

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION**

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

Meeting Minutes of April 27, 2022 - 7:00 p.m.

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

ROLL CALL

Members Present: Bill Ashton, Tom Casey, Dave Hamman, Karin McCarthy-Lange, Larry Nelson, Ruben Rodriguez, Claire Wilson (Arrived at 7:06 p.m.), and Seth Wormley

Members Absent: Bob Stewart

Staff Present: Matthew H. Asselmeier, Senior Planner

Others Present: Dan Kramer, Judd Lofchie, Jose Martinez, Tim O'Brien, Michael Eurkaitis, Irma Quezada, Donald Larkin, and Jo Beth Larkin

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Member Nelson made a motion, seconded by Member Wormley, to approve the minutes of the of the March 23, 2022, meeting. With a voice vote of seven (7) ayes, the motion carried.

PUBLIC HEARING

Petition 22-09 Kendall County Regional Planning Commission

The Kendall County Regional Planning Commission started the review of this Petition and Chairman Ashton opened the public hearing at 7:02 p.m.

Mr. Asselmeier summarized the request.

In October 2020, the Kendall County Comprehensive Land Plan and Ordinance Committee initiated discussions regarding changing the Future Land Use Map for properties located along the Eldamain Road Corridor south of the Fox River, in light of the funding for the Eldamain Road Bridge and the abandonment of the centerline for the Prairie Parkway. In particular, the Committee discussed possible commercial and/or manufacturing investment in this area.

The Kendall County Future Land Use Map currently calls for this area to be Rural Residential (Max Density 0.65 DU/Acre) and Mixed Use Business. A copy of the existing Future Land Use Map was provided.

The Yorkville Future Land Use Map currently calls for this area to be Estate Residential. The Millbrook Future Land Use Map currently calls for this area to be Business Park Office and Commercial with Industrial near the former Prairie Parkway alignment. The Plano Future Land Use Map currently calls for the area in their planning jurisdiction to be Estate Residential (0-0.8 DU/Acre). Copies of all of the Future Land Use Maps for this area were provided.

Following meetings with property owners in the area in October and December 2021, the Committee decided to limit changes to three (3) properties along the railroad tracks west of Fox Road. Letters to impacted property owners were mailed in mid-December 2021, mid-February 2022, and mid-March 2022.

At their meeting on February 23, 2022, the Comprehensive Land and Ordinance Committee voted to forward the proposal to the Kendall County Regional Planning Commission.

At their meeting on March 24, 2022, the Kendall County Regional Planning Commission voted to initiate the amendment to the Future Land Use Map.

A copy of the updated map was provided.

Petition information will be sent to Fox Township, the Village of Millbrook, and the United City of Yorkville on March 29, 2022. Yorkville will be reviewing this proposal in May and June.

ZPAC reviewed the proposal at their meeting on April 5, 2022. Mr. Klaas felt that no commercial or industrial development would occur on the subject properties unless they were annexed into a municipality. Discussion also occurred regarding the boundary agreements of the municipalities in the area. ZPAC recommended approval of the proposal by a vote of six (6) in favor and zero (0) in opposition with four (4) members absent. The minutes of the meeting were provided.

No one from the public testified at the hearing.

Member Nelson made a motion, seconded by Member Rodriguez, to recommend approval of the Petition.

The votes were as follows:

Ayes (7): Ashton, Casey, Hamman, McCarthy-Lange, Nelson, Rodriguez, and Wormley

Nays (0): None

Absent (2): Stewart and Wilson

Abstain (0): None

The motion carried.

This proposal goes to the Kendall County Zoning Board of Appeals on May 2, 2022.

Member Rodriguez made a motion, seconded by Member McCarthy-Lange to adjourn the public hearing. With a voice vote of seven (7) ayes, the motion carried.

The Kendall County Regional Planning Commission adjourned the public hearing and completed their review of Petition 22-09 at 7:05 p.m.

Member Wilson arrived at this time (7:06 p.m.)

PETITIONS

Petition 21-49 Irma Loya Quezada

Mr. Asselmeier summarized the request.

The Petitioner is requesting a map amendment rezoning two (2) approximately three point two-four (3.24) acre parcels from A-1 Agricultural District to R-1 One Family Residential District in order to construct one (1) house on each parcel.

The Petitioner plans to use Plat Act exemptions to divide the subject areas proposed for rezoning from the larger parcels.

The agricultural building permits for the parcels were used in 2003 and 2004. The only way houses can be constructed on the subject parcels is by obtaining the requested map amendment.

The application materials, plat of survey and aerial of the property were provided.

On December 4, 2021, five (5) neighbors submitted a written objection to the map amendment. These objections were provided. On January 24, 2022, one (1) additional neighbor submitted an objection. This objection was provided.

On December 7, 2021, the Petitioner's Attorney submitted a request to continue the Petition from the December Kendall County Regional Planning Commission meeting and Kendall County Zoning Board of Appeals hearing. This email was provided.

The properties are on the east side of Brisbin Road across from 14859 and 14975 Brisbin Road.

The current land use is Agricultural.

The future land use is Rural Estate Residential (Max 0.45 Du/Acre).

Brisbin Road is a Township Maintained Major Collector. There are no trails planned in the area.

There were no floodplains or wetlands on the property.

The adjacent land uses were Agricultural, Farmstead, and Hogan's Market.

The adjacent properties and properties within one half (1/2) of a mile were zoned A-1 and A-1 SU.

The Kendall County Future Land Use Map called for the to be Rural Estate Residential. The Plattville Future Land Use Map called for the property to the north of the subject property to be Low Density Residential.

The A-1 special use to the west is for the sale of agricultural products, art, pottery, and home décor not produced on the premises (Hogan's Market).

EcoCat submitted on November 11, 2021, and consultation was terminated.

NRI application submitted on October 18, 2021. The draft LESA Score was 199 indicating a low level of protection.

