MINUTES
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

MINUTES:
Member LeCuyer made a motion, seconded by Member Fox, to approve the minutes of the January 29, 2024, hearing/meeting.

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

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

The Zoning Board of Appeals started their review of Petition 23-35 at 7:02 p.m.

Petition	**23 – 35 – Tyler Arbeen on Behalf of Arbeen, LLC**
Request:	Special Use Permit for a Landscaping Business and Variances to Section 7:01.G.2.b and 11:02.F.7.a of the Kendall County Zoning Ordinance to Allow Parking and Accessory Structures within Fifty-One Feet of the Center Line of Stewart Road
PIN:	03-24-400-011
Location:	Between 3900 and 3716 Stewart Road on the East Side of Stewart Road, Oswego, in Oswego Township
Purpose:	Petitioner Wishes to Operate a Landscaping Business and Have Parking and Accessory Structures Inside the Front Yard Setback; Property is Zoned A-1

Mr. Asselmeier summarized the request.

The Petitioner is seeking a special use permit for a landscaping business, including allowing outdoor storage of materials. They originally sought variances to Section 7:01.G.2.b and Section 11:02.F.7.a to allow accessory structures in the front yard setback and to allow outdoor parking in the front yard

setback, thus reducing the front yard setback from one hundred fifty feet (150') as measured from the centerline of Stewart Road to fifty-one feet (51') as measured from the centerline of Stewart Road. However, these items were removed from the required setback in the revised site plan.

The application materials, site plan, landscaping plan, and pictures of the property and area were provided.

The property is located between 3900 and 3716 Stewart Road on the east side of Stewart Road.

The property is approximately four (4) acres in size.

The existing land use is agricultural.

The County's Future Land Use Map called for the property to be Mixed Use Business. The Village of Oswego's Future Land Use Map called for the property to be Residential.

Stewart Road is a Major Collector maintained by Oswego Township.

The Village of Oswego and the County have a trail planned along Stewart Road.

There are no floodplains or wetlands on the property.

The adjacent land uses are Agricultural and Farmstead.

The adjacent properties are zoned A-1 Agricultural.

The County's Land Resource Management Plan calls for the area to be Mixed Use Business. The Village of Oswego's Plan calls for the area to be Residential and Mix Commercial.

Properties within one half (1/2) mile of the property are zoned A-1, A-1 SU, and R-1 in the County and PUD for Agricultural Uses in the Village of Oswego.

The A-1 special use permit to the north is for a horse training and boarding business. The A-1 special use permit to the northwest is for a landscaping business.

Approximately twelve (12) houses are located within a half mile (0.5) miles of the subject property.

EcoCAT Report was submitted on October 19, 2023, and consultation was terminated.

The LESA Score for the property was 186 indicated a low level of protection. The NRI Report was provided.

Petition information was sent to Oswego Township on December 22, 2023. Prior to formal application submittal, Oswego Township submitted an email requesting a thirty-five foot (35') deep right-of-way dedication from the center of Stewart Road. This email was provided.

Petition information was sent to the Village of Oswego on December 22, 2023. On February 21, 2024, the Village of Oswego submitted a letter stating that the proposal will not impact the WIKADUKE Trail. This letter was provided.

Petition information was sent to the Oswego Fire Protection District on December 22, 2023. The Oswego Fire Protection District submitted an email dated December 27, 2023, outlining sprinkling requirements. This email was provided.

ZPAC reviewed the proposal at their meeting on January 2, 2024. The Petitioner's Attorney requested that the deadline to install landscaping be extended to September 1, 2024. Discussion occurred regarding the number of people that might come onto the property in relation to well regulations and septic system location; more information would be provided after the stormwater engineer reviewed the site. Discussion occurred regarding the history and need for front yard setback regulations; concerns were expressed regarding setting a precedent if the variances were granted. ZPAC recommended approval of the proposal with the conditions proposed by Staff (approval of the special use permit and denial of the variances) with the amendment to the deadline for installing landscaping 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 reviewed this proposal at their meeting on January 24, 2024. Discussion occurred regarding drainage at the property. It was noted that the site was small compared to the Petitioner's intended land use. Discussion occurred regarding the requested variances related to parking and temporary structures in the front yard setback. Concerns were expressed regarding setting a precedent. Concerns were also expressed that the site plan was not finalized. The proposal was laid over at the Petitioner's request in order to revise the site plan to address drainage and setback concerns. The minutes of the meeting were provided.

The Kendall County Regional Planning Commission reviewed the proposal with the revised site plan and updated stormwater information at their meeting on February 28, 2024. The neighbor to the south expressed concerns related to drainage and the impact of the proposed use on the burn pile on the neighboring property. The stormwater plans were still under review. The Petitioner has no plans to install a wall along the south property line and the Petitioner cannot control what adjoining property owners do on neighboring property. The Petitioner's Attorney stated the Petitioner's intent was always to operate a landscaping business at the subject property. Discussion occurred regarding the impact of the County changing their regulations to allow parking and temporary buildings in the front yard setback. The Kendall County Regional Planning Commission recommended approval of the revised proposal with the conditions proposed by Staff and an amendment allowing the Petitioner to place parking and temporary structures in the front yard setback without the need of obtaining an amendment to the special use permit, if the County amended the Zoning Ordinance in the future to allow these types of uses in the front yard setback 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 Zoning Board of Appeals initiated a public hearing on this proposal on January 29, 2024. The hearing was continued to March 4, 2024, at the Petitioner's request. The information related to the January 29, 2024, hearing was provided.

Per Section 7:01.D.32 of the Kendall County Zoning Ordinance, landscaping businesses can be special uses on A-1 zoned property subject to the following conditions:

1. All vehicles, equipment and materials associated with a landscaping business shall be stored entirely within an enclosed structure, unless otherwise permitted under the terms of this Special Use Permit.

2. The business shall be located on, and have direct access to, a State, County or Collector Highway as identified in the County's LRMP, having an all-weather surface, designed to accommodate loads of at least 73,280 lbs, unless otherwise approved in writing by the agency having jurisdiction over said Highway. Such approvals shall establish limitations as to the number of employees and types of vehicles coming to and from the site that are engaged in the operation of the use (including delivery vehicles). These restrictions shall be included as controlling conditions of the Special Use.

3. No landscape waste generated off the property can be burned on this site.

If the County Board approves the outdoor storage of materials and variances, the above conditions have been met.

As noted in the project narrative, the Petitioners would like to operate Arbeen Landscaping, LLC at the subject property.

They would use the site for storage of landscaping materials, equipment, offices, and related operations. They indicated some potential customers would visit the property, but most customer related interactions would occur at the customer's property, by telephone, or by email.

The business would be open from 6:00 a.m. until 6:00 p.m. everyday throughout the year and would be open twenty-four hours (24) during snow events. The business has a maximum of twenty-five (25) employees, during the busy season. Employees either report to the subject property or report directly to job sites.

Equipment stored at the property consists of small trailers, lawn mowers, bobcats, skid steers, end loaders, and similar landscaping related equipment. Equipment would be parked indoors when the business was closed.

The original site plan showed fourteen (14) landscape material storage areas near the southeast corner of the property. No information was provided regarding the height or depth of the storage areas. The Petitioner indicated that the piles of materials would not exceed ten feet (10') in height. The original site plan also showed one (1) nursery stock storage area at the northwest corner of the property and a

second nursery stock storage area at the northeast corner of the property. No information was provided regarding the specific types of nursery stock or materials that would be stored in the storage areas.

According to the revised site plan, the landscape material storage bins were shifted west to account for the detention pond. The landscaping material storage bins facing north were shifted south to line up with the southern building line of the hoop houses. The total number landscape material storage bins decreased from fourteen (14) to eight (8). No information was provided regarding the dimensions of the landscape material storage bins. Also, the nursery stock storage area northwest of the shop/office building was removed. The nursery stock storage area east of the shop/office building was also removed.

Though not explicitly stated in any of the materials, the Petitioner will likely have a nursery growing component as well.

One (1) approximately eleven thousand, three hundred seventy-five (11,375) square foot shop/office is proposed for the property. A picture of the type of building the proposed building was provided.

The original site plan also showed five (5) hoop houses; no specific dimensions were provided for the hoop houses. The hoop houses would have been at least ten feet (10') from the southern property line. The western most hoop house was approximately eighty feet (80') from the centerline of Stewart Road on the original site plan.

According to the revised site plan, the three (3) hoop houses inside the front yard setback were removed. The total number of hoop houses decreased from five (5) to two (2).

The Petitioner originally requested a variance to the front yard setback requirement, reducing the front yard setback from one hundred fifty feet (150') from the centerline of Stewart Road to fifty-one feet (51') of the centerline of Stewart Road. The Petitioner was originally agreeable to not constructing any permanent structures within one hundred five feet (105') of the centerline of the road and no permanent structures within seventy-five (75') of the centerline of WIKADUKE.

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

The property is presently farmland. The proposed well would be located southwest of the main building and the proposed septic field would be located north of the main building.

According to the original site plan, one (1) approximately three hundred twenty-four (324) square foot dumpster area was proposed east of the main building. According to the revised site plan, the dumpster area was moved from east of the shop/office building to north of the shop/office building. The dumpster area would be fenced with board-on-board fencing as shown by the image provided. The maximum fence height is eight feet (8').

The property drains mostly to the southeast.

The Petitioners submitted an application for a stormwater management permit. No stormwater related calculations were provided in the original application. On January 4, 2024, WBK Engineering submitted a letter requesting additional information. This letter was provided. On February 22, 2024, the Petitioner's Engineer submitted stormwater permit related drawings and a stormwater permit. These documents were provided. One (1) detention pond was added in the revised site plan.

Per the original site plan and revised site plan, the Petitioner proposes one (1) thirty foot (30') wide northern entrance and a second sixty foot (60') wide southern entrance off of Stewart Road.

As mentioned previously, Oswego Township is requesting a thirty-five foot (35') deep right-of-way dedication.

According to the original site plan, the Petitioner proposed fifteen (15) parking spaces, including two (2) handicapped parking spaces, to the west and south of the main building. According to the revised site plan, the parking stalls have been moved out of the front yard setback. The parking was retained south of the shop/office building. Parking stalls were added north of the landscaping storage areas and north of the hoop houses. The total number of parking spaces was increased from fifteen (15) to sixteen (16) spaces, including handicapped accessible parking spaces, which decreased from two (2) to one (1).

According to the original site plan, the driving areas in general would have been grass or asphalt screenings, except for solid paving or concrete at the two (2) entrances and handicapped parking spaces. According to the revised site plan, gravel was added between the north entrance of the property and the shop/office building. Gravel was also added by the southern entrance, by the eastern parking area, and north of the landscape material storage area.

The Petitioner indicated that no lighting was planned for the property.

One (1) sign was proposed for the property. The sign would be approximately thirty-two (32) square feet in size and would look substantially like the image provided. No information was provided regarding the height of the sign. No information was provided regarding the specific location of the sign. The sign would not be illuminated.

Though not shown on the site plan, the Petitioner proposes to install one (1) wood post farm fence with wire mesh around the entire perimeter of the site expect at the two (2) entrances to the property. The fence would be six feet (6') in height.

The landscaping plan shows six (6) Colorado blue spruce trees, four (4) purple birches, four (4) bald cypresses, thirteen (13) Techny arborvitae and fifteen (15) Eden outcropping stones along the western side of the property. The Colorado blue spruces would be eight feet (8') in height at the time of planting and would grow to a maximum of fifty feet (50'). The Techny arborvitae would be six feet (6') in height at the time of planting and would grow to a maximum fifteen feet (15'). The bald cypresses would be eight feet (8') at the time of planting and would grow to a maximum fifty feet (50'). The purple birches

would either be ten feet (10') in height or two point five inch (2.5) diameter at the time of planting and would grow to a maximum forty feet (40'). The landscaping would be located outside of the security fence.

No information was provided regarding noise control.

No information was provided regarding odor control.

If approved, this would be the twentieth (20th) special use permit for a landscaping business in unincorporated Kendall County.

The proposed Findings of Fact were as follows:

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. Numerous landscaping businesses have been approved throughout unincorporated Kendall County. The proposed use is along Stewart Road, which is classified as a major collector. Reasonable restrictions can be placed in the special use permit to ensure the health, safety, and general welfare of the area are protected.

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 makes 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 subject property is in a large A-1 Agricultural District. The use will not impede farms or residential uses on the adjoining properties. Reasonable restrictions may be placed on the special use permit to address hours of operation, noise, landscaping, and site layout to prevent neighboring property owners from being negatively impacted by the proposed use.

Adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. The proposal identifies locations for the future well and septic field. Two (2) points of ingress/egress are proposed. The proposed use likely will generate little traffic onsite and adequate space exists for parking for customers and employees of the proposed use. The proposal will have to obtain a stormwater permit to address drainage concerns. Adequate space exists for storage of equipment and materials related to the proposed uses.

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 if the hoop houses and landscape material storage bins are located at least ten feet (10') from the southern property line.

The special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The proposal is also consistent with a goal and objective found on page 6-34 of the Land Resource Management Plan, "A strong base of agriculture, commercial and industrial uses that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents." "Encourage opportunities for locally owned business." In addition, the future land use map calls for this property to be Mixed Use Business. Similar types of uses were planned for the subject property and properties in the vicinity of the subject property.

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

1. The site shall be developed substantially in accordance with the submitted revised site plan and landscaping plan. One (1) wood post farm fence with wire mesh shall be installed around the enter perimeter of the site expect at the two (2) entrances to the property. The fence shall be six feet (6') in height maximum. The landscaping shall be installed between the fence and Stewart Road.
2. **The owners of the business allowed by this special use permit may place parking and temporary structures in the front yard setback without the need of obtaining an amendment to the special use permit, if the County amends the Zoning Ordinance in the future to allow these types of uses in the front yard setback. (Add at RPC)**
3. Within ninety (90) days of the approval of the special use permit, the owners of the subject property shall dedicate a strip of land thirty-five feet (35') in depth along the western property line to Oswego Township. The Kendall County Planning, Building and Zoning Committee may grant an extension to this deadline.
4. Equipment and vehicles related to the business allowed by the special use permit may not be stored outdoors at the subject property when the business is closed.
5. None of the vehicles or equipment parked or stored on the subject property related to the business allowed by the special use permit shall be considered agricultural vehicles or agricultural equipment.
6. All of the vehicles and equipment stored on the subject property related to the business allowed by the special use permit shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
7. The owners of the businesses allowed by this special use permit shall diligently monitor the property for leaks from equipment and vehicles parked and stored and items stored on the subject property and shall promptly clean up the site if leaks occur.
8. Except for the purposes of loading and unloading, all landscape related materials shall be stored indoors or in the designated storage areas shown on the submitted revised site plan. The maximum height of the piles of landscaping related material shall be ten feet (10') in height.
9. A maximum of twenty-five (25) employees of the business allowed by this special use permit,

including the owners of the business allowed by this special use permit, may report to this site for work.

10. The hours of operation of the business allowed by this special use permit shall be daily from 6:00 a.m. until 6:00 p.m. and the business shall be open twenty-four (24) hours to address snow events. The owners of the business allowed by this special use permit may reduce these hours of operation.

11. Any structures constructed, installed, or used related to the business allowed by this special use permit on the property shall not be considered for agricultural purposes and must secure applicable building permits.

12. One (1) sign as described in the sign description may be installed along Stewart Road at the subject property. The sign shall not be illuminated.

13. Only lighting related to security may be installed outdoors at the subject property.

14. Damaged or dead plantings described on the landscaping plan shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department.

15. The materials and vegetation described in the landscaping plan shall be installed ~~**within six (6) months of the approval of the special use permit**~~ **by September 1, 2024**. The Kendall County Planning, Building and Zoning Committee may grant an extension to the deadline to install the vegetation. Materials and vegetation stored in the nursery stock storage areas and landscaping material storage area shall not be subject to this requirement and shall not be considered part of the landscaping plan. **(Amended at ZPAC)**

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

17. The noise regulations are as follows:

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

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

    EXEMPTION**:** Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the

maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.

Only homes permitted prior to the date of the issuance of the special use permit shall have standing to file noise complaints.

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

19. The dumpster area shall be fenced with board-on-board fencing as shown by the image provided. The maximum height of the fence shall be eight feet (8').

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

21. The property owner and operator of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.

22. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.

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

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

Member Cherry requested clarification on the location of the property. The property is north of Scotch Road on the east side of Stewart Road.

Chairman Mohr asked if any committee had issues with two (2) road cuts. Mr. Asselmeier responded no committee had any issue with two (2) road cuts. Mr. Asselmeier noted that, per the Village of Oswego's letter, the WIKADUKE Trail expansion would occur to the west.

There were no houses on the subject property.

Chairman Mohr opened the public hearing at 7:17 p.m.

Dan Kramer, Attorney for the Petitioner, stated that proposal received unanimous recommendations at the previous meetings. The Petitioner was agreeable to the twenty-four (24) conditions previously listed. He stated the Village of Oswego felt the proposal was consistent with their plans and they did not

have a formal Plan Commission meeting. Oswego Township requested a right-of-way dedication at no charge, but did not have a formal review. If Stewart Road was widened, the adjoining neighbors would need to be paid, but the owner of the subject property would not be reimbursed for the transfer of land for the road. He requested a positive recommendation from the Board.

Chairman Mohr asked why two (2) road cuts were necessary. Mr. Kramer responded that the northern cut would be used for customers accessing the property and the main building. The southern cut would be used to haul materials and supplies in and out of the subject property, specifically larger trailers. Mr. Kramer did not anticipate many customers visiting the property; their client base is commercial/institutional entities. The business is fully unionized.

Chairman Mohr asked the location of the proposed sign. Mr. Kramer responded between the two (2) access points, but probably closer to the northern access point.

Chairman Mohr swore in Justin Plohr.

Justin Plohr stated that he talked with the Petitioner regarding installing a fifteen foot (15') fence along the south side of the subject property. He said the Petitioner agreed to the fence request. He requested that the fence requirement be included in the special use permit. The fence would be galvanized and the fence would not be see-through.

Chairman Mohr asked if landscaping would be more appropriate. Mr. Plohr said that trees take time to grow.

Mr. Kramer was unaware if the Petitioner agreed to the fence request; he will discuss the matter with the Petitioner. He said that standardized fence heights are ten feet (10') or twelve feet (12'). He suggested including landscaping with the fence. He requested that the fence request not be a condition; he will supply updated information at the Planning, Building and Zoning Committee meeting.

Chairman Mohr asked if a combination berm and fence that was a total of fifteen feet (15') in height would be satisfactory. Mr. Plohr responded yes; his primary concern was not to see the landscaping materials.

Mr. Plohr thought that the original intent of the sale was to have a small building and trees and not to have the proposed building and a landscaping business; he was attempting to work with the Petitioner.

Mr. Kramer noted that the stormwater calculations would need to change, if a berm was added to the property.

The Board reviewed the fence regulations in the A-1. Mr. Asselmeier noted that fences on A-1 zoned property were exempt from height and type regulations. Discussion occurred regarding the Illinois Fence Act, if the use changed at the property.

Chairman Mohr adjourned the public hearing at 7:32 p.m.

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

Chairman Mohr noted that the Attorney for the Petitioner would verify the fifteen foot (15') fence along the south property line of the subject property; this was not a condition.

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

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

The motion passed.

Mr. Kramer requested that Petition 23-35 be placed on the April Planning, Building and Zoning Committee agenda in order to give the Petitioner and Mr. Plohr the opportunity to work out the details of the fence.

The proposal will go to the Planning, Building and Zoning Committee on April 8, 2024.

The Zoning Board of Appeals completed their review of Petition 23-35 at 7:34 p.m.

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.

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.

NEW BUSINESS/OLD BUSINESS

Follow-Up from the Kendall County Regional Planning Commission Annual Meeting

The Board reviewed the minutes from the meeting.

Mr. Asselmeier noted that Staff was researching potential amendments to allow parking and temporary structures in the front yard setback.

Chairman Mohr discussed Seward Township's draft changes to their Future Land Use Map. The Township was advised to have meetings to gathering public input on the proposal before submitting an official proposal.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Mr. Asselmeier reported that Petitions 23-32 and 23-33 were approved.

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 23-35 Dated February 29, 2024
2. Certificate of Publication and Certified Mail Receipts for Petition 23-35 (Not Included with Report but on file in Planning, Building and Zoning Office)
3. Memo on Petition 24-01 Dated February 29, 2024
4. Certificate of Publication and Certified Mail Receipts for Petition 24-01 (Not Included with Report but on file in Planning, Building and Zoning Office)
5. Memo on Petition 24-02 Dated February 29, 2024
6. Certificate of Publication and Certified Mail Receipts for Petition 24-02 (Not Included with Report but on file in Planning, Building and Zoning Office)
7. Memo on Petition 24-03 Dated February 29, 2024

KENDALL COUNTY

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.

NAME	ADDRESS	SIGNATURE
Dan Kann	[redacted]	

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

Petition 23-35
Tyler Arbeen on Behalf of Arbeen, LLC
A-1 Special Use Permit for Landscaping Business and Variances Related to Parking in the Front Yard Setback and Accessory Structures in the Front Yard

INTRODUCTION

The Petitioner is seeking a special use permit for a landscaping business, including allowing outdoor storage of materials. They originally sought variances to Section 7:01.G.2.b and Section 11:02.F.7.a to allow accessory structures in the front yard setback and to allow outdoor parking in the front yard setback, thus reducing the front yard setback from one hundred fifty feet (150') as measured from the centerline of Stewart Road to fifty-one feet (51') as measured from the centerline of Stewart Road. However, these items were removed from the required setback in the revised site plan (Attachment 3A).

The application materials are included as Attachment 1. The original site plan is included Attachment 3. The landscaping plan is included as Attachment 4. Pictures of the property and vicinity are included as Attachments 7-10.

SITE INFORMATION

PETITIONER: Tyler Arbeen on Behalf of Arbeen, LLC

ADDRESS: Between 3900 and 3716 Stewart Road, Oswego

LOCATION: Approximately 0.2 Miles North of Scotch Road on the East Side of Stewart Road

TOWNSHIP: Oswego

PARCEL #: 03-24-400-011

LOT SIZE: 4.0 +/- Acres

EXISTING LAND USE: Agricultural

ZONING: A-1

LRMP:

Future Land Use	Mixed Use Business (County) Residential (Oswego)
Roads	Stewart Road is a Major Collector maintained by Oswego Township.
Trails	The Village of Oswego and the County have a trail planned along Stewart Road.
Floodplain/ Wetlands	There are no floodplains or wetlands on the property.

REQUESTED ACTIONS: Special Use Permit for a Landscaping Business

APPLICABLE REGULATIONS: Section 7:01.D.32 – A-1 Special Uses

Section 13:08 – Special Use Procedures

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Agricultural/Farmstead	A-1	Mixed Use Business (County) Residential (Oswego)	A-1, A-1 SU, and R-1 (County) PUD for Ag Uses (Oswego)
South	Agricultural/Farmstead	A-1	Mixed Use Business (County) Residential (Oswego)	A-1
East	Agricultural	A-1	Mixed Use Business (County) Residential (Oswego)	A-1
West	Agricultural	A-1	Mixed Use Business (County) Mix Commercial (Oswego)	A-1

The A-1 special use permit to the north is for a horse training and boarding business. The A-1 special use

permit to the northwest is for a landscaping business.

Approximately twelve (12) houses are located within a half mile (0.5) miles of the subject property.

PHYSICAL DATA

ENDANGERED SPECIES REPORT

EcoCAT Report was submitted on October 19, 2023, and consultation was terminated, see Attachment 1, Pages 22 and 23.

NATURAL RESOURCES INVENTORY

The LESA Score for the property was 186 indicated a low level of protection. The NRI Report is included as Attachment 2.

ACTION SUMMARY

OSWEGO TOWNSHIP

Petition information was sent to Oswego Township on December 22, 2023. Prior to formal application submittal, Oswego Township submitted an email requesting a thirty-five foot (35') deep right-of-way dedication from the center of Stewart Road. This email is included as Attachment 11.

VILLAGE OF OSWEGO

Petition information was sent to the Village of Oswego on December 22, 2023. On February 21, 2024, the Village of Oswego submitted a letter stating that the proposal will not impact the WIKADUKE Trail. This letter was included at Attachment 16.

OSWEGO FIRE PROTECTION DISTRICT

Petition information was sent to the Oswego Fire Protection District on December 22, 2023. The Oswego Fire Protection District submitted an email dated December 27, 2023, outlining sprinkling requirements. This email was included as Attachment 12.

ZPAC

ZPAC reviewed the proposal with the original site plan at their meeting on January 2, 2024. The Petitioner's Attorney requested that the deadline to install landscaping be extended to September 1, 2024. Discussion occurred regarding the number of people that might come onto the property in relation to well regulations and septic system location; more information would be provided after the stormwater engineer reviewed the site. Discussion occurred regarding the history and need for front yard setback regulations; concerns were expressed regarding setting a precedent if the variances were granted. ZPAC recommended approval of the proposal with the conditions proposed by Staff (approval of the special use permit and denial of the variances requested at the time of the meeting) with the amendment to the deadline for installing landscaping by a vote of nine (9) in favor and zero (0) in opposition with one (1) member absent. The minutes of the meeting were included as Attachment 13.

RPC

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on January 24, 2024. Discussion occurred regarding drainage at the property. It was noted that the site was small compared to the Petitioner's intended land use. Discussion occurred regarding the requested variances related to parking and temporary structures in the front yard setback. Concerns were expressed regarding setting a precedent. Concerns were also expressed that the site plan was not finalized. The proposal was laid over at the Petitioner's request in order to revise the site plan to address drainage and setback concerns. The minutes of the meeting are included as Attachment 19.

The Kendall County Regional Planning Commission reviewed the proposal with the revised site plan and updated stormwater information at their meeting on February 28, 2024. The neighbor to the south expressed concerns related to drainage and the impact of the proposed use on the burn pile on the neighboring property. The stormwater plans were still under review. The Petitioner has no plans to install a wall along the south property line and the Petitioner cannot control what adjoining property owners do on neighboring property. The Petitioner's Attorney stated the Petitioner's intent was always to operate a landscaping business at the subject property. Discussion occurred regarding the impact of the County changing their regulations to allow parking and temporary buildings in the front yard

setback. The Kendall County Regional Planning Commission recommended approval of the revised proposal with the conditions proposed by Staff and an amendment allowing the Petitioner to place parking and temporary structures in the front yard setback without the need of obtaining an amendment to the special use permit, if the County amended the Zoning Ordinance in the future to allow these types of uses in the front yard setback by a vote of nine (9) in favor and zero (0) in opposition with one (1) member absent. The minutes of the meeting were included as Attachment 20.

ZBA
The Kendall County Zoning Board of Appeals initiated a public hearing on this proposal on January 29, 2024. The hearing was continued to March 4, 2024, at the Petitioner's request. The information related to the January 29, 2024, hearing is included as Attachment 15.

GENERAL INFORMATION
Per Section 7:01.D.32 of the Kendall County Zoning Ordinance, landscaping businesses can be special uses on A-1 zoned property subject to the following conditions:

1. All vehicles, equipment and materials associated with a landscaping business shall be stored entirely within an enclosed structure, unless otherwise permitted under the terms of this Special Use Permit.

2. The business shall be located on, and have direct access to, a State, County or Collector Highway as identified in the County's LRMP, having an all-weather surface, designed to accommodate loads of at least 73,280 lbs, unless otherwise approved in writing by the agency having jurisdiction over said Highway. Such approvals shall establish limitations as to the number of employees and types of vehicles coming to and from the site that are engaged in the operation of the use (including delivery vehicles). These restrictions shall be included as controlling conditions of the Special Use.

3. No landscape waste generated off the property can be burned on this site.

BUSINESS OPERATIONS
As noted in the project narrative contained in Attachment 1 on Pages 4-10, the Petitioners would like to operate Arbeen Landscaping, LLC at the subject property.

They would use the site for storage of landscaping materials, equipment, offices, and related operations. They indicated some potential customers would visit the property, but most customer related interactions would occur at the customer's property, by telephone, or by email.

The business would be open from 6:00 a.m. until 6:00 p.m. everyday throughout the year and would be open twenty-four hours (24) during snow events. The business has a maximum of twenty-five (25) employees, during the busy season. Employees either report to the subject property or report directly to job sites.

Equipment stored at the property consists of small trailers, lawn mowers, bobcats, skid steers, end loaders, and similar landscaping related equipment. Equipment would be parked indoors when the business was closed.

The original site plan (Attachment 3) showed fourteen (14) landscape material storage areas near the southeast corner of the property. No information was provided regarding the height or depth of the storage areas. The Petitioner indicated that the piles of materials would not exceed ten feet (10') in height. The original site plan also showed one (1) nursery stock storage area at the northwest corner of the property and a second nursery stock storage area at the northeast corner of the property. No information was provided regarding the specific types of nursery stock or materials that would be stored in the storage areas.

According to the revised site plan (Attachment 3A), the landscape material storage bins were shifted west to account for the detention pond. The landscaping material storage bins facing north were shifted south to line up with the southern building line of the hoop houses. The total number landscape material storage bins decreased from fourteen (14) to eight (8). No information was provided regarding the dimensions of the landscape material storage bins. Also, the nursery stock storage area northwest of the shop/office building was removed. The nursery stock storage area east of the shop/office building was also removed.

Though not explicitly stated in any of the materials, the Petitioner will likely have a nursery growing component as well.

BUILDINGS AND BUILDING CODES
One (1) approximately eleven thousand, three hundred seventy-five (11,375) square foot shop/office is proposed for the property. A picture of the type of building the proposed building is provided in Attachment 1, Page 9.

The original site plan (Attachment 3) also showed five (5) hoop houses; no specific dimensions were provided for the hoop houses. The hoop houses would have been at least ten feet (10') from the southern property line. The western most hoop house was approximately eighty feet (80') from the centerline of Stewart Road on the original site plan.

According to the revised site plan (Attachment 3A), the three (3) hoop houses inside the front yard setback were removed. The total number of hoop houses decreased from five (5) to two (2).

The Petitioner originally requested a variance to the front yard setback requirement, reducing the front yard setback from one hundred fifty feet (150') from the centerline of Stewart Road to fifty-one feet (51') of the centerline of Stewart Road. The Petitioner was originally agreeable to not constructing any permanent structures within one hundred five feet (105') of the centerline of the road and no permanent structures within seventy-five (75') of the centerline of WIKADUKE.

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

ENVIRONMENTAL HEALTH
The property is presently farmland. The proposed well would be located southwest of the main building and the proposed septic field would be located north of the main building.

According to the original site plan (Attachment 3), one (1) approximately three hundred twenty-four (324) square foot dumpster area was proposed east of the main building. According to the revised site plan (Attachment 3A), the dumpster area was moved from east of the shop/office building to north of the shop/office building. The dumpster area would be fenced with board-on-board fencing as shown by the image provided as Attachment 6. The maximum fence height is eight feet (8').

STORMWATER
The property drains mostly to the southeast.

The Petitioners submitted an application for a stormwater management permit, see Attachment 1, Page 26. No stormwater related calculations were provided in the original application. On January 4, 2024, WBK Engineering submitted a letter requesting additional information. This letter is included as Attachment 14. On February 22, 2024, the Petitioner's Engineer submitted stormwater permit related drawings and a stormwater permit. These documents were included as Attachments 17 and 18. One (1) detention pond was added in the revised site plan (Attachment 3A).

ACCESS
Per the original site plan (Attachment 3) and revised site plan (Attachment 3A), the Petitioner proposes one (1) thirty foot (30') wide northern entrance and a second sixty foot (60') wide southern entrance off of Stewart Road.

As mentioned previously, Oswego Township is requesting a thirty-five foot (35') deep right-of-way dedication.

PARKING AND INTERNAL TRAFFIC CIRCULATION
According to the original site plan (Attachment 3), the Petitioner proposed fifteen (15) parking spaces, including two (2) handicapped parking spaces, to the west and south of the main building. According to the revised site plan (Attachment 3A), the parking stalls have been moved out of the front yard setback. The parking was retained south of the shop/office building. Parking stalls were added north of the landscaping storage areas and north of the hoop houses. The total number of parking spaces was increased from fifteen (15) to sixteen (16) spaces, including handicapped accessible parking spaces, which decreased from two (2) to one (1).

According to the original site plan (Attachment 3), the driving areas in general would have been grass or asphalt screenings, except for solid paving or concrete at the two (2) entrances and handicapped parking spaces. According to the revised site plan (Attachment 3A), gravel was added between the north entrance of the property and the shop/office building. Gravel was also added by the southern entrance, by the eastern parking area, and north of the landscape material storage area.

LIGHTING
The Petitioner indicated that no lighting was planned for the property.

SIGNAGE
One (1) sign was proposed for the property. The sign would be approximately thirty-two (32) square feet in size and would look substantially like the image provided in Attachment 5. No information was provided regarding the height of the sign. No information was provided regarding the specific location of the sign. The sign would not be illuminated.

SECURITY
Though not shown on the site plan, the Petitioner proposes to install one (1) wood post farm fence with wire mesh around the entire perimeter of the site expect at the two (2) entrances to the property. The fence would be six feet (6') in height.

LANDSCAPING
The landscaping plan (Attachment 4) shows six (6) Colorado blue spruce trees, four (4) purple birches, four (4) bald cypresses, thirteen (13) Techny arborvitae and fifteen (15) Eden outcropping stones along the western side of the property. The Colorado blue spruces would be eight feet (8') in height at the time of planting and would grow to a maximum of fifty feet (50'). The Techny arborvitae would be six feet (6') in height at the time of planting and would grow to a maximum fifteen feet (15'). The bald cypresses would be eight feet (8') at the time of planting and would grow to a maximum fifty feet (50'). The purple birches would either be ten feet (10') in height or two point five inch (2.5) diameter at the time of planting and would grow to a maximum forty feet (40'). The landscaping would be located outside of the security fence.

NOISE CONTROL
No information was provided regarding noise control.

ODORS
No information was provided regarding odor control.

RELATION TO OTHER SPECIAL USES
If approved, this would be the twentieth (20th) special use permit for a landscaping business in unincorporated Kendall County.

FINDINGS OF FACT-SPECIAL USE PERMIT
§ 13:08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to recommend in favor of the applicant on special use permit applications. They are listed below in *italics.* Staff has provided findings in **bold** below based on the recommendation:

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. **Numerous landscaping businesses have been approved throughout unincorporated Kendall County. The proposed use is along Stewart Road, which is classified as a major collector. Reasonable restrictions can be placed in the special use permit to ensure the health, safety, and general welfare of the area are protected.**

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 makes 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 subject property is in a large A-1 Agricultural District.**

The use will not impede farms or residential uses on the adjoining properties. Reasonable restrictions may be placed on the special use permit to address hours of operation, noise, landscaping, and site layout to prevent neighboring property owners from being negatively impacted by the proposed use.

Adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **The proposal identifies locations for the future well and septic field. Two (2) points of ingress/egress are proposed. The proposed use likely will generate little traffic onsite and adequate space exists for parking for customers and employees of the proposed use. The proposal will have to obtain a stormwater permit to address drainage concerns. Adequate space exists for storage of equipment and materials related to the proposed uses.**

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 if the hoop houses and landscape material storage bins are located at least ten feet (10') from the southern property line.**

The special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **The proposal is also consistent with a goal and objective found on page 6-34 of the Land Resource Management Plan**, **"A strong base of agriculture, commercial and industrial uses that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents." "Encourage opportunities for locally owned business." In addition, the future land use map calls for this property to be Mixed Use Business. Similar types of uses were planned for the subject property and properties in the vicinity of the subject property.**

RECOMMENDATION
Staff recommends approval of the requested special use permit subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the attached revised site plan (Attachment 3A) and landscaping plan (Attachment 4). One (1) wood post farm fence with wire mesh shall be installed around the enter perimeter of the site expect at the two (2) entrances to the property. The fence shall be six feet (6') in height maximum. The landscaping shall be installed between the fence and Stewart Road.
2. **The owners of the business allowed by this special use permit may place parking and temporary structures in the front yard setback without the need of obtaining an amendment to the special use permit, if the County amends the Zoning Ordinance in the future to allow these types of uses in the front yard setback. (Added at RPC)**
3. Within ninety (90) days of the approval of the special use permit, the owners of the subject property shall dedicate a strip of land thirty-five feet (35') in depth along the western property line to Oswego Township. The Kendall County Planning, Building and Zoning Committee may grant an extension to this deadline.
4. Equipment and vehicles related to the business allowed by the special use permit may not be stored outdoors at the subject property when the business is closed.
5. None of the vehicles or equipment parked or stored on the subject property related to the business allowed by the special use permit shall be considered agricultural vehicles or agricultural equipment.
6. All of the vehicles and equipment stored on the subject property related to the business allowed by the special use permit shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
7. The owners of the businesses allowed by this special use permit shall diligently monitor the property for leaks from equipment and vehicles parked and stored and items stored on the subject property and shall promptly clean up the site if leaks occur.
8. Except for the purposes of loading and unloading, all landscape related materials shall be stored

indoors or in the designated storage areas shown on the attached revised site plan (Attachment 3A). The maximum height of the piles of landscaping related material shall be ten feet (10') in height.

9. A maximum of twenty-five (25) employees of the business allowed by this special use permit, including the owners of the business allowed by this special use permit, may report to this site for work.

10. The hours of operation of the business allowed by this special use permit shall be daily from 6:00 a.m. until 6:00 p.m. and the business shall be open twenty-four (24) hours to address snow events. The owners of the business allowed by this special use permit may reduce these hours of operation.

11. Any structures constructed, installed, or used related to the business allowed by this special use permit on the property shall not be considered for agricultural purposes and must secure applicable building permits.

12. One (1) sign as described in the sign description (Attachment 5) may be installed along Stewart Road at the subject property. The sign shall not be illuminated.

13. Only lighting related to security may be installed outdoors at the subject property.

14. Damaged or dead plantings described on the landscaping plan (Attachment 4) shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department.

15. The materials and vegetation described in the landscaping plan (Attachment 4) shall be installed ~~**within six (6) months of the approval of the special use permit**~~ **by September 1, 2024**. The Kendall County Planning, Building and Zoning Committee may grant an extension to the deadline to install the vegetation. Materials and vegetation stored in the nursery stock storage areas and landscaping material storage area shall not be subject to this requirement and shall not be considered part of the landscaping plan. **(Amended at ZPAC)**

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

17. The noise regulations are as follows:

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

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

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

    Only homes permitted prior to the date of the issuance of the special use permit shall have standing to file noise complaints.

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

19. The dumpster area shall be fenced with board-on-board fencing as shown by the image provided (Attachment 6). The maximum height of the fence shall be eight feet (8').

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

21. The property owner and operator of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.

22. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.

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

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

ATTACHMENTS

1. Application Materials (Including Petitioner's Findings of Fact, and EcoCat)
2. NRI Report
3. Original Site Plan

3A. Site Plan Dated January 30, 2024.

4. Landscaping Plan
5. Sign Description
6. Refuse Fencing Plan
7. Looking Northeast
8. Looking Southeast
9. Looking Northwest
10. Looking West
11. October 30, 2023, Oswego Township Email
12. December 27 Oswego Fire Protection District Email
13. January 2, 2024, ZPAC Meeting Minutes (This Petition Only)
14. January 4, 2024, WBK Engineering Letter
15. January 29, 2024, Kendall County Zoning Board of Appeals Items
16. February 21, 2024, Village of Oswego Letter
17. Stormwater Site Development Plans
18. Stormwater Report
19. January 24, 2024, Kendall County Regional Planning Commission Meeting Minutes (This Petition Only)
20. February 28, 2024, Kendall County Regional Planning Commission Meeting Minutes (This Petition Only)

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

APPLICATION

PROJECT NAME _____ **FILE #:** _____

NAME OF APPLICANT (Including First, Middle Initial, and Last Name) Arbeen, LLC		
CURRENT LANDOWNER/NAME(s) Arbeen, LLC		
SITE INFORMATION ACRES 4 acres	SITE ADDRESS OR LOCATION 4 acres vacant land adjacent to 3900 Stewart Road Oswego, Illinois 60543	ASSESSOR'S ID NUMBER (PIN) part of 03-24-400-005 when just purchased New PIN 03-24-400-011
EXISTING LAND USE Agricultural -farming	CURRENT ZONING A-1	LAND CLASSIFICATION ON LRMP A-1

REQUESTED ACTION (Check All That Apply):

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

[1]PRIMARY CONTACT	PRIMARY CONTACT MAILING ADDRESS	PRIMARY CONTACT EMAIL
Daniel J. Kramer	[redacted]	[redacted]
PRIMARY CONTACT PHONE #	**PRIMARY CONTACT FAX #**	**PRIMARY CONTACT OTHER #**(Cell, etc.)
[redacted]	[redacted]	
[2]ENGINEER CONTACT	ENGINEER MAILING ADDRESS	ENGINEER EMAIL
ENGINEER PHONE #	ENGINEER FAX #	ENGINEER OTHER # (Cell, etc.)

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

I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES. **THE APPLICANT ATTESTS THAT THEY ARE FREE OF DEBT OR CURRENT ON ALL DEBTS OWED TO KENDALL COUNTY AS OF THE DATE OF THE APPLICATION.**

SIGNATURE OF APPLICANT [redacted] Attorney in Fact **DATE** 10/17/2023

FEE PAID:$_____
CHECK #:_____

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

Date Stamp Here If
Checklist Is Complete

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

APPLICATION

PROJECT NAME ABREEN, LLC **FILE #:**_____

NAME OF APPLICANT (Including First, Middle Initial, and Last Name)
ABREEN, LLC, an Illinois limited Liability Company

CURRENT LANDOWNER/NAME(s)
ARBEEN, LLC, An Illinois Limited Liability Company

SITE INFORMATION ACRES	SITE ADDRESS OR LOCATION	ASSESSOR'S ID NUMBER (PIN)
4	4 acres adjacent to 3900 Stewart Road, Oswego, Illinois 60543	03-24-400-011

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

REQUESTED ACTION (Check All That Apply):

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

[1]PRIMARY CONTACT	PRIMARY CONTACT MAILING ADDRESS	PRIMARY CONTACT EMAIL
Daniel J. Kramer	[redacted]	[redacted]

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

[2]ENGINEER CONTACT	ENGINEER MAILING ADDRESS	ENGINEER EMAIL

ENGINEER PHONE #	ENGINEER FAX #	ENGINEER OTHER # (Cell, etc.)

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

I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES. **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 [redacted] **DATE** 12/18/2023

FEE PAID:$_____
CHECK #:_____

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

Last Revised:
10.17.22

Date Stamp Here If Checklist Is Complete

Form **LLC-5.5**	**Illinois Limited Liability Company Act Articles of Organization**	**FILE # 13292612**
Secretary of State Alexi Giannoulias Department of Business Services Limited Liability Division www.ilsos.gov	**Filing Fee:** $150 **Approved By:** MAG	**FILED** **MAY 23 2023** **Alexi Giannoulias** **Secretary of State**

1. Limited Liability Company Name: ARBEEN, LLC

2. Address of Principal Place of Business where records of the company will be kept:
   2410 COLLINS ROAD

   OSWEGO, IL 60543

3. The Limited Liability Company has one or more members on the filing date.

4. Registered Agent's Name and Registered Office Address:

   TYLER ARBEEN
   2410 COLLINS RD
   OSWEGO, IL 60543-9705

5. Purpose for which the Limited Liability Company is organized:
   "The transaction of any or all lawful business for which Limited Liability Companies may be organized under this Act."

6. The LLC is to have perpetual existence.

7. Name and business addresses of all the managers and any member having the authority of manager:

   ARBEEN, TYLER
   [redacted]

8. **Name and Address of Organizer**
   I affirm, under penalties of perjury, having authority to sign hereto, that these Articles of Organization are to the best of my knowledge and belief, true, correct and complete.

   Dated: MAY 23, 2023 TYLER ARBEEN
   [redacted]

This document was generated electronically at www.ilsos.gov

1. Attached to this response is our Client's Business Plan, including number of employees and hours of operation. In the early spring through late fall his operation consists totally of the landscaping business. In the winter months they supplement their operations by doing some limited snow plowing with a greatly reduced staff. He lists his current number of employees as 15 at the peak but I would suggest we use 25 as a maximum in that the business could grow and we certainly don't want to interfere with economic development in the County.
2. We are providing attached here to the legal description in "Word" Format.
3. There will be a new well and septic.
4. There are no easements of record on the property.
5. We have always in the past and will continue to honor a Township Right of Way Request as long as it is reasonable in width and not greater than other required dedications.
6. We know the issue with the Oswego Fire Protection District. They have passed an Ordinance many years ago that we believe beyond their authority under the Illinois Fire Code. They require or at least request fire suppression sprinkling in all commercial buildings regardless of size and regardless of whether rural or a municipal water system which would support a sprinkler is available.
   We have been down this road before and as you know unless you have a very expensive pressurized tank like a golf course that has a restaurant and other facilities, or a water tower a sprinkle system simply does not function. We will do the courtesy request asking for a waiver which at times they have granted and other times not. The long and short is we would have to have every farm building of this type of pole structure sprinkled out in the country which of course has not been what is traditionally happened. If they will not vary from their Ordinance, it would be their burden to try and enforce and we would simply ask that the County not include their Ordinance requirement or request as a condition of the Special Use.
7. We will have the handicap spaces highlighted. They do not have a great deal of drop in traffic. Most of their landscaping is contracted right with the business or homeowner and the Owner of the Company literally goes out to sites to work with the Homeowner.
8. We would like to vary in the Special Use that condition of no parking in front. If you drive in any of the municipalities or throughout the County parking is in front of the buildings and does maintain a setback off of the lot line but we would loose given that the ownership of the property owner is to the center of the road line with 150 foot setback request that is an unreasonable taking without compensation of not being able to use that much front area of the building.
9. The maximum height in the storage areas would not exceed the Ordinance Requirement. Typically speaking it would be no more than 10 foot in height.
10. The areas would be either grass or in limited drive areas asphalt screenings. There would not be solid paving or concrete except around the apron of the building for the sidewalk area and the two handicap parking spots.
11. Let me know your decision.
12. Again, the hoop houses are temporary structures and we would suggest perhaps a 30 foot to 50 foot setback. We would like to vary the 150 foot, again for the same reason above. It is an unreasonable taking without compensation since you are asking for such a huge setback along County Road Ways that is simply going to be grass area and not actual road or ditches.
13. We would keep any hoop houses which are temporary structures at least 10 feet off the property line and since they are not permanent structures we believe the Ordinance Requirement would only be 5 feet.
14. There will be no illuminated signage but the Owner would put a ground-level landscape sign that you see on various landscaping areas that would blend in with the stone and plantings along Stewart Road.

15. There would be no physical barrier like in a cyclone fence but the Applicant does plan on putting a decorative rail wood fence around the perimeter of the entire site.
16. N additional lighting
17. The dumpster site would enclosed with board on board fence.
18. Petitioner will install landscaping on the front area adjacent to the road. See attached example.
19. Indoors as far as equipment parking.
20. No objection whatsoever to the right to farm clause and Petitioner will comply with that Ordinance.
21. The official Applicant is Arbeen, LLC, an Illinois limited Liability Company which is the Owner and Record Title Holder to the subject Property. The Landscaping business on-site would be operated by Arbeen Landscaping, LLC, and Illinois Limited Liability Company. Tyler Arbeen is the Sole Member of each entity.

LAW OFFICES
OF
Daniel J. Kramer

DANIEL J. KRAMER

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

KELLY A. HELLAND
D.J. KRAMER

November 16, 2023

Matt Asselmeier
Kendall County Building & Zoning
111 W. Fox St.
Yorkville, IL 60560

Via E-mail: masselmeier@kendallcountyil.gov

Re: Arbeen, LLC Special Use Application

Dear Mr. Asselmeier:

In response to your most recent e-mail, a copy of which I am attaching I will respond by numbers to your questions.

1. It would be less than 5 potential customers or existing customers a week. Nearly all of the client contact is at the site of existing or prospective customers or email or telephone contact.
2. The type of business-related equipment stored at Site would be small trailers to transport lawn mowers, bobcats, skid steers, end loaders, and similar landscaping equipment. There also would be a large amount of hand tools, and it is anticipated the storage will be indoors for all.
3. There definitely could be equipment brought back after 5:00 pm although the Applicant generally does not require his workers to work after that time. We would certainly be willing to have the evening operation hours extended to 6:00 pm to cover a late arrival. There would not be work conducted on on-premises after that time.
4. Understood it is an on-going issue and we simply note the past position of Oswego Fire Protection District and ask that the Special Use Request not be held up by any action of the Oswego Fire Protection District. In other words, let them set their own regulations and leave the County out of the middle.
5. I understand your question or comment about the other setbacks. However, that front setback from the Road is artificially set for future Right-of-Way Dedication which given the traffic counts on Stewart Road does not look to be practical in the near term. Again, we get into a taking without compensation issue. If you drive down Route 47 or Route 34 which are major thoroughfares none of the municipalities require a setback that big without permitting landscaping or parking in the same. It seems to me a very practical result in that the building truly will be setback 150 feet form the centerline of the roadway. However, there is absolutely no harm in having landscaping or parking in that area which readily removable if in fact there were some super highway put through the area. Again, the Applicant/Owner is not suggesting putting any landscaping or parking lot in the additional Right-of-Way that the Applicant/Owner

is willing to dedicate to Oswego Township at no cost.
That is important because there is a BP Amoco Case that came out of the Addison/Bartlett Area in the Second Appellate District that held that a Governmental Body cannot condition a Special Use on dedicating Right-of-Way at compensation because it violates the takings clause of both the Federal and the State of Illinois Constitution. I am not trying to be unduly contentious but that is a good back drop for why we ask for as part of our Special Use this variation in being able to use the front setback for landscaping and parking. Since it is a Special Use I believe that it can be contained in the conditions and does not require a separate variance application. I believe theoretically the only need for a variance would be is if it was a straight zoning change of Zoning District as opposed to a Special Use or PUD.

6. Attached please find the Stormwater Management Application. Yes, please use the overage submitted toward this Application.
7. Attached please find a copy of the Landscaping Plan, signage plan, and dumpster fencing plan. Also, attached is the revised site plan denoting 2 handicap spaces.
8. Enclosed please find a copy of the Sign Plan.
9. Enclosed please find a copy of my client's Landscape Plan.
10. Given past history I would think the Oswego Township would want a dedication of 35 feet from center line on my Client's Real Property. In other word they would ultimately want a 70-foot Right-of-Way where now my Client owns to the centerline of the road adjacent to our property.

I would ask that based on this correspondence answering and the revised Landscape Plan, Sign Plan, Sight Plan, and dumpster plan that we be put on the December 5, 2023 ZPAC, December Regional Plan Commission and Special Use Hearing Officer/ZBA. Should you have any questions please feel free to call my office.

Very truly yours,

[redacted]

Daniel J. Kramer
Attorney at Law

DJK/cth
Enclosures

1. **Can you send me a Business Plan with the proposed hours of operation, number of employees, and what the site will be used for?**

- Arbeen Landscaping is a full-service Landscape Maintenance, Landscape Construction and Snow and Ice Management provide in the west suburbs. We intend to store equipment, raw materials, and plants on site. In the morning hours site will be used for employees to park their personal vehicles, change in to uniform and take a company vehicle to service locations for the day to work. Hours of operation in the summer months are 6:00am-5:00pm and winter hours are 8:00am-3:30pm (During snow events we need to access the facility 24hrs as needed to load trucks with salt to service customers) Arbeen Landscaping currently has 15 employees.

2. **A sketch of what landscaping you will do along Stewart Road**

- **Landscape Buffer to include a variety of pine trees, ornamental trees, native shrubs and natural stone to enhance curb appeal.**

ARBEEN LANDSCAPING
2410 COLLINS RD
OSWEGO, IL 60543

630.280.4239
WWW.ARBEENLANDSCAPING.COM

3. A picture of the type of building you are considering building

4. Are you do any additional light on the property besides battery lighting on the building? If so, you will need to contact an electrician to do a Photometric Plan for you.

- No additional lighting

5. If you are planning on doing any fencing on the property what type of fencing and where?

- 6' wood post farm fence with wire mesh. The fence is to surround the entire property. Excludes the (2) entrances

ARBEEN LANDSCAPING
2410 COLLINS RD
OSWEGO, IL 60543

630.280.4239
WWW.ARBEENLANDSCAPING.COM

The Petitioner is requesting a Variance permitting parking and portable hoop houses for growing plants located within the front setback area both of which would be permitted within the 150 foot front yard setback line as defined in the Kendall County A-1 Zoning Ordinance East of the centerline of Stewart Road which would decrease the 150 foot front yard setback to 51 feet.

The Petitioner/Owner agrees that no permanent structures shall be located within the 105 foot front yard setback and no permanent structures shall be erected within 75 feet from the centerline east interfering with the Wi Ka Du centerline recorded right-of-way document.

No additional right-of-way shall be dedicated at this time to any governmental body. Petitioner agrees to leave adequate setback in the event a governmental body seeks additional right-of-way its will be required to obtain an Eminent Domain for roadway taking purposes.

The Northerly 360.0 feet of the Westerly 484.01 feet (as measured along the Westerly and Northerly Lines thereof) of the South Half of the Southeast Quarter of Section 24, Township 37 North, Range 8 East of the Third Principal Meridian in Oswego Township, Kendall County, Illinois.

1/3

202300009241
DEBBIE GILLETTE
RECORDER - KENDALL COUNTY, IL
RECORDED: 8/17/2023 10:17 AM
REC FEE: 57.00 RHSPS: 19.00
STATE TAX: 260.00
COUNTY TAX: 130.00
PAGES: 4

TRUSTEE'S DEED
ILLINOIS STATUTORY

23CSA620602 YK
CT

THE GRANTOR(S), Gordon C. Plohr, as Trustee of the Gordon C. Plohr Trust dated October 23, 2019 and Judith K. Plohr, as Trustee of the Judith K. Plohr Trust dated October 23, 2019, of the [redacted] for and in consideration of Ten and 00/100 Dollars, and other good and valuable consideration in hand paid, CONVEY(S) and WARRANT(S) to Arbeen LLC, an Illinois Limited Liability Company all interest in the following described Real Estate situated in the County of Kendall in the State of Illinois, to wit:

THE NORTHERLY 360.0 FEET OF THE WESTERLY 484.01 FEET (AS MEASURED ALONG THE WESTERLY AND NORTHERLY LINES THEREOF) OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN IN OSWEGO TOWNSHIP, KENDALL COUNTY, ILLINOIS. See attached legal

SUBJECT TO:

General real estate taxes not due and payable at the time of Closing, covenants, conditions, and restrictions of record, building lines and easements, if any, so long as they do not interfere with the current use and enjoyment of the Real Estate.

Hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Permanent Real Estate Index Number(s): 03-24-400-005

Address(es) of Real Estate: 3900 Stewart Road
Oswego, Illinois 60543

Dated this July day of 21 ,20 23

By: [redacted]
Gordon C. Plohr, as Trustee of the Gordon C. Plohr Trust dated October 23, 2019

Dated this July day of 21 ,2023

By: [redacted]
Judith K. Plohr, as Trustee of the Judith K. Plohr Trust dated October 23, 2019

Chicago Title

Unofficial

STATE OF ILLINOIS, COUNTY OF Kendall SS

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, CERTIFY THAT Gordon C. Plohr and Judith K. Plohr, personally known to me to be the same person(s) whose name(s) are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and official seal this 21st day of July, 20 23.

OFFICIAL SEAL
CHRISTIAN A GINOCCHIO
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES: 12/29/2026

[redacted]
Notary Public

Prepared by:
Law Office of Lisa A. Coffey, P.C.
98 Miller Drive, Suite 102
North Aurora, Illinois 60542

Mail to:
AND
~~Arbeen LLC, an Illinois Limited Liability Company~~

Name and Address of Taxpayer: GRANTEES ADDRESS.

Arbeen LLC, an Illinois Limited Liability Company
2410 Collins Rd.
Oswego IL. 60543

Unofficial

LEGAL DESCRIPTION OF 5.0000-ACRE TRACT CONVEYED FROM PLOHR TO ARBEEN:

The Northerly 450.0 feet of the Westerly 484.01 feet (as measured along the Westerly and Northerly Lines thereof) of the South Half of the Southeast Quarter of Section 24, Township 37 North, Range 8 East of the Third Principal Meridian in Oswego Township, Kendall County, Illinois.

Unofficial

Debbie Gillette
Kendall County Clerk & Recorder

PLAT ACT AFFIDAVIT OF METES AND BOUNDS

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

Gordon C. Plohr, as Trustee of the Gordon C. Plohr Trust dated October 23, 2019 and Judith K. Plohr, as Trustee of the Judith K. Plohr Trust dated October 23, 2019, being duly sworn on oath, states that affiant resides at 3900 Stewart Rd., Oswego, IL 60543. And further states that: (please check the appropriate box)

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

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

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

SUBSCRIBED AND SWORN BEFORE ME

This 21st day of July, 2023.

[redacted]

Signature of Notary Public

[redacted]

Signature of Affiant

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

OFFICIAL SEAL
CHRISTIAN A GINOCCHIO
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES: 12/29/2026

Unofficial

202300009242
DEBBIE GILLETTE
RECORDER - KENDALL COUNTY, IL
RECORDED: 8/17/2023 10:17 AM
REC FEE: 57.00 RHSPS: 19.00
PAGES: 4

2/2

QUIT CLAIM DEED
Statutory (Illinois)

THE GRANTOR
ABREEN, LLC,
AN ILLINOIS LIMITED LIABILITY
COMPANY
of The Village of Oswego
in the County of Kendall,
and State of Illinois,

for and in consideration of Ten Dollars in hand paid, CONVEYS and QUIT CLAIMS to:

Gordon C. Plohr, as Trustee of the Gordon C. Plohr Trust dated October 23, 2019 and Judith K. Plohr, as Trustee of the Judith K. Plohr Trust dated October 23, 2019

whose address is: 3900 Stewart Road, Oswego, Illinois 60543

all interest in the following described Real Estate situated in the County of Kendall, in the State of Illinois to wit:
See attached legal description

SUBJECT TO: Existing easements, covenants, and restrictions of record and 2023 and Subsequent years real estate taxes.

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Permanent Real Estate Index Number: part of 03-24-400-005
Address of Real Estate: 1 acre of vacant land adjacent to 3900 Stewart Road, Oswego, Illinois 60543

Dated this 21st day of July, 2023.

23C5A620602YK
CA

Chicago Title

Unofficial

ARBEEN, LLC
AN ILLINOIS LIMITED LIABILITY COMPANY
BY: [redacted]
Tyler Arbeen, Manager

STATE OF ILLINOIS)
) ss.
COUNTY OF KENDALL)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, CERTIFY THAT [redacted] is personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered this instrument as his/her free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and notarial seal this 21st day of July, 2023.

[redacted]
Notary Public

OFFICIAL SEAL
CHRISTIAN A GINOCCHIO
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES: 12/29/2026

THIS TRANSACTION EXEMPT UNDER PROVISIONS OF 35 ILCS 305/4 E.
Dated: July 21, 2023

Signed: [redacted]

Grantees' Address:
Send subsequent tax bills to:
After Recording, Return To:
Gordon C. Plohr, as Trustee of the Gordon C. Plohr Trust dated October 23, 2019 and Judith K. Plohr, as Trustee of the Judith K. Plohr Trust dated October 23, 2019
[redacted]

This Document Prepared By:
Attorney Daniel J. Kramer
[redacted]

Unofficial

LEGAL DESCRIPTION OF 1.0000-ACRE TRACT RETURNED TO PLOHR FROM ARBEEN:

The Southerly 90.0 feet of the Northerly 450.0 feet of the Westerly 484.01 feet (as measured along the Westerly and Northerly Lines thereof) of the South Half of the Southeast Quarter of Section 24, Township 37 North, Range 8 East of the Third Principal Meridian in Oswego Township, Kendall County, Illinois.

Unofficial

Debbie Gillette
Kendall County Clerk & Recorder

PLAT ACT AFFIDAVIT OF METES AND BOUNDS

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

Daniel J. Kramer, being duly sworn on oath, states that affiant resides at Yorkville, Illinois. 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. [X] That the attached deed is not in violation of 765 ILCS 205/1(b) for one of the following reasons: (please circle the appropriate number)

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

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

SUBSCRIBED AND SWORN TO BEFORE ME

This 21st day of July, 2023.

[redacted]

Signature of Notary Public

[redacted]

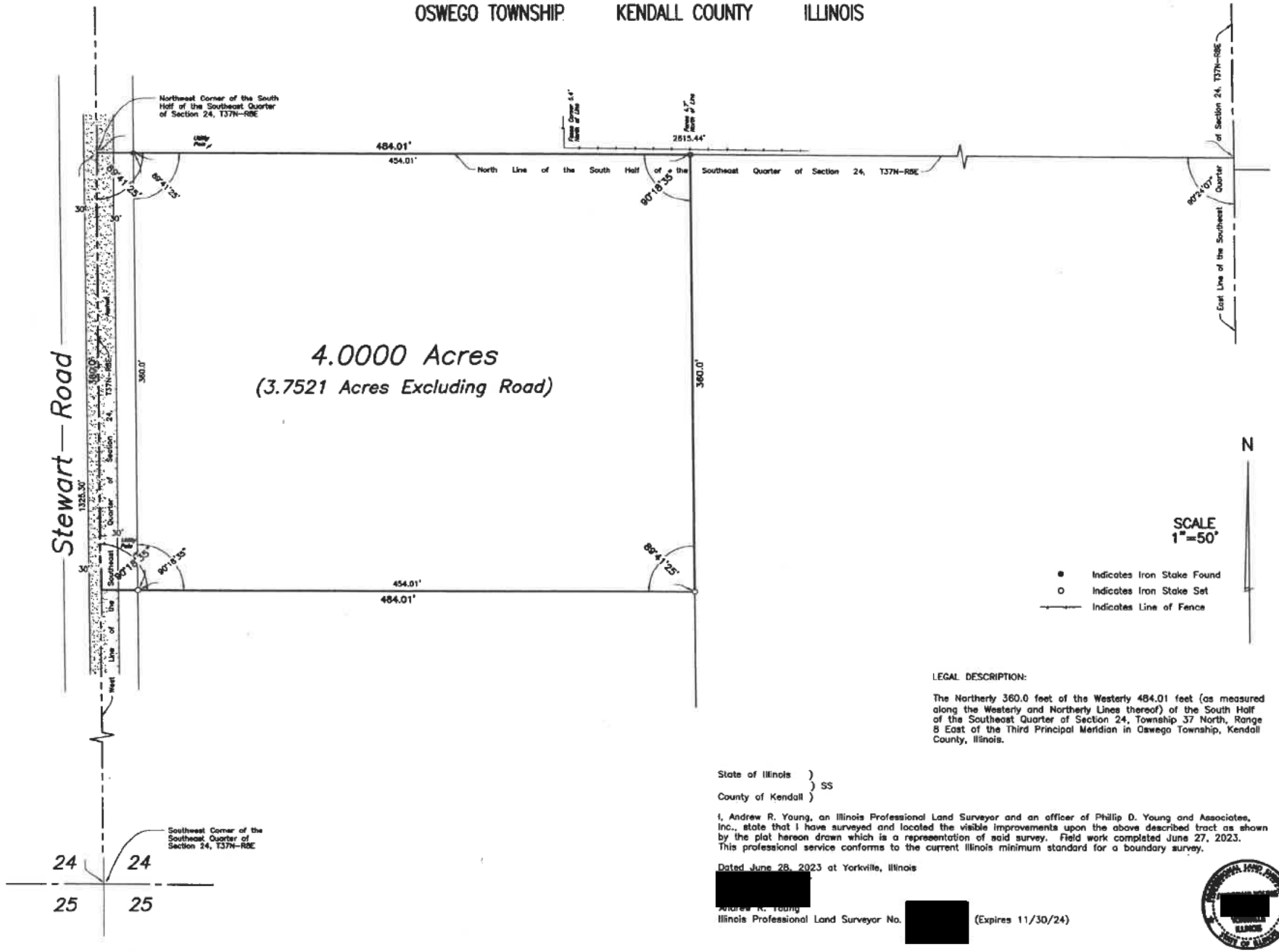
Signature of Affiant

"OFFICIAL SEAL"
COLLEEN HANSON
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 11/18/2023

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

Unofficial

PLAT OF SURVEY OF
PART OF THE SOUTHEAST QUARTER OF SECTION 24, T37N-R8E, 3rd PM
OSWEGO TOWNSHIP KENDALL COUNTY ILLINOIS



LEGAL DESCRIPTION:

The Northerly 360.0 feet of the Westerly 484.01 feet (as measured along the Westerly and Northerly Lines thereof) of the South Half of the Southeast Quarter of Section 24, Township 37 North, Range 8 East of the Third Principal Meridian in Oswego Township, Kendall County, Illinois.

State of Illinois)
) SS
County of Kendall)

I, Andrew R. Young, an Illinois Professional Land Surveyor and an officer of Phillip D. Young and Associates, Inc., state that I have surveyed and located the visible improvements upon the above described tract as shown by the plat hereon drawn which is a representation of said survey. Field work completed June 27, 2023. This professional service conforms to the current Illinois minimum standard for a boundary survey.

Dated June 28, 2023 at Yorkville, Illinois

[redacted]
Andrew R. Young
Illinois Professional Land Surveyor No. [redacted] (Expires 11/30/24)

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

JOB NO. 23086
JOB NAME ATTY. KRAMER
DWG FILE 23086

Attachment A
Page 20 of 20

KENDALL COUNTY
DISCLOSURE OF BENEFICIARIES FORM

1. Applicant Arbeen, LLC
Address 2410 Collins Road
City Oswego State IL Zip 60543

2. Nature of Benefit Sought _____

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

4. If applicant is an entity other than described in Section 3, briefly state the nature and characteristics of the applicant:
Manager of Limited Liability Company
+ Sole Member of LLC

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
Tyler Arbeen	[redacted]	100%

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

VERIFICATION

I, David J. Kesner, 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 17th day of October, A.D. 2023

(seal)

[redacted]
Notary Public

"OFFICIAL SEAL"
COLLEEN HANSON
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 11/18/2023

EcoCAT
Ecological Compliance Assessment Tool

Applicant: Arbeen, LLC
Contact: ATTORNEY DANIEL J. KRAMER
Address: [redacted]

IDNR Project Number: 2405940
Date: 10/19/2023

Project: Arbeen, LLC
Address: 4 acres vacant land on Stewart Road, Oswego

Description: operate a landscaping business and tree nursery

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:
37N, 8E, 24

IL Department of Natural Resources Contact
Bradley Hayes
217-785-5500
Division of Ecosystems & Environment

Government Jurisdiction
Kendall Count Planning, Building, and Zoning
Matt Asselmeier
111 W. Fox Street
Yorkville, Illinois 60560

Disclaimer

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

IDNR Project Number: 2405940

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.

Special Use Findings of Fact

1. The operation of the Special will not endanger any public health, safety, morals, comfort or general welfare. To the contrary it will provide the orderly expansion of allowing nursery stock and a local landscaping business that hires local Kendall County Employees in a quasi-agricultural endeavor to promote economic success for both the applicant and Kendall County and adjoining County customers.

2. The Special Use will not substantially be injurious to the use and enjoyment of surrounding properties. The property immediately adjoining is a residential use in an agricultural area that sold this subject property of the Special Use Applicant knowing full well the intended use. There are many agricultural/landscaping/nursery businesses scattered in the agricultural zoning throughout the County.

3. Stewart Road is a hard surface Road and provides adequate ingress and egress for all vehicles entering and leaving the subject property. There are not heavy ingress and egress uses with only employees arriving in the morning, leaving for jobs and returning in the late afternoon. The Applicant may do some snowplowing with lesser amount of employees in the winter. Drainage is easily handled on the subject property.

4. Applicant fully expects to comply with all applicable regulations and Kendall County Zoning Applications for the anticipated Special Use.

5. The Application for the Special Use is totally consistent with the purpose and objectives of the Land Resource Management Plan as set out in the answer to the first paragraph above.

1) The property setback requirements for A-1 results in an inverse condemnation in taking without compensation which is against Illinois and Federal Constitutions when no public interest is being adversely effect. If it was a reasonable distance, Petitioner would cooperate. Petitioner has in no way created this difficulty.

2) Actually if there were other similar landscape use in A-1 areas on seldom traveled low volume traffic roads, there would be no need for 150 foot setback. A drive through Kendall County bot rural and in incorporated municipalities, show businesses, Government Office Buildings, and homes much closer to rad rights-of-way so there is no articulable health or safety needs justifying not allowing parking and landscaping improvements in a front setback area. If there ever was a condemnation or a voluntary taking as long as there are not permanent improvements the taking can take place without causing additional government expense for permanent improvement acquisition costs.

3) The property setback requirements for A-1 results in an inverse condemnation in taking without compensation which is against Illinois and Federal Constitutions when no public interest is being adversely effect. If it was a reasonable distance, Petitioner would cooperate. Petitioner has in no way created this difficulty.

4) The request has no impact whatsoever on surrounding property owners. The parking and hoop houses will be setback further than the adjacent landowners residential homes and are well of the right-of way requirements in any other uses.

5) The request has no impact whatsoever on surrounding property owners. The parking and hoop houses will be setback further than the adjacent landowners residential homes and are well of the right-of way requirements in any other uses

STORMWATER MANAGEMENT PERMIT

PERMIT APPLICATION #_____

Conformance with all Federal, State, and County Regulations is required. Applicants are encouraged to the Countywide Stormwater Management Ordinance and consider a pre-application meeting with Department staff prior to submittal. See attached highlights of regulations.

Property: Name Arbeen, LLC

Owner Address [redacted]

Phone [redacted]

Agent: Name Attorney Daniel J. Kramer

Address [redacted]

Phone [redacted]

Site: Address or Location 5 acresvacant land Stewart Road

Tax Parcel # 03-24-400-011

Zoning/Land Use/Acres A-1 5 acres

Proposed Development:

A-1 Special Use to operate Landscaping Business

Attachments: Plat X Submitted Construction Plans_____

Soils_____ Landscaping X Submitted

Grading_____ Phasing_____

Other Engineer will submit calculations

Fees $ 50.00 Processing Fee ($50.00)

$_____ Engineering Review Deposit ($1,200.00 *or* 2% of estimated cost of the proposed improvements, whichever is greater.)

TOTAL $_____ One check is acceptable made out to the Kendall County Treasurer

Staff will contact Applicant regarding schedule and reviews.

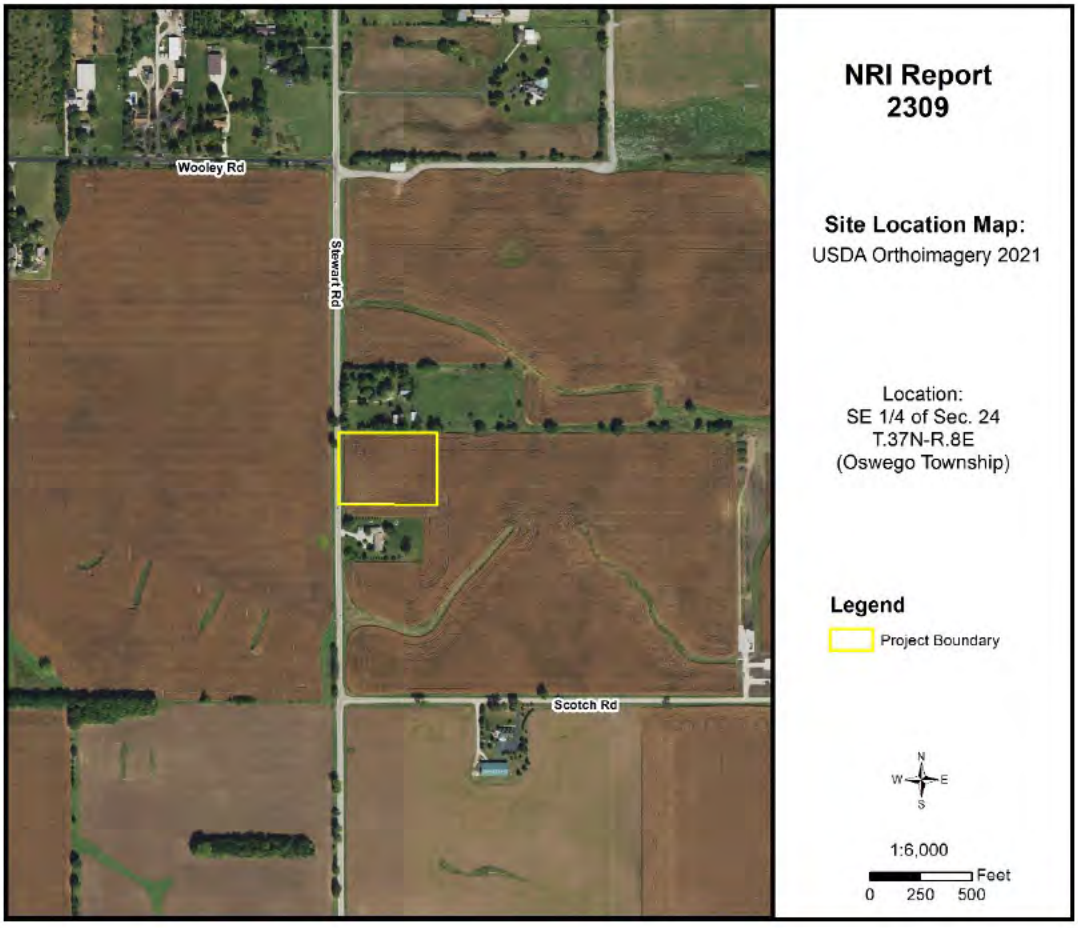
I hereby certify that the information on this application, on the documents attached, and on other submittals made during the review process is true and correct; that I am authorized to file this application; and that I agree to conform to all requirements set forth by the County and all conditions of the County Stormwater Management Ordinance. I understand that by signing this form, that the property in question may be visited by County Staff and County Engineers throughout the permit and construction process. I also understand that I am responsible for all costs associated with this application. The applicant attests that they are free of debt or current on all debts owed to Kendall County as of the application date.

