



KENDALL COUNTY
PLANNING, BUILDING & ZONING COMMITTEE MEETING
111 West Fox Street • Rooms 209 and 210 • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

AGENDA

Monday, March 11, 2024 – 6:30 p.m.

CALL TO ORDER:

ROLL CALL: Elizabeth Flowers, Dan Koukol, Ruben Rodriguez (Vice-Chairman), Brooke Shanley, and Seth Wormley (Chairman)

APPROVAL OF AGENDA (VV):

APPROVAL OF MINUTES (VV): Approval of Minutes from February 13, 2024, Meeting (Pages 3-7)

PUBLIC COMMENT:

EXPENDITURE REPORT (Discussion): Review of Expenditures from February 2024 (Pages 8-13)
Review of End of FY23-24 Expenditure Report (Pages 14-15)

PETITIONS (Roll Call Vote):

1. **Petition 24 – 01 – Deb Chow on Behalf of Jade Restorations, Inc. (Pages 16-178)**
Request: Major Amendments to the Special Use Permit for a Kennel and Veterinary Granted by Ordinance 2020-01 and Amended by Ordinance 2023-05 by Changing the Site Plan, Landscaping Plan, and Photometric Plan
PIN: 09-24-100-012 (Part)
Location: 949 Bell Road, Minooka in Seward Township
Purpose: Petitioner Wants to Change the Site Plan by Extending a Driveway and Make Adjustments to the Landscaping and Photometric Plans Caused by Rezoning Part of the Property; Property is Zoned A-1 with a Special Use Permit
2. **Petition 24 – 02 – Deb Chow on Behalf of Jade Restorations, Inc. (Pages 179-284)**
Request: Map Amendment Rezoning Approximately 13.6 Acres of the Subject Property from A-1 Agricultural District and A-1 Agricultural District With a Special Use Permit for a Kennel and Veterinary to B-3 Highway Business District
PIN: 09-24-100-012 (Part)
Location: 949 Bell Road, Minooka in Seward Township
Purpose: Petitioner Wants to Rezone a Portion of the Property to B-3 Highway Business District
3. **Petition 24 – 03 – Kendall County Regional Planning Commission (Pages 285-316)**
Request: Amendments to the Future Land Use Map Contained in the Kendall County Land Resource Management Plan by Reclassifying the Following Parcels from Transportation Corridor to Mixed Use Business and Related Text Changes
PINs: 05-09-300-015, 05-09-376-002, 05-09-400-006, 05-09-400-010, 05-09-400-011, 05-16-100-006, 05-16-200-008, 05-16-200-013, and 05-16-200-014
Location: On Both Sides of Route 47 Between 7775 A/B Route 47 and 8175 Route 47, Excluding 8115 Route 47, Yorkville in Kendall Township
Purpose: Petitioner Wants to Reclassify the Properties in Order to Allow Them to Be Rezoned to Allow Manufacturing Uses at a Future Time

NEW BUSINESS (Roll Call Vote):

1. Approval of a Refund of an Unused Solar Panel Permit at 90 Longbeach Road in the Amount of \$350.00 (Page 317)
2. Approval of a Refund of an Unused Solar Panel Permit at 1135 Woolley Road in the Amount of \$200.00 (Page 317)

OLD BUSINESS (Discussion):

1. Update on Stormwater Permit at 13039 McKanna Road (PIN: 09-09-100-002) in Seward Township
2. Short-Term Rental Renewal Update (Page 318)

REVIEW VIOLATION REPORT (Discussion) (Pages 319-321):

REVIEW PRE-VIOLATION REPORT (Discussion) (Pages 322-325):

UPDATE FROM HISTORIC PRESERVATION COMMISSION (Discussion):

1. Follow-Up from the February 21, 2024, Kendall County Historic Preservation Commission Annual Meeting

REVIEW PERMIT REPORT (Discussion) (Pages 326-330):

REVIEW REVENUE REPORT (Discussion (Page 331):

CORRESPONDENCE:

COMMENTS FROM THE PRESS:

EXECUTIVE SESSION:

ADJOURNMENT (VV):

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

KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE

Kendall County Office Building

Rooms 209 and 210

111 W. Fox Street, Yorkville, Illinois

6:30 p.m.

Meeting Minutes of February 13, 2024 – Unofficial until Approved

CALL TO ORDER

The meeting was called to order by Chairman Wormley at 6:30 p.m.

ROLL CALL

Committee Members Present: Dan Koukol, Ruben Rodriguez, Brooke Shanley, and Seth, Wormley

Committee Members Absent: Elizabeth Flowers

Also Present: Christina Burns, Wanda A. Rolf, Dan Kramer, Andrew Schwartz, Robert Schwartz, and Carlos Moreno

APPROVAL OF AGENDA

Member Koukol made a motion, seconded by Member Rodriguez, to approve agenda. With a voice vote of four (4) ayes, the motion carried.

APPROVAL OF MINUTES

Member Shanley made a motion, seconded by Member Rodriguez, to approve the minutes of the January 8, 2024, meeting and the February 3, 2024, special meeting. With a voice vote of four (4) ayes, the motion carried.

PUBLIC COMMENT

None

EXPENDITURE REPORT

The Committee reviewed the Expenditure Report from January 2024.

PETITIONS

Petition 23-32 and Petition 23-33 Alan Drake on Behalf of Grainco FS, Inc. (Property Owner) and Andrew and Robert Schwartz on Behalf of A.B. Schwartz, LLC (Contract Purchaser)

Ms. Burns summarized the requests.

A.B. Schwartz, LLC would like an amendment to the Future Land Use Map contained in the Land Resource Management Plan for approximately nineteen point eight more or less (19.8 +/-) acres located on the west side of Route 47 addressed as 8115 Route 47. If the change to the Future Land Use Map is approved, the Petitioner would like to rezone the property to M-1 in order to operate a tile business, offices, warehouses, fuel storage, and other light industrial uses.

The United City of Yorkville and Kendall Township expressed no objections to the requests.

Chairman Wormley explained the history of the site and Grainco's plans to continue to lease space at the property. He explained the need for the rezoning. He also noted a pending proposal that would reclassify several of the neighboring properties to Mixed Use Business.

Member Koukol asked if Kendall Township had any comments. Dan Kramer, Attorney for the Petitioner, stated that the Township asked why the map amendment was necessary instead of a special use permit. Mr. Kramer stated the proposed uses were not allowed in the A-1 District and, therefore, the map amendment was necessary.

Mr. Kramer stated that the proposal has been reviewed by the County's advisory committees, Yorkville's committees, and Kendall Township's committees and all recommendations have been positive.

Mr. Kramer was in favor of reclassifying the neighboring properties to Mixed Use Business.

Member Koukol made a motion, seconded by Member Shanley, to recommend approval of both requests.

The votes were as follows:

Yeas (4): Koukol, Rodriguez, Shanley, and Wormley
Nays (0): None
Abstain (0): None
Absent (1) Flowers

The motion carried.

The proposal goes to the February 20, 2024, County Board meeting on the consent agenda.

NEW BUSINESS

Approval of Publishing the Annual Noxious Weed Notice in the Kendall County Record at a Cost Not to Exceed \$125.00; Related Invoice(s) to Be Paid from the PBZ Legal Publications Line Item 11001902-62090

Member Shanley made a motion, seconded by Member Rodriguez, to recommend approval of publishing the notice.

Member Koukol asked if there was another way to make public the Annual Noxious Weed Notice other than publishing it in the newspaper. Chairman Wormley stated that according to the State of Illinois the Annual Noxious Weed Notice must be published in a newspaper; online publication does not meet the requirement of State law.

The votes were as follows:

Yeas (4): Koukol, Rodriguez, Shanley, and Wormley
Nays (0): None
Abstain (0): None
Absent (1) Flowers

The motion carried.

Approval of a Resolution Approving an Intergovernmental Agreement for Reciprocal Building Inspection Services between Kendall County, Illinois and the United City of Yorkville, Illinois

Chairman Wormley summarized the request.

The Intergovernmental Agreement between Kendall County and the United City of Yorkville for reciprocal building inspection services expires March 1, 2024.

A renewal proposal was provided. Other than dates and the address of Yorkville City Hall, no other changes are proposed.

In 2023, Yorkville conducted thirty-eight (38) inspections for the County and the County conducted zero (0) inspections for Yorkville.

The United City of Yorkville will also be reviewing the proposal during their meetings in February.

Member Koukol made a motion, seconded by Member Shanley, to recommend approval of the intergovernmental agreement.

The votes were as follows:

Yeas (4): Koukol, Rodriguez, Shanley, and Wormley

Nays (0): None

Abstain (0): None

Absent (1) Flowers

The motion carried.

Approval of Proposal from WBK Engineering for Work Related to the Submittal of the Annual Report for the 2023 NPDES – MS 4 Requirements in an Amount of \$2,650 Plus Reimbursable Costs (Costs + 10 %)

Ms. Burns summarized the issue. This is an annual requirement for Kendall County to continue to be in compliance for its stormwater permitting. Through the National Pollution Discharge Elimination System (NPDES). WBK Engineering has prepared this document previously because they already possess most of the information needed to complete the report due to the inspections that they perform on the County's behalf at work sites.

Kendall County is required to submit an Annual Report to the State as part of the County's National Pollution Discharge Elimination Systems (NPDES) Permit by June 1st of each year.

Historically, WBK Engineering has prepared this document because they already possess most of the information needed to complete the report due to the inspections that they perform on the County's behalf at work sites.

The cost to prepare the 2023-2024 Report is Two Thousand, Six Hundred Fifty Dollars (\$2,650). The cost to prepare the 2022-2023 Report was Two Thousand Five Hundred Dollars (\$2,500).

Member Shanley made a motion, seconded by Member Rodriguez, to recommend approval of the contract.

The votes were as follows:

Yeas (4): Koukol, Rodriguez, Shanley, and Wormley

Nays (0): None

Abstain (0): None

Absent (1) Flowers

The motion carried.

Follow-Up on Kendall County Regional Planning Commission Annual Meeting

Member Rodriguez summarized the Annual Meeting and stated the meeting was very successful. It was important to know the activities of the municipalities. Member Koukol felt that Yorkville had an excellent presentation and he personally went to the Village of Oswego with an invention.

Follow-Up on January 31, 2024, Stormwater Training Event

Ms. Burns explained the purpose of the event and the intended invitees. The presentations were provided. Eleven (11) people attended the training.

2023 County-Wide Building Permit Memo

The Committee reviewed the memo and stated building permits were down slightly from the previous year.

OLD BUSINESS

Update on Stormwater Permit at 13039 McKanna Road (Pin: 09-09-100-002) in Seward Township

The Committee reviewed the status of the Stormwater Permit at 13039 McKanna Road. Carlos Moreno, son and nephew of the property owner, spoke about updating the plat and topography survey, which has been completed. The revised documents will be forwarded to WBK Engineering. The Petitioner has paid Three Thousand, Five Hundred Dollars (\$3,500) into the escrow account.

Short-Term Rental Renewal Update

None

REVIEW VIOLATION REPORT

The Committee reviewed the report.

REVIEW PRE-VIOLATION REPORT

The Committee reviewed the report.

UPDATE FOR HISTORIC PRESERVATION COMMISSION

Kendall County Historic Preservation Commission Annual Meeting-February 21, 2024, at 6:00 p.m., at Aux Sable Grove Presbyterian Church, at 5021 Wheeler Road, Yorkville

The Committee reviewed the draft agenda for the meeting.

Ms. Burns stated that the Historic Preservation Commission is currently accepting applications for the historic preservation awards.

REVIEW PERMIT REPORT

The Committee reviewed the report.

REVIEW REVENUE REPORT

The Committee reviewed the report.

CORRESPONDENCE

None

COMMENTS FROM THE PRESS

None

EXECUTIVE SESSION

None

ADJOURNMENT

Member Shanley made a motion, seconded by Member Rodriguez, to adjourn. With a voice vote of four (4) ayes, the motion carried.

Chairman Wormley adjourned the meeting at 6:54 p.m.

Minutes prepared by Wanda A. Rolf, Administrative Assistant

Kendall County



PBZ 02092024

CLERK: pherber BATCH: 4241

NEW INVOICES

VENDOR REMIT NAME INVOICE PO CHECK RUN NET AMOUNT EXCEEDS PO BY PO BALANCE CHK/WIRE

PENDING UNPAID INVOICES

995 00000 INTERNATIONAL CO ORDER#101707490 021524 106.64 .00 *changed to 62000* 106.64 1099:

CASH 000008 2024/03 INV 02/07/2024 SEP-CHK: Y DISC: .00 11001902 62060 1099:
ACCT 1Y210 DEPT 19 DUE 02/07/2024 DESC: CUSTOMER# 5156219

CONDITIONS THAT PREVENT POSTING INVOICE 995/49806

* Invoice must be approved or voided to post.

1153 00000 KENDALL CO HIGHW JANUARY 2024 021524 212.34 .00 .00

CASH 000008 2024/03 INV 02/07/2024 SEP-CHK: Y DISC: .00 11001902 62170 1099:
ACCT 1Y210 DEPT 19 DUE 02/07/2024 DESC: PBZ TRUCK FUEL

CONDITIONS THAT PREVENT POSTING INVOICE 1153/49805

* Invoice must be approved or voided to post.

3883 00000 MAYER PLUMBING L JANUARY 2024 021524 1,680.00 .00 .00

CASH 000008 2024/03 INV 02/07/2024 SEP-CHK: Y DISC: .00 11001902 63610 1099:
ACCT 1Y210 DEPT 19 DUE 02/07/2024 DESC: PLUMBING INSPECTIONS

CONDITIONS THAT PREVENT POSTING INVOICE 3883/49812

* Invoice must be approved or voided to post.

3 PENDING UNPAID INVOICES TOTAL 1,998.98

0 INVOICE(S) REPORT POST TOTAL .00 REPORT TOTALS .00

Kendall County



PBZ 02262024

CLERK: pherber BATCH: 4287

NEW INVOICES

VENDOR REMIT NAME INVOICE PO CHECK RUN NET AMOUNT EXCEEDS PO BY PO BALANCE CHK/WTRE

PENDING UNPAID INVOICES

135 00000 BUILDING & ZONIN zoning 022924 49.50 .00 .00

CASH 000008 2024/03 INV 02/26/2024 SEP-CHK: Y DISC: .00 11001902 63830 49.50 1099:
ACCT 1Y210 DEPT 19 DUE 02/26/2024 DESC:ZONING HPC MEETING

CONDITIONS THAT PREVENT POSTING INVOICE 135/50269

* Invoice must be approved or voided to post.

1508 00000 PARADISE CAR WAS 224855 022924 17.00 .00 .00

CASH 000008 2024/03 INV 02/26/2024 SEP-CHK: Y DISC: .00 11001902 62170 17.00 1099:
ACCT 1Y210 DEPT 19 DUE 02/26/2024 DESC:PBZ TRUCK WASH

CONDITIONS THAT PREVENT POSTING INVOICE 1508/50272

* Invoice must be approved or voided to post.

2 PENDING UNPAID INVOICES TOTAL 66.50

0 INVOICE(S) REPORT POST TOTAL .00

REPORT TOTALS .00

Kendall County



ZONING & ECON DEV 02262024

CLERK: wro1f BATCH: 4267

NEW INVOICES

VENDOR REMIT NAME	INVOICE	PO	CHECK RUN	NET AMOUNT	EXCEEDS	PO BY	PO BALANCE	CHK/WIRE
APPROVED UNPAID INVOICES TO BE POSTED								
541 00000	FIRST NATIONAL B 02272024			022924		218.72	.00	.00
CASH 000008	2024/03 INV 02/15/2024		SEP-CHK: Y	DISC: .00		11001902 63800		218.72 1099:
ACCT 1Y210	DEPT 19 DUE 02/15/2024		DESC:Panera for Annual Mtg 2/3/24					
1165 00000	KENDALL COUNTY R 2024-01			022924		57.00	.00	.00
CASH 000008	2024/03 INV 02/15/2024		SEP-CHK: Y	DISC: .00		11001902 63700		57.00 1099:
ACCT 1Y210	DEPT 19 DUE 02/15/2024		DESC:Recorder of Deeds Office 2024-01					
2 APPROVED UNPAID INVOICES			TOTAL	275.72				

2 INVOICE(S)

REPORT POST TOTAL

275.72

Zoning-Econ 02082024

CLERK: Wro1f BATCH: 4228

NEW INVOICES

VENDOR RESULT NAME INVOICE PO CHECK RUN NET AMOUNT EXCEEDS PO BY PO BALANCE CHG/WIRE

PENDING UNPAID INVOICES

1665	00000 SHAW MEDIA	012410101009	021524	87.42	.00	.00	87.42	1099:
CASH 000008	2024/03	INV 02/01/2024	SEP-CHK: Y	DISC: .00				
ACCT 1Y210	DEPT 19	DUE 02/01/2024	DESC:Annual Meeting KCRPC	2134501 Legal	11001902 63800			
CONDITIONS THAT PREVENT POSTING INVOICE 1665/49649								
* Invoice must be approved or voided to post.								
1928	00000 WBK ENGINEERING, 25236		021524	100.00	.00	.00	100.00	1099:
CASH 000008	2024/03	INV 02/01/2024	SEP-CHK: Y	DISC: .00	180119 63150			
ACCT 1Y210	DEPT 19	DUE 02/01/2024	DESC:Yogi Bear Stormwater Permit	22-20	-CONTSVC	-002 WBK		
CONDITIONS THAT PREVENT POSTING INVOICE 1928/49859								
* Invoice must be approved or voided to post.								
1928	00000 WBK ENGINEERING, 25235		021524	490.00	.00	.00	490.00	1099:
CASH 000008	2024/03	INV 02/01/2024	SEP-CHK: Y	DISC: .00	180119 63150			
ACCT 1Y210	DEPT 19	DUE 02/01/2024	DESC:Ardeen LLC	23-35	-CONTSVC	-002 WBK		
CONDITIONS THAT PREVENT POSTING INVOICE 1928/49860								
* Invoice must be approved or voided to post.								
1928	00000 WBK ENGINEERING, 25236		021524	2,175.81	.00	.00	2,175.81	1099:
CASH 000008	2024/03	INV 02/01/2024	SEP-CHK: Y	DISC: .00	180119 63150			
ACCT 1Y210	DEPT 19	DUE 02/01/2024	DESC:Go Pro	20-16	-CONTSVC	-002 WBK		
CONDITIONS THAT PREVENT POSTING INVOICE 1928/49862								
* Invoice must be approved or voided to post.								
1928	00000 WBK ENGINEERING, 25220		021524	400.00	.00	.00	400.00	1099:
CASH 000008	2024/03	INV 02/01/2024	SEP-CHK: Y	DISC: .00	11001902 63630			
ACCT 1Y210	DEPT 19	DUE 02/01/2024	DESC:KC Rev Serv	1/1/24-1/27/24				
CONDITIONS THAT PREVENT POSTING INVOICE 1928/49863								
* Invoice must be approved or voided to post.								

Report generated: 02/08/2024 14:56
User: Wro1f
Program ID: 491999999

Zoning-Econ 02082024

CLERK: WROJF BATCH: 4228

NEW INVOICES

VENDOR NAME		INVOICE		PO	CHECK RUN	NET AMOUNT	EXCEEDS PO BY	PO BALANCE CHG/MILE
4661	00000	LYDIA RAMIREZ	PET22-16		021524	1,782.92	.00	.00
CASH	000008	2024/03	INV 02/01/2024	SEP-CHK: Y	DISC: .00		180119 63150	1,782.92 1099:
ACT	1Y210	DEPT 19	DUE 02/01/2024	DESC: Refund 22-16-003			22-16 -REFUND	-003 -
CONDITIONS THAT PREVENT POSTING INVOICE 4661/49865								
* Invoice must be approved or voided to post.								
5 PENDING UNPOSTED INVOICES						TOTAL	5,036.15	

0 INVOICE(S)	REPORT POST TOTAL	.00	REPORT TOTALS	.00
--------------	-------------------	-----	---------------	-----

Zoning-Econ 01312024

CLERK: WOLF BATCH: 4226

NEW INVOICES

VENDOR REF#	NAME	INVOICE	PO	CHECK RUN	NET AMOUNT	EXCEEDS PO BY	PO BALANCE CHG./MRE
-------------	------	---------	----	-----------	------------	---------------	---------------------

PENDING UNPAID INVOICES

56	00000 AMERICAN PLANNIN	1830			021524	100.00	.00	.00	
	CASH 000008	2024/02	JUN 01/31/2024	SER-CHK: Y	DISC: .00				
	ACCT 1Y210	DEPT 19	DUE 01/31/2024	DESC: Job Post (member rate)		131505 65610		100.00	1099:
CONDITIONS THAT PREVENT POSTING INVOICE 56/49641									
* Invoice must be approved or voided to post.									
1	PENDING UNPAID INVOICE5				TOTAL	100.00			

-EDC

0	INVOICE(S)				REPORT POST TOTAL	.00			
REPORT TOTALS						.00			

YEAR-TO-DATE BUDGET REPORT

FOR 2023 13

ACCOUNTS	FOR:	ORIGINAL	TRANFRS/	REVISED			AVAILABLE	PCT
1100	General Fund	APPROP	ADJSTMTS	BUDGET	YTD ACTUAL	ENCUMBRANCES	BUDGET	USE/COL
11001902 Planning, Building and Zoning								
11001902 41180	Building Fee / P	-80,000	0	-80,000	-105,787.75	.00	25,787.75	132.2%
11001902 41190	PBZ - Recording	-1,200	0	-1,200	-1,229.00	.00	29.00	102.4%
11001902 41200	Zoning Fee	-10,000	0	-10,000	-8,136.00	.00	-1,864.00	81.4%*
11001902 41450	2012 NRA Source	-10	0	-10	.00	.00	-10.00	.0%*
11001902 51030	Salaries - Cleri	31,590	10,842	42,432	30,951.95	.00	11,480.00	72.9%
11001902 51070	Salaries - Manag	76,301	21,482	97,783	89,081.90	.00	8,701.10	91.1%
11001902 51080	Salaries - Compl	74,197	11,252	85,449	74,556.73	.00	10,892.27	87.3%
11001902 51090	Salaries - ZBA P	3,300	0	3,300	3,024.27	.00	275.73	91.6%
11001902 62000	Office Supplies	2,000	0	2,000	3,396.50	.00	-1,396.50	169.8%*
11001902 62010	Postage	1,500	0	1,500	2,136.30	.00	-636.30	142.4%*
11001902 62030	Dues	775	0	775	813.00	.00	-38.00	104.9%*
11001902 62040	Conferences	1,200	0	1,200	530.00	.00	670.00	44.2%
11001902 62050	Mileage	50	0	50	.00	.00	50.00	.0%
11001902 62060	Training	1,200	0	1,200	713.80	.00	486.20	59.5%
11001902 62070	Cellular Phones	2,200	0	2,200	1,502.82	.00	697.18	68.3%
11001902 62090	Legal Publicatio	1,300	0	1,300	1,744.04	.00	-444.04	134.2%*
11001902 62160	Equipment	600	0	600	395.44	.00	204.56	65.9%
11001902 62170	Vehicle Maintena	2,945	0	2,945	5,413.84	.00	-2,468.84	183.8%*
11001902 63610	Plumbing Inspect	14,000	0	14,000	13,720.00	.00	280.00	98.0%
11001902 63630	Consultants	13,500	0	13,500	14,524.88	.00	-1,024.88	107.6%*
11001902 63670	NPDES Permit Fee	1,100	0	1,100	1,000.00	.00	100.00	90.9%
11001902 63700	Recording Fees	1,200	0	1,200	1,602.00	.00	-402.00	133.5%*
11001902 63800	Regional Plan Co	500	0	500	88.66	.00	411.34	17.7%
11001902 63810	Zoning Board of	500	0	500	.00	.00	500.00	.0%
11001902 63830	Historical Prese	500	0	500	396.96	.00	103.04	79.4%
11001902 63840	Ad Hoc Zoning	500	0	500	.00	.00	500.00	.0%
11001902 63850	Refunds	50	0	50	.00	.00	50.00	.0%
TOTAL Planning, Building and Zoning		139,798	43,576	183,374	130,440.34	.00	52,933.61	71.1%
TOTAL General Fund		139,798	43,576	183,374	130,440.34	.00	52,933.61	71.1%
TOTAL REVENUES		-91,210	0	-91,210	-115,152.75	.00	23,942.75	
TOTAL EXPENSES		231,008	43,576	274,584	245,593.09	.00	28,990.86	

YEAR-TO-DATE BUDGET REPORT

FOR 2023 13

ACCOUNTS FOR:	ORIGINAL	TRANFRS/	REVISED			AVAILABLE	PCT
1315 Economic Development Com. Fund	APPROP	ADJSTMTS	BUDGET	YTD ACTUAL	ENCUMBRANCES	BUDGET	USE/COL
131505 Economic Development Com. Fund							
131505 40010 Transf. from Rstd.	-1,200	-53,000	-54,200	-54,200.00	.00	.00	100.0%
131505 51350 Salaries - Admini	0	37,499	37,499	11,907.69	.00	25,590.81	31.8%
131505 62000 Office Supplies	200	1,200	1,400	1,243.23	.00	156.77	88.8%
131505 62010 Postage	200	0	200	.00	.00	200.00	.0%
131505 62030 Dues	14,000	0	14,000	11,872.00	.00	2,128.00	84.8%
131505 62040 Conferences	500	0	500	50.00	.00	450.00	10.0%
131505 62050 Mileage	350	0	350	150.63	.00	199.37	43.0%
131505 62070 Cellular Phones	0	174	174	114.57	.00	59.43	65.8%
131505 62080 Travel	250	0	250	.00	.00	250.00	.0%
131505 62190 Printing	0	0	0	31.00	.00	-31.00	100.0%*
131505 65610 Advertisements	550	0	550	50.00	.00	500.00	9.1%
131505 66500 Miscellaneous Expe	500	0	500	.00	.00	500.00	.0%
131505 68130 Training	0	0	0	1,670.00	.00	-1,670.00	100.0%*
TOTAL Economic Development Com. Fund	15,350	-14,128	1,223	-27,110.88	.00	28,333.38-2217.7%	
TOTAL Economic Development Com. Fund	15,350	-14,128	1,223	-27,110.88	.00	28,333.38-2217.7%	
TOTAL REVENUES	-1,200	-53,000	-54,200	-54,200.00	.00	.00	
TOTAL EXPENSES	16,550	38,873	55,423	27,089.12	.00	28,333.38	



Kendall County Agenda Briefing

Meeting Type: Planning, Building and Zoning
Meeting Date: 3/11/2024
Subject: Approval of Petition 24-01, Major Amendment to a Special Use Permit for a Veterinary and Kennel at 949 Bell Road
Prepared by: Matthew H. Asselmeier, AICP, CFM
Department: Planning, Building and Zoning

Action Requested:

Approval of Petition 24-01, A Request from Deb Chow on Behalf of Jade Restorations, Inc for Major Amendments to the Special Use Permit for a Kennel and Veterinary Granted by Ordinance 2020-01 and Amended by Ordinance 2023-05 by Changing the Site Plan, Landscaping Plan, and Photometric Plan at 949 Bell Road, Minooka (PIN: 09-24-100-012 (Part)) in Seward Township; Property is Zoned A-1 with a Special Use Permit

Previous Board/Committee Review:

ZPAC-Approval (9-0-1) on February 6, 2024

Kendall County Regional Planning Commission-Approval with Conditions (9-0-1) on February 28, 2024

Kendall County Zoning Board of Appeals-Approval with Conditions (6-0-1) on March 4, 2024

Fiscal impact:

N/A

Background and Discussion:

The Petitioner would like to rezone the eastern and northern approximately thirteen point six (13.6) acres to B-3 (See Petition 24-02). By so doing, the Petitioner is required to amend the special use permit for the existing kennel and veterinary by adjusting the site plan, landscaping plan, and photometric plan to reflect the map amendment.

In addition, the site plan attached to Ordinance 2020-01 showed a driveway extending from the northern end of the northeastern parking lot to the northern end of the special use permit area of the property. This driveway was not included in the site plan attached to Ordinance 2023-05. The Petitioner would like to add this twenty-four foot (24') wide driveway back into the site plan.

Staff Recommendation:

Approval with Conditions

Attachments:

Memo Dated March 6, 2024



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 24-01**Deb Chow on Behalf of Jade Restorations, Inc.
Major Amendment to A-1 Special Use – For Kennel and
Veterinary Establishment Related to the Site Plan,
Landscaping Plan, and Photometric Plan****INTRODUCTION**

On February 18, 2020, the County Board approved Ordinance 2020-01, granting a special use permit for a kennel and veterinary at the northeast corner of Ridge Road and Bell Road, now addressed as 949 Bell Road, Minooka. On February 21, 2023, the County Board approved Ordinance 2023-05, amending the site plan, landscaping plan, and photometric plan for the special use at the subject property.

The site plan attached to Ordinance 2020-01 showed a driveway extending from the northern end of the northeastern parking lot to the northern end of the special use permit area of the property. This driveway was not included in the site plan attached to Ordinance 2023-05. The Petitioner would like to add this twenty-four foot (24') wide driveway back into the site plan.

In addition to the driveway, the Petitioner would like to rezone the eastern approximately two point one more or less (2.1 +/-) acres of the special use permit area of the property to B-3 Highway Business District and rezone the northern approximately thirteen acres (13), which was not included in the special use permit area, to B-3 (see Petition 24-02). This map amendment would reduce the special use permit area from approximately eight point five (8.5) acres to approximately six point three (6.3) acres and will cause the site plan, landscaping plan, and photometric plan for the special use permit area to change to reflect the removal of the eastern portion of the special use area to the new zoning classification.

The application materials are included as Attachment 1. The aerial showing the proposed changes is included as Attachment 2. The topographic survey is included as Attachment 3. The plat showing the proposed rezoning area is included as Attachment 4. The proposed site plan is included as Attachment 5. Ordinance 2020-01 is included as Attachment 6. Ordinance 2023-05 is included as Attachment 7.

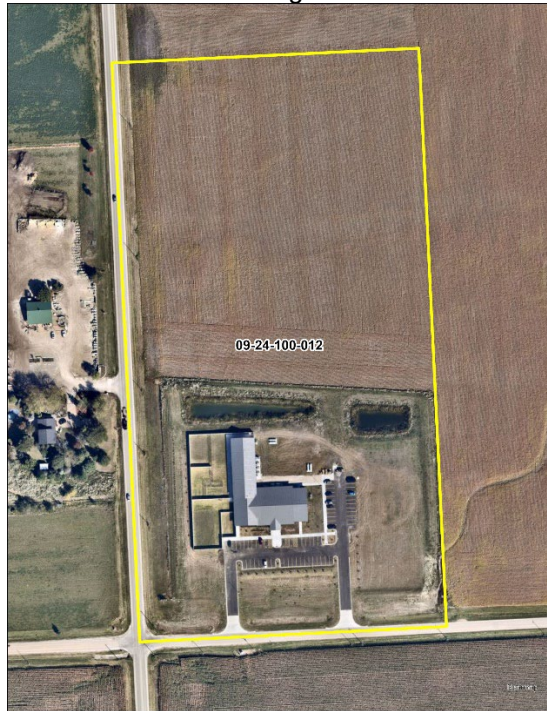
No changes are proposed to any of the business related conditions imposed by the previously approved ordinances. No changes are proposed to the landscaping or photometrics for the property that will retain the special use permit. Other than the addition of the proposed driveway addition, no other changes are proposed to site layout for the area that will retain the special use permit.

SITE INFORMATION

PETITIONER Deb Chow on Behalf of Jade Restorations, Inc.

ADDRESS 949 Bell Road, Minooka

LOCATION Northeast Corner of Ridge Road and Bell Road



TOWNSHIP Seward

PARCEL # 09-24-100-012

LOT SIZE 20.02 Acres (Gross); 8.49 Acres (Original Special Use Area); 6.37 Acres (Proposed Special Use Area)

EXISTING LAND USE Agricultural/Veterinary/Kennel

ZONING A-1 Agricultural District with a Special Use Permit

LRMP	Current Land Use	Agricultural/Veterinary/Kennel
	Future Land Use	Commercial (County) Community Commercial (Shorewood)
	Roads	Ridge Road is a County Road classified as an Arterial Road. Bell Road is a Township Road classified as a Minor Collector.
	Trails	Minooka has a trail planned along Ridge Road. Shorewood has a trail planned along Bell Road.
	Floodplain/ Wetlands	None

REQUESTED ACTION Major Amendment to an A-1 Special Use to Operate a Kennel and a Veterinary Establishment

APPLICABLE REGULATIONS Section 7:01.D.31 – A-1 Special Uses – Permits Kennels to be Located in the A-1 District if the Kennel is Located Inside and Must Be Located a Minimum of Two Hundred Fifty Feet (250') from the Lot Line of Lots Zoned Residential or Shown as Residential on the Land Resource Management Plan (LRMP) Map and One Hundred Fifty Feet (150') from Lots Zoned Other Than Residential or Shown on the LRMP Map as non-residential. The animals must be indoors by sunset except,

except for the purposes of owners picking-up and dropping-off pets and regular bathroom breaks until 10:00 p.m.

Section 7:01.D.54 – A-1 Special Uses – Permits Veterinary Establishments But Not the Boarding of Animals Overnight Except for Medical Treatment and Observations.

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	Commercial (County) Single-Unit Attached Residential (Shorewood)	A-1 and A-1 SU
South	Agricultural	A-1	Commercial (County) Single-Unit Residential Detached (Shorewood)	A-1 and A-1 SU
East	Agricultural	A-1	Commercial (County) Single-Unit Residential Detached (Shorewood)	A-1, A-1 SU, and R-1
West	Agricultural/Farmstead/Landscaping Business	A-1 and A-1 SU	Commercial (County) Multi-Family Residential (Shorewood)	A-1 and A-1 SU

There are approximately twelve (12) homes located within one half (1/2) mile of the subject property.

The special uses to the north and south are landing strips. The special use to the east is for natural gas compression. The special use to the west is for a landscaping business.

PHYSICAL DATA

ENDANGERED SPECIES REPORT

EcoCat submitted on December 13, 2022, and consultation was terminated (see Attachment 1, Pages 50-52).

NATURAL RESOURCES INVENTORY

A NRI application was submitted as part of the map amendment request. A NRI was prepared for the original special use permit. The LESA Score was 207 indicating a medium level of protection. NRI information is included as Attachment 1, Pages 18-49. A revised NRI was prepared for the proposed map amendment request showing a LESA Score of 180 indicating a low level of protection. This report is included as Attachment 8.

ACTION SUMMARY

SEWARD TOWNSHIP

Seward Township was emailed information on January 26, 2024. The Seward Township Planning PBZ Memo – Prepared by Matt Asselmeier – March 6, 2024

Page 3 of 6

Commission met on February 5, 2024, and recommended approval of the proposal by a vote of three (3) in favor and zero (0) in opposition, with two (2) members absent. The Seward Township Board recommended approval of the proposal.

MINOOKA FIRE PROTECTION DISTRICT

The Minooka Fire Protection District was emailed information on January 26, 2024.

VILLAGE OF SHOREWOOD

The Village of Shorewood was emailed information on January 26, 2024. The Village of Shorewood submitted an email indicating they would like to annex the property when it becomes contiguous and wanted a restriction preventing uses not allowed in their B-3 Zoning District from occurring at the property. This email is attached to the ZPAC meeting minutes. The Village of Shorewood submitted a second email on February 28, 2024, stating they would not object to the map amendment and no annexation agreement had been negotiated, but they were concerned about auto and truck repair businesses operating on the B-3 zoned portion of the property. This email is included as Attachment 10.

ZPAC

ZPAC reviewed this proposal at their meeting on February 6, 2024. The Petitioner's Engineer was agreeable to working the Highway Department regarding access from Ridge Road for the northern portion of the property. No additional points of access would come from Bell Road. The Petitioner's Engineer wanted to evaluate Shorewood's request for an annexation agreement. A letter was placed into the record from WBK Engineering noting no objections to the proposed driveway extension in the special use permit amendment application. ZPAC recommended approval of the proposal by a vote of nine (9) in favor and zero (0) in opposition, with one (1) member absent. The minutes of this meeting were included as Attachment 9.

RPC

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on February 28, 2024. The Petitioner's Engineer explained the history of the property. He noted that the County granted access from Ridge Road approximately one quarter (1/4) of a mile north of Bell Road. He discussed the potential of annexation with Shorewood; he noted that Shorewood had no services available to the subject property. No end user had been identified for the portion of the property proposed for rezoning. The rezoning was intended to tie into the widening of Ridge Road. He also explained the description of the wet bottom detention ponds and the ponds may need to be evaluated in the future depending on future uses on the portion proposed for rezoning. The Kendall County Regional Planning Commission recommended approval of the proposal by a vote of nine (9) in favor and zero (0) in opposition, with one (1) member absent. The minutes of this meeting were included as Attachment 11.

ZBA

The Kendall County Zoning Board of Appeals conducted a public hearing on the proposal on March 4, 2024. Other than the Petitioner's Engineer, no other members of the public testified at the public hearing. The Petitioner's Engineer stated there would not be any new road cuts off of Bell Road for the rezoned portion of the property. The Kendall County Zoning Board of Appeals recommended approval of the proposal by a vote of six (6) in favor and zero (0) in opposition, with one (1) member absent. The minutes of the hearing were included as Attachment 12.

FINDINGS OF FACT-SPECIAL USE PERMIT AMENDMENT

The Findings of Fact were as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The kennel and veterinary establishment are already in existence. The proposed driveway extension was originally planned in 2020 when the project was originally proposed. The special use portion of the site will retain the previously approved landscaping and photometric plans.

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. **None of the lighting or landscaping installed at the site will be removed as part of this proposal. No evidence has been provided showing the that use of the property as a kennel and veterinary establishment has negatively impacted property values or was injurious neighboring land uses.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **This is true. Adequate ingress and egress has been provided off of Bell Road and the new driveway will help with traffic circulation when the northern portion of the property is commercially developed. The development of the site was in compliance with a County issued stormwater permit which included the proposed driveway extension.***

*That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. **This is true. The Petitioners are not proposing any changes related to the operation of the business allowed by the previously approved special use permit. Other than the driveway addition and rezoning of the land to the east, no other changes are proposed to physical layout of the site.***

*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, commerce and industry that provides a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents.” The Land Resource Management Plan calls for the subject property to be commercial.***

RECOMMENDATION

Staff recommends approval of the requested amendments to the existing special use permit for a kennel and veterinary establishment subject to the following conditions and restrictions:

1. Condition 2.A of Ordinance 2020-01 and Condition 2.A of Ordinance 2023-05 are hereby repealed in their entirety and are replaced with the following:

“The site shall be developed substantially in accordance with the attached site plan (Attachment 5). The landscaping plan and photometric plan attached to Ordinance 2023-05 shall remain valid except on those portions of the property not zoned A-1.”
2. The remaining conditions and restrictions contained in Ordinance 2020-01 and Ordinance 2023-05 shall remain valid and effective.
3. 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.
4. If one or more of the above conditions or restrictions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
5. These major amendments to an existing special use permit shall be treated as covenants running with the land and are binding on the successors, heirs, and assigns as to the same special uses conducted on the property.

The draft ordinance was included as Attachment 13.

ATTACHMENTS

1. Application Materials

2. Aerial Showing Changes
3. Topographic Survey
4. Zoning Plat
5. Site Plan
6. Ordinance 2020-01
7. Ordinance 2023-05
8. 2024 NRI Report
9. February 6, 2024, ZPAC Minutes (This Petition Only)
10. February 28, 2024, Email from the Village of Shorewood
11. February 28, 2024, Kendall County Regional Planning Commission Minutes (This Petition Only)
12. March 4, 2024, Kendall County Zoning Board of Appeals Minutes (This Petition Only)
13. Draft Ordinance



DEPARTMENT OF PLANNING, BUILDING & ZONING

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

APPLICATION

PROJECT NAME RUSTY RIDGE ANIMAL CENTER FILE #: _____

NAME OF APPLICANT JADE RESTORATIONS, INC.		
CURRENT LANDOWNER/NAME(S) JADE RESTORATIONS, INC.		
SITE INFORMATION		
ACRES 6.38	SITE ADDRESS OR LOCATION 949 BELL ROAD	ASSESSOR'S ID NUMBER (PIN) 09-24-100-012-0000
EXISTING LAND USE COMMERCIAL	CURRENT ZONING A1-SU	LAND CLASSIFICATION ON LRMP COMMERCIAL
REQUESTED ACTION (Check All That Apply):		
<input type="checkbox"/> SPECIAL USE <input type="checkbox"/> MAP AMENDMENT (Rezone to _____) <input type="checkbox"/> VARIANCE <input type="checkbox"/> ADMINISTRATIVE VARIANCE <input type="checkbox"/> A-1 CONDITIONAL USE for: _____ <input type="checkbox"/> SITE PLAN REVIEW <input type="checkbox"/> TEXT AMENDMENT <input type="checkbox"/> RPD (<input type="checkbox"/> Concept; <input type="checkbox"/> Preliminary; <input type="checkbox"/> Final) <input type="checkbox"/> ADMINISTRATIVE APPEAL <input type="checkbox"/> PRELIMINARY PLAT <input type="checkbox"/> FINAL PLAT <input type="checkbox"/> OTHER PLAT (Vacation, Dedication, etc.) <input checked="" type="checkbox"/> AMENDMENT TO A SPECIAL USE (<input checked="" type="checkbox"/> Major; <input type="checkbox"/> Minor)		
¹PRIMARY CONTACT MS. DEB CHOW	PRIMARY CONTACT MAILING ADDRESS [REDACTED]	PRIMARY CONTACT EMAIL [REDACTED]
PRIMARY CONTACT PHONE # [REDACTED]	PRIMARY CONTACT FAX # [REDACTED]	PRIMARY CONTACT OTHER #(Cell, etc.) [REDACTED]
²ENGINEER CONTACT MICHAEL COOK	ENGINEER MAILING ADDRESS [REDACTED]	ENGINEER EMAIL [REDACTED]
ENGINEER PHONE # [REDACTED]	ENGINEER FAX # [REDACTED]	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. THE APPLICANT ATTESTS THAT THEY ARE FREE OF DEBT OR CURRENT ON ALL DEBTS OWED TO KENDALL COUNTY AS OF THE APPLICATION DATE.		
SIGNATURE OF APPLICANT	DocuSigned by: [REDACTED] Deb Chow	DATE 1/22/2024

FEE PAID:\$ _____
CHECK #: _____

¹Primary Contact will receive all correspondence from County

²Engineering Contact will receive all correspondence from the County's Engineering Consultants

**LEGAL DESCRIPTION
JADE RESTORATIONS, INC.
NEC RIDGE RD. & BELL RD.
KENDALL COUNTY, ILLINOIS**

OVERALL

THE SOUTH 1281.17 FEET OF THE WEST 680.00 FEET OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF SEWARD, ALL IN KENDALL COUNTY, ILLINOIS.

PARCEL 1 (RUSTY RIDGE ANIMAL CENTER)

THAT PART OF THE SOUTH 1281.17 FEET OF THE WEST 680.00 FEET OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF SEWARD, DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER, THENCE NORTH 01 DEGREES 45 MINUTES 20 SECONDS WEST, ON THE WEST LINE OF SAID NORTHWEST QUARTER, 579.95 FEET TO THE SOUTH LINE OF THE 80 FOOT WIDE NATURAL GAS PIPELINE EASEMENT AS DESCRIBED IN BOOK 103 PAGE 333 IN KENDALL COUNTY RECORDS; THENCE SOUTH 85 DEGREES 47 MINUTES 08 SECONDS EAST, ON SAID SOUTH LINE, 504.74 FEET TO THE EAST LINE OF THE WEST 502.00 FEET OF SAID NORTHWEST QUARTER; THENCE SOUTH 01 DEGREES 45 MINUTES 20 SECONDS EAST, ON SAID EAST LINE, 526.83 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER; THENCE SOUTH 88 DEGREES 10 MINUTES 23 SECONDS WEST, ON SAID SOUTH LINE, 502.00 FEET TO THE POINT OF BEGINNING, ALL IN KENDALL COUNTY, ILLINOIS.

PARCEL 2 (RE-ZONING A1 & A1-SU TO B3)

THE SOUTH 1281.17 FEET OF THE WEST 680.00 FEET OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF SEWARD, EXCEPT THAT PART DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER, THENCE NORTH 01 DEGREES 45 MINUTES 20 SECONDS WEST, ON THE WEST LINE OF SAID NORTHWEST QUARTER, 579.95 FEET TO THE SOUTH LINE OF THE 80 FOOT WIDE NATURAL GAS PIPELINE EASEMENT AS DESCRIBED IN BOOK 103 PAGE 333 IN KENDALL COUNTY RECORDS; THENCE SOUTH 85 DEGREES 47 MINUTES 08 SECONDS EAST, ON SAID SOUTH LINE, 504.74 FEET TO THE EAST LINE OF THE WEST 502.00 FEET OF SAID NORTHWEST QUARTER; THENCE SOUTH 01 DEGREES 45 MINUTES 20 SECONDS EAST, ON SAID EAST LINE, 526.83 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER; THENCE SOUTH 88 DEGREES 10 MINUTES 23 SECONDS WEST, ON SAID SOUTH LINE, 502.00 FEET TO THE POINT OF BEGINNING, ALL IN KENDALL COUNTY, ILLINOIS.

January 22, 2024

Map Amendment &
Major Amendment to Special Use



MAIL RECORDED DEED TO.
 Attorney Robert J. Huguelet, Jr., Esq.
 10749 Winterset Drive
 Orland Park, IL 60467

201800001834

DEBBIE GILLETTE
 RECORDER - KENDALL COUNTY, IL

MAIL TAX BILL TO:

Jade Restorations, Inc.

~~15300 West Avenue~~~~Orland Park, IL 60467~~

RECORDED: 2/7/2018 10:02 AM
 WD: 39.00 RHSPS FEE: 10.00
 STATE TAX: 500.00
 COUNTY TAX: 250.00
 PAGES: 3

THIS INSTRUMENT PREPARED BY:

Attorney Thomas Osterberger

Kavanagh Grum [REDACTED], LLC

111 N Ottawa Street

Joliet, IL 60432

ABOVE SPACE FOR RECORDER'S USE**WARRANTY DEED**

THIS INDENTURE WITNESSETH, that the Grantor, DGA Investments, LLC – Coyne Farm, an Illinois series limited liability company and part of DGA Investments, LLC, an Illinois limited liability company, having its principal office at [REDACTED] for and in consideration of the sum of One Dollar and other good and valuable consideration, the receipt of which is hereby acknowledged, CONVEYS and WARRANTS to

Jade Restorations, Inc., an Illinois Corporation, whose principal address is ~~15300 West Avenue, Orland Park, IL 60467~~ the following described real estate, to-wit

The South 1281 17 feet of the West 680 00 feet of the Northwest quarter of Section 24, Township 35 North, Range 8 East of the Third Principal Meridian, in the Township of Seward, all in Kendall County, Illinois.

Permanent Real Estate Index Number(s) New Code to Come – Presently Part of
 09-24-100-001

Commonly known as 20 Acres of Vacant Land at the northeast corner of Bell and Ridge Roads, Minooka, Illinois

Situated in Kendall County, Illinois, hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.



1 of 1

3

DATED this 30th day of January, 2018

DGA Investments, LLC – Coyne Farm, an Illinois series limited liability company, and part of DGA Investments, LLC, an Illinois limited liability company

[REDACTED]

Maria Villanueva, Manager

STATE OF ILLINOIS)
[REDACTED])
COUNTY OF WILL)

SS.

I, the undersigned, a Notary Public, in and for said county, in the State aforesaid, DO HEREBY CERTIFY THAT Maria Villanueva, personally known to me to be Manager of DGA Investments, LLC – Coyne Farm, an Illinois series limited liability company and part of DGA Investments, LLC, an Illinois limited liability company who is the grantor and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such Manager she signed and delivered said instrument as such Manager, pursuant to authority given by the Resolution of all of the Members of said Limited Liability Company, as her free and voluntary act, and as the free and voluntary act of said Limited Liability Company, for the purposes therein set forth. [REDACTED]

Given under my hand and official seal this 30th day of January, 2018.

BARBARA J. HINZ
NOTARY PUBLIC, STATE OF ILLINOIS
My Commission Expires Jun 5, 2020
My Commission Expires: _____

[REDACTED]
Notary Public

OFFICIAL SEAL
BARBARA J. HINZ
NOTARY PUBLIC, STATE OF ILLINOIS
My Commission Expires Jun 5, 2020

STATE TAX
STATE OF ILLINOIS
FEB.-7.18
REAL ESTATE TRANSFER TAX
DEPARTMENT OF REVENUE

0000014288
REAL ESTATE TRANSFER TAX
00500.00
FP 326656

COUNTY OF KENDALL
REAL ESTATE TRANSFER TAX
250.00



Debbie Gillette
Kendall County Clerk & Recorder

STATE OF ILLINOIS

COUNTY OF KENDALL

Maria Villanueva

)SS

)

, being duly sworn on oath, states that affiant resides at
And further states that (please check the appropriate box)

- A ☐ 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 do 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)

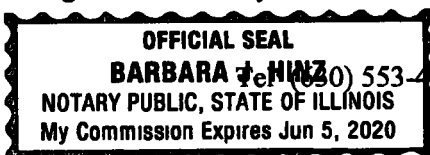
AFFIANT further states that s he makes this affidavit for the purpose of inducing the Recorder of Deeds of Kendall County, Illinois, to accept the attached deed for recording.

SUBSCRIBED AND SWORN TO BEFORE ME

This 30th day of January, 2018

Signature of Notary Public

Signature of Affiant



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

ALTA OWNER'S POLICY OF TITLE INSURANCE

CHICAGO TITLE INSURANCE COMPANY

Policy Number:



Any notice of claim and any other notice or statement in writing required to be given to the Company under this Policy must be given to the Company at the address shown in Section 18 of the Conditions.

COVERED RISKS

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B, AND THE CONDITIONS, CHICAGO TITLE INSURANCE COMPANY, a Florida corporation (the "Company") insures, as of Date of Policy and, to the extent stated in Covered Risks 9 and 10, after Date of Policy, against loss or damage, not exceeding the Amount of Insurance, sustained or incurred by the Insured by reason of:

1. Title being vested other than as stated in Schedule A.
2. Any defect in or lien or encumbrance on the Title. This Covered Risk includes but is not limited to insurance against loss from
 - (a) A defect in the Title caused by
 - (i) forgery, fraud, undue influence, duress, incompetency, incapacity, or impersonation;
 - (ii) failure of any person or Entity to have authorized a transfer or conveyance;
 - (iii) a document affecting Title not properly created, executed, witnessed, sealed, acknowledged, notarized, or delivered;
 - (iv) failure to perform those acts necessary to create a document by electronic means authorized by law;
 - (v) a document executed under a falsified, expired, or otherwise invalid power of attorney;
 - (vi) a document not properly filed, recorded, or indexed in the Public Records including failure to perform those acts by electronic means authorized by law; or
 - (vii) a defective judicial or administrative proceeding.
 - (b) The lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid.
 - (c) 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. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
3. Unmarketable Title.
4. No right of access to and from the Land.
5. The violation or enforcement of any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (a) the occupancy, use, or enjoyment of the Land;
 - (b) the character, dimensions, or location of any improvement erected on the Land;
 - (c) the subdivision of land; or
 - (d) environmental protection

if a notice, describing any part of the Land, is recorded in the Public Records setting forth the violation or intention to enforce, but only to the extent of the violation or enforcement referred to in that notice.
6. An enforcement action based on the exercise of a governmental police power not covered by Covered Risk 5 if a notice of the enforcement action, describing any part of the Land, is recorded in the Public Records, but only to the extent of the enforcement referred to in that notice.

Copyright American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

ALTA Owner's Policy (06/17/2006)



CHICAGO TITLE INSURANCE COMPANY**OWNER'S POLICY NO.** [REDACTED]

7. The exercise of the rights of eminent domain if a notice of the exercise, describing any part of the Land, is recorded in the Public Records.
8. Any taking by a governmental body that has occurred and is binding on the rights of a purchaser for value without Knowledge.
9. Title being vested other than as stated in Schedule A or being defective
 - (a) as a result of the avoidance in whole or in part, or from a court order providing an alternative remedy, of a transfer of all or any part of the title to or any interest in the Land occurring prior to the transaction vesting Title as shown in Schedule A because that prior transfer constituted a fraudulent or preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws; or
 - (b) because the instrument of transfer vesting Title as shown in Schedule A constitutes a preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws by reason of the failure of its recording in the Public Records
 - (i) to be timely, or
 - (ii) to impart notice of its existence to a purchaser for value or to a judgment or lien creditor.
10. Any defect in or lien or encumbrance on the Title or other matter included in Covered Risks 1 through 9 that has been created or attached or has been filed or recorded in the Public Records subsequent to Date of Policy and prior to the recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The Company will also pay the costs, attorneys' fees, and expenses incurred in defense of any matter insured against by this Policy, but only to the extent provided in the Conditions.

IN WITNESS WHEREOF, CHICAGO TITLE INSURANCE COMPANY has caused this policy to be signed and sealed by its duly authorized officers.

Chicago Title Insurance Company

By:

[REDACTED]

President

Attest:

[REDACTED]

Secretary



Copyright American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

ALTA Owner's Policy (06/17/2006)



EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.

(b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

Copyright American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.



CHICAGO TITLE INSURANCE COMPANY**OWNER'S POLICY NO.** [REDACTED]

Issued By: Chicago Title Company, LLC
 2000 West Galena, Suite 105
 Aurora, IL 60506

SCHEDULE A

Address Reference: 15200 Ridge Road (20 acres), Minooka, IL 60447

Date of Policy	Amount of Insurance
February 7, 2018	\$500,000.00

1. Name of Insured:

Jade Restorations, Inc.

2. The estate or interest in the Land that is insured by this policy is:

Fee Simple

3. Title is vested in:

Jade Restorations, Inc.

4. The Land referred to in this policy is described as follows:

THE SOUTH 1281.17 FEET OF THE WEST 680.00 FEET OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF SEWARD, ALL IN KENDALL COUNTY, ILLINOIS.

THIS POLICY VALID ONLY IF SCHEDULE B IS ATTACHED

END OF SCHEDULE A

Copyright American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

ALTA Owner's Policy (06/17/2006)



SCHEDULE B EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees or expenses that arise by reason of:

1. **General Exceptions**
2. **Rights or claims of parties in possession not shown by Public Records.**
3. **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.**
4. **Easements, or claims of easements, not shown by the Public Records.**
5. **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.**
6. **Taxes or special assessments which are not shown as existing liens by the Public Records.**
7. Taxes for the years 2017 and 2018.

Taxes for the years 2017 and 2018 are not yet due or payable.

Permanent Tax No.: [09-24-100-001](#) (affects the land and other property)

Note: Taxes for the year 2016 amounting to \$6,669.16 are paid of record.

8. Rights of the public, the State of Illinois County of Kendall and the municipality in and to that part of the Land taken or used for road purposes, including Ridge Road, as originally constituted and as widened to 35.00 feet East of the centerline by the dedication to the People of County of Kendall recorded August 27, 1947 in 103 deed 273.
9. Rights of way for drainage tiles, ditches, feeders and laterals, if any.
10. 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.
11. Right of way option granted by Charles E. Davis and Alma V. Davis, his wife, to Continental Construction Corporation, dated March 17, 1931 and recorded April 15, 1931 in Book 84 of Deeds page 42, for "Pipeline or Pipelines, the transmission of gas "or any of its products..... over and through..... ohe Northwest 1/4 of Section 24, Township 35 North, Range 8, East of the Third Principal Meridian, in the Township of Seward, Kendall County, Illinois" acknowledgement of Exercise of Option dated April 11, 1931 and recorded April 22, 1931 in Book 84 of Deeds, page 55.

Note: These instruments do not definitely set forth the location of this grant.

Copyright American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.



SCHEDULE B
EXCEPTIONS FROM COVERAGE
 (continued)

12. Agreement concerning Location of Pipeline dated May 24, 1946 and recorded September 3, 1946 in Book 102 of Deeds page 164 by Alma V. Davis with National Gas Pipeline Company of America (formerly Continental Construction Corporation) Wherein It is Mentioned that Book 84 of Deeds, page 42 aforesaid provided for an additional Pipeline and that It is therefore agreed a Second Pipeline is located as follows:

 The Grantor Being Owner of "40-foot right of way along South line of Northwest 1/4 of Section 24, Township 35 North, Range 8 and West 1/2 of Northeast 1/4 of Section 24, Township 35 North, Range 8, East of the Third Principal Meridian, in the Township of Seward, Kendall County, Illinois", upon which the grantee operates a Pipeline said Second Pipeline is located "Entering the above described real estate at a point approximately 650.00 feet North of present pipeline on the West line; thence Southeast to a point on the East boundary of said real estate approximately 300.00 feet North of the pipeline presently constructed..... "
13. Right of Way Agreement Dated July 19, 1962 and recorded July 26, 1962 as document 138639 by Charles R. And Etta Davis, His Wife, with Natural Gas Pipeline Company of America for a Pipeline Transporation of Natural Gas, Conveying of a 75-foot strip the denterline as follows:

 Beginning at a point of Entrance of the East Property Line, said point being 952.5 feet North of the Southeast Corner property; Thence in a Southwesterly Direction at an Entrance Angle of 88 Degrees, 30 Minutes, 00 Second, a Distance of 1323.00 feet to a point of Exit on the West property line which is also the centerline of a Blacktop Road, said point being 922.5 feet North of the Southwest property corner as shown on drawing attached thereto.
14. Grant from Charles R. Davis to Illinois Bell Telephone Company dated June 24, 1960 and recorded August 17, 1960 as document 130783 for telephone and telegraph purposes "upon, along, and under the Public Roads..... in the South 50.00 feet of aforesaid West 1/2 of Southwest 1/4 of Section 24, Township 35 North, Range 8, East of the Third Principal Meridian, in the Township of Seward, Kendall County, Illinois. "
15. Rights of adjoining owners to the uninterrupted flow of any stream which may cross the premises.
16. 80 foot pipeline easement per Book 133 Page 333 recorded September 11, 1962 as shown on survey by Morrison Surveying Co., Inc. dated january 10, 2018 Order No. 39308.

END OF SCHEDULE B

Copyright American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.



CONDITIONS**1. DEFINITION OF TERMS**

The following terms when used in this policy mean:

- (a) "Amount of Insurance": The amount stated in Schedule A, as may be increased or decreased by endorsement to this policy, increased by Section 8(b), or decreased by Sections 10 and 11 of these Conditions.
- (b) "Date of Policy": The date designated as "Date of Policy" in Schedule A.
- (c) "Entity": A corporation, partnership, trust, limited liability company, or other similar legal entity.
- (d) "Insured": The Insured named in Schedule A.
 - (i) The term "Insured" also includes
 - (A) successors to the Title of the Insured by operation of law as distinguished from purchase, including heirs, devisees, survivors, personal representatives, or next of kin;
 - (B) successors to an Insured by dissolution, merger, consolidation, distribution, or reorganization;
 - (C) successors to an Insured by its conversion to another kind of Entity;
 - (D) a grantee of an Insured under a deed delivered without payment of actual valuable consideration conveying the Title
 - (1) if the stock, shares, memberships, or other equity interests of the grantee are wholly-owned by the named Insured,
 - (2) if the grantee wholly owns the named Insured,
 - (3) if the grantee is wholly-owned by an affiliated Entity of the named Insured, provided the affiliated Entity and the named Insured are both wholly-owned by the same person or Entity, or
 - (4) if the grantee is a trustee or beneficiary of a trust created by a written instrument established by the Insured named in Schedule A for estate planning purposes.
 - (ii) With regard to (A), (B), (C), and (D) reserving, however, all rights and defenses as to any successor that the Company would have had against any predecessor Insured.
- (e) "Insured Claimant": An Insured claiming loss or damage.
- (f) "Knowledge" or "Known": Actual knowledge, not constructive knowledge or notice that may be imputed to an Insured by reason of the Public Records or any other records that impart constructive notice of matters affecting the Title.
- (g) "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 insured by this policy.
- (h) "Mortgage": Mortgage, deed of trust, trust deed, or other security instrument, including one evidenced by electronic means authorized by law.
- (i) "Public Records": Records established under state statutes at Date of Policy for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge. With respect to Covered Risk 5(d), "Public Records" shall also include environmental protection liens filed in the records of the clerk of the United States District Court for the district where the Land is located.
- (j) "Title": The estate or interest described in Schedule A.
- (k) "Unmarketable Title": Title affected by an alleged or apparent matter that would permit a prospective purchaser or lessee of the Title or lender on the Title to be released from the obligation to purchase, lease, or lend if there is a contractual condition requiring the delivery of marketable title.

2. CONTINUATION OF INSURANCE

The coverage of this policy shall continue in force as of Date of Policy in favor of an Insured, but only so long as the Insured retains an estate or interest in the Land, or holds an obligation secured by a purchase money Mortgage given by a purchaser from the Insured, or only so long as the Insured shall have liability by reason of warranties in any transfer or conveyance of the Title. This policy shall not continue in force in favor of any purchaser from the Insured of either (i) an estate or interest in the Land, or (ii) an obligation secured by a purchase money Mortgage given to the Insured.

3. NOTICE OF CLAIM TO BE GIVEN BY INSURED CLAIMANT

The Insured shall notify the Company promptly in writing (i) in case of any litigation as set forth in Section 5(a) of these Conditions, (ii) in case Knowledge shall come to an Insured hereunder of any claim of title or interest that is adverse to the Title, as insured, and that might cause loss or damage for which the Company may be liable by virtue of this policy, or (iii) if the Title, as insured, is rejected as Unmarketable Title. If the Company is prejudiced by the failure of the Insured Claimant to provide prompt notice, the Company's liability to the Insured Claimant under the policy shall be reduced to the extent of the prejudice.

4. PROOF OF LOSS

In the event the Company is unable to determine the amount of loss or damage, the Company may, at its option, require as a condition of payment that the Insured Claimant furnish a signed proof of loss. The proof of loss must describe the defect, lien, encumbrance, or other matter insured against by this policy that constitutes the basis of loss or damage and shall state, to the extent possible, the basis of calculating the amount of the loss or damage.

Copyright American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.



(continued)

5. DEFENSE AND PROSECUTION OF ACTIONS

- (a) Upon written request by the Insured, and subject to the options contained in Section 7 of these Conditions, the Company, at its own cost and without unreasonable delay, shall provide for the defense of an Insured in litigation in which any third party asserts a claim covered by this policy adverse to the Insured. This obligation is limited to only those stated causes of action alleging matters insured against by this policy. The Company shall have the right to select counsel of its choice (subject to the right of the Insured to object for reasonable cause) to represent the Insured as to those stated causes of action. It shall not be liable for and will not pay the fees of any other counsel. The Company will not pay any fees, costs, or expenses incurred by the Insured in the defense of those causes of action that allege matters not insured against by this policy.
- (b) The Company shall have the right, in addition to the options contained in Section 7 of these Conditions, at its own cost, to institute and prosecute any action or proceeding or to do any other act that in its opinion may be necessary or desirable to establish the Title, as insured, or to prevent or reduce loss or damage to the Insured. The Company may take any appropriate action under the terms of this policy, whether or not it shall be liable to the Insured. The exercise of these rights shall not be an admission of liability or waiver of any provision of this policy. If the Company exercises its rights under this subsection, it must do so diligently.
- (c) Whenever the Company brings an action or asserts a defense as required or permitted by this policy, the Company may pursue the litigation to a final determination by a court of competent jurisdiction, and it expressly reserves the right, in its sole discretion, to appeal from any adverse judgment or order.

6. DUTY OF INSURED CLAIMANT TO COOPERATE

- (a) In all cases where this policy permits or requires the Company to prosecute or provide for the defense of any action or proceeding and any appeals, the Insured shall secure to the Company the right to so prosecute or provide defense in the action or proceeding, including the right to use, at its option, the name of the Insured for this purpose. Whenever requested by the Company, the Insured, at the Company's expense, shall give the Company all reasonable aid (i) in securing evidence, obtaining witnesses, prosecuting or defending the action or proceeding, or effecting settlement, and (ii) in any other lawful act that in the opinion of the Company may be necessary or desirable to establish the Title or any other matter as insured. If the Company is prejudiced by the failure of the Insured to furnish the required cooperation, the Company's obligations to the Insured under the policy shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation, with regard to the matter or matters requiring such cooperation.
- (b) The Company may reasonably require the Insured Claimant to submit to examination under oath by any authorized representative of the Company and to produce for examination, inspection, and copying, at such reasonable times and places as may be designated by the authorized representative of the Company, all records, in whatever medium maintained, including books, ledgers, checks, memoranda, correspondence, reports, e-mails, disks, tapes, and videos whether bearing a date before or after Date of Policy, that reasonably pertain to the loss or damage. Further, if requested by any authorized representative of the Company, the Insured Claimant shall grant its permission, in writing, for any authorized representative of the Company to examine, inspect, and copy all of these records in the custody or control of a third party that reasonably pertain to the loss or damage. All information designated as confidential by the Insured Claimant provided to the Company pursuant to this Section shall not be disclosed to others unless, in the reasonable judgment of the Company, it is necessary in the administration of the claim. Failure of the Insured Claimant to submit for examination under oath, produce any reasonably requested information, or grant permission to secure reasonably necessary information from third parties as required in this subsection, unless prohibited by law or governmental regulation, shall terminate any liability of the Company under this policy as to that claim.

7. OPTIONS TO PAY OR OTHERWISE SETTLE CLAIMS; TERMINATION OF LIABILITY

In case of a claim under this policy, the Company shall have the following additional options:

- (a) To Pay or Tender Payment of the Amount of Insurance.
To pay or tender payment of the Amount of Insurance under this policy together with any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment or tender of payment and that the Company is obligated to pay.
Upon the exercise by the Company of this option, all liability and obligations of the Company to the Insured under this policy, other than to make the payment required in this subsection, shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation.
- (b) To Pay or Otherwise Settle With Parties Other Than the Insured or With the Insured Claimant.
 - (i) To pay or otherwise settle with other parties for or in the name of an Insured Claimant any claim insured against under this policy. In addition, the Company will pay any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay; or
 - (ii) to pay or otherwise settle with the Insured Claimant the loss or damage provided for under this policy, together with any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay.

Upon the exercise by the Company of either of the options provided for in subsections (b)(i) or (ii), the Company's obligations to the Insured under this policy for the claimed loss or damage, other than the payments required to be made, shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation.

8. DETERMINATION AND EXTENT OF LIABILITY

This policy is a contract of indemnity against actual monetary loss or damage sustained or incurred by the Insured Claimant who has suffered loss or damage by reason of matters insured against by this policy.

Copyright American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.



(continued)

- (a) The extent of liability of the Company for loss or damage under this policy shall not exceed the lesser of
 - (i) the Amount of Insurance; or
 - (ii) the difference between the value of the Title as insured and the value of the Title subject to the risk insured against by this policy.
- (b) If the Company pursues its rights under Section 5 of these Conditions and is unsuccessful in establishing the Title, as insured,
 - (i) the Amount of Insurance shall be increased by Ten percent (10%), and
 - (ii) the Insured Claimant shall have the right to have the loss or damage determined either as of the date the claim was made by the Insured Claimant or as of the date it is settled and paid.
- (c) In addition to the extent of liability under (a) and (b), the Company will also pay those costs, attorneys' fees, and expenses incurred in accordance with Sections 5 and 7 of these Conditions.

9. LIMITATION OF LIABILITY

- (a) If the Company establishes the Title, or removes the alleged defect, lien, or encumbrance, or cures the lack of a right of access to or from the Land, or cures the claim of Unmarketable Title, all as insured, in a reasonably diligent manner by any method, including litigation and the completion of any appeals, it shall have fully performed its obligations with respect to that matter and shall not be liable for any loss or damage caused to the Insured.
- (b) In the event of any litigation, including litigation by the Company or with the Company's consent, the Company shall have no liability for loss or damage until there has been a final determination by a court of competent jurisdiction, and disposition of all appeals, adverse to the Title, as insured.
- (c) The Company shall not be liable for loss or damage to the Insured for liability voluntarily assumed by the Insured in settling any claim or suit without the prior written consent of the Company.

10. REDUCTION OF INSURANCE; REDUCTION OR TERMINATION OF LIABILITY

All payments under this policy, except payments made for costs, attorneys' fees, and expenses, shall reduce the Amount of Insurance by the amount of the payment.

11. LIABILITY NONCUMULATIVE

The Amount of Insurance shall be reduced by any amount the Company pays under any policy insuring a Mortgage to which exception is taken in Schedule B or to which the Insured has agreed, assumed, or taken subject, or which is executed by an Insured after Date of Policy and which is a charge or lien on the Title, and the amount so paid shall be deemed a payment to the Insured under this policy.

12. PAYMENT OF LOSS

When liability and the extent of loss or damage have been definitely fixed in accordance with these Conditions, the payment shall be made within thirty (30) days.

13. RIGHTS OF RECOVERY UPON PAYMENT OR SETTLEMENT

- (a) Whenever the Company shall have settled and paid a claim under this policy, it shall be subrogated and entitled to the rights of the Insured Claimant in the Title and all other rights and remedies in respect to the claim that the Insured Claimant has against any person or property, to the extent of the amount of any loss, costs, attorneys' fees, and expenses paid by the Company. If requested by the Company, the Insured Claimant shall execute documents to evidence the transfer to the Company of these rights and remedies. The Insured Claimant shall permit the Company to sue, compromise, or settle in the name of the Insured Claimant and to use the name of the Insured Claimant in any transaction or litigation involving these rights and remedies.

If a payment on account of a claim does not fully cover the loss of the Insured Claimant, the Company shall defer the exercise of its right to recover until after the Insured Claimant shall have recovered its loss.

- (b) The Company's right of subrogation includes the rights of the Insured to indemnities, guaranties, other policies of insurance, or bonds, notwithstanding any terms or conditions contained in those instruments that address subrogation rights.

14. ARBITRATION

Either the Company or the Insured may demand that the claim or controversy shall be submitted to arbitration pursuant to the Title Insurance Arbitration Rules of the American Land Title Association ("Rules"). Except as provided in the Rules, there shall be no joinder or consolidation with claims or controversies of other persons. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Insured arising out of or relating to this policy, any service in connection with its issuance or the breach of a policy provision, or to any other controversy or claim arising out of the transaction giving rise to this policy. All arbitrable matters when the Amount of Insurance is Two Million and No/100 Dollars (\$2,000,000) or less shall be arbitrated at the option of either the Company or the Insured. All arbitrable matters when the Amount of Insurance is in excess of Two Million and No/100 Dollars (\$2,000,000) shall be arbitrated only when agreed to by both the Company and the Insured. Arbitration pursuant to this policy and under the Rules shall be binding upon the parties. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court of competent jurisdiction.

15. LIABILITY LIMITED TO THIS POLICY; POLICY ENTIRE CONTRACT

- (a) This policy together with all endorsements, if any, attached to it by the Company is the entire policy and contract between the Insured and the Company. In interpreting any provision of this policy, this policy shall be construed as a whole.
- (b) Any claim of loss or damage that arises out of the status of the Title or by any action asserting such claim shall be restricted to this policy.
- (c) Any amendment of or endorsement to this policy must be in writing and authenticated by an authorized person, or expressly incorporated by Schedule A of this policy.

Copyright American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.



(continued)

- (d) Each endorsement to this policy issued at any time is made a part of this policy and is subject to all of its terms and provisions. Except as the endorsement expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsement, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance.

16. SEVERABILITY

In the event any provision of this policy, in whole or in part, is held invalid or unenforceable under applicable law, the policy shall be deemed not to include that provision or such part held to be invalid, but all other provisions shall remain in full force and effect.

17. CHOICE OF LAW; FORUM

- (a) Choice of Law: The Insured acknowledges the Company has underwritten the risks covered by this policy and determined the premium charged therefor in reliance upon the law affecting interests in real property and applicable to the interpretation, rights, remedies, or enforcement of policies of title insurance of the jurisdiction where the Land is located.

Therefore, the court or an arbitrator shall apply the law of the jurisdiction where the Land is located to determine the validity of claims against the Title that are adverse to the Insured and to interpret and enforce the terms of this policy. In neither case shall the court or arbitrator apply its conflicts of law principles to determine the applicable law.

- (b) Choice of Forum: Any litigation or other proceeding brought by the Insured against the Company must be filed only in a state or federal court within the United States of America or its territories having appropriate jurisdiction.

18. NOTICES, WHERE SENT

Any notice of claim and any other notice or statement in writing required to be given to the Company under this policy must be given to the Company at:

Chicago Title Insurance Company
P.O. Box 45023
Jacksonville, FL 32232-5023
Attn: Claims Department

END OF CONDITIONS

Copyright American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.



ENDORSEMENT - SE 287**POLICY MODIFICATION**

Issued By:



CHICAGO TITLE INSURANCE COMPANY

Attached to Policy Number:



Exception number(s) 1,2,3,4 and 5 of Schedule B of this policy are hereby deleted.

This endorsement is issued as part of the policy. Except as it expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsements, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance. To the extent a provision of the policy or a previous endorsement is inconsistent with an express provision of this endorsement, this endorsement controls. Otherwise, this endorsement is subject to all of the terms and provisions of the policy and of any prior endorsements.

Chicago Title Insurance Company

Dated: February 7, 2018

Countersigned By:

Authorized Officer or Agent

KENDALL COUNTY DISCLOSURE OF BENEFICIARIES FORM

1. Applicant JADE RESTORATIONS, INC.
Address [REDACTED]
City [REDACTED] State [REDACTED] Zip [REDACTED]
2. Nature of Benefit Sought MAJOR AMENDMENT TO SPECIAL USE
3. Nature of Applicant: (Please check one)
☐ Natural Person (a)
☒ Corporation (b)
☐ Land Trust/Trustee (c)
☐ Trust/Trustee (d)
☐ Partnership (e)
☐ Joint Venture (f)
4. If applicant is an entity other than described in Section 3, briefly state the nature and characteristics of the applicant:

PROPERTY OWNER

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
DEB CHOW	[REDACTED]	100%

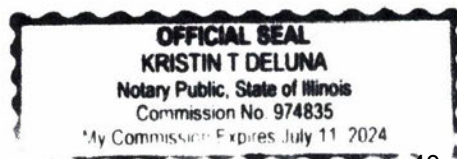
6. Name, address, and capacity of person making this disclosure on behalf of the applicant:

SELF

I, Deb Chow DocuSigned by: [REDACTED] VERIFICATION 0FF65195D1CA42A..., being first duly sworn under oath that I am the person making this disclosure on behalf of the applicant, that I am duly authorized to make the disclosure, that I have read the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein are true in both substance and fact>

Subscribed and sworn to before me this 23rd day of January, 2024

(seal)





**Kendall County Soil & Water
Conservation District**

December 5, 2022

Bullmastiff Construction Company, Ltd
[REDACTED]

Subject: Rusty Ridge Animal Center Major Amendment to Existing Special Use Permit – Natural Resource Information (NRI) Review Letter

Dear Petitioner,

The Kendall County Soil & Water Conservation District (SWCD) received a request to review site information for a major amendment to an existing special use permit for the Rusty Ridge Animal Center. The Rusty Ridge Animal Center is located in the southwest ¼ and northwest ¼ of Section 24, Township 35N (Seward Township), and Range 8E in unincorporated Kendall County, IL (Parcel Index Number 09-24-100-012). The Kendall County SWCD prepared a Natural Resource Information (NRI) Report for this project in January 2020 (NRI Report 1913). A copy of this report is included with this letter. It was determined that the original report is still applicable, and an updated report is not necessary at this time based on the following considerations:

- NRI Reports prepared by the Kendall County SWCD are current for a period of 3 years. NRI Report 1913 was prepared in January 2020 and is still considered valid.
- The net development area (6.99 acres) does not exceed the area that was reviewed in the original NRI report (8.5 acres) based on site area statistics provided by Cook Engineering Group.
- The modifications that were made to the site (expansion of northwest outdoor fenced area, removal of northeast outdoor fenced area, septic field & septic tank relocation, sign relocation, sidewalk & gravel driveway addition, additional parking, removal of water tank, removal of east side covered entrance/walkway, addition of south side walkway, addition of west side wall packs, relocation of well head, holding tank removal, etc.) do not impact the information that was presented in the original report.

