages 17-18) and consultation was terminated.

NATURAL RESOURCES INVENTORY

The application for NRI was submitted on August 12, 2021 (see Attachment 1, Page 16). The LESA Score was 185 indicating a low level of protection. The NRI Report is included as Attachment 7.

ACTION SUMMARY

NA-AU-SAY TOWNSHIP

Petition information was sent to Na-Au-Say Township on August 27, 2021.

VILLAGE OF PLAINFIELD

Petition information was sent to the Village of Plainfield on August 27, 2021.

PLAINFIELD FIRE PROTECTION DISTRICT

Petition information was sent to the Plainfield Fire Protection District on August 27, 2021. The Plainfield Fire Protection District submitted an email on August 28, 2021, expressing no opposition to the request. The email is included as Attachment 5.

ZPAC

ZPAC reviewed this proposal at their meeting on September 7, 2021. ZPAC recommended approval of the request by a vote of seven (7) in favor and zero (0) in opposition with three (3) members

absent. The minutes of this meeting are included as Attachment 6.

RPC
The Kendall County Regional Planning Commission reviewed this proposal at their meeting on September 22, 2021. Neighbors David Cline, William Sales, Robert VanderBeek, and June Alice spoke in favor of the request. The Kendall County Regional Planning Commission recommended approval of the request by a vote of nine (9) in favor and zero (0) in opposition with one (1) member absent. The minutes of this meeting are included as Attachment 8.

GENERAL INFORMATION
The Petitioners desire to rezone the subject property in order to build one (1) house on the subject property.

BUILDING CODES
Any new homes or accessory structures would be required to meet applicable building codes.

UTILITIES
No public or private utilities are onsite.

ACCESS
The property fronts Route 126. Staff has no concerns regarding the ability of Route 126 to support the proposed map amendment.

PARKING AND INTERNAL TRAFFIC CIRCULATION
Any new driveways constructed would be for residential purposes. Any new driveways would have to meet applicable regulations and secure proper permits.

ODORS
No new odors are foreseen.

LIGHTING
Any new lighting would be for residential use only.

LANDSCAPING AND SCREENING
Any fencing, landscaping, or screening would be for residential purposes.

SIGNAGE
Any signage would be residential in nature.

NOISE CONTROL
No noise is anticipated.

STORMWATER
Any new homes would have to be constructed per Kendall County's Stormwater Management Ordinance.

FINDINGS OF FACT
§13:07.F of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to recommend in favor of the applicant on map amendment applications. They are listed below in *italics.* Staff has provided findings in **bold** below based on the recommendation:

Existing uses of property within the general area of the property in question. **The surrounding properties are used for agricultural purposes or larger lot single-family residential uses. An airstrip is located on the subject property.**

The Zoning classification of property within the general area of the property in question. **The surrounding properties are zoned A-1, R-3, and R-1 with a special use permit. Nearby properties inside the Village of Plainfield also have residential zoning.**

The suitability of the property in question for the uses permitted under the existing zoning classification. **The property is presently zoned A-1. Due to the property's size, a single-family home cannot be constructed on the property under A-1 zoning regulations.**

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 a mix of agricultural and single-family residential uses found in rural settings.**

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 Suburban Residential. The R-1 One Family Residential District is consistent with the Suburban Residential classification.**

RECOMMENDATION

Staff recommends approval of the proposed map amendment because the proposal is consistent with the Land Resource Management Plan.

ATTACHMENTS

1. Application Materials (Including the Petitioner's Findings of Fact, NRI, and EcoCat)
2. Aerial
3. Plat of Survey
4. Ordinance 1992-6
5. August 28, 2021 Plainfield Fire Protection District Email
6. September 7, 2021 ZPAC Minutes (This Petition Only)
7. NRI Report
8. September 22, 2021 Kendall County Regional Planning Commission Minutes (This Petition Only)

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

APPLICATION

PROJECT NAME Ruffato **FILE #:** 21-32

NAME OF APPLICANT		
Michael Ruffatto and Eryn Ruffatto		
CURRENT LANDOWNER/NAME(s)		
Gilbert L. Niznik as Trustee of the Gilbert L. Niznik Revocable Trust dated 9/15/2017		
SITE INFORMATION		
ACRES	SITE ADDRESS OR LOCATION	ASSESSOR'S ID NUMBER (PIN)
27.15	Plainfield Road, Na-Au-Say Township	06-13-101-011
EXISTING LAND USE	CURRENT ZONING	LAND CLASSIFICATION ON LRMP
vacant land	A-1	

REQUESTED ACTION (Check All That Apply):

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

[1]PRIMARY CONTACT	PRIMARY CONTACT MAILING ADDRESS	PRIMARY CONTACT EMAIL
Daniel J. Kramer	[redacted]	[redacted]
PRIMARY CONTACT PHONE #	PRIMARY CONTACT FAX #	PRIMARY CONTACT OTHER #(Cell, etc.)
[redacted]	[redacted]	
[2]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** 8/12/21

FEE PAID:$ 500.00
CHECK #: 5288

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

RECEIVED
AUG 25 2021
KENDALL COUNTY PLANNING, BUILDING & ZONING
Date Stamp Here If Checklist Is Complete

Last Revised:
12.15.20

AUTHORIZATION FOR MAP AMENDMENT

I, Gilbert L. Niznik, hereby authorize the requested map amendment for the property currently owned by my trust that is in the rezoning process.

[redacted]

Gilber L. Niznik

Given under my hand and notarial seal, this 26th day of August, 2021.

[redacted]

Notary Public

OFFICIAL SEAL
C M LONG
NOTARY PUBLIC, STATE OF ILLINOIS
My Commission Expires 11/21/24

Please fill out the following findings of fact to the best of your capabilities. § 13:07.F of the Zoning Ordinance lists the Finding of Fact criteria the Zoning Board of Appeals must answer in order to make a recommendation to the County Board on any **map amendment** request. They are as follows:

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

There is a mix of residential and agricultural zoning in the area. However, the predominant use in the area is large lot single family residential that was developed either under prior Kendall County Ordinances since 1973 allowing various sizes of real property parcels to serve as permissible splits to construct residential residences or residences built pursuant to the Allocation Ordinance in the Kendall County Agricultural Zone. Large Lot Estate Residential type housing.

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

Matches the above description of the zoning with a some R-1 Rural Residential as well.

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

The subject real property is suitable for building of large lot single family homes above the 100 year flood elevation. The area is not suitable for modern row crop farming due to the small size and proximity to landing strip and surrounding residential uses which is not conducive to modern day large scale farm equipment.

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.

There is a mix of residential and agricultural zoning in the area. However, the predominant use in the area is large lot single family residential that was developed either under prior Kendall County Ordinances since 1973 allowing various sizes of real property parcels to serve as permissible splits to construct residential residences or residences built pursuant to the Allocation Ordinance in the Kendall County Agricultural Zone. Large Lot Estate Residential type housing.

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

The application for the residential zoning with large lot single family residential is consistent with the residential class provided for the area in which the real property is located for this application under the Kendall County Land Resource Management Plan.

The West Half of the Northwest Quarter of Section 13, Township 36 North, Range 8 East of the Third Principal Meridian, Excepting the West 925 Feet thereof, And Also Excepting therefrom the following described Parcel as follows:

That Part of the West Half of the West Half of the Northwest Quarter of Section 13, Township 36 North, Range 8 East of the Third Principal Meridian, Na-Au-Say Township, Kendall County, Illinois, described as follows: Beginning on the North Line of said West Half of the Northwest Quarter at a point 70.00 feet West of the Northeast Corner of said Northwest Quarter; thence South along a line 70.00 feet West of and parallel to the East Line of said West Half of the Northwest Quarter, 381.33 feet; thence West along a line parallel to the said North Line of the West Half of the Northwest Quarter, 324.71 feet, thence North along a line, which is 925.00 feet East of and parallel to the West Line of the said West Half of the Northwest Quarter, thence East along the said North Line, 325.55 feet to the point of beginning.

ALTA COMMITMENT FOR TITLE INSURANCE

Issued By:

Fidelity National Title
Insurance Company

Commitment Number:

[redacted]

NOTICE

IMPORTANT - READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions; and the Commitment Conditions, Fidelity National Title Insurance Company, a California corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I-Requirements have not been met within one hundred eighty (180) days after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

Fidelity National Title Insurance Company

By: [redacted]

President

Countersigned By:

Attest: [redacted]

Authorized Officer or Agent

Secretary

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Fidelity National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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FIDELITY NATIONAL TITLE INSURANCE COMPANY **COMMITMENT NO.** [redacted]

Transaction Identification Data for reference only:

ORIGINATING OFFICE:	FOR SETTLEMENT INQUIRIES, CONTACT:
Fidelity National Title Company, LLC 674 Veterans Pkwy, Unit C Yorkville, IL 60560 Main Phone: (630)553-3041 Email: ilyorkville@fnf.com	Fidelity National Title Company, LLC 674 Veterans Pkwy, Unit C Yorkville, IL 60560 Main Phone: (630)553-3041 Main Fax: (630)553-3047

Name and Address of Title Insurance Agent: Gregg Ingemunson [redacted]

Order Number: [redacted]

Property Ref.: 0 Plainfield Rd, Plainfield, IL 60544

SCHEDULE A

1. Commitment Date: May 19, 2020
2. Policy to be issued:

   (a) ALTA Owner's Policy 2006
   Proposed Insured: Mike Ruffalo
   Proposed Policy Amount: $200,000.00

3. The estate or interest in the Land described or referred to in this Commitment is:

   Fee Simple

4. The Title is, at the Commitment Date, vested in:

   Gilbert L. Niznik, as Trustee of the Gilbert L. Niznik Revocable Trust dated September 15, 2017

5. The Land is described as follows:

   SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

END OF SCHEDULE A

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EXHIBIT "A"

Legal Description

THE WEST 1/2 OF THE NORTHWEST 1/4 (EXCEPT THE WEST 825 FEET THEREOF) OF SECTION 13, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND ALSO EXCEPTING THEREFROM THAT PART OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 13, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: BEGINNING ON THE NORTH LINE OF SAID WEST 1/2 OF THE NORTHWEST 1/4 AT A POINT 70.00 FEET WEST OF THE NORTHEAST CORNER OF SAID NORTHWEST 1/4, THENCE SOUTH ALONG A LINE 70.00 FEET WEST OF THE NORTHEAST CORNER OF SAID NORTHWEST 1/4, THENCE SOUTH ALONG A LINE 70.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID WEST 1/2 OF THE NORTHWEST 1/4, 381.33 FEET, THENCE WEST ALONG A LINE PARALLEL TO THE SAID NORTH LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4, 324.71 FEET, THENCE NORTH ALONG A LINE, WHICH IS 925.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE SAID WEST 1/2 OF THE NORTHWEST 1/4, 381.32 FEET TO THE SAID NORTH LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4, THENCE EAST ALONG THE SAID NORTH LINE 325.55 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF NA-AU-SAY, KENDALL COUNTY, ILLINOIS

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FIDELITY NATIONAL TITLE INSURANCE COMPANY **COMMITMENT NO.** [redacted]

Name and Address of Title Insurance Agent: Gregg Ingemunson
[redacted]

SCHEDULE B, PART I
REQUIREMENTS

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.

2. Pay the agreed amount for the estate or interest to be insured.

3. Pay the premiums, fees, and charges for the Policy to the Company.

4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.

5. The "Good Funds" section of the Title Insurance Act (215 ILCS 155/26) is effective January 1, 2010. This Act places limitations upon our ability to accept certain types of deposits into escrow. Please contact your local Fidelity National Title office regarding the application of this new law to your transaction.

6. Payment of real estate taxes affecting the land that may be due or payable prior to closing (or as may be required by a lender to be insured). Schedule B tax exception will be amended accordingly based on a later date search and payment as noted herein.

7. For all mortgages and liens referenced below, we should be furnished with proper payoff figures, authorizations, funds and documents sufficient to pay off and release said liens at or prior to closing.

8. We should be furnished a properly executed ALTA statement and, unless the land insured is a condominium unit, a survey if available. Matters disclosed by the above documentation will be shown specifically.

9. Effective June 1, 2009, pursuant to Public Act 95-988, satisfactory evidence of identification must be presented for the notarization of any and all documents notarized by an Illinois notary public. Satisfactory identification documents are documents that are valid at the time of the notarial act; are issued by a state or federal government agency; bear the photographic image of the individual's face; and bear the individual's signature.

10. The search did not disclose any open mortgages or deeds of trust of record, therefore the Company reserves the right to require further evidence to confirm that the property is unencumbered, and further reserves the right to make additional requirements or add additional items or exceptions upon receipt of the requested evidence.

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FIDELITY NATIONAL TITLE INSURANCE COMPANY **COMMITMENT NO.** [redacted]

Name and Address of Title Insurance Agent: Gregg Ingemunson
[redacted]

SCHEDULE B, PART I
REQUIREMENTS
(continued)

11. The Company should be furnished the following:

a) A Certification of Trust executed by the trustee in accordance with 760 ILCS 5/8.5, together with excerpts of the trust agreement and amendments thereto relating to the designation of trustees and the power of the trustee to act in the current transaction, or
b) In the alternative, the trustee, in his or her sole discretion, may deliver to the Company a full copy of the trust agreement together with all amendments thereto.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

12. The Company should be provided a copy of the death certificate (certified or uncertified) of the decedent named below:

Name of Decedent: Mary Lou Niznik, deceased

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

13. The Land described in Schedule A either is unsubdivided property or constitutes part of a subdivided lot. As a result, a Plat Act Affidavit should accompany any conveyance to be recorded. In the alternative, compliance should be had with the provisions of the Plat Act (765 ILCS 205/1 et seq.)

14. The Company should be furnished a statement that there is no property manager employed to manage the Land, or, in the alternative, a final lien waiver from any such property manager.

15. Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.

16. Due to office closures in place or that might occur, we should be provided with our standard form of indemnity (GAP Indemnity) for defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the Public Records or attaching subsequent to the Commitment Date but prior to the date of recording of the instruments under which the Proposed Insured acquires the estate or interest or mortgage covered by this commitment. Note: Due to office closures related to COVID-19 we may be temporarily unable to record documents in the normal course of business.

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FIDELITY NATIONAL TITLE INSURANCE COMPANY **COMMITMENT NO.** [redacted]

Name and Address of Title Insurance Agent: Gregg Ingemunson [redacted]

SCHEDULE B, PART I
REQUIREMENTS
(continued)

17. Note for Information regarding endorsement requests:

All endorsements requests should be made prior to closing to allow ample time for the Company to examine required documentation.

END OF SCHEDULE B, PART I

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FIDELITY NATIONAL TITLE INSURANCE COMPANY COMMITMENT NO. [redacted]

Name and Address of Title Insurance Agent: Gregg Ingemunson
[redacted]

SCHEDULE B, PART II
EXCEPTIONS

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

GENERAL EXCEPTIONS

1. **Rights or claims of parties in possession not shown by Public Records.**

2. **Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the Land.**

3. **Easements, or claims of easements, not shown by the Public Records.**

4. **Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.**

5. **Taxes or special assessments which are not shown as existing liens by the Public Records.**

6. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I—Requirements are met.

A 7. Taxes for the year(s) 2020 and thereafter, not yet due and payable.
Permanent index number(s): 06-13-101-011

Note: 2019 first installment of $275.63 is paid.

Note: 2019 final installment of $275.63 is paid.

C 8. Terms, powers, provisions, and limitations of the Trust under which title to the Land is held.

E 9. Rights of the public, the State of Illinois and the municipality in and to that part of the Land, if any, taken or used for road purposes.

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FIDELITY NATIONAL TITLE INSURANCE COMPANY **COMMITMENT NO.** [redacted]

Name and Address of Title Insurance Agent: Gregg Ingemunson [redacted]

SCHEDULE B, PART II
EXCEPTIONS
(continued)

D 10. Rights of Way for drainage tiles, ditches, feeders, laterals and underground pipes, if any.

F 11. Rights of adjoining and contiguous owners to have maintained the uninterrupted flow of the waters of any stream which may flow on or through the Land.

G 12. Rights of the people of the State of Illinois in and to that part of the Land dedicated for public highway by instrument made by Jessie L. Bethel dated April 5, 1935 and recorded April 1, 1936 in book 87 pages 578-9.

H 13. Easement for taxiway over the East 100 feet of the Land as created in the declaration recorded January 19, 1973 as document 73-294 for the mutual benefit of adjoining owners in connection with the Landing strip immediately East of the Land reserving to the developer and/or the Aero Ridge Association Inc. the right to assess costs for the maintenance of same.

I 14. Grant of easement dated September 8, 1972 and recorded September 25, 1972 as document 72-4482 granted by Gilbert L. Niznik and Mary Lou Niznik, his wife to Northern Illinois Gas Company, its successors and assigns, for the public utility purposes described therein, together with the right of access thereto for said purposes, in, upon, under, along, and across the South 1/2 of Route 126.

J 15. Grant of easement dated January 11, 1974 and recorded March 11, 1974 as document 74-964 granted by Gilbert L. Niznik and Mary Lou Niznik, his wife to the Commonwealth Edison Company, its successors and assigns, for the public utility purposes described therein, together with the right of access thereto for said purposes, in, over, under, across, along, and upon that part of the Land described as follows: the East 10 feet of the East 505 feet of the South 10 feet of the North 50 feet of the West 1/2 Northwest 1/4; and also the West 10 feet of the East 300 feet of the South 10 feet of the North 50 feet of the West 1/2 Northwest 1/4.

K 16. Grant of easement dated May 28, 1974 and recorded June 17, 1974 as document 74-2864 granted by Gilbert L. Niznik and Mary Lou Niznik, his wife to the Commonwealth Edison Company, its successors and assigns, for the public utility purposes described therein, together with the right of access thereto for said purposes, in, over, under, across, along and upon that part of the Land falling in Route 126 and also the

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Name and Address of Title Insurance Agent: Gregg Ingemunson
[redacted]

SCHEDULE B, PART II
EXCEPTIONS
(continued)

South 10 feet of the North 50 feet of the Land.

B 17. Existing unrecorded leases and all rights thereunder of the lessees and of any person or party claiming by, through or under the lessees.

END OF SCHEDULE B, PART II

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Fidelity National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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COMMITMENT CONDITIONS

1. DEFINITIONS

(a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.

(b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.

(c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.

(d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.

(e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.

(f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.

(g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.

(h) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I-Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

(a) the Notice;

(b) the Commitment to Issue Policy;

(c) the Commitment Conditions;

(d) Schedule A;

(e) Schedule B, Part I-Requirements;

(f) Schedule B, Part II-Exceptions; and

(g) a counter-signature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

(a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:

(i) comply with the Schedule B, Part I-Requirements;

(ii) eliminate, with the Company's written consent, any Schedule B, Part II-Exceptions; or

(iii) acquire the Title or create the Mortgage covered by this Commitment.

(b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.

(c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.

(d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.

(e) The Company shall not be liable for the content of the Transaction Identification Data, if any.

(f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I-Requirements have been met to the satisfaction of the Company.

(g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

(a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.

(b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Fidelity National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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(continued)

(c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.

(d) The deletion or modification of any Schedule B, Part II-Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.

(e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.

(f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is Two Million And No/100 Dollars ($2,000,000.00) or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at http://www.alta.org/arbitration.

END OF CONDITIONS

1031 EXCHANGE SERVICES

If your transaction involves a tax deferred exchange, we offer this service through our 1031 division, IPX1031. As the nation's largest 1031 company, IPX1031 offers guidance and expertise. Security for Exchange funds includes segregated bank accounts and a 100 million dollar Fidelity Bond. Fidelity National Title Group also provides a 50 million dollar Performance Guaranty for each Exchange. For additional information, or to set-up an Exchange, please call Scott Nathanson at (312)223-2178 or Anna Barsky at (312)223-2169.

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Kendall County Soil & Water Conservation District

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

www.kendallswcd.org

NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

Petitioner: Michael Ruffatto and Erin Ruffatto
Address: [redacted]
City, State, Zip: [redacted]
Phone Number [redacted]
Email: [redacted]

Contact Person: Daniel J. Kramer
[redacted]

Please select: How would you like to receive a copy of the NRI Report? ☐ Email ☐ Mail

Site Location & Proposed Use

Township Name Na-Au-Say Township 36 N, Range 8 E, Section(s) 13
Parcel Index Number(s) 06-13-101-011
Project or Subdivision Name Ruffatto Number of Acres 27.15
Current Use of Site vacant land Proposed Use 1 single family home
Proposed Number of Lots 1 Proposed Number of Structures 1
Proposed Water Supply well Proposed type of Wastewater Treatment septic
Proposed type of Storm Water Management

Type of Request

☑ Change in Zoning from A-1 to R-1
☐ Variance (Please describe fully on separate page)
☐ Special Use Permit (Please describe fully on separate page)
Name of County or Municipality the request is being filed with: Kendall County Planning, Building, and Zoning

In addition to this completed application form, please including the following to ensure proper processing:

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

The NRI fees, as of July 1, 2010, are as follows:

Full Report: $375.00 for five acres and under, plus $18.00 per acre for each additional acre or any fraction thereof over five.
Executive Summary Report: $300.00 (KCSWCD staff will determine when a summary or full report will be necessary.)

Fee for first five acres and under	$ 375.00
23 Additional Acres at $18.00 each	$ 414.00
Total NRI Fee	$ 789.00

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

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

X [redacted]
Petitioner or Authorized Agent

8/12/21
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# _____ Date initially rec'd _____ Date all rec'd _____ Board Meeting _____
Fee Due $_____ Fee Paid $ _____ Check #_____ Over/Under Payment _____ Refund Due _____

EcoCAT
Ecological Compliance Assessment Tool

ILLINOIS DEPARTMENT OF NATURAL RESOURCES

Applicant: Mike and Eryn Ruffatto
Contact: Attorney Daniel J. Kramer
Address: [redacted]

IDNR Project Number: 2202727
Date: 08/17/2021

Project: Ruffato
Address: 27 acres vacant land on Route 126, Plainfield

Description: rezone property to allow one single family permit to build 1 home

Natural Resource Review Results

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

The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

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

Location

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

County: Kendall

Township, Range, Section:
36N, 8E, 12
36N, 8E, 13



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 W 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.

IDNR Project Number: 2202727

Terms of Use

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

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

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

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

Security

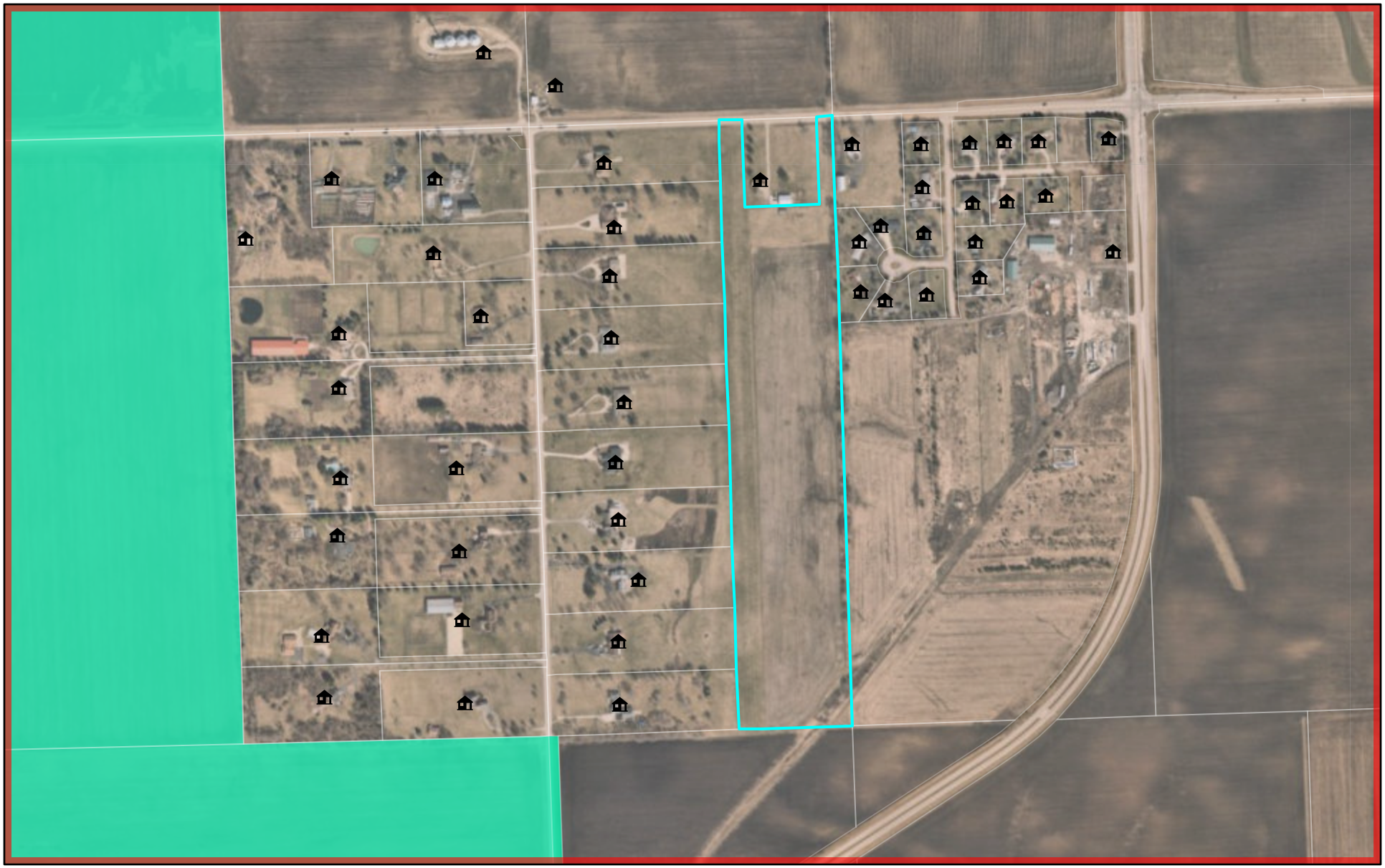
EcoCAT operates on a state of Illinois computer system. We may use software to monitor traffic and to identify unauthorized attempts to upload, download, or change information, to cause harm or otherwise to damage this site. Unauthorized attempts to upload, download, or change information on this server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

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

Privacy

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

Attachment 2



August 25, 2021

Kendall County Address Points

Parcels

Ownership Parcel

Incorporated Areas

Plainfield

1:9,600

0 0.05 0.1 0.2 mi

0 0.07 0.15 0.3 km

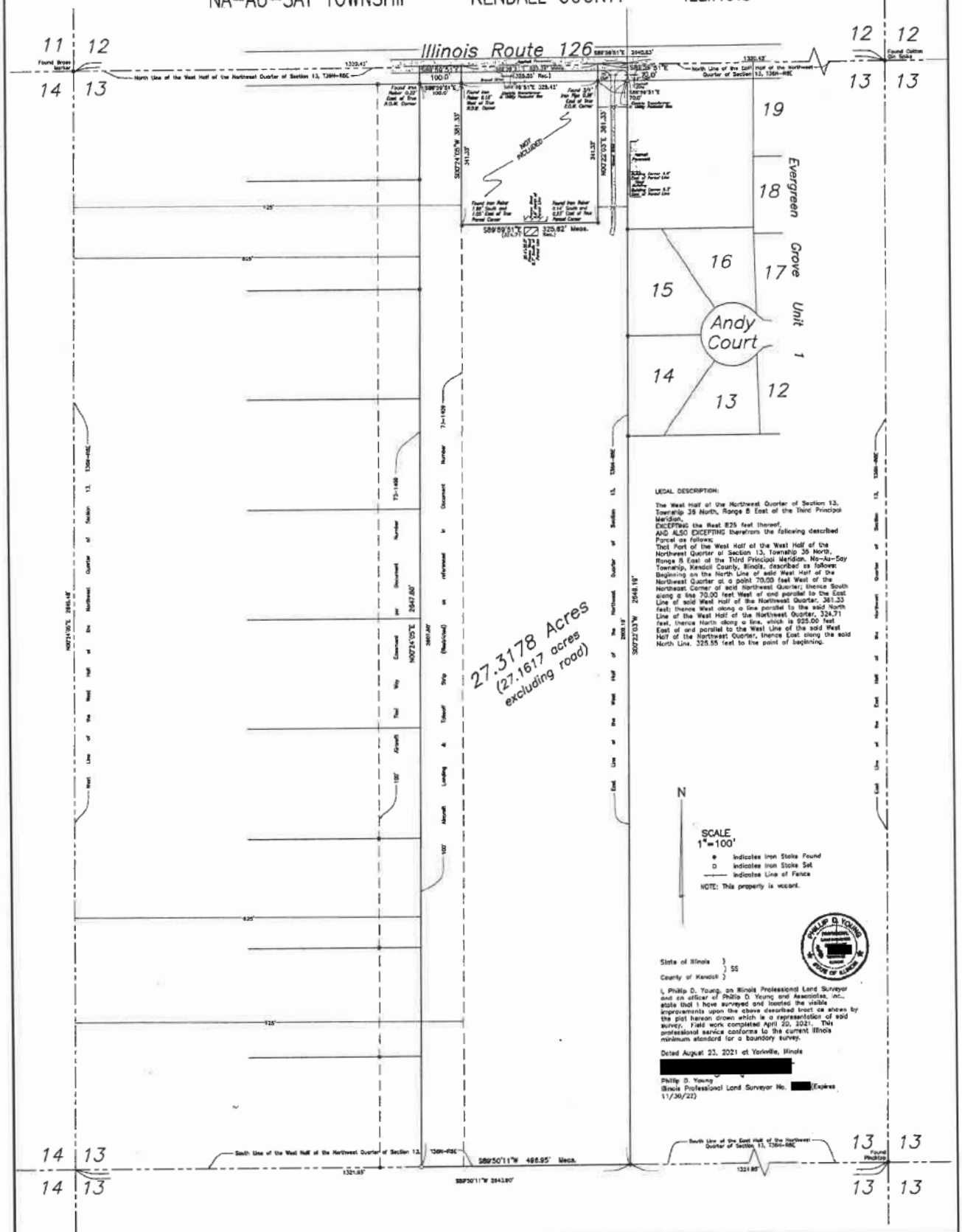
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Kendall County Web GIS

View GIS Disclaimer at https://www.co.kendall.il.us/departments/geographic-information-systems/gis-disclaimer-page/.

Attachment 3

PLAT OF SURVEY OF
PART OF THE WEST HALF OF NORTHWEST QUARTER OF SECTION 13, T36N–R8E, 3rd P.M.
NA–AU–SAY TOWNSHIP KENDALL COUNTY ILLINOIS



LEGAL DESCRIPTION:

The West Half of the Northwest Quarter of Section 13, Township 36 North, Range 8 East of the Third Principal Meridian,
EXCEPTING the West 825 feet thereof,
AND ALSO EXCEPTING therefrom the following described Parcel as follows:
That Part of the West Half of the West Half of the Northwest Quarter of Section 13, Township 36 North, Range 8 East of the Third Principal Meridian, Na-Au-Say Township, Kendall County, Illinois, described as follows: Beginning on the North Line of said West Half of the Northwest Quarter at a point 70.00 feet West of the Northeast Corner of said Northwest Quarter; thence South along a line 70.00 feet West of and parallel to the East Line of said West Half of the Northwest Quarter, 361.33 feet; thence West along a line parallel to the said North Line of the West Half of the Northwest Quarter, 324.71 feet, thence North along a line, which is 925.00 feet East of and parallel to the West Line of the said West Half of the Northwest Quarter, thence East along the said North Line, 325.55 feet to the point of beginning.