Owner's Signature (Including Middle Initial) [redacted] Date_____

Agent's Signature (Including Middle Initial)_____ Date 11/16/23

Kendall County Planning, Building, & Zoning Department
111 West Fox Street, Room 203
Yorkville, Illinois 60560
Phone: (630) 553-4139, Fax (630) 553-4179
www.kendallcountyil.gov

NATURAL RESOURCE INFORMATION (NRI) REPORT: #2309



Nov. 2023

Petitioner: Arbeen, LLC

Contact: Attorney Daniel J. Kramer

Prepared By:

Kendall County Soil & Water Conservation District

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

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

Natural Resource Information Report Number	2309
Date District Board Reviews Application	November 2023
Applicant's Name	Arbeen, LLC
Size of Parcel	4.00 acres
Current Zoning & Use	A-1 Agricultural; Agricultural field
Proposed Zoning & Use	A-1 Agricultural Special Use; Landscaping Business
Parcel Index Number(s)	03-24-400-011
Contact Person	Attorney Daniel J. Kramer

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

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

PURPOSE AND INTENT

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

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

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

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

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

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

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 21
SOIL EROSION AND SEDIMENT CONTROL 23
PRIME FARMLAND SOILS 24
LAND EVALUATION AND SITE ASSESSMENT (LESA) 25
LAND USE PLANS 27
DRAINAGE, RUNOFF, AND FLOOD INFORMATION 27
WATERSHED PLANS 31
WETLAND INFORMATION 32
HYDRIC SOILS 34
WETLAND AND FLOODPLAIN REGULATIONS 36
GLOSSARY 37
REFERENCES 40

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-6D: Maps of Building Limitations 17-20

FIGURE 7: Map of Prime Farmland Soils 24
FIGURE 8: Flood Map 29
FIGURE 9: Topographic Map 30
FIGURE 10: Wetland Map 33
FIGURE 11: Hydric Soils Map 35

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 22
TABLE 6: Soil Erosion Potential 23
TABLE 7: Prime Farmland Soils 24
TABLE 8A: Land Evaluation Computation 25
TABLE 8B: Site Assessment Computation 26
TABLE 9: LESA Score Summary 26
TABLE 10: Hydric Soils 34

EXECUTIVE SUMMARY

Natural Resource Information Report Number	#2309
Petitioner	Arbeen, LLC
Contact Person	Attorney Daniel J. Kramer
County or Municipality the Petition is Filed With	Kendall County
Location of Parcel	SE ¼ of Section 24, Township 37 North, Range 8 East (Oswego Township) of the 3rd Principal Meridian
Project or Subdivision Name	Arbeen Landscaping
Existing Zoning & Land Use	A-1 Agricultural; Agricultural field
Proposed Zoning & Land Use	A-1 Agricultural Special Use; Landscaping Business
Proposed Water Source	Well
Proposed Type of Sewage Disposal System	Septic
Proposed Type of Storm Water Management	Not indicated
Size of Site	4.00 acres
Land Evaluation Site Assessment (LESA) Score	186 (Land Evaluation: 87; Site Assessment: 99)

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.

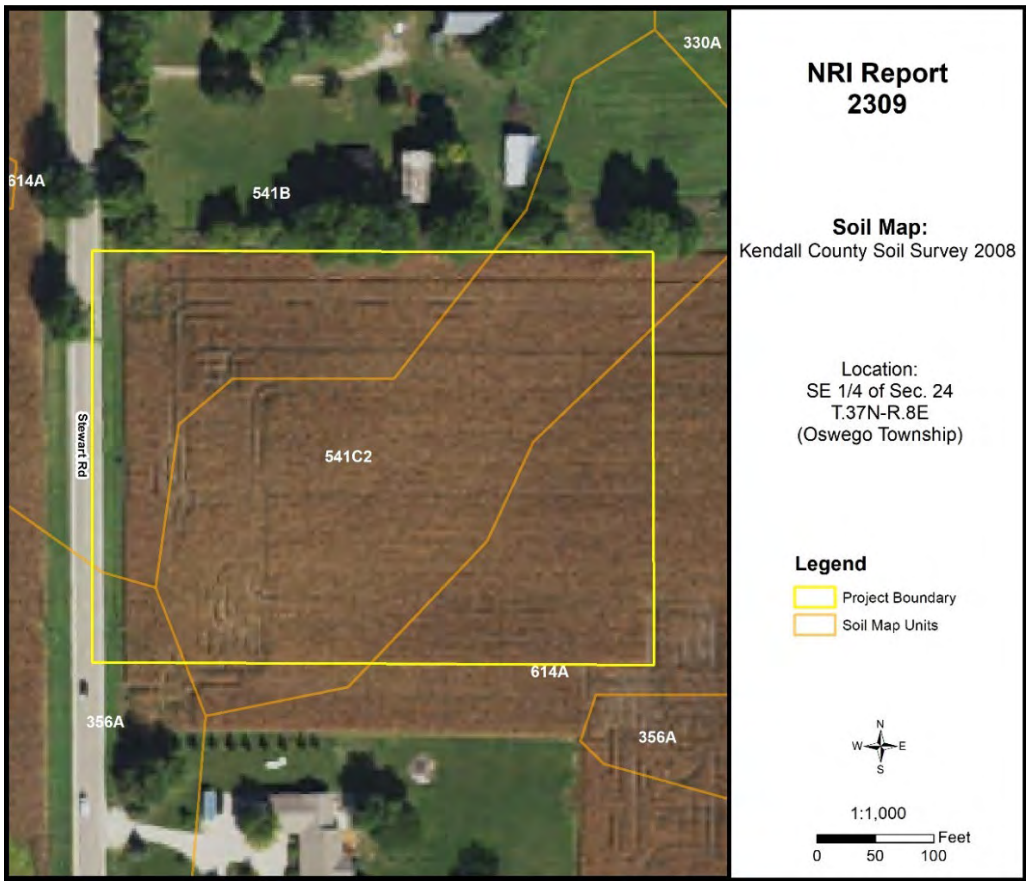


Figure 1: Soil Map

Table 1: Soils Information

Soil Type	Soil Name	Drainage Class	Hydrologic Group	Hydric Designation	Farmland Designation	Acres	% Area
356A	Elpaso silty clay loam, 0-2% slopes	Poorly Drained	B/D	Hydric	Prime Farmland if Drained	0.1	3.1%
541B	Graymont silt loam, 2-5% slopes	Moderately Well Drained	C	Non-Hydric with Hydric Inclusions	Prime Farmland	1.2	29.5%
541C2	Graymont silt loam, 5-10% slopes, eroded	Moderately Well Drained	C	Non-Hydric with Hydric Inclusions	Farmland of Statewide Importance	1.9	48.3%
614A	Chenoa silty clay loam, 0-2% slopes	Somewhat Poorly Drained	C/D	Non-Hydric with Hydric Inclusions	Prime Farmland	0.8	19.1%

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

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

Hydric Soils – A hydric soil is one that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile that supports the growth or regeneration of hydrophytic vegetation. Soils with hydric inclusions have map units dominantly made up of non-hydric soils that may have inclusions of hydric soils in the lower positions on the landscape. Of the soils found onsite, one is classified as hydric soil (356A Elpaso silty clay loam) and three are classified as non-hydric soils with hydric inclusions likely (541B Graymont silt loam, 541C2 Graymont silt loam, and 614A Chenoa 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, three are designated as prime farmland or prime farmland if drained (356A Elpaso silty clay loam, 541B Graymont silt loam, and 614A Chenoa silty clay loam) and one does not meet the criteria for prime farmland and is considered farmland of statewide importance (541C2 Graymont silt loam).

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.

Table 2: Soil Limitations

Soil Type	Small Commercial Buildings	Shallow Excavations	Lawns/ Landscaping	Local Roads & Streets	Onsite Sewage Disposal
356A	Very Limited	Very Limited	Very Limited	Very Limited	Very Limited
541B	Somewhat Limited	Somewhat Limited	Somewhat Limited	Very Limited	Not Limited
541C2	Somewhat Limited	Very Limited	Somewhat Limited	Very Limited	Not Limited
614A	Somewhat Limited	Very Limited	Somewhat Limited	Very Limited	Not Limited

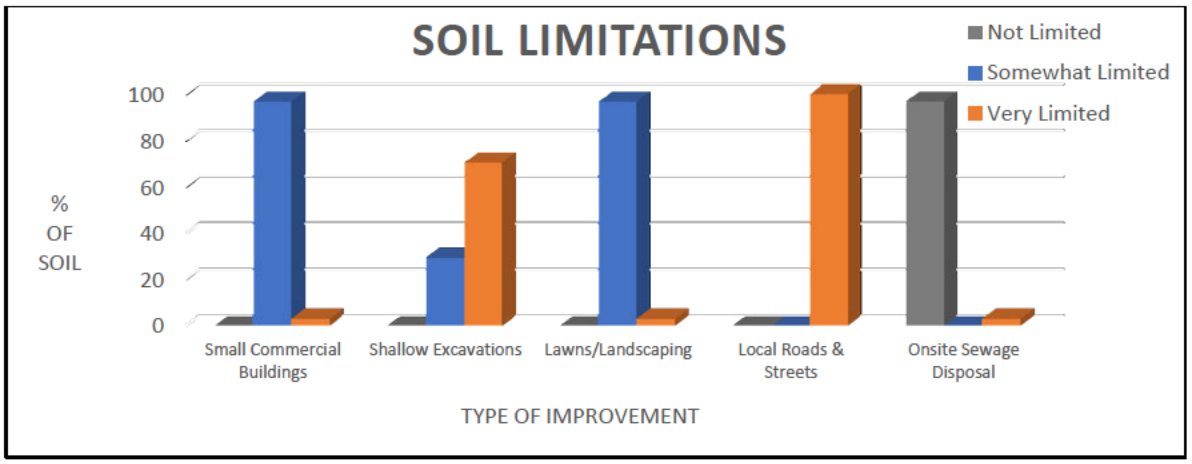


Figure 2: Soil Limitations

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 **99**.

The **LESA Score for this site is 186 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. 17093C0070G (effective date February 4, 2009) was reviewed to determine the presence of floodplain and floodway areas within the project site. According to the map, the site is in Zone X, an area of minimal flood hazard determined to be outside of the 0.2% annual chance 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 Arbeen, LLC. The petitioner is requesting a Special Use Permit on one parcel (Parcel Index Number 03-24-400-011) to operate a 4.00-acre landscaping business within Oswego Township of Kendall County, IL located in Section 24, Township 37N, and Range 8E of the 3rd Principal Meridian. Based on the information provided by the petitioner and a review of natural resource related data available to the Kendall County SWCD, the SWCD Board presents the following information.

The Kendall County SWCD has always had the opinion that prime farmland 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, 51.7% 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 a 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 186 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 roads/streets, 70.5% are very limited for shallow excavations, and 3.1% are very limited for small commercial buildings and lawns/landscaping. The remaining soils are considered somewhat limited for these types of uses. Additionally, 3.1% 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 Des Plaines River watershed and the Middle DuPage River 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. Complied Statues, Ch. 70, Par 405/22.02a).

[redacted]

SWCD Board Representative

11/13/23

Date

PARCEL LOCATION

Southeastern ¼ of Section 24, Township 37 North, Range 8 East (Oswego Township). This parcel contains approximately 4.00 acres and is located on the east side of Stewart Road, north of Scotch Road, and south of Rance Road. The parcel is within unincorporated Kendall County, IL.

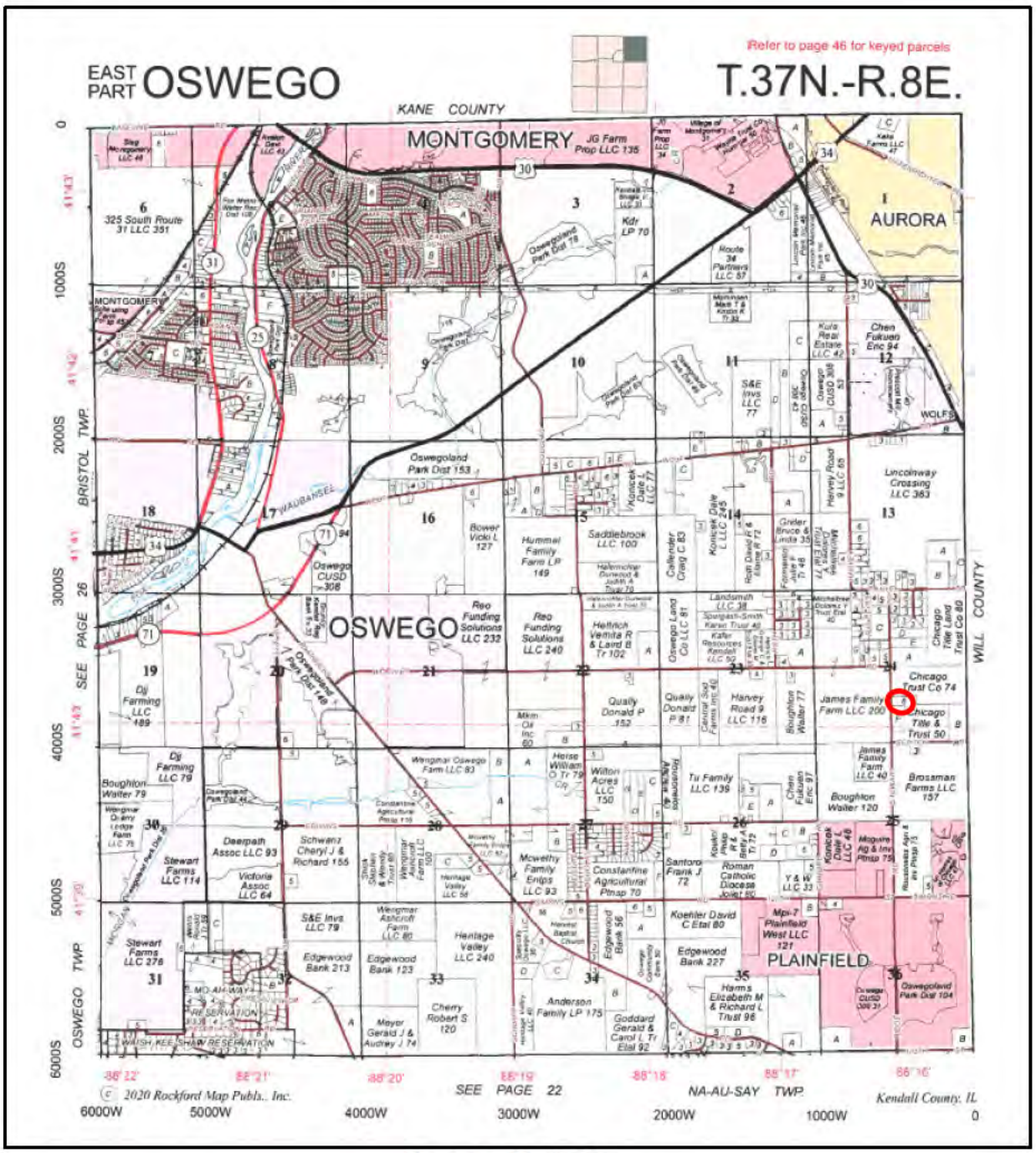


Figure 3: 2021 Plat Map

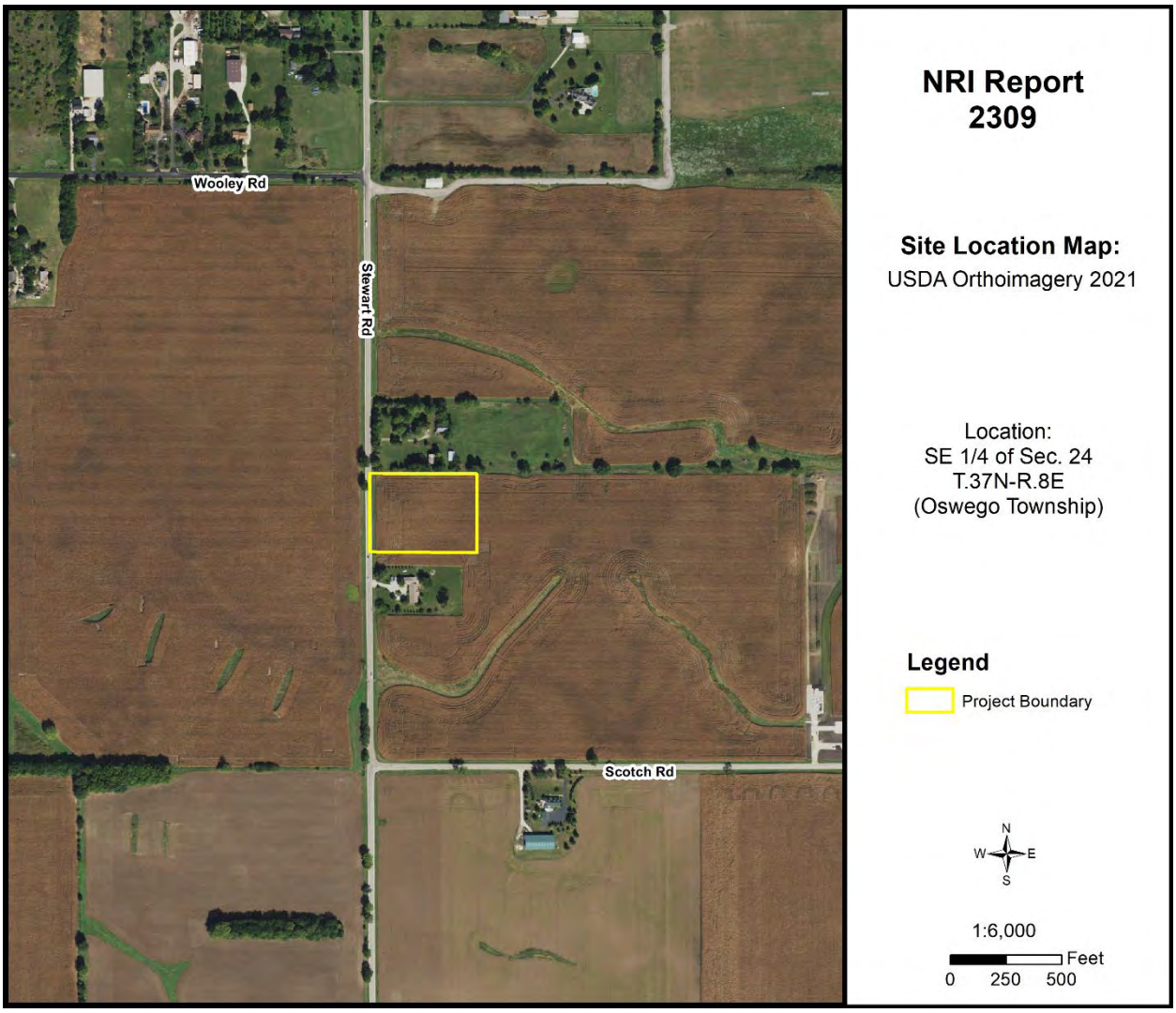


Figure 4: 2021 Aerial Map with NRI Project Boundary

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).

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

SOILS INFORMATION

IMPORTANCE OF SOILS INFORMATION

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

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

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

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

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

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

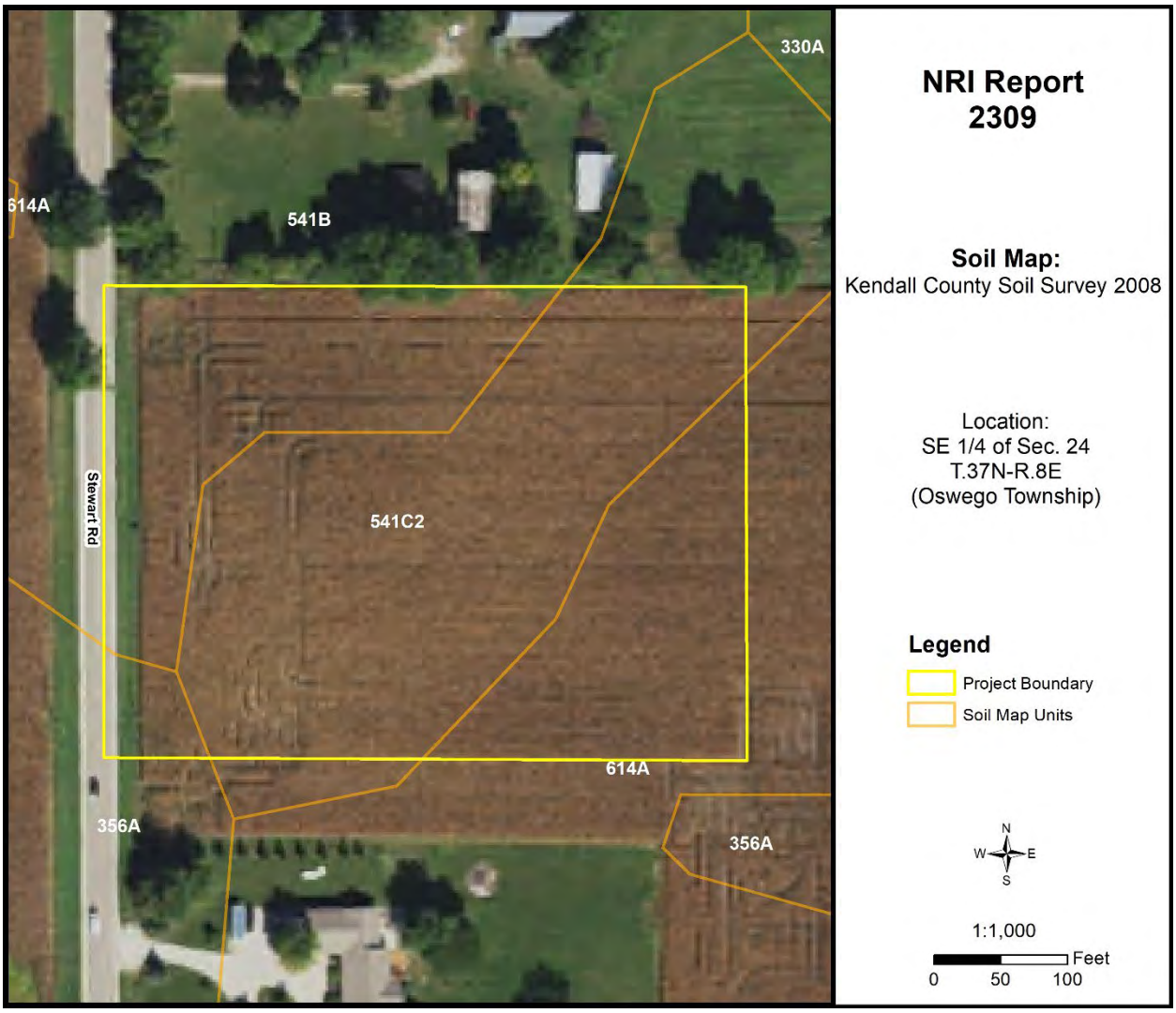


Figure 5: Soil Map

Table 3: Soil Map Unit Descriptions

Soil Type	Soil Name	Acres	Percent
356A	Elpaso silty clay loam, 0-2% slopes	0.1	3.1%
541B	Graymont silt loam, 2-5% slopes	1.2	29.5%
541C2	Graymont silt loam, 5-10% slopes, eroded	1.9	48.3%
614A	Chenoa silty clay loam, 0-2% slopes	0.8	19.1%

Source: National Cooperative Soil Survey – USDA-NRCS

SOILS INTERPRETATIONS EXPLANATION

GENERAL – NONAGRICULTURAL

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

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

LIMIATIONS RATINGS

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

BUILDING LIMITATIONS

BUILDING ON POORLY SUITED OR UNSUITABLE SOILS

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

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

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

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

Local Roads and Streets – They have an all-weather surface and carry automobile and light truck traffic all year. They have a subgrade of cut or fill soil material, a base of gravel, crushed rock or soil material stabilized by lime or cement; and a surface of flexible material (asphalt), rigid material (concrete) or gravel with a binder. The ratings are based on the soil properties that affect the east of excavation and grading and the traffic-supporting capacity.

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

Table 4: Building Limitations

Soil Type	Small Commercial Buildings	Shallow Excavations	Lawns & Landscaping	Local Roads & Streets	Onsite Sewage Disposal*	Acres	%
356A	**Very Limited**: Ponding, Depth to saturated zone, Shrink-swell	**Very Limited**: Ponding, Depth to saturated zone, Dusty, Unstable excavation walls, Too clayey	**Very Limited**: Ponding, Depth to saturated zone, Dusty	**Very Limited**: Ponding, Depth to saturated zone, Frost action, Low strength, Shrink-swell	**Unsuitable/ Very Limited:** Wet	0.1	3.1%
541B	**Somewhat Limited:** Shrink-swell	**Somewhat Limited:** Depth to saturated zone, Dusty, Unstable excavation walls, Ponding	**Somewhat Limited:** Dusty	**Very Limited:** Frost action, Low strength, Shrink-swell, Ponding, Depth to saturated zone	**Suitable/ Not Limited**	1.2	29.5%
541C2	**Somewhat Limited:** Slope, Shrink-swell	**Very Limited:** Depth to saturated zone, Dusty, Unstable excavation walls, Ponding	**Somewhat Limited:** Dusty	**Very Limited:** Frost action, Low strength, Shrink-swell, Ponding, Depth to saturated zone	**Suitable/ Not Limited**	1.9	48.3%
614A	**Somewhat Limited**: Depth to saturated zone, Shrink-swell	**Very Limited**: Depth to saturated zone, Dusty, Unstable excavation walls, Ponding, Too clayey	**Somewhat Limited**: Depth to saturated zone, Dusty	**Very Limited**: Low strength, Depth to saturated zone, Frost action, Shrink-swell, Ponding	**Suitable/ Not Limited**	0.8	19.1%
% Very Limited	**3.1%**	**70.5%**	**3.1%**	**100%**	**3.1%**		

*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 sewage disposal.

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

Figure 6B: Map of Building Limitations - Shallow Excavations

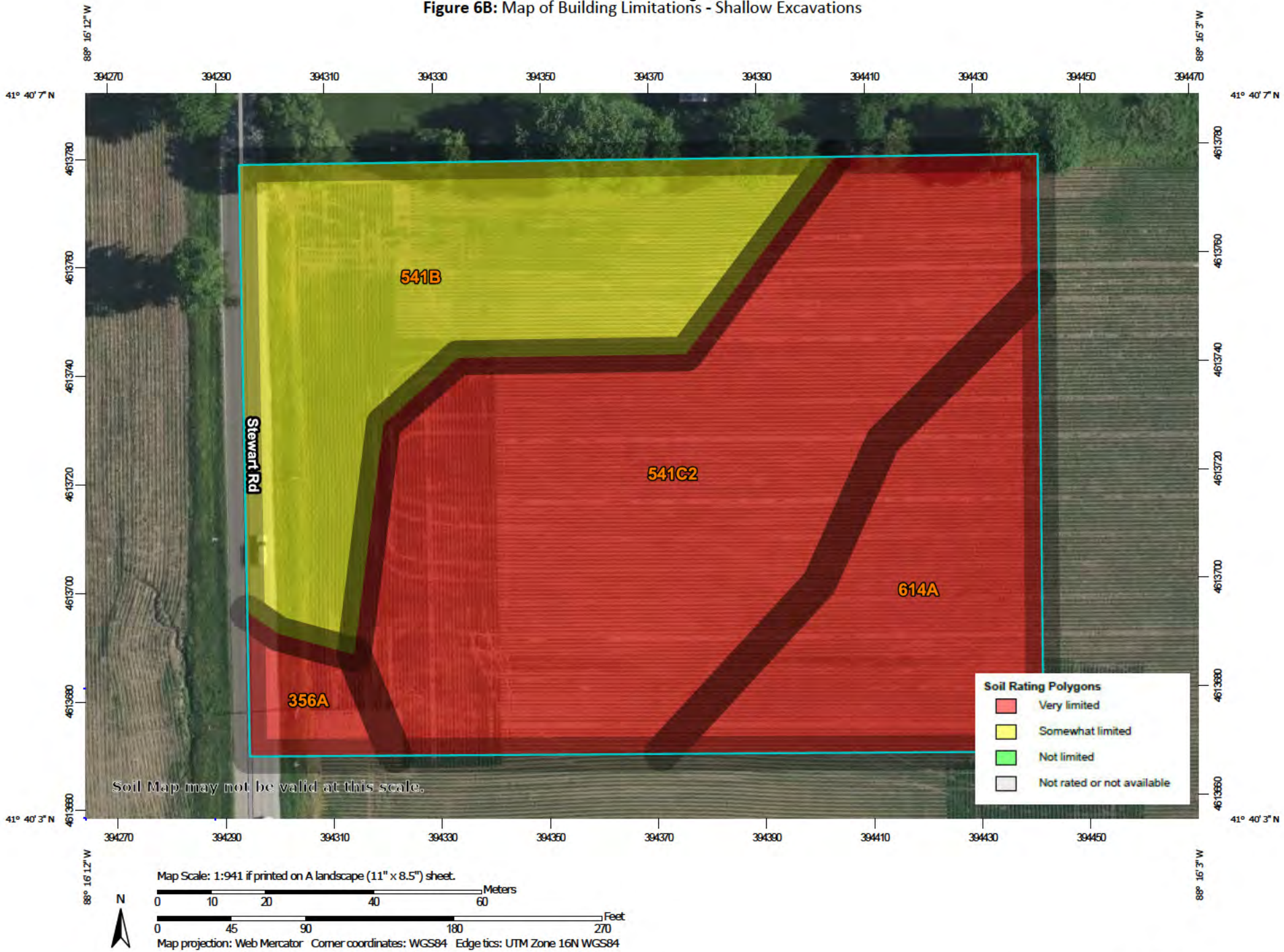
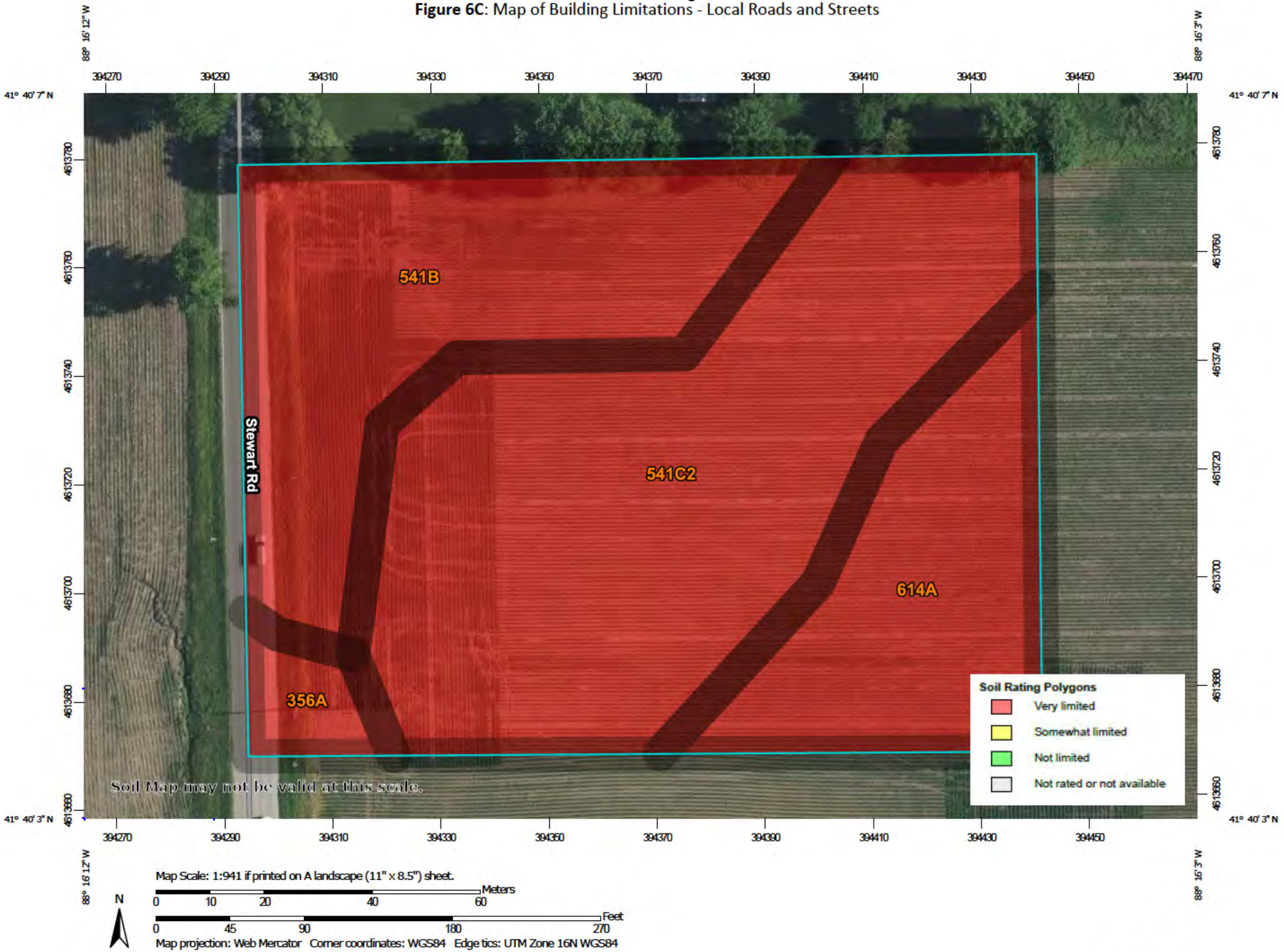


Figure 6C: Map of Building Limitations - Local Roads and Streets



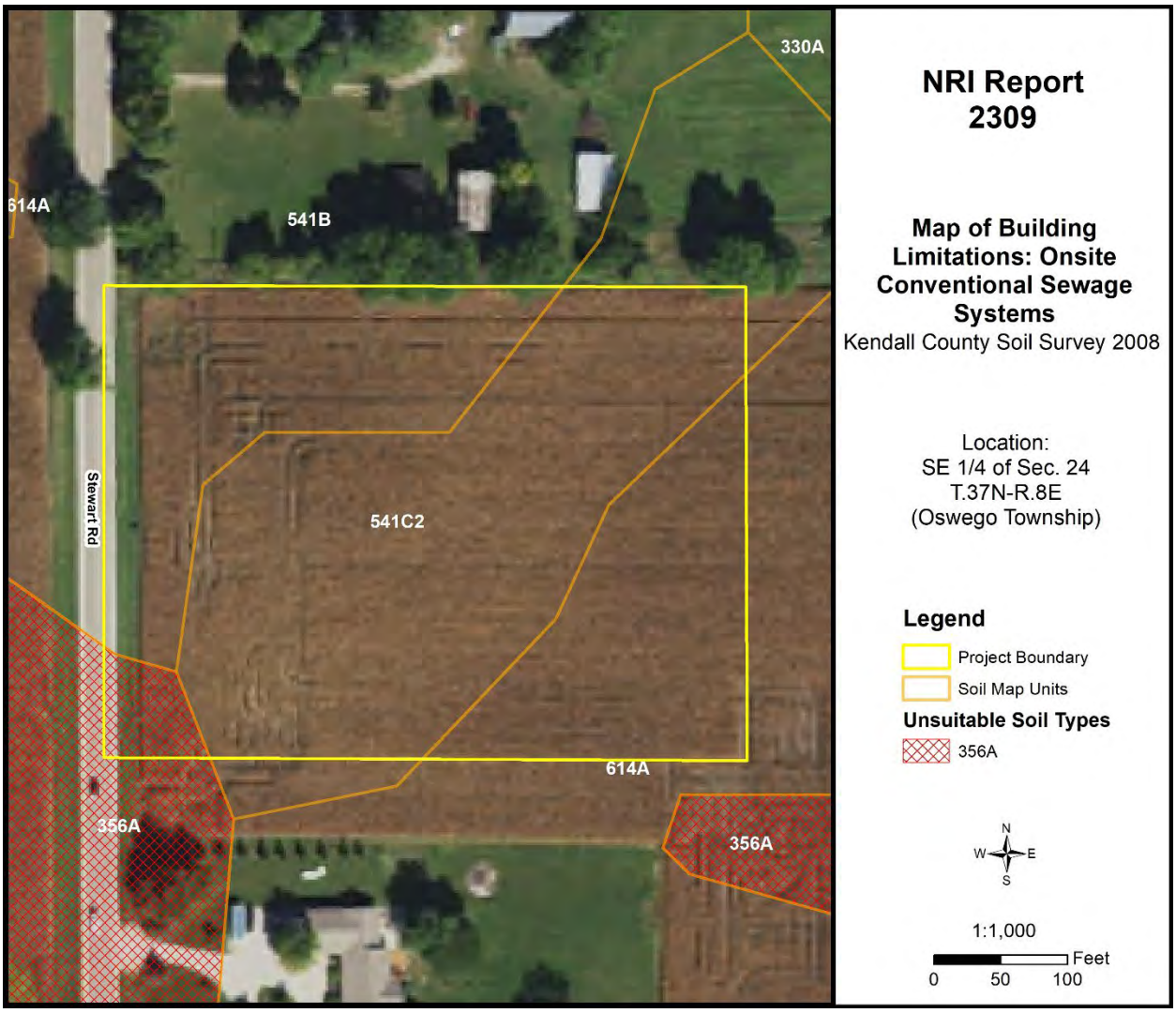


Figure 6D: Map of Building Limitations – Onsite Conventional Sewage Systems

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
356A	B/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
541B	C	Low	February – April **Upper Limit:** 2.0’-3.5’ **Lower Limit:** 2.2’-4.3’	January – December **Frequency**: None	January – December **Frequency**: None
541C2	C	Medium	February – April **Upper Limit:** 2.0’-3.5’ **Lower Limit:** 2.2’-4.3’	January – December **Frequency**: None	January – December **Frequency**: None
614A	C/D	Low	January – May **Upper Limit:** 1.0’-2.0’ **Lower Limit:** 2.1’-4.3’	January – December **Frequency**: None	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
356A	0-2%	Slight	0.1	3.1%
541B	2-5%	Slight	1.2	29.5%
541C2	5-10%	Moderate	1.9	48.3%
614A	0-2%	Slight	0.8	19.1%

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 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
356A	Prime Farmland (if drained)	0.1	3.1%
541B	Prime Farmland	1.2	29.5%
541C2	Farmland of Statewide Importance	1.9	48.3%
614A	Prime Farmland	0.8	19.1%
% Prime Farmland	**51.7%**		

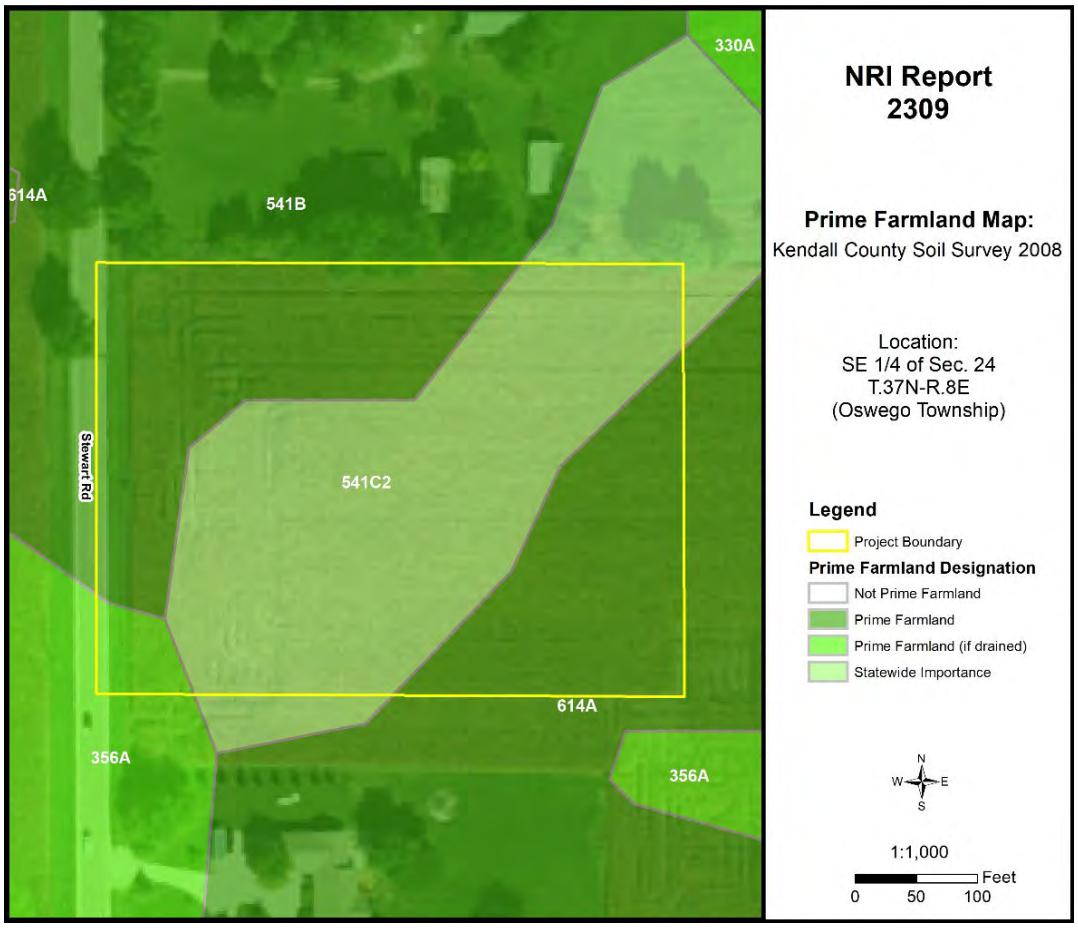


Figure 7: Map of Prime Farmland Soils

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)
356A	1	100	0.1	10.0
541B	2	94	1.2	112.8
541C2	5	82	1.9	155.8
614A	3	87	0.8	69.6
			4.0	**348.2**
LE Calculation			(Product of relative value / Total Acres) 348.2 / 4.0 = 87.1	
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)	10
	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)	20
	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)	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)	6
	Site Assessment Score:	**99**

The Site Assessment score for this site is 99. The Land Evaluation value (87) is added to the Site Assessment value (99) to obtain a LESA Score of 186. The table below shows the level of protection for the proposed project site based on the LESA Score.

Table 9: LESA Score Summary

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

Land Evaluation Value: 87 + **Site Assessment Value:** 99 = **LESA Score: 186**

The LESA Score for this site is 186 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 "○" 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 slight topography (slopes 0 to 10%) and at an elevation of approximately 724'-734' above sea level. The lowest point is at the southeast corner, and the highest point is in the middle 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.

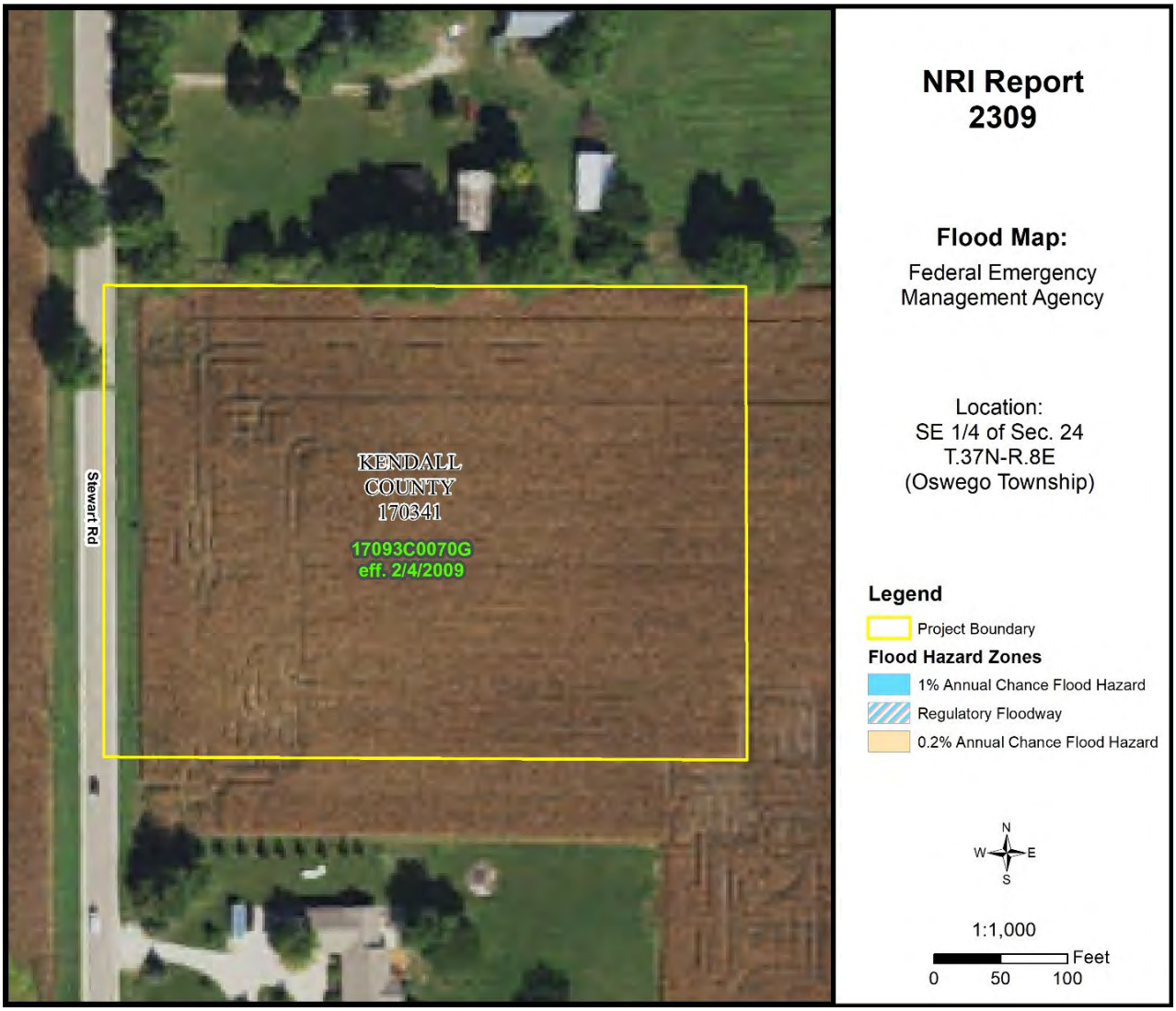


Figure 8: Flood Map

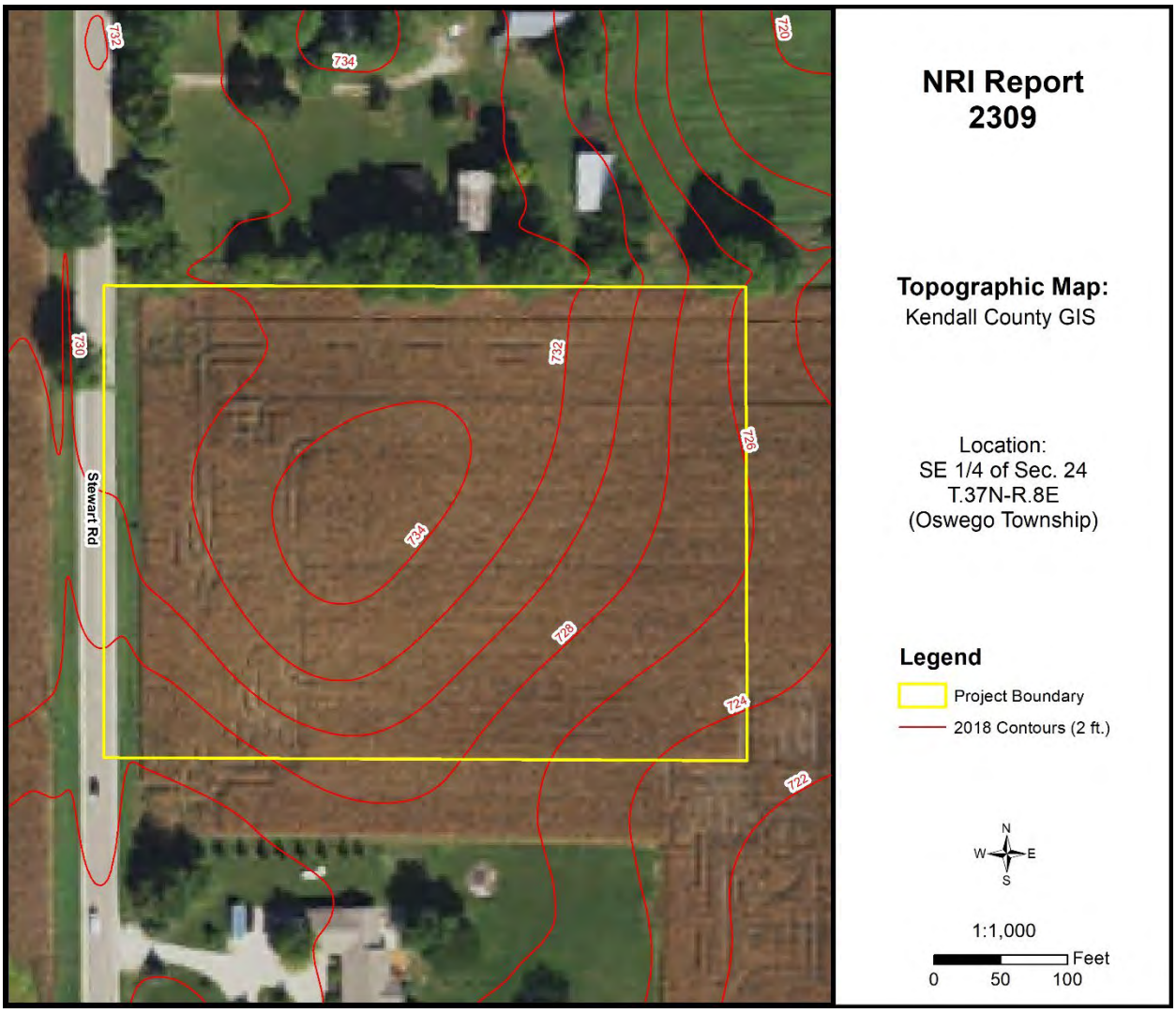


Figure 9: Topographic Map

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 Des Plaines River watershed and the Middle DuPage River sub watershed.

WETLAND INFORMATION

IMPORTANCE OF WETLAND INFORMATION

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

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

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

This section contains the 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."*

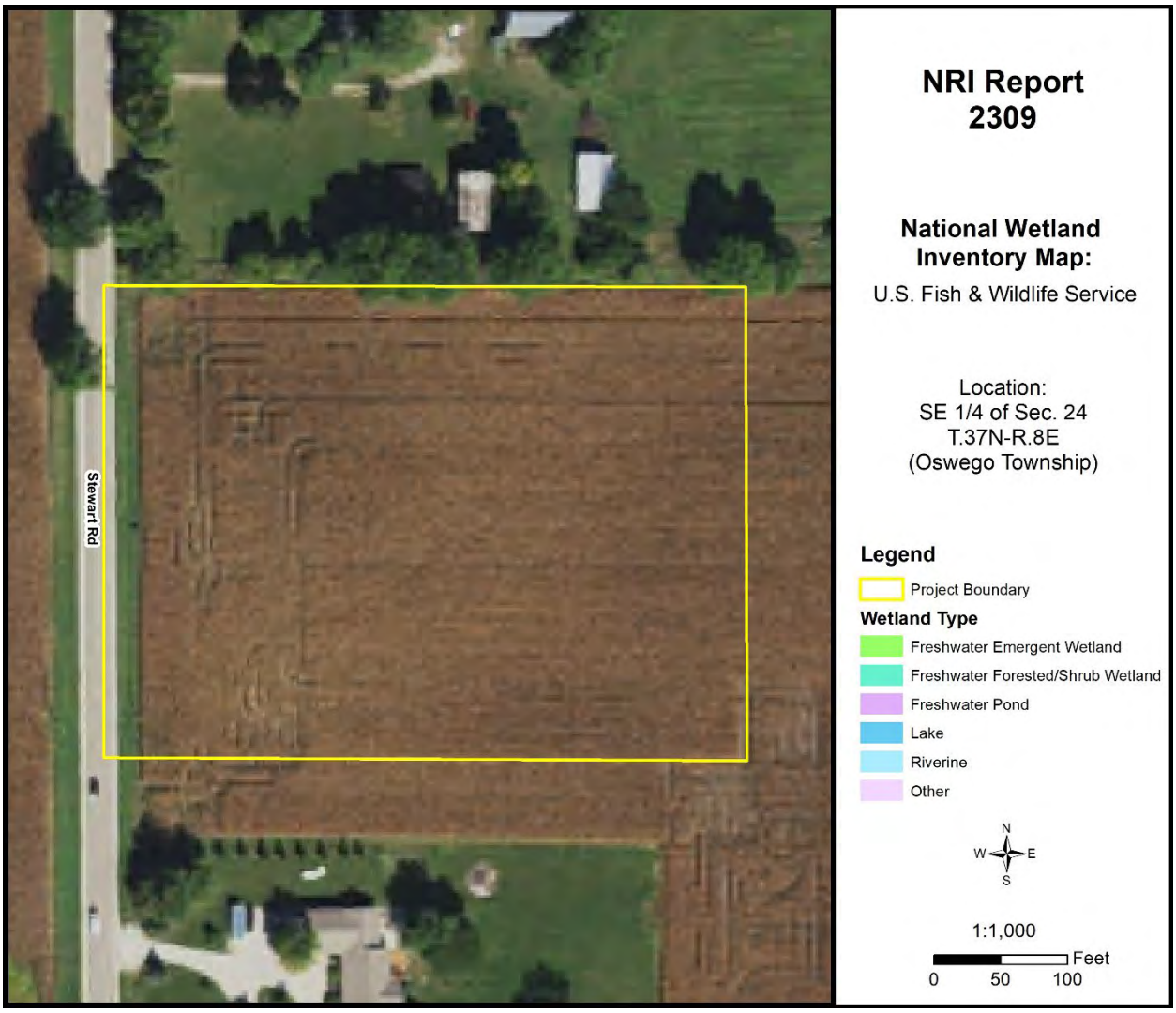


Figure 10: Wetland Map

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
356A	Poorly Drained	Hydric	N/A	100%	0.1	3.1%
541B	Moderately Well Drained	Non-Hydric	Yes	5%	1.2	29.5%
541C2	Moderately Well Drained	Non-Hydric	Yes	3%	1.9	48.3%
614A	Somewhat Poorly Drained	Non-Hydric	Yes	6%	0.8	19.1%

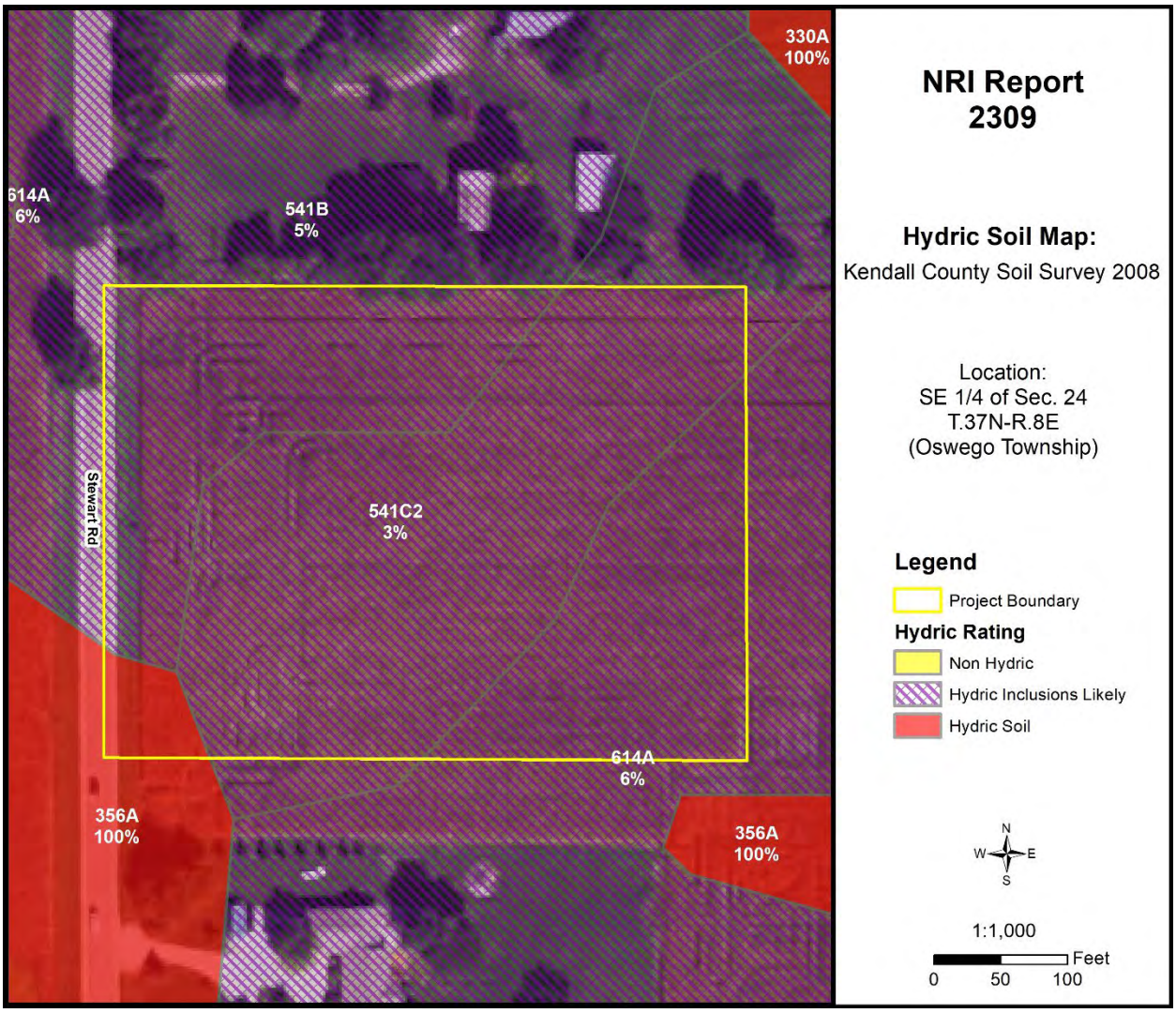


Figure 11: Hydric Soil Map

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 November 2023.

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 November 2023.

Rivers and Harbors Appropriation Act of 1899, Section 10.

Rockford Map Publishers, Inc. 2021. Land Atlas and Plat Book, Kendall County, Illinois, 21st Edition.

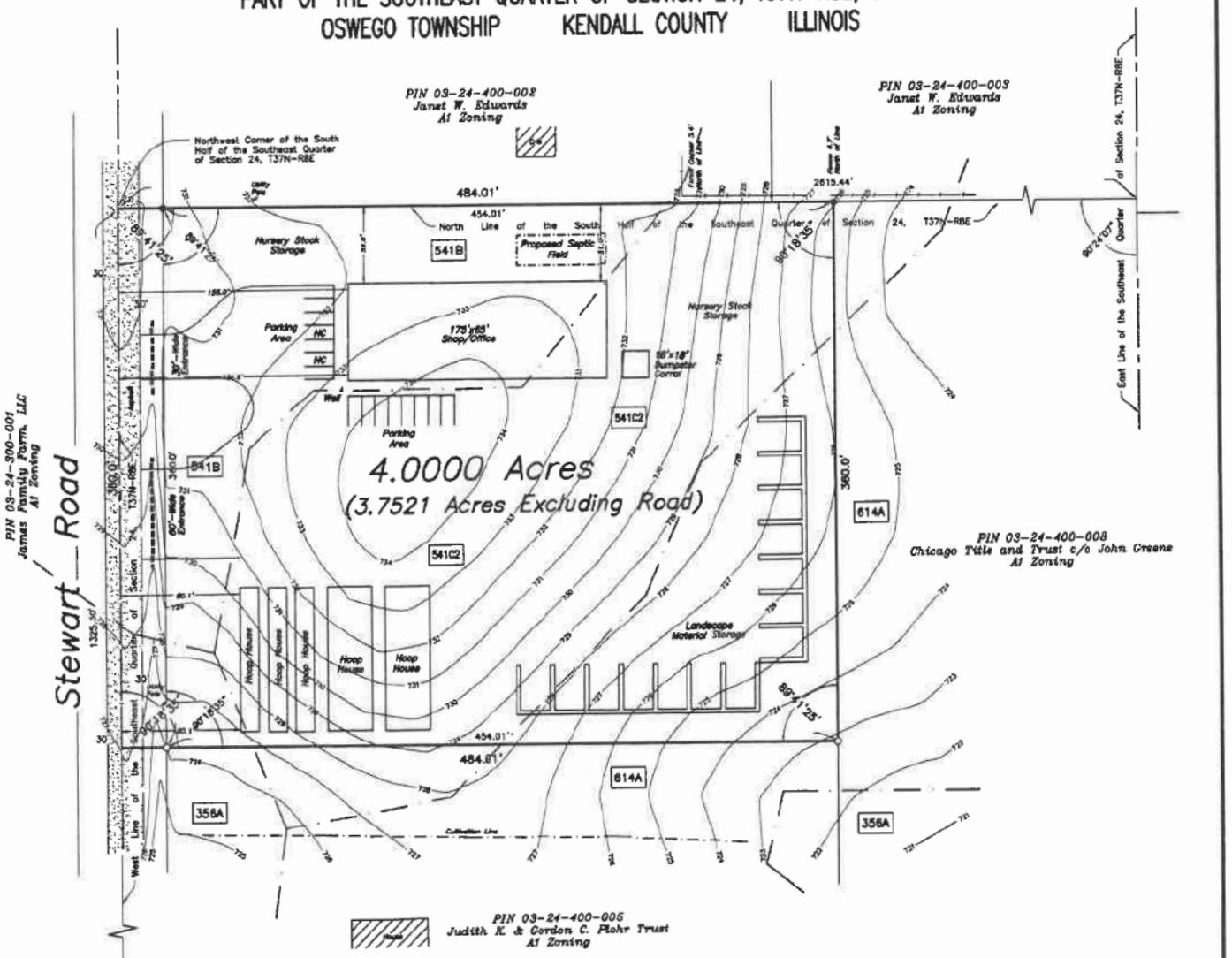
United City of Yorkville. 2016. United City of Yorkville Comprehensive Plan Update.

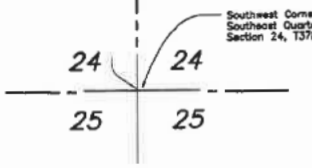
United States Fish & Wildlife Service. 2018. National Wetlands Inventory. https://data.nal.usda.gov/dataset/national-wetlands-inventory. Accessed November 2023.

Nature Conservancy (U.S.) Great Lakes Program. 1994. *The Conservation of Biological Diversity in the Great Lakes Ecosystem: Issues and Opportunities*. The Program, 1994.

Attachment 3

ZONING PLAT OF
PART OF THE SOUTHEAST QUARTER OF SECTION 24, T37N-R8E, 3rd PM
OSWEGO TOWNSHIP KENDALL COUNTY ILLINOIS





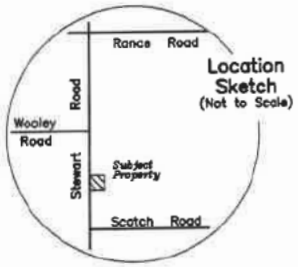
DEVELOPER:
Arbeen, LLC
[redacted]

PROPERTY LOCATION:
Part of PIN: 03-24-400-005
Steward Road
Oswego, Illinois 60543

AREA TO BE REZONED:
4.0000 Acres
(3.7521 Acres Excluding Road)

PRESENT ZONING:
A-1

PROPOSED ZONING:
A-1, SU



LEGAL DESCRIPTION OF TRACT TO BE REZONED:

The Northerly 360.0 feet of the Westerly 484.01 feet (as measured along the Westerly and Northerly Lines thereof) of the South Half of the Southeast Quarter of Section 24, Township 37 North, Range 8 East of the Third Principal Meridian in Oswego Township, Kendall County, Illinois.

FLOODPLAIN STATEMENT:

The Subject property is located in Zone X (areas of minimal flood hazard determined to be outside the 0.2% annual chance floodplain) as shown on FEMA Flood Insurance Rate Map PanelNo. 17093C0070G with an effective date of February 4, 2009.

WETLANDS STATEMENT:

The National Wetlands Inventory Map does not depict any wetlands on the Subject Property.

N

SCALE
1"=50'
0 50 100 150

- Indicates Iron Stake Found
- Indicates Iron Stake Set
- Indicates Concrete Right of Way Monument
- Indicates Line of Fence
- Indicates Overhead Utilities
- Indicates Soils Boundary
- Indicates Tree Location and Diameter
- +632.82 Indicates Spot Elevation
- 632 Indicates Contour Elevation
- Indicates Direction of Flow

PIN: 03-24-400-005

SOILS (From Web Soil Survey)

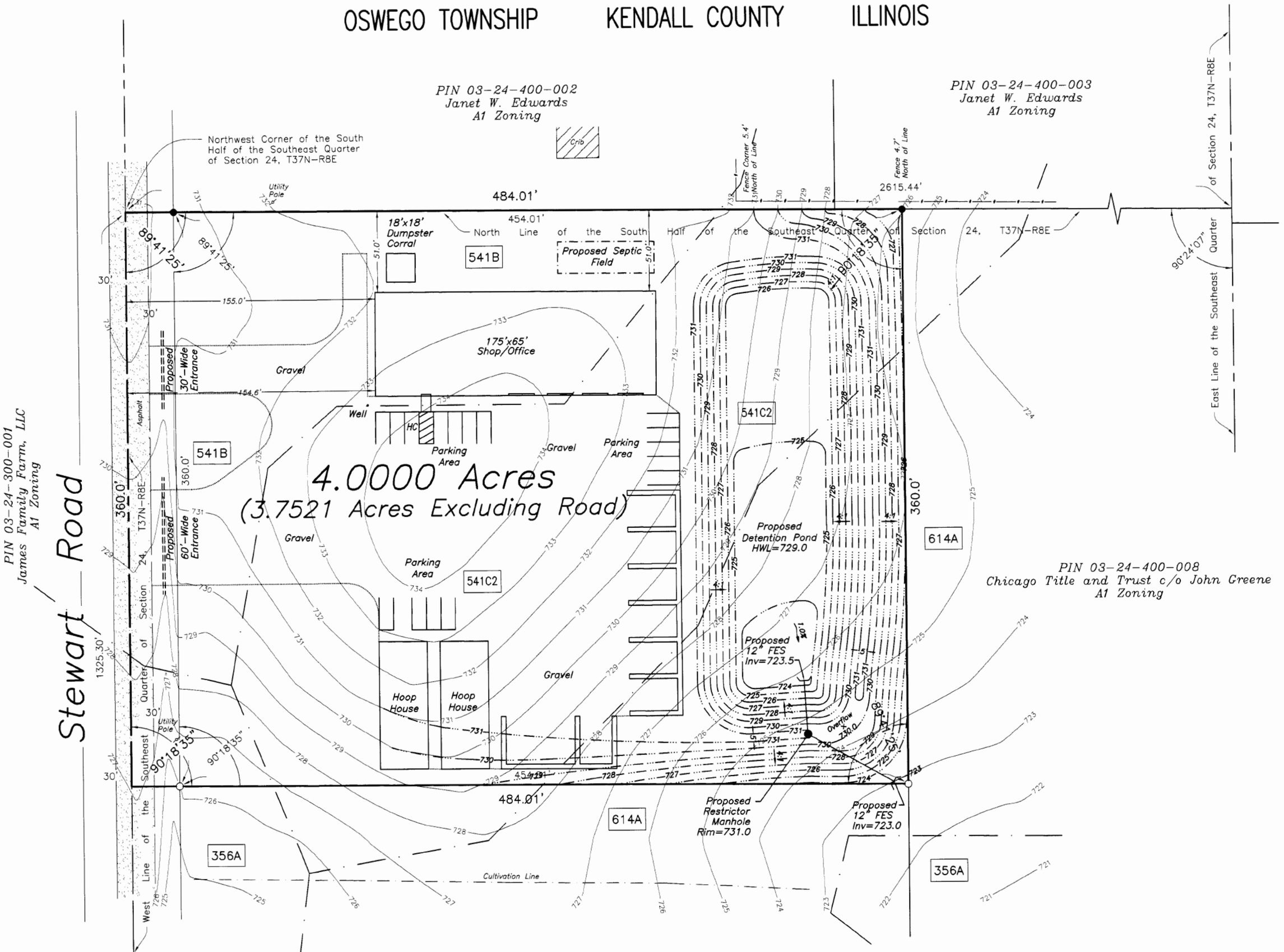
356A	Elpaso Silty Clay Loam, 0%-2% slopes
541B	Graymont Silt Loam, 2%-5% slopes
541C2	Graymont Silt Loam, 5%-10% slopes, eroded
614A	Chenoa Silty Clay Loam, 0%-2% slopes

December 15, 2023

JOB NO.	23086
JOB NAME	ATTY. KRAMER
DWG FILE	23086C

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

ZONING PLAT OF
PART OF THE SOUTHEAST QUARTER OF SECTION 24, T37N–R8E, 3rd PM
OSWEGO TOWNSHIP KENDALL COUNTY ILLINOIS



- ● Indicates Iron Stake Found
- ○ Indicates Iron Stake Set
- ■ Indicates Concrete Right of Way Monument
- —#— Indicates Line of Fence
- —ou— Indicates Overhead Utilities
- — · — Indicates Soils Boundary
- △9" Indicates Tree Location and Diameter
- + 632.82 Indicates Existing Spot Elevation
- —632— Indicates Existing Contour Elevation
- --632-- Indicates Proposed Contour Elevation
- ⟵ Indicates Direction of Flow

PIN: 03–24–400–005

DEVELOPER:

Arbeen, LLC
[redacted]

PROPERTY LOCATION:

Part of PIN: 03–24–400–005
Stewart Road
Oswego, Illinois 60543

AREA TO BE REZONED:

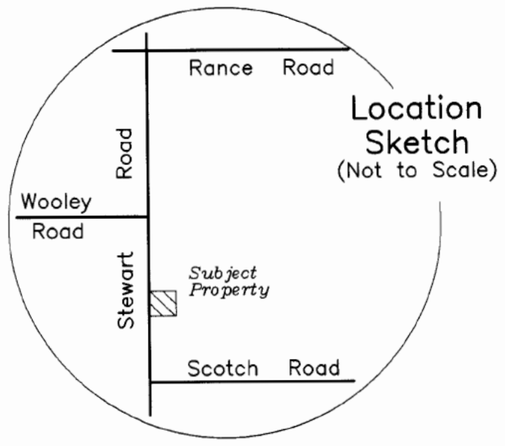
4.0000 Acres
(3.7521 Acres Excluding Road)

PRESENT ZONING:

A–1

PROPOSED ZONING:

A–1, SU



LEGAL DESCRIPTION OF TRACT TO BE REZONED:

The Northerly 360.0 feet of the Westerly 484.01 feet (as measured along the Westerly and Northerly Lines thereof) of the South Half of the Southeast Quarter of Section 24, Township 37 North, Range 8 East of the Third Principal Meridian in Oswego Township, Kendall County, Illinois.

FLOODPLAIN STATEMENT:

The Subject property is located in Zone X (areas of minimal flood hazard determined to be outside the 0.2% annual chance floodplain) as shown on FEMA Flood Insurance Rate Map PanelNo. 17093C0070G with an effective date of February 4, 2009.

WETLANDS STATEMENT:

The National Wetlands Inventory Map does not depict any wetlands on the Subject Property.

SOILS (From Web Soil Survey)

356A	Elpaso Silty Clay Loam, 0%–2% slopes
541B	Graymont Silt Loam, 2%–5% slopes
541C2	Graymont Silt Loam, 5%–10% slopes, eroded
614A	Chenoa Silty Clay Loam, 0%–2% slopes

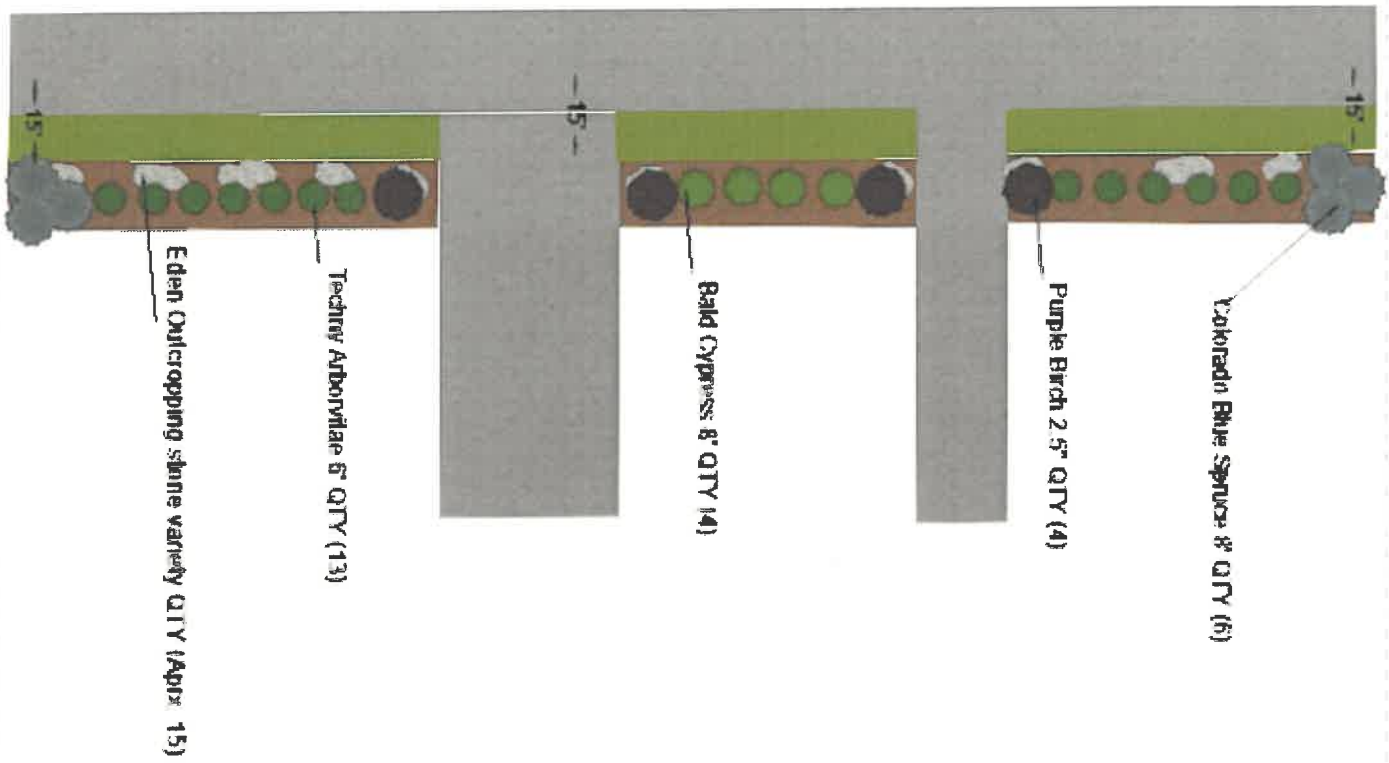
January 30, 2024

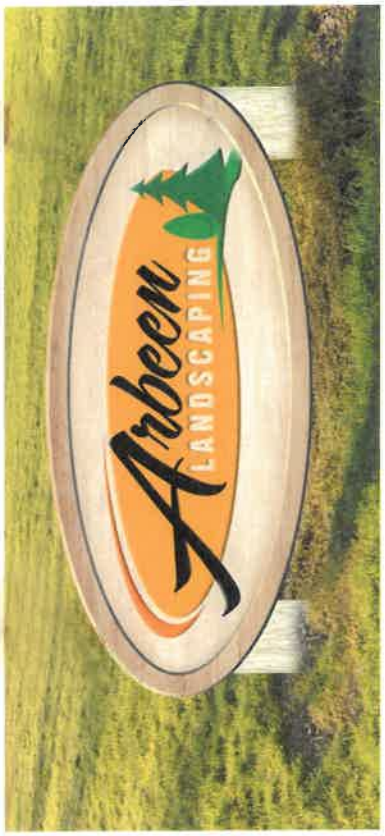
JOB NO.	23086
JOB NAME	ATTY. KRAMER
DWG FILE	23086D

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

Please see attached drawing.