Seward Township was emailed information on November 16, 2021. The Seward Township Planning Commission reviewed this proposal on December 7, 2021. Discussion occurred regarding the Land Resource Management Plan in relation to Seward Township and protecting farmland. Discussion also occurred regarding drainage and illegal dumping on the property. The Seward Township Planning Commission issued a negative recommendation by a vote of four (4) against the proposal and zero (0) in favor of the proposal with one (1) member absent. The minutes were provided. On December 27, 2021, the Petitioner's Attorney submitted a response to the actions of the Seward Township Planning Commission; this letter was provided. On January 11, 2022, the Seward Township Board voted to submit a formal objection to the map amendment. Per State law, the objection must be submitted within thirty (30) days after the zoning hearing; Staff anticipates the objection

will be filed in May 2022. The objection will require a positive vote of at least eight (8) County Board members in order to approve the requested map amendment.

The Village of Plattville was emailed information on December 16, 2021.

The Lisbon-Seward Fire Protection District was emailed information on November 16, 2021.

ZPAC reviewed this proposal at their meeting on December 7, 2021. The Petitioner's Attorney indicated the Petitioner only wanted to build two (2) houses at this time. The Highway Department requested a voluntary right-of-way dedication; the Petitioner's Attorney was agreeable to the request. ZPAC recommended approval of the requested map amendment by a vote of eight (8) in favor and zero (0) in opposition with two (2) members absent. The minutes of the meeting were provided.

The Kendall County Regional Planning Commission did not have quorum for their meeting on January 26, 2022. Prior to the February 23, 2022, meeting, the Petitioner requested the proposal be laid over to April 27, 2022. The minutes of the February 23, 2022, meeting were provided.

The Kendall County Zoning Board of Appeals started a public hearing on this proposal on December 13, 2021. At the Petitioner's request the hearing was continued to January 31, 2022. The hearing was continued again to February 28, 2022. The minutes of the December 13, 2021, meeting were provided. The minutes of the January 31, 2022, meeting were provided. On February 14, 2022, the Petitioner's Attorney submitted a request that the hearing be continued to May 2, 2022. This email was provided. The minutes of the February 28, 2022, hearing were provided.

The Petitioner desires to rezone the subject property in order to build one (1) house on each of the two (2) new parcels created for a total of two (2) new houses.

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

No public or private utilities are onsite.

The property fronts Brisbin Road. Staff has no concerns regarding the ability of Brisbin Road to support the proposed map amendment.

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

No new odors were foreseen.

Any new lighting would be for residential use only.

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

Any signage would be residential in nature.

No noise was anticipated.

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

The proposed Findings of Fact were as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used for agricultural purposes or larger lot single-family residential uses.

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1 or A-1 SU for the sale of agricultural products, art, pottery, and home décor not produced on the premises.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1. The agricultural housing allocations for the subject property have already been used and no new single-family homes can be constructed on the subject property without a map amendment.

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

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The Future Land Use Map in the Land Resource Management Plan classifies this property as Rural Estate Residential. The R-1 One Family Residential District is consistent with the Rural Estate Residential classification.

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

Member Wilson asked why the Petitioners were rezoning only the center portion of the lot and leaving a U-shaped area zoned A-1. The Petitioners, responded that the proposed rezoned portions of the property were the best locations for houses because of drainage, per the engineer, Phil Young, that examined the property. They said the second home would be for their son. They will lease the land to farm and they also plan to have horses on the property.

Dan Kramer, Attorney for the Petitioner, explained that the Petitioner still desired to farm a portion of the property. The farming operation would be a small operation. No other business would be run at the property; no landscaping business has been run at the property and no construction or landscaping debris has been placed on the property. The request is consistent with the County's Land Resource Management Plan; Mr. Kramer noted that Seward Township allowed similar rezoning requests recently. He felt that some of the objectors had an implicit bias against the Petitioner. He hoped Seward Township would follow the proper procedures regarding updating a comprehensive plan. Mr. Kramer discussed the LaSalle Factors. He also discussed the *Village of Richton Park v. Sinclair Pipeline* case. He felt the proposed use would be consistent with the neighboring uses because other single-family homes on similar sized lots are located in the area. He distributed an article regarding the Carvana case.

Member Nelson provided a history of why this area was planned to be residential. The proposal is consistent with the Future Land Use Map as the Map currently exists. He urged the Commission to follow the Land Resource Management Plan.

Member Rodriguez expressed his support for the proposal.

Member Casey felt that the Seward Township Planning Commission had a red flag raised and they reacted to it. The concerns have calmed down and he welcomed the Petitioners to the neighborhood. He also expressed concerns about code enforcement of existing regulations.

Member Casey made a motion, seconded by Member Wormley, to recommend approval of the map amendment.

Donald and Jo Beth Larkin own property to the west and south of the property. They have been in Seward Township for fifty-seven (57) years. They expressed concerns about drainage, potential damage to field tile, and the construction of more homes on smaller parcels in the area. Discussion occurred regarding the conditions in the special use permit for Hogan's market. A drain tile survey will be required in order to build a house; the owners have to repair damaged tile by law. Also, a homeowner would not want broken tile on their property because the water would damage their house. Drainage Law is enforced civilly in Illinois. The property is not in a federal designated floodplain. The Larkins were encouraged to work with the Petitioners to maintain the tile; this will be an opportunity to locate and examine the tile.

Tim O'Brien, Seward Township Supervisor, explained that the Seward Township Planning Commission was concerned about water issues.

The votes were as follows:

Ayes (8): Ashton, Casey, Hamman, McCarthy-Lange, Nelson, Rodriguez, Wilson, and Wormley

Nays (0): None

Absent (1): Stewart

Abstain (0): None

The motion carried.

This proposal will go to the Kendall County Zoning Board of Appeals on May 2, 2022.

Petition 22-01 Jose and Silvia Martinez

Mr. Asselmeier provided an update from activities since the February meeting.

Since the February 23, 2022, Kendall County Regional Planning Commission meeting, the Petitioner moved the chicken coop and other outbuilding on the north side of the property out of the side yard setback. The Petitioners also applied for and received a deck permit.