If you have any questions, please contact our office at (630) 553-5821 extension 3.

Sincerely,

[REDACTED]
Alyse Olson
Resource Conservationist

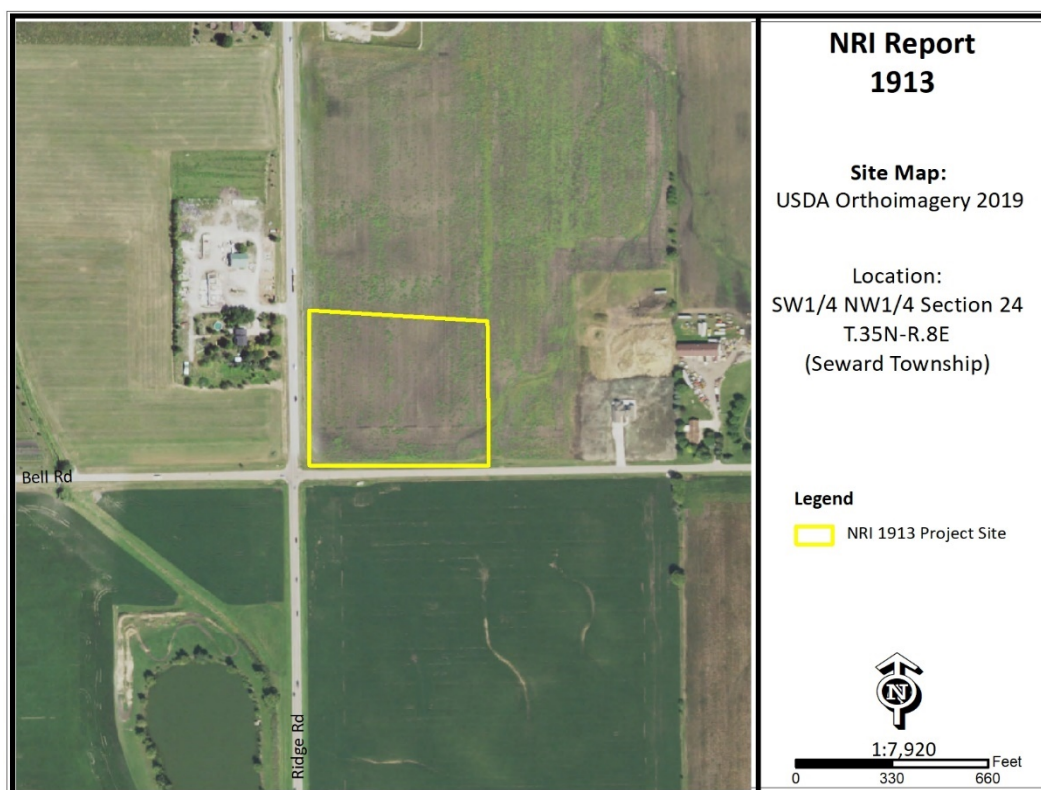
Enclosure

CC Emily Hoffmann, Cook Engineering Group
ehoffmann@cookenggroup.com

Tim O'Brien, Seward Township
sewardtp@gmail.com

Matt Asselmeier, Kendall County Planning, Building, & Zoning
111 West Fox St.
Yorkville, IL 60560
masselmeier@kendallcountyil.gov

NATURAL RESOURCE INFORMATION (NRI) REPORT: 1913



January
2020

Petitioner: Bullmastiff Construction Co, Ltd
Contact: Michael Cook

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

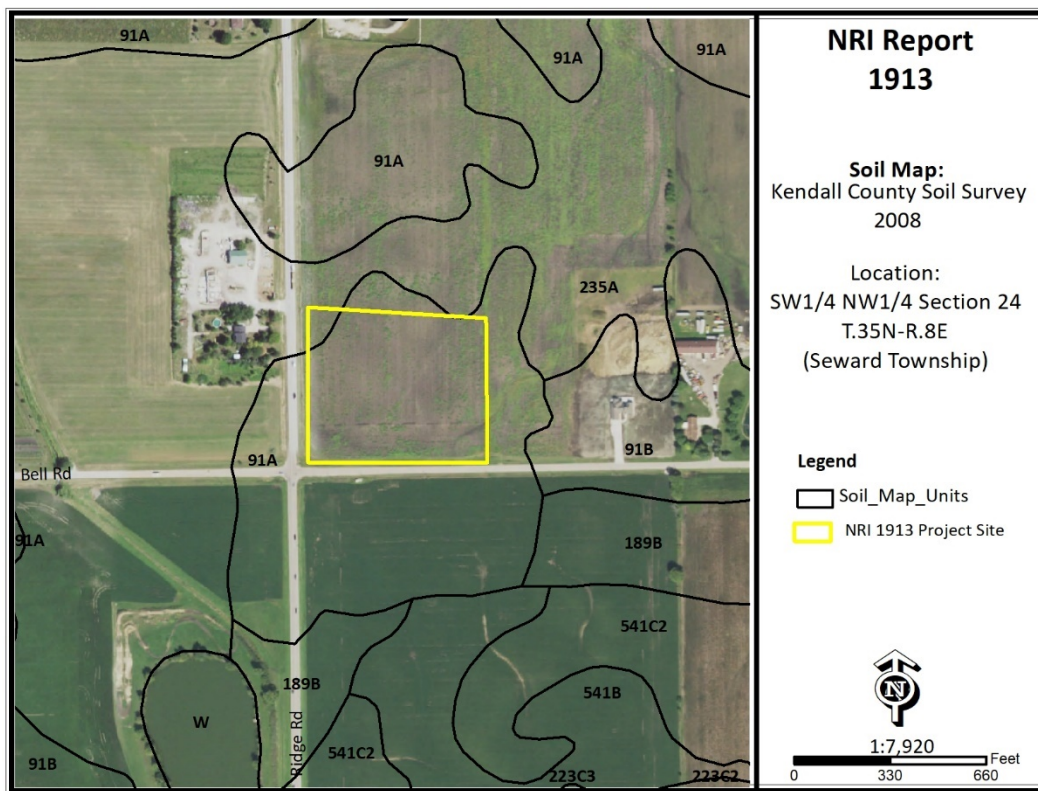
1913

Executive Summary

January 2020

Petitioner: Bullmastiff Construction Co, Ltd**Contact Person:** Michael Cook**County or Municipality the petition is filled with:** Kendall County**Location of Parcel:** SW¼ NW¼ Section 24, T.35N.-R.8E. (Seward Township) of the 3rd Principal Meridian**Project or Subdivision Name:** Doggy Daycare**Existing Zoning & Land Use:** A-1; Cropland**Proposed Zoning & Land Use:** A-1 Special Use Permit; Doggy Daycare/Veterinary Clinic**Proposed Water Source:** Well**Proposed Type of Sewage Disposal System:** Septic**Proposed Type of Storm Water Management:** Wet Detention; Restricted Release**Size of Site:** 8.5 acres**Land Evaluation Site Assessment Score:** 207 (Land Evaluation:80; 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
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 type, 91A Swygert silty clay 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.

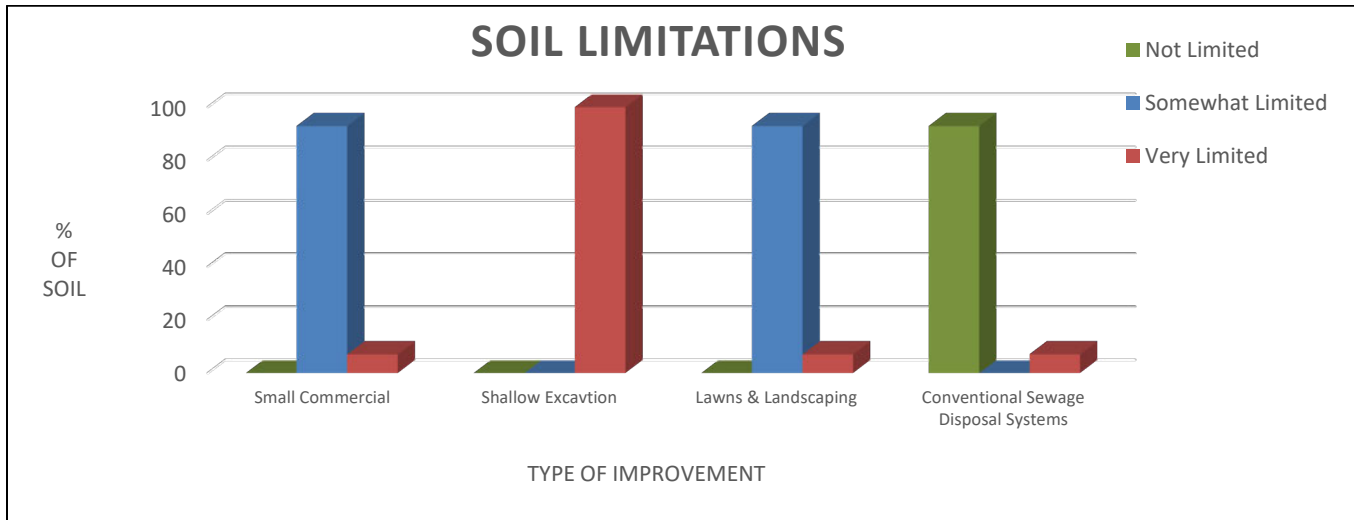
Table 2a:

Soil Type	Dwellings Without Basements	Dwellings With Basements	Small Commercial Building
91A	Somewhat Limited	Very Limited	Somewhat Limited
235A	Very Limited	Very Limited	Very Limited

Table 2b:

Soil Type	Shallow Excavations	Lawns/Landscaping	Conventional Septic Systems
91A	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 80, 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 207 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 Bullmastiff Construction Co, Ltd for the proposed Doggy Daycare/Veterinary Clinic project (A-1 Special Use Permit request) within Kendall County located in Section 24 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 80 out of a possible 100 points indicating the soils are well suited for agricultural uses. The total LESA Score for this site is 207 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. 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, dwellings with basements and local roads/streets, 7.1% are very limited for small commercial building, dwellings without basements and lawns/landscaping. Additionally, 7.1% 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 Aux Sable Creek subwatershed.

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

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

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

Chair

Date

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

NRI Report Number	1913
Date District Board Reviews Application	January 2020
Applicant's Name	Bullmastiff Construction Co, Ltd
Size of Parcel	8.5 acres
Current Zoning & Use	A-1; Cropland
Proposed Zoning & Use	A-1 Special Use Permit; Doggy Daycare/Veterinary Clinic
Parcel Index Number(s)	09-24-100-012
Contact Person	Michael Cook

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

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

TABLE OF CONTENTS

PURPOSE & INTENT.....	8
PARCEL LOCATION.....	9
Figure 1: 2017 Aerial Site Map with NRI Boundary and Location Map	
ARCHAEOLOGIC/CULTURAL RESOURCES INFORMATION.....	10
ECOLOGICALLY SENSITIVE AREAS.....	11
SOILS INFORMATION.....	12
Figure 2: Soil Map	
SOILS INTERPRETATIONS EXPLANATION.....	13
Figure 3: Maps of Building Limitations	
SOIL WATER FEATURES.....	18
SOIL EROSION & SEDIMENT CONTROL.....	19
PRIME FARMLAND SOILS.....	20
Figure 4: Prime Farmland Soil Map	
LAND EVALUATION AND SITE ASSESSMENT (LESA).....	20
DRAINAGE, RUNOFF AND FLOOD INFORMATION.....	22
Figure 5: FEMA Floodplain Map	
Figure 6: USGS Topographic Map	
WATERSHED PLANS.....	25
WETLAND INFORMATION.....	25
Figure 7: USFWS National Wetland Inventory	
HYDRIC SOILS.....	26
Figure 8: Hydric Soils Map	
WETLAND AND FLOODPLAIN REGULATIONS.....	28
GLOSSARY.....	29
REFERENCES.....	31

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

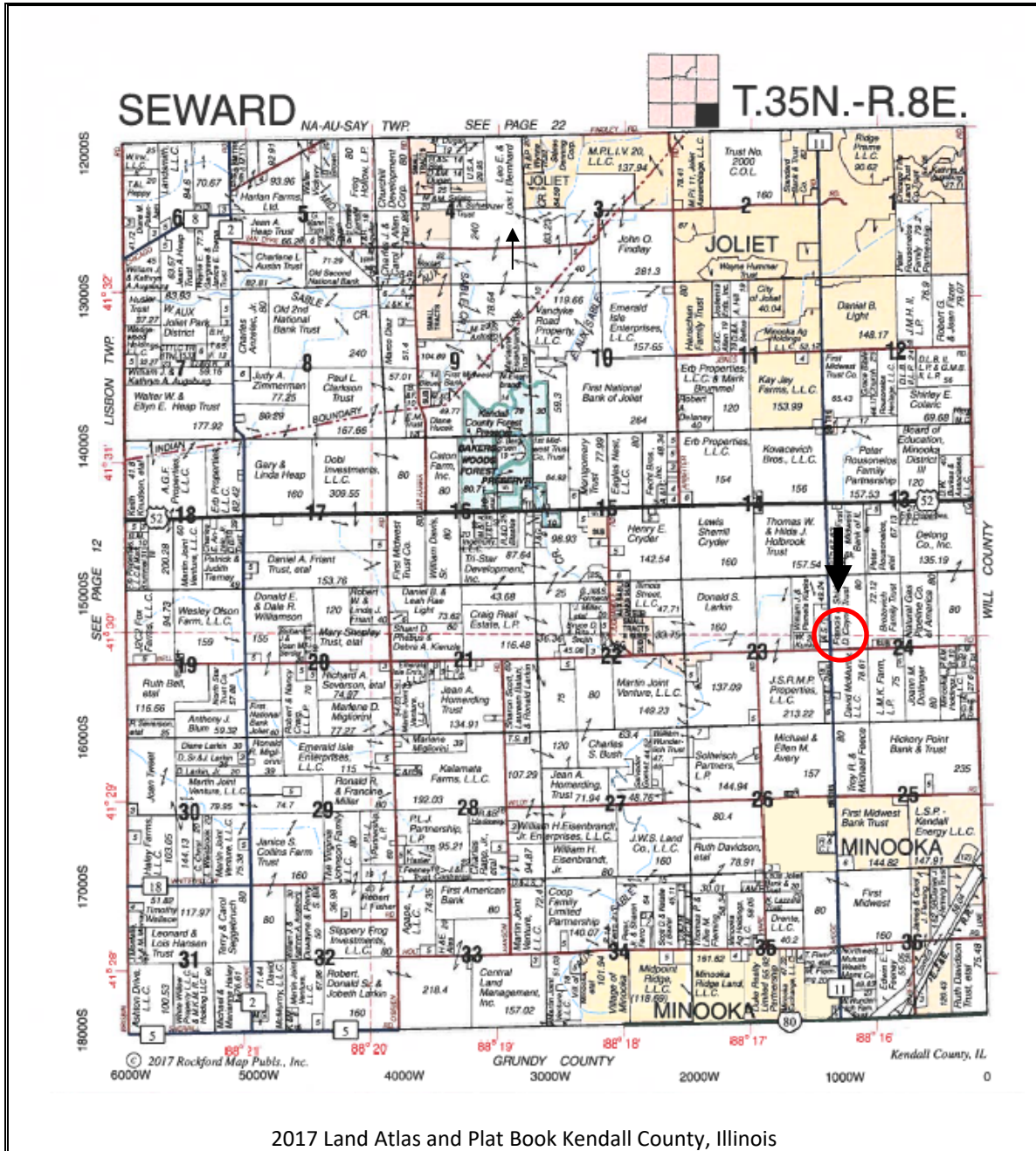
E-mail: Megan.Andrews@il.nacdnet.net

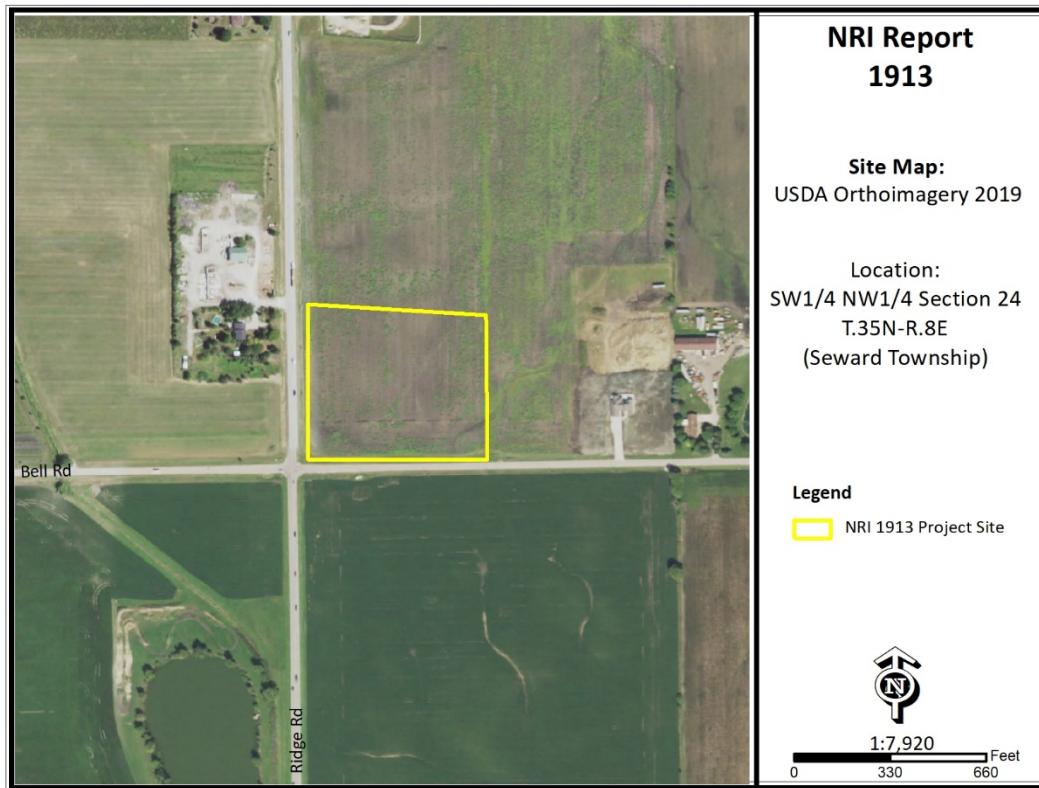
PARCEL LOCATION

Location Map for Natural Resources Information Report # 1913

SW¼ NW¼ Section 24 of Township 35 North, Range 8 East (Seward Township) on 8.5 acres. This parcel is located on the east side of Ridge Road and northeast of the intersection of Ridge Road and Bell Road. The parcel is located in unincorporated Kendall County.

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





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 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

¹Taken 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

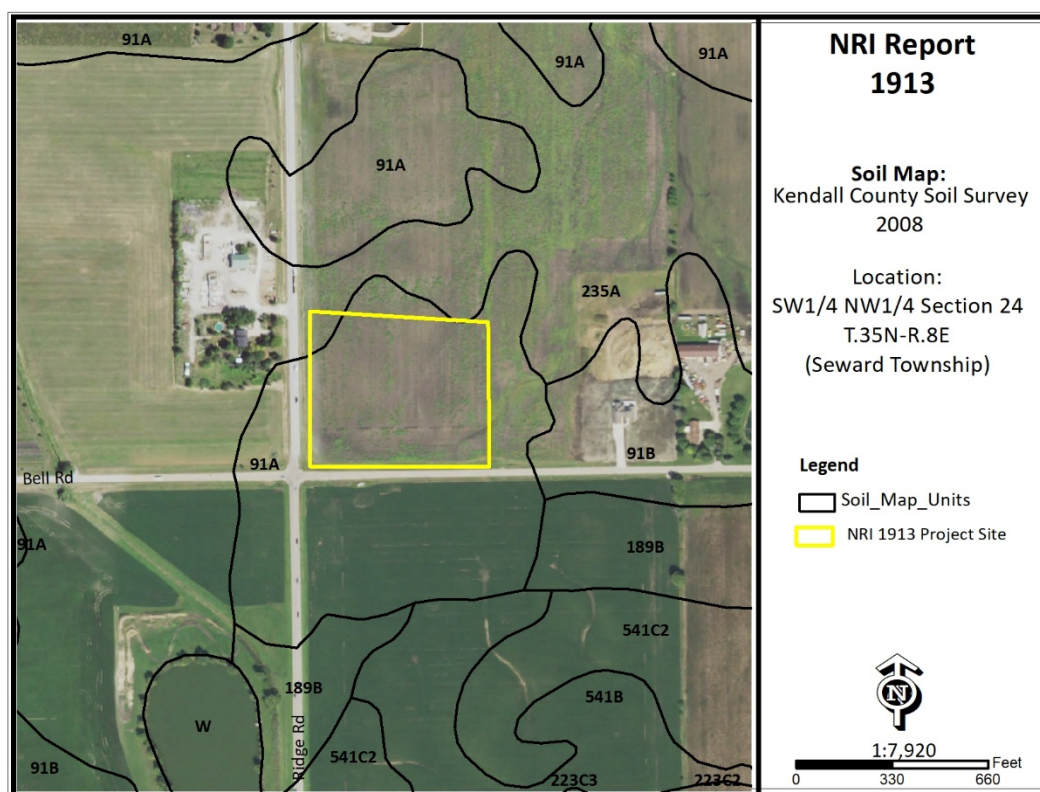


Table 1: Soil Map Unit Descriptions

Symbol	Descriptions	Acres	Percent
91A	Swygert silt loam, 0-2% slopes	10.3	21.7%
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 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 ease 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	7.9	92.9%
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	0.6	7.1%
% Very Limited	7.1%	100%	7.1%		

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	7.9	92.9%
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	0.6	7.1%
% Very Limited	100%	7.1%	7.1%		

Figure 3a: Map of Building Limitations – Small Commercial Building

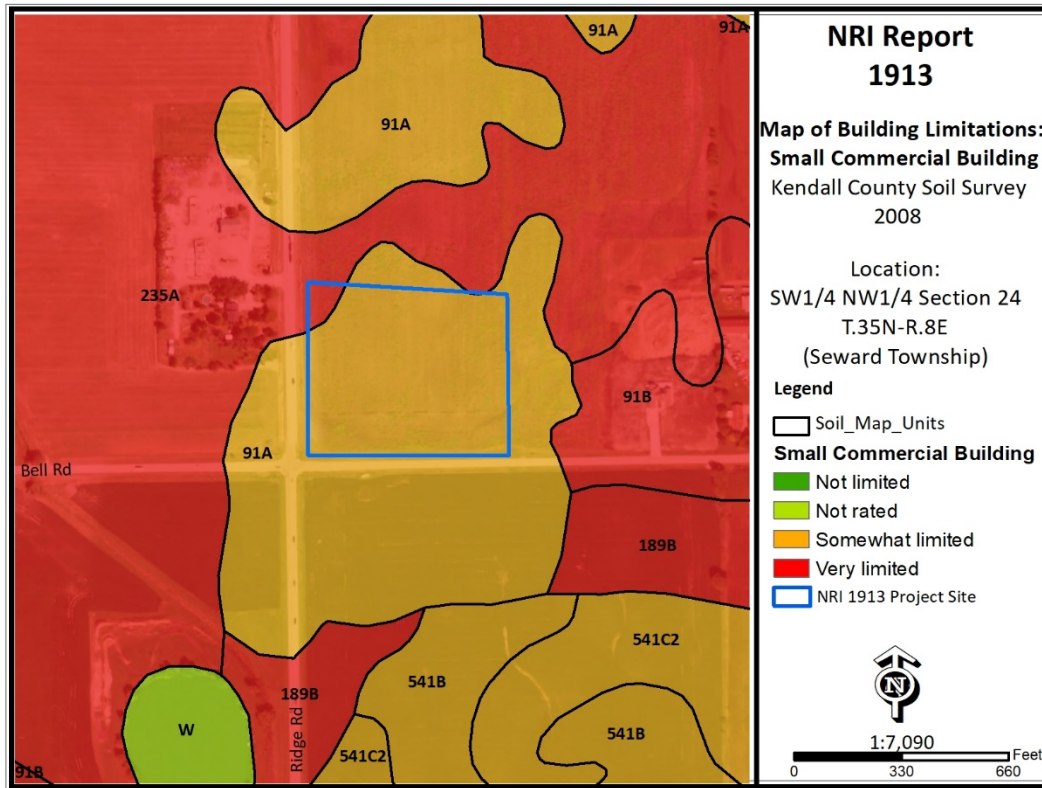


Figure 3b: Map of Building Limitations – Shallow Excavations

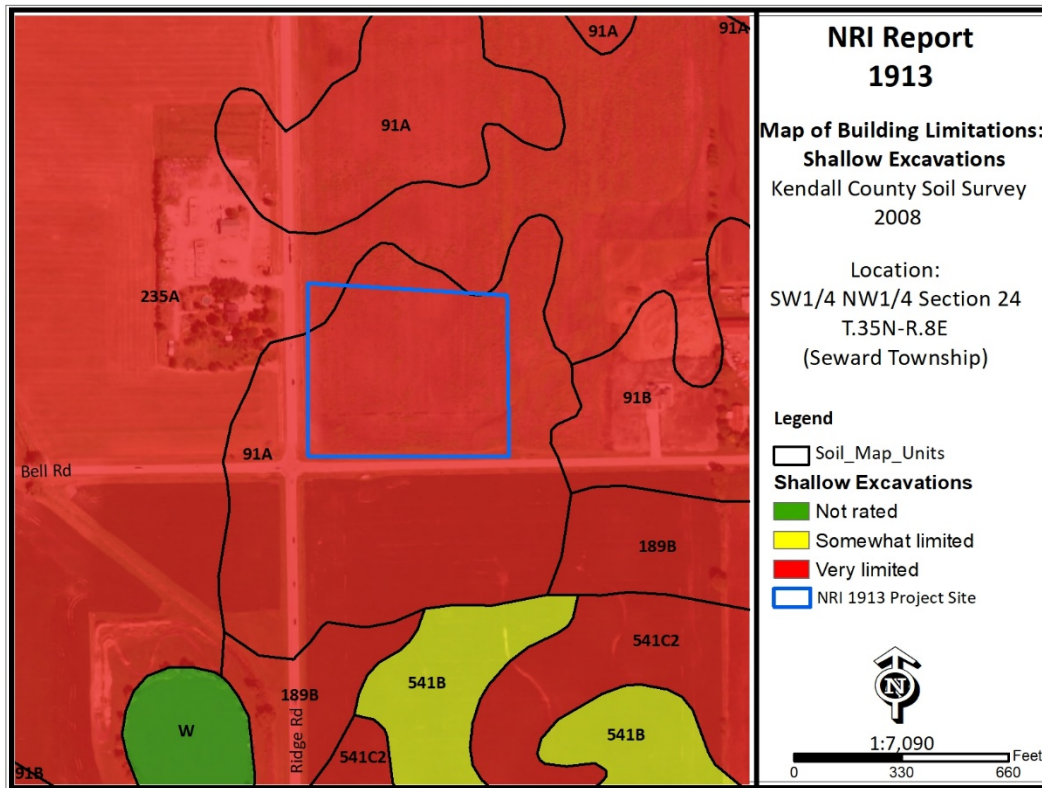


Figure 3c: Map of Building Limitations – Lawns & Landscaping

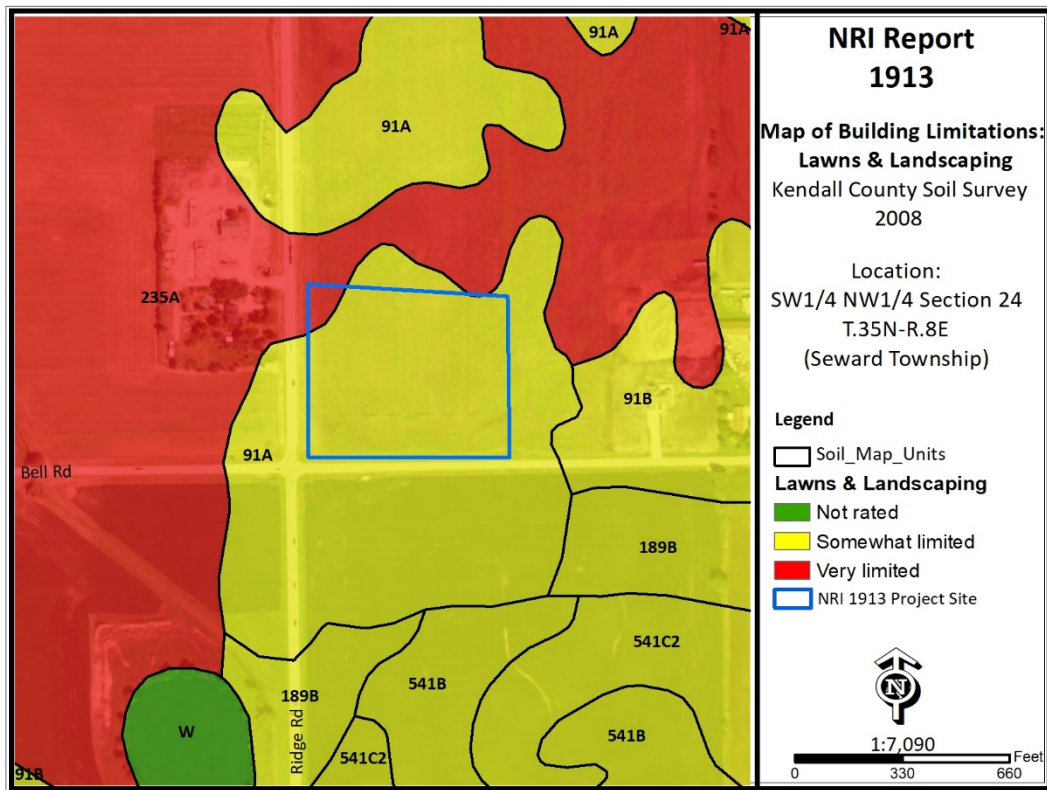
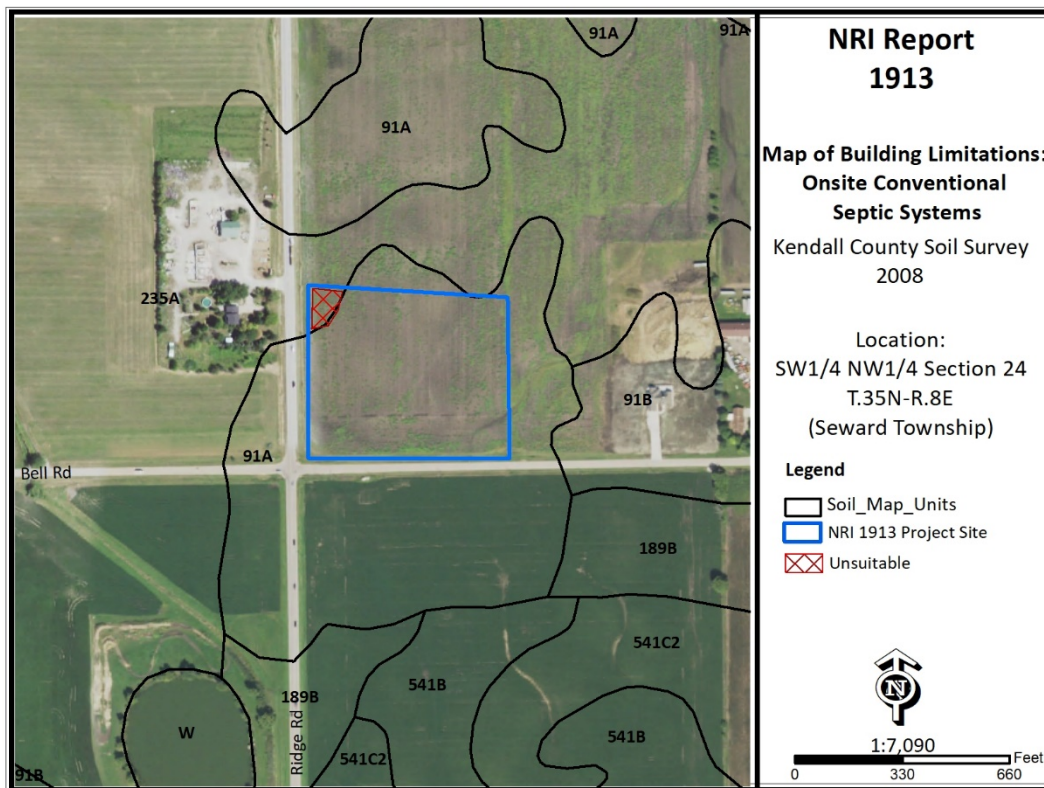


Figure 3d: Map of Building Limitations – Onsite Conventional Sewage System



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
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	7.9	92.9%
235A	0-2%	Slight	0.6	7.1%

PRIME FARMLAND SOILS

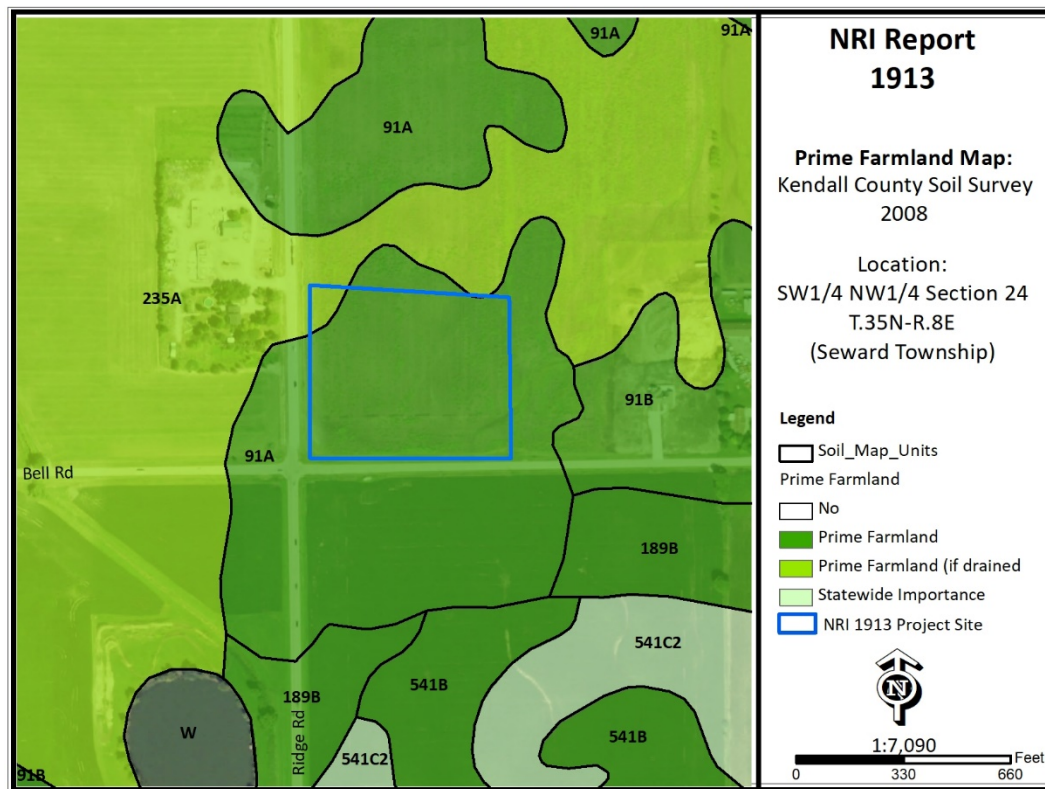
Prime farmland soils are an important resource to Kendall County. Some of the most productive soils in the United States occur locally. Each soil map unit in the United States is assigned a prime or non-prime rating. Prime agricultural land does not need to be in the production of food & fiber.

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	7.9	92.9%
235A	Prime Farmland (if drained)	0.6	7.1%
% 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	7.9	624.1
235A	3	97	0.6	58.2
Totals			8.5	682.3
LE Score		LE= 682.3/8.5		LE=80

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

Table 6b: Site Assessment Computation

A.	Agricultural Land Uses	Points
	1. Percentage of area in agricultural uses within 1.5 miles of site. (20-10-5-0)	20
	2. Current land use adjacent to site. (30-20-15-10-0)	30
	3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0)	20
	4. Size of site. (30-15-10-0)	0
B.	Compatibility / Impact on Uses	
	1. Distance from city or village limits. (20-10-0)	10
	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: 80 + Site Assessment Value: 127 = LESA Score: 207

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 207 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.

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 "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 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. 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 2%**) involving high and low areas (**elevation is approximately between 590' and 600' above sea level**). The parcel lies within both the **Illinois River Watershed and Aux Sable Creek subwatershed**.

Figure 5: FEMA Floodplain Map

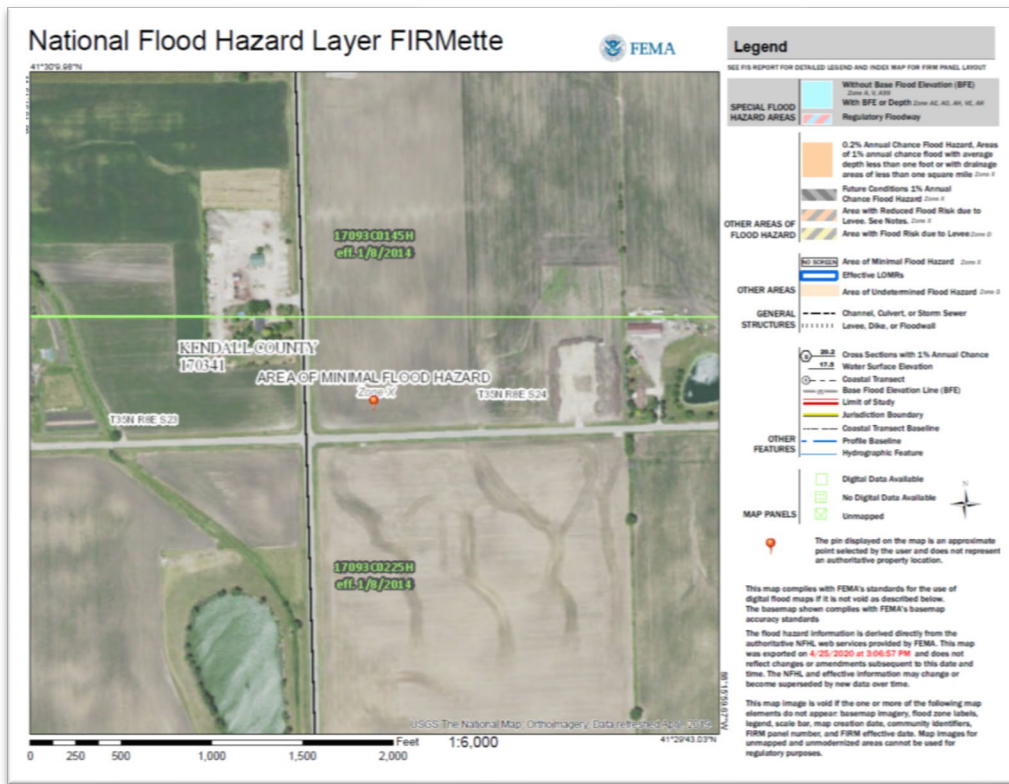
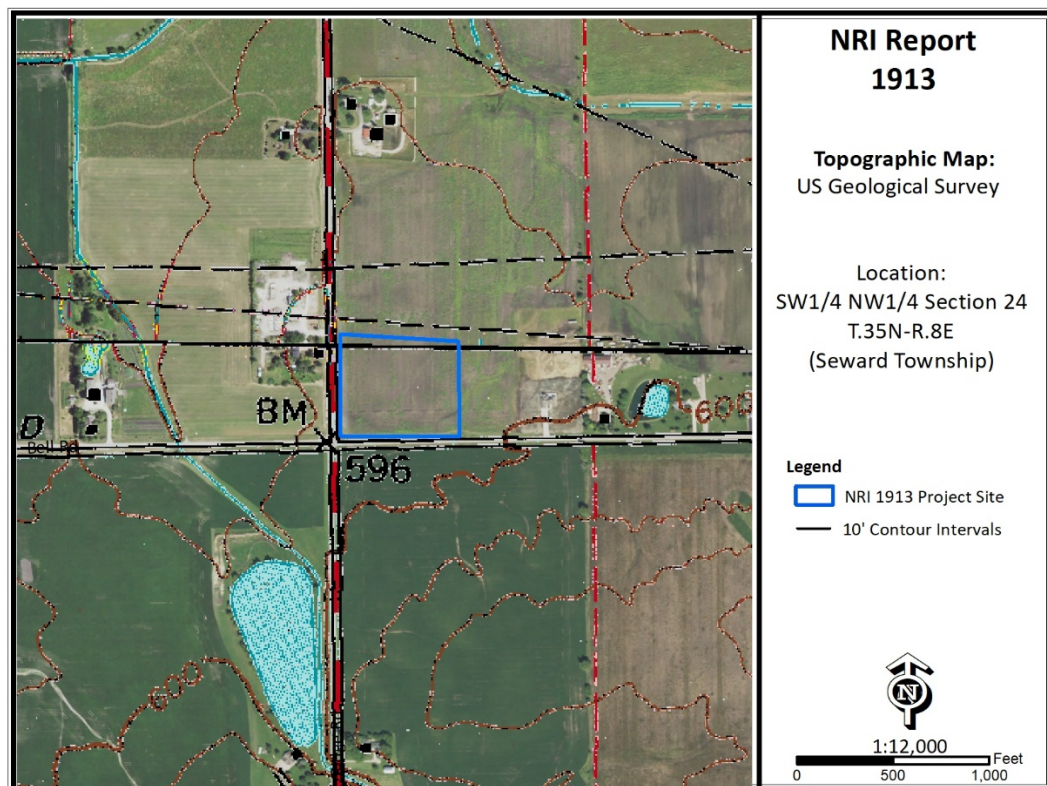


Figure 6: USGS Topographic Map



WATERSHED PLANS

Watershed and Subwatershed Information

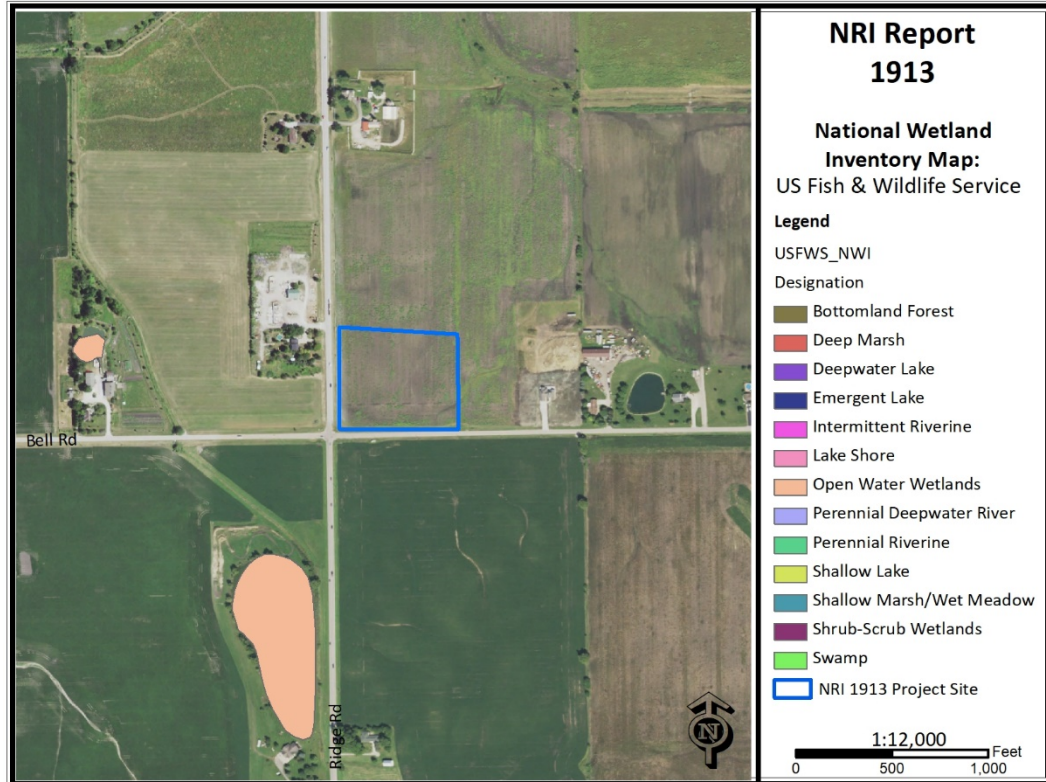
A watershed is the area of land that drains into a specific point including a stream, lake or other body of water. High points on the Earth's surface, such as hills and ridges define watersheds. When rain falls in the watershed, it flows across the ground towards a stream or lake. Rainwater carries any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

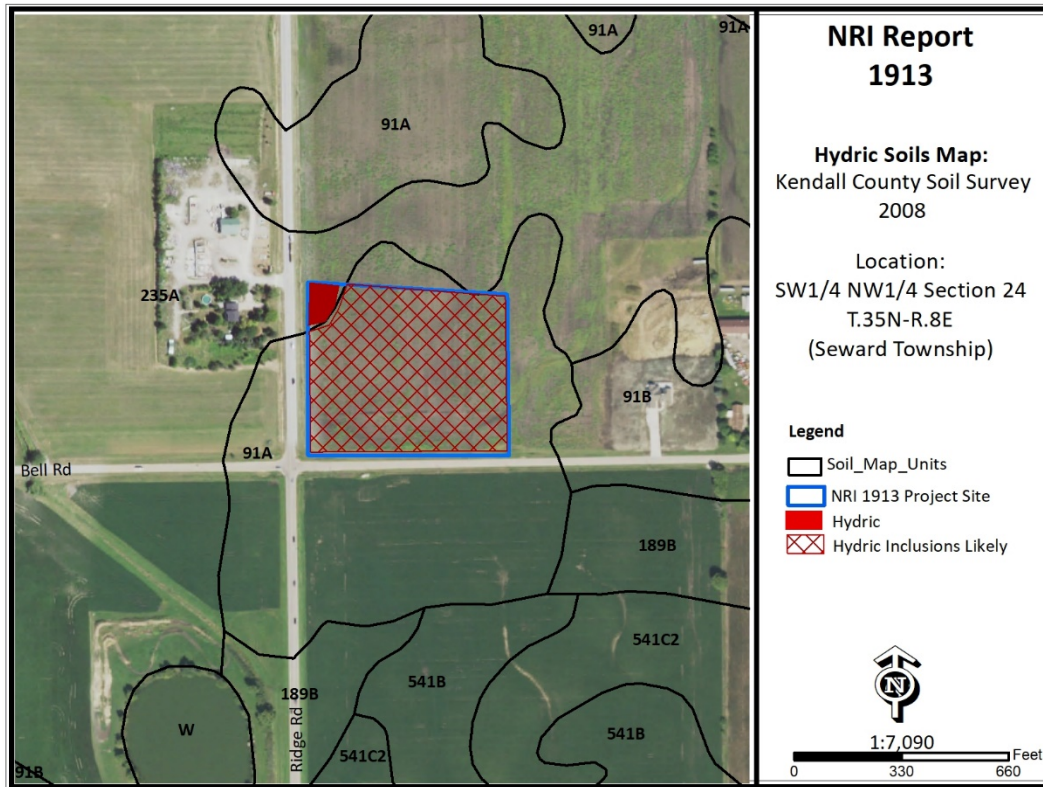
It is also important to add the possibility of hydric inclusions in a soil type. An inclusion is a soil polygon that is too small to appear on these maps. While relatively insignificant for agricultural use, hydric soil inclusions become more important to more intense uses such as a residential subdivision.

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	7.9	92.9%
235A	Poorly Drained	Non-hydric	Yes	0.6	7.1%

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.



Applicant: Cook Engineering Group
Contact: Michael Cook
Address: [REDACTED]

IDNR Project Number: 2307615
Date: 12/13/2022
Alternate Number: 2018-107, 2004691

Project: RUSTY RIDGE ANIMAL CENTER
Address: 949 BELL ROAD, MINOOKA

Description: DOGGY DAYCARE & ANIMAL HOSPITAL

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, 24



IL Department of Natural Resources

Contact

Kyle Burkwald
 217-785-5500
 Division of Ecosystems & Environment

Government Jurisdiction

KENDALL COUNTY
 MATT ASSELMEIER
 111 WEST FOX STREET
 YORKVILLE, Illinois 60560

Disclaimer

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

Terms of Use

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

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

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

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

Security

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

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

Privacy

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

IDNR Project Number: 2307615

**EcoCAT Receipt****Project Code** 2307615**APPLICANT****DATE**Cook Engineering Group
Michael Cook
[REDACTED]

12/13/2022

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

13:08J SPECIAL USES & PLANNED DEVELOPMENTS

FINDINGS OF FACT

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:

1. *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 PETITIONER HAS SUBMITTED A DETAILED SITE PLAN INDICATING LOCATION OF 24-FOOT WIDE DRIVEWAY EXTENSION TO NORTH PROPERTY LINE. THE RUSTY RIDGE ANIMAL CENTER OPERATIONS WILL NOT HAVE A NEGATIVE IMPACT ON PUBLIC HEALTH, SAFETY, MORALS, COMFORT, OR GENERAL WELFARE.

2. *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 LOCATION OF THE 24-FOOT WIDE DRIVEWAY EXTENSION FOR THE RUSTY RIDGE ANIMAL CENTER MAINTAINS THE REQUIRED DISTANCE FROM NEARBY RESIDENTIAL DISTRICTS AND STRUCTURES AND WILL NOT ADVERSLEY IMPACT ADJACENT USES AND IS COMPATIBLE WITH THE SURROUNDING AREA.

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

THE RUSTY RIDGE ANIMAL CENTER HAS BEEN PROVIDED ADEQUATE UTILITIES IN THE WAY OF PRIVATE WELL, A PRIVATE SEWAGE DISPOSAL AND A REQUIRED FIRE SUPPRESSION SYSTEM MEETING THE MINOOKA FIRE PREVENTION DISTRICT REQUIREMENTS.

THE ADDITION OF THE 24-FOOT WIDE DRIVEWAY EXTENSION WILL IMPROVE INGRESS/EGRESS BASED ON A FULL ACCESS ENTRANCE ALONG RIDGE ROAD ONE QUARTER MILE NORTH OF BELL RD. APPROVED BY KENDALL COUNTY HIGHWAY DEPARTMENT PER ORDINANCE #23-04 AND WILL CONNECT SITE TO EXISTING TWO (2) FULL ACCESS DRIVEWAS ALONG BELL RD.

THESE EXISTING ACCESS DRIVEWAYS HAVE BEEN PREVIOUSLY PERMITTED BY KENDALL COUNTY HIGHWAY DEPARTMENT AND SEWARD TOWNSHIP AND

CONSTRUCTED. STORMWATER MANAGEMENT HAS BEEN PROVIDED AS REQUIRED AND PERMITTED THROUGH KENDALL COUNTY.

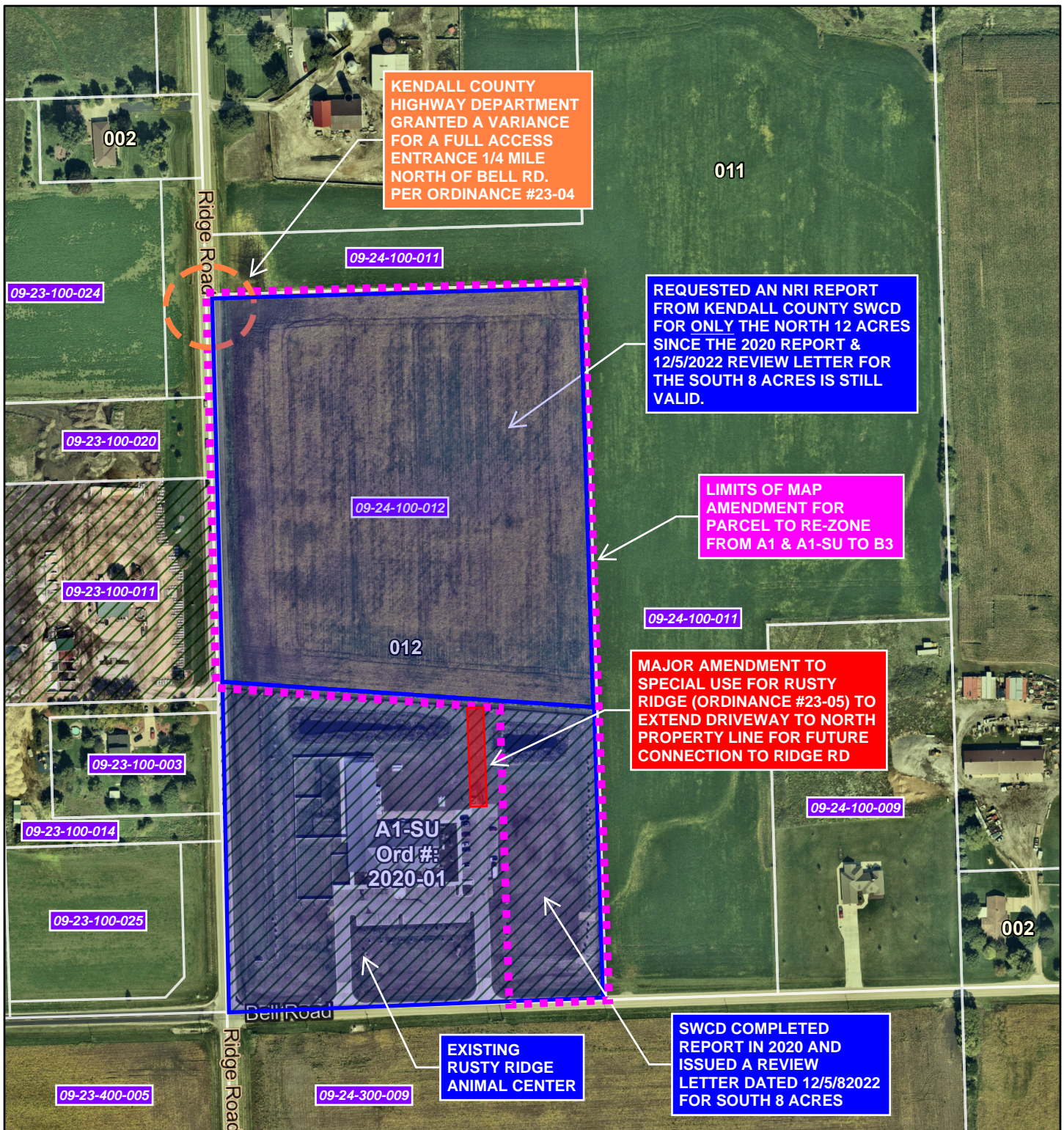
4. *That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals*

THE PROPOSED DEVELOPMENT WITH THE ADDITION OF THE 24-FOOT WIDE DRIVEWAY EXTENSION WILL CONFORM TO THE APPLICABLE REGULATIONS OF THE A-1 DISTRICT. NO OTHER CHANGES ARE REQUESTED FROM PREVIOUSLY APPROVED MAJOR AMENDMENT TO SPECIAL USE PER KENDALL COUNTY ORDINANCE #23-05.

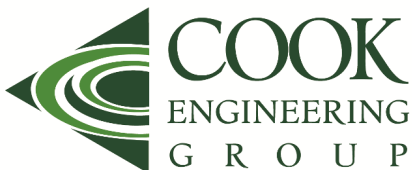
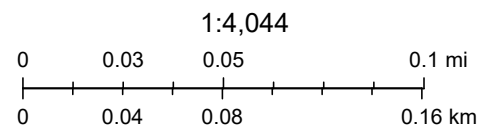
5. *That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies.*

THIS SPECIAL USE IS CONSISTENT WITH THE LAND RESOURCE MANAGEMENT PLAN (LRMP) WHICH INDICATES THE PROPERTY SHALL BE USED AS COMMERCIAL. THE 24-FOOT DRIVEWAY EXTENSION WILL PROVIDE INTERCONNECTIVELY BETWEEN THE OWNERSHIP BETWEEN RIDGE RD. AND BELL RD.

Jade Restorations, Inc.



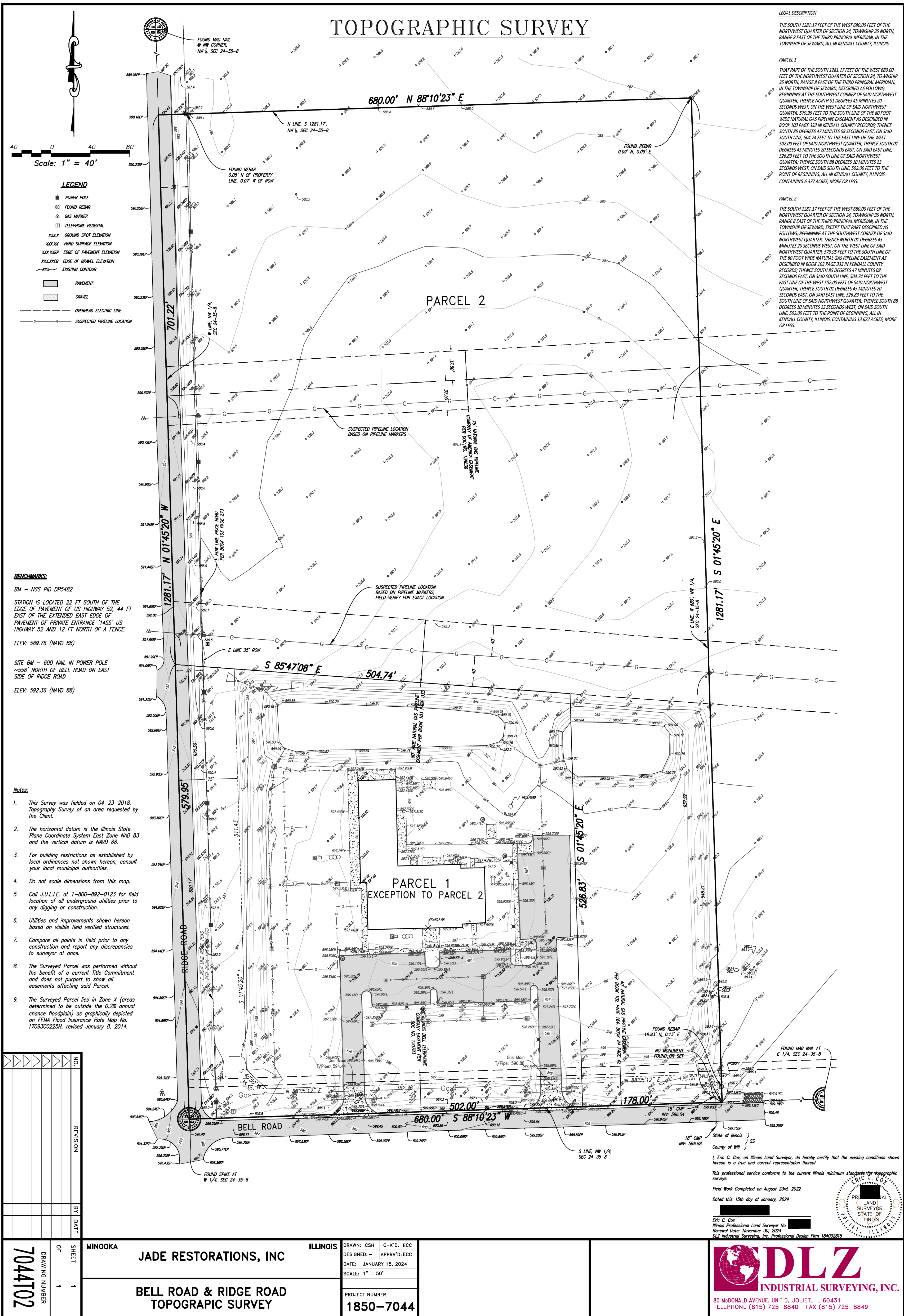
1/11/2024, 11:20:32 AM

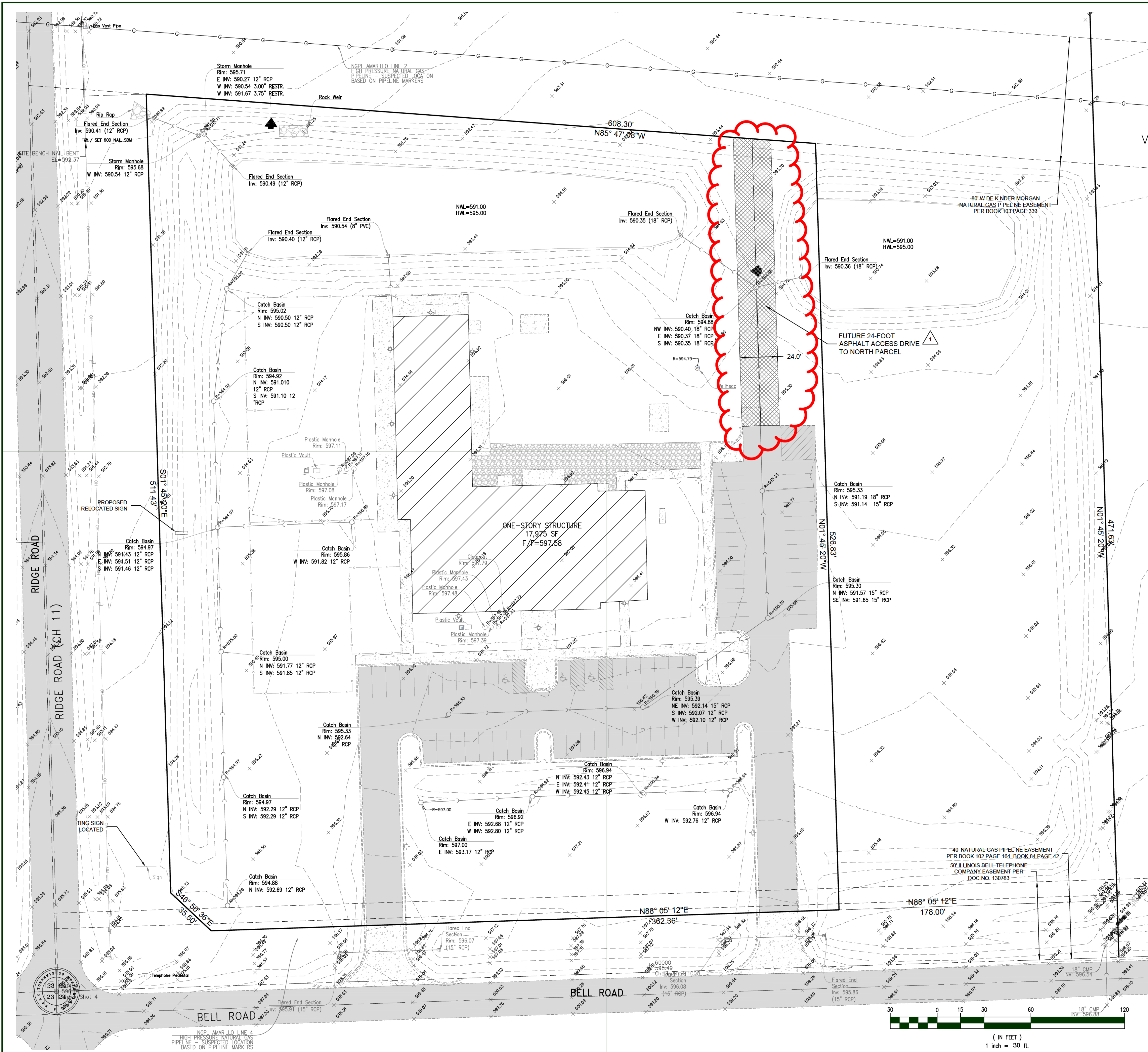
**JADE RESTORATIONS, INC.**NEC RIDGE RD. & BELL RD.
KENDALL COUNTY, IL**RE-ZONING & PIN EXHIBIT**

01/23/2024

78

Map data © OpenStreetMap contributors, Microsoft, Facebook, Inc. and its affiliates, Esri Community Maps contributors, Map layer by Esri





CONCRETE PAVEMENT

GRAVEL AREA

HMA PAVEMENT

EXISTING

PROPOSED

LEGEND

FLARED END SECTION
STORM MANHOLE
STORM INLET
CATCH BASIN
FIRE HYDRANT
VALVE AND VAULT
VALVE BOX
B BOX
SANITARY MANHOLE
STORM SEWER
WATERMAIN
SANITARY SEWER
CONTOUR
SILT FENCE
OVERLAND FLOW PATH

SITE LOCATION

US-52
County Line Rd
Bell Rd
Ridge Rd
SITE

ABBREVIATIONS

TF - TOP OF FOUNDATION
FF - FINISHED FLOOR ELEVATION
LO - LOOKOUT ELEVATION
WO - WALKOUT ELEVATION
GE - GARAGE ENTRY ELEVATION

LEGAL DESCRIPTION

PARCEL 1 (RUSTY RIDGE ANIMAL CENTER)
THAT PART OF THE SOUTH 1281.17 FEET OF THE WEST 680.00 FEET OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF SEWARD, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER, THENCE NORTH 01 DEGREES 45 MINUTES 20 SECONDS WEST, ON THE WEST LINE OF SAID NORTHWEST QUARTER, 579.95 FEET TO THE SOUTH LINE OF THE 80 FOOT WIDE NATURAL GAS PIPELINE EASEMENT AS DESCRIBED IN BOOK 103 PAGE 333 IN KENDALL COUNTY RECORDS; THENCE SOUTH 85 DEGREES 47 MINUTES 08 SECONDS EAST, ON SAID SOUTH LINE, 504.74 FEET TO THE EAST LINE OF THE WEST 502.00 FEET OF SAID NORTHWEST QUARTER; THENCE SOUTH 01 DEGREES 45 MINUTES 20 SECONDS EAST, ON SAID EAST LINE, 528.83 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER; THENCE SOUTH 88 DEGREES 10 MINUTES 23 SECONDS WEST, ON SAID SOUTH LINE, 502.00 FEET TO THE POINT OF BEGINNING, ALL IN KENDALL COUNTY, ILLINOIS.

- LIST OF MODIFICATIONS**
- PROPOSED 24-FOOT ROADWAY EXTENSION TO THE NORTH PROPERTY LINE FOR FUTURE CONNECTIVITY OF THE NORTH 12-ACRES OWNED BY JADE RESTORATIONS, INC. TO BELL RD.

- BENCHMARKS**
- NGS PID DP5482 STATION IS LOCATED 22 FEET SOUTH OF THE EDGE OF PAVEMENT OF US HIGHWAY 52, 44 FEET EAST OF THE EXTENDED EAST EDGE OF PAVEMENT OF PRIVATE ENTRANCE '1455' US HIGHWAY 52 AND 12 FEET NORTH OF A FENCE ELEVATION = 589.76 (NAVD 88)
 - SITE BENCHMARK #1 600 NAIL IN POWER POLE -558 FEET NORTH OF BELL ROAD ON EAST SIDE OF RIDGE ROAD ELEVATION = 592.36 (NAVD 88)

ORDINANCE #23-05 SITE AREA STATISTICS			
	(SF)	(AC)	
GROSS AREA	369,900	8.49	
PREVIOUS EXISTING R.O.W. (RIDGE RD)	20,234	0.46	
DEDICATED PARCEL 1 R.O.W. (RIDGE AND BELL RD)	45,006	1.03	
NET DEVELOPMENT AREA	304,660	6.99	

DEVELOPMENT AREA DRAINAGE STATISTICS			
	#23-05 AREA (SF)	#23-05 AREA (AC)	#23-05 AREA (%)
PERVIOUS (GRASSED) AREA	213,113	4.89	70.0%
GREEN ROOF	0	0.00	0.0%
TOTAL PERVIOUS	213,113	4.89	70.0%
BUILDING AREA	17,245	0.40	5.7%
PAVEMENT AREA (PCC AND ASPHALT)	40,040	0.92	13.1%
WET POND AREA (NWL)	23,548	0.54	7.7%
TOTAL IMPERVIOUS	80,833	1.86	26.5%
FUTURE IMPERVIOUS AREA	10,714	0.25	3.5%
TOTAL AREA	304,660	6.99	100.0%

FUTURE SITE AREA STATISTICS			
	(SF)	(AC)	
GROSS AREA	277,782	6.38	
DEDICATED PARCEL 1 R.O.W. (RIDGE AND BELL RD)	58,806	1.35	
NET DEVELOPMENT AREA	218,976	5.03	

REVISED DEVELOPMENT AREA DRAINAGE STATISTICS			
	FUTURE AREA (SF)	FUTURE AREA (AC)	FUTURE AREA (%)
PERVIOUS (GRASSED) AREA	146,131	3.35	66.7%
TOTAL PERVIOUS	146,131	3.35	66.7%
BUILDING AREA	17,245	0.40	7.9%
PAVEMENT AREA (PCC AND ASPHALT)	40,040	0.92	18.3%
WET POND AREA (NWL)	15,560	0.36	7.1%
TOTAL IMPERVIOUS	72,845	1.67	33.3%
FUTURE IMPERVIOUS AREA	0	0.00	0.0%
TOTAL AREA	218,976	5.03	100.0%

Civil Engineering & Land Development Consulting
26316 Mapleview Drive
Plainfield, IL 60585
815.577.1707 T 815.577.2895 F
www.cookengr.com

COOK

ENGINEERING

GROUP

REVISION DESCRIPTION											
DATE		1	2	3	4	5	6	7	8	9	10

MAJOR AMENDMENT EXHIBIT

RUSTY RIDGE ANIMAL CENTER
949 BELL ROAD
MINOOKA, IL 60447

PREPARED FOR

BULLMASTIFF CONSTRUCTION

MS. DEB HOWARD

CEG JOB NUMBER

2018-107

SCALE: 1" = 30'

DRAWN BY: EKH

CHECKED BY: MDC

DATE: 01/18/2024

SHEET:

1 of 1

© Copyright, 2024

State of Illinois
County of Kendall

Zoning Petition
#19-47

ORDINANCE NUMBER 2020-01

GRANTING A SPECIAL USE PERMIT ON PROPERTY ZONED A-1 AGRICULTURAL FOR A KENNEL AND A VETERINARY ESTABLISHMENT FOR A 8.5 +/- ACRE PARCEL LOCATED AT THE NORTHEAST CORNER OF RIDGE ROAD AND BELL ROAD AND IDENTIFIED BY PARCEL IDENTIFICATION NUMBER 09-24-100-012 IN SEWARD TOWNSHIP

WHEREAS, Section 13.08 of the Kendall County Zoning Ordinance permits the Kendall County Board to issue special use permits and place conditions on special use permits and provides the procedure through which special use permits are granted; and

WHEREAS, Section 7.01.D.27 of the Kendall County Zoning Ordinance permits the operation of kennels as a special use with certain restrictions in the A-1 Agricultural Zoning District; and

WHEREAS, Section 7.01.D.52 of the Kendall County Zoning Ordinance permits the operation of veterinary establishments as a special use with certain restriction in the A-1 Agricultural Zoning District; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural Zoning District and the portion of the property subject to the special use permit consists of approximately 8.5 acres located at the northeast corner of Ridge Road and Bell Road (PIN: 09-24-100-012) in Seward Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as "the subject property."; and

WHEREAS, the subject property is currently owned by Jade Restorations, Inc. and is represented by Deb Chow; and

WHEREAS, Jade Restorations, Inc. has contracted with Bullmastiff Construction Company, LTD as represented by D. Howard and collectively these parties shall hereinafter be referred to as "Petitioner"; and

WHEREAS, on or about December 18, 2019, Petitioner's representative filed a petition for special use permits allowing the operation of a kennel and a veterinary establishment at the subject property; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on January 9, 2020, the Kendall County Zoning Board of Appeals conducted a public hearing on January 27, 2020, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner's representatives presented evidence, testimony, and exhibits in support of the requested special use permits and zero members of the public testified in favor or in opposition; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their Findings of Fact and recommended approval of the special use permits with conditions as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated January 27, 2020, a true and correct copy of which is attached hereto as Exhibit B; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing and has considered the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has forwarded to the Kendall County Board a recommendation of approval of the requested special use permits with conditions; and

State of Illinois
County of Kendall

Zoning Petition
#19-47

WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee and the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

WHEREAS, this special use permits 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; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals attached hereto as Exhibit B are hereby accepted and the Findings of Fact set forth therein are hereby adopted as the Findings of Fact and Conclusions of this Kendall County Board.
2. The Kendall County Board hereby grants approval of Petitioner's petition for a special use permit allowing the operation of a kennel and veterinary establishment on the subject property subject to the following conditions:
 - A. The site shall be developed substantially in accordance with the attached site plan attached hereto as Exhibit C, landscaping plan attached hereto as Exhibit D, and photometric plan attached hereto as Exhibit E.
 - B. Within sixty days (60) days of approval of this special use permit ordinance, the property owners shall convey land to Kendall County and Seward Township for Ridge Road and Bell Road right-of-way in the locations and depths shown on the Right-of-Way Plat of Dedication attached hereto as Exhibit F.
 - C. The use allowed by this special use permit shall be located a minimum of two hundred fifty feet (250') from the lot line of lots zoned residential or shown as Residential on the Land Resource Management Plan (LRMP) map and One Hundred Fifty Feet (150') from Lots Zoned Other Than Residential or Shown on the LRMP Map as non-residential.
 - D. Two (2) non-illuminated signs may be installed on the subject property in substantially the locations shown on the site plan (Exhibit C).
 - E. All vegetation and berms shall be installed within six (6) months of the opening of either the kennel or veterinary establishment at the subject property. The businesses shall be considered open on the date when the Kendall County Planning, Building and Zoning Department issues a certificate of occupancy for the building. Damaged or dead vegetation shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department.
 - F. A maximum of eighty (80) dogs and twenty-five (25) cats may be kenneled on the subject property at any time.
 - G. All pets shall be indoors between the hours of sunset and sunrise except for the purposes of owners dropping-off and picking-up pets.
 - H. In the event that the kennel operations cease at the property, the veterinary business allowed by this special use permit may not board animals overnight except for medical treatment and observations.

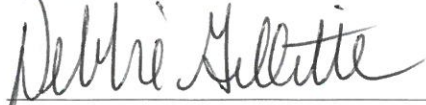
State of Illinois
County of Kendall

Zoning Petition
#19-47

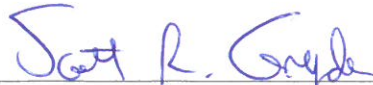
- I. The normal hours of operation for the businesses allowed by this special use permit shall be Monday through Friday from 6:00 a.m. until 7:00 p.m. and Saturday and Sunday from 7:00 a.m. until 7:00 p.m. The operator(s) of the business allowed by this special use permit may reduce these hours of operation. Pets experiencing medical emergencies at the kennel may be tended to outside the hours of operation. The veterinary establishment may be open beyond the hours of operation listed to handle medical emergencies.
 - J. The maximum combined number of employees for the businesses allowed by this special use permit shall be seventy (70), including the business owners.
 - K. Refuse shall be removed from the subject property at least one (1) time per week or as necessary to prevent litter or odors from emanating from the subject property.
 - L. Any construction on the property related to the businesses allowed by this special use permit shall not be considered as agricultural purposes and shall secure applicable permits.
 - M. The operator(s) of the businesses allowed by this special use permit may sell ancillary items related to their operations.
 - N. The operator(s) of the businesses allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
 - O. The operator(s) of the businesses allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of these types of businesses.
 - P. 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.
 - Q. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
3. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect these special use permits.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 18th day of February, 2020.