1. Colorado Blue Spruce = (8' at time of planting, 50' max height)
2. Techny Arborvitae = (6' at time of planting, 15' max height)
3. Bald Cypress = (8' at time of planting, 40-50' max height)
4. Purple Birch = (10 or 2.5"' at time of planting, 35-40' max height)


15'
15'
15'
Eden Outcropping shrub variety QTY (Appx 15)
Techny Arborvitae 6' QTY (13)
Bald Cypress 8' QTY (4)
Purple Birch 2.5" QTY (4)
Colorado Blue Spruce 8' QTY (6)


Arbeen
LANDSCAPING

4'
8'
Arbeen
LANDSCAPING

Attachment 6

Attachment 7 Looking Northeast

Attachment 8 Looking Southeast

Attachment 9 Looking Northwest

Attachment 10 Looking West

Matt Asselmeier

From: Claude Ainsworth <cainsworth@oswegotownship.com>
Sent: Monday, October 30, 2023 3:31 PM
To: Matt Asselmeier
Subject: RE: [EXTERNAL] RE: [EXTERNAL] RE: Stewart Road Question

35' FROM THE CENTER OF THE ROAD.

From: Matt Asselmeier <masselmeier@kendallcountyil.gov>
Sent: Monday, October 30, 2023 2:06 PM
To: Claude Ainsworth <cainsworth@oswegotownship.com>
Subject: [EXTERNAL] RE: [EXTERNAL] RE: Stewart Road Question

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

How deep of a dedication do you want?

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: Claude Ainsworth <cainsworth@oswegotownship.com>
Sent: Wednesday, October 25, 2023 6:36 AM
To: Matt Asselmeier <masselmeier@kendallcountyil.gov>
Subject: RE: [EXTERNAL] RE: Stewart Road Question

yes

From: Matt Asselmeier <masselmeier@kendallcountyil.gov>
Sent: Tuesday, October 24, 2023 1:40 PM
To: Fran Klaas <FKlaas@kendallcountyil.gov>; Claude Ainsworth <cainsworth@oswegotownship.com>
Cc: Seth Wormley <swormley@kendallcountyil.gov>; Christina Burns <cburns@kendallcountyil.gov>
Subject: [EXTERNAL] RE: Stewart Road Question

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Claude:

Attachment 12

Matt Asselmeier

From: Alec Keenum <akeenum@oswegofire.com>
Sent: Wednesday, December 27, 2023 1:32 PM
To: Matt Asselmeier
Subject: [External]Re: Kendall County Zoning Petition 23-35

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.

Matt,

I am not in the office but see that you need a ready reply on this. Oswego Fire would like to point out and be clear up front that the default for new construction (new accessory buildings?) is sprinkler and fire alarm system protection.

Regards,

Capt. Alec J Keenum
Fire Marshal
Oswego Fire Protection District

ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
January 2, 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
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
Antoniette White – Forest Preserve
Seth Wormley – PBZ Committee Chair

Absent:
Greg Chismark – WBK Engineering, LLC

Audience:
Dan Kramer and Christina Burns

AGENDA

Mr. Rybski made a motion, seconded by Mr. Klass, to approve the agenda as presented.

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

MINUTES

Mr. Rybski made a motion, seconded by Commander Langston, to approve the December 5, 2023, meeting minutes.

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

PETITIONS

Petition 23-35 Tyler Arbeen on Behalf of Arbeen, LLC
Mr. Asselmeier summarized the request.

The Petitioner is seeking a special use permit for a landscaping business, including allowing outdoor storage of materials. They are also seeking variances to Section 7:01.G.2.b and Section 11:02.F.7.a to allow accessory structures in the front yard setback and to allow outdoor parking in the front yard setback, thus reducing the front yard setback from one hundred fifty feet (150') as measured from the centerline of Stewart Road to fifty-one feet (51') as measured from the centerline of Stewart Road.

The application materials, site plan, landscaping plan, and pictures of the property and area were provided.

The property is located between 3900 and 3716 Stewart Road on the east side of Stewart Road.

The property is approximately four (4) acres in size.

The existing land use is agricultural.

The County's Future Land Use Map called for the property to be Mixed Use Business. The Village of Oswego's Future Land Use Map called for the property to be Residential.

Stewart Road is a Major Collector maintained by Oswego Township.

The Village of Oswego and the County have a trail planned along Stewart Road.

There are no floodplains or wetlands on the property.

The adjacent land uses are Agricultural and Farmstead.

The adjacent properties are zoned A-1 Agricultural.

The County's Land Resource Management Plan calls for the area to be Mixed Use Business. The Village of Oswego's Plan calls for the area to be Residential and Mix Commercial.

Properties within one half (1/2) mile of the property are zoned A-1, A-1 SU, and R-1 in the County and PUD for Agricultural Uses in the Village of Oswego.

The A-1 special use permit to the north is for a horse training and boarding business. The A-1 special use permit to the northwest is for a landscaping business.

Approximately twelve (12) houses are located within a half mile (0.5) miles of the subject property.

EcoCAT Report was submitted on October 19, 2023, and consultation was terminated.

The LESA Score for the property was 186 indicated a low level of protection. The NRI Report was provided.

Petition information was sent to Oswego Township on December 22, 2023. Prior to formal application submittal, Oswego Township submitted an email requesting a thirty-five foot (35') deep right-of-way dedication from the center of Stewart Road. This email was provided.

Petition information was sent to the Village of Oswego on December 22, 2023.

Petition information was sent to the Oswego Fire Protection District on December 22, 2023. Mr. Asselmeier read an email from the Oswego Fire Protection District outline the District's sprinkler requirements.

Per Section 7:01.D.32 of the Kendall County Zoning Ordinance, landscaping businesses can be special uses on A-1 zoned property subject to the following conditions:

1. All vehicles, equipment and materials associated with a landscaping business shall be stored entirely within an enclosed structure, unless otherwise permitted under the terms of this Special Use Permit.

2. The business shall be located on, and have direct access to, a State, County or Collector Highway as identified in the County's LRMP, having an all-weather surface, designed to accommodate loads of at least 73,280 lbs, unless otherwise approved in writing by the agency having jurisdiction over said Highway. Such approvals shall establish limitations as to the number of employees and types of vehicles coming to and from the site that are engaged in the operation of the use (including delivery vehicles). These restrictions shall be included as controlling conditions of the Special Use.

3. No landscape waste generated off the property can be burned on this site.

If the County Board approves the outdoor storage of materials and variances, the above conditions have been met.

As noted in the project narrative, the Petitioners would like to operate Arbeen Landscaping, LLC at the subject property.

They would use the site for storage of landscaping materials, equipment, offices, and related operations. They indicated some potential customers would visit the property, but most customer related interactions would occur at the customer's property, by telephone, or by email.

The business would be open from 6:00 a.m. until 6:00 p.m. everyday throughout the year and would be open twenty-four hours (24) during snow events. The business has a maximum of twenty-five (25) employees, during the busy season. Employees either report to the subject property or report directly to job sites.

Equipment stored at the property consists of small trailers, lawn mowers, bobcats, skid steers, end loaders, and similar landscaping related equipment. Equipment would be parked indoors when the business was closed.

The site plan shows fourteen (14) landscape material storage areas near the southeast corner of the property. No information was provided regarding the height or depth of the storage areas. The Petitioner indicated that the piles of materials would not exceed ten feet (10') in height. The site plan also shows one (1) nursery stock storage area at the northwest corner of the property and a second nursery stock storage area at the northeast corner of the property. No information was provided regarding the specific types of nursery stock or materials that would be stored in the storage areas.

Though not explicitly stated in any of the materials, the Petitioner will likely have a nursery growing component as well.

One (1) approximately eleven thousand, three hundred seventy-five (11,375) square foot shop/office is proposed for the property. A picture of the type of building the proposed building was provided.

The site plan also shows five (5) hoop houses; no specific dimensions were provided for the hoop houses. The hoop houses will be at least ten feet (10') from the southern property line. The western most hoop house would be approximately eighty feet (80') from the centerline of Stewart Road.

The Petitioner is requesting a variance to the front yard setback requirement, reducing the front yard setback from one hundred fifty feet (150') from the centerline of Stewart Road to fifty-one feet (51') of the centerline of Stewart Road. The Petitioner was agreeable to not constructing any permanent structures within one hundred five feet (105') of the centerline of the road and no permanent structures within seventy-five (75') of the centerline of WIKADUKE.

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

Historically, the Oswego Fire Protection District has required buildings similar to the proposed shop/office to be sprinklered.

The property is presently farmland. The proposed well would be located southwest of the main building and the proposed septic field would be located north of the main building.

One (1) approximately three hundred twenty-four (324) square foot dumpster area is proposed east of the main building. The dumpster area would be fenced with board-on-board fencing as shown by the image provided. The maximum fence height is eight feet (8').

The property drains mostly to the southeast.

The Petitioners submitted an application for a stormwater management permit. No stormwater related calculations were provided.

Per the site plan, the Petitioner's propose one (1) thirty foot (30') wide northern entrance and a second sixty foot (60') wide southern entrance off of Stewart Road.

As mentioned previously, Oswego Township is requesting a thirty-five foot (35') deep right-of-way dedication.

According to the site plan, the Petitioner proposes fifteen (15) parking spaces, including two (2) handicapped parking spaces, to the west and south of the main building.

The driving areas in general would be grass or asphalt screenings, except for solid paving or concrete at the two (2) entrances and handicapped parking spaces.

The Petitioner indicated that no lighting was planned for the property.

One (1) sign was proposed for the property. The sign would be approximately thirty-two (32) square feet in size and would look substantially like the image provided. No information was provided regarding the height of the sign. No information was provided regarding the specific location of the sign. The sign would not be illuminated.

Though not shown on the site plan, the Petitioner proposes to install one (1) wood post farm fence with wire mesh around the entire perimeter of the site expect at the two (2) entrances to the property. The fence would be six feet (6') in height.

The landscaping plan shows six (6) Colorado blue spruce trees, four (4) purple birches, four (4) bald cypresses, thirteen (13) Techny arborvitae and fifteen (15) Eden outcropping stones along the western side of the property. The Colorado blue spruces would be eight feet (8') in height at the time of planting and would grow to a maximum of fifty feet (50'). The Techny arborvitae would be six feet (6') in height at the time of planting and would grow to a maximum fifteen feet (15'). The bald cypresses would be eight feet (8') at the time of planting and would grow to a maximum fifty feet (50'). The purple birches would either be ten feet (10') in height or two point five inch (2.5) diameter at the time of planting and would grow to a maximum forty feet (40'). The landscaping would be located outside of the security fence.

No information was provided regarding noise control.

No information was provided regarding odor control.

If approved, this would be the twentieth (20th) special use permit for a landscaping business in unincorporated Kendall County.

§ 13:08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to recommend in favor of the applicant on special use permit applications. They are listed below in italics. Staff has provided findings in bold below based on the recommendation:

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. Numerous landscaping business have been approved throughout unincorporated Kendall County. The proposed use is along Stewart Road, which is classified as a major collector. Reasonable restrictions can be placed in the special use permit to ensure the health, safety, and general welfare of the area are protected.

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 makes 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 subject property is in a large A-1 Agricultural District. The use will not impede farms or residential uses on the adjoining properties. Reasonable restrictions may be placed on the special use permit to address hours of operation, noise, landscaping, and site layout to prevent neighboring property owners are not negatively impacted by the proposed use.

Adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. The proposal identifies locations for the future well and septic field. Two (2) points of ingress/egress are proposed. The proposed use likely will generate little traffic onsite and adequate space exists for parking for customers and employees of the proposed use. The proposal will have to obtain a stormwater permit to address drainage concerns. Adequate space exists for storage of equipment and materials related to the proposed uses.

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. If the requested variance to the front yard setback requirements are granted, this is true. The site could also be reconfigured to shift the parking lot and hoop houses east outside of the required front yard setback.

The special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The proposal is also consistent with a goal and objective found on page 6-34 of the Land Resource Management Plan, “A strong base of agriculture, commercial and industrial uses that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents.” “Encourage opportunities for locally owned business.” In addition, the future land use map calls for this property to be Mixed Use Business. Similar types of uses were planned for the subject property and properties in the vicinity of the subject property.

As noted in the application materials, the Petitioner believes the front yard setback requirement is unconstitutional and is regulatory taking. Staff does not agree with this opinion and has proposed the following findings of fact accordingly.

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

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 information has been provided showing a topographical hardship existing that prevents the parking lot and hoop houses from being relocated outside of the required front yard setback.

The conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. Other A-1 zoned properties could request the same variance for the same reason that the

Petitioner is requesting this variance. No information has been presented showing a unique condition or situation applicable to this property.

The alleged difficulty or hardship has not been created by any person presently having an interest in the property. The site is presently a farm field. No information has been provided explaining why the Petitioner cannot design the site in a manner to avoid the requested variance.

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. Granting the variance would not be detrimental to the public or substantially injurious to other properties. Granting the variance could impact the ability to widen Stewart Road in the future.

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

Pending comments from ZPAC, Staff recommended approval of the requested special use permit and denial of the requested variance subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the submitted site plan and landscaping plan with the exception that the western most parking lot and hoop houses are removed from the required front yard setback. One (1) wood post farm fence with wire mesh shall be installed around the enter perimeter of the site expect at the two (2) entrances to the property. The fence shall be six feet (6') in height maximum. The landscaping shall be installed between the fence and Stewart Road.
2. Within ninety (90) days of the approval of the special use permit, the owners of the subject property shall dedicate a strip of land thirty-five feet (35') in depth along the western property line to Oswego Township. The Kendall County Planning, Building and Zoning Committee may grant an extension to this deadline.
3. Equipment and vehicles related to the business allowed by the special use permit may not be stored outdoors at the subject property when the business is closed.
4. None of the vehicles or equipment parked or stored on the subject property related to the business allowed by the special use permit shall be considered agricultural vehicles or agricultural equipment.
5. All of the vehicles and equipment stored on the subject property related to the business allowed by the special use permit shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
6. The owners of the businesses allowed by this special use permit shall diligently monitor the property for leaks from equipment and vehicles parked and stored and items stored on the subject property and shall promptly clean up the site if leaks occur.
7. Except for the purposes of loading and unloading, all landscape related materials shall be stored indoors or in the designated storage areas shown on the submitted site plan. The maximum height of the piles of landscaping related material shall be ten feet (10') in height.
8. A maximum of twenty-five (25) employees of the business allowed by this special use permit, including the owners of the business allowed by this special use permit, may report to this site for work.
9. The hours of operation of the business allowed by this special use permit shall be daily from 6:00 a.m. until 6:00 p.m. and the business shall be open twenty-four (24) hours to address snow events. The owners of the business allowed by this special use permit may reduce these hours of operation.
10. Any structures constructed, installed, or used related to the business allowed by this special use permit on the property shall not be considered for agricultural purposes and must secure applicable building permits.
11. One (1) sign as described in the sign description may be installed along Stewart Road at the subject property. The sign shall not be illuminated.
12. Only lighting related to security may be installed outdoors at the subject property.

13. Damaged or dead plantings described on the landscaping plan shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department.

14. The materials and vegetation described in the landscaping plan shall be installed within six (6) months of the approval of the special use permit. The Kendall County Planning, Building and Zoning Committee may grant an extension to the deadline to install the vegetation. Materials and vegetation stored in the nursery stock storage areas and landscaping material storage area shall not be subject to this requirement and shall not be considered part of the landscaping plan.

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

16. The noise regulations are as follows:

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

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

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

    Only homes permitted prior to the date of the issuance of the special use permit shall have standing to file noise complaints.

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

18. The dumpster area shall be fenced with board-on-board fencing as shown by the image provided. The maximum height of the fence shall be eight feet (8').

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

20. The property owner and operator of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.

21. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.

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

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

Chairman Wormley noted that the company was already operated in Kendall County at another location. He asked why the business was moving. Dan Kramer, Attorney for the Petitioner, said the business was growing.

Mr. Kramer stated that most of the business' customers were commercial enterprises. The business does provide landscaping services to some new homes.

Mr. Kramer said the property was purchased from the property to the south.

Mr. Kramer requested that condition number 14, pertaining to the installation of landscaping materials be changed to a September 1st deadline.

Mr. Kramer noted that materials would not reach fifty-one feet (51') of the centerline of Stewart. He explained the proposed landscaping and fencing at the property and operations of the business in relation to the landscaping and fencing. All permanent structures would be located outside the required setback. He also noted that other parking lots and temporary structures for other businesses were located inside the front yard setback. He felt that variances/variations were not needed in special use permit cases.

Mr. Kramer said the stormwater engineer was working on drainage calculations.

Mr. Kramer questioned Oswego Fire Protection District's authority to have sprinkling requirements on buildings of the size proposed at the subject property.

Mr. Rybski discussed the possible need for non-community well status. This is triggered by the number of people on the site. Mr. Rybski discussed testing requirements and explained the permitting requirements.

Discussion occurred regarding the sizing of the septic field. Mr. Rybski said alternative systems could be explored. The answer to septic field size will not be known until more information is provided. Mr. Kramer discussed the number of employees likely to report to the property.

Chairman Wormley asked about timeliness of the project in relation to the business environment. Mr. Kramer said that the Petitioner has a letter of commitment from a bank. Mr. Asselmeier said the special use permit could be revoked if the business does not commence operations within two (2) years.

Mr. Klaas asked about setback requests in other cases. Mr. Asselmeier said that the special use permit for a landscaping business at 5022 Route 126 requested a variance for parking in the setback because they were using the parking for old farmhouse that was already onsite as parking for the business. Mr. Asselmeier also said that TZ Landscaping moved their parking out of the required setback because of the regulations.

Mr. Klaas asked why the Petitioner couldn't comply with the County regulations. Mr. Kramer responded that the uses would be inside a fence and the Petitioner should be able to use the property inside the fence for the proposed use. Mr. Kramer asked what would be protected by variance. Chairman Wormley expressed concerns about setting precedence. Discussion occurred regarding drainage in relation to site design. Discussion occurred regarding how the setback was created. Mr. Klaas felt that, if they had it to do over again, many structures and parking lots would not be allowed because they were constructed too close to road. If the grading would not allow the parking lot to be located outside the setback, the Petitioner would have an argument for a hardship. Mr. Holdiman provided a history of setback increases.

Mr. Klaas made a motion, seconded by Mr. Rybski, to recommend approval of the proposal with the conditions proposed by Staff (approving the special use permit and denying the variance request) with amendment to condition 14 changing the deadline to install the landscaping materials to September 1, 2024.

The votes were follows:

Ayes (9):	Asselmeier, Briganti, Klaas, Holdiman, Langston, Olson, Rybski, White, 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 January 24, 2024.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

None

OLD BUSINESS/NEW BUSINESS

Kendall County Regional Planning Commission Annual Meeting on February 3, 2024

Mr. Asselmeier reported that the Kendall County Regional Planning Commission Annual Meeting will be February 3, 2024, at 9:00 a.m., in the County Boardroom.

CORRESPONDENCE

None

PUBLIC COMMENT

None

ADJOURNMENT

Mr. Klaas made a motion, seconded by Commander Langston, to adjourn.

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

The ZPAC, at 9:40 a.m., adjourned.

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

Enc.

KENDALL COUNTY
ZONING & PLATTING ADVISORY COMMITTEE
JANUARY 2, 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)
Dan Kramm	[redacted]	23.35

Matt Asselmeier

From: Alec Keenum <akeenum@oswegofire.com>
Sent: Wednesday, December 27, 2023 1:32 PM
To: Matt Asselmeier
Subject: [External]Re: Kendall County Zoning Petition 23-35

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.

Matt,

I am not in the office but see that you need a ready reply on this. Oswego Fire would like to point out and be clear up front that the default for new construction (new accessory buildings?) is sprinkler and fire alarm system protection.

Regards,

Capt. Alec J Keenum
Fire Marshal
Oswego Fire Protection District

WBK ENGINEERING

January 4, 2024

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

Subject: Arbeen LLC (Stewart Road)- WBK Project 19-102.BT

Dear Mr. Asselmeier:
We have received and reviewed the following information for the subject project:

- Stormwater permit application with supporting documentation submitted by Daniel Kramer dated November 16, 2023 and received December 26, 2023.

The following comments require resolution prior to plan approval and our recommendation for issuance of a stormwater permit.

1. Provide a stormwater management report including the following:
    a. A narrative describing improvements to the property for which the applicant is seeking approval and compliance with applicable sections of the Kendall County Stormwater Ordinance.
    b. Determination of stormwater storage requirements
    c. Comparison of 100 year event flows at all existing outfalls for existing and proposed conditions.
2. Provide an evaluation of existing conditions.
    a. Identify all existing site outfalls. It appears under existing conditions the site drains to three or four locations.
    b. Identify off-site areas draining on to the site.
    c. Provide a field tile survey.
3. Provide a clear depiction of proposed conditions.
    a. Provide a dimensioned and labelled geometric plan indicating pavement types as well as extent.
    b. Provide a proposed grading plan indicating overland flow routes as well as storm sewers and culverts.
    c. Driveway access culverts shall be sized based on tributary area and a hydraulic evaluation.
    d. Provide an erosion control plan.

The applicant's design professionals are responsible for performing and checking all design computations, dimensions, details, and specifications in accordance with all applicable codes and regulations, and obtaining all permits necessary to complete this work. In no way does this review relieve applicant's design professionals of their duties to comply with the law and any applicable codes and regulations, nor does it relieve the Contractors in any way from their sole responsibility for the quality and workmanship of the work and for strict compliance with the permitted plans and specifications. If you have any questions or comments, please contact us at (630) 443-7755.

Sincerely,

[redacted]

Greg Chismark PE
WBK Engineering, LLC

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
January 29, 2024 – 7:00 p.m.

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

ROLL CALL:
Members Present: Scott Cherry, Cliff Fox, Tom LeCuyer, Randy Mohr, Jillian Prodehl, and Dick Whitfield
Members Absent: Dick Thompson
Staff Present: Matthew Asselmeier, AICP, CFM, Director and Wanda Rolf, Administrative Assistant
Others Present: None

MINUTES:
Member LeCuyer made a motion, seconded by Member Cherry, to approve the minutes of the December 18, 2023, hearing/meeting.

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

PETITIONS
The Zoning Board of Appeals started their review of Petition 23-35 at 7:00 p.m.

Petition 23 – 35 – Tyler Arbeen on Behalf of Arbeen, LLC

Request:	Special Use Permit for a Landscaping Business and Variances to Section 7:01.G.2.b and 11:02.F.7.a of the Kendall County Zoning Ordinance to Allow Parking and Accessory Structures within Fifty-One Feet of the Center Line of Stewart Road
PIN:	03-24-400-011
Location:	Between 3900 and 3716 Stewart Road on the East Side of Stewart Road, Oswego, in Oswego Township
Purpose:	Petitioner Wishes to Operate a Landscaping Business and Have Parking and Accessory Structures Inside the Front Yard Setback; Property is Zoned A-1

Mr. Asselmeier summarized the issue.

At the January 24, 2024, meeting of the Kendall County Regional Planning Commission, the Petitioner's Attorney stated that the site plan for this proposal will change to address stormwater measures. The proposal was laid over until the February 28, 2024, Kendall County Regional Planning Commission meeting at the Petitioner's request.

Staff requested that the hearing for this Petition be continued until March 4, 2024.

Member Whitfield made a motion, seconded by Member Fox, to continue the hearing until March 4, 2024.

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

The motion passed.

The Zoning Board of Appeals completed their review of Petition 23-35 at 7:01 p.m.

NEW BUSINESS/OLD BUSINESS

Kendall County Regional Planning Commission Annual Meeting on February 3, 2024, at 9:00 a.m.
The Board reviewed the agenda for the meeting.

Chairman Mohr noted that Seward Township was looking at reviewing their Township Plan. The cost of doing the plan for the entire County would be around One Hundred Fifty Thousand Dollars ($150,000) over a three (3) year period. Discussion occurred about protecting creeks and streams throughout the County; Seward Township was working on creating guidelines.

Mr. Asselmeier reported that for the March 4, 2024, hearing, the proposed landscaping business on Stewart Road would be on the agenda. Also, the owner of the veterinary and kennel at 949 Bell Road wants to rezone the majority of the property to B-3 which will also cause an amendment to the site plan, landscaping plan, and photometric plans of the special use permit. Finally, a proposal exists to reclassify several properties immediately south of Yorkville on Route 47 from Transportation Corridor to Mixed Use Business.

Anti-Harassment Training
The Board reviewed the anti-harassment training.

REVIEW OF PETITIONS THAT WENT TO PLANNING BUILDING AND ZONING
None

PUBLIC COMMENTS
None

ADJOURNMENT OF THE ZONING BOARD OF APPEALS
Member LeCuyer made a motion, seconded by Member Prodehl, to adjourn.

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

The Zoning Board of Appeals meeting adjourned at 7:44 p.m.

The next regularly scheduled meeting/hearing will be on March 4, 2024.

Respectfully submitted by,
Matthew H. Asselmeier
Planning, Building and Zoning Director

Exhibits

1. Memo on Petition 23-35 Dated January 25, 2024
2. January 25, 2024, Email from Dan Kramer
3. Certificate of Publication and Certified Mail Receipts for Petition 23-35 (Not Included with Report but on file in Planning, Building and Zoning Office)

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 Zoning Board of Appeals
From: Matthew H. Asselmeier, AICP, CFM, Director
Date: 1/25/2024
Subject: Petition 23-35

At the January 24, 2024, meeting of the Kendall County Regional Planning Commission, the Petitioner's Attorney stated that the site plan for this proposal will change to address stormwater measures. The proposal was laid over until the February 28, 2024, Kendall County Regional Planning Commission meeting at the Petitioner's request.

Staff requests that the hearing for this Petition be continued until March 4, 2024.

If you have any questions, please let me know.

MHA

Matt Asselmeier

From: Daniel J Kramer <dkramer@dankramerlaw.com>
Sent: Thursday, January 25, 2024 9:34 AM
To: Matt Asselmeier; Real estate
Subject: [External]RE: January 29th ZBA Hearing

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.

Matt Please consider this Letter as Petitioner's request to Continue the Public Hearing on the Arbeen special Use Project to March 4,2024 regularly scheduled meeting on Petitioner's Motion.

Very Truly Yours,

Daniel J. Kramer
Attorney at Law
1107A S. Bridge Street
Yorkville, IL. 60560
Phone-630.553.9500
Fax-630.553.5764

NOTICE: This communication is covered by the Electronic Communications Privacy Act found at 18 USC 2510 et. seq. and is intended to remain confidential and is subject to the applicable attorney/client and or work product privileges. If you are not the intended recipient of this message, or if this message has been addressed to you in error, please immediately alert the sender by reply e-mail and then delete this message and all attachments. Do not deliver, distribute or copy this message and/or any attachments and do not disclose the contents or take any action in reliance upon the information contained in this communication or any attachments if you are not the intended recipient.

From: Matt Asselmeier <masselmeier@kendallcountyil.gov>
Sent: Thursday, January 25, 2024 9:17 AM
To: Daniel J Kramer <dkramer@dankramerlaw.com>
Subject: FW: January 29th ZBA Hearing

Dan:

The following email was sent to the Kendall County Zoning Board of Appeals this morning.

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

Village of Oswego
Development Services Department
100 Parkers Mill, Oswego, IL 60543
630-554-3622 | www.oswegoil.org

February 21, 2024

Matthew Asselmeier
Planning, Building & Zoning Department
111 West Fox Street
Yorkville, IL 60560
masselmeier@kendallcountyil.gov

RE: Petition 23-35, Kendall County Zoning Board of Appeals

Mr. Asselmeier,

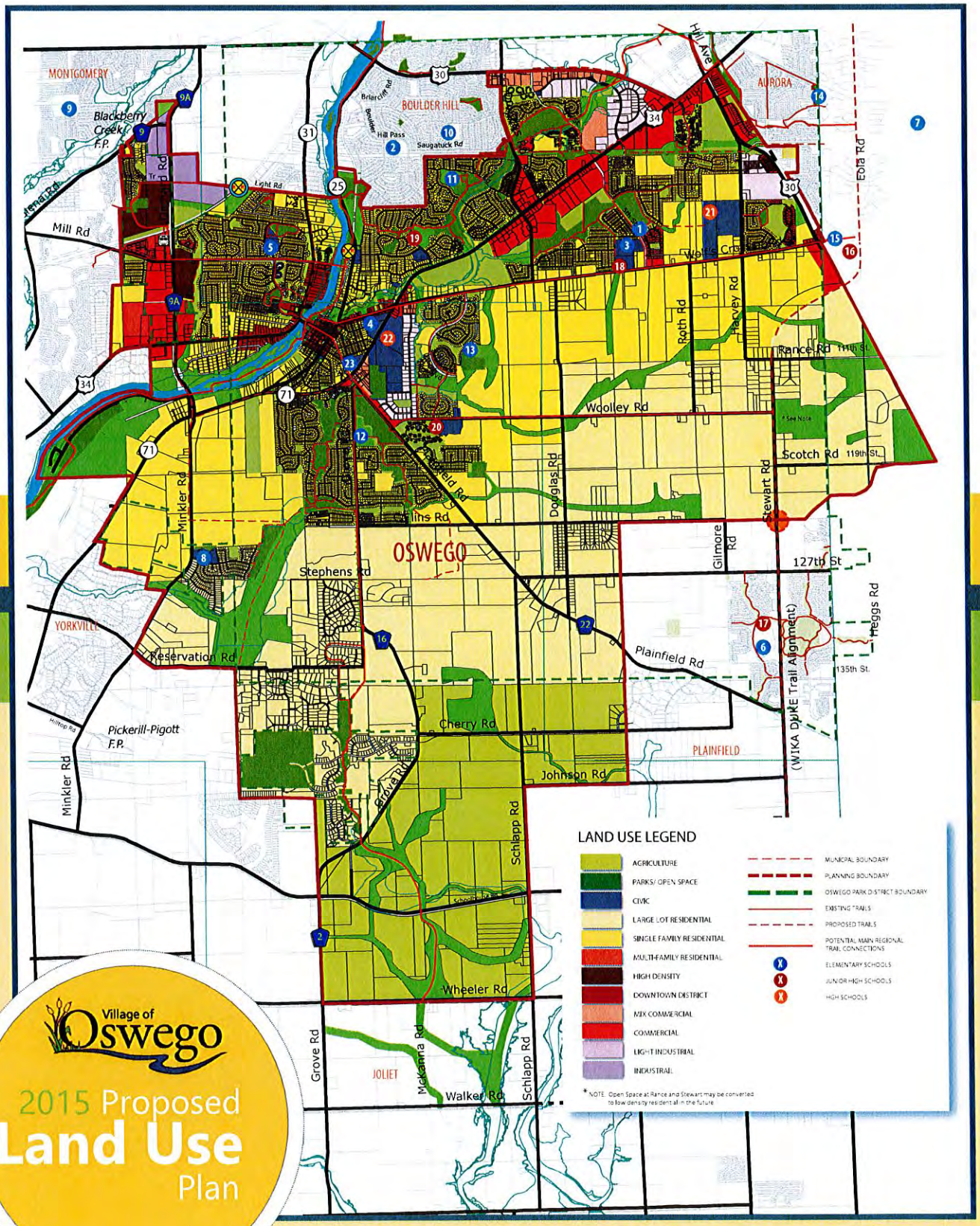
The Village of Oswego's Development Services Department staff has reviewed the updated site plan for the above referenced petition, which was provided to us on February 5, 2024 (plan dated January 30, 2024).

At this time, we do not believe that the proposed use or site plan will negatively impact the development of the Wikaduke Trail. According to the Village of Oswego's 2015 Comprehensive Plan Proposed Land Use Plan (see attached), the Wikaduke Trail will follow Stewart Road before curving toward Eola Road and Route 30 north of Rance Road (see attached). It is our understanding that, according to current plans for the Wikaduke Trail, additional right-of-way in this area will be dedicated on the west side of Stewart Road.

Sincerely,

[redacted]

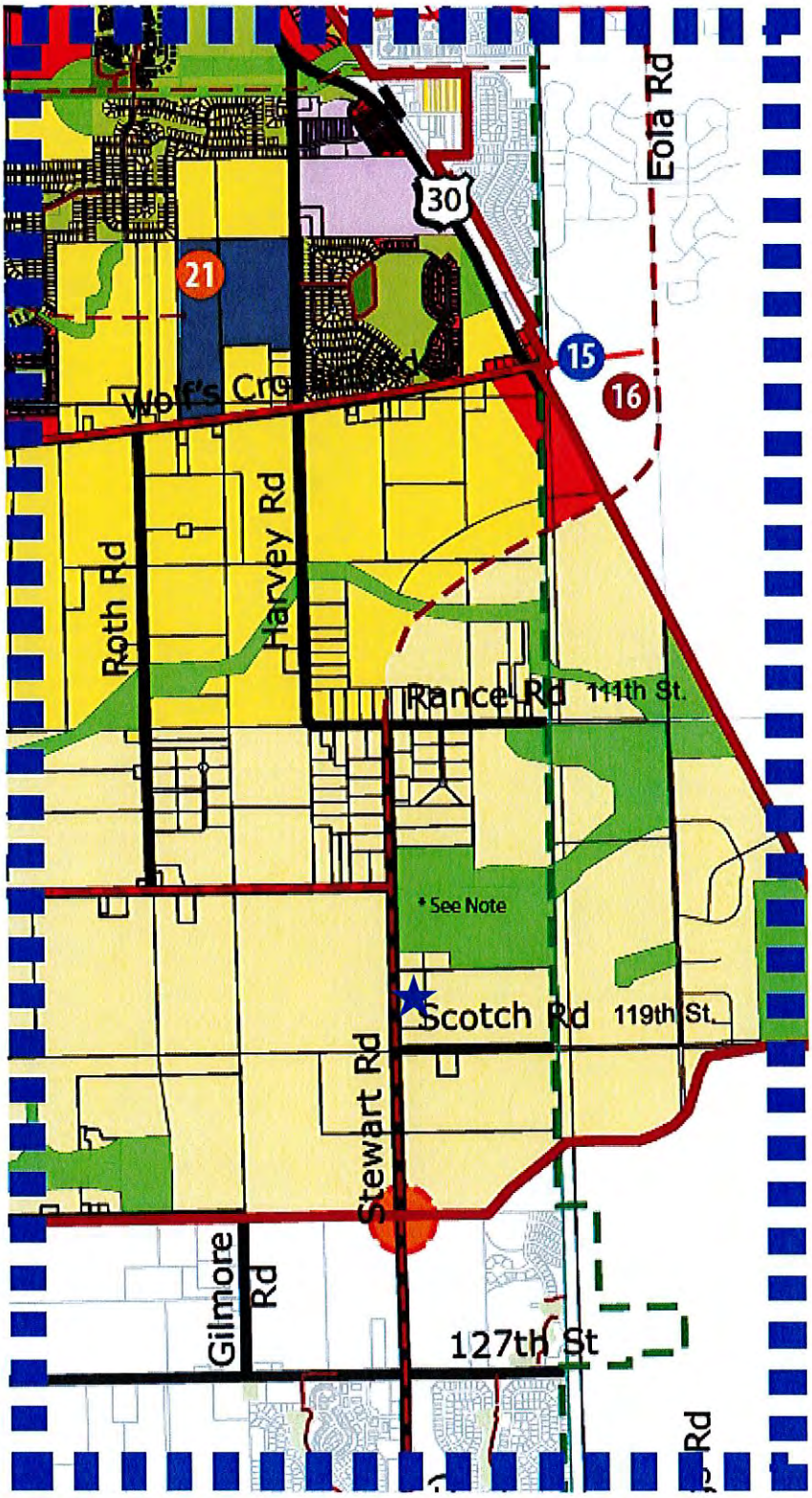
Rod Zenner, AICP
Development Services Director



Village of Oswego

2015 Proposed Land Use Plan

Attachment 16



SITE DEVELOPMENT PLANS FOR

ARBEEN LANDSCAPING

STEWART ROAD
KENDALL COUNTY, ILLINOIS

BENCHMARK INFORMATION:

SOURCE BENCHMARK:

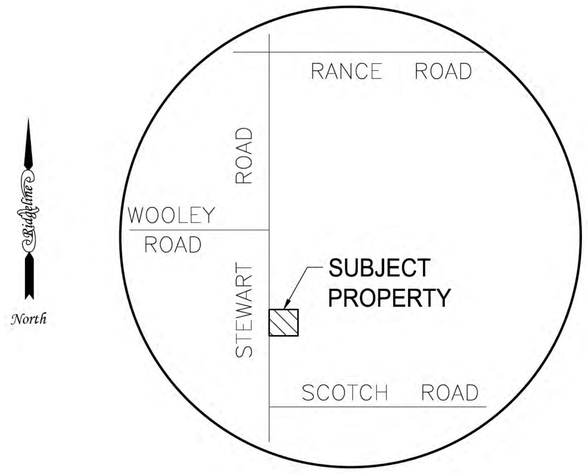
KENDALL COUNTY BENCHMARK #827

DOUGLAS ROAD BOX CULVERT, NORTH OF COLLINS ROAD, SPOT ON THE SOUTHWEST WING WALL.

ELEVATION = 680.08 (NGVD29)

SITE ELEVATION DATUM TRANSLATED TO NAVD88 BY SURVEYOR,
ALL ELEVATIONS SHOWN HEREON ARE REFERENCE TO NAVD88.

(BENCHMARK INFORMATION PROVIDED BY PHILLIP D. YOUNG & ASSOCIATES)



VICINITY MAP
NOT TO SCALE

SHEET INDEX

1. TITLE SHEET
2. EXISTING CONDITIONS / DEMOLITION PLAN
3. GRADING / EROSION CONTROL PLAN
4. SITE & UTILITY PLAN
5. CROSS SECTIONS & CONSTRUCTION DETAILS
6. CONSTRUCTION DETAILS

CERTIFICATION:

STATE OF ILLINOIS)
SS
COUNTY OF KANE)

THIS IS TO CERTIFY THAT THE ABOVE PLAN WAS PREPARED UNDER MY DIRECT SUPERVISION AND TO THE BEST OF MY KNOWLEDGE COMPLIES WITH THE APPLICABLE CODES FOR KENDALL COUNTY, ILLINOIS.

JIUN-GUANG LIN
[redacted]
OF ILL
Expires 11/30/2025

BY: _____
JIUN-GUANG LIN
ILLINOIS PROFESSIONAL ENGINEER NO. [redacted]
MONTGOMERY, IL, FEBRUARY 16, 2024

ENGINEER

RIDGELINE CONSULTANTS LLC
1661 AUCUTT ROAD
MONTGOMERY, IL 60538
PH: 630.801.7927
FAX: 630.701.1385

PLANS PREPARED FOR

ARBEEN LLC
[redacted]

Call Before You Dig
JULIE ILLINOIS ONE-CALL SYSTEM
Simply Call 811

REVISION	DATE	DESC

BOOK: N/A
DRAWN: REW
REFERENCE:
DATE: 02/19/2024
DWG. SIZE: D
CHECKED: JGL
PROJECT NO. 2023-0579

Ridgeline Consultants LLC
Illinois Professional Design Firm No. 184.004766
1661 Aucutt Road, Montgomery, IL 60538
PH: 630.801.7927 FAX: 630.701.1385
Jianfeng Hua P.L.S. 4071 Expiration Date 11/30/2024
George H. Skalkos P.L.S. 2369 Expiration Date 11/30/2024
Steve J. Stewart P.L.S. 3412 Expiration Date 11/30/2024

PREPARED FOR: ARBEEN, LLC
PROJECT ADDRESS: STEWART ROAD
KENDALL COUNTY, ILLINOIS

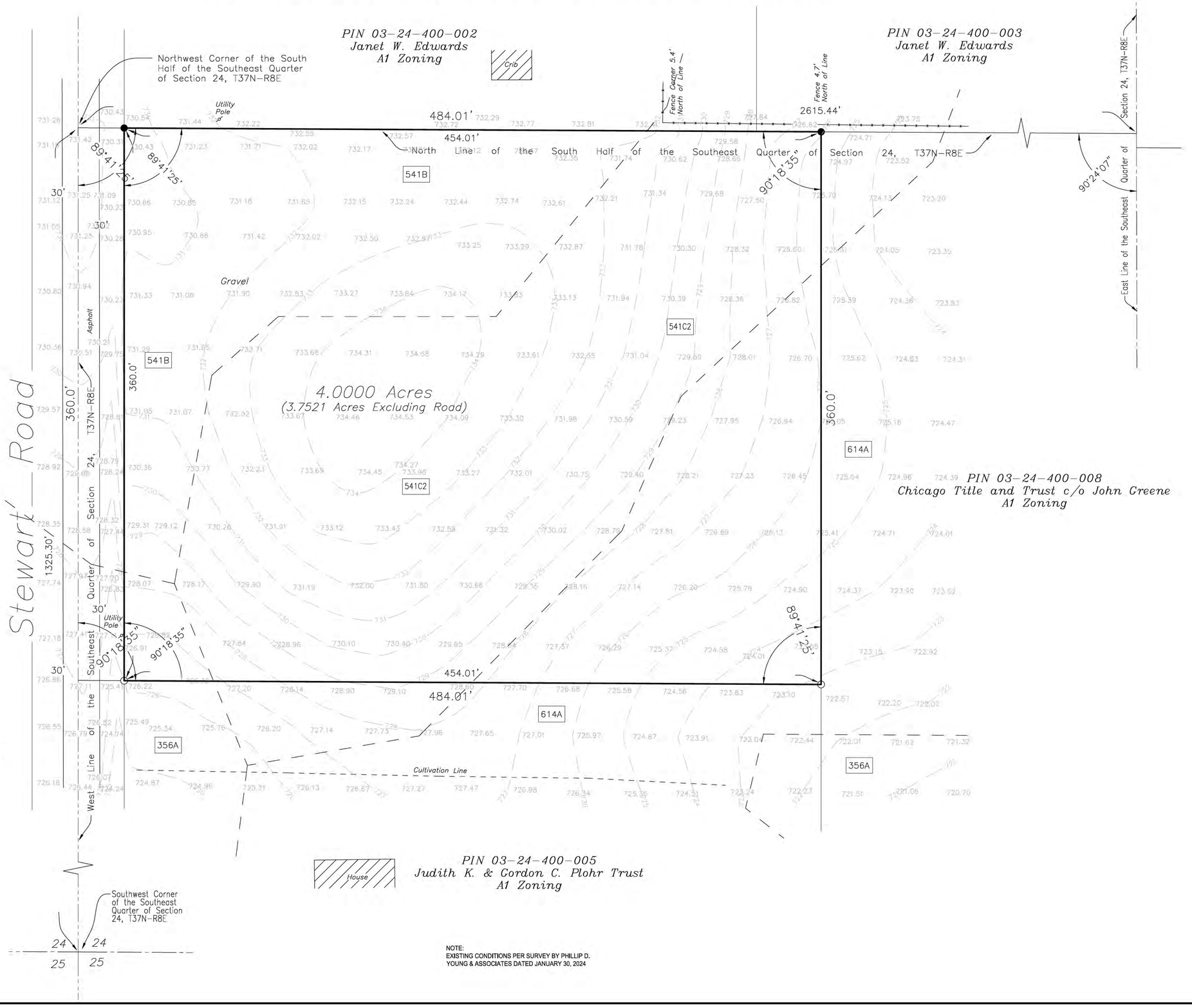
SHEET 1 OF 6

EXISTING CONDITIONS / DEMOLITION PLAN

North
Scale 1" = 30'

30' 0' 30' 60'

LEGAL DESCRIPTION
THE NORTHERLY 360.0 FEET OF THE WESTERLY 484.01 FEET (AS MEASURED ALONG THE WESTERLY AND NORTHERLY LINES THEREOF) OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN IN OSWEGO TOWNSHIP, KENDALL COUNTY, ILLINOIS.



LEGEND

- Indicates Iron Stake Found
- Indicates Iron Stake Set
- Indicates Concrete Right of Way Monument
- Indicates Line of Fence
- Indicates Overhead Utilities
- Indicates Soils Boundary
- Indicates Tree Location and Diameter
- 632.82 Indicates Existing Spot Elevation
- 632 Indicates Existing Contour Elevation
- 632 Indicates Proposed Contour Elevation
- Indicates Direction of Flow

NOTE:
EXISTING CONDITIONS PER SURVEY BY PHILLIP D. YOUNG & ASSOCIATES DATED JANUARY 30, 2024

REVISION	DATE	DESC

BOOK: NA | DWG. SIZE: D
DRAWN: REW | CHECKED: JGL
REFERENCE:
DATE: 02/19/2024
PROJECT NO. 2023-0579

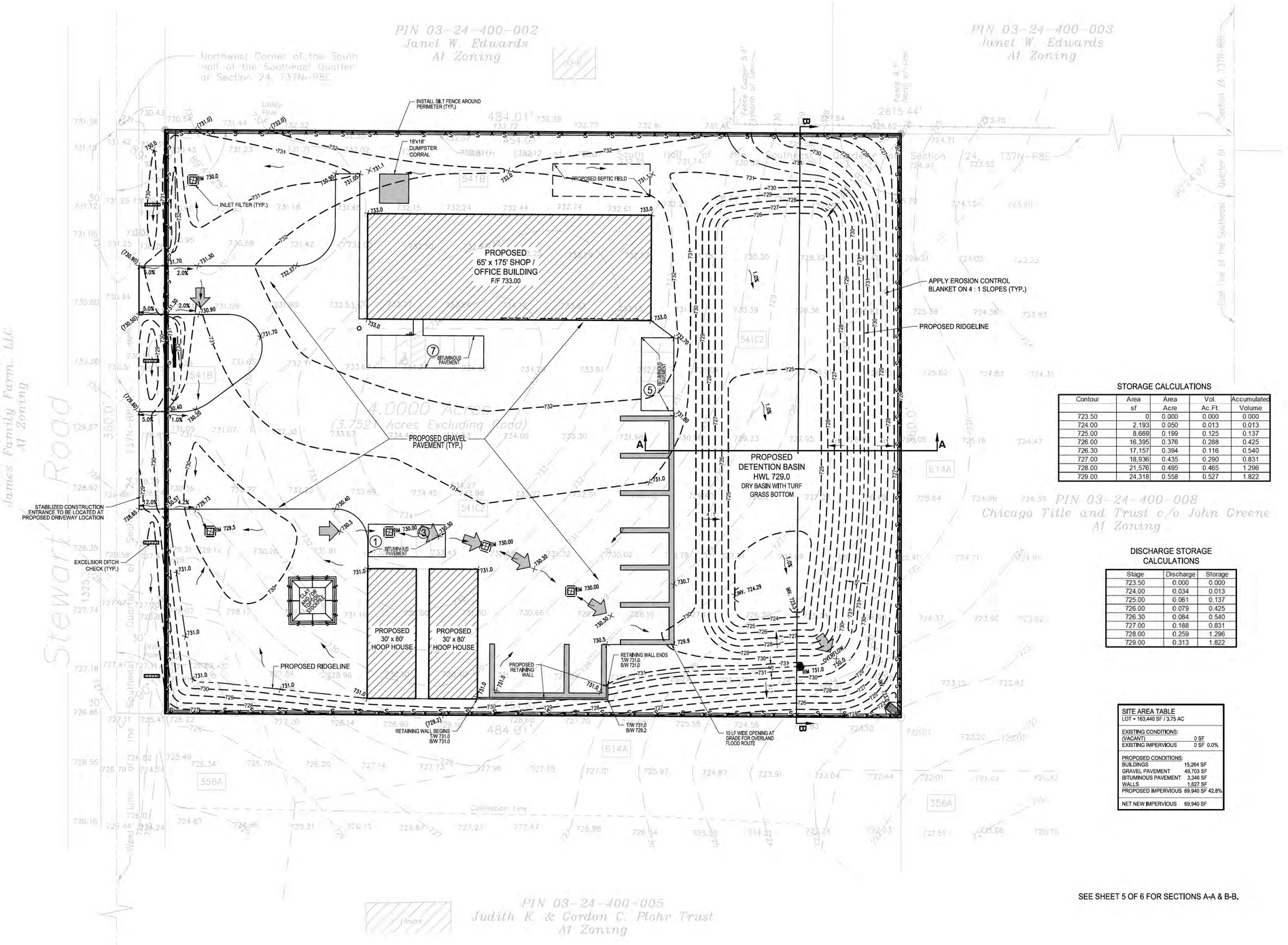
Ridgeline Consultants LLC
Illinois Professional Design Firm No. 184-004766
1440 Bucktail Trail, Yorkville, Illinois 60560
PH: 630.301.7927 FAX: 630.701.1385
Jianfeng Hua P.L.S. 4071 Expiration Date 11/30/2024
George H. Skalkos P.L.S. 2080 Expiration Date 11/30/2024
Doug J. Stewart P.L.S. 3412 Expiration Date 11/30/2024

PREPARED FOR:
ARBEEN, LLC
PROJECT ADDRESS:
STEWART ROAD
KENDALL COUNTY, ILLINOIS

SHEET 2 OF 6

North
Scale 1" = 30'

30' 0' 30' 60'



STORAGE CALCULATIONS

Contour	Area sf	Area Acre	Vol. Ac.Ft.	Accumulated Volume
723.50	0	0.000	0.000	0.000
724.00	2,193	0.050	0.013	0.013
725.00	8,669	0.199	0.125	0.137
726.00	16,395	0.376	0.288	0.425
726.30	17,157	0.394	0.116	0.540
727.00	18,936	0.435	0.290	0.831
728.00	21,576	0.495	0.465	1.296
729.00	24,318	0.558	0.527	1.822

DISCHARGE STORAGE CALCULATIONS

Stage	Discharge	Storage
723.50	0.000	0.000
724.00	0.034	0.013
725.00	0.061	0.137
726.00	0.079	0.425
726.30	0.084	0.540
727.00	0.188	0.831
728.00	0.259	1.296
729.00	0.313	1.822

SITE AREA TABLE
LOT = 163,440 SF / 3.75 AC

EXISTING CONDITIONS:		
(VACANT)	0 SF	
EXISTING IMPERVIOUS	0 SF	0.0%
PROPOSED CONDITIONS:		
BUILDINGS	15,264 SF	
GRAVEL PAVEMENT	49,703 SF	
BITUMINOUS PAVEMENT	3,346 SF	
WALLS	1,627 SF	
PROPOSED IMPERVIOUS	69,940 SF	42.8%
NET NEW IMPERVIOUS	69,940 SF	

SEE SHEET 5 OF 6 FOR SECTIONS A-A & B-B.

GRADING & EROSION CONTROL PLAN

REVISION	DATE	DESC

BOOK: NA
DRWG. SIZE: D
DRAWN: REW
CHECKED: JGL
REFERENCE:
DATE: 02/19/2024
PROJECT NO. 2023-0579

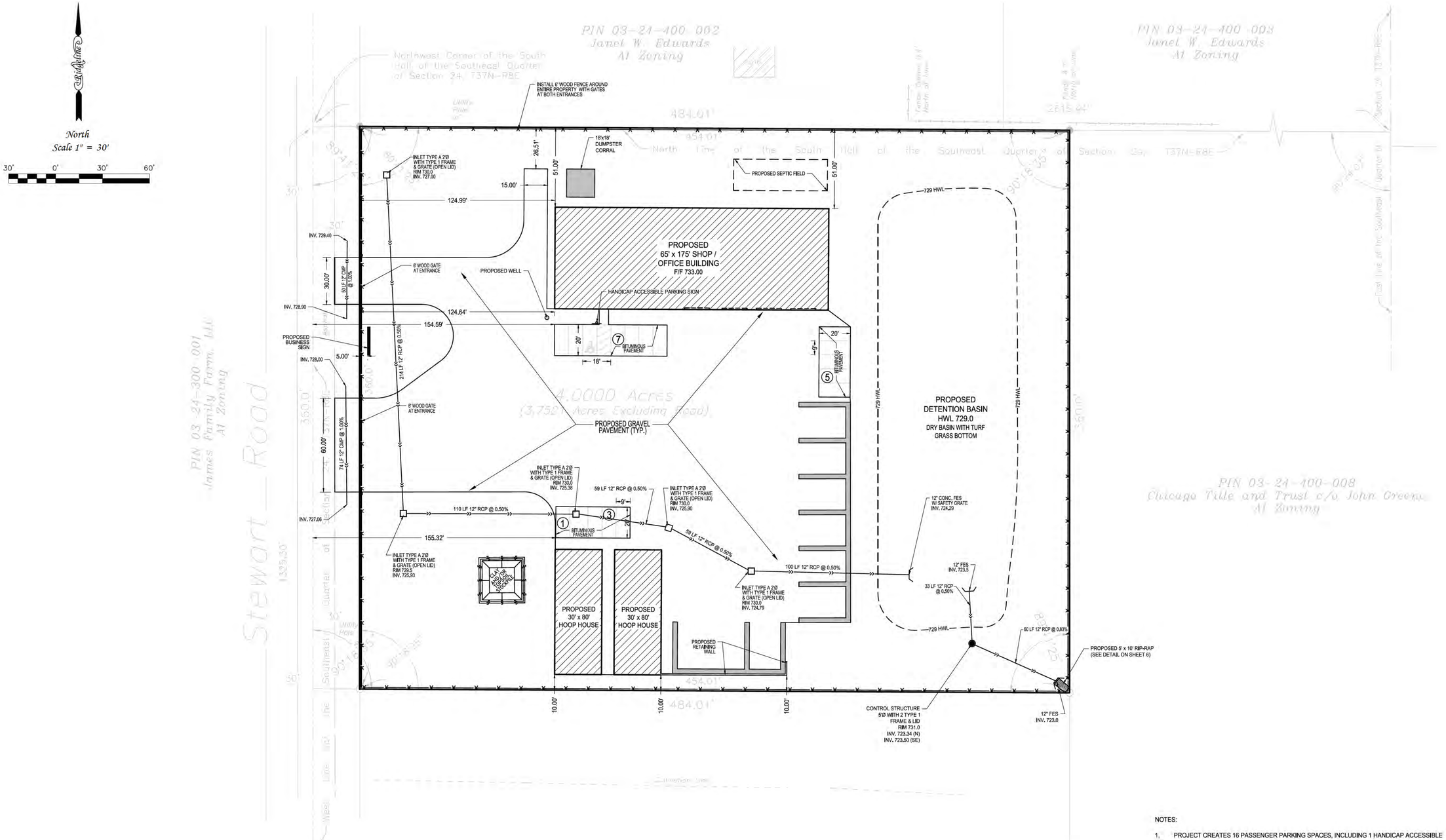
Ridgeline Consultants LLC
Illinois Professional Design Firm No. 184-004766
1445 Ridge Road, Suite 1, Homer Glen, IL 60491
PH: 630.301.7927 FAX: 630.701.1380
Jianfeng Hua P.L.S. 4071 Expiration Date 11/30/2024
George H. Skalkos P.L.S. 2369 Expiration Date 11/30/2024
Doug J. Schwarz P.L.S. 3412 Expiration Date 11/30/2024

PREPARED FOR:
ARBEEN, LLC
PROJECT ADDRESS:
STEWART ROAD
KENDALL COUNTY, ILLINOIS

SHEET 3 OF 6

North
Scale 1" = 30'

30' 0' 30' 60'



NOTES:

1. PROJECT CREATES 16 PASSENGER PARKING SPACES, INCLUDING 1 HANDICAP ACCESSIBLE PARKING SPACE.

SITE & UTILITY PLAN

REVISION	DATE	DESC

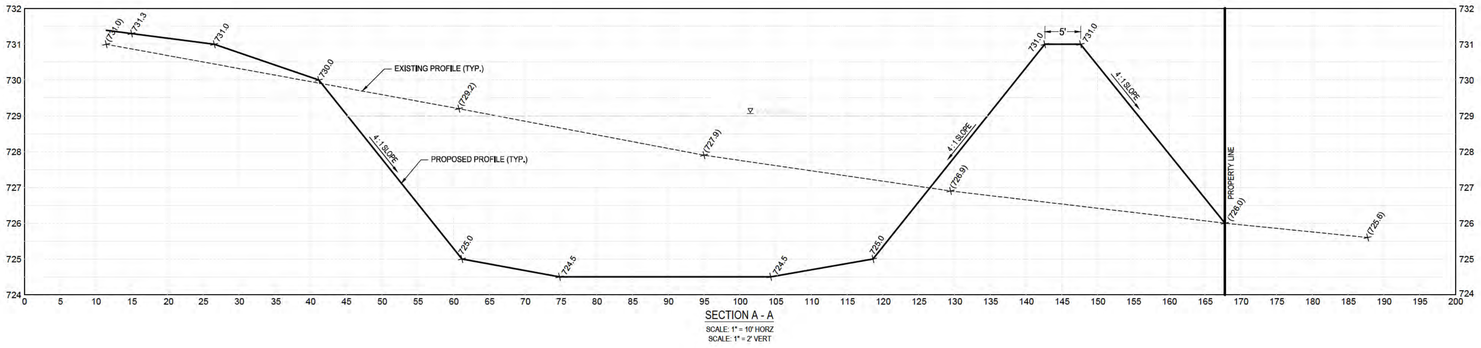
BOOK: NA
DRAWN: REW
CHECKED: JGL
REFERENCE:
DATE: 02/19/2024
PROJECT NO. 2023-0579

Ridgeline Consultants LLC
Illinois Professional Design Firm No. 184-004766
1400 Lake Shore Drive, Madison, WI 53715
PH: 630.901.7227 FAX: 630.701.1385
Jianfeng Hua P.L.S. 4071 Expiration Date 11/30/2024
George H. Skalbeck P.L.S. 2360 Expiration Date 11/30/2024
Scott J. Stewart P.L.S. 3447 Expiration Date 11/30/2024

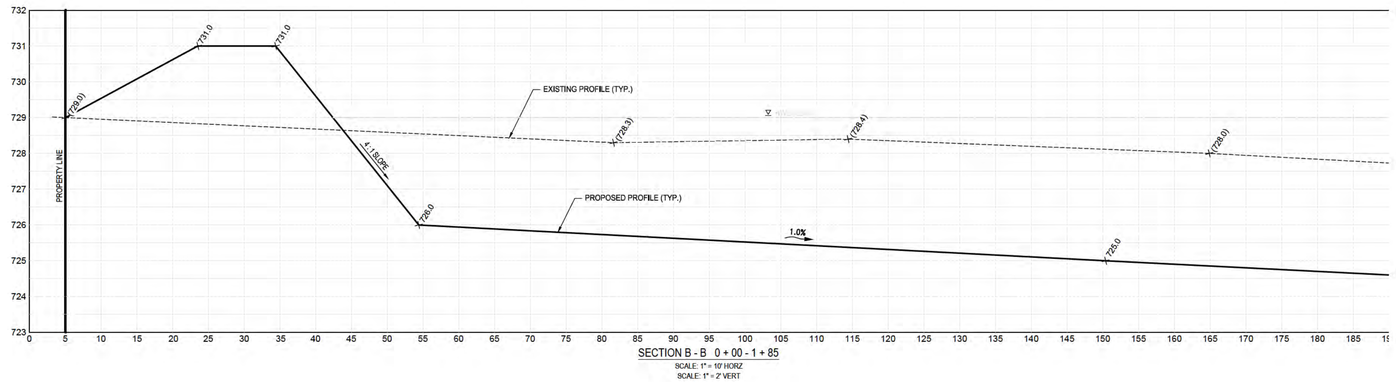
PREPARED FOR: ARBEEN, LLC

PROJECT ADDRESS: STEWART ROAD
KENDALL COUNTY, ILLINOIS

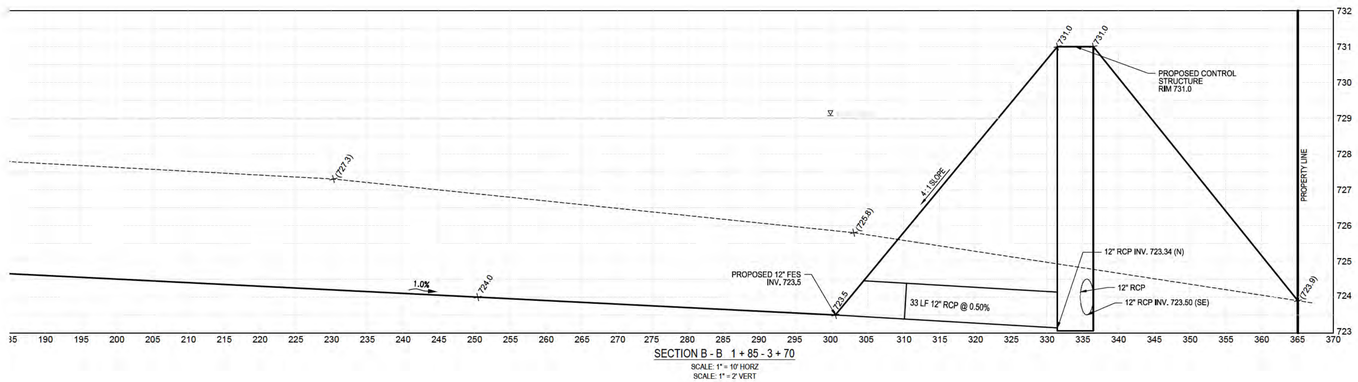
SHEET 4 OF 6



SECTION A - A
SCALE: 1" = 10' HORZ
SCALE: 1" = 2' VERT

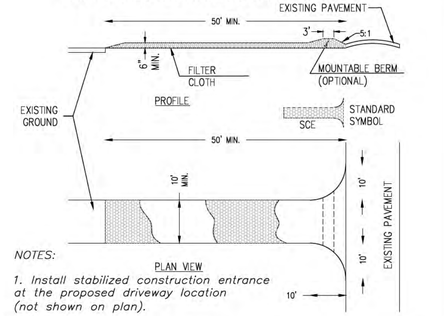


SECTION B - B 0 + 00 - 1 + 85
SCALE: 1" = 10' HORZ
SCALE: 1" = 2' VERT



SECTION B - B 1 + 85 - 3 + 70
SCALE: 1" = 10' HORZ
SCALE: 1" = 2' VERT

STABILIZED CONSTRUCTION ENTRANCE

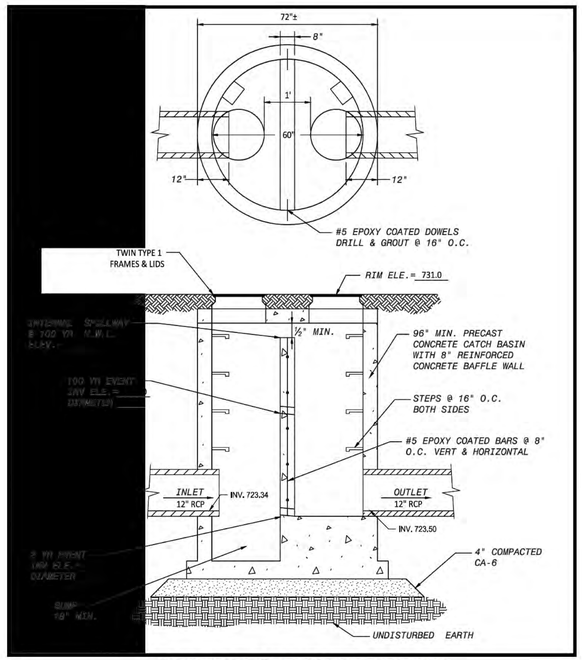


NOTES:

1. Install stabilized construction entrance at the proposed driveway location (not shown on plan).

CONSTRUCTION SPECIFICATIONS

1. STONE SIZE – USE 2" STONE, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT.
2. LENGTH – AS REQUIRED, BUT NOT LESS THAN 50 FEET (EXCEPT ON A SINGLE RESIDENCE LOT WHERE A 30 FOOT MINIMUM LENGTH WOULD APPLY).
3. THICKNESS – NOT LESS THAN SIX (6) INCHES.
4. WIDTH – TEN (10) FEET MINIMUM, BUT NOT LESS THAN FULL THE WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCURS.
5. FILTER CLOTH – WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE. FILTER WILL NOT BE REQUIRED ON A SINGLE FAMILY RESIDENCE LOT.
6. SURFACE WATER – ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ENTRANCE SHALL BE PIPED ACROSS THE ENTRANCE. IF PIPING IS IMPRACTICAL, A MOUNTABLE BERM WITH 5:1 SLOPES WILL BE PERMITTED.
7. MAINTENANCE – THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH STONE AS CONDITIONS DEMAND AND REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC RIGHTS-OF-WAY MUST BE REMOVED IMMEDIATELY.
8. WASHING – WHEELS SHALL SHALL BE CLEANED TO REMOVE SEDIMENT PRIOR TO ENTRANCE ONTO PUBLIC RIGHTS-OF-WAY. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH STONE AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.
9. PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.



CONTROL STRUCTURE DETAIL

Additional Notes

1. Erosion control blanket shall be applied on any disturbed areas that will be graded.
2. Completed slopes shall be seeded and blanketed as the succession proceeds to the extent considered desirable and practical. Permanent seeding shall be used whenever possible. Under no circumstances shall the contractor grade, final grading and shaping so that the entire project can be permanently seeded at one time.
3. In areas where work is complete, permanent stabilization shall occur within 7 days of completion, and in areas where work has temporarily ceased for 21 days or more, temporary stabilization shall occur by the 14th day after work has ceased.
4. All erosion control measures must be inspected weekly and after each 1/2" rain event.
5. All adjacent streets must be kept clear of debris, transported daily, and cleaned when necessary.
6. Unless otherwise indicated, all vegetative and structural erosion and sediment control practices will be constructed according to minimum standards and specifications in the Illinois Urban Manual revised February 2002.
7. The contractor is responsible for installation of any additional erosion control measures necessary to prevent erosion and sedimentation as determined by the County Inspector or Township Highway Department.
8. It is the responsibility of the general contractor to inform and sub-contractor(s) who may perform work on this project of the requirements in implementing and maintaining these erosion control plans and the National Pollutant Discharge Elimination System (NPDES) permit requirements set forth by the Illinois EPA.

STABILIZATION TYPE	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.
PERMANENT SEEDING	B		A			*	*				B	
TEMPORARY SEEDING			C				D					
MULCHING			C**									

A KENTUCKY BLUEGRASS 90 LBS/ACRE MIXED WITH PERENNIAL RYEGRASS 30 LBS/ACRE.

B KENTUCKY BLUEGRASS 135 LBS/ACRE MIXED WITH PERENNIAL RYEGRASS 45 LBS/ACRE + 2 TONS STRAW MULCH/ACRE.

C SPRING OATS 100 LBS/ACRE

D WHEAT OR CEREAL RYE 150 LBS/ACRE.

E SOD

F STRAW MULCH 2 TONS/ACRE.

* IRRIGATION NEEDED DURING JUNE AND JULY.

** IRRIGATION NEEDED FOR 2 TO 3 WEEKS AFTER APPLYING SOD.

SOIL PROTECTION CHART AND APPLICATION GUIDELINES

CROSS SECTIONS & CONSTRUCTION DETAILS

BOOK: N/A	DWG. SIZE: D
DRAWN: REW	CHECKED: JGL
REFERENCE:	
DATE: 02/19/2024	
PROJECT NO.	2023-0579

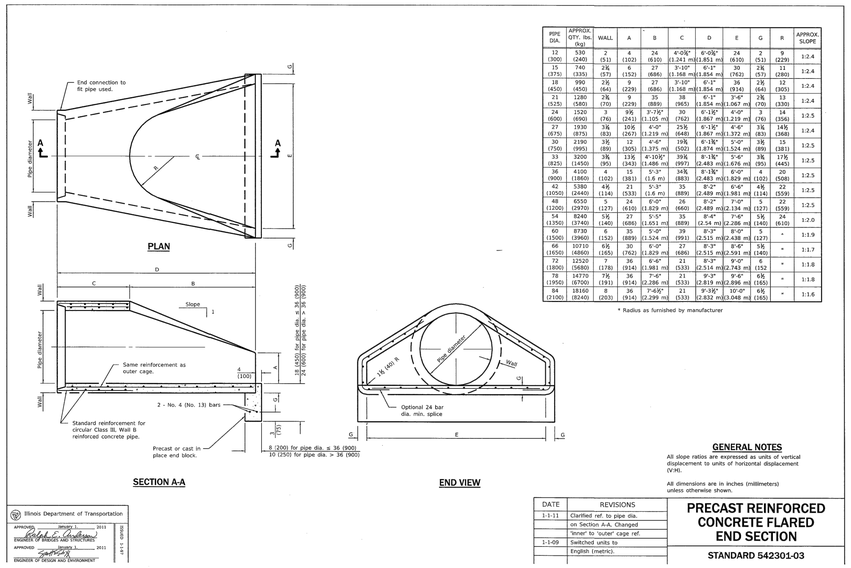
REVISION	DATE	DESC

Ridgeline Consultants LLC
Illinois Professional Design Firm No. 184-004766
1661 Aucutt Road, Montgomery, IL 60538
PH: 630.801.7297 FAX: 630.701.1380
Jianfeng Hua P.L.S. 4071 Expiration Date 11/30/2024
George H. Skalitzky P.L.S. 2369 Expiration Date 11/30/2024
Doug J. Schweer P.L.S. 3412 Expiration Date 11/30/2024

PREPARED FOR: ARBEEN, LLC

PROJECT ADDRESS: STEWART ROAD KENDALL COUNTY, ILLINOIS

SHEET 5 OF 6



PIPE DIA.	APPROX. QTY. lbs. (kg)	WALL	A	B	C	D	E	G	R	APPROX. SLOPE
12 (300)	530 (240)	2" (51)	4 (102)	24 (610)	4'-0⅜" (1.241 m)	6'-0⅜" (1.853 m)	24 (610)	2 (51)	9 (229)	1:2.4
15 (375)	740 (335)	2½ (57)	6 (152)	27 (686)	5'-1⅛" (1.568 m)	6'-1" (1.854 m)	30 (762)	2½ (57)	11 (280)	1:2.4
18 (450)	990 (450)	2½ (64)	9 (229)	27 (686)	5'-1⅛" (1.568 m)	6'-1" (1.854 m)	36 (914)	2½ (64)	12 (305)	1:2.4
21 (525)	1280 (580)	2½ (70)	9 (229)	35 (889)	5'-1⅛" (1.568 m)	6'-1" (1.854 m)	36 (914)	2½ (64)	13 (330)	1:2.4
24 (600)	1520 (690)	3 (76)	9½ (241)	35 (889)	5'-7⅜" (1.705 m)	6'-1⅝" (1.867 m)	30 (762)	3 (76)	14 (356)	1:2.5
27 (675)	1930 (875)	3½ (83)	10½ (267)	35 (889)	6'-0" (1.219 m)	6'-1⅝" (1.867 m)	25½ (648)	3½ (83)	14½ (368)	1:2.4
30 (750)	2190 (995)	3½ (89)	12 (305)	35 (889)	6'-4" (1.375 m)	6'-1⅝" (1.874 m)	19½ (502)	3½ (89)	15 (381)	1:2.5
33 (825)	3200 (1450)	3½ (95)	13½ (343)	35 (889)	4'-10⅝" (1.486 m)	6'-1⅝" (2.483 m)	39½ (997)	3½ (89)	17½ (445)	1:2.5
36 (900)	4150 (1860)	4 (102)	15 (381)	35 (889)	5'-3" (1.6 m)	8'-1⅜" (2.483 m)	34½ (883)	4 (102)	20 (508)	1:2.5
42 (1050)	5380 (2440)	4½ (114)	21 (533)	35 (889)	5'-3" (1.6 m)	8'-2" (2.489 m)	35 (889)	4½ (114)	22 (559)	1:2.5
48 (1200)	6550 (2970)	5 (127)	24 (610)	35 (889)	6'-0" (1.829 m)	8'-2" (2.489 m)	26 (660)	5 (127)	22 (559)	1:2.5
54 (1350)	8240 (3740)	5½ (140)	27 (686)	35 (889)	5'-5" (1.651 m)	8'-4" (2.54 m)	35 (889)	5½ (140)	24 (610)	1:2.0
60 (1500)	8730 (3960)	6 (152)	35 (889)	35 (889)	5'-0" (1.524 m)	8'-5" (2.515 m)	39 (991)	6 (127)	*	1:1.9
66 (1650)	10710 (4860)	6½ (165)	30 (762)	35 (889)	6'-0" (1.829 m)	8'-5" (2.515 m)	27 (686)	5½ (140)	*	1:1.7
72 (1800)	12520 (5680)	7 (178)	36 (914)	35 (889)	6'-6" (1.981 m)	8'-5" (2.514 m)	21 (533)	6 (152)	*	1:1.8
78 (1950)	14770 (6700)	7½ (191)	36 (914)	35 (889)	7'-4" (2.286 m)	8'-4" (2.743 m)	21 (533)	6½ (165)	*	1:1.8
84 (2100)	18160 (8240)	8 (203)	36 (914)	35 (889)	7'-6⅝" (2.299 m)	9'-1⅜" (2.832 m)	21 (533)	6½ (165)	*	1:1.6

* Radius as furnished by manufacturer

GENERAL NOTES

All slope ratios are expressed as units of vertical displacement to units of horizontal displacement (V:H).

