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

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Monday, February 7, 2022 – 6:30 p.m.

**CALL TO ORDER:**

**ROLL CALL:** Elizabeth Flowers, Scott Gengler (Chairman), Judy Gilmour (Vice-Chair), Dan Koukol, and Robyn Vickers

**APPROVAL OF AGENDA:**

**APPROVAL OF MINUTES:** Approval of Minutes from January 25, 2022, Special Meeting (Pages 3-14)

**PUBLIC COMMENT:**

**EXPENDITURE REPORT:** Review of Expenditures from the Prior Month (Pages 15-19)

**PETITIONS:**

1. **Petition 21 – 47 – Cyrus McMains on Behalf of the Yorkville Bristol Sanitary District (Pages 20-119)**  
Request: Variances to Sections 203.1.b (Site Runoff Storage Requirements) and 403 (Compensatory Storage Volume Requirements) of the Kendall County Stormwater Management Ordinance  
PIN: 02-32-231-008  
Location: Twenty-One Plus or Minus (21 +/-) Acres of Land West of 304 River Street in the United City of Yorkville  
Purpose: Petitioner Wishes to Expand Sewer Plant Operations

**NEW BUSINESS:**

1. Approval of a Resolution Approving an Intergovernmental Agreement for Reciprocal Building Inspection Services between Kendall County, Illinois and the United City of Yorkville, Illinois (Pages 120-132)
2. Approval of Publishing the Annual Noxious Weed Notice in the Kendall County Record at a Cost Not to Exceed \$125.00; Related Invoice(s) to Be Paid from the PBZ Legal Publications Line Item 11001902-62090 (Pages 133-134)
3. Approval of Proposal from WBK Engineering for Work Related to the Submittal of the Annual Report for the 2021 NPDES – MS 4 Requirements in an Amount of \$2,000 Plus Reimbursable Costs (Costs + 10%) (Pages 135-136)
4. Follow-Up on Kendall County Regional Planning Commission Annual Meeting (Pages 137-142)
5. 2021 County-Wide Building Permit Memo (Page 143)
6. Discussion of Having a Planning, Building and Zoning Committee Meeting in Boulder Hill in the Spring of 2022

OLD BUSINESS:

1. Discussion and Approval of a Policy Requiring Applicants to the Planning, Building and Zoning Department to be Free of Debt or Current on an Approved Payment Plan to the County at the Time of Application Submittal
2. Kendall County Historic Preservation Commission Annual Meeting-February 16, 2022, at 6:00 p.m., at the Little White School Museum (Page 144)

REVIEW VIOLATION REPORT (Pages 145-147):

REVIEW NON-VIOLATION REPORT (Page 148):

UPDATE FROM HISTORIC PRESERVATION COMMISSION:

REVIEW PERMIT REPORT (Pages 149-151):

REVIEW REVENUE REPORT (Page 152):

CORRESPONDENCE:

COMMENTS FROM THE PRESS:

EXECUTIVE SESSION:

ADJOURNMENT:

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

**KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE**

***Kendall County Office Building***

***Rooms 209 and 210***

***111 W. Fox Street, Yorkville, Illinois***

**5:30 p.m.**

**Meeting Minutes of January 25, 2022 – Unofficial until Approved**

**CALL TO ORDER**

The meeting was called to order by Chairman Gengler at 5:31 p.m.

**ROLL CALL**

Committee Members Present: Elizabeth Flowers, Scott Gengler (Chairman), Judy Gilmour (Vice-Chairwoman), Dan Koukol, and Robyn Vickers

Committee Members Absent: None

Also Present: Matt Asselmeier (Senior Planner) and Brian Holdiman (Code Official)

**APPROVAL OF AGENDA**

Member Koukol made a motion, seconded by Member Flowers, to approve the agenda as presented. With a voice vote of five (5) ayes, the motion carried.

**APPROVAL OF MINUTES**

Member Gilmour made a motion, seconded by Member Flowers, to approve the minutes of the January 10, 2022, meeting with a correction to show that Member Flowers was present. With a voice vote of five (5) ayes, the motion carried.

**PUBLIC COMMENT**

None

**NEW BUSINESS**

*Discussion of Establishing Definitions of Landscaping Business and Excavating Business in the Zoning Ordinance; Committee Could Initiate Text Amendments Regarding These Terms*

Mr. Asselmeier presented proposed definitions.

For preparing the proposed definition of landscaping business, Staff used the definition found in the North American Industrial Classification System as published by the United States Census Bureau. The proposed definition of landscaping business is as follows:

“LANDSCAPING BUSINESS. A business engaged in providing landscape care and maintenance services and/or installing trees, shrubs, plants, lawns, or gardens and businesses primarily engaged in providing these services along with the design of landscape plans and/or the construction and installation of walkways, retaining walls, decks, fences, ponds, and similar structures.”

When considering a definition of excavating businesses, the North American Industrial Classification System grouped excavating businesses with other site preparing contractors including dirt movers, trenching, and foundation drilling. Also, the terms “excavating business” and “excavator” do not appear in the Zoning Ordinance. Accordingly, Staff proposes the following definition of excavating business:

“EXCAVATING BUSINESS. A business engaged in site preparation activities including grading, earthmoving, and land clearing and businesses that rent equipment for such purposes. For the purposes of this Ordinance, an excavating business shall be considered a contractors’ office or shop.”

Contractor and Contractor Offices and Shops are conditional uses in the B-2 and B-3 Districts and permitted uses in the M-1 and M-2 Districts. In the B-2 and B-3 Districts, all work and storage must be inside buildings.

Member Koukol made a motion, seconded by Member Vickers, to initiate the text amendment. With a voice vote of five (5) ayes, the motion carried.

The proposal goes to ZPAC on March 1, 2022.

*Discussion Regarding Establishing a Policy Requiring Applicants to the Planning, Building and Zoning Department to be Free of Debt to the County at the Time of Application Submittal*

Mr. Asselmeier provided a background on the request. He noted that similar background checks were occurring for applicants applying for American Rescue Plan Act funds. He stated that more people would get flagged when they apply for a building related permit, like a swimming pool or deck permit, than a zoning related permit. The Department would have to work with Administration to create a procedure to work with other departments to see if an applicant had a debt and how that type of review would impact permitting approval or denial timelines.

Member Koukol asked how frequently this arose. Mr. Asselmeier did not know how frequently this issue arose because the Department does not check this information. Mr. Asselmeier noted that Brighter Daze was delinquent on property taxes and Chairman Gengler felt a discussion was necessary.

Member Gilmour asked what types of background checks occurred with the American Rescue Plan Act funds. Member Koukol responded that the checks involved the Clerk’s Office, Treasurer, and Planning, Building and Zoning.

Member Gilmour asked about other possible debts. Mr. Asselmeier responded court imposed fines.

Member Flowers asked about zoning related fines. Mr. Asselmeier responded if someone was current on a payment plan established by the court, those owed funds would arguably not be a debt.

Member Koukol expressed concerns if someone had a partner that walked away from a project with debt, that debt could slow down someone else’s project.

Chairman Gengler felt applicants should be in good standing with the County because votes on proposals could change if a Petitioner was in debt to the County. Member Vickers concurred with Chairman Gengler.

Mr. Asselmeier will work with Administration to see how the procedure was established for the American Rescue Plan Act funds and see if that procedure can be adapted for Planning, Building and Zoning Department related reviews. The success will depend on how frequently other departments update their various lists and how shareable those lists might be.



Member Koukol suggested having applicants sign an affidavit stating they were current with the County, issue a permit, and check on the status of debts before the occupancy permit was issued.

Member Flowers wanted to make sure the policy accounted for people in compliance with a payment plan.

Member Koukol requested that Mr. Asselmeier inform the Committee if he receives objections from other departments. Mr. Holdiman noted the impact of delay if the Department has to wait for information from other departments.

The matter will be tabled until the research is complete.

*Discussion and Approval of a Policy Allowing the Public to Use the Computer System in the County Boardroom During Planning, Building and Zoning Related Meetings and Hearings*

Mr. Asselmeier summarized the issue. If parties want to display information on the television, they email the information to Mr. Asselmeier.

Member Vickers expressed concerns about the addition of viruses to the network. Member Flowers echoed those concerns.

Chairman Gengler favored people sending Mr. Asselmeier presentations or exhibits for display. Member Koukol concurred.

Mr. Asselmeier said the Department would have to work with IT to create a policy. Member Gilmour suggested checking with IT.

Member Vickers questioned if the system could be separated where members of the public could display information on the screens without having access to the system.

Member Flowers suggested having Countywide policy and that the Admin/HR Committee should discuss the matter at their meeting on February 7, 2022. Member Flowers made a motion, seconded by Chairman Gengler to forward the subject to Admin/HR. With a voice vote of five (5) ayes, the motion carried.

*Discussion of Hiring One Additional Code Enforcement Officer*

Mr. Asselmeier provided background information on the subject. He noted that a meeting occurred with representatives of Seward Township and they were open to having an intergovernmental agreement whereby they would pay a portion of the costs of having an additional code enforcement officer. Discussion occurred regarding the hours that the person would work, their work station, would the County do patrols, and the impact on support staff.

Member Gilmour asked about the number of violations in Seward Township. Mr. Holdiman responded that several investigations were underway, but the time it takes to conduct investigations is problematic with the current staff limitations.

The Committee reviewed the Code Officials job description.

Member Koukol noted that the person in this position would not be liked by people being investigated; having an office outside the Planning, Building and Zoning Office might be a better solution.

Chairman Gengler suggested having a person that could step up when Mr. Holdiman retires.

Chairman Gengler also had concerns about having an intergovernmental agreement with Seward Township or other parties.

Mr. Holdiman explained the existing agreements with Plattville and Millbrook.

Member Flowers favored having other entities assist with paying for a new position.

Mr. Holdiman questioned if the Department would continue to be complaint based. If the Department was going to start patrolling, a full-time person would be necessary. He also favored additional hours of the existing part-time person, if office space was available.

Chairman Gengler expressed concerns about multiple offenders. Mr. Asselmeier noted that repeat offenders were not given warnings before citations are issued. Mr. Holdiman noted that he does give extension, if he believes the situation will be resolved.

Discussion occurred about making the secretary a full-time position. Mr. Holdiman said a full-time secretary would be necessary if the Department was actively pursuing investigations.

Mr. Holdiman mentioned hiring a person that could do code enforcement and assist with zoning cases.

Member Koukol favored a complaint based system.

The current part-time inspector works ten (10) hours per week.

The suggestion was made to look at the existing job descriptions for the code official and part-time code official and see how the intergovernmental agreement developed. There would also be budgetary concerns.

A township could enforce county zoning regulations. Discussion occurred regarding a township accessing the State's Attorney's Office to prosecute cases.

Discussion occurred regarding the existing intergovernmental agreement with Yorkville for building inspection issues.

The concern was not immediate, unless the Department was directed to conduct active enforcement.

Member Koukol suggested waiting to see what transpires with Seward Township.

Member Flowers made a motion, seconded by Member Koukol, to table the matter until the research was complete. With a voice vote of five (5) ayes, the motion carried.

## **OLD BUSINESS**

### **Update on Special Use Permit Enforcement**

Mr. Asselmeier provided an update.

1. Ordinance 2004-24-Special Use Permit for a Church at 748 Jones Road

Issue: Condition 3 requires an annexation agreement with Shorewood.  
How Department Became Aware of Violation: Property is for sale.  
Current Status: Troy Fire Protection District is going through the special use process.

2. Ordinance 2005-06-Special Use Permit for a Church West of 8250 Route 71  
Issue: Condition 2 requires a pre-annexation agreement with Yorkville.  
How Department Became Aware of Violation: Property is for sale.  
Current Status: Closed; County Board approved revocation of a special use permit on January 18, 2022.
3. Ordinance 2005-37-Special Use Permit for a Landscaping Business at 5681 Whitewillow Road  
Issue: Condition 6 requires a right-of-way dedication  
How Department Became Aware of Violation: Property owner submitted a special use permit for a craft fair.  
Current Status: The County Highway Engineer is working with the property owner to complete the necessary documents for the dedication. It will take approximately two (2) months to complete all of the application documents.
4. Ordinance 2006-19-Special Use Permit for a Church at 8 West Rickard Drive  
Issue: Site to be developed in accordance with site plan, including a three foot (3') tall berm.  
How Department Became Aware of Violation: Church wanted to construct a fence on the property  
Current Status: A former Senior Planner approved a site plan without the berms in 2011. The Committee needs to discuss this matter.
5. Ordinance 2012-26-Special Use Permit for YPAC  
Issue: Condition 6 requires paved parking lot by 2014 with 28 parking spaces  
How Department Became Aware of Violation: YPAC approached County for financial assistance in 2018.  
Current Status: The owners of YPAC applied for ARPA Funds from the County and were told that they need to submit a time line for paving the parking lot; PBZ letter was returned as unclaimed.

Mr. Asselmeier read a letter from YPAC requesting until April 2023 to complete the paving. They would like to get the parking lot paved in Summer 2022. Mr. Asselmeier was in favor of granting an extension until April 2023. Discussion occurred regarding YPAC's application for American Rescue Plan Act funds and the amount of time necessary to get asphalt. The consensus of the Committee was that YPAC should pave the parking lot by the end of 2022 and a citation will be issued if it is not paved.

In addition to the above, Staff became aware of the following violation:

1. Ordinance 2014-21-Special Use Permit for Peaceful Pathways Montessori School at 8250 Route 71  
Issue: Condition 2 requires the gravel driveway to be paved with asphalt no later than May 15, 2017

How Department Became Aware of Violation: The Parcel ID number for the property was updated in 2021 and Staff discovered the condition.

Current Status: Request has been sent to the Petitioner's Attorney for a time line for paving the driveway; Petitioner has until February 18, 2022, to respond.

Regarding the special use permit for the church at 8 West Rickard Drive, the consensus of the Committee was not to pursue any action against the church based on the signed site plan.

*Review and Approval of Policy Regarding Code Enforcement in Cases Where Parties Are Pursuing Compliance Through Legislative or Administrative Means (Examples Include Text Amendments, Map Amendments, Special Use Permits or Variance Applications)*

Mr. Asselmeier summarized the request.

Since at least 2017, the Planning, Building and Zoning Department's understanding was that, in cases where parties were pursuing text amendments, map amendments, variances, special use permits, or other legislative or administrative approvals, the Department would not issue citations against these parties until a final legislative or administrative decision was made. The Department was aware that several months may be necessary in order reach final legislative or administrative decisions. The Department was also aware that courts historically layover such cases until final legislative or administrative decisions are made before rendering verdicts.

Since 2016, the following businesses and activities were allowed to operate while waiting for zoning approvals:

1. Delaney Gun Range at 16502 Church Road (Ceased After Special Use Permit was Withdrawn)
2. Jet's Towing at 790 Eldmain Road
3. Billboard at 34 and Hafenrichter (Special Use Permit Not Renewed Between 2004 and 2017)
4. 15331 Burr Oak Road (Special Use Permit Not Renewed Prior to 2018)
5. TZ Landscaping at 276 Route 52
6. Temporary Use Permit Renewal at 9211 Route 126
7. Pipe Strong at 17854 N. Wabena Road
8. Driveway in the Setback at 9261 Kennedy
9. Cox Landscaping at 9000 Route 34
10. Trucking Business at 3485 Route 126
11. Fence at 68 Saugatuck (Lowered after ZBA Denial)
12. Craft Fair at 5681 Whitewillow Road
13. Brighter Daze at 10978 Crimmin Road

A proposed policy outlining enforcement actions and warning periods was provided with an update exempting applications for major amendments to existing special use permits from the condition allowing businesses to continue operations.

Member Vickers made a motion, seconded by Member Gilmour, to approve the policy with the exemption related to amendments to special use permits. With a voice vote of five (5) ayes, the motion carried.

**COMMENTS FROM THE PRESS**

None

**EXECUTIVE SESSION**

None

**ADJOURNMENT**

Member Flowers made a motion, seconded by Member Koukol, to adjourn. With a voice vote of five (5) ayes, the motion carried.

Chairman Gengler adjourned the meeting at 6:52 p.m.

Minutes prepared by Matthew H. Asselmeier, AICP, CFM, Senior Planner

Encs.

## Kendall County Job Description

**TITLE:** Code Official – Planning, Building and Zoning  
**DEPARTMENT:** Planning, Building and Zoning (PBZ)  
**SUPERVISED BY:** County Administrator  
**FLSA STATUS:** Non Exempt  
**APPROVED:** October 15, 2019

### I. Position Summary:

Manages, coordinates, and conducts building related activities related to the Kendall County Zoning Ordinance and other applicable local, state and federal building and zoning regulations. Under general supervision, performs work of moderate difficulty in reviewing building permit applications, plan review and inspecting new and existing structures for compliance with all applicable codes, ordinances.

### II. Essential Duties and Responsibilities:

- A. Explains, applies, and enforces the Kendall County Zoning Ordinance and all other applicable local, state and federal building and zoning codes, ordinances and regulations.
- B. Interprets and applies all provisions of the building, electrical, plumbing, and related codes and advises the Planning Building and Zoning Committee on building code matters.
- C. Enforces zoning, subdivision, flood plain, building, erosion control, storm water management, and related codes at county, state, and national levels.
- D. Performs plan reviews and inspections issues permits accordingly.
- E. Researches and updates pending building code revisions.
- F. Coordinates with the Office Assistant to schedule inspections and manage the inspection calendar.
- G. Coordinates outside plan reviewers to schedule and perform inspections in their absence.
- H. Consults with and advises property owners, builders, architects, engineers, attorneys, surveyors, to ensure project compliance. Responds to technical inquiries regarding code and ordinance interpretation.
- I. Issues building and sign permits.
- J. Reviews permit applications, plans, drawings, and other documents for completeness, accuracy, and code compliance.
- K. Performs final inspection of construction projects at completion and issues of certificates of occupancy.
- L. Conducts inspections of permitted construction such as setback, footing, foundation, backfill, framing, wiring, damage and determines safety.
- M. Inspects signs and fences for compliance with County building and zoning specifications.
- N. Conducts investigations of alleged violations such as non-permitted construction, excavation, trailers, dumping, signs, junk vehicles, and weeds, permitted signs and mobile homes, campground and building inspections.
- O. Evaluates the building code compliance process and provides recommendations for improvements to forms, scheduling, fees, record keeping, and other County building and zoning related procedures, which recommendations are given particular weight by the final decision-maker.
- P. Prepares and maintains records regarding and relating to all job duties performed by the Code Official including, but not limited to, inspection logs, photographs of violations, reports of findings, records of permits, plan reviews, inspections, etc.
- Q. Travels throughout Kendall County for zoning/code compliance purposes.
- R. Operates county vehicle and arranges for maintenance and repairs of said vehicle.
- S. Performs other duties as assigned by supervisor.
- T. Adheres to all work and safety policies.

## Kendall County Job Description

- U. Maintains regular attendance and is punctual.
- V. Attends conferences, seminars, training, meetings and prepares reports as needed.
- W. Follows government functions of development regulation and the role of the employee as a service provider.
- X. Maintain regular communication with his or her supervisor.

### III. Supervisory Responsibilities:

This job has no supervisory responsibility.

### IV. Qualifications:

To perform this job successfully, an individual must be able to perform all essential duties satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required for the position.

#### A. Language Skills:

- Ability to research, read, and interpret documents and simple instructions.
- Ability to prepare documents, reports, minutes, agendas, and correspondence.
- Ability to speak effectively with the public, employees, outside entities, vendors, and the County's elected officials in both a one-on-one and group settings.
- Requires proficiency in the English language, spelling, and grammar.

#### B. Mathematical Skills:

- Ability to add, subtract, multiply and divide in all units of measure, using whole numbers, common fractions, and decimals.
- Ability to compute rate, ratio, and percent and to draw and interpret bar graphs.

#### C. Reasoning Ability:

- Ability to apply common sense understanding to carry out instructions furnished in written, oral, or diagram form.
- Ability to deal with problems involving several concrete variables in standardized situations.
- Ability to analyze problems, identify alternative solutions, project consequences of proposed actions, and implement recommendations.
- Ability to evaluate situations and draw conclusions.

#### D. Skills, Knowledge and Abilities:

- Strong organization skills and attention to detail.
- Knowledge of zoning and related regulations and of the provisions of the County Zoning Ordinance.
- Knowledge of the principles and practices of construction, repair and land survey.
- Knowledge of construction, development regulations, and building plans, trades and codes including BOCA, CABO, National Electric Code, and others.
- Ability to comprehend complex code problems, to identify alternative solutions and prepare appropriate recommendations.
- Knowledge of building and property maintenance codes and ordinances.
- Ability to analyze and interpret plans and determine whether plans conform to the provisions of applicable codes and ordinances.
- Basic knowledge of the County geography.

## Kendall County Job Description

- Knowledge of applicable federal, state and local laws, rules, regulations, codes and/or statutes
- Ability to investigate code violation complaints.
- Ability to work with confidential information.
- Ability to establish and maintain effective working relationships with Department staff, other Departments, Elected Officials and others such as contractors and the general public.
- Ability to use MS Word Excel, Outlook, PowerPoint.
- Ability to manage projects and multiple priorities simultaneously.

### E. Education and Experience:

- A minimum of a high school diploma or General Education Degree is required.
- A minimum of at least four (4) years in construction and building experience is required.
- A minimum of at least two (2) years building/code inspector experience is preferred
- Valid and current Illinois Driver's License and good driving record is required.
- All other licenses and certifications required to perform assigned job duties.
- Must obtain certification by ICC or a comparable organization as a qualified building official, or inspector of residential and non-residential structures during the probationary period.

### V. Physical Demands:

While performing the duties of this job, the employee must be able to:

- Frequently sit for hours in meetings, office and/or a vehicle;
- Occasionally lift and/or move up to 40 pounds;
- Frequently lift and/or move up to 10 pounds.
- Stand and walk on uneven ground and at development sites;
- Use hands to finger, handle, or feel;
- Reach, push and pull with one and/or both hands and arms;
- Bend over at the waist and reach with one and/or both hands and arms;
- Climb and balance at development sites;
- Stoop, kneel, crouch, and/or crawl;
- Talk and hear in person and via use of telephone;
- Operate County vehicles and safety equipment;
- Specific vision abilities include close and distance vision, depth perception; and
- Travel independently to development sites, public hearings and other meetings and other locations both within and outside Kendall County, Illinois.

### VI. Work Environment:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. While performing the duties of this job, the employee is subject to the following working conditions:

- Inside and outside environmental conditions.
- Will be exposed to driving and onsite construction conditions.
- The noise level in the work environment varies from quiet to noisy.
- The employee must be able to perform all assigned job duties during normal business hours and outside of normal business hours.
- Employee may be exposed to stressful situations while working with elected officials, consultants, attorneys, applicants, and the general public.



## Kendall County Job Description

- Employee may be required to provide own transportation to travel to and from meetings, training, conferences, etc.

By signing my name below, I hereby affirm that I received a copy of this job description.

\_\_\_\_\_  
Employee Receipt Acknowledgement & Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Supervisor

cc: personnel file, employee

\_\_\_\_\_  
Date



January 21, 2022

Kendall County PB&Z Department:

We are writing to you because we were recently notified that we have an outstanding issue with the PB&Z Department. This came up 2 weeks ago when we applied for a small business grant from Kendall County for COVID relief and were first made aware of this issue. In 2014, as a part of our special use and zoning agreement from 2012, we were to have the parking lot at the time and entrance from Route 47 paved for our business location at 2161 State Route, 47, Yorkville, IL 60560. We apologize for the oversight in this as we agreed to have this done some time ago.

We would like to share that the entrance from Route 47 was paved a few years ago and the parking area in front of the building was previously paved. What is left is the area we expanded into on the property to create additional parking by having a large gravel area installed by an excavator. The graveled area has served us well over the years and we have it graded twice a year and new gravel added once a year.

In order to have time to set aside funds or obtain a loan for the purpose of paving the remaining parking lot area we ideally are looking at a timeline of having this done in April of 2023. We would like to have it done as soon as this summer of 2022. However, we are concerned about finances which have been severely impacted by the COVID pandemic. Our first priority is to stabilize our business and it's services to the community. By clearing up this issue with the PB&Z Department it will allow us to hopefully obtain the pending Kendall County grant available via the American Rescue Plan Act. Which will in turn help us stabilize our business and then make building and property improvements including the paving of the parking lot.

Thank you for your leniency thus far and understanding of our needs and challenges as a small business in Kendall County. And we submit this to you as what we hope is an acceptable resolve to the outstanding issue.

Sincerely,

Brian and Emily Weber, Owners

2161 Route 47 - Yorkville, Illinois 60560 - (630) 553-6433

*More Than Just Great Dancing!*  
Affiliated Dance Studios

01/11/2022 08:13 | Kendall County  
 Pherber | PBZ 01112022

1 P  
 1 apinvent



CLERK: pherber BATCH: 2182 NEW INVOICES  
 VENDOR REMIT NAME INVOICE PO CHECK RUN NET AMOUNT EXCEEDS PO BY PO BALANCE CHK/WIRE

PENDING UNPAID INVOICES

1153 0000 KENDALL CO HIGHW December 2021 116.24 .00 .00 116.24 1099:  
 CASH 000008 2022/02 INV 01/11/2022 SEP-CHK: N DISC: .00 11001902 62170  
 ACCT 1Y210 DEPT 19 DUE 01/11/2022 DESC:Fuel PBZ Trucks

CONDITIONS THAT PREVENT POSTING INVOICE 1153/24208  
 \* Invoice must be approved or voided to post.  
 1508 0000 PARADISE CAR WAS 224422 16.00 .00 .00 16.00 1099:  
 CASH 000008 2022/02 INV 01/11/2022 SEP-CHK: N DISC: .00 11001902 62170  
 ACCT 1Y210 DEPT 19 DUE 01/11/2022 DESC:PBZ Truck wash

CONDITIONS THAT PREVENT POSTING INVOICE 1508/24209  
 \* Invoice must be approved or voided to post.

1849 00001 VERIZON 9895529224 25.06 .00 .00 25.06 1099:  
 CASH 000008 2022/02 INV 01/11/2022 SEP-CHK: Y DISC: .00 11001902 62070  
 ACCT 1Y210 DEPT 19 DUE 01/11/2022 DESC:Zoning Cell Phone

CONDITIONS THAT PREVENT POSTING INVOICE 1849/24212  
 \* Invoice must be approved or voided to post.

1849 00001 VERIZON 9895529224 84.64 .00 .00 84.64 1099:  
 CASH 000008 2022/02 INV 01/11/2022 SEP-CHK: N DISC: .00 11001902 62070  
 ACCT 1Y210 DEPT 19 DUE 01/11/2022 DESC:PBZ Cell phones

CONDITIONS THAT PREVENT POSTING INVOICE 1849/24214  
 \* Invoice must be approved or voided to post.

1928 00000 WBK ENGINEERING, 22688 1,182.50 .00 .00 1,182.50 1099:  
 CASH 000008 2022/02 INV 01/11/2022 SEP-CHK: N DISC: .00 180119 63150  
 ACCT 1Y210 DEPT 19 DUE 01/11/2022 DESC:Plastics Building Addition

CONDITIONS THAT PREVENT POSTING INVOICE 1928/24216  
 \* Invoice must be approved or voided to post.

180119 63150 1,182.50 1099:  
 21-50 -CONTSVC -002 WBK -

01/11/2022 08:13 | Kendall County  
 pherber | PBZ 01112022

| P  
 | apinvent 2



CLERK: pherber BATCH: 2182 NEW INVOICES  
 INVOICE PO CHECK RUN NET AMOUNT EXCEEDS PO BY PO BALANCE CHK/WIRE

1928 00000 WBK ENGINEERING, 22686 537.50 .00 .00

CASH 000008 2022/02 INV 01/11/2022 SEP-CHK: N DISC: .00 180119 63150 537.50 1099:  
 ACCT 1X210 DEPT 19 DUE 01/11/2022 DESC:Bristol Sanitary District 21-47 -CONTSVC -002 WBK -

CONDITIONS THAT PREVENT POSTING INVOICE 1928/24217

\* Invoice must be approved or voided to post.

1928 00000 WBK ENGINEERING, 22687 430.00 .00 .00

CASH 000008 2022/02 INV 01/11/2022 SEP-CHK: N DISC: .00 180119 63150 430.00 1099:  
 ACCT 1X210 DEPT 19 DUE 01/11/2022 DESC:Central Limestone 21-05 -CONTSVC -002 WBK -

CONDITIONS THAT PREVENT POSTING INVOICE 1928/24218

\* Invoice must be approved or voided to post.

1928 00000 WBK ENGINEERING, 22685 215.00 .00 .00

CASH 000008 2022/02 INV 01/11/2022 SEP-CHK: N DISC: .00 180119 63150 215.00 1099:  
 ACCT 1X210 DEPT 19 DUE 01/11/2022 DESC:3549 Bell Rd. 21-36 -CONTSVC -002 WBK -

CONDITIONS THAT PREVENT POSTING INVOICE 1928/24220

\* Invoice must be approved or voided to post.

1928 00000 WBK ENGINEERING, 22673 1,290.00 .00 .00

CASH 000008 2022/02 INV 01/11/2022 SEP-CHK: N DISC: .00 11001902 63630 1,290.00 1099:  
 ACCT 1X210 DEPT 19 DUE 01/11/2022 DESC:Kendall County Review Services 11-28 - 12-31-2021

CONDITIONS THAT PREVENT POSTING INVOICE 1928/24221

\* Invoice must be approved or voided to post.

1928 00000 WBK ENGINEERING, 22643 273.67 .00 .00

CASH 000008 2022/02 INV 01/11/2022 SEP-CHK: N DISC: .00 180119 63150 273.67 1099:  
 ACCT 1X210 DEPT 19 DUE 01/11/2022 DESC:9211 Route 126 19-45 -CONTSVC -101PERS -LOCAL

CONDITIONS THAT PREVENT POSTING INVOICE 1928/24224

\* Invoice must be approved or voided to post.



01/11/2022 08:13 | Kendall County | P 3  
 pherber | PBZ 01112022 | apinvent

CLERK: pherber BATCH: 2182 NEW INVOICES  
 Vendor REMIT NAME INVOICE PO CHECK RUN NET AMOUNT EXCEEDS PO BY PO BALANCE CHK/WIRE

1969 00000 RANDY ERICKSON December 2021 1,500.00 .00 .00  
 CASH 000008 2022/02 INV 01/11/2022 SEP-CHK: N DISC: .00 11001902 63610 1,500.00 1099:7  
 ACCT 1X210 DEPT 19 DUE 01/11/2022 DESC:December 2021 Plumbing Inspections  
 CONDITIONS THAT PREVENT POSTING INVOICE 1969/24210  
 \* Invoice must be approved or voided to post.