Attest:



Kendall County Clerk
Debbie Gillette



Kendall County Board Chairman
Scott R. Gryder



DOGGY DAYCARE
LEGAL DESCRIPTION

PARCEL 1 (DEVELOPMENT PARCEL)

THAT PART OF THE SOUTH 1281.17 FEET OF THE WEST 680.00 FEET OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF SEWARD, DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER, THENCE NORTH 01 DEGREES 45 MINUTES 20 SECONDS WEST, ON THE WEST LINE OF SAID NORTHWEST QUARTER, 579.95 FEET TO THE SOUTH LINE OF THE 800 FOOT WIDE NATURAL GAS PIPELINE EASEMENT AS DESCRIBED IN BOOK 103 P AGE 333 IN KENDALL COUNTY RECORDS; THENCE SOUTH 85 DEGREES 47 MINUTES 08 SECONDS EAST, ON SAID SOUTH LINE, 683.71 FEET TO THE EAST LINE OF THE WEST 680.00 FEET SAID NORTHWEST QUARTER; THENCE SOUTH 01 DEGREES 45 MINUTES 20 SECONDS EAST, ON SAID EAST LINE, 507.99 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER; THENCE SOUTH 88 DEGREES 10 MINUTES 23 SECONDS WEST, ON SAID SOUTH LINE, 680.00 FEET TO THE POINT OF BEGINNING, ALL IN KENDALL COUNTY, ILLINOIS.

Exhibit B

The Kendall County Zoning Board of Appeals approved the following Findings of Fact and Recommendation at their meeting on January 27, 2020, by a vote of six (6) in favor and zero (0) in opposition. Member Thompson was absent.

FINDINGS OF FACT-SPECIAL USE

§ 13.08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order recommend in favor of the applicant on special use permit applications.

*That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. **The operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare. The immediately adjacent properties are also zoned A-1 or A-1 with a special use permit. In addition, the site plan shows a six foot (6') tall fence around the outdoor play area. The proposed building will be soundproofed. The proposed landscaping and berming should also reduce noise coming from the property. The Petitioners intend to follow the Kendall County Zoning Ordinance as it relates to having all pets inside by dusk.***

*That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. **The Petitioners plan to install fencing and security lighting. The Petitioners agreed to have animals indoors by sunset. The proposed hours of operation will also prevent injury to neighboring land uses.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **This is true. Adequate ingress and egress will be provided off of Bell Road. The Petitioners will have to secure applicable permits related to stormwater, well, and septic systems.***

*That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. **True, the Petitioners are not requesting any variances.***

*That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **True, the proposed use is consistent with an objective found on Page 6-34 of the Kendall County Land Resource Management Plan which calls for "a strong base of agricultural, commercial and industrial uses that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents" through the encouragement "... of locally owned businesses."***

RECOMMENDATION

Approval with the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the submitted site plan, landscaping plan, and photometric plan.
2. Within sixty days (60) days of approval of this special use permit ordinance, the property owners shall convey land to Kendall County and Seward Township for Ridge Road and Bell Road right-of-way in the locations and depths shown on the Right-of-Way Plat of Dedication.


3. The use allowed by this special use permit shall be located a minimum of two hundred fifty feet (250') from the lot line of lots zoned residential or shown as Residential on the Land Resource Management Plan (LRMP) map and One Hundred Fifty Feet (150') from Lots Zoned Other Than Residential or Shown on the LRMP Map as non-residential.
4. Two (2) non-illuminated signs may be installed on the subject property in substantially the locations shown on the site plan.
5. All vegetation and berms shall be installed within six (6) months of the opening of either the kennel or veterinary establishment at the subject property. The businesses shall be considered open on the date when the Kendall County Planning, Building and Zoning Department issues a certificate of occupancy for the building. Damaged or dead vegetation shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department.
6. A maximum of eighty (80) dogs and twenty-five (25) cats may be kenneled on the subject property at any time.
7. All pets shall be indoors between the hours of sunset and sunrise except for the purposes of owners dropping-off and picking-up pets.
8. In the event that the kennel operations cease at the property, the veterinary business allowed by this special use permit may not board animals overnight except for medical treatment and observations.
9. The normal hours of operation for the businesses allowed by this special use permit shall be Monday through Friday from 6:00 a.m. until 7:00 p.m. and Saturday and Sunday from 7:00 a.m. until 7:00 p.m. The operator(s) of the business allowed by this special use permit may reduce these hours of operation. Pets experiencing medical emergencies at the kennel may be tended to outside the hours of operation. The veterinary establishment may be open beyond the hours of operation listed to handle medical emergencies.
10. The maximum combined number of employees for the businesses allowed by this special use permit shall be seventy (70), including the business owners.
11. Refuse shall be removed from the subject property at least one (1) time per week or as necessary to prevent litter or odors from emanating from the subject property.
12. Any construction on the property related to the businesses allowed by this special use permit shall not be considered as agricultural purposes and shall secure applicable permits.
13. The operator(s) of the businesses allowed by this special use permit may sell ancillary items related to their operations.
14. The operator(s) of the businesses allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
15. The operator(s) of the businesses allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of these types of businesses.
16. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
17. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.



PROPOSED DEVELOPMENT AREA DRAINAGE STATISTICS			
EXISTING AREA (A)	EXISTING AREA (AC)	PROPOSED AREA (A)	PROPOSED AREA (AC)

	1987
GROSS AREA	296,300
EXISTING B.L.W. (GRADE 50)	20,234
FUTURE PARCEL 1 ROW (GRADE AND SELL 10)	44,009
NET DEVELOPMENT AREA	234,498

[illegible]


 MWDG
 LINCOLN P.E. #0652, 062101

[illegible]

BENCHMARK

VALVE BOX
B BOX
CONCRETE
MANHOLE
SANITARY SEWER
SAT FENCE

EXISTING

4
5
6
7
8
9
10

LEGEND

FLARED END SECTION
STORM MANHOLE
STORM INLET
CATCH BASIN
FIRE HYDRANT
VALVE AND VAULT

PROPOSED

1
2
3
4
5
6
7
8
9
10

	0	0.50	1.00	1.50	2.00
TOTAL SERVICES	0	19,547	18,811	23,715	23,715
FUTURE SERVICES AREA	N/A	N/A	21,780	8,889	7,115
TOTAL AREA	204,438	1,838	206,046	4,338	158,577

FERNANDO DE ALBUQUERQUE			
DATE	DESCRIPTION	AMOUNT	CHECK NO.
1/1/01	OPENING OF ACCOUNT	100.00	1001
2/1/01	DEPOSIT	50.00	1002
3/1/01	WITHDRAWAL	25.00	1003
4/1/01	DEPOSIT	75.00	1004
5/1/01	WITHDRAWAL	30.00	1005
6/1/01	DEPOSIT	60.00	1006
7/1/01	WITHDRAWAL	40.00	1007
8/1/01	DEPOSIT	80.00	1008
9/1/01	WITHDRAWAL	55.00	1009
10/1/01	DEPOSIT	90.00	1010
11/1/01	WITHDRAWAL	65.00	1011
12/1/01	DEPOSIT	100.00	1012
1/1/02	WITHDRAWAL	70.00	1013
2/1/02	DEPOSIT	110.00	1014
3/1/02	WITHDRAWAL	80.00	1015
4/1/02	DEPOSIT	120.00	1016
5/1/02	WITHDRAWAL	90.00	1017
6/1/02	DEPOSIT	130.00	1018
7/1/02	WITHDRAWAL	100.00	1019
8/1/02	DEPOSIT	140.00	1020
9/1/02	WITHDRAWAL	110.00	1021
10/1/02	DEPOSIT	150.00	1022
11/1/02	WITHDRAWAL	120.00	1023
12/1/02	DEPOSIT	160.00	1024
1/1/03	WITHDRAWAL	130.00	1025
2/1/03	DEPOSIT	170.00	1026
3/1/03	WITHDRAWAL	140.00	1027
4/1/03	DEPOSIT	180.00	1028
5/1/03	WITHDRAWAL	150.00	1029
6/1/03	DEPOSIT	190.00	1030
7/1/03	WITHDRAWAL	160.00	1031
8/1/03	DEPOSIT	200.00	1032
9/1/03	WITHDRAWAL	170.00	1033
10/1/03	DEPOSIT	210.00	1034
11/1/03	WITHDRAWAL	180.00	1035
12/1/03	DEPOSIT	220.00	1036
1/1/04	WITHDRAWAL	190.00	1037
2/1/04	DEPOSIT	230.00	1038
3/1/04	WITHDRAWAL	200.00	1039
4/1/04	DEPOSIT	240.00	1040
5/1/04	WITHDRAWAL	210.00	1041
6/1/04	DEPOSIT	250.00	1042
7/1/04	WITHDRAWAL	220.00	1043
8/1/04	DEPOSIT	260.00	1044
9/1/04	WITHDRAWAL	230.00	1045
10/1/04	DEPOSIT	270.00	1046
11/1/04	WITHDRAWAL	240.00	1047
12/1/04	DEPOSIT	280.00	1048
1/1/05	WITHDRAWAL	250.00	1049
2/1/05	DEPOSIT	290.00	1050
3/1/05	WITHDRAWAL	260.00	1051
4/1/05	DEPOSIT	300.00	1052
5/1/05	WITHDRAWAL	270.00	1053
6/1/05	DEPOSIT	310.00	1054
7/1/05	WITHDRAWAL	280.00	1055
8/1/05	DEPOSIT	320.00	1056
9/1/05	WITHDRAWAL	290.00	1057
10/1/05	DEPOSIT	330.00	1058
11/1/05	WITHDRAWAL	300.00	1059
12/1/05	DEPOSIT	340.00	1060
1/1/06	WITHDRAWAL	310.00	1061
2/1/06	DEPOSIT	350.00	1062
3/1/06	WITHDRAWAL	320.00	1063
4/1/06	DEPOSIT	360.00	1064
5/1/06	WITHDRAWAL	330.00	1065
6/1/06	DEPOSIT	370.00	1066
7/1/06	WITHDRAWAL	340.00	1067
8/1/06	DEPOSIT	380.00	1068
9/1/06	WITHDRAWAL	350.00	1069
10/1/06	DEPOSIT	390.00	1070
11/1/06	WITHDRAWAL	360.00	1071
12/1/06	DEPOSIT	400.00	1072
1/1/07	WITHDRAWAL	370.00	1073
2/1/07	DEPOSIT	410.00	1074
3/1/07	WITHDRAWAL	380.00	1075
4/1/07	DEPOSIT	420.00	1076
5/1/07	WITHDRAWAL	390.00	1077
6/1/07	DEPOSIT	430.00	1078
7/1/07	WITHDRAWAL	400.00	1079
8/1/07	DEPOSIT	440.00	1080
9/1/07	WITHDRAWAL	410.00	1081

PROPOSED DEVELOPMENT AREA DRAINAGE STATISTICS				
EXISTING AREA (SQ)	EXISTING AREA (AC)	PROPOSED AREA (SQ)	PROPOSED AREA (AC)	TOTAL AREA (AC)
34,688	34,688	34,688	34,688	34,688

SITE AREA STATISTICS

GRASS AREA	1972
EXISTING PLOW (POCKET PLOT)	264,300
PLANTER PLANTING (POCKET PLOT)	20,234

[illegible]

PART 1 (DEVELOPMENT PART 1)
THAT PART OF THE SOUTH HALF OF THE WEST 66.66 FEET OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 35 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN IN THE TOWNSHIP BEING DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER, THENCE NORTH 01 DEGREE 45 MINUTES 20 SECONDS WEST OF THE WEST LINE OF SAID NORTHWEST QUARTER, 57.93 FEET TO

<u>SITE LOCATION</u>	<u>LEGAL DESCRIPTION</u>

DRAWN BY:	EM
CHECKED BY:	MDC
DATE:	1/22/2018
SHLETT:	1 of 2

BILLMASTIFF CONSTRUCTION 11947 S HARLEIGH AVE, STE 200 PALMDALE HEIGHTS, IL 60463 815.405.4623	MR. DEB HOWARD
CEO, JOB NUMBER 2018-107	
SCALE 1" = 30'	

PREPARED FOR	PREL
	NEC

IMINARY
& UTILIT
DOGGY D
BELL ROAD
KENDALL C

Y GEOME
TY PLAN
AYCARE
& RIDGE RO
OUNTY, IL

ELECTRIC	0
	1
	2
	3
LOAD	4
	5
	6
	7
	8
	9
	10

DATE	
12/04/18	
12/08/18	
12/13/18	

8

REVISION DESCRIPTION
PER INTERNAL REVIEW
PER CLIENT REQUEST
FOR SUP SUBMITTA

8

ATION
OW
ST
AL



BOOK

REVIEWING

GROUP

Civil Engineering
Land Development
26316 Mapleview
Plainfield, IL 605
815.677.1707 T
www.cookengrpa

g &
ent Consulting
y Drive
85
815.577.2586 F
up.com

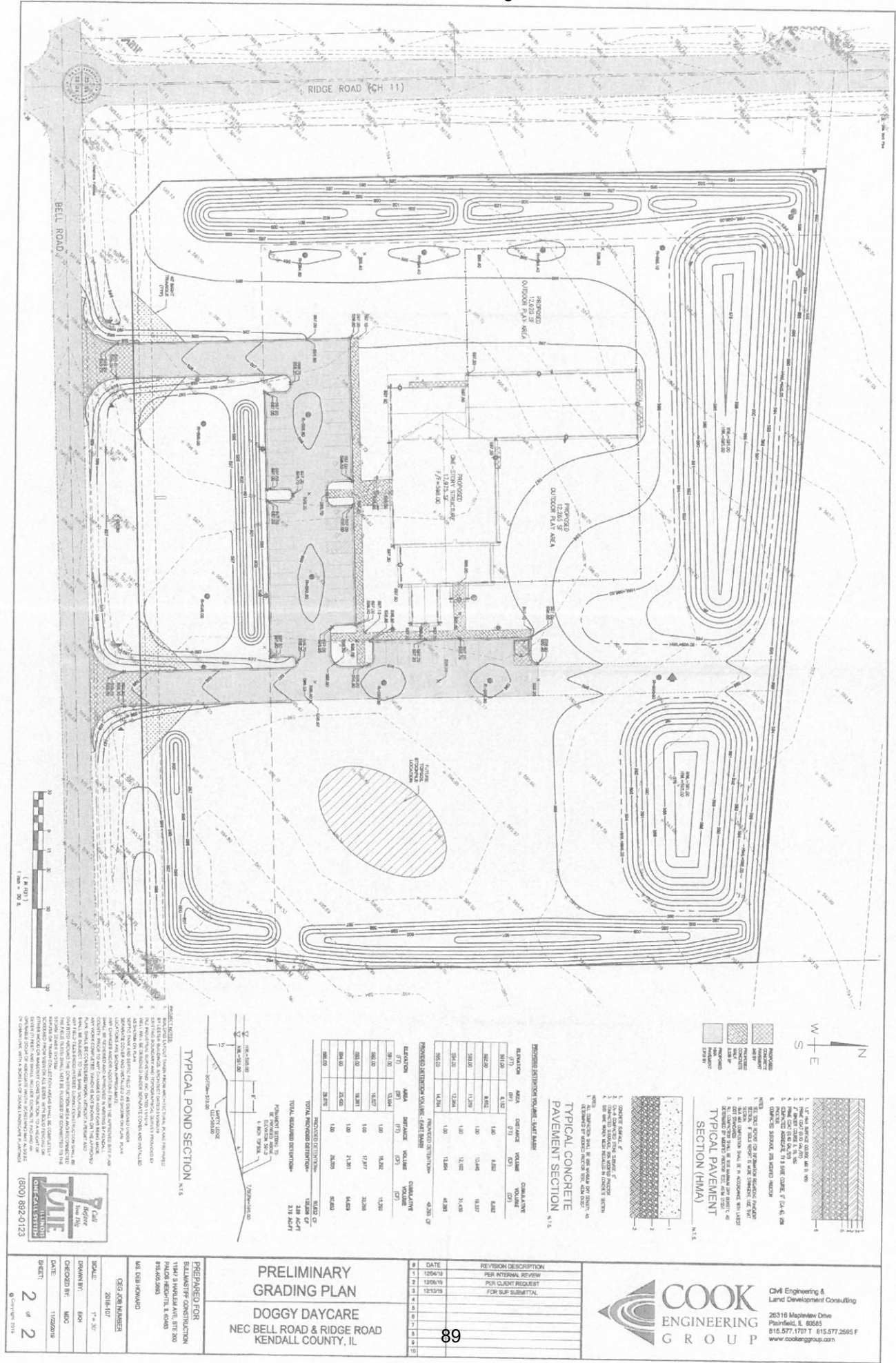
DOGGY DAYCARE
NEC BELL ROAD & RIDGE ROAD
KENDALL COUNTY, IL

88



COOK
ENGINEERING
GROUP

Civil Engineering &
Land Development Consulting
26316 Mapleview Drive
Plainfield, IL 60585
615.577.1707 T 815.577.2556 F
www.cookencorp.com



TYPICAL POND SECTION
N.T.S.

1. POND DEPTH SHALL BE 4'-0" TO 6'-0" DEEP.
2. POND SLOPE SHALL BE 1:1.
3. POND BOTTOM SHALL BE 1'-0" TO 2'-0" BELOW FINISHED GRADE.
4. POND SHALL BE CONSTRUCTED WITH 18" MINIMUM WALL THICKNESS.
5. POND SHALL BE COVERED WITH 1/2" MINIMUM THICKNESS OF CONCRETE SLAB.
6. POND SHALL BE FINISHED WITH 1/2" MINIMUM THICKNESS OF CONCRETE SLAB.
7. POND SHALL BE FINISHED WITH 1/2" MINIMUM THICKNESS OF CONCRETE SLAB.
8. POND SHALL BE FINISHED WITH 1/2" MINIMUM THICKNESS OF CONCRETE SLAB.
9. POND SHALL BE FINISHED WITH 1/2" MINIMUM THICKNESS OF CONCRETE SLAB.
10. POND SHALL BE FINISHED WITH 1/2" MINIMUM THICKNESS OF CONCRETE SLAB.

PROPOSED EXISTING VOLUME

STATION	AREA	VOLUME
1+00	1.00	1.00
2+00	1.00	1.00
3+00	1.00	1.00
4+00	1.00	1.00
5+00	1.00	1.00
6+00	1.00	1.00
7+00	1.00	1.00
8+00	1.00	1.00
9+00	1.00	1.00
10+00	1.00	1.00

PROPOSED EXISTING VOLUME

STATION	AREA	VOLUME
1+00	1.00	1.00
2+00	1.00	1.00
3+00	1.00	1.00
4+00	1.00	1.00
5+00	1.00	1.00
6+00	1.00	1.00
7+00	1.00	1.00
8+00	1.00	1.00
9+00	1.00	1.00
10+00	1.00	1.00

PROPOSED EXISTING VOLUME

STATION	AREA	VOLUME
1+00	1.00	1.00
2+00	1.00	1.00
3+00	1.00	1.00
4+00	1.00	1.00
5+00	1.00	1.00
6+00	1.00	1.00
7+00	1.00	1.00
8+00	1.00	1.00
9+00	1.00	1.00
10+00	1.00	1.00

PROPOSED EXISTING VOLUME

STATION	AREA	VOLUME
1+00	1.00	1.00
2+00	1.00	1.00
3+00	1.00	1.00
4+00	1.00	1.00
5+00	1.00	1.00
6+00	1.00	1.00
7+00	1.00	1.00
8+00	1.00	1.00
9+00	1.00	1.00
10+00	1.00	1.00

TYPICAL CONCRETE PAVEMENT SECTION
N.T.S.

1. 1" CRACKER SLAB, 4" THICK.
2. 1" CRACKER SLAB, 4" THICK.
3. 1" CRACKER SLAB, 4" THICK.
4. 1" CRACKER SLAB, 4" THICK.
5. 1" CRACKER SLAB, 4" THICK.
6. 1" CRACKER SLAB, 4" THICK.
7. 1" CRACKER SLAB, 4" THICK.
8. 1" CRACKER SLAB, 4" THICK.
9. 1" CRACKER SLAB, 4" THICK.
10. 1" CRACKER SLAB, 4" THICK.

TYPICAL CONCRETE PAVEMENT SECTION
N.T.S.

1. 1" CRACKER SLAB, 4" THICK.
2. 1" CRACKER SLAB, 4" THICK.
3. 1" CRACKER SLAB, 4" THICK.
4. 1" CRACKER SLAB, 4" THICK.
5. 1" CRACKER SLAB, 4" THICK.
6. 1" CRACKER SLAB, 4" THICK.
7. 1" CRACKER SLAB, 4" THICK.
8. 1" CRACKER SLAB, 4" THICK.
9. 1" CRACKER SLAB, 4" THICK.
10. 1" CRACKER SLAB, 4" THICK.

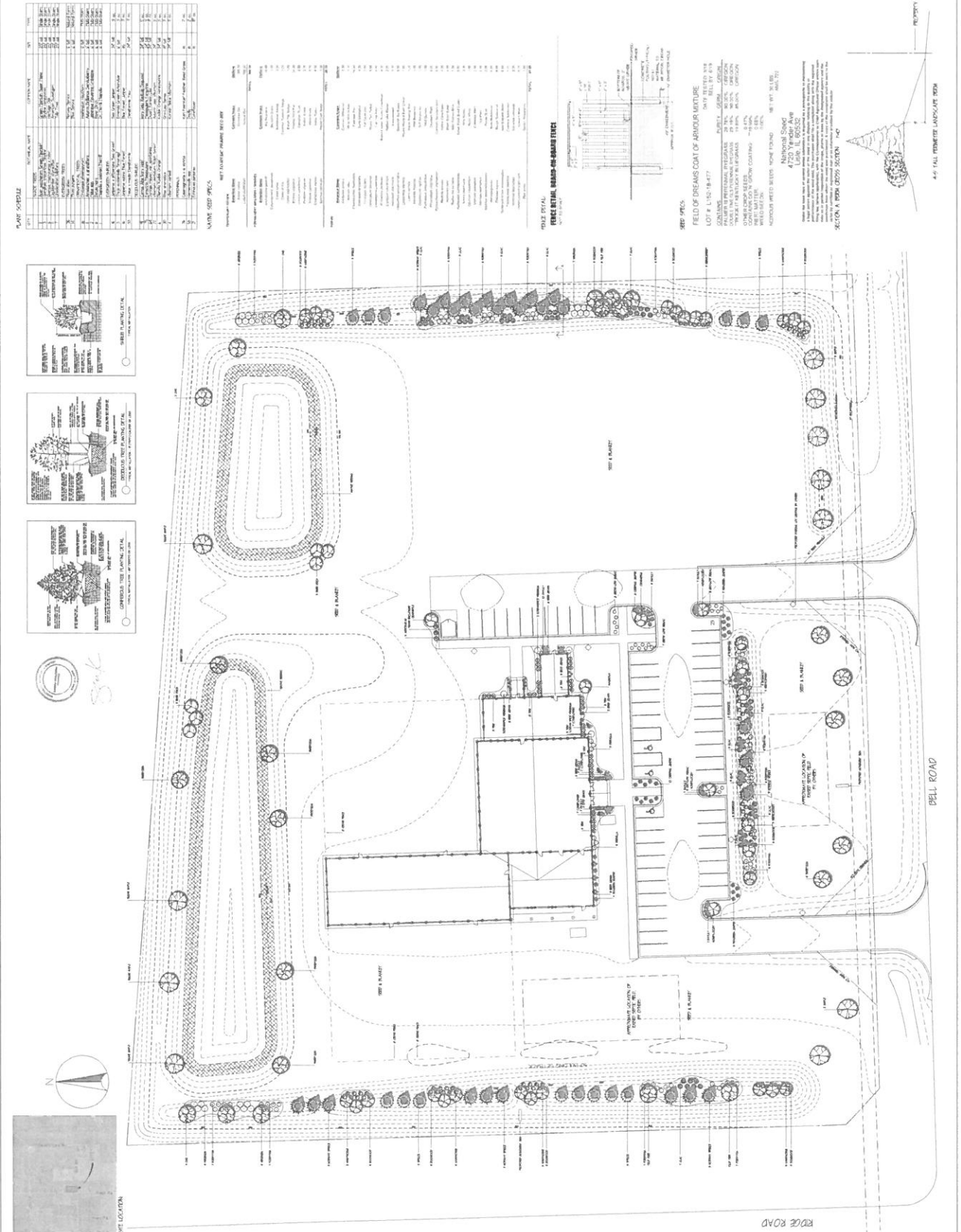
PREPARED FOR
THE CITY OF KENDALL COUNTY, ILL.
BY: [Signature]
DATE: 11/28/18

PRELIMINARY GRADING PLAN
DOGGY DAYCARE
NEC BELL ROAD & RIDGE ROAD
KENDALL COUNTY, IL

COOK ENGINEERING GROUP
25316 Maclester Drive
Pleasanton, IL 60555
815.577.1707 T 815.577.2565 F
www.cookengr.com

REVISION DESCRIPTION
PER INTERNAL REVIEW
FOR CLIENT REQUEST
FOR SUBMITTAL

DATE
12/04/19
12/04/19
12/04/19



PROJECT INFORMATION

Project Name: 445 Tall Timber Lane, 1000

Project Location: Ridge Road & Bell Road, Kendall County, IL

Project Owner: [Redacted]

Project Manager: [Redacted]

Project Engineer: [Redacted]

Project Architect: [Redacted]

Project Designer: [Redacted]

Project Surveyor: [Redacted]

Project Photographer: [Redacted]

Project Writer: [Redacted]

Project Printer: [Redacted]

Project Binder: [Redacted]

Project Folder: [Redacted]

Project Backpack: [Redacted]

Project Suitcase: [Redacted]

Project Toolbox: [Redacted]

Project Hammer: [Redacted]

Project Saw: [Redacted]

Project Drill: [Redacted]

Project Nails: [Redacted]

Project Screws: [Redacted]

Project Bolts: [Redacted]

Project Washers: [Redacted]

Project Spacers: [Redacted]

Project Brackets: [Redacted]

Project Plates: [Redacted]

Project Pipes: [Redacted]

Project Fittings: [Redacted]

Project Valves: [Redacted]

Project Hoses: [Redacted]

Project Pumps: [Redacted]

Project Motors: [Redacted]

Project Controllers: [Redacted]

Project Sensors: [Redacted]

Project Actuators: [Redacted]

Project Relays: [Redacted]

Project Transformers: [Redacted]

Project Breakers: [Redacted]

Project Fuses: [Redacted]

Project Switches: [Redacted]

Project Buttons: [Redacted]

Project Levers: [Redacted]

Project Knobs: [Redacted]

Project Handles: [Redacted]

Project Grips: [Redacted]

Project Triggers: [Redacted]

Project Joysticks: [Redacted]

Project Trackballs: [Redacted]

Project Mice: [Redacted]

Project Keyboards: [Redacted]

Project Monitors: [Redacted]

Project Speakers: [Redacted]

Project Headphones: [Redacted]

Project Microphones: [Redacted]

Project Webcams: [Redacted]

Project Modems: [Redacted]

Project Routers: [Redacted]

Project Switches: [Redacted]

Project Hubs: [Redacted]

Project Adapters: [Redacted]

Project Cables: [Redacted]

Project Connectors: [Redacted]

Project Terminals: [Redacted]

Project Blocks: [Redacted]

Project Modules: [Redacted]

Project Units: [Redacted]

Project Systems: [Redacted]

Project Networks: [Redacted]

Project Servers: [Redacted]

Project Clients: [Redacted]

Project Applications: [Redacted]

Project Services: [Redacted]

Project Products: [Redacted]

Project Solutions: [Redacted]

Project Strategies: [Redacted]

Project Policies: [Redacted]

Project Procedures: [Redacted]

Project Guidelines: [Redacted]

Project Standards: [Redacted]

Project Best Practices: [Redacted]

Project Lessons Learned: [Redacted]

Project Case Studies: [Redacted]

Project White Papers: [Redacted]

Project Reports: [Redacted]

Project Presentations: [Redacted]

Project Documents: [Redacted]

Project Forms: [Redacted]

Project Templates: [Redacted]

Project Styles: [Redacted]

Project Themes: [Redacted]

Project Fonts: [Redacted]

Project Colors: [Redacted]

Project Images: [Redacted]

Project Icons: [Redacted]

Project Symbols: [Redacted]

Project Markers: [Redacted]

Project Indicators: [Redacted]

Project Signals: [Redacted]

Project Alerts: [Redacted]

Project Notifications: [Redacted]

Project Messages: [Redacted]

Project Comments: [Redacted]

Project Reviews: [Redacted]

Project Ratings: [Redacted]

Project Scores: [Redacted]

Project Grades: [Redacted]

Project Marks: [Redacted]

Project Signs: [Redacted]

Project Symbols: [Redacted]

Project Markers: [Redacted]

Project Indicators: [Redacted]

Project Signals: [Redacted]

Project Alerts: [Redacted]

Project Notifications: [Redacted]

Project Messages: [Redacted]

Project Comments: [Redacted]

Project Reviews: [Redacted]

Project Ratings: [Redacted]

Project Scores: [Redacted]

Project Grades: [Redacted]

Project Marks: [Redacted]

PREPARED FOR:

Bulmestiff Construction Co.

1947 S. Harlem Ave., Suite 200

Palos Heights, IL 60463

Mr. Deb Howard

PROJECT INFORMATION

Project Name: 445 Tall Timber Lane, 1000

Project Location: Ridge Road & Bell Road, Kendall County, IL

Project Owner: [Redacted]

Project Manager: [Redacted]

Project Engineer: [Redacted]

Project Architect: [Redacted]

Project Designer: [Redacted]

Project Surveyor: [Redacted]

Project Photographer: [Redacted]

Project Writer: [Redacted]

Project Printer: [Redacted]

Project Binder: [Redacted]

Project Folder: [Redacted]

Project Backpack: [Redacted]

Project Suitcase: [Redacted]

Project Toolbox: [Redacted]

Project Hammer: [Redacted]

Project Saw: [Redacted]

Project Drill: [Redacted]

Project Nails: [Redacted]

Project Screws: [Redacted]

Project Bolts: [Redacted]

Project Washers: [Redacted]

Project Spacers: [Redacted]

Project Brackets: [Redacted]

Project Plates: [Redacted]

Project Pipes: [Redacted]

Project Fittings: [Redacted]

Project Valves: [Redacted]

Project Hoses: [Redacted]

Project Pumps: [Redacted]

Project Motors: [Redacted]

Project Controllers: [Redacted]

Project Sensors: [Redacted]

Project Actuators: [Redacted]

Project Relays: [Redacted]

Project Transformers: [Redacted]

Project Breakers: [Redacted]

Project Fuses: [Redacted]

Project Switches: [Redacted]

Project Buttons: [Redacted]

Project Levers: [Redacted]

Project Knobs: [Redacted]

Project Handles: [Redacted]

Project Grips: [Redacted]

Project Triggers: [Redacted]

Project Joysticks: [Redacted]

Project Trackballs: [Redacted]

Project Mice: [Redacted]

Project Keyboards: [Redacted]

Project Monitors: [Redacted]

Project Speakers: [Redacted]

Project Headphones: [Redacted]

Project Microphones: [Redacted]

Project Webcams: [Redacted]

Project Modems: [Redacted]

Project Routers: [Redacted]

Project Switches: [Redacted]

Project Hubs: [Redacted]

Project Adapters: [Redacted]

Project Cables: [Redacted]

Project Connectors: [Redacted]

Project Terminals: [Redacted]

Project Blocks: [Redacted]

Project Modules: [Redacted]

Project Units: [Redacted]

Project Systems: [Redacted]

Project Networks: [Redacted]

Project Servers: [Redacted]

Project Clients: [Redacted]

Project Applications: [Redacted]

Project Services: [Redacted]

Project Products: [Redacted]

Project Solutions: [Redacted]

Project Strategies: [Redacted]

Project Policies: [Redacted]

Project Procedures: [Redacted]

Project Guidelines: [Redacted]

Project Standards: [Redacted]

Project Best Practices: [Redacted]

Project Lessons Learned: [Redacted]

Project Case Studies: [Redacted]

Project White Papers: [Redacted]

Project Reports: [Redacted]

Project Presentations: [Redacted]

Project Documents: [Redacted]

Project Forms: [Redacted]

Project Templates: [Redacted]

Project Styles: [Redacted]

Project Themes: [Redacted]

Project Fonts: [Redacted]

Project Colors: [Redacted]

Project Images: [Redacted]

Project Icons: [Redacted]

Project Symbols: [Redacted]

Project Markers: [Redacted]

Project Indicators: [Redacted]

Project Signals: [Redacted]

Project Alerts: [Redacted]

Project Notifications: [Redacted]

Project Messages: [Redacted]

Project Comments: [Redacted]

Project Reviews: [Redacted]

Project Ratings: [Redacted]

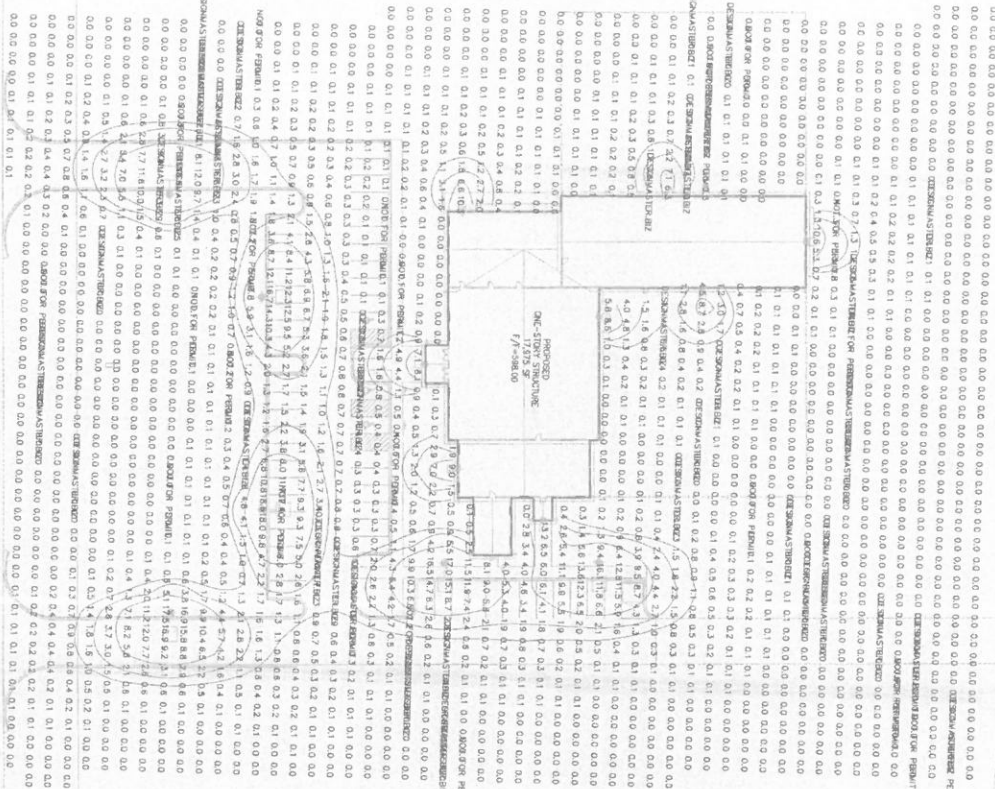
Project Scores: [Redacted]

Project Grades: [Redacted]

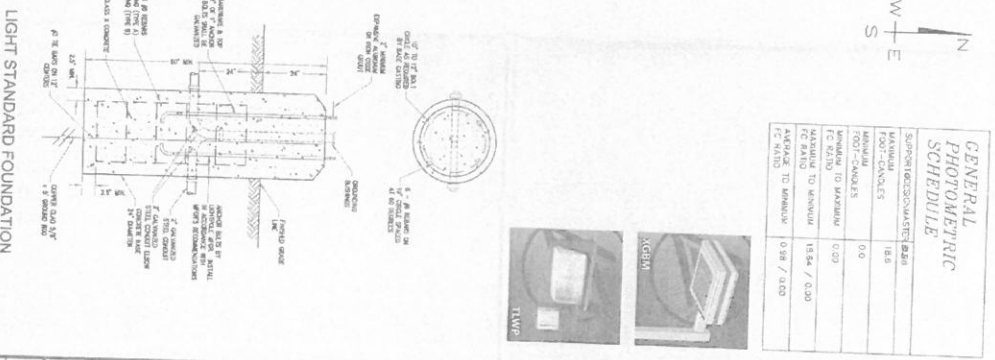
Project Marks: [Redacted]

BELL ROAD

RIDGE ROAD (CH 11)



LUMINAIRE SCHEDULE			
SYMBOL	QTY	MANUFACTURER	DESCRIPTION
1	1	1	1
2	1	1	1
3	1	1	1
4	1	1	1
5	1	1	1
6	1	1	1
7	1	1	1
8	1	1	1
9	1	1	1
10	1	1	1
11	1	1	1
12	1	1	1
13	1	1	1
14	1	1	1
15	1	1	1
16	1	1	1
17	1	1	1
18	1	1	1
19	1	1	1
20	1	1	1
21	1	1	1
22	1	1	1
23	1	1	1
24	1	1	1
25	1	1	1
26	1	1	1
27	1	1	1
28	1	1	1
29	1	1	1
30	1	1	1
31	1	1	1
32	1	1	1
33	1	1	1
34	1	1	1
35	1	1	1
36	1	1	1
37	1	1	1
38	1	1	1
39	1	1	1
40	1	1	1
41	1	1	1
42	1	1	1
43	1	1	1
44	1	1	1
45	1	1	1
46	1	1	1
47	1	1	1
48	1	1	1
49	1	1	1
50	1	1	1
51	1	1	1
52	1	1	1
53	1	1	1
54	1	1	1
55	1	1	1
56	1	1	1
57	1	1	1
58	1	1	1
59	1	1	1
60	1	1	1
61	1	1	1
62	1	1	1
63	1	1	1
64	1	1	1
65	1	1	1
66	1	1	1
67	1	1	1
68	1	1	1
69	1	1	1
70	1	1	1
71	1	1	1
72	1	1	1
73	1	1	1
74	1	1	1
75	1	1	1
76	1	1	1
77	1	1	1
78	1	1	1
79	1	1	1
80	1	1	1
81	1	1	1
82	1	1	1
83	1	1	1
84	1	1	1
85	1	1	1
86	1	1	1
87	1	1	1
88	1	1	1
89	1	1	1
90	1	1	1
91	1	1	1
92	1	1	1
93	1	1	1
94	1	1	1
95	1	1	1
96	1	1	1
97	1	1	1
98	1	1	1
99	1	1	1
100	1	1	1



PRELIMINARY PHOTOMETRIC PLAN

DOGGY DAYCARE

NEC BELL ROAD & RIDGE ROAD

KENDALL COUNTY, IL

COOK ENGINEERING GROUP

Civil Engineering & Land Development Consulting

26316 Mapleview Drive
Pinefield, IL 60595
815-577-1767 • 815-577-2995 F
www.cookengineering.com

REVISION DESCRIPTION

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

PREPARED FOR

DOGGY DAYCARE

NEC BELL ROAD & RIDGE ROAD

KENDALL COUNTY, IL

DATE 12/12/2018

SCALE 1" = 30'

DRAWN BY BNC

CHECKED BY MOC

SHEET 1 of 1

DATE 12/12/2018

BY BNC

State of Illinois
County of Kendall

Zoning Petition
#22-27

ORDINANCE NUMBER 2023- 05

GRANTING MAJOR AMENDMENTS TO AN EXISTING SPECIAL USE PERMIT FOR A KENNEL AND VETERINARY GRANTED BY ORDINANCE 2020-01 BY CHANGING THE SITE PLAN, LANDSCAPING PLAN, AND PHOTOMETRIC PLAN, AND GRANTING A VARIANCE TO SECTION 7:01.D.29 OF KENDALL COUNTY ZONING ORDINANCE ALLOWING ANIMALS TO BE OUTDOORS AFTER SUNSET AT 949 BELL AND IDENTIFIED BY PARCEL IDENTIFICATION NUMBER 09-24-100-012 IN SEWARD TOWNSHIP

WHEREAS, Section 13:08 of the Kendall County Zoning Ordinance permits the Kendall County Board to grant major amendments to existing special use permits and place conditions on special use permits and provides the procedure through which special use permits are granted and amended; and

WHEREAS, Section 7:01.D.56 of the Kendall County Zoning Ordinance permits the operation of veterinary establishments as a special use with certain restrictions in the A-1 Agricultural Zoning District; and

WHEREAS, Section 7:01.D.29 of the Kendall County Zoning Ordinance permits the operation of kennels as a special use with certain restrictions in the A-1 Agricultural Zoning District; and

WHEREAS, Section 7:01.D.29 of the Kendall County Zoning Ordinance requires animals at kennels to be indoors by sunset; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural Zoning District and consists of approximately 20.02 acres of which approximately 8.5 acres is used for a kennel and veterinary located at 949 Bell Road (PIN: 09-24-100-012) in Oswego Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as "the subject property."; and

WHEREAS, on February 18, 2020, the Kendall County Board approved Ordinance 2020-01 which granted a special use permit for a kennel and veterinary with conditions at the subject property; and

WHEREAS, conditions 2.A and 2.E of Ordinance 2020-01 required the subject property be developed substantially in accordance with an attached site plan, landscaping plan, and photometric plan and established a deadline for the installation of berms and vegetation; and

WHEREAS, condition 2.G of Ordinance 2020-01 required all pets to be indoors between the hours of sunset and sunrise except for the purposes of owners dropping-off and picking-up pets; and

WHEREAS, the subject property is currently owned by Jade Restorations, Inc. and is represented by Deb Howard; and

WHEREAS, Jade Restorations, Inc. has contracted with Bullmastiff Construction Company, LTD as represented by Deb Howard and collectively these parties shall hereinafter be referred to as "Petitioner"; and

WHEREAS, on or about December 20, 2022, Petitioner's representative filed a petition for a major amendment to an existing special use permit by deleting the site plan, landscaping plan, and photometric plan attached to Ordinance 2020-01 and replacing those documents with a new, proposed site plan, landscaping

State of Illinois
County of Kendall

Zoning Petition
#22-27

plan, and photometric plan and requesting a variance to Section 7:01.D.29 allowing pets to be outdoors for bathroom purposes until 10:00 p.m. each evening; and

WHEREAS, following due and proper notice by publication in the Aurora Beacon News on January 13, 2023, the Kendall County Zoning Board of Appeals conducted a public hearing on January 30, 2023, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner's engineer presented evidence, testimony, and exhibits in support of the requested major amendments to an existing special use permit and variance and zero members of the public testified in favor or in opposition to the request; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their Findings of Fact and recommended approval of the major amendments to an existing special use permit and variance with conditions as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated January 30, 2023, a true and correct copy of which is attached hereto as Exhibit B; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing and has considered the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has forwarded to the Kendall County Board a recommendation of approval of the requested major amendments to an existing special use permit and variance; and

WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee and the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

WHEREAS, these major amendments to an existing special use permit and variance 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; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals attached hereto as Exhibit B is hereby accepted and the Findings of Fact set forth therein are hereby adopted as the Findings of Fact and Conclusions of this Kendall County Board.
2. The Kendall County Board hereby grants approval of Petitioner's petition for major amendments to an existing special use permit and variance allowing the operation of a kennel and veterinary establishment on the subject property subject to the following conditions:
 - A. Condition 2.A of Ordinance 2020-01 is hereby repealed in its entirety and is replaced with the following:

"The site shall be developed substantially in accordance with the site plan attached hereto as Exhibit C, landscaping plan attached hereto as Exhibit D, and photometric plan attached hereto as Exhibit E."
 - B. Condition 2.E of Ordinance 2020-01 is hereby repealed in its entirety and is replaced with the following:

State of Illinois
County of Kendall

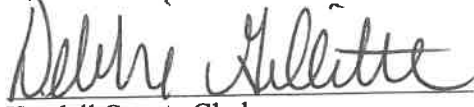
Zoning Petition
#22-27

"All vegetation and berms shall be installed by June 15, 2023. The Planning, Building and Zoning Committee may extend this deadline upon request of the property owner. Damaged or dead vegetation shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department."

- C. Condition 2.G of Ordinance 2020-01 is hereby repealed in its entirety and is replaced with the following:
 "All pets shall be indoors between the hours of sunset and sunrise except for the purposes of owners dropping-off and picking-up pets and necessary bathroom breaks until 10:00 p.m. each evening. This provision is a variance to a requirement contained in Section 7:01.D.29 of the Kendall County Zoning Ordinance."
 - D. The remaining conditions and restrictions contained in Ordinance 2020-01 shall remain valid and effective.
 - E. 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.
 - F. If one or more of the above conditions or restrictions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
- 3. These major amendments to an existing special use permit and variance 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.
 - 4. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this major amendment to an existing special use permit.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 21st day of February, 2023.

Attest:



Kendall County Clerk
Debbie Gillette



Kendall County Board Chairman
Matt Kellogg

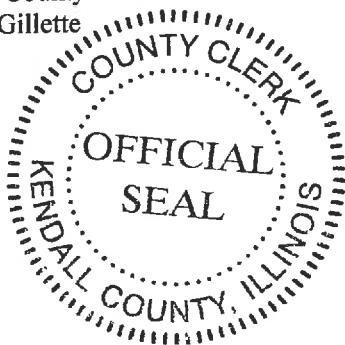


Exhibit A

RUSTY RIDGE ANIMAL CENTER

LEGAL DESCRIPTION

PARCEL 1 (DEVELOPMENT PARCEL)

THAT PART OF THE SOUTH 1281.17 FEET OF THE WEST 680.00 FEET OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF SEWARD, DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER, THENCE NORTH 01 DEGREES 45 MINUTES 20 SECONDS WEST, ON THE WEST LINE OF SAID NORTHWEST QUARTER, 579.95 FEET TO THE SOUTH LINE OF THE 800 FOOT WIDE NATURAL GAS PIPELINE EASEMENT AS DESCRIBED IN BOOK 103 PAGE 333 IN KENDALE COUNTY RECORDS; THENCE SOUTH 85 DEGREES 47 MINUTES 08 SECONDS EAST, ON SAID SOUTH LINE, 683.71 FEET TO THE EAST LINE OF THE WEST 680.00 FEET OF SAID NORTHWEST QUARTER; THENCE SOUTH 01 DEGREES 45 MINUTES 20 SECONDS EAST, ON SAID EAST LINE, 507.99 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER; THENCE SOUTH 88 DEGREES 10 MINUTES 23 SECONDS WEST, ON SAID SOUTH LINE, 680.00 FEET TO THE POINT OF BEGINNING, ALL IN KENDALL COUNTY, ILLINOIS.

Exhibit B

The Kendall County Zoning Board of Appeals approved the following Findings of Fact and Recommendation at their meeting on January 30, 2023, by a vote of seven (7) in favor and zero (0) in opposition:

FINDINGS OF FACT-SPECIAL USE PERMIT AMENDMENT

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare. The immediately adjacent properties are also zoned A-1 or A-1 with a special use permit. In addition, the site plan shows an eight foot (8') tall fence around the outdoor play area. The proposed landscaping and berming should also reduce noise coming from the property. The Petitioners are requesting a variance to allow animals to be outdoors until 10:00 p.m. but only for the purposes of dropping-off and picking-up by owners and for necessary bathroom breaks.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. The Petitioners installed fencing and security lighting. The Petitioners submitted a photometric plan showing no lighting spilling onto adjoining properties. The Petitioners agreed to have animals indoors by sunset, except for specific purposes as mentioned in the previous finding. The proposed hours of operation will also prevent injury to neighboring land uses.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. This is true. Adequate ingress and egress has been provided off of Bell Road. The Petitioners have secured applicable permits and installed adequate facilities related to stormwater, well, and septic systems.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. The Petitioners are requesting a variance to Section 7:01.D.29 of the Kendall County Zoning Ordinance to allow the animals to be outdoors for specific purposes as outlined in the first finding.

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, commerce and industry that provides a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents." The Land Resource Management Plan calls for the subject property to be commercial.

FINDINGS OF FACT-VARIANCE

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. No topographic condition creates a particular hardship for the Petitioner.

That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. Other requests for special use permits for kennels could ask for the same variation.

That the alleged difficulty or hardship has not been created by any person presently having an interest in the property. The current owner was not involved with the drafting of the existing language in the Zoning Ordinance. The current owner cannot control the times for sunset or sunrise.

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 if the animals are outside for the purposes of pick-up and drop-off or to use the restroom and for no other purposes.

That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. The requested variance will not impair light reaching other properties, cause congestion on any public street, or diminish or impair property values.

RECOMMENDATION

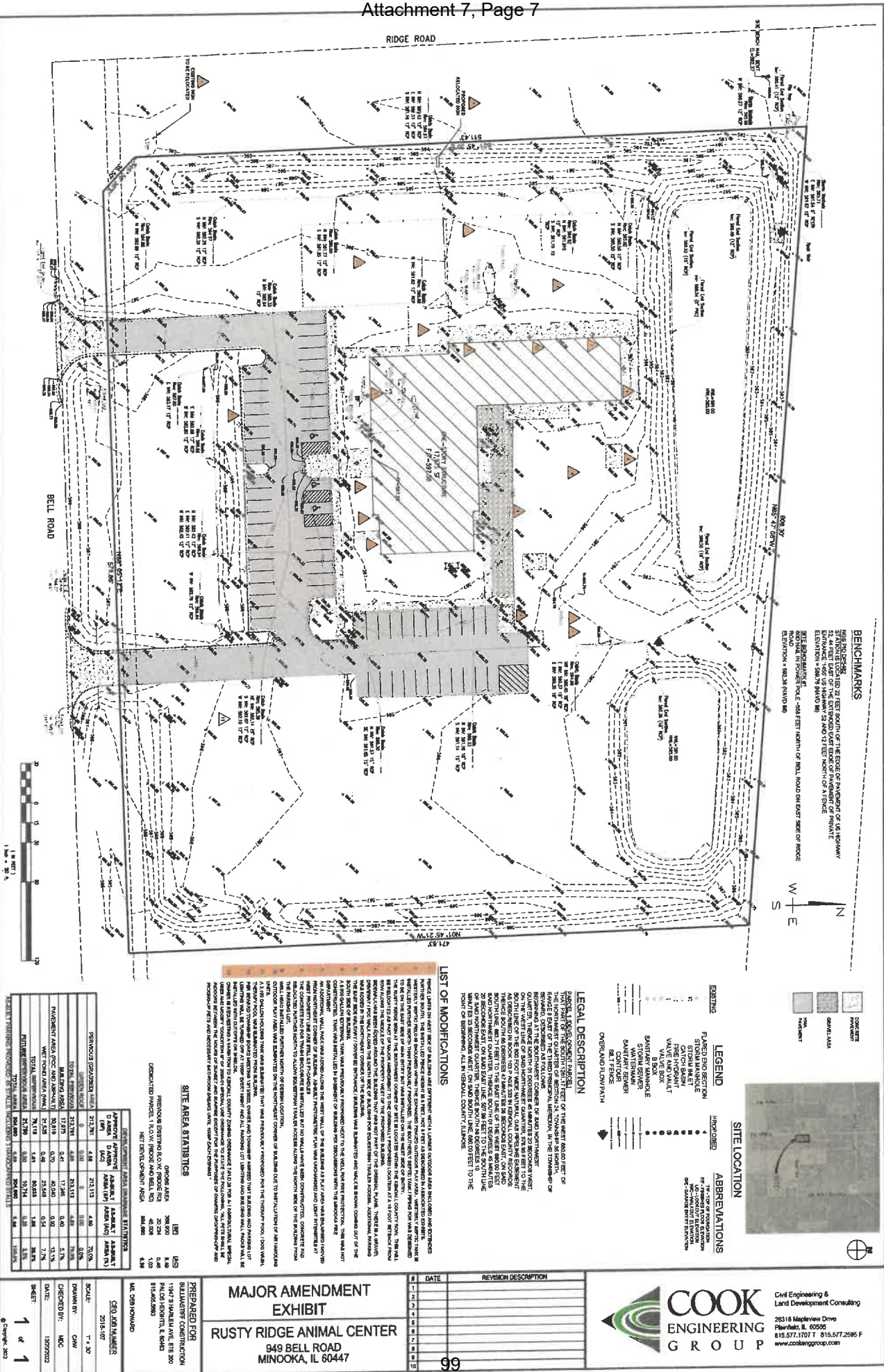
Approval subject to the following conditions and restrictions:

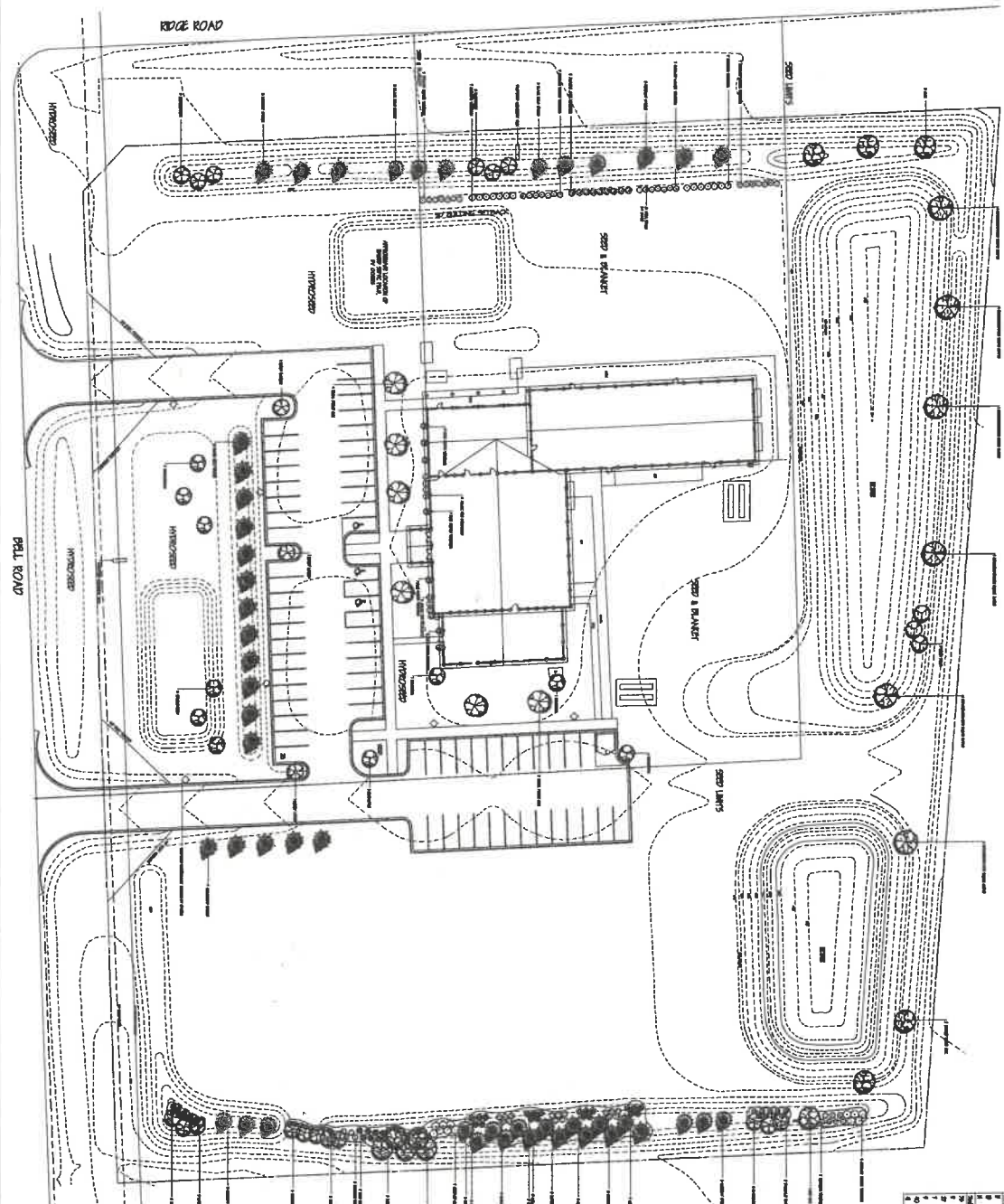
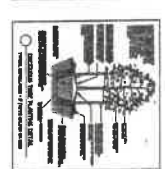
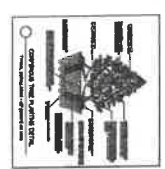
1. Condition 2.A of Ordinance 2020-01 is hereby repealed in its entirety and is replaced with the following:

"The site shall be developed substantially in accordance with the submitted site plan, landscaping plan, and photometric plan."
2. Condition 2.E of Ordinance 2020-01 is hereby repealed in its entirety and is replaced with the following:

"All vegetation and berms shall be installed by June 15, 2023. The Planning, Building and Zoning Committee may extend this deadline upon request of the property owner. Damaged or dead vegetation shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department."
3. Condition 2.G of Ordinance 2020-01 is hereby repealed in its entirety and is replaced with the following:

"All pets shall be indoors between the hours of sunset and sunrise except for the purposes of owners dropping-off and picking-up pets and necessary bathroom breaks until 10:00 p.m. each evening. This provision is a variance to a requirement contained in Section 7:01.D.29 of the Kendall County Zoning Ordinance."
4. The remaining conditions and restrictions contained in Ordinance 2020-01 shall remain valid and effective.
5. 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.
6. If one or more of the above conditions or restrictions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
7. These major amendments to an existing special use permit and variance shall be treated as covenants running with the land and are binding on the successors, heirs, and assigns as to the same special uses conducted on the property.



[illegible][illegible]

Architectural drawing showing a building facade with a grid of columns. The drawing includes a large rectangular volume on the left and a series of columns on the right. The columns are labeled with dimensions: 12' 0" and 12' 0". The drawing is oriented vertically, with the text 'ARCHITECTURAL DRAWING' at the top and 'SECTION' at the bottom.

[illegible]

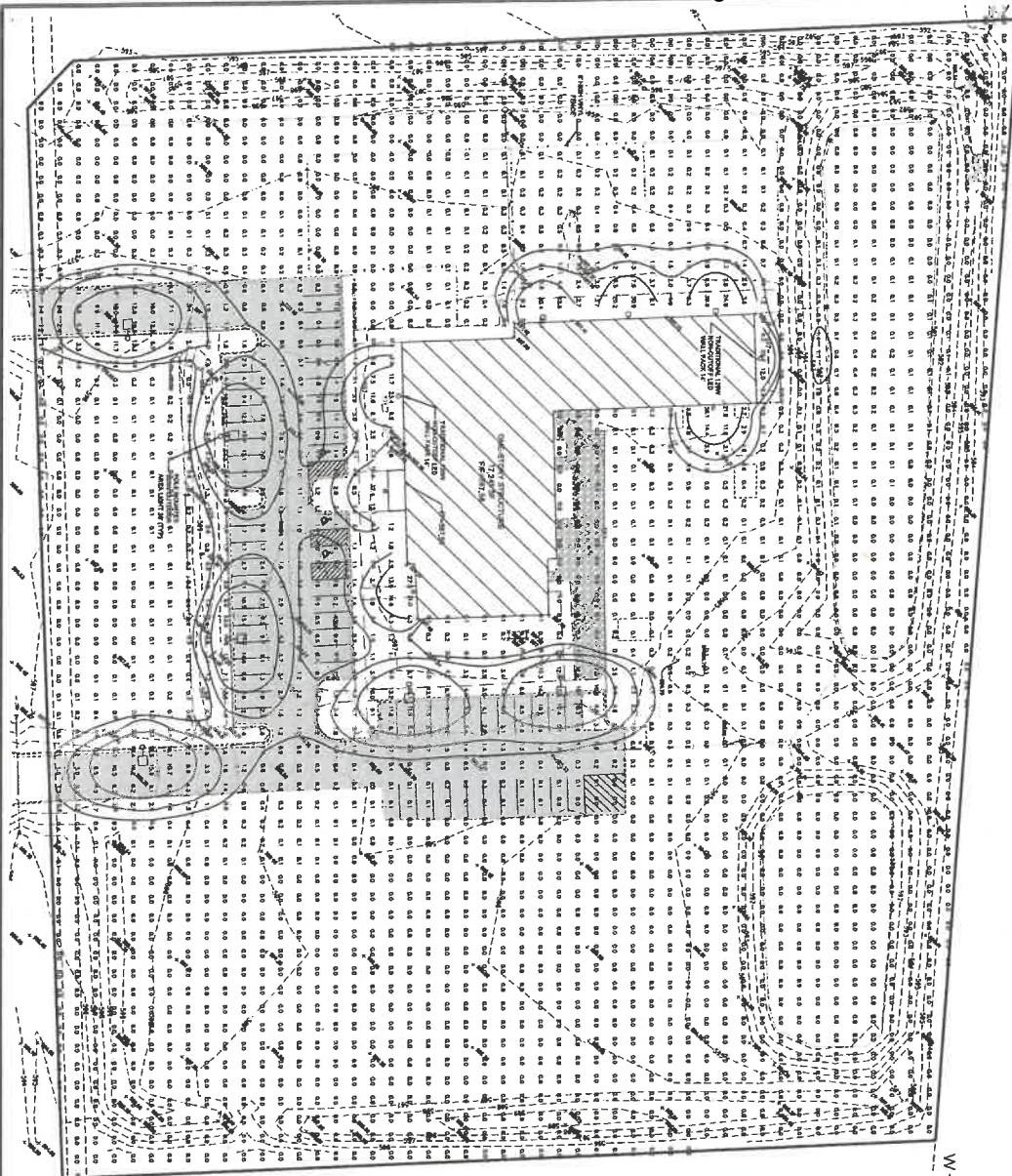
most studies of the safety, efficacy and other aspects of a new drug or device are conducted in patients who are not representative of the general population. In a growing number of studies, patients who are not representative of the general population are being used to study the safety, efficacy and other aspects of a new drug or device. This is because these patients are often the most vulnerable to the adverse effects of a new drug or device. For example, patients who are elderly, have comorbidities, or are taking other medications are often the most vulnerable to the adverse effects of a new drug or device. Therefore, it is important to study the safety, efficacy and other aspects of a new drug or device in these patients. This is because these patients are often the most vulnerable to the adverse effects of a new drug or device. Therefore, it is important to study the safety, efficacy and other aspects of a new drug or device in these patients.

DATE	1-1-90
PREPARED BY	SA
CHECKED BY	MANUALS
DATE	9-4-22
DATE OF REPR	



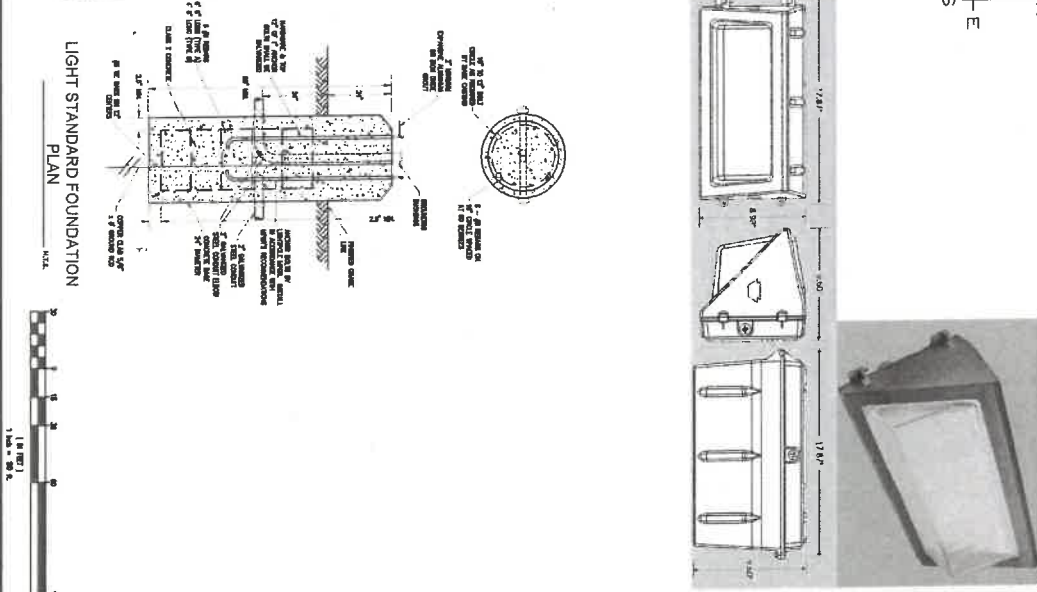
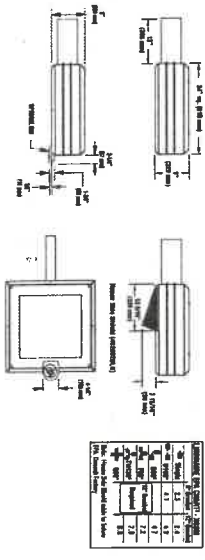
INTERESTED FOR:
Bulmestiff Construction Co.
1947 S. Hartem Ave., Suite 20
Palos Heights, IL 60465
Mrs. Deb Howard

NO	DATE	REMARKS
1	18-4-20	WATER SUPPLY CONNECTION
2	2-5-20	REPAIR THE WALLS
3	18-7-20	REPAIR THE LAMPPOST
4	18-8-20	REPAIR THE LAMPPOST FOR THE CLERK



LUMINAIRE SCHEDULE					
CALCULATED	SYMBOL	QUANTITY	DEPARTMENT / LAMP	AMOUNTING	DESCRIPTION
P	0-0	8	20'	30000	Post Mounted 300W Outdoor Area Light
W10	0	3	10'	10000	Traditional 120W Non-Cutoff LED Wall
W12	0	3	12'	10000	Traditional 120W Non-Cutoff LED Wall
W14	0	2	14'	10000	Traditional 120W Non-Cutoff LED Wall

GENERAL PHOTOMETRIC SCHEDULE		
W10	30.1	10000
W12	30.1	10000
W14	30.1	10000
W16	30.1	10000
W18	30.1	10000
W20	30.1	10000
W22	30.1	10000
W24	30.1	10000
W26	30.1	10000
W28	30.1	10000
W30	30.1	10000
W32	30.1	10000
W34	30.1	10000
W36	30.1	10000
W38	30.1	10000
W40	30.1	10000
W42	30.1	10000
W44	30.1	10000
W46	30.1	10000
W48	30.1	10000
W50	30.1	10000
W52	30.1	10000
W54	30.1	10000
W56	30.1	10000
W58	30.1	10000
W60	30.1	10000
W62	30.1	10000
W64	30.1	10000
W66	30.1	10000
W68	30.1	10000
W70	30.1	10000
W72	30.1	10000
W74	30.1	10000
W76	30.1	10000
W78	30.1	10000
W80	30.1	10000
W82	30.1	10000
W84	30.1	10000
W86	30.1	10000
W88	30.1	10000
W90	30.1	10000
W92	30.1	10000
W94	30.1	10000
W96	30.1	10000
W98	30.1	10000
W100	30.1	10000



PREPARED FOR
BOLANTRIF CONSTRUCTION
1800 S. SHAWAN AVE. STE 200
MINOOKA, IL 60447

**AS-BUILT
PHOTOMETRIC PLAN**

RUSTY RIDGE ANIMAL CENTER
949 BELL ROAD
MINOOKA, IL 60447

COOK ENGINEERING GROUP

Civil Engineering & Land Development Consulting
20315 Mapleview Drive
Plainfield, IL 60559
615.577.1707 T 615.577.2965 F
www.cookengineeringgroup.com

DESIGN NUMBER
2018-07

SCALE
1" = 30'

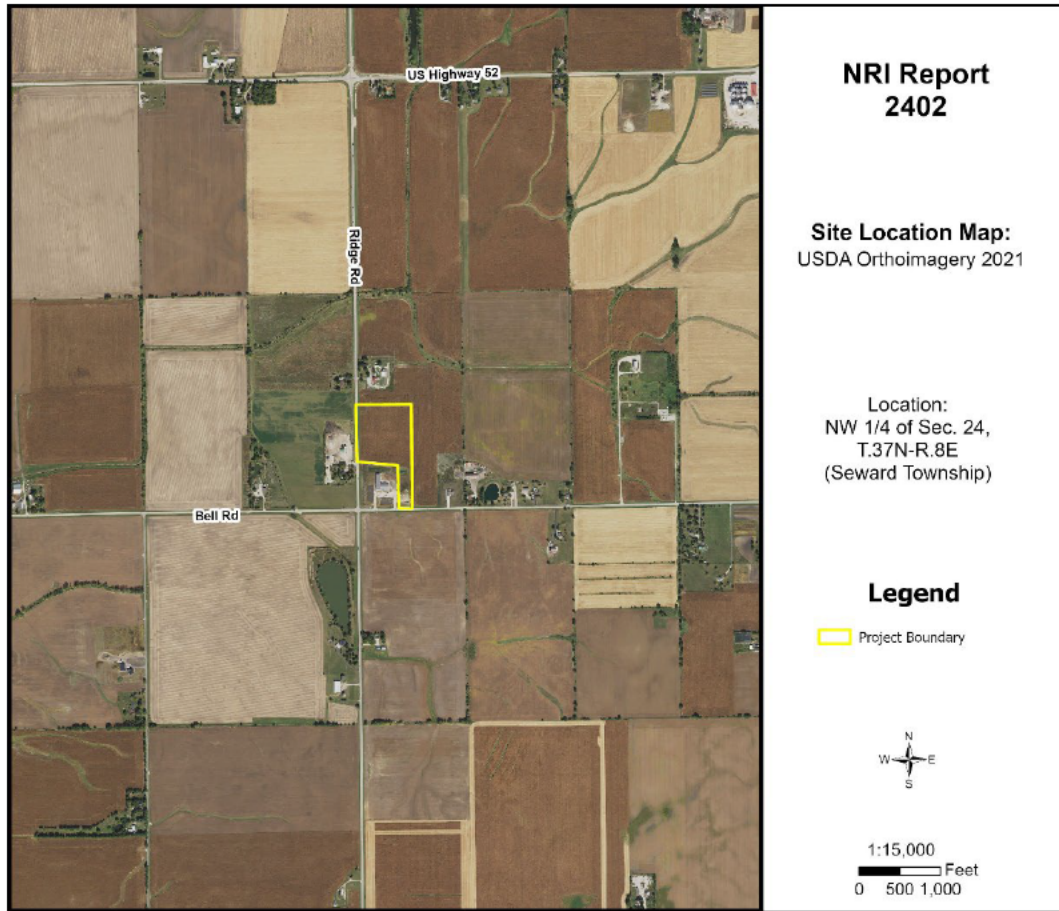
DRAWN BY
DNC

CHECKED BY
MCS

DATE
10/20/2022

SHEET
1 of 1

NATURAL RESOURCE INFORMATION (NRI) REPORT: #2402



Feb.
2024

Petitioner: Jade Restorations, Inc.

Contact: Michael Cook (Cook Engineering Group)

Prepared By:



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

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

Natural Resource Information Report Number	2402
Date District Board Reviews Application	February 2024
Applicant's Name	Jade Restorations, Inc.
Size of Parcel	(+/-) 12.00 acres
Current Zoning & Use	A-1 Agricultural; Cropland
Proposed Zoning & Use	B-3 Highway Business District; Commercial Property
Parcel Index Number(s)	09-24-100-012
Contact Person	Michael Cook (Cook Engineering Group)

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

TABLE OF CONTENTS

EXECUTIVE SUMMARY	1
PARCEL LOCATION	7
ARCHAEOLOGIC/CULTURAL RESOURCES INFORMATION	9
ECOLOGICALLY SENSITIVE AREAS	10
SOILS INFORMATION	12
SOILS INTERPRETATIONS EXPLANATION.....	14
BUILDING LIMITATIONS	15
SOIL WATER FEATURES	20
SOIL EROSION AND SEDIMENT CONTROL.....	22
PRIME FARMLAND SOILS	23
LAND EVALUATION AND SITE ASSESSMENT (LESA)	24
LAND USE PLANS.....	26
DRAINAGE, RUNOFF, AND FLOOD INFORMATION	26
WATERSHED PLANS	30
WETLAND INFORMATION	31
HYDRIC SOILS	33
WETLAND AND FLOODPLAIN REGULATIONS.....	35
GLOSSARY.....	36
REFERENCES.....	39

LIST OF FIGURES

FIGURE 1: Soil Map	2
FIGURE 2: Soil Limitations	4
FIGURE 3: 2021 Plat Map	7
FIGURE 4: 2021 Aerial Map with NRI Site Boundary	8
FIGURE 5: Soil Map	13
FIGURE 6A-6C: Maps of Building Limitations	17-19

FIGURE 7: Map of Prime Farmland Soils	23
FIGURE 8: Flood Map	28
FIGURE 9: Topographic Map	29
FIGURE 10: Wetland Map	32
FIGURE 11: Hydric Soils Map	34

LIST OF TABLES

TABLE 1: Soils Information	2
TABLE 2: Soil Limitations	4
TABLE 3: Soil Map Unit Descriptions	13
TABLE 4: Building Limitations	16
TABLE 5: Water Features	21
TABLE 6: Soil Erosion Potential	22
TABLE 7: Prime Farmland Soils	23
TABLE 8A: Land Evaluation Computation	24
TABLE 8B: Site Assessment Computation	25
TABLE 9: LESA Score Summary	25
TABLE 10: Hydric Soils	33

EXECUTIVE SUMMARY

Natural Resource Information Report Number	#2402
Petitioner	Jade Restorations, Inc.
Contact Person	Michael Cook (Cook Engineering Group)
County or Municipality the Petition is Filed With	Kendall County
Location of Parcel	Northwestern ¼ of Section 24, Township 35 North, Range 8 East (Seward Township) of the 3 rd Principal Meridian
Project or Subdivision Name	Jade Restorations, Inc.
Existing Zoning & Land Use	A-1 Agricultural; Cropland
Proposed Zoning & Land Use	B-3 Highway Business District; Commercial Property
Proposed Water Source	Private well
Proposed Type of Sewage Disposal System	Septic
Proposed Type of Storm Water Management	Wet basin
Size of Site	(+/-) 12.00 acres
Land Evaluation Site Assessment (LESA) Score	180 (Land Evaluation: 87; Site Assessment: 93)

NATURAL RESOURCE CONSIDERATIONS

SOIL INFORMATION

Based on information from the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) 2008 Kendall County Soil Survey, this project area contains the soil types shown in Figure 1 and Table 1. 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.