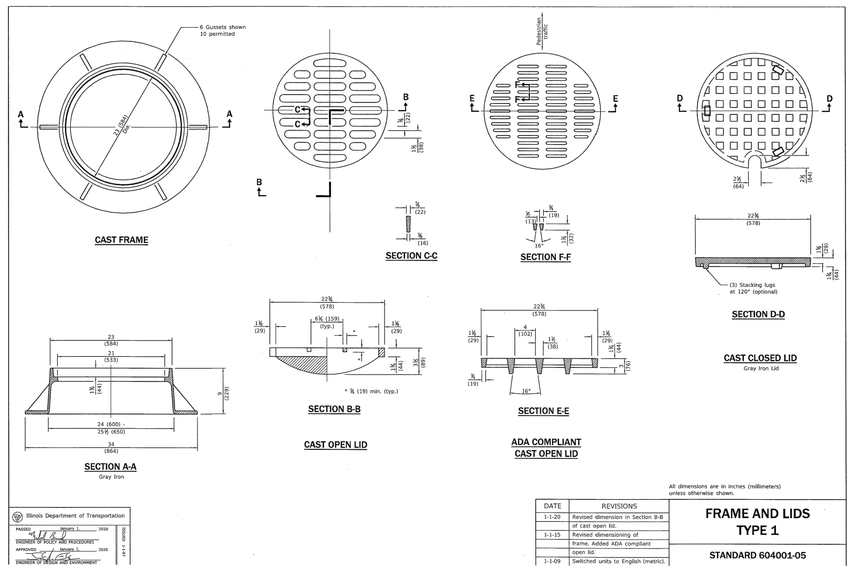
All dimensions are in inches (millimeters) unless otherwise shown.

Illinois Department of Transportation
APPROVED _____ REVISED 1, _____ 2015
ENGINEER OF BRIDGES AND STRUCTURES
APPROVED _____ REVISED 1, _____ 2015
ENGINEER OF DESIGN AND ENVIRONMENT

DATE	REVISIONS
1-1-11	Clarified ref. to pipe dia. on Section A-A. Changed 'Inner' to 'outer' cage ref.
1-1-09	Switched units to English (metric).

PRECAST REINFORCED CONCRETE FLARED END SECTION

STANDARD 542301-03



All dimensions are in inches (millimeters) unless otherwise shown.

Illinois Department of Transportation
APPROVED _____ REVISED 1, _____ 2020
BUREAU OF ELECTRICAL ROADWAY
APPROVED _____ REVISED 1, _____ 2020
ENGINEER OF DESIGN AND ENVIRONMENT

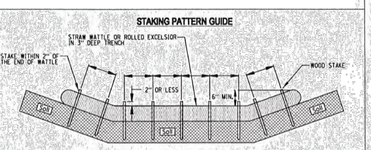
DATE	REVISIONS
1-1-20	Revised dimension in Section B-B of cast open lid.
1-1-15	Revised dimensioning of frame. Added ADA compliant open lid.
1-1-09	Switched units to English (metric).

FRAME AND LIDS TYPE 1

STANDARD 604001-05

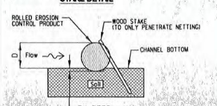
EXCELSIOR DITCH CHECK

STAKING PATTERN GUIDE



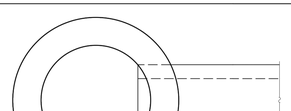
NOTES:
1. OVERLAP MINIMUM IS THE DIAMETER OF THE ROLL.
2. 4' SPACING FOR WATTLES.
3. 2' SPACING FOR ROLLED EXCELSIOR.
4. OR SPACE ACCORDING TO MANUFACTURER'S SPECIFICATIONS.

STAKE DETAIL



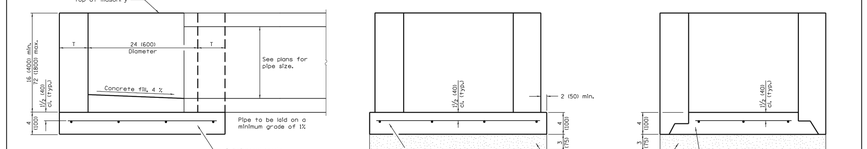
NOTES:
1. DRAWINGS ARE NOT TO SCALE.
2. ENDS OF WATTLES OR ROLLED EXCELSIOR SHALL BE TURNED AT LEAST 6" UPSLOPE.
3. RECOMMENDED STAKES ARE 1 1/8" WIDE x 1 1/8" THICK x 30" LONG.
4. STAKES SHALL NOT EXTEND ABOVE THE STRAW WATTLE MORE THAN 2".
5. SPACING THE TOE OF THE UPSTREAM DITCH CHECK SHALL CREATE A HORIZONTAL LINE WITH THE TOP OF THE DOWNSTREAM DITCH CHECK.

REFERENCE		STANDARD DWG. NO.
Project		ILM-514
Designed	Date	SHEET 1 OF 1
Checked	Date	DATE 08-2-2019
Approved	Date	



PLAN

ALTERNATE MATERIALS FOR WALLS	T
BRICK MASONRY	8 (200)
CAST-IN-PLACE CONCRETE	6 (150)
CONCRETE MASONRY UNIT	5 (125)
PRECAST REINFORCED CONCRETE SECTION	3 (75)



GENERAL NOTES

Bottom slabs shall be reinforced with a minimum of 0.24 sq. in./ft. (510 sq. mm/m) in both directions with a maximum spacing of 10 (250).

Bottom slabs may be connected to the riser as determined by the fabricator; however, only a single row of reinforcement around the perimeter may be utilized.

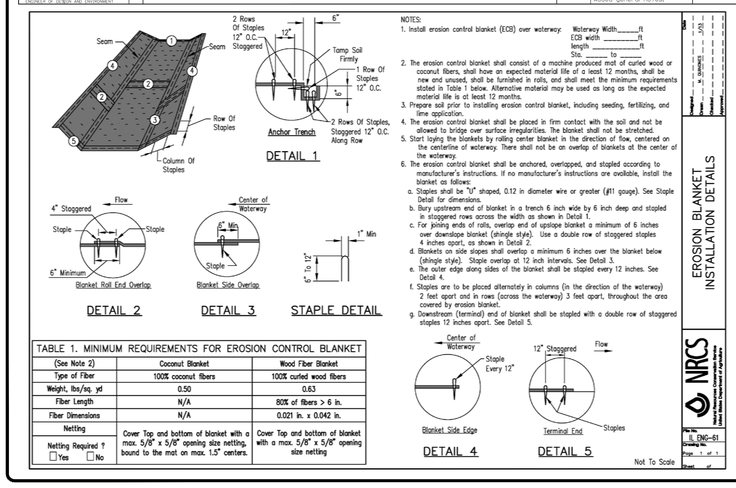
All dimensions are in inches (millimeters) unless otherwise shown.

Illinois Department of Transportation
APPROVED _____ REVISED 1, _____ 2014
ENGINEER OF BRIDGES AND STRUCTURES
APPROVED _____ REVISED 1, _____ 2014
ENGINEER OF DESIGN AND ENVIRONMENT

DATE	REVISIONS
1-1-14	Increased height to T2 (1800) maximum.
1-1-11	Detailed rein. in slabs. Added max. limit to height. Added general notes.

INLET – TYPE A

STANDARD 602301-04



NOTES:
1. Install erosion control blanket (ECB) over waterway: Waterway Width _____ ft, ECB width _____ ft, length _____ ft, Sta. _____ to _____
2. The erosion control blanket shall consist of a machine produced mat of curled wood or coconut fibers, shall have an expected material life of a least 12 months, shall be new and unused, shall be furnished in rolls, and shall meet the minimum requirements stated in Table 1 below. Alternative material may be used as long as the expected material life is at least 12 months.
3. Prepare soil prior to installing erosion control blanket, including seeding, fertilizing, and lime application.
4. The erosion control blanket shall be placed in firm contact with the soil and not be allowed to bridge over surface irregularities. The blanket shall not be stretched.
5. Start laying the blankets by rolling center blanket in the direction of flow, centered on the centerline of waterway. There shall not be an overlap of blankets at the center of the waterway.
6. The erosion control blanket shall be anchored, overlapped, and stapled according to manufacturer's instructions. If no manufacturer's instructions are available, install the blanket as follows:
   a. Staples shall be "U" shaped, 0.12 in diameter wire or greater (#11 gauge). See Staple Detail for dimensions.
   b. Bury upstream end of blanket in a trench 6 inch wide by 6 inch deep and stapled in staggered rows across the width as shown in Detail 1.
   c. For joining ends of rolls, overlap end of upslope blanket a minimum of 6 inches over downslope blanket (shingle style). Use a double row of staggered staples 4 inches apart, as shown in Detail 2.
   d. Blankets on side slopes shall overlap a minimum 6 inches over the blanket below (shingle style). Staple overlap at 12 inch intervals. See Detail 3.
   e. The outer edge along sides of the blanket shall be stapled every 12 inches. See Detail 4.
   f. Staples are to be placed alternately in columns (in the direction of the waterway) 2 feet apart and in rows (across the waterway) 3 feet apart, throughout the area covered by erosion blanket.
   g. Downstream (terminal) end of blanket shall be stapled with a double row of staggered staples 12 inches apart. See Detail 5.

TABLE 1. MINIMUM REQUIREMENTS FOR EROSION CONTROL BLANKET (See Note 2)	Coconut Blanket	Wood Fiber Blanket
Type of Fiber	100% coconut fibers	100% curled wood fibers
Weight, lbs/sq. yd	0.50	0.63
Fiber Length	N/A	80% of fibers > 6 in.
Fiber Dimensions	N/A	0.021 in. x 0.042 in.
Netting	Cover Top and bottom of blanket with a max. 5/8" x 5/8" opening size netting, bound to the mat on max. 1.5" centers.	Cover Top and bottom of blanket with a max. 5/8" x 5/8" opening size netting
Netting Required ? ☐ Yes ☐ No		

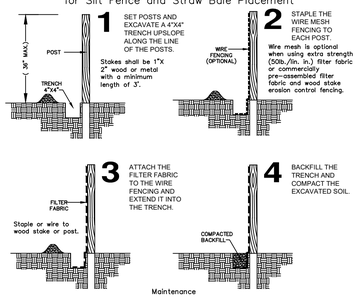
EROSION, BLANKET INSTALLATION DETAILS

NRCS Natural Resources Conservation Service

File No. IL_ENG-61
Drawing No.
Page 1 of 1
Sheet of

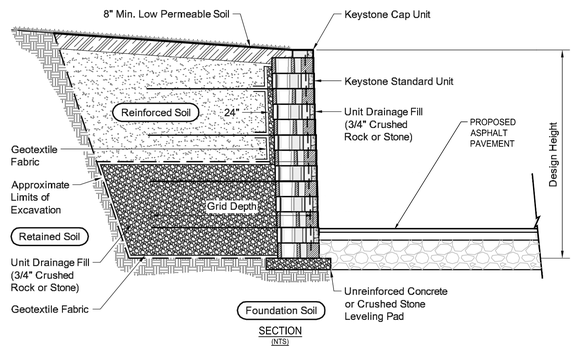
EROSION CONTROL DETAILS

Plans and Specifications for Silt Fence and Straw Bale Placement

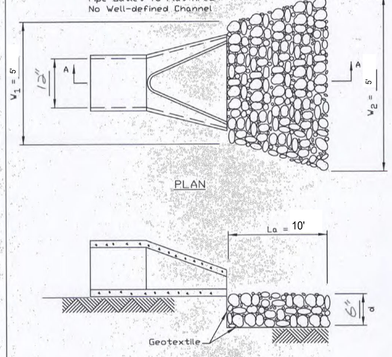


Maintenance

1. Filter barriers shall be inspected immediately after each rainfall and at least daily during prolonged rainfall. Any required repairs shall be made immediately.
2. Should the fabric decompose or became ineffective prior to the end of the expected usable life and the barrier still be necessary, the fabric shall be replaced promptly.
3. Sediment deposits should be removed after each storm event. They must be removed when deposits reach approximately half the height of the barrier.
4. Any sediment deposits remaining in place after the silt fence or filter barrier is no longer required shall be dressed to conform with the existing grade, prepared and seeded.

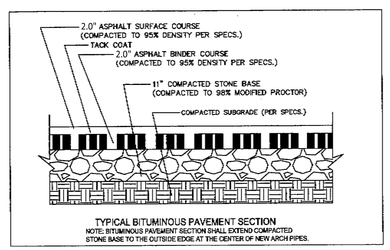


PIPE OUTLET TO FLAT AREA



NOTES:
1. The filter fabric shall meet the requirements in material specifications 592 GEOTEXTILE Table 1 or 2, class I, II or III.
2. The rock riprap shall shall meet the IDOT requirements for the following gradation: RR ____, Quality ____.
3. The riprap shall be placed according to construction specification 61 LOOSE ROCK RIPRAP. The rock may be equipment placed.

REFERENCE		NRCS Natural Resources Conservation Service	STANDARD DWG. NO.
Project			IL-610
Designed	Date		SHEET 1 OF 1
Checked	Date		DATE 9-15-93
Approved	Date		



TYPICAL BITUMINOUS PAVEMENT SECTION
NOTE: BITUMINOUS PAVEMENT SECTION SHALL EXTEND COMPACTED STONE BASE TO THE OUTSIDE EDGE AT THE CENTER OF NEW ARCH PIPES.

CONSTRUCTION DETAILS

REVISION	DATE	DESC	BOOK NA	DWG. SIZE: D
			DRAWN: REW	CHECKED: JGL
			REFERENCE	
			DATE: 02/19/2024	2023-0579
				PROJECT NO.

Ridgeline Consultants LLC
Illinois Professional Design Firm No. 184-004786
1 N. LaSalle Street, Suite 1405
Chicago, IL 60602
PH: 630.901.7927
FAX: 630.701.1385
Jianfeng Hua P.L.S. 4071 Expiration Date 11/30/2024
George H. Skalkos P.L.S. 2380 Expiration Date 11/30/2024
Steve J. Stewart P.L.S. 3412 Expiration Date 11/30/2024

PREPARED FOR:
PROJECT ADDRESS:
ARBEEN, LLC
STEWART ROAD
KENDALL COUNTY, ILLINOIS

SHEET 6 OF 6

STORMWATER MANAGEMENT REPORT

FOR

ARBEEN LANDSCAPING

Oswego (Un-incorpoated Kendall County), IL

PREPARED BY: RIDGELINE CONSULTANTS, LLC
1661 AUCUTT ROAD
MONTGOMERY, IL 60538
Phone: 630-801-7927
Fax: 630-701-1385

KENDALL COUNTY, ILLINOIS

FEBRUARY, 2024

Project Number: 2023-0579

Expires 11/30/2025

The subject development takes place on a parcel (PIN 03-24-400-011)) with a total of 4.00 acre in area including 0.248 acre within Stewart Rd right of way. This un-incorporated property is vacant under A-1 zoning. The applicant, Arbeen, LLC, purchased the property and intended to turn it to a Landscape Business operation.

Based on our research into FEMA Flood Insurance Rate Map number 17093C0070G dated of 02/04/2009, there is a no regulatory floodplain or floodway existing on site or immediate offsite. As shown on National Wetlands Inventory Map by US Fish and Wildlife Services, there is no "Wetlands/Lakes/Ponds" within the property or immediate offsite.

Upon research into USDA NRCS Soil Map, the predominant soils type onsite are 541C2 (Graymont Silt Loam, 5 to 10 percent slopes, eroded), 541B (Graymont Silt Loam, 2 to 5 percent slopes), 614A (Chenoa Silty Clay Loam, 0 to 2 percent slopes) and 356A (Elpaso Silty Clay Loam, 0 to 2 percent slopes). Generally speaking, the property is predominantly occupied by the soils under Hydrologic Soil Group C or D which exhibit poor infiltration and generate considerable surface runoffs.

Based on Kendall County Stormwater Management Ordinance (Ordinance), a Stormwater Management Permit from Kendall County is required on this project because of more than 43,500sf of ground cover disturbance. Per Ordinance, a site Runoff Storage requirement will apply to the project which is a non-residential land use resulting in more than 45,000 square feet of development or resulting in more than 32,000 square feet of impervious surface area. Under the existing condition, the property pitches to the east, south and the west. There is a minimum offsite upstream area north of the property and we felt it is too insignificant and difficult to quantify to be considered. A dry detention basin is proposed on the southeast corner of the property, the lowest within the entire property, to detain the onsite runoff before releasing it to the downstream offsite area. Please find enclosed detention calculation as well as TR-20 modeling for detention design details. Based on the Ordinance, a 1' freeboard, between the calculated 100 year-24 hour HWL and the Emergency overflow weir, is proposed. A berm with a 5'-wide flat top, around the perimeters of the detention basin, 1' higher than the emergency overflow weir is called out. The bottom of the basin is to be 1% minimum slope planted with turf grass. Riprap is proposed to the downstream of the detention basin to slow down the restricted release before reaching the offsite. Meanwhile, a storm sewer system is proposed to run along the west and the south property lines and convey the onsite runoff into the detention basin. The onsite grading was designed in such a way that overland flood routes would take the onsite surface runoff into the detention basin in the event of the storm sewers overloaded. The comparison of runoff onto the different offsite neighbors under the existing and proposed conditions is prepared as shown on the enclosed calculation. As shown, all runoff onto offsite neighbors under the proposed condition are less than those under the existing condition. Lastly, the proposed culverts under both driveways are sized in enclosed calculation.

EROSION AND SEDIMENTATION CONTROL MEASURES

Various soil erosion and sediment control measures and devices will be proposed to be implemented during construction activities. These measures are intended to protect downstream properties from erosion and sedimentation and to assure that surface or ground water quality is not unreasonable or unnecessarily degraded.
The proposed erosion and sediment control features include:

- Temporary construction entrance for vehicle washdowns and removal of mud from tires.
- Single or Double rows of silt fencing installed along downstream perimeters of the development site.
- Disturbed areas vegetatively stabilized either temporarily or permanently and/or protected from soil erosion after final grading is accomplished.
- Inlet filter installed at all open-grate storm sewer structures to intercept debris or eroded soil before been transported downstream.
- Erosion Control Blanket to be applied onto 4:1 slope once grading is completed to prevent seed wash-off and erosion of the soil.

STORMWATER MANAGEMENT SYSTEMS MONITORING AND MAINTENANCE PLAN

The property owners will be responsible for the periodic monitoring and maintenance of all stormwater storage and stormwater collection and conveyance systems and components within the limits of the site. Such systems and components include, but are not limited to the detention basin and its outfall system, storm sewer system, overland drainage ways, and all containment berms. The owner shall undertake appropriate measures to monitor and maintain such facilities in accordance with the policies and procedures established under Stormwater Ordinances as amended as part of its routine maintenance operations

The program for monitoring and maintaining the stormwater management and/or stormwater conveyance facilities imposed under this plan shall include the following operations and procedures:

1. Storm sewer system, swales and overland drainage ways shall be maintained to the line and grade established on the Final Site Improvement Plans and supporting documents to convey stormwater runoff in a free and unobstructed manner. Landscape plantings, earthen fill, or other obstructions that impede the flow of stormwater shall be removed, the area shall be re-graded, and a vegetative cover shall be re-established to deter erosion.

2. A vegetative cover around and within the overland drainage swales and the detention basin is essential for the prevention of soil erosion and the deposition of sediments. The periodic replanting and replacement of vegetation shall be undertaken by the owner, when necessary, to maintain the vegetative cover.

CONSTRUCTION SEQUENCE AND SCHEDULE OF IMPLEMENTATION FOR STORMWATER MANAGEMENT SYSTEM IMPROVEMENTS

The stormwater management systems and components proposed for construction on site including storm sewer system, detention basin, temporary and permanent erosion and sedimentation control measures and devices are intended to obtain and control stormwater so as to minimize increase in runoff rate, volumes, and pollutant loads during and following completion of construction in accordance with the Technical Guidance of the Ordinance, the U.S.E.P.A. "Guidance Specifying Management Measures for Sources of Non-point Pollution in Coastal Waters" and the United States Clean Water Act"33 U.S.C. 1251 as amended.

It will be incumbent upon the owner prior to that date to ensure that the stabilized construction entrance and silt fences are installed; Said erosion and sedimentation control measures and devices shall thereafter be monitored and maintained by the owner in accordance with NPDES guidelines. As soon as weather and growing conditions permit, topsoil shall be placed in the containment berms and the area vegetatively stabilized by a hydro-seeding and placement of erosion blanket.

National Flood Hazard Layer FIRMette

FEMA

88°16'25"W 41°40'19"N

88°15'48"W 41°39'52"N

0 250 500 1,000 1,500 2,000 Feet

1:6,000

Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) *Zone A, V, A99*
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*
- Future Conditions 1% Annual Chance Flood Hazard *Zone X*
- Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*
- Area with Flood Risk due to Levee *Zone D*

OTHER AREAS
- NO SCREEN Area of Minimal Flood Hazard *Zone X*
- Effective LOMRs
- Area of Undetermined Flood Hazard *Zone D*

GENERAL STRUCTURES
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES
- 20.2 / 17.5 Cross Sections with 1% Annual Chance / Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS
- Digital Data Available
- No Digital Data Available
- Unmapped

N

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

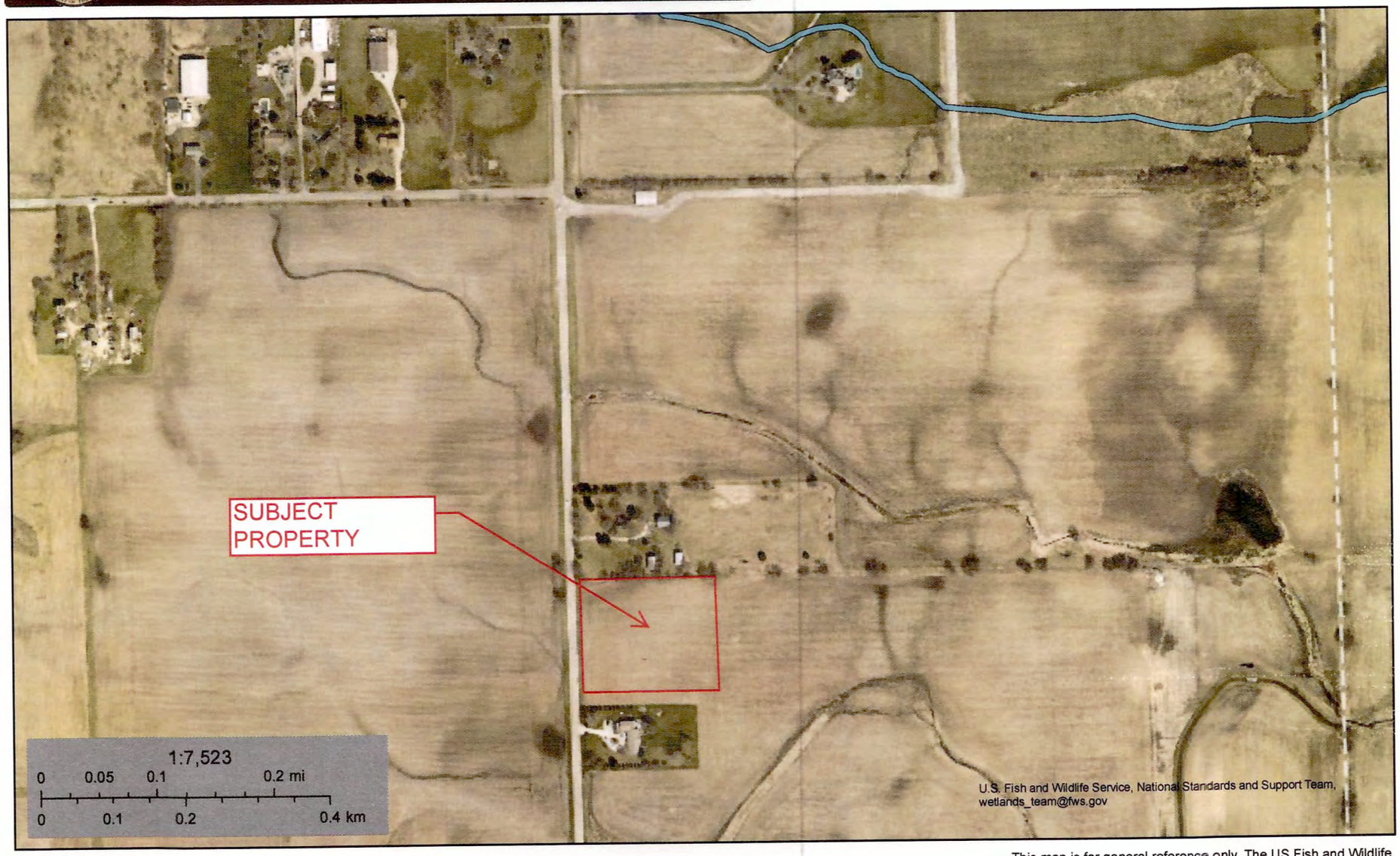
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 2/9/2024 at 12:35 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

U.S. Fish and Wildlife Service

National Wetlands Inventory

Wetlands



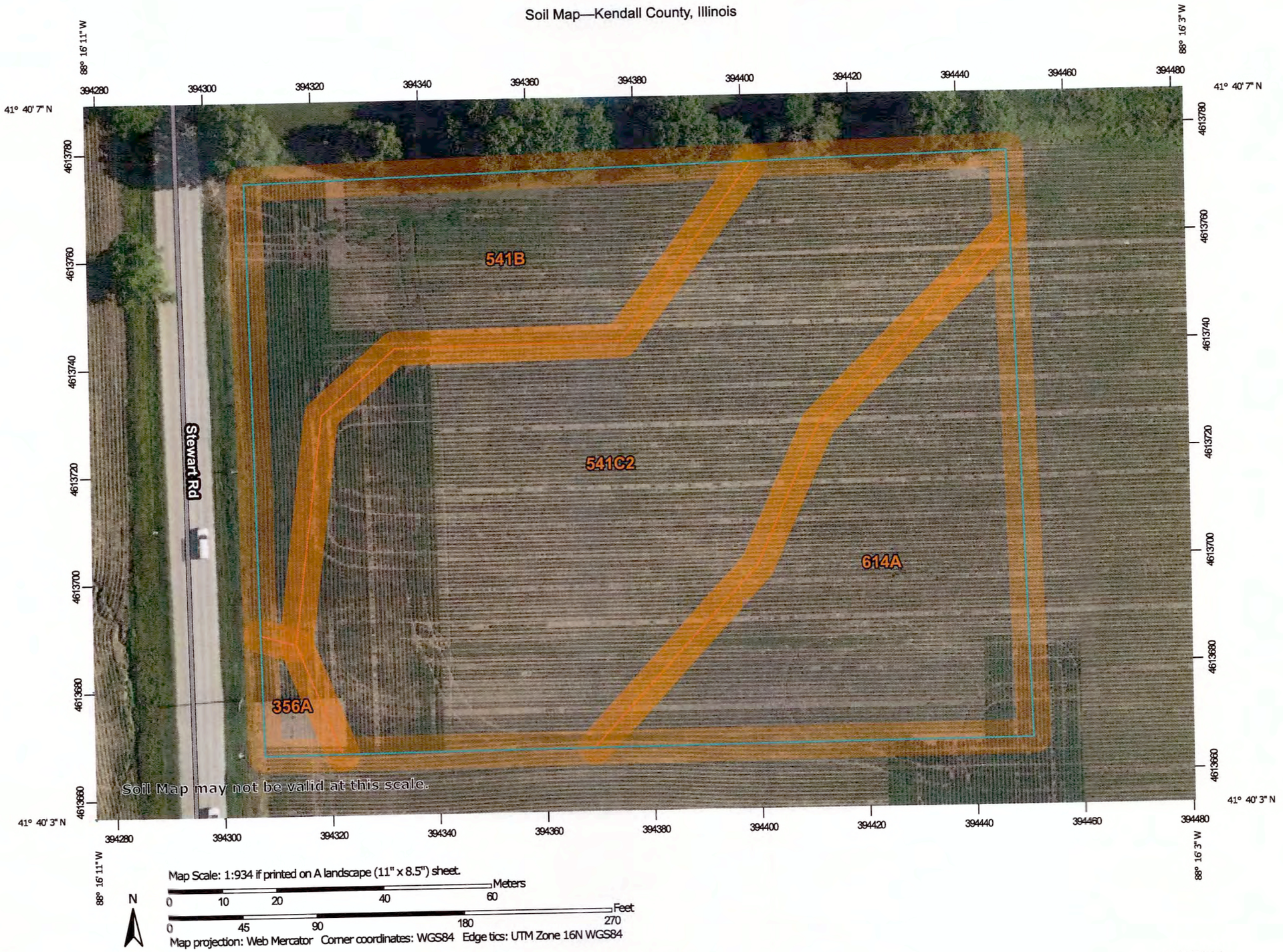
February 19, 2024

Wetlands

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

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Wetlands Inventory (NWI)
This page was produced by the NWI mapper



Map Scale: 1:934 if printed on A landscape (11" x 8.5") sheet.

N

Meters: 0 10 20 40 60

Feet: 0 45 90 180 270

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 16N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Kendall County, Illinois
Survey Area Data: Version 20, Aug 28, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 18, 2020—Jul 3, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Hydraulic Group

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI	
356A	Elpaso silty clay loam, 0 to 2 percent slopes	0.1	1.5%	B/D
541B	Graymont silt loam, 2 to 5 percent slopes	0.8	21.2%	C
541C2	Graymont silt loam, 5 to 10 percent slopes, eroded	2.0	51.5%	C
614A	Chenoa silty clay loam, 0 to 2 percent slopes	1.0	25.9%	C/D
Totals for Area of Interest		**3.8**	**100.0%**	

Prepared: 02/09/2024

ARBEEN LANDSCAPING

Detention Basins and Orifice Sizing

1.) Property Area:

Property Area (excluding ROW):	3.75 Acres =	0.005863 Sq. Mi
Detained onsite Area:	3.27 Acres =	0.005113 Sq. Mi
Un-detained onsite Area:	0.48 Acres =	0.000750 Sq. Mi

2.) Offsite Tributary Area:

Offsite Tributary Area:	0.00 Acres =	0.000000 Sq. Mi

Note: Minimal North Upstream offsite area is neglectble and not considered in the calculation

3.) Calculation of Allowable Release:

Allowable Release is:	0.15 cfs	(2 year event or less)	0.04 cfs x onsite area
	0.56 cfs	(100 year event)	0.15 cfs x onsite area

4.) Calculation of Curve Number:

Detained Onsite Area:	3.27 Acre=		0.005113 Sq. Mi
Impervious Area:	1.60	acre (CN=98)	
Detention Basin:	0.56	acre (CN =98)	
Pervious Area:	1.11	acre (CN=74)	
Composite CN:	**89.8**		
Un-Detained Onsite Area:	0.48 Acre=		0.000750 Sq. Mi
Impervious Area:	0.00	acre (CN=98)	
Pervious Area:	0.48	acre (CN=74)	
Composite CN:	**74.0**		

5.) Time of Concentration (Tc):

Tc = 0.17 Hr. (=10 min. Reasonably Estimated)

6.) Proposed Restrictor Design

Use Orifice Equation to size proposed restrictor:

Outfall Pipe Release (2 year)

Cd	0.61
Dia	1.375 in
Area	0.010 sq ft
Invert of Orifice	723.50
Center of Orifice	723.56

Prepared: 02/09/2024

Orifice Release (lower)

Elev. Stage	Head	Orifice Discharge
723.50	0.00	0.000
724.00	0.44	0.034
725.00	1.44	0.061
726.00	2.44	0.079
726.30	2.74	0.084
727.00	3.44	0.094
728.00	4.44	0.106
729.00	5.44	0.118

Head = Stage less Center of Orifice
Orifice Discharge = C_d x $(2xgxH)^{0.5}$xArea

Outfall Pipe Release (100 year)

Cd	0.61
Dia	2.125 in
Area	0.025 sq ft
Invert of Orifice	726.30
Center of Orifice	726.39

Orifice Release (Upper)

Elev. Stage	Head	Orifice Discharge
723.50	0.00	0.000
724.00	0.00	0.000
725.00	0.00	0.000
726.00	0.00	0.000
726.30	0.00	0.000
727.00	0.61	0.094
728.00	1.61	0.153
729.00	2.61	0.195

Head = Stage less Center of Orifice
Orifice Discharge = C_d x $(2xgxH)^{0.5}$xArea

Total Orifice Release

Elev. Stage	Orifice Discharge
723.50	0.000
724.00	0.034
725.00	0.061
726.00	0.079
726.30	0.084
727.00	0.188
728.00	0.259
729.00	0.313

7.) Calculation of Storage

Onsite Detention Basin

Contour	Area sf	Area Acre	Vol. Ac.Ft.	Accumulated Volume
723.50	0	0.000	0.000	0.000
724.00	2,193	0.050	0.013	0.013
725.00	8,669	0.199	0.125	0.137
726.00	16,395	0.376	0.288	0.425
726.30	17,157	0.394	0.116	0.540
727.00	18,936	0.435	0.290	0.831
728.00	21,576	0.495	0.465	1.296
729.00	24,318	0.558	0.527	1.822

Prepared: 02/09/2024

8.) Stage-Discharge-Storage Table

Stage	Discharge	Storage
723.50	0.000	0.000
724.00	0.034	0.013
725.00	0.061	0.137
726.00	0.079	0.425
726.30	0.084	0.540
727.00	0.188	0.831
728.00	0.259	1.296
729.00	0.313	1.822

9.) Results: The TR-20 model produced the following result:

2 Year

Peak Elevation in onsite SWMF: **726.25** ft.
Peak Discharge (Restricted + Unrestricted): **0.15** cfs (2 Yr-24 Hr)
Allowable Discharge: **0.15** cfs

100 Year The TR-20 model produced the following result:

Peak Elevation in onsite SWMF: **728.76** ft.
Storage at Peak Elevation: **1.696** acre-feet
Peak Discharge (Restricted + Unrestricted): **0.55** cfs (100 Yr-24 Hr)
Allowable Discharge: **0.56** cfs

10.) Overflow Weir Capacity

Proposed Overflow Discharge, Broad-crested Weir

Required Weir Capacity: 2.58 cfs (100 Yr 24 Hr inflow to Detention Basin per TR-20)

Broad Crested Weir 26 ft at Emergency Spillway

Q= CxLxH1.5

Weir Elevation= 730.00

Elev. Stage	Weir Head	C Value	Weir Discharge (cfs)	
730.00	0.00	2.7	0.00	
730.12	0.12	2.7	2.92 ≥	2.58 cfs, OK!

Prop. Condition

1

```
******************80-80 LIST OF INPUT DATA FOR TR-20 HYDROLOGY******************

JOB TR-20                                                SUMMARY   NOPLOTS
TITLE     ARDEEN LANDSCAPING, KENDALL CO, IL;      02/09/24;  [PROP6.T20], JL
TITLE     PROPOSED CONDITION-2YR&100YR
 5 RAINFL 7                .04
 8          0.00         0.08         0.18         0.28         0.38         HUFF
 8          0.47         0.56         0.62         0.67         0.71         1STQTR
 8          0.74         0.77         0.80         0.83         0.85         POINT
 8          0.87         0.89         0.91         0.93         0.94
 8          0.95         0.97         0.98         0.99         1.00
 9 ENDTBL
 5 RAINFL 8                .04
 8          0.00         0.02         0.05         0.08         0.11         HUFF
 8          0.16         0.21         0.28         0.36         0.45         2NDQTR
 8          0.54         0.62         0.70         0.75         0.80         POINT
 8          0.85         0.88         0.90         0.92         0.94
 8          0.95         0.97         0.98         0.99         1.00
 9 ENDTBL
 5 RAINFL 9                .04
 8          0.00         0.02         0.04         0.07         0.09         HUFF
 8          0.12         0.14         0.17         0.20         0.23         3RDQTR
 8          0.26         0.31         0.36         0.44         0.52         POINT
 8          0.61         0.70         0.78         0.85         0.90
 8          0.93         0.95         0.97         0.99         1.00
 9 ENDTBL
 3 STRUCT      01
 8                                 723.50        0.000        0.000
 8                                 724.00        0.034        0.013
 8                                 725.00        0.061        0.137
 8                                 726.00        0.079        0.425
 8                                 726.30        0.084        0.540
 8                                 727.00        0.188        0.831
 8                                 728.00        0.259        1.296
 8                                 729.00        0.313        1.822
 9 ENDTBL
 6 RUNOFF 1 001      1          0.00075         74.0          0.171 1 1 1 1 1 UNDETN
 6 RUNOFF 1 002      2          0.00511         89.8          0.171 1 1 1 1 1 DETNED
 6 RESVOR 2    01 2  3           723.50                          1 1 1     1 DTNTN
 6 ADDHYD 4 003   1 3 4                                         1 1 1 1 1 1
   ENDATA
 7 INCREM 6                     0.50
 7 COMPUT 7 001   003             0.0         3.34         24.09 2  24   2   2Y24H
   ENDCMP 1
 7 INCREM 6                     0.50
 7 COMPUT 7 001   003             0.0         8.57         24.09 2  24  99 100Y24H
```

Corresponding To Bulletin 75

Un-Detained (0.48ac)

Detained

```
    ENDCMP 1
    ENDJOB 2
1


 **********80-80 LIST OF INPUT DATA (CONTINUED)**********

0**********END OF 80-80 LIST**********
1


 TR20 XEQ 02-09-24  10:54       ARDEEN LANDSCAPING, KENDALL CO, IL;      02/09/24;  [PROP6.T20], JL              JOB  1   PASS   1
      REV PC 09/83(.1)          PROPOSED CONDITION-2YR&100YR                                                              PAGE   1

                                COMPUTER PROGRAM FOR PROJECT FORMULATION - HYDROLOGY   USER NOTES

          THE USERS MANUAL FOR THIS PROGRAM IS THE MAY 1982 DRAFT OF TR-20.  CHANGES FROM THE 2/14/74 VERSION INCLUDE:

          REACH ROUTING - THE MODIFIED ATT-KIN ROUTING PROCEDURE REPLACES THE CONVEX METHOD.  INPUT DATA PREPARED FOR
             PREVIOUS PROGRAM VERSIONS USING CONVEX ROUTING COEFFICIENTS WILL NOT RUN ON THIS VERSION.

             THE PREFERRED TYPE OF DATA ENTRY IS CROSS SECTION DATA REPRESENTATIVE OF A REACH.  IT IS RECOMMENDED THAT
             THE OPTIONAL CROSS SECTION DISCHARGE-AREA PLOTS BE OBTAINED WHENEVER NEW CROSS SECTION DATA IS ENTERED.
             THE PLOTS SHOULD BE CHECKED FOR REASONABLENESS AND ADEQUACY OF INPUT DATA FOR THE COMPUTATION OF "M"
             VALUES USED IN THE ROUTING PROCEDURE.

             GUIDELINES FOR DETERMINING OR ANALYZING REACH LENGTHS AND COEFFICIENTS (X,M) ARE AVAILABLE IN THE USERS
             MANUAL.  SUMMARY TABLE 2 DISPLAYS REACH ROUTING RESULTS AND ROUTING PARAMETERS FOR COMPARISON AND CHECKING.

          HYDROGRAPH GENERATION - THE PROCEDURE TO CALCULATE THE INTERNAL TIME INCREMENT AND PEAK TIME OF THE UNIT
             HYDROGRAPH HAVE BEEN IMPROVED.  PEAK DISCHARGES AND TIMES MAY DIFFER FROM THE PREVIOUS VERSION.  OUTPUT
             HYDROGRAPHS ARE STILL INTERPOLATED, PRINTED, AND ROUTED AT THE USER SELECTED MAIN TIME INCREMENT.

          INTERMEDIATE PEAKS - METHOD ADDED TO PROVIDE DISCHARGES AT INTERMEDIATE POINTS WITHIN REACHES WITHOUT ROUTING.

          OTHER - THIS VERSION CONTAINS SOME ADDITIONS TO THE INPUT AND NUMEROUS MODIFICATIONS TO THE OUTPUT.  USER
             OPTIONS HAVE BEEN MODIFIED AND AUGMENTED ON THE JOB RECORD, RAINTABLES ADDED, ERROR AND WARNING MESSAGES
             EXPANDED, AND THE SUMMARY TABLES COMPLETELY REVISED.  THE HOLDOUT OPTION IS NOT OPERATIONAL AT THIS TIME.

          PROGRAM QUESTIONS OR PROBLEMS SHOULD BE DIRECTED TO HYDRAULIC ENGINEERS AT THE SCS NATIONAL TECHNICAL CENTERS:
               CHESTER, PA (NORTHEAST)  -- 215-499-3933,       FORT WORTH, TX (SOUTH) -- 334-5242 (FTS)
               LINCOLN, NB (MIDWEST)    -- 541-5318 (FTS),     PORTLAND, OR (WEST)    -- 423-4099 (FTS)


     PROGRAM CHANGES SINCE MAY 1982:

            12/17/82 - CORRECT PEAK RATE FACTOR FOR USER ENTERED DIMHYD
```

```
                    CORRECT REACH ROUTING PEAK TRAVEL TIME PRINTED WITH FULLPRINT OPTION
                5/02/83 - CORRECT COMPUTATIONS FOR ---
                          1. DIVISION OF BASEFLOW IN DIVERT OPERATION
                          2. HYDROGRAPH VOLUME SPLIT BETWEEN BASEFLOW AND ABOVE BASEFLOW
                          3. CROSS SECTION DATA PLOTTING POSITION
                          4. INTERMEDIATE PEAK WHEN "FROM" AREA IS LARGER THAN "THRU" AREA
                          5. STORAGE ROUTED REACH TRAVEL TIME FOR MULTIPEAK HYDROGRAPH
                          6. ORDERING "FLOW-FREQ" FILE FROM SUMMARY TABLE #3 DATA
                          7. BASEFLOW ENTERED WITH READHYD
                          8. LOW FLOW SPLIT DURING DIVERT PROCEDURE #2 WHEN SECTION RATINGS START AT DIFFERENT ELEVATIONS
                    ENHANCEMENTS ---
                          1. REPLACE USER MANUAL ERROR CODES (PAGE 4-9 TO 4-11) WITH MESSAGES
                          2. LABEL OUTPUT HYDROGRAPH FILES WITH CROSS SECTION/STRUCTURE, ALTERNATE AND STORM NO'S
                09/01/83 - CORRECT INPUT AND OUTPUT ERRORS FOR INTERMEDIATE PEAKS
                          CORRECT COMBINATION OF RATING TABLES FOR DIVERT
                          CHECK REACH ROUTING PARAMETERS FOR ACCEPTABLE LIMITS
                          ELIMINATE MINIMUM REACH TRAVEL TIME WHEN ATT-KIN COEFFICIENT EQUALS ONE
1


 TR20 XEQ 02-09-24  10:54       ARDEEN LANDSCAPING, KENDALL CO, IL;      02/09/24;  [PROP6.T20], JL                JOB  1   PASS   1
      REV PC 09/83(.1)          PROPOSED CONDITION-2YR&100YR                                                                PAGE   2



 EXECUTIVE CONTROL OPERATION INCREM                                                                                  RECORD ID
+                                  MAIN TIME INCREMENT =    .50 HOURS

 EXECUTIVE CONTROL OPERATION COMPUT                                                                                  RECORD ID   2Y24H
+                                  FROM XSECTION    1
+                                                TO XSECTION    3
         STARTING TIME =    .00     RAIN DEPTH =  3.34     RAIN DURATION= 24.00     RAIN TABLE NO.= 9     ANT. MOIST. COND= 2
         ALTERNATE NO.=24           STORM NO.= 2     MAIN TIME INCREMENT =    .50 HOURS


 OPERATION RUNOFF    CROSS SECTION    1

 *** WARNING-NO PEAK FOUND, MAXIMUM DISCHARGE =          .02 CFS.

             PEAK TIME(HRS)              PEAK DISCHARGE(CFS)           PEAK ELEVATION(FEET)
                22.00                           .02                        (RUNOFF)
                15.00                           .08                        (RUNOFF)

 TIME(HRS)          FIRST HYDROGRAPH POINT =    .00 HOURS      TIME INCREMENT =   .50 HOURS      DRAINAGE AREA =     .00 SQ.MI.
   10.00    DISCHG          .01        .01        .02        .02        .04        .04        .05        .05        .07        .07
   15.00    DISCHG          .08        .08        .08        .07        .07        .05        .05        .03        .03        .02
   20.00    DISCHG          .02        .02        .02        .02        .02        .01        .01        .00
```

RUNOFF VOLUME ABOVE BASEFLOW = 1.09 WATERSHED INCHES, .53 CFS-HRS, .04 ACRE-FEET; BASEFLOW = .00 CFS

--- HYDROGRAPH FOR XSECTION 1, ALTERNATE 24, STORM 2, ADDED TO OUTPUT HYDROGRAPH FILE ---

OPERATION RUNOFF CROSS SECTION 2

*** WARNING-NO PEAK FOUND, MAXIMUM DISCHARGE = .21 CFS.

PEAK TIME(HRS)	PEAK DISCHARGE(CFS)	PEAK ELEVATION(FEET)
22.00	.21	(RUNOFF)
15.00	.89	(RUNOFF)

TIME(HRS)	FIRST HYDROGRAPH POINT = .00 HOURS				TIME INCREMENT = .50 HOURS			DRAINAGE AREA = .01 SQ.MI.		
.00	DISCHG	.00	.00	.00	.00	.00	.00	.00	.02	.04	.07
5.00	DISCHG	.06	.07	.11	.13	.14	.16	.17	.18	.19	.20
10.00	DISCHG	.35	.37	.39	.40	.67	.70	.73	.76	.86	.88
15.00	DISCHG	.89	.84	.81	.74	.72	.55	.52	.33	.32	.22
20.00	DISCHG	.21	.21	.21	.21	.21	.11	.11	.00		

RUNOFF VOLUME ABOVE BASEFLOW = 2.23 WATERSHED INCHES, 7.34 CFS-HRS, .61 ACRE-FEET; BASEFLOW = .00 CFS

--- HYDROGRAPH FOR XSECTION 2, ALTERNATE 24, STORM 2, ADDED TO OUTPUT HYDROGRAPH FILE ---

OPERATION RESVOR STRUCTURE 1
1

2 Yr. 24 Hr. HWL

*** WARNING-NO PEAK FOUND, MAXIMUM DISCHARGE = .08 CFS.

PEAK TIME(HRS)	PEAK DISCHARGE(CFS)	PEAK ELEVATION(FEET)
23.00	.08	726.25

TIME(HRS)	FIRST HYDROGRAPH POINT = .00 HOURS				TIME INCREMENT = .50 HOURS			DRAINAGE AREA = .01 SQ.MI.		
.00	DISCHG	.00	.00	.00	.00	.00	.00	.00	.00	.00	.01
.00	ELEV	723.50	723.50	723.50	723.50	723.50	723.50	723.50	723.50	723.50	723.62
5.00	DISCHG	.01	.02	.03	.03	.04	.04	.04	.04	.04	.04
5.00	ELEV	723.71	723.78	723.89	724.01	724.04	724.08	724.12	724.17	724.22	724.27
10.00	DISCHG	.04	.05	.05	.05	.06	.06	.06	.06	.07	.07
10.00	ELEV	724.34	724.45	724.56	724.68	724.84	725.02	725.11	725.21	725.32	725.43
15.00	DISCHG	.07	.07	.07	.08	.08	.08	.08	.08	.08	.08
15.00	ELEV	725.55	725.66	725.77	725.87	725.97	726.03	726.08	726.12	726.15	726.17

20.00	DISCHG	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08
20.00	ELEV	726.18	726.19	726.21	726.22	726.24	726.24	726.25	726.24	726.24	726.23
25.00	DISCHG	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08
25.00	ELEV	726.22	726.21	726.20	726.19	726.18	726.17	726.16	726.16	726.15	726.14
30.00	DISCHG	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08
30.00	ELEV	726.13	726.12	726.11	726.10	726.09	726.09	726.08	726.07	726.06	726.05
35.00	DISCHG	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08
35.00	ELEV	726.04	726.03	726.03	726.02	726.01	726.00	725.99	725.98	725.97	725.95
40.00	DISCHG	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08
40.00	ELEV	725.94	725.93	725.92	725.91	725.90	725.89	725.88	725.87	725.85	725.84
45.00	DISCHG	.08	.08	.08	.08	.08	.08	.07	.07	.07	.07
45.00	ELEV	725.83	725.82	725.81	725.80	725.79	725.78	725.77	725.76	725.75	725.74
50.00	DISCHG	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07
50.00	ELEV	725.73	725.71	725.70	725.69	725.68	725.67	725.66	725.65	725.64	725.63
55.00	DISCHG	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07
55.00	ELEV	725.62	725.61	725.60	725.59	725.58	725.57	725.56	725.55	725.54	725.53
60.00	DISCHG	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07
60.00	ELEV	725.52	725.51	725.50	725.49	725.48	725.47	725.46	725.45	725.44	725.43
65.00	DISCHG	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07
65.00	ELEV	725.42	725.41	725.40	725.39	725.38	725.37	725.36	725.35	725.34	725.33
70.00	DISCHG	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07
70.00	ELEV	725.32	725.31	725.30	725.29	725.28	725.27	725.26	725.26	725.25	725.24
75.00	DISCHG	.07	.06	.06	.06	.06	.06	.06	.06	.06	.06
75.00	ELEV	725.23	725.22	725.21	725.20	725.19	725.18	725.17	725.16	725.15	725.14
80.00	DISCHG	.06	.06	.06	.06	.06	.06	.06	.06	.06	.06
80.00	ELEV	725.13	725.13	725.12	725.11	725.10	725.09	725.08	725.07	725.06	725.05
85.00	DISCHG	.06	.06	.06	.06	.06	.06	.06	.06	.06	.06
85.00	ELEV	725.04	725.04	725.03	725.02	725.01	725.00	724.98	724.96	724.94	724.92
90.00	DISCHG	.06	.06	.06	.06	.06	.06	.06	.05	.05	.05
90.00	ELEV	724.90	724.88	724.86	724.84	724.83	724.81	724.79	724.77	724.75	724.73
95.00	DISCHG	.05	.05	.05	.05	.05	.05	.05	.05	.05	.05
95.00	ELEV	724.72	724.70	724.68	724.66	724.65	724.63	724.61	724.60	724.58	724.56
100.00	DISCHG	.05	.05	.05	.05	.05	.05	.05	.05	.05	.04
100.00	ELEV	724.55	724.53	724.51	724.50	724.48	724.47	724.45	724.44	724.42	724.41

1

105.00	DISCHG	.04	.04	.04	.04	.04	.04	.04	.04	.04	.04
105.00	ELEV	724.39	724.38	724.36	724.35	724.33	724.32	724.30	724.29	724.28	724.26
110.00	DISCHG	.04	.04	.04	.04	.04	.04	.04	.04	.04	.04
110.00	ELEV	724.25	724.24	724.22	724.21	724.20	724.18	724.17	724.16	724.14	724.13
115.00	DISCHG	.04	.04	.04	.04	.04	.04	.04	.03	.03	.03
115.00	ELEV	724.12	724.11	724.09	724.08	724.07	724.06	724.05	724.04	724.02	724.01
120.00	DISCHG	.03	.03	.03	.02	.02	.02	.02	.02	.01	.01
120.00	ELEV	724.00	723.95	723.91	723.86	723.83	723.79	723.76	723.74	723.71	723.69

125.00	DISCHG	.01	.01	.01	.01
125.00	ELEV	723.67	723.65	723.64	723.62

OPERATION ADDHYD CROSS SECTION 3

*** WARNING-NO PEAK FOUND, MAXIMUM DISCHARGE = .09 CFS.

2 Yr. >4 Hr. Peak Discharge (Restricted + Unrestricted)

PEAK TIME(HRS)	PEAK DISCHARGE(CFS)	PEAK ELEVATION(FEET)
23.00	.09	(NULL)
16.00	.15	(NULL)

TIME(HRS) FIRST HYDROGRAPH POINT = .00 HOURS TIME INCREMENT = .50 HOURS DRAINAGE AREA = .01 SQ.MI.

.00	DISCHG	.00	.00	.00	.00	.00	.00	.00	.00	.01
5.00	DISCHG	.01	.02	.03	.03	.04	.04	.04	.04	.04
10.00	DISCHG	.05	.06	.06	.07	.09	.10	.11	.12	.13	.14
15.00	DISCHG	.15	.15	.15	.15	.15	.13	.13	.11	.11	.10
20.00	DISCHG	.10	.10	.10	.11	.11	.09	.09	.08	.08	.08
25.00	DISCHG	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08
30.00	DISCHG	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08
35.00	DISCHG	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08
40.00	DISCHG	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08
45.00	DISCHG	.08	.08	.08	.08	.08	.08	.07	.07	.07	.07
50.00	DISCHG	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07
55.00	DISCHG	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07
60.00	DISCHG	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07
65.00	DISCHG	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07
70.00	DISCHG	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07
75.00	DISCHG	.07	.06	.06	.06	.06	.06	.06	.06	.06	.06
80.00	DISCHG	.06	.06	.06	.06	.06	.06	.06	.06	.06	.06
85.00	DISCHG	.06	.06	.06	.06	.06	.06	.06	.06	.06	.06
90.00	DISCHG	.06	.06	.06	.06	.06	.06	.06	.05	.05	.05
95.00	DISCHG	.05	.05	.05	.05	.05	.05	.05	.05	.05	.05
100.00	DISCHG	.05	.05	.05	.05	.05	.05	.05	.05	.05	.04
105.00	DISCHG	.04	.04	.04	.04	.04	.04	.04	.04	.04	.04
110.00	DISCHG	.04	.04	.04	.04	.04	.04	.04	.04	.04	.04
115.00	DISCHG	.04	.04	.04	.04	.04	.04	.04	.03	.03	.03
120.00	DISCHG	.03	.03	.03	.02	.02	.02	.02	.02	.01	.01
125.00	DISCHG	.01	.01	.01	.01						

RUNOFF VOLUME ABOVE BASEFLOW = 2.09 WATERSHED INCHES, 7.92 CFS-HRS, .65 ACRE-FEET; BASEFLOW = .00 CFS

1

--- HYDROGRAPH FOR XSECTION 3, ALTERNATE 24, STORM 2, ADDED TO OUTPUT HYDROGRAPH FILE ---

EXECUTIVE CONTROL OPERATION ENDCMP RECORD ID
+ COMPUTATIONS COMPLETED FOR PASS 1

EXECUTIVE CONTROL OPERATION INCREM RECORD ID
+ MAIN TIME INCREMENT = .50 HOURS

EXECUTIVE CONTROL OPERATION COMPUT RECORD ID 100Y24H
+ FROM XSECTION 1
+ TO XSECTION 3

STARTING TIME = .00 RAIN DEPTH = 8.57 RAIN DURATION= 24.00 RAIN TABLE NO.= 9 ANT. MOIST. COND= 2
ALTERNATE NO.=24 STORM NO.=99 MAIN TIME INCREMENT = .50 HOURS

100 Yr. >4 Hr. Peak Runoff from 0.48 Ac. where it is 100% Pervious.

Peak Runoff per Ac. of Tributary Area
0.32 cfs / 0.48 Ac. = 0.67 cfs/Ac.

OPERATION RUNOFF CROSS SECTION 1

*** WARNING-NO PEAK FOUND, MAXIMUM DISCHARGE = .08 CFS.

PEAK TIME(HRS)	PEAK DISCHARGE(CFS)	PEAK ELEVATION(FEET)
22.00	.08	(RUNOFF)
15.00	.32	(RUNOFF)

TIME(HRS)		FIRST HYDROGRAPH POINT = .00 HOURS			TIME INCREMENT = .50 HOURS				DRAINAGE AREA = .00 SQ.MI.		
.00	DISCHG	.00	.00	.00	.00	.00	.00	.00	.00	.01	.01
5.00	DISCHG	.02	.02	.03	.04	.04	.05	.05	.06	.06	.06
10.00	DISCHG	.12	.12	.13	.14	.23	.24	.25	.27	.31	.31
15.00	DISCHG	.32	.30	.29	.27	.26	.20	.19	.12	.12	.08
20.00	DISCHG	.08	.08	.08	.08	.08	.04	.04	.00		

RUNOFF VOLUME ABOVE BASEFLOW = 5.30 WATERSHED INCHES, 2.57 CFS-HRS, .21 ACRE-FEET; BASEFLOW = .00 CFS

--- HYDROGRAPH FOR XSECTION 1, ALTERNATE 24, STORM 99, ADDED TO OUTPUT HYDROGRAPH FILE ---

100 Yr. >4 Hr. Inflow To Detention Basin

OPERATION RUNOFF CROSS SECTION 2

PEAK TIME(HRS)	PEAK DISCHARGE(CFS)	PEAK ELEVATION(FEET)
14.78	2.58	(RUNOFF)

TIME(HRS)		FIRST HYDROGRAPH POINT = .00 HOURS			TIME INCREMENT = .50 HOURS				DRAINAGE AREA = .01 SQ.MI.		
.00	DISCHG	.00	.00	.00	.02	.11	.28	.31	.29	.44	.54
5.00	DISCHG	.42	.41	.61	.66	.69	.71	.72	.74	.75	.76
10.00	DISCHG	1.29	1.31	1.33	1.35	2.18	2.21	2.23	2.28	2.54	2.56
15.00	DISCHG	2.57	2.40	2.30	2.08	2.02	1.51	1.44	.91	.87	.59

20.00	DISCHG	.58	.58	.58	.58	.58	.29	.29	.00

1

RUNOFF VOLUME ABOVE BASEFLOW = 7.18 WATERSHED INCHES, 23.67 CFS-HRS, 1.96 ACRE-FEET; BASEFLOW = .00 CFS

--- HYDROGRAPH FOR XSECTION 2, ALTERNATE 24, STORM 99, ADDED TO OUTPUT HYDROGRAPH FILE ---

OPERATION RESVOR STRUCTURE 1

*** WARNING-NO PEAK FOUND, MAXIMUM DISCHARGE = .30 CFS.

100 Yr. 24Hr. HWL

PEAK TIME(HRS)	PEAK DISCHARGE(CFS)	PEAK ELEVATION(FEET)
22.50	.30	728.76

TIME(HRS)		FIRST HYDROGRAPH POINT = .00 HOURS				TIME INCREMENT = .50 HOURS			DRAINAGE AREA =		.01 SQ.MI.
.00	DISCHG	.00	.00	.00	.00	.01	.03	.04	.04	.04	.05
.00	ELEV	723.50	723.50	723.50	723.50	723.61	723.89	724.06	724.15	724.26	724.41
5.00	DISCHG	.05	.05	.06	.06	.06	.06	.07	.07	.07	.07
5.00	ELEV	724.55	724.67	724.83	725.01	725.10	725.19	725.28	725.37	725.47	725.57
10.00	DISCHG	.07	.08	.08	.08	.09	.12	.15	.18	.20	.22
10.00	ELEV	725.71	725.88	726.05	726.18	726.36	726.57	726.77	726.98	727.18	727.39
15.00	DISCHG	.23	.24	.26	.27	.27	.28	.29	.29	.29	.29
15.00	ELEV	727.59	727.79	727.98	728.13	728.27	728.39	728.48	728.55	728.60	728.64
20.00	DISCHG	.29	.30	.30	.30	.30	.30	.30	.30	.30	.30
20.00	ELEV	728.66	728.68	728.70	728.72	728.75	728.76	728.76	728.74	728.72	728.70
25.00	DISCHG	.30	.29	.29	.29	.29	.29	.29	.29	.29	.28
25.00	ELEV	728.67	728.65	728.63	728.61	728.58	728.56	728.54	728.51	728.49	728.47
30.00	DISCHG	.28	.28	.28	.28	.28	.28	.28	.27	.27	.27
30.00	ELEV	728.45	728.43	728.40	728.38	728.36	728.34	728.32	728.29	728.27	728.25
35.00	DISCHG	.27	.27	.27	.27	.27	.27	.26	.26	.26	.26
35.00	ELEV	728.23	728.21	728.19	728.17	728.14	728.12	728.10	728.08	728.06	728.04
40.00	DISCHG	.26	.26	.26	.26	.25	.25	.25	.25	.25	.25
40.00	ELEV	728.02	728.00	727.98	727.95	727.93	727.91	727.89	727.86	727.84	727.82
45.00	DISCHG	.24	.24	.24	.24	.24	.24	.24	.23	.23	.23
45.00	ELEV	727.80	727.78	727.76	727.73	727.71	727.69	727.67	727.65	727.63	727.61
50.00	DISCHG	.23	.23	.23	.23	.22	.22	.22	.22	.22	.22
50.00	ELEV	727.59	727.57	727.55	727.53	727.51	727.49	727.47	727.45	727.43	727.41
55.00	DISCHG	.22	.21	.21	.21	.21	.21	.21	.21	.21	.20
55.00	ELEV	727.39	727.37	727.35	727.33	727.31	727.30	727.28	727.26	727.24	727.22
60.00	DISCHG	.20	.20	.20	.20	.20	.20	.20	.19	.19	.19
60.00	ELEV	727.20	727.19	727.17	727.15	727.13	727.12	727.10	727.08	727.06	727.05
65.00	DISCHG	.19	.19	.19	.18	.18	.18	.18	.17	.17	.17

65.00	ELEV	727.03	727.01	727.00	726.98	726.96	726.94	726.92	726.91	726.89	726.87
70.00	DISCHG	.17	.16	.16	.16	.16	.15	.15	.15	.15	.15
70.00	ELEV	726.86	726.84	726.82	726.81	726.79	726.78	726.76	726.75	726.73	726.72
75.00	DISCHG	.14	.14	.14	.14	.14	.13	.13	.13	.13	.13
75.00	ELEV	726.70	726.69	726.67	726.66	726.65	726.63	726.62	726.61	726.59	726.58
80.00	DISCHG	.12	.12	.12	.12	.12	.12	.11	.11	.11	.11
80.00	ELEV	726.57	726.56	726.54	726.53	726.52	726.51	726.50	726.49	726.48	726.47
85.00	DISCHG	.11	.11	.10	.10	.10	.10	.10	.10	.10	.09

1

85.00	ELEV	726.45	726.44	726.43	726.42	726.41	726.40	726.39	726.38	726.37	726.36
90.00	DISCHG	.09	.09	.09	.09	.09	.09	.08	.08	.08	.08
90.00	ELEV	726.36	726.35	726.34	726.33	726.32	726.31	726.30	726.29	726.29	726.28
95.00	DISCHG	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08
95.00	ELEV	726.27	726.26	726.25	726.24	726.23	726.22	726.21	726.20	726.20	726.19
100.00	DISCHG	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08
100.00	ELEV	726.18	726.17	726.16	726.15	726.14	726.13	726.13	726.12	726.11	726.10
105.00	DISCHG	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08
105.00	ELEV	726.09	726.08	726.07	726.06	726.06	726.05	726.04	726.03	726.02	726.01
110.00	DISCHG	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08
110.00	ELEV	726.00	725.99	725.98	725.97	725.96	725.95	725.94	725.93	725.92	725.90
115.00	DISCHG	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08
115.00	ELEV	725.89	725.88	725.87	725.86	725.85	725.84	725.83	725.82	725.81	725.80
120.00	DISCHG	.08	.07	.07	.07	.07	.07	.07	.07	.07	.07
120.00	ELEV	725.78	725.77	725.76	725.75	725.74	725.73	725.72	725.71	725.70	725.69
125.00	DISCHG	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07
125.00	ELEV	725.68	725.67	725.66	725.65	725.64	725.63	725.62	725.61	725.59	725.58
130.00	DISCHG	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07
130.00	ELEV	725.57	725.56	725.55	725.54	725.53	725.52	725.51	725.50	725.49	725.48
135.00	DISCHG	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07
135.00	ELEV	725.47	725.46	725.45	725.44	725.43	725.42	725.41	725.40	725.39	725.38
140.00	DISCHG	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07
140.00	ELEV	725.37	725.37	725.36	725.35	725.34	725.33	725.32	725.31	725.30	725.29
145.00	DISCHG	.07	.07	.07	.07	.07	.07	.07	.06	.06	.06
145.00	ELEV	725.28	725.27	725.26	725.25	725.24	725.23	725.22	725.21	725.20	725.19

OPERATION ADDHYD CROSS SECTION 3

*** WARNING-NO PEAK FOUND, MAXIMUM DISCHARGE = .38 CFS.

PEAK TIME(HRS)	PEAK DISCHARGE(CFS)	PEAK ELEVATION(FEET)
22.00	.38	(NULL)
16.00	.55	(NULL)

100 Yr. 24 Hr. Peak Discharge (Restricted + Unrestricted)

TIME(HRS)		FIRST HYDROGRAPH POINT =	.00 HOURS			TIME INCREMENT =	.50 HOURS		DRAINAGE AREA =		.01 SQ.MI.
.00	DISCHG	.00	.00	.00	.00	.01	.03	.04	.04	.05	.06
5.00	DISCHG	.06	.07	.09	.10	.11	.11	.12	.13	.13	.14
10.00	DISCHG	.19	.20	.21	.22	.32	.37	.41	.45	.51	.53
15.00	DISCHG	.55	.55	.55	.54	.54	.48	.48	.41	.41	.37
20.00	DISCHG	.37	.37	.37	.38	.38	.34	.34	.30	.30	.30
25.00	DISCHG	.30	.29	.29	.29	.29	.29	.29	.29	.29	.28
30.00	DISCHG	.28	.28	.28	.28	.28	.28	.28	.27	.27	.27
35.00	DISCHG	.27	.27	.27	.27	.27	.27	.26	.26	.26	.26
40.00	DISCHG	.26	.26	.26	.26	.25	.25	.25	.25	.25	.25
45.00	DISCHG	.24	.24	.24	.24	.24	.24	.24	.23	.23	.23
50.00	DISCHG	.23	.23	.23	.23	.22	.22	.22	.22	.22	.22
55.00	DISCHG	.22	.21	.21	.21	.21	.21	.21	.21	.21	.20
60.00	DISCHG	.20	.20	.20	.20	.20	.20	.20	.19	.19	.19

1

65.00	DISCHG	.19	.19	.19	.18	.18	.18	.18	.17	.17	.17
70.00	DISCHG	.17	.16	.16	.16	.16	.15	.15	.15	.15	.15
75.00	DISCHG	.14	.14	.14	.14	.14	.13	.13	.13	.13	.13
80.00	DISCHG	.12	.12	.12	.12	.12	.12	.11	.11	.11	.11
85.00	DISCHG	.11	.11	.10	.10	.10	.10	.10	.10	.10	.09
90.00	DISCHG	.09	.09	.09	.09	.09	.09	.08	.08	.08	.08
95.00	DISCHG	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08
100.00	DISCHG	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08
105.00	DISCHG	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08
110.00	DISCHG	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08
115.00	DISCHG	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08
120.00	DISCHG	.08	.07	.07	.07	.07	.07	.07	.07	.07	.07
125.00	DISCHG	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07
130.00	DISCHG	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07
135.00	DISCHG	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07
140.00	DISCHG	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07
145.00	DISCHG	.07	.07	.07	.07	.07	.07	.07	.06	.06	.06

RUNOFF VOLUME ABOVE BASEFLOW = 6.39 WATERSHED INCHES, 24.17 CFS-HRS, 2.00 ACRE-FEET; BASEFLOW = .00 CFS

--- HYDROGRAPH FOR XSECTION 3, ALTERNATE 24, STORM 99, ADDED TO OUTPUT HYDROGRAPH FILE ---

EXECUTIVE CONTROL OPERATION ENDCMP RECORD ID

\+ COMPUTATIONS COMPLETED FOR PASS 2

EXECUTIVE CONTROL OPERATION ENDJOB RECORD ID
1

SUMMARY TABLE 1 - SELECTED RESULTS OF STANDARD AND EXECUTIVE CONTROL INSTRUCTIONS IN THE ORDER PERFORMED
(A STAR(*) AFTER THE PEAK DISCHARGE TIME AND RATE (CFS) VALUES INDICATES A FLAT TOP HYDROGRAPH
A QUESTION MARK(?) INDICATES A HYDROGRAPH WITH PEAK AS LAST POINT.)

SECTION/ STRUCTURE ID		STANDARD CONTROL OPERATION	DRAINAGE AREA (SQ MI)	RAIN TABLE #	ANTEC MOIST COND	MAIN TIME INCREM (HR)	PRECIPITATION BEGIN (HR)	PRECIPITATION AMOUNT (IN)	PRECIPITATION DURATION (HR)	RUNOFF AMOUNT (IN)	PEAK DISCHARGE ELEVATION (FT)	PEAK DISCHARGE TIME (HR)	PEAK DISCHARGE RATE (CFS)	PEAK DISCHARGE RATE (CSM)
ALTERNATE 24 STORM 2														
XSECTION	1	RUNOFF	.00	9	2	.50	.0	3.34	24.00	1.09	---	15.00	.08	102.0
XSECTION	2	RUNOFF	.01	9	2	.50	.0	3.34	24.00	2.23	---	15.00	.89	174.6
STRUCTURE	1	RESVOR	.01	9	2	.50	.0	3.34	24.00	2.24	726.25	23.00?	.08?	16.3
XSECTION	3	ADDHYD	.01	9	2	.50	.0	3.34	24.00	2.09	---	16.00	.15	25.6
ALTERNATE 24 STORM 99														
XSECTION	1	RUNOFF	.00	9	2	.50	.0	8.57	24.00	5.30	---	15.00	.32	427.7
XSECTION	2	RUNOFF	.01	9	2	.50	.0	8.57	24.00	7.18	---	14.78	2.58	505.6
STRUCTURE	1	RESVOR	.01	9	2	.50	.0	8.57	24.00	6.55	728.76	22.50?	.30?	58.7
XSECTION	3	ADDHYD	.01	9	2	.50	.0	8.57	24.00	6.39	---	16.00	.55	94.2

1

SUMMARY TABLE 3 - DISCHARGE (CFS) AT XSECTIONS AND STRUCTURES FOR ALL STORMS AND ALTERNATES

XSECTION/ STRUCTURE ID	DRAINAGE AREA (SQ MI)	STORM NUMBERS..... 2	99

Attachment 18, Page 23

```
0 STRUCTURE   1          .01
+_____________________________
    ALTERNATE   24                    .08       .30
0 XSECTION    1          .00
+_____________________________
    ALTERNATE   24                    .08       .32
0 XSECTION    2          .01
+_____________________________
    ALTERNATE   24                    .89      2.58
0 XSECTION    3          .01
+_____________________________
    ALTERNATE   24                    .15       .55
1END OF  1 JOBS IN THIS RUN
```

4.0000 Acres
(3.7521 Acres Excluding Road)

484.01'

454.01' North Line of the South Half of the Southeast Quarter of Section 24, T37N-R8E

484.01'

1325.30' West Line of the Southeast Quarter of Section 24, T37N-R8E

360.0'

360.0'

89°41'25"

90°18'35"

90°18'35"

18'x18' Dumpster Corral

51.0'

51.0'

Proposed Septic Field

175'x65' Shop/Office

Hoop House

Hoop House

Well

HC

Parking Area

Parking Area

Parking Area

Gravel

Gravel

Gravel

Asphalt

Proposed 30'-Wide Entrance

Proposed 60'-Wide Entrance

Utility Pole

Utility Pole

30'

30'

30'

30'

155.0'

154.6'

541B

541B

541C2

541C2

614A

614A

356A

356A

Proposed Detention Pond HWL=729.0

Proposed 12" FES Inv=723.5

Overflow

Proposed Restrictor Manhole Rim=731.0

Proposed 12" FES Inv=723.0

Cultivation Line

Chicago

Unrestricted 0.480 Ac.
Impervious 1.604 Ac.

1"=40'

Ridgeline CONSULTANTS
CONSULTING ENGINEERS · LAND SURVEYORS
1661 Aucutt Road · Montgomery · IL 60538
Tel: (630) 801-7927 · Fax: (630) 701-1385

Peak Discharge to Downstream offsite under 2023-0579
100 Yr. 24 Hr. event 02/09/24

Per TR-20 Calc, Peak Runoff per Acre from 100% Pervious Watershed is 0.67 cfs. Apply this factor to the following:
(All Discharge offsite, except the restricted runoff from detention basin, are from areas of 100% Pervious)

- East offsite

Existing Condition $1.34\ Ac \times \frac{0.67\ cfs}{Ac} = 0.90\ cfs$

Prop. Condition $0.24\ Ac \times \frac{0.67\ cfs}{Ac} + \frac{0.55\ cfs}{2}$ ← restricted runoff from Detention Basin (100 Yr. - >4Hr) as east & south offsite take 50% each of restricted runoff from detention basin.

$= 0.43\ cfs < 0.90\ cfs$ OK!

- South offsite

Existing Condition $1.27\ Ac \times \frac{0.67\ cfs}{Ac} = 0.85\ cfs$

Prop. Condition $0.19\ Ac \times \frac{0.67\ cfs}{Ac} + \frac{0.55\ cfs}{2} = 0.40\ cfs$
$< 0.85\ cfs$ OK!

- West offsite (Stewart Rd)

Existing Condition $1.14\ Ac \times \frac{0.67\ cfs}{Ac} = 0.73\ cfs$

Prop. Condition $0.05\ Ac \times \frac{0.67\ cfs}{Ac} = 0.03\ cfs$
$< 0.73\ cfs$ OK!

484.01'

454.01'

North Line of the South Half of the Southeast Quarter of Section 24, T37N-

18'x18' Dumpster Corral

541B

Proposed Septic Field

51.0'

89°41'25"

30'

155.0'

454.6'

Proposed 30'-Wide Entrance

Asphalt

175'x65' Shop/Office

Gravel

Well

HC

Parking Area

541B

541C2

614A

356A

360.0'

T37N-R8E

Proposed 60'-Wide Entrance

4.0000 Acres

(3.7521 Acres Excluding Road)

Ex. Drainage Divide (TYP.)

Prop. Drainage Divide (TYP.)