0 INVOICE(S)	REPORT POST TOTAL	REPORT TOTALS
11 PENDING UNPAID INVOICES	TOTAL	5,670.61
	REPORT POST TOTAL	.00
	REPORT TOTALS	.00

01/11/2022 11:03 |Kendall County  
 pherber |Escrow Refund 01112022

| P 1  
 | apinvent



CLERK: pherber BATCH: 2195 NEW INVOICES  
 VENDOR REMIT NAME INVOICE PO CHECK RUN NET AMOUNT EXCEEDS PO BY PO BALANCE CHK/WIRE

PENDING UNPAID INVOICES

3424 00000 ZEITER LANDSCAPI Refund Pet# 21-36 17.50 .00 .00 17.50 1099:

CASH 000008 2022/02 INV 01/11/2022 SEP-CHK: N DISC: .00 180119 63150 21-36 -REFUND -003

ACCT 1Y210 DEPT 19 DUE 01/11/2022 DESC:Escrow Refund Pet# 21-36

CONDITIONS THAT PREVENT POSTING INVOICE 3424/24256

\* Invoice must be approved or voided to post.

1 PENDING UNPAID INVOICES TOTAL 17.50

0 INVOICE(S) REPORT POST TOTAL .00

REPORT TOTALS .00

01/24/2022 11:39 pherber  
 Kendall County  
 PBZ 01242022

1 P  
 1 apinvent



CLERK: pherber BATCH: 2233 INVOICE NEW INVOICES  
 VENDOR REMIT NAME PO CHECK RUN NET AMOUNT EXCEEDS PO BY PO BALANCE CHK/WIRE

PENDING UNPAID INVOICES

135 00000 BUILDING & ZONIN 1142022 013121 85.11 .00 .00 85.11 1099:  
 CASH 000008 2022/02 INV 01/24/2022 SEP-CHK: N DISC: .00  
 ACCT 1Y210 DEPT 19 DUE 01/24/2022 DESC:Hearing Sign Equipment  
 11001902 62160  
 CONDITIONS THAT PREVENT POSTING INVOICE 135/24555

\* Invoice must be approved or voided to post.  
 2063 00000 RUNCO OFFICE SUP 853463-0 013121 111.29 .00 .00 111.29 1099:  
 CASH 000008 2022/02 INV 01/24/2022 SEP-CHK: N DISC: .00  
 ACCT 1Y210 DEPT 19 DUE 01/24/2022 DESC:Office Supplies  
 11001902 62000  
 CONDITIONS THAT PREVENT POSTING INVOICE 2063/24556

\* Invoice must be approved or voided to post.

2 PENDING UNPAID INVOICES TOTAL 196.40

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



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## DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 316

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

### MEMORANDUM

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To: Planning, Building and Zoning Committee  
From: Matthew H. Asselmeier, AICP, CFM, Senior Planner  
Date: January 26, 2022  
Re: Petition 21-47 – Proposed Stormwater Management Ordinance Variance-Yorkville Bristol Sanitary District

---

Kendall County and the United City of Yorkville received a request from Yorkville Bristol Sanitary District (YBSD) for variances to the stormwater detention and compensatory storage requirements of the Kendall County Stormwater Management Ordinance. Though not part of the Stormwater Management Ordinance variances, the Petitioner also requested variances to Yorkville's tree preservation and replacement regulations and setback requirements. While the subject property is inside Yorkville, the Kendall County Stormwater Management Ordinance requires approval by both Kendall County and Yorkville for the stormwater related variances.

YBSD wishes to expand their existing facility at 304 River Street in preparation for anticipated population increases in their district. The proposed improvements will consist of approximately six hundred forty-one thousand (641,000) square feet of development and four hundred forty-thousand (440,000) square feet of new impervious surfaces including tanks, pipes, platforms and other structures.

Per Section 203 of the Kendall County Stormwater Management Ordinance, non-residential developments equal to or greater than three (3) acres that result in more than forty-five thousand (45,000) square feet of development or thirty-two thousand (32,000) square feet of impervious area must provide onsite stormwater detention. The proposed expansion will exceed all stated thresholds. Therefore, YBSD is requesting a full waiver of the stormwater detention requirement based on the following:

1. The stormwater runoff generated from the proposed development area will discharge directly to the Fox River and Blackberry Creek with no impact to downstream properties.
2. The proposed development is significantly smaller than the total watershed area (21 acres of 2,138 square miles).
3. The estimated timing of the YBSD facility's peak stormwater discharges is unlikely to coincide with the highest flows and flood elevations along the Fox River and Blackberry Creek waterways.
4. The proposed implementation of best management practices such as vegetative swales, buffer strips, and sediment traps which will treat the discharges to the Fox River and Blackberry Creek and mitigate potential reduction of water quality.
5. To avoid the potential removal of valuable riparian vegetation and critical habitat for the endangered Indiana bat located on the subject property.

Per Section 403 of the Kendall County Stormwater Management Ordinance, the hydraulically equivalent compensatory storage must be provided for fills within the regulatory floodplain. In order to maximize the property's land area to accommodate critical wastewater treatment operations,



YBSD is requesting a full waiver of the compensatory storage requirements, onsite or downstream of the property, based on the following:

1. There would be no structures impacted by the regulatory floodplain along the Fox River in the area immediately downstream of the proposed improvements.
2. The minor loss of flood storage resulting from the proposed fill is small, relative to the total flood storage of the Fox River and will not impact any downstream structures during the 100-year flood.
3. A dam is located upstream of the subject property which provides some hydraulic control of flood profiles, creates upstream flood storage, and reduces the impacts of proposed fill within the project limits.
4. The hydraulic modeling demonstrated that the proposed improvements meet the applicable regulatory standards of the Illinois Department of Natural Resources (IDNR) requirements for floodway constructions without the need for compensatory storage.
5. Several offsite compensatory storage locations were explored, however, these areas had major feasibility concerns or negative impacts such as requiring additional tree removal and/or additional loss of usable land.

The application materials are included as Attachment 1.

Engineering Enterprises Inc., as Yorkville's City Engineer, reviewed the proposal and recommended approval. WBK reviewed the proposal and deferred to the opinions of Yorkville's City Engineer. WBK's letter is included as Attachment 2.

Section 903 of the Kendall County Stormwater Management Ordinance required a public hearing by the Certified Community's Oversight Committee, in this case the Yorkville Planning and Zoning Commission, after applicable notice has been given. This hearing occurred on January 12, 2022. Other than the Petitioner, no one from the public testified at the hearing and the Yorkville Planning and Zoning Commission unanimously recommended approval of the requested variances.

The Yorkville City Council reviewed this proposal at their meeting on January 25, 2022, and unanimously approved the requested variances.

The draft ordinance is included as Attachment 3. Staff recommends approval of the ordinance subject to the conditions outlined in the draft ordinance.

If you have any questions, please let me know.

MHA

- Attachment 1 Application
- Attachment 2 WBK Comments
- Attachment 3 Draft Variance Ordinance

October 22, 2021

Matthew H. Asselmeier, AICP, CFM  
Senior Planner

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

RE: Yorkville-Bristol Sanitary District – Kendall County Variance Application

Dear Mr. Asselmeier,

We have enclosed the Kendall County Stormwater Management Permit Application and supporting documents required by the Section 901.4 of the Kendall County Stormwater Management Ordinance.

Below is the information or where the information is located required by Section 901.4 Application Format.

- a. The common addresses and legal descriptions of all lands comprising the development;
  - i. **This is included in the Stormwater Management Permit.**
- b. The names and addresses of all owners of record of the legal title of all lands comprising the development;
  - i. **Not applicable.**
- c. If title to any of the land comprising the development is held in trust, the names and addresses of all beneficiaries of the trust;
  - i. **Not applicable.**
- d. The names and addresses of the developers of the land, if different from the owner;
  - i. **Not applicable.**
- e. The names and addresses of all consultants retained by the developer in connection with the application for a variance;
  - i. **Baxter & Woodman is providing the technical assistance to Yorkville-Bristol Sanitary District.**
- f. The names and addresses of all property owners within 250 feet of the development;
  - i. **Provided in Exhibit B.**
- g. The specific feature or features of the development that require a variance;
  - i. **Provided in the Variance Request Report.**
- h. The specific provision of the Certified Community Stormwater Ordinance from which a variance is sought and the precise extent of the variance there from;
  - i. **Provided in the Variance Request Report.**
- i. The specific provision of the County Stormwater Ordinance from which a variance is sought and the precise extent of the variance there from;
  - i. **Provided in the Variance Request Report.**

- j. A statement of the characteristics of the development that prevent compliance with the provisions of this ordinance;
  - i. **Providing wastewater treatment for YBSD's ultimate facility planning area population will require development of nearly the entire project site, and the required stormwater detention facilities and compensatory storage cannot be provided onsite without significantly reducing the footprint available for treatment facilities. Additional details are provided in the Variance Request Report.**
- k. A statement that the variance requested is the minimum variance necessary to permit the development;
  - i. **The variance requested is the minimum variance necessary to allow YBSD to provide wastewater treatment to the ultimate facility planning area population.**
- l. A statement as to how the variance requested satisfies the standards set forth in Section 904 of this ordinance;
  - i. **Provided in the Variance Request Report.**

Please call me with any questions or comments that you may have regarding the application.

Respectfully Submitted,

BAXTER & WOODMAN, INC.  
CONSULTING ENGINEERS



Brent W. Perz, P.E.  
BWP

- Attachments:
- Stormwater Management Permit
  - Exhibit A – Legal Description
  - Exhibit B – Adjoining or continuous landowner within 500 feet of property
  - Variance Request Report
  - Variance Request Report Exhibit 1 - 10
  - Variance Schedule

I:\Crystal Lake\YORSD\201643-Solids Handling Impr\40-Design\08-Permits\Variance\Variance Request\Submittal (County)\Cover Letter 2021-10-22.docx

# STORMWATER MANAGEMENT PERMIT

Attachment 1 Page 3

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 Yorkville-Bristol Sanitary District (YBSD)

Owner Address 304 River St.

Phone 630-553-7657

Agent: Name N/A

Address N/A

Phone N/A

Site: Address or Location 304 River St.

Tax Parcel # 02-32-231-008

Zoning/Land Use/Acres A-1 with special use for sanitary district water treatment

**Proposed Development:**

Development of the project site is for providing wastewater treatment for YBSD's ultimate facility planning area population.

Attachments: Plat Exhibit A Construction Plans n/a

Soils n/a Landscaping n/a

Grading n/a Phasing n/a

Other n/a

Fees \$ 50 Processing Fee (\$50.00)

\$ 1,200 Engineering Review Deposit (\$1,200.00 or 2% of estimated cost of the proposed improvements, whichever is greater.)

TOTAL \$ 1,250 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.

Owner's Signature  Date 10/22/2021

Agent's Signature \_\_\_\_\_ Date \_\_\_\_\_





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

I, Cyrus McMains understand that Kendall County uses the services of a  
Applicant Name

consultant for engineering reviews and inspections and that I will be responsible for  
payment of services on YBSD - 1B Improvements project. I authorize the consulting  
Project Name  
services to proceed.

IF THIS IS **NOT** PART OF A BUILDING PERMIT APPLICATION, PLEASE CHECK THE BOX  
AND COMPLETE THIS SECTION:

I hereby submit a deposit of \$1,250 payable to the **Kendall County Treasurer**  
\$ Amount

to be used by Kendall County to reimburse consultant for charges invoiced for work  
done in the review, approval and inspection of the proposed improvements.

I understand that if the deposit is depleted that I may be required to replenish the  
deposit to have work proceed.

I further understand that Kendall County will not issue a Building Permit or a Certificate  
of Occupancy as the case may be until I provide payment or proof of payment for the  
engineering services.

Signature of Applicant:

Date:

10/22/2021

### **STORMWATER MANAGEMENT REVIEW – ENGINEERING**

Kendall County requires the engineering review of “development” to determine compliance with County ordinances including:

- [Countywide Stormwater Ordinance](#) (Includes Soil Erosion Control & Floodplain Protection)
- [Subdivision Control Ordinance](#)
- [Zoning Ordinance](#)

These ordinances can be viewed online at <https://www.co.kendall.il.us/departments/planning-building-zoning/planning-and-zoning-application-forms-ordinances/stormwater-permit> or purchased at the Planning, Building, and Zoning Office. For further information, please contact PBZ Staff.

Development is broadly defined as any activity that has potential for adverse effect on adjacent properties due to changes in stormwater runoff. A permit may be needed for some activities that do not require a land use, subdivision or zoning petition. Please check with the County Planning Building & Zoning Office (630-553-4139) prior to any significant grading or filling on your property.

The consulting firm of Wills Burke Kelsey, Ltd. assists the County with the review of engineering plans submitted by developers. WBK is a multi-disciplinary, full-service civil and environmental engineering and consulting firm. Their Project Manager assigned to Kendall County is:

Greg Chismark, P.E.  
Wills Burke Kelsey, Ltd.  
116 West Main Street, Suite 201  
St. Charles, IL 60174  
Phone: 630-443-7755  
Email: [GChismark@wbkengineering.com](mailto:GChismark@wbkengineering.com)

WBK charges fees for their review and consultation services. The applicant/developer will be expected to open an escrow account with Kendall County at the time of application. WBK’s fees are in addition to the application fee charged by the County. Fees vary by project considering each project has different potential impacts and each development plan is different. If there is any question on fees, please contact the County Planning, Building, and Zoning Office (630-553-4139).

### **HIGHLIGHTS OF STORMWATER MANAGEMENT REGULATIONS**

**AUTHORITY:** The County has statutory authority to regulate Stormwater Management and governing the location, width, course, and release rate of all stormwater runoff channels, streams and basins in the County.

**OBJECTIVES:** To protect upstream and downstream land owners from adverse impact of development activities. These impacts relate to stormwater quantity (flooding), soil erosion control, and floodplain and wetland protection.

**EXEMPTIONS & LIMITATIONS:** Most farming activities outside the floodplain and wetlands are exempt from the ordinance. A farming activity that results in a total of more than 43,560 square feet of impervious surfaces (old & new) will require a permit. Many projects, such as ponds, berms, shore stabilization where more than 43,500 square feet of ground is disturbed or three feet of fill is placed, require a Stormwater Permit. Some exceptions include driveways, some swimming pools, utilities, and public roadway projects.

**PROCEDURES:** The owner should do their best to read and understand the requirements of the ordinance prior to contacting the County and preparing an application. If the project involves impacts to floodplain or wetlands it may be necessary to seek guidance from a design professional. We encourage early communication to help determine permit requirements. A pre-application meeting is encouraged. In order for the meeting to be as productive as possible we recommend you bring an draft application, the engineering consultants fee deposit form, along with **two** copies of a concept grading plans that includes at a minimum, a location map, the extent of disturbance and a description of the change in ground elevation proposed. We recommend the applicant utilize the County GIS data in preparing initial project concepts <https://www.co.kendall.il.us/departments/geographic-information-systems/interactive-maps>. County staff and WBK will determine if additional data is needed and whether other agency permits/consultation is required.





IF YOUR PROJECT...	THEN YOU NEED A STORMWATER MANAGEMENT PERMIT
<input checked="" type="checkbox"/> Any development or a substantial improvement located in the regulatory floodplain or wetland or there is a regulatory floodplain or wetland within the property boundary.	
<input type="checkbox"/> Any land disturbing activity to be performed in a water course or water body or crossing a water course or waterbody.	
<input checked="" type="checkbox"/> Any fill that will exceed three (3) feet in vertical height at its highest point measured from the natural ground surface.	
<input type="checkbox"/> Any land disturbing activity requiring a site runoff storage facility (stormwater detention).	
<input checked="" type="checkbox"/> Any development that disturbs more than 43,500 square feet of ground cover, <u>unless</u> the development solely involves one or more of the following:	
a. Installation, renovation, or replacement of a septic system, potable water service line, or other utility to serve an existing structure	
b. Maintenance, repair, or at grade replacement of: Existing lawn, Garden or cultivated areas or Residential Driveway	
c. Maintenance of an existing stormwater facility, not requiring other state or federal permits or approvals	
d. Excavation below final grade for tanks, vaults, tunnels, swimming pools, cellars, or for basements and/or footings of a single-family residence and appurtenant structures on a site that is part of an engineered and final platted subdivision or for which a building permit has been issued by the permitting authority, unless the site would otherwise require a Stormwater Management Permit	
e. Public roadway or bridge projects; consisting of improvement to an existing public roadway or public bridge sponsored by a public roadway agency and contracted as a public bid project	

The following activities shall be EXEMPT and shall not require a stormwater management permit:

• Tilling of soil for fire protection purposes
• Engaging in the following only if in connection with a farming or other agricultural or conservation enterprise, purpose, or use and only if there is no placement of fill within a floodplain:
a. Construction of sod waterways
b. Construction of terraces
c. Construction of surface water diversions (but not across watershed boundaries)
d. Construction of grade stabilization berms or systems
e. Tilling of the soil
f. The implementation of conservation measures included in a farm conservation plan approved by the Kendall County Soil and Water Conservation District
• Agricultural use of land and development on un-platted residentially zoned property larger than three acres provided the total impervious area is less than or equal to 43,560 square feet and no structure(s) or any substantial improvement to a building is within a floodplain

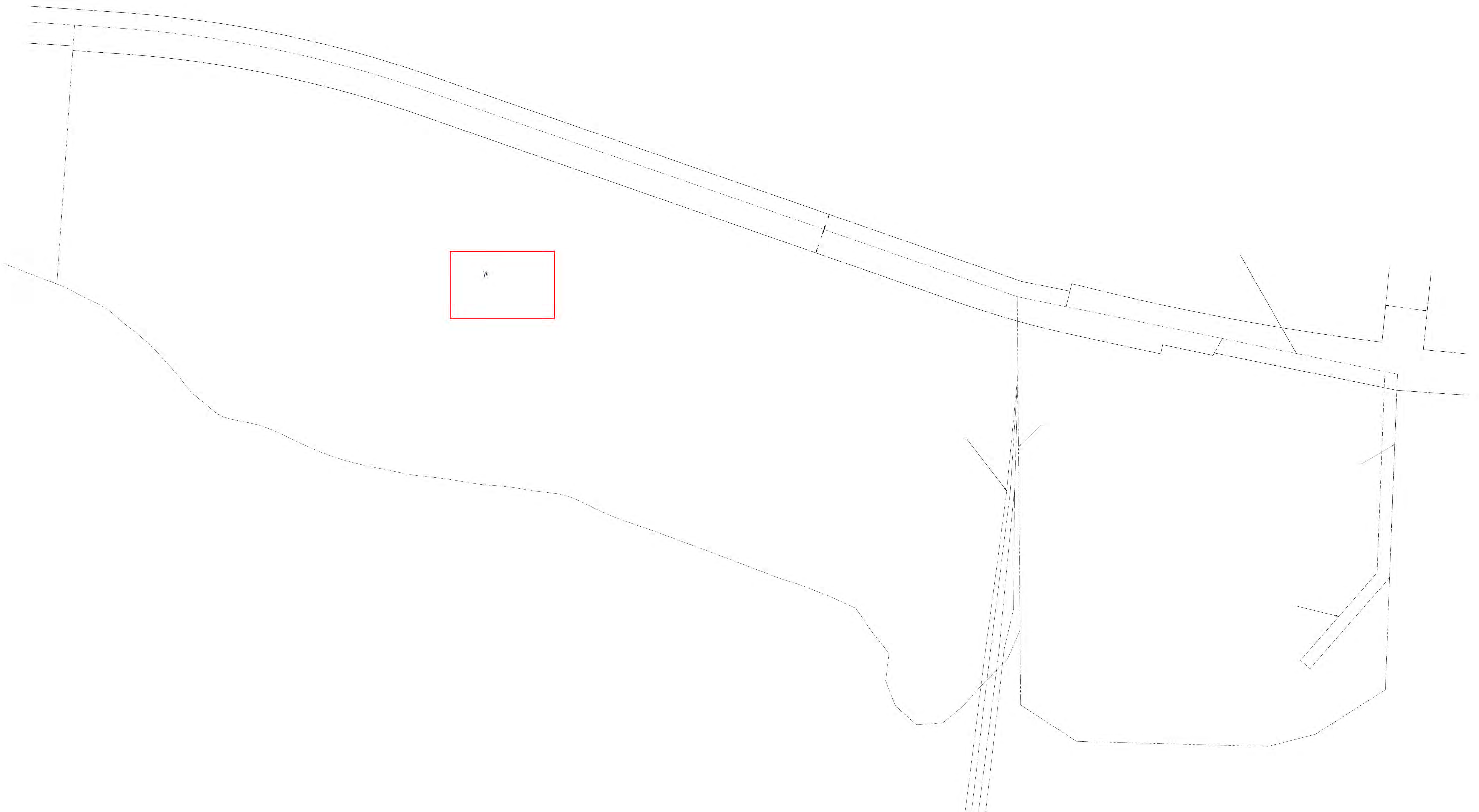
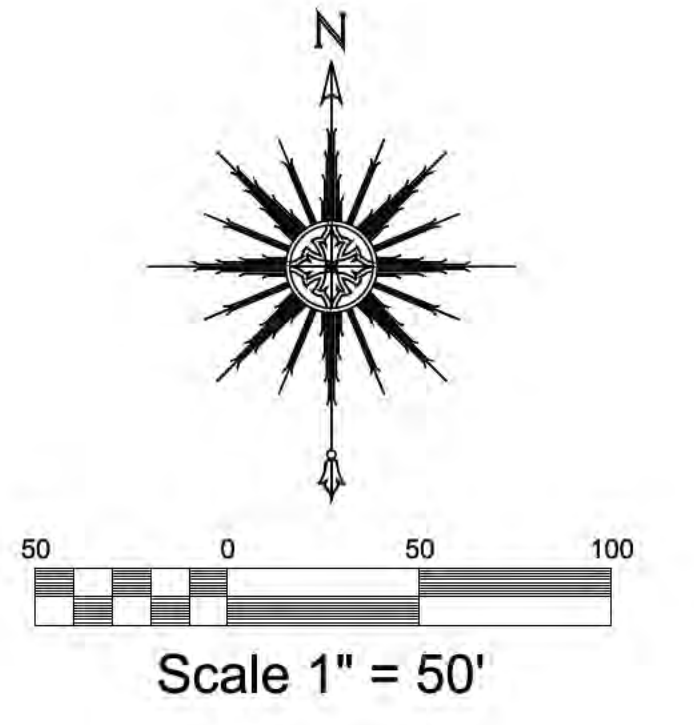
ALL DEVELOPMENT SHALL SECURE ALL FEDERAL, STATE, REGIONAL AND LOCAL APPROVALS, INCLUDING, WITHOUT LIMITATION, AN IDNR-OWR FLOODWAY/FLOODPLAIN CONSTRUCTION PERMIT, A USACOE PERMIT AND AN IDNR-OWR DAM SAFETY PERMIT IF REQUIRED, MEETING ALL FEDERAL, STATE, REGIONAL AND LOCAL APPROVALS PRIOR TO THE ISSUANCE OF A STORMWATER MANAGEMENT PERMIT FOR PROPOSED WORK AND AREAS OF A SITE REQUIRING SUCH OTHER APPROVALS.

	Section Number/ Description						
	502.2	502.3	502.4	502.5	502.6	502.7	502.8
	Application & Project Overview Plan	Erosion Control Plan Set Submittal	Engineering Plan Set Submittal	Stormwater Submittal	Floodplain Submittal	Performance Security	Maintenance Schedule & Funding
All Development Requiring a Permit	X	X					X
All Development Requiring Detention/Retention	X	X	X	X		X	X
All Development Requiring a Permit > 20 acres	X	X	X	X		X	X
All Developments on Sites with Floodplains	X	X	X		X	X	X
All Applications Requesting Variances	X	X	X	X	If on site	X	X

R N N X A

A P W

A P A





# Exhibit B – Adjoining or contiguous landowners within 500 feet of the property

Print using Adobe® Reader®'s "Actual size" setting

Attachment 1, Page 8

YORKVILLE BRISTOL SAN DISTRICT  
304 RIVER ST  
YORKVILLE, IL, 60560

RICHARD O & A SPECKMAN  
203 KING ST  
YORKVILLE, IL, 60560

(JAYCEES PARK) UNITED CITY OF THE VILLAGE OF YORKVILLE  
800 GAME FARM RD  
YORKVILLE, IL, 60560

YOUTH CAMP ASSOC DIST 12 & 13  
PO BOX 331  
LEMONT, IL, 60439

KURT W & MEGAN J GESSLER  
406 W CENTER ST  
YORKVILLE, IL, 60560

CHAD KELLY  
306 W MAIN ST  
YORKVILLE, IL, 60560

YORKVILLE BRISTOL SAN DISTRICT  
304 RIVER RD  
YORKVILLE, IL, 60560

YOUTH CAMP ASSOC DIST 12 & 13 PNA  
PO BOX 331  
LEMONT, IL, 60439

GATES FAMILY TRUST  
% GARY A & PHYLLIS D GATES  
309 W MAIN ST  
YORKVILLE, IL, 60560

YORKVILLE BRISTOL SAN DISTRICT  
304 RIVER ST  
YORKVILLE, IL, 60560

YORKVILLE BRISTOL SAN DISTRICT  
304 RIVER STREET  
YORKVILLE, IL, 60560

FRANCO & COSIMA TANZI  
603 RIVER BIRCH  
YORKVILLE, IL, 60560

UNITED CITY OF YORKVILLE  
800 GAME FARM RD  
YORKVILLE, IL, 60560

UNITED CITY OF THE VILLAGE OF YORKVILLE  
800 GAME FARM RD  
YORKVILLE, IL, 60560

YORKVILLE BRISTOL SAN DISTRICT  
304 RIVER RD  
YORKVILLE, IL, 60560

FRANCO & COSIMA TANZI  
603 RIVER BIRCH  
YORKVILLE, IL, 60560

GATES FAMILY TRUST  
% GARY A & PHYLLIS D GATES  
309 W MAIN ST  
YORKVILLE, IL, 60560

ILLINOIS RAILWAY INC  
C/O REAL ESTATE DEPT  
252 CLAYTON ST 4TH FLR  
DENVER, CO, 80206

YOUTH CAMP ASSOC DIST 12 & 13 PNA  
PO BOX 331  
LEMONT, IL, 60439

THOMAS C & FERRIS KELLY  
302 W MAIN ST  
YORKVILLE, IL, 60560

**Yorkville Bristol Sanitary District**

---

**Variance Request**

---



*Prepared by:*

**BAXTER & WOODMAN**  
Consulting Engineers

[www.baxterwoodman.com](http://www.baxterwoodman.com)

August 9, 2021

## Yorkville Bristol Sanitary District Variance Request TABLE OF CONTENTS

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### LIST OF EXHIBITS

Exhibit

- 1 – Kendall County Stormwater Ordinance
- 2 – United City of Yorkville Landscaping Ordinance
- 3 – Fox River Tributary Drainage Area
- 4 – Blackberry Creek Tributary Drainage Area
- 5 – Project Area
- 6 – Downstream Structures
- 7 – Will County Detention Exemptions
- 8 – HEC-RAS Model Results Table
- 9 – Offsite Compensatory Storage Locations
- 10 – U.S. Fish & Wildlife Service Report

## 1. INTRODUCTION

---

The Yorkville-Bristol Sanitary District (YBSD) and the United City of Yorkville have been working together for the last 15-years to ensure that west side property is available for the wastewater treatment facility to serve the ultimate facility planning area (FPA) population. In 2005, YBSD completed a Facility Planning Report that demonstrated the need for additional space for the wastewater treatment facility to serve the potential future facility planning area population.

In 2006, YBSD prepared an annexation agreement that annexed the west side property into the United City of Yorkville, Kendall County, Illinois. The United City of Yorkville City Council unanimously approved the annexation, Ordinance No. 2006-43. YBSD also rezoned the west side property to A-1 with special use for sanitary water treatment facilities. The City Council followed the recommendation from the Plan Commission and unanimously approved Ordinance No. 2006-44. These two ordinances provided the space and zoning required to provide the wastewater treatment capacity for the potential future FPA population on a single site.

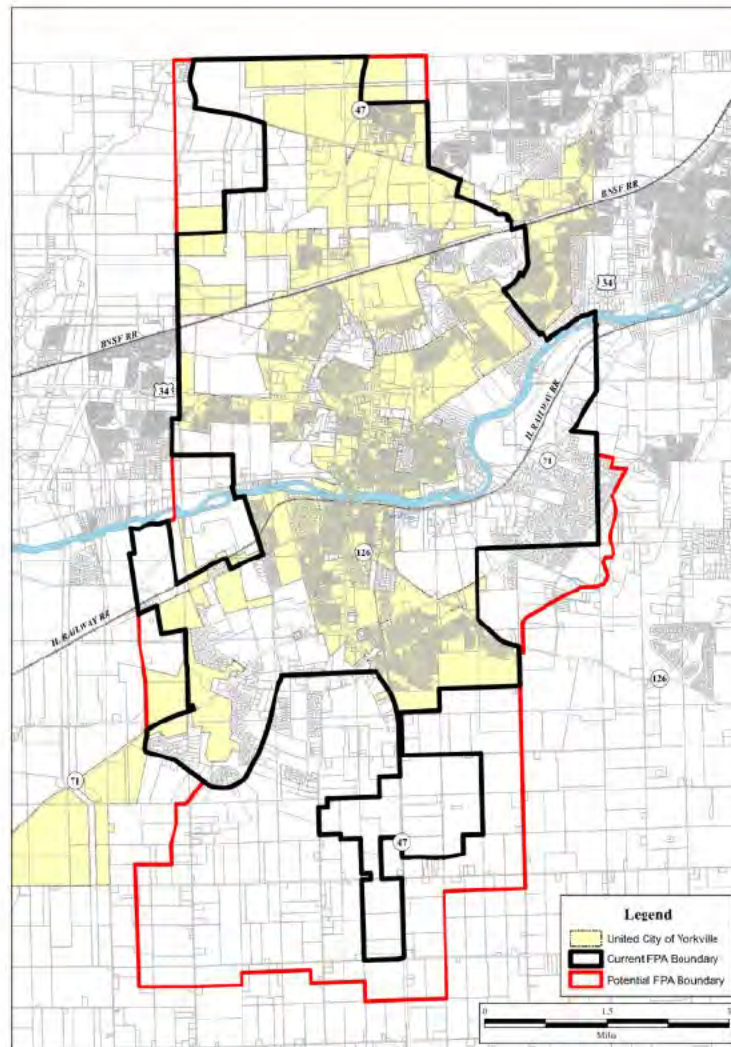
In 2014, YBSD completed a Phosphorus Removal Feasibility Report to determine the costs, treatment processes and space required to meet future effluent phosphorus limits. This report further reinforced the need for the west side property.

In 2018, YBSD completed a wetland delineation of the west side property to determine the sensitive environmental areas and the areas that could be used for wastewater treatment.