State of Illinois)
) SS
County of Kendall)

I, Phillip D. Young, an Illinois Professional Land Surveyor and an officer of Phillip D. Young and Associates, Inc., state that I have surveyed and located the visible improvements upon the above described tract as shown by the plat hereon drawn which is a representation of said survey. Field work completed April 20, 2021. This professional service conforms to the current Illinois minimum standard for a boundary survey.

Dated August 23, 2021 at Yorkville, Illinois

[redacted]

Phillip D. Young
Illinois Professional Land Surveyor No. [redacted] (Expires 11/30/22)

JOB NO.	20102
JOB NAME	BRUMMEL
DWG FILE	20102
REVISION DATE	

Phillip D. Young and Associates, Inc.
LAND SURVEYING – TOPOGRAPHIC MAPPING – Lic.#184-002775
11078 South Bridge Street
Yorkville, Illinois 60560
Telephone (630)553-1580

check 72-11 (R1SU or R2SU) ??? map says R2-SU

wrong section & range NAAUSAY 36-8

Ord 92-6

#9121

ORDINANCE
AMENDING KENDALL COUNTY ZONING ORDINANCE AS AMENDED

WHEREAS, Aero Ridge Homeowners Association 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 amendment to the Kendall County Zoning Ordinance adopted January 16, 1940; and

WHEREAS, said Zoning Board of Appeals did thereupon publish notice of a hearing on said proposed amendment to said Zoning Ordinance as provided by the Statures of the State of Illinois, and did then hold a public hearing on said proposed amendment on the 22nd day of November, 1991, A.D., in the Kendall County Board Room and at the conclusion of said hearing said Zoning Board of Appeals voted not in favor of recommending to the County Board of Kendall County, Illinois that the special use be amended in the manner required by law; and

NOW THEREFORE, BE IT ORDAINED by the County Board of Kendall County, Illinois that the following described property has an existing R1SU, Residential Special Use for use of aircraft landing field:

The West 825 feet of the West half of the Northwest quarter of Section 13, Township 37 North, Range 8 East of the Third Principal Meridian, located in Na-Au-Say Township, Kendall County, Illinois, except the North 100 feet and the West 200 feet thereof.

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

Conditions to Special Use Amendment

1. That the foregoing "Special Use' shall be subject to further review of the Zoning Board of Appeals and the Board of Supervisors upon notice directed to the owner of the premises herein described and a proper publication as required by law not less than fifteen days prior to date of hearing.
2. All lot owners are restricted to two airplanes which must be stored in their own hanger.
3. No airplane kept on the property unless wholly owned by a lot owner or an occupant of a dwelling in the development.
4. Each unit of this development subject to review before approval of plat.
5. There shall be no more than two airplanes per lot in the development.
6. Each individual lot and the home owners association shall be responsible for the continued maintenance of drainage tile now located in the real estate.
7. A copy of plane registrations shall be kept with the Building and Zoning office in the petitioners file #9121.

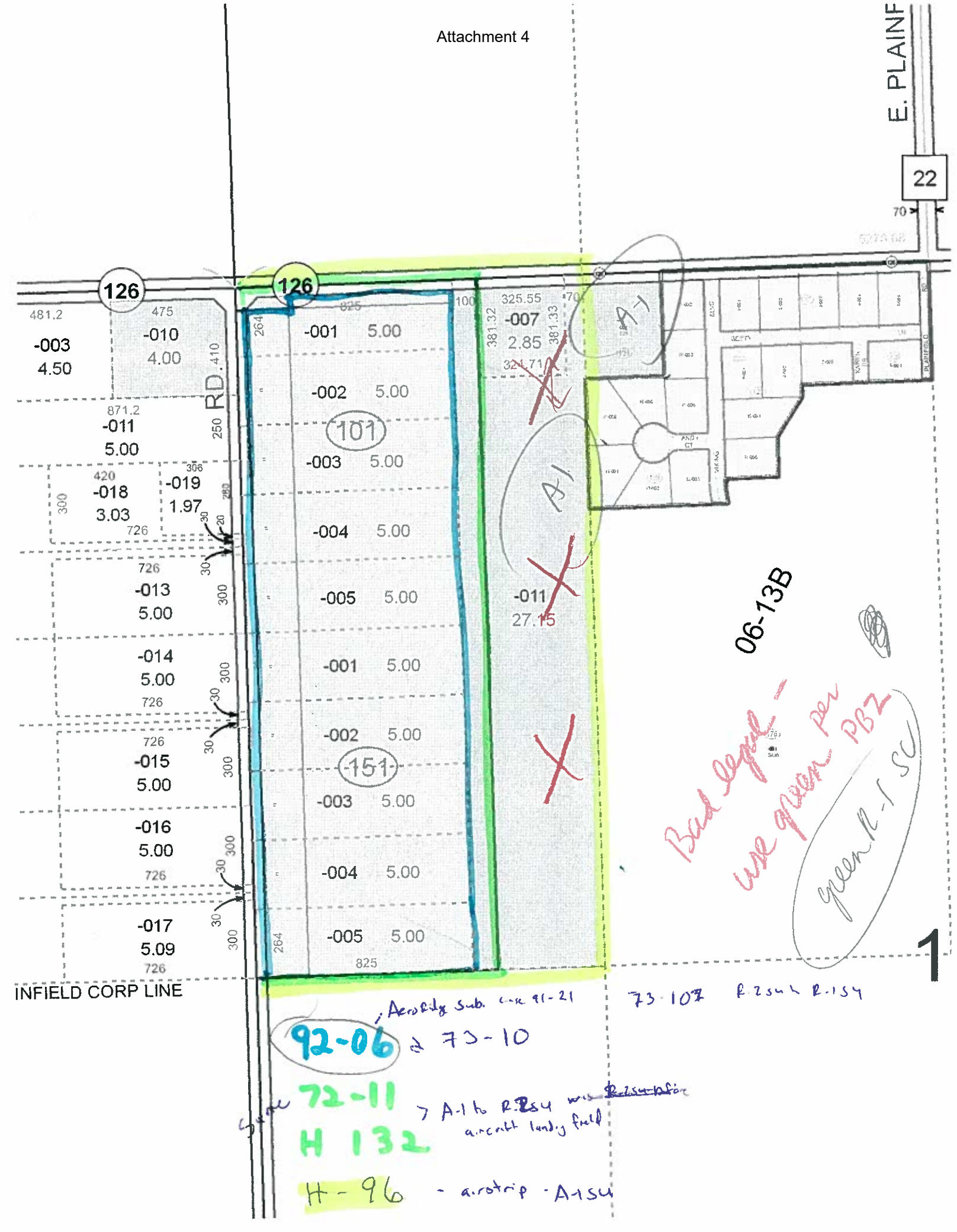
Passed this 9th day of June, 1992.

Chairman, County Board of
Kendall County, Illinois

ATTEST:

Paul P. Anderson
County Clerk
by Diana L Heck deputy

Attachment 4



Matt Asselmeier

From: Jon Stratton <JKStratton@Plainfieldfpd.com>
Sent: Saturday, August 28, 2021 6:20 AM
To: Matt Asselmeier
Subject: [External]Re: Kendall County Zoning Petition 21-32

Thanks for the information Matthew. The Plainfield Fire District has no issues with the change in land use to build a single family residence.

Chief Jon K. Stratton
Plainfield Fire Protection District
23748 W 135th Street
PO Box 911
Plainfield, IL 60544
815.405.8301 cell
815.436.5335 office
815.436.6420 fax

ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
September 7, 2021 – Unapproved Meeting Minutes

PBZ Chairman Scott Gengler called the meeting to order at 9:00 a.m.

Present:
Matt Asselmeier – PBZ Department
Meagan Briganti – GIS Department
Scott Gengler – PBZ Committee Chair
Brian Holdiman – PBZ Department
Commander Jason Langston – Sheriff's Department
Alyse Olson – Soil and Water Conservation District
Aaron Rybski – Health Department

Absent:
Greg Chismark – WBK Engineering, LLC
David Guritz – Forest Preserve
Fran Klaas – Highway Department

Audience:
Scott Richmond, Lorena Gutierrez, Jose DeJesus Gutierrez, Dan Kramer, Mike Schoppe, and Robert Velazquez

PETITIONS

Petition 21-32 Gilbert L. Niznik on Behalf of the Gilbert L. Niznik Revocable Trust Dated September 15, 2017 and Michael and Eryn Ruffatto

Mr. Asselmeier summarized the request.

Michael and Eryn Ruffatto would like to purchase the subject property from the Gilbert L. Niznik Trust Dated September 15, 2017 and construct one (1) house.

The western one hundred feet (100') of the subject property was part of a landing strip per Ordinance 1992-6 and was not part of the rezoning request.

The application materials, aerial of the property, plat of survey, and Ordinance 1992-6 were provided.

The property was approximately twenty-seven (27) acres.

The Future Land Use Map called for the property to be Suburban Residential (Max 1.00 DU/Acre).

Route 126 was a State maintained Arterial.

The County had a trail planned along Route 126.

There is no floodplain on the property. There is a riverine wetland along the southeast corner of the property.

The adjacent land uses were Agricultural, Single-Family Residential, and an Airstrip.

The adjacent zoning districts were A-1, R-1 SU, and R-3.

The County's Future Land Use Map called for the area to be Suburban Residential (Max 1.00 DU/Acre) and Commercial. The Village of Plainfield's Future Land Use Map called for the area to be Medium Density Residential, Village Residential, and Low Density Residential.

The nearby zoning districts in the unincorporated area were A-1, A-1 SU, R-1 SU, and R-3. The nearby zoning districts in the Village of Plainfield were Low Density Single-Family Residential PUD.

The A-1 special use permit to the west was for professional offices. The R-1 special use to the west was for an airstrip.

EcoCAT Report submitted and consultation was terminated.

The application for NRI was submitted on August 12, 2021.

Petition information was sent to Na-Au-Say Township on August 27, 2021.

Petition information was sent to the Village of Plainfield on August 27, 2021.

Petition information was sent to the Plainfield Fire Protection District on August 27, 2021, and they had no concerns about the request; their email was provided.

The Petitioners desired to rezone the subject property in order to build one (1) house on the subject property.

Any new homes or accessory structures would be required to meet applicable building codes.

No public or private utilities were onsite.

The property fronted Route 126. Staff had no concerns regarding the ability of Route 126 to support the proposed map amendment.

Any new driveways constructed would be for residential purposes. Any new driveways would have to meet applicable regulations and secure proper permits.

No new odors are foreseen.

Any new lighting would be for residential use only.

Any fencing, landscaping, or screening would be for residential purposes.

Any signage would be residential in nature.

No noise was anticipated.

Any new homes would have to be constructed per Kendall County's Stormwater Management Ordinance.

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 for agricultural purposes or larger lot single-family residential uses. An airstrip is located on the subject property.

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1, R-3, and R-1 with a special use permit. Nearby properties inside the Village of Plainfield also have residential zoning.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1. Due to the property's size, a single-family home cannot be constructed on the property under A-1 zoning regulations.

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 a mix of agricultural and single-family residential uses found in rural settings.

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 Suburban Residential. The R-1 One Family Residential District is consistent with the Suburban Residential classification.

Staff recommended approval of the proposed map amendment because the proposal was consistent with the Land Resource Management Plan.

Discussion occurred regarding the location and use of the airstrip.

Dan Kramer, Attorney for the Petitioner, explained the history of the residential development to the west of the subject property, the airstrip, and the history of the subject property.

Ms. Olson noted that the southern portion of the site has soils with some limitations. She also requested a soil erosion and sediment control plan.

Mr. Rybski made a motion, seconded by Commander Langston, to recommend of the requested map amendment.

With a voice vote of seven (7) ayes, the motion carried.

The proposal goes to the Kendall County Regional Planning Commission on September 22, 2021.

PUBLIC COMMENT

None

ADJOURNMENT

Mr. Rybski made a motion, seconded by Ms. Briganti, to adjourn.

With a voice vote of seven (7) ayes, the motion carried.

The ZPAC, at 10:21 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP, CFM
Senior Planner

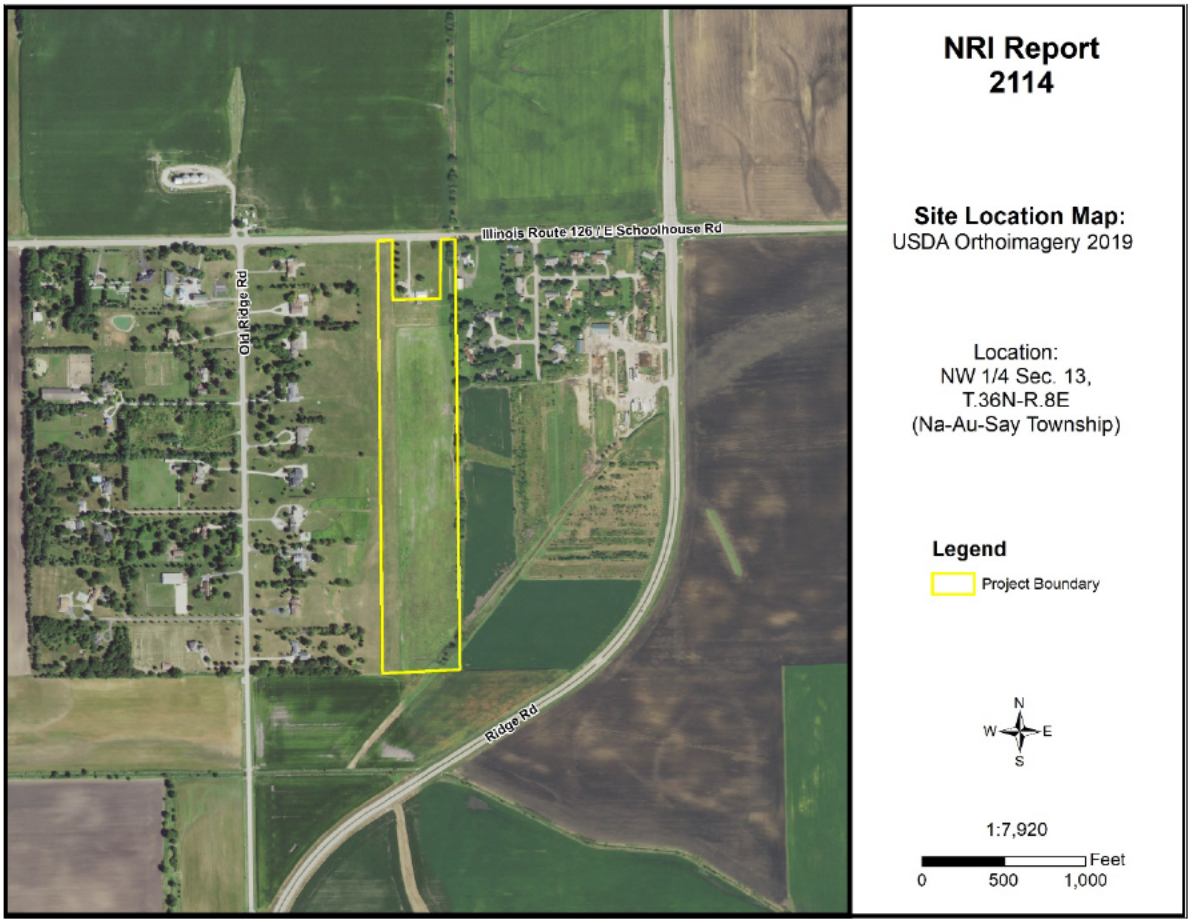
Enc.

KENDALL COUNTY
ZONING & PLATTING ADVISORY COMMITTEE
SEPTEMBER 7, 2021

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)
Dan Kramer 21-30	[redacted]	
Scott Richmond, Esq. 21-29		

NATURAL RESOURCE INFORMATION (NRI) REPORT: #2114



Sept. 2021

Petitioner: Michael & Eryn Ruffatto

Contact: Attorney Daniel J. Kramer

Prepared By:

Kendall County Soil & Water Conservation District

7775A Route 47
Yorkville, Illinois 60560
Phone: (630) 553-5821 x3
Fax: (630) 553-7442
www.kendallswcd.org

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

Natural Resource Information Report Number	2114
Date District Board Reviews Application	September 2021
Applicant's Name	Michael & Eric Ruffatto
Size of Parcel	27.15 acres
Current Zoning & Use	A-1 Agricultural; Cropland
Proposed Zoning & Use	R-1 Residential; One Single-Family Home
Parcel Index Number(s)	06-13-101-011
Contact Person	Attorney Daniel J. Kramer

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

Report Prepared By: *Alyse Olson* Position: *Resource Conservationist*

PURPOSE AND INTENT

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

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

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

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

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

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

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EXECUTIVE SUMMARY

Natural Resource Information Report Number	#2114
Petitioner	Michael & Eryn Ruffatto
Contact Person	Attorney Daniel J. Kramer
County or Municipality the Petition is Filed With	Kendall County
Location of Parcel	NW ¼ of Section 13, Township 36 North, Range 8 East (Na-Au-Say Township) of the 3rd Principal Meridian
Project or Subdivision Name	Ruffatto Residence
Existing Zoning & Land Use	A-1 Agricultural; Cropland
Proposed Zoning & Land Use	R-1 Residential; One Single-Family Home
Proposed Water Source	Well
Proposed Type of Sewage Disposal System	Septic
Proposed Type of Storm Water Management	N/A
Size of Site	27.15 acres
Land Evaluation Site Assessment Score	185 (Land Evaluation: 88; Site Assessment: 97)

NATURAL RESOURCE CONSIDERATIONS

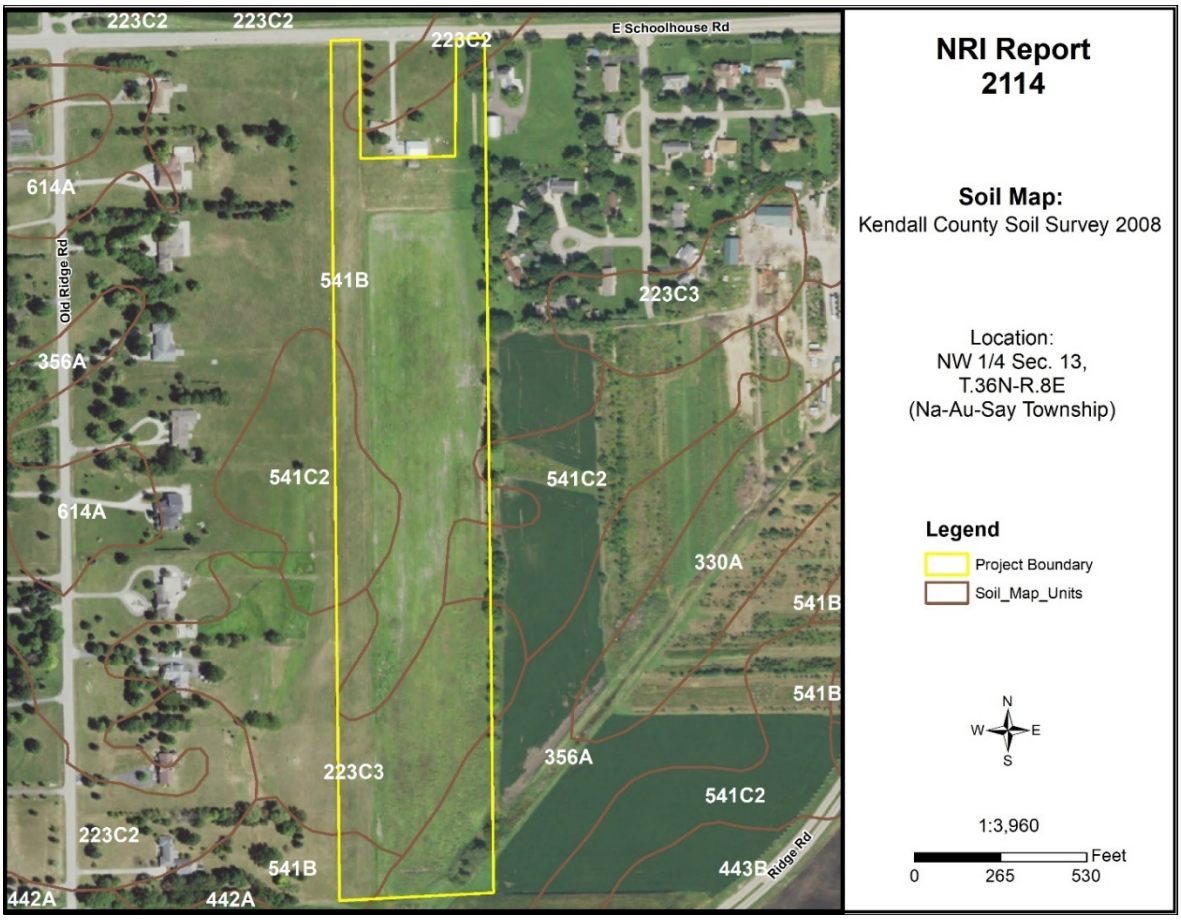


Figure 1: Soil Map

SOIL INFORMATION

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

Table 1: Soils Information

Map Unit	Soil Name	Drainage Class	Hydrologic Group	Hydric Designation	Farmland Designation
223C2	Varna silt loam, 4-6% slopes, eroded	Moderately Well Drained	C	Non-Hydric	Prime Farmland
223C3	Varna silty clay loam, 4-6% slopes, severely eroded	Moderately Well Drained	C	Non-Hydric	Farmland of Statewide Importance
356A	Elpaso silty clay loam, 0-2% slopes	Poorly Drained	B/D	Hydric	Prime Farmland if drained
541B	Graymont silt loam, 2-5% slopes	Moderately Well Drained	C	Non-Hydric	Prime Farmland
541C2	Graymont silt loam, 5-10% slopes, eroded	Moderately Well Drained	C	Non-Hydric	Farmland of Statewide Importance

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

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

Hydric Soils – A hydric soil is one that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile that supports the growth or regeneration of hydrophytic vegetation. Soils with hydric inclusions have map units dominantly made up of non-hydric soils that may have inclusions of hydric soils in the lower positions on the landscape. Of the soils found onsite, one is classified as hydric soil (356A Elpaso silty clay loam), and the remaining four are classified as non-hydric soils (223C2 Varna silt loam, 223C3 Varna silty clay loam, 541B Graymont silt loam, and 541C2 Graymont silt loam).

Prime Farmland – Prime farmland is land that has the best combination of physical and chemical characteristics for agricultural production. Prime farmland soils are an important resource to Kendall County and some of the most productive soils in the United States occur locally. Of the soils found onsite, two are designated as prime farmland (223C2 Varna silt loam and 541B Graymont silt loam), two are designated as farmland of statewide importance (223C3 Varna silty clay loam and 541C2 Graymont silt loam), and the remaining soil is designated as prime farmland if drained (356A Elpaso silty clay loam).

Soil Limitations – The USDA-NRCS Web Soil Survey rates the limitations of soils for dwellings with basements, dwellings without basements, small commercial buildings, shallow excavations, lawns/landscaping, and local roads and streets. Soils have different properties which influence the development of building sites. The USDA-NRCS classifies soils as Not Limited, Somewhat Limited, and Very Limited. Soils that are Not Limited indicates that the soil has properties that are favorable for the specified use. They will perform well and will have low maintenance. Soils that are Somewhat Limited are moderately favorable, and their limitations can be overcome through special planning, design, or installation. Soils that are Very Limited have features that are unfavorable for the specified use, and their limitations cannot easily be overcome.

Table 2: Soil Limitations

Soil Type	Dwellings with Basements	Dwellings without Basements	Shallow Excavations	Lawns/ Landscaping	Conventional Septic Systems
223C2	Somewhat Limited	Somewhat Limited	Somewhat Limited	Somewhat Limited	Suitable/Not Limited
223C3	Very Limited	Somewhat Limited	Very Limited	Somewhat Limited	Suitable/Not Limited
356A	Very Limited	Very Limited	Very Limited	Very Limited	Unsuitable/ Very Limited
541B	Somewhat Limited	Somewhat Limited	Somewhat Limited	Somewhat Limited	Suitable/Not Limited
541C2	Very Limited	Somewhat Limited	Very Limited	Somewhat Limited	Suitable/Not Limited

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

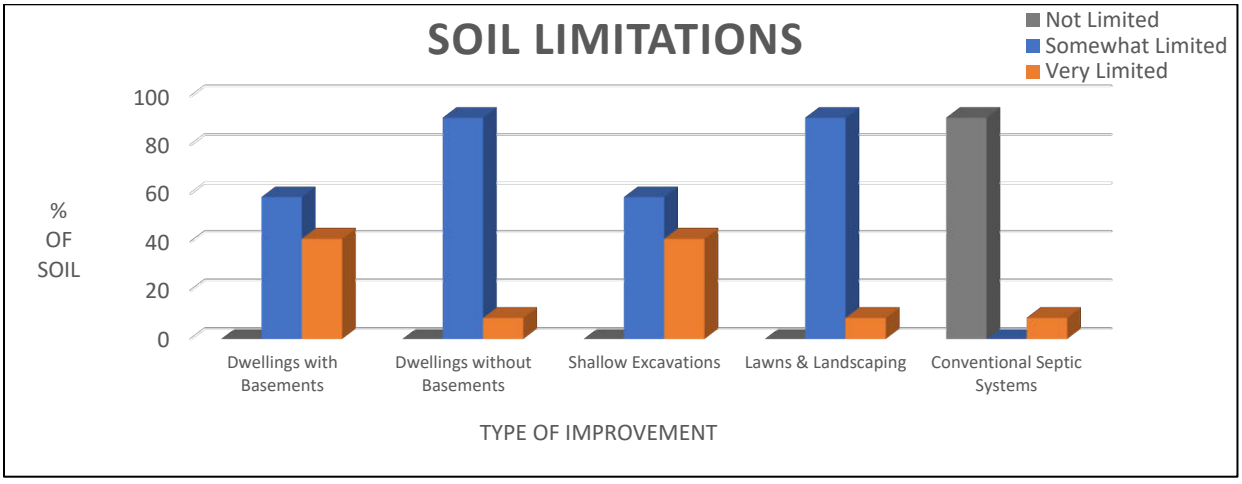


Figure 2: Soil Limitations

KENDALL COUNTY LAND EVALUATION AND SITE ASSESSMENT (LESA)

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

- **Land Evaluation (LE)**: The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland, or forestland. The best group is assigned a value of 100 and all other groups are assigned lower values. The Land Evaluation is

based on data from the Kendall County Soil Survey. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.

- The Land Evaluation score for this site is **88**, indicating that this site is **well suited** for agricultural uses.

- **Site Assessment (SA)**: The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The Site Assessment value is based on a 200-point scale and accounts for 2/3 of the total score. The Kendall County LESA Committee is responsible for this portion of the LESA system.
    - The Site Assessment score for this site is **97**.

The **LESA Score for this site is 185 out of a possible 300, which indicates a low level of protection** for the proposed project site. Note: Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County. If the project is agricultural in nature, however, a higher score may provide an indication of the suitability of the project as it relates to the compatibility with existing agricultural land use.

WETLANDS

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

FLOODPLAIN

The Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) for Kendall County, Community Panel No. 17093C0135H (effective date January 8, 2014) was reviewed to determine the presence of floodplain and floodway areas within the project site. According to the map, the parcel **is not located within** the floodplain and floodway.

SEDIMENT AND EROSION CONTROL

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

LAND USE FINDINGS:

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed development plans for Petitioners Michael & Eryn Ruffatto for the proposed change in zoning from A-1 Agricultural to R-1 Residential to construct one single-family home on the parcel within Na-Au-Say Township of Kendall County located in the NW ¼ of Section 13, Township 36N, and Range 8E of the 3rd Principal Meridian. Based on the information provided by the petitioner and a review of natural resource related data available to the Kendall County SWCD, the SWCD Board presents the following information.

The Kendall County SWCD has always had the opinion that Prime Farmland should be preserved whenever feasible. Of the soils found onsite, 100% are classified as prime farmland, prime farmland if drained, or farmland of statewide importance. A land evaluation (LE), which is a part of the Land Evaluation and Site Assessment (LESA), was conducted on this parcel. The soils on this parcel scored an 88 out of a possible 100 points indicating that the soils are well suited for agricultural uses. The total LESA Score for this site is 185 out of a possible 300, which indicates a low level of protection for the proposed project site. Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County. If the project is agricultural in nature, however, a higher score may provide an indication of the suitability of the project as it relates to the compatibility with existing agricultural land use.

Soils found on the project site are rated for specific uses and can have potential limitations for development. Soil types with severe limitations do not preclude the ability to develop the site for the proposed use, but it is important to note that the limitation may require soil reclamation, special design/engineering, or maintenance to obtain suitable soil conditions to support development with significant limitations. This report indicates that for soils located on the parcel, 41.5% are very limited for dwellings with basements and shallow excavations, and 8.8% are very limited for dwellings without basements and lawns/landscaping. The remaining land is considered somewhat limited for these types of developments/uses. Additionally, 8.8% of the soils are considered unsuitable for conventional septic systems. This information is based on the soil in an undisturbed state. If the scope of the project may include the use of onsite septic systems, please consult with the Kendall County Health Department.

This site is located within the Upper Illinois River watershed and the East Branch Aux Sable Creek sub watershed. This development should include a soil erosion and sediment control plan to be implemented during construction. Sediment may become a primary non-point source of pollution; eroded soils during the construction phase can create unsafe conditions on roadways, degrade water quality and destroy aquatic ecosystems lower in the watershed.

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

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

[redacted]
SWCD Board Representative

9/13/2021
Date

PARCEL LOCATION

Location Map for Natural Resources Information Report #2114

NW ¼ of Section 13, Township 36 North, Range 8 East (Na-Au-Say Township) on 27.15 acres. This parcel is located west and north of Ridge Road, east of Old Ridge Road, and south of E. Schoolhouse Road in Plainfield, IL. The parcel is part of unincorporated Kendall County.