1.14Ac. to the West

1.34Ac. to the East

1.7Ac. to the South

0.19 Ac. to the South

0.>4 Ac. to the east

Proposed Detention Pond HWL=729.0

Proposed 12" FES Inv=723.5

Proposed Restrictor Manhole Rim=731.0

Proposed 12" FES Inv=723.0

Overflow

90°18'35"

1325.30'

Southeast Quarter of Section 24, T37N-R8E

West Line of the Southeast Quarter of Section 24, T37N-R8E

Cultivation Line

Chicago

1"=40'

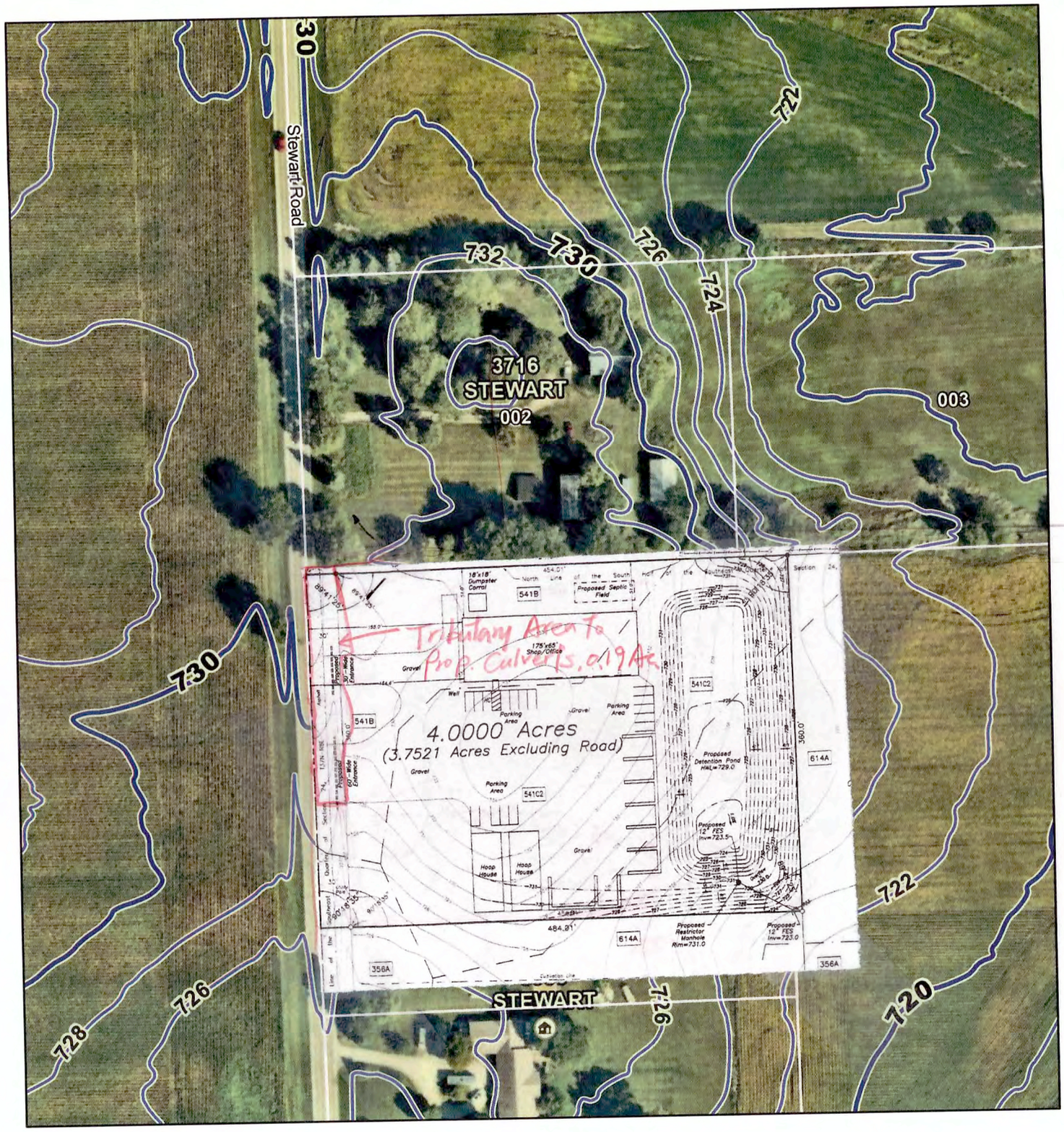
Ridgeline CONSULTANTS
CONSULTING ENGINEERS · LAND SURVEYORS
1661 Aucutt Road · Montgomery · IL 60538
Tel: (630) 801-7927 · Fax: (630) 701-1385

Prop. Culvert Sizing

2023-0579
02/09/2024

- Tributary Area = 0.19 Ac.
- Runoff Coefficient = 0.45 x 50% + 0.95 x 50% = 0.70
- Intensity "I" = $\frac{7.50 \text{ in} \times 0.21}{0.17 \text{ Hr.}}$ = 9.26 in/hr.
  - 7.50 in ← 50 Yr. 24 Hr. Depth
  - 0.21 ← ratio of x hr/24 hr. when Tc = 10 Min. as reasonably estimated.
  - 0.17 Hr. ← Tc = 10 Min.
- Peak Runoff Q = cIA = 1.23 (cfs)
- Per following worksheet, Headwater = 0.68' under inlet Control & 1.26' under outlet Control. Outlet Control govens.
- Water elev. at upstream end of downstream culvert = 799.00 + 1.26 = 799.26 < Edge of Pavement at 799.8 OK!
- Water elev. at upstream end of upstream culvert = 799.40 + 1.26 = 800.66 < Edge of pavement at 801.0 OK!

PBZ Map



2/9/2024, 12:39:05 PM

1:2,257

0 0.01 0.03 0.05 mi

0 0.02 0.04 0.09 km

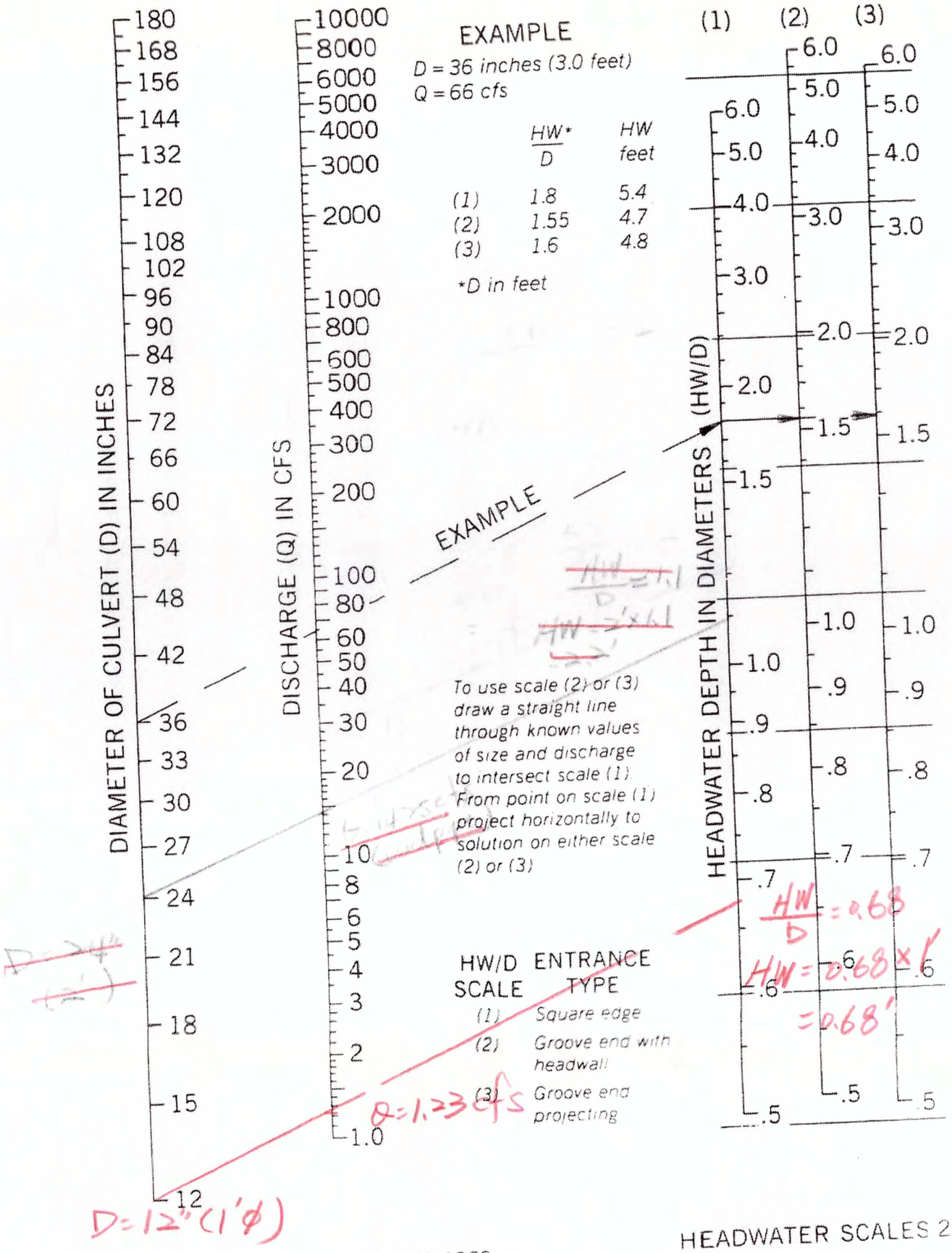
Nearmap

1" = 140'

Kendall County GIS

FIGURE 33

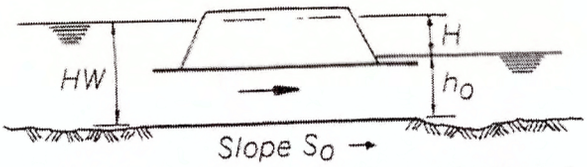
HEADWATER DEPTH FOR CIRCULAR CONCRETE PIPE CULVERTS WITH INLET CONTROL



HEADWATER SCALES 2&3

HEAD FOR CIRCULAR CONCRETE PIPE CULVERTS FLOWING FULL

n = 0.012



SUBMERGED OUTLET CULVERT FLOWING FULL

$HW = H + h_o - S_o L$

For outlet crown not submerged, compute HW by methods described in the design procedure

DISCHARGE (Q) IN CFS

DIAMETER (D) IN INCHES

TURNING LINE

LENGTH (L) IN FEET

HEAD (H) IN FEET

EXAMPLE

$L = 120$ — $K_e = 0.2$ — $D = 27$

$Q = 35$

$K_e = 0.2$

$K_e = 0.5$

BUREAU OF PUBLIC ROADS JAN. 1963

NUAL

RIOUS AREAS

NOFF COEFFICIENTS

..... 0.70 to 0.95
..... 0.50 to 0.70

..... 0.30 to 0.50
..... 0.40 to 0.60
..... 0.60 to 0.75
..... 0.25 to 0.40
..... 0.50 to 0.70

..... 0.50 to 0.80
..... 0.60 to 0.90
..... 0.10 to 0.25
..... 0.20 to 0.35
..... 0.20 to 0.40
..... 0.10 to 0.30

SITY
TORS

ition nutes	Factor
40	0.8
50	0.7
60	0.6
90	0.5
20	0.4

VAL FACTORS

Factor
1.0
1.3
1.6
1.9
2.2

TABLE 11

NATIONWIDE FLOOD-FREQUENCY PROJECTS

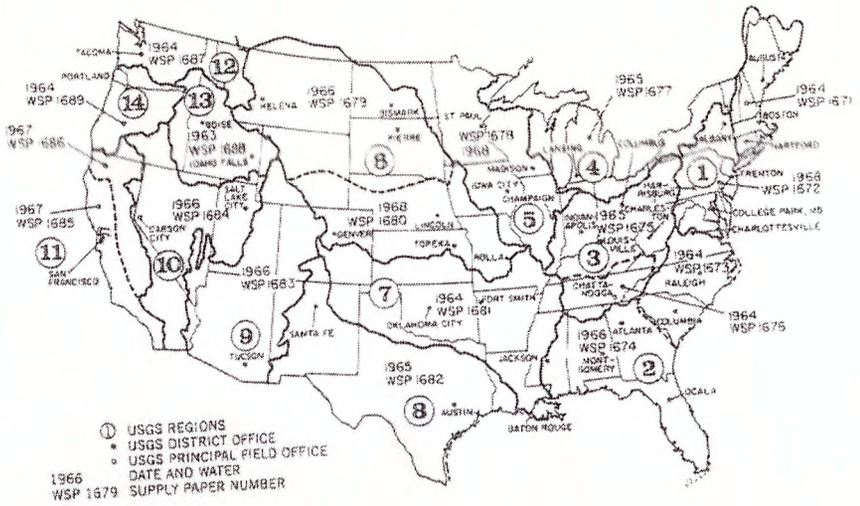


TABLE 12

ENTRANCE LOSS COEFFICIENTS

Coefficient k_e to apply to velocity head $\frac{V^2}{2g}$ for determination of head loss at entrance to a structure, such as a culvert or conduit, operating full or partly full with *control at the outlet.*

Entrance head loss $H_e = k_e \frac{V^2}{2g}$

TYPE OF ENTRANCE	COEFFICIENT k_e
Projecting from fill, socket end (groove-end)	0.2
Projecting from fill, sq. cut end	0.5
Headwall or headwall and wingwalls	
Socket end of pipe (groove-end)	0.2
Square-edge	0.5
Rounded (radius = 1/12D)	0.2
End-Section conforming to fill slope*	0.5

Note: "End Section conforming to fill slope" are the sections commonly available from manufacturers. From limited hydraulic tests they are equivalent in operation to a headwall in both inlet and outlet control. Some end sections, incorporating a closed taper in their design have a superior hydraulic performance.

TYPE OF STRUCTURE AND DESIGN OF ENTRANCE BOX, REINFORCED CONCRETE	COEFFICIENT k_e
Headwall parallel to embankment (no wing walls)	
Square-edged on 3 edges	0.5
Rounded on 3 edges to radius of 1/12 barrel dimension	0.2
Wing walls at 30° to 75° to barrel	
Square-edged at crown	0.4
Crown edge rounded to radius of 1/12 barrel dimension	0.2
Wing walls at 10° to 25° to barrel	
Square-edged at crown	0.5
Wing walls parallel (extension of sides)	
Square-edged at crown	0.7

KENDALL COUNTY
REGIONAL PLANNING COMMISSION

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

Meeting Minutes of January 24, 2024 - 7:00 p.m.

Chairman Bill Ashton called the meeting to order at **7:**03 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

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Member Nelson made a motion, seconded by Member Rodriguez, to approve the minutes of the of the December 13, 2023, meeting. With a voice vote of nine (9) ayes, the motion carried.

PETITION

Petition 23-35 Tyler Arbeen on Behalf of Arbeen, LLC

Mr. Asselmeier summarized the request.

The Petitioner is seeking a special use permit for a landscaping business, including allowing outdoor storage of materials. They are also seeking variances to Section 7:01.G.2.b and Section 11:02.F.7.a to allow accessory structures in the front yard setback and to allow outdoor parking in the front yard setback, thus reducing the front yard setback from one hundred fifty feet (150') as measured from the centerline of Stewart Road to fifty-one feet (51') as measured from the centerline of Stewart Road.

The application materials, site plan, landscaping plan, and pictures of the property and area were provided.

The property is located between 3900 and 3716 Stewart Road on the east side of Stewart Road.

The property is approximately four (4) acres in size.

The existing land use is agricultural.

The County's Future Land Use Map called for the property to be Mixed Use Business. The Village of Oswego's Future Land Use Map called for the property to be Residential.

Stewart Road is a Major Collector maintained by Oswego Township.

The Village of Oswego and the County have a trail planned along Stewart Road.

There are no floodplains or wetlands on the property.

The adjacent land uses are Agricultural and Farmstead.

The adjacent properties are zoned A-1 Agricultural.

The County's Land Resource Management Plan calls for the area to be Mixed Use Business. The Village of Oswego's Plan calls for the area to be Residential and Mix Commercial.

Properties within one half (1/2) mile of the property are zoned A-1, A-1 SU, and R-1 in the County and PUD for Agricultural Uses in the Village of Oswego.

The A-1 special use permit to the north is for a horse training and boarding business. The A-1 special use permit to the northwest is for a landscaping business.

Approximately twelve (12) houses are located within a half mile (0.5) miles of the subject property.

EcoCAT Report was submitted on October 19, 2023, and consultation was terminated.

The LESA Score for the property was 186 indicated a low level of protection. The NRI Report was provided.

Petition information was sent to Oswego Township on December 22, 2023. Prior to formal application submittal, Oswego Township submitted an email requesting a thirty-five foot (35') deep right-of-way dedication from the center of Stewart Road. This email was provided.

Petition information was sent to the Village of Oswego on December 22, 2023.

Petition information was sent to the Oswego Fire Protection District on December 22, 2023. The Oswego Fire Protection District submitted an email dated December 27, 2023, outlining sprinkling requirements. This email was provided.

ZPAC reviewed the proposal at their meeting on January 2, 2024. The Petitioner's Attorney requested that the deadline to install landscaping be extended to September 1, 2024. Discussion occurred regarding the number of people that might come onto the property in relation to well regulations and septic system location; more information would be provided after the stormwater engineer reviewed the site. Discussion occurred regarding the history and need for front yard setback regulations; concerns were expressed regarding setting a precedent if the variances were granted. ZPAC recommended approval of the proposal with the conditions proposed by Staff (approval of the special use permit and denial of the variances) with the amendment to the deadline for installing landscaping by a vote of nine (9) in favor and zero (0) in opposition and one (1) member absent. The minutes of the meeting were provided.

Per Section 7:01.D.32 of the Kendall County Zoning Ordinance, landscaping businesses can be special uses on A-1 zoned property subject to the following conditions:

1. All vehicles, equipment and materials associated with a landscaping business shall be stored entirely within an enclosed structure, unless otherwise permitted under the terms of this Special Use Permit.

2. The business shall be located on, and have direct access to, a State, County or Collector Highway as identified in the County's LRMP, having an all-weather surface, designed to accommodate loads of at least 73,280 lbs, unless otherwise approved in writing by the agency having jurisdiction over said Highway. Such approvals shall establish limitations as to the number of employees and types of vehicles coming to and from the site that are engaged in the operation of the use (including delivery vehicles). These restrictions shall be included as controlling conditions of the Special Use.

3. No landscape waste generated off the property can be burned on this site.

If the County Board approves the outdoor storage of materials and variances, the above conditions have been met.

As noted in the project narrative, the Petitioners would like to operate Arbeen Landscaping, LLC at the subject property.

They would use the site for storage of landscaping materials, equipment, offices, and related operations. They indicated some potential customers would visit the property, but most customer related interactions would occur at the customer's property, by telephone, or by email.

The business would be open from 6:00 a.m. until 6:00 p.m. everyday throughout the year and would be open twenty-four hours (24) during snow events. The business has a maximum of twenty-five (25) employees, during the busy season. Employees either report to the subject property or report directly to job sites.

Equipment stored at the property consists of small trailers, lawn mowers, bobcats, skid steers, end loaders, and similar landscaping related equipment. Equipment would be parked indoors when the business was closed.

The site plan shows fourteen (14) landscape material storage areas near the southeast corner of the property. No information was provided regarding the height or depth of the storage areas. The Petitioner indicated that the piles of materials would not exceed ten feet (10') in height. The site plan also shows one (1) nursery stock storage area at the northwest corner of the property and a second nursery stock storage area at the northeast corner of the property. No information was provided regarding the specific types of nursery stock or materials that would be stored in the storage areas.

Though not explicitly stated in any of the materials, the Petitioner will likely have a nursery growing component as well.

One (1) approximately eleven thousand, three hundred seventy-five (11,375) square foot shop/office is proposed for the property. A picture of the type of building the proposed building was provided.

The site plan also shows five (5) hoop houses; no specific dimensions were provided for the hoop houses. The hoop houses will be at least ten feet (10') from the southern property line. The western most hoop house would be approximately eighty feet (80') from the centerline of Stewart Road.

The Petitioner is requesting a variance to the front yard setback requirement, reducing the front yard setback from one hundred fifty feet (150') from the centerline of Stewart Road to fifty-one feet (51') of the centerline of Stewart Road. The Petitioner was agreeable to not constructing any permanent structures within one hundred five feet (105') of the centerline of the road and no permanent structures within seventy-five (75') of the centerline of WIKADUKE.

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

The property is presently farmland. The proposed well would be located southwest of the main building and the proposed septic field would be located north of the main building.

One (1) approximately three hundred twenty-four (324) square foot dumpster area is proposed east of the main building. The dumpster area would be fenced with board-on-board fencing as shown by the image provided. The maximum fence height is eight feet (8').

The property drains mostly to the southeast.

The Petitioners submitted an application for a stormwater management permit. No stormwater related calculations were provided. On January 4, 2024, WBK Engineering submitted a letter requesting additional information. This letter was provided.

Per the site plan, the Petitioner's propose one (1) thirty foot (30') wide northern entrance and a second sixty foot (60') wide southern entrance off of Stewart Road.

As mentioned previously, Oswego Township is requesting a thirty-five foot (35') deep right-of-way dedication.

According to the site plan, the Petitioner proposes fifteen (15) parking spaces, including two (2) handicapped parking spaces, to the west and south of the main building.

The driving areas in general would be grass or asphalt screenings, except for solid paving or concrete at the two (2) entrances and handicapped parking spaces.

The Petitioner indicated that no lighting was planned for the property.

One (1) sign was proposed for the property. The sign would be approximately thirty-two (32) square feet in size and would look substantially like the image provided. No information was provided regarding the height of the sign. No information was provided regarding the specific location of the sign. The sign would not be illuminated.

Though not shown on the site plan, the Petitioner proposes to install one (1) wood post farm fence with wire mesh around the entire perimeter of the site expect at the two (2) entrances to the property. The fence would be six feet (6') in height.

The landscaping plan shows six (6) Colorado blue spruce trees, four (4) purple birches, four (4) bald cypresses, thirteen (13) Techny arborvitae and fifteen (15) Eden outcropping stones along the western side of the property. The Colorado blue spruces would be eight feet (8') in height at the time of planting and would grow to a maximum of fifty feet (50'). The Techny arborvitae would be six feet (6') in height at the time of planting and would grow to a maximum fifteen feet (15'). The bald cypresses would be eight feet (8') at the time of planting and would grow to a maximum fifty feet (50'). The purple birches would either be ten feet (10') in height or two point five inch (2.5) diameter at the time of planting and would grow to a maximum forty feet (40'). The landscaping would be located outside of the security fence.

No information was provided regarding noise control.

No information was provided regarding odor control.

If approved, this would be the twentieth (20th) special use permit for a landscaping business in unincorporated Kendall County.

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

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. Numerous landscaping businesses have been approved throughout unincorporated Kendall County. The proposed use is along Stewart Road, which is classified as a major collector. Reasonable restrictions can be placed in the special use permit to ensure the health, safety, and general welfare of the area are protected.

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 makes 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 subject property is in a large A-1 Agricultural District. The use will not impede farms or residential uses on the adjoining properties. Reasonable restrictions may be placed on the special use permit to address hours of operation, noise, landscaping, and site layout to prevent neighboring property owners are not negatively impacted by the proposed use.

Adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. The proposal identifies locations for the future well and septic field. Two (2) points of ingress/egress are proposed. The proposed use likely will generate little traffic onsite and adequate space exists for parking for customers and employees of the proposed use. The proposal will have to obtain a stormwater permit to address drainage concerns. Adequate space exists for storage of equipment and materials related to the proposed uses.

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. If the requested variance to the front yard setback requirements are granted, this is true. The site could also be reconfigured to shift the parking lot and hoop houses east outside of the required front yard setback.

The special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The proposal is also consistent with a goal and objective found on page 6-34 of the Land Resource Management Plan, “A strong base of agriculture, commercial and industrial uses that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents.” “Encourage opportunities for locally owned business.” In addition, the future land use map calls for this property to be Mixed Use Business. Similar types of uses were planned for the subject property and properties in the vicinity of the subject property.

As noted in the application materials, the Petitioner believes the front yard setback requirement is unconstitutional and is regulatory taking. Staff does not agree with this opinion and has proposed the following findings of fact accordingly.

The proposed findings of fact for the variance were as follows:

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 information has been provided showing a topographical hardship existing that prevents the parking lot and hoop houses from being relocated outside of the required front yard setback.

The conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. Other A-1 zoned properties could request the same variance for the same reason that the Petitioner is requesting this variance. No information has been presented showing a unique condition or situation applicable to this property.

The alleged difficulty or hardship has not been created by any person presently having an interest in the property. The site is presently a farm field. No information has been provided explaining why the Petitioner cannot design the site in a manner to avoid the requested variance.

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. Granting the variance would not be detrimental to the public or substantially injurious to other properties. Granting the variance could impact the ability to widen Stewart Road in the future.

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

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

1. The site shall be developed substantially in accordance with the submitted site plan and landscaping plan with the exception that the western most parking lot and hoop houses are removed from the required front yard setback. One (1) wood post farm fence with wire mesh shall be installed around the enter perimeter of the site expect at the two (2) entrances to the property. The fence shall be six feet (6') in height maximum. The landscaping shall be installed between the fence and Stewart Road.
2. Within ninety (90) days of the approval of the special use permit, the owners of the subject property shall dedicate a strip of land thirty-five feet (35') in depth along the western property line to Oswego Township. The Kendall County Planning, Building and Zoning Committee may grant an extension to this deadline.
3. Equipment and vehicles related to the business allowed by the special use permit may not be stored outdoors at the subject property when the business is closed.
4. None of the vehicles or equipment parked or stored on the subject property related to the business allowed by the special use permit shall be considered agricultural vehicles or agricultural equipment.
5. All of the vehicles and equipment stored on the subject property related to the business allowed by the special use permit shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
6. The owners of the businesses allowed by this special use permit shall diligently monitor the property for leaks from equipment and vehicles parked and stored and items stored on the subject property and shall promptly clean up the site if leaks occur.

7. Except for the purposes of loading and unloading, all landscape related materials shall be stored indoors or in the designated storage areas shown on the submitted site plan. The maximum height of the piles of landscaping related material shall be ten feet (10') in height.

8. A maximum of twenty-five (25) employees of the business allowed by this special use permit, including the owners of the business allowed by this special use permit, may report to this site for work.

9. The hours of operation of the business allowed by this special use permit shall be daily from 6:00 a.m. until 6:00 p.m. and the business shall be open twenty-four (24) hours to address snow events. The owners of the business allowed by this special use permit may reduce these hours of operation.

10. Any structures constructed, installed, or used related to the business allowed by this special use permit on the property shall not be considered for agricultural purposes and must secure applicable building permits.

11. One (1) sign as described in the sign description may be installed along Stewart Road at the subject property. The sign shall not be illuminated.

12. Only lighting related to security may be installed outdoors at the subject property.

13. Damaged or dead plantings described on the landscaping plan shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department.

14. The materials and vegetation described in the landscaping plan shall be installed within ~~**six (6) months of the approval of the special use permit**~~ **by September 1, 2024**. The Kendall County Planning, Building and Zoning Committee may grant an extension to the deadline to install the vegetation. Materials and vegetation stored in the nursery stock storage areas and landscaping material storage area shall not be subject to this requirement and shall not be considered part of the landscaping plan. **(Amended at ZPAC)**

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

16. The noise regulations are as follows:

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

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

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

Only homes permitted prior to the date of the issuance of the special use permit shall have standing to file noise complaints.

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

18. The dumpster area shall be fenced with board-on-board fencing as shown by the image provided. The maximum height of the fence shall be eight feet (8').

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

20. The property owner and operator of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.

21. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.

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

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

Dan Kramer, Attorney for the Petitioner, requested a variance allowing parking and portable hoop houses for growing plants to be located within the front yard setback at location of fifty-one feet (51') from the centerline of Stewart Road instead of one hundred fifty foot (150'). Mr. Kramer compared the setback of other businesses in the area which do not have a setback of one hundred fifty feet (150') and have parking in the front. Mr. Kramer stated that the setback of the property would not infringe on any possible expansion of roadways. The township supervisor called Mr. Kramer and stated his only concern was to guarantee through the special use permit that a thirty-five foot (35') dedication from centerline would occur at no cost. Mr. Kramer agreed to that request. Mr. Kramer stated he tried to contact the Village of Oswego three (3) times but was not able to reach them. He stated he sent certified letters to both the Village and Township of Oswego. Mr. Kramer noted that the site plan would change to reflect the stormwater management of the site and the installation of a berm.

Member Wormley was not in agreement with Mr. Kramer. He stated that this is a rural area and was not developed. Member Wormley was concerned about setting a precedent if an exception was made as requested. The site plan would need to be adjusted to allow room for a septic plant. Member Wormley also stated that the Petitioner would have to install sprinklers in the building which would be very expensive.

Member Bernacki asked the question about farm stand parking under one hundred fifty feet (150') in the front yard setback. Mr. Asselmeier stated farm stands are not allowed to park in the front yard setback. Member Bernacki also stated that a home near the subject property had a seventy foot (70') setback from the centerline. Mr. Kramer stated that Brian Holdiman provided a history of the setback distance at the ZPAC meeting.

Member Wilson discussed the one hundred fifty foot (150') setback. She believed the distance should be looked at and scrutinized. Commissioners discussed the basis for the setbacks and will reevaluate them.

Member Stewart expressed concerns about voting on the proposal if the site plan was going to change.

Discussion occurred regarding the Commission's review of variances and timing of the completion of the revised site plan.

Member Nelson asked if the Petitioner would have revised site plan in time for the January 29, 2024, Zoning Board of Appeals hearing. Mr. Kramer responded, no.

Mr. Kramer requested that the Commission table the Petition until the next meeting. The Petitioner would be willing to move the hoop houses and the parking lot on the site plan.

Without objection, the Commission laid over the Petition until February 28, 2024, meeting at the request of the Petitioner.

CITIZENS TO BE HEARD/PUBLIC COMMENT

None

NEW BUSINESS

Election of Officers-Chairman, Vice Chairman, Treasurer, Secretary and Recording Secretary

Member Wilson made a motion, seconded by Member McCarthy-Lange, to nominate and approve Bill Ashton for Chairman, Ruben Rodriguez for Vice Chairman, Larry Nelson for Treasurer and Secretary and Matt Asselmeier for Recording Secretary by acclamation. With a voice vote of nine (9) ayes, the nominees were approved.

Appointments to Comprehensive Land Plan and Ordinance Committee

Member Bernacki made a motion, seconded by Member Rodriguez, to nominate and approve the Comprehensive Land Plan and Ordinance Committee as follows: Larry Nelson (Chairman), Chairman of the Kendall County Regional Planning Commission or Their Designee (Bill Ashton), Chairman of the Kendall County Zoning Board of Appeals or Their Designee (Randy Mohr), Chairman of the Kendall County Board or Their Designee (Matt Kellogg), Chairman of the Kendall County Planning, Building and Zoning Committee or Their Designee (Seth Wormley), Kendall County Soil and Water Conservation District Designee (Alyse Olson), Scott Gengler as Immediate Past Planning, Building and Zoning Committee Chairman, Jeff Wehrli, and Matthew Prochaska. With a voice vote of nine (9) ayes, the nominees were approved.

Discussion of Amending the Future Land Use Map Contained in the Land Resource Management Plan by Reclassifying Properties Between 7775 A/B and 8175 Route 47 from Transportation Corridor to Mixed Use Business; Commission Could Vote to Initiate the Amendment

Mr. Asselmeier stated the Comprehensive Land Plan and Ordinance Committee discussed the idea of reclassifying properties between 7775 A/B and 8175 Route 47 to Mixed Use Business. A minor change to the text of the Land Resource Management Plan would adjust the percentages noted in the land use for Kendall Township to reflect current conditions. Member Nelson made a motion, seconded by Member Stewart, to initiate the 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 proposal goes to ZPAC on February 6, 2024.

Annual Meeting-February 3, 2024 at 9:00 a.m.

Commissioners reviewed the agenda and decided to add the discussion about obstructions and parking in the front yard setback to the agenda.

OLD BUSINESS

None

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

None

OTHER BUSINESS/ANNOUNCEMENTS

Mr. Asselmeier reported that for the February 28, 2024, meeting, the proposed landscaping business on Stewart Road would be on the agenda. Also, the owner of the veterinary and kennel at 949 Bell Road wants to rezone the majority of the property to B-3 which will also cause an amendment to the site plan, landscaping plan, and photometric plans of the special use permit. Finally, the proposed reclassification of the properties south of Yorkville on Route 47 would be on the agenda.

ADJOURNMENT

Member Nelson made a motion, seconded by Member Wormley, to adjourn. With a voice vote of nine (9) ayes, the motion carried.

The Kendall County Regional Planning Commission meeting adjourned at 8:30 p.m.

Respectfully submitted by,
Wanda A. Rolf (Administrative Assistant)

Enc.

KENDALL COUNTY
REGIONAL PLANNING COMMISSION
JANUARY 24, 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)
Dan Kerr	[redacted]	

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
Petition 23-35 Tyler Arbeen on Behalf of Arbeen, LLC
Mr. Asselmeier provided an update from the January Regional Planning Commission meeting.

At the request of the Petitioner, on January 29, 2024, the Kendall County Zoning Board of Appeals continued this Petition until March 4, 2024. Information related to the January 29, 2024, Kendall County Zoning Board of Appeals hearing was provided.

The Petitioner submitted a revised site plan dated January 30, 2024, which was provided. The changes from the original site plan were as follows:

1. The parking stalls have been moved out of the front yard setback. The parking was retained south of the shop/office building. Parking stalls were added north of the landscaping storage areas and north of the hoop houses. The total number of parking spaces was increased from fifteen (15) to sixteen (16) spaces, including handicapped accessible parking spaces which decreased from two (2) to one (1).

2. Gravel was added between the north entrance of the property and the shop/office building. Gravel was also added by the southern entrance, by the eastern parking area, and north of the landscape material storage area.

3. The three (3) hoop houses inside the front yard setback were removed. The total number of hoop houses decreased from five (5) to two (2).

4. The nursery stock storage area northwest of the shop/office building was removed. The nursery stock storage area east of the shop/office building was also removed.

5. The dumpster area was moved from east of the shop/office building to north of the shop/office building.

6. One (1) detention pond was added. On February 22, 2024, the Petitioner's Engineer submitted stormwater permit related drawings and a stormwater permit. These items were provided. To date, WBK Engineering has not provided comments on the stormwater information.

7. The landscape material storage bins were shifted west to account for the detention pond. The landscaping material storage bins facing north were shifted south to line up with the southern building line of the hoop houses. The total number landscape material storage bins decreased from fourteen (14) to eight (8). No information was provided regarding the dimensions of the landscape material storage bins.

Due the removal of the parking area and hoop houses from the required front yard setback, variances are no longer required provided the remaining hoop houses are located at least ten feet (10') from the southern property line.

On February 21, 2024, the Village of Oswego submitted a letter stating that the proposal will not impact the WIKADUKE Trail. This letter was provided.

The proposed Findings of Fact for the special use permit, based on the new site plan, were as follows:

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. Numerous landscaping businesses have been approved throughout unincorporated Kendall County. The proposed use is along Stewart Road, which is classified as a major collector. Reasonable restrictions can be placed in the special use permit to ensure the health, safety, and general welfare of the area are protected.

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 makes 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 subject property is in a large A-1 Agricultural District. The use will not impede farms or residential uses on the adjoining properties. Reasonable restrictions may be placed on the special use permit to address hours of operation, noise, landscaping, and site layout to prevent neighboring property owners from being negatively impacted by the proposed use.

Adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. The proposal identifies locations for the future well and septic field. Two (2) points of ingress/egress are proposed. The proposed use likely will generate little traffic onsite and adequate space exists for parking for customers and employees of the proposed use. The proposal will have to obtain a stormwater permit to address drainage concerns. Adequate space exists for storage of equipment and materials related to the proposed uses.

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 if the hoop houses and landscape material storage bins are located at least ten feet (10') from the southern property line.

The special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The proposal is also consistent with a goal and objective found on page 6-34 of the Land Resource Management Plan, "A strong base of agriculture, commercial and industrial

uses that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents." "Encourage opportunities for locally owned business." In addition, the future land use map calls for this property to be Mixed Use Business. Similar types of uses were planned for the subject property and properties in the vicinity of the subject property.

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

1. The site shall be developed substantially in accordance with the attached revised site plan and landscaping plan. One (1) wood post farm fence with wire mesh shall be installed around the enter perimeter of the site expect at the two (2) entrances to the property. The fence shall be six feet (6') in height maximum. The landscaping shall be installed between the fence and Stewart Road.
2. Within ninety (90) days of the approval of the special use permit, the owners of the subject property shall dedicate a strip of land thirty-five feet (35') in depth along the western property line to Oswego Township. The Kendall County Planning, Building and Zoning Committee may grant an extension to this deadline.
3. Equipment and vehicles related to the business allowed by the special use permit may not be stored outdoors at the subject property when the business is closed.
4. None of the vehicles or equipment parked or stored on the subject property related to the business allowed by the special use permit shall be considered agricultural vehicles or agricultural equipment.
5. All of the vehicles and equipment stored on the subject property related to the business allowed by the special use permit shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
6. The owners of the businesses allowed by this special use permit shall diligently monitor the property for leaks from equipment and vehicles parked and stored and items stored on the subject property and shall promptly clean up the site if leaks occur.
7. Except for the purposes of loading and unloading, all landscape related materials shall be stored indoors or in the designated storage areas shown on the attached revised site plan. The maximum height of the piles of landscaping related material shall be ten feet (10') in height.
8. A maximum of twenty-five (25) employees of the business allowed by this special use permit, including the owners of the business allowed by this special use permit, may report to this site for work.
9. The hours of operation of the business allowed by this special use permit shall be daily from 6:00 a.m. until 6:00 p.m. and the business shall be open twenty-four (24) hours to address snow events. The owners of the business allowed by this special use permit may reduce these hours of operation.
10. Any structures constructed, installed, or used related to the business allowed by this special use permit on the property shall not be considered for agricultural purposes and must secure applicable building permits.
11. One (1) sign as described in the sign description (Attachment 5) may be installed along Stewart Road at the subject property. The sign shall not be illuminated.
12. Only lighting related to security may be installed outdoors at the subject property.

13. Damaged or dead plantings described on the landscaping plan (Attachment 4) shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department.

14. The materials and vegetation described in the landscaping plan (Attachment 4) shall be installed ~~**within six (6) months of the approval of the special use permit**~~ **by September 1, 2024**. The Kendall County Planning, Building and Zoning Committee may grant an extension to the deadline to install the vegetation. Materials and vegetation stored in the nursery stock storage areas and landscaping material storage area shall not be subject to this requirement and shall not be considered part of the landscaping plan. **(Amended at ZPAC)**

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

16. The noise regulations are as follows:

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

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

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

    Only homes permitted prior to the date of the issuance of the special use permit shall have standing to file noise complaints.

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

18. The dumpster area shall be fenced with board-on-board fencing as shown by the image provided. The maximum height of the fence shall be eight feet (8’).

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

20. The property owner and operator of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.

21. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.

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

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

Dan Kramer, Attorney for the Petitioner, noted that the Petitioner had removed the parking and hoops houses from the front yard setback. He also noted that the Petitioner could back in the future with an amendment to the site plan, if the County changed its rules to allow parking and temporary buildings in front yard setbacks. He explained the location and size of the detention pond.

Member Nelson asked if the Petitioner had addressed the County's concerns. Mr. Asselmeier responded yes.

Mr. Kramer said the Petitioner was withdraw the variance request.

Member Nelson asked, if the County amended the setback rules, would the Petitioner benefit from those changes. Mr. Asselmeier responded yes, but the Petitioner would need to pursue either a major or minor amendment to the special use permit, depending on the nature of the change.

The neighbor to south asked drainage to the property to the south. Mr. Kramer said a small berm would be created with a pipe which should cause less outflow; Mr. Kramer explained the release rate. Discussion occurred regarding which areas would be built up; inlets and underground stormwater infrastructure would be added to the property. No wall would be located on the south property line. Discussion occurred regarding a burning area on the neighboring property to the south. Mr. Kramer stated that the Petitioner purchased the property with the intent of operating a landscaping business onsite; the neighbor said the intent was a small building and trees.

The burn area is a pile where agricultural products from the property were burned.

Member Bernacki asked when work on the pond would begin. Mr. Kramer stated the summer of 2024, pending obtaining applicable permits. The engineering for the site was still under review.

Member Nelson made a motion, seconded by Member Hamman, to recommend approval of special use permit with the conditions proposed by Staff with a condition allowing the Petitioner to place parking and temporary structures in the front yard setback without the need of obtaining an amendment to the special use permit, if the County amended the Zoning Ordinance in the future to allow these types of uses in the front yard setback.

The dumpster will be in the fenced area and the garbage truck would back up and pick up the dumpster.

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.

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)
Dan Kerr	File 23-35, [redacted]	
Gerald Johnson		
[signature]		
Mike Cook	24-01 & 24-02 949 Bell Rd	

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.

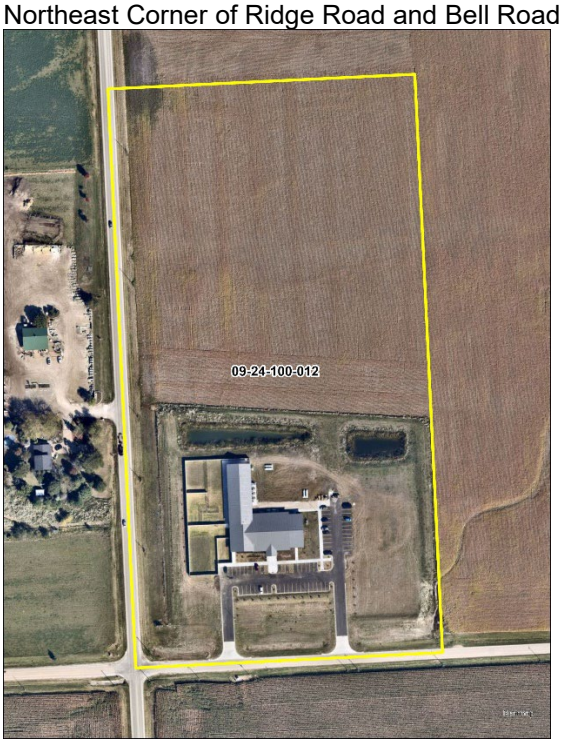
The application materials are included as Attachment 1. The aerial showing the proposed changes is included as Attachment 2. The topographic survey is included as Attachment 3. The plat showing the proposed rezoning area is included as Attachment 4. The proposed site plan is included as Attachment 5. 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

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 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. 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.

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

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

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)

DocuSign Envelope ID: 17A049AB-5625-433A-874A-BB1237D05DC7

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	SITE ADDRESS OR LOCATION	ASSESSOR'S ID NUMBER (PIN)
6.38	949 BELL ROAD	09-24-100-012-0000

EXISTING LAND USE	CURRENT ZONING	LAND CLASSIFICATION ON LRMP
COMMERCIAL	A1-SU	COMMERCIAL

REQUESTED ACTION (Check All That Apply):

____SPECIAL USE ___ MAP AMENDMENT (Rezone to ____) ___ VARIANCE

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

___ TEXT AMENDMENT ___ RPD (___Concept; ___ Preliminary; ___ Final) ___ ADMINISTRATIVE APPEAL

___ PRELIMINARY PLAT ___ FINAL PLAT ___ OTHER PLAT (Vacation, Dedication, etc.)

__X__ AMENDMENT TO A SPECIAL USE (__X__ Major; _____ Minor)

[1]PRIMARY CONTACT	PRIMARY CONTACT MAILING ADDRESS	PRIMARY CONTACT EMAIL
MS. DEB CHOW	[redacted]	[redacted]

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

[2]ENGINEER CONTACT	ENGINEER MAILING ADDRESS	ENGINEER EMAIL
MICHAEL COOK	[redacted]	[redacted]

ENGINEER PHONE #	ENGINEER FAX #	ENGINEER OTHER # (Cell, etc.)
[redacted]	[redacted]	[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 05F65195D1CA42A... **DATE** 1/22/2024

FEE PAID:$_____
CHECK #:_____

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

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.

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

201800001834
DEBBIE GILLETTE
RECORDER - KENDALL COUNTY, IL
RECORDED: 2/7/2018 10:02 AM
WD: 39.00 RHSPS FEE: 10.00
STATE TAX: 500.00
COUNTY TAX: 250.00
PAGES: 3

MAIL TAX BILL TO:
Jade Restorations, Inc.
~~15300 West Avenue~~
~~Orland Park, IL 60462~~ [redacted]

THIS INSTRUMENT PREPARED BY:
Attorney Thomas Osterberger
Kavanagh Grum[redacted]d, 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 [redacted]

Jade Restorations, Inc., an Illinois Corporation, whose principal address is ~~15300 West Avenue, Orland Park,~~ [redacted] 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.

CHICAGO TITLE INSURANCE CO

Unofficial

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 ILL[redacted])
) 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.

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

[redacted]
Notary Public

My Commission Expires:_____

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

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

REAL ESTATE TRANSFER TAX
0050000
FP326656
0000014288

COUNTY OF KENDALL
REAL ESTATE TRANSFER TAX
250.00

Unofficial

Debbie Gillette
Kendall County Clerk & Recorder

STATE OF ILLINOIS [redacted]
)SS
COUNTY OF KENDALL)

Maria Villanueva [redacted], being duly sworn on oath, states that affiant resides at [redacted] 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 [X] 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 whi[redacted] easements of access,
5 The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access,
6 The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use,
7 Conveyances made to correct descriptions in prior conveyances,
8 The sale or exchange of parcels or tracts of land following the division into not more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959, and not involving any new streets or easements of access,
9 The sale of a single lot of less than 5 0 acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor, provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land,
10 The conveyance is of land described in the same manner as title was taken by grantor(s)

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

SUBSCRIBED AND SWORN TO BEFORE ME

This 30th day of January, 2018

[redacted]
Signature of Notary Public

[redacted]
Signature of Affiant

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

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

Unofficial

ALTA OWNER'S POLICY OF TITLE INSURANCE

CHICAGO TITLE INSURANCE COMPANY

Policy Number:

[redacted]

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.

AMERICAN LAND TITLE ASSOCIATION

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.

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.

CHICAGO TITLE INSURANCE COMPANY **POLICY NO.** [redacted]

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 asdocument 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.

(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

Attached to Policy Number:

[redacted]

Issued By:

CHICAGO TITLE INSURANCE COMPANY

[redacted] 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:

[redacted]

Authorized Officer or Agent

[redacted]

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)
   - X Corporation (b)
   - ___ Land Trust/Trustee (c)
   - ___ Trust/Trustee (d)
   - ___ Partnership (e)
   - ___ Joint Venture (f)

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

   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

DocuSigned by:
[redacted]
0FF65195D1CA42A...

VERIFICATION

I, Deb Chow, 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)

OFFICIAL SEAL
KRISTIN T DELUNA
Notary Public, State of Illinois
Commission No. 974835
My Commission Expires July 11 2024

[redacted]
Notary Public

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

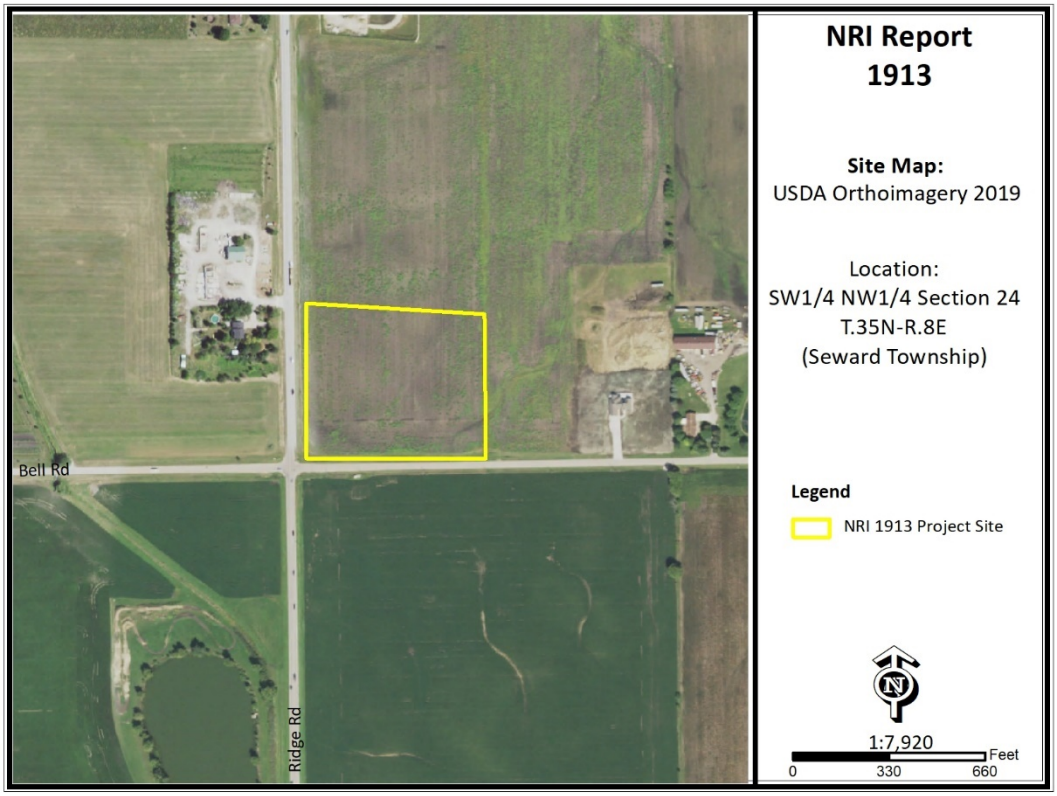
Enclosure

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

Tim O'Brien, Seward Township
sewardtwp@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:

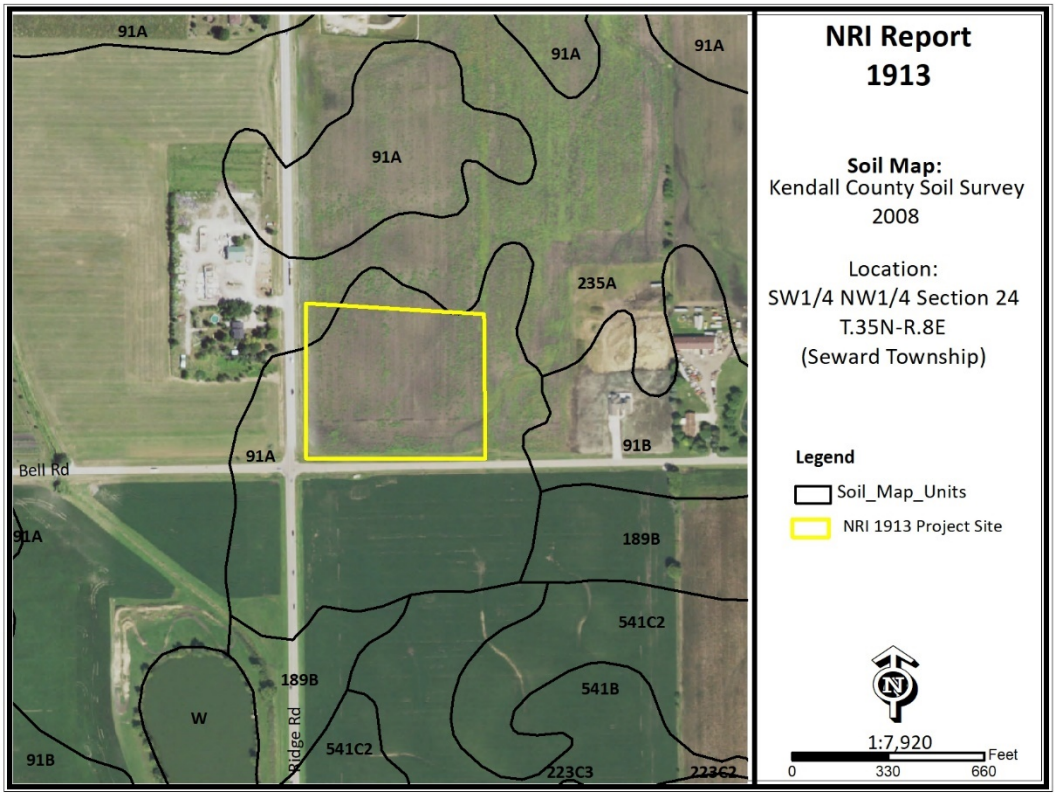
Kendall County Soil & Water Conservation District
7775A Route 47 • Yorkville, Illinois 60560
Phone: (630)553-5821 x3 • Fax: (630)553-7442
www.kendallswcd.org

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.

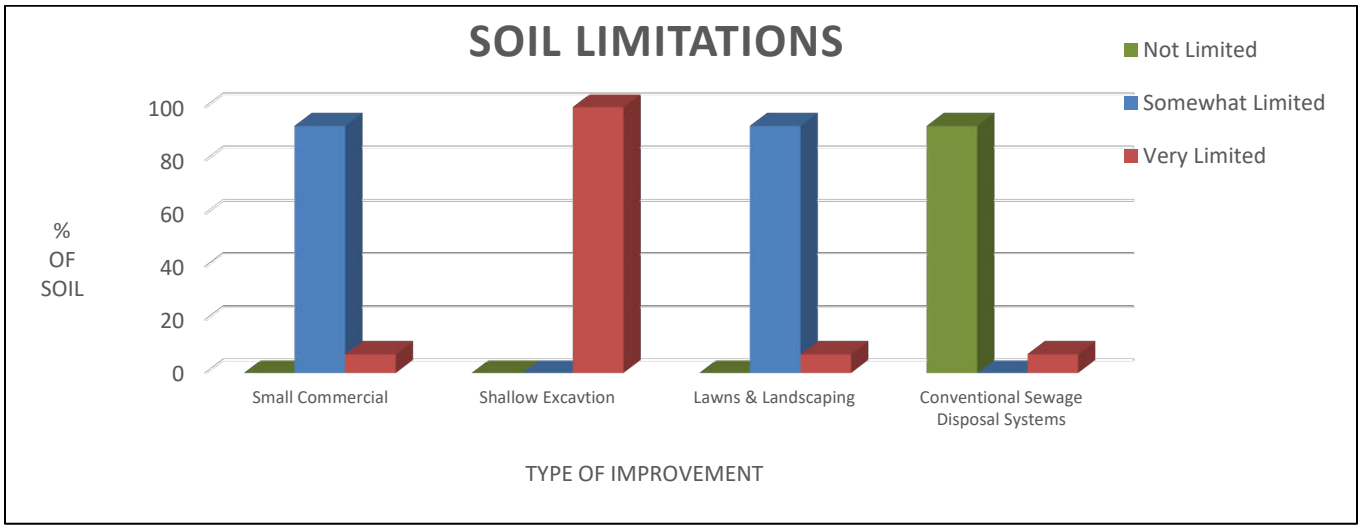
Table 2a:

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. Complied Statues, Ch. 70, Par 405/22.02a).

[redacted]
Chair

01/06/2020
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

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

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

TABLE OF CONTENTS

PURPOSE & 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:

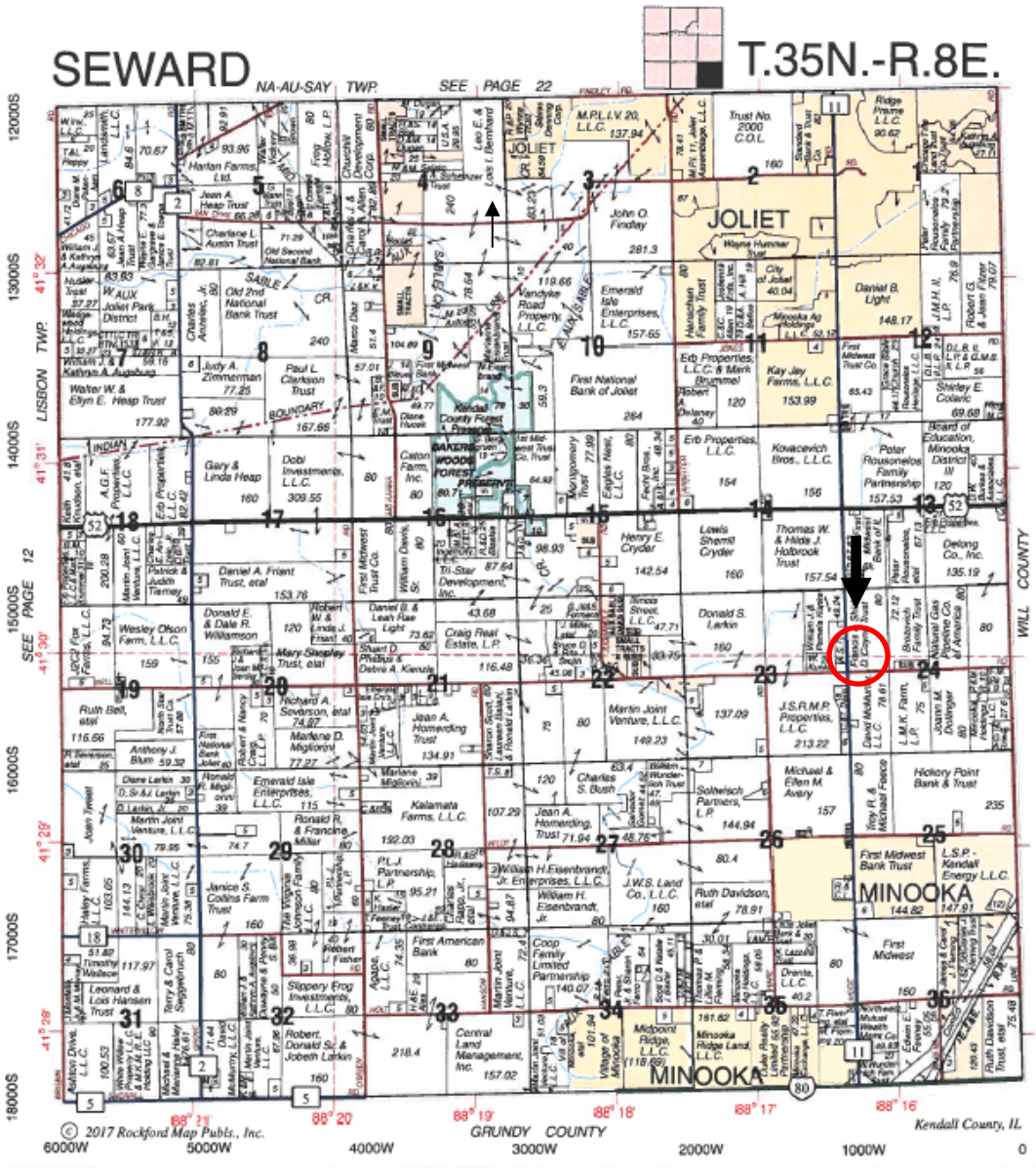
Kendall County Soil and Water Conservation District
7775A Route 47, Yorkville, IL 60560
Phone: (630) 553-5821 ext. 3
FAX: (630) 553-7442
E-mail: Megan.Andrews@il.nacdnet.net

PARCEL LOCATION

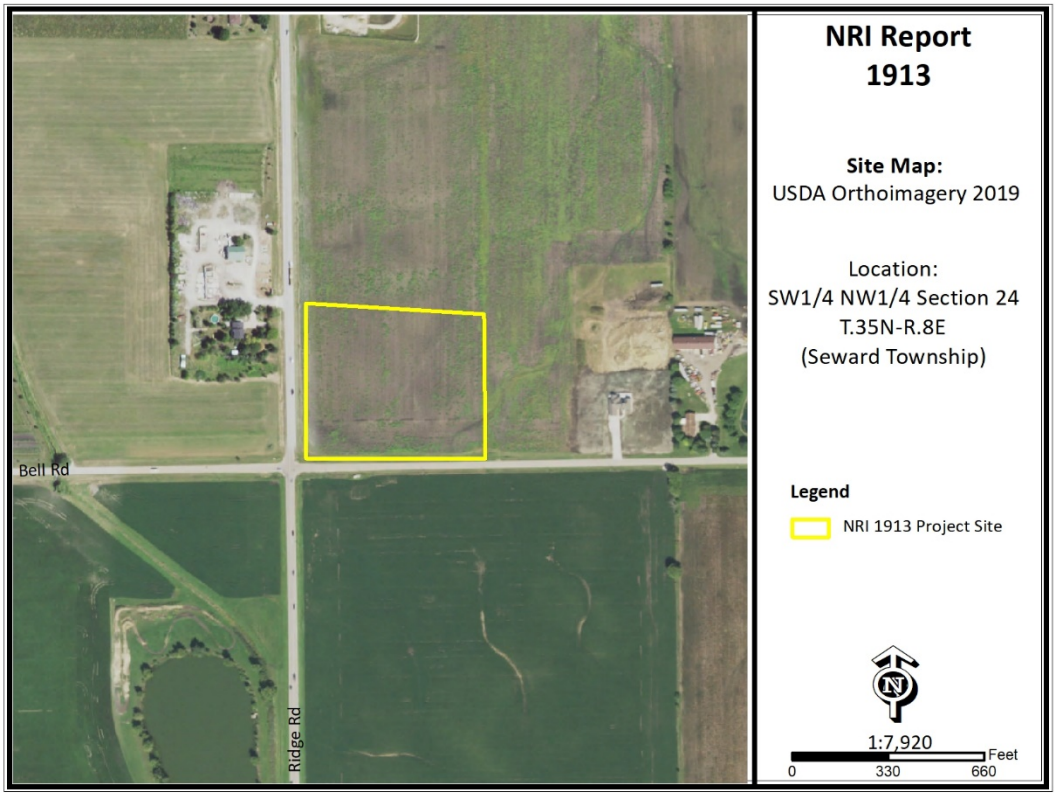
Location Map for Natural Resources Information Report # 1913

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



2017 Land Atlas and Plat Book Kendall County, Illinois



ARCHAEOLOGIC/CUTURAL RESOURCES

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

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

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

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

ECOLOGICALLY SENSITIVE AREAS

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

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

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

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

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

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

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

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

The third reason for protecting diversity is that humans benefit from natural areas and depend on healthy ecosystems. The natural world supplies our air, our water, our food and supports human economic activity. Further, humans are creatures that evolved in a diverse natural environment between forest and

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

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

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

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

Biological Resources Concerning the Subject Parcel

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

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

SOILS INFORMATION

Importance of Soils Information

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

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

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

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

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

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

Figure 2: Soil Map

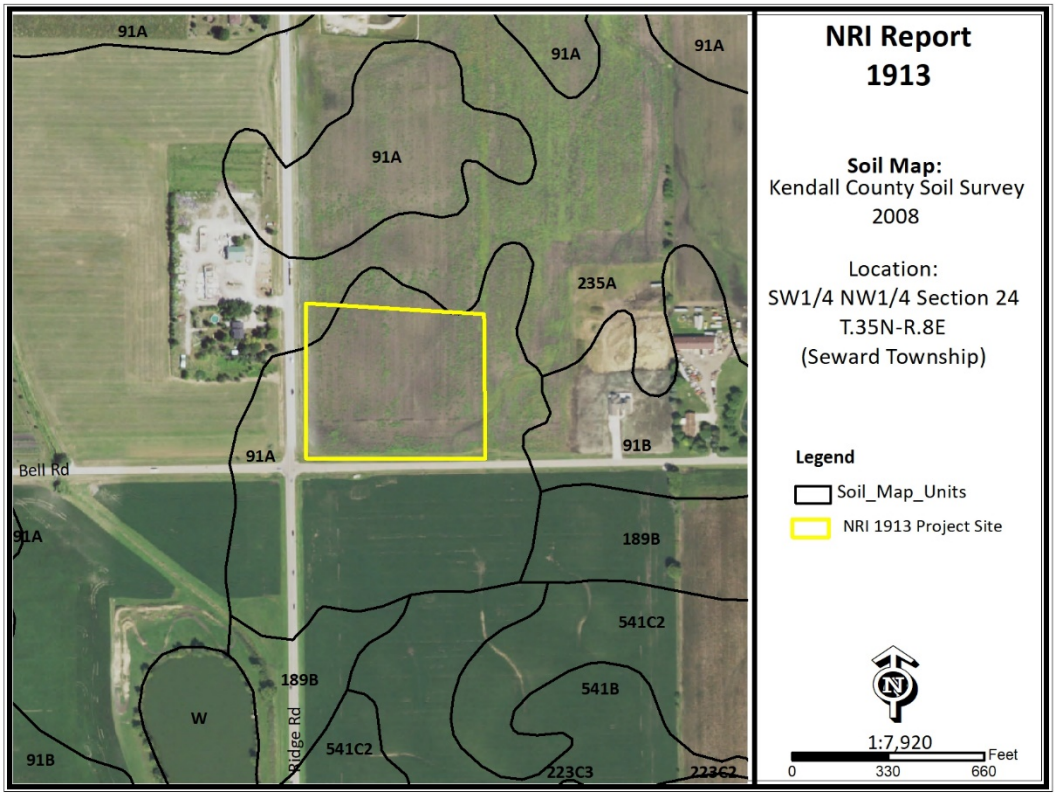


Table 1: Soil Map Unit Descriptions

Symbol	Descriptions	Acres	Percent
91A	Swygert silt loam, 0-2% slopes	10.3	21.7%
235A	Bryce silty clay, 0-2% slopes	36.6	77.2%

*SOURCE: National Cooperative Soil Survey – USDA-NRCS

SOIL INTERPRETATIONS EXPLANATION

Nonagricultural

General

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

Other features may need treatment to overcome soil limitations for a specific purpose.

Ratings come from the soil's "natural" state, that is, no unusual modification occurs other than that which is considered normal practice for the rated use. Even though soils may have limitations, an engineer may alter soil features or adjust building plans for a structure to compensate for most degrees of limitations. Most of these practices, however, are costly. The final decision in selecting a site for a particular use generally involves weighing the costs for site preparation and maintenance. Soil properties influence development of building sites, including the selection of the site, the design of the structure, construction,

performance after construction, and maintenance. Soil limitation ratings of slight, moderate, and severe are given for the types of proposed improvements that are listed or inferred by the petitioner as entered on the report application and/or zoning petition. The most common types of building limitation that this report gives limitations ratings for is: septic systems. It is understood that engineering practices can overcome most limitations for buildings with and without basements, and small commercial buildings. Limitation ratings for these types of buildings are not commonly provided. Organic soils, when present on the parcel, are referenced in the hydric soils section of the report. This type of soil is considered to be unsuitable for all types of construction.

Limitations Ratings

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

BUILDING LIMITATIONS

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

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

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

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

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

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

Local Roads and Streets - They have an all-weather surface and carry automobile and light truck traffic all year. They have a subgrade of cut or fill soil material, a base of gravel, crushed rock or soil material stablilized by lime or cement; and a surface of flexible material (asphalt), rigid material (concrete) or gravel with a binder. The ratings are based on the soil properties that affect the east of excavation and grading and the traffic-supporting capacity.

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

Table 2a: Building Limitations

Soil Type	Dwellings Without Basements	Dwellings With Basements	Small Commercial Building	Acres	%
91A	**Somewhat Limited:** Depth to saturated zone; Shrink-swell	**Very Limited:** Depth to saturated zone; Shrink-swell	**Somewhat Limited**: Depth to saturated zone; Shrink-swell	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

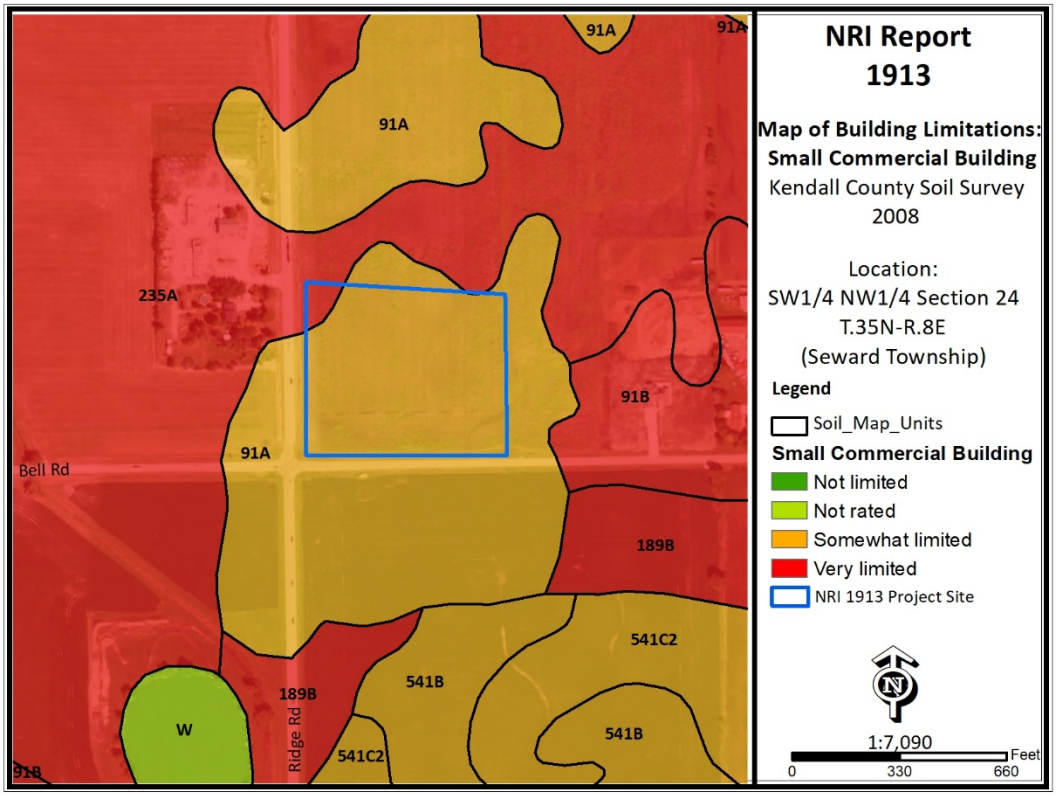


Figure 3b: Map of Building Limitations – Shallow Excavations

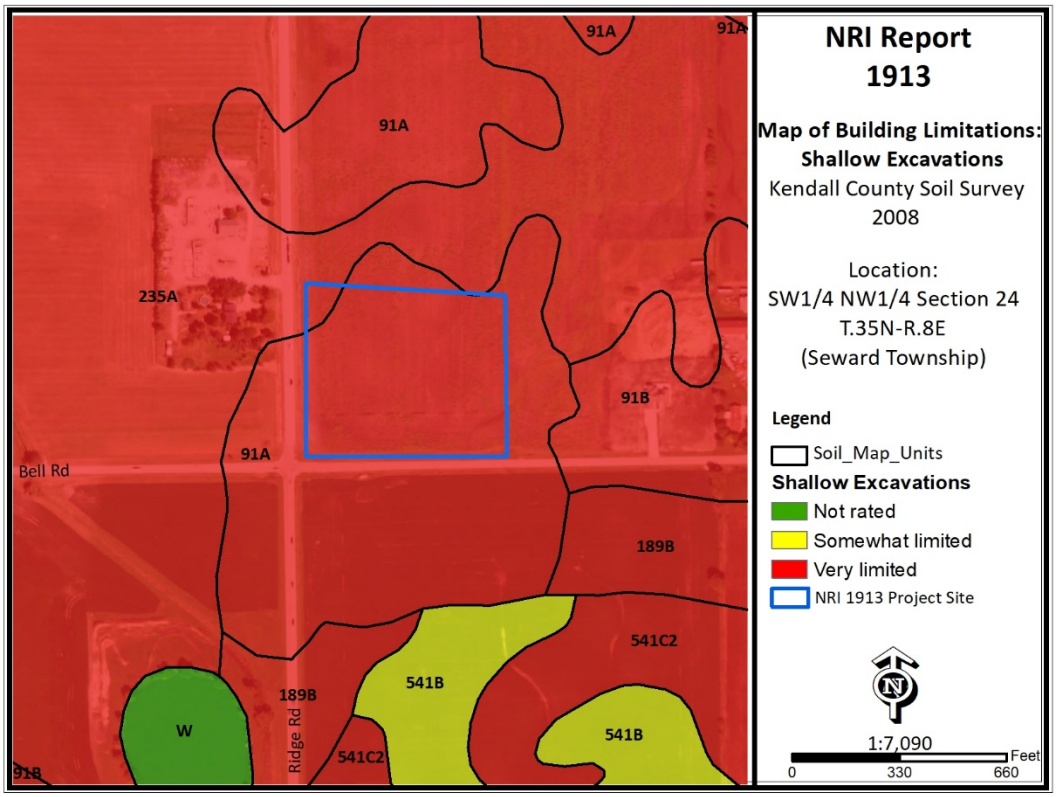


Figure 3c: Map of Building Limitations – Lawns & Landscaping

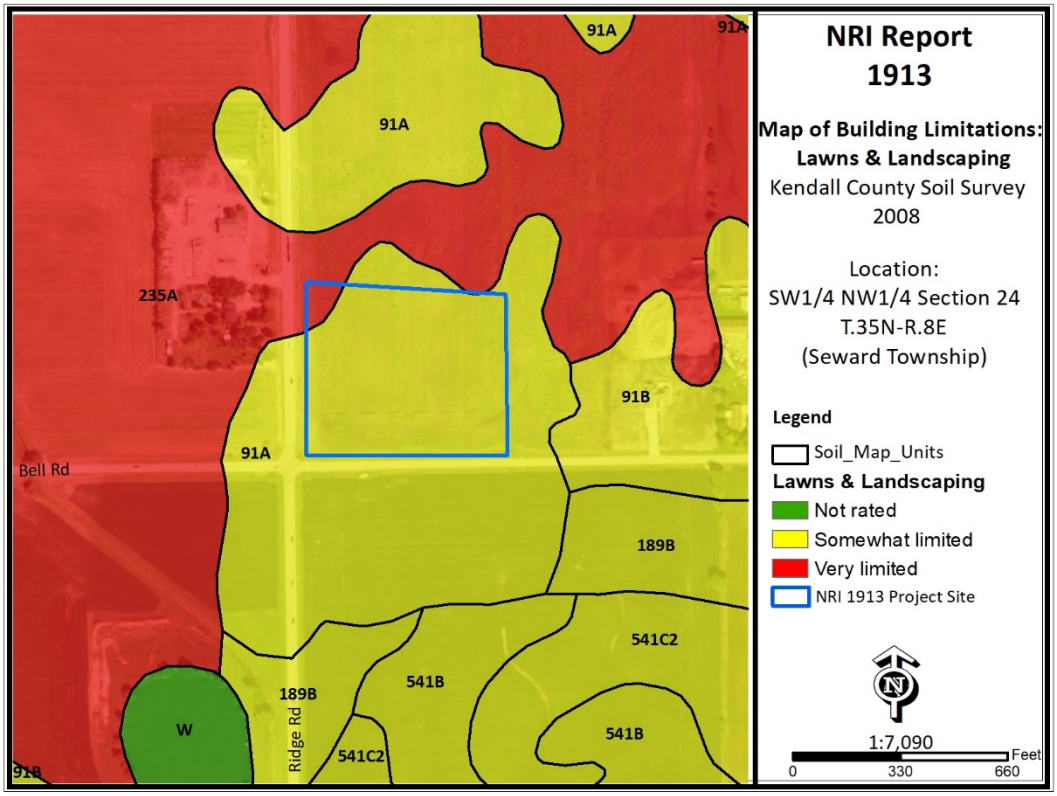
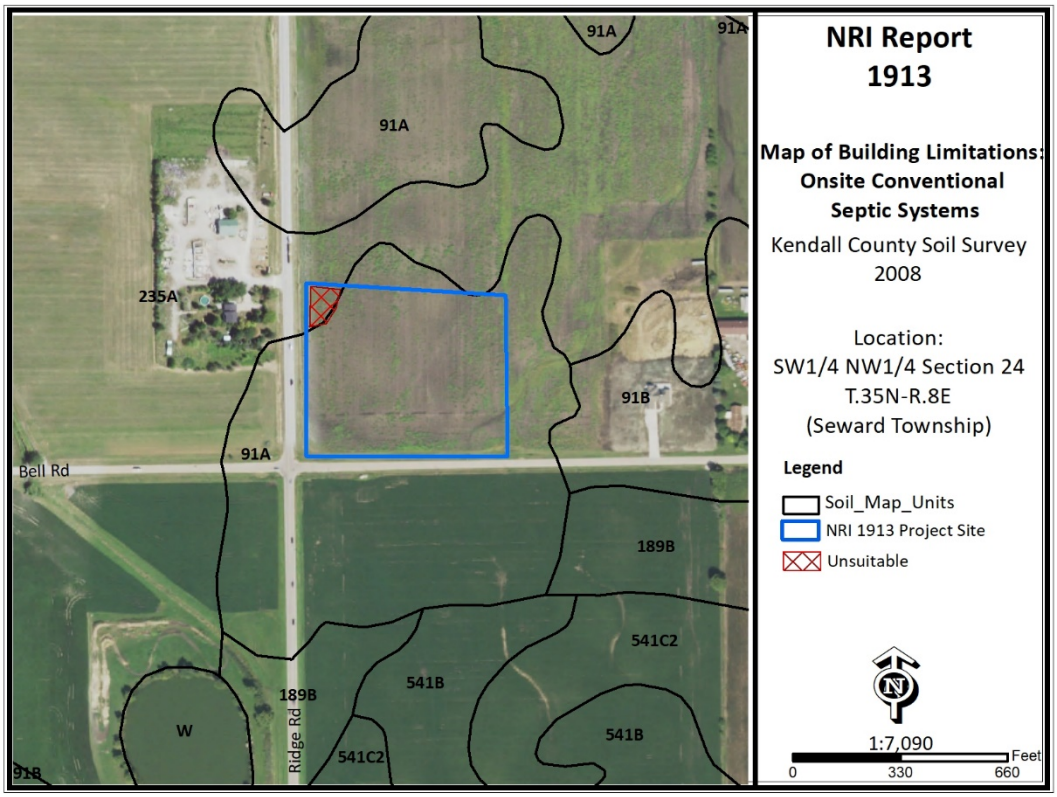


Figure 3d: Map of Building Limitations – Onsite Conventional Sewage System



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

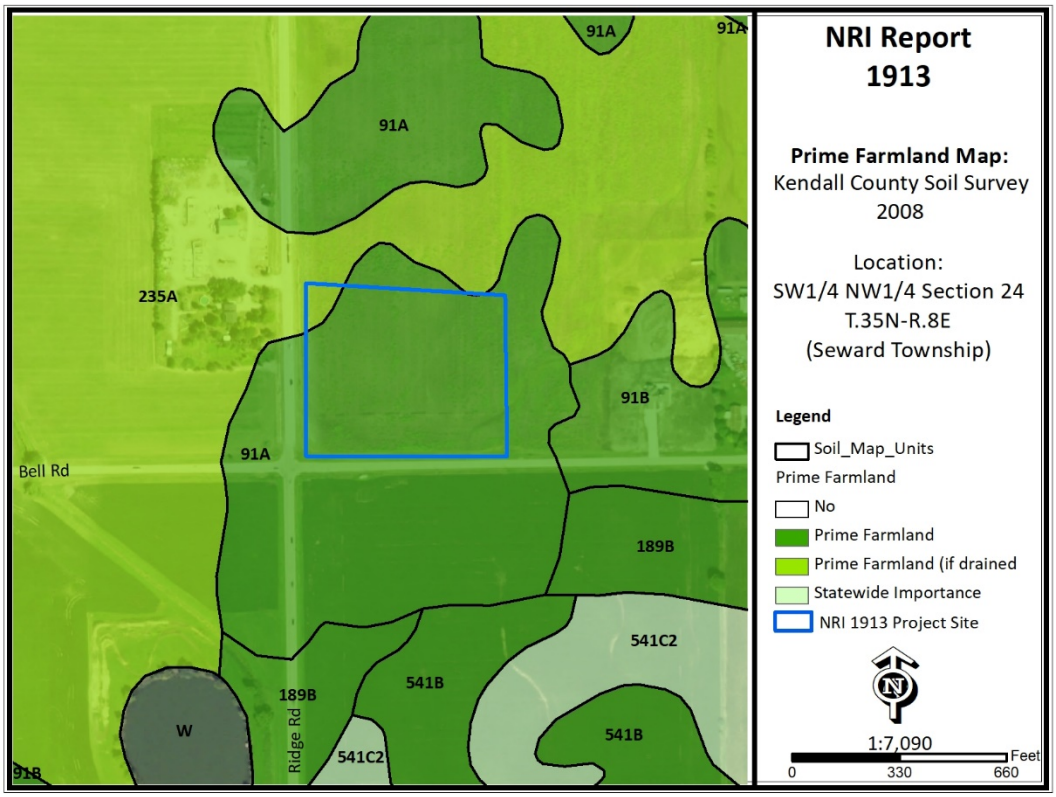
Prime farmland soils are an important resource to Kendall County. Some of the most productive soils in the United States occur locally. Each soil map unit in the United States is assigned a prime or non-prime rating. Prime agricultural land does not need to be in the production of food & fiber.