The Village of Oswego submitted an email requesting the driveway be moved at least five feet (5') from the property. Staff exchanged emails with the Petitioners' Attorney outlining the next steps. The Petitioners' Attorney believed that the driveway was located greater than five feet (5') from the southern property line. Staff requested the measurement of the driveway to the southern property line be added to the plat of survey. As of the date of this memo, this information has not been added to the plat. The above referenced emails were provided.

An inspection of the property occurred on March 16, 2022, and new gravel appeared to have been added to the driveway per the provided picture.

The Petitioners have not applied for an access permit from the Village of Oswego or a driveway permit from Kendall County. The Petitioners' Attorney submitted an email stating the that Village of Oswego did not need

to approve the access permit. This email was provided. Staff provided additional emails related to the access permit. An access permit from the Village of Oswego will be required.

On April 11, 2022, the Kendall County Planning, Building and Zoning Committee met to discuss issuing new, additional citations at the property. The consensus of the Committee was to not have the Department issue new citations related to the operation of the landscaping business or the placement of the driveway. The Petitioners were given ten (10) days to clean up and organize the property. Updated photos were provided.

The minutes of January 26, 2022, Kendall County Regional Planning Commission meeting and the February 28, 2022, Kendall County Zoning Board of Appeals hearing were provided. The minutes of the February 23, 2022 Kendall County Regional Planning Commission meeting and March 28, 2022 Kendall County Zoning Board of Appeals hearing were also provided.

Updated photos of the property were provided.

Mr. Asselmeier noted that the Petitioners would need to amend the site plan if they desired to construct a building in the future and that the Petitioners were not pursuing stormwater management permit because their piles of materials would be less than three feet (3').

The Petitioners requested that the hours of operation be changed to 6:00 a.m. until 8:00 p.m. seven (7) days per week and that they be allowed to operate year-round.

Judd Lofchie, Attorney for the Petitioners, provided a history of the case and the uses in the area, including another landscaping business. He noted that the Petitioners had cleaned up their property, moved their chicken coop, and secured a deck permit. No neighbors have complained about the property. Discussion occurred regarding the timing of the installation of the gravel along the south property line.

Member Nelson discussed the Petitioners' language barrier.

Member Rodriguez defended the County's pro-business activities and the Planning, Building and Zoning Department's efforts to help the Petitioners gain compliance.

Discussion occurred about the ownership of Harvey Road and the requirement for an access permit from the Village of Oswego. Member Wormley explained the drainage reasons for the necessity of the access permit.

Member McCarthy-Lange expressed frustration that the Petitioners had not done everything required of them.

Member Nelson said the Petitioners could have obtained an updated site plan and access permit from the Village of Oswego within the last two (2) months, if they had completed the Planning Commission's request.

The email from the Village of Oswego requiring an access was re-read. Mr. Lofchie had not challenged the Village of Oswego's previous responses on the subject.

Mr. Lofchie requested that the Petition be moved forward with the condition that the Petitioners secure an access permit from the Village of Oswego. The Planning Commission declined the request on the grounds that a site plan is necessary to approve a special use permit and the submitted site plan would no longer be valid if the south driveway was moved.

Member Wilson did not care about the driveway, but she was not happy that the Petitioners ignored previous requests for compliance.

The Petitioners must submit an access permit and revised site plan by May 18, 2022, in order to be on the May 25, 2022, Planning Commission agenda. The driveway does not have to be installed.

The Petition will remain tabled until an access permit and revised site plan are submitted.

Member Rodriguez encouraged the Petitioners to learn from this experience and to follow the rules.

Petition 22-05 Seward Township

Mr. Asselmeier read an email from Seward Township Supervisor Tim O'Brien requesting that the moratorium be changed from twelve (12) months to six (6) months and that the request be tabled until the County decides on updating the entire Land Resource Management Plan.

Seward Township Supervisor Tim O'Brien said that it was the Township's request that the matter be tabled.

Member Nelson made a motion, seconded by Member Wormley, to table the Petition as requested.

The votes were as follows:

- Ayes (8): Ashton, Casey, Hamman, McCarthy-Lange, Nelson, Rodriguez, Wilson, and Wormley
- Nays (0): None
- Absent (1): Stewart
- Abstain (0): None

The motion carried.

Member Nelson requested an update on the status of the Seward Township Comprehensive Plan project. Supervisor O'Brien said the Township wanted to keep the six (6) month timeline and, if the County allocates the money to update the Land Resource Management Plan, the Township would withdraw the request. Member Nelson requested that Seward Township keep the Planning Commission updated on their activities.

A Seward Township resident asked about the timeline of the moratorium. The moratorium has been tabled. The original idea was to adopt Seward Township's update until the County updates the entire Land Resource Management Plan.

CITIZENS TO BE HEARD/PUBLIC COMMENT

Jo Beth Larkin asked if Seward Township was going to create their own Township Plan. Chairman Ashton responded that Seward Township already had a Plan and they were trying to update their Plan. She asked if she should attend Township meetings. She was advised to attend Township meetings. A public hearing will occur on the Land Resource Management Plan. Member Nelson invited Ms. Larkin to the February Annual Meeting.

NEW BUSINESS

Approval to Initiate Text Amendments to Section 6:06.B.3.b of the Kendall County Zoning Ordinance Regarding Lighting Requirements at Telecommunication Carrier Facilities

Mr. Asselmeier summarized the request.

On March 3, 2022, the County received a complaint regarding lights not working on the tower at Legion and Immanuel Roads. The tower owner agreed to fix the matter.

Upon additional discussions, the suggestion was made to change the present language contained in Section 6:06.B.3.b, pertaining to design guidelines (lighting requirements) of telecommunication carrier facilities as follows:

“Lighting should be installed for security and safety purposes only. Except with respect to lighting required by the FCC or FAA, **which shall be conventional red lighting at night and may be white strobe during the day (unless required by the FAA or FCC to be white strobe at night)** all lighting should be shielded so that no glare extends substantially beyond the boundaries or a facility.”