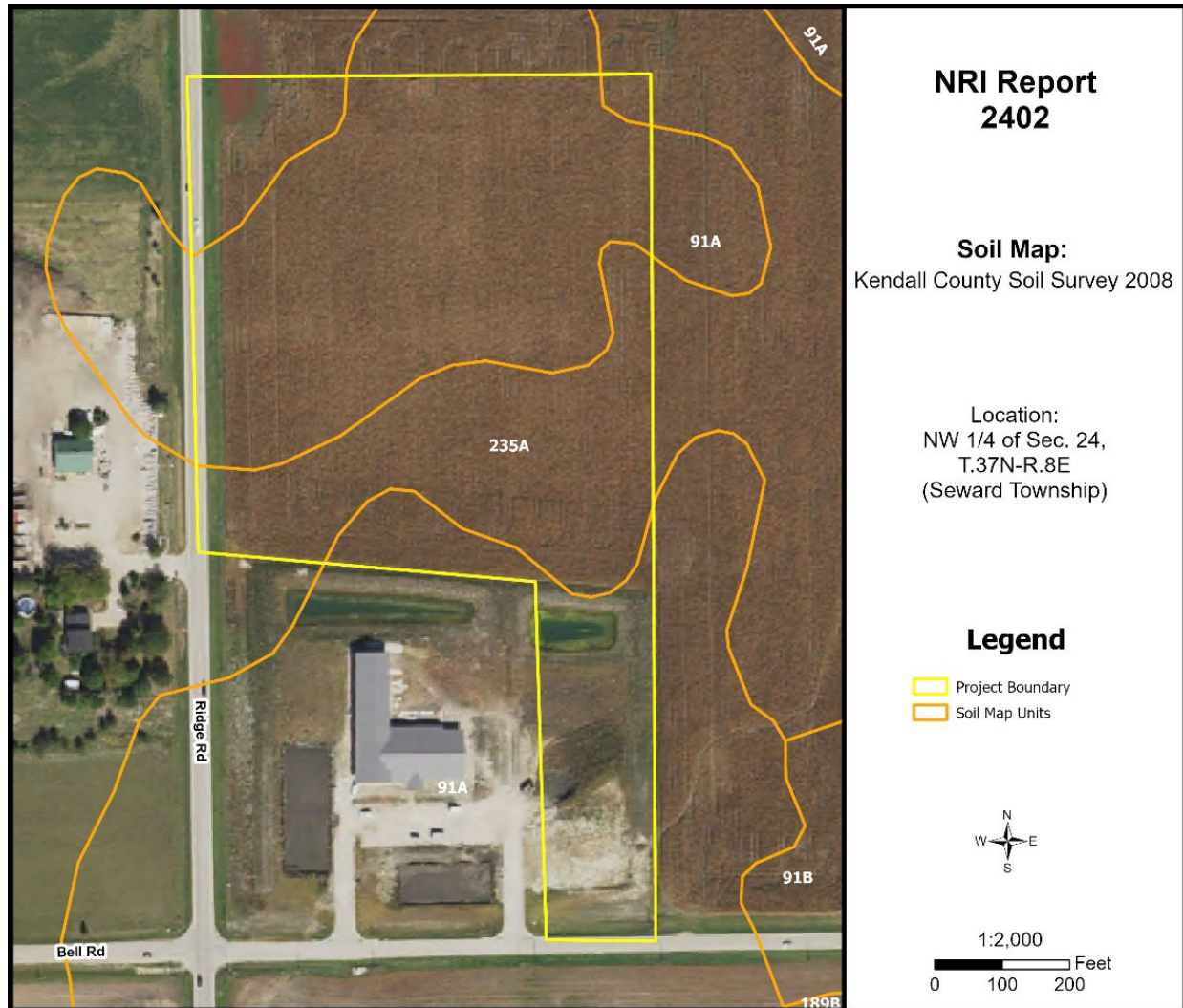


Figure 1: Soil Map

Table 1: Soils Information

Soil Type	Soil Name	Drainage Class	Hydrologic Group	Hydric Designation	Farmland Designation	Acres	% Area
91A	Swygert silty clay loam, 0-2% slopes	Somewhat Poorly Drained	C/D	Non-hydric with Hydric Inclusions	Prime Farmland	8.4	65.7%
235A	Bryce silty clay, 0-2% slopes	Poorly Drained	C/D	Hydric	Prime Farmland if Drained	4.4	34.3%

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 (235A Bryce silty clay), and one is classified as non-hydric soil with hydric inclusions likely (91A Swygert silty clay 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, both are designated as prime farmland or prime farmland if drained (91A Swygert silty clay loam and 235A Bryce silty clay).

Soil Limitations – The USDA-NRCS Web Soil Survey rates the limitations of soils for dwellings, small commercial buildings, solar arrays, shallow excavations, lawns/landscaping, local roads and streets, etc. 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.

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).

Table 2: Soil Limitations

Soil Type	Small Commercial Buildings	Shallow Excavations	Lawns/Landscaping	Local Roads & Streets	Onsite Conventional Sewage Systems
91A	Somewhat Limited	Very Limited	Somewhat Limited	Very Limited	Suitable
235A	Very Limited	Very Limited	Very Limited	Very Limited	Unsuitable: Wet

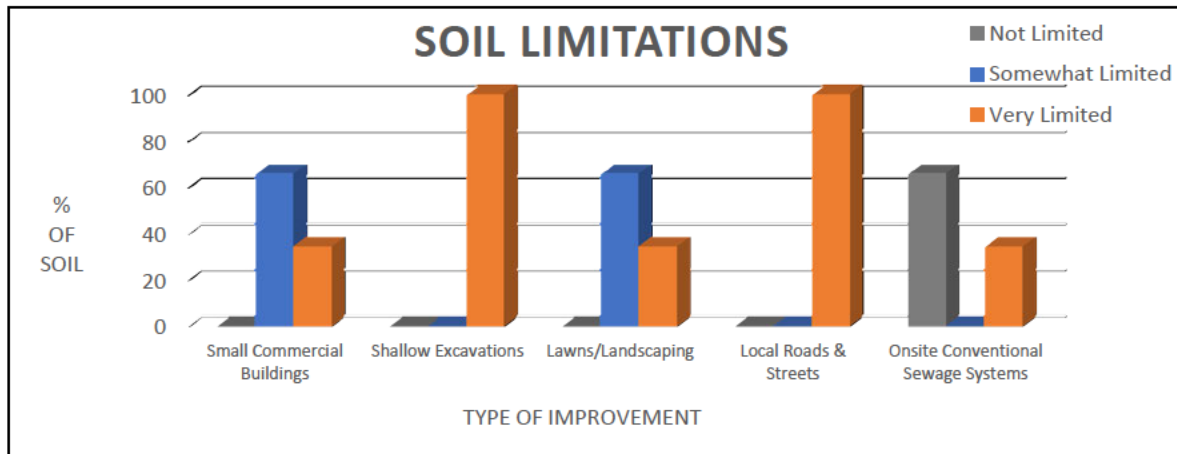


Figure 2: Soil Limitations

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 **87**, indicating that the soils are 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 **93**.

The LESA Score for this site is 180 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.

WETLANDS

The U.S. Fish & Wildlife Service's National Wetlands Inventory map does not indicate the presence of wetland(s)/waters 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. 17093C0145H (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 site 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 as 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.

STORMWATER POLLUTION

A National Pollutant Discharge Elimination System (NPDES) permit (Permit No. ILR10) from the Illinois Environmental Protection Agency (IEPA) is required for stormwater discharges from construction sites that will disturb 1 or more acres of land. Conditions of the NPDES ILR10 permit require the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) to reduce stormwater pollutants on the construction site before they can cause environmental issues.

LAND USE FINDINGS:

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed site plans for Jade Restorations, Inc. The petitioner is requesting a change in zoning from A-1 Agricultural to B-3 Highway Business District on one parcel (Parcel Index Number 09-24-100-012) to utilize the site as a commercial property. The parcel is in Section 24 of Seward Township (T.35N-R.8E) of the 3rd Principal Meridian in Kendall County, IL. This parcel contains 8 acres in the south portion that was previously reviewed by our office in 2020 (NRI Report 1913) and again in 2022 via a review letter. 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.

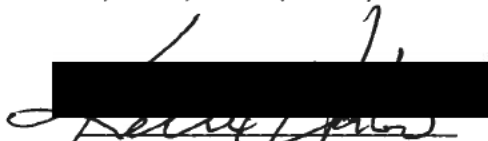
The Kendall County SWCD has always had the opinion that prime farmland soils should be preserved whenever feasible due to their highly productive qualities for growing agriculturally important grain and fiber crops in our community. Of the soils found onsite, 100% are designated as prime farmland or 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 an 87 out of a possible 100 points indicating that the soils are well suited for agricultural uses. The total LESA score for this site is 180 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.

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 considered very limited for shallow excavations and local roads/streets and 34% are considered very limited for small commercial buildings and lawns/landscaping. The remaining soils are considered somewhat limited for these types of uses. Additionally, 34% 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 Town of Seward - Aux Sable Creek sub watershed. This development should include a soil erosion and sediment control plan to be implemented during construction. It is critical to have vegetative cover during and after construction to protect the soil from erosion. 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. Compiled Statutes, Ch. 70, Par 405/22.02a).


SWCD Board Representative

2-12-24
Date

PARCEL LOCATION

Northwestern ¼ of Section 24, Township 35 North, Range 8 East (Seward Township). This parcel contains approximately 12.00 acres and is located on the east side of Ridge Road, north of Bell Road, and south of U.S. Highway 52. The parcel is within unincorporated Kendall County, IL.

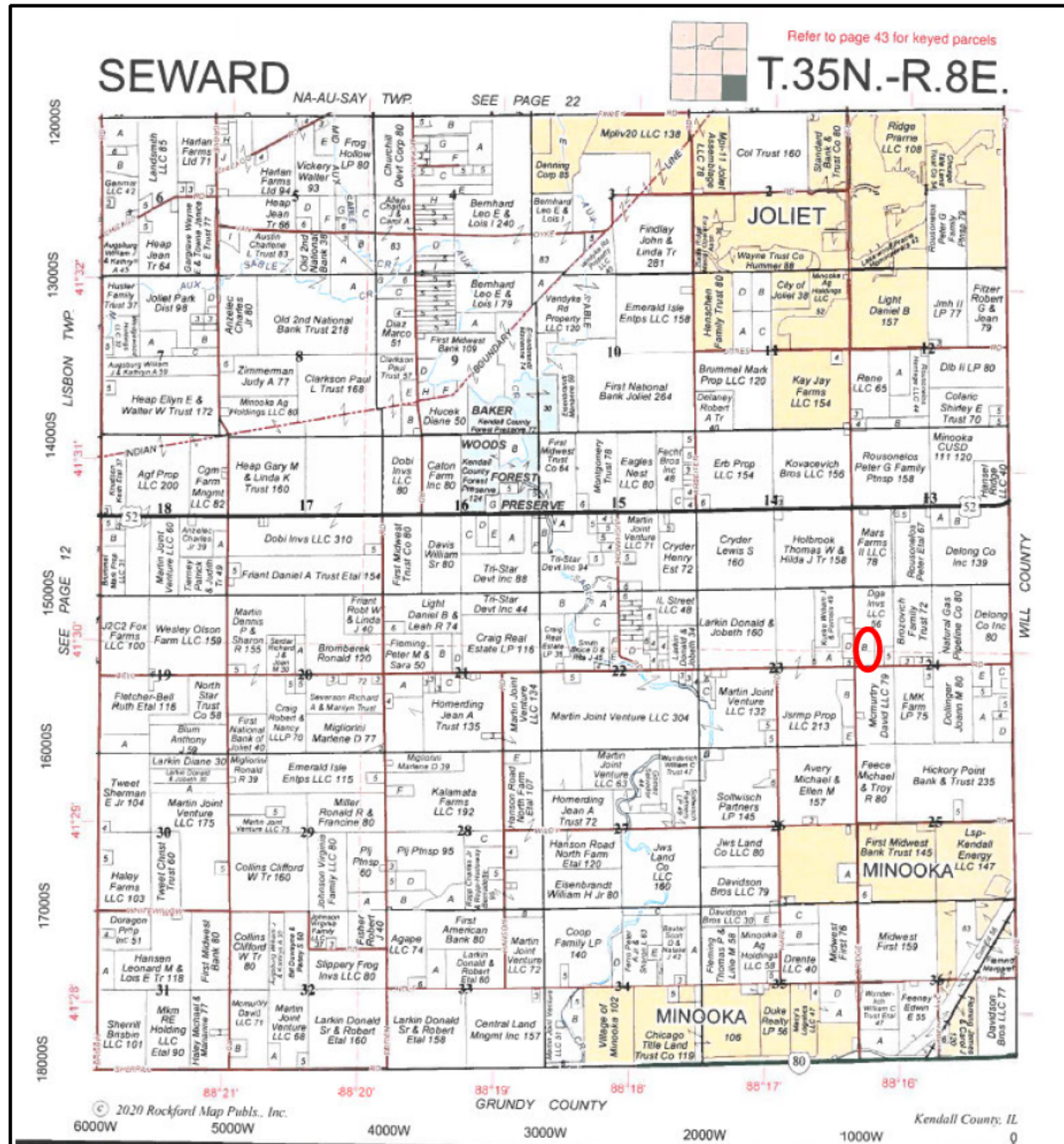


Figure 3: 2021 Plat Map

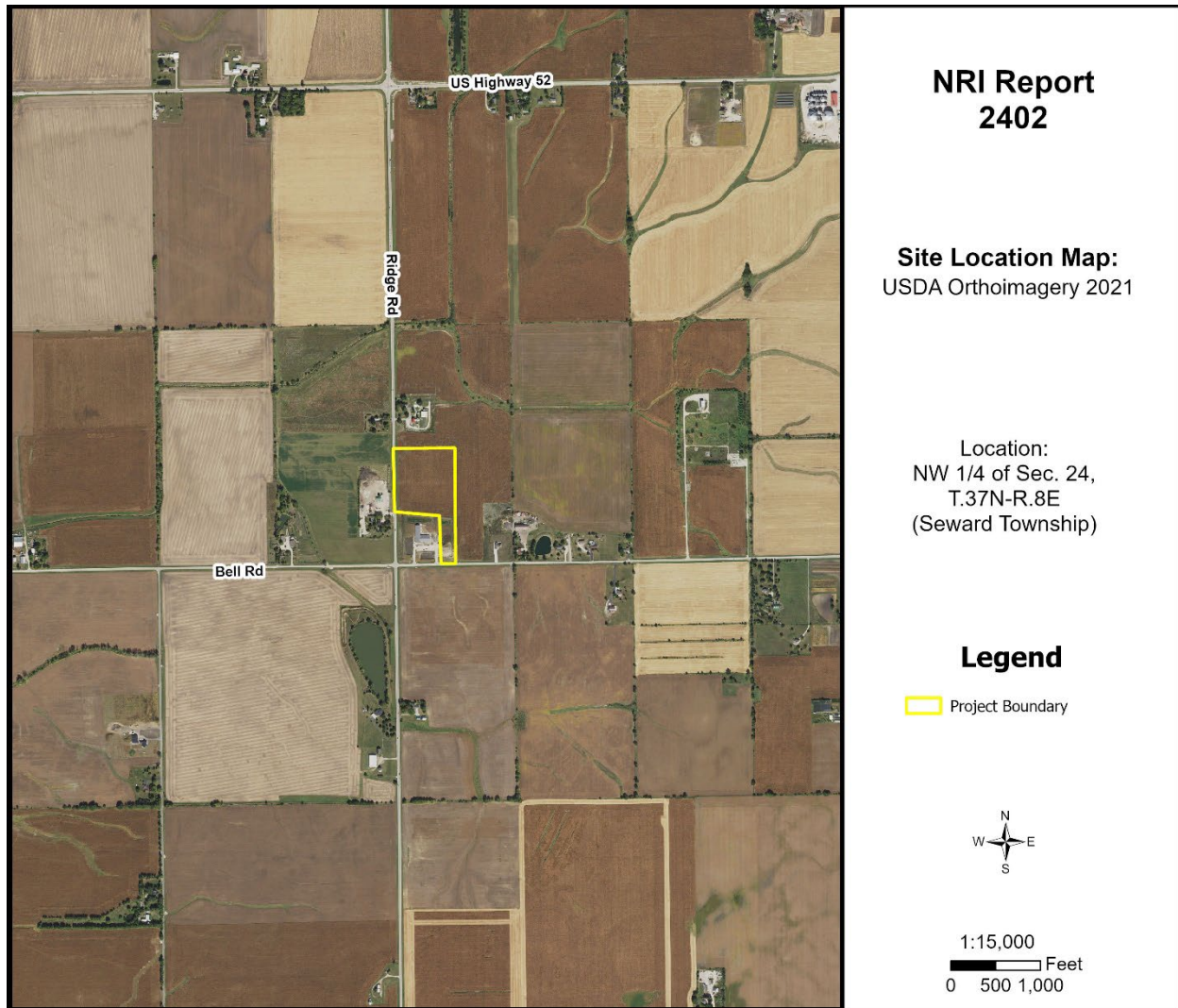


Figure 4: 2021 Aerial Map with NRI Project Boundary

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 State Historic Preservation Office has not been notified of the proposed land use change by the Kendall County SWCD. The applicant may need to contact them 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 on or near the parcel in question (PIQ).

¹Taken 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.

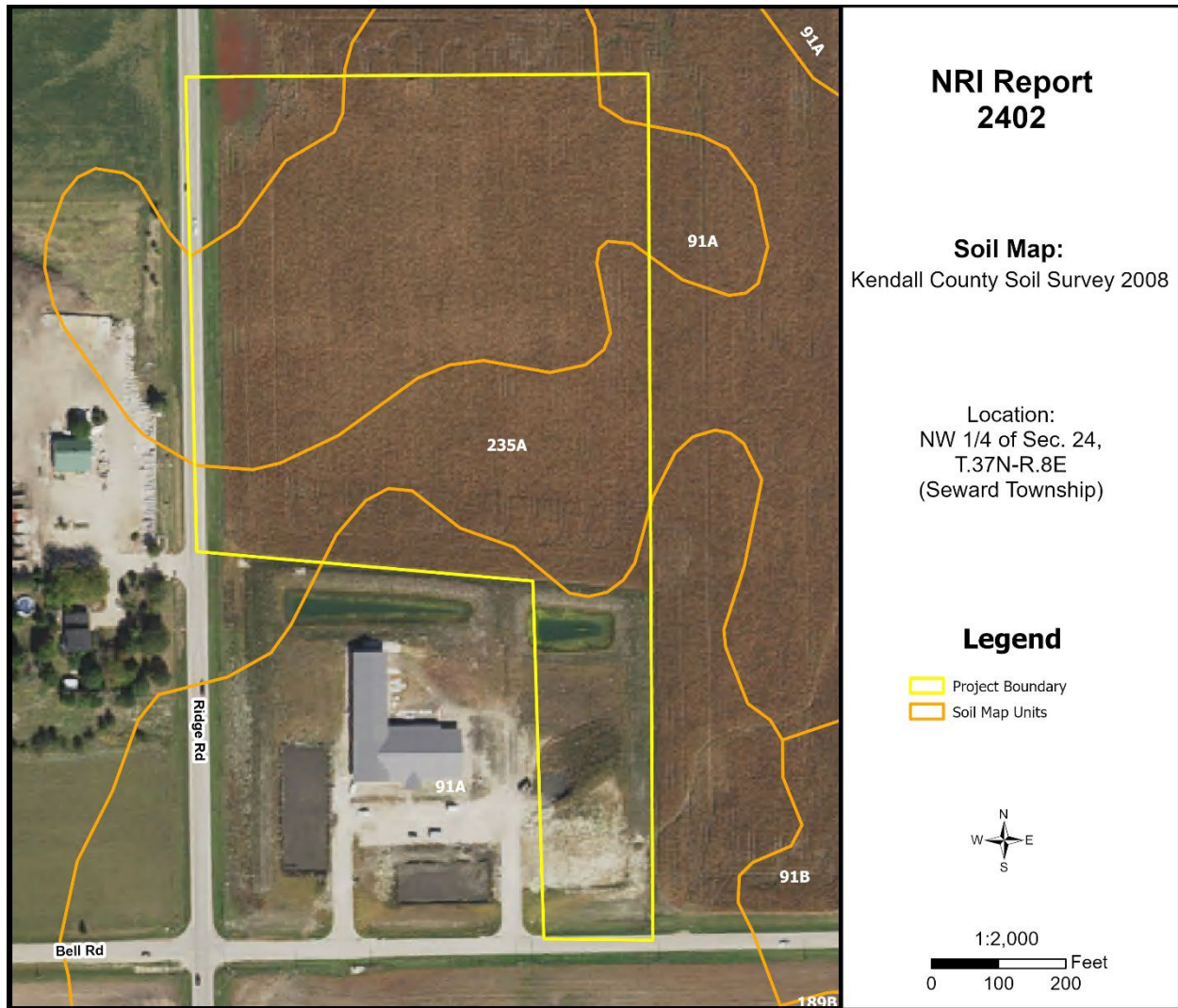


Figure 5: Soil Map

Table 3: Soil Map Unit Descriptions

Soil Type	Soil Name	Acres	Percent
91A	Swygert silty clay loam, 0-2% slopes	8.4	65.7%
235A	Bryce silty clay, 0-2% slopes	4.4	34.3%

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.

LIMITATIONS 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 ease of excavation and grading and the traffic-supporting capacity.

Onsite Conventional 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	%
91A	Somewhat Limited: Depth to saturated zone Shrink-swell	Very Limited: Depth to saturated zone Too clayey Dusty Unstable excavation walls Ponding	Somewhat Limited: Depth to saturated zone Dusty	Very Limited: Low strength Shrink-swell Depth to saturated zone Frost action Ponding	Suitable/ Not Limited	8.4	65.7%
235A	Very Limited: Ponding Depth to saturated zone Shrink-swell	Very Limited: Ponding Depth to saturated zone Too clayey Unstable excavation walls Dusty	Very Limited: Ponding Depth to saturated zone Too clayey Dusty Droughty	Very Limited: Ponding Depth to saturated zone Shrink-swell Frost action Low strength	Unsuitable/ Very Limited: Wet	4.4	34.3%
% Very Limited	34.3%	100%	34.3%	100%	34.3%		

*This column indicates soils that are deemed unsuitable per the Kendall County Subdivision Control Ordinance. Please consult with the Kendall County Health Department to verify the limitations of your site for onsite conventional sewage disposal.

Figure 6A: Map of Building Limitations - Small Commercial Buildings & Lawns/Landscaping



Figure 6B: Map of Building Limitations - Shallow Excavations & Local Roads/Streets



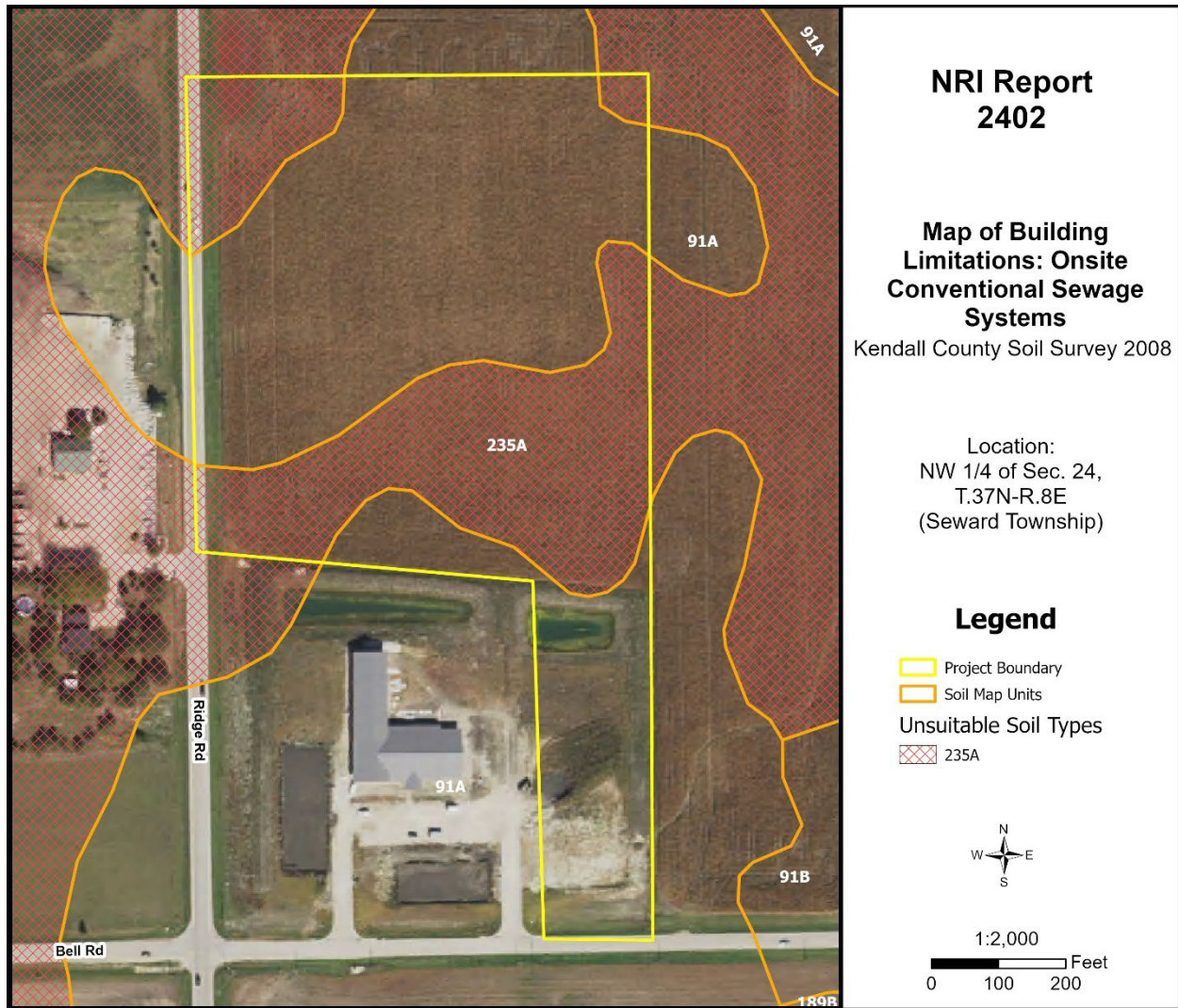


Figure 6C: Map of Building Limitations – Onsite Conventional Sewage Systems

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

Soil Type	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 – December Frequency: None	January – December 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 (2-7 days) Frequency: Frequent	January – December 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/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. Soil erosion and sedimentation control plans, including maintenance responsibilities, should be clearly communicated to all contractors working on the site.

The SWCD recommends an erosion and sediment control plan for all building sites, especially if there is a wetland or stream nearby. Additionally, a National Pollutant Discharge Elimination System (NPDES) permit (Permit No. ILR10) from the Illinois Environmental Protection Agency (IEPA) is required for stormwater discharges from construction sites that will disturb 1 or more acres of land. Conditions of the NPDES ILR10 permit require the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) to reduce stormwater pollutants on the construction site before they can cause environmental issues.

Table 6: Soil Erosion Potential

Soil Type	Slope	Rating	Acreage	Percent of Project Area
91A	0-2%	Slight	8.4	65.7%
235A	0-2%	Slight	4.4	34.3%

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 soil 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 Type	Prime Designation	Acreage	Percent
91A	Prime Farmland	8.4	65.7%
235A	Prime Farmland (if drained)	4.4	34.3%
% Prime Farmland	100%		

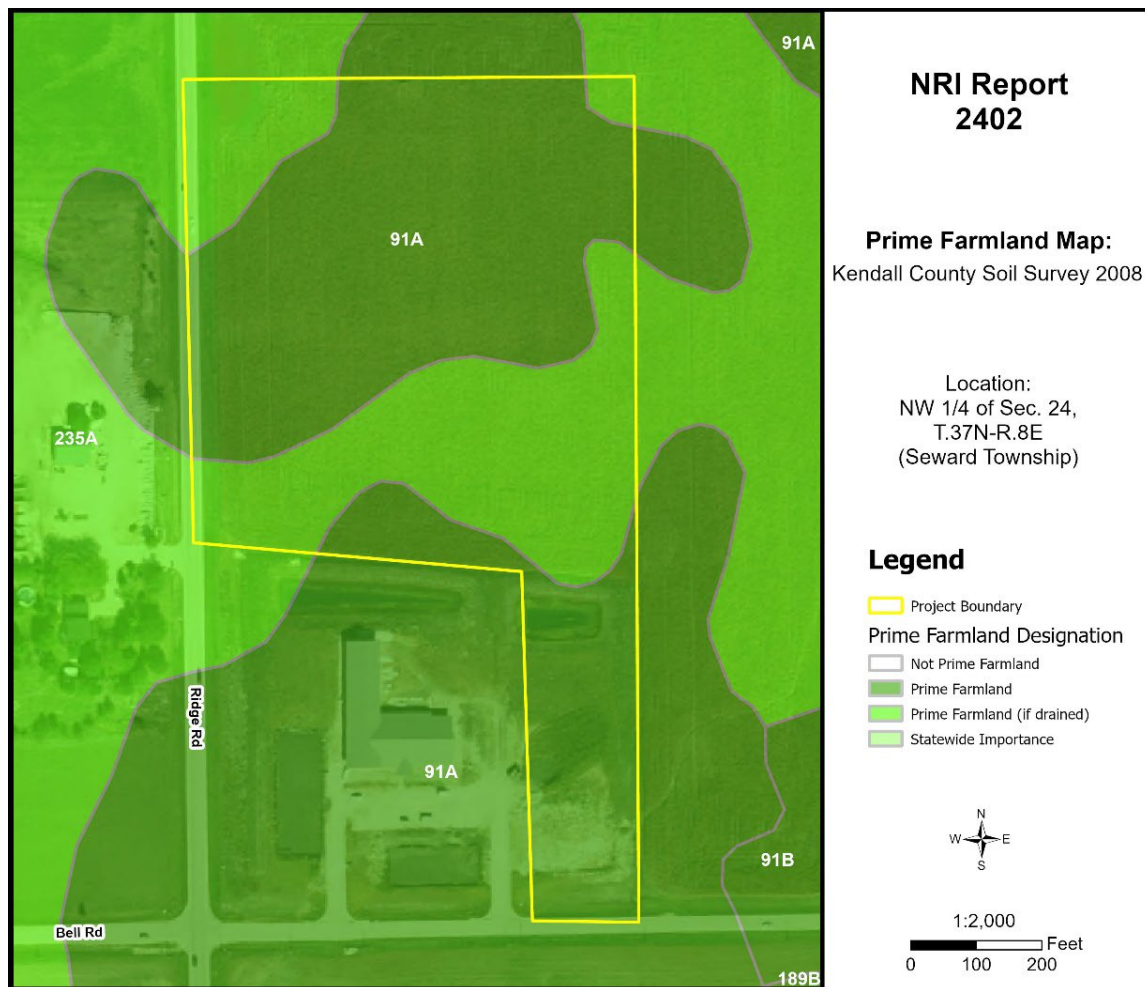


Figure 7: Map of Prime Farmland Soils

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)
91A	3	87	8.4	730.8
235A	3	87	4.4	382.8
			12.8	1,113.6
LE Calculation			(Product of relative value / Total Acres) 1,113.6 / 12.8 = 87	
LE Score			LE = 87	

*Acreage listed in this chart provides a generalized representation and may not precisely reflect exact acres of each soil type.

The Land Evaluation score for this site is 87, indicating that this site is designated as land 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)	15
	3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0)	20
	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)	7
C.	Existence of Infrastructure	
	1. Availability of public sewage system. (10-8-6-0)	8
	2. Availability of public water system. (10-8-6-0)	8
	3. Transportation systems. (15-7-0)	7
	4. Distance from fire protection service. (10-8-6-2-0)	8
	Site Assessment Score:	93

Land Evaluation Value: 87 + Site Assessment Value: 93 = LESA Score: 180

Table 9: LESA Score Summary

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 180 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.

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 Kendall County Planning, Building & Zoning for information regarding their 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 “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 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.

Flood Insurance Rate Maps (FIRMs), produced by the Federal Emergency Management Agency (FEMA), 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 (1% annual chance flood), Zone B or Zone X (shaded) is the 100 to 500-year flood (between limits of the 1% and the 0.2% annual chance flood), and Zone C or Zone X (unshaded) is outside the floodplain (outside the 0.2% annual chance flood).

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 IDNR-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 drainage ways, 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 on minimal topography (slopes 0 to 2%) and at an elevation of approximately 588'-598' above sea level. The lowest point is at the northwest corner, and the highest point is at the southeast of the site. According to the FEMA Flood Map (Figure 8), the parcel does not contain areas of floodplain or floodway. It is mapped as Zone X, an area of minimal flood hazard determined to be outside of the 0.2% annual chance floodplain.

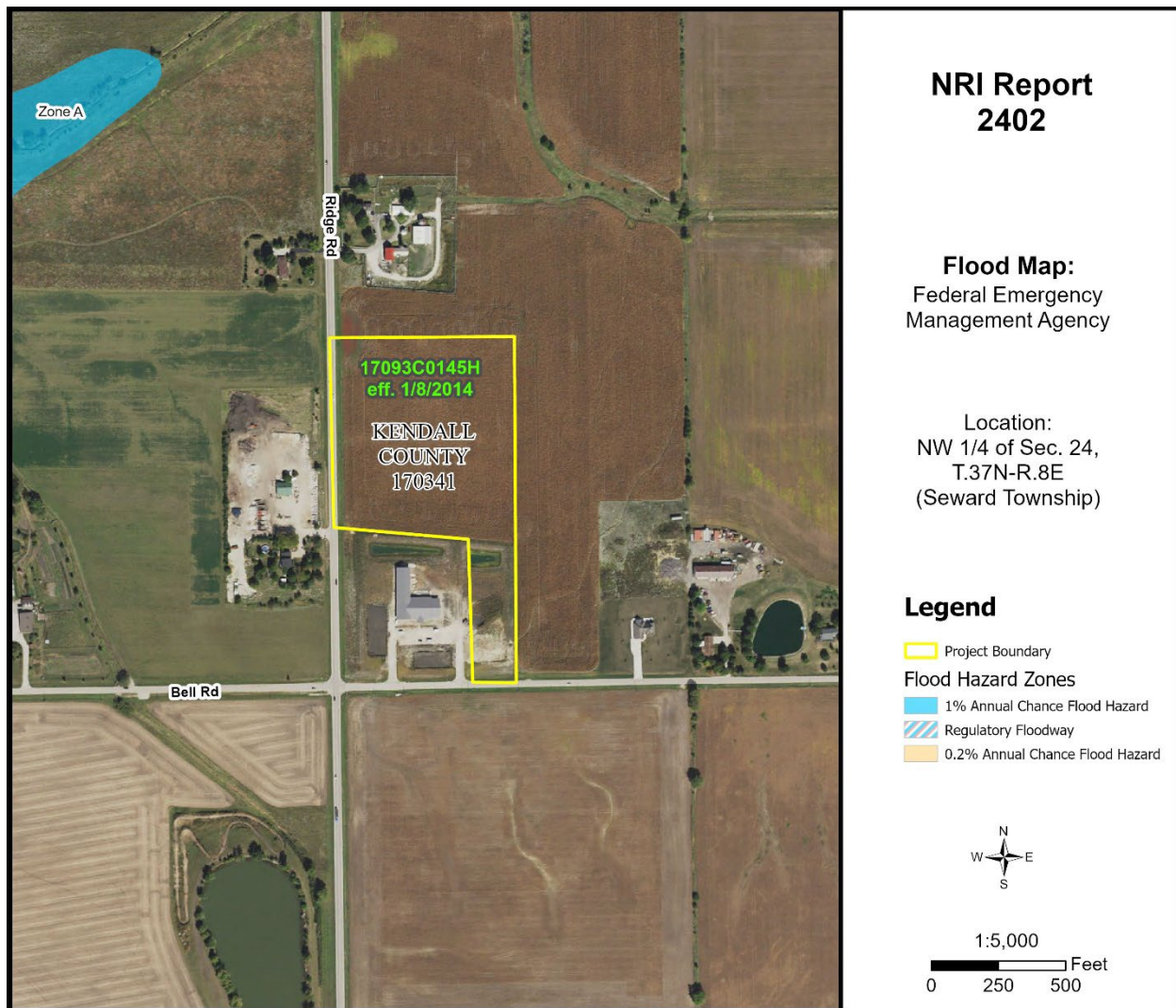
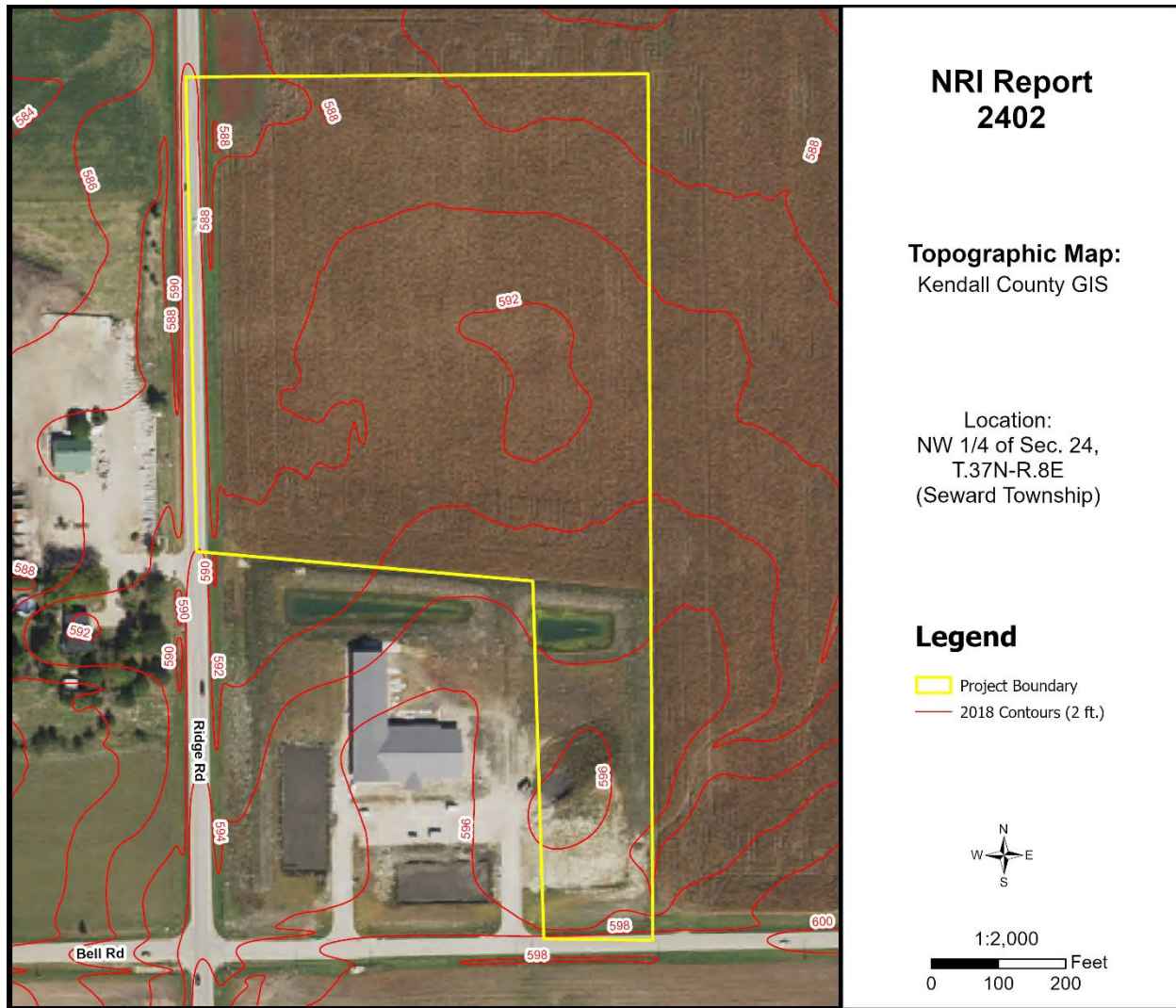


Figure 8: Flood Map

**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 Town of Seward - Aux Sable Creek sub watershed (HUC 12 – 071200050104). The Town of Seward - Aux Sable Creek sub watershed comprises 19,574 acres of Kendall County.

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 National Wetlands Inventory, which is the most comprehensive inventory to date. The National 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 National 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."*

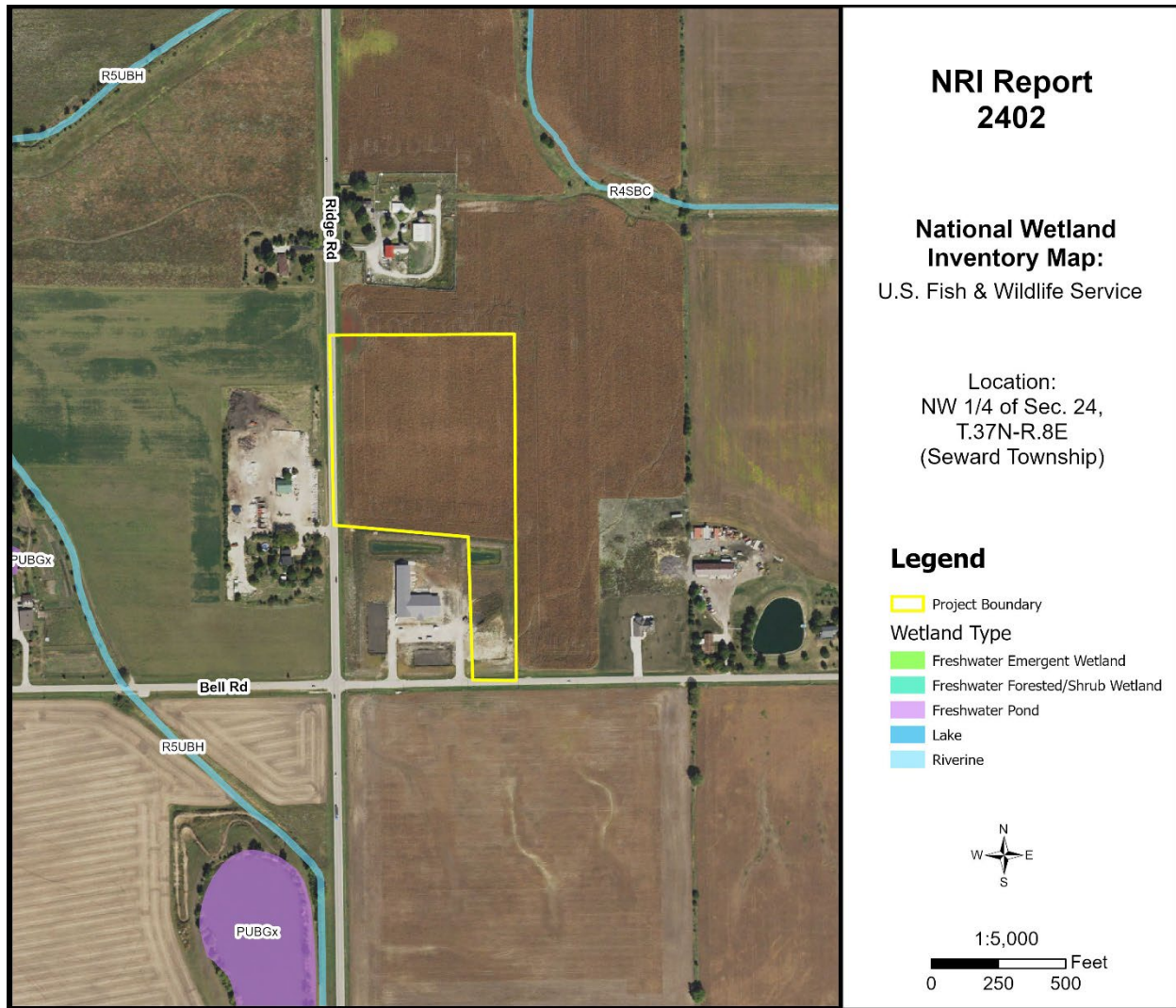


Figure 10: Wetland Map

Office maps indicate that mapped wetlands/waters are not present on the parcel in question (PIQ). To determine the presence of wetlands, 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.

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.

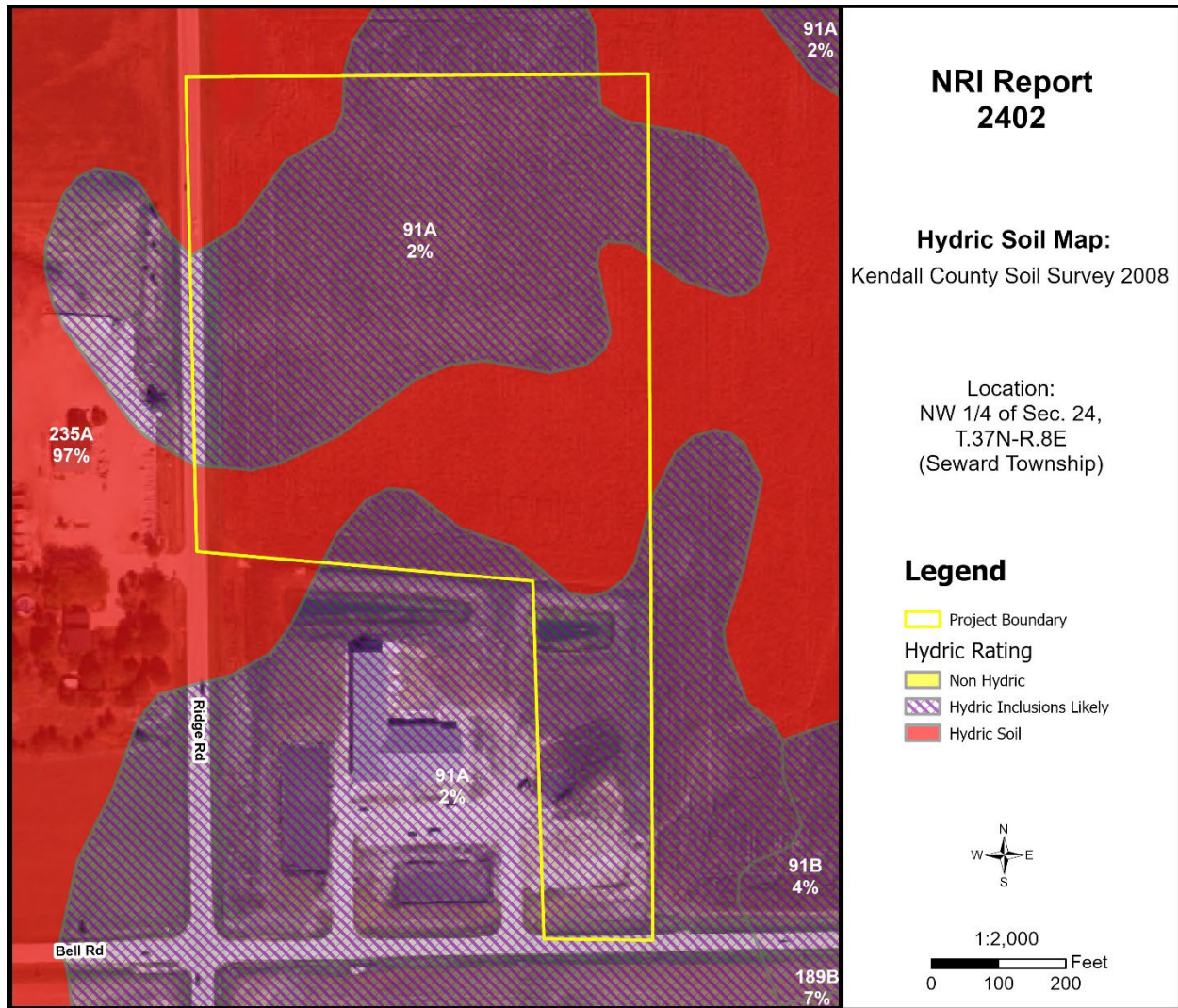
It is important to add the possibility of hydric inclusions in a soil type. An inclusion is a soil polygon that is too small to appear on these maps. While relatively insignificant for agricultural use, hydric soil inclusions become more important to more intense uses such as a residential subdivision.

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, 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	Hydric Rating %	Acres	% Area
91A	Somewhat Poorly Drained	Non-Hydric	Yes	2%	8.4	65.7%
235A	Poorly Drained	Hydric	N/A	97%	4.4	34.3%

**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, Chicago District, 231 South LaSalle Street, Suite 1500, Chicago, IL 60604. Phone: (312) 846-5530
- **Floodplains:** Illinois Department of Natural Resources - Office of Water Resources, One Natural Resources Way, Springfield, IL 62702-1270. Phone: (217) 782-6302
- **Water Quality/Erosion Control:** Illinois Environmental Protection Agency, 1021 North Grand Avenue East, P.O. Box 19276, Springfield, IL 62794-9276. Phone: (217) 782-3397

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 Harbors Appropriation Act of 1899 or Section 404 of the Clean Water Act are subject to fines ranging up to \$16,000 per day of violation, with a maximum cap of \$187,500 in any single enforcement action, as well as criminal enforcement.

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.

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 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 pink or 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.

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).

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.

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

- Association of Illinois Soil & Water Conservation Districts. 2020. Illinois Urban Manual.
- Berg, R. C., and J. P. Kempton. 1984. Potential for contamination of shallow aquifers from land burial of municipal wastes: Champaign, Illinois, Illinois State Geological Survey map, scale 1:500,000.
- Clean Water Act of 1972, Sections 309 and 404.
- Federal Emergency Management Agency. National Flood Hazard Layer (NFHL) Viewer.
<https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd>. Accessed January 2024.
- Illinois State Geological Survey, Department of Natural Resources. 2021. Geologic Road Map of Illinois.
- Kendall County Department of Planning Building and Zoning and Kendall County Soil and Water Conservation District In cooperation with NRCS, USDA. Land Evaluation and Site Assessment System.
- Kendall County. 2023. Land Resource Management Plan Map.
- Natural Resources Conservation Service, United States Department of Agriculture. General Manual, Title 310, Land Use.
- Natural Resources Conservation Service, United States Department of Agriculture. 2007. Hydric Soils of the United States.
- Natural Resources Conservation Service, United States Department of Agriculture. Hydrologic Unit Map for Kendall County.
- Natural Resources Conservation Service, United States Department of Agriculture. 1987. Soil Erosion by Water. Agriculture Information Bulletin 513.
- Natural Resources Conservation Service, United States Department of Agriculture. 2008. Soil Survey of Kendall County.
- Natural Resources Conservation Service, United States Department of Agriculture. Web Soil Survey.
<http://websoilsurvey.sc.egov.usda.gov/>. Accessed January 2024.
- Rivers and Harbors Appropriation Act of 1899, Section 10.
- Rockford Map Publishers, Inc. 2021. Land Atlas and Plat Book, Kendall County, Illinois, 21st Edition.
- United States Fish & Wildlife Service. 2018. National Wetlands Inventory.
<https://data.nal.usda.gov/dataset/national-wetlands-inventory>. Accessed January 2024.
- Nature Conservancy (U.S.) Great Lakes Program. 1994. *The Conservation of Biological Diversity in the Great Lakes Ecosystem: Issues and Opportunities*. The Program, 1994.

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
February 6, 2024 – Unapproved Meeting Minutes**

PBZ Chairman Seth Wormley called the meeting to order at 9:00 a.m.

Present:

Matt Asselmeier – PBZ Department
Meagan Briganti – GIS Department
David Guritz – Forest Preserve (Arrived at 9:08 a.m.)
Brian Holdiman – PBZ Department
Fran Klaas – Highway Department
Commander Jason Langston – Sheriff's Department
Alyse Olson – Soil and Water Conservation District
Aaron Rybski – Health Department
Seth Wormley – PBZ Committee Chair

Absent:

Greg Chismark – WBK Engineering, LLC

Audience:

Mike Cook, Tim O'Brien, Steve Gengler, and Isabelle Bohanek

PETITIONS

Petitions 24-01 and 24-02 Deb Chow on Behalf of Jade Restorations, Inc.

Mr. Asselmeier summarized the request.

On February 18, 2020, the County Board approved Ordinance 2020-01, granting a special use permit for a kennel and veterinary at the northeast corner of Ridge Road and Bell Road, now addressed as 949 Bell Road, Minooka. On February 21, 2023, the County Board approved Ordinance 2023-05, amending the site plan, landscaping plan, and photometric plan for the special use at the subject property.

The site plan attached to Ordinance 2020-01 showed a driveway extending from the northern end of the northeastern parking lot to the northern end of the special use permit area of the property. This driveway was not included in the site plan attached to Ordinance 2023-05. The Petitioner would like to add this twenty-four foot (24') wide driveway back into the site plan.

The Petitioner would like to rezone approximately thirteen point six (13.6) acres of the subject property from A-1 Agricultural District and A-1 with a special use permit for a kennel and veterinary to B-3 Highway Business District. The area proposed for rezoning is described as Parcel 2 on the zoning plat.

No specific information was provided, other than compliance with the Land Resource Management Plan, was given regarding the reason for the map amendment. The Petitioner likely will either pursue selling the property or pursue some type of commercial endeavor that is allowed in the B-3 District.

The application materials, aerial showing the proposed changes, topographic survey, plat showing the proposed rezoning, the proposed site plan, Ordinance 2020-01, and Ordinance 2023-05 were provided.

No changes are proposed to any of the business related conditions imposed by the previously approved ordinances. No changes are proposed to the landscaping or photometrics for the property that will retain the special use permit. Other than the addition of the proposed driveway addition, no other changes are proposed to site layout for the area that will retain the special use permit.

The property is located at 949 Bell Road, Minooka.

The property is approximately twenty (20) acres in total with approximately eight point five (8.5) acres in the original special use area and approximately six point three (6.3) acres in the proposed special use area.

The property is currently used as a kennel, veterinary, and agricultural.

The property is zoned A-1 with a special use permit.

The County's future land use map calls for the property to be Commercial. The Village of Shorewood's future land use map calls for the property to be Community Commercial.

Ridge Road is a County Road classified as an Arterial Road. Bell Road is a Township Road classified as a Minor Collector.

Minooka has a trail planned along Ridge Road. Shorewood has a trail planned along Bell Road.

There are no floodplains or wetlands on the property.

The kennel is located beyond the required setback to neighboring properties as defined in the Zoning Ordinance.

The adjacent land uses are agricultural, farmstead, and a landscaping business.

The adjacent properties are zoned A-1 and A-1 SU.

The County's future land use map calls for the area to be Commercial. The Village of Shorewood's future land use map calls for the area to be a mix of single- and multi-family residential.

Properties within one half (1/2) mile are zoned A-1, A-1 SU, and R-1.

There are approximately twelve (12) homes located within one half (1/2) mile of the subject property.

The special uses to the north and south are landing strips. The special use to the east is for natural gas compression. The special use to the west is for a landscaping business.

EcoCat submitted on December 13, 2022, and consultation was terminated.

A NRI application was submitted as part of the map amendment request. A NRI was prepared for the original special use permit. The LESA Score was 207 indicating a medium level of protection. NRI information was provided.

Seward Township was emailed information on January 26, 2024. The Seward Township Planning Commission met on February 5, 2024, and recommended approval of the proposal by a vote of three (3) in favor and zero (0) in opposition, with two (2) members absent.

The Minooka Fire Protection District was emailed information on January 26, 2024.

The Village of Shorewood was emailed information on January 26, 2024. The Village of Shorewood submitted an email indicating they would like to annex the property when it becomes contiguous and wanted a restriction preventing uses not allowed in their B-3 Zoning District from occurring at the property.

The proposed findings of fact for the special use permit amendment were as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The kennel and veterinary establishment are already in existence. The proposed driveway extension was originally planned in 2020 when the project was originally proposed. The special use portion of the site will retain the previously approved landscaping and photometric plans.

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. None of the lighting or landscaping installed at the site will be removed as part of this proposal. No evidence has been provided showing that use of the property as a kennel and veterinary establishment has negatively impacted property values or was injurious neighboring land uses.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. This is true. Adequate ingress and egress has been provided off of Bell Road and the new driveway will help with traffic circulation when the northern portion of the property is commercially developed. The development of the site was in compliance with a County issued stormwater permit which included the proposed driveway extension.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. This is true. The Petitioners are not proposing any changes related to the operation of the business allowed by the previously approved special use permit. Other than the driveway addition and rezoning of the land to the east, no other changes are proposed to physical layout of the site.

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, commerce and industry that provides a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents." The Land Resource Management Plan calls for the subject property to be commercial.

No specific type of business was listed as a proposed use of the site.

No buildings were proposed for the site. Any buildings proposed for the site would have to meet applicable building codes and site plan approval by ZPAC would be required prior to site development.

Applicable permits would be required for a new well and septic system on the site.

The topographic survey shows two (2) wet detention ponds north of the existing kennel and veterinary. Depending on the nature of development, a stormwater permit might be required when the site is developed.

The property fronts Bell Road and Ridge Road.

Parking requirements will be determined by the specific uses of the site.

Lighting will be determined by specific uses of the site.

Signage will be determined by specific uses of the site and the signage requirements for the B-3 District contained in the Zoning Ordinance.

Landscaping will be determined when the site is developed.

Noise control will be determined when the site is developed.

The refuse plan will be determined when the site is developed.

There are two (2) pipeline easements, one (1) eighty feet (80') in width and one (1) seventy-five feet (75') in width located on the subject property. Development of the site will have to take these easements into account.

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. A portion of the property is presently used as a kennel and veterinary with related parking and landscaping while the majority of the property is presently used as an agricultural field. Surrounding properties are used fields, farmsteads, and a landscaping business.

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 various special uses including a landscaping business, landing strips, and natural gas compression.

The suitability of the property in question for the uses permitted under the existing zoning classification. The Petitioner did not provide a specific proposed land use. A variety of uses allowed in the proposed B-3 Highway Business District could be placed on the property.

ZPAC Meeting Minutes 02.06.24

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, farmstead, retail and service type uses.

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 Commercial and the four corners of the intersection of Ridge and Bell Roads as Commercial. The Village of Shorewood's Future Land Use Map calls for the property to be Community Commercial. The requested map amendment is consistent with the Land Resource Management Plan.

Staff recommended approval of the requested map amendment rezoning the area identified as Parcel 2 on the submitted zoning plat to B-3 Highway Business District.

Staff recommended approval of the requested amendments to the existing special use permit for a kennel and veterinary establishment subject to the following conditions and restrictions:

1. Condition 2.A of Ordinance 2020-01 and Condition 2.A of Ordinance 2023-05 are hereby repealed in their entirety and are replaced with the following:

"The site shall be developed substantially in accordance with the attached site plan. The landscaping plan and photometric plan attached to Ordinance 2023-05 shall remain valid except on those portions of the property not zoned A-1."

2. The remaining conditions and restrictions contained in Ordinance 2020-01 and Ordinance 2023-05 shall remain valid and effective.
3. 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.
4. If one or more of the above conditions or restrictions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
5. These major amendments to an existing special use permit shall be treated as covenants running with the land and are binding on the successors, heirs, and assigns as to the same special uses conducted on the property.

Mr. Guritz arrived at this time (9:08 a.m.).

Mike Cook, Engineer for the Petitioner, provided a history of the development of the property. He explained why the driveway was not included in the 2023 amendment. He discussed the access issued by the Highway Department located approximately one quarter (1/4) of a mile north of Bell Road on Ridge Road. He stated that map amendment was occurring to get the property's zoning inline with the County's plans.

Mr. Klaas explained the access variance on Ridge Road. He asked if the Petitioner would oppose placing the access immediately north of the Petitioner's property. Mr. Cook said that two (2) owners were involved in the area; he would like to get planning approved. Mr. Cook was agreeable to working with the Highway Department on access from Ridge Road.

Mr. Klaas asked if the driveway from the kennel/veterinary property would provide access to the northern portion of the property. Mr. Cook responded yes. There would not be additional access from Bell Road.

Mr. Asselmeier stated WBK Engineering submitted a letter dated January 30, 2024, stating that they had no objections to the proposal. This email was provided. The proposed driveway was accounted for in the original special use permit in 2020.

Chairman Wormley asked if the Petitioner was concerned about the proposed annexation agreement. Mr. Cook said that the Petitioner needed to review a specific proposal. The Petitioner would like to remain in the unincorporated area because Shorewood did not have any services near the subject property.

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

The votes were follows:

Ayes (9): Asselmeier, Briganti, Guritz, Holdiman, Klaas, Langston, Olson, Rybski, and Wormley
Nays (0): None
Abstain (0): None
Absent (1): Chismark

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on February 28, 2024.

PUBLIC COMMENT

None

ADJOURNMENT

Mr. Rybski made a motion, seconded by Mr. Klaas, to adjourn.

With a voice vote of nine (9) ayes, the motion carried.

The ZPAC, at 9:28 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP, CFM
Director

Enc.



January 30, 2024

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

Subject: Fur-Ever Friends, Bell & Ridge Roads (WBK Project No. 19-102L)

Dear Mr. Asselmeier:

WBK Engineering, LLC has reviewed the submitted documents for the subject project. We received the following information:

- Major Amendment Exhibit prepared by Cook Engineering dated January 18, 2024 and received January 23, 2024.

We find that stormwater management provisions have been constructed for the extension of asphalt pavement as depicted on the document submitted and have no objection to the approval of this amendment of construction of the proposed asphalt pavement.

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.

Please contact us at 630-443-7755 if you have any questions regarding this review.

Sincerely,



WBK Engineering, LLC

Matt Asselmeier

From: Engel_Natalie <nengel@shorewoodil.gov>
Sent: Tuesday, February 6, 2024 8:16 AM
To: Matt Asselmeier
Cc: Seth Wormley; Christina Burns
Subject: RE: [External]RE: Trail Question

Hi Matt,

I was planning to attend but something came up.

I'm going to send Isabelle Bohanek from our office to listen and take notes. She's wonderful but not a planner so she will really just be learning more about the proposal.

I haven't had an opportunity to discuss the proposal with our board but don't expect there to be much concern. We would like them to annex upon contiguity and would prefer that they don't do any uses that wouldn't be allowed in our B-3 district. I can get you something formal once I know more.

Natalie

From: Matt Asselmeier <masselmeier@kendallcountyil.gov>
Sent: Monday, February 5, 2024 3:30 PM
To: Engel_Natalie <nengel@shorewoodil.gov>
Cc: Seth Wormley <swormley@kendallcountyil.gov>; Christina Burns <cburns@kendallcountyil.gov>
Subject: RE: [External]RE: Trail Question

CAUTION: This email originated from outside of the organization. Do not click on links or open attachments unless you recognize the sender, can confirm their contact information, were expecting the communication, and know the content is safe.

Natalie:

Is Shorewood planning to send someone to the February 6th Kendall County ZPAC meeting?

Thanks,

Matthew H. Asselmeier, AICP, CFM
Director
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

From: Engel_Natalie <nengel@shorewoodil.gov>
Sent: Wednesday, January 24, 2024 11:23 AM

Matt Asselmeier

From: Engel_Natalie <nengel@shorewoodil.gov>
Sent: Wednesday, February 28, 2024 11:05 AM
To: Matt Asselmeier
Cc: Christina Burns; Seth Wormley
Subject: RE: [External]RE: Trail Question

Hi Matt,

We have not negotiated an annexation agreement and are not planning to push the issue.

We have been chatting with Deb Chow about her plans. The one that concerns us is auto & truck repair. Is that a permitted use or would it need a public hearing?

Sorry for the delay in getting back to you. We've been without a planner for a couple of weeks and I've fallen behind.

Natalie

From: Matt Asselmeier <masselmeier@kendallcountyil.gov>
Sent: Wednesday, February 28, 2024 11:02 AM
To: Engel_Natalie <nengel@shorewoodil.gov>
Cc: Christina Burns <cburns@kendallcountyil.gov>; Seth Wormley <swormley@kendallcountyil.gov>
Subject: RE: [External]RE: Trail Question

CAUTION: This email originated from outside of the organization. Do not click on links or open attachments unless you recognize the sender, can confirm their contact information, were expecting the communication, and know the content is safe.

Natalie:

Was an annexation agreement negotiated between this Petitioner and the Village of Shorewood?

Seward Township has said that they will not object to the map amendment.

Does Shorewood have any objections if the County advances these proposals to the County Board in March, pending the outcomes of tonight's Planning Commission meeting and Monday's Zoning Board of Appeals hearing?

Thanks,

Matthew H. Asselmeier, AICP, CFM
Director
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

Attachment 11, Page 1
**KENDALL COUNTY
REGIONAL PLANNING COMMISSION**

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

Unapproved - Meeting Minutes of February 28, 2024 - 7:00 p.m.

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

ROLL CALL

Members Present: Bill Ashton, Eric Bernacki, Dave Hamman, Karin McCarthy-Lange, Larry Nelson, Ruben Rodriguez, Bob Stewart, Claire Wilson, and Seth Wormley

Members Absent: Tom Casey

Staff Present: Matthew H. Asselmeier, Director, and Wanda A. Rolf, Administrative Assistant

Others Present: Dan Kramer, Tyler Arbeen, Gerald Johnson, Mike Cook, and Deb Chow

PETITIONS

Petitions 24-01 and 24-02 Deb Chow on Behalf of Jade Restorations, Inc.

Mr. Asselmeier summarized the requests.

On February 18, 2020, the County Board approved Ordinance 2020-01, granting a special use permit for a kennel and veterinary at the northeast corner of Ridge Road and Bell Road, now addressed as 949 Bell Road, Minooka. On February 21, 2023, the County Board approved Ordinance 2023-05, amending the site plan, landscaping plan, and photometric plan for the special use at the subject property.

The site plan attached to Ordinance 2020-01 showed a driveway extending from the northern end of the northeastern parking lot to the northern end of the special use permit area of the property. This driveway was not included in the site plan attached to Ordinance 2023-05. The Petitioner would like to add this twenty-four foot (24') wide driveway back into the site plan.

In addition to the driveway, the Petitioner would like to rezone the eastern approximately two point one more or less (2.1 +/-) acres of the special use permit area of the property to B-3 Highway Business District and rezone the northern approximately thirteen acres (13), which was not included in the special use permit area, to B-3. This map amendment would reduce the special use permit area from approximately eight point five (8.5) acres to approximately six point three (6.3) acres and will cause the site plan, landscaping plan, and photometric plan for the special use permit area to change to reflect the removal of the eastern portion of the special use area to the new zoning classification. The area proposed for rezoning is described as Parcel 2 on the zoning plat.

No specific information was provided, other than compliance with the Land Resource Management Plan, was given regarding the reason for the map amendment. The Petitioner likely will either pursue selling the property or pursue some type of commercial endeavor that is allowed in the B-3 District.

The application materials, aerial showing the proposed changes, topographic survey, plat showing the proposed rezoning, the proposed site plan, Ordinance 2020-01, and Ordinance 2023-05 were provided.

No changes are proposed to any of the business related conditions imposed by the previously approved ordinances. No changes are proposed to the landscaping or photometrics for the property that will retain the

special use permit. Other than the addition of the proposed driveway addition, no other changes are proposed to site layout for the area that will retain the special use permit.

The property is located at 949 Bell Road, Minooka.

The property is approximately twenty (20) acres in total with approximately eight point five (8.5) acres in the original special use area and approximately six point three (6.3) acres in the proposed special use area.

The property is currently used as a kennel, veterinary, and agricultural.

The property is zoned A-1 with a special use permit.

The County's future land use map calls for the property to be Commercial. The Village of Shorewood's future land use map calls for the property to be Community Commercial.

Ridge Road is a County Road classified as an Arterial Road. Bell Road is a Township Road classified as a Minor Collector.

Minooka has a trail planned along Ridge Road. Shorewood has a trail planned along Bell Road.

There are no floodplains or wetlands on the property.

The kennel is located beyond the required setback to neighboring properties as defined in the Zoning Ordinance.

The adjacent land uses are agricultural, farmstead, and a landscaping business.

The adjacent properties are zoned A-1 and A-1 SU.

The County's future land use map calls for the area to be Commercial. The Village of Shorewood's future land use map calls for the area to be a mix of single- and multi-family residential.

Properties within one half (1/2) mile are zoned A-1, A-1 SU, and R-1.

There are approximately twelve (12) homes located within one half (1/2) mile of the subject property.

The special uses to the north and south are landing strips. The special use to the east is for natural gas compression. The special use to the west is for a landscaping business.

EcoCat submitted on December 13, 2022, and consultation was terminated.

A NRI application was submitted as part of the map amendment request. A NRI was prepared for the original special use permit. The LESA Score was 207 indicating a medium level of protection. NRI information was provided. A revised NRI was prepared for the proposed map amendment request showing a LESA Score of 180 indicating a low level of protection. This report was provided.

Seward Township was emailed information on January 26, 2024. The Seward Township Planning Commission met on February 5, 2024, and recommended approval of the proposal by a vote of three (3) in favor and zero (0) in opposition, with two (2) members absent. The Seward Township Board recommended approval of the proposals.

The Minooka Fire Protection District was emailed information on January 26, 2024. No comments were received.

The Village of Shorewood was emailed information on January 26, 2024. The Village of Shorewood submitted an email indicating they would like to annex the property when it becomes contiguous and wanted a restriction preventing uses not allowed in their B-3 Zoning District from occurring at the property. This email was included with the minutes from the ZPAC meeting. The Village of Shorewood submitted a second email on February 28, 2024, stating they would not objection to the map amendment and no annexation agreement had been negotiated, but they were concerned about auto and truck repair businesses operating on the B-3 zoned portion of the property.

ZPAC reviewed the proposal at their meeting on February 6, 2024. ZPAC reviewed this proposal at their meeting on February 6, 2024. The Petitioner's Engineer was agreeable to working the Highway Department regarding access from Ridge Road for the northern portion of the property. No additional points of access would come from Bell Road. The Petitioner's Engineer wanted to evaluate Shorewood's request for an annexation agreement. A letter was placed into the record from WBK Engineering noting no objections to the proposed driveway extension in the special use permit amendment application. ZPAC recommended approval of the proposal 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 proposed findings of fact for the special use permit amendment were as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The kennel and veterinary establishment are already in existence. The proposed driveway extension was originally planned in 2020 when the project was originally proposed. The special use portion of the site will retain the previously approved landscaping and photometric plans.

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. None of the lighting or landscaping installed at the site will be removed as part of this proposal. No evidence has been provided showing the that use of the property as a kennel and veterinary establishment has negatively impacted property values or was injurious neighboring land uses.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. This is true. Adequate ingress and egress has been provided off of Bell Road and the new driveway will help with traffic circulation when the northern portion of the property is commercially developed. The development of the site was in compliance with a County issued stormwater permit which included the proposed driveway extension.

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 KCRPC Meeting Minutes 2.28.24

recommendation of the Zoning Board of Appeals. This is true. The Petitioners are not proposing any changes related to the operation of the business allowed by the previously approved special use permit. Other than the driveway addition and rezoning of the land to the east, no other changes are proposed to physical layout of the site.

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, commerce and industry that provides a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents.” The Land Resource Management Plan calls for the subject property to be commercial.

Staff recommended approval of the requested amendments to the existing special use permit for a kennel and veterinary establishment subject to the following conditions and restrictions:

1. Condition 2.A of Ordinance 2020-01 and Condition 2.A of Ordinance 2023-05 are hereby repealed in their entirety and are replaced with the following:

“The site shall be developed substantially in accordance with the attached site plan. The landscaping plan and photometric plan attached to Ordinance 2023-05 shall remain valid except on those portions of the property not zoned A-1.”

2. The remaining conditions and restrictions contained in Ordinance 2020-01 and Ordinance 2023-05 shall remain valid and effective.
3. 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.
4. If one or more of the above conditions or restrictions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
5. These major amendments to an existing special use permit shall be treated as covenants running with the land and are binding on the successors, heirs, and assigns as to the same special uses conducted on the property.

Regarding the proposed map amendment, no specific type of business was listed as a proposed use of the site.

No buildings were proposed for the site. Any buildings proposed for the site would have to meet applicable building codes and site plan approval by ZPAC would be required prior to site development.

Applicable permits would be required for a new well and septic system on the site.

The topographic survey shows two (2) wet detention ponds north of the existing kennel and veterinary. Depending on the nature of development, a stormwater permit might be required when the site is developed.

Parking requirements will be determined by the specific uses of the site.

Lighting will be determined by specific uses of the site.

Signage will be determined by specific uses of the site and the signage requirements for the B-3 District contained in the Zoning Ordinance.

Landscaping will be determined when the site is developed.

Noise control will be determined when the site is developed.

The refuse plan will be determined when the site is developed.

There are two (2) pipeline easements, one (1) eighty feet (80') in width and one (1) seventy-five feet (75') in width located on the subject property. Development of the site will have to take these easements into account.

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. A portion of the property is presently used as a kennel and veterinary with related parking and landscaping while the majority of the property is presently used as an agricultural field. Surrounding properties are used fields, farmsteads, and a landscaping business.

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 various special uses including a landscaping business, landing strips, and natural gas compression.

The suitability of the property in question for the uses permitted under the existing zoning classification. The Petitioner did not provide a specific proposed land use. A variety of uses allowed in the proposed B-3 Highway Business District could be placed on the property.

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

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 Commercial and the four corners of the intersection of Ridge and Bell Roads as Commercial. The Village of Shorewood's Future Land Use Map calls for the property to be Community Commercial. The requested map amendment is consistent with the Land Resource Management Plan.

Staff recommended approval of the requested map amendment rezoning the area identified as Parcel 2 on the submitted zoning plat to B-3 Highway Business District.

Mike Cook, Engineer for the Petitioner, explained the history of the site and explained the need for the driveway connection. He noted that the County granted access from Ridge Road approximately one quarter (1/4) of a mile north of Bell Road. He discussed the potential of annexation with Shorewood; he noted that Shorewood had no services available to the subject property. No end user had been identified for the portion of the property proposed for rezoning. The rezoning was intended to tie into the widening of Ridge Road.

Mr. Cook explained the description of the wet bottom detention ponds. The ponds may need to be examined depending on future uses on the portion proposed for rezoning.

Mr. Asselmeier noted that Shorewood reviewed Kendall County's zoning regulations and had concerns about a truck and auto repair facility going onto the property. Motor vehicle service and repair are permitted uses in the B-3 District.

Mr. Cook noted that the map amendment request was consistent with the County's plan.

Member Nelson made a motion, seconded by Member Wormley, to recommend approval of the major amendment to an existing special use permit and approval of the map amendment.

The votes were as follows:

Ayes (9): Ashton, Bernacki, Hamman, McCarthy-Lange, Rodriguez, Nelson, Stewart, Wilson, and Wormley

Nays (0): None

Absent (1): Casey

Abstain (0): None

The proposals go to the Kendall County Zoning Board of Appeals on March 4, 2024.

CITIZENS TO BE HEARD/PUBLIC COMMENT

None

OTHER BUSINESS/ANNOUNCEMENTS

Mr. Asselmeier reported there were no Petitions for the March meeting.

ADJOURNMENT

Member McCarthy-Lange made a motion, seconded by Member Hamman to adjourn. With a voice vote of nine (9) ayes, the motion carried.


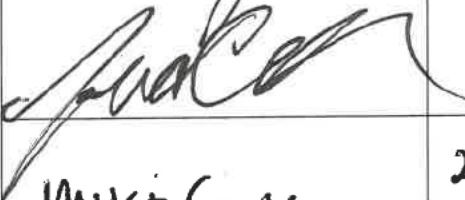
The Kendall County Regional Planning Commission meeting adjourned at 7:45 p.m.

Respectfully submitted by,
Matthew H. Asselmeier, Director

Encs.

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION
FEBRUARY 28, 2024**

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

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
Don Kim	File 23-35, 11 	
Geoff Johnson		
		
Mike Cook	24-01 & 24-02 949 BELL RD	

Matt Asselmeier

From: Engel_Natalie <nengel@shorewoodil.gov>
Sent: Wednesday, February 28, 2024 11:05 AM
To: Matt Asselmeier
Cc: Christina Burns; Seth Wormley
Subject: RE: [External]RE: Trail Question

Hi Matt,

We have not negotiated an annexation agreement and are not planning to push the issue.

We have been chatting with Deb Chow about her plans. The one that concerns us is auto & truck repair. Is that a permitted use or would it need a public hearing?

Sorry for the delay in getting back to you. We've been without a planner for a couple of weeks and I've fallen behind.

Natalie

From: Matt Asselmeier <masselmeier@kendallcountyil.gov>
Sent: Wednesday, February 28, 2024 11:02 AM
To: Engel_Natalie <nengel@shorewoodil.gov>
Cc: Christina Burns <cburns@kendallcountyil.gov>; Seth Wormley <swormley@kendallcountyil.gov>
Subject: RE: [External]RE: Trail Question

CAUTION: This email originated from outside of the organization. Do not click on links or open attachments unless you recognize the sender, can confirm their contact information, were expecting the communication, and know the content is safe.

Natalie:

Was an annexation agreement negotiated between this Petitioner and the Village of Shorewood?

Seward Township has said that they will not object to the map amendment.

Does Shorewood have any objections if the County advances these proposals to the County Board in March, pending the outcomes of tonight's Planning Commission meeting and Monday's Zoning Board of Appeals hearing?