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 planimiter.

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

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

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

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

Importance of Flood Information

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

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

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

The Hydrologic Atlas (H.A.) Series of the Flood of Record Map is also used for the topographic

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

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

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

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

This parcel is located on topography (**slopes 0 to 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

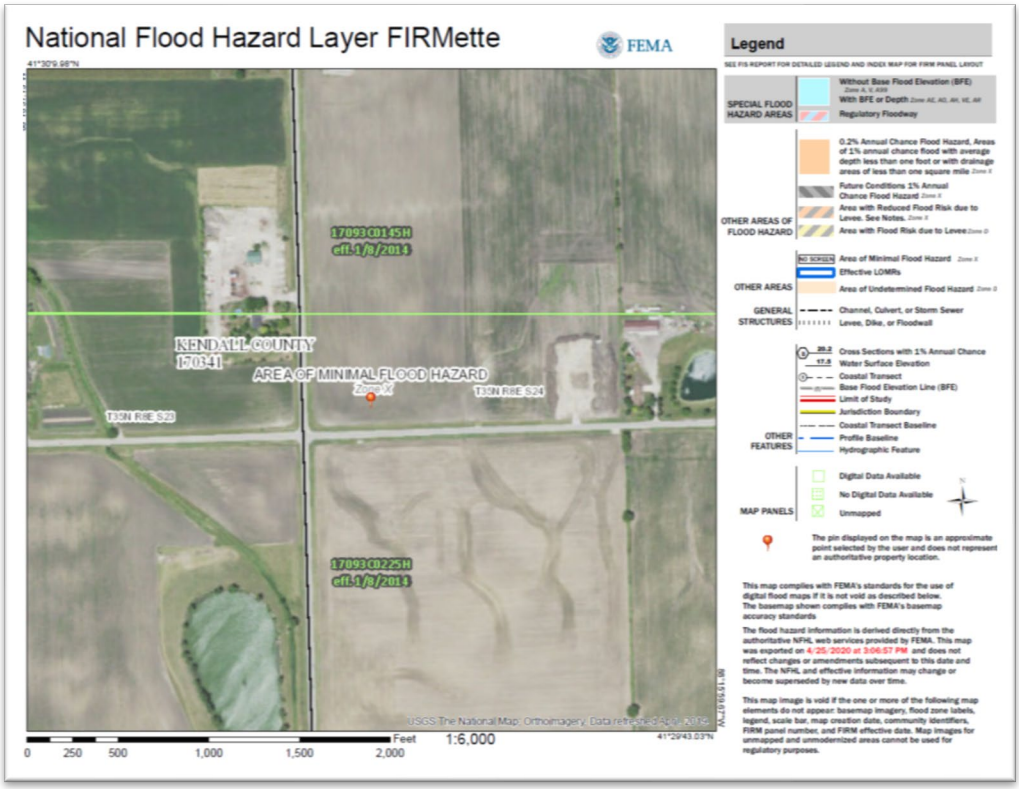
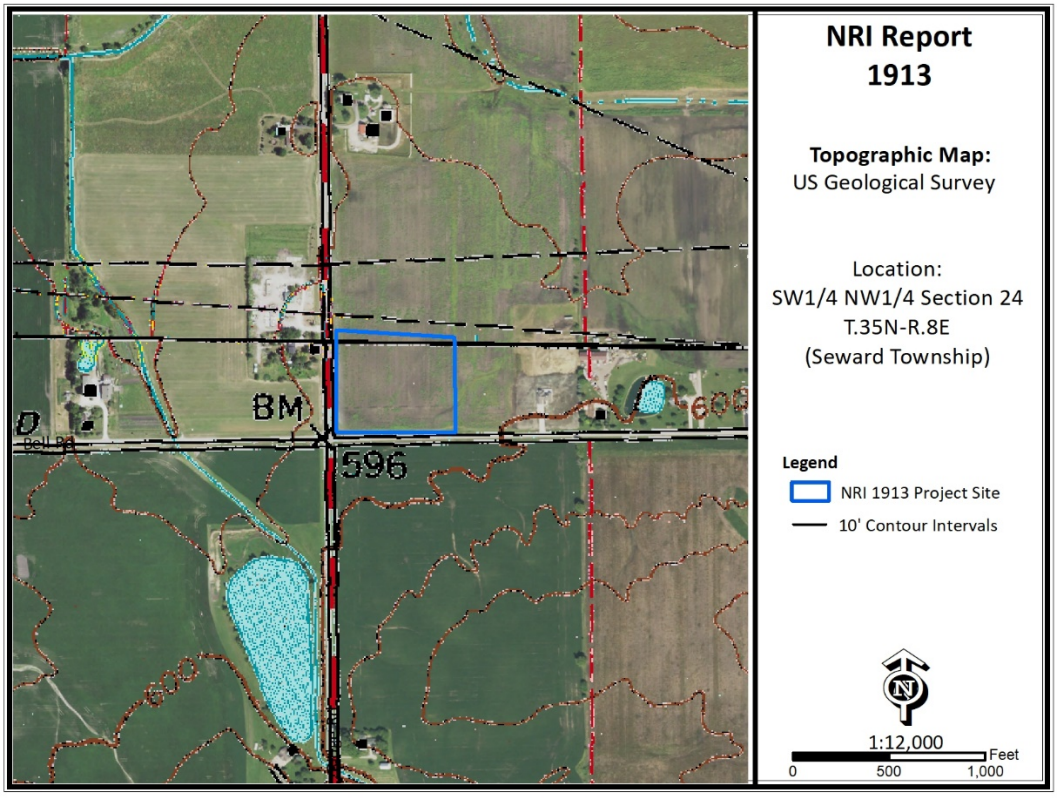


Figure 6: USGS Topographic Map



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.

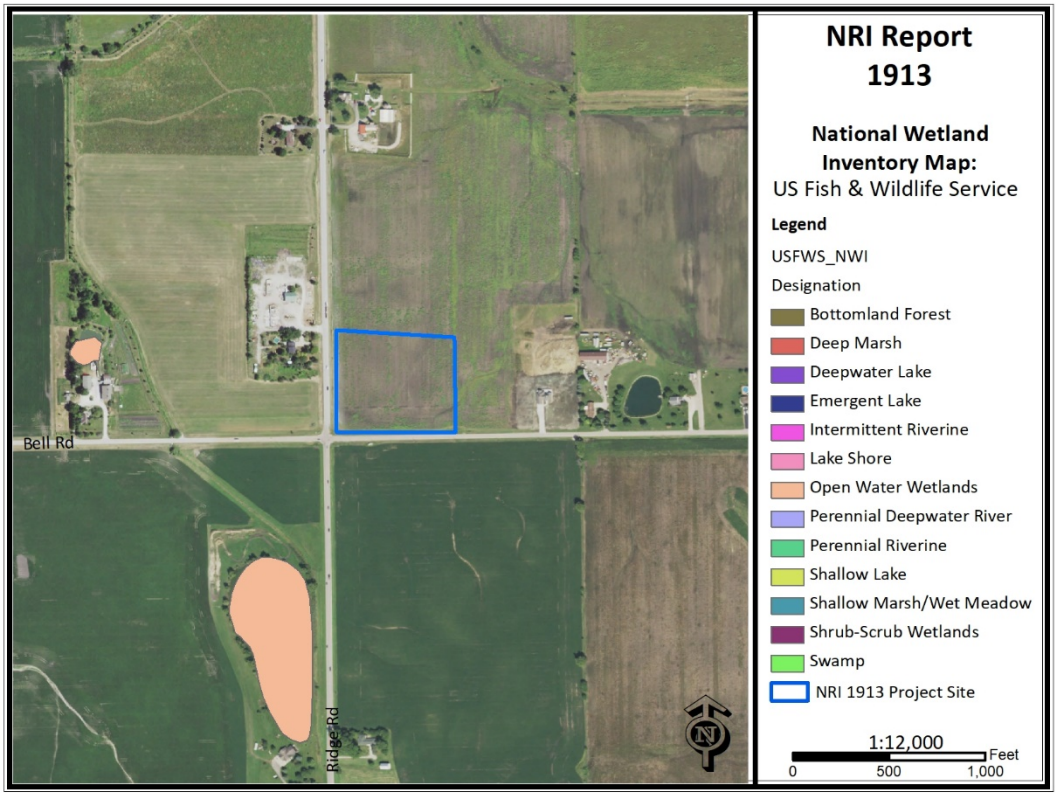
This parcel is located within the **Illinois River Watershed and Aux Creek Subwatershed.**

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.

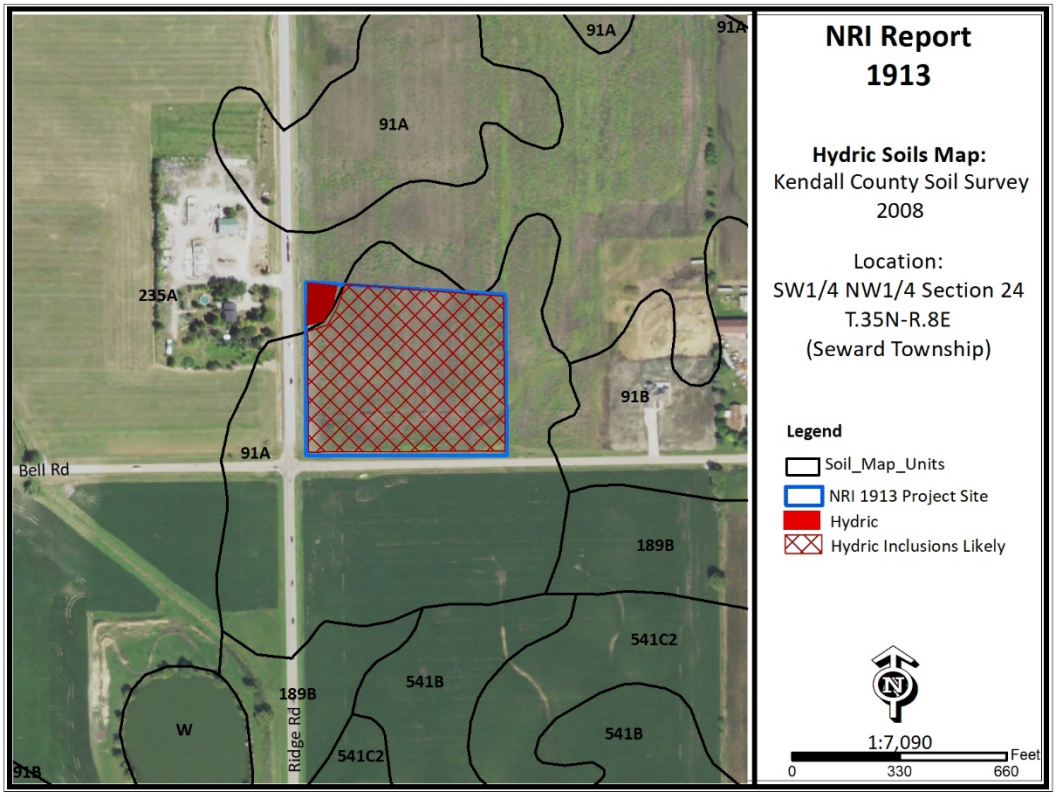
While considering hydric soils and hydric inclusions, it is noteworthy to mention that subsurface agriculture drainage tile occurs in almost all poorly drained and somewhat poorly drained soils. Drainage tile expedites drainage and facilitates farming. It is imperative that these drainage tiles remain 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.

EcoCAT
Ecological Compliance Assessment Tool

ILLINOIS DEPARTMENT OF NATURAL RESOURCES

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.

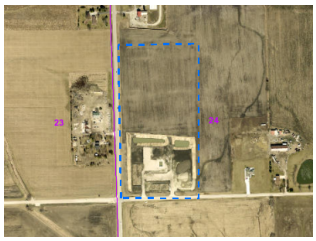
Consultation is terminated. This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented 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
Ecological Compliance Assessment Tool

ILLINOIS DEPARTMENT OF NATURAL RESOURCES

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*

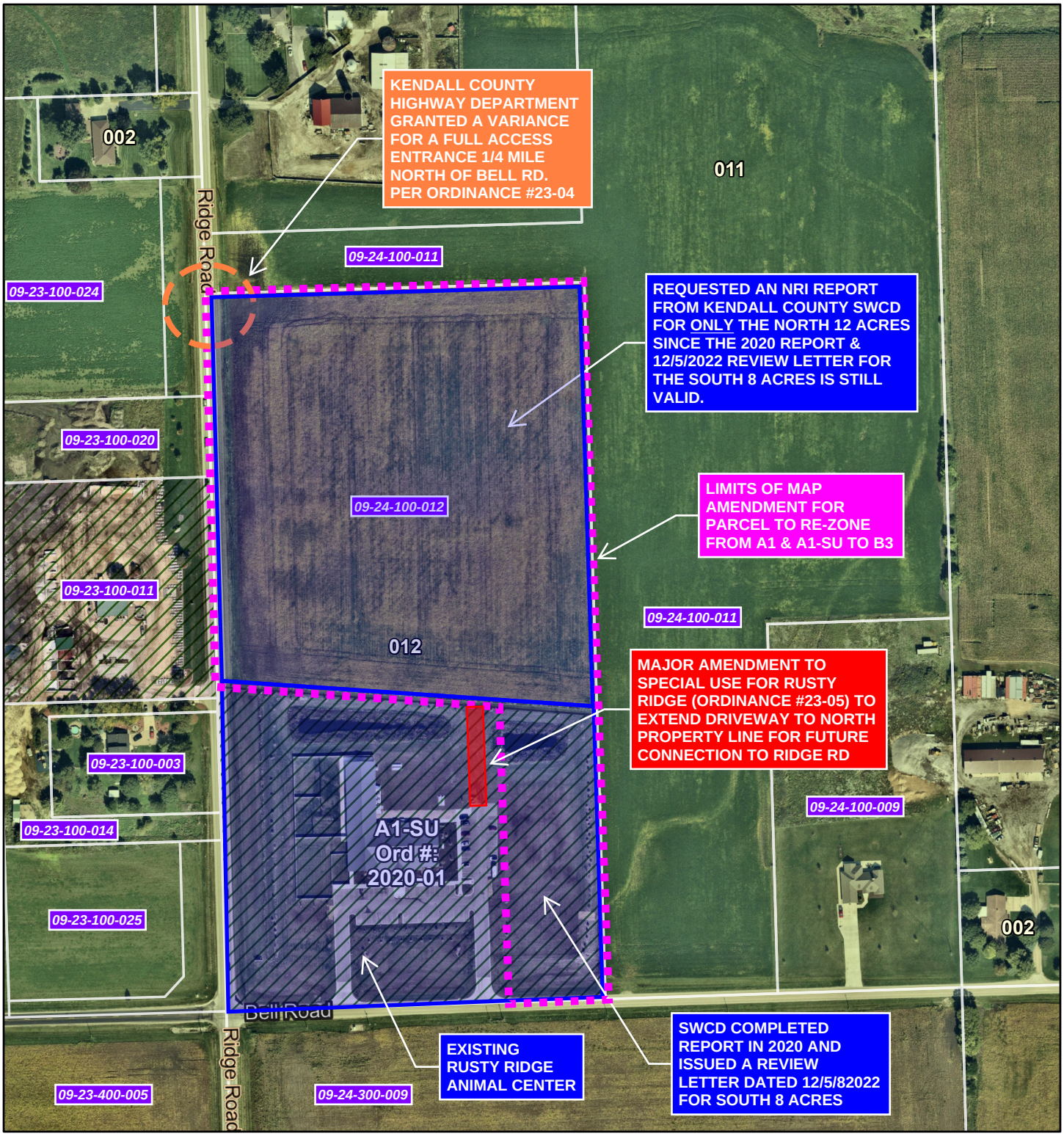
   THE PROPOSED DEVELOPMENT WITH THE ADDITION OF THE 24-FOOT WIDE DRIVEWAY EXTENSION WILL CONFORM TO THE APPLICABLE REGULATIONS OF THE A-1 DISTRICT. NO OTHER CHANGES ARE REQUESTED FROM PREVIOUSLY APPROVED MAJOR AMENDMENT TO SPECIAL USE PER KENDALL COUNTY ORDINANCE #23-05.

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.

Attachment 2

Jade Restorations, Inc.



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

1:4,044

0 0.03 0.05 0.1 mi

0 0.04 0.08 0.16 km

COOK ENGINEERING GROUP

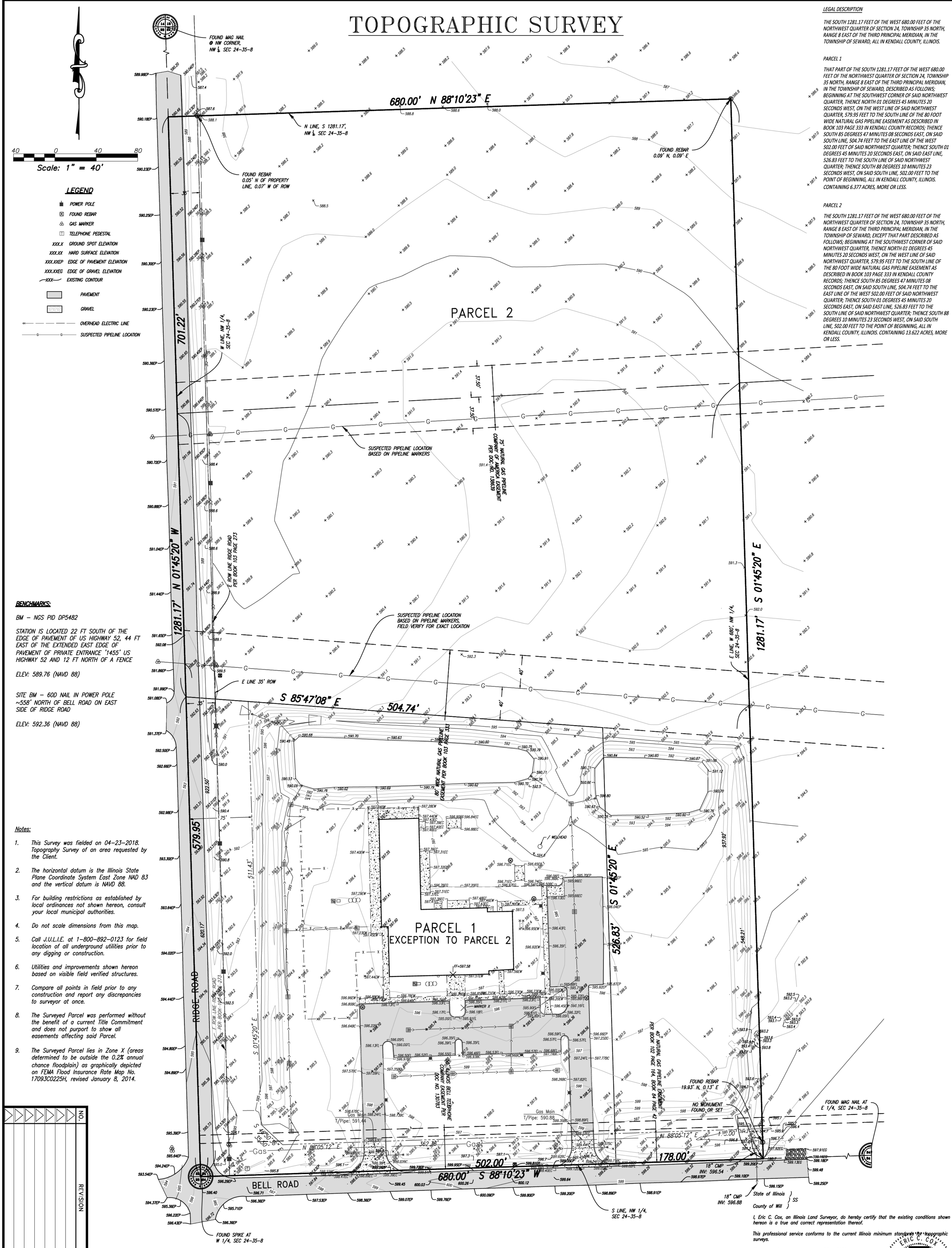
JADE RESTORATIONS, INC.
NEC RIDGE RD. & BELL RD.
KENDALL COUNTY, IL

RE-ZONING & PIN EXHIBIT
01/23/2024

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

Kendall County GIS

TOPOGRAPHIC SURVEY



BENCHMARKS:

BM – NGS PID DP5482

STATION IS LOCATED 22 FT SOUTH OF THE EDGE OF PAVEMENT OF US HIGHWAY 52, 44 FT EAST OF THE EXTENDED EAST EDGE OF PAVEMENT OF PRIVATE ENTRANCE '1455' US HIGHWAY 52 AND 12 FT NORTH OF A FENCE

ELEV: 589.76 (NAVD 88)

SITE BM – 60D NAIL IN POWER POLE ~558' NORTH OF BELL ROAD ON EAST SIDE OF RIDGE ROAD

ELEV: 592.36 (NAVD 88)

Notes:

1. This Survey was fielded on 04–23–2018. Topography Survey of an area requested by the Client.
2. The horizontal datum is the Illinois State Plane Coordinate System East Zone NAD 83 and the vertical datum is NAVD 88.
3. For building restrictions as established by local ordinances not shown hereon, consult your local municipal authorities.
4. Do not scale dimensions from this map.
5. Call J.U.L.I.E. at 1–800–892–0123 for field location of all underground utilities prior to any digging or construction.
6. Utilities and improvements shown hereon based on visible field verified structures.
7. Compare all points in field prior to any construction and report any discrepancies to surveyor at once.
8. The Surveyed Parcel was performed without the benefit of a current Title Commitment and does not purport to show all easements affecting said Parcel.
9. The Surveyed Parcel lies in Zone X (areas determined to be outside the 0.2% annual chance floodplain) as graphically depicted on FEMA Flood Insurance Rate Map No. 17093C0225H, revised January 8, 2014.

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

State of Illinois) SS
County of Will)

I, Eric C. Cox, an Illinois Land Surveyor, do hereby certify that the existing conditions shown hereon is a true and correct representation thereof.

This professional service conforms to the current Illinois minimum standards for topographic surveys.

Field Work Completed on August 23rd, 2022

Dated this 15th day of January, 2024

[redacted]

Eric C. Cox
Illinois Professional Land Surveyor No. [redacted]
Renewal Date: November 30, 2024
DLZ Industrial Surveying, Inc. Professional Design Firm 184002815

ERIC C. COX [redacted] PROFESSIONAL LAND SURVEYOR STATE OF ILLINOIS JOLIET, ILLINOIS

DRAWING NUMBER 7044T02 | SHEET 1 OF 1

MINOOKA ILLINOIS

JADE RESTORATIONS, INC

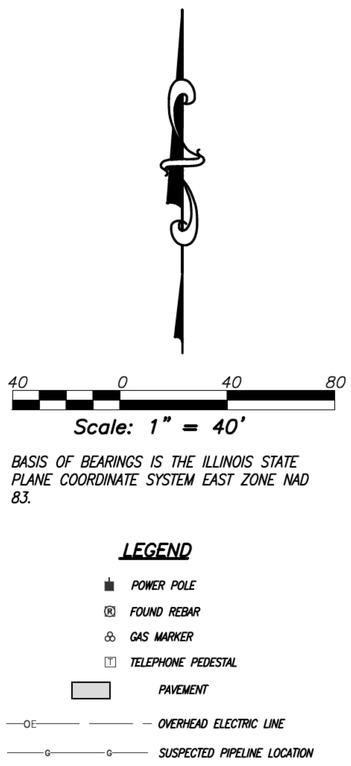
BELL ROAD & RIDGE ROAD
TOPOGRAPIC SURVEY

DRAWN: CSH	CHK'D. ECC
DESIGNED: –	APPRV'D: ECC
DATE: JANUARY 15, 2024	
SCALE: 1" = 50'	
PROJECT NUMBER 1850–7044	

DLZ INDUSTRIAL SURVEYING, INC.
80 McDONALD AVENUE, UNIT D, JOLIET, IL 60431
TELEPHONE (815) 725–8840 FAX (815) 725–8849

X:\PROJECTS\2018\1850\704470 DEB CHOW DOGGY DAY\TOPO\7044T02.DWG

ZONING PLAT



BASIS OF BEARINGS IS THE ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE NAD 83.

LEGEND

- POWER POLE
- FOUND REBAR
- GAS MARKER
- TELEPHONE PEDESTAL
- PAVEMENT
- OVERHEAD ELECTRIC LINE
- SUSPECTED PIPELINE LOCATION

FOUND MAG NAIL AT NW CORNER, NW ¼, SEC 24-35-8

680.00' N 88°10'23" E

N LINE, S 1281.17', NW 1/4, SEC 24-35-8

FOUND REBAR 0.05' N OF PROPERTY LINE, 0.07' W OF ROW

FOUND REBAR 0.09' N, 0.09' E

35'

W LINE, NW 1/4, SEC 24-35-8

701.22'

37.50'

37.50'

SUSPECTED PIPELINE LOCATION BASED ON PIPELINE MARKERS

75' NATURAL GAS PIPELINE COMPANY OF AMERICA EASEMENT PER DOC NO. 138639

PARCEL 2

VACANT PARCEL CONTAINING 13.622 ACRES MORE OR LESS OF WHICH 0.565 ACRE LIES WITHIN DEDICATED RIDGE ROAD AND 0.148 ACRES LIES WITHIN DEDICATED BELL ROAD

CURRENT ZONING A1
PROPOSED ZONING B3

1281.17' N 01°45'20" W

RIDGE ROAD

E. ROW LINE RIDGE ROAD PER BOOK 103 PAGE 273

SUSPECTED PIPELINE LOCATION BASED ON PIPELINE MARKERS, FIELD VERIFY FOR EXACT LOCATION

E LINE, W 680', NW 1/4, SEC 24-35-8

40'

40'

S 85°47'08" E 504.74'

80' WIDE NATURAL GAS PIPELINE EASEMENT PER BOOK 103 PAGE 333

922.50'

75'

511.43'

E. ROW LINE RIDGE ROAD PER DOC. NO. 202000012367

579.95'

620.17'

E. LINE, W 502.00', NW 1/4, SEC 24-35-8

526.83' S 01°45'20" E

937.92'

1281.17' S 01°45'20" E

548.21'

PARCEL 1

VACANT PARCEL CONTAINING 6.377 ACRES MORE OR LESS OF WHICH 1.350 ACRE LIES WITHIN DEDICATED RIDGE ROAD & BELL ROAD

CURRENT ZONING A1-SU

EXCEPTION TO PARCEL 2

50' ILLINOIS BELL TELEPHONE COMPANY EASEMENT PER DOC NO. 130783

40' NATURAL GAS PIPELINE EASEMENT PER BOOK 102 PAGE 164, BOOK 84 PAGE 42

FOUND REBAR 19.93' N, 0.13' E

FOUND MAG NAIL AT E 1/4, SEC 24-35-8

S 48°50'36" E 35.50'

N 88°05'12" E 362.36'

N ROW LINE BELL ROAD PER DOC. NO. 202000012367

S LINE, NW 1/4, SEC 24-35-8

N 88°05'12" E 178.00'

178.00'

502.00'

680.00' S 88°10'23" W

BELL ROAD

NO MONUMENT FOUND OR SET

FOUND SPIKE AT W 1/4, SEC 24-35-8
POINT OF BEGINNING PARCEL 1
POINT OF BEGINNING EXCEPTION TO PARCEL 2

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 KENDALE 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

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 KENDALE 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.

Notes:

1. This Survey was fielded on 04-23-2018.
2. The horizontal datum is the Illinois State Plane Coordinate System East Zone NAD 83.
3. For building restrictions as established by local ordinances not shown hereon, consult your local municipal authorities.
4. Do not scale dimensions from this map.
5. Call J.U.L.I.E. at 1-800-892-0123 for field location of all underground utilities prior to any digging or construction.
6. Utilities and improvements shown hereon based on visible field verified structures.
7. Compare all points in field prior to any construction and report any discrepancies to surveyor at once.
8. The Surveyed Parcel was performed without the benefit of a current Title Commitment and does not purport to show all easements affecting said Parcel.
9. The Surveyed Parcel lies in Zone X (areas determined to be outside the 0.2% annual chance floodplain) as graphically depicted on FEMA Flood Insurance Rate Map No. 17093C0225H, revised January 8, 2014.
10. The Overall Surveyed Parcel contains 20.000 acres more or less of which 1.030 acres lies within Dedicated Ridge Road.
11. The land division shown hereon was under the direction of the Land Owner.

NO.	REVISION	BY	DATE

State of Illinois)
) SS
County of Will)

I, Eric C. Cox, an Illinois Land Surveyor, do hereby certify that the existing conditions shown hereon is a true and correct representation thereof of the Legal Descriptions.

Dated this 15th day of January, 2024

[redacted]

Eric C. Cox
Illinois Professional Land Surveyor No. 0[redacted]
Renewal Date: November 30, 2024
DLZ Industrial Surveying, Inc. Professional Design Firm 184002815

ERIC C. COX [redacted] PROFESSIONAL LAND SURVEYOR STATE OF ILLINOIS JOLIET, ILLINOIS

DRAWING NUMBER 7044ZP | SHEET 1 OF 1

KENDALL COUNTY ILLINOIS

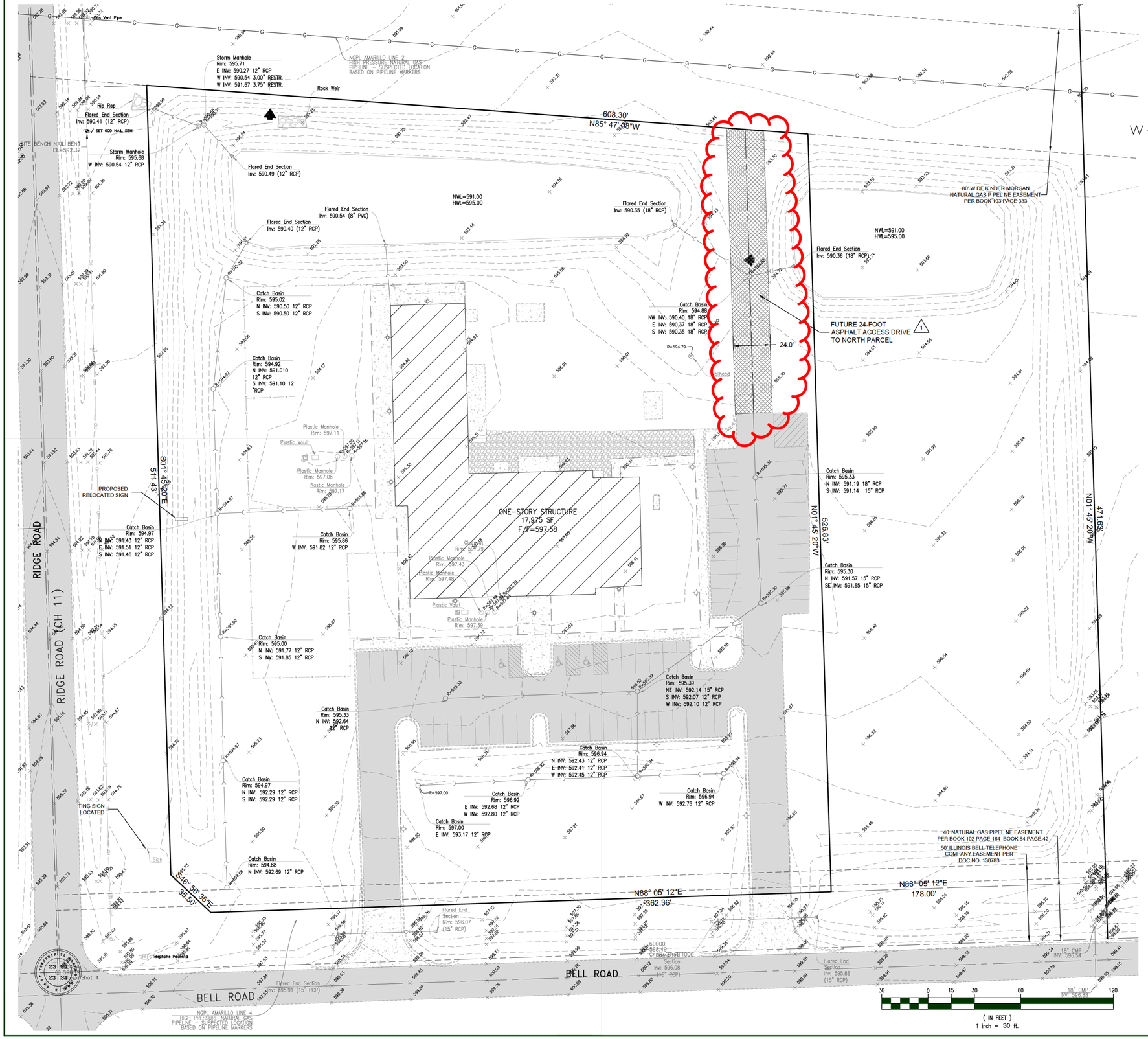
JADE RESTORATIONS, INC

BELL ROAD & RIDGE ROAD
ZONING PLAT

DRAWN: ECC	CHK'D. ECC
DESIGNED: -	APPRV'D: ECC
DATE: JANUARY 15, 2024	
SCALE: 1" = 50'	
PROJECT NUMBER 1850-7044	

DLZ INDUSTRIAL SURVEYING, INC.
80 McDONALD AVENUE, UNIT D, JOLIET, IL 60431
TELEPHONE (815) 725-8840 FAX (815) 725-8849

X:\PROJECTS\2018\1850\704470 DEB CHOW DOGGY DAY\TOPO\7044ZP.DWG



CONCRETE PAVEMENT
GRAVEL AREA
HMA PAVEMENT

SITE LOCATION

LEGEND

EXISTING		PROPOSED
	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	
632	CONTOUR	632
	SILT FENCE	
	OVERLAND FLOW PATH	

ABBREVIATIONS

T/F - TOP OF FOUNDATION
F/F - FINISHED FLOOR ELEVATION
L/O - LOOKOUT ELEVATION
W/O - WALKOUT ELEVATION
G/E - 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, 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.

LIST OF MODIFICATIONS

1. 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

1. 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)

2. SITE BENCHMARK #1
60D 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%**

#23-05 PARKING PROVIDED: 65 STALLS, INCLUDING 3 HANDICAPPED STALLS

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%**

AS-BUILT PARKING PROVIDED: 65 STALLS, INCLUDING 3 HANDCAP STALLS

COOK ENGINEERING GROUP
Civil Engineering &
Land Development Consulting
26316 Mapleview Drive
Plainfield, IL 60585
815.577.1707 T 815.577.2595 F
www.cookenggroup.com

#	DATE	REVISION DESCRIPTION
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
[redacted]
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.

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:

Debbie Gillette

Kendall County Clerk
Debbie Gillette

Scott R. Gryder

Kendall County Board Chairman
Scott R. Gryder

COUNTY CLERK
OFFICIAL
SEAL
KENDALL COUNTY, ILLINOIS

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.**

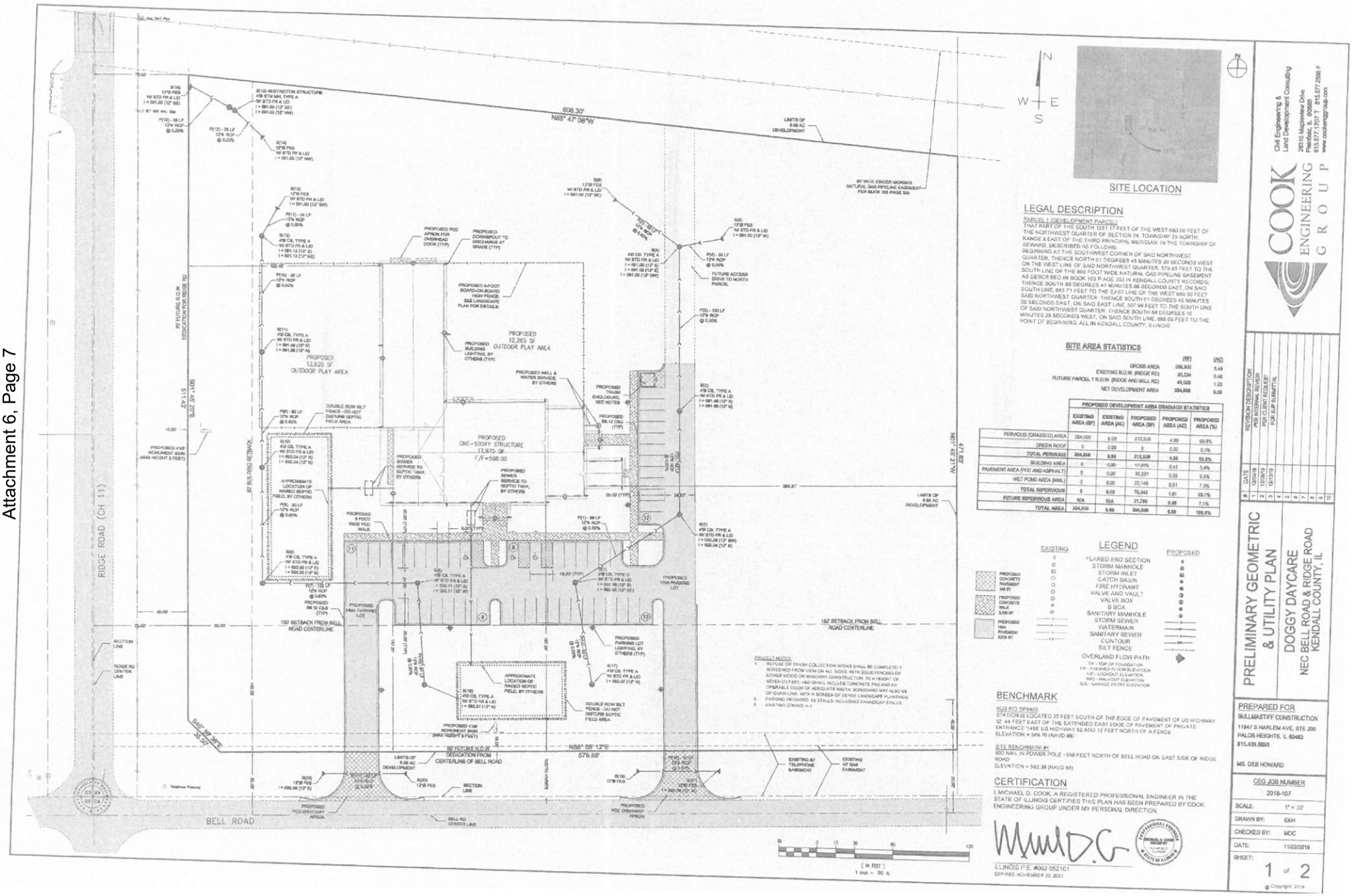
That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **True, the proposed use is consistent with an objective found on Page 6-34 of the Kendall County Land Resource Management Plan which calls 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.



SITE LOCATION

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 33 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, 579.85 FEET TO THE SOUTH LINE OF THE 800 FOOT WIDE NATURAL GAS PIPELINE EASEMENT AS DESCRIBED IN BOOK 103 PAGE 353 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 29 SECONDS WEST, ON SAID SOUTH LINE, 650.00 FEET TO THE POINT OF BEGINNING, ALL IN KENDALL COUNTY, ILLINOIS.

SITE AREA STATISTICS

	(SF)	(AC)
GROSS AREA	398,930	9.49
EXISTING R.O.W. (RIDGE RD)	20,234	0.46
FUTURE PARCEL 1 R.O.W. (RIDGE AND BELL RD)	45,006	1.03
NET DEVELOPMENT AREA	334,689	8.89

PROPOSED DEVELOPMENT AREA DRAINAGE STATISTICS

	EXISTING AREA (SF)	EXISTING AREA (AC)	PROPOSED AREA (SF)	PROPOSED AREA (AC)	PROPOSED AREA (%)
PERVIOUS (GRASSED) AREA	304,000	6.99	212,539	4.88	63.5%
GREEN ROOF	0	0.00	0	0.00	0.0%
TOTAL PERVIOUS	304,000	6.99	212,539	4.88	63.5%
BUILDING AREA	0	0.00	17,975	0.41	5.4%
PAVEMENT AREA (PCC AND ASPHALT)	0	0.00	30,221	0.69	9.0%
WET POND AREA (WAL)	0	0.00	22,146	0.51	7.3%
TOTAL IMPERVIOUS	0	0.00	70,342	1.61	23.1%
FUTURE IMPERVIOUS AREA	N/A	N/A	21,780	0.00	7.1%
TOTAL AREA	304,000	6.99	304,000	6.99	100.0%

LEGEND

EXISTING
- PROPOSED CONCRETE PAVEMENT 346 SY
- PROPOSED CONCRETE WALK 3,708 SF
- PROPOSED HMA PAVEMENT 2,919 SY

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

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

BENCHMARK

NGS PID DP5402
STATION IS LOCATED 20 FEET SOUTH OF THE EDGE OF PAVEMENT OF US HIGHWAY 52, 44 FEET EAST OF THE EXTENDED EAST EDGE OF PAVEMENT OF PRIVATE ENTRANCE TO 1456 US HIGHWAY 52 AND 12 FEET NORTH OF A FENCE
ELEVATION = 589.76 (NAVD 88)

SITE BENCHMARK #1
60D NAIL IN POWER POLE ~558 FEET NORTH OF BELL ROAD ON EAST SIDE OF RIDGE ROAD
ELEVATION = 592.36 (NAVD 88)

CERTIFICATION

I, MICHAEL D. COOK, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF ILLINOIS CERTIFIES THIS PLAN HAS BEEN PREPARED BY COOK ENGINEERING GROUP UNDER MY PERSONAL DIRECTION.

ILLINOIS P.E. #062-052101
EXPIRES NOVEMBER 30, 2021

COOK ENGINEERING GROUP
Civil Engineering & Land Development Consulting
28316 Mapleview Drive
Plainfield, IL 60585
815.577.1703 T 815.577.2566 F
www.cookengrgroup.com

#	DATE	REVISION DESCRIPTION
1	12/04/18	PER INTERNAL REVIEW
2	12/06/18	PER CLIENT REQUEST
3	12/13/18	FOR SUP SUBMITTAL
4		
5		
6		
7		
8		
9		
10		

PRELIMINARY GEOMETRIC & UTILITY PLAN

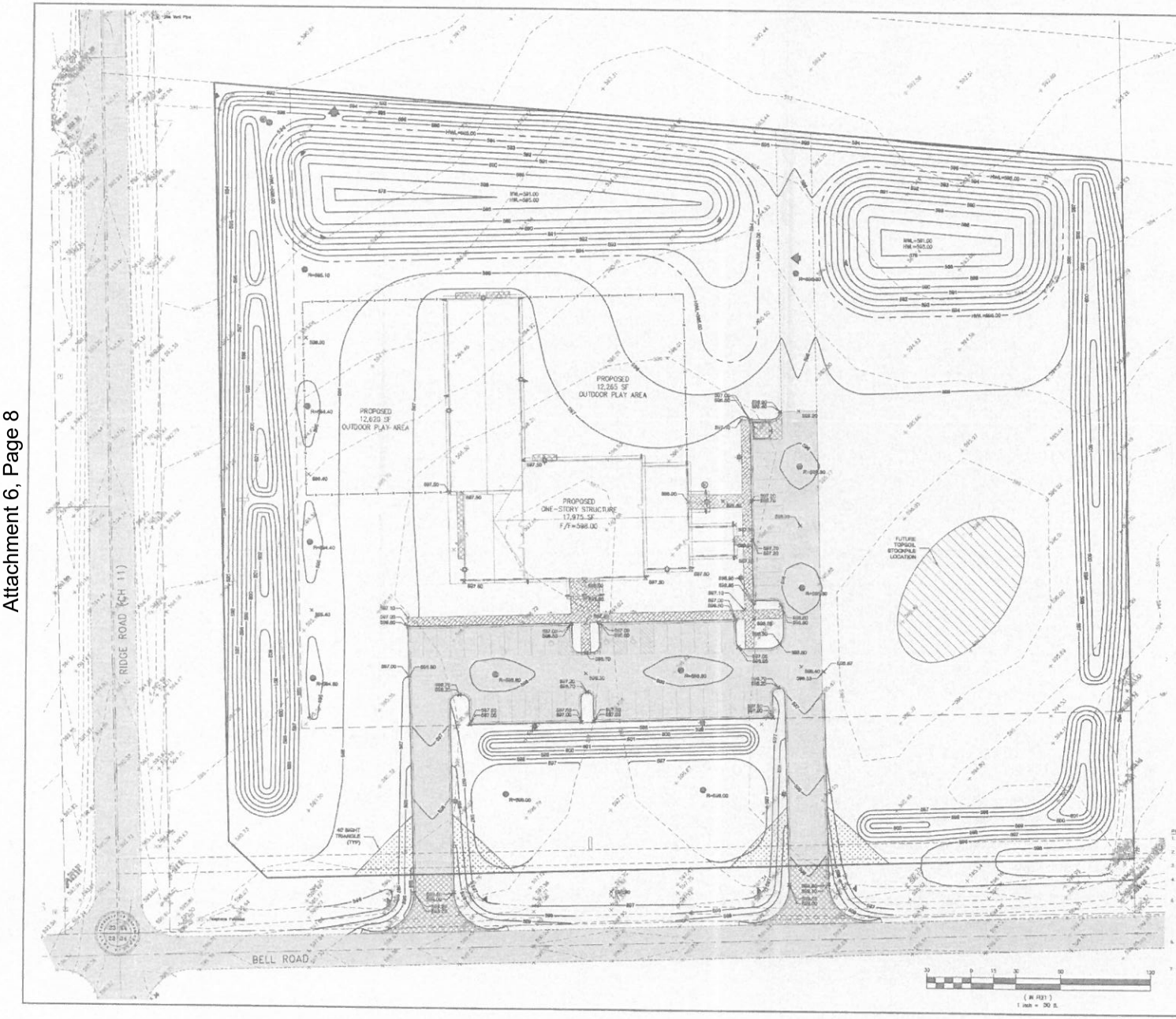
DOGGY DAYCARE
NEC BELL ROAD & RIDGE ROAD
KENDALL COUNTY, IL

PREPARED FOR
BULLMASTIFF CONSTRUCTION
1194 S HARLEM AVE, STE 200
PALOS HEIGHTS, IL 60463
815.405.5823
MS. DEB HOWARD

CEG JOB NUMBER
2018-107

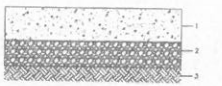
SCALE: 1" = 30'
DRAWN BY: EKH
CHECKED BY: MDC
DATE: 11/22/2018
SHEET: 1 of 2

© Copyright 2019



NOTES
1. SEE SOILS REPORT FOR INFORMATION REGARDING PAVEMENT SECTION. IF SOILS REPORT IS MORE STRINGENT, USE THAT SECTION.
2. HMA MIX COMPOSITION SHALL BE IN ACCORDANCE WITH LATEST IDOT STANDARDS.
3. ALL COMPACTION SHALL BE 95% MAXIMUM DRY DENSITY, AS DETERMINED BY MODIFIED PROCTOR TEST, ASTM D1557.

TYPICAL PAVEMENT SECTION (HMA)
N.T.S.



NOTES
1. ALL COMPACTION SHALL BE 95% MAXIMUM DRY DENSITY, AS DETERMINED BY MODIFIED PROCTOR TEST, ASTM D1557.

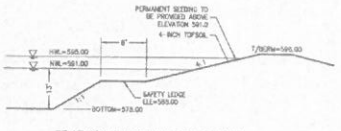
TYPICAL CONCRETE PAVEMENT SECTION
N.T.S.

PROVIDED DETENTION VOLUME - EAST BASIN

ELEVATION (FT)	AREA (SF)	DISTANCE (FT)	VOLUME (CF)	CUMULATIVE VOLUME (CF)
591.00	4,182			
		1.00	8,892	8,892
592.00	9,852			
		1.00	10,445	19,337
593.00	11,259			
		1.00	12,102	31,439
594.00	12,964			
		1.00	13,894	45,333
595.00	14,794			
		PROVIDED DETENTION=		45,333 CF

PROVIDED DETENTION VOLUME - EAST BASIN

ELEVATION (FT)	AREA (SF)	DISTANCE (FT)	VOLUME (CF)	CUMULATIVE VOLUME (CF)
591.00	13,694			
		1.00	15,292	15,292
592.00	16,827			
		1.00	17,977	33,268
593.00	19,361			
		1.00	21,351	54,619
594.00	23,433			
		1.00	26,005	80,652
595.00	28,870			
		PROVIDED DETENTION=		80,652 CF
		TOTAL PROVIDED DETENTION=		125,986 CF
				2.89 AC-FT
		TOTAL REQUIRED DETENTION=		2.78 AC-FT



TYPICAL POND SECTION
N.T.S.

PROJECT NOTES:
1. BUILDING LAYOUT TAKEN FROM ARCHITECTURAL PLANS PREPARED BY LESTER BUILDINGS, ARCHITECT DATED 01/09/19
2. EXISTING BOUNDARY AND TOPOGRAPHICAL SURVEY PROVIDED BY ITLE INDUSTRIAL SURVEYING, INC. DATED 1/15/19.
3. WELL WILL BE DESIGNED UNDER SEPARATE COVER AND INSTALLED AS SHOWN ON PLAN.
4. SEPTIC TANK AND SEPTIC FIELD TO BE DESIGNED UNDER SEPARATE COVER AND INSTALLED AS SHOWN ON PLAN. PLAN LOCATIONS ARE SHOWN APPROXIMATELY.
5. ANY CHANGES AND/OR ADDITIONS FROM THE APPROVED SITE PLAN SHALL BE REVIEWED AND APPROVED IN WRITING BY KENDALL COUNTY PRIOR TO ANY CHANGES OR ADDITIONS BEING MADE. ANY WORK COMPLETED, WHICH IS NOT SHOWN ON THE APPROVED PLAN, SHALL BE CONSIDERED WORK WITHOUT A PERMIT AND SHALL BE SUBJECT TO THE SAME VIOLATIONS.
6. ANY FIELD TILES ENCOUNTERED DURING CONSTRUCTION SHALL BE DIVERTED AROUND THE CONSTRUCTION AREA AND RECONNECTED. TILE FIELD TRUESS SHALL NOT BE PLUGGED OR CONNECTED TO THE STORM SEWER SYSTEM.
7. REFUSE OR TRASH COLLECTION AREAS SHALL BE COMPLETELY SCREENED FROM VIEW ON ALL SIDES, WITH SOLID FENCING OR EITHER WOOD OR MASONRY CONSTRUCTION, TO A HEIGHT OF SEVEN (7) FEET, AND SHALL INCLUDE CONCRETE PAD AND AN OPENABLE DOOR OF ADEQUATE WIDTH. SCREENING MAY ALSO BE OF CHAIN LINK WITH A SCREEN OF DENSE LANDSCAPE PLANTINGS

Call Before You Dig
JULIE ILLINOIS ONE-CALL SYSTEM
(800) 892-0123

COOK ENGINEERING GROUP
Civil Engineering & Land Development Consulting
26316 Mastrian Drive
Plainfield, IL 60585
815.577.1707 T 815.577.2595 F
www.cookengrgroup.com

#	DATE	REVISION DESCRIPTION
1	12/04/19	PER INTERNAL REVIEW
2	12/06/19	PER CLIENT REQUEST
3	12/13/19	FOR SUP SUBMITTAL
4		
5		
6		
7		
8		
9		
10		

PRELIMINARY GRADING PLAN

DOGGY DAYCARE

NEC BELL ROAD & RIDGE ROAD
KENDALL COUNTY, IL

PREPARED FOR
BULLMASTIFF CONSTRUCTION
11947 S HARLEM AVE, STE 200
PALOS HEIGHTS, IL 60463
815.405.5693

MS. DEB HOWARD

CEG JOB NUMBER	2018-107
SCALE:	1" = 30'
DRAWN BY:	EKH
CHECKED BY:	MDC
DATE:	11/22/2019
SHEET:	2 of 2

© Copyright 2019

SITE LOCATION

PLANT SCHEDULE

QTY	BOTANICAL NAME	COMMON NAME	SIZE	TYPE
	SHADE TREES			
1	Acer saccharum 'Green Mountain'	Green Mountain Sugar Maple	2.5" cal.	Single Stem
3	Gleditsia triacanthos 'Skyline'	Skyline Honeylocust	2.5" cal.	Single Stem
1	Quercus macrocarpa x robur	Hybrid Oak	2.5" cal.	Single Stem
1	Quercus rubra	American Sweetgum	2.5" cal.	Single Stem
1	Quercus velutina	Black Oak	2.5" cal.	Single Stem
	EVERGREEN TREES			
26	Picea glauca	Norway Spruce	6' tall	Natural Form
11	Pinus strobus	Pine Spruce	6' tall	Natural Form
	ORNAMENTAL TREES			
8	Crataegus phaenopyrum	Washington Hawthorn	2" cal.	Multi-Stem
4	Amelanchier x grandiflora	Autumn Brilliance Serviceberry	6' tall	Multi-Stem
4	Cornus alba	Bloodtwig Dogwood Shrubtree	6' tall	Multi-Stem
4	Syringa reticulata	Ivory Silk Lilac	6' tall	Multi-Stem
1	Taxodium x distichum 'Peve Minaret'	Bald Cypress	6' tall	Multi-Stem
	EVERGREEN SHRUBS			
6	Juniperus x pfitzeriana 'Sea Green'	Sea Green Juniper	24" tall	3' o.c.
3	Thuja occidentalis 'Smaragd'	Emerald Green Arborvitae	6' tall	5' o.c.
16	Juniperus scopulorum 'Blue Arrow'	Blue Arrow Juniper	6'	5' o.c.
53	Taxus x media 'Densiformis'	Densiformis Yew	24" tall	5' o.c.
	DECIDUOUS SHRUBS			
16	Cornus Alba 'Sibirica'	Ivory Silk Redtwig Dogwood	24" tall	5' o.c.
24	Cornus 'Redosier'	Redosier Dogwood	#5 CAB	3' o.c.
11	Hydrangea paniculata 'Grandiflora'	Peegee Hydrangea	#5 CAB	5' o.c.
11	Viburnum dentatum 'Ralph Senior'	Ralph Senior Viburnum	24"	5' o.c.
4	Spiraea 'Goldflame'	Goldflame Spirea	24" tall	3' o.c.
37	Rosa virginiana	Virginia Rose	#7 cal.	3' o.c.
1	Viburnum lantana	Wayfaring Tree	24" tall	5' o.c.
	PERENNIALS			
76	Calamagrostis x a. acutiflora	Karl Foerster Feather Reed Grass	#1	2' o.c.
16	Hemerocallis spp.	Daylily	#1	2' o.c.
7	Echinacea purpurea	Coneflower	#1	2' o.c.

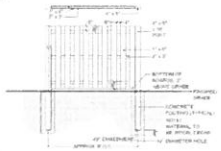
NATIVE SEED SPECS

MET TOWNSHIP PRAIRIE SEED MIX

Botanical Name	Common Name	Wetland
Grasses/Sedges		
Andropogon gerardii	Big Bluestem	3-5%
Calamagrostis canadensis	Bluejoint Grass	1-3%
Carex spp.	Sedge	1-3%
Elymus virginicus	Common Eastern Wild Rye	1-3%
Juncus effusus	Soft Rush	1-3%
Panicum virgatum	Switch Grass	1-3%
Schizachyrium scoparium	Little Bluestem	3-5%
Sorghastrum nutans	Indian Grass	3-5%
Sporobolus heterolepis	Prairie Dropseed	1-3%
	TOTAL	20-30
Forbs		
Asclepias spp.	Common Milkweed	1-3%
Asclepias tuberosa	Butterfly Weed	1-3%
Chamaecrista fasciculata	Partridge Pea	5-10%
Coreopsis palmata	Prairie Coreopsis	5-10%
Dalea purpurea	Purple Prairie Clover	1-3%
Desmodium illinoense	Illinois Tick Trefoil	1-3%
Echinacea purpurea	Purple Coneflower	1-3%
Helianthus spp.	Sunflower	1-3%
Liatris aspera	Rough Blazing Star	1-3%
Liatris pycnostachya	Prairie Blazing Star	1-3%
Monarda fistulosa	Wild Bergamot	1-3%
Oligoneuron rigidum	Stiff Goldenrod	1-3%
Ratibida pinnata	Yellow Coneflower	1-3%
Rudbeckia hirta	Black-Eyed Susan	1-3%
Silphium integrifolium	Rosinweed	1-3%
Silphium perfoliatum	Cup Plant	1-3%
Solidago rigida	Stiff Goldenrod	1-3%
Verbena hastata	Blue Vervain	1-3%
Vernonia fasciculata	Common Ironweed	1-3%
Zizia aurea	Golden Alexanders	1-3%
	TOTAL	40-50

FENCE DETAIL

FENCE DETAIL, BOARD-ON-BOARD FENCE



SEED SPECS

FIELD OF DREAMS COAT OF ARMOUR MIXTURE

LOT # L152-18-477 — DATE TESTED: 9/18 — SELL BY: 6/19

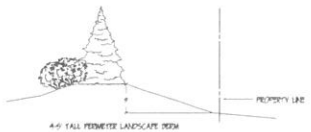
CONTAINS	PURITY	GERM	ORIGIN
PALMER IS PERENNIAL RYEGRASS	29.78%	90.00%	OREGON
DOUBLE TIME GLS PERENNIAL RYEGRASS	29.78%	90.00%	OREGON
**PENDANT HB STUDDY IN LIBERIANS	19.89%	85.00%	OREGON
OTHER CROP SEEDS	0.47%		
CONTAINS DO 'N' GROW COATING	**19.98%		
INERT MATTER	0.88%		
WEED SEEDS	0.06%		

NOXIOUS WEED SEEDS: NONE FOUND — NET WT. 50 LBS. AMS 702

National Seed
4720 Yender Ave
Lisle, IL 60532

Under the seed laws of several states submission is required to a prerequisite to maintaining a legal action against the seller of the seed in any dispute relating to the quality or performance of the seed sold. The purchaser shall file a complaint along with the required filing fee, before application, with the Commissioner or Chief Agricultural Officer within such time as to permit inspection of the crops, plants or trees by the designated agency and the Commissioner or Chief Agricultural Officer shall cause a sample of the seed to be sent to the seller by certified or registered mail or as otherwise provided by the statute.

SECTION A BERM CROSS SECTION



4-6' TALL PERIMETER LANDSCAPE BERM

GENERAL NOTES:

Plant materials shall be nursery grown and be either balled and burlapped or container grown. Sizes and spreads on plant list represent minimum requirements.

Size & grading standards of plant materials shall conform to the latest addition of ANSI (AAN) AMERICAN STANDARD OF NURSERY STOCK, by the American Nursery & Landscape Association.

Any materials who's damaged or crookedly/injured leaders, bark, abrasion, sunscald, insect damage, etc. are not acceptable and will be replaced. Trees with multiple leaders will be rejected unless called for in the plans as an multi-stem or clump (cl.)

Grading shall provide slopes which are smooth and comfortable. Positive drainage shall be provided in all areas.

Quantity lists are supplied as a convenience. However the contractor should verify all quantities. The drawings shall take precedence over the lists.

All plant species specified are subject to inspection by Materials shortages in the landscape industry may require substitutions. All substitutions must be approved by the Landscape Architect and/or Owner.

Contractor shall verify location of all underground utilities prior to digging. For locations outside the City of Chicago call "J.U.L.I.E." (one) (800) 892-0123 For Chicagoland (800) 892-0123

Contractor shall report any discrepancies in this field to the Landscape Architect and/or Owner.

Plant symbols illustrated on this plan are a graphic representation of proposed plant material types and are intended to provide for visual clarity. However the symbols do not necessarily represent actual plant spread at the time of installation.

All perennial, ornamental grass, groundcover and annual beds shall be hand prepared with a minimum of three inches (3") of mushroom compost. The bed shall then be edged and mixed into the soil to a minimum depth of nine inches (9") by the use of a cultivating mechanism. Upon completion generously & consistently all areas shall be mulched with an additional two inch (2") layer of shredded wood mulch. Annuals & groundcovers shall be covered with an additional two inch (2") layer of mushroom compost.

All other planting beds and tree saucers shall be mulched with a minimum of three inches (3") of shredded wood mulch with the exception of evergreen trees which shall receive one inch (1") of shredded hardwood mulch over two inches (2") of southern pine bark.

All bed line and tree saucers shall require a hand spaded edge between sod and mulched areas.

Planting beds adjacent to building shall be mulched in their entirety to the building foundation. Plant materials shall not be installed under building overhangs and other such areas which do not receive natural rainfall.

Sod shall be nitrogen fixed.

Grass seed shall be applied mechanically so that the seed is incorporated into the top one-half inch (1/2") of the seed bed. The seed shall then be covered with the beneficial straw stalkwell or hydro-mulch.

All plant material shall be guaranteed for one (1) year from the date of acceptance.

1	12-6-19	INITIAL REVIEW COMMENTS
NO.	DATE	DESCRIPTION

PREPARED FOR:
Bullmastiff Construction Co.
11947 S. Harlem Ave., Suite 200
Palos Heights, IL 60463
Ms. Deb Howard

Project Information:
Doggy Day Care
NEC Bell Road & Ridge Road
Kendall County, IL

SCALE	1"=30'
DRAWN BY	EA
CHECKED BY	M.MCCLURE
DATE	12-9-19
DATE OF PRINT	

PROJECT NO.

SHEET NO.

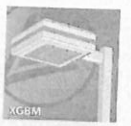
Powered by EnvisionEXPO

LUMINAIRE SCHEDULE

SYMBOL	QTY	LUMINAIRE DESIGNATION	LAMP	MOUNTING	ELEVATION	DESCRIPTION
	6	(1) 300W	28750	POLE	20'	LSI INDUSTRIES, INC. XGBM-3-LED-HO-CW
866-516-9497	8	(1) 43.27W	5503	WALL		LSI INDUSTRIES, INC. TLWP-LED-06L-50

GENERAL PHOTOMETRIC SCHEDULE

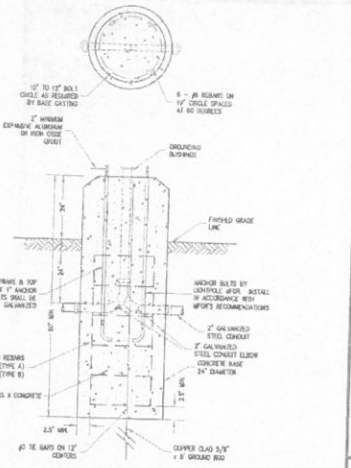
SUPPORT DESIGNMASTER	
MAXIMUM FOOT-CANDLES	18.6
MINIMUM FOOT-CANDLES	0.0
MINIMUM TO MAXIMUM FC RATIO	0.00
MAXIMUM TO MINIMUM FC RATIO	18.64 / 0.00
AVERAGE TO MINIMUM FC RATIO	0.98 / 0.00



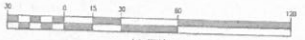
PROPOSED
ONE-STORY STRUCTURE
17,575 SF
F/F=598.00

RIDGE ROAD (CH. 11)

BELL ROAD



LIGHT STANDARD FOUNDATION PLAN
N.T.S.



COOK ENGINEERING GROUP
Civil Engineering & Land Development Consulting
26316 Mapleview Drive
Plainfield, IL 60585
815.577.1777 F 815.577.2585
www.cookengineering.com

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

PRELIMINARY
PHOTOMETRIC PLAN

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

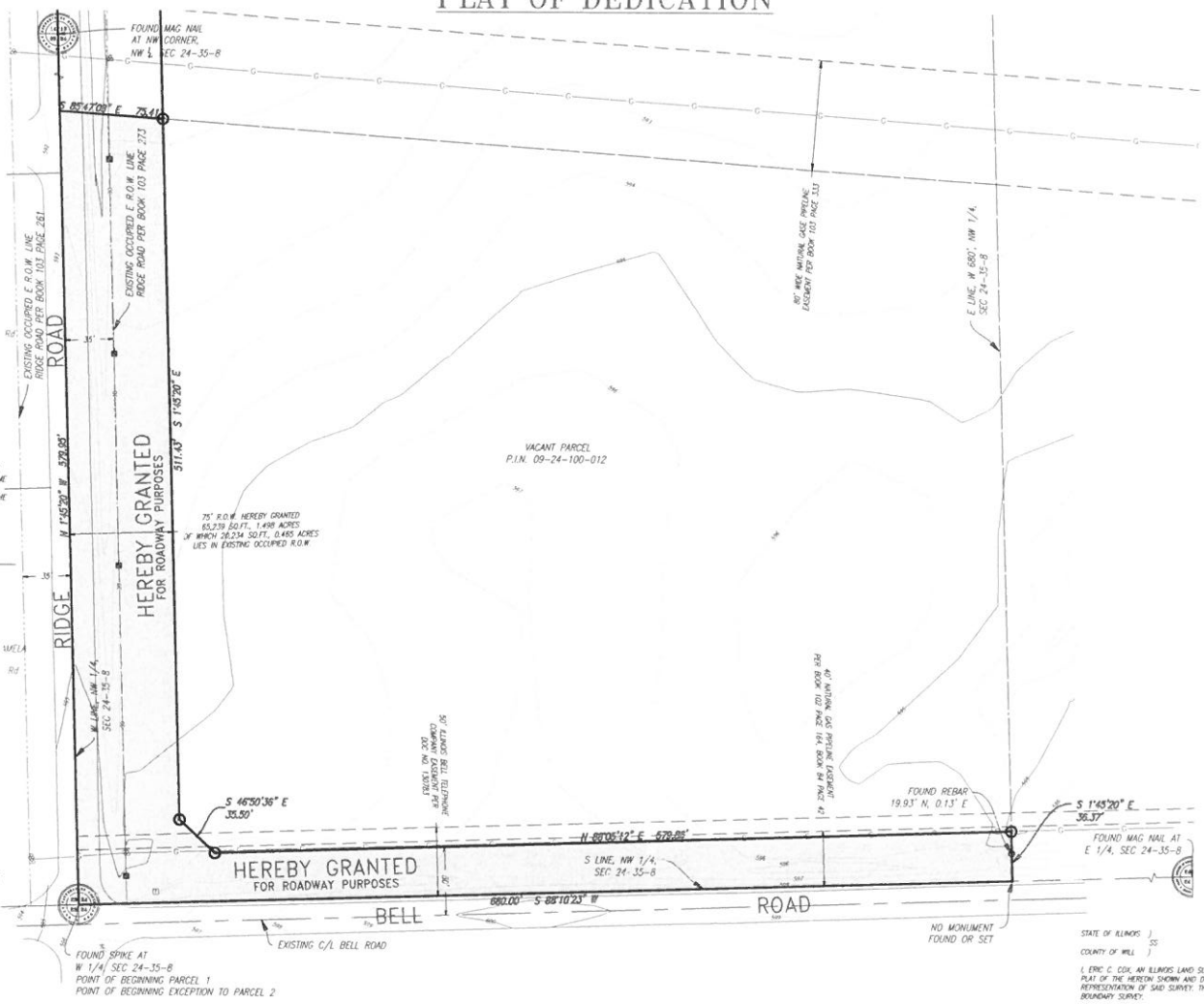
PREPARED FOR
BULLMASTIFF CONSTRUCTION
11947 S HARLEM AVE, STE 200
PALOS HEIGHTS, IL 60463
815.405.5993

MS. DEB HOWARD

CEC JOB NUMBER	2018-107
SCALE:	1" = 30'
DRAWN BY:	EKH
CHECKED BY:	MDC
DATE:	12/13/2019
SHEET:	1 of 1

© Copyright, 2019

PLAT OF DEDICATION



Scale: 1" = 40'

LEGEND
- POB = POINT OF BEGINNING
- XX.XX = MEASURED DIMENSION
- = REBAR SET
- = HEREBY DEDICATED FOR ROADWAY PURPOSES
- = GAS PIPELINE MARKER
- = TELEPHONE PEDESTAL
- = POWER POLE
- = EXISTING EDGE OF PAVEMENT
- = PARCEL LINE
- = EXISTING OCCUPIED RIGHT OF WAY LINE
- = EASEMENT LINE
- = SUBJECT PARCEL LINE
- = SUSPECTED GAS LINE
- = OVERHEAD ELECTRIC LINE
- = EXISTING CONTOUR

LOCATION MAP

NOTES:

1) THE SURVEYED PARCEL IS ZONED A-1.

2) THE DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMAL PARTS THEREOF.

3) NO DIMENSIONS SHOULD BE ASSUMED BY SCALE MEASUREMENTS UPON THE PLAT. NOTIFY SURVEYOR IMMEDIATELY WITH ANY DISCREPANCIES SHOWN HEREON.

4) THE PARCEL TO BE DEDICATED WAS NOT UNDER CONSTRUCTION AT THE TIME OF THIS SURVEY.

5) THE BASIS OF BEARINGS IS THE ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE NAD 83.

6) ALL MONUMENTS SET ARE 5/8" REBAR

7) THIS SURVEY WAS PREPARED FOR
BULLMASTIFF CONSTRUCTION CO.
11947 S. HARLEM AVE. SUITE 200
PALOS HEIGHTS, IL 60463

LEGAL DESCRIPTION

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 SENARO, 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, 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.