At their meeting on March 23, 2022, the Kendall County Comprehensive Land Plan and Ordinance Committee voted to forward a request to the Kendall County Regional Planning Commission to initiate a text amendment to the Zoning Ordinance as described in the above paragraph.

Mr. Asselmeier stated that, if the Commission approves initiating the amendment, the proposal will go to ZPAC on June 7, 2022.

Member Nelson discussed the use of white strobes at night.

Member Nelson made a motion, seconded by Member Hamman, to initiate the amendment. With a voice of eight (8) ayes, the motion carried.

The motion carried.

This proposal will go to the Kendall County ZPAC on June 7, 2022.

OLD BUSINESS

None

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

None

OTHER BUSINESS/ANNOUNCEMENTS

Member Casey reported an occupied trailer on the south side of Route 52 east of Arbeiter Road. Mr. Asselmeier will investigate.

Mr Asselmeier reported there will be a request for a special use permit for a landscaping business on the north side of Route 52 west of Arbeiter Road.

Chairman Ashton reminded Commissioners that a vacancy existed on the Commission from Na-Au-Say Township.

ADJOURNMENT

Member Rodriguez made a motion, seconded by Member Wormley, to adjourn. With a voice of eight (8) ayes, the motion carried.

The Kendall County Regional Planning Commission meeting adjourned at 9:03 p.m.

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

Exhibits:

1. Memo on Petition 22-09 Dated April 18, 2022
2. Certificate of Publication and Certified Mail Receipts for Petition 22-09 (Not Included with Report but on file in Planning, Building and Zoning Office)



**KENDALL COUNTY
REGIONAL PLANNING COMMISSION
APRIL 27, 2022**

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

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
Don Krimer		
Jim Bruen		
M. FURKANTS		
Judd Lofchie		
JO BETH LARKIN		

Anyone who has chopped for a car since COVID-19 broke out two years ago knows that conditions for this vital Midwest industry have been anything but normal. And nothing says "abnormal" quite like a giant automobile vending machine going up next to a forest preserve.

Skokie Village Board members could have taken the easy way out and voted "no" to a development plan that prompted heated protests from bird lovers and NIMBY neighbors. Instead, they took a hard look at village zoning rules and did the right thing for economic development in their community, which soon will be home to, ugh, a 14-story vending-machine-style tower for selling cars.

This new Carvana used-car dealership will sit uneasily along I-94, between the bird-friendly Harms Woods, the hallowed Illinois Holocaust Museum and Optima, a large residential complex whose inhabitants are bracing themselves for an eyesore.

At a recent Village Board meeting, observers entered the boardroom by stepping past a protester sprawled on the floor in a dead-bird mask. Although Carvana promised mitigations to deter birds from flying into its glass tower, it never stood a chance of winning over the pre-bird crowd. Still, after hearing several hours of public objections, Skokie's trustees set aside good taste and pre-empted by a 7-1 vote that Carvana had cleared all reasonable bird-safe and wildlife safety hurdles.

The plan to build a 14-story tower demanded the structure of Carvana stand 10 feet and 6 inches above the property. We wish the company would sell, but given the uncertain state of the auto business, requiring the bond was a prudent step.

In the pandemic's early days, as the nation bunkered down, auto sales plunged and millions of cars were parked for weeks at a time. Air pollution cleared, accident frequency declined, assembly plants went idle and dealerships were deserted. Sweat formed on the brow of anyone with a financial stake in America's love for the open road.

After the initial damage was done, the industry experienced an unusual turnaround. Americans flush with cash started chasing cars like naughty dogs. Demand soared at the same time automakers were unable to meet it, mostly because of supply-chain problems.

A new, modern car requires dozens of computer chips for everything from cruise control to infotainment systems, and the scarcity of semiconductor



Carvana's glass tower lights up the night sky near 22nd Street and Interstate 88 in Oak Brook. BRETT JOHNSON / PIONEER PRESS

Automakers responded by shifting production to their most expensive models and dealers by maximizing returns on scant inventory, doubling their average profit per vehicle sold over the past year. The average price of a new car shot to \$45,183 as of December, up more than \$5,000 from June, according to the J.D. Power data service. Ford and General Motors recently warned their dealers to stop selling cars for more than the sticker price, a new company practice that once flew under the radar.

The value of used cars treated as well, with the average vehicle selling for more than \$22,000 at the end of last year, up an astonishing 4.3% from pre-pandemic levels, according to car bible Kelley Blue Book. Carvana, a fast-growing publicly held company based in Arizona that had been gaining momentum even before the pandemic, saw its stock take off as vehicle demand revived.

The Skokie project is among more than 30 Carvana vending-machine locations across the country, including in suburban Oak Brook and Schaumburg. Customers who buy cars online are given the "fun" option of picking them up at one of the towers by inserting a souvenir token and watching as the vehicle descends from its parking spot in the tall, narrow structure. A photo booth is available to capture the moment for sharing on social media.

Not our idea of a thrill but, hey, different strokes. Launched in early 2013, Carvana's vending machines are

wide. E-commerce platforms for buying and selling cars have proliferated, and Carvana contends online with everything from Car.com (once partially owned by Tribune) to Vroom. Its pandemic success has caught the attention of even more formidable competitors, notably GM, which recently launched its Carfivo online used-car platform.

At some point, maybe later this year, supply-chain problems will ease. Demand will be met and dealers will stop begging for their customers and cars to be priced again. Right now, consumers should be mindful of deceptive advertising rules if such a promise pricing demand differs from the price you see online. Perhaps anticipating an end to the current flush times, Carvana's stock has lost about half its value since its peak last summer.

At the Skokie Village Board meeting, the company made a strong case for its new tower. Carvana brought in feather-friendly consultants, agreed to install anti-bird-strike markers on its windows and expanded a previous agreement to dim its lights at night. Most convincingly, it pointed out that, under current zoning, the site could be developed into a much larger office, hotel or apartment tower, birds be damned.