YBSD is currently completing the stormwater permitting and regulatory requirements that are needed to allow the west side property to be utilized for wastewater treatment. YBSD also just completed the preliminary design of the 1<sup>st</sup> phase of improvements that would be located on the west side property.

YBSD's mission is to provide wastewater treatment services for residents within its facility planning area, namely, the United City of Yorkville, Illinois, the county seat of Kendall County. The Facility Planning Reports, Annexation Ordinance, Rezoning Ordinance and wetland delineation were completed to allow wastewater treat of the potential future facility planning area population at a single site on the west side of Blackberry Creek. The YBSD FPA encompasses the United City of Yorkville and portions of the unincorporated areas of Bristol and Kendall Townships within Kendall County. The current and future potential FPA boundaries are shown below.





Providing wastewater treatment for YBSD's ultimate facility planning area population will require development of nearly the entire project site, and the required stormwater detention facilities and compensatory storage cannot be provided onsite without significantly reducing the footprint available for treatment facilities. The reduction of footprint for wastewater treatment facilities will reduce total population that can be served from the west side property. The reduced area would not be able to accommodate the potential future FPA population. As such, the YBSD is requesting variances from the Kendall County Stormwater Management Ordinance, as adopted by the United City of Yorkville, and from the City of Yorkville's Landscaping Ordinance in accordance with Article 9 of the Kendall County Stormwater Management Ordinance.

- Kendall County Stormwater Management Ordinance (Section 203 and Section 403), as adopted by United City of Yorkville - Ordinance No. 2012-56
- United City of Yorkville Landscape Ordinance (Section 8-12-2.H) - Ordinance No. 2009-42



## 2. ORDINANCE REQUIREMENTS

### 2.1 Stormwater Detention Requirements for Kendall County

Section 203 of the Kendall County Stormwater Management Ordinance, as adopted by the City of Yorkville, requires stormwater detention for non-residential developments on properties of contiguous ownership that are equal to or greater than three (3) acres and resulting in more than 45,000 square feet of development or 32,000 square feet of impervious area. The planned improvements, consisting of approximately 641,000 square feet of development and 440,000 square feet of new impervious area, exceed both of these thresholds, and therefore Ordinance site runoff storage requirements are applicable. Stormwater storage volume must be provided such that the 100-year, 24-hour release rate does not exceed 0.15 cubic feet per second (cfs) per acre of hydrologic disturbance, and the 2-year, 24-hour release rate does not exceed 0.04 cfs per acre.

### 2.2 Compensatory Storage Requirements for Kendall County

Section 403 of the Ordinance requires that hydraulically equivalent compensatory storage be provided for fills within the regulatory floodplain. The total compensatory storage volume must be equal to or greater than the flood fringe storage volume displaced. To the greatest extent practicable, storage volume displaced below the 10-year existing flood profile must be replaced below the proposed 10-year flood profile, and storage displaced between the existing 10- and 100-year flood profiles but be replaced between the proposed 10- and 100-year flood profiles.

### 2.3 Tree Preservation and Replacement Standards for the United City of Yorkville

Compensatory storage and stormwater detention requirements will necessitate significant tree removal. Per Section 8-12-2.H of the United City of Yorkville's Code of Ordinances, tree removal should be avoided within floodplains, filling near valuable trees should be minimal, and removal requirements include replacement according to **Table 1**.

**Table 1: Tree Replacement Standards, Landscaping Ordinance for the City of Yorkville**

Caliper (inches) of tree to be removed	Number of replacement trees
30 or greater	6
13-29	5
8-12	4
4-7	2



### 3. VARIANCE REQUESTS

The variance requests are organized according to the variance standards as described in Section 904 of the Kendall County Stormwater Ordinance as adopted by the United City of Yorkville.

#### 3.1 Stormwater Detention

**Request 1: Waiver of United City of Yorkville and Kendall County site runoff storage requirements (Section 203.1.b. of the Kendall County Stormwater Management Ordinance, as adopted by the United City of Yorkville (excerpt of Ordinance included in Exhibit 1))**

	Section 904 Standard	Justification
a.	The variance will not increase the probability of flood damage or create an additional threat to the public health, safety or welfare.	<p>Stormwater runoff from the proposed development area discharges directly to the Fox River and Blackberry Creek, with no downstream properties impacted prior to discharge into these waterways.</p> <p>The proposed development area is significantly smaller than the total watershed areas tributary to the Fox River and Blackberry Creek (<b>Exhibits 3-5</b>). Therefore, the timing of peak stormwater discharges from the YBSD's property is unlikely to coincide with the highest flows and flood elevations along these waterways.</p>
b.	The variance requested is the minimum relief necessary to accomplish the objectives of the development without compromising the objectives of Section 102 of this Ordinance.	<p>The proposed improvements are for treatment facilities that are essential and critical infrastructure. Maximizing the onsite treatment capacity is necessary to accommodate the needs of the City and surrounding communities for future growth and development. Providing detention would prevent the YBSD from achieving the full buildout for treating the projected flows to the facility.</p> <p>Furthermore, the orientation of the YBSD property is such that there is significant waterway frontage, with grades naturally flowing to the Fox River and Blackberry Creek. Draining all site stormwater runoff to detention facilities may be difficult or impossible to achieve while providing a suitable treatment facility plan. Other counties in Illinois have detention exemptions for such developments. For example, the Will County Stormwater Management Ordinance (55.020 (C)(2)) provides an exemption for properties that meet the minimum river frontage requirement (<b>Exhibit 7</b>). With over 1,500 feet of river frontage and</p>



		less than 20 acres of proposed development, this project site would easily qualify for Will County's detention exemption thresholds.
c.	The variance will not result in a reduction of water quality benefits as compared to compliance with ordinance requirements.	The development will incorporate best management practices (BMPs), such as vegetative swales, buffer strips, and sediment traps, to treat direct discharges to the Fox River and Blackberry Creek. These BMPs will mitigate potential reduction of water quality benefits.
d.	The variance is not requested solely for the purpose of reducing site runoff storage requirements.	The variance is requested to allow for full buildout capacity of the treatment facilities to accommodate the needs of the community's projected growth. The reduction of site runoff storage requirements is incidental to this goal.
e.	The variance shall not cause conveyance of stormwater from the project to increase peak discharges beyond design capacity of existing offsite conveyance facilities for any storm event from the 2-year to the 100-year recurrence frequency.	<p>The development would directly discharge to major natural waterways, as opposed to designed stormwater conveyance systems with defined capacities. There are no intermediate properties between the development and the Fox River or Blackberry Creek.</p> <p>Additionally, the proposed development area is significantly smaller than the total watershed areas tributary to the Fox River and Blackberry Creek (<b>Exhibits 3-5</b>). Therefore, the timing of peak stormwater discharges from the YBSD's property is unlikely to coincide with the highest flows and flood elevations along these waterways.</p>
f.	The variance shall seek to preserve valuable environmental and biological resources including but not limited to stands of native trees, existing wetlands and natural floodplain storage.	With the variance, the YBSD will be able to achieve full buildout capacity at this property. The variance will also prevent the need for expanding the development area for treatment facilities to include the property immediately adjacent to the Fox River, which would require the removal of valuable riparian vegetation and critical habitat for the endangered Indiana bat ( <i>Myotis sodalis</i> ) ( <b>see Exhibit 10</b> for report from U.S. Fish and Wildlife Service).



### 3.2 Compensatory Storage

**Request 2: Waiver of United City of Yorkville and Kendall County compensatory storage requirements (Section 403.a. of the Kendall County Stormwater Management Ordinance, as adopted by the United City of Yorkville (excerpt of Ordinance included in Exhibit 1))**

	Section 904 Standard	Justification
a.	The variance will not increase the probability of flood damage or create an additional threat to the public health, safety or welfare.	<p>There are no structures impacted by the regulatory floodplain along the Fox River in the area immediately downstream of the proposed improvements (<b>Exhibit 6</b>). The minor loss of flood storage resulting from proposed floodplain fill is small relative to the total flood storage of the Fox River and will not impact any downstream structures during a 100-year flood.</p> <p>Furthermore, a dam is located upstream of the project limits, just upstream of Bridge Street. This dam provides some hydraulic control of flood profiles, creates upstream flood storage, and reduces the impacts of proposed floodplain fills within the project limits.</p> <p>Hydraulic modeling demonstrates that the proposed improvements meet the applicable regulatory standards of the IDNR Part 3700 requirements for floodway construction, without the inclusion of compensatory storage. Requirements for compensatory storage are local standards above and beyond the state's requirements, which are intended to preserve the conveyance capacity of the waterway. Preliminary modeling results and model input/output files are provided as <b>Exhibit 8</b>.</p>
b.	The variance requested is the minimum relief necessary to accomplish the objectives of the development without compromising the objectives of Section 102 of this Ordinance.	<p>The proposed improvements are for treatment facilities that are essential and critical infrastructure. Maximizing the onsite treatment capacity is necessary to accommodate the needs of the City and surrounding communities for future growth and development. Providing onsite compensatory storage would prevent the YBSD from achieving the full buildout for treating the projected flows to the facility.</p> <p>Offsite compensatory storage was explored and is discussed further below. These options all have major feasibility concerns or negative impacts, such as requiring additional tree removal and/or additional loss of usable land.</p>



c.	The variance will not result in a reduction of water quality benefits as compared to compliance with ordinance requirements.	The presence or absence of compensatory storage would not have an effect on water quality.  Even so, the development will incorporate best management practices (BMPs), such as vegetative swales, buffer strips, and sediment traps.
d.	The variance is not requested solely for the purpose of reducing site runoff storage requirements.	This variance is unrelated to site runoff storage requirements.
e.	The variance shall not cause conveyance of stormwater from the project to increase peak discharges beyond design capacity of existing offsite conveyance facilities for any storm event from the 2-year to the 100-year recurrence frequency.	This variance will not impact conveyance of stormwater from the project.
f.	The variance shall seek to preserve valuable environmental and biological resources including but not limited to stands of native trees, existing wetlands and natural floodplain storage.	With the variance, the YBSD will be able to achieve full buildout capacity at this property, which would save environmental and biological resources. The variance will also prevent the need for development of the YBSD property immediately adjacent to the Fox River, which would require the removal of valuable riparian vegetation, critical habitat for the endangered Indiana bat ( <i>Myotis sodalis</i> ) ( <b>Exhibit 10</b> ), and would have adverse wetland and impacts. Wetland and habitat impacts could be obstacles to obtaining permits through the U.S. Army Corps of Engineers and IDNR.
<b>Article 4 Variance Standards</b>		
a.	Variances shall not be issued by the permitting agency within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result.	Hydraulic modeling demonstrates that the proposed improvements meet the applicable regulatory standards of the IDNR Part 3700 requirements for floodway construction, without the inclusion of compensatory storage. Preliminary modeling results indicate no increase in flood levels, rounded to the nearest tenth of a foot, and are provided as <b>Exhibit 8</b> .
b.	Variances may be issued by the permitting agency for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structure constructed below the base flood level, in conformance with the following procedures of this section;...	Not applicable; this development is greater than one-half acre.



### 3.3 Tree Preservation and Replacement

**Request 3: Waiver of United City of Yorkville tree replacement requirements (Sections H.1.b.i.1,3 and H.2.a-d of the United City of Yorkville's Landscaping Ordinance (excerpt of Ordinance included in Exhibit 2))**

	Section 904 Standard	Justification
a.	The variance will not increase the probability of flood damage or create an additional threat to the public health, safety or welfare.	This variance will not impact flooding or any other threat to public health, safety or welfare.
b.	The variance requested is the minimum relief necessary to accomplish the objectives of the development without compromising the objectives of Section 102 of this Ordinance.	The proposed improvements are for treatment facilities that are essential and critical infrastructure. Maximizing the onsite treatment capacity is necessary to accommodate the needs of the City and surrounding communities for future growth and development. Replacing trees onsite according to the standard laid out in the City's Landscaping Ordinance (preliminary estimate of 1,500 replacement trees) is not possible if the facility is to provide the projected treatment capacity for the community.
c.	The variance will not result in a reduction of water quality benefits as compared to compliance with ordinance requirements.	This variance will not impact water quality.
d.	The variance is not requested solely for the purpose of reducing site runoff storage requirements.	This variance is unrelated to site runoff storage requirements.
e.	The variance shall not cause conveyance of stormwater from the project to increase peak discharges beyond design capacity of existing offsite conveyance facilities for any storm event from the 2-year to the 100-year recurrence frequency.	This variance will not impact conveyance of stormwater from the project.
f.	The variance shall seek to preserve valuable environmental and biological resources including but not limited to stands of native trees, existing wetlands and natural floodplain storage.	While it is not possible to replace all of the removed trees onsite according to the City's ordinance (regardless of the detention and compensatory storage variances), the YBSD aims to preserve the trees along the banks of the Fox River and Blackberry Creek, which is made possible by the waiving of the stormwater requirements as discussed above. Avoiding offsite compensatory storage will also limit the extent of tree removal necessary.



## 4. OFFSITE COMPENSATORY STORAGE

Four offsite locations were considered for compensatory storage. These locations were initially chosen based on their proximity and current use (undeveloped or mostly open space). They are not owned by the YBSD and their use would be contingent upon purchase or easement from the property owners. The construction schedule for the facility expansion would be delayed if offsite compensatory storage is provided, as the compensatory storage would need to be provided prior to development of the YBSD property; thus, property acquisition, permitting, and offsite excavation could delay construction significantly. The four locations are briefly described below, along with burdens and detrimental impacts associated with construction at these locations. A map of the sites is included as **Exhibit 9**.

- The Youth Camp property directly adjacent to the project site consists of a low-lying area and a slope heading north up to River Road. This location would require extensive tree removal, a large quantity of excavation, and the construction of a very large retaining wall (~30' high).
- A large bump-out is located on the south bank of the Fox River, located approximately half a mile downstream from the Blackberry Creek confluence. This location is heavily forested and a massive quantity of excavation would be necessary due to the high elevations.
- Crawford Park, owned the United City of Yorkville, is located on the south bank of the Fox River approximately one mile downstream from the Blackberry Creek confluence. It is not forested and would require limited tree removal. Utilizing this area for compensatory storage, however, would prevent the City from raising the grade in the future or using this land for any other purposes.
- Approximately 1.8 miles downstream from the Blackberry Creek confluence, there is a farm located on the north bank of the Fox River. Extensive tree removal would not be necessary for this property, but the loss of active farmland is not a desirable outcome.

## 5. CONCLUSION

The District understands that as effluent limits and sludge disposal regulations become more stringent, additional space for future processes to maintain compliance will be of utmost importance. Some constituents are on the regulatory horizon, but others are unknown at this time. This increases the importance of maximizing contiguous land to accommodate future process. The above variance requests are necessary to provide the onsite treatment facilities that meet future regulatory requirements, as well as accommodate anticipated growth and development within the City of Yorkville.

# Exhibit 1: Excerpts from Kendall County Stormwater Ordinance, as adopted by the United City of Yorkville

## **Sec. 203 Site Runoff Storage Requirements**

### ***203.1 Applicability of Site Runoff Storage Requirements***

All developments shall comply with the site runoff storage requirements provided in Section 203 of this Ordinance in which:

- a. Single family - detached land use property consisting of five or more residential structures having an average lot size of three acres or less;

- b. A non-residential land use or a residential land use other than single family - detached property of contiguous ownership equal to or greater than three acres and:

1. resulting in more than 45,000 square feet of development, or;
2. resulting in more than 32,000 square feet of impervious surface area

**Request for waiver of 203.1.b.**

Sections 203.2 - 202.11 would be rendered null by waiver of 203.1.b.

**203.2 Release Rate**

Sufficient excess runoff / flood storage volume shall be provided so that the proposed project will not discharge at a rate greater than 0.15 cfs/acre of disturbance for a rainfall event with a 100-year recurrence frequency. Additionally, sufficient excess runoff / flood storage volume shall be provided so that the proposed project will not discharge at a rate greater than 0.04 cfs/acre of disturbance for a rainfall event with a 2-year recurrence frequency. The area of hydrologic disturbance for the entire project shall be used to calculate the site runoff storage volume requirements.

**203.3 Design Methods**

Event hydrograph routing methods shall be used to calculate runoff storage volume requirements for stormwater management basins with total tributary areas greater than five acres. The hydrograph routing shall be HEC-1, (SCS methodology), HEC-HMS, TR-20, or TR-55 tabular method or as otherwise approved by the Administrator. Event hydrograph methods shall incorporate the following assumptions:

- a. Antecedent moisture condition = 2; and
- b. Appropriate Huff rainfall distribution; and
- c. 24-hour duration storm with a 1% probability (100-year frequency) of occurrence in any one year as specified by Illinois State Water Survey Bulletin 71 isohyetal rainfall data.

Runoff storage volume requirements for stormwater management basins with total tributary areas equal to or less than five acres may utilize the *% Impervious to unit Area Detention* nomograph developed by NIPC (now known as CMAP) depicted in Table 203.

**203.4 Existing Release Rate Less Than Allowable**

For sites where the undeveloped release rate is less than the maximum release rate in Section 203.2, the developed release rate and corresponding site runoff storage volume requirement shall be based on the existing undeveloped release rate for the development.

### ***203.5 Downstream Water Surface Elevations***

All hydrologic and hydraulic computations must utilize appropriate assumptions for downstream water surface elevations, from low flow through the base flood elevation, considering the likelihood of concurrent flood events.

### ***203.6 Extended Detention Requirement***

The requirements of this section will apply only when the outfall from a stormwater management basin is proposed to connect to an off-site agricultural drain tile system. The first 0.75 inches of runoff from a rainfall event over the hydraulically connected impervious area of the development shall be stored below the elevation of the primary gravity outlet (extended detention) of the stormwater management basin. The facility may be designed to allow for evapotranspiration or infiltration of this volume into a subsurface drainage system and shall not be conveyed through a direct positive connection to downstream areas.

The hydraulically connected impervious area used in the calculation of required extended detention volume may be reduced by the Administrator if the soils are prepared to maximize infiltration and deep rooted grasses or other plants selected for their ability to promote infiltration or water absorption are planted in areas appropriately dedicated. The reduction in hydraulically connected impervious area used in the calculation shall be equal to the area of the development meeting the above soils/native planting requirement.

Subsurface drainage systems may be designed as a component of the extended detention portion of the stormwater management basin to assist in infiltration in accordance with the following criteria:

- a. The extended detention volume shall be discharged at a rate no greater than that required to empty the calculated extended detention volume within 5 days of the storm event and at a rate no less than that required to empty the calculated extended detention volume within 30 days of the storm event.
- b. No subsurface drainage pipe shall be located within 10 feet of drainage pipes directly connected to the stormwater management basin.
- c. For purposes of meeting the maximum subsurface drainage discharge requirements, flow control orifices and weirs may be used.
- d. All design extended detention volume shall be provided above the seasonal high ground water table or the invert elevation of the groundwater control system.
- e. Farm field tile shall not be considered a subsurface drainage system.

### ***203.7 Stormwater Management Basin Design Requirements***

Stormwater management basins shall be designed and constructed with the following characteristics:

- a. The stormwater management basin shall provide 1 (one) foot of freeboard above the design high water elevation or BFE.



Sections 203.2 - 202.11 would be rendered null by waiver of 203.1.b.

b. The stormwater management basin shall be located on the site and designed such that they are accessible by motorized maintenance equipment necessary for regular and long term maintenance operations. The route to the basin shall be formalized with an access easement and that the surface of such route shall be easily traversable by maintenance equipment / operations as determined by the Administrator.

c. All site runoff storage volume shall be provided above the seasonal high groundwater table or above the invert of the groundwater control system.

d. Stormwater management basins shall facilitate sedimentation and catchment of floating material. Unless specifically approved by the Administrator, impervious low-flow ditches shall not be used in stormwater management basins. Stormwater management basins shall maximize the normal flow distance between stormwater management basin inlets and outlets, to the extent possible

e. Stormwater management basins shall reduce impacts of stormwater runoff on water quality by incorporating best management practices.

f. Stormwater management basins shall be designed with an emergency overflow weir capable of passing the inflow from the critical duration base flood event under developed conditions. The predicted emergency water surface elevation shall be below the top of embankment for any other portion of the stormwater management basin. The weir design shall provide appropriate erosion control measures.

g. Stormwater management basins with single pipe outlets shall have a minimum inside diameter of 12 inches. If design release rates necessitate a smaller outlet, flow control devices such as perforated risers, or flow control orifices shall be used.

h. Stormwater management basins intended to support potential fish habitat with a permanent pool, shall be at least ten feet deep over 25 percent of the bottom area.

i. Stormwater management basins shall have a maximum side slope of four to one.

j. Stormwater management basins with a permanent pool shall have a safety shelf at least eight feet wide a maximum of two feet below the normal water pool.

k. Stormwater management basins shall have a maximum drawdown time of 72 hours for a 24-hour duration rainfall event with 100-year recurrence frequency.

j. All stormwater management basins shall comply with IDNR dam safety requirements where applicable.

**203.8 Site Runoff Storage Volume Within The Regulatory Floodplain**

Stormwater management basins and other facilities to satisfy site runoff storage volume requirements located within the regulatory floodplain shall:

a. Conform to all applicable requirements specified in Article 4 of this Ordinance; and



- b. Store the required amount of site runoff to meet the release rate requirement under all stream flow and backwater conditions in the receiving stream up to the 10-year flood elevation; and
- c. Site runoff storage volume provided by enlarging existing regulatory floodplain storage without providing a flow control device regulating discharge (on-stream detention) will be allowed only as a variance. The applicant must demonstrate that flood damages are not increased and the development will not increase flood flows for both the 2-year and 100-year floods on the stream with developed conditions on the site; and
- d. The Administrator may approve designs which can be shown by detailed hydrologic and hydraulic analysis to provide a net watershed benefit in flood control not otherwise realized by strict application of the requirements in a through c above.

***203.9 Site Runoff Storage Volume Within The Regulatory Floodway***

Stormwater management basins and other facilities to satisfy site runoff storage volume requirements located within the regulatory floodway shall:

- a. Meet the requirements for locating stormwater management basins in the regulatory floodplain; and
- b. Be evaluated by performing hydrologic and hydraulic analysis consistent with the standards and requirements for any adopted watershed plans; and
- c. Provide a net watershed benefit in flood control.

***203.10 Site Runoff Storage Volume - Channel Impoundment***

Flow control structures constructed across any channel to impound water to meet site runoff storage requirements shall be prohibited on any perennial stream unless part of a public flood control project with a net watershed benefit in flood control. Those streams appearing as blue on a USGS Quadrangle map shall be assumed perennial unless better data is obtained. All cross-stream flow control structures for the purpose of impounding water to provide site runoff storage in all cases on perennial and intermittent streams must demonstrate that they will not cause short term or long-term stream channel instability.

***203.11 Off-Site Stormwater Management Basins***

Stormwater management basins and other facilities to satisfy site runoff storage volume requirements may be located off-site if the following conditions are met:

- a. The off-site stormwater management basin meets all of the requirements of this Article 2; and
- b. Adequate storage capacity in the off-site facility is dedicated to the development; and
- c. The development includes means to convey stormwater to the off-site stormwater management basin.

**Sec. 403 Compensatory Storage Volume Standards**

The following standards apply within the regulatory floodplain: **Request for waiver of 403.a**

- a. Hydraulically equivalent compensatory storage volume will be required for development in a riverine regulatory floodplain and shall be at least equal to the regulatory floodplain flood storage volume displaced. To the greatest extent practicable storage volume displaced below the existing 10-year frequency flood elevation must be replaced below the proposed 10-year frequency flood elevation. To the greatest extent practicable storage volume displaced above the 10-year existing frequency flood elevation must be replaced above the proposed 10-year frequency flood elevation.
- b. Compensatory storage volume for development in a non-riverine regulatory floodplain area that is also adjacent to a lake shall be equal to the storage volume displaced.
- c. Compensatory storage volume requirements for development in a non-riverine Regulatory Floodplain that is not adjacent to a lake shall be replaced in accordance with the requirements for the loss of depressional storage in Section 201.6.
- d. Compensatory storage areas shall be designed to drain freely and openly to the channel and shall be located adjacent to the development. This standard does not apply to non-riverine Regulatory Floodplain.
- e. A recorded covenant or easement running with the land is required to maintain the compensatory storage volume in areas modified to provide compensatory storage volume.

**Sections 403.d. - 403.e. would be rendered null by waiver of 403.a.**

## Exhibit 2: Excerpts from United City of Yorkville Code of Ordinances, Section 8-12-2 (Landscaping Ordinance)

- H. Tree Preservation: The following standards shall apply to all lots which are five (5) acres or greater in area. No live tree(s) with a four inch (4") DBH (diameter at breast height) may be removed without first submitting an application for tree removal and receiving approval from the City. Failure to apply and submit a tree preservation and removal plan will result in a monetary fine per tree removed without authorization (as stated on the application form.)
1. Tree Removal Permit: The application for a tree removal shall be made to the Building Department. This application must be submitted and approved prior to the Site Grading Plan permit issuance. If no mass grading is required for construction, the tree removal application must be submitted and approved prior to any site re-development involving tree removal. The application shall include:

a. Tree Preservation and Removal Plan. The plan shall include:

- i. A tree survey showing the location of all trees four inches (4") in caliper or greater within 100 feet of any tree proposed to be removed, including a description of the tree(s), botanical name, common name, caliper size and general condition or health of the tree(s). The survey shall be completed by an International Society of Arboriculture Certified Arborist or Illinois Department of Natural Resources Consultant Forester, or other qualified professional as approved in writing by the City Planner.
- ii. Delineation of trees to be removed and trees to be preserved.
- iii. Details and specifications or procedures to be used to protect trees being preserved.
- iv. Location, size and name of replacement trees.

b. Tree Preservation and Removal Guidelines:

- i. Every reasonable effort shall be made to retain existing trees shown on the tree survey through the integration of those trees into the site plan and landscape plan for a proposed development.

Request for waiver of H.1.b.i.1.

1. Critical areas, such as floodplains, steep slopes, and wetlands, should be left in their natural condition or only partially cleared.

2. Roadways, storage areas, and parking lots should be located away from valuable tree stands.

Request for waiver of H.1.b.i.3.

3. Cutting and filling in the vicinity of valuable trees should be minimal.

4. If more than one-third of the tree's root system is to be affected by construction, the tree should be part of the removal plan and replaced with the appropriate number of trees.

ii. Pre-construction protection measures:

1. A temporary six foot (6') orange construction safety fence, rigid wood, or chain link fence must surround the periphery of the tree dripline as a construction barrier prior to the start of any site work.

- a. Fence type may be designated by the City depending on the value of the tree and the location to construction traffic.
  - b. This fence must be in place before any site work begins and remain in place until all construction has been completed or final occupancy permit has been issued, whichever is latest.
  - c. A warning sign shall be placed on the fence stating the following: **Warning: This fence shall not be relocated or removed without written authorization from the City of Yorkville.**
- iii. If construction limits encroach within the dripline of the tree the following procedures will be required:
1. Trunk wrapping from the base of the tree to a height of ten feet (10'). Clear indication of trees to be wrapped and detail showing materials should be included as part of the landscape plans. No boards shall be nailed to the trunk of a tree.
  2. In the event that underground utility lines are proposed within five feet (5') of the trunk of a tree, then auguring or boring of the utility line will be required by the City. This must be clearly indicated on the plans.
  3. Root trimming should occur by hand, not with machinery, and exposed root systems should be protected to maintain moisture levels. During construction, any root accidentally damaged (exposed) should immediately be cleanly cut and protected.
  4. If excavation must occur within the dripline of a tree, an excavation trench shall be saw cut for a minimum depth of two feet as near to the intended trench as possible. All root pruning must be completed prior to any excavation activity near the tree.
- iv. Construction procedures:
1. During the mass grading of the site, a Certified Arborist or Consultant Forester must be on-site during the mass grading to ensure that proper protection methods are being followed.

2. Grading and construction equipment shall be prohibited from encroaching within the dripline of a tree.
  3. Any soil that is located or stockpiled within the critical root zone of the tree will result in the loss of tree protection credit(s) and will require that the job be stopped until a revised Landscape Plan is approved.
  4. Crushed limestone and other material detrimental to trees shall not be stored or dumped within the drip line of any tree nor at any higher location where drainage toward the tree could conceivably affect the health of the tree.
  5. Any preserved trees damaged during construction should be repaired. Damage should be analyzed by a Certified Arborist, Consultant Forester, or approved qualified professional, and a repair plan should be submitted to the City for approval.
  6. If the tree begins to show signs of stress (i.e. leaf dieback, wilting, etc.), additional measures may be required by the City such as fertilizing or watering to aid the tree in survival.
- v. Tree Preservation protection measures must be checked by the City of Yorkville before the permit for development will be released. Periodic inspections will occur during construction.
  - vi. Failure to provide adequate tree protection will result in the loss of tree protection credits and will require that the job be stopped until a revised Landscape Plan is approved.

Request for waiver of H.2.

2. Tree Replacement Standards:

- a. Any tree approved for removal shall be replaced with new trees in accordance with the following schedule:

<u>Caliper (Inches) of tree to be removed</u>	<u>Number of Replacement Trees</u>
30 or greater	6
13-29	5
8-12	4
4-7	2

- b. In the event that a tree identified to be preserved is removed or damaged, such tree shall be replaced as follows:

<u>Caliper (Inches) of tree to be removed</u>	<u>Number of Replacement Trees</u>
30 or greater	12
13-29	10
8-12	8
4-7	4

- c. All replacement trees shall have a minimum caliper of two and one-half inches (2 ½") and shall consist of the shade tree varieties listed under Permitted Plantings.
- d. If the tree(s) approved for removal is (are) dead from natural causes prior to the date of the tree removal permit, then no replacement tree(s) are required for them.

3. Approval Criteria: The City shall approve a tree removal application if one or more of the following conditions exist:

- a. The tree to be removed poses a safety hazard to persons or property.
- b. The tree is substantially diseased or weakened by age, storm, fire or other injury.
- c. The tree removal is in accordance with good forestry practice such as when a parcel of land will only support a certain number of healthy trees which is less than the number of existing trees on the parcel.
- d. The tree removal is of a nuisance tree listed under Section 3 General Standards, #7.
- e. The tree removal is part of an approved overall landscape plan.

4. Failure to Replace Trees: If replacement trees, which are required by the approved tree removal permit, are not planted within the time frame set out by the tree removal permit, the City may, at its option, replace the trees. All costs associated with purchasing and planting the replacement trees shall be charged to the owner or other person or entity causing the removal of the trees.