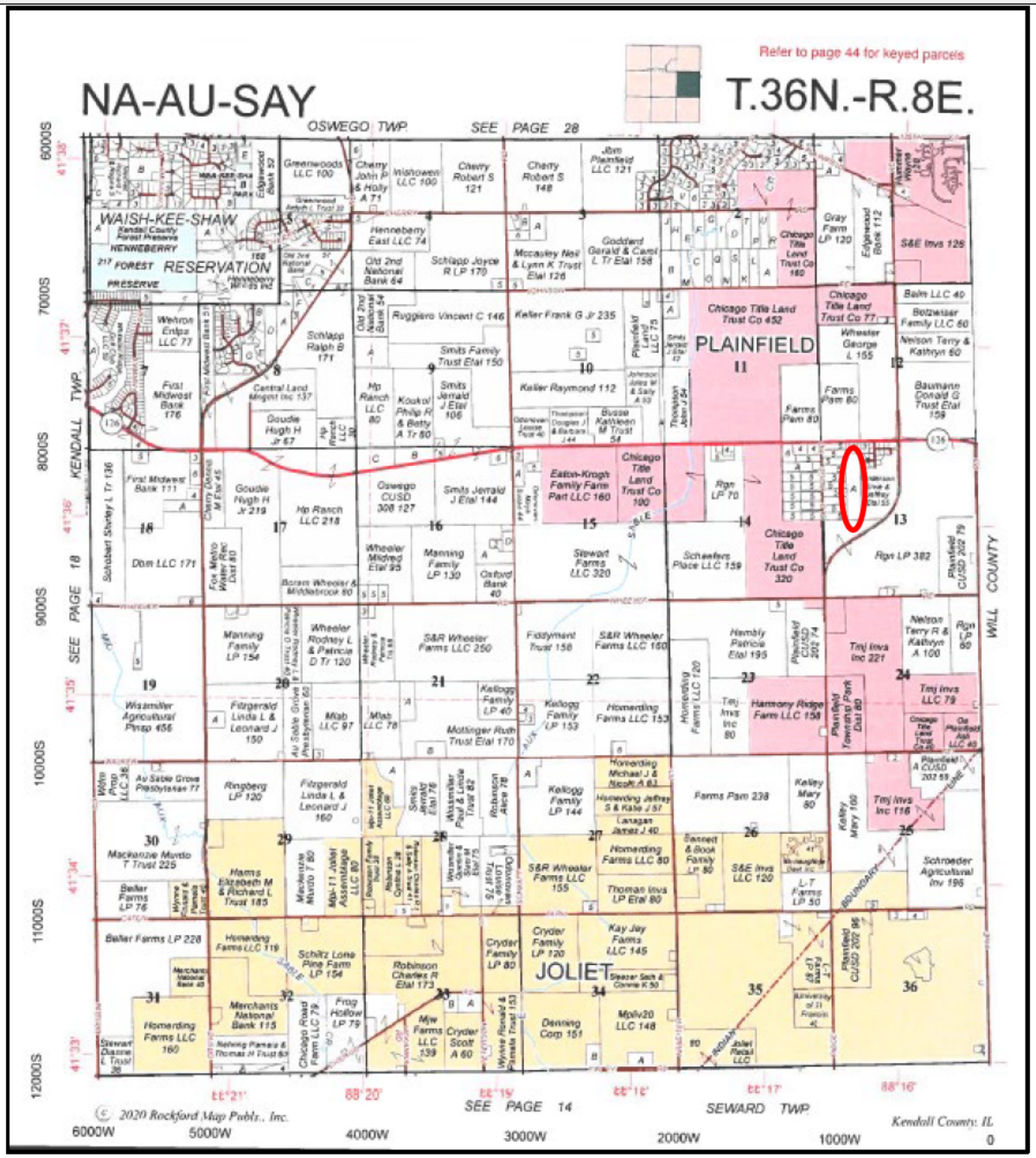


Figure 3: 2021 Plat Map

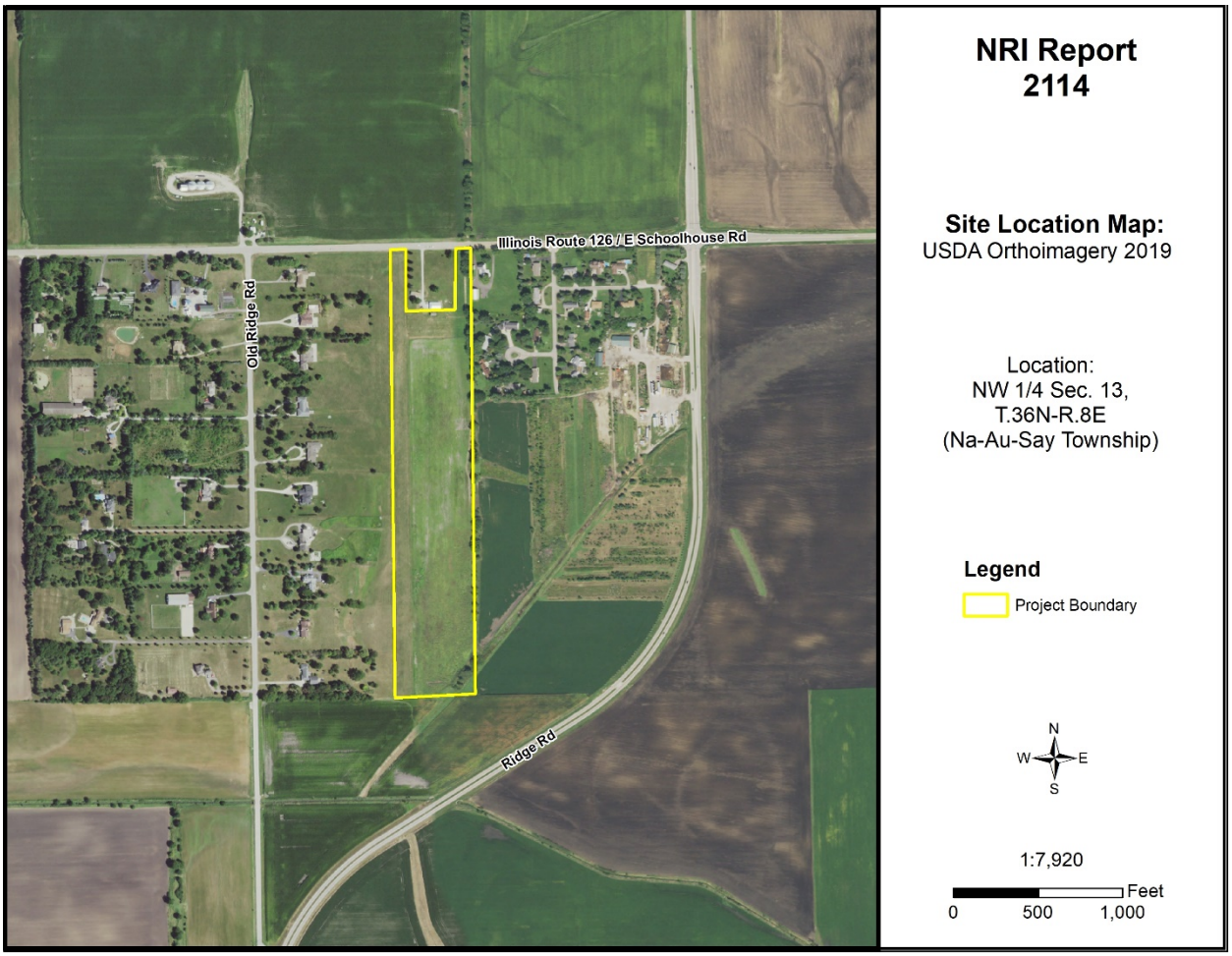


Figure 4: 2019 Aerial Map with NRI Site Boundary

ARCHAEOLOGIC/CULTURAL RESOURCES INFORMATION

Simply stated, cultural resources are all the past activities and accomplishments of people. They include the following: buildings; objects made or used by people; locations; and less tangible resources, such as stories, dance forms, and holiday traditions.

The Soil and Water Conservation District most often encounters cultural resources as historical properties. These may be prehistoric or historical sites, buildings, structures, features, or objects. The most common type of historical property that the Soil and Water Conservation District may encounter is non-structural archaeological sites. These sites often extend below the soil surface and must be protected against disruption by development or other earth moving activity if possible. Cultural resources are *non-renewable* because there is no way to "grow" a site to replace a disrupted site.

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

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

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

ECOLOGICALLY SENSITIVE AREAS

WHAT IS BIOLOGICAL DIVERSITY AND WHY SHOULD IT BE CONSERVED?[1]

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

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

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

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

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

Further, every species is a potential source of human medicine. In 1980, a published report identified the market value of prescription drugs from higher plants at over $3 billion. Organic alkaloids, a class of

chemical compounds used in medicines, are found in an estimated 20% of plant species. Yet only 2% of plant species have been screened for these compounds (Hoose 1981).

The third reason for protecting diversity is that humans benefit from natural areas and depend on healthy ecosystems. The natural world supplies our air, our water, our food and supports human economic activity. Further, humans are creatures that evolved in a diverse natural environment between forest and grasslands. People need to be reassured that such places remain. When people speak of "going to the country," they generally mean more than getting out of town. For reasons of their own sanity and wellbeing, they need a holistic, organic experience. Prolonged exposure to urban monotony produces neuroses, for which cultural and natural diversity cure.

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

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

BIOLOGICAL RESOURCES CONCERNING THE SUBJECT PARCEL

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

Office maps indicate that ecologically sensitive area(s) <u>are</u> located on or near the parcel in question (PIQ). According to the U.S. Fish & Wildlife Service's National Wetlands Inventory, a riverine wetland is located along the southeast corner of the property.

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

SOILS INFORMATION

IMPORTANCE OF SOILS INFORMATION

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

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

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

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

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

Soil interpretations do not eliminate the need for on-site study and testing of specific sites for the design and construction for specific uses. They can be used as a guide for planning more detailed investigations and for avoiding undesirable sites for an intended use. The scale of the maps and the range of error limit the use of the soil delineation.

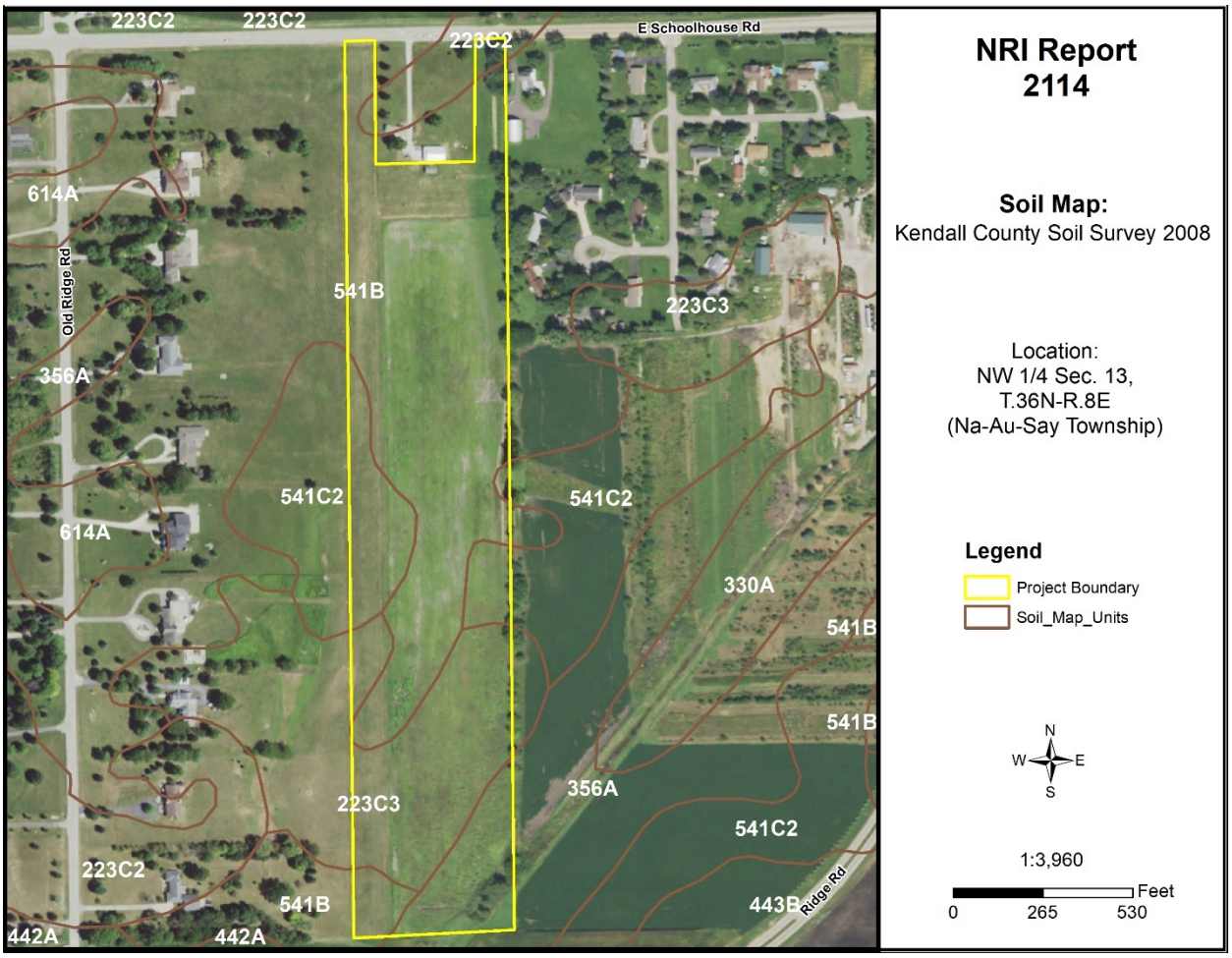


Figure 5: Soil Map

Table 3: Soil Map Unit Descriptions

Symbol	Descriptions	Acres	Percent
223C2	Varna silt loam, 4-6% slopes, eroded	0.3	1.0%
223C3	Varna silty clay loam, 4-6% slopes, severely eroded	5.9	21.4%
356A	Elpaso silty clay loam, 0-2% slopes	2.4	8.8%
541B	Graymont silt loam, 2-5% slopes	15.7	57.5%
541C2	Graymont silt loam, 5-10% slopes, eroded	3.1	11.3%

Source: National Cooperative Soil Survey – USDA-NRCS

SOILS INTERPRETATIONS EXPLANATION

GENERAL – NONAGRICULTURAL

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

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

LIMIATIONS RATINGS

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

BUILDING LIMITATIONS

BUILDING ON POORLY SUITED OR UNSUITABLE SOILS

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

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

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

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

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

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

Table 4: Building Limitations

Soil Type	Dwellings with Basements	Dwellings without Basements	Shallow Excavations	Lawns & Landscaping	Onsite Conventional Sewage Systems	Acres	%
223C2	**Somewhat Limited:** Depth to saturated zone	**Somewhat Limited:** Shrink-swell	**Somewhat Limited**: Depth to saturated zone; Dusty; Unstable excavation walls	**Somewhat Limited:** Dusty	**Suitable**	0.3	1.0%
223C3	**Very Limited:** Depth to saturated zone	**Somewhat Limited:** Depth to saturated zone	**Very Limited:** Depth to saturated zone; Dusty; Unstable excavation walls	**Somewhat Limited:** Depth to saturated zone; Dusty	**Suitable**	5.9	21.4%
356A	**Very Limited:** Ponding; Depth to saturated zone; Shrink-swell	**Very Limited:** Ponding; Depth to saturated zone; Shrink-swell	**Very Limited:** Ponding; Depth to saturated zone; Dusty; Unstable excavation walls	**Very Limited:** Ponding; Depth to saturated zone; Dusty	**Unsuitable:** Wet	2.4	8.8%
541B	**Somewhat Limited:** Depth to saturated zone; Shrink-swell	**Somewhat Limited:** Shrink-swell	**Somewhat Limited:** Depth to saturated zone; Dusty; Unstable excavation walls	**Somewhat Limited:** Dusty	**Suitable**	15.7	57.5%
541C2	**Very Limited:** Depth to saturated zone; Shrink-swell	**Somewhat Limited:** Shrink-swell	**Very Limited:** Depth to saturated zone; Dusty; Unstable excavation walls	**Somewhat Limited:** Dusty	**Suitable**	3.1	11.3%
% Very Limited	**41.5%**	**8.8%**	**41.5%**	**8.8%**	**8.8%**		

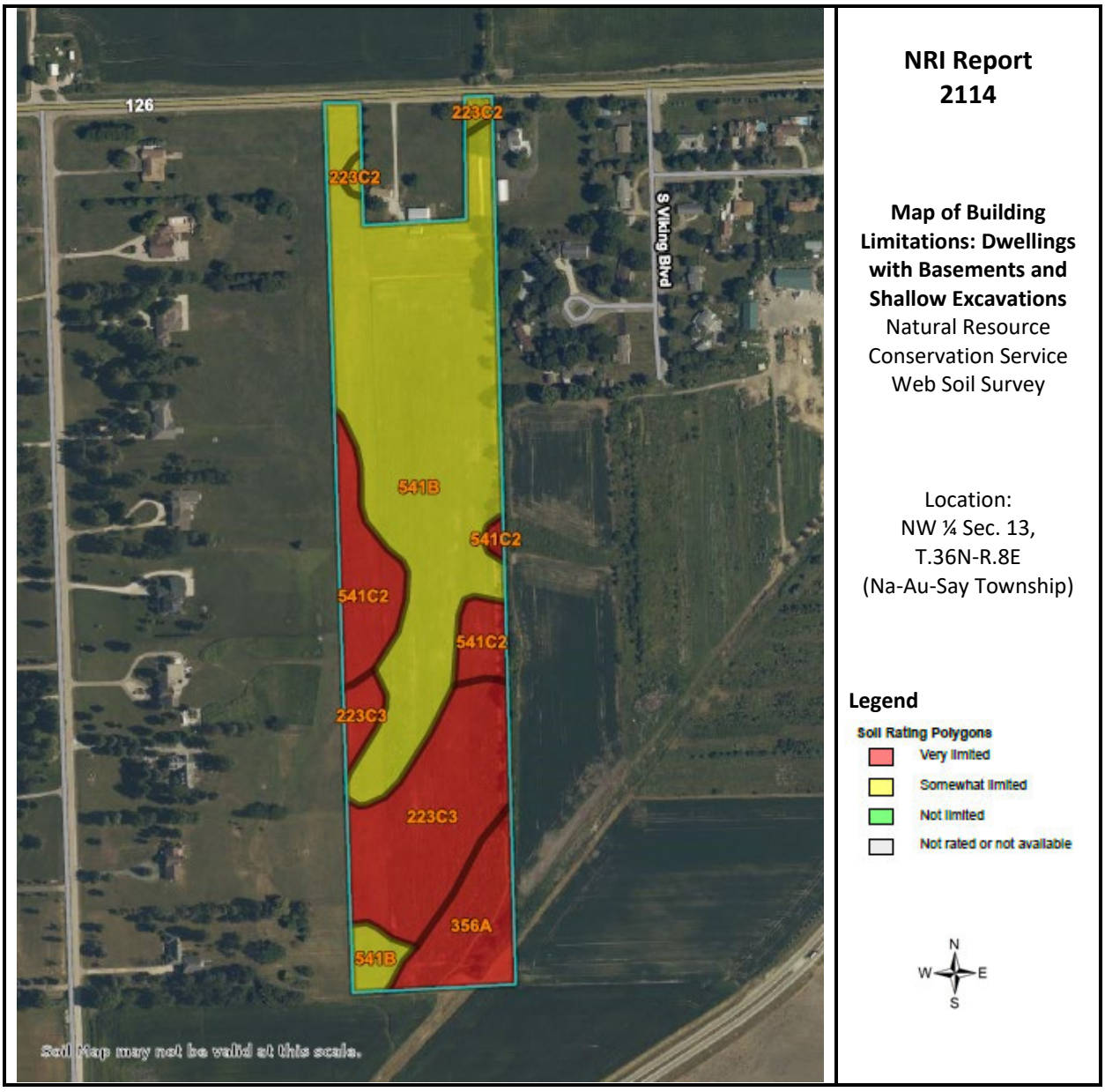


Figure 6A: Map of Building Limitations – Dwellings with Basements and Shallow Excavations

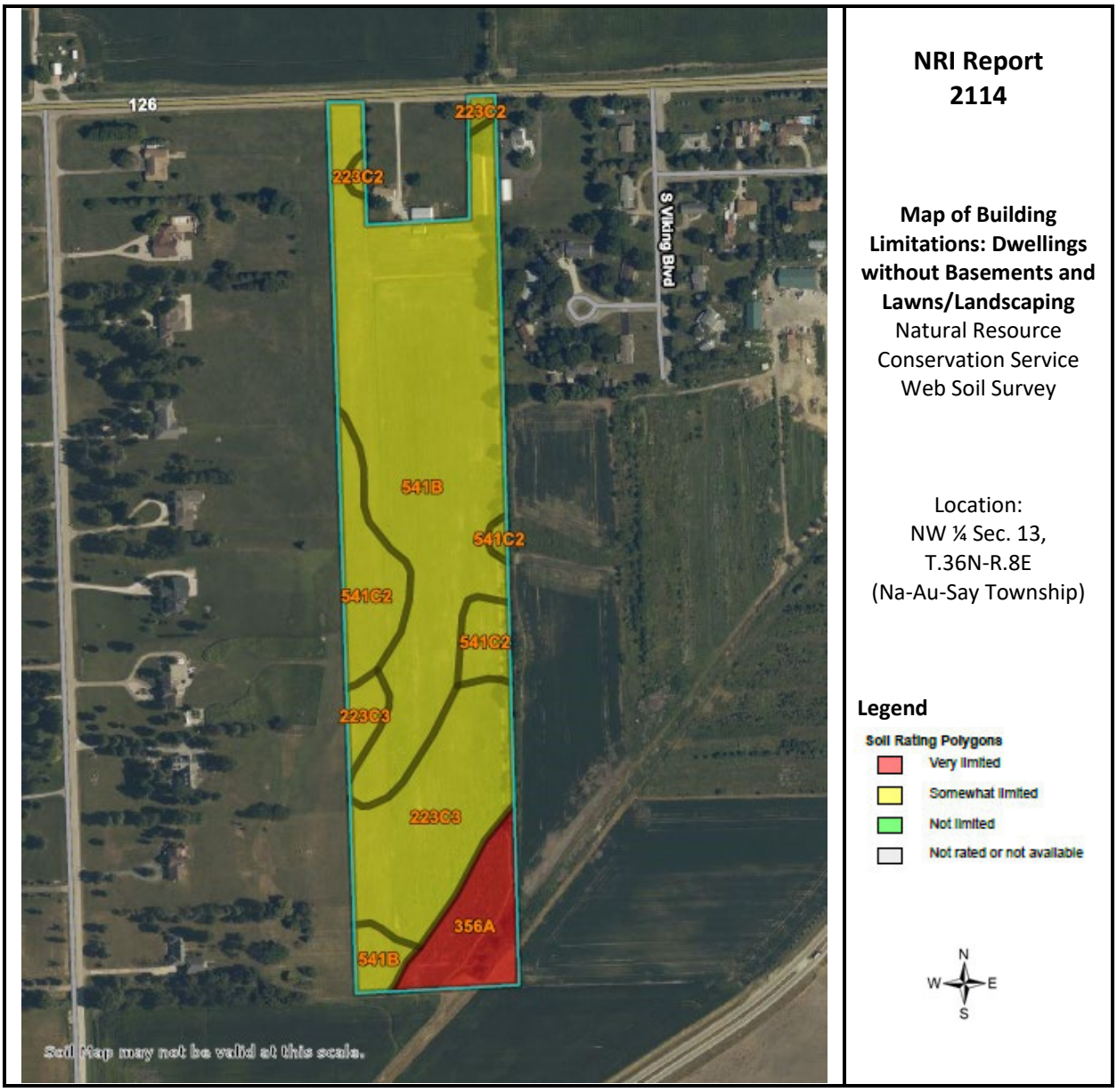


Figure 6B: Map of Building Limitations – Dwellings without Basements and Lawns & Landscaping

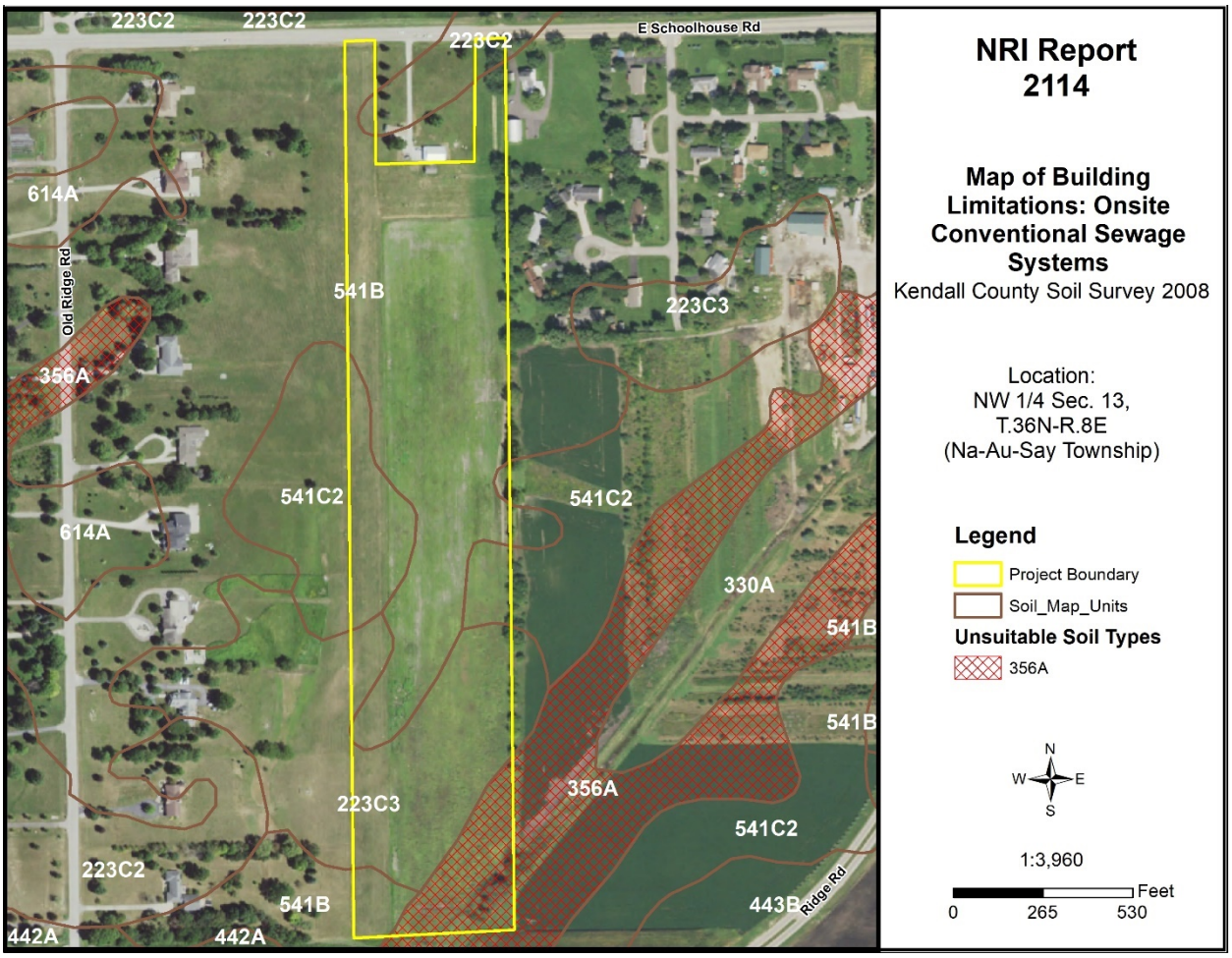


Figure 6C: Map of Building Limitations – Onsite Conventional Sewage System

SOIL WATER FEATURES

Table 5, below, gives estimates of various soil water features that should be taken into consideration when reviewing engineering for a land use project.

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

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

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

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

MONTHS – The portion of the year in which a water table, ponding, and/or flooding is most likely to be a concern.

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

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

- **Duration:** Expressed as *very brief* if less than 2 days, *brief* if 2 to 7 days, *long* if 7 to 30 days and *very long* if more than 30 days.
- **Frequency:** Expressed as: *none* meaning ponding is not possible; *rare* means unlikely but possible under unusual weather conditions (chance of ponding is 0-5% in any year); *occasional* means that it occurs, on the average, once or less in 2 years (chance of ponding is 5 to 50% in any year); and frequent means that it occurs, on the average, more than once in 2 years (chance of ponding is more than 50% in any year).

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

- **Duration:** Expressed as: *extremely brief* if 0.1 hour to 4 hours; *very brief* if 4 hours to 2 days; *brief* if 2 to 7 days; *long* if 7 to 30 days; and *very long* if more than 30 days.
- **Frequency:** Expressed as: *none* means flooding is not probable; *very rare* means that it is very unlikely but possible under extremely unusual weather conditions (chance of flooding is less than 1% in any year); *rare* means that it is unlikely but possible under unusual weather conditions (chance of flooding is 1 to 5% in any year); *occasional* means that it occurs infrequently under normal weather conditions (chance of flooding is 5 to 50% in any year but is less than 50% in all months in any year); and *very frequent* means that it is likely to occur very often under normal weather conditions (chance of flooding is more than 50% in all months of any year).

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

Table 5: Water Features

Map Unit	Hydrologic Group	Surface Runoff	Water Table	Ponding	Flooding
223C2	C	High	January **Upper/Lower Limit**: -- February – April **Upper Limit:** 2.0’-3.5’ **Lower Limit:** 2.2’-5.5’ May – December **Upper/Lower Limit**: --	January – December **Surface Water Depth**: -- **Duration**: -- **Frequency**: None	January – December **Duration**: -- **Frequency**: None
223C3	C	High	January **Upper/Lower Limit**: -- February – April **Upper Limit:** 2.0’-3.5’ **Lower Limit:** 2.2’-5.5’ May – December **Upper/Lower Limit**: --	January – December **Surface Water Depth**: -- **Duration**: -- **Frequency**: None	January – December **Duration**: -- **Frequency**: None
356A	B/D	Negligible	January – May **Upper Limit:** 0.0’-1.0’ **Lower Limit:** 6.0’ June – December **Upper/Lower Limit**: --	January – May **Surface Water Depth:** 0.0’-0.5’ **Duration:** Brief (2 to 7 days) **Frequency:** Frequent June – December **Surface Water Depth**: -- **Duration**: -- **Frequency**: None	January – December **Duration**: -- **Frequency**: None
541B	C	Low	January **Upper/Lower Limit**: -- February – April **Upper Limit:** 2.0’-3.5’ **Lower Limit:** 2.2’-4.3’ May – December **Upper/Lower Limit**: --	January – December **Surface Water Depth**: -- **Duration**: -- **Frequency**: None	January – December **Duration**: -- **Frequency**: None
541C2	C	Medium	January **Upper/Lower Limit**: -- February – April **Upper Limit:** 2.0’-3.5’ **Lower Limit:** 2.2’-4.3’ May – December **Upper/Lower Limit**: --	January – December **Surface Water Depth**: -- **Duration**: -- **Frequency**: None	January – December **Duration**: -- **Frequency**: None

SOIL EROSION AND SEDIMENT CONTROL

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

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

Soil erosion during and after this proposed construction can be a primary non-point source of water pollution. Eroded soil during the construction phase can create unsafe conditions on roadways, decrease the storage capacity of lakes, clog streams and drainage channels, cause deterioration of aquatic habitats, and increase water treatment costs. Soil erosion also increases the risk of flooding by choking culverts, ditches, and storm sewers and by reducing the capacity of natural and man-made detention facilities.