To all those carrying "CarVa-NO" signs, we sympathize, but in this case, Carvana at least listened to the concerns and tried to be a good neighbor—including to those who think











Matt Asselmeier

From: Fran Klaas
Sent: Tuesday, November 30, 2021 9:17 AM
To: Matt Asselmeier; Jennifer Hughes; Rod Zenner
Cc: Scott Gengler; Scott Koeppel
Subject: RE: [External]RE: Harvey Road Question

Haven't seen any responses to this yet, so thought I'd respond in regard to jurisdiction question. Although the parcel at 1038 Harvey Road is unincorporated, Harvey Road itself at this location would be under the jurisdiction of Village of Oswego. This is because Oswego has annexed the west side of Harvey Road at this location, and so, by law, that annexation would go to the far side (east side) of the right-of-way.

Francis C. Klaas, P.E. Kendall County Engineer 6780 Route 47, Yorkville, IL 60560 (630) 553-7616 fklaas@co.kendall.il.us

From: Matt Asselmeier
Sent: Wednesday, November 24, 2021 9:22 AM
To: Jennifer Hughes <JHughes@oswegoil.org>; Rod Zenner <RZenner@oswegoil.org>
Cc: Fran Klaas <FKlaas@co.kendall.il.us>; Scott Gengler <sgengler@co.kendall.il.us>; Scott Koeppel <skoepfel@co.kendall.il.us>
Subject: RE: [External]RE: Harvey Road Question

Jennifer and Rod:

I know that I wrote this before (apparently on June 24, 2020 to be exact), but the County is likely to receive a special use permit for a landscaping business at 1038 Harvey Road.

Does the Village of Oswego control Harvey Road at this address? If yes, would Oswego require an access permit for the southern driveway at this property?

The property owner installed the southern driveway without proper permits from the County.

Does Oswego have any other concerns that they would like the property owner to address as part of the special use permit application?

Thanks,

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

From: Jennifer Hughes [<mailto:JHughes@oswegoil.org>]
Sent: Wednesday, June 24, 2020 1:19 PM
To: Matt Asselmeier <masselmeier@co.kendall.il.us>; Rod Zenner <RZenner@oswegoil.org>
Cc: Fran Klaas <FKlaas@co.kendall.il.us>; Matthew G. Prochaska <mprochaska@co.kendall.il.us>; Scott Koeppel

Matt Asselmeier

From: judd lofchie [REDACTED]
Sent: Tuesday, April 26, 2022 12:55 PM
To: Matt Asselmeier; Miguel Ángel Fernández; Natural world landscaping
Cc: Scott Koeppel; Scott Gengler; Faith D. Hook
Subject: Re: FW: [External]Re: 1038 Harvey Road Question

Dear Faith, Matt, Scott K. and Scott G.

I am sending this email concerning Matt's last email of April 21, stating that the Regional Planning Commission will not issue a recommendation for our case until we settle our issue with Oswego. Jennifer from Oswego says in her email to Matt that my client's access road must line up with Meadows Court across the street.

In my opinion, Oswego can not force my client to apply for a driveway permit. First, I don't believe the road is under the control of the Village of Oswego. Just because they annexed Brighton Ridge across the street, they would only annex to the middle of Harvey Road and not my client's side of the street.. And because my client's property is not in the Village of Oswego, how could they require him to do anything. I was told by Oswego Highway Supervisor Claude's assistant Jennifer, on March 3rd at 12:33pm that the section of Harvey Road in front of my client's house is in the Township, not the Village of Oswego.

We understand that if we annex into Oswego, we may have issues with the driveway, but we are willing to risk that currently, so we can get approved and not have to start over and move the drive. We will discuss next fall annexing into Oswego and moving the drive after we discuss this with them and my clients.

We hope to be able to move this forward Wednesday night.

Thank you.
Judd Lofchie

On Thu, Apr 21, 2022 at 3:06 PM Matt Asselmeier <masselmeier@co.kendall.il.us> wrote:

Judd:

Please see the following message from the Village of Oswego.

As has been stated previously, the Regional Planning Commission probably will not issue a recommendation unless the access issues with the Village of Oswego are addressed. Addressing these issues (i.e. having the driveway align with Meadows Court) will require changing the site plan and landscaping plan.

However, it appears the Village is offering annexation as an opportunity to avoid changing the alignment.

Please advise as to how you would like to proceed.

Thanks,

Matthew H. Asselmeier, AICP, CFM

Senior Planner

Kendall County Planning, Building & Zoning

111 West Fox Street

Yorkville, IL 60560-1498

PH: 630-553-4139

Fax: 630-553-4179

From: Jennifer Hughes [mailto:JHughes@oswegoil.org]

Sent: Thursday, April 21, 2022 2:51 PM

To: Matt Asselmeier <masselmeier@co.kendall.il.us>; Rod Zenner <RZenner@oswegoil.org>

Cc: Jay Hoover <JHoover@oswegoil.org>; Scott Koeppel <skoeppel@co.kendall.il.us>; Scott Gengler <sgengler@co.kendall.il.us>; Brian Schiber <BSchiber@oswegoil.org>

Subject: RE: [External]Re: 1038 Harvey Road Question

Matt,

They will need to apply for driveway permit on the Commercial Building permit application. Our commercial driveway detail is attached. The centerline of the drive should align with the centerline of Meadows Court. The driveway should be located off the property line to allow for drainage and any easements that may be along that property line. The ditch line needs to be surveyed to determine if a driveway culvert is required. Culverts will need to be constructed in accordance with Section 8.404B of the Subdivision Regulations.

The Village is not proposing to force annex the property at this time. If they annex, their current operation may violate our ordinances, so they could possibly be grandfathered in to what they have now, but could not expand.