LEGAL DESCRIPTION – DEDICATION

THAT PART OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 35 NORTH, RANGE 8 EAST, OF THE THIRD PRINCIPAL MERIDIAN, 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 NATRIUAL GAS PIPELINE EASEMENT AS RECORDED IN BOOK 103 PAGE 333 IN KENDALL COUNTY RECORDS; THENCE SOUTH 85 DEGREES 47 MINUTES 08 SECONDS EAST, ON SAID SOUTH LINE, 75.41 FEET TO A POINT THAT IS 75.00 FEET NORMALY DISTANT EAST OF AND PARALLEL WITH THE WEST LINE OF SAID NORTHWEST QUARTER; THENCE SOUTH 01 DEGREES 45 MINUTES 20 SECONDS EAST, PARALLEL WITH SAID WEST LINE, 511.43 FEET; THENCE SOUTH 46 DEGREES 50 MINUTES 36 SECONDS EAST, 33.50 FEET; THENCE NORTH 88 DEGREES 08 MINUTES 12 SECONDS EAST, 579.88 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, 36.37 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, IN KENDALL COUNTY, ILLINOIS.

SAID PARCEL CONTAINING 1.498 ACRES MORE OR LESS OF WHICH 0.485 ACRE WAS PREVIOUSLY DEDICATED FOR ROADWAY PURPOSES.

OWNER'S CERTIFICATE

STATE OF ILLINOIS)
S.S.
COUNTY OF KENDALL)

THIS IS TO CERTIFY THAT _____ IS THE OWNER OF THE PROPERTY DESCRIBED IN THE ANNEXED PLAT, AND HAS CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED, AS INDICATED THEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.

DATED THIS _____ DAY OF _____ A.D., 2019.

_____ _____
BY: ATTEST:

NOTARY PUBLIC'S CERTIFICATE

STATE OF ILLINOIS)
S.S.
COUNTY OF KENDALL)

I, _____, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT _____ IS PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE SIGNED AND DELIVERED THE SAID INSTRUMENT AS HIS OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____ A.D., 2019.

_____
BY: NOTARY PUBLIC

COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
S.S.
COUNTY OF KENDALL)

_____ COUNTY CLERK OF LAKE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, UNPAID CURRENT GENERAL TAXES, DELINQUENT SPECIAL ASSESSMENTS OR UNPAID CURRENT SPECIAL ASSESSMENTS AGAINST ANY OF THE LAND INCLUDED IN THE DESCRIBED PROPERTY. I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE PLAT.
GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK OF KENDALL, ILLINOIS, DATED THIS _____ DAY OF _____ A.D. 2019.

_____
KENDALL COUNTY CLERK

COUNTY ENGINEER'S CERTIFICATE

STATE OF ILLINOIS)
S.S.
COUNTY OF KENDALL)

THIS DEDICATION HEREBY ACCEPTED FOR PUBLIC ROAD PURPOSE THIS ____ DAY OF _____, 2019.

_____
COUNTY ENGINEER

STATE OF ILLINOIS)
SS
COUNTY OF WILL)

I, ERIC C. COX, AN ILLINOIS LAND SURVEYOR DO HEREBY ATTEST THAT I HAVE SUPERVISED THE SURVEY OF AND HAVE ASSEMBLED THE PLAT OF THE HEREON SHOWN AND DESCRIBED PARCEL AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, SAID PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

FIELD WORK COMPLETED ON APRIL 24, 2018.

GIVEN UNDER MY HAND AND SEAL THIS ____ DAY OF _____, 2019

_____
ERIC C. COX
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-3604
RENEWAL DATE: NOVEMBER 30, 2020
DLZ INDUSTRIAL SURVEYING, INC. PROFESSIONAL DESIGN FIRM 184002815
RENEWAL DATE: APRIL 30, 2019

DLZ INDUSTRIAL SURVEYING, INC.
80 McDONALD AVENUE, UNIT D, JOLIET, IL 60431
TELEPHONE (815) 725-8840 FAX (815) 725-8849

DRAFT

MINOOKA ILLINOIS
BULLMASTIFF CONSTRUCTION CO.
DOGGY DAY CARE
NEC BELL ROAD & RIDGE ROAD
PLAT OF DEDICATION

DRAWN: CSH	CHK'D: ECC
DESIGNED: -	APPROV'D: ECC
DATE: 2/18/19	
SCALE: 1" = 40'	
PROJECT NUMBER: 1850-7044	

NO.	REVISION	BY	DATE

SHEET 1
OF 1
DRAWING NUMBER 7044DED

Attachment 6, Page 11

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

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

COUNTY CLERK
OFFICIAL
SEAL
KENDALL COUNTY, ILLINOIS

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."

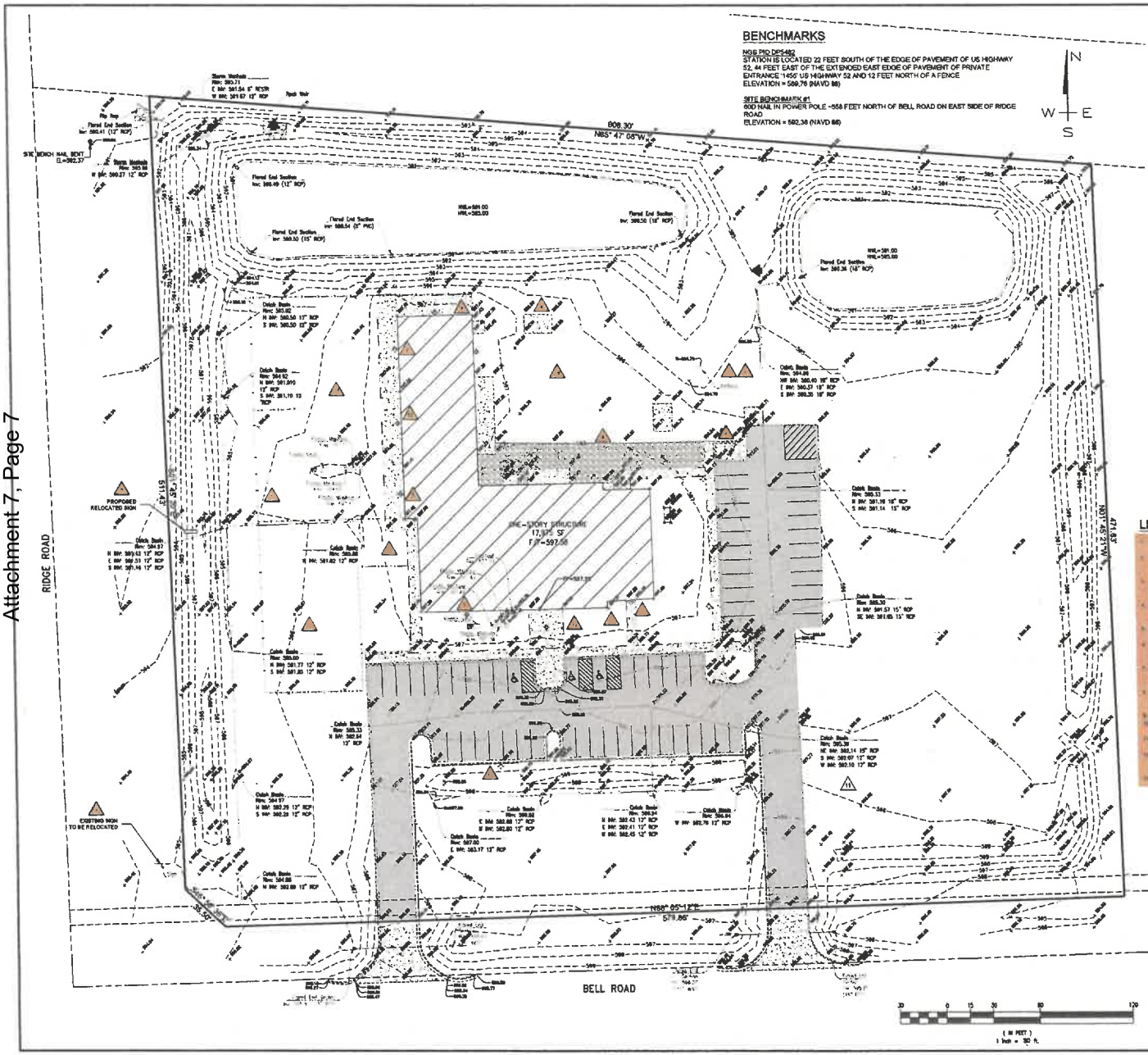
4. The remaining conditions and restrictions contained in Ordinance 2020-01 shall remain valid and effective.

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.

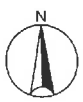
6. If one or more of the above conditions or restrictions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

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.

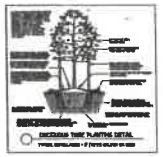
Exhibit C


RIDGE ROAD
BELL ROAD
S88° 47' 08"W
808.30'
N88° 05' 12"E
579.86'
N01° 48' 43"W
1,147.45'
ONE-STORY STRUCTURE
17,975 SF
F.F.=597.50
PROPOSED RELOCATED SIGN
EXISTING SIGN TO BE RELOCATED
SITE BENCH MARK #1
EL=382.37
Storm Manhole Rim: 393.71
E INV: 381.54 8" RCSR
W INV: 381.67 12" RCP
Flared End Section Inv: 386.41 (12" RCP)
Rip Rap
Flared End Section Inv: 389.49 (12" RCP)
Flared End Section Inv: 388.54 (8" RCP)
Flared End Section Inv: 388.50 (15" RCP)
Flared End Section Inv: 388.50 (18" RCP)
Flared End Section Inv: 388.38 (18" RCP)
Storm Manhole Rim: 393.58
W INV: 380.27 12" RCP
HWL=389.00
HWL=385.00
HWL=391.00
HWL=385.00
Catch Basin Rim: 393.00
N INV: 380.50 12" RCP
S INV: 380.50 12" RCP
Catch Basin Rim: 394.92
N INV: 381.910 12" RCP
S INV: 381.10 12" RCP
Catch Basin Rim: 394.88
NW INV: 380.40 18" RCP
E INV: 380.57 18" RCP
SW INV: 380.35 18" RCP
Catch Basin Rim: 390.53
S INV: 381.14 15" RCP
Catch Basin Rim: 395.39
NE INV: 380.14 15" RCP
S INV: 380.07 12" RCP
W INV: 380.10 12" RCP
Catch Basin Rim: 394.97
N INV: 380.29 12" RCP
S INV: 380.29 12" RCP
Catch Basin Rim: 395.00
N INV: 381.43 12" RCP
S INV: 381.31 12" RCP
W INV: 381.14 12" RCP
Catch Basin Rim: 393.00
N INV: 381.72 12" RCP
S INV: 381.80 12" RCP
Catch Basin Rim: 393.00
N INV: 381.82 12" RCP
Catch Basin Rim: 395.00
N INV: 382.64 12" RCP
Catch Basin Rim: 394.94
E INV: 382.43 12" RCP
E INV: 382.41 12" RCP
W INV: 382.43 12" RCP
Catch Basin Rim: 394.94
W INV: 382.76 12" RCP
Catch Basin Rim: 394.94
E INV: 382.60 12" RCP
W INV: 382.60 12" RCP
Catch Basin Rim: 397.00
E INV: 383.17 12" RCP
Catch Basin Rim: 394.94
N INV: 382.89 12" RCP
Catch Basin Rim: 394.94
S INV: 382.89 12" RCP
Catch Basin Rim: 394.94
N INV: 382.89 12" RCP
Catch Basin Rim: 394.94
W

SITE LOCATION



CONIFEROUS TREE PLANTING DETAIL



DECIDUOUS TREE PLANTING DETAIL

SHRUB PLANTING DETAIL

Qty	Botanical Name	Common Name	Size/Condition	Remarks
Deciduous Trees				
11	Acer rubrum 'Armstrong'	ARMSTRONG RED MAPLE	2"	B&B-FULL
5	Betula nigra	RIVER BIRCH	6'	B&B-FULL
9	Gymnocladus dioicus	KENTUCKY COFFEETREE	6'	B&B-FULL
2	Salix x 'Prairie Sunset'	PRAIRIE SUNSET WILLOW	6'	B&B-FULL
3	Syringa x hyacinthiflora 'Maiden's Blush'	MAIDEN'S BLUSH LILAC	6'	B&B-FULL
Trees				
4	Acer rubrum 'Franksred'	AUTUMN BLAZE MAPLE	2"	B&B-FULL
5	Amelanchier x grandiflora 'Autumn Brilliance'	AUTUMN BRILLIANCE SERVICEBERRY	2"	B&B-FULL
5	Cercis canadensis	EASTERN REDBUD	2"	B&B-FULL
7	Cornus kousa 'Satomi'	SATOMI KOUSA DOGWOOD	2"	B&B-FULL
7	Gleditsia triacanthos f. inermis 'Shademaster'	SHADEMASTER HONEYLOCUST	2"	B&B-FULL
7	Ostrya virginiana	AMERICAN HOPHORNBEAM	2"	B&B-FULL
7	Quercus bicolor	SWAMP WHITE OAK	2"	B&B-FULL
7	Quercus rubra	RED OAK	2"	B&B-FULL
7	Quercus x bimundorum 'Crimschmidt'	CRIMSON SPIRE OAK	2"	B&B-FULL
Evergreen Trees				
9	Picea abies	NORWAY SPRUCE	6'	B&B-FULL
19	Picea glauca 'Densata'	BLACK HILLS SPRUCE	6'	B&B-FULL
14	Pinus strobus	EASTERN WHITE PINE	6'	B&B-FULL
Shrubs				
79	Cornus alba 'Bailhalo' PP#17,977	IVORY HALO® IVORY TWIG DOGWOOD	#5/36"	5' OC
7	Cornus sericea 'Kelseyi' PP#16,978	HYPNOTIC® KELSEY DWARF DOGWOOD	#5/36"	5' OC
37	Syringa patula 'Miss Kim'	MISS KIM LILAC	#5/36"	4' OC
7	Taxus x media 'Densiformis'	DENSE ANGLEWING YEW	#5/36"	5' OC
9	Taxus x media 'Hicksii'	HICKS ANGLEWING YEW	#5/36"	5' OC
40	Taxus x media 'Tauntonii' PP#16,979	TAUNTON® DENSE ANGLEWING YEW	#5/36"	5' OC
4	Taxus baccata 'Repandens'	ENGLISH YEW	#5/36"	5' OC

SEED LIMITS

SEED & BLANKET

HYDROSEED

RIDGE ROAD

BELL ROAD

FIELD OF DREAMS COAT OF ARMOUR MIXTURE

LOT # L180-18-427 DATE TESTED 2-18 SELL BY 8-19

SEED MIX	PURITY	GERM	ORIGIN
PALMER III PR PERENNIAL RYEGRASS	97.79%	90.00%	OREGON
DOUBLE TAP 3-WAY PERENNIAL RYEGRASS	97.16%	89.00%	OREGON
"ROCK IT" KENTUCKY BLUEGRASS	97.68%	85.00%	OREGON
OTHER CROP SEEDS CONTAINING DO 'N' GROW COATING	0.47%		
INERT MATTER	1.99%		
WEED SEEDS	0.05%		
	0.00%		

NONWOUR WEED SEEDS: NONE FOUND NET WT: 50 LBS AS/PLS 752

National Seed
4720 Yender Ave
Lisle, IL 60532

SECTION OF HIGH CROSS SECTION

4-9' TALL PERIMETER LANDSCAPE BERM

PROPERTY LINE

ANTICIPATIONS.

Plant material shall be nursery grown and be either balled and burlapped or container grown. Trees and spreads on plant list represent minimum requirements.

See 4 grading standards of plant materials shall conform to the latest edition of ANSI Z60.1 AMERICAN STANDARD OF NURSERY STOCK, by the American Nursery & Landscape Association.

Any materials with damaged or unsatisfactorily pruned leaders, bark abrasion, sunscald, insect damage, etc., are not acceptable and will be rejected. Trees with multiple leaders will be rejected unless noted "M" in the plant list as multi-stem or clump (cl.).

Grading shall provide slopes which are smooth and continuous. Positive drainage shall be provided in all areas.

Seeding bids are applied as a comparative. However the contractor should verify all quantities. The drawings shall take precedence over the bids.

All plant species specified are subject to availability. Material shortages in the landscape industry may require substitutions. All substitutions must be approved by the Landscape Architect and/or Owner.

Contractor shall verify location of all underground utilities prior to digging. For location contact the City of Chicago call "JULIE" Land Utility Location for Excavators) 1-800-892-0123.

Contractor shall report any discrepancies in the field to the Landscape Architect and/or Owner.

Plant symbols illustrated on this plan are a graphic representation of proposed plant material types and are intended to provide for visual clarity. However, the symbols are not necessarily representative actual plant spread at the time of installation.

All perennial, ornamental grass, groundcover and annual beds shall be backdressed with a minimum of three inches (3") of mushroom compost. The backdressing shall be worked into the soil to a minimum depth of nine inches (9") by the use of a cultivating mechanism. Upon completion perennial, ornamental grasses shall be mulched with an additional two inch (2") layer of shredded wood mulch. Annuals & groundcovers shall be covered with an additional two inch (2") layer of mushroom compost.

All other planting beds and tree saucers shall be mulched with a minimum of three inches (3") of shredded wood mulch, with the exception of evergreen trees which shall receive one inch (1") of shredded hardwood bark over two inches (2") of southern pine bark.

All tree trees and tree saucers shall require a hand spaded edge between lawn and mulched areas.

Planting beds adjacent to building shall be installed in bar entirely to the building foundation. Plant materials shall not be installed under building overhangs and other such areas which do not receive natural rainfall.

Sod shall be nonviral type only.

Straw seed shall be applied mechanically so that the seed is hydroseeded into the top one-half inch (1/2") of the seed bed. The seed shall then be covered with the specified straw blanket or hydro-mulch.

All plant material shall be guaranteed for one (1) year from the date of acceptance.

No.	Date	Description
1	12-18-19	INITIAL REVIEW COMMENTS
2	3-9-20	REVISED SITE GRADING
3	6-22-22	REVISED SITE LANDSCAPING
4	12-8-22	REVISED SITE LANDSCAPING PER CLIENT

PREPARED FOR:
Bullmastiff Construction Co.
1947 S. Harlem Ave., Suite 200
Palos Heights, IL 60463
Ms. Deb Howard

Barry Landscaping

Project Information:
Doggy Day Care
NEC Bell Road & Ridge Road
Kendall County, IL

SCALE	1"=30'
DRAWN BY	EA
CHECKED BY	MJMCGUIRE
DATE	9-9-22
DATE OF PRINT	

PROJECT NO.

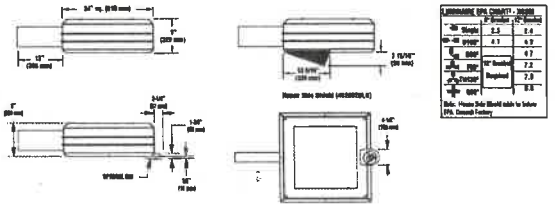
SHEET NO.

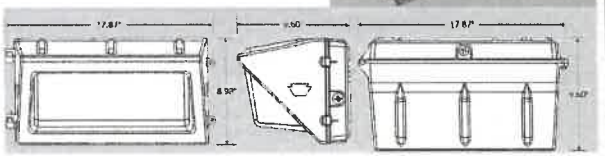
LUMINAIRE SCHEDULE

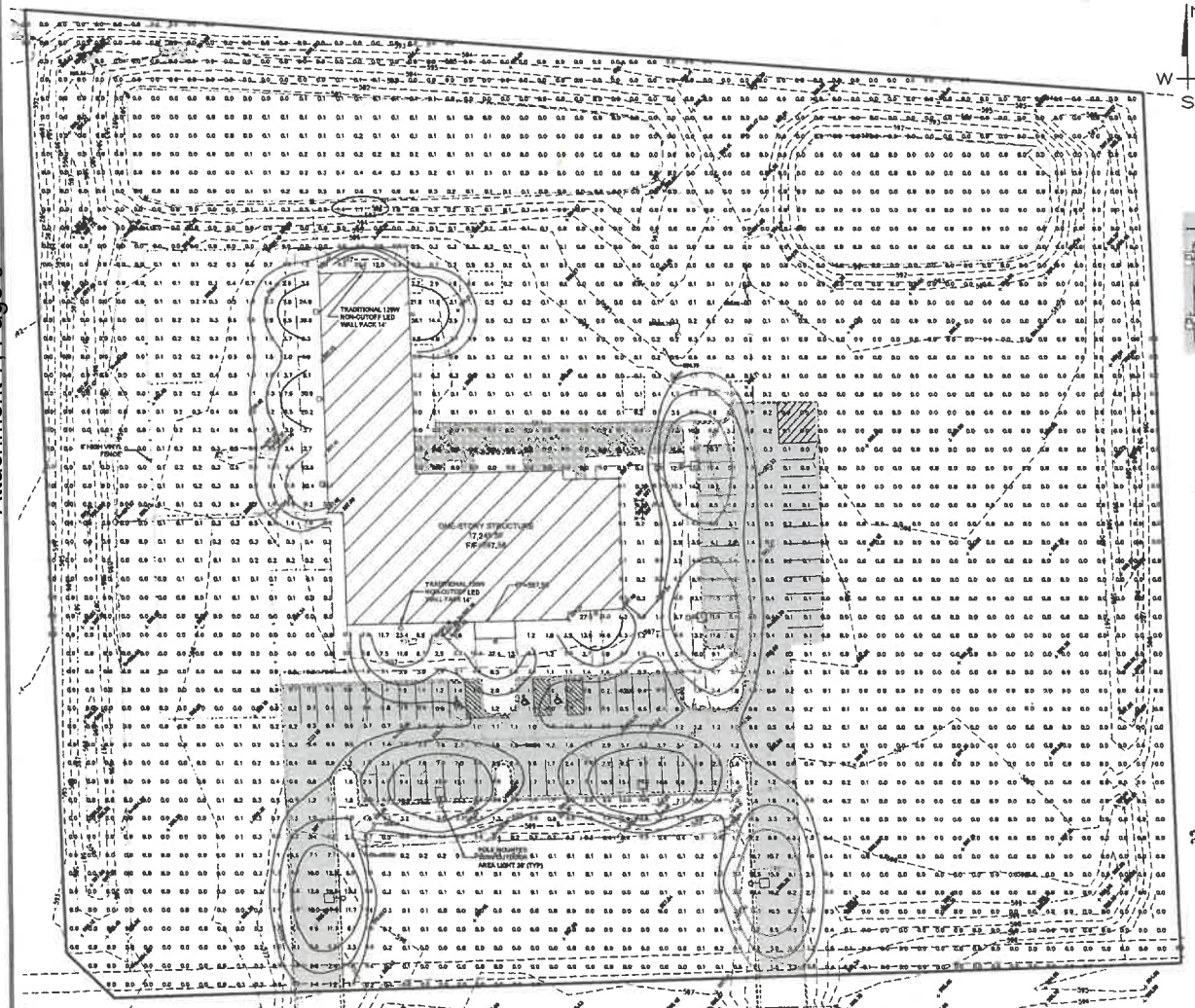
CALLOUT	SYMBOL	QUANTITY	DEFAULT ELEVATION	LUMENS / LAMP	MOUNTING	DESCRIPTION	MODEL #
P		5	20'	30000	POLE	Pole Mounted 300W Outdoor Area Light	LSI INDUSTRIES, INC. XOSM-3-LED-NO-CW
W10		3	10'	16000	WALL	Traditional 120W Non-Cutoff LED Wall Pack	Keystone Technologies LLC. KT-WPLED120-L1-850-VDM
W12		3	12'	16000	WALL	Traditional 120W Non-Cutoff LED Wall Pack	Keystone Technologies LLC. KT-WPLED120-L1-850-VDM
W14		2	14'	16000	WALL	Traditional 120W Non-Cutoff LED Wall Pack	Keystone Technologies LLC. KT-WPLED120-L1-850-VDM

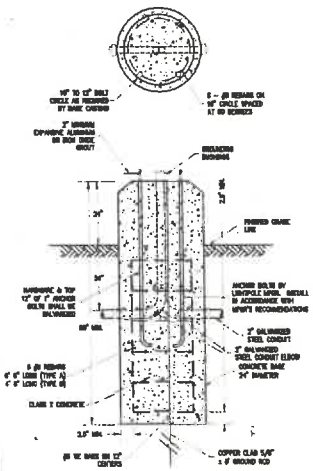
GENERAL PHOTOMETRIC SCHEDULE

MAXIMUM FOOT-CANDLES	38.1
AVERAGE FOOT-CANDLES	0.57
MINIMUM FOOT-CANDLES	0.0
MAXIMUM TO MINIMUM FC RATIO	38.10 / 0.00
AVERAGE TO MINIMUM FC RATIO	0.57 / 0.00









LIGHT STANDARD FOUNDATION PLAN

N.T.S.

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

COOK ENGINEERING GROUP

Civil Engineering & Land Development Consulting
26316 Matterhorn Drive
Plainfield, IL 60585
815.577.7707 F 815.577.2606 F
www.cookengroup.com

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

AS-BUILT PHOTOMETRIC PLAN

RUSTY RIDGE ANIMAL CENTER
949 BELL ROAD
MINOOKA, IL 60447

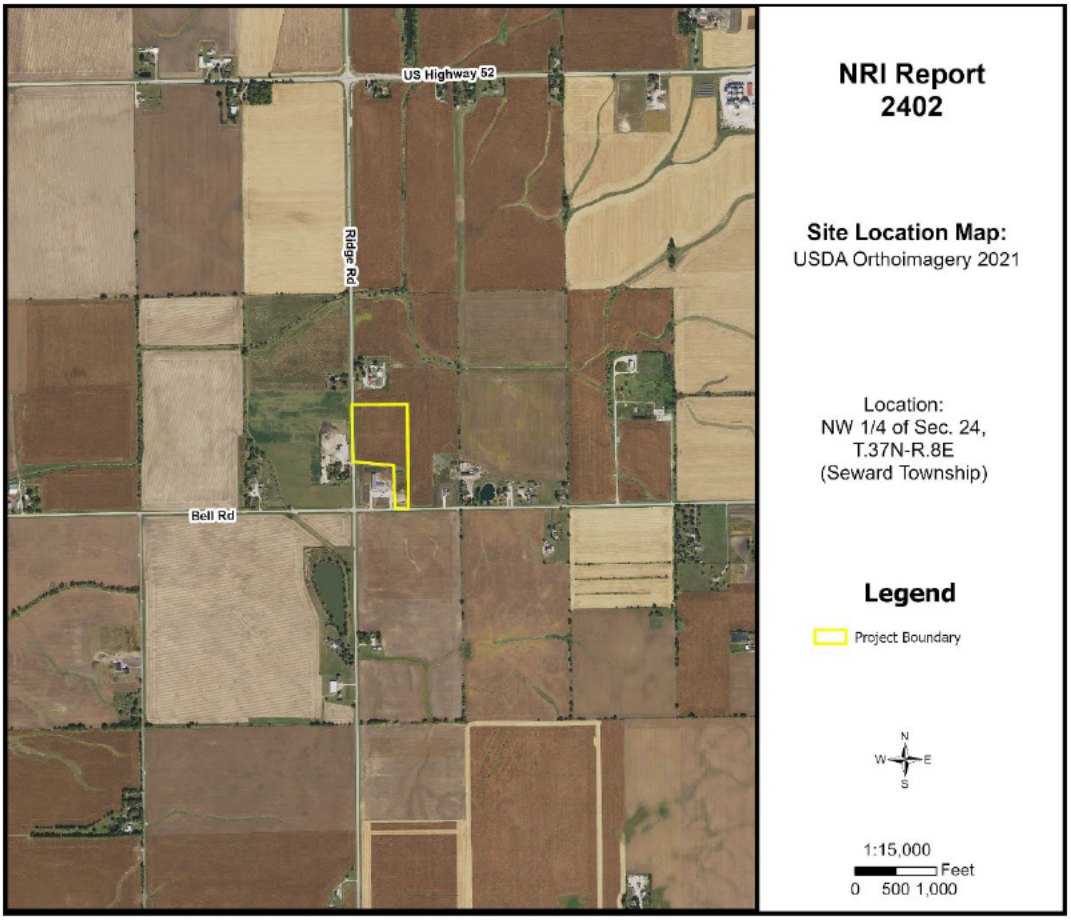
PREPARED FOR
BULLMASTIFF CONSTRUCTION
11947 S HARLEM AVE, STE 200
PALOS HEIGHTS, IL 60463
815.405.5863

MS. DEB HOWARD

CEG JOB NUMBER	2018-107
SCALE:	1" = 30'
DRAWN BY:	GRC
CHECKED BY:	MDC
DATE:	12/20/2022
SHEET:	1 of 1

© Copyright, 2022

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 3rd 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.

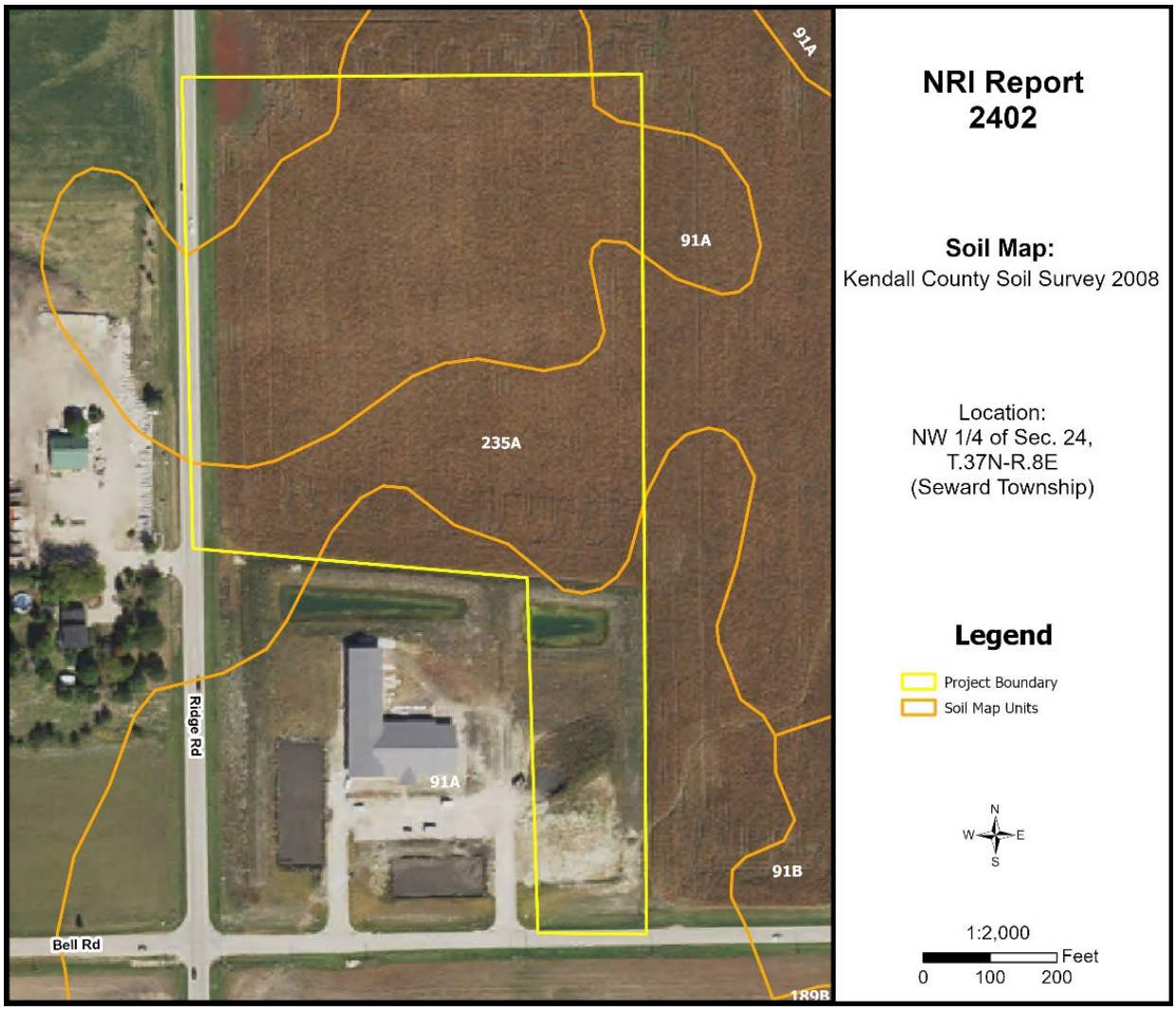


Figure 1: Soil Map

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

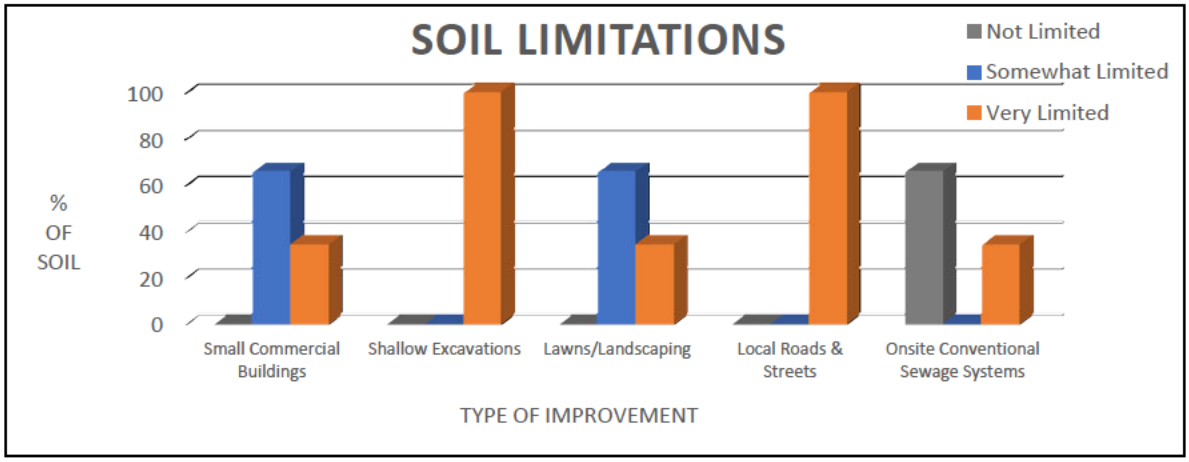


Figure 2: Soil Limitations

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. Complied Statues, Ch. 70, Par 405/22.02a).

[redacted]

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.

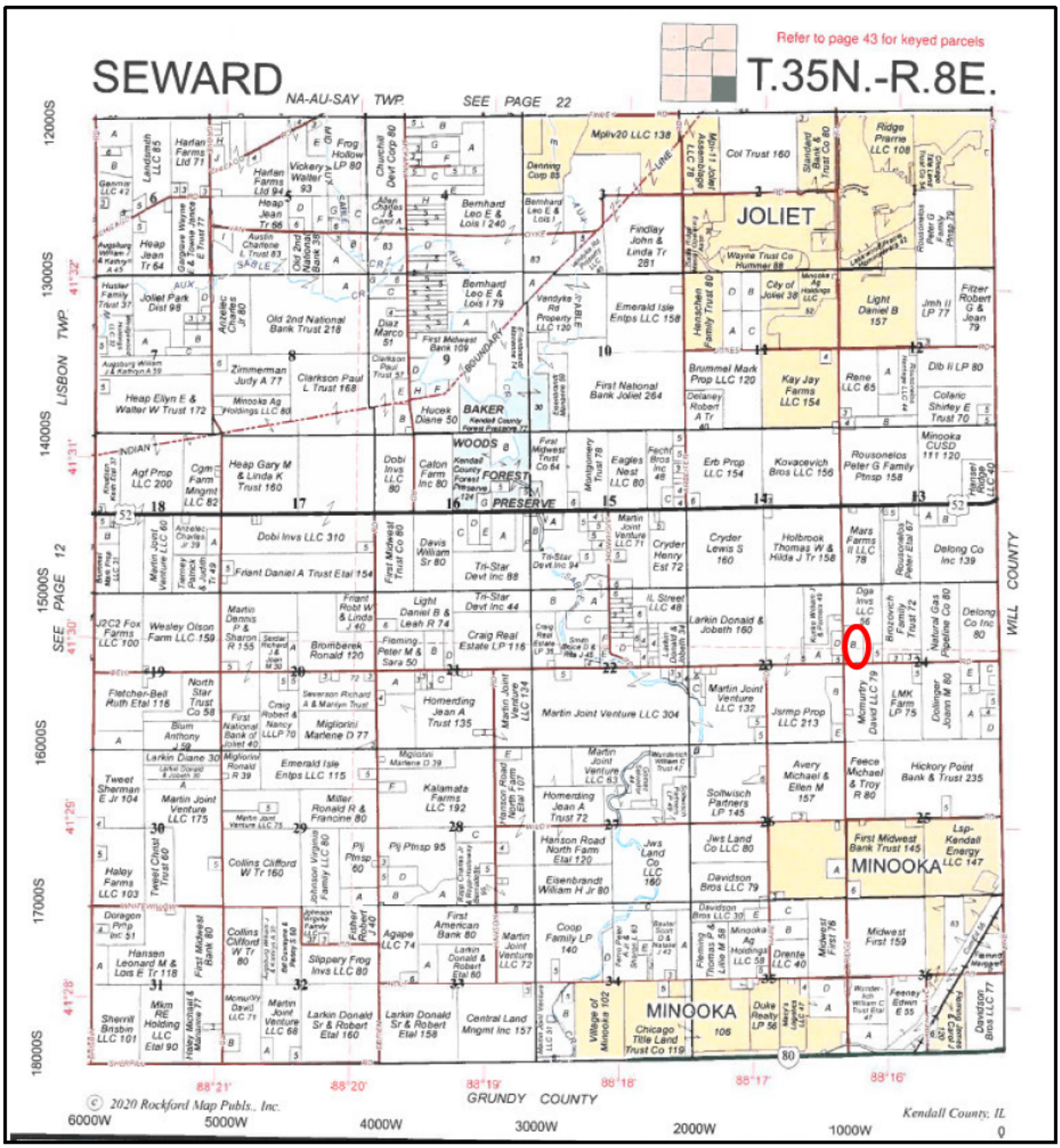


Figure 3: 2021 Plat Map

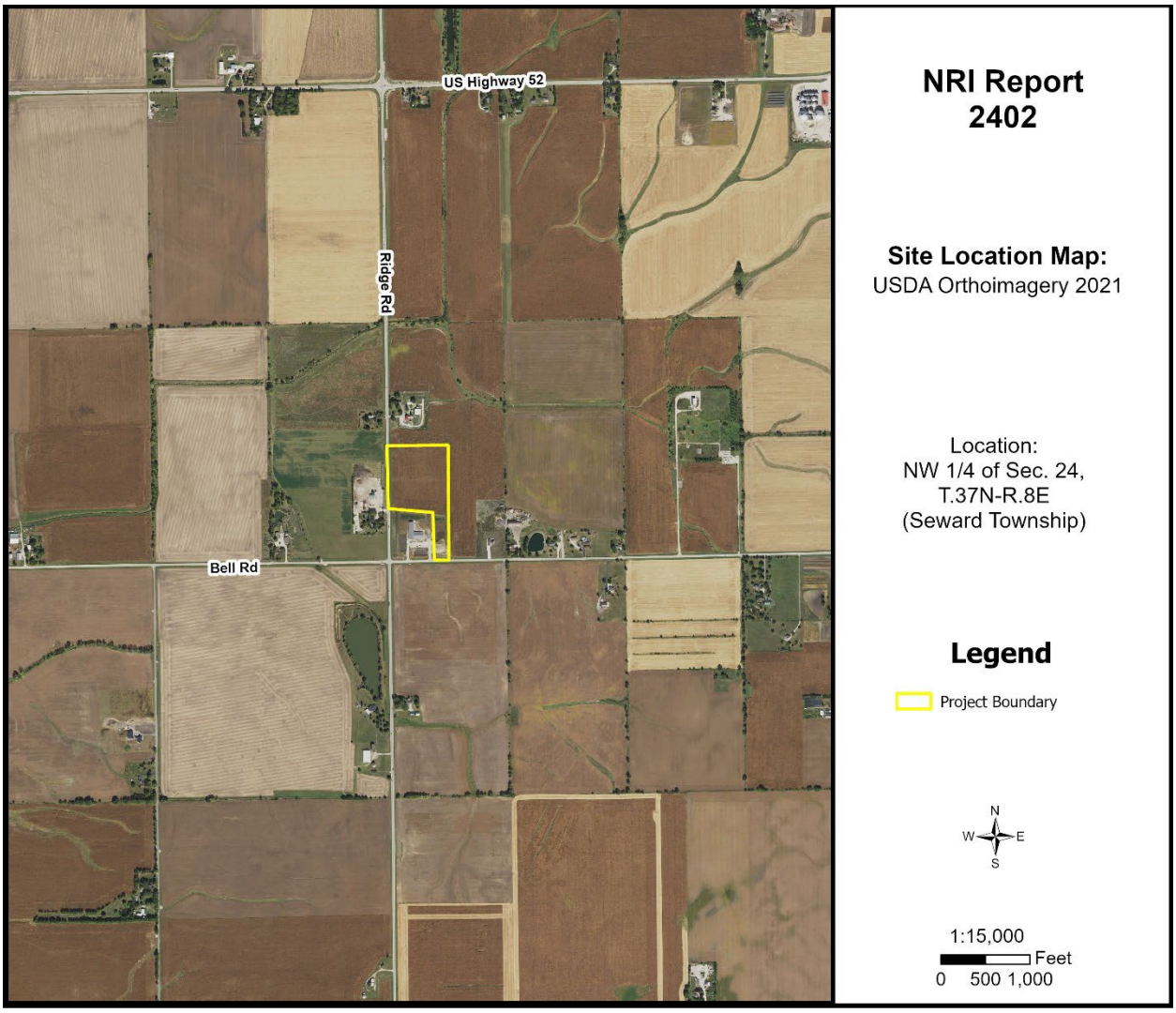


Figure 4: 2021 Aerial Map with NRI Project Boundary

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).

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

SOILS INFORMATION

IMPORTANCE OF SOILS INFORMATION

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

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

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

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

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

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

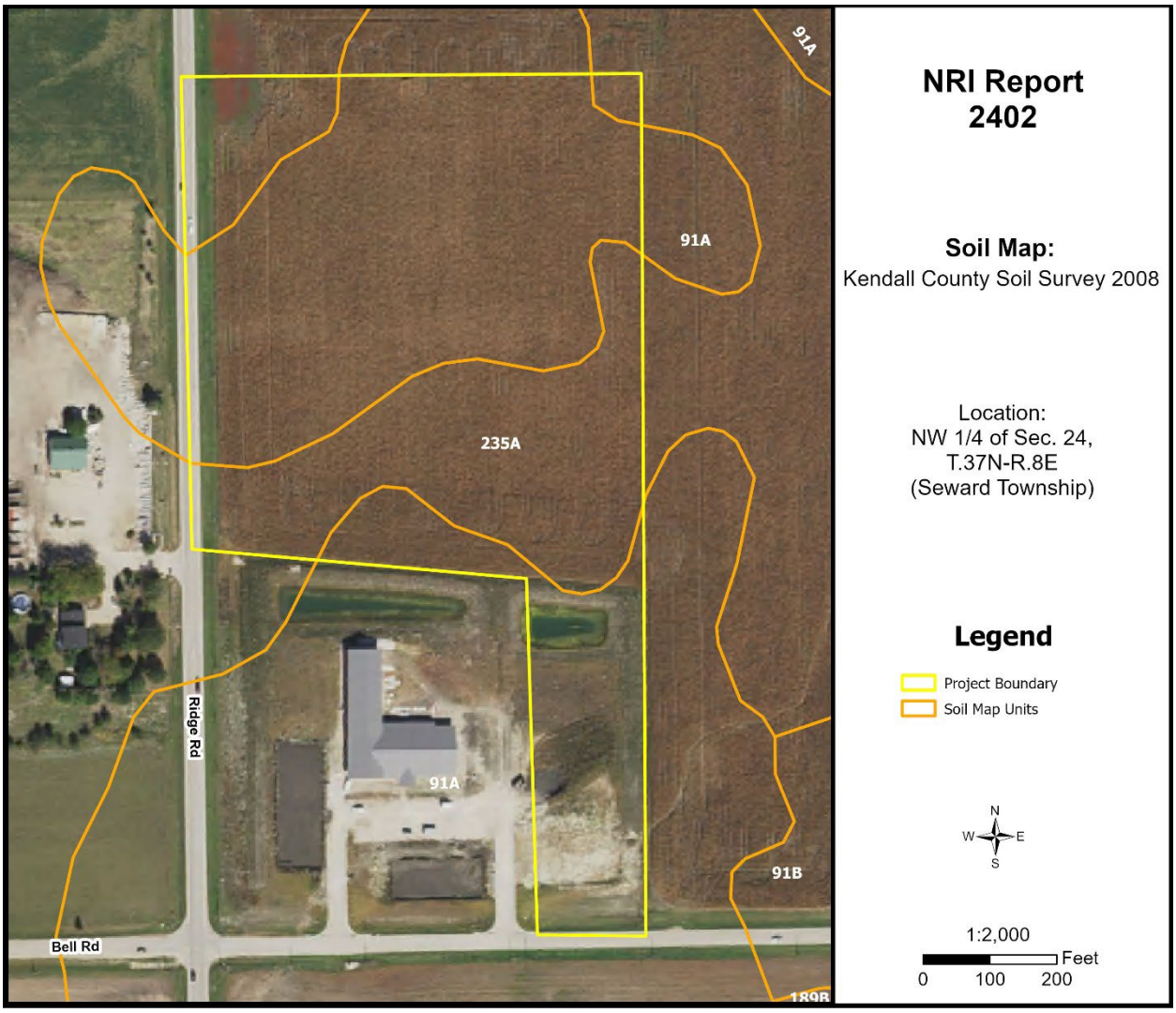


Figure 5: Soil Map

Table 3: Soil Map Unit Descriptions

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.

LIMIATIONS RATINGS

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

BUILDING LIMITATIONS

BUILDING ON POORLY SUITED OR UNSUITABLE SOILS

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

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

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

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

Local Roads and Streets – They have an all-weather surface and carry automobile and light truck traffic all year. They have a subgrade of cut or fill soil material, a base of gravel, crushed rock or soil material stabilized by lime or cement; and a surface of flexible material (asphalt), rigid material (concrete) or gravel with a binder. The ratings are based on the soil properties that affect the east of excavation and grading and the traffic-supporting capacity.

Onsite 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

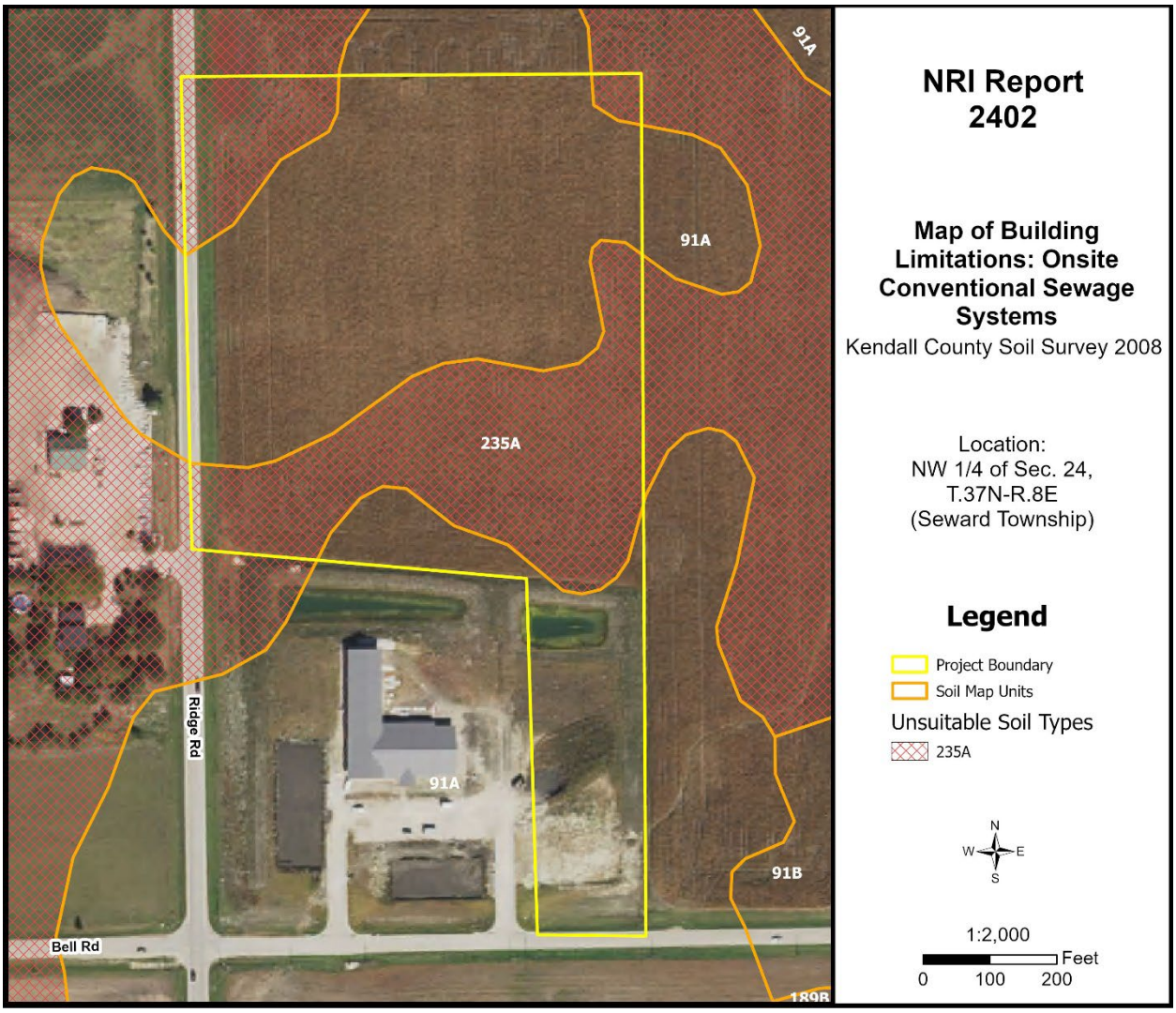


Figure 6C: Map of Building Limitations – Onsite Conventional Sewage Systems

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%**		

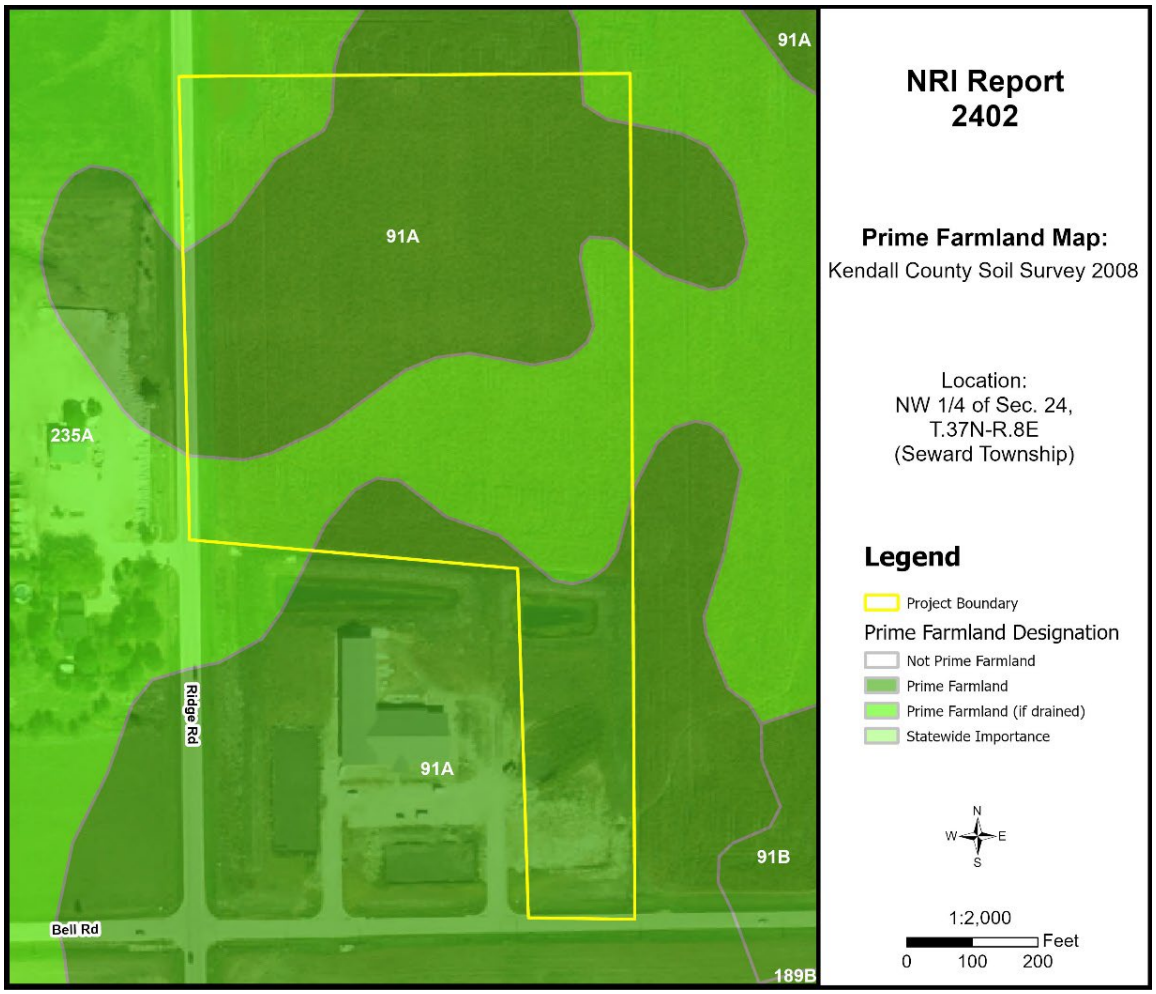


Figure 7: Map of Prime Farmland Soils

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 "○" 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.

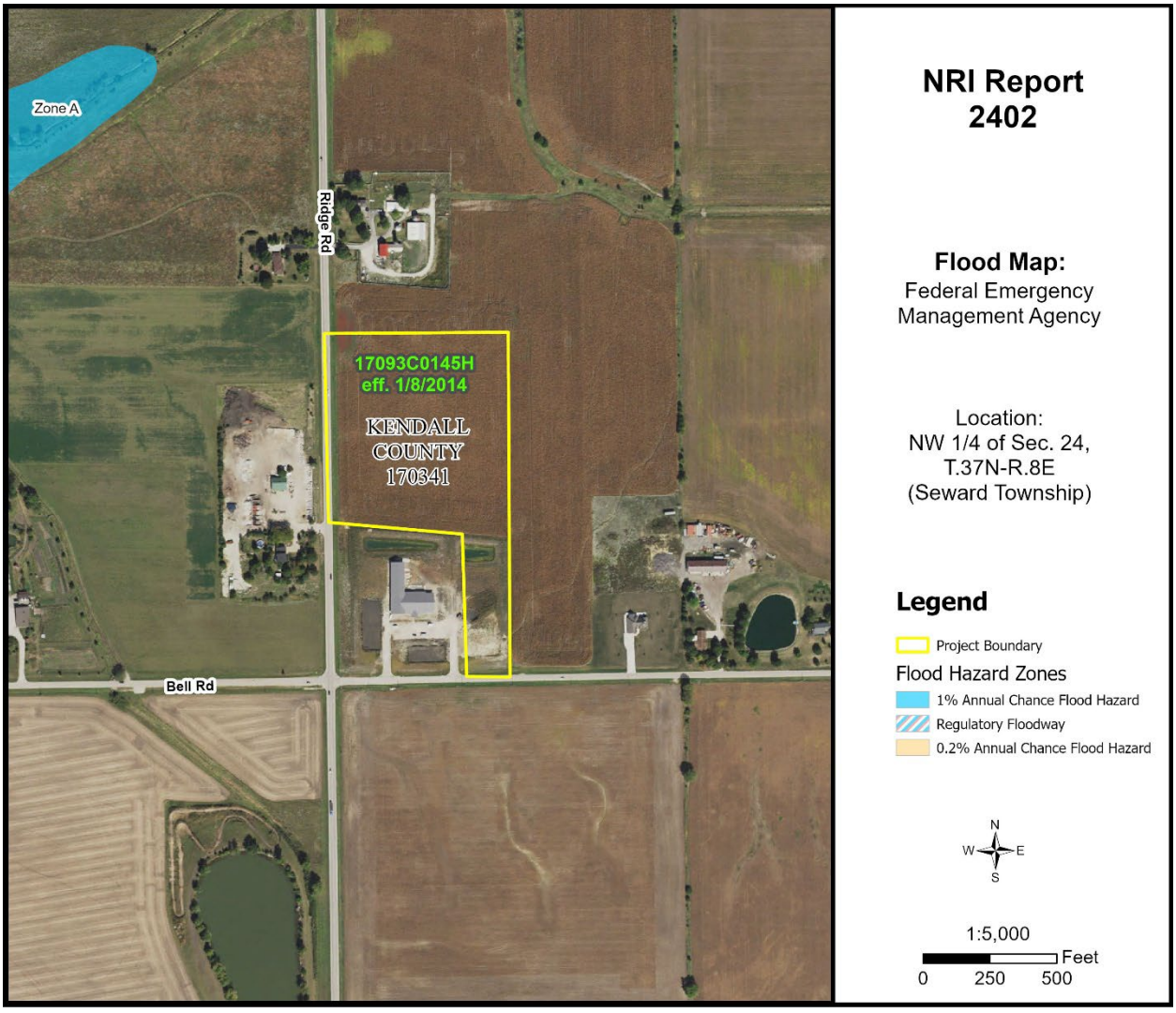


Figure 8: Flood Map

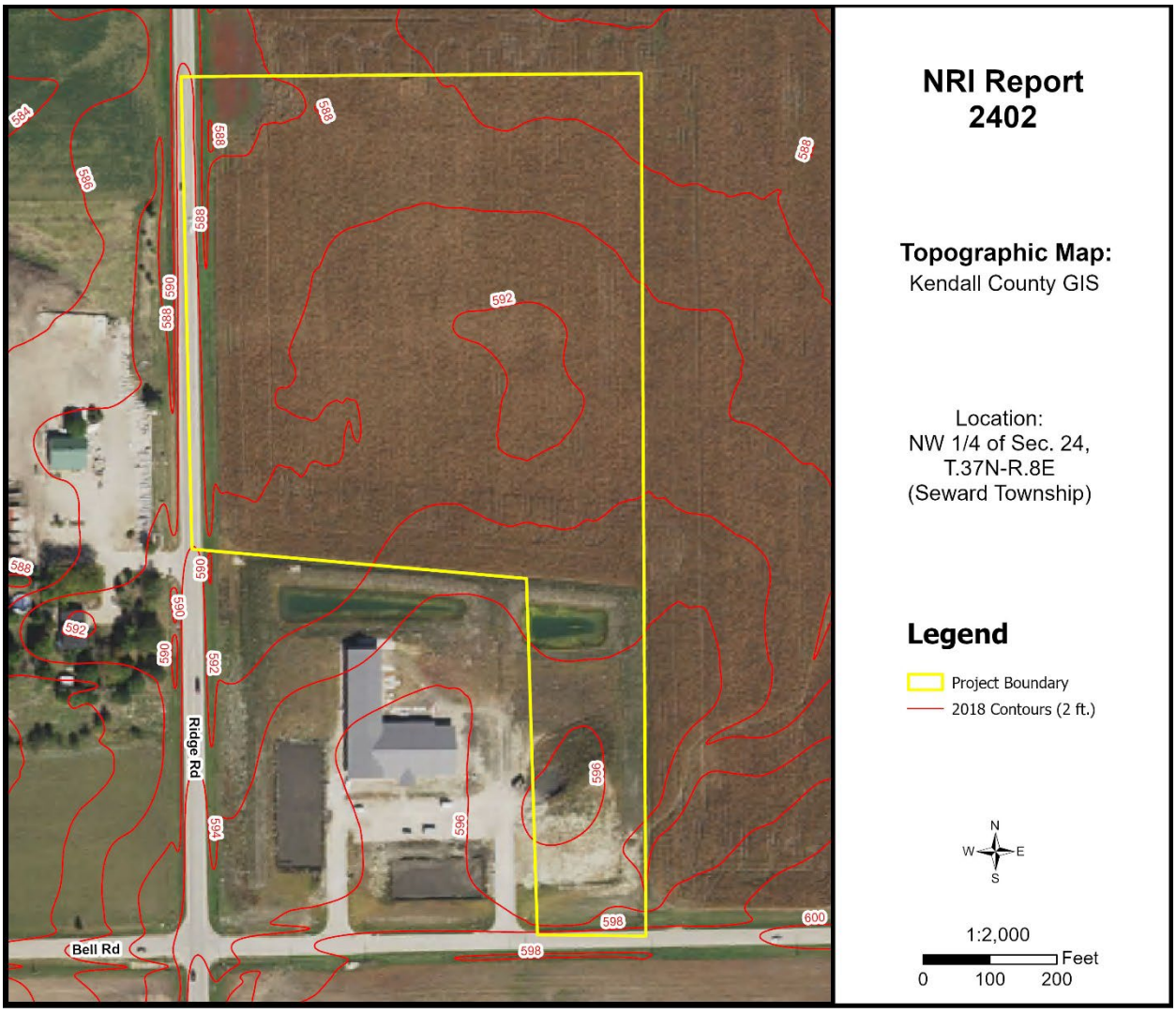


Figure 9: Topographic Map

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.”*

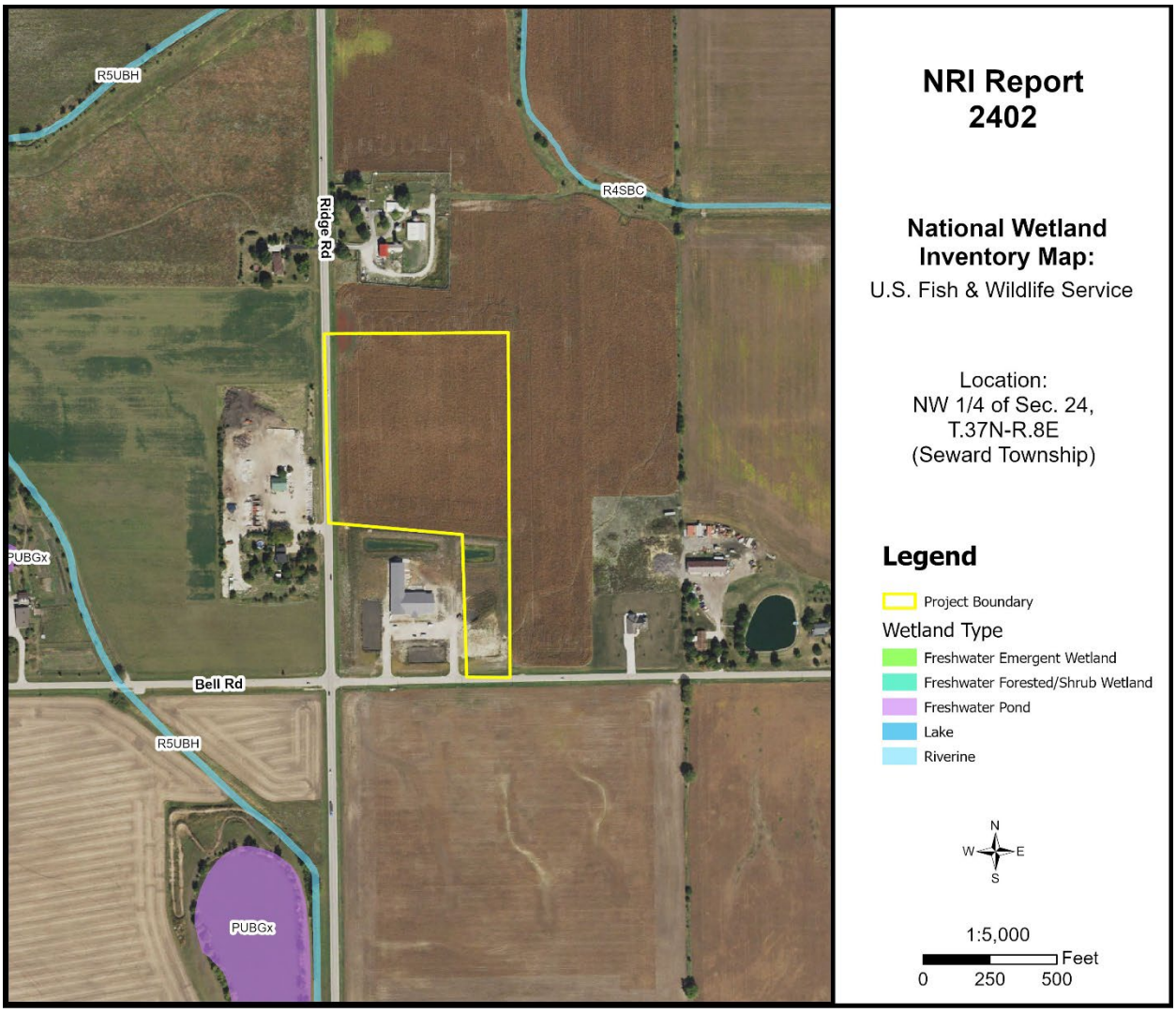


Figure 10: Wetland Map

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%

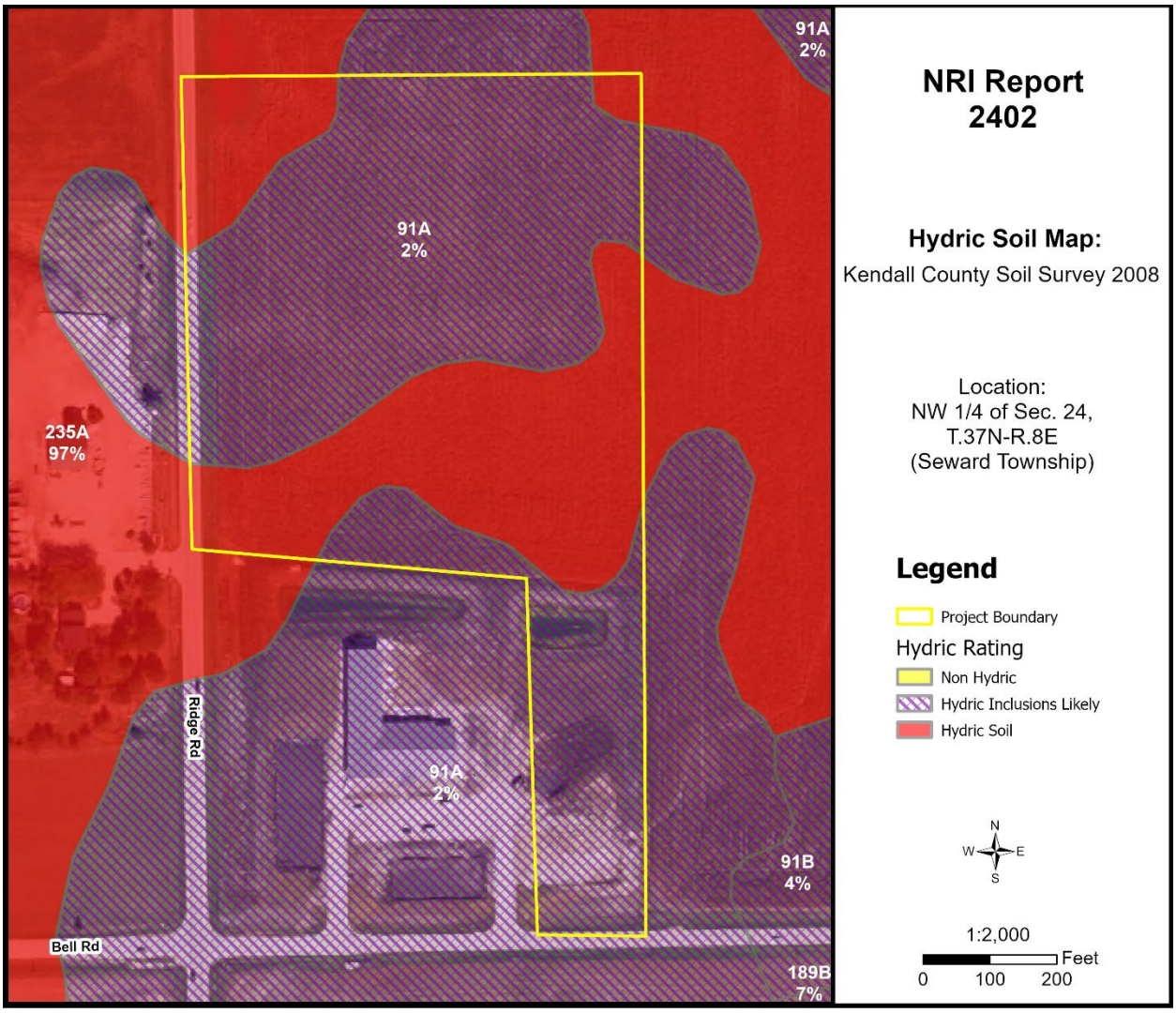


Figure 11: Hydric Soil Map

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 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.

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.

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.

WBK ENGINEERING

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 cosntructed 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,

[redacted]

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

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)
Dan Kunz	File 23-35, [redacted]	
[signature]		
[signature]		
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

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 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. 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.

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
§13:07.F of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to recommend in favor of the applicant on map amendment applications. They are listed below in *italics.* Staff has provided findings in **bold** below based on the recommendation:

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

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)

DocuSign Envelope ID: 17A049AB-5625-433A-874A-BB1237D05DC7

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	SITE ADDRESS OR LOCATION	ASSESSOR'S ID NUMBER (PIN)
13.62	NEC RIDGE RD. AND BELL RD.	09-24-100-012-0000

EXISTING LAND USE	CURRENT ZONING	LAND CLASSIFICATION ON LRMP
AGRICULTURAL	A1	COMMERCIAL

REQUESTED ACTION (Check All That Apply):

___ SPECIAL USE
X MAP AMENDMENT (Rezone to B3)
___ VARIANCE
___ADMINISTRATIVE VARIANCE
___ A-1 CONDITIONAL USE for:_____
___ SITE PLAN REVIEW
___ TEXT AMENDMENT
___ RPD (___Concept; ___ Preliminary; ___ Final)
___ ADMINISTRATIVE APPEAL
___ PRELIMINARY PLAT
___ FINAL PLAT
___ OTHER PLAT (Vacation, Dedication, etc.)
___ AMENDMENT TO A SPECIAL USE (____Major; ____Minor)

[1]PRIMARY CONTACT	PRIMARY CONTACT MAILING ADDRESS	PRIMARY CONTACT EMAIL
DEB CHOW	[redacted]	[redacted]

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

[2]ENGINEER CONTACT	ENGINEER MAILING ADDRESS	ENGINEER EMAIL
MICHAEL COOK	[redacted]	[redacted]

ENGINEER PHONE #	ENGINEER FAX #	ENGINEER OTHER # (Cell, etc.)
[redacted]		[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... Deb Chow **DATE** 1/22/2024

FEE PAID:$_____
CHECK #:_____

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

Date Stamp Here If Checklist Is Complete

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.

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

201800001834
DEBBIE GILLETTE
RECORDER - KENDALL COUNTY, IL
RECORDED: 2/7/2018 10:02 AM
WD: 39.00 RHSPS FEE: 10.00
STATE TAX: 500.00
COUNTY TAX: 250.00
PAGES: 3

MAIL TAX BILL TO:
Jade Restorations, Inc.
[redacted]

THIS INSTRUMENT PREPARED BY:
Attorney Thomas Osterberger
Kavanagh Grumley Gorbold, 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 [redacted] 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.

CHICAGO TITLE INSURANCE CO

Unofficial

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 ILL[redacted])
) 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.

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

[redacted]

Notary Public

My Commission Expires: _____

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

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

REAL ESTATE TRANSFER TAX
0050000
FP326656
0000014288

COUNTY OF KENDALL
REAL ESTATE TRANSFER TAX
250.00

Unofficial

Debbie Gillette
Kendall County Clerk & Recorder

STATE OF ILLINOIS [redacted]
)SS
COUNTY OF KENDALL)

Maria Villanueva, being duly sworn on oath, states that affiant resides at [redacted] 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 [X] 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 wh[redacted] easements of access,
5 The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access,
6 The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use,
7 Conveyances made to correct descriptions in prior conveyances,
8 The sale or exchange of parcels or tracts of land following the division into not more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959, and not involving any new streets or easements of access,
9 The sale of a single lot of less than 5 0 acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor, provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land,
10 The conveyance is of land described in the same manner as title was taken by grantor(s)

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

SUBSCRIBED AND SWORN TO BEFORE ME

This 30th day of January, 2018

[redacted]
Signature of Notary Public

[redacted]
Signature of Affiant

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

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

Unofficial

ALTA OWNER'S POLICY OF TITLE INSURANCE

CHICAGO TITLE INSURANCE COMPANY

Policy Number:

[redacted]

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.

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.

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.