Thanks,

Matthew H. Asselmeier, AICP, CFM
Director
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

MINUTES – UNOFFICIAL UNTIL APPROVED
KENDALL COUNTY
ZONING BOARD OF APPEALS MEETING
111 WEST FOX STREET, COUNTY BOARD ROOM (ROOMS 209 and 210)
YORKVILLE, IL 60560
March 4, 2024 – 7:00 p.m.

CALL TO ORDER

Chairman Randy Mohr called the Zoning Board of Appeals meeting to order at 7:01 p.m.

ROLL CALL:

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

Members Absent: Jillian Prodehl

Staff Present: Matthew Asselmeier, AICP, CFM, Director and Wanda Rolf, Administrative Assistant

Others Present: Dan Kramer, Justin Plohr, Emily Hoffman, and Deb Chow

PETITIONS

Chairman Mohr swore in Dan Kramer, Emily Hoffman, and Deb Chow.

The Zoning Board of Appeals started their review of Petition 24-01 and 24-02 at 7:34 p.m.

Petition 24 – 01 – Deb Chow on Behalf of Jade Restorations, Inc.

Request: Major Amendments to the Special Use Permit for a Kennel and Veterinary Granted by Ordinance 2020-01 and Amended by Ordinance 2023-05 by Changing the Site Plan, Landscaping Plan, and Photometric Plan

PIN: 09-24-100-012 (Part)

Location: 949 Bell Road, Minooka in Seward Township

Purpose: Petitioner Wants to Change the Site Plan by Extending a Driveway and Make Adjustments to the Landscaping and Photometric Plans Caused by Rezoning Part of the Property; Property is Zoned A-1 with a Special Use Permit

Petition 24 – 02 – Deb Chow on Behalf of Jade Restorations, Inc.

Request: Map Amendment Rezoning Approximately 13.6 Acres of the Subject Property from A-1 Agricultural District and A-1 Agricultural District With a Special Use Permit for a Kennel and Veterinary to B-3 Highway Business District

PIN: 09-24-100-012 (Part)

Location: 949 Bell Road, Minooka in Seward Township

Purpose: Petitioner Wants to Rezone a Portion of the Property to B-3 Highway Business District

Mr. Asselmeier summarized the requests.

On February 18, 2020, the County Board approved Ordinance 2020-01, granting a special use permit for a kennel and veterinary at the northeast corner of Ridge Road and Bell Road, now addressed as 949 Bell Road, Minooka. On February 21, 2023, the County Board approved Ordinance 2023-05, amending the site plan, landscaping plan, and photometric plan for the special use at the subject property.

The site plan attached to Ordinance 2020-01 showed a driveway extending from the northern end of the northeastern parking lot to the northern end of the special use permit area of the property. This driveway was not included in the site plan attached to Ordinance 2023-05. The Petitioner would like to add this twenty-four foot (24') wide driveway back into the site plan.

In addition to the driveway, the Petitioner would like to rezone the eastern approximately two point one more or less (2.1 +/-) acres of the special use permit area of the property to B-3 Highway Business District and rezone the northern approximately thirteen acres (13), which was not included in the special use permit area, to B-3 (see Petition 24-02). This map amendment would reduce the special use permit area from approximately eight point five (8.5) acres to approximately six point three (6.3) acres and will cause the site plan, landscaping plan, and photometric plan for the special use permit area to change to reflect the removal of the eastern portion of the special use area to the new zoning classification.

No specific information was provided, other than compliance with the Land Resource Management Plan, was given regarding the reason for the map amendment. The Petitioner likely will either pursue selling the property or pursue some type of commercial endeavor that is allowed in the B-3 District.

The application materials, aerial showing the proposed changes, topographic survey, plat showing the proposed rezoning, the proposed site plan, Ordinance 2020-01, and Ordinance 2023-05 were provided.

No changes are proposed to any of the business related conditions imposed by the previously approved ordinances. No changes are proposed to the landscaping or photometrics for the property that will retain the special use permit. Other than the addition of the proposed driveway addition, no other changes are proposed to site layout for the area that will retain the special use permit.

The property is located at 949 Bell Road, Minooka.

The property is approximately twenty (20) acres in total with approximately eight point five (8.5) acres in the original special use area and approximately six point three (6.3) acres in the proposed special use area.

The property is currently used as a kennel, veterinary, and agricultural.

The property is zoned A-1 with a special use permit.

The County's future land use map calls for the property to be Commercial. The Village of Shorewood's future land use map calls for the property to be Community Commercial.

Ridge Road is a County Road classified as an Arterial Road. Bell Road is a Township Road classified as a Minor Collector.

Minooka has a trail planned along Ridge Road. Shorewood has a trail planned along Bell Road.

There are no floodplains or wetlands on the property.

The kennel is located beyond the required setback to neighboring properties as defined in the Zoning Ordinance.

The adjacent land uses are agricultural, farmstead, and a landscaping business.

The adjacent properties are zoned A-1 and A-1 SU.

The County's future land use map calls for the area to be Commercial. The Village of Shorewood's future land use map calls for the area to be a mix of single- and multi-family residential.

Properties within one half (1/2) mile are zoned A-1, A-1 SU, and R-1.

There are approximately twelve (12) homes located within one half (1/2) mile of the subject property.

The special uses to the north and south are landing strips. The special use to the east is for natural gas compression. The special use to the west is for a landscaping business.

EcoCat submitted on December 13, 2022, and consultation was terminated.

A NRI application was submitted as part of the map amendment request. A NRI was prepared for the original special use permit. The LESA Score was 207 indicating a medium level of protection. NRI information was provided. A revised NRI was prepared for the proposed map amendment request showing a LESA Score of 180 indicating a low level of protection. This report was provided.

Seward Township was emailed information on January 26, 2024. The Seward Township Planning Commission met on February 5, 2024, and recommended approval of the proposal by a vote of three (3) in favor and zero (0) in opposition, with two (2) members absent. The Seward Township Board recommended approval of the proposal.

The Minooka Fire Protection District was emailed information on January 26, 2024. To date, no comments have been received.

The Village of Shorewood was emailed information on January 26, 2024. The Village of Shorewood submitted an email indicating they would like to annex the property when it becomes contiguous and wanted a restriction preventing uses not allowed in their B-3 Zoning District from occurring at the property. This email was included with the minutes from the ZPAC meeting. The Village of Shorewood submitted a second email on February 28, 2024, stating they would not object to the map amendment

and no annexation agreement had been negotiated, but they were concerned about auto and truck repair businesses operating on the B-3 zoned portion of the property. This email was provided.

ZPAC reviewed the proposal at their meeting on February 6, 2024. ZPAC reviewed this proposal at their meeting on February 6, 2024. The Petitioner's Engineer was agreeable to working the Highway Department regarding access from Ridge Road for the northern portion of the property. No additional points of access would come from Bell Road. The Petitioner's Engineer wanted to evaluate Shorewood's request for an annexation agreement. A letter was placed into the record from WBK Engineering noting no objections to the proposed driveway extension in the special use permit amendment application. ZPAC recommended approval of the proposal 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 Kendall County Regional Planning Commission reviewed this proposal at their meeting on February 28, 2024. The Petitioner's Engineer explained the history of the property. He noted that the County granted access from Ridge Road approximately one quarter (1/4) of a mile north of Bell Road. He discussed the potential of annexation with Shorewood; he noted that Shorewood had no services available to the subject property. No end user had been identified for the portion of the property proposed for rezoning. The rezoning was intended to tie into the widening of Ridge Road. He also explained the description of the wet bottom detention ponds and the ponds may need to be evaluated in the future depending on future uses on the portion proposed for rezoning. The Kendall County Regional Planning Commission recommended approval of the proposal 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 proposed findings of fact for the special use permit amendment were as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The kennel and veterinary establishment are already in existence. The proposed driveway extension was originally planned in 2020 when the project was originally proposed. The special use portion of the site will retain the previously approved landscaping and photometric plans.

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. None of the lighting or landscaping installed at the site will be removed as part of this proposal. No evidence has been provided showing the that use of the property as a kennel and veterinary establishment has negatively impacted property values or was injurious neighboring land uses.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. This is true. Adequate ingress and egress has been provided off of Bell Road and the new driveway will help with traffic circulation when the northern portion of the property is commercially developed. The development of the site was in compliance with a County issued stormwater permit which included the proposed driveway extension.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. This is true. The Petitioners are not proposing any changes related to the operation of the business allowed by the previously approved special use permit. Other than the driveway addition and rezoning of the land to the east, no other changes are proposed to physical layout of the site.

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, commerce and industry that provides a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents.” The Land Resource Management Plan calls for the subject property to be commercial.

Staff recommended approval of the requested amendments to the existing special use permit for a kennel and veterinary establishment subject to the following conditions and restrictions:

1. Condition 2.A of Ordinance 2020-01 and Condition 2.A of Ordinance 2023-05 are hereby repealed in their entirety and are replaced with the following:

“The site shall be developed substantially in accordance with the attached site plan. The landscaping plan and photometric plan attached to Ordinance 2023-05 shall remain valid except on those portions of the property not zoned A-1.”

2. The remaining conditions and restrictions contained in Ordinance 2020-01 and Ordinance 2023-05 shall remain valid and effective.
3. 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.
4. If one or more of the above conditions or restrictions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
5. These major amendments to an existing special use permit shall be treated as covenants running with the land and are binding on the successors, heirs, and assigns as to the same special uses conducted on the property.

Regarding the proposed map amendment, no specific type of business was listed as a proposed use of the site.

No buildings were proposed for the site. Any buildings proposed for the site would have to meet applicable building codes and site plan approval by ZPAC would be required prior to site development.

Applicable permits would be required for a new well and septic system on the site.

The topographic survey shows two (2) wet detention ponds north of the existing kennel and veterinary. Depending on the nature of development, a stormwater permit might be required when the site is developed.

The property fronts Bell Road and Ridge Road.

Parking requirements will be determined by the specific uses of the site.

Lighting will be determined by specific uses of the site.

Signage will be determined by specific uses of the site and the signage requirements for the B-3 District contained in the Zoning Ordinance.

Landscaping will be determined when the site is developed.

Noise control will be determined when the site is developed.

The refuse plan will be determined when the site is developed.

There are two (2) pipeline easements, one (1) eighty feet (80') in width and one (1) seventy-five feet (75') in width located on the subject property. Development of the site will have to take these easements into account.

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. A portion of the property is presently used as a kennel and veterinary with related parking and landscaping while the majority of the property is presently used as an agricultural field. Surrounding properties are used fields, farmsteads, and a landscaping business.

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 various special uses including a landscaping business, landing strips, and natural gas compression.

The suitability of the property in question for the uses permitted under the existing zoning classification. The Petitioner did not provide a specific proposed land use. A variety of uses allowed in the proposed B-3 Highway Business District could be placed on the property.

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

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 Commercial and the four corners of the intersection of Ridge and Bell Roads as Commercial. The Village of Shorewood's Future Land Use Map calls for the property to be Community Commercial. The requested map amendment is consistent with the Land Resource Management Plan.

Staff recommended approval of the requested map amendment rezoning the area identified as Parcel 2 on the submitted zoning plat to B-3 Highway Business District.

Chairman Mohr asked if the property proposed for rezoning was owned by the same entity that owned the land for the kennel and veterinary. Mr. Asselmeier responded yes.

The Petitioner would either develop the B-3 zoned portion of the property as a commercial endeavor or would sell the property to a commercial end user.

Chairman Mohr asked if anyone had spoken against the proposal. Mr. Asselmeier responded no one had spoken against the proposal.

Chairman Mohr noted that the property would be flagged. Mr. Asselmeier said the rezoned portion of the property would have access to both Bell and Ridge Roads.

Chairman Mohr opened the public hearing at 7:43 p.m.

Chairman Mohr asked if there would be additional access points off of Bell Road. Emily Hoffman, Engineer for the Petitioner, said there will not be any new road cuts made off of Bell Road for the rezoned portion of the property.

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

Member LeCuyer made a motion, seconded by Member Thompson, to approve the findings of fact for

the amendment to the special use permit.

The votes were as follows:

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

The motion passed.

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

The votes were as follows:

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

The motion passed.

Member LeCuyer made a motion, seconded by Member Thompson to approve the findings of fact for the map amendment.

The votes were as follows:

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

The motion passed.

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

The votes were as follows:

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

The motion passed.

The proposals will go to the Planning, Building and Zoning Committee on March 11, 2024.

The Zoning Board of Appeals completed their review of Petitions 24-01 and 24-02 at 7:47 p.m.

PUBLIC COMMENTS

Mr. Asselmeier reported there were no Petitions for the April 1st hearing.

ADJOURNMENT OF THE ZONING BOARD OF APPEALS

Member Whitfield made a motion, seconded by Member Cherry, to adjourn.

With a voice vote of six (6) ayes, the motion carried.

The Zoning Board of Appeals meeting adjourned at 8:01 p.m.

The next regularly scheduled meeting/hearing will be on April 29, 2024.

Respectfully submitted by,
Wanda A. Rolf
Administrative Assistant

Exhibits

1. Memo on Petition 24-01 Dated February 29, 2024
2. Certificate of Publication and Certified Mail Receipts for Petition 24-01 (Not Included with Report but on file in Planning, Building and Zoning Office)

State of Illinois
County of Kendall

Zoning Petition
#24-01

ORDINANCE NUMBER 2024-_____

MAJOR AMENDMENT TO A SPECIAL USE PERMIT FOR A KENNEL AND VETERINARY ESTABLISHMENT GRANTED BY ORDINANCE 2020-01 AND AMENDMED BY ORDINANCE 2023-05 BY CHANGING THE SITE PLAN, LANDSCAPING PLAN, AND PHOTOMETRIC AT 949 BELL ROAD, MINOOKA (PART OF PIN: 09-24-100-012) IN SEWARD TOWNSHIP

WHEREAS, Section 13:08 of the Kendall County Zoning Ordinance permits the Kendall County Board to approve amendments to existing special use permits and provides the procedure through which amendments to existing special use permits are granted; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural Zoning District and consists of approximately 8.5 more or less acres located at the southwest corner of 949 Bell Road, Minooka (Part of PIN: 09-24-100-012) in Seward Township. The legal description for the area proposed for major amendment to an existing special use permit is set forth in Exhibit A attached hereto and incorporated by reference, and the area proposed for map amendment shall hereinafter be referred to as “the subject property”; and

WHEREAS, on or about February 18, 2020, the subject property was granted a special use permit for a kennel and veterinary establishment by the County Board through Ordinance 2020-01; and

WHEREAS, on or about February 21, 2023, a major amendment to the special use permit granted by Ordinance 2020-01 was approved by the County Board through Ordinance 2023-05; and

WHEREAS, the subject property is currently owned by Jade Restorations, Inc. as represented by Deb Chow and shall hereinafter be referred to as “Petitioner”; and

WHEREAS, on or about January 22, 2024, Petitioner’s representative filed a petition for a Map Amendment rezoning a portion the subject property from A-1 Agricultural District and A-1 Agricultural District with a Special Use Permit to B-3 Highway Business District and application for a major amendment to the existing special use permit by amending the site plan, landscaping plan, and photometric plan; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on February 8, 2024, due and proper notification to the Village of Shorewood on or about February 7, 2024, due and proper notification to Seward Township on or about February 9, 2024, and due and proper notification to all property owners of record of properties located within seven hundred fifty feet of the subject property at least fifteen days prior to the hearing, the Kendall County Zoning Board of Appeals conducted a public hearing on March 4, 2024, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner’s representative presented evidence, testimony, and exhibits in support of the requested major amendment to an existing special use permit and zero members of the public testified in favor or in opposition or asked question of the requested major amendment to an existing special use permit; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their Findings of Fact and recommended approval of the major amendment to an existing special use permit with conditions as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated March 4, 2024, a true and correct copy of which is attached hereto as Exhibit B; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has

State of Illinois
County of Kendall

Zoning Petition
#24-01

reviewed the testimony presented at the aforementioned public hearing and has considered the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has forwarded to the Kendall County Board a recommendation of **approval/denial/neutral** of the requested major amendment to an existing special use permit **with conditions**; and

WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee and the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals attached hereto as Exhibit B is hereby accepted and the Findings of Fact set forth therein are hereby adopted as the Findings of Fact and Conclusions of this Kendall County Board.
2. The Kendall County Board hereby grants approval of Petitioner's petition for a major amendment to an existing special use permit at the subject property subject to the following conditions and restrictions:
 - A. Condition 2.A of Ordinance 2020-01 and Condition 2.A of Ordinance 2023-05 are hereby repealed in their entirety and are replaced with the following:

“The site shall be developed substantially in accordance with the site plan attached hereto as Exhibit C. The landscaping plan and photometric plan attached to Ordinance 2023-05 shall remain valid except on those portions of the property not zoned A-1.”
 - B. The remaining conditions and restrictions contained in Ordinance 2020-01 and Ordinance 2023-05 shall remain valid and effective.
 - C. 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.
 - D. If one or more of the above conditions or restrictions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
 - E. These major amendments to an existing special use permit shall be treated as covenants running with the land and are binding on the successors, heirs, and assigns as to the same special uses conducted on the property.
3. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this Map Amendment.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 20th day of March, 2024.

State of Illinois
County of Kendall

Zoning Petition
#24-01

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Matt Kellogg

Exhibit A - LEGAL DESCRIPTION

PARCEL 1 (RUSTY RIDGE ANIMAL CENTER)

THAT PART OF THE SOUTH 1281.17 FEET OF THE WEST 680.00 FEET OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF SEWARD, DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER, THENCE NORTH 01 DEGREES 45 MINUTES 20 SECONDS WEST, ON THE WEST LINE OF SAID NORTHWEST QUARTER, 579.95 FEET TO THE SOUTH LINE OF THE 80 FOOT WIDE NATURAL GAS PIPELINE EASEMENT AS DESCRIBED IN BOOK 103 PAGE 333 IN KENDALL COUNTY RECORDS; THENCE SOUTH 85 DEGREES 47 MINUTES 08 SECONDS EAST, ON SAID SOUTH LINE, 504.74 FEET TO THE EAST LINE OF THE WEST 502.00 FEET OF SAID NORTHWEST QUARTER; THENCE SOUTH 01 DEGREES 45 MINUTES 20 SECONDS EAST, ON SAID EAST LINE, 526.83 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER; THENCE SOUTH 88 DEGREES 10 MINUTES 23 SECONDS WEST, ON SAID SOUTH LINE, 502.00 FEET TO THE POINT OF BEGINNING, ALL IN KENDALL COUNTY, ILLINOIS.

January 22, 2024

Map Amendment &
Major Amendment to Special Use

Exhibit B

The Kendall County Zoning Board of Appeals held a public hearing on the Petition 24-01 on March 4, 2024. Zero (0) members of the public, other than the Petitioner's Engineer, testified in favor or in opposition to the request. On the same date, the Kendall County Zoning Board of Appeals issued the following findings of fact and recommendation by a vote of six (6) in favor and zero (0) in opposition. Member Prodehl was absent.

FINDINGS OF FACT

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The kennel and veterinary establishment are already in existence. The proposed driveway extension was originally planned in 2020 when the project was originally proposed. The special use portion of the site will retain the previously approved landscaping and photometric plans.

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. None of the lighting or landscaping installed at the site will be removed as part of this proposal. No evidence has been provided showing the that use of the property as a kennel and veterinary establishment has negatively impacted property values or was injurious neighboring land uses.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. This is true. Adequate ingress and egress has been provided off of Bell Road and the new driveway will help with traffic circulation when the northern portion of the property is commercially developed. The development of the site was in compliance with a County issued stormwater permit which included the proposed driveway extension.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. This is true. The Petitioners are not proposing any changes related to the operation of the business allowed by the previously approved special use permit. Other than the driveway addition and rezoning of the land to the east, no other changes are proposed to physical layout of the site.

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, commerce and industry that provides a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents." The Land Resource Management Plan calls for the subject property to be commercial.

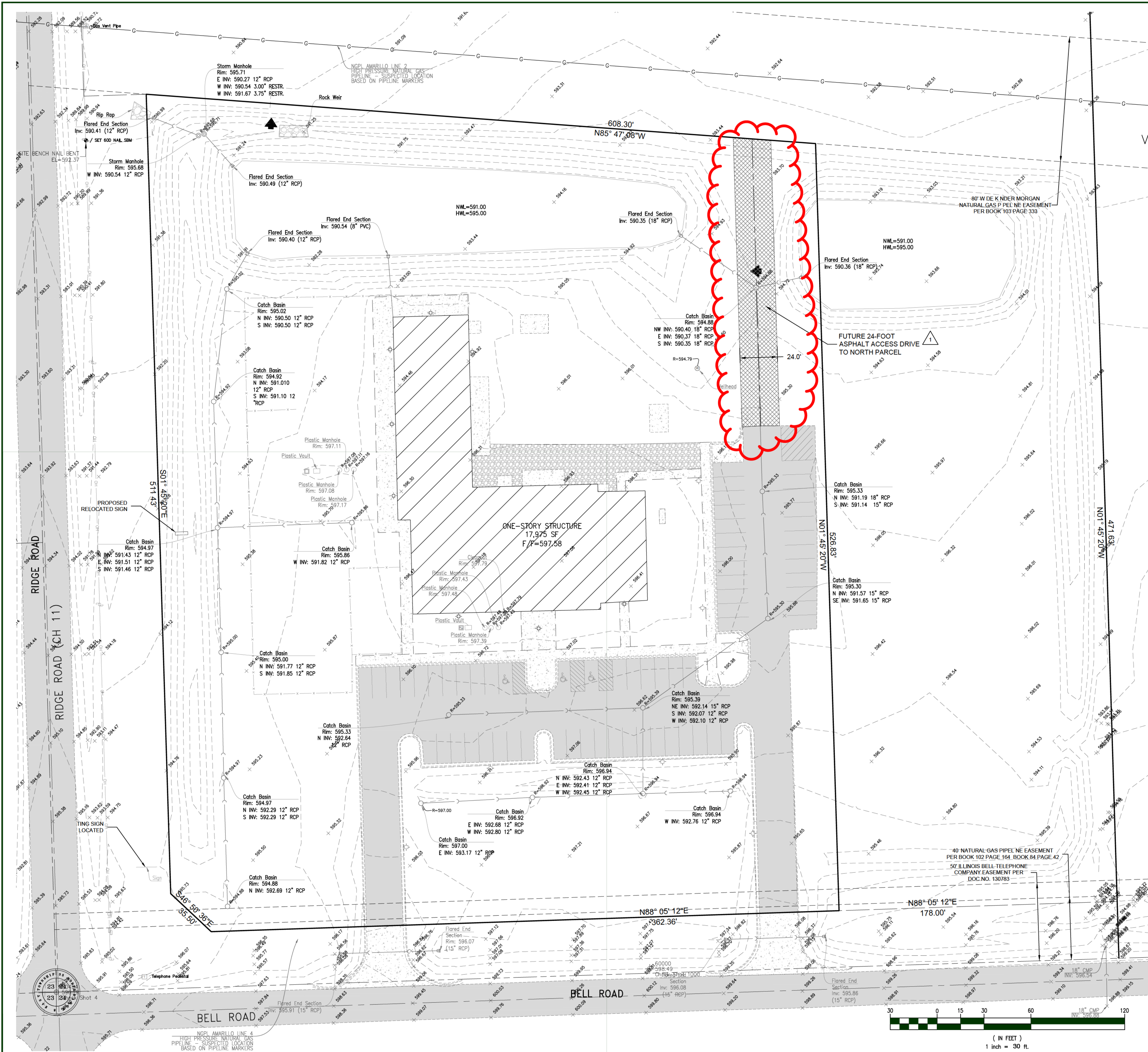
RECOMMENDATION

Approval Subject to the Following Conditions:

1. Condition 2.A of Ordinance 2020-01 and Condition 2.A of Ordinance 2023-05 are hereby repealed in their entirety and are replaced with the following:

"The site shall be developed substantially in accordance with the submitted site plan. The landscaping plan and photometric plan attached to Ordinance 2023-05 shall remain valid except on those portions of the property not zoned A-1."

2. The remaining conditions and restrictions contained in Ordinance 2020-01 and Ordinance 2023-05 shall remain valid and effective.
3. 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.
4. If one or more of the above conditions or restrictions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
5. These major amendments to an existing special use permit shall be treated as covenants running with the land and are binding on the successors, heirs, and assigns as to the same special uses conducted on the property.



CONCRETE PAVEMENT

GRAVEL AREA

HMA PAVEMENT

FLARED END SECTION

STORM MANHOLE

STORM INLET

CATCH BASIN

FIRE HYDRANT

VALVE AND VAULT

VALVE BOX

B BOX

SANITARY MANHOLE

STORM SEWER

WATERMAIN

SANITARY SEWER

CONTOUR

SILT FENCE

OVERLAND FLOW PATH

SITE LOCATION

US-52

Bell Rd

Ridge Rd

SITE

LEGEND

FLARED END SECTION

STORM MANHOLE

STORM INLET

CATCH BASIN

FIRE HYDRANT

VALVE AND VAULT

VALVE BOX

B BOX

SANITARY MANHOLE

STORM SEWER

WATERMAIN

SANITARY SEWER

CONTOUR

SILT FENCE

OVERLAND FLOW PATH

ABBREVIATIONS

TF - TOP OF FOUNDATION

FF - FINISHED FLOOR ELEVATION

L/O - LOOKOUT ELEVATION

W/O - WALKOUT ELEVATION

GE - GARAGE ENTRY ELEVATION

LEGAL DESCRIPTION

PARCEL 1 (RUSTY RIDGE ANIMAL CENTER)
THAT PART OF THE SOUTH 1281.17 FEET OF THE WEST 680.00 FEET OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF SEWARD, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER, THENCE NORTH 01 DEGREES 45 MINUTES 20 SECONDS WEST, ON THE WEST LINE OF SAID NORTHWEST QUARTER, 579.95 FEET TO THE SOUTH LINE OF THE 80 FOOT WIDE NATURAL GAS PIPELINE EASEMENT AS DESCRIBED IN BOOK 103 PAGE 333 IN KENDALL COUNTY RECORDS; THENCE SOUTH 85 DEGREES 47 MINUTES 08 SECONDS EAST, ON SAID SOUTH LINE, 504.74 FEET TO THE EAST LINE OF THE WEST 502.00 FEET OF SAID NORTHWEST QUARTER; THENCE SOUTH 01 DEGREES 45 MINUTES 20 SECONDS EAST, ON SAID EAST LINE, 528.83 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER; THENCE SOUTH 88 DEGREES 10 MINUTES 23 SECONDS WEST, ON SAID SOUTH LINE, 502.00 FEET TO THE POINT OF BEGINNING, ALL IN KENDALL COUNTY, ILLINOIS.

- LIST OF MODIFICATIONS**
- PROPOSED 24-FOOT ROADWAY EXTENSION TO THE NORTH PROPERTY LINE FOR FUTURE CONNECTIVITY OF THE NORTH 12-ACRES OWNED BY JADE RESTORATIONS, INC. TO BELL RD.

- BENCHMARKS**
- NGS PID DP5482 STATION IS LOCATED 22 FEET SOUTH OF THE EDGE OF PAVEMENT OF US HIGHWAY 52, 44 FEET EAST OF THE EXTENDED EAST EDGE OF PAVEMENT OF PRIVATE ENTRANCE '1455' US HIGHWAY 52 AND 12 FEET NORTH OF A FENCE ELEVATION = 589.76 (NAVD 88)
 - SITE BENCHMARK #1 600 NAIL IN POWER POLE -558 FEET NORTH OF BELL ROAD ON EAST SIDE OF RIDGE ROAD ELEVATION = 592.36 (NAVD 88)

ORDINANCE #23-05 SITE AREA STATISTICS			
	(SF)	(AC)	
GROSS AREA	369,900	8.49	
PREVIOUS EXISTING R.O.W. (RIDGE RD)	20,234	0.46	
DEDICATED PARCEL 1 R.O.W. (RIDGE AND BELL RD)	45,006	1.03	
NET DEVELOPMENT AREA	304,660	6.99	

DEVELOPMENT AREA DRAINAGE STATISTICS			
	#23-05 AREA (SF)	#23-05 AREA (AC)	#23-05 AREA (%)
PERVIOUS (GRASSED) AREA	213,113	4.89	70.0%
GREEN ROOF	0	0.00	0.0%
TOTAL PERVIOUS	213,113	4.89	70.0%
BUILDING AREA	17,245	0.40	5.7%
PAVEMENT AREA (PCC AND ASPHALT)	40,040	0.92	13.1%
WET POND AREA (NWL)	23,548	0.54	7.7%
TOTAL IMPERVIOUS	80,833	1.86	26.5%
FUTURE IMPERVIOUS AREA	10,714	0.25	3.5%
TOTAL AREA	304,660	6.99	100.0%

FUTURE SITE AREA STATISTICS			
	(SF)	(AC)	
GROSS AREA	277,782	6.38	
DEDICATED PARCEL 1 R.O.W. (RIDGE AND BELL RD)	58,806	1.35	
NET DEVELOPMENT AREA	218,976	5.03	

REVISED DEVELOPMENT AREA DRAINAGE STATISTICS			
	FUTURE AREA (SF)	FUTURE AREA (AC)	FUTURE AREA (%)
PERVIOUS (GRASSED) AREA	146,131	3.35	66.7%
TOTAL PERVIOUS	146,131	3.35	66.7%
BUILDING AREA	17,245	0.40	7.9%
PAVEMENT AREA (PCC AND ASPHALT)	40,040	0.92	18.3%
WET POND AREA (NWL)	15,560	0.36	7.1%
TOTAL IMPERVIOUS	72,845	1.67	33.3%
FUTURE IMPERVIOUS AREA	0	0.00	0.0%
TOTAL AREA	218,976	5.03	100.0%

Civil Engineering & Land Development Consulting

26316 Mapleview Drive

Plainfield, IL 60585

815.577.1707 T 815.577.2895 F

www.cookengr.com

COOK

ENGINEERING

GROUP

REVISION DESCRIPTION											
DATE		1	2	3	4	5	6	7	8	9	10

MAJOR AMENDMENT

EXHIBIT

RUSTY RIDGE ANIMAL CENTER

949 BELL ROAD

MINOOKA, IL 60447

PREPARED FOR

BULLMASTIFF CONSTRUCTION

MS. DEB HOWARD

CEG JOB NUMBER

2018-107

SCALE: 1" = 30'

DRAWN BY: EKH

CHECKED BY: MDC

DATE: 01/18/2024

SHEET: 1 of 1

© Copyright, 2024



Kendall County Agenda Briefing

Meeting Type: Planning, Building and Zoning

Meeting Date: 3/11/2024

Subject: Approval of Petition 24-02, Map Amendment Rezoning Approximately 13.6 Acres at 949 Bell Road

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning

Action Requested:

Approval of Petition 24-02, A Request from Deb Chow on Behalf of Jade Restorations, Inc for a Map Amendment Rezoning Approximately 13.6 Acres of 949 Bell Road, Minooka (PIN: 09-24-100-012) in Seward Township from A-1 Agricultural District and A-1 Agricultural District With a Special Use Permit for a Kennel and Veterinary to B-3 Highway Business District

Previous Board/Committee Review:

ZPAC-Approval (9-0-1) on February 6, 2024

Kendall County Regional Planning Commission-Approval (9-0-1) on February 28, 2024

Kendall County Zoning Board of Appeals-Approval (6-0-1) on March 4, 2024

Fiscal impact:

N/A

Background and Discussion:

The Petitioner would like to rezone the eastern and northern approximately thirteen point six (13.6) acres to B-3 Highway Business District to match the Future Land Use Map.

To date, an end user for the property has not been identified.

Staff Recommendation:

Approval with Conditions

Attachments:

Memo Dated March 6, 2024



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 24-02

**Deb Chow on Behalf of Jade Restorations, Inc.
Map Amendment A-1 and A-1 Special Use to B-3**

INTRODUCTION

The Petitioner would like to rezone approximately thirteen point six (13.6) acres of the subject property from A-1 Agricultural District and A-1 with a special use permit for a kennel and veterinary to B-3 Highway Business District. The area proposed for rezoning is described as Parcel 2 on the zoning plat (Attachment 4).

No specific information was provided, other than compliance with the Land Resource Management Plan, was given regarding the reason for the map amendment. The Petitioner likely will either pursue selling the property or pursue some type of commercial endeavor that is allowed in the B-3 District.

The southwest corner of the subject property has a special use permit for a kennel and veterinary. The Petitioner is also pursuing an amendment to the special use permit to adjust the site plan to reflect this map amendment request (see Petition 24-01).

The application materials are included as Attachment 1. The aerial showing the proposed changes is included as Attachment 2. The topographic survey is included as Attachment 3. The plat showing the proposed rezoning area is included as Attachment 4.

SITE INFORMATION

PETITIONER Deb Chow on Behalf of Jade Restorations, Inc.

ADDRESS 949 Bell Road, Minooka

LOCATION Northeast Corner of Ridge Road and Bell Road



TOWNSHIP Seward

PARCEL # 09-24-100-012

LOT SIZE 20.02 Acres (Gross); 13.62 Acres (Proposed Rezoned Area)

EXISTING LAND USE Agricultural/Veterinary/Kennel

ZONING A-1 Agricultural District with a Special Use Permit

LRMP	Current Land Use	Agricultural/Veterinary/Kennel
	Future Land Use	Commercial (County) Community Commercial (Shorewood)
	Roads	Ridge Road is a County Road classified as an Arterial Road. Bell Road is a Township Road classified as a Minor Collector.
	Trails	Minooka has a trail planned along Ridge Road. Shorewood has a trail planned along Bell Road.
	Floodplain/ Wetlands	None

REQUESTED ACTION Map Amendment Rezoning the Subject Property 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	Commercial (County) Single-Unit Attached Residential (Shorewood)	A-1 and A-1 SU
South	Agricultural	A-1	Commercial (County) Single-Unit Residential Detached (Shorewood)	A-1 and A-1 SU
East	Agricultural	A-1	Commercial (County) Single-Unit Residential Detached (Shorewood)	A-1, A-1 SU, and R-1
West	Agricultural/Farmstead/ Landscaping Business	A-1 and A-1 SU	Commercial (County) Multi-Family Residential (Shorewood)	A-1 and A-1 SU

There are approximately twelve (12) homes located within one half (1/2) mile of the subject property.

The special uses to the north and south are landing strips. The special use to the east is for natural gas compression. The special use to the west is for a landscaping business.

PHYSICAL DATA

ENDANGERED SPECIES REPORT

EcoCat submitted on December 13, 2022, and consultation was terminated (see Attachment 1, Pages 21-23).

NATURAL RESOURCES INVENTORY

Revised NRI application submitted on January 22, 2024. NRI information is included as Attachment 1, Page 20. The LESA Score was 180 indicating a low level of protection. This report is included as Attachment 5.

ACTION SUMMARY

SEWARD TOWNSHIP

Seward Township was emailed information on January 26, 2024. The Seward Township Planning Commission met on February 5, 2024, and recommended approval of the proposal by a vote of three (3) in favor and zero (0) in opposition, with two (2) members absent. The Seward Township Board recommended approval of the proposal.

MINOOKA FIRE PROTECTION DISTRICT

The Minooka Fire Protection District was emailed information on January 26, 2024.

VILLAGE OF SHOREWOOD

The Village of Shorewood was emailed information on January 26, 2024. The Village of Shorewood submitted an email indicating they would like to annex the property when it becomes contiguous and wanted a restriction preventing uses not allowed in their B-3 Zoning District from occurring at the property. This email is attached to the ZPAC meeting minutes. The Village of Shorewood submitted a second email on February 28, 2024, stating they would not object to the map amendment and no annexation agreement had been negotiated, but they were concerned about auto and truck repair businesses operating on the B-3 zoned portion of the property. This email is included as Attachment 7.

ZPAC

ZPAC reviewed this proposal at their meeting on February 6, 2024. The Petitioner's Engineer was agreeable to working the Highway Department regarding access from Ridge Road for the northern portion of the property. No additional points of access would come from Bell Road. The Petitioner's Engineer wanted to evaluate Shorewood's request for an annexation agreement. A letter was placed into the record from WBK Engineering noting no objections to the proposed driveway extension in the special use permit amendment application. ZPAC recommended approval of the proposal by a vote of nine (9) in favor and zero (0) in opposition, with one (1) member absent. The minutes of this meeting were included as Attachment 6.

RPC

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on February 28, 2024. The Petitioner's Engineer explained the history of the property. He noted that the County granted access from Ridge Road approximately one quarter (1/4) of a mile north of Bell Road. He discussed the potential of annexation with Shorewood; he noted that Shorewood had no services available to the subject property. No end user had been identified for the portion of the property proposed for rezoning. The rezoning was intended to tie into the widening of Ridge Road. He also explained the description of the wet bottom detention ponds and the ponds may need to be evaluated in the future depending on future uses on the portion proposed for rezoning. The Kendall County Regional Planning Commission recommended approval of the proposal by a vote of nine (9) in favor and zero (0) in opposition, with one (1) member absent. The minutes of this meeting were included as Attachment 8.

ZBA

The Kendall County Zoning Board of Appeals conducted a public hearing on the proposal on March 4, 2024. Other than the Petitioner's Engineer, no other members of the public testified at the public hearing. The Petitioner's Engineer stated there would not be any new road cuts off of Bell Road for the rezoned portion of the property. The Kendall County Zoning Board of Appeals recommended approval of the proposal by a vote of six (6) in favor and zero (0) in opposition, with one (1) member absent. The minutes of the hearing were included as Attachment 9.

BUSINESS OPERATION

No specific type of business was listed as a proposed use of the site.

BUILDING AND BUILDING CODES

No buildings were proposed for the site. Any buildings proposed for the site would have to meet applicable building codes and site plan approval by ZPAC would be required prior to site development.

ENVIRONMENTAL HEALTH

Applicable permits would be required for a new well and septic system on the site.

STORMWATER

The topographic survey (Attachment 3) shows two (2) wet detention ponds north of the existing kennel and veterinary. Depending on the nature of development, a stormwater permit might be required when the site is developed.

ROAD ACCESS

The property fronts Bell Road and Ridge Road.

PARKING

Parking requirements will be determined by the specific uses of the site.

LIGHTING

Lighting will be determined by specific uses of the site.

SIGNAGE

Signage will be determined by specific uses of the site and the signage requirements for the B-3 District contained in the Zoning Ordinance.

LANDSCAPING

Landscaping will be determined when the site is developed.

NOISE CONTROL

Noise control will be determined when the site is developed.

REFUSE PLAN

The refuse plan will be determined when the site is developed.

PIPELINE EASEMENT

There are two (2) pipeline easements, one (1) eighty feet (80') in width and one (1) seventy-five feet (75') in width located on the subject property. Development of the site will have to take these easements into account.

FINDINGS OF FACT

The Findings of Fact were as follows:

Existing uses of property within the general area of the property in question. A portion of the property is presently used as a kennel and veterinary with related parking and landscaping while the majority of the property is presently used as an agricultural field. Surrounding properties are used fields, farmsteads, and a landscaping business.

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 various special uses including a landscaping business, landing strips, and natural gas compression.

The suitability of the property in question for the uses permitted under the existing zoning classification. The Petitioner did not provide a specific proposed land use. A variety of uses allowed in the proposed B-3 Highway Business District could be placed on the property.

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

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 Commercial and the four corners of the intersection of Ridge and Bell Roads as Commercial. The Village of Shorewood's Future Land Use Map calls for the property to be Community Commercial. The requested map amendment is consistent with the Land Resource Management Plan.

RECOMMENDATION

Staff recommends approval of the requested map amendment rezoning the area identified as Parcel 2 on the submitted zoning plat (Attachment 4) to B-3 Highway Business District.

The draft ordinance was included as Attachment 10.

ATTACHMENTS

1. Application Materials
2. Aerial Showing Changes
3. Topographic Survey
4. Zoning Plat
5. NRI Report
6. February 6, 2024, ZPAC Minutes (This Petition Only)
7. February 28, 2024, Email from the Village of Shorewood
8. February 28, 2024, Kendall County Regional Planning Commission Minutes (This Petition Only)
9. March 4, 2024, Kendall County Zoning Board of Appeals Minutes (This Petition Only)
10. Draft Ordinance

**DEPARTMENT OF PLANNING, BUILDING & ZONING**

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

APPLICATION

PROJECT NAME JADE RESTORATIONS REZONING **FILE #:** _____

NAME OF APPLICANT MS. DEB CHOW		
CURRENT LANDOWNER/NAME(s) JADE RESTORATION, INC.		
SITE INFORMATION		
ACRES 13.62	SITE ADDRESS OR LOCATION NEC RIDGE RD. AND BELL RD.	ASSESSOR'S ID NUMBER (PIN) 09-24-100-012-0000
EXISTING LAND USE AGRICULTURAL	CURRENT ZONING A1	LAND CLASSIFICATION ON LRMP COMMERCIAL
REQUESTED ACTION (Check All That Apply):		
<input type="checkbox"/> SPECIAL USE <input checked="" type="checkbox"/> MAP AMENDMENT (Rezone to <u>B3</u>) <input type="checkbox"/> VARIANCE <input type="checkbox"/> ADMINISTRATIVE VARIANCE <input type="checkbox"/> A-1 CONDITIONAL USE for: _____ <input type="checkbox"/> SITE PLAN REVIEW <input type="checkbox"/> TEXT AMENDMENT <input type="checkbox"/> RPD (<input type="checkbox"/> Concept; <input type="checkbox"/> Preliminary; <input type="checkbox"/> Final) <input type="checkbox"/> ADMINISTRATIVE APPEAL <input type="checkbox"/> PRELIMINARY PLAT <input type="checkbox"/> FINAL PLAT <input type="checkbox"/> OTHER PLAT (Vacation, Dedication, etc.) <input type="checkbox"/> AMENDMENT TO A SPECIAL USE (<input type="checkbox"/> Major; <input type="checkbox"/> Minor)		
¹PRIMARY CONTACT DEB CHOW	PRIMARY CONTACT MAILING ADDRESS [REDACTED]	PRIMARY CONTACT EMAIL [REDACTED]
PRIMARY CONTACT PHONE # [REDACTED]	PRIMARY CONTACT FAX # [REDACTED]	PRIMARY CONTACT OTHER # (Cell, etc.) [REDACTED]
²ENGINEER CONTACT MICHAEL COOK	ENGINEER MAILING ADDRESS [REDACTED]	ENGINEER EMAIL [REDACTED]
ENGINEER PHONE # [REDACTED]	ENGINEER FAX # [REDACTED]	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	DocuSigned by: [REDACTED] 0FF65195D1CA42A...	DATE 1/22/2024

FEE PAID: \$ _____
CHECK #: _____

¹Primary Contact will receive all correspondence from County

²Engineering Contact will receive all correspondence from the County's Engineering Consultants

13:07F MAP AMENDMENT

FINDING OF FACT

Please fill out the following findings of fact to the best of your capabilities. §13:07.F 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:

1. *Existing uses of property within the general area of the property in question.*
THE PROPERTY OWNERSHIP IS APPROXIMATELY 20.00 ACRES WITH 6.38 ACRES ALREADY DEVELOPED, CONSTRUCTED AND OPERATIONAL AS RUSTY RIDGE ANIMAL CENTER. BALANCE OF PROPERTY OF 14.62 ACRES IS UNDEVELOPED LAND BEING USED AS AGRICULTURAL.
2. *The Zoning classification of property within the general area of the property in question.*
PARCEL 2 IS PRESENTLY ZONED A1 & A1-SU. SURROUNDING ZONING AROUND PROPERTY TO NORTH, EAST, SOUTH, AND WEST IS A1 ALONG WITH A1-SU ORDINANCE 06-38 (ROCK GARDEN SUPPLY LLC) ON WEST SIDE OF RIDGE RD. THE KENDALL COUNTY LAND RESOURCE MANAGEMENT PLAN (LRMP) SHOWS COMMERCIAL PROPERTY TO THE NORTH, SOUTH, EAST, AND WEST SIDES OF PROPERTY.
3. *The suitability of the property in question for the uses permitted under the existing zoning classification.*
THE PROPERTY IDENTIFIED AS PARCEL 2 IS PRESENTLY ZONED AS A1 & A1-SU. PARCEL 2 TO BE RE-ZONED AS B3 HIGHWAY BUSINESS DISTRICT MATCHES THE KENDALL COUNTY LAND RESOURCE MANAGEMENT PLAN (LRMP) AS FUTURE COMMERCIAL. SEE FUTURE LAND USE MAP AND RE-ZONING PLAT DATED 1/15/2024 FOR FURTHER INFORMATION.
4. *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 ZBA 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 ZBA 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 PROPERTY IDENTIFIED AS PARCEL 2 IS PRESENTLY ZONED AS A1 & A1-SU. THE PARCEL 2 PROPERTY TO BE RE-ZONED AS B3 HIGHWAY BUSINESS DISTRICT MATCHES THE KENDALL COUNTY LAND RESOURCE MANAGEMENT PLAN (LRMP) AS FUTURE COMMERCIAL. SEE FUTURE LAND USE MAP AND RE-ZONING PLAT DATED 1/15/2024 FOR FURTHER INFORMATION.
5. *Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies.*
CHANGING THE ZONING CLASSIFICATION FROM A1 & A1-SU TO B3 WOULD BE CONSISTENT WITH THE KENDALL COUNTY LAND RESOURCE MANAGEMENT PLAN (LRMP) AS FUTURE COMMERCIAL.

Brief Justification of the reasons for the requested zoning and intended use(s).

THE CURRENT PROPERTY IDENTIFIED AS PARCEL 2 SHOWN ON BOTH THE PLAT OF SURVEY AND ZONING PLAT IS PRESENTLY ZONED AS A1 & A1-SU. PARCEL 2 TO BE RE-ZONED AS B3 HIGHWAY BUSINESS DISTRICT MATCHES THE KENDALL COUNTY LAND RESOURCE MANAGEMENT PLAN (LRMP) AS FUTURE COMMERCIAL. SEE FUTURE LAND USE MAP, PLAT OF SURVEY RE-ZONING PLAT DATED 1/15/2024 FOR FURTHER INFORMATION.

**LEGAL DESCRIPTION
JADE RESTORATIONS, INC.
NEC RIDGE RD. & BELL RD.
KENDALL COUNTY, ILLINOIS**

PARCEL 2 (RE-ZONING A1 & A1-SU TO B3)

THE SOUTH 1281.17 FEET OF THE WEST 680.00 FEET OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF SEWARD, EXCEPT THAT PART DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER, THENCE NORTH 01 DEGREES 45 MINUTES 20 SECONDS WEST, ON THE WEST LINE OF SAID NORTHWEST QUARTER, 579.95 FEET TO THE SOUTH LINE OF THE 80 FOOT WIDE NATURAL GAS PIPELINE EASEMENT AS DESCRIBED IN BOOK 103 PAGE 333 IN KENDALL COUNTY RECORDS; THENCE SOUTH 85 DEGREES 47 MINUTES 08 SECONDS EAST, ON SAID SOUTH LINE, 504.74 FEET TO THE EAST LINE OF THE WEST 502.00 FEET OF SAID NORTHWEST QUARTER; THENCE SOUTH 01 DEGREES 45 MINUTES 20 SECONDS EAST, ON SAID EAST LINE, 526.83 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER; THENCE SOUTH 88 DEGREES 10 MINUTES 23 SECONDS WEST, ON SAID SOUTH LINE, 502.00 FEET TO THE POINT OF BEGINNING, ALL IN KENDALL COUNTY, ILLINOIS.

January 22, 2024

Map Amendment &
Major Amendment to Special Use



MAIL RECORDED DEED TO.
 Attorney Robert J. Huguelet, Jr., Esq.
 10749 Winterset Drive
 Orland Park, IL 60467

201800001834

DEBBIE GILLETTE
 RECORDER - KENDALL COUNTY, IL

MAIL TAX BILL TO:

Jade Restorations, Inc.

~~18100 West Avenue~~~~Orland Park, IL 60467~~

RECORDED: 2/7/2018 10:02 AM
 WD: 39.00 RHSPS FEE: 10.00
 STATE TAX: 500.00
 COUNTY TAX: 250.00
 PAGES: 3

THIS INSTRUMENT PREPARED BY:

Attorney Thomas Osterberger

Kavanagh Grumley Gorbod, LLC

111 N Ottawa Street

Joliet, IL 60432

ABOVE SPACE FOR RECORDER'S USE**WARRANTY DEED**

THIS INDENTURE WITNESSETH, that the Grantor, DGA Investments, LLC – Coyne Farm, an Illinois series limited liability company and part of DGA Investments, LLC, an Illinois limited liability company, having its principal office at [REDACTED] for and in consideration of the sum of One Dollar and other good and valuable consideration, the receipt of which is hereby acknowledged, CONVEYS and WARRANTS to

Jade Restorations, Inc., an Illinois Corporation, whose principal address is ~~18100 West Avenue, Orland Park, IL 60467~~ the following described real estate, to-wit

The South 1281 17 feet of the West 680 00 feet of the Northwest quarter of Section 24, Township 35 North, Range 8 East of the Third Principal Meridian, in the Township of Seward, all in Kendall County, Illinois.

Permanent Real Estate Index Number(s) New Code to Come – Presently Part of
 09-24-100-001

Commonly known as 20 Acres of Vacant Land at the northeast corner of Bell and Ridge Roads, Minooka, Illinois

Situated in Kendall County, Illinois, hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.



1 of 1

DATED this 30th day of January, 2018

DGA Investments, LLC – Coyne Farm, an Illinois series limited liability company, and part of DGA Investments, LLC, an Illinois limited liability company

[REDACTED]

Maria Villanueva, Manager

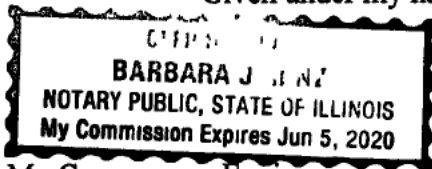
STATE OF ILLINOIS)

SS.

COUNTY OF WILL)

I, the undersigned, a Notary Public, in and for said county, in the State aforesaid, DO HEREBY CERTIFY THAT Maria Villanueva, personally known to me to be Manager of DGA Investments, LLC – Coyne Farm, an Illinois series limited liability company and part of DGA Investments, LLC, an Illinois limited liability company who is the grantor and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such Manager she signed and delivered said instrument as such Manager, pursuant to authority given by the Resolution of all of the Members of said Limited Liability Company, as her free and voluntary act, and as the free and voluntary act of said Limited Liability Company, for the purposes therein set forth. [REDACTED]

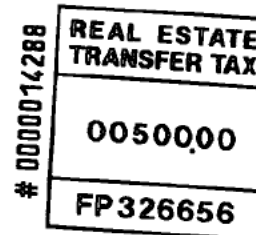
Given under my hand and official seal this 30th day of January, 2018.



My Commission Expires: _____

[REDACTED]

Notary Public





Debbie Gillette
Kendall County Clerk & Recorder

STATE OF ILLINOIS

COUNTY OF KENDALL

Maria Villanueva

, being duly sworn on oath, states that affiant resides at
And further states that (please check the appropriate box)

- A ☐ 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 do 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)

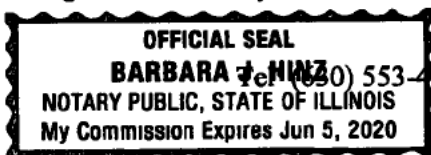
AFFIANT further states that s he makes this affidavit for the purpose of inducing the Recorder of Deeds of Kendall County, Illinois, to accept the attached deed for recording.

SUBSCRIBED AND SWORN TO BEFORE ME

This 30th day of January, 2018

Signature of Notary Public

Signature of Affiant



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

ALTA OWNER'S POLICY OF TITLE INSURANCE

CHICAGO TITLE INSURANCE COMPANY

Policy Number:



Any notice of claim and any other notice or statement in writing required to be given to the Company under this Policy must be given to the Company at the address shown in Section 18 of the Conditions.

COVERED RISKS

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B, AND THE CONDITIONS, CHICAGO TITLE INSURANCE COMPANY, a Florida corporation (the "Company") insures, as of Date of Policy and, to the extent stated in Covered Risks 9 and 10, after Date of Policy, against loss or damage, not exceeding the Amount of Insurance, sustained or incurred by the Insured by reason of:

1. Title being vested other than as stated in Schedule A.
2. Any defect in or lien or encumbrance on the Title. This Covered Risk includes but is not limited to insurance against loss from
 - (a) A defect in the Title caused by
 - (i) forgery, fraud, undue influence, duress, incompetency, incapacity, or impersonation;
 - (ii) failure of any person or Entity to have authorized a transfer or conveyance;
 - (iii) a document affecting Title not properly created, executed, witnessed, sealed, acknowledged, notarized, or delivered;
 - (iv) failure to perform those acts necessary to create a document by electronic means authorized by law;
 - (v) a document executed under a falsified, expired, or otherwise invalid power of attorney;
 - (vi) a document not properly filed, recorded, or indexed in the Public Records including failure to perform those acts by electronic means authorized by law; or
 - (vii) a defective judicial or administrative proceeding.
 - (b) The lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid.
 - (c) 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. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
3. Unmarketable Title.
4. No right of access to and from the Land.
5. The violation or enforcement of any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (a) the occupancy, use, or enjoyment of the Land;
 - (b) the character, dimensions, or location of any improvement erected on the Land;
 - (c) the subdivision of land; or
 - (d) environmental protection

if a notice, describing any part of the Land, is recorded in the Public Records setting forth the violation or intention to enforce, but only to the extent of the violation or enforcement referred to in that notice.
6. An enforcement action based on the exercise of a governmental police power not covered by Covered Risk 5 if a notice of the enforcement action, describing any part of the Land, is recorded in the Public Records, but only to the extent of the enforcement referred to in that notice.

Copyright American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

ALTA Owner's Policy (06/17/2006)



CHICAGO TITLE INSURANCE COMPANY**OWNER'S POLICY NO.** [REDACTED]

7. The exercise of the rights of eminent domain if a notice of the exercise, describing any part of the Land, is recorded in the Public Records.
8. Any taking by a governmental body that has occurred and is binding on the rights of a purchaser for value without Knowledge.
9. Title being vested other than as stated in Schedule A or being defective
 - (a) as a result of the avoidance in whole or in part, or from a court order providing an alternative remedy, of a transfer of all or any part of the title to or any interest in the Land occurring prior to the transaction vesting Title as shown in Schedule A because that prior transfer constituted a fraudulent or preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws; or
 - (b) because the instrument of transfer vesting Title as shown in Schedule A constitutes a preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws by reason of the failure of its recording in the Public Records
 - (i) to be timely, or
 - (ii) to impart notice of its existence to a purchaser for value or to a judgment or lien creditor.
10. Any defect in or lien or encumbrance on the Title or other matter included in Covered Risks 1 through 9 that has been created or attached or has been filed or recorded in the Public Records subsequent to Date of Policy and prior to the recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The Company will also pay the costs, attorneys' fees, and expenses incurred in defense of any matter insured against by this Policy, but only to the extent provided in the Conditions.

IN WITNESS WHEREOF, CHICAGO TITLE INSURANCE COMPANY has caused this policy to be signed and sealed by its duly authorized officers.

Chicago Title Insurance Company

By:

[REDACTED]

President

Attest:

[REDACTED]

Secretary

Copyright American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

ALTA Owner's Policy (06/17/2006)



EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.

(b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

Copyright American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

ALTA Owner's Policy (06/17/2006)



CHICAGO TITLE INSURANCE COMPANY**OWNER'S POLICY NO.** [REDACTED]

Issued By: Chicago Title Company, LLC
 2000 West Galena, Suite 105
 Aurora, IL 60506

SCHEDULE A

Address Reference: 15200 Ridge Road (20 acres), Minooka, IL 60447

Date of Policy	Amount of Insurance
February 7, 2018	\$500,000.00

1. Name of Insured:

Jade Restorations, Inc.

2. The estate or interest in the Land that is insured by this policy is:

Fee Simple

3. Title is vested in:

Jade Restorations, Inc.

4. The Land referred to in this policy is described as follows:

THE SOUTH 1281.17 FEET OF THE WEST 680.00 FEET OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF SEWARD, ALL IN KENDALL COUNTY, ILLINOIS.

THIS POLICY VALID ONLY IF SCHEDULE B IS ATTACHED

END OF SCHEDULE A

Copyright American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

ALTA Owner's Policy (06/17/2006)



SCHEDULE B EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees or expenses that arise by reason of:

1. **General Exceptions**
2. **Rights or claims of parties in possession not shown by Public Records.**
3. **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.**
4. **Easements, or claims of easements, not shown by the Public Records.**
5. **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.**
6. **Taxes or special assessments which are not shown as existing liens by the Public Records.**
7. Taxes for the years 2017 and 2018.

Taxes for the years 2017 and 2018 are not yet due or payable.

Permanent Tax No.: [09-24-100-001](#) (affects the land and other property)

Note: Taxes for the year 2016 amounting to \$6,669.16 are paid of record.

8. Rights of the public, the State of Illinois County of Kendall and the municipality in and to that part of the Land taken or used for road purposes, including Ridge Road, as originally constituted and as widened to 35.00 feet East of the centerline by the dedication to the People of County of Kendall recorded August 27, 1947 in 103 deed 273.
9. Rights of way for drainage tiles, ditches, feeders and laterals, if any.
10. 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.
11. Right of way option granted by Charles E. Davis and Alma V. Davis, his wife, to Continental Construction Corporation, dated March 17, 1931 and recorded April 15, 1931 in Book 84 of Deeds page 42, for "Pipeline or Pipelines, the transmission of gas "or any of its products..... over and through..... ohe Northwest 1/4 of Section 24, Township 35 North, Range 8, East of the Third Principal Meridian, in the Township of Seward, Kendall County, Illinois" acknowledgement of Exercise of Option dated April 11, 1931 and recorded April 22, 1931 in Book 84 of Deeds, page 55.

Note: These instruments do not definitely set forth the location of this grant.

Copyright American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.



SCHEDULE B
EXCEPTIONS FROM COVERAGE
 (continued)

12. Agreement concerning Location of Pipeline dated May 24, 1946 and recorded September 3, 1946 in Book 102 of Deeds page 164 by Alma V. Davis with National Gas Pipeline Company of America (formerly Continental Construction Corporation) Wherein It is Mentioned that Book 84 of Deeds, page 42 aforesaid provided for an additional Pipeline and that It is therefore agreed a Second Pipeline is located as follows:
- The Grantor Being Owner of "40-foot right of way along South line of Northwest 1/4 of Section 24, Township 35 North, Range 8 and West 1/2 of Northeast 1/4 of Section 24, Township 35 North, Range 8, East of the Third Principal Meridian, in the Township of Seward, Kendall County, Illinois", upon which the grantee operates a Pipeline said Second Pipeline is located "Entering the above described real estate at a point approximately 650.00 feet North of present pipeline on the West line; thence Southeast to a point on the East boundary of said real estate approximately 300.00 feet North of the pipeline presently constructed..... "
13. Right of Way Agreement Dated July 19, 1962 and recorded July 26, 1962 as document 138639 by Charles R. And Etta Davis, His Wife, with Natural Gas Pipeline Company of America for a Pipeline Transporation of Natural Gas, Conveying of a 75-foot strip the denterline as follows:
- Beginning at a point of Entrance of the East Property Line, said point being 952.5 feet North of the Southeast Corner property; Thence in a Southwesterly Direction at an Entrance Angle of 88 Degrees, 30 Minutes, 00 Second, a Distance of 1323.00 feet to a point of Exit on the West property line which is also the centerline of a Blacktop Road, said point being 922.5 feet North of the Southwest property corner as shown on drawing attached thereto.
14. Grant from Charles R. Davis to Illinois Bell Telephone Company dated June 24, 1960 and recorded August 17, 1960 as document 130783 for telephone and telegraph purposes "upon, along, and under the Public Roads..... in the South 50.00 feet of aforesaid West 1/2 of Southwest 1/4 of Section 24, Township 35 North, Range 8, East of the Third Principal Meridian, in the Township of Seward, Kendall County, Illinois. "
15. Rights of adjoining owners to the uninterrupted flow of any stream which may cross the premises.
16. 80 foot pipeline easement per Book 133 Page 333 recorded September 11, 1962 as shown on survey by Morrison Surveying Co., Inc. dated january 10, 2018 Order No. 39308.

END OF SCHEDULE B

Copyright American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.



CONDITIONS**1. DEFINITION OF TERMS**

The following terms when used in this policy mean:

- (a) "Amount of Insurance": The amount stated in Schedule A, as may be increased or decreased by endorsement to this policy, increased by Section 8(b), or decreased by Sections 10 and 11 of these Conditions.
- (b) "Date of Policy": The date designated as "Date of Policy" in Schedule A.
- (c) "Entity": A corporation, partnership, trust, limited liability company, or other similar legal entity.
- (d) "Insured": The Insured named in Schedule A.
 - (i) The term "Insured" also includes
 - (A) successors to the Title of the Insured by operation of law as distinguished from purchase, including heirs, devisees, survivors, personal representatives, or next of kin;
 - (B) successors to an Insured by dissolution, merger, consolidation, distribution, or reorganization;
 - (C) successors to an Insured by its conversion to another kind of Entity;
 - (D) a grantee of an Insured under a deed delivered without payment of actual valuable consideration conveying the Title
 - (1) if the stock, shares, memberships, or other equity interests of the grantee are wholly-owned by the named Insured,
 - (2) if the grantee wholly owns the named Insured,
 - (3) if the grantee is wholly-owned by an affiliated Entity of the named Insured, provided the affiliated Entity and the named Insured are both wholly-owned by the same person or Entity, or
 - (4) if the grantee is a trustee or beneficiary of a trust created by a written instrument established by the Insured named in Schedule A for estate planning purposes.
 - (ii) With regard to (A), (B), (C), and (D) reserving, however, all rights and defenses as to any successor that the Company would have had against any predecessor Insured.
- (e) "Insured Claimant": An Insured claiming loss or damage.
- (f) "Knowledge" or "Known": Actual knowledge, not constructive knowledge or notice that may be imputed to an Insured by reason of the Public Records or any other records that impart constructive notice of matters affecting the Title.
- (g) "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 insured by this policy.
- (h) "Mortgage": Mortgage, deed of trust, trust deed, or other security instrument, including one evidenced by electronic means authorized by law.
- (i) "Public Records": Records established under state statutes at Date of Policy for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge. With respect to Covered Risk 5(d), "Public Records" shall also include environmental protection liens filed in the records of the clerk of the United States District Court for the district where the Land is located.
- (j) "Title": The estate or interest described in Schedule A.
- (k) "Unmarketable Title": Title affected by an alleged or apparent matter that would permit a prospective purchaser or lessee of the Title or lender on the Title to be released from the obligation to purchase, lease, or lend if there is a contractual condition requiring the delivery of marketable title.

2. CONTINUATION OF INSURANCE

The coverage of this policy shall continue in force as of Date of Policy in favor of an Insured, but only so long as the Insured retains an estate or interest in the Land, or holds an obligation secured by a purchase money Mortgage given by a purchaser from the Insured, or only so long as the Insured shall have liability by reason of warranties in any transfer or conveyance of the Title. This policy shall not continue in force in favor of any purchaser from the Insured of either (i) an estate or interest in the Land, or (ii) an obligation secured by a purchase money Mortgage given to the Insured.

3. NOTICE OF CLAIM TO BE GIVEN BY INSURED CLAIMANT

The Insured shall notify the Company promptly in writing (i) in case of any litigation as set forth in Section 5(a) of these Conditions, (ii) in case Knowledge shall come to an Insured hereunder of any claim of title or interest that is adverse to the Title, as insured, and that might cause loss or damage for which the Company may be liable by virtue of this policy, or (iii) if the Title, as insured, is rejected as Unmarketable Title. If the Company is prejudiced by the failure of the Insured Claimant to provide prompt notice, the Company's liability to the Insured Claimant under the policy shall be reduced to the extent of the prejudice.

4. PROOF OF LOSS

In the event the Company is unable to determine the amount of loss or damage, the Company may, at its option, require as a condition of payment that the Insured Claimant furnish a signed proof of loss. The proof of loss must describe the defect, lien, encumbrance, or other matter insured against by this policy that constitutes the basis of loss or damage and shall state, to the extent possible, the basis of calculating the amount of the loss or damage.

Copyright American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

ALTA Owner's Policy (06/17/2006)



Printed: 06.20.18 @ 02:21 PM

(continued)

5. DEFENSE AND PROSECUTION OF ACTIONS

- (a) Upon written request by the Insured, and subject to the options contained in Section 7 of these Conditions, the Company, at its own cost and without unreasonable delay, shall provide for the defense of an Insured in litigation in which any third party asserts a claim covered by this policy adverse to the Insured. This obligation is limited to only those stated causes of action alleging matters insured against by this policy. The Company shall have the right to select counsel of its choice (subject to the right of the Insured to object for reasonable cause) to represent the Insured as to those stated causes of action. It shall not be liable for and will not pay the fees of any other counsel. The Company will not pay any fees, costs, or expenses incurred by the Insured in the defense of those causes of action that allege matters not insured against by this policy.
- (b) The Company shall have the right, in addition to the options contained in Section 7 of these Conditions, at its own cost, to institute and prosecute any action or proceeding or to do any other act that in its opinion may be necessary or desirable to establish the Title, as insured, or to prevent or reduce loss or damage to the Insured. The Company may take any appropriate action under the terms of this policy, whether or not it shall be liable to the Insured. The exercise of these rights shall not be an admission of liability or waiver of any provision of this policy. If the Company exercises its rights under this subsection, it must do so diligently.
- (c) Whenever the Company brings an action or asserts a defense as required or permitted by this policy, the Company may pursue the litigation to a final determination by a court of competent jurisdiction, and it expressly reserves the right, in its sole discretion, to appeal from any adverse judgment or order.

6. DUTY OF INSURED CLAIMANT TO COOPERATE

- (a) In all cases where this policy permits or requires the Company to prosecute or provide for the defense of any action or proceeding and any appeals, the Insured shall secure to the Company the right to so prosecute or provide defense in the action or proceeding, including the right to use, at its option, the name of the Insured for this purpose. Whenever requested by the Company, the Insured, at the Company's expense, shall give the Company all reasonable aid (i) in securing evidence, obtaining witnesses, prosecuting or defending the action or proceeding, or effecting settlement, and (ii) in any other lawful act that in the opinion of the Company may be necessary or desirable to establish the Title or any other matter as insured. If the Company is prejudiced by the failure of the Insured to furnish the required cooperation, the Company's obligations to the Insured under the policy shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation, with regard to the matter or matters requiring such cooperation.
- (b) The Company may reasonably require the Insured Claimant to submit to examination under oath by any authorized representative of the Company and to produce for examination, inspection, and copying, at such reasonable times and places as may be designated by the authorized representative of the Company, all records, in whatever medium maintained, including books, ledgers, checks, memoranda, correspondence, reports, e-mails, disks, tapes, and videos whether bearing a date before or after Date of Policy, that reasonably pertain to the loss or damage. Further, if requested by any authorized representative of the Company, the Insured Claimant shall grant its permission, in writing, for any authorized representative of the Company to examine, inspect, and copy all of these records in the custody or control of a third party that reasonably pertain to the loss or damage. All information designated as confidential by the Insured Claimant provided to the Company pursuant to this Section shall not be disclosed to others unless, in the reasonable judgment of the Company, it is necessary in the administration of the claim. Failure of the Insured Claimant to submit for examination under oath, produce any reasonably requested information, or grant permission to secure reasonably necessary information from third parties as required in this subsection, unless prohibited by law or governmental regulation, shall terminate any liability of the Company under this policy as to that claim.

7. OPTIONS TO PAY OR OTHERWISE SETTLE CLAIMS; TERMINATION OF LIABILITY

In case of a claim under this policy, the Company shall have the following additional options:

- (a) To Pay or Tender Payment of the Amount of Insurance.
To pay or tender payment of the Amount of Insurance under this policy together with any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment or tender of payment and that the Company is obligated to pay.
Upon the exercise by the Company of this option, all liability and obligations of the Company to the Insured under this policy, other than to make the payment required in this subsection, shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation.
- (b) To Pay or Otherwise Settle With Parties Other Than the Insured or With the Insured Claimant.
 - (i) To pay or otherwise settle with other parties for or in the name of an Insured Claimant any claim insured against under this policy. In addition, the Company will pay any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay; or
 - (ii) to pay or otherwise settle with the Insured Claimant the loss or damage provided for under this policy, together with any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay.

Upon the exercise by the Company of either of the options provided for in subsections (b)(i) or (ii), the Company's obligations to the Insured under this policy for the claimed loss or damage, other than the payments required to be made, shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation.

8. DETERMINATION AND EXTENT OF LIABILITY

This policy is a contract of indemnity against actual monetary loss or damage sustained or incurred by the Insured Claimant who has suffered loss or damage by reason of matters insured against by this policy.

Copyright American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.



(continued)

- (a) The extent of liability of the Company for loss or damage under this policy shall not exceed the lesser of
 - (i) the Amount of Insurance; or
 - (ii) the difference between the value of the Title as insured and the value of the Title subject to the risk insured against by this policy.
- (b) If the Company pursues its rights under Section 5 of these Conditions and is unsuccessful in establishing the Title, as insured,
 - (i) the Amount of Insurance shall be increased by Ten percent (10%), and
 - (ii) the Insured Claimant shall have the right to have the loss or damage determined either as of the date the claim was made by the Insured Claimant or as of the date it is settled and paid.
- (c) In addition to the extent of liability under (a) and (b), the Company will also pay those costs, attorneys' fees, and expenses incurred in accordance with Sections 5 and 7 of these Conditions.

9. LIMITATION OF LIABILITY

- (a) If the Company establishes the Title, or removes the alleged defect, lien, or encumbrance, or cures the lack of a right of access to or from the Land, or cures the claim of Unmarketable Title, all as insured, in a reasonably diligent manner by any method, including litigation and the completion of any appeals, it shall have fully performed its obligations with respect to that matter and shall not be liable for any loss or damage caused to the Insured.
- (b) In the event of any litigation, including litigation by the Company or with the Company's consent, the Company shall have no liability for loss or damage until there has been a final determination by a court of competent jurisdiction, and disposition of all appeals, adverse to the Title, as insured.
- (c) The Company shall not be liable for loss or damage to the Insured for liability voluntarily assumed by the Insured in settling any claim or suit without the prior written consent of the Company.

10. REDUCTION OF INSURANCE; REDUCTION OR TERMINATION OF LIABILITY

All payments under this policy, except payments made for costs, attorneys' fees, and expenses, shall reduce the Amount of Insurance by the amount of the payment.

11. LIABILITY NONCUMULATIVE

The Amount of Insurance shall be reduced by any amount the Company pays under any policy insuring a Mortgage to which exception is taken in Schedule B or to which the Insured has agreed, assumed, or taken subject, or which is executed by an Insured after Date of Policy and which is a charge or lien on the Title, and the amount so paid shall be deemed a payment to the Insured under this policy.

12. PAYMENT OF LOSS

When liability and the extent of loss or damage have been definitely fixed in accordance with these Conditions, the payment shall be made within thirty (30) days.

13. RIGHTS OF RECOVERY UPON PAYMENT OR SETTLEMENT

- (a) Whenever the Company shall have settled and paid a claim under this policy, it shall be subrogated and entitled to the rights of the Insured Claimant in the Title and all other rights and remedies in respect to the claim that the Insured Claimant has against any person or property, to the extent of the amount of any loss, costs, attorneys' fees, and expenses paid by the Company. If requested by the Company, the Insured Claimant shall execute documents to evidence the transfer to the Company of these rights and remedies. The Insured Claimant shall permit the Company to sue, compromise, or settle in the name of the Insured Claimant and to use the name of the Insured Claimant in any transaction or litigation involving these rights and remedies.

If a payment on account of a claim does not fully cover the loss of the Insured Claimant, the Company shall defer the exercise of its right to recover until after the Insured Claimant shall have recovered its loss.

- (b) The Company's right of subrogation includes the rights of the Insured to indemnities, guaranties, other policies of insurance, or bonds, notwithstanding any terms or conditions contained in those instruments that address subrogation rights.

14. ARBITRATION

Either the Company or the Insured may demand that the claim or controversy shall be submitted to arbitration pursuant to the Title Insurance Arbitration Rules of the American Land Title Association ("Rules"). Except as provided in the Rules, there shall be no joinder or consolidation with claims or controversies of other persons. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Insured arising out of or relating to this policy, any service in connection with its issuance or the breach of a policy provision, or to any other controversy or claim arising out of the transaction giving rise to this policy. All arbitrable matters when the Amount of Insurance is Two Million and No/100 Dollars (\$2,000,000) or less shall be arbitrated at the option of either the Company or the Insured. All arbitrable matters when the Amount of Insurance is in excess of Two Million and No/100 Dollars (\$2,000,000) shall be arbitrated only when agreed to by both the Company and the Insured. Arbitration pursuant to this policy and under the Rules shall be binding upon the parties. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court of competent jurisdiction.

15. LIABILITY LIMITED TO THIS POLICY; POLICY ENTIRE CONTRACT

- (a) This policy together with all endorsements, if any, attached to it by the Company is the entire policy and contract between the Insured and the Company. In interpreting any provision of this policy, this policy shall be construed as a whole.
- (b) Any claim of loss or damage that arises out of the status of the Title or by any action asserting such claim shall be restricted to this policy.
- (c) Any amendment of or endorsement to this policy must be in writing and authenticated by an authorized person, or expressly incorporated by Schedule A of this policy.

Copyright American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.



(continued)

- (d) Each endorsement to this policy issued at any time is made a part of this policy and is subject to all of its terms and provisions. Except as the endorsement expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsement, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance.

16. SEVERABILITY

In the event any provision of this policy, in whole or in part, is held invalid or unenforceable under applicable law, the policy shall be deemed not to include that provision or such part held to be invalid, but all other provisions shall remain in full force and effect.

17. CHOICE OF LAW; FORUM

- (a) Choice of Law: The Insured acknowledges the Company has underwritten the risks covered by this policy and determined the premium charged therefor in reliance upon the law affecting interests in real property and applicable to the interpretation, rights, remedies, or enforcement of policies of title insurance of the jurisdiction where the Land is located.

Therefore, the court or an arbitrator shall apply the law of the jurisdiction where the Land is located to determine the validity of claims against the Title that are adverse to the Insured and to interpret and enforce the terms of this policy. In neither case shall the court or arbitrator apply its conflicts of law principles to determine the applicable law.

- (b) Choice of Forum: Any litigation or other proceeding brought by the Insured against the Company must be filed only in a state or federal court within the United States of America or its territories having appropriate jurisdiction.

18. NOTICES, WHERE SENT

Any notice of claim and any other notice or statement in writing required to be given to the Company under this policy must be given to the Company at:

Chicago Title Insurance Company
P.O. Box 45023
Jacksonville, FL 32232-5023
Attn: Claims Department

END OF CONDITIONS

Copyright American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.



ENDORSEMENT - SE 287**POLICY MODIFICATION**

Issued By:



CHICAGO TITLE INSURANCE COMPANY

Attached to Policy Number:



General Exception number(s) 1,2,3,4 and 5 of Schedule B of this policy are hereby deleted.

This endorsement is issued as part of the policy. Except as it expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsements, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance. To the extent a provision of the policy or a previous endorsement is inconsistent with an express provision of this endorsement, this endorsement controls. Otherwise, this endorsement is subject to all of the terms and provisions of the policy and of any prior endorsements.