Sincerely,

Jennifer Hughes, P.E., CFM

Public Works Director/Village Engineer



PH: 630.551.2366

Email: jhughes@oswegoil.org

From: Matt Asselmeier <masselmeier@co.kendall.il.us>

Sent: Monday, April 18, 2022 5:30 PM

To: Jennifer Hughes <JHughes@oswegoil.org>; Rod Zenner <RZenner@oswegoil.org>

Cc: Jay Hoover <JHoover@oswegoil.org>; Scott Koeppel <skoeppel@co.kendall.il.us>; Scott Gengler <sgengler@co.kendall.il.us>

Subject: RE: [External]Re: 1038 Harvey Road Question

Correct, but does the Village require an access permit for any driveways installed at the subject property?

Matthew H. Asselmeier, AICP, CFM

Senior Planner

Kendall County Planning, Building & Zoning

111 West Fox Street

Yorkville, IL 60560-1498

PH: 630-553-4139

Fax: 630-553-4179

From: Jennifer Hughes [<mailto:JHughes@oswegoil.org>]
Sent: Monday, April 18, 2022 4:41 PM
To: Matt Asselmeier <masselmeier@co.kendall.il.us>; Rod Zenner <RZenner@oswegoil.org>
Cc: Jay Hoover <JHoover@oswegoil.org>; Scott Koeppel <skoeppel@co.kendall.il.us>; Scott Gengler <sgengler@co.kendall.il.us>
Subject: RE: [External]Re: 1038 Harvey Road Question

The road itself is located within the Village limits by virtue of annexation of property on the far (west) side (Brighton Meadows). The subject property, however, is not located within the municipal corporate limits.

Sincerely,

Jennifer Hughes, P.E., CFM

Public Works Director/Village Engineer



PH: 630.551.2366

Email: jhughes@oswegoil.org

From: Matt Asselmeier <masselmeier@co.kendall.il.us>
Sent: Monday, April 18, 2022 8:08 AM
To: Rod Zenner <RZenner@oswegoil.org>; Jennifer Hughes <JHughes@oswegoil.org>
Cc: Jay Hoover <JHoover@oswegoil.org>; Scott Koeppel <skoeppel@co.kendall.il.us>; Scott Gengler <sgengler@co.kendall.il.us>
Subject: RE: [External]Re: 1038 Harvey Road Question

Matt Asselmeier

From: Matt Asselmeier
Sent: Wednesday, April 27, 2022 8:48 AM
To: judd lofchie
Cc: Scott Koepfel; Scott Gengler; Faith D. Hook
Subject: RE: FW: [External]RE: Harvey Road Question

Judd:

Source: https://idot.illinois.gov/Assets/uploads/files/Transportation-System/Manuals-Guides-&-Handbooks/T2/P034_JTGuide.pdf

4-5 ANNEXATIONS BY MUNICIPALITIES Pursuant to 65 ILCS 5/7-1-1, whenever a municipality annexes property: "The new boundary shall extend to the far side of any adjacent highway and shall include all of every highway within the area annexed. These highways shall be considered to be annexed even though not included in the legal description set forth in the petition for annexation." When roads under township jurisdiction are annexed by municipalities, these roads automatically become municipal streets under municipal jurisdiction (see the section below entitled 'Townships Cannot Have Jurisdiction in Municipalities' for further discussion). When roads under state or county jurisdiction are annexed by municipalities, these roads remain under state and county jurisdiction; unless a formal agreement is executed that transfers jurisdiction to another highway authority.

4-6 TOWNSHIPS CANNOT HAVE JURISDICTION IN MUNICIPALITIES Pursuant to 605 ILCS 5/6-203, a township highway commissioner has no power or jurisdiction over streets and alleys in municipalities. Therefore, when a municipality annexes property that includes a township road, the annexing municipality automatically assumes jurisdiction of that road. Pursuant to 65 ILCS 5/7-1-1, the municipality is required to notify the affected township when a proposed annexation includes a highway under that township's jurisdiction. Failure to notify the involved township can result in the municipality having to reimburse the township for any losses or liability incurred by the township for the annexed highway when that highway was already the responsibility of the municipality.

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

From: judd lofchie [mailto: [REDACTED]]
Sent: Tuesday, April 26, 2022 2:43 PM
To: Matt Asselmeier <masselmeier@co.kendall.il.us>
Cc: Scott Koepfel <skoepfel@kendallcountyil.gov>; Scott Gengler <sgengler@co.kendall.il.us>; Faith D. Hook <fhook@co.kendall.il.us>
Subject: Re: FW: [External]RE: Harvey Road Question

Thank you for responding Francis. Can you tell me what law that is? I just have never heard of that before.

On Tue, Apr 26, 2022 at 2:36 PM Matt Asselmeier <masselmeier@co.kendall.il.us> wrote:

Matt Asselmeier

From: Matt Asselmeier
Sent: Wednesday, April 27, 2022 2:39 PM
To: judd lofchie
Cc: Miguel Ángel Fernández; Natural world landscaping; Scott Koeppel; Scott Gengler; Faith D. Hook
Subject: RE: FW: [External]Re: 1038 Harvey Road Question
Attachments: Sept 2009 Google Map.jpg; July 2017 Google Map.jpg

Judd:

The plat for Brighton Ridge Subdivision was recorded at 12:14 p.m. on February 1st 2005.

Other than memory, does your client have any proof the driveway was in that location in 2002. The aerials do not show a driveway on the property until 2020. The attached images from 2009 and 2017 from Google Maps clearly show no driveway at either of those points in time.

I will bring up the request to change the hours of and season of operation at tonight's meeting.

Thanks,

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

From: judd lofchie [mailto: [REDACTED]]
Sent: Wednesday, April 27, 2022 2:06 PM
To: Matt Asselmeier <masselmeier@co.kendall.il.us>
Cc: Miguel Ángel Fernández < [REDACTED] >; Natural world landscaping <naturalworldlandscaping@gmail.com>; Scott Koeppel <skoeppel@kendallcountyil.gov>; Scott Gengler <sgengler@co.kendall.il.us>; Faith D. Hook <fhook@co.kendall.il.us>
Subject: Re: FW: [External]Re: 1038 Harvey Road Question

Matt: Please change the conditions to year around and that he can be open from 6 am to 8pm 7 days a week (just so he can do snowplowing)

I have done some more research on this matter. Brighton Ridge Subdivision was built in 2007. I am attaching the property tax record for one of the homes. I assume they were all built at the same time.