The general principles of erosion and sedimentation control measures include:

- Reducing or diverting flow from exposed areas, storing flows, or limiting runoff from exposed areas
- Staging construction to keep disturbed areas to a minimum
- Establishing or maintaining temporary or permanent groundcover
- Retaining sediment on site
- Properly installing, inspecting, and maintaining control measures

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

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

Table 6: Soil Erosion Potential

Soil Type	Slope	Rating	Acreage	Percent of Parcel
223C2	4-6%	Moderate	0.3	1.0%
223C3	4-6%	Severe	5.9	21.4%
356A	0-2%	Slight	2.4	8.8%
541B	2-5%	Slight	15.7	57.5%
541C2	5-10%	Moderate	3.1	11.3%

PRIME FARMLAND SOILS

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

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

Table 7: Prime Farmland Soils

Soil Types	Prime Designation	Acreage	Percent
223C2	Prime Farmland	0.3	1.0%
223C3	Farmland of Statewide Importance	5.9	21.4%
356A	Prime Farmland if drained	2.4	8.8%
541B	Prime Farmland	15.7	57.5%
541C2	Farmland of Statewide Importance	3.1	11.3%
% Prime Farmland	**100%**		

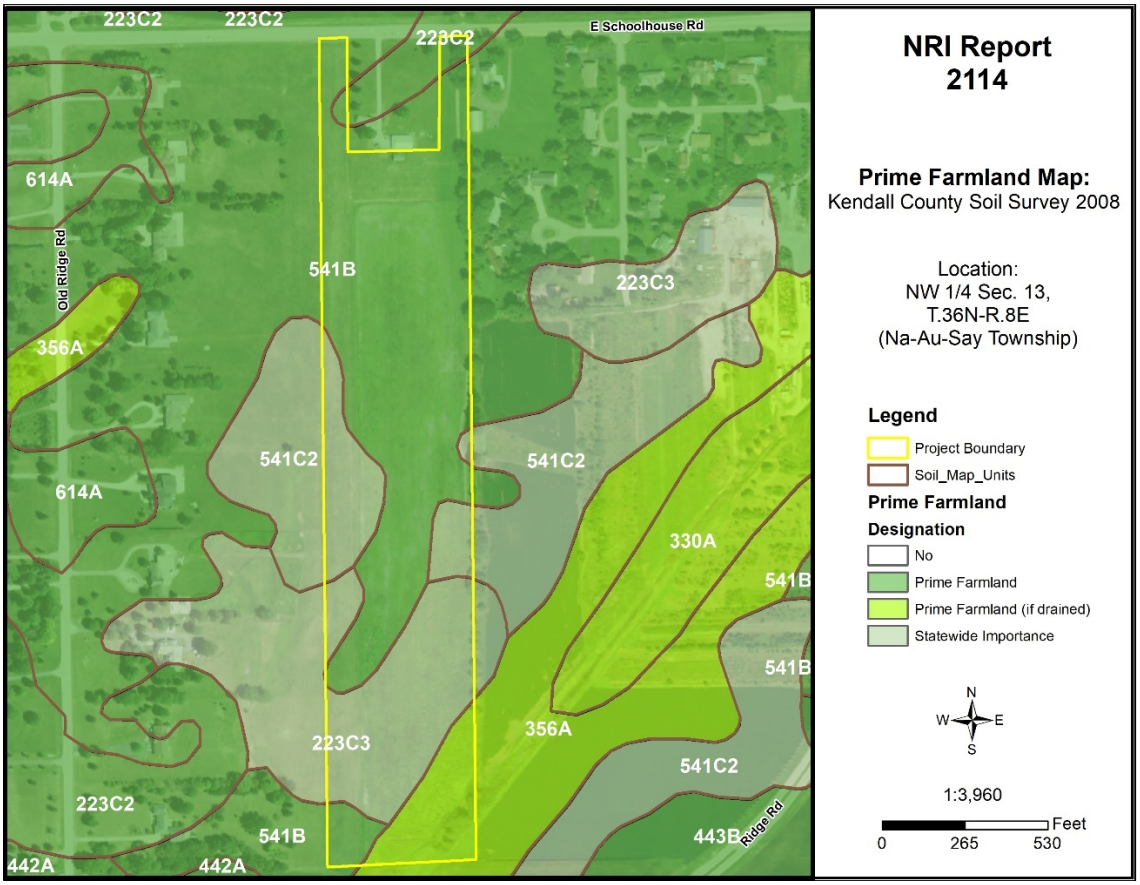


Figure 7: Map of Prime Farmland Soils

LAND EVALUATION AND SITE ASSESSMENT (LESA)

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

LAND EVALUATION (LE)

The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland, or forestland. The best group is assigned a value of 100, and all other groups are assigned lower values. The Land Evaluation is based on data from the Kendall County Soil Survey. The LE score is calculated by multiplying the relative value of each soil type by the number of acres of that soil. The sum of the products is then divided by the total number of acres; the answer is the Land Evaluation score on this site. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.

SITE ASSESSMENT (SA)

The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The value group is a predetermined value based upon prime farmland designation. The Kendall County LESA Committee is responsible for this portion of the LESA system.

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

Table 8A: Land Evaluation Computation

Soil Type	Value Group	Relative Value	Acres	Product (Relative Value x Acres)
223C2	4	79	0.3	23.7
223C3	6	69	5.9	407.1
356A	1	100	2.4	240
541B	2	94	15.7	1,475.8
541C2	5	82	3.1	254.2
Totals			**27.4**	**2,400.8**
LE Calculation			(Product of relative value / Total Acres) 2,400.8 / 27.4 = 87.62	
LE Score			**LE = 88**	

The Land Evaluation score for this site is 88, indicating that this site is designated as prime farmland that is well suited for agricultural uses considering the Land Evaluation score is above 80.

Table 8B: Site Assessment Computation

A.	**Agricultural Land Uses**	**Points**
	1. Percentage of area in agricultural uses within 1.5 miles of site. (20-10-5-0)	20
	2. Current land use adjacent to site. (30-20-15-10-0)	10
	3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0)	15
	4. Size of site. (30-15-10-0)	10
B.	**Compatibility / Impact on Uses**	
	1. Distance from city or village limits. (20-10-0)	0
	2. Consistency of proposed use with County Land Resource Management Concept Plan and/or municipal comprehensive land use plan. (20-10-0)	0
	3. Compatibility of agricultural and non-agricultural uses. (15-7-0)	7
C.	**Existence of Infrastructure**	
	1. Availability of public sewage system. (10-8-6-0)	10
	2. Availability of public water system. (10-8-6-0)	10
	3. Transportation systems. (15-7-0)	7
	4. Distance from fire protection service. (10-8-6-2-0)	8
	Site Assessment Score:	**97**

The Site Assessment score for this site is 97. The Land Evaluation value (88) is added to the Site Assessment value (97) to obtain a LESA Score of 185. The table below shows the level of protection for the proposed project site based on the LESA Score.

Table 9: LESA Score Summary

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

Land Evaluation Value: 88 + **Site Assessment Value:** 97 = **LESA Score: 185**

The LESA Score for this site is 185 which indicates a low level of protection for the proposed project site. Note: Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County. If the project is agricultural in nature, however, a higher score may provide an indication of the suitability of the project as it relates to the compatibility with existing agricultural land use.

LAND USE PLANS

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

DRAINAGE, RUNOFF, AND FLOOD INFORMATION

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

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

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

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

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

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

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

For this reason, the Kendall County SWCD recommends that the developer for intense uses such as a subdivision calculate the preconstruction Q value for the exit point(s). A stormwater management system

should be designed, installed, and maintained to limit the postconstruction Q value to be at or below the preconstruction value.

IMPORTANCE OF FLOOD INFORMATION

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

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

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

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

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

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

If the available maps indicate the presence of a floodplain on the PIQ, the petitioner should contact the IDOT-OWR and FEMA to delineate a floodplain elevation for the parcel. If a portion of the property is indeed floodplain, applicable state, county, and local regulations will need to be reflected in the site plans.

Another indication of flooding potential can be found in the soils information. Hydric soils indicate the presence of drainageways, areas subject to ponding, or a naturally occurring high water table. These need to be considered along with the floodplain information when developing the site plan and the stormwater management plan. Development on hydric soils can contribute to the loss of water storage within the soil and the potential for increased flooding in the area.

This parcel is located on rolling topography (slopes 0 to 10%) with an elevation of approximately 662' above sea level. According to the FIRM map, the parcel in question does not contain floodway or floodplain. The parcel drains predominantly south.

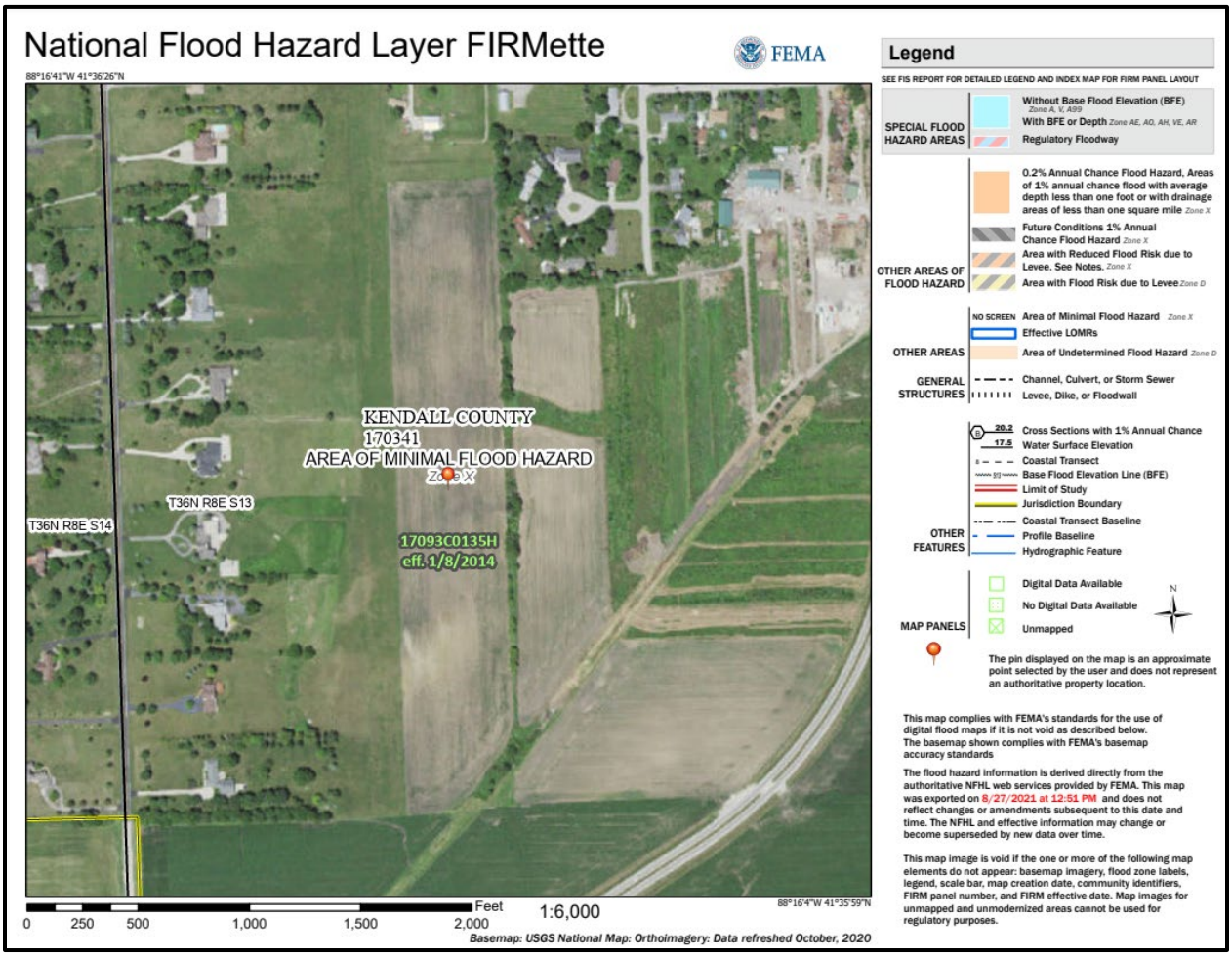


Figure 8: FEMA Floodplain Map

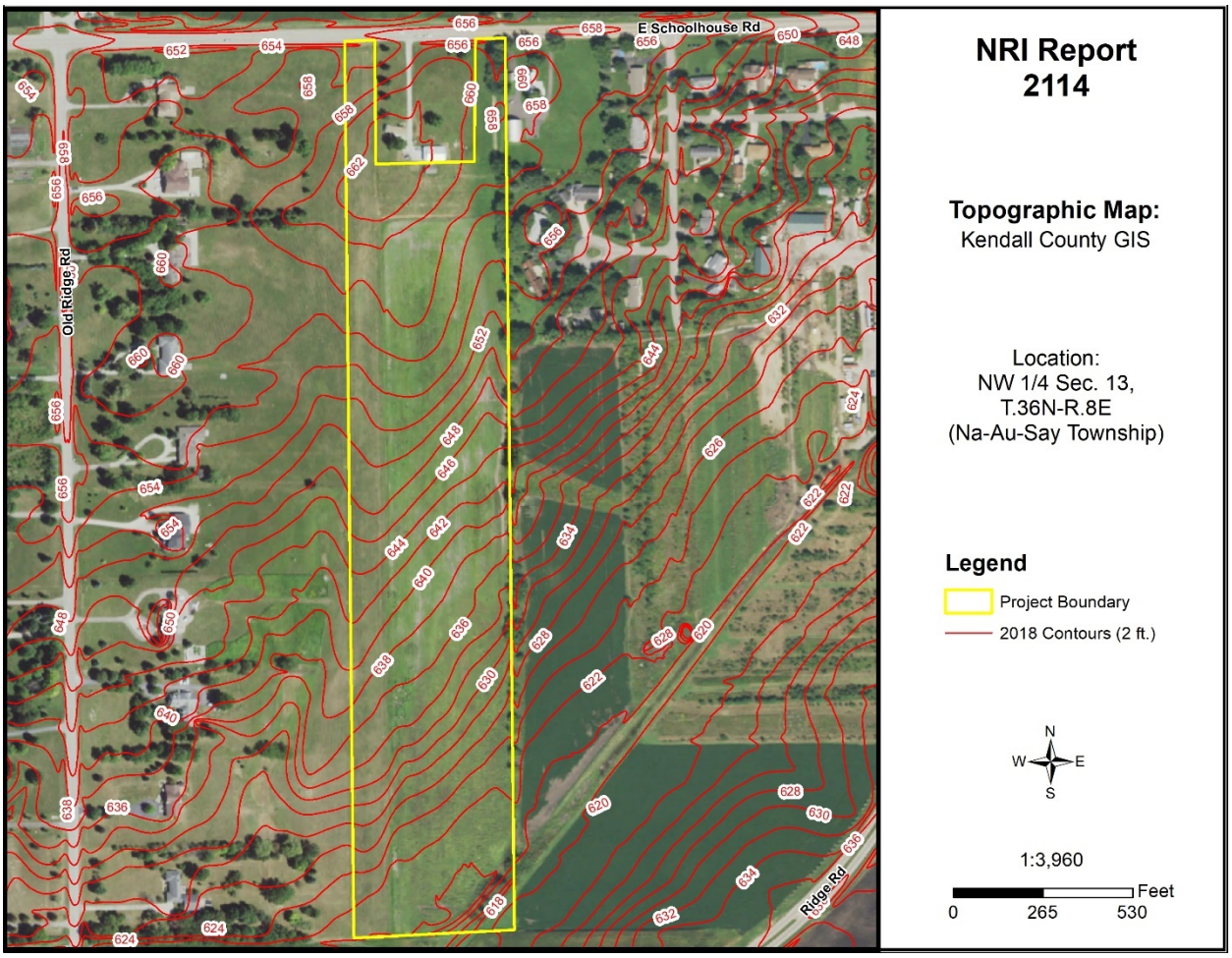


Figure 9: Topographic Map

WATERSHED PLANS

WATERSHED AND SUB WATERSHED INFORMATION

A watershed is the area of land that drains into a specific point including a stream, lake, or other body of water. High points on the Earth's surface, such as hills and ridges define watersheds. When rain falls in the watershed, it flows across the ground towards a stream or lake. Rainwater carries pollutants such as oils, pesticides, and soil.

Everyone lives in a watershed. Their actions can impact natural resources and people living downstream. Residents can minimize this impact by being aware of their environment and the implications of their activities, implementing practices recommended in watershed plans, and educating others about their watershed.

The following are recommendations to developers for protection of this watershed:

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

This parcel is located within the Upper Illinois River Watershed and the East Branch Aux Sable Creek Sub Watershed.

WETLAND INFORMATION

IMPORTANCE OF WETLAND INFORMATION

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

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

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

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

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

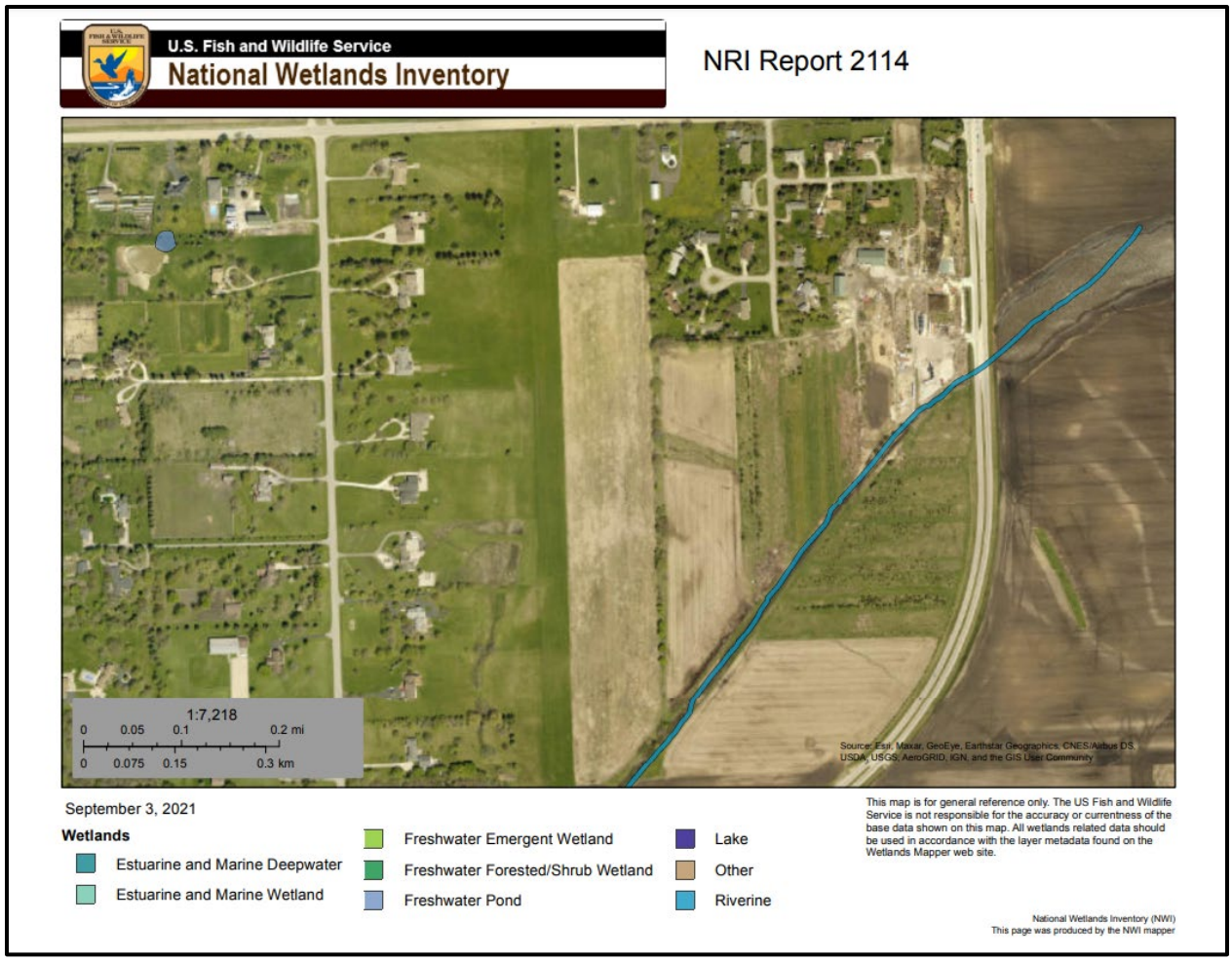


Figure 10: Wetland Map – USFWS National Wetland Inventory

Office maps indicate that mapped wetlands <u>are</u> present on the parcel in question (PIQ). According to the NWI map, a riverine wetland is located along the southeast corner of the PIQ.

HYDRIC SOILS

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

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

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

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

Table 10: Hydric Soils

Soil Types	Drainage Class	Hydric Designation	Hydric Inclusions Likely	Acreage	Percent
223C2	Moderately Well Drained	Non-Hydric	No	0.3	1.0%
223C3	Moderately Well Drained	Non-Hydric	No	5.9	21.4%
356A	Poorly Drained	Hydric	No	2.4	8.8%
541B	Moderately Well Drained	Non-Hydric	Yes	15.7	57.5%
541C2	Moderately Well Drained	Non-Hydric	Yes	3.1	11.3%

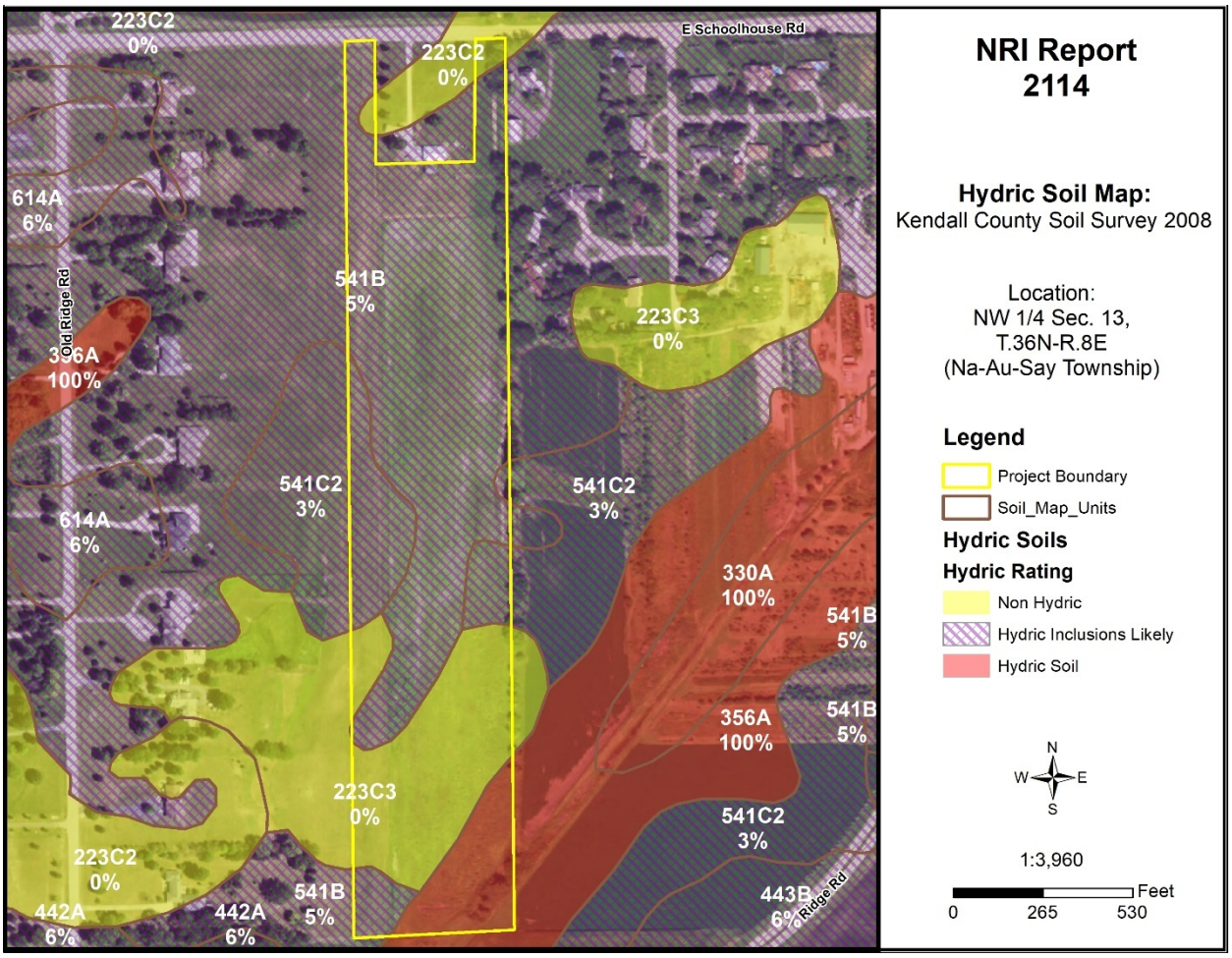


Figure 11: Hydric Soil Map

WETLAND AND FLOODPLAIN REGULATIONS

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

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

WHO MUST APPLY?

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

REGULATORY AGENCIES

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

COORDINATION

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

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

GLOSSARY

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

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

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

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

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

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

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

- **Watertable, Apparent**: A thick zone of free water in the soil. An apparent water table is indicated by the level at which water stands in an uncased borehole after adequate time is allowed for adjustment in the surrounding soil.
- **Watertable, Artesian**: A water table under hydrostatic head, generally beneath an impermeable layer. When this layer is penetrated, the water level rises in an uncased borehole.
- **Watertable, Perched**: A water table standing above an unsaturated zone. In places an upper, or perched, water table is separated from a lower one by a dry zone.

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

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

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

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

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

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

PALUSTRINE - Name given to inland freshwater wetlands.

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

PIQ - Parcel in question

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

PRIME FARMLAND - Prime farmland soils are lands that are best suited to food, feed, forage, fiber and oilseed crops. It may be cropland, pasture, woodland, or other land, but it is not urban and built up land or water areas. It either is used for food or fiber or is available for those uses. The soil qualities, growing season, and moisture supply are those needed for a well-managed soil economically to produce a sustained high yield of crops. Prime farmland produces in highest yields with minimum inputs of energy and economic resources and farming the land results in the least damage to the environment. Prime farmland has an adequate and dependable supply of moisture from precipitation or irrigation. The temperature and growing season are favorable. The level of acidity or alkalinity is acceptable. Prime farmland has few or no rocks and is permeable to water and air. It is not excessively erodible or saturated

with water for long periods and is not frequently flooded during the growing season. The slope ranges mainly from 0 to 5 percent (USDA Natural Resources Conservation Service).

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

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

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

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

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

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

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

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

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

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

REFERENCES

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

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

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

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

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

Illinois Urban Manual. Association of Illinois Soil & Water Conservation Districts, 2020.

Kendall County Land Atlas and Plat Book. 21st Edition, 2021.

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

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

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

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

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

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

KENDALL COUNTY
REGIONAL PLANNING COMMISSION

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

Unapproved - Meeting Minutes of September 22, 2021 - 7:00 p.m.

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

ROLL CALL

Members Present: Bill Ashton, Roger Bledsoe, Tom Casey, Dave Hamman, Karin McCarthy-Lange, Larry Nelson, Ruben Rodriguez (arrived at 7:05 p.m.), Claire Wilson (arrived at 7:05 p.m.), and Seth Wormley
Members Absent: Bob Stewart
Staff Present: Matthew H. Asselmeier, Senior Planner
Others Present: Scott Richmond, Lorena Gutierrez, Dan Kramer, Eryn Ruffatto, David Cline, William Sales, June Alice, and Robert VanderBeek

PETITIONS

Petition 21-32 Gilbert L. Niznik on Behalf of the Gilbert L. Niznik Revocable Trust Dated September 15, 2017 and Michael and Eryn Ruffatto

Mr. Asselmeier summarized the request.

Michael and Eryn Ruffatto would like to purchase the subject property from the Gilbert L. Niznik Trust Dated September 15, 2017 and construct one (1) house.

The western one hundred feet (100') of the subject property was part of a landing strip per Ordinance 1992-6 and was not part of the rezoning request.

The application materials, aerial of the property, plat of survey, and Ordinance 1992-6 were provided.

The property was approximately twenty-seven (27) acres.

The Future Land Use Map called for the property to be Suburban Residential (Max 1.00 DU/Acre).

Route 126 was a State maintained Arterial.

The County had a trail planned along Route 126.

There is no floodplain on the property. There is a riverine wetland along the southeast corner of the property.

The adjacent land uses were Agricultural, Single-Family Residential, and an Airstrip.

The adjacent zoning districts were A-1, R-1 SU, and R-3.

The County's Future Land Use Map called for the area to be Suburban Residential (Max 1.00 DU/Acre) and Commercial. The Village of Plainfield's Future Land Use Map called for the area to be Medium Density Residential, Village Residential, and Low Density Residential.

The nearby zoning districts in the unincorporated area were A-1, A-1 SU, R-1 SU, and R-3. The nearby zoning districts in the Village of Plainfield were Low Density Single-Family Residential PUD.

The A-1 special use permit to the west was for professional offices. The R-1 special use to the west was for an airstrip.

EcoCAT Report submitted and consultation was terminated.

The application for NRI was submitted on August 12, 2021. The LESA Score was 185 indicating a low level of protection. The NRI Report was provided.

Petition information was sent to Na-Au-Say Township on August 27, 2021.

Petition information was sent to the Village of Plainfield on August 27, 2021.

Petition information was sent to the Plainfield Fire Protection District on August 27, 2021, and they had no concerns about the request; their email was provided.

ZPAC reviewed this proposal at their meeting on September 7, 2021. ZPAC recommended approval of the request by a vote of seven (7) in favor and zero (0) in opposition with three (3) members absent. The minutes of this meeting were provided.

The Petitioners desired to rezone the subject property in order to build one (1) house on the subject property.

Any new homes or accessory structures would be required to meet applicable building codes.

No public or private utilities were onsite.

The property fronted Route 126. Staff had no concerns regarding the ability of Route 126 to support the proposed map amendment.

Any new driveways constructed would be for residential purposes. Any new driveways would have to meet applicable regulations and secure proper permits.

No new odors are foreseen.

Any new lighting would be for residential use only.

Any fencing, landscaping, or screening would be for residential purposes.

Any signage would be residential in nature.

No noise was anticipated.

Any new homes would have to be constructed per Kendall County's Stormwater Management Ordinance.

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 for agricultural purposes or larger lot single-family residential uses. An airstrip is located on the subject property.

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1, R-3, and R-1 with a special use permit. Nearby properties inside the Village of Plainfield also have residential zoning.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1. Due to the property's size, a single-family home cannot be constructed on the property under A-1 zoning regulations.

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 a mix of agricultural and single-family residential uses found in rural settings.

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 Suburban Residential. The R-1 One Family Residential District is consistent with the Suburban Residential classification.

Staff recommended approval of the proposed map amendment because the proposal was consistent with the Land Resource Management Plan.

Chairman Ashton asked if the airstrip would remain. Dan Kramer, Attorney for the Petitioner responded yes.

Mr. Kramer provided a history of the residential development to the west.

Mr. Kramer stated the driveway will be off of the eastern portion of the property off of Route 126.

The rezoning request does not include the portion of the property used for the airstrip. The airstrip will stay zoned A-1 with a special use permit for an airstrip.

Eryn Ruffatto explained on the property where they plan to construct the house. The farmer will use their driveway to access the field.

David Cline requested clarification of where the house would be placed. Ms. Ruffatto explained the planned location for the house.

Williams Sales requested the Commission to approve the Petition.

Robert VanderBeek explained the airstrip easement for the property owners to the west of the subject property. He liked the proposal and the preservation of open space.

June Alice expressed her support for the proposal.

Member Rodriguez made a motion, seconded by Member McCarthy-Lange, to recommend approval of the map amendment.