Chicago Title Insurance Company

Dated: February 7, 2018

Countersigned By:

Authorized Officer or Agent

KENDALL COUNTY DISCLOSURE OF BENEFICIARIES FORM

1. Applicant JADE RESTORATIONS, INC.
 Address [REDACTED]
 City [REDACTED] State IL Zip 60450
2. Nature of Benefit Sought MAP AMENDMENT
3. Nature of Applicant: (Please check one)
☐ Natural Person (a)
☒ Corporation (b)
☐ Land Trust/Trustee (c)
☐ Trust/Trustee (d)
☐ Partnership (e)
☐ Joint Venture (f)
4. If applicant is an entity other than described in Section 3, briefly state the nature and characteristics of the applicant:

PROPERTY OWNER

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
DEB CHOW	[REDACTED]	100%

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

SELF

Deb Chow

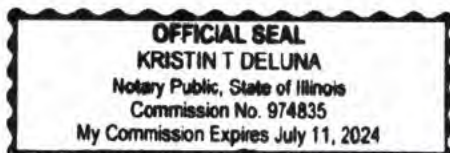
DocuSigned by:

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 read the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein are true in both substance and fact>

Subscribed and sworn to before me this 23rd day of January, A.D. 24

(seal)



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: JADE RESTORATIONS, INC.

Contact Person: MICHAEL COOK

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 SEWARD

Township 35

N, Range 8

E, Section(s) 24

Parcel Index Number(s) 09-24-100-012

Project or Subdivision Name JADE RESTORATIONS RE-ZONING

Number of Acres 12.00

Current Use of Site AGRICULTURAL

Proposed Use COMMERCIAL

Proposed Number of Lots 1

Proposed Number of Structures 1

Proposed Water Supply PRIVATE WELL

Proposed type of Wastewater Treatment SEPTIC

Proposed type of Storm Water Management WET BASIN

Type of Request

☒ Change in Zoning from A1 to B3

☐ Variance (Please describe fully on separate page)

☐ Special Use Permit (Please describe fully on separate page)

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

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

☒ **Plat of Survey/Site Plan** – showing location, legal description and property measurements

☒ **Concept Plan** - showing the locations of proposed lots, buildings, roads, stormwater detention, open areas, etc.

☐ If available: topography map, field tile map, copy of soil boring and/or wetland studies

☒ **NRI fee** (Please make checks payable to Kendall County SWCD)

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

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

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

Fee for first five acres and under	\$ 375.00
7 Additional Acres at \$18.00 each	\$ 126.00
Total NRI Fee	\$ 501.00

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 by [REDACTED]

DocuSigned by:

1/22/2024

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 _____



Applicant: Cook Engineering Group
Contact: Michael Cook
Address: [REDACTED]

IDNR Project Number: 2307615
Date: 12/13/2022
Alternate Number: 2018-107, 2004691

Project: RUSTY RIDGE ANIMAL CENTER
Address: 949 BELL ROAD, MINOOKA

Description: DOGGY DAYCARE & ANIMAL HOSPITAL

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, 24



IL Department of Natural Resources

Contact

Kyle Burkwald
 217-785-5500
 Division of Ecosystems & Environment

Government Jurisdiction

KENDALL COUNTY
 MATT ASSELMEIER
 111 WEST FOX STREET
 YORKVILLE, Illinois 60560

Disclaimer

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

Terms of Use

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

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

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

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

Security

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

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

Privacy

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

IDNR Project Number: 2307615

**EcoCAT Receipt****Project Code** 2307615**APPLICANT****DATE**Cook Engineering Group
Michael Cook
[REDACTED]

12/13/2022

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

EcoCAT Consultation

\$ 125.00

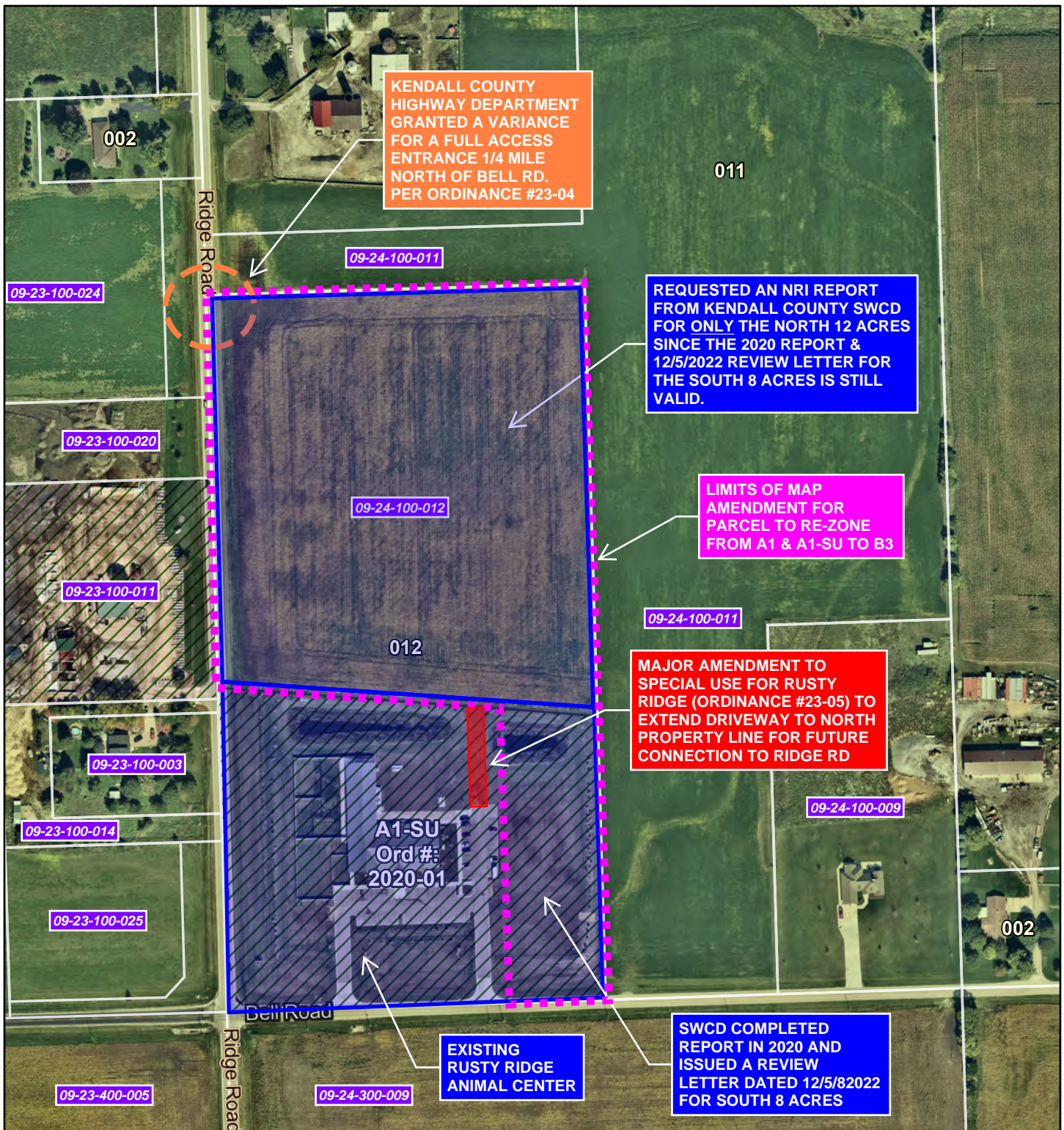
\$ 2.81

\$ 127.81

TOTAL PAID**\$ 127.81**

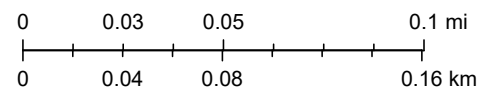
Illinois Department of Natural Resources
 One Natural Resources Way
 Springfield, IL 62702
 217-785-5500
dnr.ecocat@illinois.gov

Jade Restorations, Inc.



1/11/2024, 11:20:32 AM

1:4,044

**JADE RESTORATIONS, INC.**NEC RIDGE RD. & BELL RD.
KENDALL COUNTY, IL**RE-ZONING & PIN EXHIBIT**

01/23/2024

208

Map data © OpenStreetMap contributors, Microsoft, Facebook, Inc. and its affiliates, Esri Community Maps contributors, Map layer by Esri

TOPOGRAPHIC SURVEY

LEGAL DESCRIPTION

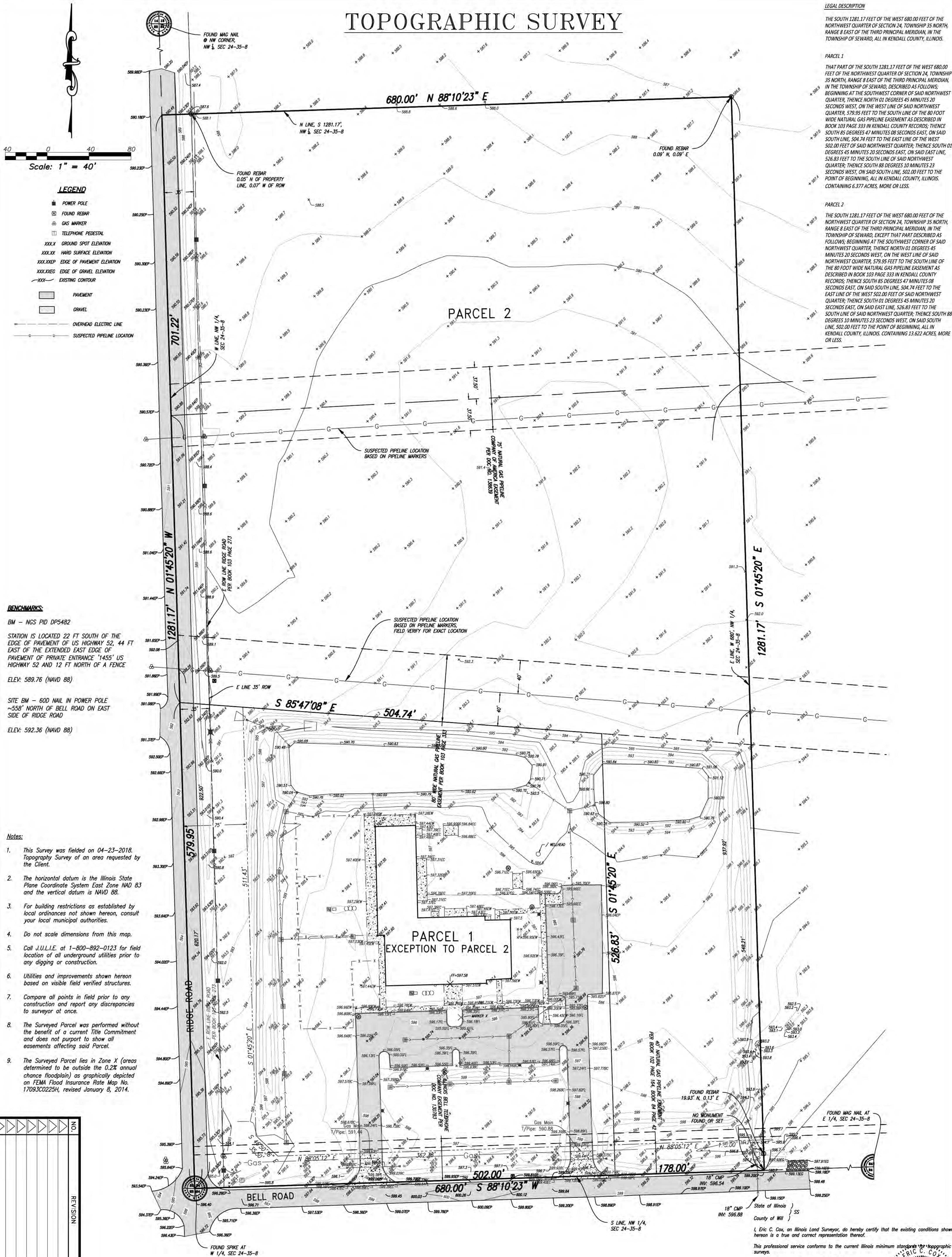
THE SOUTH 1281.17 FEET OF THE WEST 680.00 FEET OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF SEWARD, ALL IN KENDALL COUNTY, ILLINOIS.

PARCEL 1

THAT PART OF THE SOUTH 1281.17 FEET OF THE WEST 680.00 FEET OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF SEWARD, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER, THENCE NORTH 01 DEGREES 45 MINUTES 20 SECONDS WEST, ON THE WEST LINE OF SAID NORTHWEST QUARTER, 579.95 FEET TO THE SOUTH LINE OF THE 80 FOOT WIDE NATURAL GAS PIPELINE EASEMENT AS DESCRIBED IN BOOK 103 PAGE 333 IN KENDALL COUNTY RECORDS; THENCE SOUTH 85 DEGREES 47 MINUTES 08 SECONDS EAST, ON SAID SOUTH LINE, 504.74 FEET TO THE EAST LINE OF THE WEST 502.00 FEET OF SAID NORTHWEST QUARTER; THENCE SOUTH 01 DEGREES 45 MINUTES 20 SECONDS EAST, ON SAID EAST LINE, 526.83 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER; THENCE SOUTH 88 DEGREES 10 MINUTES 23 SECONDS WEST, ON SAID SOUTH LINE, 502.00 FEET TO THE POINT OF BEGINNING, ALL IN KENDALL COUNTY, ILLINOIS. CONTAINING 6.377 ACRES, MORE OR LESS.

PARCEL 2

THE SOUTH 1281.17 FEET OF THE WEST 680.00 FEET OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF SEWARD, EXCEPT THAT PART DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER, THENCE NORTH 01 DEGREES 45 MINUTES 20 SECONDS WEST, ON THE WEST LINE OF SAID NORTHWEST QUARTER, 579.95 FEET TO THE SOUTH LINE OF THE 80 FOOT WIDE NATURAL GAS PIPELINE EASEMENT AS DESCRIBED IN BOOK 103 PAGE 333 IN KENDALL COUNTY RECORDS; THENCE SOUTH 85 DEGREES 47 MINUTES 08 SECONDS EAST, ON SAID SOUTH LINE, 504.74 FEET TO THE EAST LINE OF THE WEST 502.00 FEET OF SAID NORTHWEST QUARTER; THENCE SOUTH 01 DEGREES 45 MINUTES 20 SECONDS EAST, ON SAID EAST LINE, 526.83 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER; THENCE SOUTH 88 DEGREES 10 MINUTES 23 SECONDS WEST, ON SAID SOUTH LINE, 502.00 FEET TO THE POINT OF BEGINNING, ALL IN KENDALL COUNTY, ILLINOIS. CONTAINING 13.622 ACRES, MORE OR LESS.

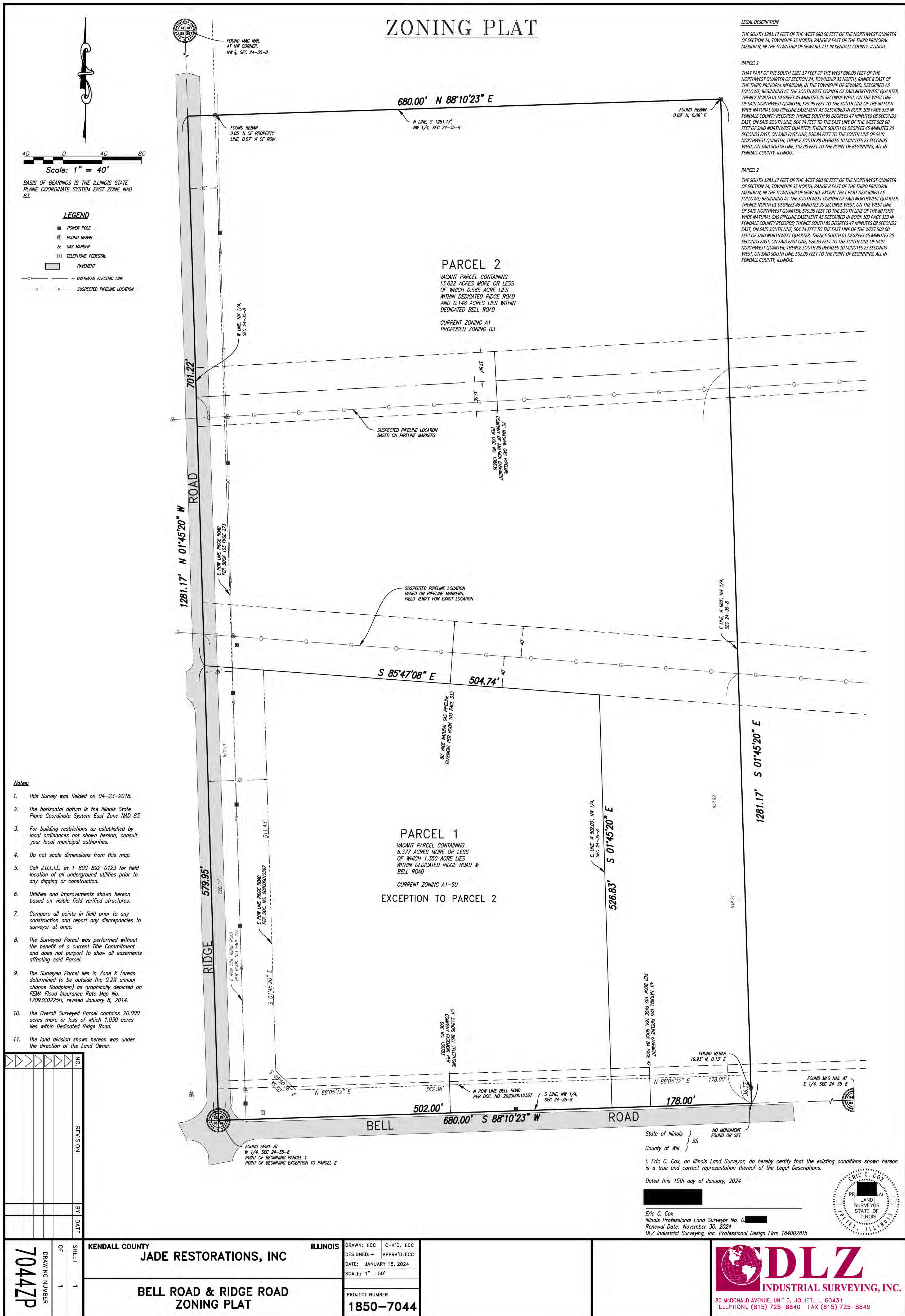


NO.	REVISION	BY	DATE
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			
31			
32			
33			
34			
35			
36			
37			
38			
39			
40			
41			
42			
43			
44			
45			
46			
47			
48			
49			
50			
51			
52			
53			
54			
55			
56			
57			
58			
59			
60			
61			
62			
63			
64			
65			
66			
67			
68			
69			
70			
71			
72			
73			
74			
75			
76			
77			
78			
79			
80			
81			
82			
83			
84			
85			
86			
87			
88			
89			
90			
91			
92			
93			
94			
95			
96			
97			
98			
99			
100			

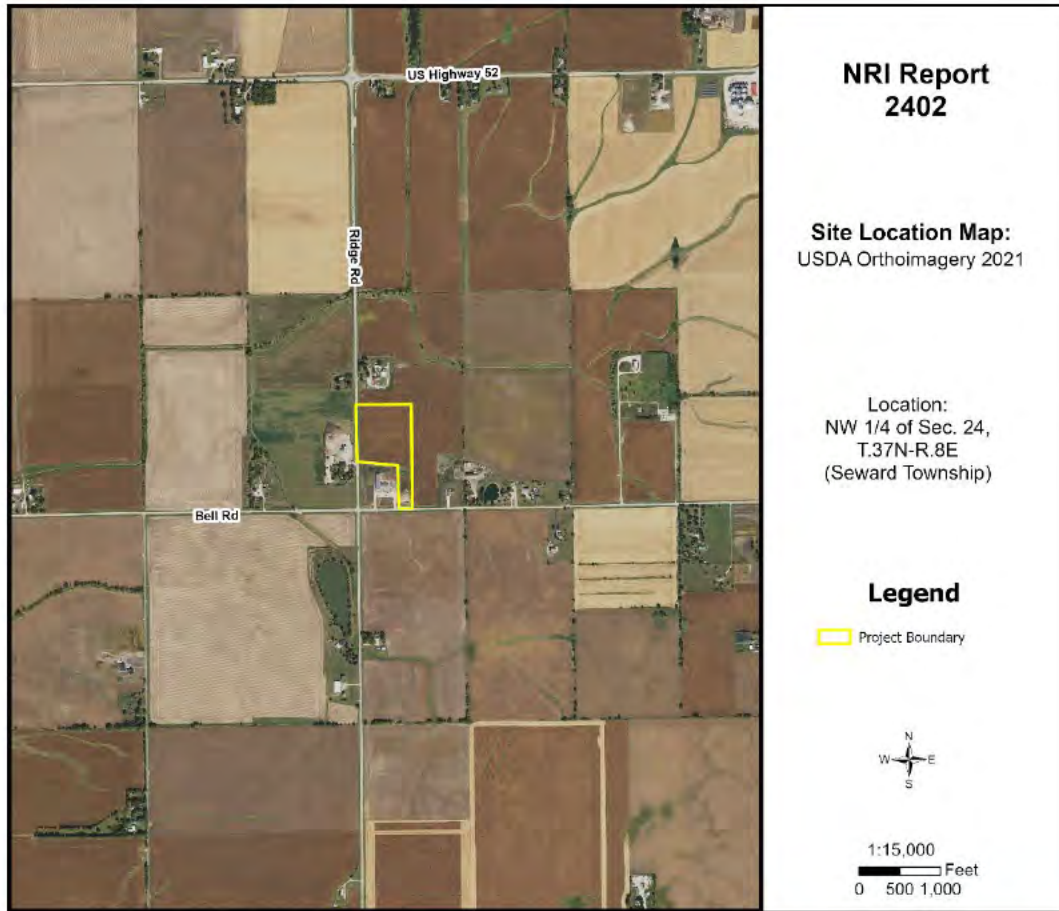
MINOOKA
JADE RESTORATIONS, INC
BELL ROAD & RIDGE ROAD
TOPOGRAPHIC SURVEY

ILLINOIS
DRAWN: CSH CHK'D: ECC
DESIGNED: APPR'D: ECC
DATE: JANUARY 15, 2024
SCALE: 1" = 50'
PROJECT NUMBER
1850-7044

CDLZ
INDUSTRIAL SURVEYING, INC.
80 McDONALD AVENUE, UNIT D, JOLIET, IL 60431
TELEPHONE (815) 725-8840 FAX (815) 725-8849



NATURAL RESOURCE INFORMATION (NRI) REPORT: #2402



Feb.
2024

Petitioner: Jade Restorations, Inc.

Contact: Michael Cook (Cook Engineering Group)

Prepared By:


**Kendall County Soil & Water
Conservation District**

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

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

Natural Resource Information Report Number	2402
Date District Board Reviews Application	February 2024
Applicant's Name	Jade Restorations, Inc.
Size of Parcel	(+/-) 12.00 acres
Current Zoning & Use	A-1 Agricultural; Cropland
Proposed Zoning & Use	B-3 Highway Business District; Commercial Property
Parcel Index Number(s)	09-24-100-012
Contact Person	Michael Cook (Cook Engineering Group)

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

TABLE OF CONTENTS

EXECUTIVE SUMMARY	1
PARCEL LOCATION	7
ARCHAEOLOGIC/CULTURAL RESOURCES INFORMATION	9
ECOLOGICALLY SENSITIVE AREAS	10
SOILS INFORMATION	12
SOILS INTERPRETATIONS EXPLANATION.....	14
BUILDING LIMITATIONS	15
SOIL WATER FEATURES	20
SOIL EROSION AND SEDIMENT CONTROL.....	22
PRIME FARMLAND SOILS	23
LAND EVALUATION AND SITE ASSESSMENT (LESA)	24
LAND USE PLANS.....	26
DRAINAGE, RUNOFF, AND FLOOD INFORMATION	26
WATERSHED PLANS	30
WETLAND INFORMATION	31
HYDRIC SOILS	33
WETLAND AND FLOODPLAIN REGULATIONS.....	35
GLOSSARY.....	36
REFERENCES.....	39

LIST OF FIGURES

FIGURE 1: Soil Map	2
FIGURE 2: Soil Limitations	4
FIGURE 3: 2021 Plat Map	7
FIGURE 4: 2021 Aerial Map with NRI Site Boundary	8
FIGURE 5: Soil Map	13
FIGURE 6A-6C: Maps of Building Limitations	17-19

FIGURE 7: Map of Prime Farmland Soils	23
FIGURE 8: Flood Map	28
FIGURE 9: Topographic Map	29
FIGURE 10: Wetland Map	32
FIGURE 11: Hydric Soils Map	34

LIST OF TABLES

TABLE 1: Soils Information	2
TABLE 2: Soil Limitations	4
TABLE 3: Soil Map Unit Descriptions	13
TABLE 4: Building Limitations	16
TABLE 5: Water Features	21
TABLE 6: Soil Erosion Potential	22
TABLE 7: Prime Farmland Soils	23
TABLE 8A: Land Evaluation Computation	24
TABLE 8B: Site Assessment Computation	25
TABLE 9: LESA Score Summary	25
TABLE 10: Hydric Soils	33

EXECUTIVE SUMMARY

Natural Resource Information Report Number	#2402
Petitioner	Jade Restorations, Inc.
Contact Person	Michael Cook (Cook Engineering Group)
County or Municipality the Petition is Filed With	Kendall County
Location of Parcel	Northwestern ¼ of Section 24, Township 35 North, Range 8 East (Seward Township) of the 3 rd Principal Meridian
Project or Subdivision Name	Jade Restorations, Inc.
Existing Zoning & Land Use	A-1 Agricultural; Cropland
Proposed Zoning & Land Use	B-3 Highway Business District; Commercial Property
Proposed Water Source	Private well
Proposed Type of Sewage Disposal System	Septic
Proposed Type of Storm Water Management	Wet basin
Size of Site	(+/-) 12.00 acres
Land Evaluation Site Assessment (LESA) Score	180 (Land Evaluation: 87; Site Assessment: 93)

NATURAL RESOURCE CONSIDERATIONS

SOIL INFORMATION

Based on information from the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) 2008 Kendall County Soil Survey, this project area contains the soil types shown in Figure 1 and Table 1. 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.

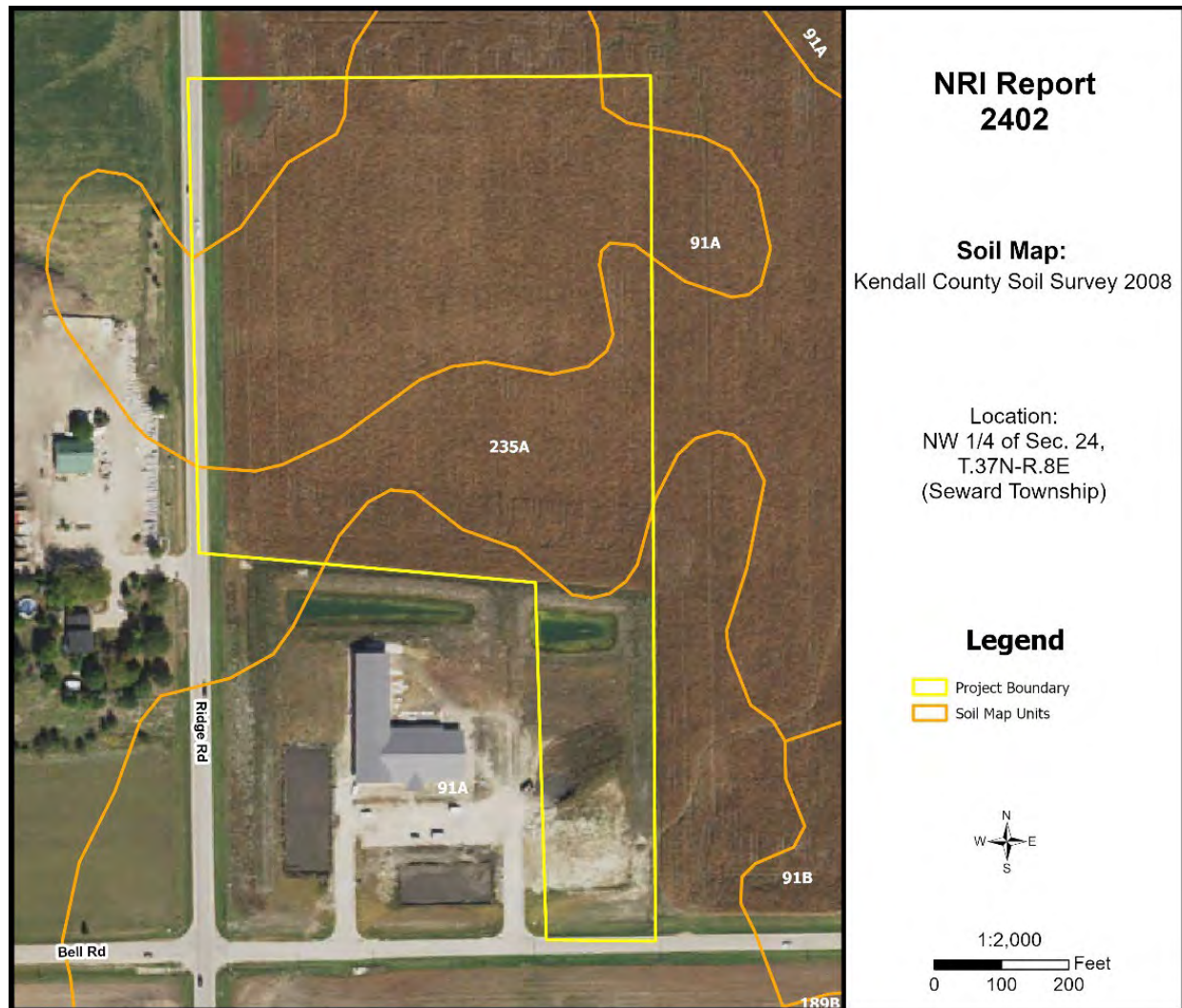


Figure 1: Soil Map

Table 1: Soils Information

Soil Type	Soil Name	Drainage Class	Hydrologic Group	Hydric Designation	Farmland Designation	Acres	% Area
91A	Swygert silty clay loam, 0-2% slopes	Somewhat Poorly Drained	C/D	Non-hydric with Hydric Inclusions	Prime Farmland	8.4	65.7%
235A	Bryce silty clay, 0-2% slopes	Poorly Drained	C/D	Hydric	Prime Farmland if Drained	4.4	34.3%

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 (235A Bryce silty clay), and one is classified as non-hydric soil with hydric inclusions likely (91A Swygert silty clay 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, both are designated as prime farmland or prime farmland if drained (91A Swygert silty clay loam and 235A Bryce silty clay).

Soil Limitations – The USDA-NRCS Web Soil Survey rates the limitations of soils for dwellings, small commercial buildings, solar arrays, shallow excavations, lawns/landscaping, local roads and streets, etc. 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.

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).

Table 2: Soil Limitations

Soil Type	Small Commercial Buildings	Shallow Excavations	Lawns/Landscaping	Local Roads & Streets	Onsite Conventional Sewage Systems
91A	Somewhat Limited	Very Limited	Somewhat Limited	Very Limited	Suitable
235A	Very Limited	Very Limited	Very Limited	Very Limited	Unsuitable: Wet

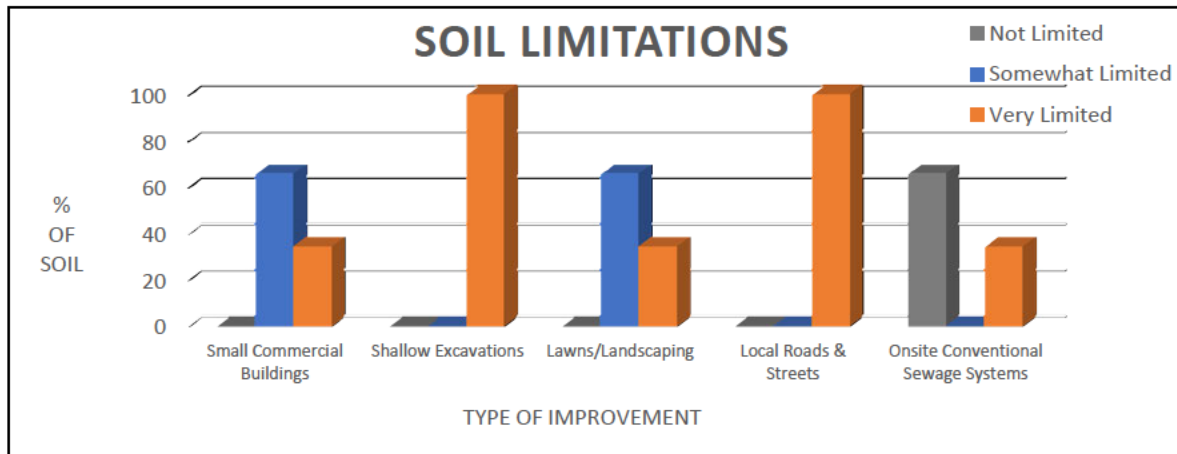


Figure 2: Soil Limitations

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 **87**, indicating that the soils are 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 **93**.

The LESA Score for this site is 180 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.

WETLANDS

The U.S. Fish & Wildlife Service's National Wetlands Inventory map does not indicate the presence of wetland(s)/waters 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. 17093C0145H (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 site 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 as 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.

STORMWATER POLLUTION

A National Pollutant Discharge Elimination System (NPDES) permit (Permit No. ILR10) from the Illinois Environmental Protection Agency (IEPA) is required for stormwater discharges from construction sites that will disturb 1 or more acres of land. Conditions of the NPDES ILR10 permit require the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) to reduce stormwater pollutants on the construction site before they can cause environmental issues.

LAND USE FINDINGS:

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed site plans for Jade Restorations, Inc. The petitioner is requesting a change in zoning from A-1 Agricultural to B-3 Highway Business District on one parcel (Parcel Index Number 09-24-100-012) to utilize the site as a commercial property. The parcel is in Section 24 of Seward Township (T.35N-R.8E) of the 3rd Principal Meridian in Kendall County, IL. This parcel contains 8 acres in the south portion that was previously reviewed by our office in 2020 (NRI Report 1913) and again in 2022 via a review letter. 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.

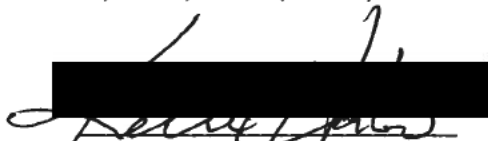
The Kendall County SWCD has always had the opinion that prime farmland soils should be preserved whenever feasible due to their highly productive qualities for growing agriculturally important grain and fiber crops in our community. Of the soils found onsite, 100% are designated as prime farmland or 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 an 87 out of a possible 100 points indicating that the soils are well suited for agricultural uses. The total LESA score for this site is 180 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.

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 considered very limited for shallow excavations and local roads/streets and 34% are considered very limited for small commercial buildings and lawns/landscaping. The remaining soils are considered somewhat limited for these types of uses. Additionally, 34% 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 Town of Seward - Aux Sable Creek sub watershed. This development should include a soil erosion and sediment control plan to be implemented during construction. It is critical to have vegetative cover during and after construction to protect the soil from erosion. 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.

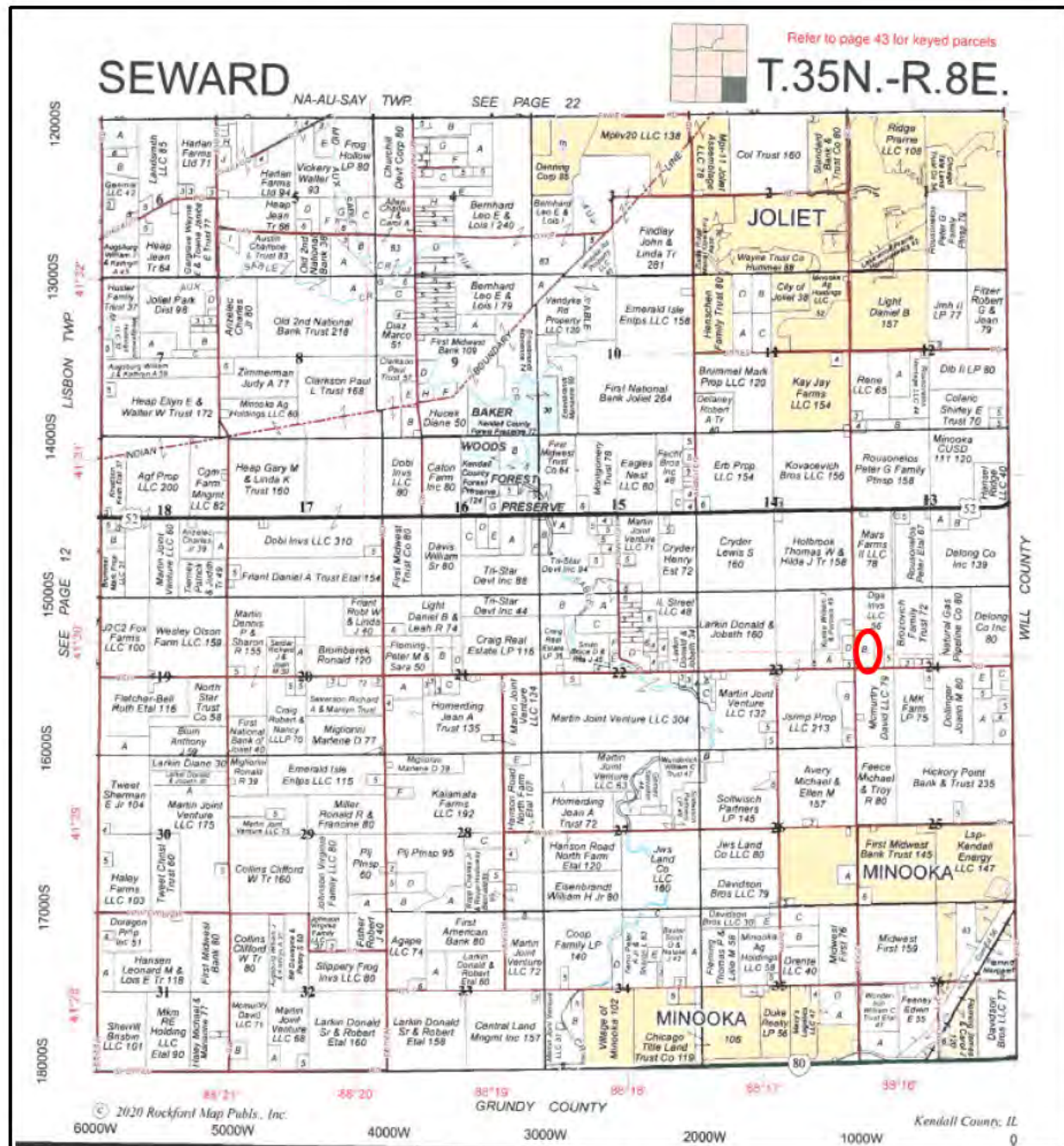
The information that is included in this Natural Resources Information Report is to assure that the Land Developers take into full consideration the limitations of that land that they wish to develop. Guidelines and recommendations are also a part of this report and should be considered in the planning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


SWCD Board Representative

2-12-24
Date

PARCEL LOCATION

Northwestern ¼ of Section 24, Township 35 North, Range 8 East (Seward Township). This parcel contains approximately 12.00 acres and is located on the east side of Ridge Road, north of Bell Road, and south of U.S. Highway 52. The parcel is within unincorporated Kendall County, IL.



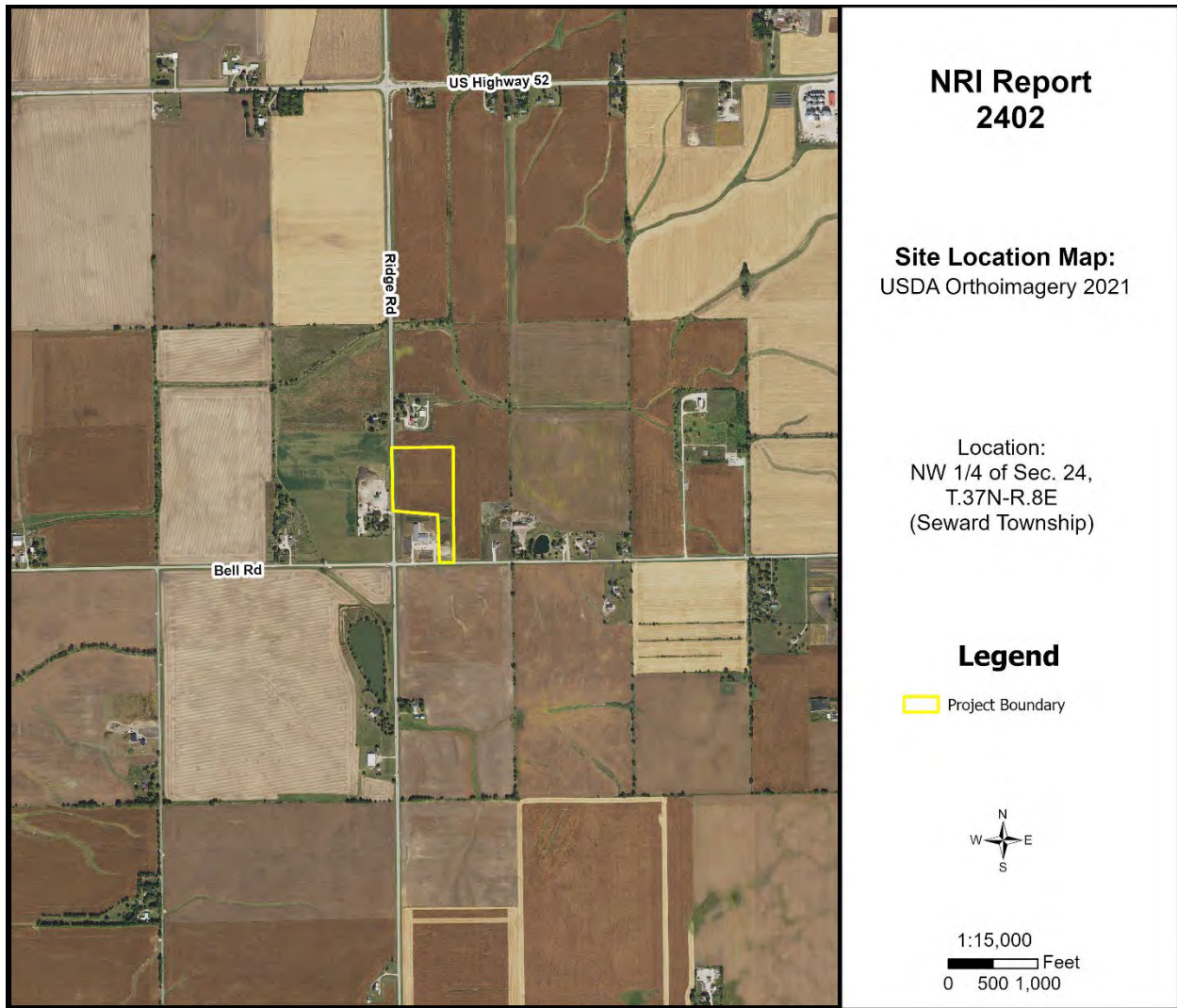


Figure 4: 2021 Aerial Map with NRI Project Boundary

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.

<p>The Illinois State Historic Preservation Office has not been notified of the proposed land use change by the Kendall County SWCD. The applicant may need to contact them according to current Illinois law.</p>

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 on or near the parcel in question (PIQ).
--

¹Taken 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.

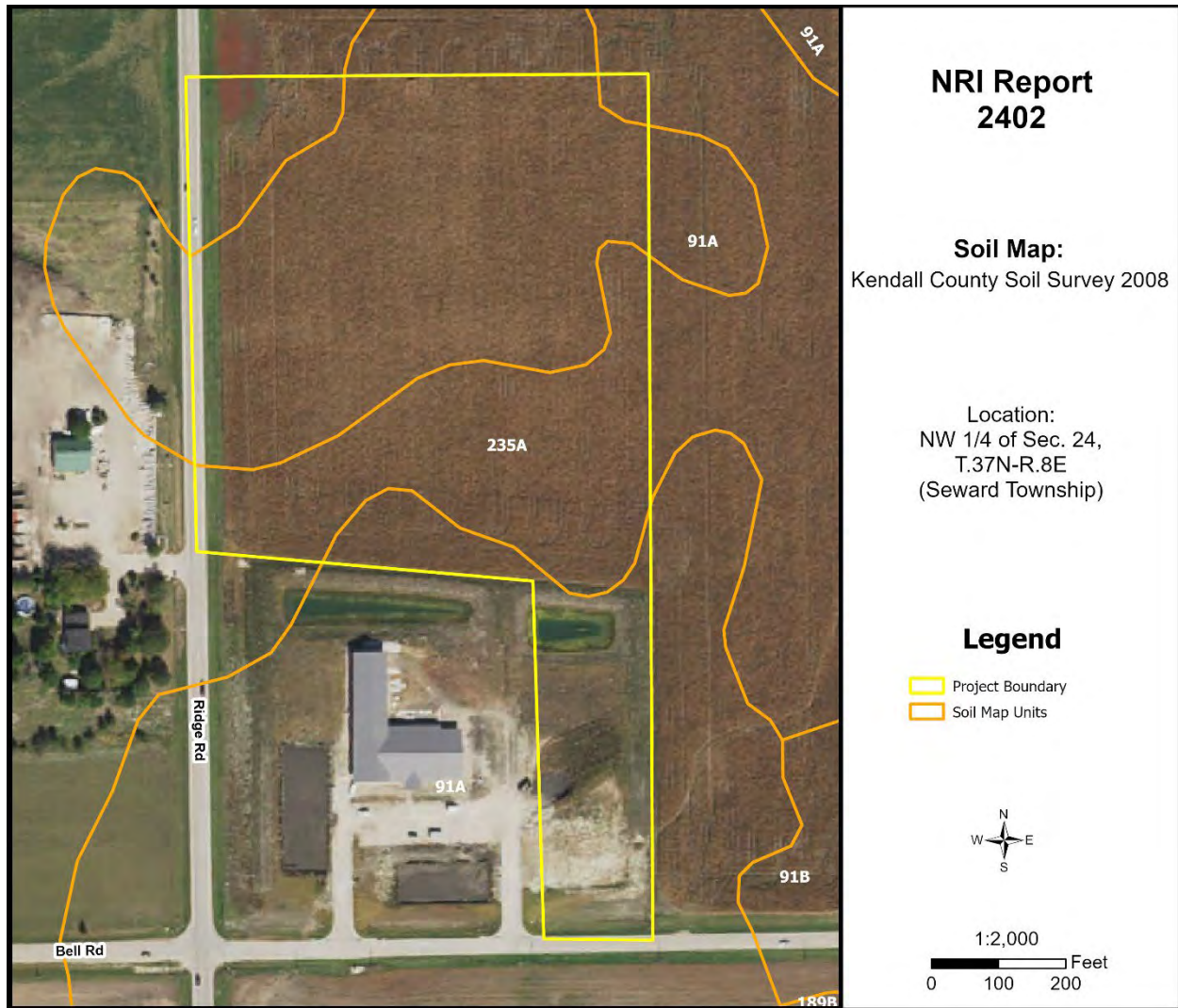


Figure 5: Soil Map

Table 3: Soil Map Unit Descriptions

Soil Type	Soil Name	Acres	Percent
91A	Swygert silty clay loam, 0-2% slopes	8.4	65.7%
235A	Bryce silty clay, 0-2% slopes	4.4	34.3%

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.

LIMITATIONS 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 ease of excavation and grading and the traffic-supporting capacity.

Onsite Conventional 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	%
91A	Somewhat Limited: Depth to saturated zone Shrink-swell	Very Limited: Depth to saturated zone Too clayey Dusty Unstable excavation walls Ponding	Somewhat Limited: Depth to saturated zone Dusty	Very Limited: Low strength Shrink-swell Depth to saturated zone Frost action Ponding	Suitable/ Not Limited	8.4	65.7%
235A	Very Limited: Ponding Depth to saturated zone Shrink-swell	Very Limited: Ponding Depth to saturated zone Too clayey Unstable excavation walls Dusty	Very Limited: Ponding Depth to saturated zone Too clayey Dusty Droughty	Very Limited: Ponding Depth to saturated zone Shrink-swell Frost action Low strength	Unsuitable/ Very Limited: Wet	4.4	34.3%
% Very Limited	34.3%	100%	34.3%	100%	34.3%		

*This column indicates soils that are deemed unsuitable per the Kendall County Subdivision Control Ordinance. Please consult with the Kendall County Health Department to verify the limitations of your site for onsite conventional sewage disposal.

Figure 6A: Map of Building Limitations - Small Commercial Buildings & Lawns/Landscaping



Figure 6B: Map of Building Limitations - Shallow Excavations & Local Roads/Streets



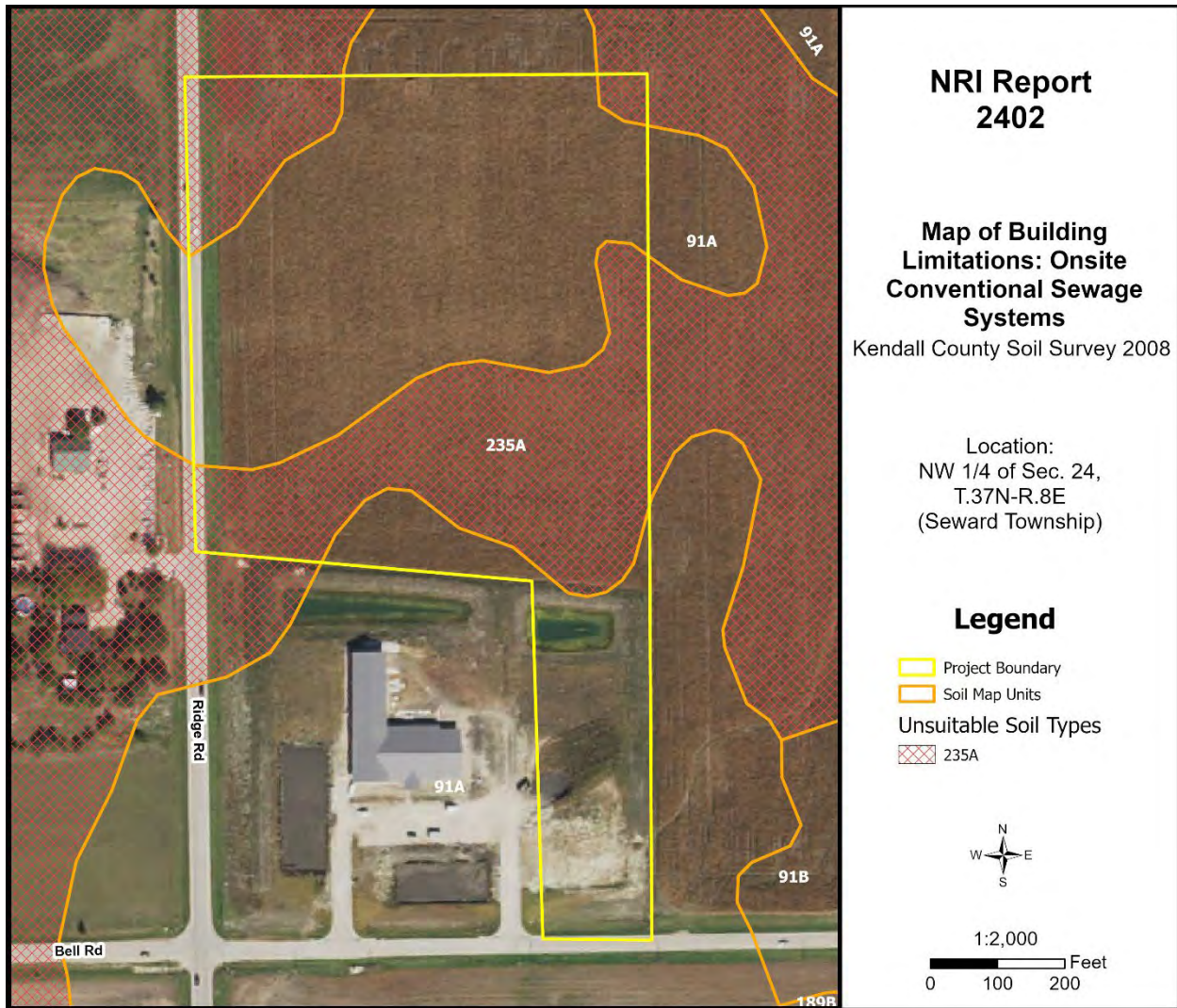


Figure 6C: Map of Building Limitations – Onsite Conventional Sewage Systems

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

Soil Type	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 – December Frequency: None	January – December 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 (2-7 days) Frequency: Frequent	January – December 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/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. Soil erosion and sedimentation control plans, including maintenance responsibilities, should be clearly communicated to all contractors working on the site.

The SWCD recommends an erosion and sediment control plan for all building sites, especially if there is a wetland or stream nearby. Additionally, a National Pollutant Discharge Elimination System (NPDES) permit (Permit No. ILR10) from the Illinois Environmental Protection Agency (IEPA) is required for stormwater discharges from construction sites that will disturb 1 or more acres of land. Conditions of the NPDES ILR10 permit require the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) to reduce stormwater pollutants on the construction site before they can cause environmental issues.

Table 6: Soil Erosion Potential

Soil Type	Slope	Rating	Acreage	Percent of Project Area
91A	0-2%	Slight	8.4	65.7%
235A	0-2%	Slight	4.4	34.3%

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 soil 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 Type	Prime Designation	Acreage	Percent
91A	Prime Farmland	8.4	65.7%
235A	Prime Farmland (if drained)	4.4	34.3%
% Prime Farmland	100%		

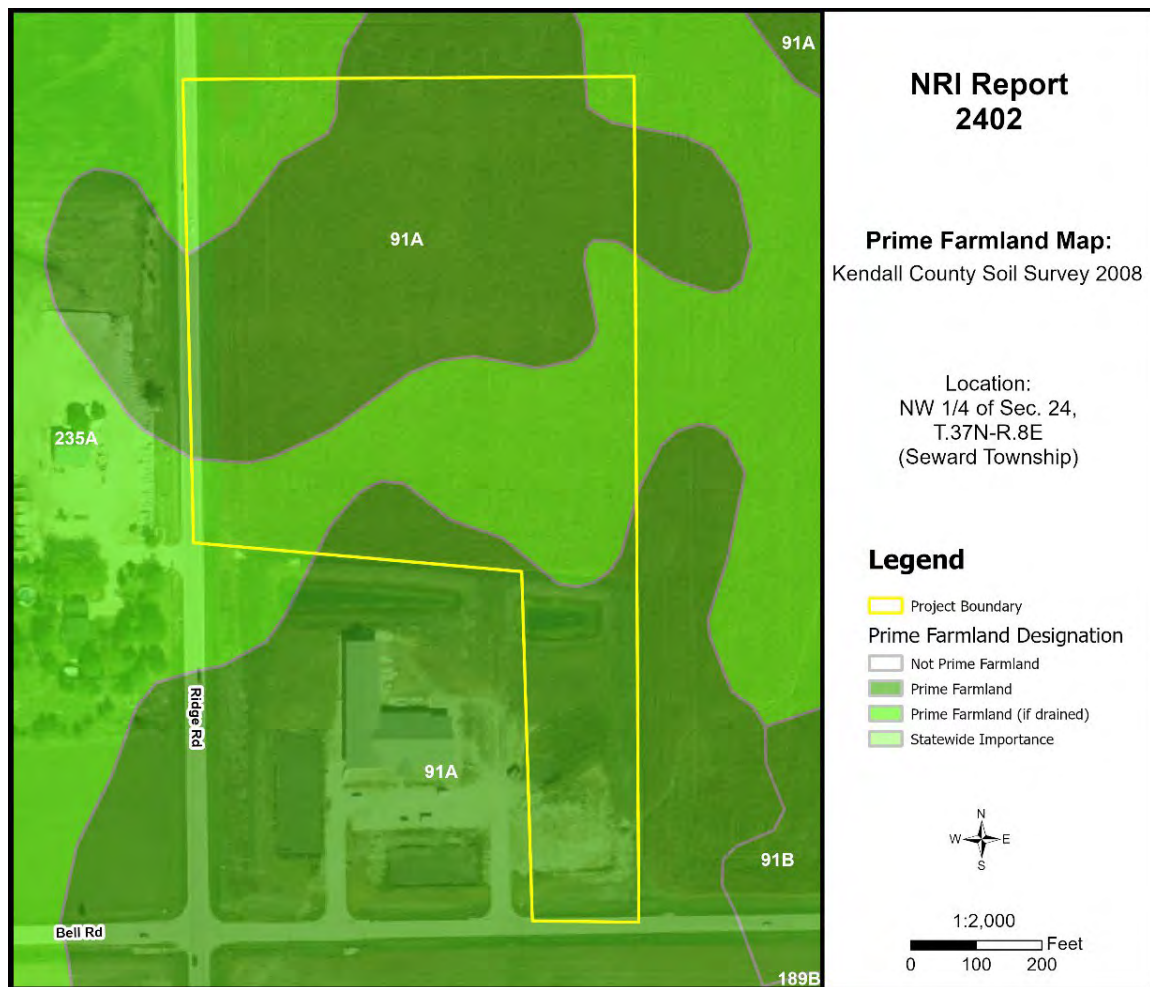


Figure 7: Map of Prime Farmland Soils

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)
91A	3	87	8.4	730.8
235A	3	87	4.4	382.8
			12.8	1,113.6
LE Calculation			(Product of relative value / Total Acres) 1,113.6 / 12.8 = 87	
LE Score			LE = 87	

*Acreage listed in this chart provides a generalized representation and may not precisely reflect exact acres of each soil type.

The Land Evaluation score for this site is 87, indicating that this site is designated as land 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)	15
	3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0)	20
	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)	7
C.	Existence of Infrastructure	
	1. Availability of public sewage system. (10-8-6-0)	8
	2. Availability of public water system. (10-8-6-0)	8
	3. Transportation systems. (15-7-0)	7
	4. Distance from fire protection service. (10-8-6-2-0)	8
	Site Assessment Score:	93

Land Evaluation Value: 87 + Site Assessment Value: 93 = LESA Score: 180

Table 9: LESA Score Summary

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 180 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.

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 Kendall County Planning, Building & Zoning for information regarding their 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 “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 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.

Flood Insurance Rate Maps (FIRMs), produced by the Federal Emergency Management Agency (FEMA), 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 (1% annual chance flood), Zone B or Zone X (shaded) is the 100 to 500-year flood (between limits of the 1% and the 0.2% annual chance flood), and Zone C or Zone X (unshaded) is outside the floodplain (outside the 0.2% annual chance flood).

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 IDNR-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 drainage ways, 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 on minimal topography (slopes 0 to 2%) and at an elevation of approximately 588'-598' above sea level. The lowest point is at the northwest corner, and the highest point is at the southeast of the site. According to the FEMA Flood Map (Figure 8), the parcel does not contain areas of floodplain or floodway. It is mapped as Zone X, an area of minimal flood hazard determined to be outside of the 0.2% annual chance floodplain.

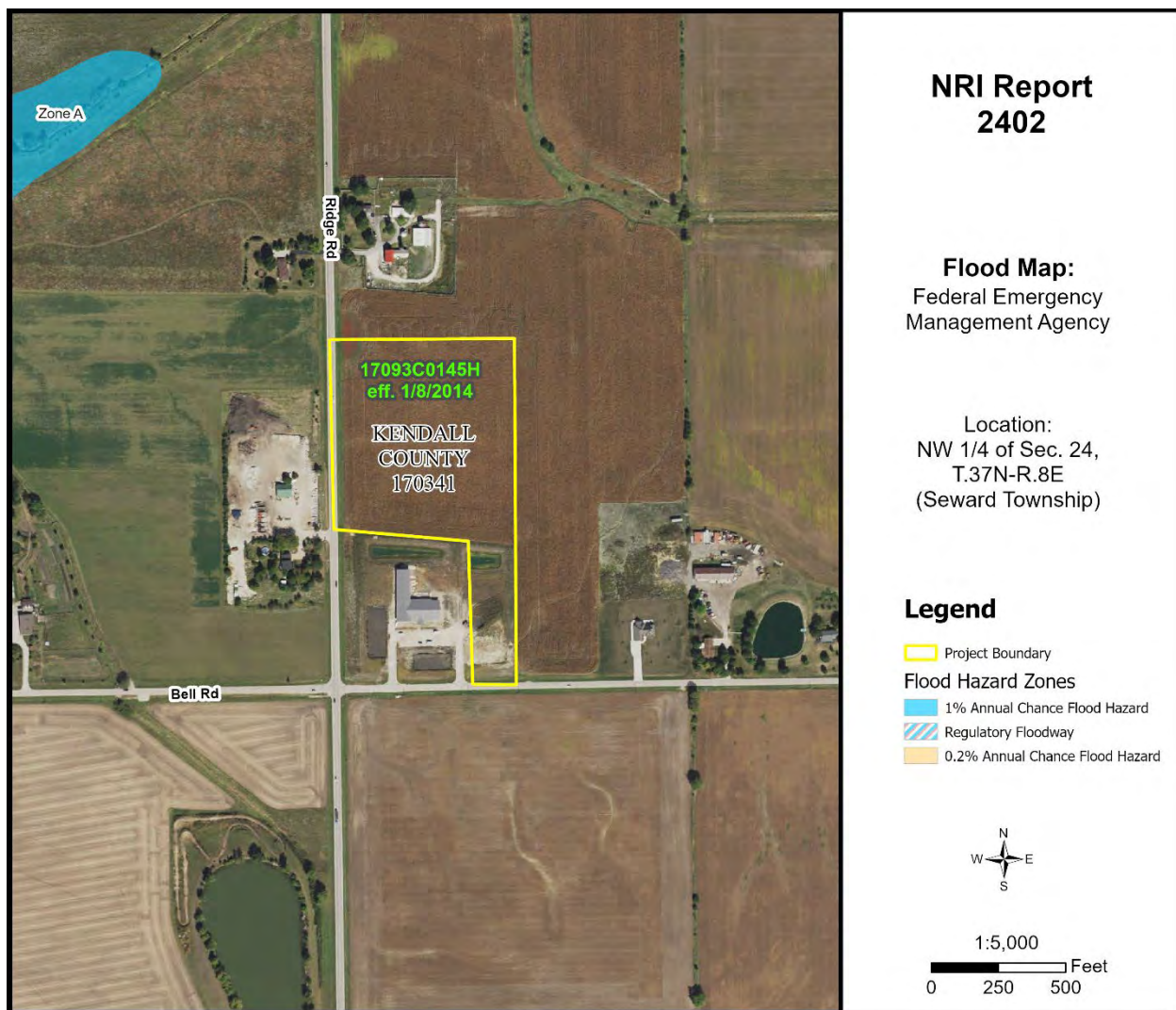


Figure 8: Flood Map

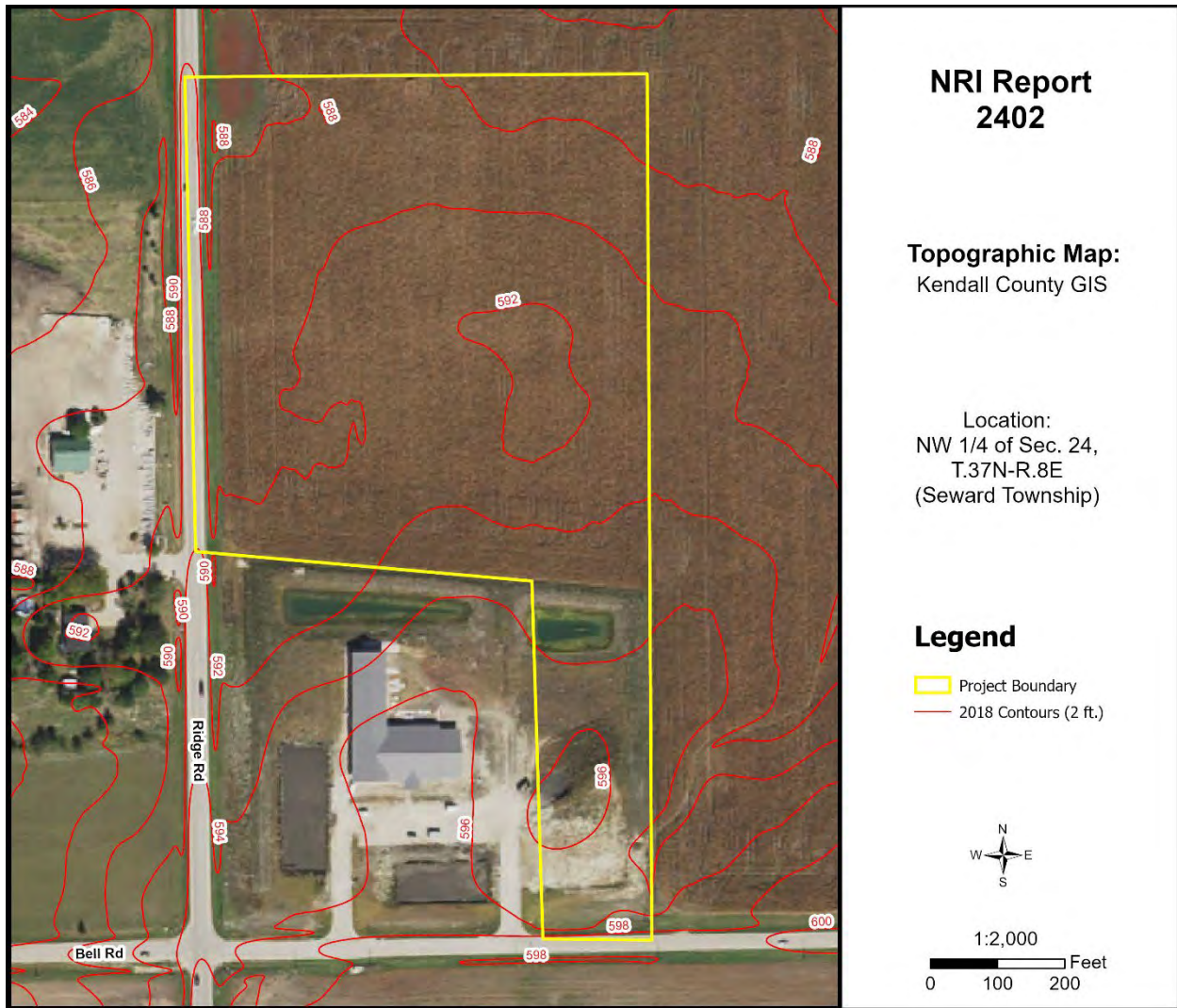


Figure 9: Topographic Map

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 Town of Seward - Aux Sable Creek sub watershed (HUC 12 – 071200050104). The Town of Seward - Aux Sable Creek sub watershed comprises 19,574 acres of Kendall County.

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 National Wetlands Inventory, which is the most comprehensive inventory to date. The National 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 National 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."*

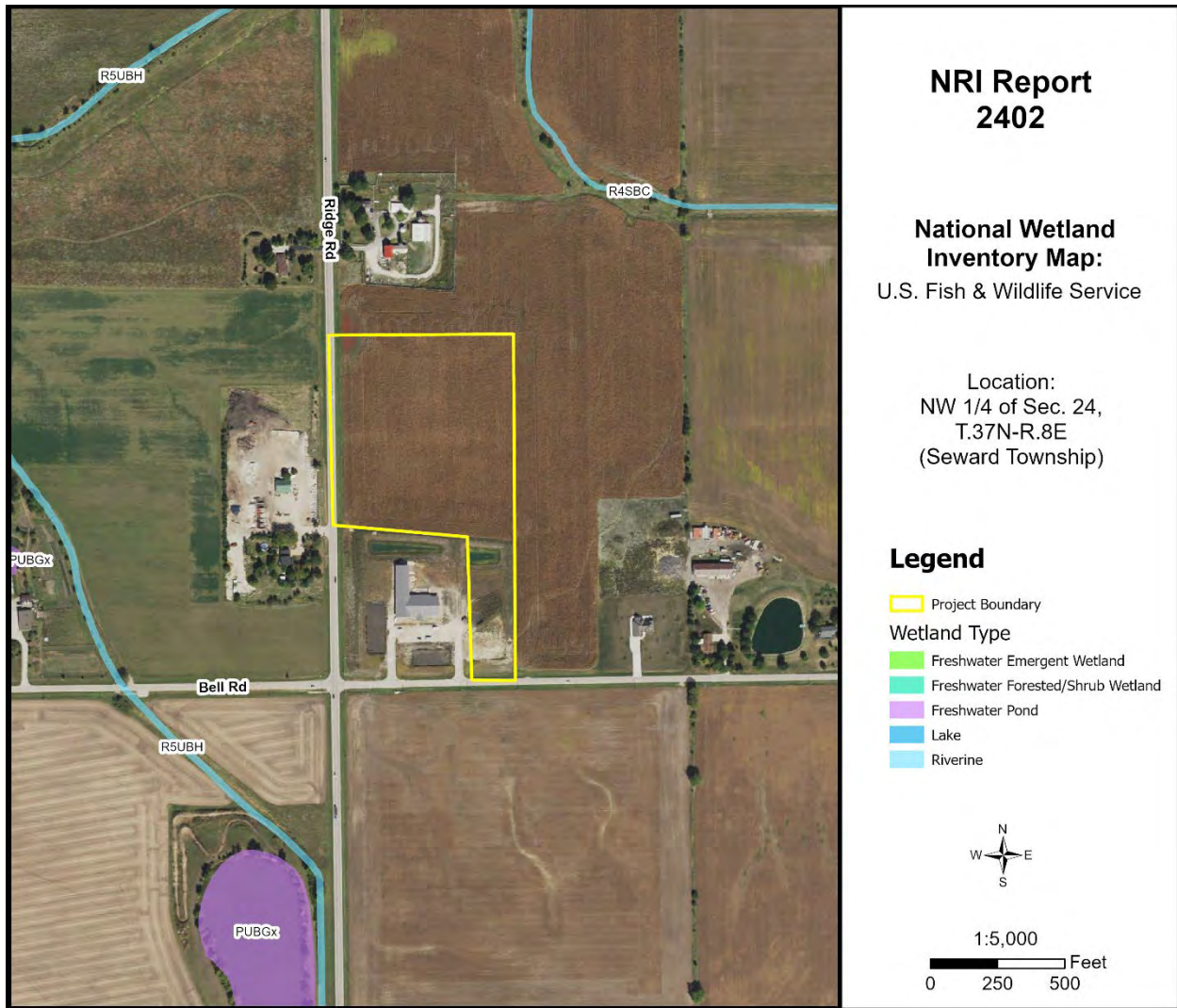


Figure 10: Wetland Map

Office maps indicate that mapped wetlands/waters are not present on the parcel in question (PIQ). To determine the presence of wetlands, 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.

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, 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	Hydric Rating %	Acres	% Area
91A	Somewhat Poorly Drained	Non-Hydric	Yes	2%	8.4	65.7%
235A	Poorly Drained	Hydric	N/A	97%	4.4	34.3%

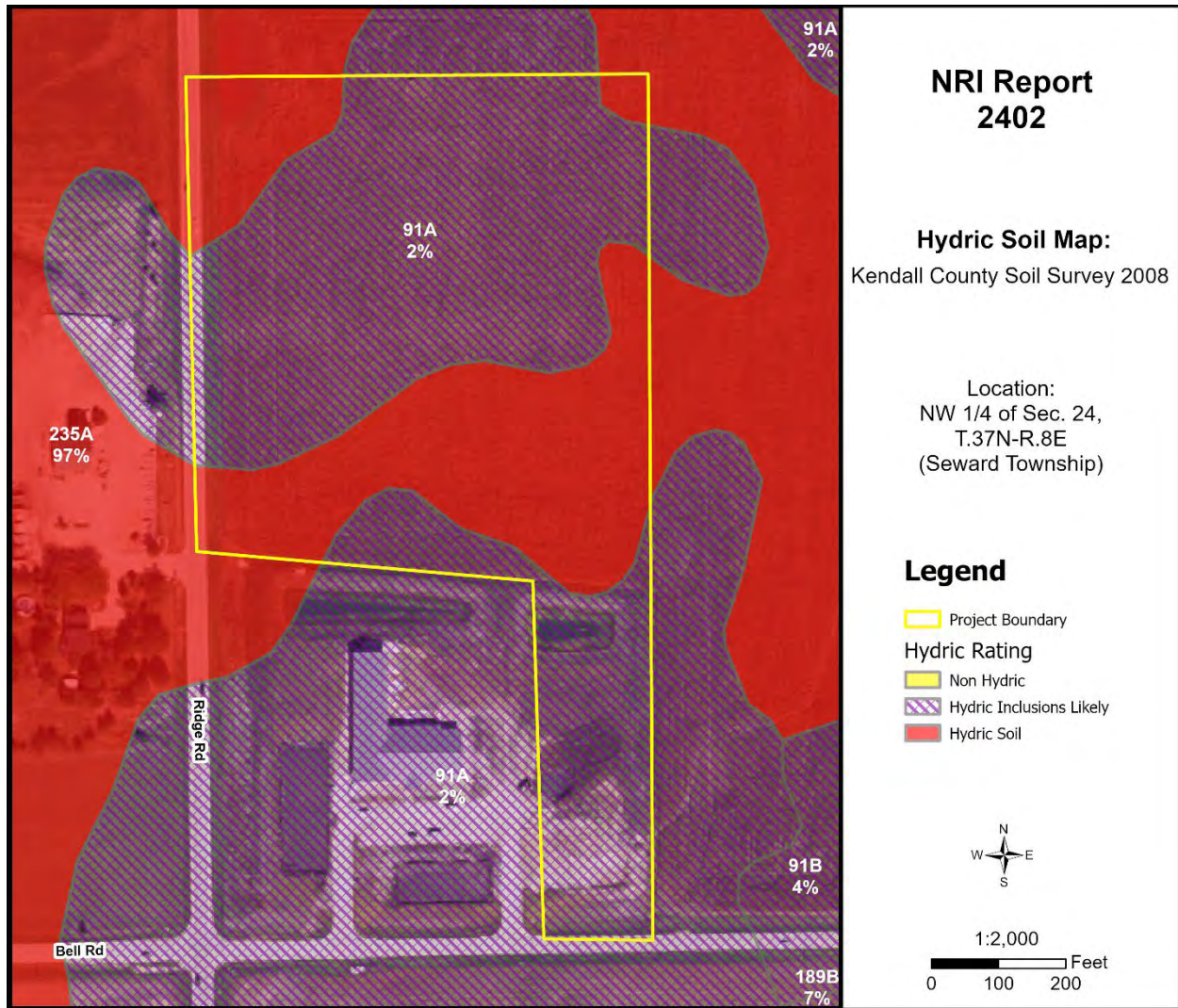


Figure 11: Hydric Soil Map

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, Chicago District, 231 South LaSalle Street, Suite 1500, Chicago, IL 60604. Phone: (312) 846-5530
- **Floodplains:** Illinois Department of Natural Resources - Office of Water Resources, One Natural Resources Way, Springfield, IL 62702-1270. Phone: (217) 782-6302
- **Water Quality/Erosion Control:** Illinois Environmental Protection Agency, 1021 North Grand Avenue East, P.O. Box 19276, Springfield, IL 62794-9276. Phone: (217) 782-3397

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 Harbors Appropriation Act of 1899 or Section 404 of the Clean Water Act are subject to fines ranging up to \$16,000 per day of violation, with a maximum cap of \$187,500 in any single enforcement action, as well as criminal enforcement.

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.

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 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 pink or 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.

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).

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.