## Exhibit 3: Fox River Tributary Drainage Area

Table 7 - Summary of Discharges (continued)

Flooding Source and Location	Drainage Area (square miles)	Peak Discharges (cubic feet per second)			
		10-Percent- Annual-Chance	2-Percent- Annual-Chance	1-Percent- Annual-Chance	0.2-Percent- Annual-Chance
<b>Fox River</b>					
At Dayton (USGS gage No. 05552500)	2,642	22,132	36,274	41,893	58,357
At Bridge Street	2,138	15,327	23,899	27,412	36,894
About 900 feet upstream of Bridge Street	1,804	10,580	15,221	17,697	22,615
At Aurora (USGS gage No. 05551500)	1,705	8,572	12,791	14,368	18,697
<b>Harvey Creek</b>					
300 feet downstream of Sandy Bluff Road	3.46	381	525	595	983
600 feet downstream of Griswold Springs Road	3.36	367	506	569	924
2,000 feet upstream of Griswold Springs Road	2.41	291	387	442	638
At Dayton Street	1.41	183	248	291	379
<b>Middle Aux Sable Creek</b>					
Just downstream of Caton Farm Road	15.9	1,252	2,144	2,767	3,481
Just downstream of Wheeler Road	14.0	1,241	2,124	2,741	3,448
Upstream of Wheeler Road	12.9	1,237	2,117	2,731	3,435
<b>North Arm Saratoga Creek</b>					
About 150 feet downstream from farm bridge	0.7	80	*	143	*
At Joliet Road	0.66	79	*	140	*
About 700 feet upstream of Galena Street	0.42	59	*	106	*
<b>Tributary 1 to West Aux Sable Creek Tributary B</b>					
Just downstream of the intersection of Caton Farm Road and Brisbin Road	2.1	446	743	947	1,179
<b>Waubensee Creek</b>					
At confluence with Fox River	29.6	*	*	2,007	*
At U.S Route 25	29.5	*	*	1,979	*
At U.S. Route 34	29.2	*	*	1,940	*
At U.S. Route 30	18.7	774	1,170	1,447	2,700
At Elgin Joliet and Eastern Railroad	17.4	734	1,108	1,373	2,500

\*Data not available



# Exhibit 4: Blackberry Creek Tributary Drainage Area

## Table 7. Summary of Discharges

<i>Flooding Source and Location</i>	<i>Drainage Area (square miles)</i>	<i>Peak Discharges (cubic feet per second)</i>			
		<i>10-Percent- Annual-Chance</i>	<i>2-Percent- Annual-Chance</i>	<i>1-Percent- Annual-Chance</i>	<i>0.2-Percent- Annual-Chance</i>
<b>Aux Sable Creek</b>					
Downstream of Bell Road	107.9	6,162	10,618	13,754	17,360
Downstream of US Highway 52	99.1	5,902	10,167	13,168	16,617
Just downstream of East Aux Sable Creek confluence	98.6	5,886	10,139	13,131	16,570
Downstream of McKanna Road	64.9	3,134	5,422	7,038	7,038
Just downstream of the convergence of Middle Aux Sable Creek and West Aux Sable Creek	63.8	3,054	5,285	6,861	8,676
<b>Blackberry Creek</b>					
Just downstream of Route 34	69.0	1,381	2,303	2,771	4,053
Just downstream of Route 47	67.5	1,366	2,284	2,749	4,026
Approximately 7,200 feet upstream of Route 47	65.2	1,349	2,260	2,721	3,991
Just downstream of Route 30	59.6	1,316	2,229	2,692	3,968
<b>Clear Creek</b>					
At confluence with Fox River	6.7	1,055	1,484	1,772	2,474
About 3,300 feet upstream of confluence with Fox River	6.4	1,003	1,413	1,701	2,371
About 2,000 feet downstream of Crimmin Road	3.9	677	994	1,181	1,676
At Crimmin Road	3.5	614	902	1,071	1,520
About 3,700 feet upstream of Crimmin Road	3.3	560	822	968	1,375
About 1,250 downstream of confluence with Dave-Bob Creek	2.87	495	726	855	1,214
At Chicago Road	2.53	408	590	718	1,003
At Main Street	2.01	311	435	538	759
About 1,000 feet upstream of State Route 71	1.6	231	381	462	670
<b>Dave-Bob Creek</b>					
At confluence with Clear Creek	0.3	65	100	115	145
At Unnamed Tributary	0.17	40	65	75	95
<b>East Aux Sable Creek</b>					
Just downstream of the confluence of East Aux Sable Creek Tributary A	33.7	2,871	4,908	6,330	7,960
Upstream of the confluence of East Aux Sable Creek Tributary B	27.8	2,533	4,328	5,581	7,015





SCALE: 1" = 100'

**BAXTER & WOODMAN**  
Consulting Engineers

CONSULTANTS

MILESTONE

NO.	DATE	DESCRIPTION

\*\* - REFER TO EQUIPMENT MANUFACTURER'S SHOP DRAWING

PLAN SHEET DESIGNATION

- COVER
- G - GENERAL
- H - HAZARDOUS MATERIALS
- C - CIVIL
- L - LANDSCAPE
- S - STRUCTURAL
- A - ARCHITECTURAL
- I - INSTRUMENTATION
- Q - EQUIPMENT
- F - FIRE PROTECTION
- P - PLUMBING
- M - MECHANICAL
- E - ELECTRICAL
- T - TELECOMMUNICATIONS
- R - RESOURCE

PROJECT NO: 201643

SCALE: 1" = 100'

DATE: 1/15/21

DESIGNED BY:

DRAWN BY:

CHECKED BY:

CLIENT

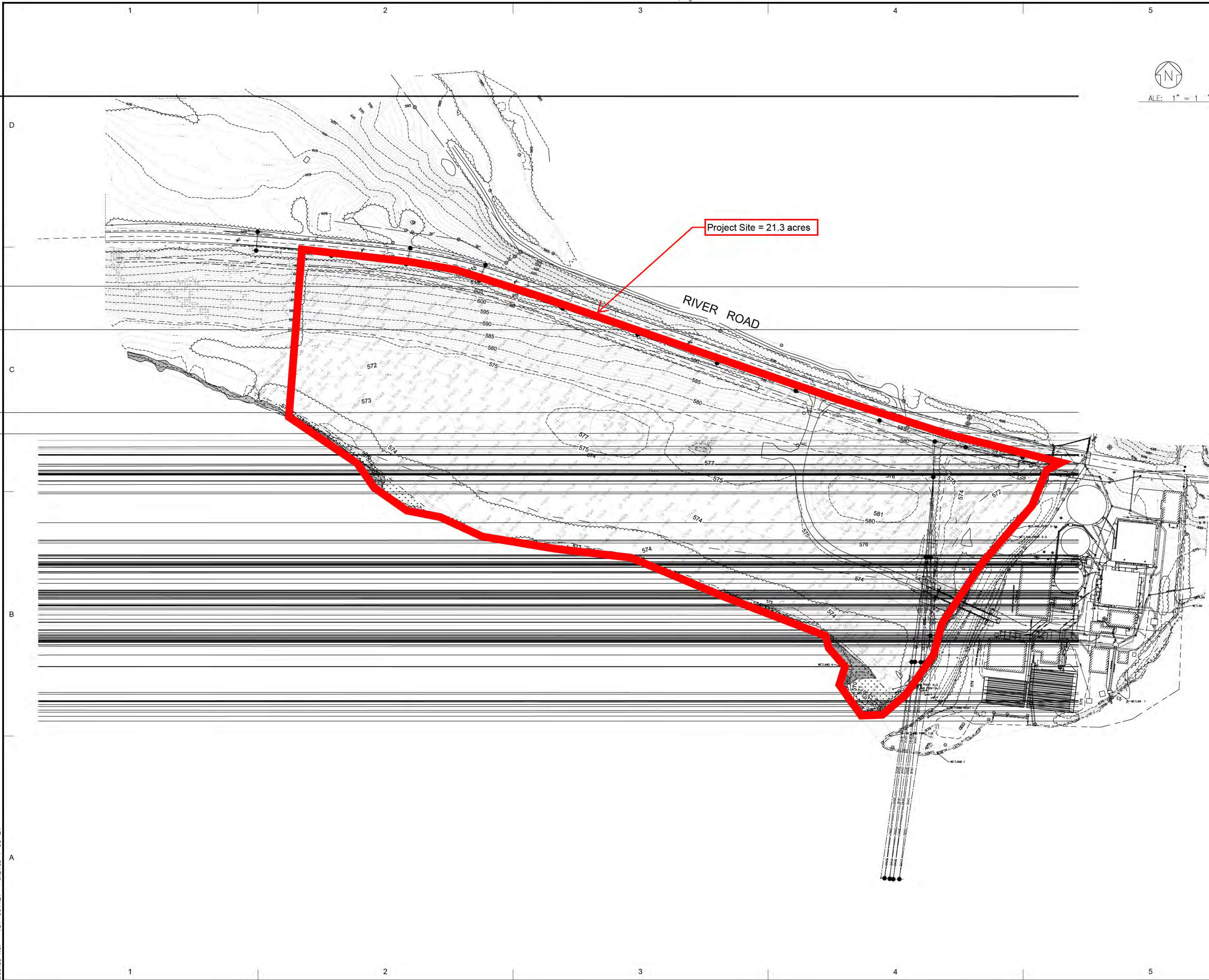
**YORKVILLE-BRISTOL  
SANITARY DISTRICT**

SHEET TITLE

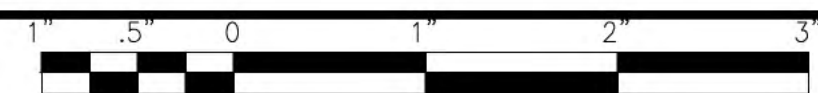
Exhibit 5: Project Area

**OF**

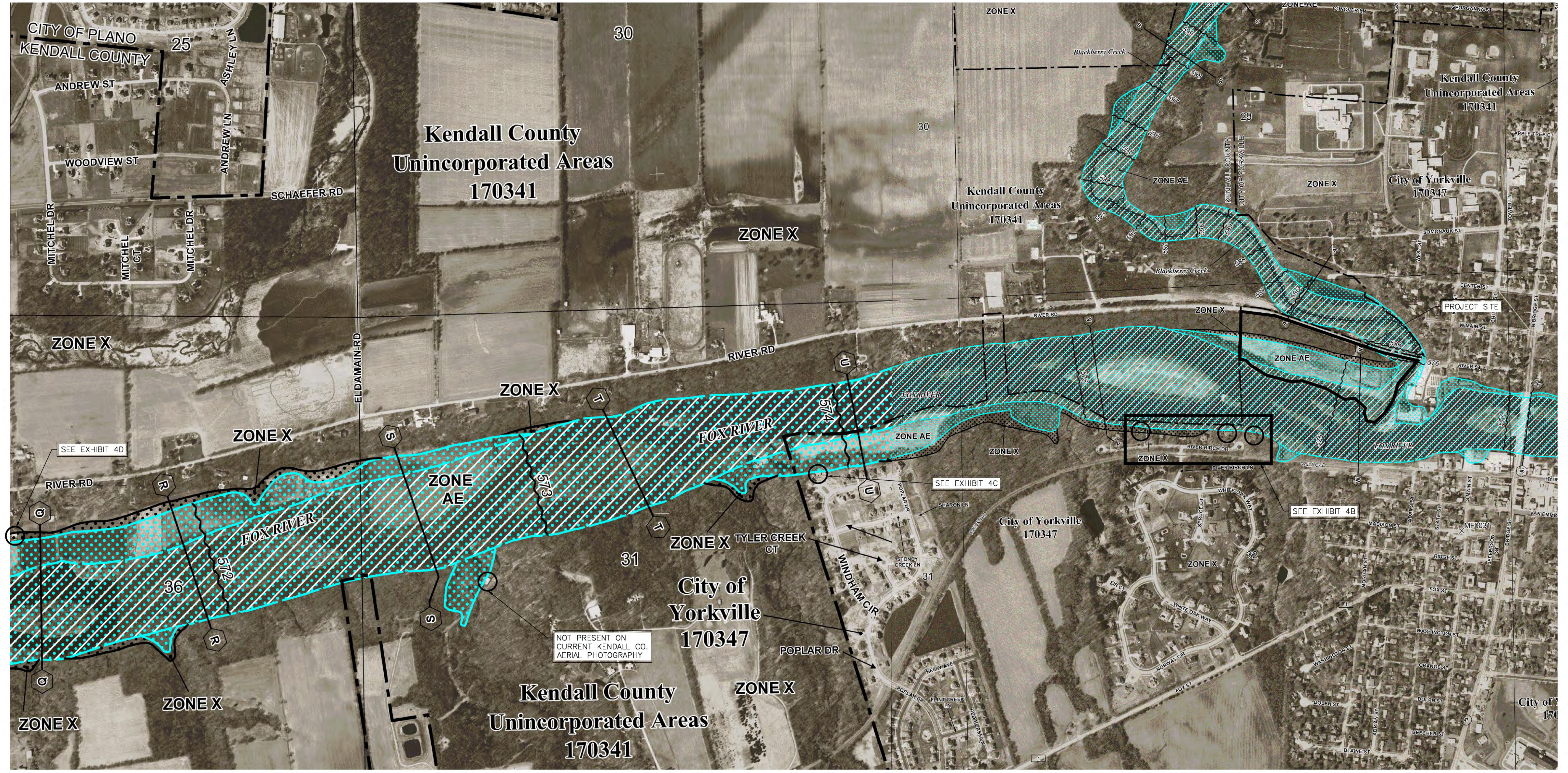
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SCALE: 1" = 500'



LEGEND  
 ○ DOWNSTREAM STRUCTURES MAPPED WITHIN REGULATORY FLOODPLAIN

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	CONSULTANTS	REVISED -	<b>YORKVILLE-BRISTOL SANITARY DISTRICT          SOLIDS HANDLING IMPROVEMENT</b>	<b>EXHIBIT 6A: DOWNSTREAM STRUCTURES</b>		DESIGNED - PDS	TOTAL SHEETS	SHEET NO.
		REVISED -			SCALE: AS NOTED	PROJECT NO: 201643.40	DRAWN - ABN	1
		REVISED -				CHECKED - PDS		
		REVISED -				DATE - 8/6/2021		





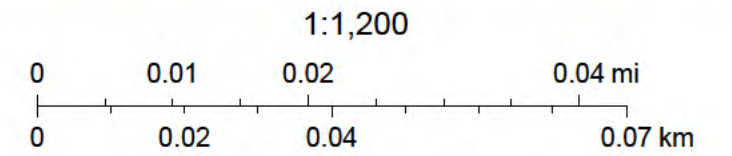
August 5, 2021

2010 Contours

Contour

Index Contour

Exhibit 6B: Downstream Structures



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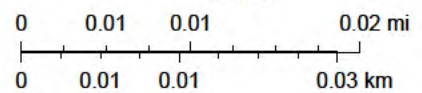


August 5, 2021

2010 Contours

- Contour
- Index Contour

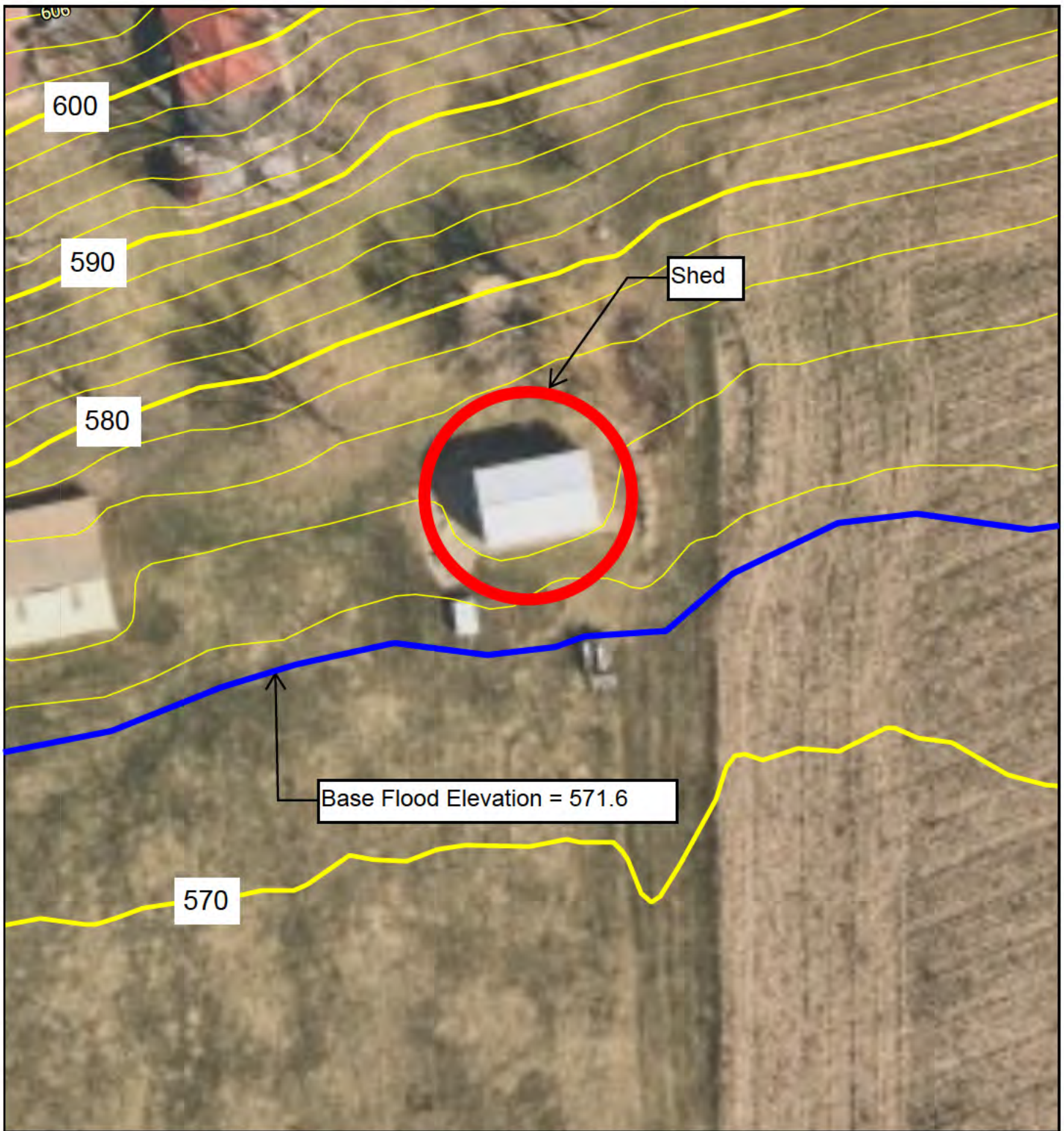
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### Exhibit 6C: Downstream Structures

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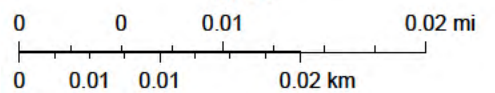


August 5, 2021

2010 Contours

- Contour
- Index Contour

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### Exhibit 6D: Downstream Structures

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# Exhibit 7: Will County Detention Exemptions

## § 55.020 GENERAL INFORMATION.

(A) *Other applicable regulations.* A development shall meet the requirements specified for general stormwater development (§ 55.020), site runoff (§ 55.022), sediment and erosion control (§§ 55.035 through 55.047), performance security and maintenance (§§ 55.200 through 55.203).

(B) *Applicability of site runoff storage requirements (detention).*

(1) A development shall comply with the site runoff storage requirements provided in §55.023 of this subchapter in which:

(a) More than two single-family structures or one two-family structure are to be constructed on a site five or more acres in size;

(b) Multi-family or nonresidential and uses to be constructed on a site more than one acre in size;

(c) Existing multi-family or nonresidential and uses on a site one acre or more in size, on which new development after the effective date of this chapter in the aggregate exceeds 25,000 square feet;

(d) Roadway developments in rights-of-way under the ownership or control of a unit of local governments when the contiguous area of new roadway construction (excluding previously paved areas) exceeds two acres; and

(e) The developer of a commercial or industrial redevelopment may request that a fee-in-lieu of detention be approved provided that a portion of the following are demonstrated to the satisfaction of the Administrator:

1. The drainage plan will not increase existing flood damages; and
2. The drainage plan provides a net benefit in water quality compared to the existing development.

(2) The Administrator shall determine the appropriate fee to be collected as defined in §55.215, and his or her decisions on the matter shall be considered final.

(C) *Exemptions from site runoff storage requirements (detention).* Site runoff storage is not required under the following circumstances:

- (1) Direct discharge industrial sites; and/or
- (2) Non-industrial direct discharge sites 160 acres or less having the following minimum frontage:

<b>Site Area</b>	<b>Required Frontage</b>
0—2 acres	50 feet
Up to 5 acres	100 feet
Up to 10 acres	150 feet
Up to 40 acres	200 feet
Up to 80 acres	350 feet
Up to 160 acres	500 feet

(Res. 02-441, passed 10-17-2002; Res. 02-495, passed 11-21-2002; Res. 04-87, passed 3-17-2004)



## Exhibit 8: HEC-RAS Model Results

Table 1: Fox River HEC-RAS Model Results: 100-Year Floodplain Elevations

HEC-RAS Cross Section	Location	Existing 100-Year Elevation	Proposed 100-Year Elevation	Change (ft)
35.841	DS site limits	575.64	575.64	0.00
35.938		575.76	757.75	-0.01
36.050		575.85	575.85	0.00
36.068		575.94	575.96	0.02
36.151	FEMA Sect. W	576.01	576.04	0.03
36.201	US site limits	576.16	576.20	0.04
36.358		576.70	576.74	0.04
36.368	DS of Bridge St.	576.87	576.91	0.04
36.391	FEMA Sect. X	577.10	577.14	0.04

Table 2: Fox River HEC-RAS Model Results: 100-Year Channel Velocities

HEC-RAS Cross Section	Location	Existing 100-Year Velocity (ft/s)	Proposed 100-Year Velocity (ft/s)	Change (%)
35.841	DS site limits	3.17	3.22	1.6
35.938		3.24	3.43	5.9
36.050		3.31	3.44	3.9
36.068		3.18	3.30	3.8
36.151	FEMA Sect. W	4.67	4.79	2.6
36.201	US site limits	4.88	4.88	0.0
36.358		4.87	4.85	-0.4
36.368	DS of Bridge St.	4.00	3.97	-0.7
36.391	FEMA Sect. X	3.33	3.35	0.6

**Table 3: Blackberry Creek HEC-RAS Model Results: 100-Year Floodplain Elevations**

<b>HEC-RAS Cross Section</b>	<b>Location</b>	<b>Existing 100-Year Elevation</b>	<b>Proposed 100-Year Elevation</b>	<b>Change (ft)</b>
0	Fox River Confluence	573.36	573.36	0.00
275	FEMA Sect. A	574.17	574.18	0.01
558		576.84	576.84	0.00
676		576.84	576.84	0.00
702	DS of River Rd.	576.89	576.88	-0.01
732	US of River Rd.	577.43	577.42	-0.01
1115	FEMA Sect. B	580.73	580.73	0.00

**Table 4: Blackberry Creek HEC-RAS Model Results: 100-Year Channel Velocities**

<b>HEC-RAS Cross Section</b>	<b>Location</b>	<b>Existing 100-Year Velocity (ft/s)</b>	<b>Proposed 100-Year Velocity (ft/s)</b>	<b>Change (%)</b>
0	Fox River Confluence	5.22	5.22	0.00
275	FEMA Sect. A	11.42	11.46	0.35
558		4.80	4.80	0.00
676		6.48	6.48	0.00
702	DS of River Rd.	6.65	6.65	0.00
732	US of River Rd.	3.83	3.83	0.00
1115	FEMA Sect. B	8.93	8.93	0.00





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**COMPENSATORY STORAGE - POTENTIAL OFFSITE LOCATIONS**  
 SOLIDS HANDLING IMPROVEMENTS



## IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

### Location

Kendall County, Illinois



### Local office

Illinois-Iowa Ecological Services Field Office

☎ (309) 757-5800

📠 (309) 757-5807

Illinois & Iowa Ecological Services Field Office

1511 47th Ave

Moline, IL 61265-7022



# Endangered species

**This resource list is for informational purposes only and does not constitute an analysis of project level impacts.**

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species

<sup>1</sup> and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries<sup>2</sup>).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

- 
1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
  2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

## Mammals

NAME	STATUS
Indiana Bat <i>Myotis sodalis</i> Wherever found There is <b>final</b> critical habitat for this species. The location of the critical habitat is not available. <a href="https://ecos.fws.gov/ecp/species/5949">https://ecos.fws.gov/ecp/species/5949</a>	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> Wherever found No critical habitat has been designated for this species. <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Threatened

## Insects

NAME	STATUS
Rusty Patched Bumble Bee <i>Bombus affinis</i> Wherever found No critical habitat has been designated for this species. <a href="https://ecos.fws.gov/ecp/species/9383">https://ecos.fws.gov/ecp/species/9383</a>	Endangered

## Flowering Plants

NAME	STATUS
Eastern Prairie Fringed Orchid <i>Platanthera leucophaea</i> Wherever found No critical habitat has been designated for this species. <a href="https://ecos.fws.gov/ecp/species/601">https://ecos.fws.gov/ecp/species/601</a>	Threatened

## Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

## Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act

<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Nationwide conservation measures for birds <http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME

BREEDING SEASON (IF A BREEDING SEASON IS INDICATED FOR A BIRD ON YOUR LIST, THE BIRD MAY BREED IN YOUR PROJECT AREA SOMETIME WITHIN THE TIMEFRAME SPECIFIED, WHICH IS A VERY LIBERAL ESTIMATE OF THE DATES INSIDE WHICH THE BIRD BREEDS ACROSS ITS ENTIRE RANGE. BREEDS ELSEWHERE INDICATES THAT THE BIRD DOES NOT LIKELY BREED IN YOUR PROJECT AREA.)

**Bald Eagle** *Haliaeetus leucocephalus*

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

<https://ecos.fws.gov/ecp/species/1626>

Breeds Oct 15 to Aug 31

**Black-billed Cuckoo** *Coccyzus erythrophthalmus*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/9399>

Breeds May 15 to Oct 10

**Bobolink** *Dolichonyx oryzivorus*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 20 to Jul 31

**Dunlin** *Calidris alpina arctica*

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Breeds elsewhere

**Golden Eagle** *Aquila chrysaetos*

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

<https://ecos.fws.gov/ecp/species/1680>

Breeds elsewhere

**Henslow's Sparrow** *Ammodramus henslowii*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/3941>

Breeds May 1 to Aug 31

King Rail <i>Rallus elegans</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/8936">https://ecos.fws.gov/ecp/species/8936</a>	Breeds May 1 to Sep 5
Least Bittern <i>Ixobrychus exilis</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA <a href="https://ecos.fws.gov/ecp/species/6175">https://ecos.fws.gov/ecp/species/6175</a>	Breeds Aug 16 to Oct 31
Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9679">https://ecos.fws.gov/ecp/species/9679</a>	Breeds elsewhere
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Sep 10
Ruddy Turnstone <i>Arenaria interpres morinella</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds elsewhere
Rusty Blackbird <i>Euphagus carolinus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere
Semipalmated Sandpiper <i>Calidris pusilla</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Aug 31

**Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.**

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

**What does IPaC use to generate the migratory birds potentially occurring in my specified location?**

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.



The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey banding and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [AKN Phenology Tool](#).

#### **What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?**

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey banding and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the [Probability of Presence Summary](#) and then click on the [Tell me about these graphs](#) link.

#### **How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?**

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If [Breeds elsewhere](#) is indicated, then the bird likely does not breed in your project area.

#### **What are the levels of concern for migratory birds?**

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. BCC Rangewide birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. BCC - BCR birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. Non-BCC - Vulnerable birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

#### **Details about birds that are potentially affected by offshore projects**

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

### What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

### Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ [What does IPaC use to generate the migratory birds potentially occurring in my specified location](#) . Please be aware this report provides the probability of presence of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the no data indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ [Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds](#) at the bottom of your migratory bird trust resources page.

## Facilities

### National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS AT THIS LOCATION.

### Fish hatcheries

THERE ARE NO FISH HATCHERIES AT THIS LOCATION.

# Wetlands in the National Wetlands Inventory

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

WETLAND INFORMATION IS NOT AVAILABLE AT THIS TIME

This can happen when the National Wetlands Inventory (NWI) map service is unavailable, or for very large projects that intersect many wetland areas. Try again, or visit the [NWI map](#) to view wetlands at this location.

## Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

## Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

## Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

Variance Schedule	Days to Complete	Day	Date
B&W meet with YBSD to Review Approach and Prepare	7	Wed	7/14/2021
District Board Approves the Variance Approach		Mon	8/9/2021
<b>1. Informal Meeting with City staff and Engineering (EEI)</b>		<b>Mon</b>	<b>8/9/2021</b>
2. City provides initial staff comments on whether they will support variances	14	Mon	8/23/2021
3. City staff engages County for County Ordinance variances, if applicable	21	Mon	8/30/2021
<b>4. Meeting with City &amp; County Staff to finalize formal variance request</b>	50	Tue	10/12/2021
<b>5. Formal Variance Submittal</b>		Fri	<b>10/15/2021</b>
<b>6. Plan Council</b>	<b>25</b>	<b>Tue</b>	<b>11/9/2021</b>
a. City staff and Engineering (EEI)			
<b>7. Economic Development Committee (4 people)</b>		<b>Tue</b>	<b>12/7/2021</b>
<b>8. Public Notice Deadline</b>	<b>21</b>	<b>Tue</b>	<b>12/28/2021</b>
<b>9. Planning and Zoning Commission (Public Hearing)</b>		<b>Wed</b>	<b>1/12/2022</b>

Approval process – City:

10. Planning and Zoning provides Positive or Negative recommendation to City Council	12	Mon	1/24/2022
<b>11. City Council Approval</b>		<b>Tue</b>	<b>1/25/2022</b>
a. If positive recommendation received from Planning and Zoning, majority needed for approval			
b. If negative recommendation received from Planning and Zoning, super majority needed for approval			

Approval process – County:

10. Planning and Zoning provides recommendations to County Board and Director.	0	Tue	1/25/2022
<b>11. County Board grants variance, grants modified variance, or denies variance within 45 days of receiving written recommendations</b>	<b>45</b>	<b>Fri</b>	<b>3/11/2022</b>



November 30, 2021

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

Subject: Bristol Sanitary District (WBK Project 19-102.AH)

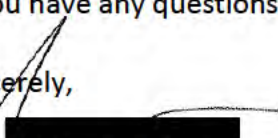
Dear Mr. Asselmeier:

WBK Engineering has received the variance request prepared by Baxter Woodman dated August 9, 2021 and corresponding approval letter from Engineering Enterprises (EEI) dated November 8, 2021. We have no objection to their findings and their approval of the variance requests. Inasmuch as this property lies entirely within the City of Yorkville limits, we have not performed a detailed review of information submitted and rely solely upon the professional opinions and judgements of both Baxter Woodman and EEI with respect to the variance requests and approvals.