The votes were as follows:
Ayes (9): Ashton, Bledsoe, Casey, Hamman, McCarthy-Lange, Nelson, Rodriguez, Wilson, and Wormley
Nays (0): None
Absent (1): Stewart
Abstain (0): None

The motion carried.

This proposal will go to the Kendall County Zoning Board of Appeals on September 27, 2021.

CITIZENS TO BE HEARD/ PUBLIC COMMENT
None

ADJOURNMENT
Member Wilson made a motion, seconded by Member Rodriguez, to adjourn. With a voice of nine (9) ayes, the motion carried.

The Kendall County Regional Planning Commission meeting adjourned at 8:44 p.m.

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

Enc.

KENDALL COUNTY
REGIONAL PLANNING COMMISSION
SEPTEMBER 22, 2021

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)
Dan Kramer 21-30 21-32 Atty 21-31 21-33	[redacted]	
Scott Richmond Attorney		
DAVID CLINE		
William SALES		
JUNE ALICE		
Robert VanderBeek		

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

Petition 21-33
Elizabeth Bowyer on Behalf of Doragon Properties, LLC
A-1 Special Use Permit for the Sale of Agricultural Products and Pottery, Art, and Home Decor Not Produced on the Premises and Variance to Allow This Type of Use on Lands Classified as Agriculture on the LRMP Map

INTRODUCTION
The Petitioner would like to operate a monthly craft fair (sale of agricultural products not grown on premises and the sale of pottery, art, and home décor not produced on the premises) one (1) Saturday per month between April 1st and November 1st.

The Petitioner has been operating the craft fair without a special use and would like to come into compliance.

The Zoning Ordinance requires the sale of pottery, art, and home décor products to be located on properties not designated as Agricultural on the Future Land Use Map. The Petitioners are seeking a variance to this provision.

The application materials are included as Attachment 1. The plat of survey is included as Attachment 2. The aerial of the entire property is included as Attachment 3. The aerial of the area where craft fair/market would occur is included Attachment 4.

The property was granted a special use permit for landscaping business in 2005. This special use permit is included as Attachment 5.

SITE INFORMATION
PETITIONER Elizabeth Bowyer on Behalf of Doragon Properties, LLC

ADDRESS 5681 Whitewillow Road

LOCATION Southeast Corner of the Intersection of Brisbin and Whitewillow Roads



TOWNSHIP Seward

PARCEL # 09-31-100-005

LOT SIZE 50.00 +/- Acres

EXISTING LAND USE Landscaping and Nursery Business

ZONING A-1 Agricultural District with a Special Use Permit

LRMP

Current Land Use	Agricultural
Future Land Use	Agricultural
Roads	Whitewillow Road is a County maintained Major Collector. Brisbin Road was a Township maintained Major Collector.
Trails	Minooka has trails planned along Whitewillow and Brisbin Roads.
Floodplain/ Wetlands	None. The pond was permitted as part of the development of the landscaping business.

REQUESTED ACTION A-1 Special Use Permit for the Sale of Agricultural Products and Pottery, Art, and Home Décor Not Produced on the Premises

APPLICABLE REGULATIONS Section 7:01.D.47 – A-1 Special Uses – Permits Sales of Agricultural Products Not Grown on the Premises

Section 7:01.D.48 – A-1 Special Uses – Permits Sales of Pottery, Art, Home Décor Not Produced on the Premises with Restrictions

Section 13:04 – Variance Procedures

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Agricultural	A-1	Agricultural (County) Traditional Neighborhood (Minooka)	A-1
South	Agricultural/Farmstead	A-1	Agricultural (County) Traditional Neighborhood (Minooka)	A-1
East	Agricultural	A-1	Agricultural (County) Light Industrial (Minooka)	A-1
West	Agricultural	A-1	Agricultural (County)	A-1

PHYSICAL DATA

ENDANGERED SPECIES REPORT

EcoCat submitted on August 24, 2021, and consultation was terminated (see Attachment 1, Pages 7-8).

NATURAL RESOURCES INVENTORY

The Petitioner did an NRI application as part of a proposed cannabis business at the subject property in April 2020. The LESA Score was 220 indicating a medium level of protection. The NRI Report is included as Attachment 1, Pages 9-39.

ACTION SUMMARY

SEWARD TOWNSHIP

Seward Township was emailed information on August 27, 2021. The Seward Township Planning Commission reviewed this proposal at their meeting on September 7, 2021. The Seward Township Planning Commission recommended approval of the request with the amendment to allow the Petitioners to increase the number of vendors to forty (40) upon notice to the Township. The minutes of this meeting are included as Attachment 12. The Seward Township Board concurred with the Seward Township Planning Commission at their meeting on September 14, 2021.

VILLAGE OF MINOOKA

The Village of Minooka was emailed information on August 27, 2021.

LISBON-SEWARD FIRE PROTECTION DISTRICT

Lisbon-Seward Fire Protection District was emailed information on August 27, 2021. The Lisbon-Seward Fire Protection District submitted an email on August 30, 2021, requesting two (2) strategically placed fire extinguishers and first aid kits be installed with applicable signage. The email is included as Attachment 10.

ZPAC

ZPAC reviewed this proposal at their meeting on September 7, 2021. Discussion occurred regarding signage; the Petitioners' Attorney agreed to discuss having one (1) stationary sign only at the corner of Whitewillow and Brisbin Roads with his clients. The number of vendors was increased from thirty-one (31) to thirty-five (35). The Kendall County Health Department requested that the Petitioners contact them regarding the placement of the septic field in relation to the parking lot. ZPAC recommended

approval of the request by a vote of seven (7) in favor and zero (0) in opposition with three (3) members absent. The minutes of this meeting are included as Attachment 11.

RPC
The Kendall County Regional Planning Commission reviewed this proposal at their meeting on September 22, 2021. The Kendall County Regional Planning Commission recommended approval of the proposal by a vote of eight (8) in favor and one (1) in opposition with one (1) member absent. Chairman Ashton voted no because the Petitioner previously started operations at the property without securing proper zoning. The minutes of this meeting are included as Attachment 13.

GENERAL
According to information provided to the County, the Petitioner would like to operate a thirty-five (35) stall craft fair west of the existing main building as identified in the aerial labeled Attachment 4. The vendor stalls are approximately twelve foot by fourteen foot (12' X 14'). The stalls are made of wood with an area to erect a tent. The stalls are also numbered; an example stall is included as Attachment 6. Pictures of the vendor row are included as Attachments 7 and 8.

No new buildings are planned for the site. No existing structures are planned for demolition.

Vendors sell a variety of craft products.

Section 7:01.D.48 places several conditions and restrictions on special use permits regarding the sale of pottery, art, and home décor. These include:

1. A sit-down food area is allowed if incidental to the primary operation of retail sales.
2. The subject parcel must not be less than three (3) acres in size.
3. Must be along a hard surfaced road classified as an arterial or major collector in the Land Resource Management Plan.
4. Is located in an area not designated as Agricultural on the Land Resource Management Plan. The Petitioner is seeking a variance to this requirement.
5. Must occur in a manner that will preserve the existing farmhouse, barns, related structures, and the pastoral setting.
6. Must serve as a transitional use between agricultural areas and advancing suburban development.
7. Must serve to prevent spot zoning.
8. Retail and wholesale must occur in an existing building, unless otherwise approved by the County Board.
9. Any new structures must reflect the current architecture of the existing structures.
10. No outside display of goods.
11. Cannot generate noise, vibrations, glare, fumes, odors, or electrical interference beyond which normally occurs on A-1 zoned property.
12. Limited demolition of farmhouse and outbuildings is allowed.
13. Site plan is required.
14. Signage must follow the requirements in the Zoning Ordinance.
15. Off-street parking must follow the requirements in the Zoning Ordinance.

Assuming the County Board approves sales outside existing buildings, all of the above requirements of the

Zoning Ordinance are addressed.

If approved, this would be the tenth (10th) special use permit for the sale of products not grown on the premises in the unincorporated area.

BUSINESS OPERATION
According to the business plan provided to the County, the Petitioner would like to operate the craft fair one (1) Saturday per month between April 1st and November 1st. Vendors start setting up at 6:00 a.m. The craft fair is open to the public from 8:00 a.m. until about 4:00 p.m. Vendors leave the site by 6:00 p.m.

The Petitioner has five (5) full-time employees that monitor the craft fair, including herself and her husband.

The usual number patrons on the property at a given time for the craft fair is approximately fifty (50).

BUILDING CODES
No new structures are planned for the property.

ENVIRONMENTAL HEALTH
There are existing restrooms inside the building used for the landscaping business. There are two (2) porta-johns available for the vendors and patrons at the craft fair.

There is a private well onsite.

The Petitioner would make accommodations for vendors that want electricity.

STORMWATER AND DRAINAGE
The property drains to the southeast.

The Petitioners secured applicable permits in 2004 for the construction of the pond on the premises.

Based on the information provided, no stormwater permits are required because the Petitioner does not plan to add any impervious surface.

ROAD ACCESS
The property has access from Whitewillow Road.

PARKING
According to the aerial labeled as Attachment 4, there are approximately eighty (80) parking spaces on the property. These include parking spaces east and south of the building used for the landscaping business. There is also parking available for vendors west of the vendor row. There were six (6) identified handicapped parking spaces on the property.

LIGHTING
No additional lighting was planned as part of this project. The craft fair ends by dusk. If additional lighting were added, a photometric plan would be required because the number of parking spaces exceeds thirty (30).

SIGNAGE
The Petitioner plans to have one (1) mobile sign placed at the southeast corner of Whitewillow and Brisbin Roads. A picture of the sign is included as Attachment 9. The Petitioners would like the sign to remain at the intersection between May 1st and December 1st of each year. The sign would not be illuminated.

There are other directional signs located on the property and the landscaping business/nursery has separate signage for that portion of the business.

LANDSCAPING
No additional landscaping is planned. Nursery materials along Whitewillow Road presently serve as screening.

NOISE CONTROL
No information regarding noise control was provided.

FINDINGS OF FACT-SPECIAL USE PERMIT
§ 13:08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to 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. **True. The subject property already has an established landscaping and nursery business. The proposed use will complement the existing special use and will minimally impact the area.**

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. **True. Conditions are proposed that will regulate hours of operation, site layout, and noise. No new buildings or other significant alterations away from the current appearance of the property or general area are planned.**

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **Utilities are already available at the property. Parking areas are already established. The property previously secured 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 provided the variance to allowing the use on property designated as Agricultural on the Land Resource Management Plan is approved.**

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 9-21 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."**

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

That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. **There is no topographical hardship.**

That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. **Very few A-1 zoned properties have an existing commercial use as intense as the use located on the subject property. Most properties zoned A-1 and classified as Agricultural on the Land Resource Management Plan do not have the existing facilities to support this type of use.**

That the alleged difficulty or hardship has not been created by any person presently having an interest in the property. **The owners did not create or request the land designation contained in the Land Resource Management Plan.**

That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. **The subject property already has a special use permit. The proposed use would only operate for a very brief time of the year. No improvements to the property are planned as part of the proposal. Therefore, no injury to the public welfare or other properties is foreseen.**

That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. **Because of the limited operations proposed and because no new structures are planned, the proposal will not impair the supply of light or air to adjacent properties, cause increased congestion on local streets, endanger public safety, or impair property values.**

RECOMMENDATION
Staff recommended approval of the requested special use permit and variance subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the attached aerial (Attachment 4). Other than parking and signage, the craft fair shall be limited to area designated as "Vendor Area" on the aerial. Any new structures related to the uses allowed by this special use permit shall require a major amendment to the special use permit and any new structures must reflect the current architecture of the existing structures.

2. A variance to Section 7:01.D.48 shall be granted to allow the sale of pottery, art, and home décor not produce on the premises to occur on property designated as Agricultural on the Future Land Use Map.

3. The subject parcel must remain at least (3) acres in size.

4. The uses allowed by this special use permit must occur in a manner that will preserve the existing pastoral setting. To that end, no vendor stall located in the northern row of the vending area shall be open toward the north.

5. Retail and wholesale sales may occur outside existing buildings.

6. The uses allowed by this special use permit cannot generate noise, vibrations, glare, fumes, odors, or electrical interference beyond which normally occurs on A-1 zoned property.
7. A maximum of thirty-five (35) vendors may be on the subject property.
8. The uses allowed by this special use permit may operate a maximum of one (1) Saturday per month. The uses may be open for sale between the hours of 8:00 a.m. and 4:00 p.m. The property owner may reduce these hours of operation. Vendors may setup no earlier than two (2) hours prior to opening and must be offsite within two (2) hours of closing. The uses allowed by this special use permit may be operational between April 1st and November 1st.
9. A maximum of five (5) people, including the property owner and their family members, shall be employees of the business allowed by this special use permit.
10. The owners of the business allowed by this special use permit may install one (1) sign on the subject property at the southeast corner of Whitewillow and Brisbin Roads in substantially the size and appearance of the sign shown in Attachment 9. The sign shall not be illuminated. The sign may be in place May 1st until December 1st. The owners of the business allowed by this special use permit may install additional directional signage for patrons inside the property.
11. The owner(s) or operator(s) of the business allowed by this special use permit shall ensure that garbage and trash shall be removed from the property at least one (1) time per week or as necessary to maintain the property clear of garbage and trash.
12. No music shall be generated by the uses allowed this special use permit.
13. Two (2) strategically placed operating fire extinguishers and first aid kits shall be placed on the subject property along with applicable signage for the fire extinguishers and first aid kits.
14. The operator(s) of the uses allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
15. The operator(s) of the uses allowed by this special use permit shall follow all applicable Federal, State,

and Local laws related to the operation of these types of uses.

16. The conditions and restrictions contained in this special use permit shall be separate from the conditions and restrictions contained in Ordinance 2005-37.

17. 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.

18. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

19. This special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.

ATTACHMENTS

1. Application Materials
2. Plat of Survey
3. Aerial of the Entire Property
4. Aerial of Craft Fair Area
5. Ordinance 2005-37
6. Vendor Stall Example Picture
7. Looking West Down Vendor Row (Eastern Picture)
8. Looking West Down Vendor Row (Western Picture)
9. Sign
10. August 30, 2021 Lisbon-Seward Fire Protection District Email
11. September 7, 2021 ZPAC Minutes (This Petition Only)
12. September 7, 2021 Seward Township Planning Commission Minutes
13. September 22, 2021 Kendall County Regional Planning Commission Minutes (This Petition Only)

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

APPLICATION

PROJECT NAME _____ **FILE #:**_____

NAME OF APPLICANT
DORAGON PROPERTIES INC

CURRENT LANDOWNER/NAME(s)
DORAGON PROPERTIES, INC

SITE INFORMATION ACRES	SITE ADDRESS OR LOCATION	ASSESSOR'S ID NUMBER (PIN)
47.42	5681 Whitewillow Rd., Minooka, Illinois 60447	09-31-100-005

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

REQUESTED ACTION (Check All That Apply):

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

[1]PRIMARY CONTACT	PRIMARY CONTACT MAILING ADDRESS	PRIMARY CONTACT EMAIL
Dnaiel J. Kramer	[redacted]	[redacted]
PRIMARY CONTACT PHONE #	**PRIMARY CONTACT FAX #**	**PRIMARY CONTACT OTHER #(Cell, etc.)**
[redacted]	[redacted]	

[2]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 **DATE**

X [redacted] Jul. 1 2024

FEE PAID:$_____
CHECK #:_____

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

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

APPLICATION

PROJECT NAME White Willow Landscape & Nursery **FILE #:**_____

NAME OF APPLICANT White Willow Landscape and Nursery Supply		
CURRENT LANDOWNER/NAME(s) DoragonProperties Inc.		
SITE INFORMATION ACRES 50.85 acres	SITE ADDRESS OR LOCATION 5661 White Willow Road, Minooka, Illinois 60447	ASSESSOR'S ID NUMBER (PIN) 09-31-100-005
EXISTING LAND USE Nursery & Landscaping Business	CURRENT ZONING A-1 Special Use	LAND CLASSIFICATION ON LRMP A-1

REQUESTED ACTION (Check All That Apply):

____SPECIAL USE	___ MAP AMENDMENT (Rezone to ____)	X VARIANCE To permit CR 17 Sdy Mfg Fld setback
____ADMINISTRATIVE VARIANCE	___ A-1 CONDITIONAL USE for:_____	___ SITE PLAN REVIEW Zoning Petition
___ TEXT AMENDMENT ___ PRELIMINARY PLAT	___ RPD (___Concept; ___ Preliminary; ___ Final) ___ FINAL PLAT	___ ADMINISTRATIVE APPEAL ___ OTHER PLAT (Vacation, Dedication, etc.)
___ AMENDMENT TO A SPECIAL USE (____Major; ____Minor)		

[1]**PRIMARY CONTACT** Daniel J. Kramer	**PRIMARY CONTACT MAILING ADDRESS** [redacted]	**PRIMARY CONTACT EMAIL** [redacted]
PRIMARY CONTACT PHONE # [redacted]	**PRIMARY CONTACT FAX #** [redacted]	**PRIMARY CONTACT OTHER #**(Cell, etc.)
[2]**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] Kathy Applet **DATE** 8/25/2021

FEE PAID:$_____
CHECK #:_____

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

Last Revised:
11.16.20

Date Stamp Here If Checklist Is Complete

Document prepared by:
John P. Antonopoulos
[redacted]

Mail document to:
Ann Grow
[redacted]

Mail tax bills to:
Doragon Properties, Inc.
[redacted]

201800009765

DEBBIE GILLETTE
RECORDER - KENDALL COUNTY, IL

RECORDED: 7/12/2018 01:55 PM
TRSD: 39.00 RHSPS FEE: 10.00
STATE TAX: 977.00
COUNTY TAX: 488.50
PAGES: 3

TRUSTEE'S DEED

THIS INDENTURE is made this 2nd day of July, 2018, between Grantor, TIMOTHY J. WALLACE, TRUSTEE OF THE TIMOTHY J. WALLACE SELF-DECLARATION OF TRUST DATED APRIL 26, 2013, of the Village of Bolingbrook, State of Illinois, and Grantee, DORAGON PROPERTIES, INC. of 1420 Davey Road, Suite 100, Woodridge, Illinois 60517.

WITNESSETH, that Grantor, in consideration of the sum of Ten Dollars, receipt whereof is hereby acknowledged, and in pursuance of the power and authority vested in the Grantor as said Trustee and of every other power and authority the Grantor hereunto enabling, does hereby convey and warrant unto the Grantee, in fee simple, the following described real estate, situated in the County of Cook and State of Illinois, to wit:

See legal description on reverse side hereof

Address: 5681 White Willow Road, Minooka, IL 60447 PIN# 09-31-100-005

Subject to: general real estate taxes not due and payable at the time of closing, covenants, conditions and restrictions of record, building lines and easements, if any, so long as they do not interfere with the current use and enjoyment of the real estate;

FIRST AMERICAN TITLE
FILE # [redacted]

[redacted]
TIMOTHY J. WALLACE, TRUSTEE OF THE TIMOTHY J. WALLACE SELF-DECLARATION OF TRUST DATED APRIL 26, 2013

State of Illinois, County of Cook, ss. I, the undersigned, a Notary Public in and for said County in the State aforesaid, DO HEREBY CERTIFY, that TIMOTHY J. WALLACE, TRUSTEE OF THE TIMOTHY J. WALLACE SELF-DECLARATION OF TRUST DATED APRIL 26, 2013, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered the said instrument as his 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 and official seal this 2nd day of July, 2018.

"OFFICIAL SEAL"
John P. Antonopoulos
Notary Public, State of Illinois
My Commission Expires November 29, 2021

[redacted]
Notary Public

Unofficial

3

LEGAL DESCRIPTION

That part of the North half of the Northwest quarter of Section 31, Township 35 North, Range 8 East of the Third Principal Meridian, described as follows:

Commencing at the Northwest corner of said Northwest quarter, said point being the point of beginning; thence along the North line of said Northwest quarter North 89 degrees 28 minutes 50 seconds East for a distance of 1789.78 feet to a point on the East line of said Northwest quarter; thence along said East line South 00 degrees 35 minutes 51 seconds East for a distance of 1294.24 feet; thence South 88 degrees 58 minutes 23 seconds West for a distance of 1803.50 feet to a point on the West line of said Northwest quarter; thence along said West line North 00 degrees 00 minutes 00 seconds East for a distance of 415.62 feet; thence North 90 degrees 00 minutes 00 seconds East for a distance of 590.52 feet; thence North 00 degrees 00 minutes 00 seconds East for a distance of 295.06 feet; thence South 90 degrees 00 minutes 00 seconds West for a distance of 590.52 feet to a point on said West line; thence along said West line North 00 degrees 00 minutes 00 seconds East for a distance of 599.60 feet to the point of beginning, in the County of Kendall, State of Illinois.

STATE OF ILLINOIS
STATE TAX
JUL.12.18
REAL ESTATE TRANSFER TAX
DEPARTMENT OF REVENUE
0000015772
REAL ESTATE TRANSFER TAX
00977.00
FP326656

COUNTY OF KENDALL
REAL ESTATE TRANSFER TAX
488.50

Unofficial

Debbie Gillette
Kendall County Clerk & Recorder

PLAT ACT AFFIDAVIT OF METES AND BOUNDS

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

Denise Ballard of 1st American Title, being duly sworn on oath, states that affiant resides at [redacted]. And further states that: (please check the appropriate box)

A. [X] That the attached deed is not in violation of 765 ILCS 205/1(a), in that the sale or exchange is of an entire tract of land not being part of a larger tract of land; or

B. [ ] That the attached deed is not in violation of 765 ILCS 205/1(b) for one of the following reasons: (please circle the appropriate number)

1. The division or subdivision of land into parcels or tracts of 5.0 acres or more in size which does not involve any new streets or easements of access;
2. The division of lots or blocks of less than one (1) acre in any recorded subdivision which does not involve any new streets or easements of access;
3. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
4. The conveyance of parcels of land or interests therein for use as right of way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
5. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
6. The conveyance of land for highway or other public purposes 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;
7. Conveyances made to correct descriptions in prior conveyances;
8. The sale or exchange of parcels or tracts of land following the division into not more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959, and not involving any new streets or easements of access;
9. The sale of a single lot of less than 5.0 acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land;
10. The conveyance is of land described in the same manner as title was taken by grantor(s).

AFFIANT further states that s/he makes this affidavit for the purpose of inducing the Recorder of Deeds of Kendall County, Illinois, to accept the attached deed for recording.

SUBSCRIBED AND SWORN TO BEFORE ME

This 10 day of July, 20 18.

OFFICIAL SEAL
ROBERT A CHICKERILLO
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:07/21/21

[redacted]
Signature of Notary Public

[redacted]
Signature of Affiant

111 West Fox Street, Yorkville IL 60560-1498
Tel: (630) 553-4104 • Fax: (630) 553-4119 • Email: Dgillette@co.kendall.il.us

Unofficial

KENDALL COUNTY
DISCLOSURE OF BENEFICIARIES FORM

1. Applicant Doragon Properties Inc.

   Address _____

   City _____ State _____ Zip _____

2. Nature of Benefit Sought _____

3. Nature of Applicant: (Please check one)
   - ___ Natural Person (a)
   - X 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
X Eric Dawson	[redacted]	100%
Elizabeth Galyn		

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

X David J. Kramer

[redacted]

VERIFICATION

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

Subscribed and sworn to before me this 9th day of July, A.D. 21

(seal)

[redacted]
Notary Public

"OFFICIAL SEAL"
ROBIN E GUZMAN
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 10/26/2023

EcoCAT
Ecological Compliance Assessment Tool

Applicant: White Willow Nursery and Landscaping
Contact: Attorney Daniel J. Kramer
Address: [redacted]

IDNR Project Number: 2203261
Date: 08/24/2021

Project: White Willow Landscape and Nursery Supply
Address: 5681 White Will Road, Minooka

Description: Special use to operate a Famer's Market with no new improvements

Natural Resource Review Results

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

The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

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

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

County: Kendall

Township, Range, Section:
35N, 8E, 30
35N, 8E, 31



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 W 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.

IDNR Project Number: 2203261

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

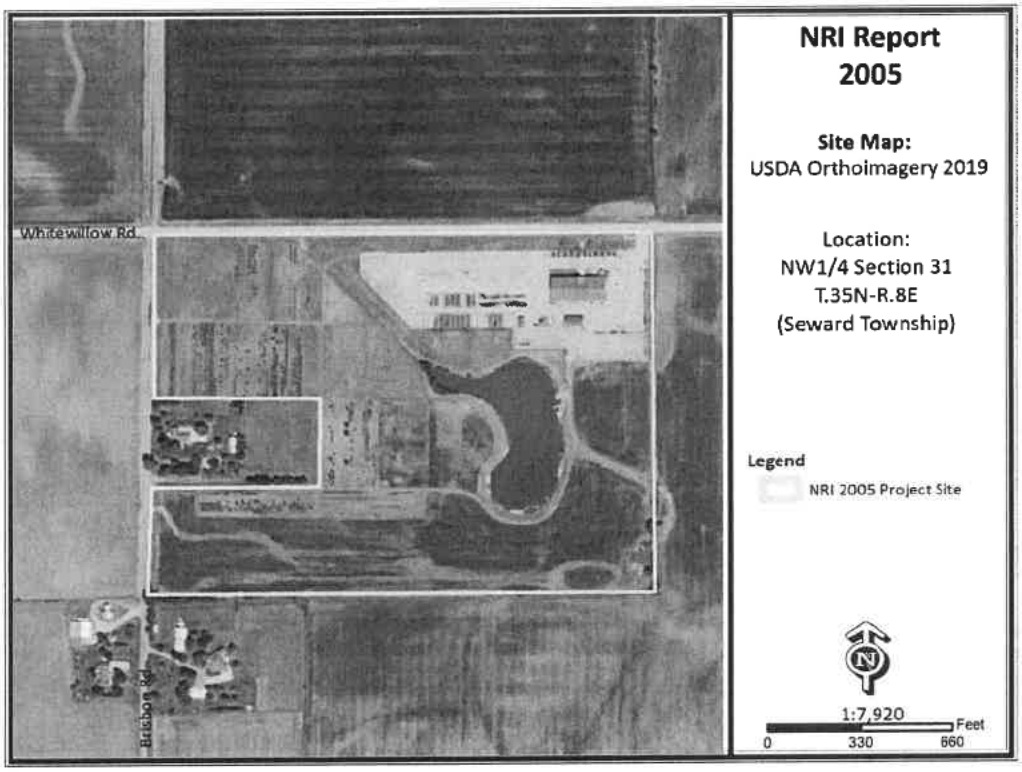
EcoCAT operates on a state of Illinois computer system. We may use software to monitor traffic and to identify unauthorized attempts to upload, download, or change information, to cause harm or otherwise to damage this site. Unauthorized attempts to upload, download, or change information on this server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

NATURAL RESOURCE INFORMATION (NRI) REPORT: 2005



April 2020

Petitioner: Bird's Nest Farms LLC
Contact: Jon Molfese

Prepared by:

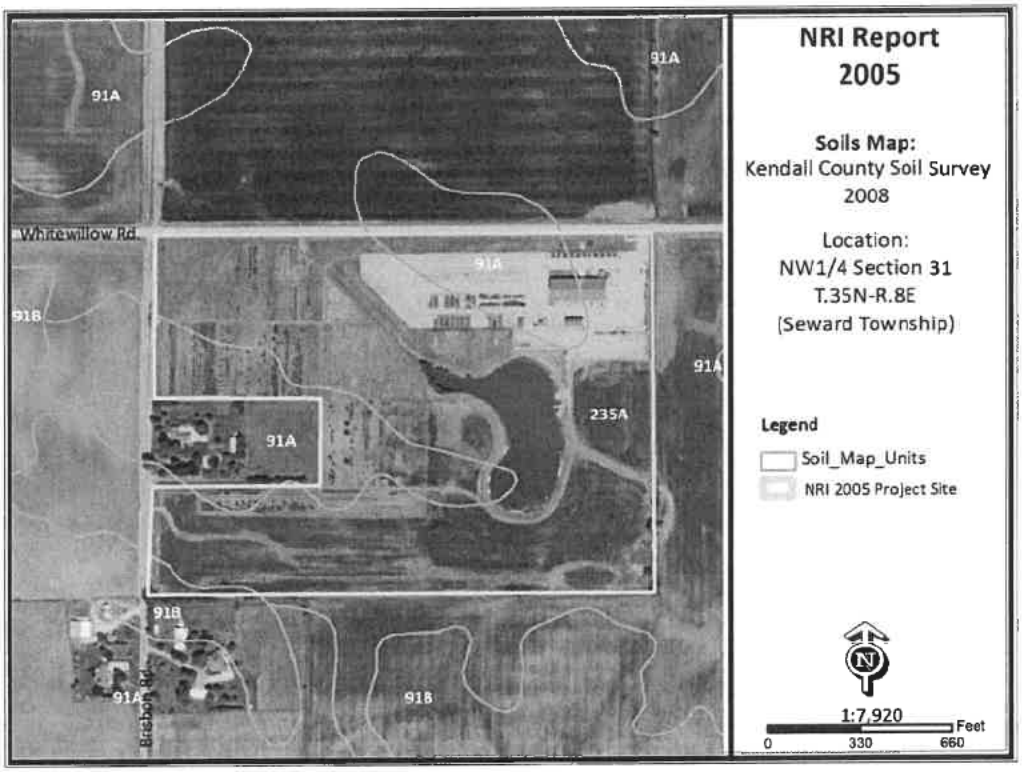
Kendall County Soil & Water Conservation District
7775A Route 47 • Yorkville, Illinois 60560
Phone: (630)553-5821 x3 • Fax: (630)553-7442
www.kendallswcd.org

2005 **Executive Summary** **April 2020**

Petitioner: Bird's Nest Farms LLC
Contact Person: Jon Molfese
County or Municipality the petition is filled with: Kendall County
Location of Parcel: NW¼ Section 31, T.35N.-R.8E. (Seward Township) of the 3rd Principal Meridian
Project or Subdivision Name: Not Provided
Existing Zoning & Land Use: A-1 Special Use; Cropland, Pond, Nursery Wholesale Business
Proposed Zoning & Land Use: Special Use Permit; Adult-Use Indoor Cannabis Cultivation
Proposed Water Source: Well
Proposed Type of Sewage Disposal System: Septic
Proposed Type of Storm Water Management: Retention Pond
Size of Site: 4.5 acres
Land Evaluation Site Assessment Score: 220 (Land Evaluation: 93; Site Assessment: 127)

Natural Resource Findings

Soil Map:



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

Table 1:

Map Unit	Soil Name	Drainage Class	Hydrologic Group	Hydric Designation	Farmland Designation
91A	Swygert silty clay loam, 0-2% slopes	Somewhat Poorly Drained	C/D	Non-hydric Hydric Inclusions Likely	Prime Farmland
91B	Swygert silty clay loam, 2-4% slopes	Somewhat Poorly Drained	C/D	Non-hydric Hydric Inclusions Likely	Prime Farmland
235A	Bryce silty clay, 0-2% slopes	Poorly Drained	C/D	Hydric	Prime Farmland (if drained)

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

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

Hydric Soils: A hydric soil is one that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile that supports the growth or regeneration of hydrophytic vegetation. Soils with hydric inclusions have map units dominantly made up of non-hydric soils that may have inclusions of hydric soils in the lower positions on the landscape. Of the soils found onsite, one is classified as being a hydric soil, 235A Bryce silty clay. The remaining soil types, 91A Swygert silty clay loam and 91B Swygert silty loam, is designated as likely to have hydric inclusions.