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

- Association of Illinois Soil & Water Conservation Districts. 2020. Illinois Urban Manual.
- Berg, R. C., and J. P. Kempton. 1984. Potential for contamination of shallow aquifers from land burial of municipal wastes: Champaign, Illinois, Illinois State Geological Survey map, scale 1:500,000.
- Clean Water Act of 1972, Sections 309 and 404.
- Federal Emergency Management Agency. National Flood Hazard Layer (NFHL) Viewer.
<https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd>. Accessed January 2024.
- Illinois State Geological Survey, Department of Natural Resources. 2021. Geologic Road Map of Illinois.
- Kendall County Department of Planning Building and Zoning and Kendall County Soil and Water Conservation District In cooperation with NRCS, USDA. Land Evaluation and Site Assessment System.
- Kendall County. 2023. Land Resource Management Plan Map.
- Natural Resources Conservation Service, United States Department of Agriculture. General Manual, Title 310, Land Use.
- Natural Resources Conservation Service, United States Department of Agriculture. 2007. Hydric Soils of the United States.
- Natural Resources Conservation Service, United States Department of Agriculture. Hydrologic Unit Map for Kendall County.
- Natural Resources Conservation Service, United States Department of Agriculture. 1987. Soil Erosion by Water. Agriculture Information Bulletin 513.
- Natural Resources Conservation Service, United States Department of Agriculture. 2008. Soil Survey of Kendall County.
- Natural Resources Conservation Service, United States Department of Agriculture. Web Soil Survey.
<http://websoilsurvey.sc.egov.usda.gov/>. Accessed January 2024.
- Rivers and Harbors Appropriation Act of 1899, Section 10.
- Rockford Map Publishers, Inc. 2021. Land Atlas and Plat Book, Kendall County, Illinois, 21st Edition.
- United States Fish & Wildlife Service. 2018. National Wetlands Inventory.
<https://data.nal.usda.gov/dataset/national-wetlands-inventory>. Accessed January 2024.
- Nature Conservancy (U.S.) Great Lakes Program. 1994. *The Conservation of Biological Diversity in the Great Lakes Ecosystem: Issues and Opportunities*. The Program, 1994.

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
February 6, 2024 – Unapproved Meeting Minutes**

PBZ Chairman Seth Wormley called the meeting to order at 9:00 a.m.

Present:

Matt Asselmeier – PBZ Department
Meagan Briganti – GIS Department
David Guritz – Forest Preserve (Arrived at 9:08 a.m.)
Brian Holdiman – PBZ Department
Fran Klaas – Highway Department
Commander Jason Langston – Sheriff's Department
Alyse Olson – Soil and Water Conservation District
Aaron Rybski – Health Department
Seth Wormley – PBZ Committee Chair

Absent:

Greg Chismark – WBK Engineering, LLC

Audience:

Mike Cook, Tim O'Brien, Steve Gengler, and Isabelle Bohanek

PETITIONS

Petitions 24-01 and 24-02 Deb Chow on Behalf of Jade Restorations, Inc.

Mr. Asselmeier summarized the request.

On February 18, 2020, the County Board approved Ordinance 2020-01, granting a special use permit for a kennel and veterinary at the northeast corner of Ridge Road and Bell Road, now addressed as 949 Bell Road, Minooka. On February 21, 2023, the County Board approved Ordinance 2023-05, amending the site plan, landscaping plan, and photometric plan for the special use at the subject property.

The site plan attached to Ordinance 2020-01 showed a driveway extending from the northern end of the northeastern parking lot to the northern end of the special use permit area of the property. This driveway was not included in the site plan attached to Ordinance 2023-05. The Petitioner would like to add this twenty-four foot (24') wide driveway back into the site plan.

The Petitioner would like to rezone approximately thirteen point six (13.6) acres of the subject property from A-1 Agricultural District and A-1 with a special use permit for a kennel and veterinary to B-3 Highway Business District. The area proposed for rezoning is described as Parcel 2 on the zoning plat.

No specific information was provided, other than compliance with the Land Resource Management Plan, was given regarding the reason for the map amendment. The Petitioner likely will either pursue selling the property or pursue some type of commercial endeavor that is allowed in the B-3 District.

The application materials, aerial showing the proposed changes, topographic survey, plat showing the proposed rezoning, the proposed site plan, Ordinance 2020-01, and Ordinance 2023-05 were provided.

No changes are proposed to any of the business related conditions imposed by the previously approved ordinances. No changes are proposed to the landscaping or photometrics for the property that will retain the special use permit. Other than the addition of the proposed driveway addition, no other changes are proposed to site layout for the area that will retain the special use permit.

The property is located at 949 Bell Road, Minooka.

The property is approximately twenty (20) acres in total with approximately eight point five (8.5) acres in the original special use area and approximately six point three (6.3) acres in the proposed special use area.

The property is currently used as a kennel, veterinary, and agricultural.

The property is zoned A-1 with a special use permit.

The County's future land use map calls for the property to be Commercial. The Village of Shorewood's future land use map calls for the property to be Community Commercial.

Ridge Road is a County Road classified as an Arterial Road. Bell Road is a Township Road classified as a Minor Collector.

Minooka has a trail planned along Ridge Road. Shorewood has a trail planned along Bell Road.

There are no floodplains or wetlands on the property.

The kennel is located beyond the required setback to neighboring properties as defined in the Zoning Ordinance.

The adjacent land uses are agricultural, farmstead, and a landscaping business.

The adjacent properties are zoned A-1 and A-1 SU.

The County's future land use map calls for the area to be Commercial. The Village of Shorewood's future land use map calls for the area to be a mix of single- and multi-family residential.

Properties within one half (1/2) mile are zoned A-1, A-1 SU, and R-1.

There are approximately twelve (12) homes located within one half (1/2) mile of the subject property.

The special uses to the north and south are landing strips. The special use to the east is for natural gas compression. The special use to the west is for a landscaping business.

EcoCat submitted on December 13, 2022, and consultation was terminated.

A NRI application was submitted as part of the map amendment request. A NRI was prepared for the original special use permit. The LESA Score was 207 indicating a medium level of protection. NRI information was provided.

Seward Township was emailed information on January 26, 2024. The Seward Township Planning Commission met on February 5, 2024, and recommended approval of the proposal by a vote of three (3) in favor and zero (0) in opposition, with two (2) members absent.

The Minooka Fire Protection District was emailed information on January 26, 2024.

The Village of Shorewood was emailed information on January 26, 2024. The Village of Shorewood submitted an email indicating they would like to annex the property when it becomes contiguous and wanted a restriction preventing uses not allowed in their B-3 Zoning District from occurring at the property.

The proposed findings of fact for the special use permit amendment were as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The kennel and veterinary establishment are already in existence. The proposed driveway extension was originally planned in 2020 when the project was originally proposed. The special use portion of the site will retain the previously approved landscaping and photometric plans.

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. None of the lighting or landscaping installed at the site will be removed as part of this proposal. No evidence has been provided showing that use of the property as a kennel and veterinary establishment has negatively impacted property values or was injurious neighboring land uses.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. This is true. Adequate ingress and egress has been provided off of Bell Road and the new driveway will help with traffic circulation when the northern portion of the property is commercially developed. The development of the site was in compliance with a County issued stormwater permit which included the proposed driveway extension.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. This is true. The Petitioners are not proposing any changes related to the operation of the business allowed by the previously approved special use permit. Other than the driveway addition and rezoning of the land to the east, no other changes are proposed to physical layout of the site.

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, commerce and industry that provides a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents." The Land Resource Management Plan calls for the subject property to be commercial.

No specific type of business was listed as a proposed use of the site.

No buildings were proposed for the site. Any buildings proposed for the site would have to meet applicable building codes and site plan approval by ZPAC would be required prior to site development.

Applicable permits would be required for a new well and septic system on the site.

The topographic survey shows two (2) wet detention ponds north of the existing kennel and veterinary. Depending on the nature of development, a stormwater permit might be required when the site is developed.

The property fronts Bell Road and Ridge Road.

Parking requirements will be determined by the specific uses of the site.

Lighting will be determined by specific uses of the site.

Signage will be determined by specific uses of the site and the signage requirements for the B-3 District contained in the Zoning Ordinance.

Landscaping will be determined when the site is developed.

Noise control will be determined when the site is developed.

The refuse plan will be determined when the site is developed.

There are two (2) pipeline easements, one (1) eighty feet (80') in width and one (1) seventy-five feet (75') in width located on the subject property. Development of the site will have to take these easements into account.

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. A portion of the property is presently used as a kennel and veterinary with related parking and landscaping while the majority of the property is presently used as an agricultural field. Surrounding properties are used fields, farmsteads, and a landscaping business.

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 various special uses including a landscaping business, landing strips, and natural gas compression.

The suitability of the property in question for the uses permitted under the existing zoning classification. The Petitioner did not provide a specific proposed land use. A variety of uses allowed in the proposed B-3 Highway Business District could be placed on the property.

ZPAC Meeting Minutes 02.06.24

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, farmstead, retail and service type uses.

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 Commercial and the four corners of the intersection of Ridge and Bell Roads as Commercial. The Village of Shorewood's Future Land Use Map calls for the property to be Community Commercial. The requested map amendment is consistent with the Land Resource Management Plan.

Staff recommended approval of the requested map amendment rezoning the area identified as Parcel 2 on the submitted zoning plat to B-3 Highway Business District.

Staff recommended approval of the requested amendments to the existing special use permit for a kennel and veterinary establishment subject to the following conditions and restrictions:

1. Condition 2.A of Ordinance 2020-01 and Condition 2.A of Ordinance 2023-05 are hereby repealed in their entirety and are replaced with the following:

"The site shall be developed substantially in accordance with the attached site plan. The landscaping plan and photometric plan attached to Ordinance 2023-05 shall remain valid except on those portions of the property not zoned A-1."

2. The remaining conditions and restrictions contained in Ordinance 2020-01 and Ordinance 2023-05 shall remain valid and effective.
3. 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.
4. If one or more of the above conditions or restrictions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
5. These major amendments to an existing special use permit shall be treated as covenants running with the land and are binding on the successors, heirs, and assigns as to the same special uses conducted on the property.

Mr. Guritz arrived at this time (9:08 a.m.).

Mike Cook, Engineer for the Petitioner, provided a history of the development of the property. He explained why the driveway was not included in the 2023 amendment. He discussed the access issued by the Highway Department located approximately one quarter (1/4) of a mile north of Bell Road on Ridge Road. He stated that map amendment was occurring to get the property's zoning inline with the County's plans.

Mr. Klaas explained the access variance on Ridge Road. He asked if the Petitioner would oppose placing the access immediately north of the Petitioner's property. Mr. Cook said that two (2) owners were involved in the area; he would like to get planning approved. Mr. Cook was agreeable to working with the Highway Department on access from Ridge Road.

Mr. Klaas asked if the driveway from the kennel/veterinary property would provide access to the northern portion of the property. Mr. Cook responded yes. There would not be additional access from Bell Road.

Mr. Asselmeier stated WBK Engineering submitted a letter dated January 30, 2024, stating that they had no objections to the proposal. This email was provided. The proposed driveway was accounted for in the original special use permit in 2020.

Chairman Wormley asked if the Petitioner was concerned about the proposed annexation agreement. Mr. Cook said that the Petitioner needed to review a specific proposal. The Petitioner would like to remain in the unincorporated area because Shorewood did not have any services near the subject property.

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

The votes were follows:

Ayes (9): Asselmeier, Briganti, Guritz, Holdiman, Klaas, Langston, Olson, Rybski, and Wormley
Nays (0): None
Abstain (0): None
Absent (1): Chismark

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on February 28, 2024.

PUBLIC COMMENT

None

ADJOURNMENT

Mr. Rybski made a motion, seconded by Mr. Klaas, to adjourn.

With a voice vote of nine (9) ayes, the motion carried.

The ZPAC, at 9:28 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP, CFM
Director

Enc.



January 30, 2024

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

Subject: Fur-Ever Friends, Bell & Ridge Roads (WBK Project No. 19-102L)

Dear Mr. Asselmeier:

WBK Engineering, LLC has reviewed the submitted documents for the subject project. We received the following information:

- Major Amendment Exhibit prepared by Cook Engineering dated January 18, 2024 and received January 23, 2024.

We find that stormwater management provisions have been constructed for the extension of asphalt pavement as depicted on the document submitted and have no objection to the approval of this amendment of construction of the proposed asphalt pavement.

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.

Please contact us at 630-443-7755 if you have any questions regarding this review.

Sincerely,



WBK Engineering, LLC

Matt Asselmeier

From: Engel_Natalie <nengel@shorewoodil.gov>
Sent: Tuesday, February 6, 2024 8:16 AM
To: Matt Asselmeier
Cc: Seth Wormley; Christina Burns
Subject: RE: [External]RE: Trail Question

Hi Matt,

I was planning to attend but something came up.

I'm going to send Isabelle Bohanek from our office to listen and take notes. She's wonderful but not a planner so she will really just be learning more about the proposal.

I haven't had an opportunity to discuss the proposal with our board but don't expect there to be much concern. We would like them to annex upon contiguity and would prefer that they don't do any uses that wouldn't be allowed in our B-3 district. I can get you something formal once I know more.

Natalie

From: Matt Asselmeier <masselmeier@kendallcountyil.gov>
Sent: Monday, February 5, 2024 3:30 PM
To: Engel_Natalie <nengel@shorewoodil.gov>
Cc: Seth Wormley <swormley@kendallcountyil.gov>; Christina Burns <cburns@kendallcountyil.gov>
Subject: RE: [External]RE: Trail Question

CAUTION: This email originated from outside of the organization. Do not click on links or open attachments unless you recognize the sender, can confirm their contact information, were expecting the communication, and know the content is safe.

Natalie:

Is Shorewood planning to send someone to the February 6th Kendall County ZPAC meeting?

Thanks,

Matthew H. Asselmeier, AICP, CFM
Director
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

From: Engel_Natalie <nengel@shorewoodil.gov>
Sent: Wednesday, January 24, 2024 11:23 AM

Matt Asselmeier

From: Engel_Natalie <nengel@shorewoodil.gov>
Sent: Wednesday, February 28, 2024 11:05 AM
To: Matt Asselmeier
Cc: Christina Burns; Seth Wormley
Subject: RE: [External]RE: Trail Question

Hi Matt,

We have not negotiated an annexation agreement and are not planning to push the issue.

We have been chatting with Deb Chow about her plans. The one that concerns us is auto & truck repair. Is that a permitted use or would it need a public hearing?

Sorry for the delay in getting back to you. We've been without a planner for a couple of weeks and I've fallen behind.

Natalie

From: Matt Asselmeier <masselmeier@kendallcountyil.gov>
Sent: Wednesday, February 28, 2024 11:02 AM
To: Engel_Natalie <nengel@shorewoodil.gov>
Cc: Christina Burns <cburns@kendallcountyil.gov>; Seth Wormley <swormley@kendallcountyil.gov>
Subject: RE: [External]RE: Trail Question

CAUTION: This email originated from outside of the organization. Do not click on links or open attachments unless you recognize the sender, can confirm their contact information, were expecting the communication, and know the content is safe.

Natalie:

Was an annexation agreement negotiated between this Petitioner and the Village of Shorewood?

Seward Township has said that they will not object to the map amendment.

Does Shorewood have any objections if the County advances these proposals to the County Board in March, pending the outcomes of tonight's Planning Commission meeting and Monday's Zoning Board of Appeals hearing?

Thanks,

Matthew H. Asselmeier, AICP, CFM
Director
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

Attachment 8, Page 1
KENDALL COUNTY
REGIONAL PLANNING COMMISSION

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

Unapproved - Meeting Minutes of February 28, 2024 - 7:00 p.m.

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

ROLL CALL

Members Present: Bill Ashton, Eric Bernacki, Dave Hamman, Karin McCarthy-Lange, Larry Nelson, Ruben Rodriguez, Bob Stewart, Claire Wilson, and Seth Wormley

Members Absent: Tom Casey

Staff Present: Matthew H. Asselmeier, Director, and Wanda A. Rolf, Administrative Assistant

Others Present: Dan Kramer, Tyler Arbeen, Gerald Johnson, Mike Cook, and Deb Chow

PETITIONS

Petitions 24-01 and 24-02 Deb Chow on Behalf of Jade Restorations, Inc.

Mr. Asselmeier summarized the requests.

On February 18, 2020, the County Board approved Ordinance 2020-01, granting a special use permit for a kennel and veterinary at the northeast corner of Ridge Road and Bell Road, now addressed as 949 Bell Road, Minooka. On February 21, 2023, the County Board approved Ordinance 2023-05, amending the site plan, landscaping plan, and photometric plan for the special use at the subject property.

The site plan attached to Ordinance 2020-01 showed a driveway extending from the northern end of the northeastern parking lot to the northern end of the special use permit area of the property. This driveway was not included in the site plan attached to Ordinance 2023-05. The Petitioner would like to add this twenty-four foot (24') wide driveway back into the site plan.

In addition to the driveway, the Petitioner would like to rezone the eastern approximately two point one more or less (2.1 +/-) acres of the special use permit area of the property to B-3 Highway Business District and rezone the northern approximately thirteen acres (13), which was not included in the special use permit area, to B-3. This map amendment would reduce the special use permit area from approximately eight point five (8.5) acres to approximately six point three (6.3) acres and will cause the site plan, landscaping plan, and photometric plan for the special use permit area to change to reflect the removal of the eastern portion of the special use area to the new zoning classification. The area proposed for rezoning is described as Parcel 2 on the zoning plat.

No specific information was provided, other than compliance with the Land Resource Management Plan, was given regarding the reason for the map amendment. The Petitioner likely will either pursue selling the property or pursue some type of commercial endeavor that is allowed in the B-3 District.

The application materials, aerial showing the proposed changes, topographic survey, plat showing the proposed rezoning, the proposed site plan, Ordinance 2020-01, and Ordinance 2023-05 were provided.

No changes are proposed to any of the business related conditions imposed by the previously approved ordinances. No changes are proposed to the landscaping or photometrics for the property that will retain the

special use permit. Other than the addition of the proposed driveway addition, no other changes are proposed to site layout for the area that will retain the special use permit.

The property is located at 949 Bell Road, Minooka.

The property is approximately twenty (20) acres in total with approximately eight point five (8.5) acres in the original special use area and approximately six point three (6.3) acres in the proposed special use area.

The property is currently used as a kennel, veterinary, and agricultural.

The property is zoned A-1 with a special use permit.

The County's future land use map calls for the property to be Commercial. The Village of Shorewood's future land use map calls for the property to be Community Commercial.

Ridge Road is a County Road classified as an Arterial Road. Bell Road is a Township Road classified as a Minor Collector.

Minooka has a trail planned along Ridge Road. Shorewood has a trail planned along Bell Road.

There are no floodplains or wetlands on the property.

The kennel is located beyond the required setback to neighboring properties as defined in the Zoning Ordinance.

The adjacent land uses are agricultural, farmstead, and a landscaping business.

The adjacent properties are zoned A-1 and A-1 SU.

The County's future land use map calls for the area to be Commercial. The Village of Shorewood's future land use map calls for the area to be a mix of single- and multi-family residential.

Properties within one half (1/2) mile are zoned A-1, A-1 SU, and R-1.

There are approximately twelve (12) homes located within one half (1/2) mile of the subject property.

The special uses to the north and south are landing strips. The special use to the east is for natural gas compression. The special use to the west is for a landscaping business.

EcoCat submitted on December 13, 2022, and consultation was terminated.

A NRI application was submitted as part of the map amendment request. A NRI was prepared for the original special use permit. The LESA Score was 207 indicating a medium level of protection. NRI information was provided. A revised NRI was prepared for the proposed map amendment request showing a LESA Score of 180 indicating a low level of protection. This report was provided.

Seward Township was emailed information on January 26, 2024. The Seward Township Planning Commission met on February 5, 2024, and recommended approval of the proposal by a vote of three (3) in favor and zero (0) in opposition, with two (2) members absent. The Seward Township Board recommended approval of the proposals.

The Minooka Fire Protection District was emailed information on January 26, 2024. No comments were received.

The Village of Shorewood was emailed information on January 26, 2024. The Village of Shorewood submitted an email indicating they would like to annex the property when it becomes contiguous and wanted a restriction preventing uses not allowed in their B-3 Zoning District from occurring at the property. This email was included with the minutes from the ZPAC meeting. The Village of Shorewood submitted a second email on February 28, 2024, stating they would not objection to the map amendment and no annexation agreement had been negotiated, but they were concerned about auto and truck repair businesses operating on the B-3 zoned portion of the property.

ZPAC reviewed the proposal at their meeting on February 6, 2024. ZPAC reviewed this proposal at their meeting on February 6, 2024. The Petitioner's Engineer was agreeable to working the Highway Department regarding access from Ridge Road for the northern portion of the property. No additional points of access would come from Bell Road. The Petitioner's Engineer wanted to evaluate Shorewood's request for an annexation agreement. A letter was placed into the record from WBK Engineering noting no objections to the proposed driveway extension in the special use permit amendment application. ZPAC recommended approval of the proposal 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 proposed findings of fact for the special use permit amendment were as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The kennel and veterinary establishment are already in existence. The proposed driveway extension was originally planned in 2020 when the project was originally proposed. The special use portion of the site will retain the previously approved landscaping and photometric plans.

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. None of the lighting or landscaping installed at the site will be removed as part of this proposal. No evidence has been provided showing the that use of the property as a kennel and veterinary establishment has negatively impacted property values or was injurious neighboring land uses.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. This is true. Adequate ingress and egress has been provided off of Bell Road and the new driveway will help with traffic circulation when the northern portion of the property is commercially developed. The development of the site was in compliance with a County issued stormwater permit which included the proposed driveway extension.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the

recommendation of the Zoning Board of Appeals. This is true. The Petitioners are not proposing any changes related to the operation of the business allowed by the previously approved special use permit. Other than the driveway addition and rezoning of the land to the east, no other changes are proposed to physical layout of the site.

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, commerce and industry that provides a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents.” The Land Resource Management Plan calls for the subject property to be commercial.

Staff recommended approval of the requested amendments to the existing special use permit for a kennel and veterinary establishment subject to the following conditions and restrictions:

1. Condition 2.A of Ordinance 2020-01 and Condition 2.A of Ordinance 2023-05 are hereby repealed in their entirety and are replaced with the following:

“The site shall be developed substantially in accordance with the attached site plan. The landscaping plan and photometric plan attached to Ordinance 2023-05 shall remain valid except on those portions of the property not zoned A-1.”

2. The remaining conditions and restrictions contained in Ordinance 2020-01 and Ordinance 2023-05 shall remain valid and effective.
3. 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.
4. If one or more of the above conditions or restrictions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
5. These major amendments to an existing special use permit shall be treated as covenants running with the land and are binding on the successors, heirs, and assigns as to the same special uses conducted on the property.

Regarding the proposed map amendment, no specific type of business was listed as a proposed use of the site.

No buildings were proposed for the site. Any buildings proposed for the site would have to meet applicable building codes and site plan approval by ZPAC would be required prior to site development.

Applicable permits would be required for a new well and septic system on the site.

The topographic survey shows two (2) wet detention ponds north of the existing kennel and veterinary. Depending on the nature of development, a stormwater permit might be required when the site is developed.

Parking requirements will be determined by the specific uses of the site.

Lighting will be determined by specific uses of the site.

Signage will be determined by specific uses of the site and the signage requirements for the B-3 District contained in the Zoning Ordinance.

Landscaping will be determined when the site is developed.

Noise control will be determined when the site is developed.

The refuse plan will be determined when the site is developed.

There are two (2) pipeline easements, one (1) eighty feet (80') in width and one (1) seventy-five feet (75') in width located on the subject property. Development of the site will have to take these easements into account.

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. A portion of the property is presently used as a kennel and veterinary with related parking and landscaping while the majority of the property is presently used as an agricultural field. Surrounding properties are used fields, farmsteads, and a landscaping business.

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 various special uses including a landscaping business, landing strips, and natural gas compression.

The suitability of the property in question for the uses permitted under the existing zoning classification. The Petitioner did not provide a specific proposed land use. A variety of uses allowed in the proposed B-3 Highway Business District could be placed on the property.

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

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 Commercial and the four corners of the intersection of Ridge and Bell Roads as Commercial. The Village of Shorewood's Future Land Use Map calls for the property to be Community Commercial. The requested map amendment is consistent with the Land Resource Management Plan.

Staff recommended approval of the requested map amendment rezoning the area identified as Parcel 2 on the submitted zoning plat to B-3 Highway Business District.

Mike Cook, Engineer for the Petitioner, explained the history of the site and explained the need for the driveway connection. He noted that the County granted access from Ridge Road approximately one quarter (1/4) of a mile north of Bell Road. He discussed the potential of annexation with Shorewood; he noted that Shorewood had no services available to the subject property. No end user had been identified for the portion of the property proposed for rezoning. The rezoning was intended to tie into the widening of Ridge Road.

Mr. Cook explained the description of the wet bottom detention ponds. The ponds may need to be examined depending on future uses on the portion proposed for rezoning.

Mr. Asselmeier noted that Shorewood reviewed Kendall County's zoning regulations and had concerns about a truck and auto repair facility going onto the property. Motor vehicle service and repair are permitted uses in the B-3 District.

Mr. Cook noted that the map amendment request was consistent with the County's plan.

Member Nelson made a motion, seconded by Member Wormley, to recommend approval of the major amendment to an existing special use permit and approval of the map amendment.

The votes were as follows:

Ayes (9): Ashton, Bernacki, Hamman, McCarthy-Lange, Rodriguez, Nelson, Stewart, Wilson, and Wormley

Nays (0): None

Absent (1): Casey

Abstain (0): None

The proposals go to the Kendall County Zoning Board of Appeals on March 4, 2024.

CITIZENS TO BE HEARD/PUBLIC COMMENT

None

OTHER BUSINESS/ANNOUNCEMENTS

Mr. Asselmeier reported there were no Petitions for the March meeting.

ADJOURNMENT

Member McCarthy-Lange made a motion, seconded by Member Hamman to adjourn. With a voice vote of nine (9) ayes, the motion carried.


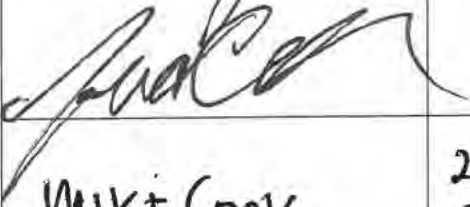
The Kendall County Regional Planning Commission meeting adjourned at 7:45 p.m.

Respectfully submitted by,
Matthew H. Asselmeier, Director

Encs.

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION
FEBRUARY 28, 2024**

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

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
Don Kim	File 23-35, rd 	
Geoff Johnson		
		
Mike Cook	24-01 & 24-02 949 BELL RD	

Matt Asselmeier

From: Engel_Natalie <nengel@shorewoodil.gov>
Sent: Wednesday, February 28, 2024 11:05 AM
To: Matt Asselmeier
Cc: Christina Burns; Seth Wormley
Subject: RE: [External]RE: Trail Question

Hi Matt,

We have not negotiated an annexation agreement and are not planning to push the issue.

We have been chatting with Deb Chow about her plans. The one that concerns us is auto & truck repair. Is that a permitted use or would it need a public hearing?

Sorry for the delay in getting back to you. We've been without a planner for a couple of weeks and I've fallen behind.

Natalie

From: Matt Asselmeier <masselmeier@kendallcountyil.gov>
Sent: Wednesday, February 28, 2024 11:02 AM
To: Engel_Natalie <nengel@shorewoodil.gov>
Cc: Christina Burns <cburns@kendallcountyil.gov>; Seth Wormley <swormley@kendallcountyil.gov>
Subject: RE: [External]RE: Trail Question

CAUTION: This email originated from outside of the organization. Do not click on links or open attachments unless you recognize the sender, can confirm their contact information, were expecting the communication, and know the content is safe.

Natalie:

Was an annexation agreement negotiated between this Petitioner and the Village of Shorewood?

Seward Township has said that they will not object to the map amendment.

Does Shorewood have any objections if the County advances these proposals to the County Board in March, pending the outcomes of tonight's Planning Commission meeting and Monday's Zoning Board of Appeals hearing?

Thanks,

Matthew H. Asselmeier, AICP, CFM
Director
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

**MINUTES – UNOFFICIAL UNTIL APPROVED
KENDALL COUNTY
ZONING BOARD OF APPEALS MEETING
111 WEST FOX STREET, COUNTY BOARD ROOM (ROOMS 209 and 210)
YORKVILLE, IL 60560
March 4, 2024 – 7:00 p.m.**

CALL TO ORDER

Chairman Randy Mohr called the Zoning Board of Appeals meeting to order at 7:01 p.m.

ROLL CALL:

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

Members Absent: Jillian Prodehl

Staff Present: Matthew Asselmeier, AICP, CFM, Director and Wanda Rolf, Administrative Assistant

Others Present: Dan Kramer, Justin Plohr, Emily Hoffman, and Deb Chow

PETITIONS

Chairman Mohr swore in Dan Kramer, Emily Hoffman, and Deb Chow.

The Zoning Board of Appeals started their review of Petition 24-01 and 24-02 at 7:34 p.m.

Petition 24 – 01 – Deb Chow on Behalf of Jade Restorations, Inc.

Request: Major Amendments to the Special Use Permit for a Kennel and Veterinary Granted by Ordinance 2020-01 and Amended by Ordinance 2023-05 by Changing the Site Plan, Landscaping Plan, and Photometric Plan

PIN: 09-24-100-012 (Part)

Location: 949 Bell Road, Minooka in Seward Township

Purpose: Petitioner Wants to Change the Site Plan by Extending a Driveway and Make Adjustments to the Landscaping and Photometric Plans Caused by Rezoning Part of the Property; Property is Zoned A-1 with a Special Use Permit

Petition 24 – 02 – Deb Chow on Behalf of Jade Restorations, Inc.

Request: Map Amendment Rezoning Approximately 13.6 Acres of the Subject Property from A-1 Agricultural District and A-1 Agricultural District With a Special Use Permit for a Kennel and Veterinary to B-3 Highway Business District

PIN: 09-24-100-012 (Part)

Location: 949 Bell Road, Minooka in Seward Township

Purpose: Petitioner Wants to Rezone a Portion of the Property to B-3 Highway Business District

Mr. Asselmeier summarized the requests.

On February 18, 2020, the County Board approved Ordinance 2020-01, granting a special use permit for a kennel and veterinary at the northeast corner of Ridge Road and Bell Road, now addressed as 949 Bell Road, Minooka. On February 21, 2023, the County Board approved Ordinance 2023-05, amending the site plan, landscaping plan, and photometric plan for the special use at the subject property.

The site plan attached to Ordinance 2020-01 showed a driveway extending from the northern end of the northeastern parking lot to the northern end of the special use permit area of the property. This driveway was not included in the site plan attached to Ordinance 2023-05. The Petitioner would like to add this twenty-four foot (24') wide driveway back into the site plan.

In addition to the driveway, the Petitioner would like to rezone the eastern approximately two point one more or less (2.1 +/-) acres of the special use permit area of the property to B-3 Highway Business District and rezone the northern approximately thirteen acres (13), which was not included in the special use permit area, to B-3 (see Petition 24-02). This map amendment would reduce the special use permit area from approximately eight point five (8.5) acres to approximately six point three (6.3) acres and will cause the site plan, landscaping plan, and photometric plan for the special use permit area to change to reflect the removal of the eastern portion of the special use area to the new zoning classification.

No specific information was provided, other than compliance with the Land Resource Management Plan, was given regarding the reason for the map amendment. The Petitioner likely will either pursue selling the property or pursue some type of commercial endeavor that is allowed in the B-3 District.

The application materials, aerial showing the proposed changes, topographic survey, plat showing the proposed rezoning, the proposed site plan, Ordinance 2020-01, and Ordinance 2023-05 were provided.

No changes are proposed to any of the business related conditions imposed by the previously approved ordinances. No changes are proposed to the landscaping or photometrics for the property that will retain the special use permit. Other than the addition of the proposed driveway addition, no other changes are proposed to site layout for the area that will retain the special use permit.

The property is located at 949 Bell Road, Minooka.

The property is approximately twenty (20) acres in total with approximately eight point five (8.5) acres in the original special use area and approximately six point three (6.3) acres in the proposed special use area.

The property is currently used as a kennel, veterinary, and agricultural.

The property is zoned A-1 with a special use permit.

The County's future land use map calls for the property to be Commercial. The Village of Shorewood's future land use map calls for the property to be Community Commercial.

Ridge Road is a County Road classified as an Arterial Road. Bell Road is a Township Road classified as a Minor Collector.

Minooka has a trail planned along Ridge Road. Shorewood has a trail planned along Bell Road.

There are no floodplains or wetlands on the property.

The kennel is located beyond the required setback to neighboring properties as defined in the Zoning Ordinance.

The adjacent land uses are agricultural, farmstead, and a landscaping business.

The adjacent properties are zoned A-1 and A-1 SU.

The County's future land use map calls for the area to be Commercial. The Village of Shorewood's future land use map calls for the area to be a mix of single- and multi-family residential.

Properties within one half (1/2) mile are zoned A-1, A-1 SU, and R-1.

There are approximately twelve (12) homes located within one half (1/2) mile of the subject property.

The special uses to the north and south are landing strips. The special use to the east is for natural gas compression. The special use to the west is for a landscaping business.

EcoCat submitted on December 13, 2022, and consultation was terminated.

A NRI application was submitted as part of the map amendment request. A NRI was prepared for the original special use permit. The LESA Score was 207 indicating a medium level of protection. NRI information was provided. A revised NRI was prepared for the proposed map amendment request showing a LESA Score of 180 indicating a low level of protection. This report was provided.

Seward Township was emailed information on January 26, 2024. The Seward Township Planning Commission met on February 5, 2024, and recommended approval of the proposal by a vote of three (3) in favor and zero (0) in opposition, with two (2) members absent. The Seward Township Board recommended approval of the proposal.

The Minooka Fire Protection District was emailed information on January 26, 2024. To date, no comments have been received.

The Village of Shorewood was emailed information on January 26, 2024. The Village of Shorewood submitted an email indicating they would like to annex the property when it becomes contiguous and wanted a restriction preventing uses not allowed in their B-3 Zoning District from occurring at the property. This email was included with the minutes from the ZPAC meeting. The Village of Shorewood submitted a second email on February 28, 2024, stating they would not object to the map amendment

and no annexation agreement had been negotiated, but they were concerned about auto and truck repair businesses operating on the B-3 zoned portion of the property. This email was provided.

ZPAC reviewed the proposal at their meeting on February 6, 2024. ZPAC reviewed this proposal at their meeting on February 6, 2024. The Petitioner's Engineer was agreeable to working the Highway Department regarding access from Ridge Road for the northern portion of the property. No additional points of access would come from Bell Road. The Petitioner's Engineer wanted to evaluate Shorewood's request for an annexation agreement. A letter was placed into the record from WBK Engineering noting no objections to the proposed driveway extension in the special use permit amendment application. ZPAC recommended approval of the proposal 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 Kendall County Regional Planning Commission reviewed this proposal at their meeting on February 28, 2024. The Petitioner's Engineer explained the history of the property. He noted that the County granted access from Ridge Road approximately one quarter (1/4) of a mile north of Bell Road. He discussed the potential of annexation with Shorewood; he noted that Shorewood had no services available to the subject property. No end user had been identified for the portion of the property proposed for rezoning. The rezoning was intended to tie into the widening of Ridge Road. He also explained the description of the wet bottom detention ponds and the ponds may need to be evaluated in the future depending on future uses on the portion proposed for rezoning. The Kendall County Regional Planning Commission recommended approval of the proposal 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 proposed findings of fact for the special use permit amendment were as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The kennel and veterinary establishment are already in existence. The proposed driveway extension was originally planned in 2020 when the project was originally proposed. The special use portion of the site will retain the previously approved landscaping and photometric plans.

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. None of the lighting or landscaping installed at the site will be removed as part of this proposal. No evidence has been provided showing the that use of the property as a kennel and veterinary establishment has negatively impacted property values or was injurious neighboring land uses.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. This is true. Adequate ingress and egress has been provided off of Bell Road and the new driveway will help with traffic circulation when the northern portion of the property is commercially developed. The development of the site was in compliance with a County issued stormwater permit which included the proposed driveway extension.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. This is true. The Petitioners are not proposing any changes related to the operation of the business allowed by the previously approved special use permit. Other than the driveway addition and rezoning of the land to the east, no other changes are proposed to physical layout of the site.

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, commerce and industry that provides a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents.” The Land Resource Management Plan calls for the subject property to be commercial.

Staff recommended approval of the requested amendments to the existing special use permit for a kennel and veterinary establishment subject to the following conditions and restrictions:

1. Condition 2.A of Ordinance 2020-01 and Condition 2.A of Ordinance 2023-05 are hereby repealed in their entirety and are replaced with the following:

“The site shall be developed substantially in accordance with the attached site plan. The landscaping plan and photometric plan attached to Ordinance 2023-05 shall remain valid except on those portions of the property not zoned A-1.”

2. The remaining conditions and restrictions contained in Ordinance 2020-01 and Ordinance 2023-05 shall remain valid and effective.
3. 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.
4. If one or more of the above conditions or restrictions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
5. These major amendments to an existing special use permit shall be treated as covenants running with the land and are binding on the successors, heirs, and assigns as to the same special uses conducted on the property.

Regarding the proposed map amendment, no specific type of business was listed as a proposed use of the site.

No buildings were proposed for the site. Any buildings proposed for the site would have to meet applicable building codes and site plan approval by ZPAC would be required prior to site development.

Applicable permits would be required for a new well and septic system on the site.

The topographic survey shows two (2) wet detention ponds north of the existing kennel and veterinary. Depending on the nature of development, a stormwater permit might be required when the site is developed.

The property fronts Bell Road and Ridge Road.

Parking requirements will be determined by the specific uses of the site.

Lighting will be determined by specific uses of the site.

Signage will be determined by specific uses of the site and the signage requirements for the B-3 District contained in the Zoning Ordinance.

Landscaping will be determined when the site is developed.

Noise control will be determined when the site is developed.

The refuse plan will be determined when the site is developed.

There are two (2) pipeline easements, one (1) eighty feet (80') in width and one (1) seventy-five feet (75') in width located on the subject property. Development of the site will have to take these easements into account.

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. A portion of the property is presently used as a kennel and veterinary with related parking and landscaping while the majority of the property is presently used as an agricultural field. Surrounding properties are used fields, farmsteads, and a landscaping business.

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 various special uses including a landscaping business, landing strips, and natural gas compression.

The suitability of the property in question for the uses permitted under the existing zoning classification. The Petitioner did not provide a specific proposed land use. A variety of uses allowed in the proposed B-3 Highway Business District could be placed on the property.

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

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 Commercial and the four corners of the intersection of Ridge and Bell Roads as Commercial. The Village of Shorewood's Future Land Use Map calls for the property to be Community Commercial. The requested map amendment is consistent with the Land Resource Management Plan.

Staff recommended approval of the requested map amendment rezoning the area identified as Parcel 2 on the submitted zoning plat to B-3 Highway Business District.

Chairman Mohr asked if the property proposed for rezoning was owned by the same entity that owned the land for the kennel and veterinary. Mr. Asselmeier responded yes.

The Petitioner would either develop the B-3 zoned portion of the property as a commercial endeavor or would sell the property to a commercial end user.

Chairman Mohr asked if anyone had spoken against the proposal. Mr. Asselmeier responded no one had spoken against the proposal.

Chairman Mohr noted that the property would be flagged. Mr. Asselmeier said the rezoned portion of the property would have access to both Bell and Ridge Roads.

Chairman Mohr opened the public hearing at 7:43 p.m.

Chairman Mohr asked if there would be additional access points off of Bell Road. Emily Hoffman, Engineer for the Petitioner, said there will not be any new road cuts made off of Bell Road for the rezoned portion of the property.

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

Member LeCuyer made a motion, seconded by Member Thompson, to approve the findings of fact for

the amendment to the special use permit.

The votes were as follows:

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

The motion passed.

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

The votes were as follows:

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

The motion passed.

Member LeCuyer made a motion, seconded by Member Thompson to approve the findings of fact for the map amendment.

The votes were as follows:

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

The motion passed.

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

The votes were as follows:

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

The motion passed.

The proposals will go to the Planning, Building and Zoning Committee on March 11, 2024.

The Zoning Board of Appeals completed their review of Petitions 24-01 and 24-02 at 7:47 p.m.

PUBLIC COMMENTS

Mr. Asselmeier reported there were no Petitions for the April 1st hearing.

ADJOURNMENT OF THE ZONING BOARD OF APPEALS

Member Whitfield made a motion, seconded by Member Cherry, to adjourn.

With a voice vote of six (6) ayes, the motion carried.

The Zoning Board of Appeals meeting adjourned at 8:01 p.m.

The next regularly scheduled meeting/hearing will be on April 29, 2024.

Respectfully submitted by,
Wanda A. Rolf
Administrative Assistant

Exhibits

1. Memo on Petition 24-02 Dated February 29, 2024
2. Certificate of Publication and Certified Mail Receipts for Petition 24-02 (Not Included with Report but on file in Planning, Building and Zoning Office)

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

[illegible]

State of Illinois
County of Kendall

Zoning Petition
#24-02

ORDINANCE NUMBER 2024-_____

**MAP AMENDMENT FOR APPROXIMATELY THIRTEEN POINT SIX ACRES LOCATED AT
949 BELL ROAD, MINOOKA (PART OF PIN: 09-24-100-012) IN SEWARD TOWNSHIP**

Rezone from A-1 and A-1SU to B-3

WHEREAS, Section 13:07 of the Kendall County Zoning Ordinance permits the Kendall County Board to approve map amendments and provides the procedure through which map amendments are granted; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural Zoning District and consists of approximately 13.6 more or less acres located on the eastern and northern portions of 949 Bell Road, Minooka (Part of PIN: 09-24-100-012) in Seward Township. The legal description for the area proposed for map amendment is set forth in Exhibit A attached hereto and incorporated by reference, and the area proposed for map amendment shall hereinafter be referred to as “the subject property”; and

WHEREAS, on or about February 18, 2020, a portion of the subject property was granted a special use permit for a kennel and veterinary establishment by the County Board through Ordinance 2020-01; and

WHEREAS, on or about February 21, 2023, a major amendment to the special use permit granted by Ordinance 2020-01 was approved by the County Board through Ordinance 2023-05; and

WHEREAS, the subject property is currently owned by Jade Restorations, Inc. as represented by Deb Chow and shall hereinafter be referred to as “Petitioner”; and

WHEREAS, on or about January 22, 2024, Petitioner’s representative filed a petition for a Map Amendment rezoning the subject property from A-1 Agricultural District and A-1 Agricultural District with a Special Use Permit to B-3 Highway Business District; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on February 8, 2024, due and proper notification to the Village of Shorewood on or about February 7, 2024, due and proper notification to Seward Township on or about February 9, 2024, and due and proper notification to all property owners of record of properties located within five hundred feet of the subject property at least fifteen days prior to the hearing, the Kendall County Zoning Board of Appeals conducted a public hearing on March 4, 2024, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner’s representative presented evidence, testimony, and exhibits in support of the requested Map Amendment and zero members of the public testified in favor or in opposition or asked question of the requested Map Amendment; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their Findings of Fact and recommended approval of the Map Amendment as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated March 4, 2024, a true and correct copy of which is attached hereto as Exhibit B; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing and has considered the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has forwarded to the Kendall County Board a recommendation of **approval/denial/neutral** of the requested Map Amendment; and

State of Illinois
County of Kendall

Zoning Petition
#24-02

WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee and the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals attached hereto as Exhibit B is hereby accepted and the Findings of Fact set forth therein are hereby adopted as the Findings of Fact and Conclusions of this Kendall County Board.
2. The Kendall County Board hereby grants approval of Petitioner's petition for a Map Amendment rezoning the subject property from A-1 Agricultural District and A-1 Agricultural District with a Special Use Permit to B-3 Highway Business District.
3. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this Map Amendment.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 20th day of March, 2024.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Matt Kellogg

Exhibit A- LEGAL DESCRIPTION

**JADE RESTORATIONS, INC.
NEC RIDGE RD. & BELL RD.
KENDALL COUNTY, ILLINOIS**

PARCEL 2 (RE-ZONING A1 & A1-SU TO B3)

THE SOUTH 1281.17 FEET OF THE WEST 680.00 FEET OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF SEWARD, EXCEPT THAT PART DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER, THENCE NORTH 01 DEGREES 45 MINUTES 20 SECONDS WEST, ON THE WEST LINE OF SAID NORTHWEST QUARTER, 579.95 FEET TO THE SOUTH LINE OF THE 80 FOOT WIDE NATURAL GAS PIPELINE EASEMENT AS DESCRIBED IN BOOK 103 PAGE 333 IN KENDALL COUNTY RECORDS; THENCE SOUTH 85 DEGREES 47 MINUTES 08 SECONDS EAST, ON SAID SOUTH LINE, 504.74 FEET TO THE EAST LINE OF THE WEST 502.00 FEET OF SAID NORTHWEST QUARTER; THENCE SOUTH 01 DEGREES 45 MINUTES 20 SECONDS EAST, ON SAID EAST LINE, 526.83 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER; THENCE SOUTH 88 DEGREES 10 MINUTES 23 SECONDS WEST, ON SAID SOUTH LINE, 502.00 FEET TO THE POINT OF BEGINNING, ALL IN KENDALL COUNTY, ILLINOIS.

January 22, 2024

Map Amendment &
Major Amendment to Special Use

Exhibit B

The Kendall County Zoning Board of Appeals held a public hearing on the Petition 24-02 on March 4, 2024. Zero (0) members of the public, other than the Petitioner's Engineer, testified in favor or in opposition to the request. On the same date, the Kendall County Zoning Board of Appeals issued the following findings of fact and recommendation by a vote of six (6) in favor and zero (0) in opposition. Member Prodehl was absent.

FINDINGS OF FACT

Existing uses of property within the general area of the property in question. **A portion of the property is presently used as a kennel and veterinary with related parking and landscaping while the majority of the property is presently used as an agricultural field. Surrounding properties are used fields, farmsteads, and a landscaping business.**

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 various special uses including a landscaping business, landing strips, and natural gas compression.**

The suitability of the property in question for the uses permitted under the existing zoning classification. **The Petitioner did not provide a specific proposed land use. A variety of uses allowed in the proposed B-3 Highway Business District could be placed on the property.**

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

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 Commercial and the four corners of the intersection of Ridge and Bell Roads as Commercial. The Village of Shorewood's Future Land Use Map calls for the property to be Community Commercial. The requested map amendment is consistent with the Land Resource Management Plan.**

RECOMMENDATION

Approval



Kendall County Agenda Briefing

Meeting Type: Planning, Building and Zoning
Meeting Date: 3/11/2024
Subject: Approval of Petition 24-03, Amendments to Future Land Use Map Reclassify Certain Property South of Yorkville as Mixed Use Business
Prepared by: Matthew H. Asselmeier, AICP, CFM
Department: Planning, Building and Zoning

Action Requested:

Approval of Petition 24-03, A Request from the Kendall County Regional Planning Commission for Amendments to the Future Land Use Map Contained in the Kendall County Land Resource Management Plan by Reclassifying the Following Parcels from Transportation Corridor to Mixed Use Business and Related Text Changes: 05-09-300-015, 05-09-376-002, 05-09-400-006, 05-09-400-010, 05-09-400-011, 05-16-100-006, 05-16-200-008, 05-16-200-013, and 05-16-200-014 Located on Both Sides of Route 47 Between 7775 A/B Route 47 and 8175 Route 47, Excluding 8115 Route 47, Yorkville in Kendall Township

Previous Board/Committee Review:

ZPAC-Approval of the Original Proposal (9-0-1) on February 6, 2024

Kendall County Regional Planning Commission-Approval of Revised Proposal (9-0-1) on February 28, 2024

Kendall County Zoning Board of Appeals-Approval of Revised Proposal (6-0-1) on March 4, 2024

Fiscal impact:

N/A

Background and Discussion:

The Petitioner would like to reclassify the subject properties in order to give the property owners the ability to rezone the properties to M-1 Limited Manufacturing District in the future.

At the February 28, 2024, public hearing before the Kendall County Regional Planning Commission, the owner of the properties on the east side of Route 47 requested that the properties on the east side of Route 47 be removed from the proposal. The Kendall County Regional Planning Commission agreed with this request. The Kendall County Zoning Board of Appeals also agreed to the request.

Staff Recommendation:

Approval

Attachments:

Memo Dated March 6, 2024



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: Kendall County Planning, Building and Zoning Committee

From: Matthew H. Asselmeier, AICP, CFM, Planning Director

Date: 3/6/2024

Subject: Potential Changes to the Future Land Use Map Along Route 47 in Kendall Township

Due to market conditions, the Kendall County Comprehensive Land Plan and Ordinance Committee considered proposing changes to the Future Land Use Map for properties located south of Yorkville on both sides of Route 47 in Kendall Township.

In particular, the Committee explored the idea of changing the classification of the following properties between 7775 A/B and 8175 Route 47 from Transportation Corridor to Mixed Use Business:

05-09-300-015, 05-09-376-002, 05-09-400-006, 05-09-400-010, 05-09-400-011, 05-16-100-006, 05-16-200-008, 05-16-200-013, 05-16-200-014

The properties connected with 8115 Route 47 were not included in the proposal because the owner and contract purchaser of the property were already going through the reclassification process. The County Board approved the reclassification of these properties on February 20, 2024.

An aerial showing the subject properties of the original proposal is attached. The subject properties were colored gray in the aerial.

In addition to changing the Future Land Use Map, a table in the Land Resource Management Plan would be updated to reflect the reclassifications.

At their meeting on January 24, 2024, the Comprehensive Land Plan and Ordinance Committee voted to forward the proposal to the Kendall County Regional Planning Commission.

At their meeting on January 24, 2024, the Kendall County Regional Planning Commission voted to initiate the amendment to the Future Land Use Map and text of the Land Resource Management Plan.

Notice of hearing were sent to property owners on January 29, 2024.

Petition information was sent to Kendall Township and the United City of Yorkville on January 26, 2024. The Yorkville City Council met on February 13, 2024, and expressed no concerns regarding the proposal. An email to that effect is attached. The Kendall Township Supervisor submitted an email on February 26, 2024, expressing no objections. This email was provided.

The Kendall County ZPAC reviewed the proposal at their meeting on February 6, 2024. Discussion occurred regarding the definitions of Transportation Corridor and Mixed Use Business. ZPAC recommended approval of the proposal by a vote of nine (9) in favor and zero (0) in opposition, with one (1) member absent. The minutes of the meeting are attached.

The Kendall County Regional Planning Commission held a public hearing on this proposal on February 28, 2024. Gerald Johnson, Property Owner, testified at the hearing and requested that the properties on the east side of Route 47 be removed from the proposal and remain classified as Transportation Corridor. He noted that businesses were presently located on the west side of Route 47 and he did not want to change

the residential use of his property. It was noted that the properties on the east side of Route 47 were proposed for reclassification consistency purposes. The Kendall County Regional Planning Commission recommended approval of the proposal with an amendment by removing the properties located on the east side of Route 47 from the proposed reclassification by a vote of nine (9) in favor and zero (0) in opposition, with one (1) member absent. The minutes of the hearing are attached.

If the proposal is approved as recommended by the Kendall County Regional Planning Commission, the parcels on the west side of Route 47 (PINs: 05-09-300-015, 05-09-376-002, and 05-16-100-006) would be reclassified to Mixed Use Business and the parcels on the east side of Route 47 (PINs: 05-09-400-006, 05-09-400-010, 05-09-400-011, 05-16-200-008, 05-16-200-013, and 05-16-200-014) would remain classified as Transportation Corridor.

The Kendall County Zoning Board of Appeals reviewed the proposal at their meeting on March 4, 2024. Discussion occurred regarding the implications of excluding the properties on the east side of Route 47 from the proposal and the reason why the property owner on the east side of Route 47 wanted their properties removed from the proposal. The Kendall County Zoning Board of Appeals recommended approval of the proposal with the deletion of the properties on the east side of Route 47 from the proposal by a vote of six (6) in favor and zero (0) in opposition, with one (1) member absent. The minutes of the meeting are attached.

Yorkville's Future Land Use Map was included for reference.

The draft resolution is attached.

If you have any questions regarding this memo, please let me know.

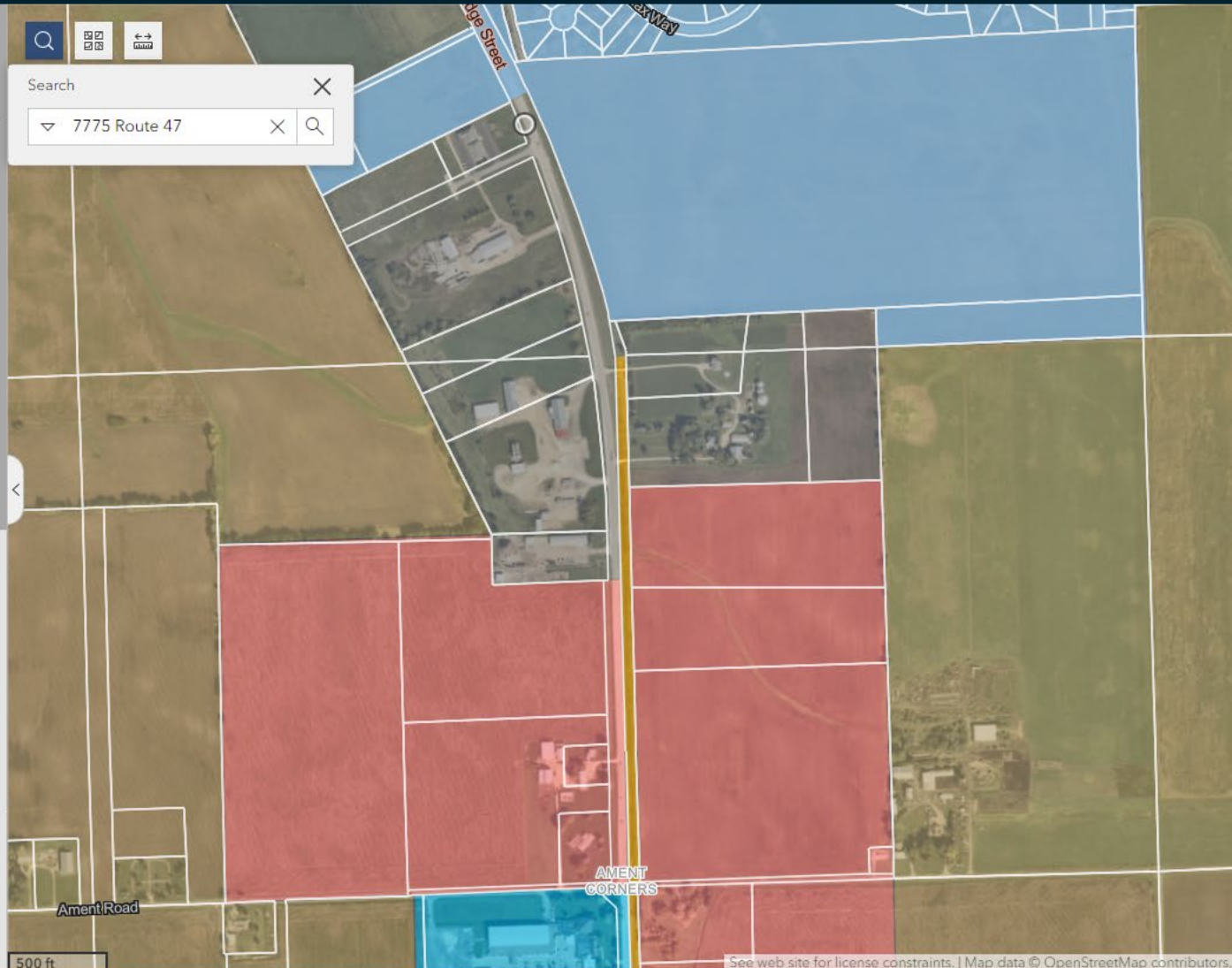
Thanks,

MHA

Encs.: Aerial Showing Subject Properties of Original Proposal
Table from Land Resource Management Plan and Other Related Text Changes
United City of Yorkville Future Land Use Map
February 6, 2024, ZPAC Meeting Minutes (This Petition Only)
February 13, 2024, Email from Yorkville
February 26, 2024, Email from Kendall Township
February 28, 2024, RPC Hearing Minutes (This Petition Only)
March 4, 2024, ZBA Meeting Minutes (This Petition Only)
Draft Resolution

- Parcels
- Kendall County Zoning
- Labeled Addresses
- Other Boundaries and Properties
 - Subdivisions
 - Lots
 - Condo Developments
 - Condo Buildings
 - Incorporated Areas
 - Boundary Agreements
 - PLSS
- Historic Features & Cemeteries
- Land Use
 - Current Land Use
 - Kendall County LRMP

- Parcels**
- Other Boundaries and Properties**
- Incorporated Areas**
- PLANO
 - YORKVILLE
 - LISBON
 - SANDWICH
 - AURORA
 - JOLIET
 - MILLBROOK
 - MILLINGTON
 - MINOOKA
 - MONTGOMERY
 - NEWARK
 - OSWEGO
 - PLAINFIELD
 - PLATTVILLE
 - SHOREWOOD
- Land Use**
- Kendall County LRMP**
- Urbanized Communities



encouraged to protect these valuable open space assets. Open space boundaries depicted on the Future Land Use & Transportation Plan are only conceptual. Appropriate open space boundaries for a particular parcel shall be determined based on specific site analysis at the time of development.

Conservation Design

According to the Land Resource and Management Area Policies of the Kendall County LRMP, the County “shall promote the use of clustered development or residential planned development (RPD) procedures that allow the construction of dwellings in an arrangement that encourages the permanent protection of open space within the immediate area of those dwellings”. The use of clustered development or RPD procedures to protect open space is commonly referred to as “conservation design”. Relative to the Future Land Use & Transportation Plan map, the areas designated as Countryside Residential, Planned Rural Estate Residential, and Planned Rural Residential areas shall provide opportunities for conservation design wherever possible. Conservation design is also encouraged in areas designated as Suburban Residential and within municipalities.

Future Land Use Areas

The following table lists the land areas of the future land uses in Fox and Kendall Townships.

	Fox Township		Kendall Township		Combined	
Land Use	acres	percent	acres	percent	acres	percent
Countryside Residential	2,282.5	9.7%	1,584.4	6.3%	3,866.9	8.0%
Planned Rural Estate Res	1,703.0	7.3%	5,295.7	21.1%	6,998.7	14.4%
Planned Rural Residential	3,336.5	14.2%	9,143.9	36.4%	12,480.4	25.7%
Suburban Residential	29.9	0.1%	2,349.9	9.3%	2,379.8	4.9%
Commercial	104.4	0.4%	464.1	1.8%	568.5	1.2%
Transportation Corridor	0.0	0.0%	405.3	1.6%	405.3	0.8%
Mixed Use Business	1,298.0	5.5%	0.0	0.0%	1,298.0	2.7%
Public/Institutional	2.1	0.0%	24.7	0.1%	26.8	0.1%
Public Recreation/Parks	2,118.9	9.0%	166.3	0.7%	2,285.2	4.7%
Private Recreation	228.7	1.0%	0.0	0.0%	228.7	0.5%
Open Space	1,625.3	6.9%	1,902.3	7.6%	3,527.6	7.3%
ComEd Utility ROW	254.0	1.1%	0.0	0.0%	254.0	0.5%
Municipalities	2,156.8	9.2%	3,246.0	12.9%	5,402.8	11.1%
Agricultural	8,322.1	35.5%	563.2	2.2%	8,885.3	18.3%
TOTAL	23,462.2	100.0%	25,145.8	100.0%	48,608.0	100.0%

encouraged to protect these valuable open space assets. Open space boundaries depicted on the Future Land Use & Transportation Plan are only conceptual. Appropriate open space boundaries for a particular parcel shall be determined based on specific site analysis at the time of development.

Conservation Design

According to the Land Resource and Management Area Policies of the Kendall County LRMP, the County “shall promote the use of clustered development or residential planned development (RPD) procedures that allow the construction of dwellings in an arrangement that encourages the permanent protection of open space within the immediate area of those dwellings”. The use of clustered development or RPD procedures to protect open space is commonly referred to as “conservation design”. Relative to the Future Land Use & Transportation Plan map, the areas designated as Countryside Residential, Planned Rural Estate Residential, and Planned Rural Residential areas shall provide opportunities for conservation design wherever possible. Conservation design is also encouraged in areas designated as Suburban Residential and within municipalities.

Future Land Use Areas (Updated March 19, 2024 by Resolution 2024-XX)

The following table lists the land areas of the future land uses in Fox and Kendall Townships.

	Fox Township			Kendall Township			Combined	
Land Use	acres	percent		acres	percent		acres	percent
Countryside Residential	2,325.6	10.0%		1,861.2	7.4%		4,186.8	8.7%
Planned Rural Estate Res	1,909.0	8.2%		5,032.2	20.1%		6,941.2	14.4%
Planned Rural Residential	3,377.1	14.6%		9,392.9	37.5%		12,770.1	26.5%
Suburban Residential	17.6	0.1%		2,157.8	8.6%		2,175.4	4.5%
Commercial	193.5	0.8%		1136.8	4.5%		1330.3	2.8%
Transportation Corridor	0.0	0.0%		497.4	2.0%		497.4	1.0%
Mixed Use Business	1,170.1	5.1%		73.8	0.3%		1,243.9	2.6%
Public/Institutional	0.0	0.0%		18.4	0.1%		18.4	0.0%
Public Recreation/Parks	0	0.0%		0	0.0%		0	0.0%
Private Recreation	228.7	1.0%		0.0	0.0%		228.7	0.5%
Open Space	1,887.0	8.1%		700.6	2.8%		2,587.5	5.4%
ComEd Utility ROW	306.8	1.3%		36.73	0.1%		343.5	0.7%
Municipalities	2,713.8	11.7%		3,275.4	13.1%		5,989.2	12.4%
Agricultural	9,257.4	40.0%		849.8	3.4%		10,107.3	21.0%
TOTAL	23,157.81	100.0%		25,033.15	100.0%		48,190.96	100.0%



Kendall County Land Resource Management Plan

2021 2024

Kendall County
Planning, Building & Zoning Department
111 Fox Street
Yorkville, Illinois 60560
phone: (630) 553-4141
fax: (630) 553-4179
web: www.co.kendall.il.us
www.kendallcountyil.gov



ACKNOWLEDGMENTS

PLANNING, BUILDING AND ZONING COMMITTEE

~~Scott Gengler~~ Seth Wormley – Chair

~~Judy Gilmour~~ Ruben Rodriguez – Vice Chair

Elizabeth Flowers

Dan Koukol

~~Rebyn Vickers~~

Brooke Shanley

REGIONAL PLANNING COMMISSION & COMPREHENSIVE LAND PLAN AND ORDINANCE COMMITTEE

PLAN COMMISSION

Bill Ashton – Commission Chair

Ruben Rodriguez – Vice Chair

Larry Nelson – Secretary

~~Roger Bledsoe~~

Eric Bernacki

Tom Casey

Dave Hamman

Karin McCarthy-Lange

Bob Stewart

Claire Wilson

Seth Wormley

COMPREHENSIVE LAND PLAN AND ORDINANCE COMMITTEE

Larry Nelson – Committee Chairman

Bill Ashton – Plan Commission Chairman

Randy Mohr – Zoning Board of Appeals Chairman

Land Resource Management Plan

~~Scott Gryder~~ Matt Kellogg – County Board Chairman

Seth Wormley – Planning Building, and Zoning Committee Chairman

Scott Gengler – Immediate Past Planning, Building and Zoning Committee Chairman

Jeff Wehrli – Historic Preservation Commission Chairman

Alyse Olson – Soil and Water Conservation District Representative

Matthew Prochaska

~~SENIOR PLANNER~~ DIRECTOR OF PLANNING, BUILDING AND ZONING AND ZONING
ADMINISTRATOR

Matthew H. Asselmeier, AICP, CFM

APPENDIX

- A. Transportation Plan
- B. Environmental Factors
- C. East Route 126 Corridor Plan Summary
- D. Resolution 2021-19

REVISION NOTES:

- 1. LRMP first adopted in March 1994.
- 2. The Resource Management Concept Plan was amended in 1997 to remove a natural resource overlay near the southeast corner of Minkler Road and Reservation Road.
- 3. Section Ten of the LRMP Summaries by Township was updated in 1998 to include a more detailed plan for Na-Au-Say and Seward Townships.
- 4. The Transportation Goals and Objectives and Transportation Plan were updated in 1999.
- 5. The LRMP was updated to enhance implementation of new planned development regulations, reflect municipal annexations and new plans, and provide additional opportunities for economic development in April 2001.
- 6. Section Eight of the LRMP Summaries by Township was updated in 2002 to include a more detailed plan for Big Grove Township. Reference to multi-use trails was also updated.
- 7. Section Six of the LRMP Summaries by Township was updated in 2003 to include a more detailed plan for the Northern Three Townships.

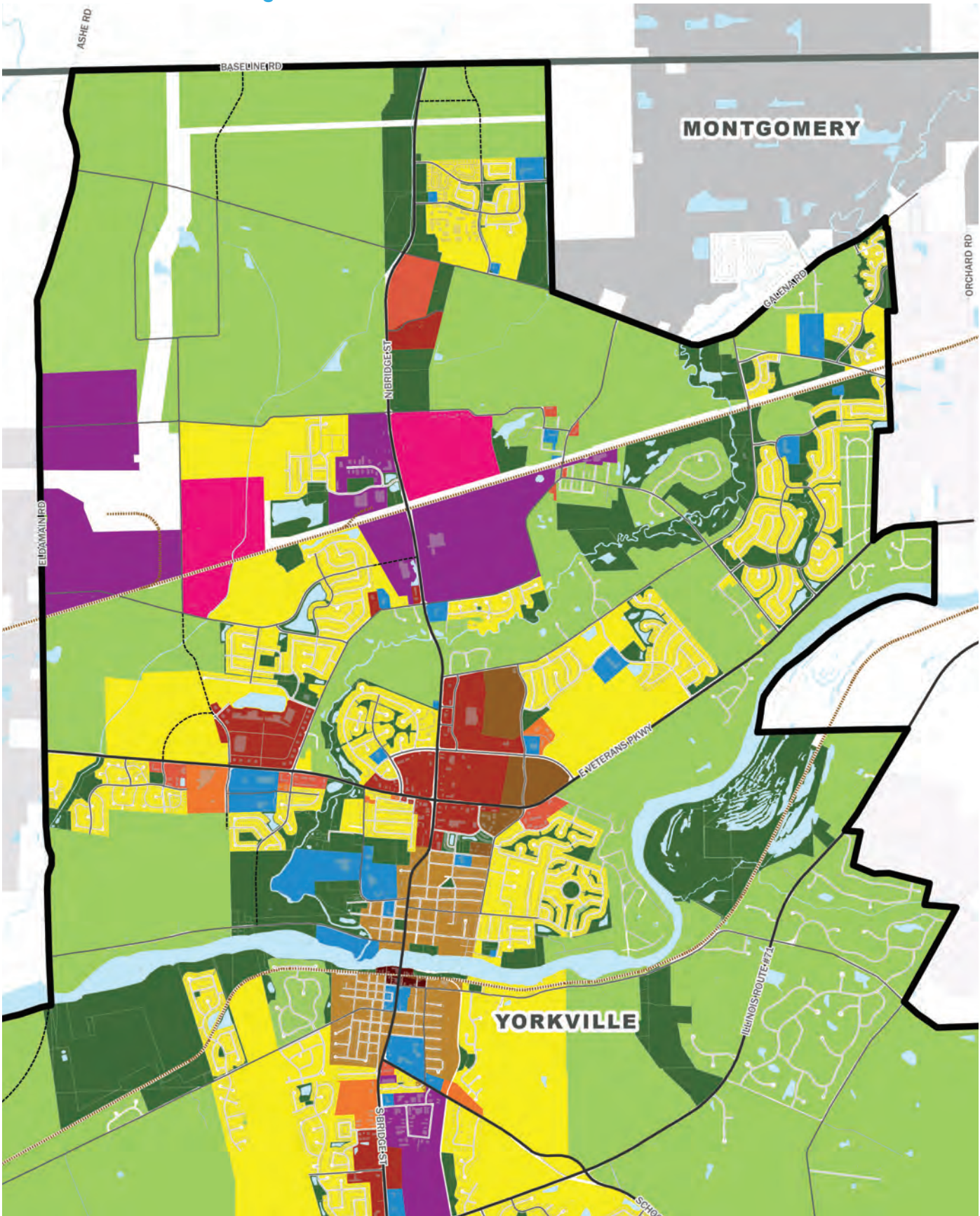
Land Resource Management Plan

8. Section Ten of the LRMP Summaries by Township was updated in 2003 to reflect current growth and development trends in Na-Au-Say Township, particularly along the East Route 126 Corridor. The Future Land Use Plan for Na-Au-Say Township was revised in 2005.
9. Section Seven of the LRMP Summaries by Township was updated in 2004-05 to include a more detailed plan for Fox and Kendall Townships.
10. Section Nine of the LRMP Summaries by Township was updated in 2005 to include a more detailed plan for Lisbon and Seward Townships. [Note: The LRMP Summary for Seward Township was moved from Section Ten.]
11. Updated Chapters One thru Five in April, 2011
12. Updated Transportation Plan, Municipal Boundaries, and Future Land Use Map in 2021 (Resolution 2021-19)
13. Reclassified Properties South of Yorkville Along Route 47 From Mixed Use Transportation Corridor to Mixed Use Business (Resolutions 2024-XX and 2024-XX)

RELATED DOCUMENTS:

The WIKADUKE Trail Land Use and Access Management Study and Fox River Corridor Plan are available as separate documents.

Figure 4.1: Future Land Uses North of the Fox River



LAND USE CHANGES

The Land Use Strategy and Future Land Use Map presented above describes the distribution of general land use categories (Residential, Commercial, industrial, Open Space and Parks, and so on) that will set the framework for achieving the goals of the Comprehensive Plan. It is not a zoning map but should set the stage for future changes and modifications to the Yorkville Zoning Ordinance. The Land Use Strategy seeks to “re-position” Yorkville’s future land use pattern given current development conditions in Yorkville since the 2008 economic downturn and the unlikelihood that the Prairie Parkway will be constructed within this Plan’s time horizon. Several changes in land use classifications are proposed from those included in the 2008 Comprehensive Plan. Changes in the land use categories are summarized below:

RESIDENTIAL

A Mid-Density Residential land use zone is proposed in order to encourage new multi-family housing types in Yorkville; new housing types could diversify housing opportunities and provide housing at different price points that what is currently offered in Yorkville’s housing market. The Rural Neighborhood land use classification in the 2008 Comprehensive Plan is eliminated given that such residential development is unlikely to occur in the southeastern portions of the Yorkville planning area where there are significant infrastructure and market constraints. The primary infrastructure constraint is the need to construct a lift station along a ridge line, generally located south of Illinois Route 71. In its place, an Estate/Conservation Residential land use category has been created to accommodate large-lot residential development in areas where infrastructure exists and smaller-lot single family residential subdivisions are less likely

to be supported by market demand. Conservation subdivisions should also be encouraged in order to preserve significant environmental and topographical features, provide alternative housing types, and provide opportunities to expand Yorkville’s open space network. A Metra Station TOD zone is also included to plan accordingly for future development even if the Metra Station is years away from construction.

COMMERCIAL

Several new commercial land use categories are suggested in this Comprehensive Plan. A Downtown Mixed-Use Core zone is intended to focus revitalization and redevelopment efforts in Yorkville’s traditional downtown; new mixed-use development is envisioned on various opportunity sites that expand the Downtown’s footprint further to the east on Van Emmon Street with potential residential and commercial development. The need to address particular development design and land use issues within the Downtown necessitates the need for a Downtown-specific land use classification.

The general Commercial land use classification in the 2008 Plan is now designated Destination Commercial to recognize that a high percentage of commercial land in Yorkville accommodates large format and chain store formats, usually located along major transportation thoroughfares. Destination Commercial uses have their own particular physical design and development issues and should be distinguished from commercial uses located in the Downtown and in neighborhood retail areas.

A Commercial Office land use category has been created to accommodate small-scaled office uses in single developments or as part of an office park setting;

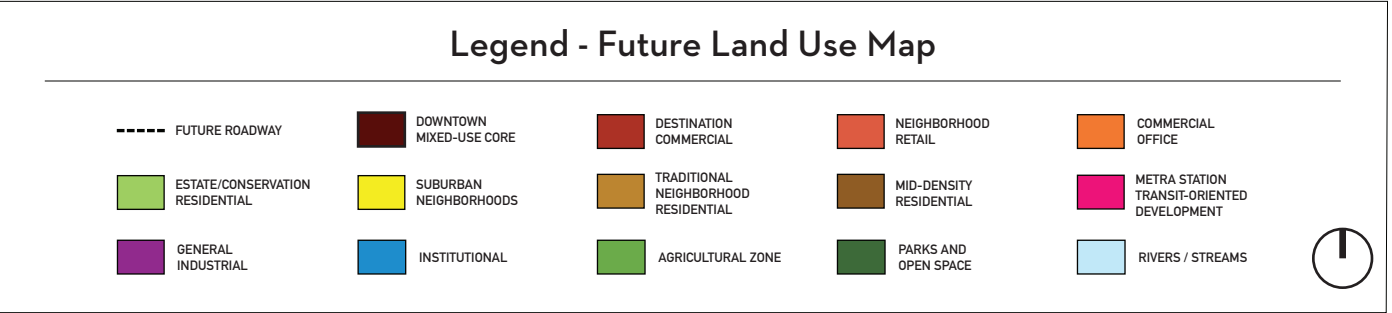
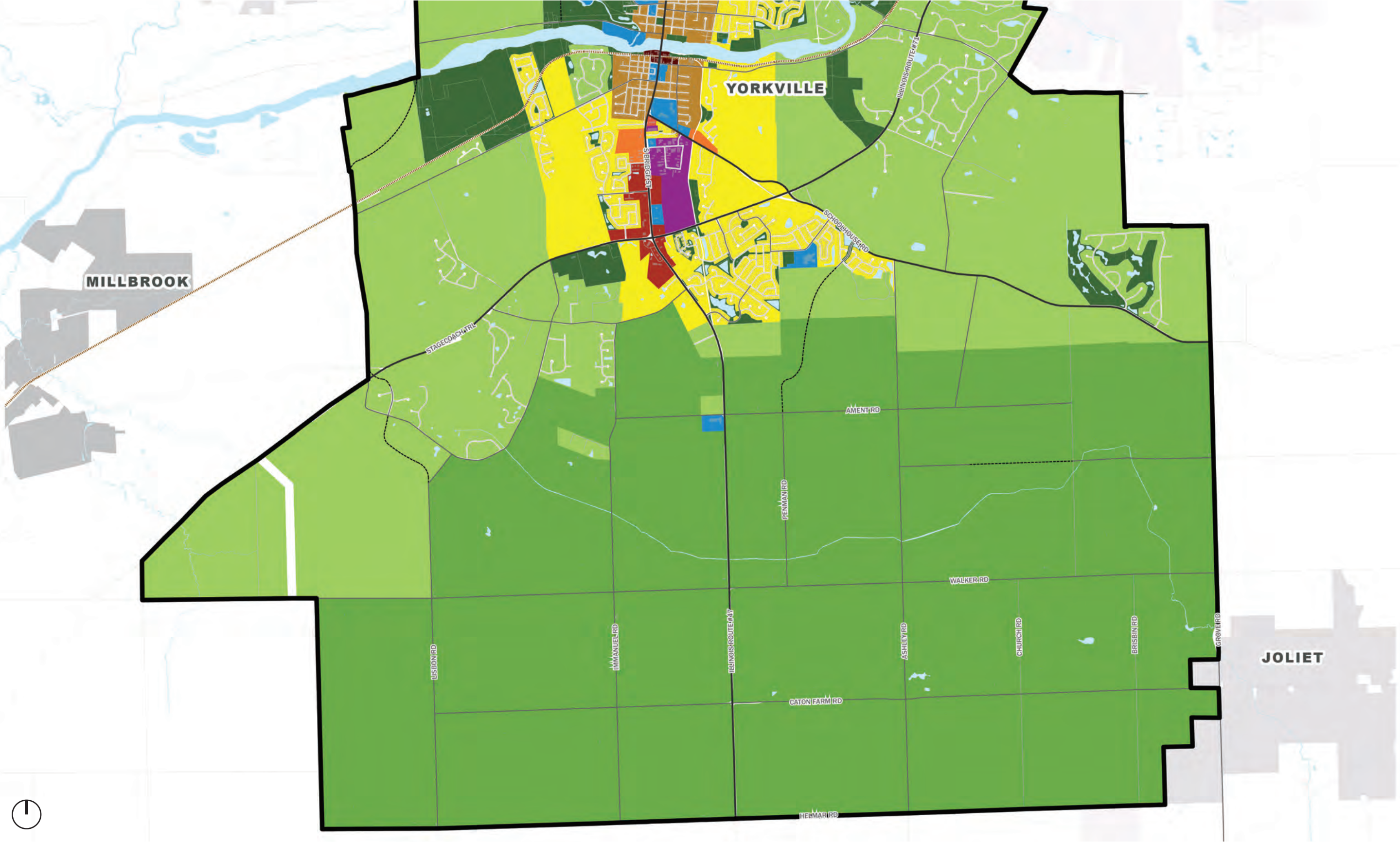


Figure 4.1 - Future Land Uses North of the Fox River

Figure 4.2: Future Land Uses South of the Fox River



**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
February 6, 2024 – Unapproved Meeting Minutes**

PBZ Chairman Seth Wormley called the meeting to order at 9:00 a.m.