The gravel driveway at my client's house has been there since 2002. My client used to work for a company in 2000 to 2002 and he saw the gravel driveway there in 2002 (he thinks possibly 2001, but he is sure 2002). So since my client had his driveway first, Oswego can not compel us to get a driveway permit, because to think otherwise, would mean that whenever a property is annexed into Oswego, the owner across the street would have to go apply for a driveway permit. That is not legal. And that is why the Township said they will not get involved, because the gravel driveway has been there for a long time.

So we would like to proceed tonight. I think it's only fair.

We will explore annexing into Oswego, but I don't want to stop this process and start over.

Regards,

Judd Lofchie

On Tue, Apr 26, 2022 at 2:15 PM Matt Asselmeier <masselmeier@co.kendall.il.us> wrote:

Judd:

What would be the earliest that the business would start operations? What would be the latest the business would like to stay open? Please include any necessary time preparing for leaving and putting things away in the hours of operation.

Thanks,

Matthew H. Asselmeier, AICP, CFM

Senior Planner

Kendall County Planning, Building & Zoning

111 West Fox Street

Yorkville, IL 60560-1498

PH: 630-553-4139

Fax: 630-553-4179

From: judd lofchie [mailto:judd1299@gmail.com]

Sent: Tuesday, April 26, 2022 2:11 PM

To: Matt Asselmeier <masselmeier@co.kendall.il.us>

Cc: Miguel Ángel Fernández <mafernandezesq@gmail.com>; Natural world landscaping <naturalworldlandscaping@gmail.com>; Scott Koeppel <skoeppele@kendallcountyil.gov>; Scott Gengler <sgengler@co.kendall.il.us>; Faith D. Hook <fhook@co.kendall.il.us>

Subject: Re: FW: [External]Re: 1038 Harvey Road Question





FAX

TO:	Matt Asselmeier	FROM:	Tim O'Brien
FAX:	630-553-4179	FAX:	
PHONE:	630-553-4139	PHONE:	[REDACTED]
SUBJECT:	Moratorium	DATE:	4/26/2022

COMMENTS Attached are minutes from March 8, 2022 meeting page 3 "D" showing 6 months

04/12/2022**page 3 of 3**

- B.** Supervisor O'Brien designated himself as Auditing Official for Seward Township. Motion to approve his designation was made by Trustee Roberts and second by Trustee Fleming. All in favor, motion carried. Action taken as indicated on Agenda
- C.** Trustee Martin directed a question to Clerk Trost regarding her request to appoint a Deputy Clerk and she went on to explain her reasons for such request, sickness, family emergencies, future plans within the Road District to include the initiation of an accounting system to better track expenditures. Discussion within the Board continued and as indicated on the Agenda NO action was taken.
- D.** Duration of the Moratorium was changed from 12 months to 6 months. Motion by Trustee Fleming, second by Trustee Martin. All in favor, motion carried
Motion to be filed at Kendall County. Action taken as indicated on the agenda
- E.** Discussion regarding Staples and no action was taken as indicated on the Agenda.
- F.** Trustee Martin indicated that he and Supervisor O'Brien made a very informal trip to visit a few Bank's to look into doing something different with the accounts. They had a discussion with the township attorney, and his suggestion was to request a proposal. Our current Bank was going to provide information necessary to obtain proposals. Motion to issue a Request for Proposal for Bank Services was made by Trustee Martin, second by Trustee Smith. All in favor, motion carried. Action taken as indicated on the Agenda
- G.** Annual Meeting Agenda, correction to time of meeting is 7:30PM. Regular monthly Meeting of the Board is at 7:00PM. Trustee Roberts questioned the line item to pay the Moderator, and attorney Buck indicated that is standard practice. Motion to approve the agenda with time and date correction was made by Trustee Roberts, second by Trustee Martin. All in favor Trustee Martin, Roberts and Fleming. Trustee Smith voting NO. Motion carried. Action taken as indicated on the Agenda

(16) EXECUTIVE SESSION: Tabled as not needed

(17) ADJOURNMENT: Motion to Adjourn was made by Trustee Martin, second by Trustee Fleming ALL IN FAVOR - YES
Meeting adjourned at 8:40 PM

Next meeting of the Seward Township Board on 4/12/2022 at 7:00 PM
Seward Township Annual Meeting to be held on 4/12/2022 at 7:30 PM

APRIL 12, 2022 ATTEST, Sheila A Trost, Clerk Seward Township

Matt Asselmeier

From: Tim O'Brien <sewtow@aol.com>
Sent: Tuesday, April 26, 2022 5:18 PM
To: Matt Asselmeier
Cc: jprodehl@yahoo.com
Subject: [External]Kendall Moratorium

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

Matt:

I faxed over a copy of the minutes from the March 2022 meeting showing the change from 12 months to 6 months on the moratorium.

Will you allow this to be tabled until after the county board decides on the updated comp plan?

Please advise.

Thank you.

Tim O'Brien
Supervisor, Seward Township



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: Kendall County Regional Planning Commission**From:** Matthew H. Asselmeier, AICP, CFM Senior Planner**Date:** 4/18/2022**Subject:** Potential Changes to the Future Land Use Map Along the Eldamain Road Corridor

In October 2020, the Kendall County Comprehensive Land Plan and Ordinance Committee initiated discussions regarding changing the Future Land Use Map for properties located along the Eldamain Road Corridor south of the Fox River, in light of the funding for the Eldamain Road Bridge and the abandonment of the centerline for the Prairie Parkway. In particular, the Committee discussed possible commercial and/or manufacturing investment in this area.