The applicant's design professionals and Yorkville's engineer 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 or the Yorkville engineer of their duties to comply with the law and any applicable codes and regulations, nor does it relieve the Contractors in any way from their sole responsibility for the quality and workmanship of the work and for strict compliance with the permitted plans and specifications.

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

Sincerely,

  
Greg Chismark PE  
WBK Engineering, LLC





State of Illinois  
County of Kendall

Zoning Petition  
#21-47

**ORDINANCE NUMBER 2022-\_\_\_\_\_**

**GRANTING VARIANCES TO SECTION 203.1.B (SITE RUNOFF STORAGE REQUIREMENTS) AND SECTION 403 (COMPENSATORY STORAGE VOLUME REQUIREMENTS) OF THE KENDALL COUNTY STORMWATER MANAGEMENT ORDINANCE FOR APPROXIMATELY TWENTY-ONE ACRES OF LAND LOCATED WEST OF 304 RIVER STREET (PIN: 02-32-231-008) IN THE UNITED CITY OF YORKVILLE**

WHEREAS, Article 9 of the Kendall County Stormwater Management Ordinance permits the Kendall County Board to grant variances to the Kendall County Stormwater Management Ordinance and provides the procedure through which variances are granted; and

WHEREAS, on May 21, 2013, the Kendall County Board adopted Ordinance 2013-10 which established a list of certified communities in Kendall County for the Stormwater Water Management Ordinance and the United City of Yorkville was included on this list; and

WHEREAS, the property which is the subject of this Ordinance consists of approximately 21 acres located west 304 River Street inside the United City of Yorkville and is identified by Parcel Identification Number 02-32-231-008. The legal description 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 the Yorkville Bristol Sanitary District as represented by it Executive Director Cyrus McMains and shall hereinafter be referred to as “Petitioner”; and

WHEREAS, on or about October 22, 2021, Petitioner’s representative filed a petition for variances to Section 203.1.b of the Kendall County Stormwater Management Ordinance pertaining to stormwater detention requirements and Section 403 of the Kendall County Stormwater Management Ordinance pertaining to compensatory storage requirements as outlined in Exhibit B attached hereto and incorporated by reference; and

WHEREAS, following due and proper notice by publication in the Aurora Beacon on December 23, 2021, the Yorkville Planning and Zoning Commission held a public hearing on January 12, 2022, at 7:00 p.m., in the Yorkville City Hall at 800 Game Farm Road in Yorkville, at which the Petitioner presented evidence, testimony, and exhibits in support of the requested variances and zero members of the public testified in favor or in opposition or expressed concerns regarding the requested variances; and

WHEREAS, based on the evidence, testimony, and exhibits, the Yorkville Planning and Zoning Commission has made Findings of Fact and recommended approval of the variances as set forth 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 Yorkville Planning and Zoning Commission, and has forwarded to the Kendall County Board a recommendation of **approval/denial/neutral** of the requested variances; 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 Yorkville Planning and Zoning Commission, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Stormwater Management Ordinance; and

State of Illinois  
County of Kendall

Zoning Petition  
#21-47

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

1. The Findings of Fact and Recommendation of the Yorkville Planning and Zoning Commission included in 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 variances to Sections 203.1.b and 403 of the Kendall County Stormwater Management Ordinance on the condition that the subject property be developed substantially in accordance as outlined in Exhibit B.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 15<sup>th</sup> day of February, 2022.

Attest:

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Kendall County Clerk  
Debbie Gillette

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Kendall County Board Chairman  
Scott R. Gryder

# EXHIBIT A

## LEGAL DESCRIPTION - WEST SITE

THAT PART OF THE NORTH HALF OF SECTION 32, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON STAKE ON THE CENTERLINE OF RIVER ROAD, WHICH MONUMENTS THE WEST LINE OF A TRACT OF LAND CONVEYED TO THE STATE OF ILLINOIS BY DEED FROM CLARENCE S. WILLIAMS AND MARY E. WILLIAMS, RECORDED IN BOOK 76, PAGE 350;

THENCE NORTH 70°13'29" WEST ALONG SAID CENTERLINE, 985.57 FEET;

THENCE NORTHWESTERLY ALONG SAID CENTERLINE, BEING ALONG A TANGENTIAL CURVE TO THE LEFT, HAVING A RADIUS OF 1850.0 FEET, AN ARC DISTANCE OF 493.61 FEET;

THENCE NORTH 85°30'44" WEST ALONG SAID CENTERLINE, 70.82 FEET;

THENCE SOUTH 04°29'16" WEST, 409.56 FEET TO THE NORTHERLY BANK OF THE FOX RIVER;

THENCE EASTERLY ALONG SAID NORTHERLY BANK, TO THE SAID WEST LINE OF THE TRACT CONVEYED TO THE STATE OF ILLINOIS;

THENCE NORTHERLY ALONG SAID WEST LINE, 625.0 FEET TO THE POINT OF BEGINNING, IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

## Exhibit B

### Yorkville Bristol Sanitary District

# Variance Request

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*Prepared by:*

**BAXTER & WOODMAN**  
Consulting Engineers

*[www.baxterwoodman.com](http://www.baxterwoodman.com)*

August 9, 2021

# Yorkville Bristol Sanitary District Variance Request TABLE OF CONTENTS

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## LIST OF EXHIBITS

Exhibit

- 1 – Kendall County Stormwater Ordinance
- 2 – United City of Yorkville Landscaping Ordinance
- 3 – Fox River Tributary Drainage Area
- 4 – Blackberry Creek Tributary Drainage Area
- 5 – Project Area
- 6 – Downstream Structures
- 7 – Will County Detention Exemptions
- 8 – HEC-RAS Model Results Table
- 9 – Offsite Compensatory Storage Locations
- 10 – U.S. Fish & Wildlife Service Report



## 1. INTRODUCTION

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The Yorkville-Bristol Sanitary District (YBSD) and the United City of Yorkville have been working together for the last 15-years to ensure that west side property is available for the wastewater treatment facility to serve the ultimate facility planning area (FPA) population. In 2005, YBSD completed a Facility Planning Report that demonstrated the need for additional space for the wastewater treatment facility to serve the potential future facility planning area population.

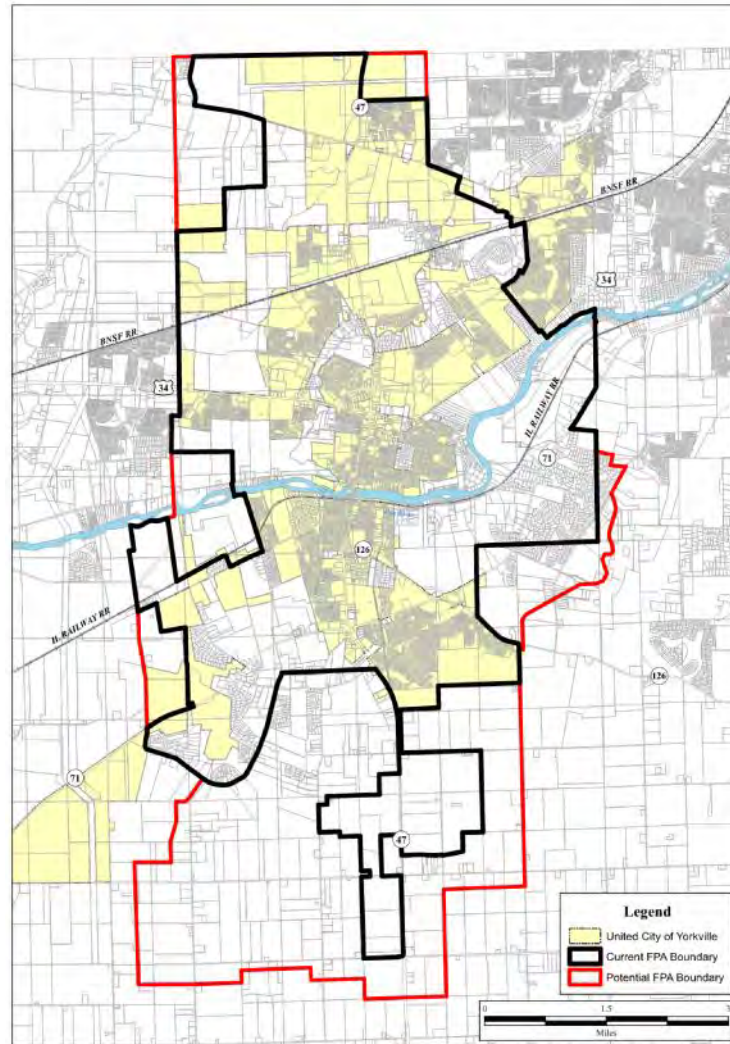
In 2006, YBSD prepared an annexation agreement that annexed the west side property into the United City of Yorkville, Kendall County, Illinois. The United City of Yorkville City Council unanimously approved the annexation, Ordinance No. 2006-43. YBSD also rezoned the west side property to A-1 with special use for sanitary water treatment facilities. The City Council followed the recommendation from the Plan Commission and unanimously approved Ordinance No. 2006-44. These two ordinances provided the space and zoning required to provide the wastewater treatment capacity for the potential future FPA population on a single site.

In 2014, YBSD completed a Phosphorus Removal Feasibility Report to determine the costs, treatment processes and space required to meet future effluent phosphorus limits. This report further reinforced the need for the west side property.

In 2018, YBSD completed a wetland delineation of the west side property to determine the sensitive environmental areas and the areas that could be used for wastewater treatment.

YBSD is currently completing the stormwater permitting and regulatory requirements that are needed to allow the west side property to be utilized for wastewater treatment. YBSD also just completed the preliminary design of the 1<sup>st</sup> phase of improvements that would be located on the west side property.

YBSD's mission is to provide wastewater treatment services for residents within its facility planning area, namely, the United City of Yorkville, Illinois, the county seat of Kendall County. The Facility Planning Reports, Annexation Ordinance, Rezoning Ordinance and wetland delineation were completed to allow wastewater treat of the potential future facility planning area population at a single site on the west side of Blackberry Creek. The YBSD FPA encompasses the United City of Yorkville and portions of the unincorporated areas of Bristol and Kendall Townships within Kendall County. The current and future potential FPA boundaries are shown below.



Providing wastewater treatment for YBSD's ultimate facility planning area population will require development of nearly the entire project site, and the required stormwater detention facilities and compensatory storage cannot be provided onsite without significantly reducing the footprint available for treatment facilities. The reduction of footprint for wastewater treatment facilities will reduce total population that can be served from the west side property. The reduced area would not be able to accommodate the potential future FPA population. As such, the YBSD is requesting variances from the Kendall County Stormwater Management Ordinance, as adopted by the United City of Yorkville, and from the City of Yorkville's Landscaping Ordinance in accordance with Article 9 of the Kendall County Stormwater Management Ordinance.

- J Kendall County Stormwater Management Ordinance (Section 203 and Section 403), as adopted by United City of Yorkville – Ordinance No. 2012-56
- J United City of Yorkville Landscape Ordinance (Section 8-12-2.H) – Ordinance No. 2009-42



## 2. ORDINANCE REQUIREMENTS

### 2.1 Stormwater Detention Requirements for Kendall County

Section 203 of the Kendall County Stormwater Management Ordinance, as adopted by the City of Yorkville, requires stormwater detention for non-residential developments on properties of contiguous ownership that are equal to or greater than three (3) acres and resulting in more than 45,000 square feet of development or 32,000 square feet of impervious area. The planned improvements, consisting of approximately 641,000 square feet of development and 440,000 square feet of new impervious area, exceed both of these thresholds, and therefore Ordinance site runoff storage requirements are applicable. Stormwater storage volume must be provided such that the 100-year, 24-hour release rate does not exceed 0.15 cubic feet per second (cfs) per acre of hydrologic disturbance, and the 2-year, 24-hour release rate does not exceed 0.04 cfs per acre.

### 2.2 Compensatory Storage Requirements for Kendall County

Section 403 of the Ordinance requires that hydraulically equivalent compensatory storage be provided for fills within the regulatory floodplain. The total compensatory storage volume must be equal to or greater than the flood fringe storage volume displaced. To the greatest extent practicable, storage volume displaced below the 10-year existing flood profile must be replaced below the proposed 10-year flood profile, and storage displaced between the existing 10- and 100-year flood profiles but be replaced between the proposed 10- and 100-year flood profiles.

### 2.3 Tree Preservation and Replacement Standards for the United City of Yorkville

Compensatory storage and stormwater detention requirements will necessitate significant tree removal. Per Section 8-12-2.H of the United City of Yorkville's Code of Ordinances, tree removal should be avoided within floodplains, filling near valuable trees should be minimal, and removal requirements include replacement according to **Table 1**.

**Table 1: Tree Replacement Standards, Landscaping Ordinance for the City of Yorkville**

Caliper (inches) of tree to be removed	Number of replacement trees
30 or greater	6
13-29	5
8-12	4
4-7	2

### 3. VARIANCE REQUESTS

The variance requests are organized according to the variance standards as described in Section 904 of the Kendall County Stormwater Ordinance as adopted by the United City of Yorkville.

#### 3.1 Stormwater Detention

**Request 1: Waiver of United City of Yorkville and Kendall County site runoff storage requirements (Section 203.1.b. of the Kendall County Stormwater Management Ordinance, as adopted by the United City of Yorkville (excerpt of Ordinance included in Exhibit 1))**

	Section 904 Standard	Justification
a.	The variance will not increase the probability of flood damage or create an additional threat to the public health, safety or welfare.	<p>Stormwater runoff from the proposed development area discharges directly to the Fox River and Blackberry Creek, with no downstream properties impacted prior to discharge into these waterways.</p> <p>The proposed development area is significantly smaller than the total watershed areas tributary to the Fox River and Blackberry Creek (<b>Exhibits 3-5</b>). Therefore, the timing of peak stormwater discharges from the YBSD's property is unlikely to coincide with the highest flows and flood elevations along these waterways.</p>
b.	The variance requested is the minimum relief necessary to accomplish the objectives of the development without compromising the objectives of Section 102 of this Ordinance.	<p>The proposed improvements are for treatment facilities that are essential and critical infrastructure. Maximizing the onsite treatment capacity is necessary to accommodate the needs of the City and surrounding communities for future growth and development. Providing detention would prevent the YBSD from achieving the full buildout for treating the projected flows to the facility.</p> <p>Furthermore, the orientation of the YBSD property is such that there is significant waterway frontage, with grades naturally flowing to the Fox River and Blackberry Creek. Draining all site stormwater runoff to detention facilities may be difficult or impossible to achieve while providing a suitable treatment facility plan. Other counties in Illinois have detention exemptions for such developments. For example, the Will County Stormwater Management Ordinance (55.020 (C)(2)) provides an exemption for properties that meet the minimum river frontage requirement (<b>Exhibit 7</b>). With over 1,500 feet of river frontage and</p>



		less than 20 acres of proposed development, this project site would easily qualify for Will County's detention exemption thresholds.
c.	The variance will not result in a reduction of water quality benefits as compared to compliance with ordinance requirements.	The development will incorporate best management practices (BMPs), such as vegetative swales, buffer strips, and sediment traps, to treat direct discharges to the Fox River and Blackberry Creek. These BMPs will mitigate potential reduction of water quality benefits.
d.	The variance is not requested solely for the purpose of reducing site runoff storage requirements.	The variance is requested to allow for full buildout capacity of the treatment facilities to accommodate the needs of the community's projected growth. The reduction of site runoff storage requirements is incidental to this goal.
e.	The variance shall not cause conveyance of stormwater from the project to increase peak discharges beyond design capacity of existing offsite conveyance facilities for any storm event from the 2-year to the 100-year recurrence frequency.	The development would directly discharge to major natural waterways, as opposed to designed stormwater conveyance systems with defined capacities. There are no intermediate properties between the development and the Fox River or Blackberry Creek.  Additionally, the proposed development area is significantly smaller than the total watershed areas tributary to the Fox River and Blackberry Creek ( <b>Exhibits 3-5</b> ). Therefore, the timing of peak stormwater discharges from the YBSD's property is unlikely to coincide with the highest flows and flood elevations along these waterways.
f.	The variance shall seek to preserve valuable environmental and biological resources including but not limited to stands of native trees, existing wetlands and natural floodplain storage.	With the variance, the YBSD will be able to achieve full buildout capacity at this property. The variance will also prevent the need for expanding the development area for treatment facilities to include the property immediately adjacent to the Fox River, which would require the removal of valuable riparian vegetation and critical habitat for the endangered Indiana bat ( <i>Myotis sodalis</i> ) ( <b>see Exhibit 10</b> for report from U.S. Fish and Wildlife Service).

## 3.2 Compensatory Storage

**Request 2: Waiver of United City of Yorkville and Kendall County compensatory storage requirements (Section 403.a. of the Kendall County Stormwater Management Ordinance, as adopted by the United City of Yorkville (excerpt of Ordinance included in Exhibit 1))**

	Section 904 Standard	Justification
a.	The variance will not increase the probability of flood damage or create an additional threat to the public health, safety or welfare.	<p>There are no structures impacted by the regulatory floodplain along the Fox River in the area immediately downstream of the proposed improvements (<b>Exhibit 6</b>). The minor loss of flood storage resulting from proposed floodplain fill is small relative to the total flood storage of the Fox River and will not impact any downstream structures during a 100-year flood.</p> <p>Furthermore, a dam is located upstream of the project limits, just upstream of Bridge Street. This dam provides some hydraulic control of flood profiles, creates upstream flood storage, and reduces the impacts of proposed floodplain fills within the project limits.</p> <p>Hydraulic modeling demonstrates that the proposed improvements meet the applicable regulatory standards of the IDNR Part 3700 requirements for floodway construction, without the inclusion of compensatory storage. Requirements for compensatory storage are local standards above and beyond the state's requirements, which are intended to preserve the conveyance capacity of the waterway. Preliminary modeling results and model input/output files are provided as <b>Exhibit 8</b>.</p>
b.	The variance requested is the minimum relief necessary to accomplish the objectives of the development without compromising the objectives of Section 102 of this Ordinance.	<p>The proposed improvements are for treatment facilities that are essential and critical infrastructure. Maximizing the onsite treatment capacity is necessary to accommodate the needs of the City and surrounding communities for future growth and development. Providing onsite compensatory storage would prevent the YBSD from achieving the full buildout for treating the projected flows to the facility.</p> <p>Offsite compensatory storage was explored and is discussed further below. These options all have major feasibility concerns or negative impacts, such as requiring additional tree removal and/or additional loss of usable land.</p>



c.	The variance will not result in a reduction of water quality benefits as compared to compliance with ordinance requirements.	The presence or absence of compensatory storage would not have an effect on water quality.  Even so, the development will incorporate best management practices (BMPs), such as vegetative swales, buffer strips, and sediment traps.
d.	The variance is not requested solely for the purpose of reducing site runoff storage requirements.	This variance is unrelated to site runoff storage requirements.
e.	The variance shall not cause conveyance of stormwater from the project to increase peak discharges beyond design capacity of existing offsite conveyance facilities for any storm event from the 2-year to the 100-year recurrence frequency.	This variance will not impact conveyance of stormwater from the project.
f.	The variance shall seek to preserve valuable environmental and biological resources including but not limited to stands of native trees, existing wetlands and natural floodplain storage.	With the variance, the YBSD will be able to achieve full buildout capacity at this property, which would save environmental and biological resources. The variance will also prevent the need for development of the YBSD property immediately adjacent to the Fox River, which would require the removal of valuable riparian vegetation, critical habitat for the endangered Indiana bat ( <i>Myotis sodalis</i> ) ( <b>Exhibit 10</b> ), and would have adverse wetland and impacts. Wetland and habitat impacts could be obstacles to obtaining permits through the U.S. Army Corps of Engineers and IDNR.
<b>Article 4 Variance Standards</b>		
a.	Variances shall not be issued by the permitting agency within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result.	Hydraulic modeling demonstrates that the proposed improvements meet the applicable regulatory standards of the IDNR Part 3700 requirements for floodway construction, without the inclusion of compensatory storage. Preliminary modeling results indicate no increase in flood levels, rounded to the nearest tenth of a foot, and are provided as <b>Exhibit 8</b> .
b.	Variances may be issued by the permitting agency for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structure constructed below the base flood level, in conformance with the following procedures of this section;...	Not applicable; this development is greater than one-half acre.

### 3.3 Tree Preservation and Replacement

**Request 3: Waiver of United City of Yorkville tree replacement requirements (Sections H.1.b.i.1,3 and H.2.a-d of the United City of Yorkville's Landscaping Ordinance (excerpt of Ordinance included in Exhibit 2))**

	Section 904 Standard	Justification
a.	The variance will not increase the probability of flood damage or create an additional threat to the public health, safety or welfare.	This variance will not impact flooding or any other threat to public health, safety or welfare.
b.	The variance requested is the minimum relief necessary to accomplish the objectives of the development without compromising the objectives of Section 102 of this Ordinance.	The proposed improvements are for treatment facilities that are essential and critical infrastructure. Maximizing the onsite treatment capacity is necessary to accommodate the needs of the City and surrounding communities for future growth and development. Replacing trees onsite according to the standard laid out in the City's Landscaping Ordinance (preliminary estimate of 1,500 replacement trees) is not possible if the facility is to provide the projected treatment capacity for the community.
c.	The variance will not result in a reduction of water quality benefits as compared to compliance with ordinance requirements.	This variance will not impact water quality.
d.	The variance is not requested solely for the purpose of reducing site runoff storage requirements.	This variance is unrelated to site runoff storage requirements.
e.	The variance shall not cause conveyance of stormwater from the project to increase peak discharges beyond design capacity of existing offsite conveyance facilities for any storm event from the 2-year to the 100-year recurrence frequency.	This variance will not impact conveyance of stormwater from the project.
f.	The variance shall seek to preserve valuable environmental and biological resources including but not limited to stands of native trees, existing wetlands and natural floodplain storage.	While it is not possible to replace all of the removed trees onsite according to the City's ordinance (regardless of the detention and compensatory storage variances), the YBSD aims to preserve the trees along the banks of the Fox River and Blackberry Creek, which is made possible by the waiving of the stormwater requirements as discussed above. Avoiding offsite compensatory storage will also limit the extent of tree removal necessary.



## 4. OFFSITE COMPENSATORY STORAGE

Four offsite locations were considered for compensatory storage. These locations were initially chosen based on their proximity and current use (undeveloped or mostly open space). They are not owned by the YBSD and their use would be contingent upon purchase or easement from the property owners. The construction schedule for the facility expansion would be delayed if offsite compensatory storage is provided, as the compensatory storage would need to be provided prior to development of the YBSD property; thus, property acquisition, permitting, and offsite excavation could delay construction significantly. The four locations are briefly described below, along with burdens and detrimental impacts associated with construction at these locations. A map of the sites is included as **Exhibit 9**.

- J The Youth Camp property directly adjacent to the project site consists of a low-lying area and a slope heading north up to River Road. This location would require extensive tree removal, a large quantity of excavation, and the construction of a very large retaining wall (~30' high).
- J A large bump-out is located on the south bank of the Fox River, located approximately half a mile downstream from the Blackberry Creek confluence. This location is heavily forested and a massive quantity of excavation would be necessary due to the high elevations.
- J Crawford Park, owned the United City of Yorkville, is located on the south bank of the Fox River approximately one mile downstream from the Blackberry Creek confluence. It is not forested and would require limited tree removal. Utilizing this area for compensatory storage, however, would prevent the City from raising the grade in the future or using this land for any other purposes.
- J Approximately 1.8 miles downstream from the Blackberry Creek confluence, there is a farm located on the north bank of the Fox River. Extensive tree removal would not be necessary for this property, but the loss of active farmland is not a desirable outcome.

## 5. CONCLUSION

The District understands that as effluent limits and sludge disposal regulations become more stringent, additional space for future processes to maintain compliance will be of utmost importance. Some constituents are on the regulatory horizon, but others are unknown at this time. This increases the importance of maximizing contiguous land to accommodate future process. The above variance requests are necessary to provide the onsite treatment facilities that meet future regulatory requirements, as well as accommodate anticipated growth and development within the City of Yorkville.

# Exhibit 1: Excerpts from Kendall County Stormwater Ordinance, as adopted by the United City of Yorkville

## **Sec. 203 Site Runoff Storage Requirements**

### ***203.1 Applicability of Site Runoff Storage Requirements***

All developments shall comply with the site runoff storage requirements provided in Section 203 of this Ordinance in which:

- a. Single family - detached land use property consisting of five or more residential structures having an average lot size of three acres or less;

- b. A non-residential land use or a residential land use other than single family - detached property of contiguous ownership equal to or greater than three acres and:

- 1. resulting in more than 45,000 square feet of development, or;
- 2. resulting in more than 32,000 square feet of impervious surface area

Request for waiver of 203.1.b.



Sections 203.2 - 202.11 would be rendered null by waiver of 203.1.b.

**203.2 Release Rate**

Sufficient excess runoff / flood storage volume shall be provided so that the proposed project will not discharge at a rate greater than 0.15 cfs/acre of disturbance for a rainfall event with a 100-year recurrence frequency. Additionally, sufficient excess runoff / flood storage volume shall be provided so that the proposed project will not discharge at a rate greater than 0.04 cfs/acre of disturbance for a rainfall event with a 2-year recurrence frequency. The area of hydrologic disturbance for the entire project shall be used to calculate the site runoff storage volume requirements.

**203.3 Design Methods**

Event hydrograph routing methods shall be used to calculate runoff storage volume requirements for stormwater management basins with total tributary areas greater than five acres. The hydrograph routing shall be HEC-1, (SCS methodology), HEC-HMS, TR-20, or TR-55 tabular method or as otherwise approved by the Administrator. Event hydrograph methods shall incorporate the following assumptions:

- a. Antecedent moisture condition = 2; and
- b. Appropriate Huff rainfall distribution; and
- c. 24-hour duration storm with a 1% probability (100-year frequency) of occurrence in any one year as specified by Illinois State Water Survey Bulletin 71 isohyetal rainfall data.

Runoff storage volume requirements for stormwater management basins with total tributary areas equal to or less than five acres may utilize the *% Impervious to unit Area Detention* nomograph developed by NIPC (now known as CMAP) depicted in Table 203.

**203.4 Existing Release Rate Less Than Allowable**

For sites where the undeveloped release rate is less than the maximum release rate in Section 203.2, the developed release rate and corresponding site runoff storage volume requirement shall be based on the existing undeveloped release rate for the development.

### ***203.5 Downstream Water Surface Elevations***

All hydrologic and hydraulic computations must utilize appropriate assumptions for downstream water surface elevations, from low flow through the base flood elevation, considering the likelihood of concurrent flood events.

### ***203.6 Extended Detention Requirement***

The requirements of this section will apply only when the outfall from a stormwater management basin is proposed to connect to an off-site agricultural drain tile system. The first 0.75 inches of runoff from a rainfall event over the hydraulically connected impervious area of the development shall be stored below the elevation of the primary gravity outlet (extended detention) of the stormwater management basin. The facility may be designed to allow for evapotranspiration or infiltration of this volume into a subsurface drainage system and shall not be conveyed through a direct positive connection to downstream areas.

The hydraulically connected impervious area used in the calculation of required extended detention volume may be reduced by the Administrator if the soils are prepared to maximize infiltration and deep rooted grasses or other plants selected for their ability to promote infiltration or water absorption are planted in areas appropriately dedicated. The reduction in hydraulically connected impervious area used in the calculation shall be equal to the area of the development meeting the above soils/native planting requirement.

Subsurface drainage systems may be designed as a component of the extended detention portion of the stormwater management basin to assist in infiltration in accordance with the following criteria:

- a. The extended detention volume shall be discharged at a rate no greater than that required to empty the calculated extended detention volume within 5 days of the storm event and at a rate no less than that required to empty the calculated extended detention volume within 30 days of the storm event.
- b. No subsurface drainage pipe shall be located within 10 feet of drainage pipes directly connected to the stormwater management basin.
- c. For purposes of meeting the maximum subsurface drainage discharge requirements, flow control orifices and weirs may be used.
- d. All design extended detention volume shall be provided above the seasonal high ground water table or the invert elevation of the groundwater control system.
- e. Farm field tile shall not be considered a subsurface drainage system.

### ***203.7 Stormwater Management Basin Design Requirements***

Stormwater management basins shall be designed and constructed with the following characteristics:

- a. The stormwater management basin shall provide 1 (one) foot of freeboard above the design high water elevation or BFE.

Sections 203.2 - 202.11 would be rendered null by waiver of 203.1.b.

b. The stormwater management basin shall be located on the site and designed such that they are accessible by motorized maintenance equipment necessary for regular and long term maintenance operations. The route to the basin shall be formalized with an access easement and that the surface of such route shall be easily traversable by maintenance equipment / operations as determined by the Administrator.

c. All site runoff storage volume shall be provided above the seasonal high groundwater table or above the invert of the groundwater control system.

d. Stormwater management basins shall facilitate sedimentation and catchment of floating material. Unless specifically approved by the Administrator, impervious low-flow ditches shall not be used in stormwater management basins. Stormwater management basins shall maximize the normal flow distance between stormwater management basin inlets and outlets, to the extent possible

e. Stormwater management basins shall reduce impacts of stormwater runoff on water quality by incorporating best management practices.

f. Stormwater management basins shall be designed with an emergency overflow weir capable of passing the inflow from the critical duration base flood event under developed conditions. The predicted emergency water surface elevation shall be below the top of embankment for any other portion of the stormwater management basin. The weir design shall provide appropriate erosion control measures.

g. Stormwater management basins with single pipe outlets shall have a minimum inside diameter of 12 inches. If design release rates necessitate a smaller outlet, flow control devices such as perforated risers, or flow control orifices shall be used.

h. Stormwater management basins intended to support potential fish habitat with a permanent pool, shall be at least ten feet deep over 25 percent of the bottom area.

i. Stormwater management basins shall have a maximum side slope of four to one.

j. Stormwater management basins with a permanent pool shall have a safety shelf at least eight feet wide a maximum of two feet below the normal water pool.

k. Stormwater management basins shall have a maximum drawdown time of 72 hours for a 24-hour duration rainfall event with 100-year recurrence frequency.

j. All stormwater management basins shall comply with IDNR dam safety requirements where applicable.

**203.8 Site Runoff Storage Volume Within The Regulatory Floodplain**

Stormwater management basins and other facilities to satisfy site runoff storage volume requirements located within the regulatory floodplain shall:

a. Conform to all applicable requirements specified in Article 4 of this Ordinance; and



- b. Store the required amount of site runoff to meet the release rate requirement under all stream flow and backwater conditions in the receiving stream up to the 10-year flood elevation; and
- c. Site runoff storage volume provided by enlarging existing regulatory floodplain storage without providing a flow control device regulating discharge (on-stream detention) will be allowed only as a variance. The applicant must demonstrate that flood damages are not increased and the development will not increase flood flows for both the 2-year and 100-year floods on the stream with developed conditions on the site; and
- d. The Administrator may approve designs which can be shown by detailed hydrologic and hydraulic analysis to provide a net watershed benefit in flood control not otherwise realized by strict application of the requirements in a through c above.