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

Soil Limitations: Limitations for dwellings without basements, dwellings with basements, small commercial building, shallow excavations, lawns/landscaping and conventional septic systems.

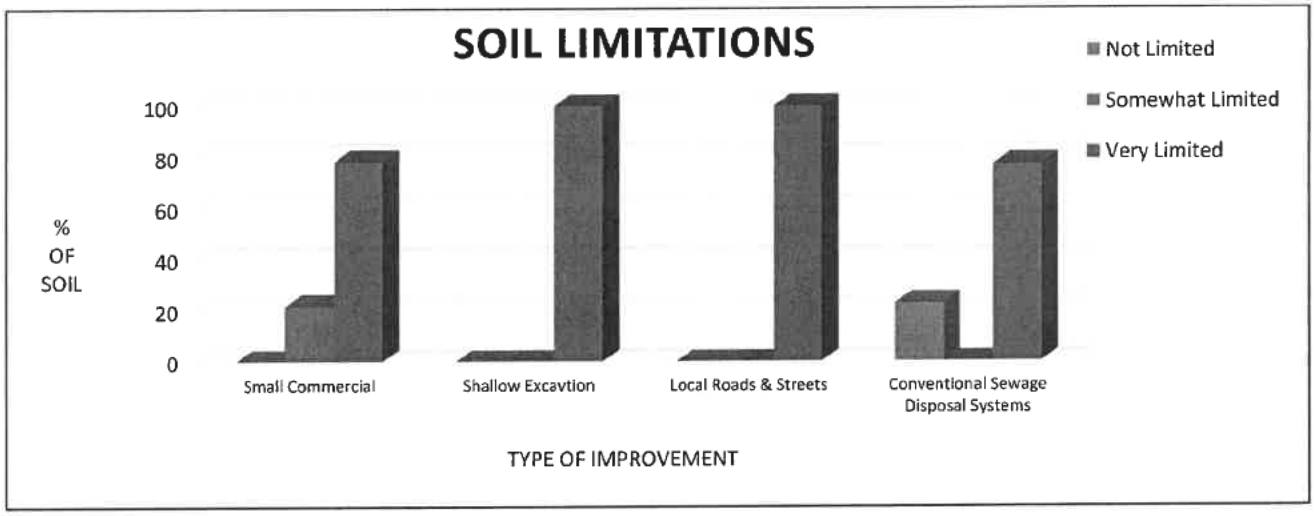
Table 2a:

Soil Type	Dwellings Without Basements	Dwellings With Basements	Small Commercial Building
91A	Somewhat Limited	Very Limited	Somewhat Limited
91B	Very Limited	Very Limited	Very Limited
235A	Very Limited	Very Limited	Very Limited

Table 2b:

Soil Type	Shallow Excavations	Lawns/Landscaping	Conventional Septic Systems
91A	Very Limited	Somewhat Limited	Suitable
91B	Very Limited	Somewhat Limited	Suitable
235A	Very Limited	Very Limited	Unsuitable: wet

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



Kendall County Land Evaluation and Site Assessment (LESA):

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

- **LAND EVALUATION (LE)** – The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland or forestland. The best group is assigned a value of 100 and all other groups are assigned lower values. The Land Evaluation is based on data from the Kendall County Soil Survey. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.
  - ✓ The Land Evaluation score for this site is 93, indicating that this site is **currently well suited** for agricultural uses.
- **SITE ASSESSMENT (SA)** – The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The Kendall County LESA Committee is responsible for this portion of the LESA system.
  - ✓ The Site Assessment score for this site is 127.

The **LESA Score for this site is 220 which indicates a medium level of protection** for the proposed project site. Note: Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County. If the project is agricultural in nature, however, a higher score may provide an indication of the suitability of the project as it relates to the compatibility with existing agricultural land use.

Wetlands: The U.S. Fish & Wildlife Service's National Wetland Inventory map **does not indicate** the presence of a wetland(s) on the proposed project site. To determine if a wetland is present, a wetland delineation specialist, who is recognized by the U.S. Army Corps of Engineers, should determine the exact boundaries and value of the wetlands.

Floodplain: The parcel is not located within the floodplain.

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

LAND USE FINDINGS:

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed development plans for Petitioner Bird's Nest Farms LLC for the proposed Adult-use Indoor Cannabis Cultivation project (A-1 Special Use Permit request) within Kendall County located in Section 31 of Seward Township (T.35N-R.8E) of the 3rd Principal Meridian) in Kendall County. Based on the information provided by the petitioner and a review of natural resource related data available to the Kendall County SWCD, the SWCD Board presents the following information.

The Kendall County SWCD has always had the opinion that Prime Farmland should be preserved whenever feasible. A land evaluation, which is a part of the Land Evaluation and Site Assessment (LESA) was conducted on this parcel. The soils on this parcel scored an 93 out of a possible 100 points indicating the soils are well suited for agricultural uses. The total LESA Score for this site is 220 which indicates a medium level of protection for the proposed project site. Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County. If the project is agricultural in nature, however, a higher score may provide an indication of the suitability of the project as it relates to the compatibility with existing agricultural land use. Additionally, of the soils found onsite, 100% are classified as prime farmland.

Soils found on the project site are rated for specific uses and can have potential limitations for development. Soil types with severe limitations do not preclude the ability to develop the site for the proposed use but it is important to note the limitation that may require soil reclamation, special design/engineering, or maintenance to obtain suitable soil conditions to support development with significant limitations. This report indicates that for soils located on the parcel, 100% are very limited for shallow excavations and local roads/streets, 78.3% are very limited for small commercial building and 77.2% are unsuitable for conventional septic systems. This information is based on the soil in an undisturbed state. If the scope of the project may include the use of onsite septic systems, please consult with the Kendall County Health Department.

This site is located within both the Illinois River Watershed and Walley Run Creek subwatershed.

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

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

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

[redacted]
SWCD Board Representative

4/13/2020
Date

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

NRI Report Number	2005
Date District Board Reviews Application	April 2020
Applicant's Name	Bird's Next Farms LLC
Size of Parcel	4.5 acres
Current Zoning & Use	A-1; Agricultural / Nursery
Proposed Zoning & Use	Special Use Permit; Adult-use Indoor Cannabis Cultivation
Parcel Index Number(s)	09-31-100-005
Contact Person	Attorney Daniel J. Kramer

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

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

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PURPOSE AND INTENT

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

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

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

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

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

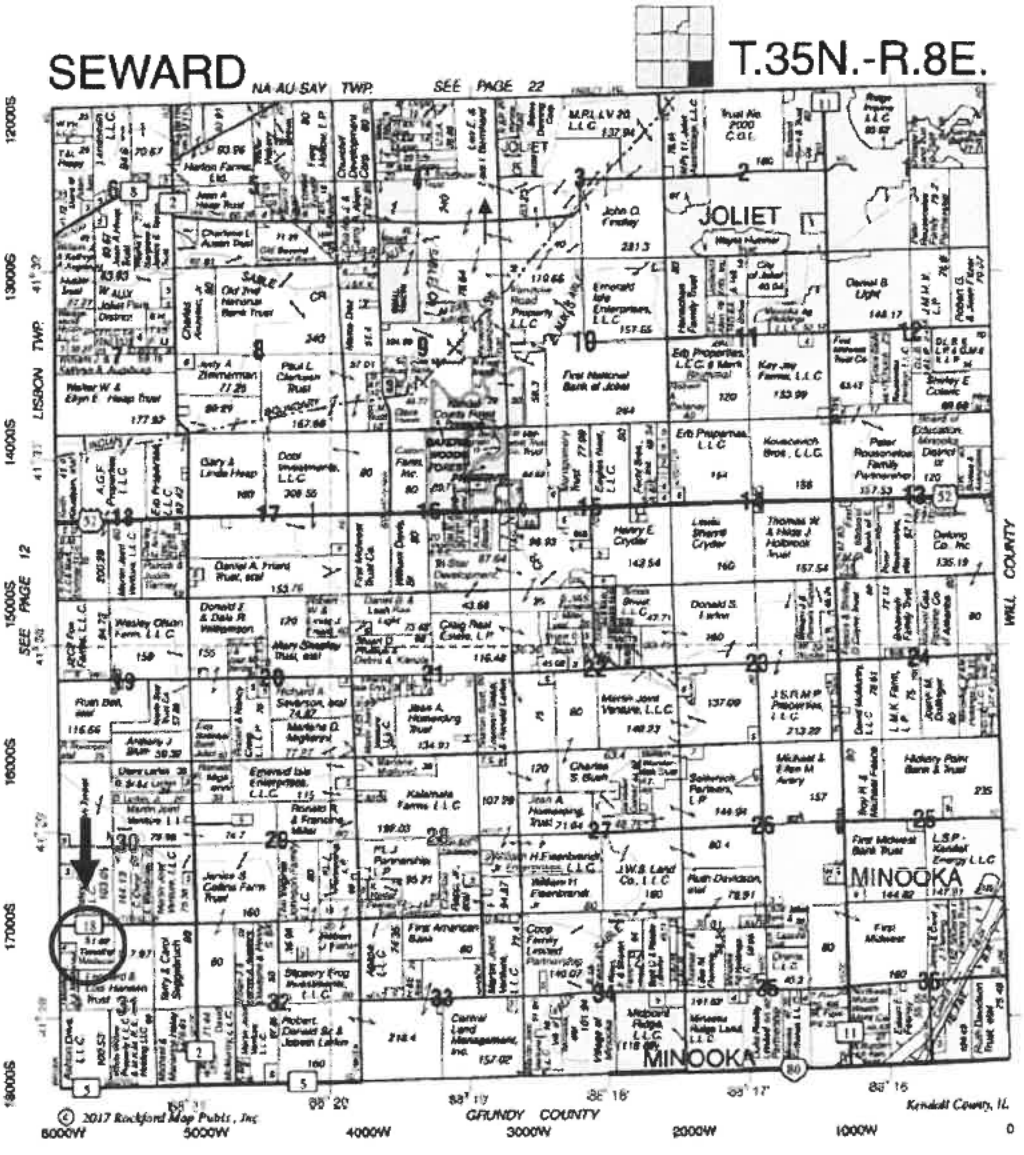
Kendall County Soil and Water Conservation District
7775A Route 47, Yorkville, IL 60560
Phone: (630) 553-5821 ext. 3
FAX: (630) 553-7442
E-mail: Megan.Andrews@il.nacdnet.net

PARCEL LOCATION

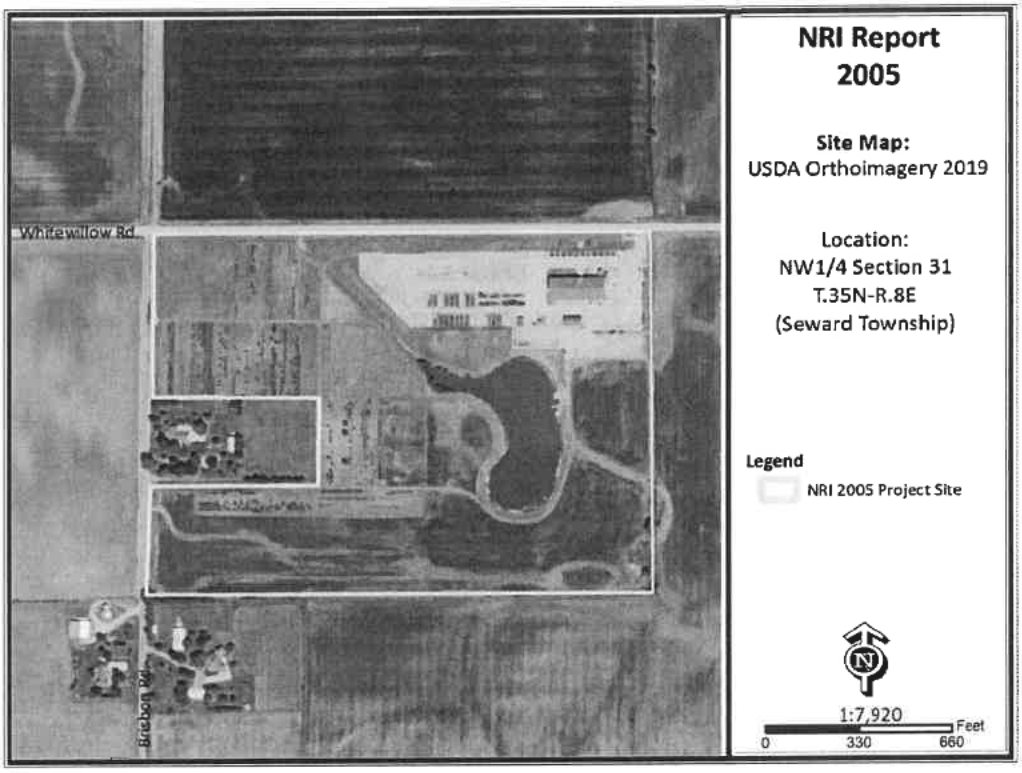
Location Map for Natural Resources Information Report # 2005

NW ¼ Section 31 of Township 35 North, Range 8 East (Seward Township) on 4.5 acres. This parcel is located on the east side of Brisbon Road and southeast of the intersection of Route 52 and Brisbon Road. The parcel is located in unincorporated Kendall County.

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



2017 Land Atlas and Plat Book Kendall County, Illinois



ARCHAEOLOGIC/CUTURAL RESOURCES

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

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

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

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

ECOLOGICALLY SENSITIVE AREAS

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

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

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

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

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

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

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

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

The third reason for protecting diversity is that humans benefit from natural areas and depend on healthy ecosystems. The natural world supplies our air, our water, our food and supports human economic activity. Further, humans are creatures that evolved in a diverse natural environment between forest and

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

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

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

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

Biological Resources Concerning the Subject Parcel

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

Office maps indicate that ecologically sensitive area(s) are not located near the parcel in question (PIQ).

SOILS INFORMATION

Importance of Soils Information

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

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

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

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

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

Soil interpretations do not eliminate the need for on-site study and testing of specific sites for the design and construction for specific uses. They can be used as a guide for planning more detailed investigations and for avoiding undesirable sites for an intended use. The scale of the maps and the range of error limit the use of the soil delineation.

Figure 2: Soil Map

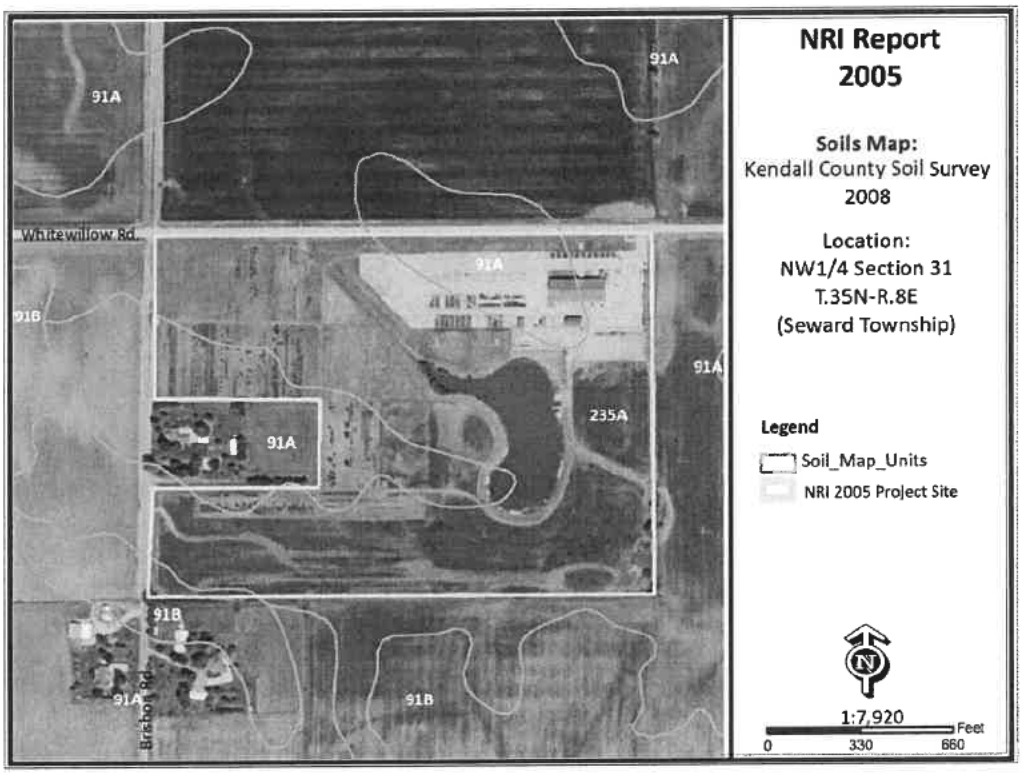


Table 1: Soil Map Unit Descriptions

Symbol	Descriptions	Acres	Percent
91A	Swygert silt loam, 0-2% slopes	10.3	21.7%
91B	Swygert silt loam, 2-4% slopes	0.5	1.1%
235A	Bryce silty clay, 0-2% slopes	36.6	77.2%

*SOURCE: National Cooperative Soil Survey – USDA-NRCS

SOIL INTERPRETATIONS EXPLANATION

Nonagricultural

General

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

Other features may need treatment to overcome soil limitations for a specific purpose.

Ratings come from the soil's "natural" state, that is, no unusual modification occurs other than that which is considered normal practice for the rated use. Even though soils may have limitations, an engineer may alter soil features or adjust building plans for a structure to compensate for most degrees of limitations. Most of these practices, however, are costly. The final decision in selecting a site for a particular use generally involves weighing the costs for site preparation and maintenance. Soil properties influence development of building sites, including the selection of the site,

the design of the structure, construction, performance after construction, and maintenance. Soil limitation ratings of slight, moderate, and severe are given for the types of proposed improvements that are listed or inferred by the petitioner as entered on the report application and/or zoning petition. The most common types of building limitation that this report gives limitations ratings for is: septic systems. It is understood that engineering practices can overcome most limitations for buildings with and without basements, and small commercial buildings. Limitation ratings for these types of buildings are not commonly provided. Organic soils, when present on the parcel, are referenced in the hydric soils section of the report. This type of soil is considered to be unsuitable for all types of construction.

Limitations Ratings

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

BUILDING LIMITATIONS

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

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

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

Small Commercial Building - Ratings are for structures that are less than three stories high and do not have basements. The foundation is is assumed to be spread footings of reinforced concrete built on disturbed soil at a depth of 2 feet or at the depth of maximum frost penetration, whichever is deeper. The ratings are based on soil properties that affect the capacity of the soil to support a load without movement and on the properties that affect excavation and construction costs.

Shallow Excavations - Trenches or holes dug to a maximum depth of 5 or 6 feet for utility lines, open ditches or other purposes. Ratings are

based on soil properties that influence the ease of digging and the resistance to sloughing.

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

Local Roads and Streets - They have an all-weather surface and carry automobile and light truck traffic all year. They have a subgrade of cut or fill soil material, a base of gravel, crushed rock or soil material stablilized by lime or cement; and a surface of flexible material (asphalt), rigid material (concrete) or gravel with a binder. The ratings are based on the soil properties that affect the east of excavation and grading and the traffic-supporting capacity.

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

Table 2a: Building Limitations

Soil Type	Dwellings Without Basements	Dwellings With Basements	Small Commercial Building	Acres	%
91A	**Somewhat Limited:** Depth to saturated zone; Shrink-swell	**Very Limited:** Depth to saturated zone; Shrink-swell	**Somewhat Limited:** Depth to saturated zone; Shrink-swell	10.3	21.7%
91B	**Very Limited:** Shrink-swell; Depth to saturated zone	**Very Limited:** Depth to saturated zone; Shrink-swell	**Very Limited:** Shrink-swell; Depth to saturated zone	0.5	1.1%
235A	**Very Limited:** Ponding; Depth to saturated zone; Shrink-swell	**Very Limited:** Ponding; Depth to saturated zone; Shrink-swell	**Very Limited:** Ponding; Depth to saturated zone; Shrink-swell	36.6	77.2%
% Very Limited	**78.3%**	**100%**	**78.3%**		

Table 2b: Building Limitations

Soil Type	Shallow Excavations	Lawns & Landscaping	Onsite Conventional Sewage Systems	Acres	%
91A	**Very Limited:** Depth to saturated zone; Too clayey; Dusty; Unstable Excavation Walls	**Somewhat Limited:** Depth to saturated zone; Dusty	**Suitable**	10.3	21.7%
91B	**Very Limited:** Depth to saturated zone; Too clayey; Dusty; Unstable excavation walls	**Somewhat Limited:** Depth to saturated zone; Dusty	**Suitable**	0.5	1.1%
235A	**Very Limited:** Ponding; Depth to saturated zone; Too clayey; Unstable excavation walls; Dusty	**Very Limited:** Ponding; Depth to saturated zone; Too clayey; Dusty	**Unsuitable:** wet	36.6	77.2%
% Very Limited	**100%**	**77.2%**	**77.2%**		

Figure 3a: Map of Building Limitations – Small Commercial Building

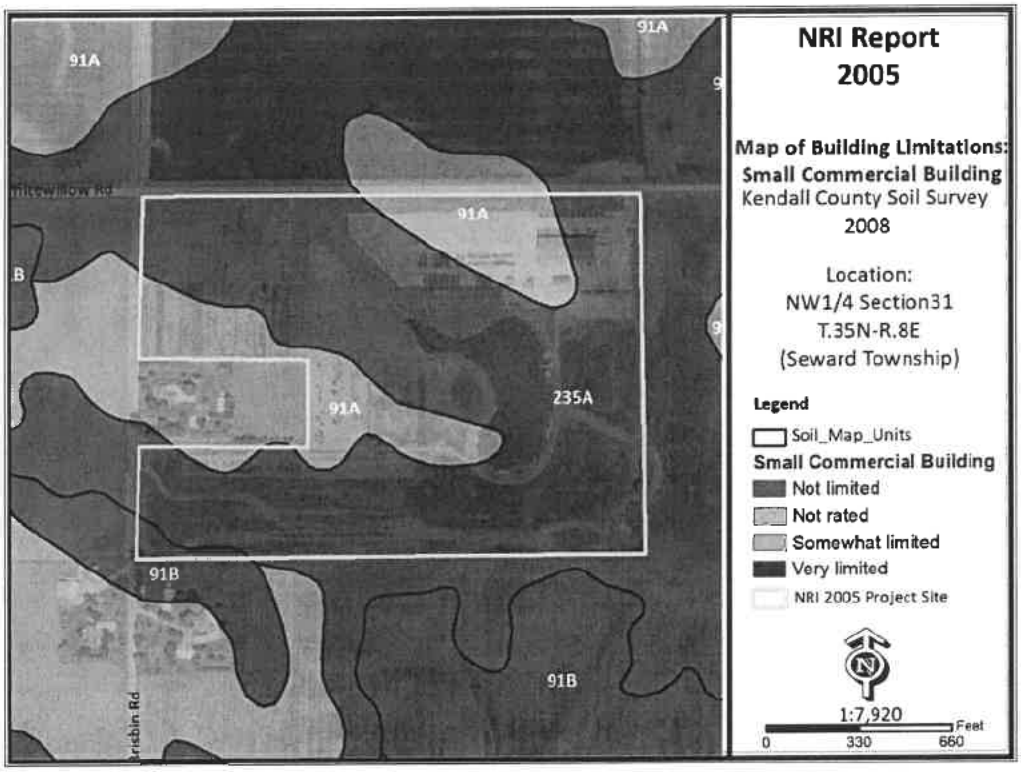


Figure 3b: Map of Building Limitations – Shallow Excavations

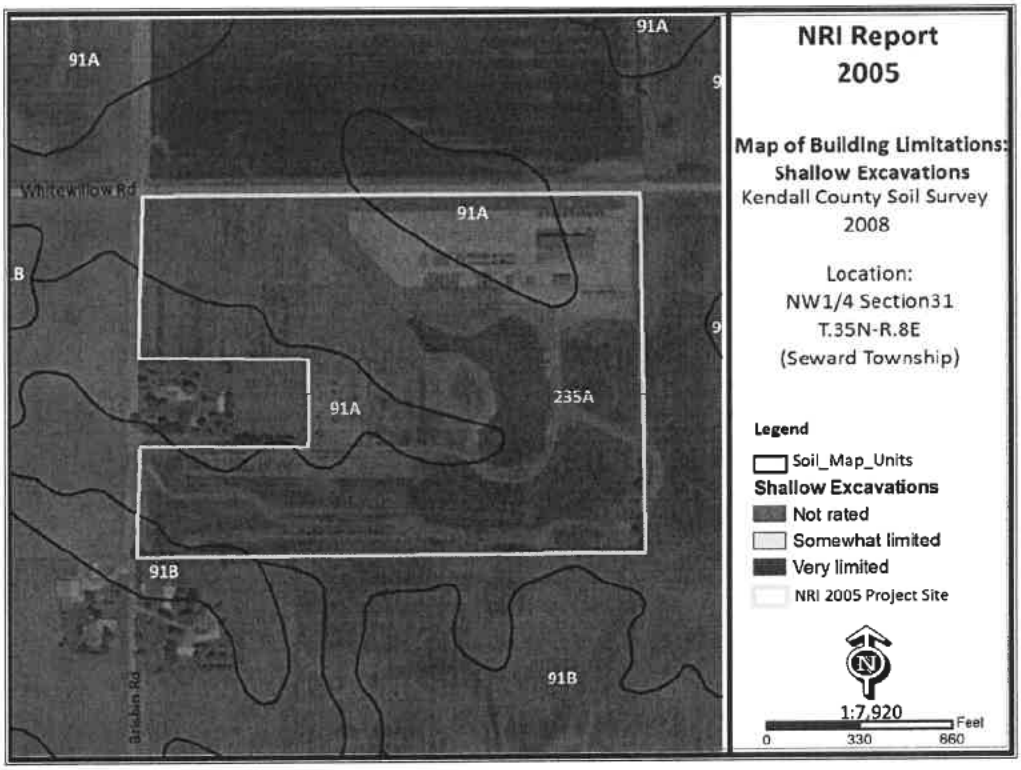


Figure 3c: Map of Building Limitations – Local Roads & Streets

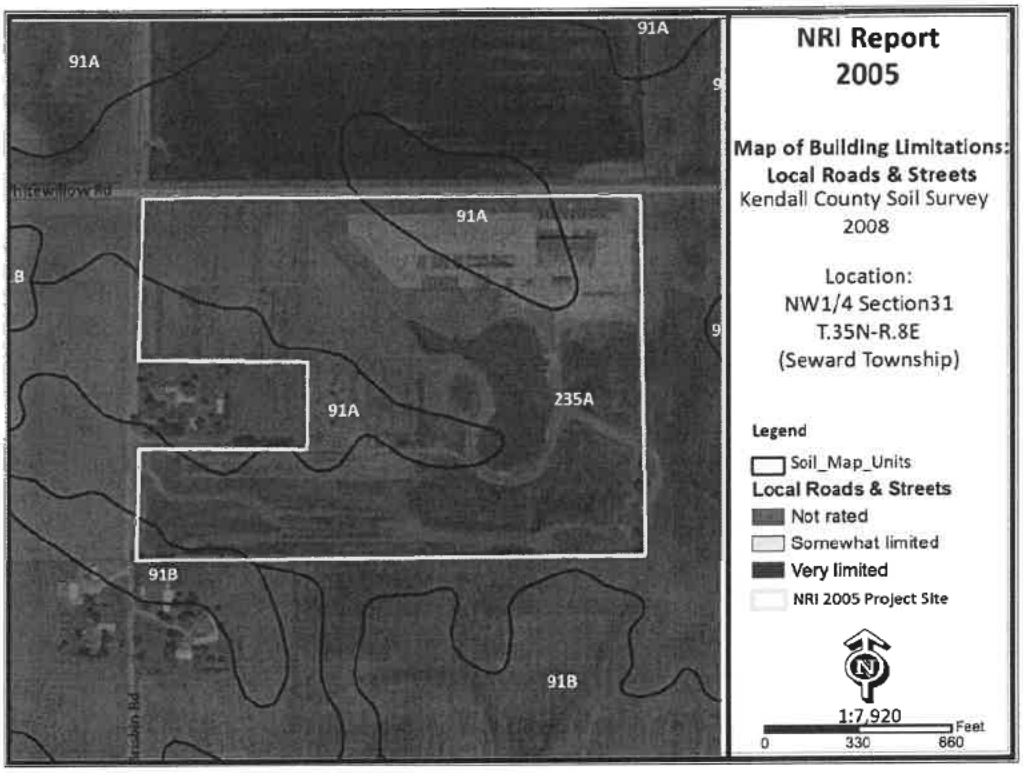
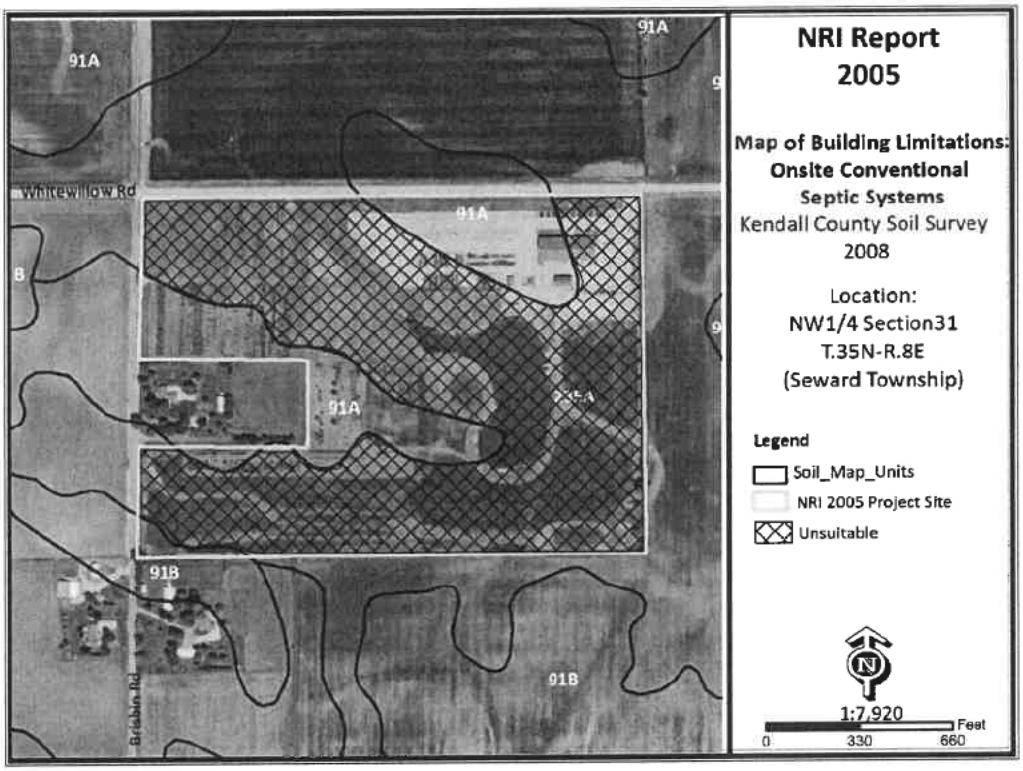


Figure 3d: Map of Building Limitations – Onsite Conventional Sewage System



SOIL WATER FEATURES

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

flooding is 5 to 50% in any year but is less than 50% in all months in any year); and *very frequent* means that it is likely to occur very often under normal weather conditions (chance of flooding is more than 50% in all months of any year).
Note: The information is based on evidence in the soil profile. In addition, consideration is also given to local information about the extent and levels of flooding and the relation of each soil on the landscape to historic floods. Information on the extent of flooding based on soil data is less specific than that provided by detailed engineering surveys that delineate flood-prone areas at specific flood frequency levels.