CHICAGO TITLE INSURANCE COMPANY **POLICY NO.** [redacted]

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 asdocument 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:

[redacted]

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:

[redacted]

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)
   - X Corporation (b)
   - ___ Land Trust/Trustee (c)
   - ___ Trust/Trustee (d)
   - ___ Partnership (e)
   - ___ Joint Venture (f)

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

   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

VERIFICATION

I, Deb Chow DocuSigned by: [redacted] 9FF65195D1CA42A..., 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)

[redacted]
Notary Public

OFFICIAL SEAL
KRISTIN T DELUNA
Notary Public, State of Illinois
Commission No. 974835
My Commission Expires July 11, 2024

DocuSign Envelope ID: 17A049AB-5625-433A-874A-BB1237D05DC7

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] ( ) 8[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 reporte

DocuSigned by: [redacted] 0EE65195D1CA42A... 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_____

EcoCAT
Ecological Compliance Assessment Tool

ILLINOIS DEPARTMENT OF NATURAL RESOURCES

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
Ecological Compliance Assessment Tool

ILLINOIS DEPARTMENT OF NATURAL RESOURCES

EcoCAT Receipt

Project Code 2307615

APPLICANT	DATE
Cook Engineering Group Michael Cook [redacted]	12/13/2022

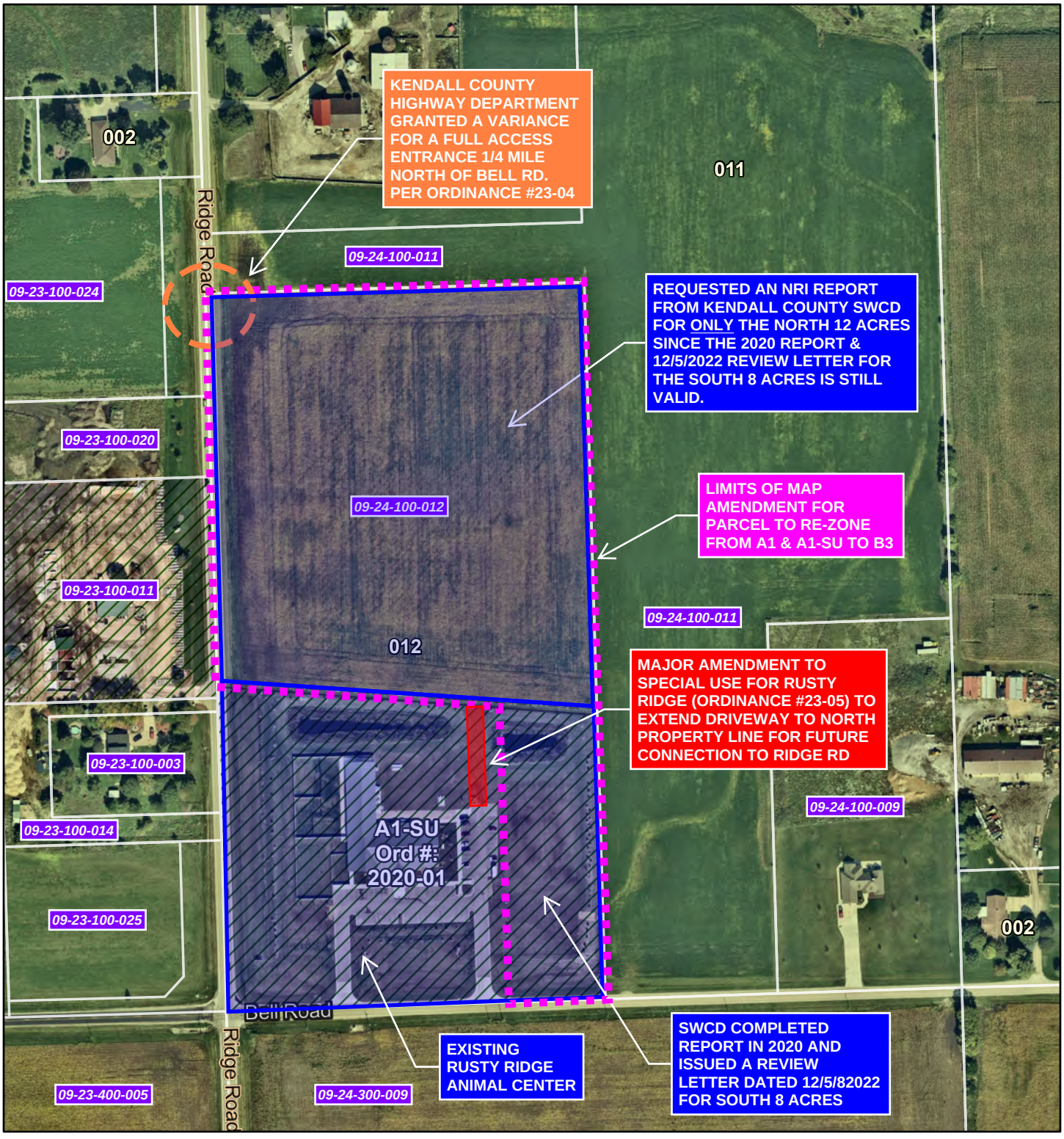
DESCRIPTION	FEE	CONVENIENCE FEE	TOTAL PAID
EcoCAT Consultation	$ 125.00	$ 2.81	$ 127.81

TOTAL PAID $ 127.81

Illinois Department of Natural Resources
One Natural Resources Way
Springfield, IL 62702
217-785-5500
dnr.ecocat@illinois.gov

Attachment 2

Jade Restorations, Inc.



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

1:4,044

0 0.03 0.05 0.1 mi

0 0.04 0.08 0.16 km

COOK ENGINEERING GROUP

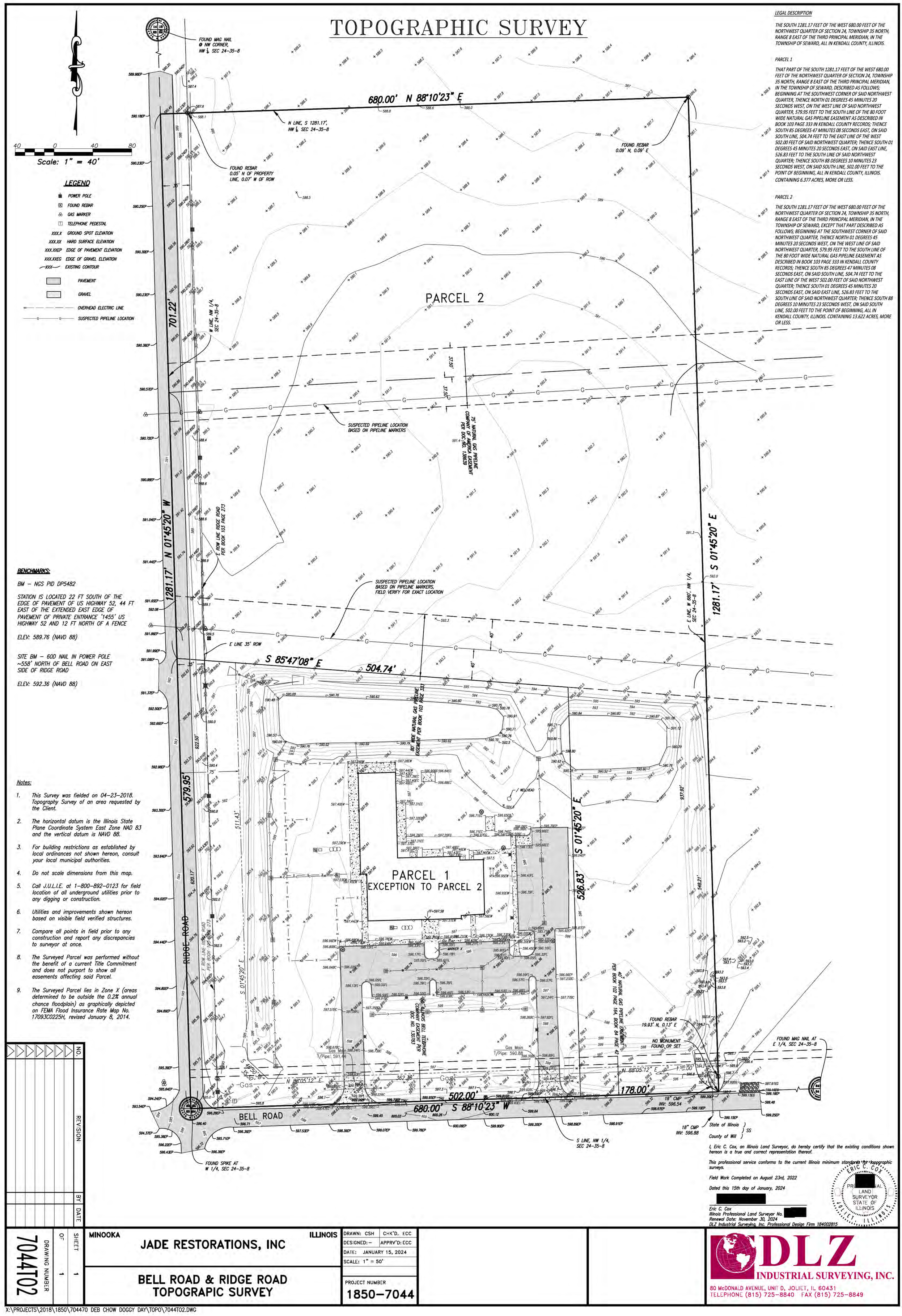
JADE RESTORATIONS, INC.
NEC RIDGE RD. & BELL RD.
KENDALL COUNTY, IL

RE-ZONING & PIN EXHIBIT
01/23/2024

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

Kendall County GIS

TOPOGRAPHIC SURVEY



BENCHMARKS:

BM – NGS PID DP5482

STATION IS LOCATED 22 FT SOUTH OF THE EDGE OF PAVEMENT OF US HIGHWAY 52, 44 FT EAST OF THE EXTENDED EAST EDGE OF PAVEMENT OF PRIVATE ENTRANCE '1455' US HIGHWAY 52 AND 12 FT NORTH OF A FENCE

ELEV: 589.76 (NAVD 88)

SITE BM – 60D NAIL IN POWER POLE ~558' NORTH OF BELL ROAD ON EAST SIDE OF RIDGE ROAD

ELEV: 592.36 (NAVD 88)

Notes:

1. This Survey was fielded on 04–23–2018. Topography Survey of an area requested by the Client.
2. The horizontal datum is the Illinois State Plane Coordinate System East Zone NAD 83 and the vertical datum is NAVD 88.
3. For building restrictions as established by local ordinances not shown hereon, consult your local municipal authorities.
4. Do not scale dimensions from this map.
5. Call J.U.L.I.E. at 1–800–892–0123 for field location of all underground utilities prior to any digging or construction.
6. Utilities and improvements shown hereon based on visible field verified structures.
7. Compare all points in field prior to any construction and report any discrepancies to surveyor at once.
8. The Surveyed Parcel was performed without the benefit of a current Title Commitment and does not purport to show all easements affecting said Parcel.
9. The Surveyed Parcel lies in Zone X (areas determined to be outside the 0.2% annual chance floodplain) as graphically depicted on FEMA Flood Insurance Rate Map No. 17093C0225H, revised January 8, 2014.

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.

State of Illinois)
) SS
County of Will)

I, Eric C. Cox, an Illinois Land Surveyor, do hereby certify that the existing conditions shown hereon is a true and correct representation thereof.

This professional service conforms to the current Illinois minimum standards for topographic surveys.

Field Work Completed on August 23rd, 2022

Dated this 15th day of January, 2024

[redacted]

Eric C. Cox
Illinois Professional Land Surveyor No. [redacted]
Renewal Date: November 30, 2024
DLZ Industrial Surveying, Inc. Professional Design Firm 184002815

ERIC C. COX [redacted] PROFESSIONAL LAND SURVEYOR STATE OF ILLINOIS JOLIET, ILLINOIS

NO.	REVISION	BY	DATE

DRAWING NUMBER 7044T02
SHEET 1 OF 1

MINOOKA ILLINOIS

JADE RESTORATIONS, INC

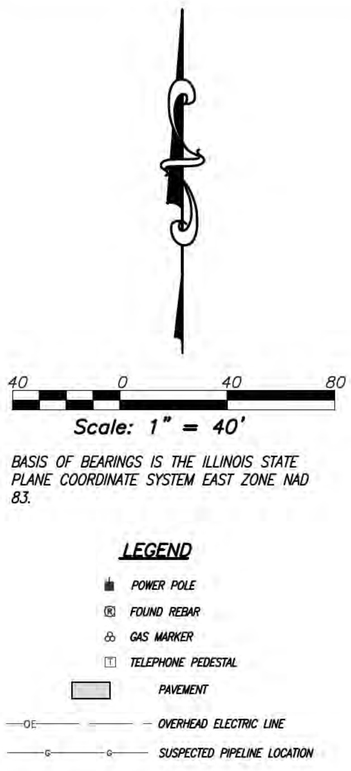
BELL ROAD & RIDGE ROAD
TOPOGRAPIC SURVEY

DRAWN: CSH	CHK'D. ECC
DESIGNED: –	APPRV'D: ECC
DATE: JANUARY 15, 2024	
SCALE: 1" = 50'	
PROJECT NUMBER 1850–7044	

DLZ INDUSTRIAL SURVEYING, INC.
80 McDONALD AVENUE, UNIT D, JOLIET, IL 60431
TELEPHONE (815) 725–8840 FAX (815) 725–8849

X:\PROJECTS\2018\1850\704470 DEB CHOW DOGGY DAY\TOPO\7044T02.DWG

ZONING PLAT



BASIS OF BEARINGS IS THE ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE NAD 83.

LEGEND

- POWER POLE
- FOUND REBAR
- GAS MARKER
- TELEPHONE PEDESTAL
- PAVEMENT
- OVERHEAD ELECTRIC LINE
- SUSPECTED PIPELINE LOCATION

FOUND MAG NAIL AT NW CORNER, NW ¼, SEC 24-35-8

680.00' N 88°10'23" E

N LINE, S 1281.17', NW 1/4, SEC 24-35-8

FOUND REBAR 0.05' N OF PROPERTY LINE, 0.07' W OF ROW

FOUND REBAR 0.09' N, 0.09' E

35'

701.22'

W LINE, NW 1/4, SEC 24-35-8

37.50'

37.50'

SUSPECTED PIPELINE LOCATION BASED ON PIPELINE MARKERS

75' NATURAL GAS PIPELINE COMPANY OF AMERICA EASEMENT PER DOC NO. 138639

PARCEL 2

VACANT PARCEL CONTAINING 13.622 ACRES MORE OR LESS OF WHICH 0.565 ACRE LIES WITHIN DEDICATED RIDGE ROAD AND 0.148 ACRES LIES WITHIN DEDICATED BELL ROAD

CURRENT ZONING A1
PROPOSED ZONING B3

1281.17' N 01°45'20" W

RIDGE ROAD

579.95'

620.17'

E ROW LINE RIDGE ROAD PER BOOK 103 PAGE 273

E ROW LINE RIDGE ROAD PER DOC. NO. 202000012367

511.43'

S 01°45'20" E

SUSPECTED PIPELINE LOCATION BASED ON PIPELINE MARKERS, FIELD VERIFY FOR EXACT LOCATION

E LINE, W 680', NW 1/4, SEC 24-35-8

40'

40'

S 85°47'08" E 504.74'

80' WIDE NATURAL GAS PIPELINE EASEMENT PER BOOK 103 PAGE 333

922.50'

75'

35'

PARCEL 1

VACANT PARCEL CONTAINING 6.377 ACRES MORE OR LESS OF WHICH 1.350 ACRE LIES WITHIN DEDICATED RIDGE ROAD & BELL ROAD

CURRENT ZONING A1-SU

EXCEPTION TO PARCEL 2

E. LINE, W. 502.00', NW 1/4, SEC 24-35-8

526.83' S 01°45'20" E

937.92'

548.21'

1281.17' S 01°45'20" E

50' ILLINOIS BELL TELEPHONE COMPANY EASEMENT PER DOC NO. 130783

40' NATURAL GAS PIPELINE EASEMENT PER BOOK 102 PAGE 164, BOOK 84 PAGE 42

FOUND REBAR 19.93' N, 0.13' E

FOUND MAG NAIL AT E 1/4, SEC 24-35-8

S 48°50'16" E 35.90'

N 88°05'12" E 362.36'

N ROW LINE BELL ROAD PER DOC. NO. 202000012367

S LINE, NW 1/4, SEC 24-35-8

N 88°05'12" E 178.00'

36.37'

502.00'

680.00' S 88°10'23" W

178.00'

BELL ROAD

FOUND SPIKE AT W 1/4, SEC 24-35-8
POINT OF BEGINNING PARCEL 1
POINT OF BEGINNING EXCEPTION TO PARCEL 2

NO MONUMENT FOUND OR SET

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 KENDALE 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

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 KENDALE 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.

Notes:

1. This Survey was fielded on 04-23-2018.
2. The horizontal datum is the Illinois State Plane Coordinate System East Zone NAD 83.
3. For building restrictions as established by local ordinances not shown hereon, consult your local municipal authorities.
4. Do not scale dimensions from this map.
5. Call J.U.L.I.E. at 1-800-892-0123 for field location of all underground utilities prior to any digging or construction.
6. Utilities and improvements shown hereon based on visible field verified structures.
7. Compare all points in field prior to any construction and report any discrepancies to surveyor at once.
8. The Surveyed Parcel was performed without the benefit of a current Title Commitment and does not purport to show all easements affecting said Parcel.
9. The Surveyed Parcel lies in Zone X (areas determined to be outside the 0.2% annual chance floodplain) as graphically depicted on FEMA Flood Insurance Rate Map No. 17093C0225H, revised January 8, 2014.
10. The Overall Surveyed Parcel contains 20.000 acres more or less of which 1.030 acres lies within Dedicated Ridge Road.
11. The land division shown hereon was under the direction of the Land Owner.

NO.	REVISION	BY	DATE

State of Illinois)
) SS
County of Will)

I, Eric C. Cox, an Illinois Land Surveyor, do hereby certify that the existing conditions shown hereon is a true and correct representation thereof of the Legal Descriptions.

Dated this 15th day of January, 2024

[redacted]

Eric C. Cox
Illinois Professional Land Surveyor No. 0[redacted]
Renewal Date: November 30, 2024
DLZ Industrial Surveying, Inc. Professional Design Firm 184002815

ERIC C. COX [redacted] PROFESSIONAL LAND SURVEYOR STATE OF ILLINOIS JOLIET, ILLINOIS

DRAWING NUMBER 7044ZP | SHEET 1 OF 1

KENDALL COUNTY ILLINOIS

JADE RESTORATIONS, INC

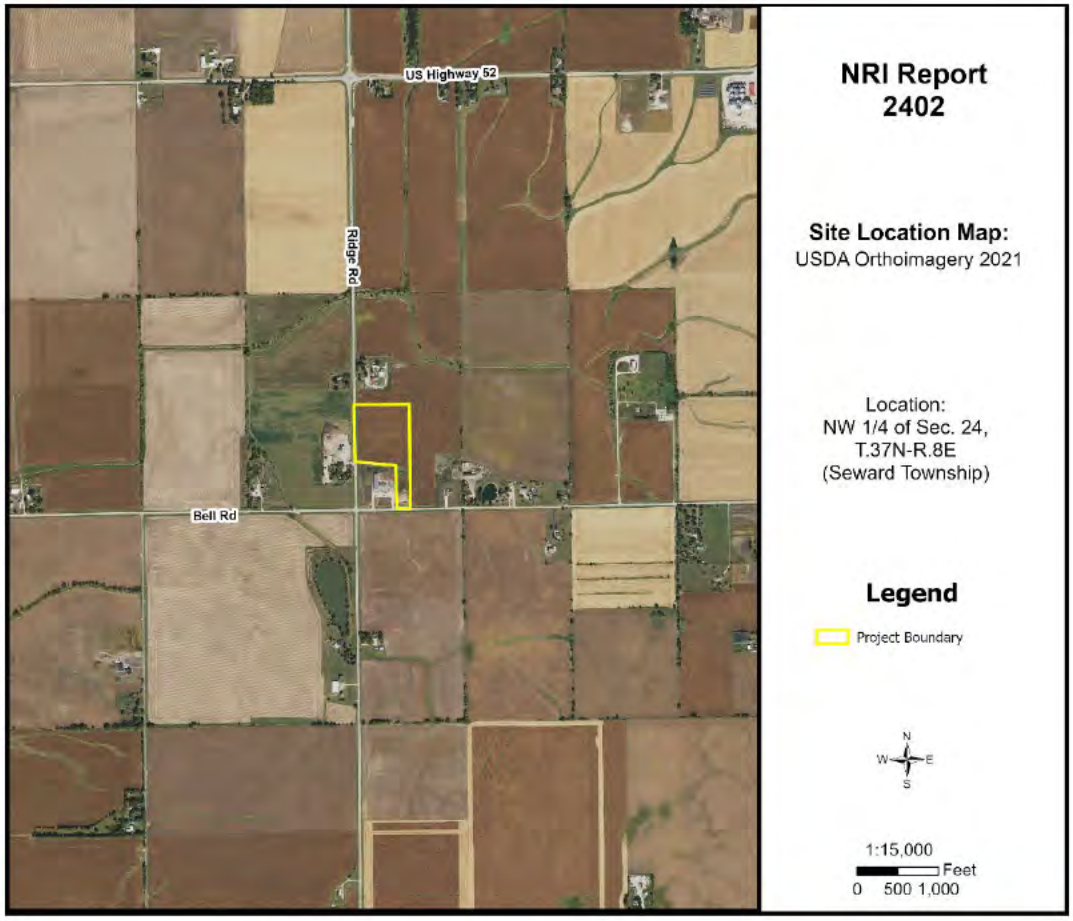
BELL ROAD & RIDGE ROAD
ZONING PLAT

DRAWN: ECC	CHK'D: ECC
DESIGNED: -	APPRV'D: ECC
DATE: JANUARY 15, 2024	
SCALE: 1" = 50'	
PROJECT NUMBER 1850-7044	

DLZ INDUSTRIAL SURVEYING, INC.
80 McDONALD AVENUE, UNIT D, JOLIET, IL 60431
TELEPHONE (815) 725-8840 FAX (815) 725-8849

X:\PROJECTS\2018\1850\704470 DEB CHOW DOGGY DAY\TOPO\7044ZP.DWG

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 3rd 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.

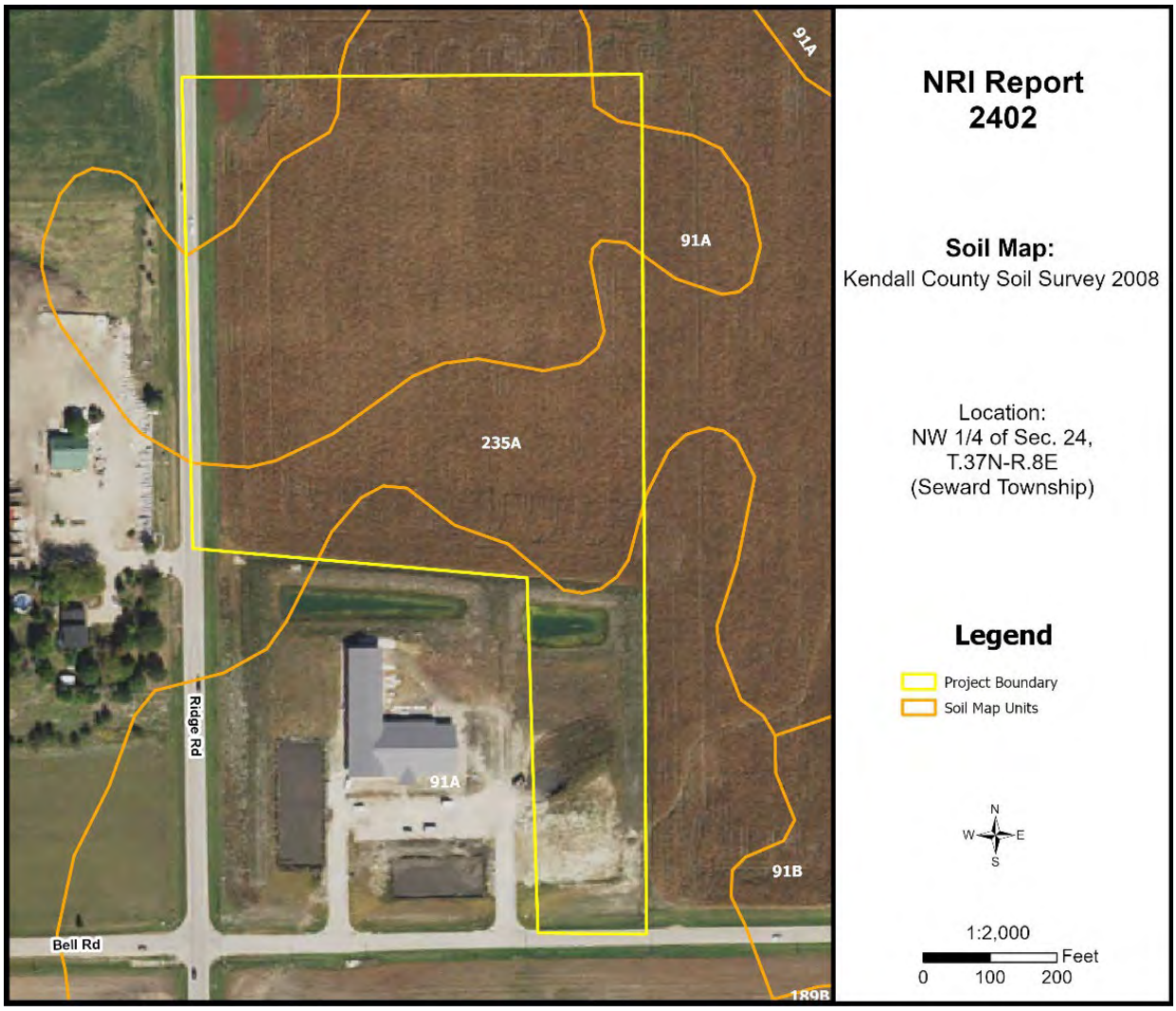


Figure 1: Soil Map

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

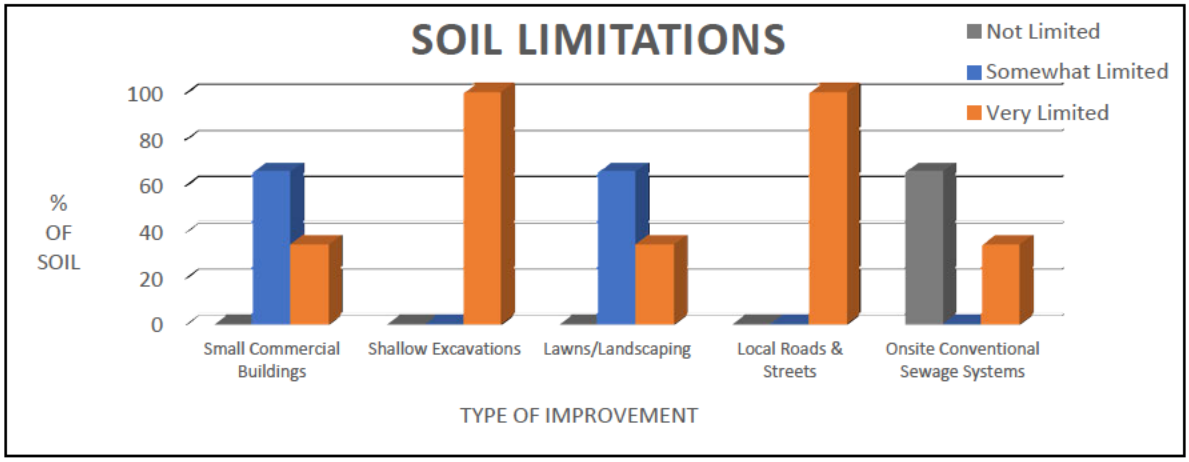


Figure 2: Soil Limitations

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. Complied Statues, Ch. 70, Par 405/22.02a).

[redacted]

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.

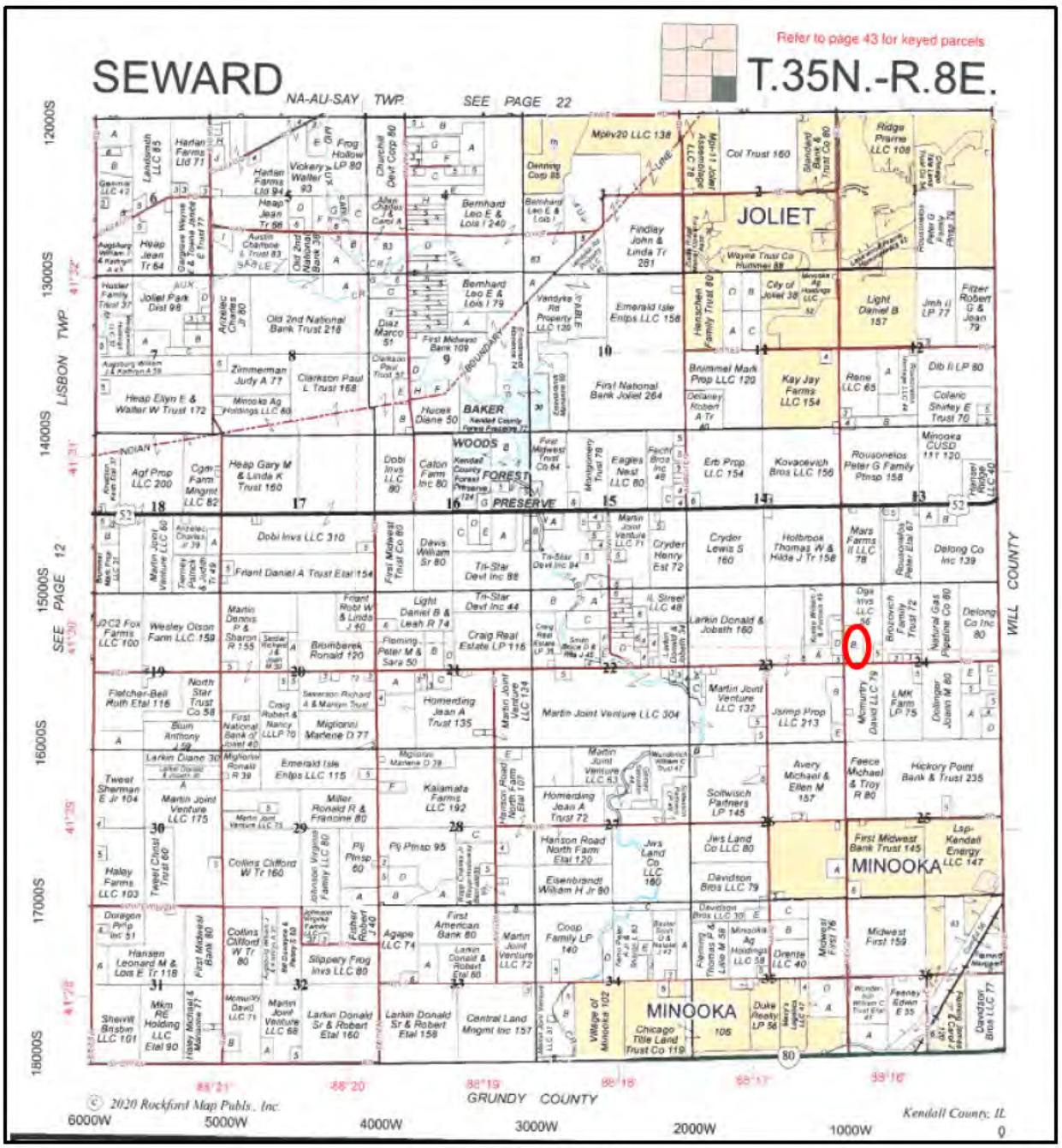


Figure 3: 2021 Plat Map

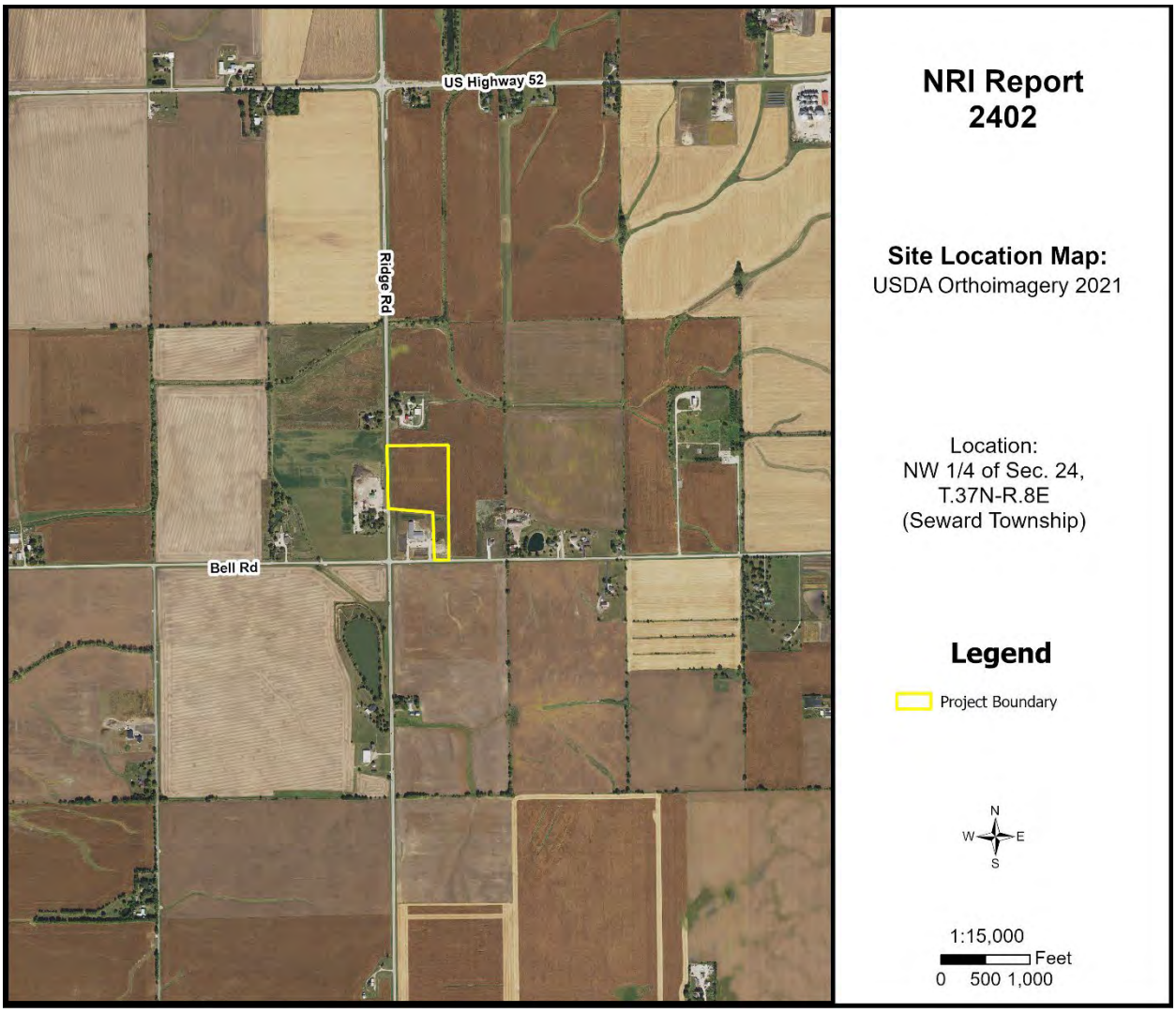


Figure 4: 2021 Aerial Map with NRI Project Boundary

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).

---

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

SOILS INFORMATION

IMPORTANCE OF SOILS INFORMATION

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

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

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

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

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

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

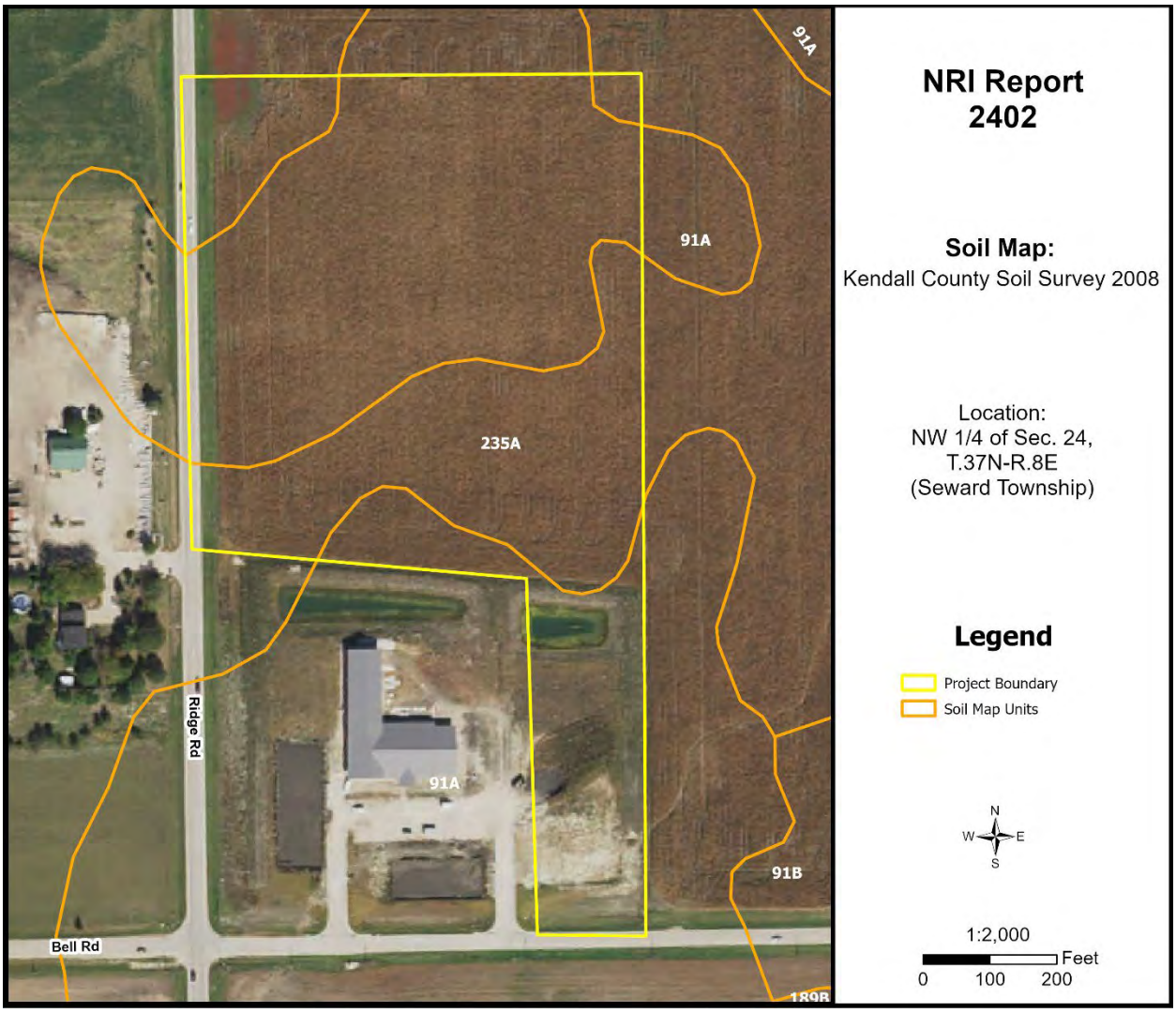


Figure 5: Soil Map

Table 3: Soil Map Unit Descriptions

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.

LIMIATIONS RATINGS

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

BUILDING LIMITATIONS

BUILDING ON POORLY SUITED OR UNSUITABLE SOILS

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

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

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

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

Local Roads and Streets – They have an all-weather surface and carry automobile and light truck traffic all year. They have a subgrade of cut or fill soil material, a base of gravel, crushed rock or soil material stabilized by lime or cement; and a surface of flexible material (asphalt), rigid material (concrete) or gravel with a binder. The ratings are based on the soil properties that affect the east of excavation and grading and the traffic-supporting capacity.

Onsite 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

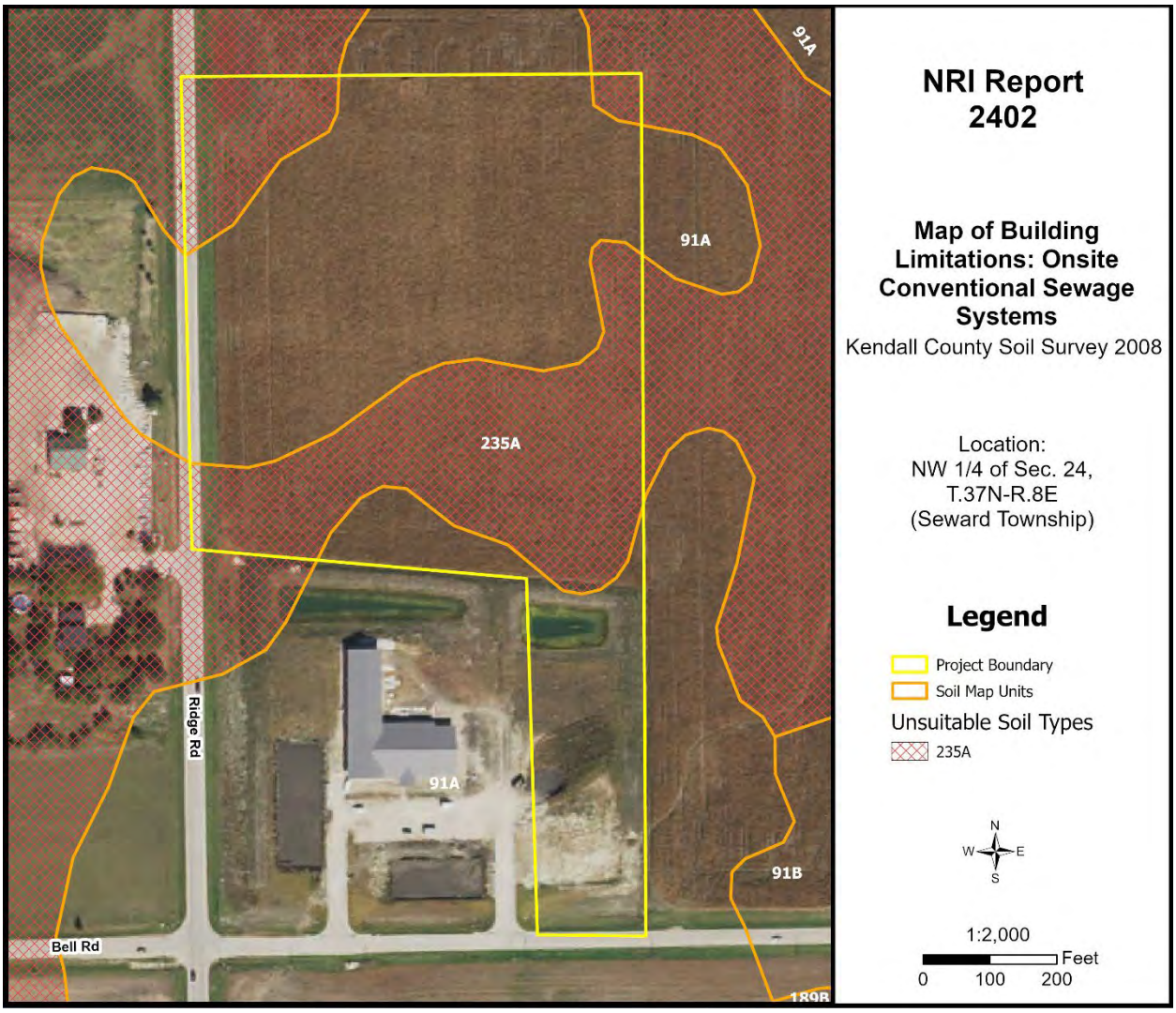


Figure 6C: Map of Building Limitations – Onsite Conventional Sewage Systems

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%**		

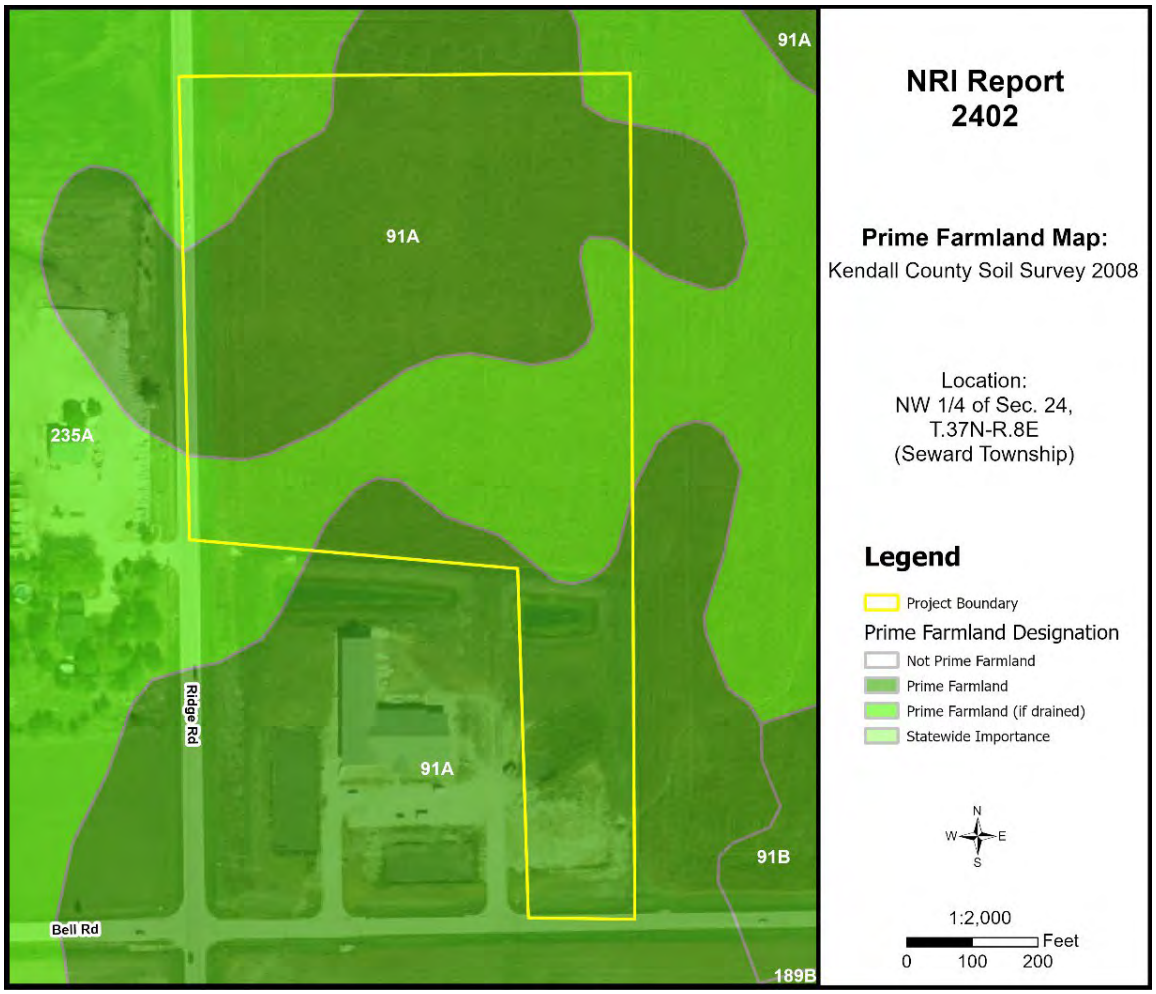


Figure 7: Map of Prime Farmland Soils

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 "○" 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.

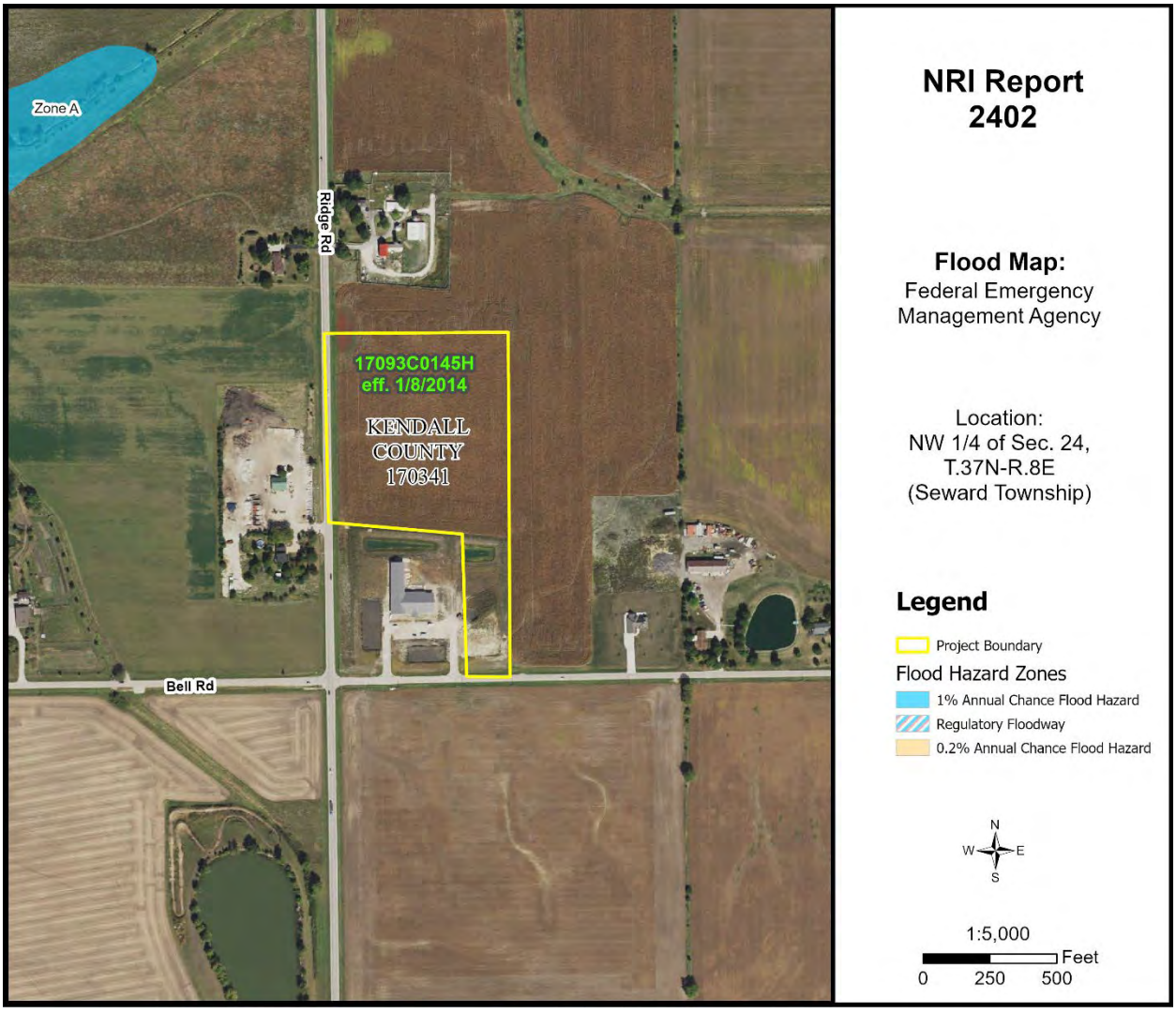


Figure 8: Flood Map

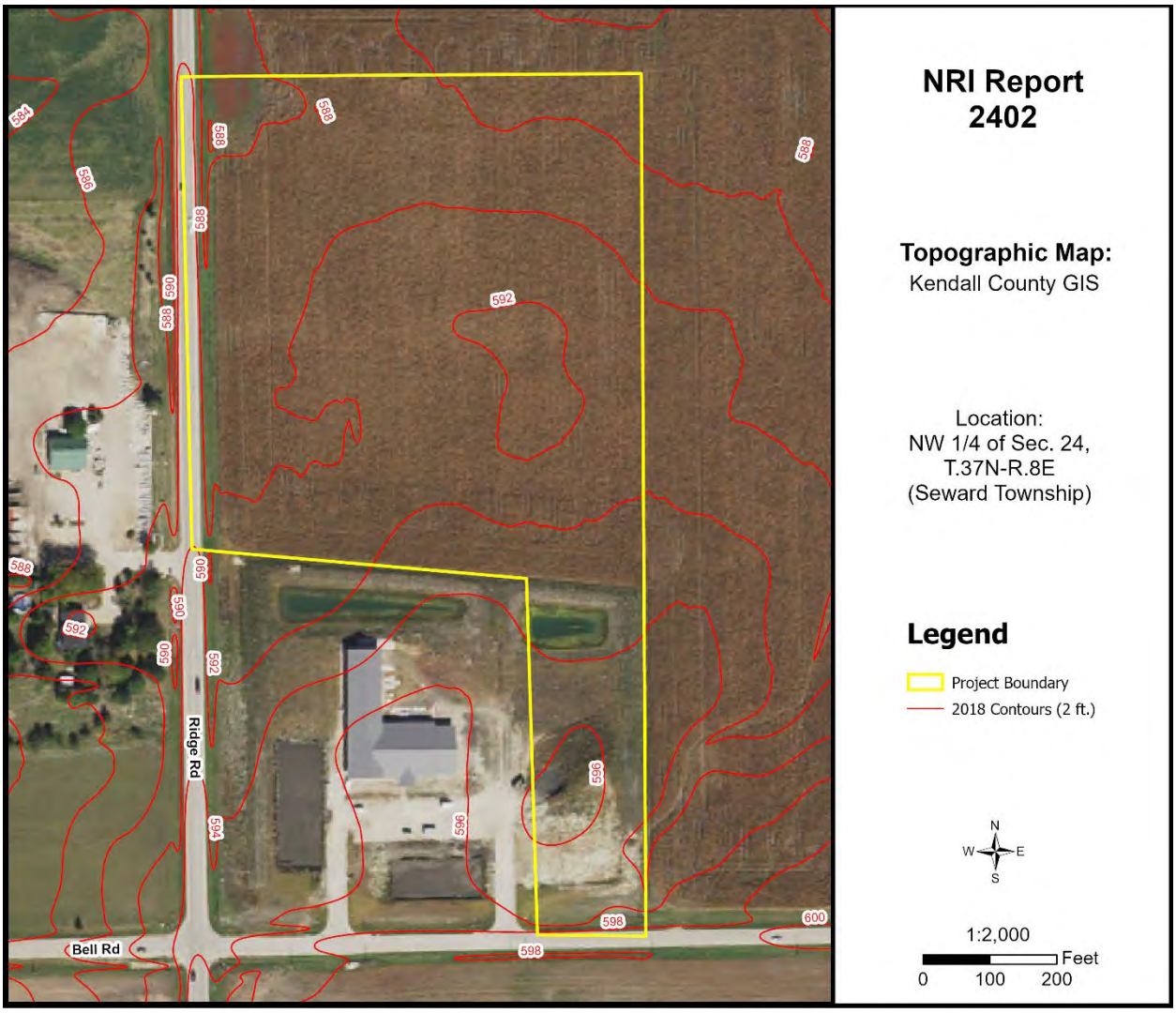


Figure 9: Topographic Map

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."*

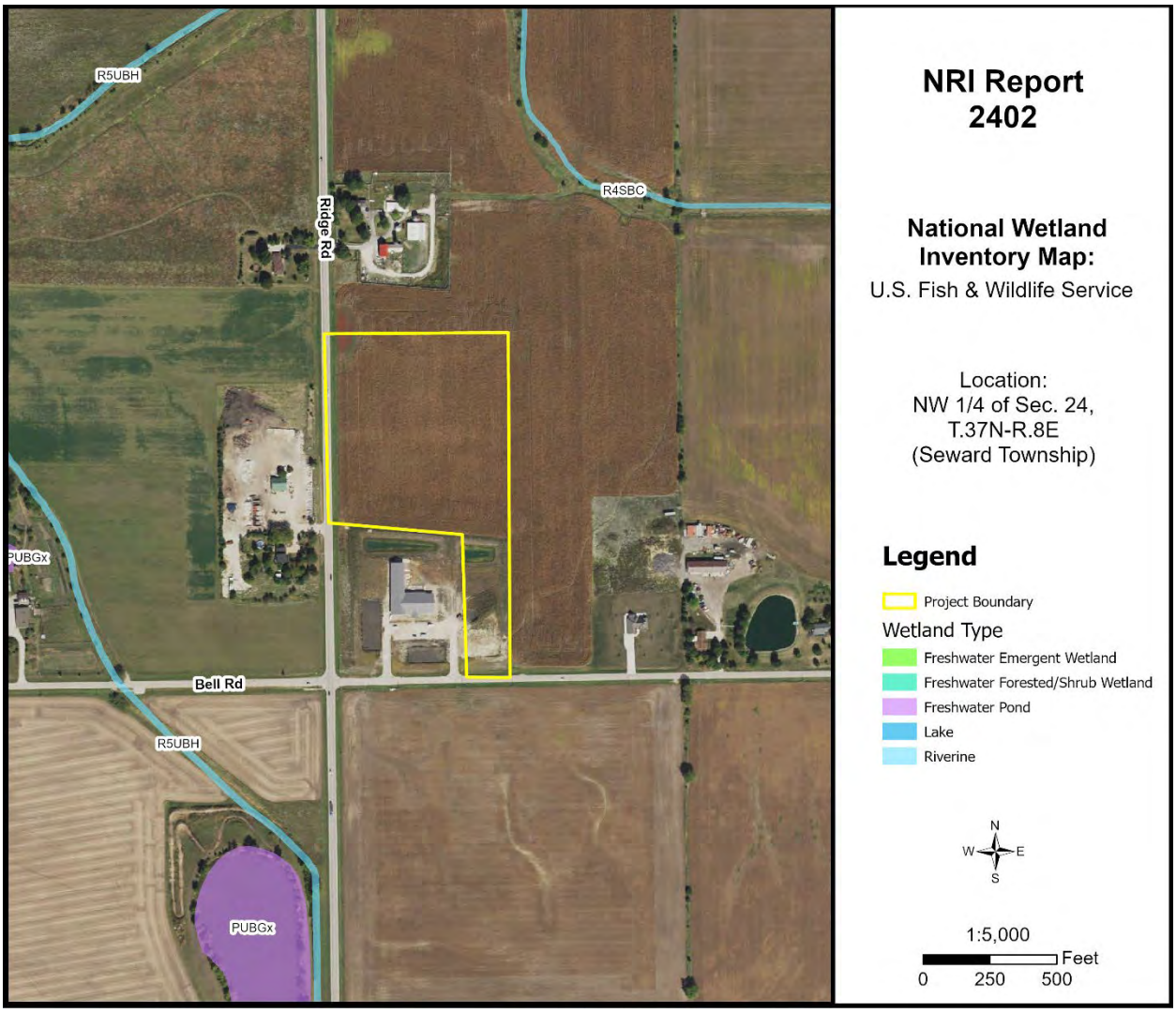


Figure 10: Wetland Map

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%

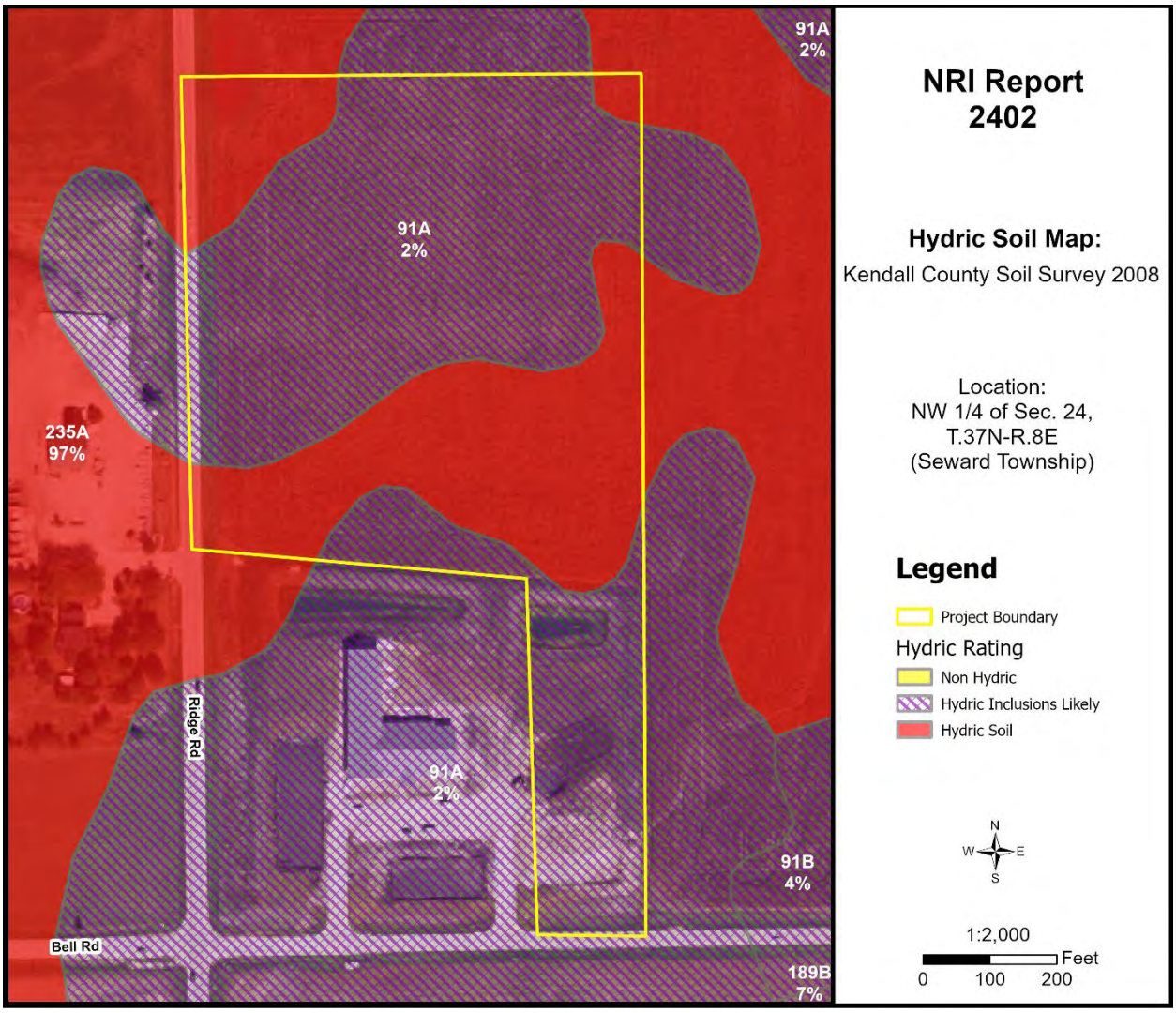


Figure 11: Hydric Soil Map

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 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.

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.

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.

WBK ENGINEERING

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 cosntructed 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,

[redacted]

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

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)
Dan Kerr	File 23-35, [redacted]	
Gerald Johnson		
[signature]		
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

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 Zoning Board of Appeals
From: Matthew H. Asselmeier, AICP, CFM, Planning Director
Date: 2/29/2024
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 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 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.

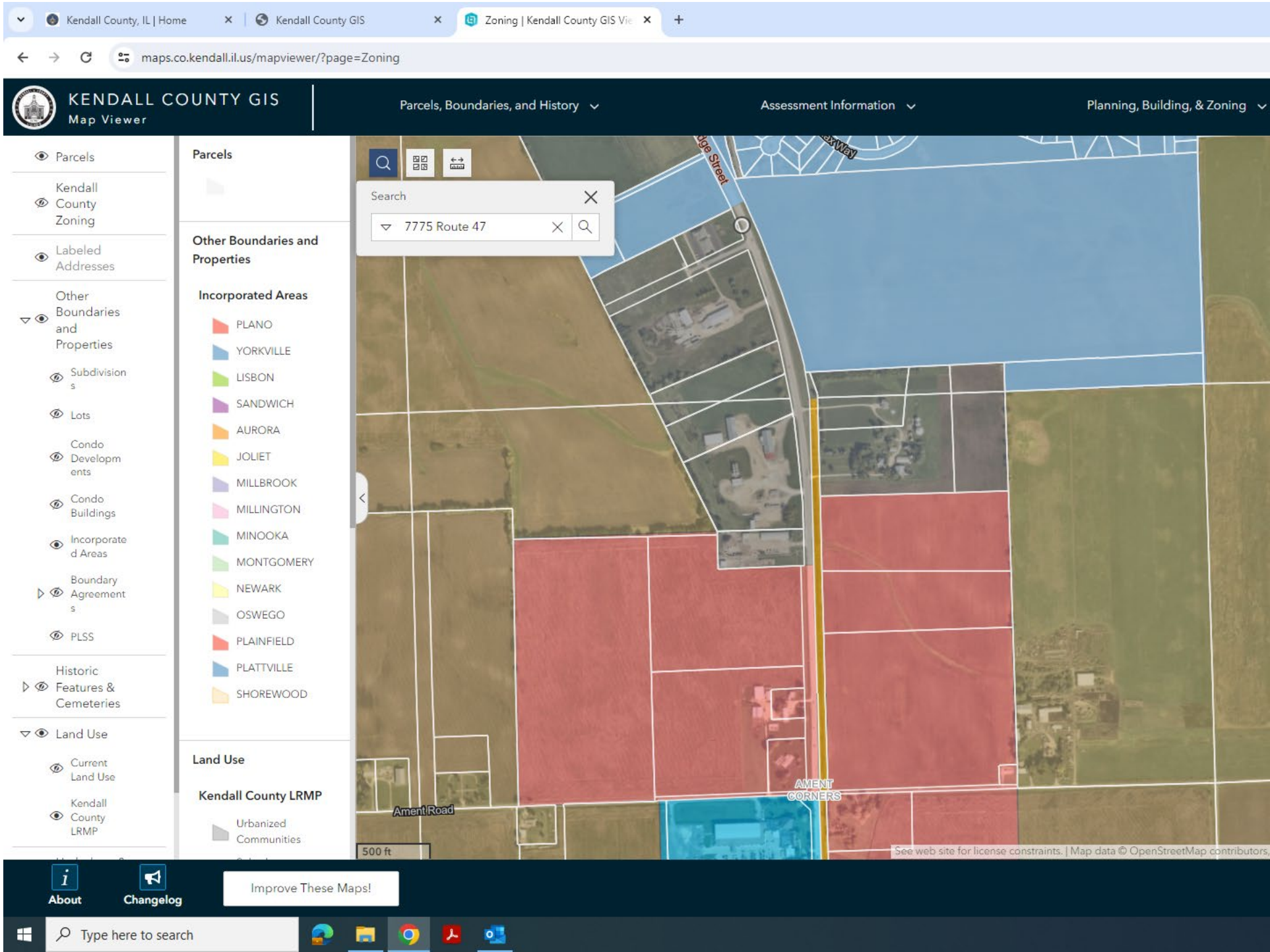
Yorkville's Future Land Use Map was included for reference.

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)


Kendall County, IL | Home
Kendall County GIS
Zoning | Kendall County GIS Vie
maps.co.kendall.il.us/mapviewer/?page=Zoning
KENDALL COUNTY GIS
Map Viewer
Parcels, Boundaries, and History
Assessment Information
Planning, Building, & Zoning
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
Search
7775 Route 47
Ament Road
AMENT CORNERS
500 ft
See web site for license constraints. | Map data © OpenStreetMap contributors,
About
Changelog
Improve These Maps!
Type here to search

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

~~Robyn 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.

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

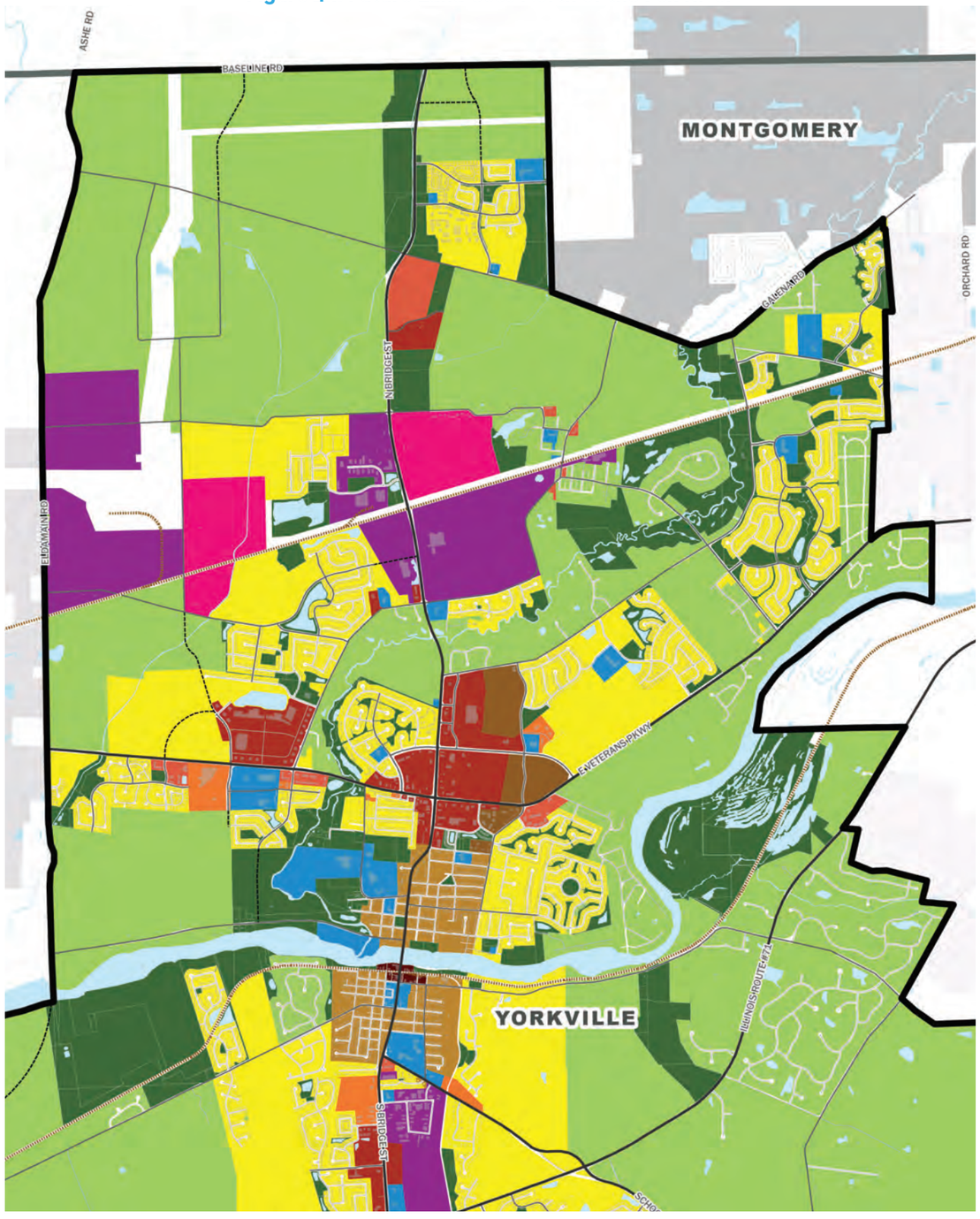
12. Updated Transportation Plan, Municipal Boundaries, and Future Land Use Map in 2021 (Resolution 2021-19)

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;

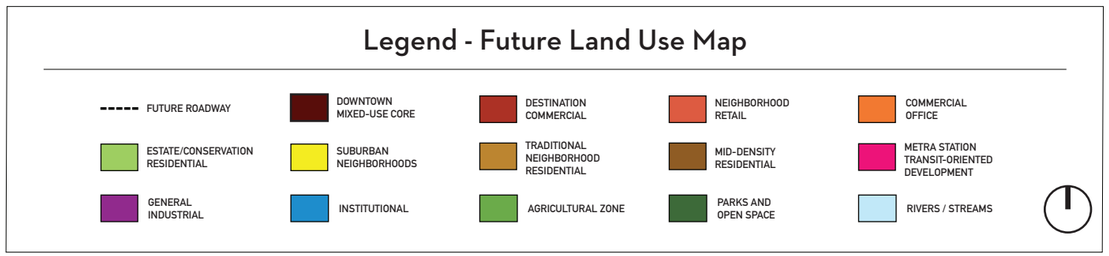
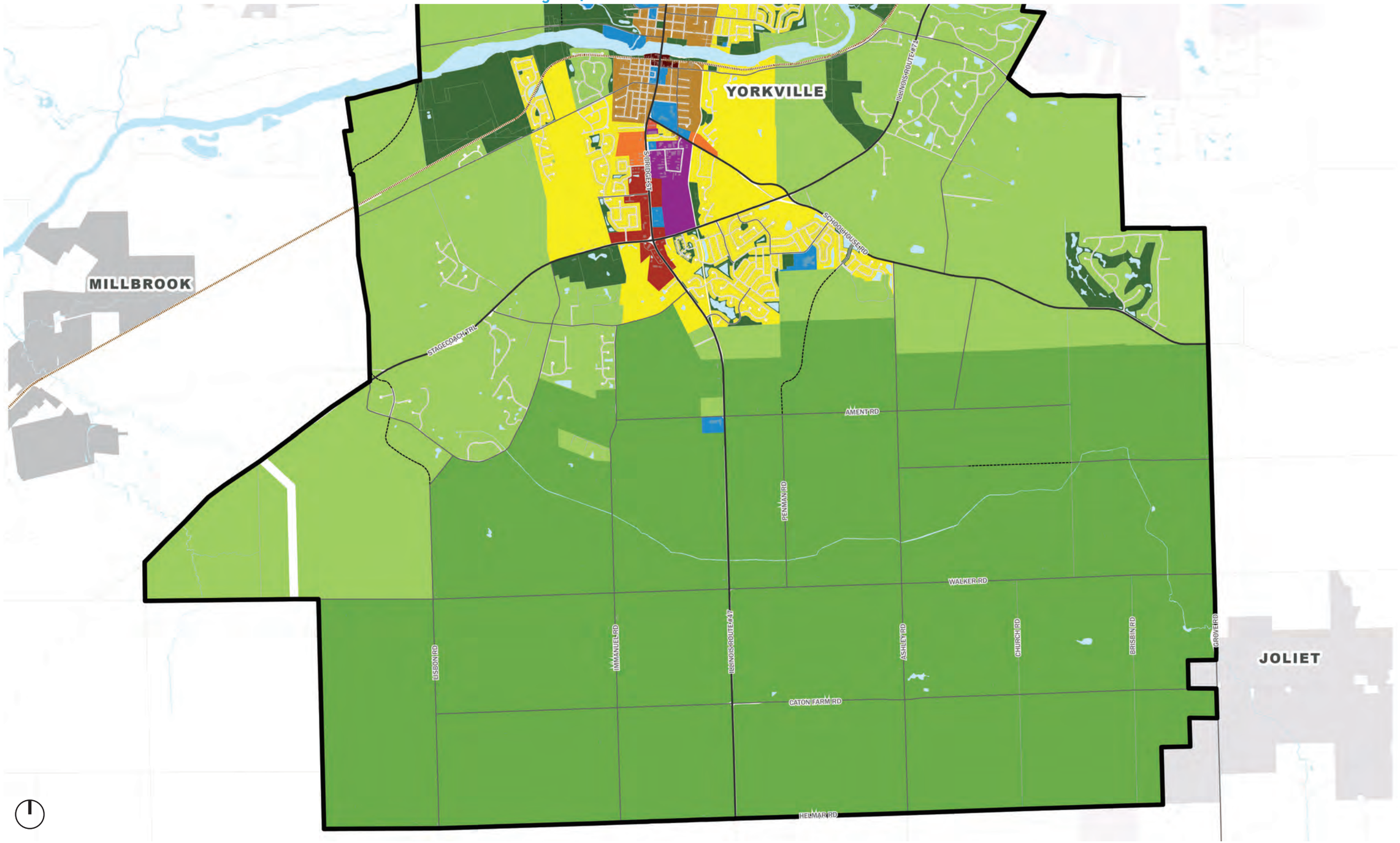


Figure 4.1 - Future Land Uses North of the Fox River

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)
Dan Kunz	File 23-35, [redacted]	
[signature]		
[signature]		
Mike Cook	24-01 & 24-02 949 Bell Rd	