***203.9 Site Runoff Storage Volume Within The Regulatory Floodway***

Stormwater management basins and other facilities to satisfy site runoff storage volume requirements located within the regulatory floodway shall:

- a. Meet the requirements for locating stormwater management basins in the regulatory floodplain; and
- b. Be evaluated by performing hydrologic and hydraulic analysis consistent with the standards and requirements for any adopted watershed plans; and
- c. Provide a net watershed benefit in flood control.

***203.10 Site Runoff Storage Volume - Channel Impoundment***

Flow control structures constructed across any channel to impound water to meet site runoff storage requirements shall be prohibited on any perennial stream unless part of a public flood control project with a net watershed benefit in flood control. Those streams appearing as blue on a USGS Quadrangle map shall be assumed perennial unless better data is obtained. All cross-stream flow control structures for the purpose of impounding water to provide site runoff storage in all cases on perennial and intermittent streams must demonstrate that they will not cause short term or long-term stream channel instability.

***203.11 Off-Site Stormwater Management Basins***

Stormwater management basins and other facilities to satisfy site runoff storage volume requirements may be located off-site if the following conditions are met:

- a. The off-site stormwater management basin meets all of the requirements of this Article 2; and
- b. Adequate storage capacity in the off-site facility is dedicated to the development; and
- c. The development includes means to convey stormwater to the off-site stormwater management basin.

**Sec. 403 Compensatory Storage Volume Standards**

The following standards apply within the regulatory floodplain: **Request for waiver of 403.a**

- a. Hydraulically equivalent compensatory storage volume will be required for development in a riverine regulatory floodplain and shall be at least equal to the regulatory floodplain flood storage volume displaced. To the greatest extent practicable storage volume displaced below the existing 10-year frequency flood elevation must be replaced below the proposed 10-year frequency flood elevation. To the greatest extent practicable storage volume displaced above the 10-year existing frequency flood elevation must be replaced above the proposed 10-year frequency flood elevation.
- b. Compensatory storage volume for development in a non-riverine regulatory floodplain area that is also adjacent to a lake shall be equal to the storage volume displaced.
- c. Compensatory storage volume requirements for development in a non-riverine Regulatory Floodplain that is not adjacent to a lake shall be replaced in accordance with the requirements for the loss of depressional storage in Section 201.6.
- d. Compensatory storage areas shall be designed to drain freely and openly to the channel and shall be located adjacent to the development. This standard does not apply to non-riverine Regulatory Floodplain.
- e. A recorded covenant or easement running with the land is required to maintain the compensatory storage volume in areas modified to provide compensatory storage volume.

**Sections 403.d. - 403.e. would be rendered null by waiver of 403.a.**

## Exhibit 2: Excerpts from United City of Yorkville Code of Ordinances, Section 8-12-2 (Landscaping Ordinance)

- H. Tree Preservation: The following standards shall apply to all lots which are five (5) acres or greater in area. No live tree(s) with a four inch (4") DBH (diameter at breast height) may be removed without first submitting an application for tree removal and receiving approval from the City. Failure to apply and submit a tree preservation and removal plan will result in a monetary fine per tree removed without authorization (as stated on the application form.)
1. Tree Removal Permit: The application for a tree removal shall be made to the Building Department. This application must be submitted and approved prior to the Site Grading Plan permit issuance. If no mass grading is required for construction, the tree removal application must be submitted and approved prior to any site re-development involving tree removal. The application shall include:



- a. Tree Preservation and Removal Plan. The plan shall include:
  - i. A tree survey showing the location of all trees four inches (4") in caliper or greater within 100 feet of any tree proposed to be removed, including a description of the tree(s), botanical name, common name, caliper size and general condition or health of the tree(s). The survey shall be completed by an International Society of Arboriculture Certified Arborist or Illinois Department of Natural Resources Consultant Forester, or other qualified professional as approved in writing by the City Planner.
  - ii. Delineation of trees to be removed and trees to be preserved.
  - iii. Details and specifications or procedures to be used to protect trees being preserved.
  - iv. Location, size and name of replacement trees.
- b. Tree Preservation and Removal Guidelines:

- i. Every reasonable effort shall be made to retain existing trees shown on the tree survey through the integration of those trees into the site plan and landscape plan for a proposed development.

Request for waiver of H.1.b.i.1.

1. Critical areas, such as floodplains, steep slopes, and wetlands, should be left in their natural condition or only partially cleared.

2. Roadways, storage areas, and parking lots should be located away from valuable tree stands.

Request for waiver of H.1.b.i.3.

3. Cutting and filling in the vicinity of valuable trees should be minimal.

4. If more than one-third of the tree's root system is to be affected by construction, the tree should be part of the removal plan and replaced with the appropriate number of trees.

- ii. Pre-construction protection measures:

1. A temporary six foot (6') orange construction safety fence, rigid wood, or chain link fence must surround the periphery of the tree dripline as a construction barrier prior to the start of any site work.

- a. Fence type may be designated by the City depending on the value of the tree and the location to construction traffic.
  - b. This fence must be in place before any site work begins and remain in place until all construction has been completed or final occupancy permit has been issued, whichever is latest.
  - c. A warning sign shall be placed on the fence stating the following: **Warning: This fence shall not be relocated or removed without written authorization from the City of Yorkville.**
- iii. If construction limits encroach within the dripline of the tree the following procedures will be required:
1. Trunk wrapping from the base of the tree to a height of ten feet (10'). Clear indication of trees to be wrapped and detail showing materials should be included as part of the landscape plans. No boards shall be nailed to the trunk of a tree.
  2. In the event that underground utility lines are proposed within five feet (5') of the trunk of a tree, then auguring or boring of the utility line will be required by the City. This must be clearly indicated on the plans.
  3. Root trimming should occur by hand, not with machinery, and exposed root systems should be protected to maintain moisture levels. During construction, any root accidentally damaged (exposed) should immediately be cleanly cut and protected.
  4. If excavation must occur within the dripline of a tree, an excavation trench shall be saw cut for a minimum depth of two feet as near to the intended trench as possible. All root pruning must be completed prior to any excavation activity near the tree.
- iv. Construction procedures:
1. During the mass grading of the site, a Certified Arborist or Consultant Forester must be on-site during the mass grading to ensure that proper protection methods are being followed.

2. Grading and construction equipment shall be prohibited from encroaching within the dripline of a tree.
  3. Any soil that is located or stockpiled within the critical root zone of the tree will result in the loss of tree protection credit(s) and will require that the job be stopped until a revised Landscape Plan is approved.
  4. Crushed limestone and other material detrimental to trees shall not be stored or dumped within the drip line of any tree nor at any higher location where drainage toward the tree could conceivably affect the health of the tree.
  5. Any preserved trees damaged during construction should be repaired. Damage should be analyzed by a Certified Arborist, Consultant Forester, or approved qualified professional, and a repair plan should be submitted to the City for approval.
  6. If the tree begins to show signs of stress (i.e. leaf dieback, wilting, etc.), additional measures may be required by the City such as fertilizing or watering to aid the tree in survival.
- v. Tree Preservation protection measures must be checked by the City of Yorkville before the permit for development will be released. Periodic inspections will occur during construction.
  - vi. Failure to provide adequate tree protection will result in the loss of tree protection credits and will require that the job be stopped until a revised Landscape Plan is approved.

Request for waiver of H.2.

2. Tree Replacement Standards:

- a. Any tree approved for removal shall be replaced with new trees in accordance with the following schedule:

Caliper (Inches) of tree to be removed	Number of Replacement Trees
30 or greater	6
13-29	5
8-12	4
4-7	2

- b. In the event that a tree identified to be preserved is removed or damaged, such tree shall be replaced as follows:



<u>Caliper (Inches) of tree to be removed</u>	<u>Number of Replacement Trees</u>
30 or greater	12
13-29	10
8-12	8
4-7	4

- c. All replacement trees shall have a minimum caliper of two and one-half inches (2 ½") and shall consist of the shade tree varieties listed under Permitted Plantings.
- d. If the tree(s) approved for removal is (are) dead from natural causes prior to the date of the tree removal permit, then no replacement tree(s) are required for them.

3. Approval Criteria: The City shall approve a tree removal application if one or more of the following conditions exist:

- a. The tree to be removed poses a safety hazard to persons or property.
- b. The tree is substantially diseased or weakened by age, storm, fire or other injury.
- c. The tree removal is in accordance with good forestry practice such as when a parcel of land will only support a certain number of healthy trees which is less than the number of existing trees on the parcel.
- d. The tree removal is of a nuisance tree listed under Section 3 General Standards, #7.
- e. The tree removal is part of an approved overall landscape plan.

4. Failure to Replace Trees: If replacement trees, which are required by the approved tree removal permit, are not planted within the time frame set out by the tree removal permit, the City may, at its option, replace the trees. All costs associated with purchasing and planting the replacement trees shall be charged to the owner or other person or entity causing the removal of the trees.

## Exhibit 3: Fox River Tributary Drainage Area

Table 7 - Summary of Discharges (continued)

Flooding Source and Location	Drainage Area (square miles)	Peak Discharges (cubic feet per second)			
		10-Percent- Annual-Chance	2-Percent- Annual-Chance	1-Percent- Annual-Chance	0.2-Percent- Annual-Chance
<b>Fox River</b>					
At Dayton (USGS gage No. 05552500)	2,642	22,132	36,274	41,893	58,357
At Bridge Street	2,138	15,327	23,899	27,412	36,894
About 900 feet upstream of Bridge Street	1,804	10,580	15,221	17,697	22,615
At Aurora (USGS gage No. 05551500)	1,705	8,572	12,791	14,368	18,697
<b>Harvey Creek</b>					
300 feet downstream of Sandy Bluff Road	3.46	381	525	595	983
600 feet downstream of Griswold Springs Road	3.36	367	506	569	924
2,000 feet upstream of Griswold Springs Road	2.41	291	387	442	638
At Dayton Street	1.41	183	248	291	379
<b>Middle Aux Sable Creek</b>					
Just downstream of Caton Farm Road	15.9	1,252	2,144	2,767	3,481
Just downstream of Wheeler Road	14.0	1,241	2,124	2,741	3,448
Upstream of Wheeler Road	12.9	1,237	2,117	2,731	3,435
<b>North Arm Saratoga Creek</b>					
About 150 feet downstream from farm bridge	0.7	80	*	143	*
At Joliet Road	0.66	79	*	140	*
About 700 feet upstream of Galena Street	0.42	59	*	106	*
<b>Tributary 1 to West Aux Sable Creek Tributary B</b>					
Just downstream of the intersection of Caton Farm Road and Brisbin Road	2.1	446	743	947	1,179
<b>Waubansee Creek</b>					
At confluence with Fox River	29.6	*	*	2,007	*
At U.S Route 25	29.5	*	*	1,979	*
At U.S. Route 34	29.2	*	*	1,940	*
At U.S. Route 30	18.7	774	1,170	1,447	2,700
At Elgin Joliet and Eastern Railroad	17.4	734	1,108	1,373	2,500

\*Data not available

# Exhibit 4: Blackberry Creek Tributary Drainage Area

## Table 7. Summary of Discharges

<i>Flooding Source and Location</i>	<i>Drainage Area (square miles)</i>	<i>Peak Discharges (cubic feet per second)</i>			
		<i>10-Percent- Annual-Chance</i>	<i>2-Percent- Annual-Chance</i>	<i>1-Percent- Annual-Chance</i>	<i>0.2-Percent- Annual-Chance</i>
<b>Aux Sable Creek</b>					
Downstream of Bell Road	107.9	6,162	10,618	13,754	17,360
Downstream of US Highway 52	99.1	5,902	10,167	13,168	16,617
Just downstream of East Aux Sable Creek confluence	98.6	5,886	10,139	13,131	16,570
Downstream of McKanna Road	64.9	3,134	5,422	7,038	7,038
Just downstream of the convergence of Middle Aux Sable Creek and West Aux Sable Creek	63.8	3,054	5,285	6,861	8,676
<b>Blackberry Creek</b>					
Just downstream of Route 34	69.0	1,381	2,303	2,771	4,053
Just downstream of Route 47	67.5	1,366	2,284	2,749	4,026
Approximately 7,200 feet upstream of Route 47	65.2	1,349	2,260	2,721	3,991
Just downstream of Route 30	59.6	1,316	2,229	2,692	3,968
<b>Clear Creek</b>					
At confluence with Fox River	6.7	1,055	1,484	1,772	2,474
About 3,300 feet upstream of confluence with Fox River	6.4	1,003	1,413	1,701	2,371
About 2,000 feet downstream of Crimmin Road	3.9	677	994	1,181	1,676
At Crimmin Road	3.5	614	902	1,071	1,520
About 3,700 feet upstream of Crimmin Road	3.3	560	822	968	1,375
About 1,250 downstream of confluence with Dave-Bob Creek	2.87	495	726	855	1,214
At Chicago Road	2.53	408	590	718	1,003
At Main Street	2.01	311	435	538	759
About 1,000 feet upstream of State Route 71	1.6	231	381	462	670
<b>Dave-Bob Creek</b>					
At confluence with Clear Creek	0.3	65	100	115	145
At Unnamed Tributary	0.17	40	65	75	95
<b>East Aux Sable Creek</b>					
Just downstream of the confluence of East Aux Sable Creek Tributary A	33.7	2,871	4,908	6,330	7,960
Upstream of the confluence of East Aux Sable Creek Tributary B	27.8	2,533	4,328	5,581	7,015





SCALE: 1" = 100'

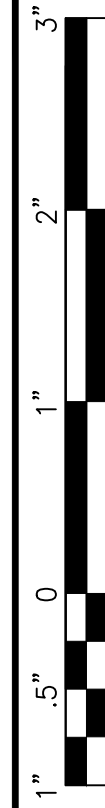
**BAXTER & WOODMAN**  
Consulting Engineers

CONSULTANTS

MILESTONE

NO.	DATE	DESCRIPTION

\*\* - REFER TO EQUIPMENT MANUFACTURER'S SHOP DRAWING \*\*



PLAN SHEET DESIGNATION

- COVER
- G - GENERAL
- H - HAZARDOUS MATERIALS
- C - CIVIL
- L - LANDSCAPE
- S - STRUCTURAL
- A - ARCHITECTURAL
- I - INSTRUMENTATION
- O - EQUIPMENT
- F - FIRE PROTECTION
- P - PLUMBING
- M - MECHANICAL
- E - ELECTRICAL
- T - TELECOMMUNICATIONS
- R - RESOURCE

PROJECT NO: 201643

SCALE: 1" = 100'

DATE: 1/15/21

DESIGNED BY:

DRAWN BY:

CHECKED BY:

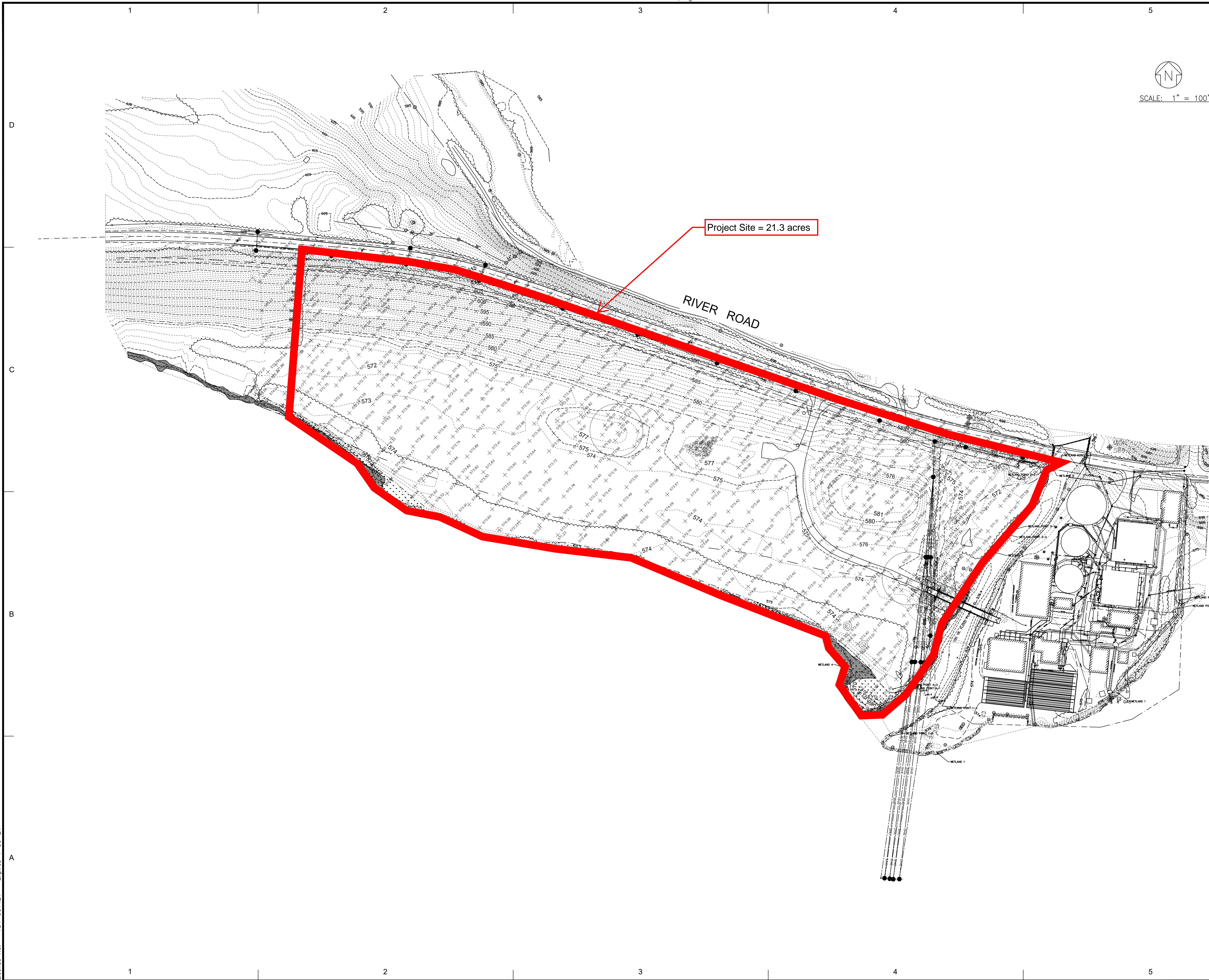
CLIENT

YORKVILLE-BRISTOL  
SANITARY DISTRICT

SHEET TITLE

Exhibit 5: Project Area

**OF**



I:\CRYSTAL LAKE\YORSD\201643-SOLIDS HANDING IMPR\CAD\DWGS\CURRENT\201643APLN-C3D.DWG EX-TOPO 100  
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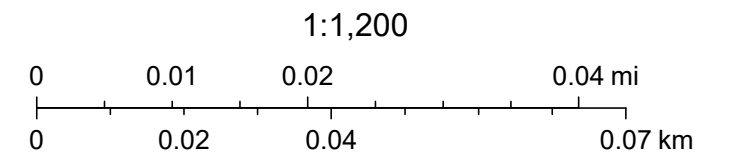


August 5, 2021

2010 Contours

- Contour
- Index Contour

Exhibit 6B: Downstream Structures



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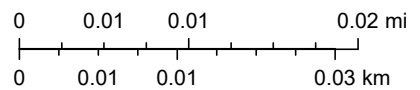


August 5, 2021

2010 Contours

- Contour
- Index Contour

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### Exhibit 6C: Downstream Structures

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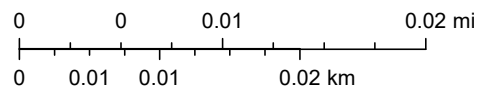


August 5, 2021

2010 Contours

- Contour
- Index Contour

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### Exhibit 6D: Downstream Structures

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# Exhibit 7: Will County Detention Exemptions

## § 55.020 GENERAL INFORMATION.

(A) *Other applicable regulations.* All developments shall meet the requirements specified for general stormwater development (§ 55.020), site runoff (§ 55.022), sediment and erosion control (§§ 55.035 through 55.047), performance security and maintenance (§§ 55.200 through 55.203).

(B) *Applicability of site runoff storage requirements (detention).*

(1) All developments shall comply with the site runoff storage requirements provided in §55.023 of this subchapter in which:

(a) More than two single-family structures or one two-family structure are to be constructed on a site five or more acres in size;

(b) Multi-family or nonresidential land use is to be constructed on a site more than one acre in size;

(c) Existing multi-family or nonresidential land uses on a site one acre or more in size, on which new development after the effective date of this chapter in the aggregate exceeds 25,000 square feet;

(d) Roadway developments in rights-of-way under the ownership or control of a unit of local governments when the contiguous area of new roadway construction (excluding previously paved areas) exceeds two acres; and

(e) The developer of a commercial or industrial redevelopment may request that a fee-in-lieu of detention be approved provided that all of the following are demonstrated to the sole satisfaction of the Administrator:

1. The drainage plan will not increase existing flood damages; and

2. The drainage plan provides a net benefit in water quality compared to the existing development.

(2) The Administrator shall determine the appropriate fee to be collected as defined in §55.215, and his or her decision in the matter shall be considered final.

(C) *Exemptions from site runoff storage requirements (detention).* Site run-off storage is not required under the following circumstances:

(1) Direct discharge industrial sites; and/or

(2) Non-industrial direct discharge sites 160 acres or less having the following minimum river frontage:

<b>Site Area</b>	<b>Required Frontage</b>
0—2 acres	50 feet
Up to 5 acres	100 feet
Up to 10 acres	150 feet
Up to 40 acres	200 feet
Up to 80 acres	350 feet
Up to 160 acres	500 feet

(Res. 02-441, passed 10-17-2002; Res. 02-495, passed 11-21-2002; Res. 04-87, passed 3-17-2004)

## Exhibit 8: HEC-RAS Model Results

**Table 1: Fox River HEC-RAS Model Results: 100-Year Floodplain Elevations**

HEC-RAS Cross Section	Location	Existing 100-Year Elevation	Proposed 100-Year Elevation	Change (ft)
35.841	DS site limits	575.64	575.64	0.00
35.938		575.76	757.75	-0.01
36.050		575.85	575.85	0.00
36.068		575.94	575.96	0.02
36.151	FEMA Sect. W	576.01	576.04	0.03
36.201	US site limits	576.16	576.20	0.04
36.358		576.70	576.74	0.04
36.368	DS of Bridge St.	576.87	576.91	0.04
36.391	FEMA Sect. X	577.10	577.14	0.04

**Table 2: Fox River HEC-RAS Model Results: 100-Year Channel Velocities**

HEC-RAS Cross Section	Location	Existing 100-Year Velocity (ft/s)	Proposed 100-Year Velocity (ft/s)	Change (%)
35.841	DS site limits	3.17	3.22	1.6
35.938		3.24	3.43	5.9
36.050		3.31	3.44	3.9
36.068		3.18	3.30	3.8
36.151	FEMA Sect. W	4.67	4.79	2.6
36.201	US site limits	4.88	4.88	0.0
36.358		4.87	4.85	-0.4
36.368	DS of Bridge St.	4.00	3.97	-0.7
36.391	FEMA Sect. X	3.33	3.35	0.6



**Table 3: Blackberry Creek HEC-RAS Model Results: 100-Year Floodplain Elevations**

<b>HEC-RAS Cross Section</b>	<b>Location</b>	<b>Existing 100-Year Elevation</b>	<b>Proposed 100-Year Elevation</b>	<b>Change (ft)</b>
0	Fox River Confluence	573.36	573.36	0.00
275	FEMA Sect. A	574.17	574.18	0.01
558		576.84	576.84	0.00
676		576.84	576.84	0.00
702	DS of River Rd.	576.89	576.88	-0.01
732	US of River Rd.	577.43	577.42	-0.01
1115	FEMA Sect. B	580.73	580.73	0.00

**Table 4: Blackberry Creek HEC-RAS Model Results: 100-Year Channel Velocities**

<b>HEC-RAS Cross Section</b>	<b>Location</b>	<b>Existing 100-Year Velocity (ft/s)</b>	<b>Proposed 100-Year Velocity (ft/s)</b>	<b>Change (%)</b>
0	Fox River Confluence	5.22	5.22	0.00
275	FEMA Sect. A	11.42	11.46	0.35
558		4.80	4.80	0.00
676		6.48	6.48	0.00
702	DS of River Rd.	6.65	6.65	0.00
732	US of River Rd.	3.83	3.83	0.00
1115	FEMA Sect. B	8.93	8.93	0.00





I:\Crystal Lake\YORSD\201643-Solids Handling Imp\GIS\Projects\WBSP-18\WBSP-18.aprx Saved: 4/29/2021 4:54 PM Designer: 734civ

Henker-Beck Farm

Crawford Park

Youth Camp property

South Bumpout

- Project Site
- Property Parcels (Kendall County, 2020)
- Topographic Contours (Kendall County, 2020)
- Potential Offsite Comp. Storage Sites

**COMPENSATORY STORAGE - POTENTIAL OFFSITE LOCATIONS**  
**SOLIDS HANDLING IMPROVEMENTS**

**BAXTER & WOODMAN** Consulting Engineers April 26, 2018

0 335 670 1,340 Feet



## IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

### Location

Kendall County, Illinois



### Local office

Illinois-Iowa Ecological Services Field Office

☎ (309) 757-5800

📅 (309) 757-5807

Illinois & Iowa Ecological Services Field Office

1511 47th Ave

Moline, IL 61265-7022

# Endangered species

**This resource list is for informational purposes only and does not constitute an analysis of project level impacts.**

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species

<sup>1</sup> and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries<sup>2</sup>).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

- 
1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
  2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:



## Mammals

NAME	STATUS
Indiana Bat <i>Myotis sodalis</i> Wherever found There is <b>final</b> critical habitat for this species. The location of the critical habitat is not available. <a href="https://ecos.fws.gov/ecp/species/5949">https://ecos.fws.gov/ecp/species/5949</a>	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> Wherever found No critical habitat has been designated for this species. <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Threatened

## Insects

NAME	STATUS
Rusty Patched Bumble Bee <i>Bombus affinis</i> Wherever found No critical habitat has been designated for this species. <a href="https://ecos.fws.gov/ecp/species/9383">https://ecos.fws.gov/ecp/species/9383</a>	Endangered

## Flowering Plants

NAME	STATUS
Eastern Prairie Fringed Orchid <i>Platanthera leucophaea</i> Wherever found No critical habitat has been designated for this species. <a href="https://ecos.fws.gov/ecp/species/601">https://ecos.fws.gov/ecp/species/601</a>	Threatened

## Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

## Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act

<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Nationwide conservation measures for birds <http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.



NAME

BREEDING SEASON (IF A BREEDING SEASON IS INDICATED FOR A BIRD ON YOUR LIST, THE BIRD MAY BREED IN YOUR PROJECT AREA SOMETIME WITHIN THE TIMEFRAME SPECIFIED, WHICH IS A VERY LIBERAL ESTIMATE OF THE DATES INSIDE WHICH THE BIRD BREEDS ACROSS ITS ENTIRE RANGE. "BREEDS ELSEWHERE" INDICATES THAT THE BIRD DOES NOT LIKELY BREED IN YOUR PROJECT AREA.)

**Bald Eagle** *Haliaeetus leucocephalus*

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

<https://ecos.fws.gov/ecp/species/1626>

Breeds Oct 15 to Aug 31

**Black-billed Cuckoo** *Coccyzus erythrophthalmus*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/9399>

Breeds May 15 to Oct 10

**Bobolink** *Dolichonyx oryzivorus*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 20 to Jul 31

**Dunlin** *Calidris alpina arctica*

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Breeds elsewhere

**Golden Eagle** *Aquila chrysaetos*

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

<https://ecos.fws.gov/ecp/species/1680>

Breeds elsewhere

**Henslow's Sparrow** *Ammodramus henslowii*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/3941>

Breeds May 1 to Aug 31

King Rail <i>Rallus elegans</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/8936">https://ecos.fws.gov/ecp/species/8936</a>	Breeds May 1 to Sep 5
Least Bittern <i>Ixobrychus exilis</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA <a href="https://ecos.fws.gov/ecp/species/6175">https://ecos.fws.gov/ecp/species/6175</a>	Breeds Aug 16 to Oct 31
Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9679">https://ecos.fws.gov/ecp/species/9679</a>	Breeds elsewhere
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Sep 10
Ruddy Turnstone <i>Arenaria interpres morinella</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds elsewhere
Rusty Blackbird <i>Euphagus carolinus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere
Semipalmated Sandpiper <i>Calidris pusilla</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Aug 31

**Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.**

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

**What does IPaC use to generate the migratory birds potentially occurring in my specified location?**

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.



The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [AKN Phenology Tool](#).

#### **What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?**

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

#### **How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?**

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

#### **What are the levels of concern for migratory birds?**

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

#### **Details about birds that are potentially affected by offshore projects**

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

#### What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

#### Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

## Facilities

### National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS AT THIS LOCATION.

### Fish hatcheries

THERE ARE NO FISH HATCHERIES AT THIS LOCATION.



# Wetlands in the National Wetlands Inventory

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

WETLAND INFORMATION IS NOT AVAILABLE AT THIS TIME

This can happen when the National Wetlands Inventory (NWI) map service is unavailable, or for very large projects that intersect many wetland areas. Try again, or visit the [NWI map](#) to view wetlands at this location.

## Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

## Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

## Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

Variance Schedule	Days to Complete	Day	Date
B&W meet with YBSD to Review Approach and Prepare	7	Wed	7/14/2021
District Board Approves the Variance Approach		Mon	8/9/2021
<b>1. Informal Meeting with City staff and Engineering (EEI)</b>		<b>Mon</b>	<b>8/9/2021</b>
2. City provides initial staff comments on whether they will support variances	14	Mon	8/23/2021
3. City staff engages County for County Ordinance variances, if applicable	21	Mon	8/30/2021
<b>4. Meeting with City &amp; County Staff to finalize formal variance request</b>	50	Tue	10/12/2021
<b>5. Formal Variance Submittal</b>		Fri	<b>10/15/2021</b>
<b>6. Plan Council</b>	<b>25</b>	<b>Tue</b>	<b>11/9/2021</b>
a. City staff and Engineering (EEI)			
<b>7. Economic Development Committee (4 people)</b>		<b>Tue</b>	<b>12/7/2021</b>
<b>8. Public Notice Deadline</b>	<b>21</b>	<b>Tue</b>	<b>12/28/2021</b>
<b>9. Planning and Zoning Commission (Public Hearing)</b>		<b>Wed</b>	<b>1/12/2022</b>

Approval process – City:

10. Planning and Zoning provides Positive or Negative recommendation to City Council	12	Mon	1/24/2022
<b>11. City Council Approval</b>		<b>Tue</b>	<b>1/25/2022</b>
a. If positive recommendation received from Planning and Zoning, majority needed for approval			
b. If negative recommendation received from Planning and Zoning, super majority needed for approval			

Approval process – County:

10. Planning and Zoning provides recommendations to County Board and Director.	0	Tue	1/25/2022
<b>11. County Board grants variance, grants modified variance, or denies variance within 45 days of receiving written recommendations</b>	<b>45</b>	<b>Fri</b>	<b>3/11/2022</b>





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**DEPARTMENT OF PLANNING, BUILDING & ZONING**

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

**MEMORANDUM**

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To: Planning, Building and Zoning Committee  
From: Matthew H. Asselmeier, AICP, CFM, Senior Planner  
Date: January 11, 2022  
Re: Proposed Intergovernmental Agreement Between Kendall County and the United City of Yorkville

---

The Intergovernmental Agreement between Kendall County and the United City of Yorkville for reciprocal building inspection services expires in February.