Table 3: Water Features

Map Unit	Hydrologic Group	Surface Runoff	Water Table	Ponding	Flooding
91A	C/D	Medium	January – May Upper Limit: 1.0'-2.0' Lower Limit: 2.9'-4.8'	January - May Surface Water Depth & Duration: -- Frequency: None	January - May Duration: -- Frequency: None
91B	C/D	Medium	January – May Upper Limit: 1.0'-2.0' Lower Limit: 2.9'-4.8'	January - May Surface Water Depth & Duration: - Frequency: None	January - May Duration: -- Frequency: None
235A	C/D	Negligible	January – May Upper Limit: 0.0'-1.0' Lower Limit: >6.0'	January - May Surface Water Depth: 0.0'-0.5' Duration: Brief (2 to 7 days) Frequency: Frequent	January - May Duration: -- Frequency: None

SOIL EROSION & SEDIMENT CONTROL

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

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

Soil erosion during and after this proposed construction can be a primary non-point source of water pollution. Eroded soil during the construction phase can create unsafe conditions on roadways, decrease the storage capacity of lakes, clog streams and drainage channels, cause deterioration of aquatic habitats, and increase water treatment costs. Soil erosion also increases the risk of flooding by choking culverts, ditches and storm sewers, and by reducing the capacity of natural and man-made detention facilities.

The general principles of erosion and sedimentation control measures include:

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

Erosion control practices are useful controls only if they are properly located, installed, inspected and maintained.
The SWCD recommends an erosion and sediment control plan for all building sites, especially if there is a wetland or stream nearby.

Table 4: Soil Erosion Potential

Soil Type	Slope	Rating	Acreage	Percent of Parcel
91A	0-2%	Slight	10.3	21.7%
91B	2-4%	Slight	0.5	1.1%
235A	0-2%	Slight	36.6	77.2%

PRIME FARMLAND SOILS

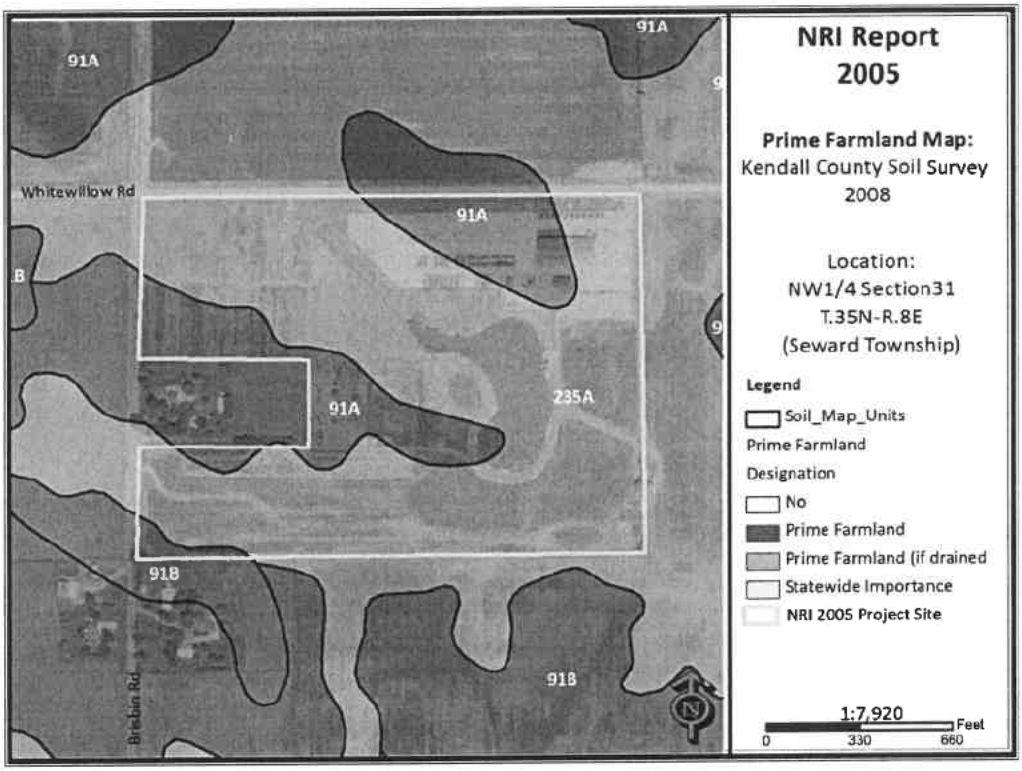
Prime farmland soils are an important resource to Kendall County. Some of the most productive soils in the United States occur locally. Each soil map unit in the United States is assigned a prime or non-prime rating. Prime agricultural land does not need to be in the production of food & fiber.

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

Table 5: Prime Farmland Soils

Soil Types	Prime Designation	Acreage	Percent
91A	Prime Farmland	10.3	21.7%
91B	Prime Farmland	0.5	1.1%
235A	Prime Farmland (if drained)	36.6	77.2%
% Prime Farmland	100%		

Figure 4: Map of Prime Farmland Soils



LAND EVALUATION & SITE ASSESSMENT (LESA)

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

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

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

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

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

Table 6a: Land Evaluation Computation

Soil Type	Value Group	Relative Value	Acres	Product (Relative Value x Acres)
91A	4	79	10.3	813.7
91B	4	79	0.5	39.5
235A	3	97	36.6	3550.2
Totals			**47.4**	**4403.4**
LE Score		**LE= 4403.4/47.4**		**LE=93**

The Land Evaluation score for this site is 93, indicating that this site is currently designated as prime farmland that is well suited for agricultural uses.

Table 6b: Site Assessment Computation

		Points
A.	**Agricultural Land Uses**	
	1. Percentage of area in agricultural uses within 1.5 miles of site. (20-10-5-0)	20
	2. Current land use adjacent to site. (30-20-15-10-0)	30
	3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0)	10
	4. Size of site. (30-15-10-0)	0
B.	**Compatibility / Impact on Uses**	
	1. Distance from city or village limits. (20-10-0)	20
	2. Consistency of proposed use with County Land Resource Management Concept Plan and/or municipal comprehensive land use plan. (20-10-0)	10
	3. Compatibility of agricultural and non-agricultural uses. (15-7-0)	0
C.	**Existence of Infrastructure**	
	1. Availability of public sewage system. (10-8-6-0)	10
	2. Availability of public water system. (10-8-6-0)	10
	3. Transportation systems. (15-7-0)	7
	4. Distance from fire protection service. (10-8-6-2-0)	10
	Site Assessment Score:	**127**

Land Evaluation Value: 93 + **Site Assessment Value:** 127 = **LESA Score: 220**

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

The **LESA Score for this site is 220 which indicates a medium level of protection** for the proposed project site. Note: Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County. If the project is agricultural in nature, however, a higher score may provide an indication of the suitability of the project as it relastes to the compatibility with existing agricultural land use.

LAND USE PLANS

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

DRAINAGE, RUNOFF AND FLOOD INFORMATION

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

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

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

What is a watershed?

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

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

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

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

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

Importance of Flood Information

A floodplain is defined as land adjoining a watercourse (riverine) or an inland depression (non-riverine) that is subject to periodic inundation by high water. Floodplains are important areas demanding protection since they have water storage and conveyance functions which affect upstream and down

stream flows, water quality and quantity, and suitability of the land for human activity. Since floodplains play distinct and vital roles in the hydrologic cycle, development that interferes with their hydrologic and biologic functions should be carefully considered.

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

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

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

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

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

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

This parcel is located on topography (**slopes 0 to 4%**) involving high and low areas (**elevation is approximately 670' above sea level**). The parcel lies within both the **Illinois River Watershed and Aux Sable Creek subwatershed.** The topographic map indicates that the parcel drains predominately southeast.

Figure 5: FEMA Floodplain Map

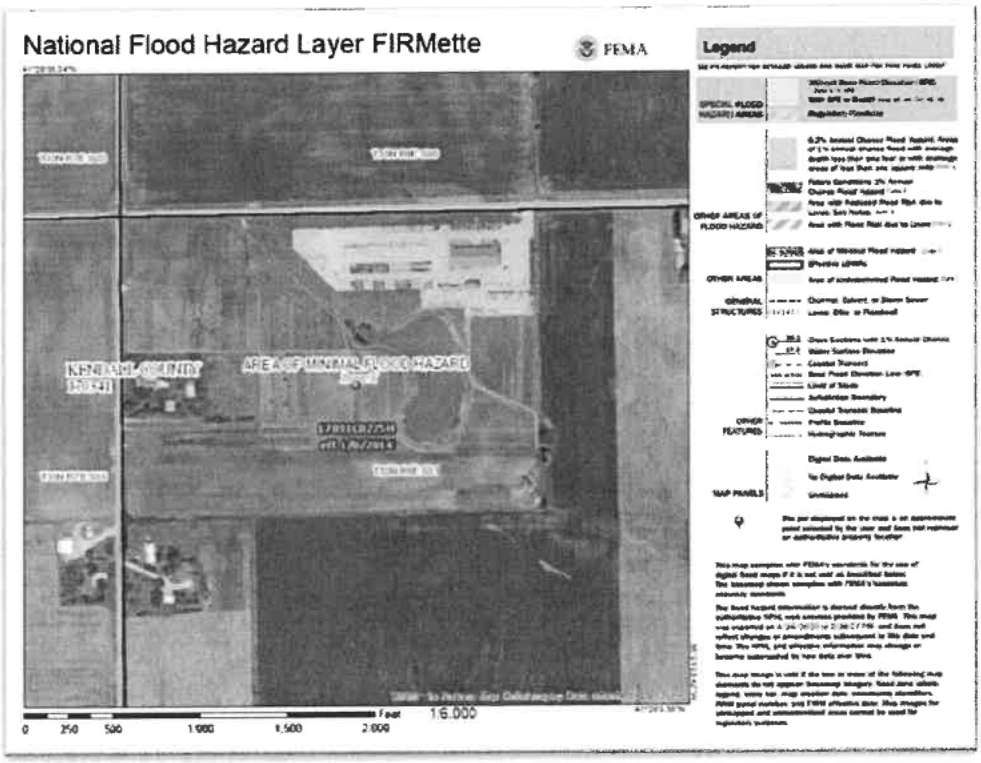
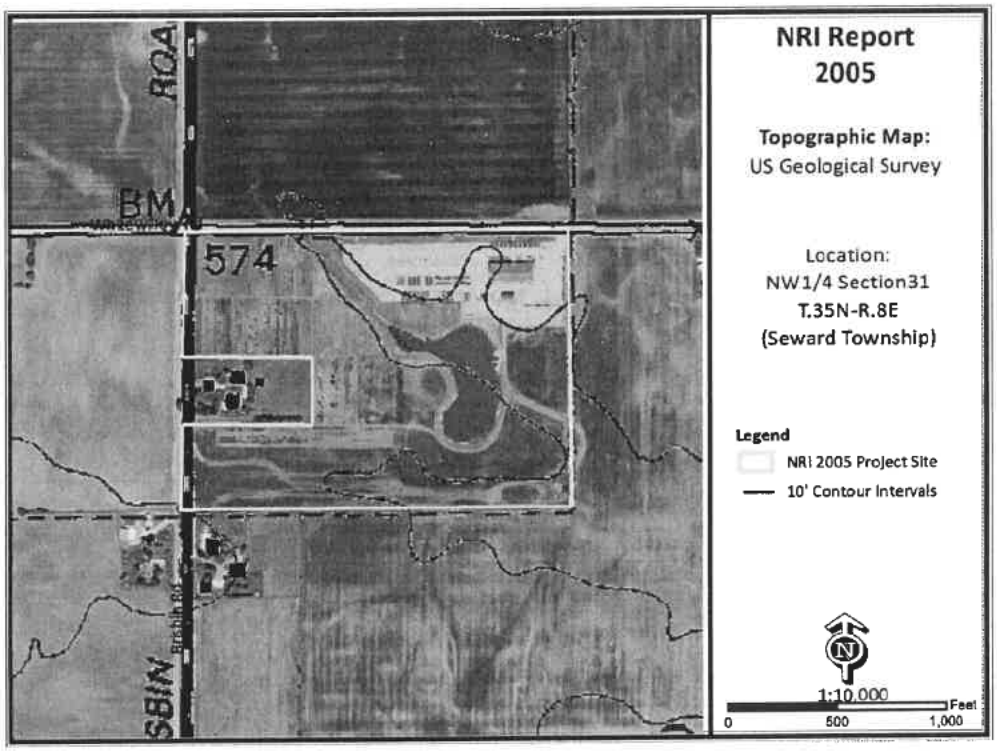


Figure 6: USGS Topographic Map



WATERSHED PLANS

Watershed and Subwatershed Information

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

This parcel is located within the **Illinois River Watershed and Aux Creek Subwatershed.**

The following are recommendations to developers for protection of this watershed:

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

WETLAND INFORMATION

Figure 7: Wetland Map – USFWS National Wetland Inventory



Office maps indicate that wetlands **are not** present on the parcel in question (PIQ).

Importance of Wetland Information

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

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

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

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

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

Hydric Soils

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

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

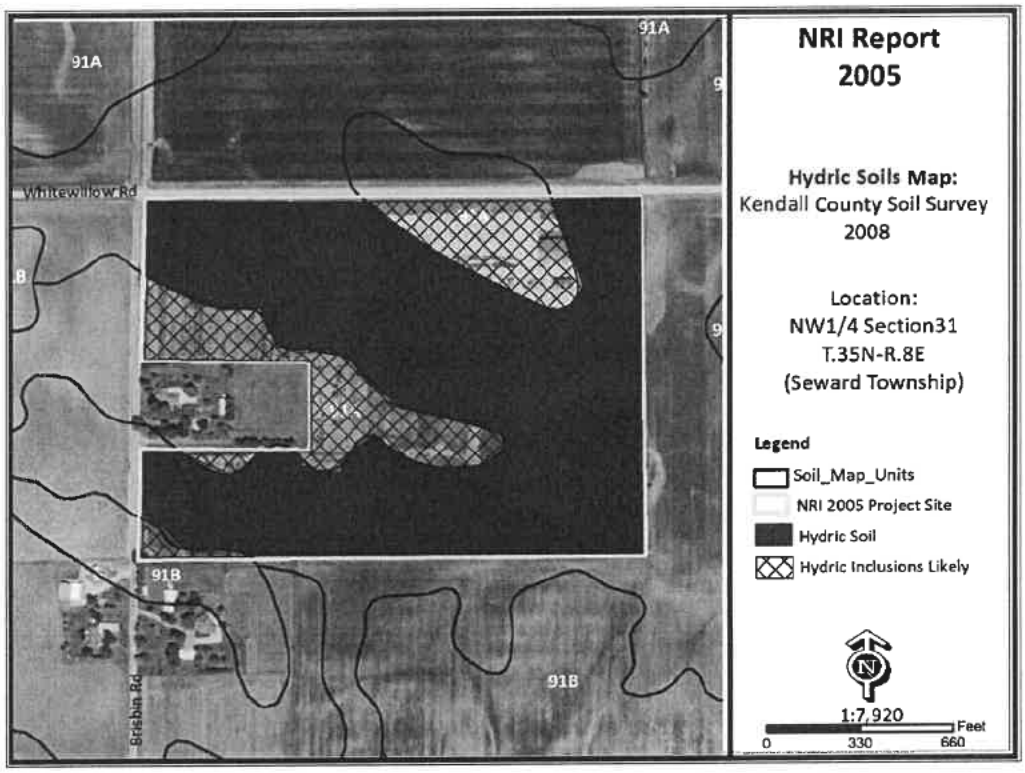
While considering hydric soils and hydric inclusions, it is noteworthy to mention that subsurface agriculture drainage tile occurs in almost all poorly drained and somewhat poorly drained soils. Drainage tile expedites drainage and facilitates farming. It is imperative that these drainage tiles remain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

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

Table 7: Hydric Soils

Soil Types	Drainage Class	Hydric Designation	Hydric Inclusions Likely	Acreage	Percent
91A	Somewhat Poorly Drained	Hydric	No	10.3	21.7%
91B	Somewhat Poorly Drained	Non-hydric	Yes	0.5	1.1%
235A	Poorly Drained	Non-hydric	Yes	36.6	77.2%

Figure 8: Hydric Soils Map



WETLAND AND FLOODPLAIN REGULATIONS

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

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

WHO MUST APPLY

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

REGULATORY AGENCIES:

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

COORDINATION

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

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

GLOSSARY

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PALUSTRINE - Name given to inland fresh water wetlands.

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

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

PIQ - Parcel in question

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

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

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

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

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

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

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

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

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

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

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

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

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

REFERENCES

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

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

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

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

Soil Survey of Kendall County. United States Department of Agriculture 2008, Natural Resources Conservation Service.

Illinois Urban Manuel. Association of Illinois Soil & Water Conservation Districts, 2016

Kendall County Land Atlas and Plat Book. 19th Edition, 2014.

Potential For Contamination of Shallow Aquifers from Land Burial of Municipal Wastes. Illinois State Geological Survey.

Natural Resources Conservation Service Wetland Inventory Map. United States Department of Agriculture.

Geologic Road Map of Illinois. Department of Natural Resources, Illinois State Geological Survey, Natural Resources Building, 615 East Peabody, Champaign IL 61820-6964.

Wetlands - The Corps of Engineers' Administration of the Section 404 Program (GAO/RCED-88-110)

Soil Erosion by Water - United States Department of Agriculture Natural Resources Conservation Service. Agriculture Information Bulletin 513.

The Conservation of Biological Diversity in the Great Lakes Ecosystem: Issues and Opportunities, prepared by the Nature Conservancy Great Lakes Program 79W. Monroe Street, Suite 1309, Chicago, IL 60603, January 1994.

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 Zoning Board of Appeals 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.

The operation of craft shows as special events one time per month on Saturdays at the subject's site does not endanger the public health, safety, morals, comfort or general welfare. It provides a useful service to the citizenry of Kendall County and is generally country or agricultural related type crafts involved with the events. The petitioner has a large parking lot that accommodates the vendors and customers and is located on a main thorough fare.

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.

The proposed use is not injurious or detrimental to the enjoyment of properties in the immediate vicinity in that petitioner currently operates a nursery business on site; and owns the surrounding farmland which does not interfere with this proposed use.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided.

The property is served by a main state highway so adequate roadways exist, and there is absolutely no change in drainage or other necessary facilities to accommodate the use.

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

The special use requested is a permissible special use under the Kendall County A1 Zoning Ordinance and petitioner can accommodate all of the conditions of the Kendall County Special Use and Agricultural Ordinance.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies.

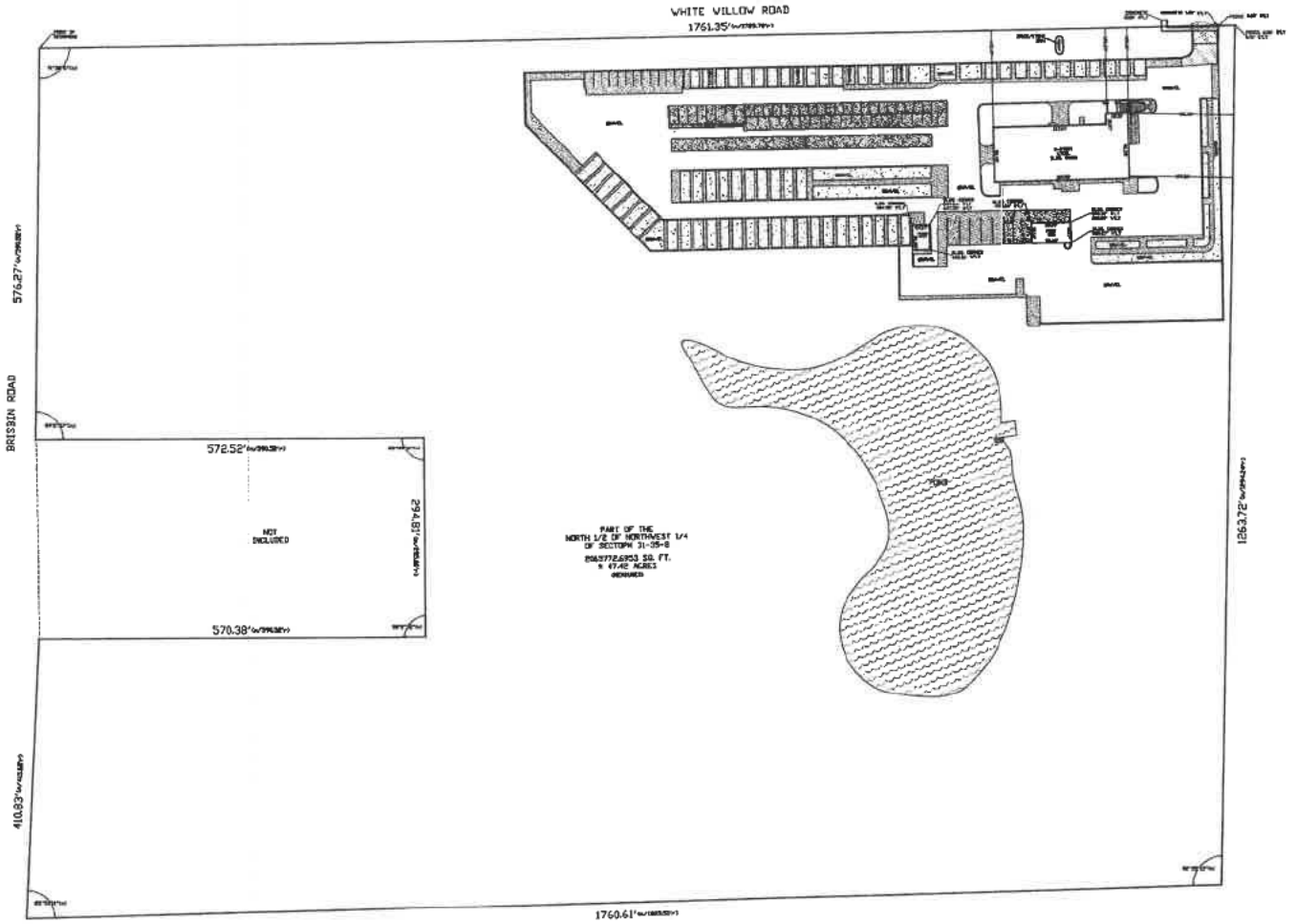
The proposed used to accommodate small local businesses which encourage the tax base, increase, increase employment, and provides an outlet for local vendors to display and sell their wares as well as the proposed food truck.

Attachment 2

Associated Surveying Group, LLC

PLAT OF SURVEY

THAT PART OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER, SAID POINT BEING THE POINT OF BEGINNING; THENCE ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER NORTH 89 DEGREES 36 MINUTES 30 SECONDS EAST FOR A DISTANCE OF 1789.78 FEET TO A POINT ON THE EAST LINE OF SAID NORTHWEST QUARTER; THENCE ALONG SAID EAST LINE SOUTH 00 DEGREES 38 MINUTES 01 SECONDS EAST FOR A DISTANCE OF 1284.34 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 23 SECONDS WEST FOR A DISTANCE OF 1803.93 FEET TO A POINT ON THE WEST LINE OF SAID NORTHWEST QUARTER; THENCE ALONG SAID WEST LINE NORTH 00 DEGREES 30 MINUTES 56 SECONDS EAST FOR A DISTANCE OF 415.40 FEET; THENCE NORTH 89 DEGREES 00 MINUTES 33 SECONDS EAST FOR A DISTANCE OF 294.50 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 296.08 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 294.50 FEET TO A POINT ON SAID WEST LINE; THENCE ALONG SAID WEST LINE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 399.60 FEET TO THE POINT OF BEGINNING, IN THE COUNTY OF KENDALL, STATE OF ILLINOIS.



MICHAEL G. NEBEL
PROFESSIONAL LAND SURVEYOR
ILLINOIS
SPRINGBROOK

Date of Sketch: [redacted]
County of Kane, [redacted]
I, Michael G. Nebel, an Illinois Professional Land Surveyor, do hereby certify that "This professional service conforms to the current Illinois minimum standards for a boundary survey", and that the Plat hereon drawn is a correct representation of said survey.

Field Work Completed: [redacted] Prepared Date: 3/27/2013
Order No. [redacted] Client: VILLAGE
Scale: 1" = 100'
Job No.: 2013-24

Illinois Professional Land Surveyor No. [redacted]
License Expires: November 30, 2014

Sheet 1 of 1

Attachment 3



July 15, 2021

Kendall County Address Points

Parcels

Ownership Parcel

1:4,800

0 0.03 0.06 0.12 mi

0 0.05 0.1 0.2 km

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Kendall County Web GIS

View GIS Disclaimer at https://www.co.kendall.il.us/departments/geographic-information-systems/gis-disclaimer-page/.

Attachment 4



July 15, 2021

Kendall County Address Points

Parcels

Ownership Parcel

1:2,160

0 0.01 0.03 0.05 mi

0 0.02 0.04 0.08 km

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Kendall County Web GIS

View GIS Disclaimer at https://www.co.kendall.il.us/departments/geographic-information-systems/gis-disclaimer-page/.

State of Illinois
County of Kendall

Zoning Petition
#05-15

ORDINANCE NUMBER 2005 - 37

GRANTING A SPECIAL USE
TIMOTHY WALLACE

WHEREAS, Timothy Wallace filed a Special Use Permit application within the A-1 district for 50 +/- acres located at the intersection of Brisbin and Whitewillow Roads in Seward Township as depicted in Exhibit "A" and legally described as follows:

> That part of the North Half (N 1/2) of the Northwest Quarter (NW ¼) of Section Thirty-One (31), Township Thirty-Five (35) North, Range Eight (8), East of the Third Principal Meridian, described as follows: Commencing at the Northwest (NW) Corner of said Northwest Quarter (NW ¼), said point being the Point of Beginning; thence along the North Line of said Northwest Quarter (NW ¼) North 89 Degrees 28 Minutes 50 Seconds East for a distance of 1789.78 feet to a point on the East Line of said Northwest Quarter (NW ¼); thence along said East Line South 00 Degrees 35 Minutes 51 Seconds East for a distance of 1294.24 feet; thence South 88 Degrees 58 Minutes 23 Seconds West for a distance of 1803.50 feet to a point on the West Line of said Northwest Quarter (NW ¼); thence along said West Line North 00 Degrees 00 Minutes 00 Seconds East for a distance of 415.62 feet; thence North 90 Degrees 00 Minutes 00 Seconds East for a distance of 590.52 feet; thence North 00 Degrees 00 Minutes 00 Seconds East for a distance of 295.06 feet; thence South 90 Degrees 00 Minutes 00 Seconds West for a distance of 590.52 feet to a point on said West Line; thence along said West Line North 00 Degrees 00 Minutes 00 Seconds East for a distance of 599.60 feet to the point of beginning, containing 49.707 acres, more or less, all located in the County of Kendall, State of Illinois.

WHEREAS, said petition is to allow retail and wholesale of nursery and landscape supplies; and

WHEREAS, the Kendall County Board finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance;

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of the special use zoning permit to allow retail and wholesale of nursery and landscape supplies subject to the following conditions:

1. Any truck traffic will not exceed the limits posted by the Kendall County Highway Department.
2. Development of the site in substantial conformance with the site plan attached here to as Group Exhibit "A".
3. The provision of permanent bathroom facilities within 90 days of zoning approval for customers and employees.
4. Review and approval of the proposed well and septic design by the Department of Environmental Health.
5. For aesthetic purposes, landscape materials for sale, such as mulch and decorative stone, will not be stored in the required front yard.

State of Illinois
County of Kendall

Zoning Petition
#05-15

6. Formal dedication of the right-of-way agreed upon by the petitioner and the County for Whitewillow (50 feet from the centerline of the road) and Brisbin Roads (45 feet from the centerline of the road) within 90 days of receipt of the Special Use permit.

Failure to comply with the terms of this ordinance may be cited as a basis for amending or revoking this special use permit.

IN WITNESS OF, this ordinance has been enacted on June 21st, 2005.

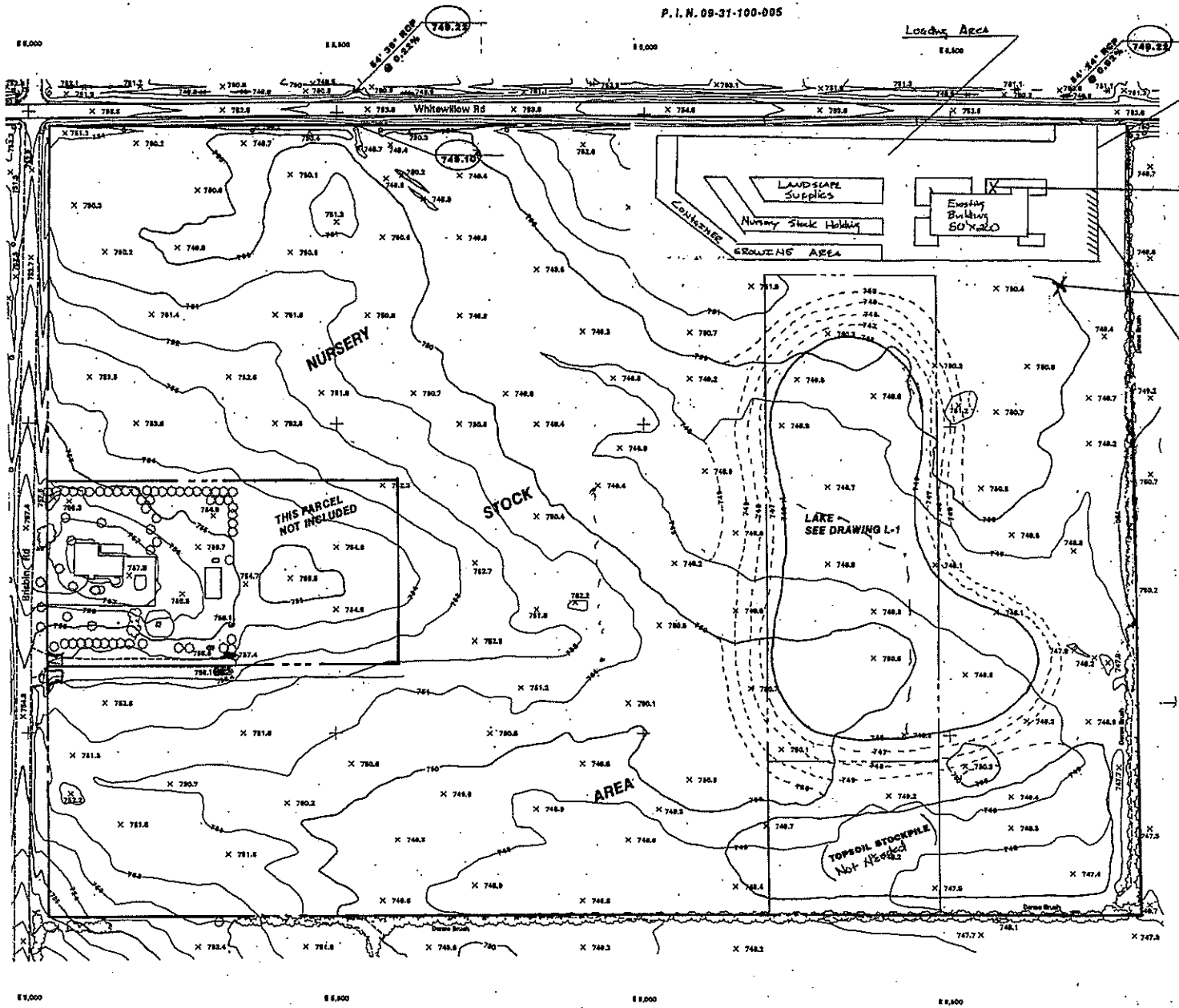
Attest:

Paul Anderson
Kendall County Clerk

John A. Church
Kendall County Board Chairman

THAT PART OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE SOUTHERLY ALONG THE PORTION BEGINNING; THENCE ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER N 89°28'50" E FOR A DISTANCE OF 1799.78 FEET TO A POINT ON THE EAST LINE OF SAID NORTHWEST QUARTER; THENCE ALONG SAID EAST LINE S 00°35'51" E FOR A DISTANCE OF 1294.24 FEET; THENCE S 88°58'23" W FOR A DISTANCE OF 1803.59 FEET TO A POINT ON THE WEST LINE OF SAID NORTHWEST QUARTER; THENCE ALONG SAID WEST LINE N 00°00'00" E FOR A DISTANCE OF 415.82 FEET; THENCE N 90°00'00" E FOR A DISTANCE OF 590.52 FEET; THENCE N 00°00'00" E FOR A DISTANCE OF 299.06 FEET; THENCE S 90°00'00" W FOR A DISTANCE OF 590.52 FEET TO A POINT ON SAID WEST LINE; THENCE ALONG SAID WEST LINE N 00°00'00" E FOR A DISTANCE OF 569.60 FEET TO THE POINT OF BEGINNING, CONTAINING 49.707 ACRES, MORE OR LESS, ALL LOCATED IN THE COUNTY OF KENDALL, STATE OF ILLINOIS.