Present:

Matt Asselmeier – PBZ Department
Meagan Briganti – GIS Department
David Guritz – Forest Preserve (Arrived at 9:08 a.m.)
Brian Holdiman – PBZ Department
Fran Klaas – Highway Department
Commander Jason Langston – Sheriff's Department
Alyse Olson – Soil and Water Conservation District
Aaron Rybski – Health Department
Seth Wormley – PBZ Committee Chair

Absent:

Greg Chismark – WBK Engineering, LLC

Audience:

Mike Cook, Tim O'Brien, Steve Gengler, and Isabelle Bohanek

PETITIONS

Petition 24-03 Kendall County Regional Planning Commission

Mr. Asselmeier summarized the request.

Due to market conditions, the Kendall County Comprehensive Land Plan and Ordinance Committee is considering proposing changes to the Future Land Use Map for properties located south of Yorkville on both sides of Route 47 in Kendall Township.

In particular, the Committee was exploring the idea of changing the classification of the following properties between 7775 A/B and 8175 Route 47 from Transportation Corridor to Mixed Use Business:

05-09-300-015, 05-09-376-002, 05-09-400-006, 05-09-400-010, 05-09-400-011, 05-16-100-006, 05-16-200-008, 05-16-200-013, and 05-16-200-014

The properties connected with 8115 Route 47 were not included in the proposal because the owner and contract purchaser of the property were already going through the reclassification process.

An aerial showing the subject properties was provided. The subject properties were colored gray in the aerial.

In addition to changing the Future Land Use Map, a table in the Land Resource Management Plan would be updated to reflect the reclassifications.

At their meeting on January 24, 2024, the Comprehensive Land Plan and Ordinance Committee voted to forward the proposal to the Kendall County Regional Planning Commission.

At their meeting on January 24, 2024, the Kendall County Regional Planning Commission voted to initiate the amendment to the Future Land Use Map and text of the Land Resource Management Plan.

Notice of hearing was sent to property owners on January 29, 2024.

Petition information was sent to Kendall Township and the United City of Yorkville on January 26, 2024.

Yorkville's Future Land Use Map was provided.

Mr. Klaas asked about the definition of Transportation Corridor. Mr. Asselmeier said that Transportation Corridor was for retail related zoning districts. Mixed Use Business allows for manufacturing related zoning districts.

Chairman Wormley explained that the County has been slow in updating the Land Resource Management Plan due to the timing of municipalities updating their plans and the costs and time to update the Land Resource Management Plan. He would like to address certain areas at one (1) time.

Mr. Asselmeier noted that the table in the Land Resource Management Plan listing the percentage of the various land uses in Kendall Township would be updated and the list of revisions to the Plan would get updated to reflect this proposal.

Mr. Rybski made a motion, seconded by Mr. Klaas, to recommend approval of the proposed changes to the Land Resource Management Plan.

The votes were follows:

Ayes (9): Asselmeier, Briganti, Guritz, Holdiman, Klaas, Langston, Olson, Rybski, and Wormley

Nays (0): None

Abstain (0): None

Absent (1): Chismark

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on February 28, 2024.

PUBLIC COMMENT

None

ADJOURNMENT

Mr. Rybski made a motion, seconded by Mr. Klaas, to adjourn.

With a voice vote of nine (9) ayes, the motion carried.

The ZPAC, at 9:28 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP, CFM
Director

Enc.

Matt Asselmeier

From: Krysti Barksdale-Noble <knoble@yorkville.il.us>
Sent: Tuesday, February 13, 2024 7:17 PM
To: Matt Asselmeier
Subject: RE: [External]RE: Kendall County Petition 24-03

Matt,

There were no issues expressed by the City Council at their meeting tonight.

Best Regards,

Krysti J. Barksdale-Noble, AICP

(she/her)

Community Development Director

United City of Yorkville

651 Prairie Pointe Drive

Yorkville, Illinois 60560

☎(630) 553-8573

📠(630) 742-7808

🌐 www.yorkville.il.us

From: Matt Asselmeier <masselmeier@kendallcountyil.gov>
Sent: Monday, February 5, 2024 2:44 PM
To: Krysti Barksdale-Noble <knoble@yorkville.il.us>
Subject: RE: [External]RE: Kendall County Petition 24-03

Thanks,

Matthew H. Asselmeier, AICP, CFM

Director

Kendall County Planning, Building & Zoning

111 West Fox Street

Yorkville, IL 60560-1498

PH: 630-553-4139

Fax: 630-553-4179

From: Krysti Barksdale-Noble <knoble@yorkville.il.us>
Sent: Monday, February 5, 2024 2:43 PM
To: Matt Asselmeier <masselmeier@kendallcountyil.gov>
Subject: RE: [External]RE: Kendall County Petition 24-03

Matt,

Thanks for the compliment. Really appreciated. As far as the proposed changes, staff has no objections. I believe it will go out this week and if there are any concerns by the council members, it will be discussed at the February 13th City Council meeting.

Matt Asselmeier

From: Steve Gengler <sgengler@kendalltwp.com>
Sent: Monday, February 26, 2024 7:36 AM
To: Matt Asselmeier
Subject: Re: [External]Re: Kendall County Petition 24-03

Hi Matt,

We have no objections to this proposal.
We are disappointed in the Grainco FS property.
The petitioner's told us at our meeting that there would only occasionally be equipment stored outside.
Today the lot is almost completely full.

Thanks for your work,

Steve Gengler

Kendall Township Supervisor

Sent from my T-Mobile 5G Device
[Get Outlook for Android](#)

From: Matt Asselmeier <masselmeier@kendallcountyil.gov>
Sent: Thursday, February 22, 2024 9:48:51 AM
To: Steve Gengler <sgengler@kendalltwp.com>
Subject: RE: [External]Re: Kendall County Petition 24-03

Steve:

Did Kendall Township have an opinion regarding this proposal?

Thanks,

Matthew H. Asselmeier, AICP, CFM
Director
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

From: Steve Gengler <sgengler@kendalltwp.com>
Sent: Tuesday, February 6, 2024 8:30 AM
To: Matt Asselmeier <masselmeier@kendallcountyil.gov>
Subject: [External]Re: Kendall County Petition 24-03

CAUTION - This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION**

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

Unapproved - Meeting Minutes of February 28, 2024 - 7:00 p.m.

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

ROLL CALL

Members Present: Bill Ashton, Eric Bernacki, Dave Hamman, Karin McCarthy-Lange, Larry Nelson, Ruben Rodriguez, Bob Stewart, Claire Wilson, and Seth Wormley

Members Absent: Tom Casey

Staff Present: Matthew H. Asselmeier, Director, and Wanda A. Rolf, Administrative Assistant

Others Present: Dan Kramer, Tyler Arbeen, Gerald Johnson, Mike Cook, and Deb Chow

PUBLIC HEARING

Petition 24-03 Kendall County Regional Planning Commission

The Kendall County Regional Planning Commission started their review of Petition 24-03 at 7:03 p.m.

Mr. Asselmeier summarized the request.

Due to market conditions, the Kendall County Comprehensive Land Plan and Ordinance Committee is considering proposing changes to the Future Land Use Map for properties located south of Yorkville on both sides of Route 47 in Kendall Township.

In particular, the Committee was exploring the idea of changing the classification of the following properties between 7775 A/B and 8175 Route 47 from Transportation Corridor to Mixed Use Business:

05-09-300-015, 05-09-376-002, 05-09-400-006, 05-09-400-010, 05-09-400-011, 05-16-100-006, 05-16-200-008, 05-16-200-013, and 05-16-200-014

The properties connected with 8115 Route 47 were not included in the proposal because the owner and contract purchaser of the property already went through the reclassification process.

An aerial showing the subject properties was provided. The subject properties were colored gray in the aerial.

In addition to changing the Future Land Use Map, a table in the Land Resource Management Plan would be updated to reflect the reclassifications.

At their meeting on January 24, 2024, the Comprehensive Land Plan and Ordinance Committee voted to forward the proposal to the Kendall County Regional Planning Commission.

At their meeting on January 24, 2024, the Kendall County Regional Planning Commission voted to initiate the amendment to the Future Land Use Map and text of the Land Resource Management Plan.

Notice of hearing was sent to property owners on January 29, 2024.

Petition information was sent to Kendall Township and the United City of Yorkville on January 26, 2024. The Yorkville City Council met on February 13, 2024, and expressed no concerns regarding the proposal. An email to that effect was provided. Mr. Asselmeier read an email from Kendall Township stating they were not opposed to the proposal.

The Kendall County ZPAC reviewed the proposal at their meeting on February 6, 2024. Discussion occurred regarding the definitions of Transportation Corridor and Mixed Use Business. ZPAC recommended approval of the proposal by a vote of nine (9) in favor and zero (0) in opposition, with one (1) member absent. The minutes of the meeting were provided.

Yorkville's Future Land Use Map was also provided.

Chairman Ashton opened the public hearing at 7:04.

The parcels shown in red on the map were classified as Commercial.

Gerald Johnson, Property Owner, testified that he owned the land on the east side of Route 47. He was against the proposal; he did not believe his property should be included in the proposed reclassification area. He asked why the east of Route 47 was included because the businesses in the area were located on the west side of Route 47.

A question was asked regarding whether or not Mr. Johnson's property taxes would be impacted, if rezoned. Chairman Ashton responded that this proposal was not rezoning property, only changing the classification on the Future Land Use Map. Mr. Johnson stated, if approved, the proposal would allow him, as property owner, to rezone the property to light industrial. Mr. Johnson saw no reason to rezone the property. He intends to keep his property residential.

Member Wilson asked about the color classification on the map. Mr. Asselmeier responded that the parcels in gray were classified as Transportation Corridor, except for the former GrainCo properties which have already been reclassified as Mixed Use Business. The parcels in purple were annexed into Yorkville and the parcels in red were classified as Commercial. The parcels in green were classified as Residential.

Mr. Johnson was unaware that the properties south of his property were already classified as Commercial.

Member Wormley noted that, if the properties on the east side of Route 47 remained Transportation Corridor, there would be a "donut hole" of Transportation Corridor in area of non-Transportation Corridor classified land. The property was included for consistency purposes.

Member Wilson asked what Yorkville's called for in the subject area. Mr. Asselmeier responded the Yorkville planned the area to be Estate Residential and Agricultural. Any rezoning in the subject area would still be reviewed by Yorkville.

Member Nelson made a motion, seconded by Member Hamman, to recommend approval of the proposal with an amendment removing the parcels on the east side of Route 47 from the proposal.

Mr. Asselmeier noted that the narrative of the Land Resource Management Plan would be adjusted to reflect the final resolution adopted by the County Board.

The votes were as follows:

Ayes (9): Ashton, Bernacki, Hamman, McCarthy-Lange, Rodriguez, Nelson, Stewart, Wilson, and Wormley

Nays (0): None
Absent (1): Casey
Abstain (0): None

The proposal goes to the Kendall County Zoning Board of Appeals on March 4, 2024.

Member Bernacki made a motion, seconded by Member McCarthy-Lange to adjourn the public hearing. With a voice vote of nine (9) ayes, the motion carried.

Chairman Ashton closed the public hearing and the Kendall County Regional Planning Commission completed their review of Petition 24-03 at 7:12 p.m.

CITIZENS TO BE HEARD/PUBLIC COMMENT

None

OTHER BUSINESS/ANNOUNCEMENTS

Mr. Asselmeier reported there were no Petitions for the March meeting.

ADJOURNMENT

Member McCarthy-Lange made a motion, seconded by Member Hamman to adjourn. With a voice vote of nine (9) ayes, the motion carried.

The Kendall County Regional Planning Commission meeting adjourned at 7:45 p.m.


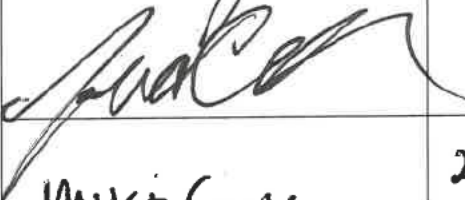
Respectfully submitted by,
Matthew H. Asselmeier, Director

Encs.

1. Memo on Petition 24-03 Dated February 22, 2024
2. Certificate of Publication and Certified Mail Receipts for Petition 24-03 (Not Included with Report but on file in Planning, Building and Zoning Office)
3. February 26, 2024, Email from Steve Gengler

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION
FEBRUARY 28, 2024**

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

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
Don Kim	File 23-35, 11 	
Geoff Johnson		
		
Mike Cook	24-01 & 24-02 949 BELL RD	

MINUTES – UNOFFICIAL UNTIL APPROVED
KENDALL COUNTY
ZONING BOARD OF APPEALS MEETING
111 WEST FOX STREET, COUNTY BOARD ROOM (ROOMS 209 and 210)
YORKVILLE, IL 60560
March 4, 2024 – 7:00 p.m.

CALL TO ORDER

Chairman Randy Mohr called the Zoning Board of Appeals meeting to order at 7:01 p.m.

ROLL CALL:

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

Members Absent: Jillian Prodehl

Staff Present: Matthew Asselmeier, AICP, CFM, Director and Wanda Rolf, Administrative Assistant

Others Present: Dan Kramer, Justin Plohr, Emily Hoffman, and Deb Chow

PETITIONS

The Zoning Board of Appeals started their review of Petition 24-03 at 7:47 p.m.

Petition 24 – 03 – Kendall County Regional Planning Commission

Request: Amendments to the Future Land Use Map Contained in the Kendall County Land Resource Management Plan by Reclassifying the Following Parcels from Transportation Corridor to Mixed Use Business and Related Text Changes

PINs: 05-09-300-015, 05-09-376-002, 05-09-400-006, 05-09-400-010, 05-09-400-011, 05-16-100-006, 05-16-200-008, 05-16-200-013, and 05-16-200-014

Location: On Both Sides of Route 47 Between 7775 A/B Route 47 and 8175 Route 47, Excluding 8115 Route 47, Yorkville in Kendall Township

Purpose: Petitioner Wants to Reclassify the Properties in Order to Allow Them to Be Rezoned to Allow Manufacturing Uses at a Future Time

Mr. Asselmeier summarized the request.

Due to market conditions, the Kendall County Comprehensive Land Plan and Ordinance Committee considered proposing changes to the Future Land Use Map for properties located south of Yorkville on both sides of Route 47 in Kendall Township.

In particular, the Committee explored the idea of changing the classification of the following properties between 7775 A/B and 8175 Route 47 from Transportation Corridor to Mixed Use Business:

05-09-300-015, 05-09-376-002, 05-09-400-006, 05-09-400-010, 05-09-400-011, 05-16-100-006, 05-16-200-008, 05-16-200-013, 05-16-200-014

The properties connected with 8115 Route 47 were not included in the proposal because the owner and contract purchaser of the property were already going through the reclassification process. The County Board approved the reclassification of these properties on February 20, 2024.

An aerial showing the subject properties of the original proposal is attached. The subject properties were colored gray in the aerial.

In addition to changing the Future Land Use Map, a table in the Land Resource Management Plan would be updated to reflect the reclassifications.

At their meeting on January 24, 2024, the Comprehensive Land Plan and Ordinance Committee voted to forward the proposal to the Kendall County Regional Planning Commission.

At their meeting on January 24, 2024, the Kendall County Regional Planning Commission voted to initiate the amendment to the Future Land Use Map and text of the Land Resource Management Plan.

Notice of hearing will be sent to property owners on January 29, 2024.

Petition information was sent to Kendall Township and the United City of Yorkville on January 26, 2024. The Yorkville City Council met on February 13, 2024, and expressed no concerns regarding the proposal. An email to that effect was provided. The Kendall Township Supervisor submitted an email on February 26, 2024, expressing no objections. This email was provided.

The Kendall County ZPAC reviewed the proposal at their meeting on February 6, 2024. Discussion occurred regarding the definitions of Transportation Corridor and Mixed Use Business. ZPAC recommended approval of the proposal by a vote of nine (9) in favor and zero (0) in opposition, with one (1) member absent. The minutes of the meeting were provided.

The Kendall County Regional Planning Commission held a public hearing on this proposal on February 28, 2024. Gerald Johnson, Property Owner, testified at the hearing and requested that the properties on the east side of Route 47 be removed from the proposal and remain classified as Transportation Corridor. He noted that businesses were presently located on the west side of Route 47 and he did not want to change the residential use of his property. It was noted that the properties on the east side of Route 47 were proposed for reclassification consistency purposes. The Kendall County Regional Planning Commission recommended approval of the proposal with an amendment by removing the properties located on the east side of Route 47 from the proposed reclassification by a vote of nine (9) in favor and zero (0) in opposition, with one (1) member absent. The minutes of the hearing were provided.

If the proposal is approved as recommended by the Kendall County Regional Planning Commission, the parcels on the west side of Route 47 (PINs: 05-09-300-015, 05-09-376-002, and 05-16-100-006) would be reclassified to Mixed Use Business and the parcels on the east side of Route 47 (PINs: 05-09-400-006, 05-09-400-010, 05-09-400-011, 05-16-200-008, 05-16-200-013, and 05-16-200-014) would remain classified as Transportation Corridor.

Yorkville's Future Land Use Map was provided for reference.

Member Cherry asked what would happen to the properties on the east side of Route 47, if they were removed from the proposal. Mr. Asselmeier responded the properties would remain classified as Transportation Corridor. The use of the properties would remain agricultural/farmstead; the property owner could request to rezone the properties to B-3 Highway Commercial Business, but not M-1 Limited Manufacturing District. The east side of Route 47 is presently zoned A-1.

Chairman Mohr asked why the property owners did not want the reclassification to Mixed Use Business. Mr. Asselmeier responded that the property owner wanted to retain the residential uses of the properties and that the property owner was unaware that the properties to the south had already been classified as Commercial.

Member Thompson made a motion, seconded by Member Cherry, to recommend approval of the proposal with the amendment that the properties on the east side of Route 47 not be reclassified.

The votes were as follows:

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

The motion passed.

The proposals will go to the Planning, Building and Zoning Committee on March 11, 2024.

The Zoning Board of Appeals completed their review of Petition 24-03 at 7:51 p.m.

PUBLIC COMMENTS

Mr. Asselmeier reported there were no Petitions for the April 1st hearing.

ADJOURNMENT OF THE ZONING BOARD OF APPEALS

Member Whitfield made a motion, seconded by Member Cherry, to adjourn.

With a voice vote of six (6) ayes, the motion carried.

The Zoning Board of Appeals meeting adjourned at 8:01 p.m.

The next regularly scheduled meeting/hearing will be on April 29, 2024.

Respectfully submitted by,
Wanda A. Rolf
Administrative Assistant

Exhibits

1. Memo on Petition 24-03 Dated February 29, 2024

ZONING BOARD OF APPEALS

MARCH 4, 2024

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

[illegible]

RESOLUTION NUMBER 2024-_____

**A RESOLUTION ADOPTING AN AMENDMENT TO THE KENDALL COUNTY LAND
RESOURCE MANAGEMENT PLAN TO UPDATE THE FUTURE LAND USE PLAN BY
RECLASSIFYING 7775 A/B ROUTE 47, 7789 ROUTE 47, 8030 ROUTE 47, 8090 ROUTE 47,
AND 8175 ROUTE 47 (PINs: 05-09-300-015, 05-09-376-002, 05-09-400-006, 05-09-400-010, 05-09-
400-011, 05-16-100-006, 05-16-200-008, 05-16-200-013, AND 05-16-200-014) IN KENDALL
TOWNSHIP FROM TRANSPORTATION CORRIDOR TO MIXED USE BUSINESS AND
RELATED TEXT AMENDMENTS TO THE KENDALL COUNTY LAND RESOURCE
MANAGEMENT PLAN**

WHEREAS, 50 ILCS 805/1, et seq. allows Counties to create and adopt Land Resource Management Plans; and

WHEREAS, 55 ILCS 5/5-14001 through 5-14008 specifies how a County may adopt and amend Official Plans; and

WHEREAS, Kendall County adopted a Land Resource Management Plan in March 1994; and

WHEREAS, the Kendall County Board has amended the Land Resource Management Plan on several occasions since its adoption in March 1994; and

WHEREAS, the Kendall County Land Resource Management Plan has adopted official Future Land Use Maps for each township and for the County as a whole; and

WHEREAS, the properties which are the subject of this Resolution has been, at all relevant times, and remain currently classified as Transportation Corridor on the Future Land Use Map and are located at 7775 A/B Route 47, 7789 Route 47, 8030 Route 47, 8090 Route 47, and 8175 Route 47, Yorkville (PINs: 05-09-300-015, 05-09-376-002, 05-09-400-006, 05-09-400-010, 05-09-400-011, 05-16-100-006, 05-16-200-008, 05-16-200-013, and 05-16-200-014) in Kendall Township and these properties shall hereinafter be referred to as “the subject properties”; and

WHEREAS, on or about November 15, 2023, the owner and contract purchaser of 8115 Route 47 submitted an application requesting that 8115 Route 47 be reclassified from Transportation Corridor to Mixed Use Business; and

WHEREAS, on February 20, 2024, by Resolution 2024-07, the Kendall County Board approved the reclassification of 8115 Route 47 from Transportation Corridor to Mixed Use Business; and

WHEREAS, the Kendall County Regional Planning Commission desires that the properties fronting Route 47 near 8115 Route 47 have the same classification on the Future Land Use Map for planning and economic development purposes; and

WHEREAS, on January 24, 2024, the Kendall County Regional Planning Commission, hereinafter be referred to as Petitioner, submitted an application reclassifying the subject properties from Transportation Corridor to Mixed Use Business on the Future Land Use Map contained in the Kendall County Land Resource Management Plan and related text changes to the Land Resource Management Plan; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on February 1,

2024, and certified return receipt mail to the owners of record of the subject properties on January 29, 2024, the Kendall County Regional Planning Commission conducted a public hearing on February 28, 2024, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner's representative presented evidence, testimony, and exhibits in support of the requested amendments and zero members of the public testified in favor of the request and one member of the public requested that the properties on the east side of Route 47 be removed from the proposal; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Regional Planning Commission has recommended approval of the proposed amendments with an amendment to the proposal removing the properties located on the east side of Route 47 from the proposal; and

WHEREAS, the Kendall County Zoning Board of Appeals met on March 4, 2023, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner's representative presented evidence, testimony, and exhibits in support of the requested amendments and zero members of the public testified in favor or in opposition to the request and one member of the public asked questions regarding the proposal; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has recommended approval of the proposed amendments with the deletion recommended by the Kendall County Regional Planning Commission; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing and meeting, and has forwarded to the Kendall County Board a recommendation of **approval** of the proposed amendment; and

WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee, the recommendation of the Kendall County Zoning Board of Appeals, the record of the public hearing conducted by the Kendall County Regional Planning Commission, the recommendation of the Kendall County Regional Planning Commission, and has determined that said proposed amendment to the Kendall County Land Resource Management Plan is necessary and in the best interests of Kendall County; and

NOW, THEREFORE, BE IT RESOLVED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Recommendations of the Kendall County Regional Planning Commission and Kendall County Zoning Board of Appeals attached hereto as Exhibits A and B respectively are hereby accepted.
2. The Kendall County Board hereby grants approval of Petitioner's petition for an amendment to the Future Land Use Map contained in the Kendall County Land Resource Management Plan by reclassifying the properties identified by Parcel Identification Numbers 05-09-300-015, 05-09-376-002, and 05-16-100-006 from Transportation Corridor to Mixed Use Business.
3. Any text or maps contained in the Kendall County Land Resource Management Plan in conflict with this resolution, including but not limited to the future land use table contained on page 7-38 and the list of revisions contained in Section 1 of the Land Resource Management Plan, are hereby amended to match the reclassification of the subject properties approved by this resolution.

IN WITNESS OF, this resolution has been enacted by a majority vote of the Kendall County Board and is effective this 20th day of March, 2024.

State of Illinois
County of Kendall

LRMP
Petition #24-03

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Matt Kellogg

Exhibit A

The Kendall County Regional Planning Commission held a public hearing on the Petition 24-03 on February 28, 2024. One (1) member of the public requested that the properties on the east side of Route 47 be removed from the proposal. On the same date, the Commission issued the following recommendation by a vote of nine (9) in favor and zero (0) in opposition. Commissioner Casey was absent.

RECOMMENDATION

Approval with an amendment by deleting the properties on the east side of Route 47 from the proposal.

Exhibit B

The Kendall County Zoning Board of Appeals held a public meeting on the Petition 24-03 on March 4, 2024. On the same date, the Kendall County Zoning Board of Appeals issued the following recommendation by a vote of six (6) in favor and zero (0) in opposition. Member Prodehl was absent.

RECOMMENDATION

Approval with an amendment by deleting the properties on the east side of Route 47 from the proposal.

Pam Herber

From: Permits Refund <PermitRefund@freedomforever.com>
Sent: Monday, March 4, 2024 3:57 PM
To: Pam Herber; Wanda Rolf
Subject: [External]Kendall County IL | Permit Refund Request

CAUTION - This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I am requesting a permit refund due to the homeowner(s) not moving forward with their solar project.

Permit | Site Address | Internal Ref#

24-2023-274 | 90 Longbeach Rd | 361907

24-2023-016 | 1135 Woolley Rd | 253520

Please reach out with anything else needed to process and move forward with this refund request.

If approved, please advise how the refund be issued? Will a check be mailed? And what is the typical timeframe to process the refund?

Please include the permit number on the voucher / invoice with the refund.

We request all refunds be sent to:

Freedom Forever LLC
Attn: Permit Refunds
6569 Las Vegas Blvd S.
Bldg. Q, Ste. 200
Las Vegas, NV 89119

Thank you,

Michael Shaw
Permit Support Coordinator
M: 725.295.8365

Freedom Forever

www.freedomforever.com/careers

Join one of the fastest-growing
solar companies in America!

Permit #	Name	Address	Inspection	Staff Action	Renewal Letters Sent	Sent Confirmation Email	
1	White-Cade	2870 Reek-Creek Road		Not Renewed by Owner-Request	12/6/2023	12/28/2023	Max 2 Occupants
2	Juan Ramirez	142 Heathgate			12/6/2023	12/27/2023	Max 4 Occupants
3	Patrick McCrimmon	26 Circle Drive West			12/6/2023	12/27/2023	Max 8 Occupants
4	Patrick McCrimmon	51 Paddock			12/6/2023	1/2/2024	Max 8 Occupants
5	Adrian Hainal-Roman	18 Marina Drive			12/6/2023	12/8/2023	Max 10 Occupants
6	Jeffrey Bilek	14824 Millhurst Road B			12/6/2023	1/2/2024	Max 5 Occupants
7	Miguel and Maria Salteret and Jose	7426 Roberts Court		Not Renewed by Owner-Request	12/6/2023	12/8/2023	
8	Glen MacDonald	12 Greenbriar Road			12/6/2023	12/13/2023	
9	Randy L. Perlier	11428 River Road, Plano			12/6/2023	12/8/2023	Max 16 Occupants
10	Dawn L. Dwyer	1126 Simene-Read			12/6/2023		Max 12 Occupants
11	Patrick McCrimmon	2 Pendleton Place			12/6/2023	12/28/2023	Max 8 Occupants

2024 VIOLATIONS

Violation	Name	Parcel #	Address	Subdivision	Description	Opened	Follow up	PBZ	SAO	Closed
V24-001	Gonzalez	03-09-152-019	14 Ridgefield Rd.	Boulder Hill	RV/Trailer parked in F/Y setback	11/6/2023	12/10/2023			1/4/2024
V24-002	Galvan	03-05-430-019	42 S Bereman Rd.	Boulder Hill	Trailer parked in F/Y setback	12/6/2023	1/11/2024			2/22/2024
V24-003	Sanchez	03-08-279-007	110 Circle Drive W	Boulder Hill	Trailer parked in F/Y setback	11/6/2023	1/11/2024		Court 4/24/2024	
V24-004	Nickels	05-04-178-006	53 Crooked Creek Dr	Crooked Creek	Junk & Debris	11/15/2023	4/2/2024		Court 4/24/2024	
V24-005	Maxson	03-04-378-018	81 Pueblo Rd.	Boulder Hill	Trailer parked in F/Y setback	11/6/2023	1/11/2024			2/23/2024
V24-006	Silva	03-04-152-013	22 Greenbriar rd.	Boulder Hill	Trailer parked in F/Y setback	11/6/2023	1/11/2024		Court 4/1/2024	
V24-007	Rosier - Ref to V23-015	02-35-151-017	7821 Route 71		Stormwater Violation	11/6/2023	4/2/2024		Court 5/1/2024	
V24-008	Schuster	03-22-400-001	2142 W Colley Rd.		Landscape Business	1/4/2024	4/1/2024			
V24-009	Oak Plaza Properties LLC	02-17-226-004	2215 B Route 47		Junk & Debris	11/7/2023	4/1/2024			
V24-010	Leifheit	01-29-351-010	16789 Griswold Springs Rd	Billy R Williams	Stormwater Violation	7/31/2023	2/28/2024	MA	Court 4/1/24	
V24-011	Bohr	01-29-351-011	16751 Griswold Springs Rd	Billy R Williams	Stormwater Violation	7/31/2023	2/28/2024	MA	Court 4/1/24	
V24-012	Ortega	01-29-351-008	16859 Griswold Springs Rd.	Billy R Williams	Stormwater Violation	7/31/2023	2/28/2024	MA	Court 4/1/24	
V24-013	Widloe	01-29-351-009	16815 Griswold Springs Rd.	Billy R Williams	Stormwater Violation	7/31/2023	2/28/2024	MA	Court 4/1/24	

2023 VIOLATIONS

Violation	Name	Parcel #	Address	Subdivision	Description	Opened	Follow up	PBZ	SAO	Closed
V23-001	MUND/STADLER	02-34-176-004	34 RIVERSIDE ST	FOX RIVER GARDENS	Work in Floodplain w/o permit	5/15/2023	MA Stormwater			7/3/2023
V23-002	HARDEKOPF	03-04-253-010	44 INGLESHERE RD	BOULDER HILL	INOPERABLE VEHICLE	10/14/2022	12/1/2023		\$2400 Jdgmnt	10/24/2023
V23-003	VANDERBERG	03-04-176-006	90 FERNWOOD RD	BOULDER HILL	PROHIBITED PARKING-TRAILER	3/23/2023				8/6/2023
V23-004	BUTZ	03-04-305-023	16 WYNDHAM DR	BOULDER HILL	MULTIPLE VIOLATIONS	9/8/2022			Court 4/24/2024	
V23-005	RUIZ	03-03-352-001	132 SAUGATUCK RD	BOULDER HILL	PROH. PKG. COMMERCIAL VEHICLE	12/27/2022	\$500 fine tbp 4/3/24		10/18/2023	10/24/2023
V23-006	RAMIREZ	03-04-282-007	13 SONORA DR	BOULDER HILL	INOPERABLE VEHICLE	6/6/2023	Removed			1/3/2024
V23-007	OROS	03-05-432-012	28 SENECA DR	BOULDER HILL	JUNK & DEBRIS	5/10/2023			Court 4/24/2024	
V23-008	CRUZ/KOKOSIOULIS	03-04-307-005	17 WYNDHAM DR	BOULDER HILL	INOPERABLE VEHICLE	6/15/2023				10/12/2023
V23-009	DILLER, JR. LIV TR	06-15-100-007	8150 S SCHLAPP RD		STORMWATER VIOLATION	12/8/2023	3/21/2024		8/9/2023	Re-opened 2/28/24
V23-010	RIVERA/ROSIER	02-35-151-017	7821 ROUTE 71		MULTIPLE VIOLATIONS	8/21/2023	MA		Court 5/1/2024	
V23-011	SANCHEZ	03-12-203-011	29 GASTVILLE ST	GASTVILLE ACRES	LANDSCAPE/PALLET BUSINESS	1/23/2023			Court 5/1/2024	

3/21
F/4

2022 VIOLATIONS

Violation	Name	Parcel #	Address	Subdivision	Description	Opened	Follow up	PBZ	SAO	Closed
V22-001	Aguilar	03-07-277-001	20 Shore Ct.	Marina Village	Parking on Lawn	11/9/2021	1/23/2022			2/9/2022
V22-002	Jones	03-05-279-020	44 Briarcliff Rd.	Boulder Hill	Illegal fence height	8/6/2021	1/23/2022			4/27/2022
V22-003	Cabrera	03-04-306-027	44 Hampton Rd.	Boulder Hill	Multiple Violations	8/3/2021	1/23/2022			5/9/2022
V22-004	Lemaster	03-04-253-024	16 Winrock Rd.	Boulder Hill	Inoperable Vehicles	8/18/2021	1/23/2022		11/8/2022	11/23/2022
V22-005	Johnson	03-04-477-025	54 Springdale Rd.	Boulder Hill	Trailer parking	11/22/2021	1/23/2022			4/22/2022
V22-006	Haehlen	03-04-277-011	235 Fernwood Rd.	Boulder Hill	RV parking	11/24/2021	1/23/2022			2/24/2022
V22-007	Joaquin	03-27-377-015	2543 Simons Rd		Banquet facility	11/15/2021			5/16/2022	5/17/2022
V22-008	Bilek	01-34-300-008	14824 Millhurst Rd		Air B&B	1/3/2022	3/11/2022			2/24/2022
V22-009	VOID									
V22-010	Faulkner	03-26-100-004	1539 Collins Rd.		Multiple Violations	7/13/2021	8/4/2021			Ongoing
V22-011	Amstadt	02-35-380-001	7796 Madeline Dr.	FOFC	RV parking	5/24/2022	6/24/2022		9/7/2022	10/18/2022
V22-012	Gomez	09-27-200-004	2511 Wildy Rd.		Stormwater	8/1/2022	4/11/2023	1/17/2024	3/20/2024	10/18/2022
V22-013	Utility Dynamics	03-07-227-002	5327 Light Rd.		Stormwater	9/8/2022	10/11/2022			9/19/2022

2024 PRE VIOLATION REPORT

Date Opened	Parcel #	Address	Subdivision	Description of Complaint	Inspection Date	Comments	F/U/p	Closed
1/4/2024	03-22-400-001	2142 Woolley Rd Oswego		Landscape Business	1/11/2024	30 Day Warning Notice Reg-Cert	2/23/2024	V24-008
1/8/2024	09-19-200-009	17660 Sedgewick Rd. Plano		Occupied Acc Bldg & Addition-No permit	1/18/2024	No Visible Violations-Emailled complainant		1/18/2024
1/17/2024	03-04-451-051	13 Pomeroy Rd. Montgomery	Boulder Hill	Junk & Debris / Inoperable Vehicle	1/18/2024	BLH-spoke with owner	4/1/2024	
1/18/2024	03-04-327-009	33 Surrey Rd. Montgomery	Boulder Hill	Prohibited Trailer in required f/yard setback	1/11/2024	30 Day Warning Notice Reg-Cert	2/19/2024	2/26/2024
1/18/2024	03-05-430-020	44 S Bereman Rd. Montgomery	Boulder Hill	3 Trailers - Exceeds # allowed	1/11/2024	30 Day Warning Notice Reg-Cert	2/19/2024	2/26/2024
1/18/2024	03-04-305-021	12 Wyndham Dr. Montgomery	Boulder Hill	Prohibited Trailer in required f/yard setback	1/11/2024	30 Day Warning Notice Reg-Cert	2/19/2024	2/25/2024
1/18/2024	03-05-253-012	43 N Bereman Rd. Montgomery	Boulder Hill	Inoperable Vehicle	1/11/2024	30 Day Warning Notice Reg-Cert	2/19/2024	1/22/2024
1/18/2024	03-05-276-008	32 N Bereman Rd. Montgomery	Boulder Hill	Prohibited Trailer in required f/yard setback	1/11/2024	30 Day Warning Notice Reg-Cert	2/19/2024	2/23/2024
1/18/2024	03-05-430-014	32 Seneca Dr. Montgomery	Boulder Hill	Prohibited Trailer in required f/yard setback	1/11/2024	30 Day Warning Notice Reg-Cert	4/1/2024	
1/23/2024		2015 Route 34 Oswego		Possible living quarters in storage unit	1/29/2024	Monitor - Follow up 30 Days	4/1/2024	
1/24/2024	03-08-326-001	1626 Route 31 Oswego	Prospect Villa	Confirming compliance with Sp Use	1/25/2024	Compliant		1/26/2024
1/25/2024	03-24-400-008	63 Scotch Rd Plainfield		Illegal Landscaping business	1/29/2024	Not a violation - Nursery		1/29/2024
1/29/2024	09-09-300-009	13916 McKama Rd. Minooka		Semi Truck business	1/29/2024	Monitor - Follow up 30 Days	4/1/2024	
1/30/2024	03-18-451-002	5462 Route 34 Oswego	Riverview Heights	Unit C - Possible living quarters	2/16/2024	30 Day Warning Notice Reg-Cert	4/1/2024	
2/6/2024	04-16-253-005	8304 Fox River Dr. Millbrook		Vehicles parked on non approved surface			3/11/2024	
2/6/2024	03-04-277-023	2 Afion Dr. Montgomery	Boulder Hill	Trailer parked in Side Yard setback	2/23/2024	30 Day Warning Notice Reg-Cert	3/26/2024	
2/13/2024	03-05-453-003	5 Codorus Rd. Montgomery	Boulder Hill	Vehicle Sales Business	2/16/2024	30 Day Warning Notice Reg-Cert	3/16/2024	
2/16/2024	02-35-380-015	7694 Madeline Dr. Yorkville	FOFC	Accessory Building - Gazebo No permit	2/16/2024	30 Day Warning Notice Reg-Cert	3/16/2024	
2/21/2024	03-05-429-011	24 Greenfield Rd. Montgomery	Boulder Hill	Rooster			3/16/2024	
2/22/2024	03-04-328-015	24 Whitney Way Montgomery	Boulder Hill	Parking in Grass	2/23/2024	30 Day Warning Notice Reg-Cert	3/23/2024	
2/23/2024	03-04-155-044	6 Pembroke Rd. Montgomery	Boulder Hill	Trailer parked in Front Yard setback	2/23/2024	30 Day Warning Notice Reg-Cert - V	4/1/2024	
2/23/2024	03-04-303-029	40 Marnel Rd. Montgomery	Boulder Hill	Parking in Grass	2/23/2024	30 Day Warning Notice Reg-Cert	3/23/2024	
2/23/2024	02-14-428-006	29 Charles St. Oswego	Lynwood	Parking in Grass	2/23/2024	30 Day Warning Notice Reg-Cert	3/23/2024	
2/23/2024	03-04-354-013	93 Circle Dr. E Montgomery	Boulder Hill	Driveway expansion - No permit	2/23/2024	30 Day Warning Notice Reg-Cert	3/23/2024	
2/26/2024	01-10-301-003	1700 Little Rock Rd. Plano	Snyder	Addition to South Side of Main post bldg - No permit				
2/27/2024	09-15-300-001	14757 Jughandle Rd. Minooka		Conversion of A/E Bldg to single family home		15 Day Notice for onsite meeting	3/15/2024	
2/28/2024	08-02-451-006	11 Pletcher Dr. Yorkville	Pletchers	Fire - Unsafe structure	2/27/2024	Demo Permit to be submitted per email		3/4/2024
3/1/2024	01-10-301-003	1700 Little Rock Rd. Plano		Addition to Storage unit - No Permit	4/1/2024			

PRE VIOLATION REPORT
2023

9/26/2023	03-15-165-003	2373 Douglas Rd. Oswego	Kieferber Acres	Possible business	9/20/2023	No evidence of violation		9/29/2023
9/26/2023	03-12-203-009	17 Gastville St Aurora	Gastville Acres	Rooster, multiple chickens & ducks	9/26/2023	No evidence of violations		10/30/2023
9/26/2023	03-04-151-016	74 Fernwood Rd. Montgomery	Boulder Hill	Chickens & Roosters	9/26/2023	Referred to KCHD-not a PR2 violation		9/29/2023
9/26/2023	05-26-200-006	9155 Kennedy Rd.		Excessive Farm Animals	9/26/2023	Sent to Yorkville	8/1/2024	9/29/2023
9/26/2023	02-16-426-006	10141 Church Rd. Yorkville	Babbitt	Junk & Debris, Inoperable Vehicles	9/26/2023	30 Day Warning Notice Reg & Cert		9/27/2023
9/29/2023	03-04-378-031	66 Hubbard Way Montgomery	Boulder Hill	Building w/o permit / Multiple units	10/2/2023	Not enough evidence		10/2/2023
10/2/2023	03-04-453-033	84 Sheffield Rd. Montgomery	Boulder Hill	Imp Vehicle/Parking In Grass	10/3/2023	Removed		10/30/2023
10/3/2023	03-01-351-009	991 Harvey Rd. Oswego		Change in Occupancy w/o permit	10/5/2023	Not enough evidence		10/10/2023
10/4/2023	02-28-252-006	1101 MacHugh Rd. Yorkville		Junk & Debris	10/5 & 10/11/23	30 Day Warning Notice Reg & Cert	11/13/2023	11/2/2023
10/4/2023	06-03-251-002	2017 Devonshire Ct. Oswego	Southfield Estates	Occupied Camping Trailer	10/5/2023	Occupied RV in R-1 zoning	11/10/2023	10/16/2023
10/10/2023	09-09-100-002	13039 McKenna Rd. Minooka		Stormwater-fil- diesel tank location		MA	4/1/2024	
10/13/2023	03-05-426-011	22 Circle Dr E Montgomery	Boulder Hill	Pool - no Permit & too close to property line	10/25/2023	Pool existing		10/25/2023
10/25/2023	03-04-478-031	72 Eastfield Rd. Montgomery	Boulder Hill	Trailer parked in F/Yard setback	10/27/2023	30 Day Warning Notice Reg & Cert	12/15/2023	12/4/2023
10/25/2023	08-04-100-017	NW corner Rt 47 & Newark Rd.	Lisbon Township	Noxious Weeds	10/27/2023	Re-opened 8/28 file - Reg Letter sent MA	4/15/2023	
11/6/2023	03-04-378-018	81 Pueblo Rd. Montgomery	Boulder Hill	Trailer/RV parked in rear front yard setback	11/10/2023	30 Day Warning notice sent Reg & Cert	1/4/2024	V24-005
11/6/2023	03-09-152-006	230 Boulder Hill Pass Montgomery	Boulder Hill	Trailer/RV parked in rear front yard setback	11/10/2023	Trailer not present		11/13/2023
11/6/2023	03-09-152-019	14 Ridgefield Rd. Montgomery	Boulder Hill	Trailer/RV parked in rear front yard setback	11/10/2023	Violation found - photos taken		V24-001
11/6/2023	03-08-279-007	110 Circle Drive W Montgomery	Boulder Hill	Trailer/RV parked in rear front yard setback	11/10/2023	30 Day Warning notice sent Reg & Cert	1/11/2024	V24-003
11/6/2023	03-04-152-013	102 Circle Drive W Montgomery	Boulder Hill	Trailer/RV parked in rear front yard setback	11/10/2023	Trailer Removed		11/13/2023
11/6/2023	02-35-151-017	7821 Route 71 Yorkville		Fill in excess of 1 acre without permit				V24-008
11/7/2023	02-17-226-004	2215 B Rt 47		Junk & Debris	11/10/2023	30 Day Warning Notice Reg - MA	5/1/24-COURT	
11/14/2023	02-15-302-001	2 South St. Bristol		Illegal Towing /Mechanic Business in R-3 zoning	11/10/2023	30 Day Warning Notice Reg & Cert	12/22/2023	V24-009
11/14/2023	03-09-154-014	48 Hubbard Way Montgomery	Boulder Hill	Fire Investigation	11/12/2023	Letter requesting onsite meeting sent	Monitoring	12/12/2023
11/15/2023	05-04-178-006	128 Circle Drive W Montgomery	Boulder Hill	Addition without permit	11/21/2023	Meeting 11/30 - 8:30am/Applied for permit 1.4.24		1/22/2024
11/18/2023	05-05-153-005	53 Crooked Creek Dr. Yorkville	Crooked Creek	Illegal Business / Junk & Debris	11/21/2023	30 Day Warning Notice Reg & Cert	12/22/2023	V24-004
11/21/2023	05-02-200-008	79 Timberlake Trail E. Oswego	Arrowhead Hills	Fire Investigation 11/18 - Pole Barn		30 Day Warning Notice Reg & Cert	12/22/2023	12/12/2023
11/27/2023	03-34-201-001	6410 Minkler Rd. Yorkville		Dirt piles high along road	12/1/2023	Demo Completed	5/1/2024	
12/1/2023	09-09-100-020	5020 Douglas Rd. Oswego	Douglas Hills	# of chickens on property and No coop in cold temps	12/1/2023	2 coops - not able to determine #		12/12/2023
12/1/2023	03-05-430-019	13237 McKenna Rd. Minooka		Added 3 car garage - no permit	12/8/2023	Not enough evidence		1/22/2024
12/6/2023	06-02-177-007	42 S Beeman Rd. Montgomery	Boulder Hill	Trailer parked in F/Yard setback	12/8/2023	30 Day Warning Notice Reg & Cert	1/11/2024	V24-002
12/12/2023	05-04-300-032	1551 Cherry Rd. Oswego	Oswego Planning/County Clerk	Addition - No Permit	12/8/2023	BLH met with owner		1/24/2024
12/13/2023	06-01-100-008	9630 Route 71 Yorkville		Horse in R-3 zoning & Illegal building		Horse not observed bldg has permit/Permit n/a		12/13/23 & 1/22/24
12/22/2023	03-04-152-012	902 E Plainfield Rd. Oswego	Condon Acres	Roofing Business	1/4/2024	Roofing / Construction business in R3 zoning	2/10/2024	1/29/2024
12/22/2023	03-05-280-005	24 Greenbriar Rd. Montgomery	Boulder Hill	Semi Parking	1/4/2024	No Evidence		1/4/2024
12/22/2023	03-04-307-018	49 Briarcliff Rd. Montgomery	Boulder Hill	Semi Parking	1/4/2024	No Evidence		1/4/2024
12/22/2023	03-04-302-002	20 Lonpaach Rd. Montgomery	Boulder Hill	Junk & Debris	1/4/2024	No Evidence		1/4/2024
12/22/2023		49 Circle Drive E. Montgomery	Boulder Hill	Junk & Debris	1/4/2024	No Junk & Debris		1/4/2024

**PRE VIOLATION REPORT
2022**

6/6/2022	03-04-477-038	80 Springdale Rd. Montgomery	Boulder Hill	Multiple Violations	5/25/2022	30 day warning notice	7/6/2022	7/13/2022
6/6/2022	03-08-278-009	4 Culver Rd. Montgomery	Boulder Hill	Rooster	6/23/2022	Unable to see or hear rooster		6/21/2022
6/7/2022	09-18-300-017	Brisbin Rd. Minooka		Fill / Debris	6/14/2022	Dirt fill placed-SW permit not required		6/15/2022
6/10/2022	03-04-377-010	65 Sierra Rd. Montgomery	Boulder Hill	Chickens/Rooster in R-6	6/23/2022	2nd notice 7/27/2022	8/27/2022	8/2/2022
6/13/2022	03-17-102-011	2245 Route 31 Oswego	Herrens Riverview Add	Fire - 2 apartments & out building	6/13/2022	Letter to contact for Fire Rest. Permit	1/9/2023	1/17/2023
6/13/2022	03-04-376-023	102 Circle Drive W Montgomery	Boulder Hill	RV parked in F-yard setback	5/10/2022	30 Day warning notice	7/13/2022	7/1/2022
6/16/2022	02-21-178-001	3416 N Route 47 Yorkville		Tall grass		Referred to Bristol Township		6/17/2022
6/24/2022	05-02-101-002	324 Austin Ct. Yorkville	FOFC	Pool- fence still not finished	6/27/2022	Fence Being installed		6/28/2022
6/23/2022	03-04-152-004	45 Fernwood Rd. Montgomery	Boulder Hill	Sheds - No Permit	6/24/2022	30 Day Warning	7/23/2022	8/3/2022
6/24/2022	02-15-157-003	8 Grove St. Bristol	Vil of Huntsville	Porch addition w/o permit	6/24/2022	10 day final warning	9/12/2022	9/12/2022
7/1/2022	03-23-277-004	3428 Roth Rd. Oswego		Condition 10 Special Use	8/3/2022	Letter to discuss conditions/undable to det violation	5/1/2023	4/12/2023
7/1/2022	04-16-129-001	8 N Hudson St. Millbrook	Vil of Millbrook	Repair-used car business	7/19/2022	Vehicle operable/RV not occupied	8/19/2022	8/2/2022
7/1/2022	03-04-152-013	22 Greenbrier Rd. Montgomery	Boulder Hill	Landscape Business	7/26/2022	30 Day warning notice	8/27/2022	8/2/2022
7/1/2022	03-09-153-015	31 Pickford Rd. Montgomery	Boulder Hill	Grass Parking	7/7/2022	No grass parking observed		7/7/2022
7/1/2022	03-05-401-003	67 Boulder Hill Pass Montgomery	Boulder Hill	Change of Occupancy	7/7/2022	Change of Occupancy - No Permit	8/11/2022	8/2/2022
7/1/2022	03-04-177-020	10 Ingleshire Rd. Montgomery	Boulder Hill	Landscape business				
7/1/2022	03-09-153-014	29 Pickford Rd. Montgomery	Boulder Hill	Grass Parking	7/7/2022	30 Day warning notice	8/11/2022	8/12/2022
7/6/2022	03-05-404-026	152 Boulder Hill Pass Montgomery	Boulder Hill	Boat in F-yard setback	7/7/2022	30 Day warning notice	8/11/2022	8/12/2022
7/7/2022	03-04-177-020	10 Ingleshire Rd. Montgomery	Boulder Hill	Landscape business in R-6 zoning	7/7/2022	No evidence		7/8/2022
7/7/2022	03-04-306-005	59 Circle Dr. E. Montgomery	Boulder Hill	Multiple Violations	7/7/2022	30 Day Warning Notice	11/28/2022	11/29/2022
7/8/2022	05-02-102-002	317 Fields Dr. Yorkville	FOFC	Trailer in F-yard setback	7/13/2022	30 Day Warning Notice	8/15/2022	8/12/2022
7/11/2022	02-16-228-012	43 West St. Bristol		Roosters in R-3 zoning	7/11/2022	Not able to find evidence of rooster		7/11/2022
7/11/2022	09-15-300-016	14565 Jughend Rd. Minooka		Residence in Barn		A-1 Home occupation-see notes		10/28/2022
7/11 & 8/31/2022	09-22-200-016 / 030	2325 Bell Rd. Minooka	Fran-Shir Acres	Tree Business - R-1 zoning	10/28/2022	Incorrect PIN#	12/1/2022	12/28/2022
7/12/2022	09-22-200-004	15100 Jughend Rd. Minooka	Aux Sable Oaks	Residence in Barn	8/3/2022	Hobby Shop-not residence		10/28/2022
7/12/2022	03-04-306-004	57 Circle Dr. E. Montgomery	Boulder Hill	Multiple Violations	8/3/2022	Eviction process started	1/9/2023	1/17/2023
7/12/2022	03-04-306-001	51 Circle Drive E. Montgomery	Boulder Hill	Tattoo business	7/20/2022	No evidence		7/20/2022
7/12/2022	03-04-352-020	170 Boulder Hill Pass Montgomery	Boulder Hill	Rec Trailer in F/Y setback	7/20/2022	30 Day warning notice	8/27/2022	8/31/2022
7/12/2022	03-05-404-018	136 Boulder Hill Pass Montgomery	Boulder Hill	Boat in F-yard setback	7/20/2022	30 Day warning notice	8/27/2022	8/31/2022
7/13/2022	03-08-303-007	105 Dolores St. Oswego	Shore Heights	Fire on 7/12/2022	7/15/2022	Remodel - cosmetic only	11/28/2022	10/25/2022
7/13/2022	03-04-307-025	34 Longbeach Rd. Montgomery	Boulder Hill	Box Truck-Commercial Vehicle	10/21/2022	30 Day Warning Notice Reg & Cert	8/27/2022	11/29/2022
7/18/2022	02-35-301-001	330 Austin Ct. Yorkville	FOFC	Trailer in F-yard setback	7/28/2022	30 Day warning notice	8/27/2022	8/2/2022
7/20/2022	09-27-200-004	2511 Wildy Rd. Minooka		Fill in Floodplain	7/19/2022	Matt- email - Brian notes -Court	6/27/2023	7/20/2022
7/20/2022	03-04-306-027	44 Hampden Rd. Montgomery	Boulder Hill	Business - Tamale stand	7/20/2022	KCHHD is investigating		9/22/2022
7/20/2022	03-04-305-022	14 Wyndham Dr. Montgomery	Boulder Hill	Commercial Vehicle - Semi	9/22/2022	No Semi Truck		1/20/2023
7/20/2022	03-04-306-005	59 Circle Dr. E. Montgomery	Boulder Hill	Commercial Vehicle - Semi				
7/20/2022	03-04-326-019	45 Marnel Rd. Montgomery	Boulder Hill	Commercial Vehicle - Semi	9/22/2022	Not on site		9/22/2022
7/20/2022	03-04-408-003	106 Tealwood Rd. Montgomery	Boulder Hill	Commercial Vehicle - Semi	9/22/2022	Not on site		9/22/2022
7/20/2022	03-04-377-019	39 Longbeach Rd. Montgomery	Boulder Hill	Commercial Vehicle - Semi	8/31/2022	Owner changed - Removed	10/26/2022	8/31/2022
7/20/2022	03-05-428-020	20 Hampden Rd. Montgomery	Boulder Hill	Commercial Vehicle - Semi	9/22/2022	30 Day Warning Notice Reg & Cert	11/5/2022	11/15/2022
7/20/2022	03-05-429-010	4 Knollwood Dr. Montgomery	Boulder Hill	Commercial Vehicle - Semi	9/27/2022	30 Day Warning Notice Reg & Cert	11/5/2022	11/15/2022
7/20/2022	03-05-402-008	8 Circle Dr East Montgomery	Boulder Hill	Trailer in F-yard setback	7/26/2022	30 Day warning notice	8/27/2022	8/2/2022
7/25/2022	03-02-400-003	1250 Route 34 Oswego		Noise - Disco club or trucking company	8/4/2022	No Violation		8/23/2022
7/25/2022	03-04-428-015	32 Sonora Dr. Montgomery	Boulder Hill	Junk & Debris	7/26/2022 GIS	30 Day warning notice	10/3/2022	9/23/2022
7/25/2022	03-04-302-004	24 Hampton Rd. Montgomery	Boulder Hill	Parking on non approved surface	7/25/2022	30 Day warning notice	8/27/2022	8/31/2022
7/26/2022	07-21-300-001	15919 Route 52 Newark		Multiple Violations	10/21/2022	Removed all violations		10/21/2022
7/26/2022	04-31-452-008	11850 Fox River Dr. Newark		Structure-no permit/Junk&Debris/Business	4/14/2023	30 Day warning notice	10/13/2023	Monitoring
7/26/2022	03-04-152-004	45 Fernwood Rd. Montgomery	Boulder Hill	Chickens - Weeds	7/26/2022	No chickens-no permit req for rubbermaid shed	3/1/2023	7/26/2022
7/26/2022	03-12-204-005	26 Gastville Aurora	Boulder Hill	Chickens - Weeds	7/26/2022	re-opened	8/30/2023	8/30/2023
7/28/2022	05-02-202-002	6018 Audrey Ave. Yorkville	Gastville Acreage	Business in R-3 Zoning	See notes	Business in R-3 Zoning		10/4/2023
8/1/2022	03-05-404-016	132 Boulder Hill Pass Montgomery	Roseshill	Structure roofed - pergola	8/1/2022	15 day notice to contact office	9/6/2022	10/24/2022
8/1/2022	03-04-327-012	39 Surrey Rd. Montgomery	Boulder Hill	Commercial Vehicle (Semi Tractor)	9/22, 9/27/2022	30 Day Warning Notice Reg & Cert	11/5/2022	10/24/2022
8/1/2022	03-18-428-005	5200 US Hwy 34 Oswego	Owners	Commercial Vehicle (Semi Tractor)	7/29, 9/22, 9/27	30 Day Warning 2 addresses - reg & cer	11/5/2022	11/15/2022
8/1/2022				Multiple Violations	8/4/2022	30 Day warning - reg & cert	9/10/2022	10/4/2022

**PRE VIOLATION REPORT
2022**

8/2/2022	03-04-151-010	62 Fernwood Rd. Montgomery	Boulder Hill	Fence	8/2/2022	Fence - debris	8/2/2022
8/3/2022	01-35-100-003	13524 C Hale Rd. Plano		Building w/o permit	8/5/2022	30 Day warning notice-reg & cert	8/13/2022
8/4/2022	03-07-402-014	168 Dolores St. Oswego	Shore Heights	Auto Repair business	8/8/2022	Unable to confirm business	8/8/2022
8/5/2022	03-12-204-005	26 Gastview Aurora	Gastview Acreage	4 Violations	8/5/2022	30 Day warning notice-reg & cert	10/4/2023
8/12/2022	01-16-476-004	31 S. Linden Dr. Plano	Boulder Hill	Chickens	8/9/2022	Unable to confirm chickens	8/8/2022
8/16/2022	06-02-226-001	1210 Plainfield Rd. Oswego	County Clerks	Poss Garage reno to living quarters	8/29/2022	Did not observe any PBZ violations	8/29/2022
8/22/2022	01-16-427-001	177 Dolores St. Oswego	Meyerbrook	Dirt Piles	8/29/2022	Void-Not a violation of stormwater	9/16/2022
8/23/2022	03-07-403-006	117 Linden Dr. Plano	Shore Heights	Multiple Violations	8/31/2022	Did not observe any PBZ violations	8/29/2022
8/23/2022	03-05-429-031	37 S Bereman Rd. Montgomery	Boulder Hill	Semi tractor trailer	8/30/2022	No Truck	8/31/2022
8/23/2022	01-09-428-003	23 Coffman Ln. Plano		Trailer in F/Y setback	8/30/2022	30 Day Warning Notice Reg & Cert	9/30/2022
8/23/2022	03-05-429-004	10 Greenfield Rd. Montgomery	Boulder Hill	Poss Business & Building w/o permit	8/30/2022	Met w/ owner-agreed to apply BP & HC	11/23/2022
8/24/2022	01-35-430-005	64 Blackhawk Springs Dr. Plano	Blackhawk Springs	Boat in FY & on non approved surface	8/29/2022	30 Day Warning Notice Reg & Cert	9/30/2022
8/24/2022	01-35-429-002	70 Blackhawk Springs Dr. Plano	Blackhawk Springs	Abandoned property	8/29/2022	Did not observe any PBZ violations	8/29/2022
8/24/2022	03-08-280-032	14 Barclay Ct. Montgomery	Boulder Hill	Shed - Remodel to living qtrs	8/30/2022	Did not observe any PBZ violations	9/22/2022
8/25/2022	03-16-176-006	Wolfs Crossing Rd. Oswego	Fox Bend Estates	Construction	8/26/2022	Determined not be a violation	9/30/2022
8/26/2022	03-04-306-001	51 Circle Drive E Montgomery	Boulder Hill	Trash		Did not observe any PBZ violations	8/30/2022
8/29/2022	01-29-101-003	157 Woodland Dr. Plano	Sugar Brook	Building w/o Permit	9/14/2022	Referred to HHS	8/31/2022
8/29/2022		6111 Audrey Ave Yorkville	Rosehill	Dump Truck, trailer & bobcat in FY & Junk		No Evidence of construction	9/14/2022
9/7/2022	03-05-280-017	12 Greenbriar Rd. Montgomery	Boulder Hill	Possible AirBnB		Not a violation	9/14/2022
9/7/2022	No address - bh	Brabrum Montgomery	Boulder Hill	Junk & Debris		Removed	9/8/2022
9/7/2022	03-20-400-018	3842 Grove Rd. Oswego		Illegal Pool Business	9/14/2022	30 Day Warning Notice Reg & Cert	10/16/2022
9/7/2022	05-09-154-001	7344 Route 47 Yorkville		Illegal Training facility Business	9/8/2022	30 Day Warning Notice Reg & Cert	10/16/2022
9/7/2022	05-23-300-006	9513 Walker Rd. Yorkville		Cars parked in setback		Cars not parked in ROW	9/27/2022
9/8/2022	03-04-307-001	62 Circle Dr. E Montgomery	Boulder Hill	Inoperable Vehicle			1/13/2023
9/8/2022	03-04-305-023	16 Wyrndham Dr. Montgomery	Boulder Hill	Junk & Debris	9/8/2022	30 Day Warning Notice Reg & Cert	10/1/2022
9/12/2022	06-04-400-005	6909 Schlapp Rd. Oswego		Trucking Business	9/27/2022	Requesting Meeting	9/23/2022
9/13/2022	05-09-152-001	33 Bonnie Lane Yorkville	Williams	Possible AirBnB		MA	10/1/2022
9/13/2022	03-04-351-006	39 Hampton Rd. Montgomery	Boulder Hill	Commercial Vehicle	9/22/2022	30 Day Warning Notice Reg & Cert	10/26/2022
9/14/2022	06-07-429-007	5753 Whitehall Ridge Dr.	Whitehall Ridge	No silt fence or Vegetation filter		Certified letter sent 9/14/2022	10/28/2022
9/14/2022	06-07-428-007	7386 Fairway Dr. Yorkville	Whitehall Ridge	No silt fence or Vegetation filter		Certified letter sent 9/14/2022	10/17/2022
9/14/2022	06-07-430-019	7102 Golfview Ct. Yorkville	Whitehall Ridge	No silt fence or Vegetation filter		Certified letter sent 9/14/2022	10/17/2022
9/14/2022	05-12-277-004	7372 Clubhouse Dr. Yorkville	Whitehall Ridge	No silt fence or Vegetation filter		Certified letter sent 9/14/2022	10/17/2022
9/14/2022	05-12-227-005	7221 Clubhouse Dr. Yorkville	Whitehall Ridge	No silt fence or Vegetation filter		Certified letter sent 9/14/2022	11/2/2022
9/14/2022	06-06-450-004	5537 Whitehall Ridge Dr.	Whitehall Ridge	No silt fence or Vegetation filter		Certified letter sent 9/14/2022	10/17/2022
9/14/2022	05-12-276-004	7509 Clubhouse Dr. Yorkville	Whitehall Ridge	No silt fence or Vegetation filter		Certified letter sent 9/14/2022	10/17/2022
9/14/2022	05-12-276-003	7485 Clubhouse Dr. Yorkville	Whitehall Ridge	No silt fence or Vegetation filter		Certified letter sent 9/14/2022	10/17/2022
9/14/2022	05-12-276-002	7461 Clubhouse Dr. Yorkville	Whitehall Ridge	No silt fence or Vegetation filter		Certified letter sent 9/14/2022	10/17/2022
9/14/2022	05-12-276-001	7437 Clubhouse Dr. Yorkville	Whitehall Ridge	No silt fence or Vegetation filter		Certified letter sent 9/14/2022	10/17/2022
9/14/2022	03-04-451-015	13 Pomeroy Dr. Montgomery	Boulder Hill	Inoperable Vehicle	9/19/2022	30 Day Warning Notice Reg & Cert	9/21/2022
9/14/2022	03-04-307-001	62 Circle Dr. E Montgomery	Boulder Hill	Inoperable Vehicle	10/7 & 10/18	30 Day Warning Notice Reg & Cert	10/23/2022
9/14/2022	08-19-300-005	Route 52-Libon Rd Newark		Stormwater - MA	9/19/2022	30 Day Warning Notice Reg & Cert	10/23/2022
9/15/2022	05-02-201-005	6111 Audrey Ave Yorkville	Rosehill	Multiple Violations	9/19/2022	30 Day Warning Notice Reg & Cert	10/23/2022
9/16/2022	03-05-276-010	28 N Bereman Rd. Montgomery	Boulder Hill	RV in F/Y setback	9/19/2022	30 Day Warning Notice Reg & Cert	10/23/2022
9/16/2022	03-05-229-004	24 Fernwood Rd. Montgomery	Boulder Hill	Trailer in F/Y setback	9/19/2022	30 Day Warning Notice Reg & Cert	10/23/2022
9/16/2022	03-05-229-006	28 Fernwood Rd. Montgomery	Boulder Hill	Trailer in F/Y setback	9/19/2022	30 Day Warning Notice Reg & Cert	10/23/2022
9/16/2022	03-04-376-003	76 Circle Dr. E. Montgomery	Boulder Hill	Junk & Debris	9/19/2022	30 Day Warning Notice Reg & Cert	12/16/2022
9/16/2022	03-04-408-014	128 Tealwood Rd. Montgomery	Boulder Hill	Boat in F/Y setback	9/19/2022	30 Day Warning Notice Reg & Cert	1/13/2023
9/16/2022	06-02-226-001	1210 Plainfield Rd. Oswego	County Clerks	Fill being placed in creek	9/16/2022	30 Day Warning Notice Reg & Cert	10/28/2022
9/19/2022	02-35-380-006	5703 Fields Dr. Yorkville	FOFC	Multiple Violations	9/22 & 9/27	30 Day Warning Notice Reg & Cert	10/14/2022
9/19/2022	03-19-176-004	5505 Route 71 Oswego		Site Dev in Floodplain&wetlands-No Permit	9/16/2022	30 Day Warning Notice Reg & Cert	11/2/2022
9/19/2022		4160 Steam Mill Ct. Oswego		Possible remodel w/o permit		MA 30 Day Warning Notice Reg & Cert	10/4/2022
9/19/2022	03-04-456-004	82 Saugatuck Rd. Montgomery	Boulder Hill	Junk & Debris	9/22/2022	No permit required at this time	10/28/2022
9/20/2022	03-08-201-012	63 Circle Dr W Montgomery	Boulder Hill	Junk & Debris	9/22/2022	30 Day Warning Notice Reg & Cert	9/23/2022
9/20/2022	02-15-231-006	23 N Royal Oaks Dr. Bristol	Woods of Blackberry oaks	Inoperable Vehicle	9/22/2022	Debris has been removed	10/28/2022
9/21/2022	01-23-200-028	13349 A Faxon Rd. Plano		Construction w/o permit	9/22/2022	30 Day Warning Notice Reg & Cert	9/22/2022

Permit Summary by Category
Kendall County

Permit Category	Count	Estimated Cost	Permit Fees	Land Cash
House	1	\$700,000	\$2,893	\$993
Accessory Buildings	4	\$141,015	\$400	\$0
Remodeling	1	\$20,000	\$460	\$0
Commercial - B Zone	1	\$1,728,090	\$0	\$0
Barns/Farm Buildings	3	\$465,000	\$0	\$0
Demolitions	1	\$0	\$0	\$0
Solar	2	\$89,240	\$350	\$0
	13	\$3,143,345	\$4,103	\$993

Feb 2023 - 0 Houses
13 Total Permits

YTD 2023 - 0 Houses
39 Permits

Permit Summary by Category by Month
Kendall County

Permit Category	Total	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
House	4	3	1	0	0	0	0	0	0	0	0	0	0
Accessory Buildings	6	2	4	0	0	0	0	0	0	0	0	0	0
Remodeling	4	3	1	0	0	0	0	0	0	0	0	0	0
Commercial - B Zone	1	0	1	0	0	0	0	0	0	0	0	0	0
Barns/Farm Buildings	3	0	3	0	0	0	0	0	0	0	0	0	0
Demolitions	1	0	1	0	0	0	0	0	0	0	0	0	0
Electrical Upgrades	1	1	0	0	0	0	0	0	0	0	0	0	0
Fire Restoration	1	1	0	0	0	0	0	0	0	0	0	0	0
Generator	1	1	0	0	0	0	0	0	0	0	0	0	0
Solar	5	3	2	0	0	0	0	0	0	0	0	0	0
	27	14	13	0	0	0	0	0	0	0	0	0	0

Permit Approval Date Report

Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
1/11/2024	012024022	01 House	05-18-228-003	DOLIN JULIE A	8019 WILSON COURT YORKVILLE, IL 60560	TANGLEWOOD TRAILS	CL DESIGN BUILD INC
1/23/2024	012024023	01 House	04-21-252-002	YENTER KELLI & CHRIS	15536 PROSPECT HILL DR NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 3	MCCUE BUILDERS INC.
2/21/2024	012024041	01 House	04-16-351-008	SPENCER JOHN & WENDY	8982 WILCOX CT MILLBROOK, IL 60536-	ESTATES OF MILLBROOK UNIT 1	
1/11/2024	032024029	03 Accessory Buildings	02-20-401-001	ULNER GREG	3651 CANNONBALL TRL YORKVILLE, IL 60560-		METRONET INFRASTRUCTURE
2/2/2024	032024027	03 Accessory Buildings	05-18-228-003	DOLIN JULIE A	8019 WILSON COURT YORKVILLE, IL 60560	TANGLEWOOD TRAILS	
1/2/2024	032024021	03 Accessory Buildings	02-15-353-002	STEINWAY BRIAN & KIMBERLY	90 LILLIAN LN YORKVILLE, IL 60560-	BRISTOL LAKE SUB	
2/13/2024	032024036	03 Accessory Buildings	02-35-103-013	HATHAWAY BRADFORD L & MAADINDIE E	7807 VAN EMMON RD YORKVILLE, IL 60560-	WENDLING SUB	
2/21/2024	032024037	03 Accessory Buildings	09-32-200-010	ZABEL KENNETH & ARIAS JASMINE	4187 WHITEWILLOW RD MINOOKA, IL 60447-		
2/16/2024	032024038	03 Accessory Buildings	03-18-401-009	SMITH MARTY E & CONSTANCE M	66 OSAGE CT OSWEGO, IL 60543-	HIGHLAND SUB	
2/20/2024	032024039	03 Accessory Buildings	09-04-100-013	SALINAS RAFAEL & MARIA M	12452 MCKANNA RD MINOOKA, IL 60447-		
2/28/2024	052024046	05 Remodeling	03-31-302-002	HER TAO & PANG	9 SETTLERS LN OSWEGO, IL 60543-	HATTNER SUB	

Permit Approval Date Report Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
2/1/2024	052024035	05 Remodeling	03-32-131-002	MAGO MICHAEL J	5380 OLD RESERVE RD OSWEGO, IL 60543-	OLD RESERVE HILLS UNIT 1	TRANQUILITY BUILDERS INC.
1/29/2024	052024032	05 Remodeling	02-29-426-009	HANSON WILLIAM J & LORI ANNE	216 GEORGEANNA ST YORKVILLE, IL 60560-	COUNTRYSIDE SUB UNIT 3	HOGAN DESIGN & CONSTRUCTION
1/29/2024	052024033	05 Remodeling	03-06-200-006	MONTERO, ANGELICA & ORTIZ, MIGUEL A	5132 BASELINE RD OSWEGO, IL 60543-		
2/28/2024	082024048	08 Barns/Farm Buildings	05-02-300-010	REES GINGER	6611 MINKLER RD YORKVILLE, IL 60560		
2/26/2024	082024047	08 Barns/Farm Buildings	07-17-400-002	FRANK SANTORO	14515 ROODS RD NEWARK, IL 60541-		
2/21/2024	082024045	08 Barns/Farm Buildings	08-14-300-008	JOHNSON JANINE RAE	ASHLEY RD. MINOOKA, IL 60447		
2/26/2024	142024043	14 Demolitions	04-31-300-011	GARY AND SHERRY UNDERHILL	FOX RIVER DRIVE NEWARK, IL 60541		
1/10/2024	152024028	15 Electrical Upgrades	03-04-478-006	MOLINA TRACIA & FLORES JASHIA	53 SPRINGDALE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 23	JACOB B LAZANO
1/10/2024	192024024	19 Fire Restoration	03-04-378-022	PEREZ MISAEL	48 HUBBARD WAY MONTGOMERY, IL 60538-	BOULDER HILL UNIT 10	
1/10/2024	232024025	23 Generator	01-20-352-008	CRAWFORD WILLIAM J & VICKI L	168 WOODLAND DR PLANO, IL 60545-	SUGAR BROOK ESTATES UNIT 3	BAKER ELECTRIC & GENERATORS
1/10/2024	242024026	24 Solar	02-23-228-004	GROB MATTHEW M & FU LAURA	45 E LYNCLIFF DR OSWEGO, IL 60543-	LYNWOOD EXTENSION 1	BRIGHT PLANET SOLAR

Permit Approval Date Report
Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
2/26/2024	242024044	24 Solar	01-14-126-002 BLACKWELL TONYA & GAGE	2050 ROCK CREEK RD PLANO, IL 60545-	ROCK CREEK ESTATES UNIT 1	SUNRUN INSTALLATION SERVICES INC.
1/2/2024	242024020	24 Solar	07-29-300-003 FARIAS MICHAEL DAVID & JENNIFER IVANKA	16627 STEPHENS RD NEWARK, IL 60541-		LGCY INSTALLATION SERVICES, LLC
1/30/2024	242024034	24 Solar	05-17-121-005 PISANO MARCOS	85 ETHEL CT YORKVILLE, IL 60560-	RONHILL ESTATES	VANTAGE HOME SOLAR LLC
2/7/2024	242024001	24 Solar	03-08-277-024 LAMBERTY MATTHEW	17 FIELDPOINT RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 17	FREEDOM FOREVER IL LLC

PLANNING BUILDING & ZONING RECEIPTS 2024

DATE	BUILDING FEES	ZONING FEES	LAND- CASH	OFFSITE ROADWAY	MONTHLY FY 2024	TOTAL FY 2024	MONTHLY FY 23	TOTAL FY 23
December	\$5,266.96	\$1,329.00	\$3,163.48	\$1,000.00	\$10,759.44	\$10,759.44	\$16,054.06	\$16,054.06
January	\$4,575.44	\$1,553.00	\$0.00	\$0.00	\$6,128.44	\$16,887.88	\$8,592.98	\$24,647.04
February	\$8,660.00	\$212.50	\$3,577.05	\$0.00	\$12,449.55	\$29,337.43	\$3,080.00	\$27,727.04
March							\$12,669.20	\$40,396.24
April							\$33,177.45	\$73,573.69
May							\$25,324.74	\$98,898.43
June							\$10,040.93	\$108,939.36
July							\$33,287.13	\$142,226.49
August							\$24,052.37	\$166,278.86
September							\$19,970.02	\$186,248.88
October							\$14,908.42	\$201,157.30
November							\$9,846.20	\$211,003.50
YR END TOTAL								