A renewal proposal is attached to this memo. Other than dates, there are no changes to the agreement from the 2021 version.

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

If you have any questions regarding this proposal, please let me know.

Thanks,

MHA

Enc: Proposed Yorkville IGA

**COUNTY OF KENDALL, ILLINOIS  
RESOLUTION 2022-\_\_**

**RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT  
FOR RECIPROCAL BUILDING INSPECTION SERVICES BETWEEN  
KENDALL COUNTY, ILLINOIS AND THE UNITED CITY OF YORKVILLE,  
ILLINOIS**

**WHEREAS**, the Constitution of the State of Illinois of 1970, Article VII, Section 10, provides that units of local government may contract to obtain or share services and to exercise, combine, or transfer any power or function in any manner not prohibited by law or by ordinance and may use their credit, revenues, and other resources to pay costs related to intergovernmental activities; and

**WHEREAS**, Kendall County and the United City of Yorkville are units of local government within the meaning of Article VII, Section 1 of the Illinois Constitution of 1970 who are authorized to enter into intergovernmental agreements pursuant to the Intergovernmental Cooperation Act, 5 ILCS 220/1 *et seq.*; and

**WHEREAS**, pursuant to the authority granted by the Illinois Counties Code and Illinois Municipal Code (55 ILCS 5/1-1001, *et seq.* and 65 ILCS 5/1-1-1, *et seq.*), Kendall County and the United City of Yorkville are both authorized to perform inspections of buildings within their respective jurisdictions to promote the health and safety of the public; and

**WHEREAS**, Kendall County and the United City of Yorkville wish to share their resources and assist each other in the performance of building inspections.

**NOW, THEREFORE, BE IT RESOLVED** that the Kendall County Board hereby approves the *Intergovernmental Agreement for Reciprocal Building Inspection Services Between Kendall County, Illinois and the United City of Yorkville, Illinois*, which is attached hereto and made a part hereof by reference as Exhibit A; and

**BE IT FURTHER RESOLVED** that the Kendall County Board Chairman is hereby authorized to execute said intergovernmental agreement on behalf of Kendall County.

Approved and adopted by the County Board of Kendall County, Illinois, this 15<sup>th</sup> day of February, 2022.

Board Chairman Signature:

Attest:

\_\_\_\_\_  
Scott R. Gryder, Chairman  
County Board

\_\_\_\_\_  
Debbie Gillette  
County Clerk



**Exhibit A**  
**INTERGOVERNMENTAL AGREEMENT FOR RECIPROCAL BUILDING  
INSPECTION SERVICES BETWEEN KENDALL COUNTY, ILLINOIS  
AND THE UNITED CITY OF YORKVILLE, ILLINOIS - 2022**

**THIS INTERGOVERNMENTAL AGREEMENT** (“*the Agreement*”) by and between the County of Kendall, a unit of local government of the State of Illinois (“*Kendall County*”) and the United City of Yorkville, Kendall County, Illinois (the “*City*”) a municipal corporation of the State of Illinois, is as follows:

**WITNESSETH:**

**WHEREAS**, the Constitution of the State of Illinois of 1970, Article VII, Section 10, provides that units of local government may contract or otherwise associate among themselves to obtain or share services and to exercise, combine, or transfer any power or function in any manner not prohibited by law or by ordinance and may use their credit, revenues, and other resources to pay costs related to intergovernmental activities; and

**WHEREAS**, the City and Kendall County are units of local government within the meaning of Article VII, Section 1 of the Illinois Constitution of 1970 who are authorized to enter into intergovernmental agreements pursuant to the Intergovernmental Cooperation Act, 5 ILCS 220/1 *et seq.*; and

**WHEREAS**, pursuant to the authority granted by the Illinois Counties Code and Illinois Municipal Code (55 ILCS 5/1-1001, *et seq.* and 65 ILCS 5/1-1-1, *et seq.*), the County and City (collectively referred to as the “*Parties*”) are both authorized to perform inspections of buildings within their respective jurisdictions to promote the health and safety of the public; and

**WHEREAS**, units of local government may establish agreements with other units of local government within the State of Illinois to enforce building codes pursuant to 20 ILCS 3105/10.09-1(f), which is commonly known as the Capital Development Board Act; and

**WHEREAS**, the County and City wish to share their resources and assist each other in the performance of inspections on an as needed basis, while not surrendering their own jurisdiction or relinquishing any of their rights.

**NOW, THEREFORE**, in consideration of the premises and the mutual covenants hereafter set forth, the parties agree as follows:

*Section 1.* The foregoing preambles are hereby incorporated into this Agreement as if fully restated in this Section 1.

*Section 2.*

- a. The Parties agree that Kendall County Code Official Brian Holdiman and the United City of Yorkville Building Code Official Peter Ratos shall perform the following services on the other party's behalf when requested: footing inspections; backfill inspections; foundation wall inspections; concrete slab inspections; rough framing inspections; rough electric inspections; underground electric inspections; electric service inspections; insulation inspections; roofing inspections and final inspections. In instances where Holdiman or Ratos inspect and find violations and a code enforcement action is required in court or administrative adjudication, Holdiman or Ratos may be requested to be a witness to verify any violations found during their inspection. If it is requested that either Ratos or Holdiman attend an administrative or court hearing in regard to violations, then they shall be given reasonable notice of no less than fourteen (14) days for such hearing and they shall attend as requested.
- b. The Parties agree that the United City of Yorkville Building Code Official Peter Ratos may, in his discretion, perform plumbing inspections on Kendall County's behalf when requested. In instances where Ratos performs plumbing inspections and finds



violations and a code enforcement action is required in court or administrative adjudication, Ratos may be requested to be a witness to verify any violations found during his inspection. If it is requested that Ratos attend an administrative or court hearing in regard to violations, then he shall be given reasonable notice of no less than fourteen (14) days for such hearing and he shall attend as requested.

*Section 3.* The Parties agree that the following inspection services shall not be provided under this agreement: plan review; permit approval, and; initial site inspections prior to a permit being issued.

*Section 4.* Upon request, the Parties agree to coordinate and assist each other in the parties' performance of the inspections set forth in Section 2 of this Agreement only under the following circumstances:

- a. If Kendall County Code Official Holdiman or City Building Code Official Ratos is absent from work due to illness, vacation, on an approved leave of absence, or otherwise unavailable to perform one or more of the above listed inspections within Section 2(a) for their respective jurisdiction; and/or
- b. If Kendall County Code Official Holdiman or City Building Code Official has a conflict of interest in performing one or more of the inspections set forth in Section 2(a) for their respective jurisdiction; and/or
- c. If the Kendall County Plumbing Contractor is absent from work due to illness, vacation, on an approved leave of absence, or otherwise unavailable to perform plumbing inspections for his or her respective jurisdiction; and/or
- d. If the Kendall County Plumbing Contractor has a conflict of interest in performing plumbing inspections for his or her respective jurisdiction.

For purposes of this Agreement, the party requesting assistance shall be referred to as “the home jurisdiction” and the party providing the inspection services assistance as set forth in Section 2 shall be referred to as “the visiting inspector”.

*Section 5.* In the event the visiting inspector is unable to perform the inspection services set forth in Section 2 of this Agreement, the home jurisdiction shall be responsible for performing its inspection or shall be responsible for retaining and payment of a third party to perform the inspection.

*Section 6.* When the visiting inspector performs an inspection on behalf of the home jurisdiction, the visiting inspector shall utilize the building codes of the home jurisdiction where the inspection is taking place. As such, when an inspection is within the corporate limits of the City, the Kendall County inspector shall use the building codes that are currently adopted and enforced by the City at the time of the inspection. When an inspection is in an unincorporated portion of Kendall County, where the County has jurisdiction, the City inspector shall utilize the building codes that are currently adopted and enforced by Kendall County at the time of the inspection.

*Section 7.* When a home jurisdiction requests the visiting inspector’s assistance, the home jurisdiction shall provide a minimum of twenty-four (24) hours notice when there is a foreseeable need for the other party’s inspection services. In the event of an illness or other emergency, the parties agree to provide each other with as much advance notice as possible if a visiting inspector’s services are needed pursuant to Section 4.

*Section 8.* Inspections must be completed using the proper jurisdiction’s forms. Prior to the commencement of any requested inspection, the home jurisdiction requesting assistance will prepare and provide all necessary inspection reports/forms for use by the visiting inspector



and deliver them to the visiting inspector prior to the inspection taking place. Following an inspection, the original, completed inspection reports/forms shall be returned to the home jurisdiction within twenty-four (24) hours after completion of the inspection. After the visiting inspector has returned the original, completed inspection reports/forms to the home jurisdiction, the visiting inspector shall not be required to retain the records of inspections for the home jurisdiction after performing inspections under this Agreement.

*Section 9.* Neither the City nor Kendall County shall subcontract the services provided to the other under this agreement to a third-party inspector without the prior written consent of the other party.

*Section 10.* There will be no compensation paid to, or by, either jurisdiction for the sharing of services under this Agreement.

*Section 11.* When a visiting inspector performs an inspection under this Agreement for the home jurisdiction, the visiting inspector shall use their own equipment, tools and vehicles, and the home jurisdiction shall not be responsible for reimbursing the visiting inspector for mileage or any other expenses incurred by the visiting inspector.

*Section 12.* The City and Kendall County shall each defend, with counsel of the other party's own choosing, indemnify and hold harmless the other party, including past, present and future board members, elected officials, insurers, employees, and agents from and against any and all claims, liabilities, obligations, losses, penalties, fines, damages, and expenses and costs relating thereto, including but not limited to attorneys' fees and other legal expenses, which the other party, its past, present and future board members, elected officials, insurers, employees, and/or agents may hereafter sustain, incur or be required to pay relating to or arising in any manner out of the inspections to be performed by the other party under this agreement. As such,

when the City performs an inspection for Kendall County, the City will defend with counsel of Kendall County's own choosing, indemnify and hold harmless Kendall County as set forth above relating to the City's and the City Building Code Official's actions in the performance of their duties under this Agreement. When Kendall County performs an inspection for the City, Kendall County will defend with counsel of the City's own choosing, indemnify and hold harmless the City as set forth above relating to Kendall County's and the County Code Official's actions in the performance of their duties under this Agreement.

*Section 13.* Nothing in this agreement shall be deemed to change or alter the jurisdiction of either the City or Kendall County in any respect, including, but not limited to their building and zoning regulations, powers and duties.

*Section 14.* This Agreement and the rights of the parties hereunder may not be assigned (except by operation of law), and the terms and conditions of this Agreement shall inure to the benefit of and be binding upon the respective successors and assigns of the parties hereto. Nothing in this Agreement, express or implied, is intended to confer upon any party, other than the parties and their respective successors and assigns, any rights, remedies, obligations or liabilities under or by reason of such agreements.

*Section 15.* This Agreement shall be interpreted and enforced under the laws of the State of Illinois. Any legal proceeding related to enforcement of this Agreement shall be brought in the Circuit Court of Kendall County, Illinois, Twenty-Third Judicial Circuit. In case any provision of this Agreement shall be declared and/or found invalid, illegal or unenforceable by a court of competent jurisdiction, such provision shall, to the extent possible, be modified by the court in such manner as to be valid, legal and enforceable so as to most nearly retain the intent of the parties, and, if such modification is not possible, such provision shall be severed from this



Agreement, and in either case the validity, legality, and enforceability of the remaining provisions of this Agreement shall not in any way be affected or impaired thereby.

*Section 16.* All notices required or permitted hereunder shall be in writing and may be given by (a) depositing the same in the United States mail, addressed to the party to be notified, postage prepaid and certified with the return receipt requested, (b) delivering the same in person, or (c) telecopying the same with electronic confirmation of receipt:

*If to the County:* Director  
Kendall County Planning, Building & Zoning  
111 West Fox Street, Room 203  
Yorkville, Illinois 60560  
Fax: 630-553-4179

With copy to:  
Kendall County State's Attorney  
807 John Street  
Yorkville, Illinois, 60560  
Fax: 630-553-4204

*If to the City:* Community Development Director  
United City of Yorkville Building Safety and Zoning  
800 Game Farm Road  
Yorkville, Illinois 60560  
Fax: 630-553-7264

Or any such other person, counsel or address as any party hereto shall specify pursuant to this Section from time to time.

*Section 17.* This Agreement may be executed in counterparts (including facsimile signatures), each of which shall be deemed to be an original and both of which shall constitute one and the same Agreement.

*Section 18.* This Agreement represents the entire agreement between the parties and there are no other promises or conditions in any other agreement whether oral or written. Except

as stated herein, this agreement supersedes any other prior written or oral agreements between the parties and may not be further modified except in writing acknowledged by both parties.

*Section 19.* Nothing contained in this Agreement, nor any act of Kendall County or the City pursuant to this Agreement, shall be deemed or construed by any of the parties hereto or by third persons, to create any relationship of third party beneficiary, principal, agent, limited or general partnership, joint venture, or any association or relationship involving Kendall County and the City. Further, nothing in this agreement should be interpreted to give Kendall County or the City any control over the other's employees or imply a power to direct the employees of the other government body, which neither entity may exercise.

*Section 20.* When performing inspections under the terms of this Agreement, Kendall County and City intend that any injuries to their respective employee shall be covered and handled exclusively by their jurisdiction's own worker's compensation insurance in place at the time of such injury. It is further agreed that all employee benefits, wage and disability payments, pension and worker's compensation claims, damage to or destruction of equipment, facilities, clothing and related medical expenses of the City or Kendall County and their respective inspectors, which may result from their activities under this Agreement, shall be the responsibility of the jurisdiction which employs the inspector making such a claim.

*Section 21.* The Parties will obtain and continue in force, during the term of this Agreement, all insurance as set forth below: (a) Commercial General Liability (CGL): Insurance Services Office Form CG 00 01 (or its equivalent) covering CGL on an "occurrence" basis, including products and completed operations, property damage, bodily injury and personal & advertising injury with limits no less than \$1,000,000 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall



apply separately to this project/location (ISO CG 25 03 or 25 04) or the general aggregate limit shall be twice the required occurrence limit; (b) Automobile Liability: ISO Form Number CA 00 01 covering any auto (Code 1), or if Contractor has no owned autos, hired, (Code 8) and non-owned autos (Code 9), with limit no less than \$1,000,000 per accident for bodily injury and property damage; (c) Workers' Compensation: as required by the State of Illinois, with Statutory Limits, and Employer's Liability Insurance with limit of no less than \$1,000,000 per accident for bodily injury or disease. If the Jurisdiction maintains broader coverage and/or higher limits than the minimums shown above, the both Jurisdictions require and shall be entitled to the broader coverage and/or the higher limits maintained by the contractor. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to both Jurisdictions. The insurance policies are to contain, or be endorsed to contain, the following provisions: (a) Additional Insured Status-Both jurisdictions, its officers, officials, employees, and volunteers are to be covered as additional insureds on the CGL policy with respect to liability arising out of work or operations performed by or on behalf of the jurisdiction including materials, parts, or equipment furnished in connection with such work or operations. General liability coverage can be provided in the form of an endorsement to the jurisdiction's insurance; (b) Notice of Cancellation-Each insurance policy required above shall provide that coverage shall not be canceled, except with notice to the Entity; (c) Verification of Coverage-Each Jurisdiction shall furnish the other with original Certificates of Insurance including all required amendatory endorsements (or copies of the applicable policy language effecting coverage required by this clause) and a copy of the Declarations and Endorsement Page of the CGL policy listing all policy endorsements to other before work begins. However, failure to obtain the required documents prior to the work beginning shall not waive the other's obligation to provide them.

Each Jurisdiction reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.

*Section 22.* This Agreement shall be in full force and effect for a period of one (1) year from the date of the last signature below, however it may be renewed upon agreement of the parties in writing.

*Section 23.* Either party may terminate this Agreement by providing thirty (30) calendar days' advance written notice to the other party. However, any act of bad faith in the execution of duties under this Agreement shall result in immediate termination of the other party's duties as laid out herein. For the purpose of this agreement, "bad faith" is an intentional dishonest act by not fulfilling legal or contractual obligations, misleading another, entering into an agreement without the intention or means to fulfill it, or violating basic standards of honesty in dealing with others. Also, the parties agree to provide prompt written notice within fifteen (15) calendar days to the other party if Kendall County Code Official Brian Holdiman's or City Building Code Official Pete Ratos' employment ceases for whatever reason. In such event, this Agreement shall immediately terminate upon receipt of said written notice.

*Section 24.* The parties understand and agree that this Agreement in no way creates a joint employment relationship between the Parties. The Parties understand and agree that they are solely responsible for paying all wages, benefits and any other compensation due and owing to its employees for the performance of visiting inspector services set forth in this Agreement. The parties further understand and agree that the parties are solely responsible for making all required payroll deductions and other tax and wage withholdings pursuant to state and federal law for its employees who perform visiting inspector services as set forth in this Agreement.

*Section 25.* Kendall County and the City each hereby warrant and represent that their



respective signatures set forth below have been, and are on the date of this Agreement, duly authorized by all necessary and appropriate corporate and/or governmental action to execute this Agreement.

**IN WITNESS WHEREOF**, the parties hereto have caused this Intergovernmental Agreement to be executed by their duly authorized officers on the date below in the United City of Yorkville, Illinois.

County of Kendall, a unit of local government  
of the State of Illinois

United City of Yorkville, Kendall County,  
Illinois, a municipal corporation

By: \_\_\_\_\_  
Chair, Kendall County Board

By: \_\_\_\_\_  
Mayor

Date: \_\_\_\_\_

Date: \_\_\_\_\_

*Attest:*

*Attest:*

\_\_\_\_\_  
County Clerk City

\_\_\_\_\_  
Clerk



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**DEPARTMENT OF PLANNING, BUILDING & ZONING**

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

**MEMORANDUM**

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To: Planning, Building and Zoning Committee  
From: Matthew H. Asselmeier, AICP, CFM, Senior Planner  
Date: January 21, 2022  
Re: Proposed 2022 Noxious Weed Annual Notice

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Kendall County is required by Illinois law to publish a noxious weed notice at least one (1) time per year in a newspaper of general circulation within the County. Kendall County's Noxious Weed Work Plan, adopted in October 2021, called for the publication of the notice within the first quarter of 2022

Attached please find the notice that the County is required to publish.

If you have any questions, please let me know.

MHA

Enc: Proposed 2022 Kendall County Noxious Weed Notice



PUBLIC NOTICE

NOTICE IS HEREBY GIVEN PURSUANT TO THE "ILLINOIS NOXIOUS WEED LAW" to the owners, occupants, agents and public officials in charge or control of any land in Kendall County that they are required to control or eradicate all NOXIOUS WEEDS growing upon land under their control prior to the blooming, maturing of seed or other propagating of such weeds.

- NOXIOUS WEEDS:
- a) Marihuana (*Cannabis sativa* L.);
  - b) Giant Ragweed (*Ambrosia trifida* L.) within the corporate limits of cities, villages, and incorporated towns;
  - c) Common Ragweed (*Ambrosia artemisiifolia* L.) within the corporate limits of cities, villages, and incorporated towns;
  - d) Canada Thistle (*Cirsium arvense*);
  - e) Perennial Sowthistle (*Sonchus arvensis*);
  - f) Musk Thistle (*Carduus nutans*);
  - g) Perennial members of the sorghum genus, including johnsongrass (*Sorghum halepense*), sorghum alnum, and other johnsongrass X sorghum crosses with rhizomes; and
  - h) Kudzu (*Pueraria labata*).

NOTICE IS FURTHER GIVEN that if the persons responsible for the control of any lands in Kendall County fail to comply with the provisions of the Illinois Noxious Weed Law the Control Authority of Kendall County or the Department of Agriculture of the State of Illinois will take any necessary action to control or eradicate such weeds and the cost thereof will be assessed against the owner of the land involved. If unpaid for 6 months or longer, such assessment shall become a lien upon the property.

Date at Yorkville, Kendall County, Illinois, this  
15th day of February, 2022.  
Month Year

Signed: \_\_\_\_\_  
Scott R. Gryder  
Kendall County Weed Control Authority



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**DEPARTMENT OF PLANNING, BUILDING & ZONING**

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

**MEMORANDUM**

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To: Kendall County Planning, Building and Zoning Committee  
From: Matthew H. Asselmeier, AICP, CFM, Senior Planner  
Date: January 31, 2022  
Re: Work Related to NPDES Annual Report

Kendall County is required to submit certain documents annually as required by its NPDES Permit. Attached please find the proposal from WBK for this work.

The cost is Two Thousand Dollars (\$2,000) which is an increase from One Thousand Eight Hundred Dollars (\$1,800) for the same scope of work which occurred in 2020.

In 2021, WBK prepared the Notice of Intent, which is required every five (5) years, in addition to the Annual Report. As such, the scope of work and costs were different in 2021 compared to 2020 and 2022.

As of the date of this memo, the Illinois Environmental Protection Agency has not changed the June 1<sup>st</sup> due date for the Annual Report.

If you have any questions, please let me know.

MHA

ENC: WBK Proposal



opportunity number



# PROPOSAL

Submitted To: **Kendall County**  
111 Fox Street  
Yorkville, IL 60560

Submitted By: **WBK Engineering, LLC**  
116 W. Main Street Suite 201  
St. Charles, IL 60174  
(630) 443-7755

Primary Contact: **Matt Asselmeier, AICP, CFM**

Primary Contact: **Greg Chismark**

# PROJECT INFORMATION

Project Name: **Kendall County NPDES Annual Report - 2021 Reporting Period**  
Address:  
City / State / Zip  
General Location:

# SCOPE OF SERVICES

Cost (Not-to-Exceed)  Lump Sum  Time and Materials (T&M)

Task Name: **NPDES Annual Report - 2021 Reporting Period**

Deliverable: Annual Report prepared and submitted to IEPA on behalf of the County. Tasks include review of NOI for performance measure, discussions with County staff, collection of documentation and preparation of the annual report.

**\$2,000**  
*Task Budget*

Budget for Reimbursable Expenses (Cost Plus 10%): **\$0**

Total Amount Budgeted For All Services Rendered: **\$2,000**

Additional Tasks on Following Pages.

We propose to bill you monthly based on the attached Schedule of Charges (if applicable). We establish our contract in accordance with the attached General Terms and Conditions. These General Terms and Conditions are expressly incorporated into and are made an integral part of this contract for professional services. We reserve the right to increase our fees by five percent (5%) on December 31st of each calendar year.

**Greg Chismark** [REDACTED] **1/31/22**  
WBK Authorization By (Please Print): Signature Date

The Proposal, Schedule of Charges, and General Terms & Conditions are satisfactory and are hereby accepted. You are authorized to begin the work as specified. Payments will be made as outlined above.

Client Authorization By (Please Print): Signature Date

# Kendall County Regional Plan Commission

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2022 Annual Workshop Meeting

February 5, 2022



Prepared by  
Planning, Building and Zoning Department

# 2021 Summary

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## News and Noteworthy Items

- 51 Petitions Filed in 2021; 32 Petitions Filed in 2020; 46 Petitions Filed in 2019; 33 Petitions Filed in 2018; 33 Petitions Filed in 2017
- 32 New Housing Starts in 2021; 34 New Housing Starts in 2020; 20 New Housing Starts in 2019
- 354 Total Permits in 2021; 326 Total Permits in 2020; 257 Total Permits in 2019
- Total Deposits (Building Fees, Zoning Fees, Land Cash Fees, and Off-Site Roadway) for the FY2021 Were \$293,941, the Highest Since 2006
- Department Had 2 Months (June and November) with Revenues in Excess of \$42,000; in 2020, the Department Had 1 Month (June) with Revenues in Excess of \$40,000; This Was the First Time Monthly Revenues Had Exceed \$40,000 Since the Mid-2000s
- Kendall County's Population Increased to 131,869 in the 2020 Census, an Increase of Approximately 14.9% from the 2010 Census making Kendall County the Fastest Growing County in Illinois by Percent Change
- The Census Stated that the Population of the Unincorporated Area was 24,138
- County Board Approved the Update to the Transportation Plan in Land Resource Management Plan to Match the Long Range Transportation Plan
- County Submitted the Notice of Intent for Renewal of General Permit for Discharges from Small Municipal Separate Storm Sewer Systems (MS4's)
- WBK Engineering Reviewed FEMA Floodplain Management Bulletin P-2140 Floodplain Management Requirements for Agricultural Structures and Accessory Structures and Recommended No Changes to Kendall County's Stormwater Management Ordinance
- County Board Approved Amendments to the Kendall County Stormwater Management Ordinance Related to Bulletin 75
- Continued Doing Annual NPDES Surveys to the Townships
- Noxious Weed Related Documents and Notices Drafted and Approved by the County Board
- Soils Information Added to the GIS
- Planning, Building and Zoning Committee Reaffirmed the Department's Voluntary Compliance Policy in Cases of Ordinance Violations
- Planning, Building and Zoning Committee Held a Special Committee Meeting in Boulder Hill
- Kendall County Became a Certified Local Government
- County Board Requested and the State Approved the Certification of the Kendall County Historic Preservation Ordinance for the Purposes of the Property Tax Freeze Assessment Program Through the Illinois Department of Natural Resources
- Kendall County Historic Preservation Commission Held a Special Meeting at Lyon Farm
- Submitted Certified Local Government Grant for Historic Structure Survey in Unincorporated Kendall and Bristol Townships
- Continued Historic Preservation Commission Awards
- Senior Planner Assisted with the Codification Process
- Senior Planner Drafted a Letter to Local Legislators Requesting that Townships Be Allowed to Apply for Grants Through the Abandoned Property Program if the Illinois Housing Development Authority Offers Grants in the Future.
- Reviewed Future Land Uses Along Eldamain Road from the Fox River to Route 71
- Reviewed Future Land Uses Along Route 47 in Kendall and Lisbon Townships



- Continued Adjustments of Departmental Operations Due to the COVID-19 Pandemic, Including the Issuance of Permits and the Performance of Inspections
- Code Compliance Official Issued Permits at the Former CAT Property, ANR Pipeline, Go Pro Sports Dome, and Four Seasons Storage
- Code Compliance Official Held a Community Event at Ace Hardware in Oswego

## Items for 2022

- Continue to Assist with the Codification Process
- Continue to Implement the Citation Policies for the Various Ordinances
- Work with the Village of Montgomery to Ensure that Information Related to the Former CAT Property is Transferred to the Village, if the Annexation is Approved
- Assist with the Historic Structure Survey in Unincorporated Kendall and Bristol Townships if Grant Funding is Approved
- Work with Kendall County EMA to Pursue Disaster Related Grants and Other Funding
- Continue to Meet with Townships Regarding Their Role in the Development Approval Process
- Work with WBK Engineering to Review the County's Stormwater Regulations and Recommend Appropriate Changes Based on Changes in Federal and State Stormwater Regulations
- Continue to Monitor Changes to Zoning Related Regulations at the State Level
- Continue to Work with GIS to Ensure Correct Zoning Information for Each Parcel
- Continue to Work with GIS to Connect Parcels to the Applicable Special Use and Map Amendment Ordinances
- Continue to Work to Ensure Special Use Permits that Require Renewals and Reviews Are Examined in a Timely Manner
- Ensure that Noxious Weed and NPDES Permit Documents Are Submitted to the State in a Timely Manner
- Work with the Illinois Historic Preservation Agency and Historic Preservation Commission on Certified Local Government Projects
- Increase the Visibility and Activities of the Historic Preservation Commission Through Collaboration with Other Historic Preservation Organizations and Events
- Continue Working with the Northwest Water Planning Alliance
- Participate with Implementation of CMAP's 'On To 2050 Plan' for the Chicago Region
- Continue Reviewing and Addressing Potential Changes to the Zoning Ordinance and Departmental Operations for Increased Efficiency

## Zoning Petitions Initiations

New Special Use Permits – 8; 1 Property Owner Applied Twice (2020: 5 Including 2 On-Hold Cannabis Related SUs)

Major Special Use Amendments – 2 (2020: 0)

Minor Special Use Amendments – 3; 1 Property Owner Had 2 Minor Amendments (2020: 1)

Special Use Permit Revocations – 1 (2020: 1)

Special Use Renewal – 1 (2020: 0)  
Variances Not Part of Special Use Permit – 4; 1 Denied (2020: 5)  
Administrative Variances – 8; 1 Denied (2020: 2)  
Stormwater Ordinance Variances – 1 (2020: 0)  
Conditional Use Permits – 0 (2020: 1)  
Temporary Use Permit – 0 (2020: 1)  
Site Plan Review – 6 (2020: 1)  
Plat of Vacation – 0 (2020: 2)  
Preliminary and Final Plats – 0 (2020: 1)

### Amendments Initiations

**Text Amendments** – 3; 1 Withdrawn (2020: 4)  
**Land Use Plan Amendments** – 2 (2020: 2; 1 Approved and 1 Withdrawn)  
**Map Amendments** – 9; 1 Withdrawn (2020: 2)  
**Stormwater Ordinance Related Amendments** – 1 (2020: 2)

### Historic Preservation

**Landmarks** – 0 (2020: 0)  
**Text Amendment to Ordinance** – 0 (2020: 2)  
**Other** – 1 (Tax Freeze for Historic Properties)

### OTHER

**Citation Form Amendment** – 1

TOTAL PETITIONS – 51 (2020: 32)

### Meetings

**ZPAC** – 11 (2020: 9)  
**RPC** – 11 Including Annual Meeting (2020: 8)  
**ZBA** – 9 (2020: 8)  
**HPC** – 12 (2020: 8)  
**Stormwater Management Oversight Committee** – 1 (2020: 1)

**Comprehensive Land Plan and Ordinance Committee – 6 (2020: 6)  
PBZ – 13 (2020: 13)**

**Of the 35 ordinances approved by the County Board in 2021, 19 were Planning, Building and Zoning related. Of the 26 ordinances approved by the County Board in 2020, 13 were Planning, Building and Zoning related. Of the 39 ordinances approved by the County Board in 2019, 22 were Planning, Building and Zoning related.**