P. I. N. 09-31-100-005



N

B C E

Existing 16" Concrete Curb around outside of yard

Well - to be located in front of building approximately 200' from road

Septic - to be located in back of building approximately 250' away from well

Parking - 12 to 15 stalls 45° in accordance with the following dimensions ↓

TYPICAL PARKING DIMENSIONS

Parking Angle (degrees)	Stall Width Parallel to Aisle (ft)	Stall Depth to Wall (ft)	Stall Depth to Interlock (ft)	Aisle Width¹ Wall (ft)	Modules² Wall to Interlock (ft)	Modules² Interlock to Interlock (ft)
45						
9.0 ft stall	12.7	17.5	15.3	12.0	47.0	43.0
9.5 ft stall	13.4	17.5	15.3	11.0	46.0	42.0

Revisions:

THE SIDWELL COMPANY
GIS & Mapping Solutions
575 Sidwell Court
St. Charles, Illinois 60174-3492

North

MAP SCALE
0 50 100 200 300 Feet
0 50 100 Meters
1 FT. CONTOUR INTERVAL

Attachment 6 Vendor Stall Example



Attachment 7 Looking West Down Vendor Row (Eastern Picture)



Attachment 8 Looking West Down Vendor Row (Western Picture)



Attachment 9



Matt Asselmeier

From: Tim Wallace <lsfpd202@aol.com>
Sent: Monday, August 30, 2021 3:38 PM
To: Matt Asselmeier
Subject: [External]Re: Kendall County Zoning Petition 21-33

Matt, in reply to the following, 21-33, the Lisbon Seward Fire Protection District would like to see , two, strategically placed fire extinguishers along with first aid kits and a sign stating, First aid kit and fire extinguisher.

In regards to petition 21-29, we would like to see one, fire extinguisher and a first aid kit on site, along with a sign stating, first aid kit and fire extinguisher.

Thanks, feel free to call or email with questions,

Tim Wallace

ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
September 7, 2021 – Unapproved Meeting Minutes

PBZ Chairman Scott Gengler called the meeting to order at 9:00 a.m.

Present:
Matt Asselmeier – PBZ Department
Meagan Briganti – GIS Department
Scott Gengler – PBZ Committee Chair
Brian Holdiman – PBZ Department
Commander Jason Langston – Sheriff's Department
Alyse Olson – Soil and Water Conservation District
Aaron Rybski – Health Department

Absent:
Greg Chismark – WBK Engineering, LLC
David Guritz – Forest Preserve
Fran Klaas – Highway Department

Audience:
Scott Richmond, Lorena Gutierrez, Jose DeJesus Gutierrez, Dan Kramer, Mike Schoppe, and Robert Velazquez

PETITIONS

Petition 21-33 Elizabeth Bowyer on Behalf of Doragon Properties, LLC
Mr. Asselmeier summarized the request.

The Petitioner would like to operate a monthly craft fair (sale of agricultural products not grown on premises and the sale of pottery, art, and home décor not produced on the premises) one (1) Saturday per month between April 1st and November 1st.

The Petitioner has been operating the craft fair without a special use and would like to come into compliance.

The Zoning Ordinance required the sale of pottery, art, and home décor products to be located on properties not designated as Agricultural on the Future Land Use Map. The Petitioners were seeking a variance to this provision.

The application materials, plat of survey, aerial of the entire property, and aerial of the area where craft fair/market would occur were provided.

The property was granted a special use permit for landscaping business in 2005. This special use permit was also provided.

The property was approximately fifty acres in size.

The Current and Future Land Uses were Agricultural.

Whitewillow Road was a County maintained Major Collector. Brisbin Road was a Township maintained Major Collector.

Minooka has trails planned along Whitewillow and Brisbin Roads.

There were no floodplains or wetlands on the property. The pond was permitted as part of the development of the landscaping business.

The adjacent land uses were Agricultural and Farmstead.

The adjacent zoning districts and nearby zoning districts were A-1.

The County's Future Land Use Map called for the area to be Agricultural. The Village of Minooka's Future Land Use Map called for the area to the north and south to be Traditional Neighborhood and the area to the east to be Light Industrial.

EcoCat submitted on August 24, 2021, and consultation was terminated.

The Petitioner did an NRI application as part of a proposed cannabis business at the subject property in April 2020. The LESA Score was 220 indicating a medium level of protection. The NRI Report was provided.

Seward Township was emailed information on August 27, 2021.

The Village of Minooka was emailed information on August 27, 2021.

Lisbon-Seward Fire Protection District was emailed information on August 27, 2021. They requested two (2) strategically placed fire extinguishers and first aid kits with related signage. The email from the Fire Protection District was provided.

According to information provided to the County, the Petitioner would like to operate a thirty-one (31) stall craft fair west of the existing main building as identified in the provided aerial. The vendor stalls were approximately twelve foot by fourteen foot (12' X 14'). The stalls were made of wood with an area to erect a tent. The stalls were also numbered; pictures of an example stall and vendor row were provided.

No new buildings were planned for the site. No existing structures were planned for demolition.

Vendors sold a variety of craft products.

Section 7:01.D.48 placed several conditions and restrictions on special use permits regarding the sale of pottery, art, and home décor. These include:

1. A sit-down food area is allowed if incidental to the primary operation of retail sales.
2. The subject parcel must not be less than three (3) acres in size.
3. Must be along a hard surfaced road classified as an arterial or major collector in the Land Resource Management Plan.
4. Is located in an area not designated as Agricultural on the Land Resource Management Plan. The Petitioner was seeking a variance to this requirement.
5. Must occur in a manner that will preserve the existing farmhouse, barns, related structures, and the pastoral setting.
6. Must serve as a transitional use between agricultural areas and advancing suburban development.
7. Must serve to prevent spot zoning.
8. Retail and wholesale must occur in an existing building, unless otherwise approved by the County Board.
9. Any new structures must reflect the current architecture of the existing structures.
10. No outside display of goods.
11. Cannot generate noise, vibrations, glare, fumes, odors, or electrical interference beyond which normally occurs on A-1 zoned property.
12. Limited demolition of farmhouse and outbuildings is allowed.
13. Site plan is required.
14. Signage must follow the requirements in the Zoning Ordinance.
15. Off-street parking must follow the requirements in the Zoning Ordinance.

Assuming the County Board approved sales outside existing buildings, all of the above requirements of the Zoning Ordinance are addressed.

If approved, this would be the tenth (10^{th}) special use permit for the sale of products not grown on the premises in the unincorporated area.

According to the business plan provided to the County, the Petitioner would like to operate the craft fair one (1) Saturday per month between April 1st and November 1st. Vendors started setting up at 6:00 a.m. The craft fair was open to the public from 8:00 a.m. until about 4:00 p.m. Vendors would leave the site by 6:00 p.m.

The Petitioner had five (5) full-time employees that monitor the craft fair, including herself and her husband.

The usual number patrons on the property at a given time for the craft fair was approximately fifty (50).

No new structures are planned for the property.

There were existing restrooms inside the building used for the landscaping business. There were two (2) porta-johns available for the vendors and patrons at the craft fair.

There was a private well onsite.

The Petitioner would make accommodations for vendors that want electricity.

The property drained to the southeast.

The Petitioners secured applicable permits in 2004 for the construction of the pond on the premises.

Based on the information provided, no stormwater permits were required because the Petitioner did not plan to add any impervious surface.

The property had access from Whitewillow Road.

According to the provided aerial, there were approximately eighty parking (80) spaces on the property. These included parking spaces east and south of the building used for the landscaping business. There was also parking available for vendors west of the vendor row. There were six (6) identified handicapped parking spaces on the property.

No additional lighting was planned as part of this project. The craft fair ended by dusk. If additional lighting were added, a photometric plan would be required because the number of parking spaces exceeds thirty (30).

The Petitioner planned to have one (1) mobile sign placed at the southeast corner of Whitewillow and Brisbin Roads. A picture of the sign was provided. The Petitioners would like the sign to remain at the intersection between May 1st and December 1st of each year. The sign would not be illuminated.

There were other directional signs located on the property and the landscaping business/nursery has separate signage for that portion of the business.

No additional landscaping was planned. Nursery materials along Whitewillow Road served as screening.

No information regarding noise control was provided.

The proposed Findings of Fact for the special use permit 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. True. The subject property already has an established landscaping and nursery business. The proposed use will complement the existing special use and will minimally impact the area.

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. True. Conditions are proposed that will regulate hours of operation, site layout, and noise. No new buildings or other significant alterations away from the current appearance of the property or general area are planned.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. Utilities are already available at the property. Parking areas are already established. The property previously secured 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 provided the variance to allowing the use on property designated as Agricultural on the Land Resource Management Plan is approved.

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 9-21 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."

The proposed Findings of Fact for the variance were as follows:

That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. There is no topographical hardship.

That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. Very few A-1 zoned properties have an existing commercial use as intense as the use located on the subject property. Most properties zoned A-1 and classified as Agricultural on the Land Resource Management Plan do not have the existing facilities to support this type of use.

That the alleged difficulty or hardship has not been created by any person presently having an interest in the property. The owners did not create or request the land designation contained in the Land Resource Management Plan.

That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. The subject property already has a special use permit. The proposed use would only operate for a very brief time of the year. No improvements to the property are planned as part of the proposal. Therefore, no injury to the public welfare or other properties is foreseen.

That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. Because of the limited operations proposed and because no new structures are planned, the proposal will not impair the supply of light or air to adjacent properties, cause increased congestion on local streets, endanger public safety, or impair property values.

Staff recommended approval of the requested special use permit and variance subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the aerial. Other than parking and signage, the craft fair shall be limited to area designated as "Vendor Area" on the aerial. Any new structures related to the uses allowed by this special use permit shall require a major amendment to the special use permit and any new structures must reflect the current architecture of the existing structures.

2. A variance to Section 7:01.D.48 shall be granted to allow the sale of pottery, art, and home décor not produce on the premises to occur on property designated as Agricultural on the Future Land Use Map.

3. The subject parcel must remain at least (3) acres in size.

4. The uses allowed by this special use permit must occur in a manner that will preserve the existing pastoral setting. To that end, no vendor stall located in the northern row of the vending area shall be open toward the north.

5. Retail and wholesale sales may occur outside existing buildings.

6. The uses allowed by this special use permit cannot generate noise, vibrations, glare, fumes, odors, or electrical interference beyond which normally occurs on A-1 zoned property.

7. A maximum of thirty-one (31) vendors may be on the subject property.
8. The uses allowed by this special use permit may operate a maximum of one (1) Saturday per month. The uses may be open for sale between the hours of 8:00 a.m. and 4:00 p.m. The property owner may reduce these hours of operation. Vendors may setup no earlier than two (2) hours prior to opening and must be offsite within two (2) hours of closing. The uses allowed by this special use permit may be operational between April 1st and November 1st.
9. A maximum of five (5) people, including the property owner and their family members, shall be employees of the business allowed by this special use permit.
10. The owners of the business allowed by this special use permit may install one (1) sign on the subject property at the southeast corner of Whitewillow and Brisbin Roads in substantially the size and appearance of the sign shown in the provided picture. The sign shall not be illuminated. The sign may be in place May 1st until December 1st. The owners of the business allowed by this special use permit may install additional directional signage for patrons inside the property.
11. The owner(s) or operator(s) of the business allowed by this special use permit shall ensure that garbage and trash shall be removed from the property at least one (1) time per week or as necessary to maintain the property clear of garbage and trash.
12. No music shall be generated by the uses allowed this special use permit.
13. The operator(s) of the uses allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
14. The operator(s) of the uses allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of these types of uses.
15. The conditions and restrictions contained in this special use permit shall be separate from the conditions and restrictions contained in Ordinance 2005-37.
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.
18. This special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.

Mr. Gengler expressed concerns regarding having two (2) signs at the corner of Whitewillow and Brisbin Roads. He requested only one (1) sign; preferably the stationary sign. Dan Kramer, Attorney for the Petitioner, explained that the sign was in storage during the off-season. Mr. Kramer agreed to ask the Petitioners to see if they could incorporate the craft fair into the existing stationary sign.

Mr. Asselmeier asked if thirty-one (31) was the maximum number of vendors that they could get. Mr. Kramer requested that the number of vendors be increased to thirty-five (35).

Mr. Gengler asked about the location of restrooms. Mr. Kramer noted the porta-johns and restrooms in the existing building.

Mr. Kramer discussed the Petitioners' application for craft growers. They will apply for another special use permit, if the State issues a craft growers' license.

Mr. Rybski requested information on the septic field. He requested the Petitioners contact the Health Department regarding the location of the septic field shown on the original special use permit. The food trucks had been licensed with the County and they also make sure that large amounts of bottled water were available.

The market has been operating since at least 2020.

Mr. Kramer noted the amount of patrons for the landscaping business during their special sales.

Mr. Holdiman made a motion, seconded by Mr. Asselmeier, to recommend approval of the special use permit with the conditions proposed by Staff and raising the number of stalls to thirty-five (35).

With a voice vote of seven (7) ayes, the motion carried.

The proposal goes to the Kendall County Regional Planning Commission on September 22, 2021.

PUBLIC COMMENT

None

ADJOURNMENT

Mr. Rybski made a motion, seconded by Ms. Briganti, to adjourn.

With a voice vote of seven (7) ayes, the motion carried.

The ZPAC, at 10:21 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP, CFM
Senior Planner

Enc.

KENDALL COUNTY
ZONING & PLATTING ADVISORY COMMITTEE
SEPTEMBER 7, 2021

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)
Dan Kramer 21-30	[redacted]	
Scott Richmond, Esq. 21-29		

SEWARD TOWNSHIP PLAN COMMISSION MINUTES

September 7, 2021

The Seward Township Plan Commission met on September 7, 2021 at 6:00 p.m. at the Seward Town Hall. Members present included Jessica Nelsen, Anne Vickery, Jill Prodehl, Joan Soltwisch and Suzanne Casey. Matt Asselmeier, Senior Planner for the Kendall County Building and Zoning, and Tim O'Brien, Seward Township Board also attended, as well as Tom Casey, Regional Plan Commission. Following the pledge to the flag, the minutes of the August 12, 2021 meeting were approved

Dan Kramer, Attorney for Doragon Properties LLC provided an overview of Petition 21-33, in which the parties are requesting a special use permit for the sale of agricultural products and other miscellaneous Home Décor, said items not produced on the premises. The Zoning Ordinance requires the sale of pottery, art and home décor products to be located on properties not designated as Agricultural on the Future Land Use Map. The Petitioners are seeking a variance to this provision. This property was granted a special use permit for a landscaping business in 2005, and would like to expand, using this special use permit to operate a monthly craft fair. (one Saturday per month between April 1 and November 1.) This site has ample off street parking.

Discussion regarding this petition revealed the request was for a craft fair, with 35 stalls rented from Whitewillow by individual vendors who all hold a tax number. They are in their third year of operation, and were unaware that a variance was required. Operation is the 1st Saturday of each month, closing by 6:00 p.m. Anne Vickery moved approval for 35 stalls, as requested, with a variance to expand up to 40 by providing notice to the township. Joan Soltwisch seconded. Motion approved, and will be moved forward to the Seward Township Board for their meeting on September 14, 2021.

The committee reviewed the progress on the Sports Dome at the corner of Rt. 52, on County Line Road. Storage units are currently being built, with the Dome to begin construction very soon. This Sports Dome being fabricated for this location is over-sized, and Dan Kramer explained it will provide a highly desirable year round, indoor sports capability.

Following discussion, it was determined that the Plan commission will meet on the first Tuesday of the month at 6:00, when proposals were in need of review. In that way, proposals can be forwarded to the Seward Township Board for their second Tuesday of the month meeting, moving requests forward to the Regional Plan Commission in a timely manner.

Under other discussion items, Suzanne Casey disseminated information on Lyons Farm for the committee's information, sharing brochures on their operation that represents all townships in the county, honoring the history of the farming community. Suzanne also provided a recent legal opinion/case law on limiting public comment in a governmental meeting, and provided copies of vision and mission materials previously reviewed by members of the committee.

Finally, the committee raised concerns regarding property in the township which appears abandoned and falling into disrepair-specifically properties located on VanDyke Road, between Grove and McKanna Road. Matt Asselmeier was asked if any recourse existed in county ordinances, when previously maintained property appear to be abandoned. Mr. Asselmeier was asked to drive by said property at Van Dyke and Grove.

Anne Vickery moved adjournment at 6:45, with second by Suzanne Casey.

Minutes submitted by Suzanne Casey

September 8, 2021

KENDALL COUNTY
REGIONAL PLANNING COMMISSION

Kendall County Office Building
Rooms 209 and 210
111 W. Fox Street, Yorkville, Illinois

Unapproved - Meeting Minutes of September 22, 2021 - 7:00 p.m.

Chairman Ashton called the meeting to order at 7:00 p.m.

ROLL CALL

Members Present: Bill Ashton, Roger Bledsoe, Tom Casey, Dave Hamman, Karin McCarthy-Lange, Larry Nelson, Ruben Rodriguez (arrived at 7:05 p.m.), Claire Wilson (arrived at 7:05 p.m.), and Seth Wormley
Members Absent: Bob Stewart
Staff Present: Matthew H. Asselmeier, Senior Planner
Others Present: Scott Richmond, Lorena Gutierrez, Dan Kramer, Eryn Ruffatto, David Cline, William Sales, June Alice, and Robert VanderBeek

PETITIONS

Petition 21-33 Elizabeth Bowyer on Behalf of Doragon Properties, LLC

Mr. Asselmeier summarized the request.

The Petitioner would like to operate a monthly craft fair (sale of agricultural products not grown on premises and the sale of pottery, art, and home décor not produced on the premises) one (1) Saturday per month between April 1st and November 1st.

The Petitioner has been operating the craft fair without a special use and would like to come into compliance.

The Zoning Ordinance required the sale of pottery, art, and home décor products to be located on properties not designated as Agricultural on the Future Land Use Map. The Petitioners were seeking a variance to this provision.

The application materials, plat of survey, aerial of the entire property, and aerial of the area where craft fair/market would occur were provided.

The property was granted a special use permit for landscaping business in 2005. This special use permit was also provided.

The property was approximately fifty (50) acres in size.

The Current and Future Land Uses were Agricultural.

Whitewillow Road was a County maintained Major Collector. Brisbin Road was a Township maintained Major Collector.

Minooka has trails planned along Whitewillow and Brisbin Roads.

There were no floodplains or wetlands on the property. The pond was permitted as part of the development of the landscaping business.

The adjacent land uses were Agricultural and Farmstead.

The adjacent zoning districts and nearby zoning districts were A-1.

The County's Future Land Use Map called for the area to be Agricultural. The Village of Minooka's Future Land Use Map called for the area to the north and south to be Traditional Neighborhood and the area to the east to be Light Industrial.

EcoCat submitted on August 24, 2021, and consultation was terminated.

The Petitioner did an NRI application as part of a proposed cannabis business at the subject property in April 2020. The LESA Score was 220 indicating a medium level of protection. The NRI Report was provided.

Seward Township was emailed information on August 27, 2021. Seward Township was emailed information on August 27, 2021. The Seward Township Planning Commission reviewed this proposal at their meeting on September 7, 2021. The Seward Township Planning Commission recommended approval of the request with the amendment to allow the Petitioners to increase the number of vendors to forty (40) upon notice to the Township. The minutes of this meeting were provided. The Seward Township Board concurred with the Seward Township Planning Commission at their meeting on September 14, 2021.

The Village of Minooka was emailed information on August 27, 2021.

Lisbon-Seward Fire Protection District was emailed information on August 27, 2021. They requested two (2) strategically placed fire extinguishers and first aid kits with related signage. The email from the Fire Protection District was provided.

ZPAC reviewed this proposal at their meeting on September 7, 2021. Discussion occurred regarding signage; the Petitioners' Attorney agreed to discuss having one (1) stationary sign only at the corner of Whitewillow and Brisbin Roads with his clients. The number of vendors was increased from thirty-one (31) to thirty-five (35). The Kendall County Health Department requested that the Petitioners contact them regarding the placement of the septic field in relation to the parking lot. ZPAC recommended approval of the request by a vote of seven (7) in favor and zero (0) in opposition with three (3) members absent. The minutes of this meeting were provided.

According to information provided to the County, the Petitioner would like to operate a thirty-one (31) stall craft fair west of the existing main building as identified in the provided aerial. The vendor stalls were approximately twelve foot by fourteen foot (12' X 14'). The stalls were made of wood with an area to erect a tent. The stalls were also numbered; pictures of an example stall and vendor row were provided.

No new buildings were planned for the site. No existing structures were planned for demolition.

Vendors sold a variety of craft products.

Section 7:01.D.48 placed several conditions and restrictions on special use permits regarding the sale of pottery, art, and home décor. These include:

1. A sit-down food area is allowed if incidental to the primary operation of retail sales.

2. The subject parcel must not be less than three (3) acres in size.

3. Must be along a hard surfaced road classified as an arterial or major collector in the Land Resource Management Plan.

4. Is located in an area not designated as Agricultural on the Land Resource Management Plan. The Petitioner was seeking a variance to this requirement.

5. Must occur in a manner that will preserve the existing farmhouse, barns, related structures, and the pastoral setting.

6. Must serve as a transitional use between agricultural areas and advancing suburban development.

7. Must serve to prevent spot zoning.

8. Retail and wholesale must occur in an existing building, unless otherwise approved by the County Board.

9. Any new structures must reflect the current architecture of the existing structures.

10. No outside display of goods.

11. Cannot generate noise, vibrations, glare, fumes, odors, or electrical interference beyond which normally occurs on A-1 zoned property.

12. Limited demolition of farmhouse and outbuildings is allowed.

13. Site plan is required.

14. Signage must follow the requirements in the Zoning Ordinance.

15. Off-street parking must follow the requirements in the Zoning Ordinance.

Assuming the County Board approved sales outside existing buildings, all of the above requirements of the Zoning Ordinance are addressed.

If approved, this would be the tenth (10^{th}) special use permit for the sale of products not grown on the premises in the unincorporated area.

According to the business plan provided to the County, the Petitioner would like to operate the craft fair one (1) Saturday per month between April 1^{st} and November 1^{st}. Vendors started setting up at 6:00 a.m. The craft fair was open to the public from 8:00 a.m. until about 4:00 p.m. Vendors would leave the site by 6:00 p.m.

The Petitioner had five (5) full-time employees that monitor the craft fair, including herself and her husband.

The usual number patrons on the property at a given time for the craft fair was approximately fifty (50).

No new structures are planned for the property.

There were existing restrooms inside the building used for the landscaping business. There were two (2) porta-johns available for the vendors and patrons at the craft fair.

There was a private well onsite.

The Petitioner would make accommodations for vendors that want electricity.

The property drained to the southeast.

The Petitioners secured applicable permits in 2004 for the construction of the pond on the premises.

Based on the information provided, no stormwater permits were required because the Petitioner did not plan to add any impervious surface.

The property had access from Whitewillow Road.

According to the provided aerial, there were approximately eighty parking (80) spaces on the property. These included parking spaces east and south of the building used for the landscaping business. There was also parking available for vendors west of the vendor row. There were six (6) identified handicapped parking spaces on the property.

No additional lighting was planned as part of this project. The craft fair ended by dusk. If additional lighting were added, a photometric plan would be required because the number of parking spaces exceeds thirty (30).

The Petitioner planned to have one (1) mobile sign placed at the southeast corner of Whitewillow and Brisbin Roads. A picture of the sign was provided. The Petitioners would like the sign to remain at the intersection between May 1st and December 1st of each year. The sign would not be illuminated.

There were other directional signs located on the property and the landscaping business/nursery has separate signage for that portion of the business.

No additional landscaping was planned. Nursery materials along Whitewillow Road served as screening.

No information regarding noise control was provided.

The proposed Findings of Fact for the special use permit 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. True. The subject property already has an established landscaping and nursery business. The proposed use will complement the existing special use and will minimally impact the area.

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. True. Conditions are proposed that will regulate hours of operation, site layout, and noise. No new buildings or other significant alterations away from the current appearance of the property or general area are planned.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. Utilities are already available at the property. Parking areas are already established. The property previously secured 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 provided the variance to allowing the use on property designated as Agricultural on the Land Resource Management Plan is approved.

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 9-21 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."

The proposed Findings of Fact for the variance were as follows:

That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. There is no topographical hardship.

That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. Very few A-1 zoned properties have an existing commercial use as intense as the use located on the subject property. Most properties zoned A-1 and classified as Agricultural on the Land Resource Management Plan do not have the existing facilities to support this type of use.

That the alleged difficulty or hardship has not been created by any person presently having an interest in the property. The owners did not create or request the land designation contained in the Land Resource Management Plan.

That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. The subject property already has a special use permit. The proposed use would only operate for a very brief time of the year. No improvements to the property are planned as part of the proposal. Therefore, no injury to the public welfare or other properties is foreseen.

That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. Because of the limited operations proposed and because no new structures are planned, the proposal will not impair the supply of light or air to adjacent properties, cause increased congestion on local streets, endanger public safety, or impair property values.

Staff recommended approval of the requested special use permit and variance subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the aerial. Other than parking and signage, the craft fair shall be limited to area designated as "Vendor Area" on the aerial. Any new structures related to the uses allowed by this special use permit shall require a major amendment to the special use permit and any new structures must reflect the current architecture of the existing structures.

2. A variance to Section 7:01.D.48 shall be granted to allow the sale of pottery, art, and home décor not

produce on the premises to occur on property designated as Agricultural on the Future Land Use Map.

3. The subject parcel must remain at least (3) acres in size.

4. The uses allowed by this special use permit must occur in a manner that will preserve the existing pastoral setting. To that end, no vendor stall located in the northern row of the vending area shall be open toward the north.

5. Retail and wholesale sales may occur outside existing buildings.

6. The uses allowed by this special use permit cannot generate noise, vibrations, glare, fumes, odors, or electrical interference beyond which normally occurs on A-1 zoned property.
7. A maximum of thirty-five (35) vendors may be on the subject property.
8. The uses allowed by this special use permit may operate a maximum of one (1) Saturday per month. The uses may be open for sale between the hours of 8:00 a.m. and 4:00 p.m. The property owner may reduce these hours of operation. Vendors may setup no earlier than two (2) hours prior to opening and must be offsite within two (2) hours of closing. The uses allowed by this special use permit may be operational between April 1st and November 1st.
9. A maximum of five (5) people, including the property owner and their family members, shall be employees of the business allowed by this special use permit.
10. The owners of the business allowed by this special use permit may install one (1) sign on the subject property at the southeast corner of Whitewillow and Brisbin Roads in substantially the size and appearance of the sign shown in the provided picture. The sign shall not be illuminated. The sign may be in place May 1st until December 1st. The owners of the business allowed by this special use permit may install additional directional signage for patrons inside the property.
11. The owner(s) or operator(s) of the business allowed by this special use permit shall ensure that garbage and trash shall be removed from the property at least one (1) time per week or as necessary to maintain the property clear of garbage and trash.
12. No music shall be generated by the uses allowed this special use permit.
13. Two (2) strategically placed operating fire extinguishers and first aid kits shall be placed on the subject property along with applicable signage for the fire extinguishers and first aid kits.
14. The operator(s) of the uses allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
15. The operator(s) of the uses allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of these types of uses.

16. The conditions and restrictions contained in this special use permit shall be separate from the conditions and restrictions contained in Ordinance 2005-37.

17. 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.

18. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

19. This special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.

Chairman Ashton expressed concerns regarding a sign for this business at Whitewillow and Grove Roads. The Planning, Building and Zoning Department will investigate the matter.

Dan Kramer, Attorney for the Petitioner explained the use and the history of the use.

Mr. Kramer explained that the Petitioner was exploring a special use permit for cannabis craft growers.

Member Nelson made a motion, seconded by Member McCarthy-Lange, to recommend approval of the special use permit and variance with the conditions proposed by Staff.

There will be two (2) special use permits at the property, if this special use permit is approved.

Mr. Kramer noted that the County previously removed the special use permit for uses similar to agricultural uses. Member Nelson stated that the Comprehensive Land Plan and Ordinance Committee would review this ordinance.

The votes were as follows:
Ayes (8): Bledsoe, Casey, Hamman, McCarthy-Lange, Nelson, Rodriguez, Wilson, and Wormley
Nays (1): Ashton
Absent (1): Stewart
Abstain (0): None

The motion carried.

This proposal will go to the Kendall County Zoning Board of Appeals on September 27, 2021.

CITIZENS TO BE HEARD/ PUBLIC COMMENT
None

ADJOURNMENT
Member Wilson made a motion, seconded by Member Rodriguez, to adjourn. With a voice of nine (9) ayes, the motion carried.

The Kendall County Regional Planning Commission meeting adjourned at 8:44 p.m.

Respectfully submitted by,
Matthew H. Asselmeier, AICP, CFM
Senior Planner

Enc.

KENDALL COUNTY
REGIONAL PLANNING COMMISSION
SEPTEMBER 22, 2021

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)
Dan Kramer 21-30 21-32 Atty 21-31 21-33	[redacted]	
Scott Richmond Attorney		
DAVID CLINE		
William SALES		
JUNE ALICE		
Robert VanderBeek		