**The Department investigated zero (0) noxious weed violations in 2021 compared to zero (0) noxious weed violation investigation in 2020 and 2019.**

**Construction Activity**

Single-Family Dwelling Units – 32 (34 approved in 2020)

**New Homes by Township 2021 (2020)**

Kendall Township – 6 (12)	Bristol Township – 1 (0)	Na-Au-Say Township – 17 (7)
Fox Township – 2 (5)	Little Rock Township – 0 (2)	Oswego Township – 2 (4)
Lisbon Township – 3 (0)	Seward Township – 1 (1)	Big Grove – 0 (3)

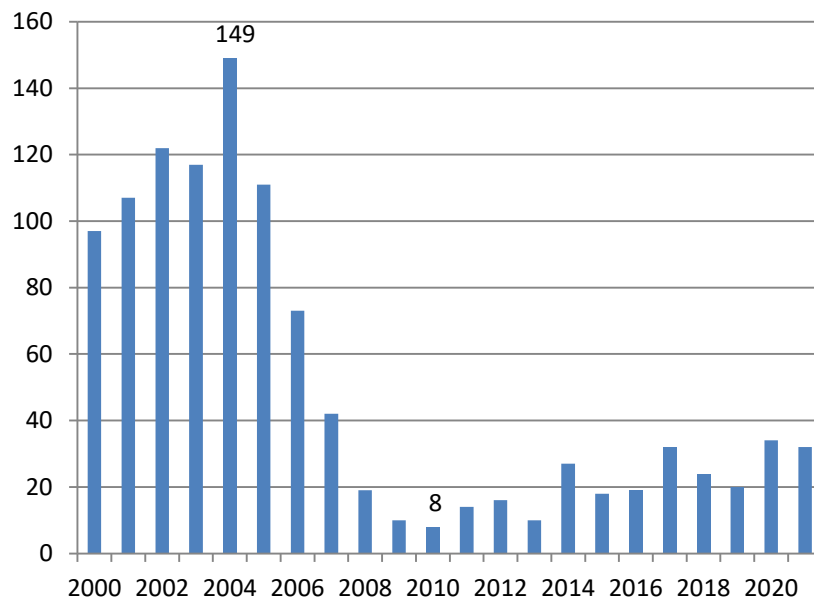
**New Homes by Subdivision (Approximate Number of Vacant/Total Lots)**

Whitetail Ridge – 13 (189/244)	Grove Estates – 4 (40/50)	Fields of Farm Colony – 1 (17/159)
Estates of Millbrook – 2 (75/175)	Tanglewood Trails – 1 (28/38)	Henneberry Woods – 3 (63/352)
Southfield Estates – 1 (2/36)	Rosehill – 1 (8/57)	Other (Not in Subdivision): 6 (N/A)

**Average New Single Family Home Permits Since 2000 – 50**

**Average New Single Family Home Permits Since 2010 – 21**

**Single Family Homes 2000-2021**





**Available Lots in RPD Subdivisions (Total Platted Lots)**

- Deere Crossing – 15 (18)
- Whitetail Ridge – 189 (244)
- Brighton Oaks – 11 (20)
- Equestrian Estates – 9 (16)
- Grove Estates – 40 (50)
- Henneberry Woods – 63 (352)
- Rosehill – 8 (57)
- \*Schaefer Glen – 6 (6)
- Tanglewood Trails – 28 (38)
- \*Highpoint Meadows – 23 (23)
- Highpoint – 2 (4)

**Total Platted RPD Lots – 828    Total Available RPD Lots – 395    Total Developed RPD Lots - 433**

*\*Open Subdivisions*

**Available Lots in other Subdivisions (Total Platted Lots)**

- Estates of Millbrook – 75 (175)
- Shadow Creek – 19 (29)
- \*Matlock – 12 (12)
- Fields of Farm Colony – 17 (159)

**Total Platted Lots – 375                      Total Available Lots – 118                      Total Developed Lots - 257**

*\*Open Subdivisions*

**Fiscal Year 2021 Detailed Inspection Report**

Site Visit	200 (2020: 213)
Footing	97 (2020: 83)
Backfill	25 (2020: 20)
Wall	13 (2020: 22)
Slab	37 (2020: 37)
Electric Service	16 (2020: 14)
Frame/Wire	86 (2020: 101)
Insulation	23 (2020: 24)
Final	132 (2020: 185)
Red Tag	0 (2020: 0)
Hearing Signs	20 (2020: 6)
Meetings in Field	83 (2020: 85)
Violation Investigations	225 (2020: 256)
NPDES	0 (2020: 0)
Yorkville Back for County	10 (2020: 3)
Zoning Issues	16 (2020: 14)

Total Field Visits and Investigations: 983 (2020: 1063)  
 Total Permit Reviewed and Issued: 365; 11 Void (2020: 330; 6 Void)  
 Contracted Plumbing Inspections: 96 (2020: 101)  
 Inspections for Yorkville per IGA: 0 (2020: 0)

**2022 Goals of Code Official**

1. Renew International Code Council Certifications
2. Test and Implement Permit Tracking Site Created by GIS
3. Provide an Education Program During the Kendall County Fair



**DEPARTMENT OF PLANNING, BUILDING & ZONING**

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

**MEMORANDUM**

**To:** Planning, Building and Zoning Committee

**From:** Matthew H. Asselmeier, AICP, CFM, Senior Planner

**Date:** 1/31/2022

**Subject:** 2021 Residential Building Permit Information

Staff contacted the municipalities located within Kendall County to obtain their single-family and multi-family building permit information for 2021. A table with this information is below. For those municipalities located in more than one county, only the Kendall County information is provided.

Municipal Residential Construction Information 2021

Municipality	2021 New Construction (Single-Family)	2021 New Construction (Multi-Family)	2020 New Construction (Single-Family)	2020 New Construction (Multi-Family)
Aurora	25 (\$3,805,607)	0 (\$0)	0 (\$0)	0 (\$0)
Joliet	41 (\$9,662,300)	19 (45 Units) (\$7,902,000)	50 (\$10,323,500)	6 (12 Units) (\$816,000)
Lisbon	0 (\$0)	0 (\$0)	1 (\$300,000)	0 (\$0)
Millbrook	0 (\$0)	0 (\$0)	0 (\$0)	0 (\$0)
Millington	0 (\$0)	0 (\$0)	0 (\$0)	0 (\$0)
Minooka	0 (\$0)	0 (\$0)	0 (\$0)	0 (\$0)
Montgomery	58 (\$9,168,930*)	7 (124 Units)	90 Detached (\$14,900,840) 1 Attached (\$406,440)	6 (216 Units) (\$12,141,800)
Newark	0 (\$0)	0 (\$0)	0 (\$0)	0 (\$0)
Oswego	82 Detached 50 Attached (\$26,700,000*)	0 (\$0)	71 Detached 37 Attached (\$23,787,099)	1 (176 Units) (\$20,000,000)
Plainfield	30 (\$6,000,000)	0(\$0)	45 (\$11,200,000*)	5 (10 Units)
Plano	89 (\$15,700,000)	0 (\$0)	73 (\$10,350,000)	0 (\$0)
Plattville	0 (\$0)	0 (\$0)	0 (\$0)	0 (\$0)
Sandwich	0 (\$0)	0 (\$0)	0 (\$0)	0 (\$0)
Yorkville	249 Detached (\$39,698,658) 160 Attached (\$20,182,959)	0 (\$0)	219 Detached (\$33,011,051) 98 Attached (\$10,889,316)	0 (\$0)
Unincorporated	32 (\$18,235,660)	0 (\$0)	34 (\$15,350,500)	0 (\$0)
Total	816 (\$149,154,114)	26 (169 Units) (\$7,902,000)	719 (\$130,518,746)	18 (414 Units) (\$32,957,800)

\* Montgomery's, Oswego's, and Plainfield's dollar amounts are total residential investment.

2021 Grand Total - \$157,056,114    2020 Grand Total - \$163,476,546    2019 Grand Total - \$108,042,333

2018 Grand Total - \$135,058,319



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**HISTORIC PRESERVATION COMMISSION  
HISTORIC PRESERVATION ORGANIZATION MEETING**

72 Polk Street • Little White School Museum  
• Oswego, IL • 60543

**AGENDA**

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February 16, 2022 – 6:00 p.m.

- I. Call to Order**
- II. KCHPC Roll Call and Introductions**  
*Eric Bernacki, Elizabeth Flowers (Vice-Chair), Kristine Heiman, Marty Shanahan, Jeff Wehrli (Chairman), and Non-KCHPC Attendees*
- III. Welcoming Remarks**  
*Jeff Wehrli, Kendall County Historic Preservation Commission Chairman*
- IV. Update from Illinois Historic Preservation Agency**  
*Jon Pressley*
- V. Presentation by Little White School Museum**
- VI. Presentation on Historic Structure Survey**  
*Ken Itle of Wiss, Janney, Elstner Associates, Inc.*
- VII. Discussion of Volunteers for Structure Survey**
- VIII. Discussion of Historic Preservation Awards**
- IX. Round Table Discussion**  
*What Activities Have Your Organizations Been Doing?  
Successes?  
Challenges?  
Strategies for Encouraging Historic Property Owners to Have Open Houses?  
Opportunities for Collaboration?*
- X. Discussion of Future Meeting(s)**
- XI. Other Business**
- XII. Public Comment**
- XIII. Adjournment**

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





2020 VIOLATIONS

Violation	Name	Parcel #	Address	Subdivision	Description	Opened	Follow up	PBZ	SAO	Closed
20-001	JK Property,% Calder	05-21-300-002	9923 Walker Rd		Multiple Violations - No permits	11/7/2019	1/13/2020			3/9/2020
20-002	Graves	04-22-300-005	9312 Millbrook Rd		Zoning Setback violations	12/3/2019	12/16/2019			12/17/2019
20-003	Gonzalez	03-09-152-019	14 Ridgfield Rd.	Boulder Hill	Prohibited RV/trailer parking	12/4/2019	12/23/2019			12/24/2019
20-004	Cadena	03-03-352-004	140 Saugatuck Rd	Boulder Hill	Prohibited Banner Sign	12/11/2019	12/25/2019			12/30/2019
20-005	Municipal Bank%Bestiri Adil	02-35-413-014	Audrey & Gilda Ct	FOFC	Prohibited Sign	12/11/2019	2/1/2020			3/16/2020
20-006	Municipal Bank%Bestiri Adil	02-35-301-007	Fields Dr	FOFC	Prohibited Sign	12/11/2019	2/1/2020			3/16/2020
20-007	Johnson	03-04-477-025	54 Springdale Rd.	Boulder Hill	Prohibited Trailer parking	12/17/2019	1/31/2020			1/30/2020
20-008	Franzen	03-05-454-027	14 Scarsdale Rd.	Boulder Hill	Prohibited Boat parking	12/26/2019	2/18/2020			2/25/2020
20-009	Navarro	03-12-100-002	1026 Harvey Rd		Multiple Violations	11/26/2019	2/27/2020			7/6/2020
20-010	Drake	05-18-300-005	8751 C E. Highpoint Rd	Highpoint Hills	Operating Business in R-2	1/28/2020	3/6/2020			12/3/2020
20-011	Kubica Wieslaw	03-04-408-003	106 Tealwood Rd	Boulder Hill	Prohibited Commercial truck	1/31/2020	2/29/2020			3/11/2020
20-012	Chamberlain	03-05-454-028	3 Crewe Ct.	Boulder Hill	Prohibited Trailer parking	1/31/2020	2/14/2020			2/4/2020
20-013	Robles	03-04-277-019	251 Fernwood Rd	Boulder Hill	Prohibited Commercial Vehicle	2/20/2020	3/5/2020			3/11/2020
20-014	Crisci	01-05-203-003	16388 Galena Rd		Prohibited Storage Business	3/4/2020	3/18/2020			8/5/2020
20-015	ERB Properties LLC	09-13-400-006	276 Route 52		Multiple Zoning Violations	3/6/2020	4/5/2020			5/6/2020
20-016	Campos	03-08-303-001	117 Dolores St.	Shore Heights	Prohibited Trailer parking	3/3/2020	3/26/2020			6/10/2020
20-017	Henn	03-08-280-008	16 Cebold Dr.	Boulder Hill	Inoperable Vehicle	3/18/2020	4/24/2020			6/11/2020
20-018	Fox Valley Homes LLC	03-05-404-007	114 Boulder Hill Pass	Boulder Hill	Inoperable Vehicle	3/18/2020	4/1/2020			10/29/2020
20-019	Stukas	03-05-428-002	29 Circle Dr. E	Boulder Hill	Inoperable Vehicle	3/19/2020	4/2/2020			6/10/2020
20-020	Ortiz	03-04-303-008	42 Circle Dr. E	Boulder Hill	Inoperable Vehicle	3/19/2020	4/2/2020			3/25/2020
20-021	Evans	03-04-278-035	134 Heathgate Rd	Boulder Hill	Inoperable Vehicle	3/19/2020	4/2/2020			6/10/2020
20-022	Wargo	03-04-477-038	80 Springdale Rd	Boulder Hill	Junk & Debris	3/19/2020	4/2/2020			6/10/2020
20-023	Kubica Wieslaw	03-04-408-003	106 Tealwood Rd	Boulder Hill	Prohibited semi tractor parking	3/19/2020	4/2/2020			6/10/2020
20-024	Velasquez	01-20-352-018	84 Woodland Dr	Sugarbrook Estate	Stormwater & Junk and Debris	4/28/2020	5/29/2020			8/25/2020
20-025	Sec of Veteran Affairs	05-05-103-002	14 Maple Street	Fox Lawn	Multiple Violations	6/15/2020	12/31/2020			7/31/2020
20-026	Niles	08-02-402-002	94 Pletcher Dr	Plattville	Stormwater/Culvert built	6/18/2020	7/20/2020			10/21/2020
20-027	Hansel Ridge, LLC	09-13-200-002	195 Route 52		Multiple Violations	7/17/2020	9/22/2020			8/28/2020
20-028	King	03-04-378-039	43 Saugatuck Rd	Boulder Hill	Fence Violation	7/22/2020	8/22/2020			8/28/2020
20-029	Anich	03-27-301-002	3195 Plainfield Rd		Sign - No permit	7/30/2020	8/29/2020			8/28/2020
20-030	Braves%Arrett Realty	03-08-230-005	38 Old Post Rd	Boulder Hill	Pool - No permit	7/24/2020	9/3/2020			9/2/2020
20-031	Ramirez	06-14-200-003	1152 Route 126		Deck - No permit	8/20/2020	10/23/2020			10/20/2020
20-032	Gates / Cox Landscaping	02-27-151-003	9000 Route 34	Bakers	Possible Landscaping Business	8/20/2020	10/19/2020			1/21/2021
20-033	Oliver/Balog	03-26-300-007	Lot 22		Possible Landscaping Business	8/26/2020	9/28/2020			9/28/2020
20-034	Staudacher Family Trust	02-21-200-014	9155 Kennedy Rd		Stormwater Violation	9/16/2020	10/19/2020			10/16/2020
20-035	Wieschhaus	02-21-200-028			Stormwater Violation	9/21/2020	11/13/2020			11/19/2020
20-036	Marmolejo	03-08-253-007	10 Ashlawn Ave	Boulder Hill	Driveway - No Permit	10/7/2020	10/21/2020			12/10/2020
20-037	Briscoe	09-13-200-006	192 Route 52	see V20-027	Multiple Zoning Violations	10/20/2020	11/19/2020			12/14/2020
20-038	Plainfield Board of Education	06-23-200-004	Wheeler Rd		Multiple Zoning Violations	10/22/2020	11/22/2020			12/3/2020
20-039	Moreno, Luis & Cesario	09-09-100-002	13039 McKanna Rd		Trucking Business In A-1 zoning	10/22/2020	1/15/2021			1/11/2021
20-040	Martinez	03-05-432-007	13 Durango Rd	Boulder Hill	Landscap Bus/Commercial Vehicle In-R-6	10/22/2020	1/8/2021			1/14/2021
20-041	Neal	03-04-456-001	3 Wembley Rd	Boulder Hill	Prohibited Trailer parking	8/11/2020	11/28/2020			12/3/2020



2019 VIOLATIONS

19-045	Garay / Juarez	03-19-203-002	5408 Rt. 71		Multiple Violations	5/9/2019	12/3/2019		12/16/2019
19-046	Muniz	09-18-300-016	14674 Briston Rd		Multiple Violations	5/9/2019	8/1/2019		7/30/2019
19-047	Johnson	05-02-101-002	324 Austin Ct	FOFC	Prohibited Trailer Parking	5/14/2019	5/28/2019		6/21/2019
19-048	Ring	06-02-177-007	1551 Cherry Rd		Junk & Debris	5/15/2019	10/15/2019		10/22/2019
19-049	Martinez	03-12-100-004	1038 Harvey Rd		Multiple Violations	5/13/2019	8/1/2019	11/3/2021	
19-051	Likar	03-08-278-002	22 Fieldpoint Rd	Boulder Hill	Inoperable Vehicle	5/15/2019	5/29/2019		6/3/2019
19-052	Arenas	03-09-104-011	67 Old Post Rd	Boulder Hill	Inoperable Vehicle	5/15/2019	5/29/2019		6/3/2019
19-053	Rudow/Andrews	03-08-253-016	3 Cebold Dr	Boulder Hill	Prohibited Boat parking	5/15/2019	6/16/2019		6/17/2019
19-054	Tierney	03-04-405-017	44 Winrock Rd	Boulder Hill	Shed - no permit	5/15/2019	5/29/2019		5/23/2019
19-055	Henn	03-08-280-008	16 Cebold Dr	Boulder Hill	Inoperable Vehicle	5/15/2019	5/29/2019		5/29/2019
19-056	Casner	03-04-376-037	6 Crescent Ct.	Boulder Hill	Prohibited RV Parking	5/15/2019	6/12/2019		6/12/2019
19-057	Avila, Munoz, Rubio	03-05-454-008	36 Circle Dr W	Boulder Hill	Prohibited Trailer Parking	5/15/2019	6/27/2019		7/1/2019
19-058	Castillo	03-04-329-019	45 Whitney Way	Boulder Hill	Inoperable Vehicle	5/15/2019	5/29/2019		6/3/2019
19-059	Stiles	03-08-280-029	7 Fieldcrest Dr	Boulder Hill	Prohibited Boat parking	5/16/2019	5/30/2019		6/3/2019
19-060	Myles	03-08-277-020	9 Fieldpoint Rd.	Boulder Hill	Inoperable Vehicle	5/16/2019	5/30/2019		6/3/2019
19-061	Fecarotta	03-08-278-010	102 Circle Drive W	Boulder Hill	Inoperable Vehicle	5/16/2019	5/30/2019		6/3/2019
19-062	Valenzuela/Ibarra	03-04-326-006	54 Marnel Rd.	Boulder Hill	Prohibited Boat parking	5/16/2019	8/19/2019		8/28/2019
19-063	Reinert	03-08-278-017	13 Pickford Rd.	Boulder Hill	Prohibited RV Parking	5/16/2019	6/10/2019		6/10/2019
19-064	Yates	03-08-279-002	8 Pickford Rd	Boulder Hill	Prohibited RV Parking	5/16/2019	6/15/2019		6/19/2019
19-065	Lazaroski	03-08-202-015	29 Guilford Rd	Boulder Hill	Prohibited RV & Boat parking	5/16/2019	6/17/2019		6/19/2019
19-066	Machado	03-04-329-012	31 Whitney Way	Boulder Hill	Prohibited Trailer Parking	5/17/2019	5/31/2019		6/3/2019
19-067	Void								
19-068	Lamberty	03-08-277-024	17 Fieldpoint Rd.	Boulder Hill	Inoperable Vehicle	5/21/2019	6/4/2019		6/5/2019
19-069	C RT# 133412	02-35-381-006	5896 Fields Dr.	FOFC	Prohibited Boat Parking	5/21/2019	6/4/2019		6/5/2019
19-070	Akers	03-04-379-002	55 Longbeach Rd	Boulder Hill	Junk & Debris	5/29/2019	9/19/2019		9/11/2019
19-071	Garcia	03-04-478-005	51 Springdale Rd	Boulder Hill	Junk & Debris	5/29/2019	6/28/2019		6/28/2019
19-072	Persons	03-09-155-005	131 Circle Dr W	Boulder Hill	3 Inoperable Vehicles	6/3/2019	6/30/2019		7/1/2019
19-073	Porter/Fischer	02-03-400-005	522 Dickson Rd		Inoperable Vehicle/Junk & Debris	6/3/2019	6/27/2019		6/28/2019
19-074	Weder	09-15-300-008	14625 Jughandle Rd	Langeland's	Trucking Business Prohibited	6/4/2019	7/26/2019		7/23/2019
19-075	Brooks	03-04-177-023	16 Ingleshire Rd	Boulder Hill	Inoperable Vehicle	6/5/2019	7/15/2019		6/11/2019
19-076	Gallegos	03-04-281-003	5 Pendleton Pl	Boulder Hill	Prohibited trailer parking	6/10/2019	6/24/2019		6/27/2019
19-077	Gossett	03-04-155-004	6 Pembroke Rd	Boulder Hill	Prohibited trailer parking	6/10/2019	7/11/2019		7/2/2019
19-078	Smith	03-04-476-002	53 Sheffield Rd	Boulder Hill	Multiple Violations	6/10/2019	7/26/2019		7/30/2019
19-079	Gervias	03-08-227-042	35 Old Post Rd	Boulder Hill	Prohibited Trailer parking	6/10/2019	7/11/2019		7/10/2019
19-080	Ramirez	03-05-429-016	13 Circle Drive East	Boulder Hill	Prohibited Trailer parking	6/12/2019	7/20/2019		7/23/2019
19-081	Braves Realty/Jarrett	03-05-429-008	18 Greenfield Rd.	Boulder Hill	Inoperable Vehicles	6/12/2019	9/9/2019		9/11/2019
19-082	Cerny/Grzetic	03-09-103-008	51 Old Post Rd	Boulder Hill	Boat parket in required front yard	6/12/2019	7/24/2019		7/24/2019
19-083	Forbes	02-35-310-006	7747 Madeline Dr	FOFC	Prohibited Trailer parking	6/21/2019	7/5/2019		7/10/2019
19-084	Netzel	02-35-384-001	7715 Madeline Dr	FOFC	Prohibited Boat Parking	6/21/2019	7/5/2019		7/10/2019
19-085	Whaley	02-35-380-005	5727 Fields Dr	FOFC	Prohibited trailer parking	6/26/2019	7/10/2019		7/10/2019
19-086	Wolwert	03-04-452-007	67 Stratford Rd.	Boulder Hill	Business in R6 zoning	6/26/2019	7/10/2019		7/11/2019
19-087	Majley Concrete, Inc.	02-12-428-001	Lot 6-8 Commerce Rd	Light Rd Ind Park	Site work without permit	7/3/2019	8/5/2019		8/5/2019
19-088	Greenslade	03-09-152-021	18 Ridgeland Rd	Boulder Hill	Prohibited RV Parking	7/10/2019	7/20/2020		12/16/2019
19-089	Urbanova	03-04-431-002	53 Sonora Dr	Boulder Hill	RV on non approved surface	7/11/2019	7/25/2019		7/24/2019
19-090	Diaz	03-03-351-009	135 Sautatuck Rd.	Boulder Hill	Multiple Violations	7/11/2019	7/25/2019		7/24/2019
19-091	Gambino	03-05-253-027	9 W. Aldon Ct.	Boulder Hill	Junk & Debris	7/18/2019	8/25/2019		8/23/2019



**PRE VIOLATION REPORT  
2022**

Date Opened	Parcel #	Address	Subdivision	Description of Complaint	Inspection Date	Comments	F/UP	Closed
12/2/2021	09-13-200-006	195 Route 52 Minnooka		Inoperable Vehicles & pile of dirt	12/13/2021	Ag Building - Backfill per MA		12/20/2021
12/2/2021	03-04-408-041	124 Longbeach Rd. Montgomery	Boulder Hill	Prohibited Trailer parked in front yard	12/22/2021	Truck in setback - trailer removed		12/20/2021
12/20/2021	06-02-177-003	7 Cherokee Dr. Oswego	Oswego Plains	Building w/permit	12/20/2021	BP applied for #04-2022-029		1/5/2022
12/29/2021	03-04-305-026	22 Wvndham Dr. Montgomery	Boulder Hill	Junk & Debris	1/6/2022	Debris has been removed		1/19/2022
1/5/2022	03-08-227-036	23 Old Post Rd. Montgomery	Boulder Hill	Parking on non approved surface	1/6/2022	Gravel Drive Grandfatherd in		1/19/2022
1/5/2022	02-34-204-004	80 Riverside St. Yorkville	Fox River Gardens	Tent	12/21/2021	Forwarded to Matt A for response		1/19/2022
1/6/2022	02-35-380-006	7796 Madeline Dr. Yorkville	FOFC	RV parked in front yard since 12/10/2021	1/5/2021	RV still driveway - f/y setback	1/21/2022	1/21/2022
1/14/2022	05-03-200-027	8250 Route 71 Yorkville		Drive Lane not hard surface per SU approval	1/18/2022	Forwarded to Matt A for response	2/18/2022	
1/19/2022	05-04-300-033	9600 Route 71		Junk & Debris	1/19/2022	Unable to observe blowing J & D		1/20/2022
1/26/2022		behind 421 Hazeltine Way		Junk & Debris	1/27/2022	No Debris or Garbage observed		1/27/2022

## Permit Summary by Category Kendall County

Permit Category	Count	Estimated Cost	Permit Fees	Land Cash
House	1	\$525,000	\$4,265	\$1,365
Additions	1	\$45,000	\$0	\$0
Remodeling	1	\$3,000	\$460	\$0
Barns/Farm Buildings	1	\$100,000	\$0	\$0
Decks	1	\$28,000	\$200	\$0
Electrical Upgrades	1	\$6,500	\$150	\$0
Change in Occupancy	1	\$0	\$0	\$0
Generator	2	\$20,470	\$220	\$0
Solar	6	\$227,065	\$1,450	\$0
	15	\$955,035	\$6,745	\$1,365

Jan 21 - 3 Houses  
16 Total Permits

## Permit Approval Date Report

### Kendall County

Issue Date	Permit ID	Permit Category	Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
1/11/2022	012022030	01 House	06-07-226-004	MCCUE DEVELOPMENT INC	5556 WHITETAIL RIDGE DR YORKVILLE, IL 60560-	WHITETAIL RIDGE	SAME
1/13/2022	052022032	05 Remodeling	02-28-453-017	GENTILE, FRANK D & JENNIFER	606 WACKER DR YORKVILLE, IL 60560-	WACKERLIN SUB	
1/18/2022	132022034	13 Decks	04-21-125-014	KRISTIANSON NEIL A & JENNINE F	9175 N STONEWALL DR NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 2	HURSTHOUSE, INC.
1/18/2022	152022035	15 Electrical Upgrades	03-05-278-023	POWELL FRANCINE & EDMONDS ANTHONY N SR	7 KNOLLWOOD DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 3	KG BUILDERS
1/4/2022	172022025	17 Change in Occupancy	03-06-200-012	325 SOUTH ROUTE 31 LLC	275 ROUTE 31 OSWEGO, IL 60543-		THE BOLDT COMPANY
1/4/2022	172022024	17 Change in Occupancy	03-06-200-012	325 SOUTH ROUTE 31 LLC	275 ROUTE 31 OSWEGO, IL 60543-		TSA PROCESSING CHICAGO, INC.
1/4/2022	172022023	17 Change in Occupancy	03-06-200-012	325 SOUTH ROUTE 31 LLC	275 ROUTE 31 OSWEGO, IL 60543-		UNITED GROUP LOGISTICS, INC. UGL
1/4/2022	232022027	23 Generator	05-12-277-007	SMITH SEAN K & SHERRY	6217 LEGACY CIR YORKVILLE, IL 60560-	WHITETAIL RIDGE	LEE LEGLER CONSTRUCTION AND PISTONIA
1/27/2022	232022039	23 Generator	04-02-230-002	MOUIS KEITH F & JESSICA A	6160 RED GATE LN YORKVILLE, IL 60560-	THE WOODS OF SILVER SPRINGS PHASE 2	LEE LEGLER CONSTRUCTION AND PISTONIA
1/20/2022	242022036	24 Solar	03-08-253-005	GONZALEZ JOSE	6 ASHLAWN AVE MONTGOMERY, IL 60538-	BOULDER HILL UNIT 17	BRIGHT PLANET SOLAR
1/13/2022	242022033	24 Solar	08-28-400-005	FRIESTAD SCOTT & KRISTIN	16950 QUARRY RD MORRIS, IL 60450-		SOLAR POWER MIDWEST



**Permit Approval Date Report**  
**Kendall County**

Issue Date	Permit ID	Permit Category	Parcel Number	Owner Name	Property Address	Subdivision	Contractor Name
1/13/2022	242022031	24 Solar	03-05-404-033	MENDELL GERALD A & WINIFRED	17 GREENFIELD RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 6	BRIGHT PLANET SOLAR - JULIA CARTER
1/4/2022	242022028	24 Solar	01-26-300-005	SANDOVAL JONHATAN J SAAVEDRA & RUIZ	13871 HALE RD PLANO, IL 60545-		BRIGHT PLANET SOLAR
1/4/2022	242022026	24 Solar	06-05-402-012	THOMAS KURIAN E & CHEYENNE F CASSIDY	4122 STEAM MILL CT OSWEGO, IL 60543-		SUNRUN INSTALLATION

**PLANNING BUILDING & ZONING RECEIPTS 2022**

DATE	BUILDING FEES	ZONING FEES	LAND-CASH	OFFSITE ROADWAY	MONTHLY FY 22	TOTAL FY 22	MONTHLY FY 21	TOTAL FY 21
December	\$12,456.20	\$3,789.00	\$12,877.04	\$3,000.00	\$32,122.24	\$32,122.24	\$8,380.10	\$8,380.10
January	\$5,238.40	\$600.00	\$4,805.78	\$1,000.00	\$11,644.18	\$43,766.42	\$15,150.19	\$23,530.29
February					\$0.00		\$17,144.89	\$40,675.18
March					\$0.00		\$36,607.37	\$77,282.55
April					\$0.00		\$21,718.13	\$99,000.68
May					\$0.00		\$23,617.81	\$122,618.49
June					\$0.00		\$42,987.55	\$165,606.04
July					\$0.00		\$10,495.24	\$176,101.28
August					\$0.00		\$17,777.87	\$193,879.15
September					\$0.00		\$15,109.78	\$208,988.93
October					\$0.00		\$38,827.30	\$247,816.23
November					\$0.00		\$46,125.36	\$293,941.59
<b>YR END TOTAL</b>	<b>\$17,694.60</b>	<b>\$4,389.00</b>	<b>\$17,682.82</b>	<b>\$4,000.00</b>	<b>\$43,766.42</b>			