The Kendall County Future Land Use Map currently calls for this area to be Rural Residential (Max Density 0.65 DU/Acre) and Mixed Use Business. A copy of the existing Future Land Use Map is attached.

The Yorkville Future Land Use Map currently calls for this area to be Estate Residential. The Millbrook Future Land Use Map currently calls for this area to be Business Park Office and Commercial with Industrial near the former Prairie Parkway alignment. The Plano Future Land Use Map currently calls for the area in their planning jurisdiction to be Estate Residential (0-0.8 DU/Acre). Copies of all of the Future Land Use Maps for this area are attached.

Following meetings with property owners in the area in October and December 2021, the Committee decided to limit changes to three (3) properties along the railroad tracks west of Fox Road. Letters to impacted property owners were mailed in mid-December 2021, mid-February 2022, and mid-March 2022.

At their meeting on February 23, 2022, the Comprehensive Land and Ordinance Committee voted to forward the proposal to the Kendall County Regional Planning Commission.

At their meeting on March 24, 2022, the Kendall County Regional Planning Commission voted to initiate the amendment to the Future Land Use Map.

A copy of the updated map is attached.

Petition information will be sent to Fox Township, the Village of Millbrook, and the United City of Yorkville on March 29, 2022. Yorkville will be reviewing this proposal in May and June.

ZPAC reviewed the proposal at their meeting on April 5, 2022. Mr. Klaas felt that no commercial or industrial development would occur on the subject properties unless they were annexed into a municipality. Discussion also occurred regarding the boundary agreements of the municipalities in the area. ZPAC recommended approval of the proposal by a vote of six (6) in favor and zero (0) in opposition with four (4) members absent. The minutes of the meeting are attached.

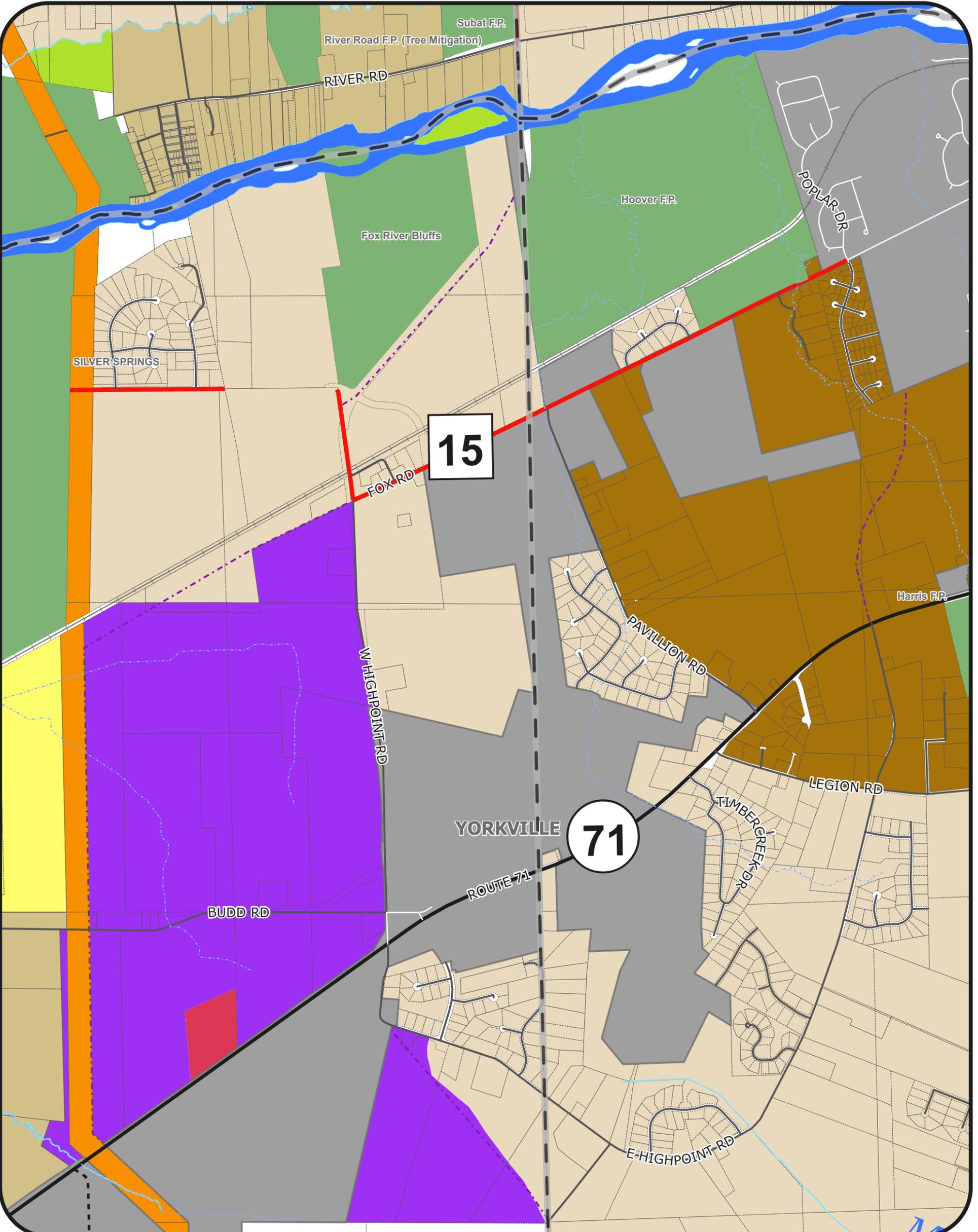
If you have any questions regarding this memo, please let me know.

Thanks,

MHA

Encs.: Kendall County Future Land Use Map
Proposed Changes to Kendall County Future Land Use Map
United City of Yorkville Future Land Use Map
Village of Millbrook Future Land Use Map
City of Plano Future Land Use Map
April 5, 2022 ZPAC Meeting Minutes (This Petition Only)
April 14, 2022 Yorkville Email

Future Land Use Plan in Kendall County, IL

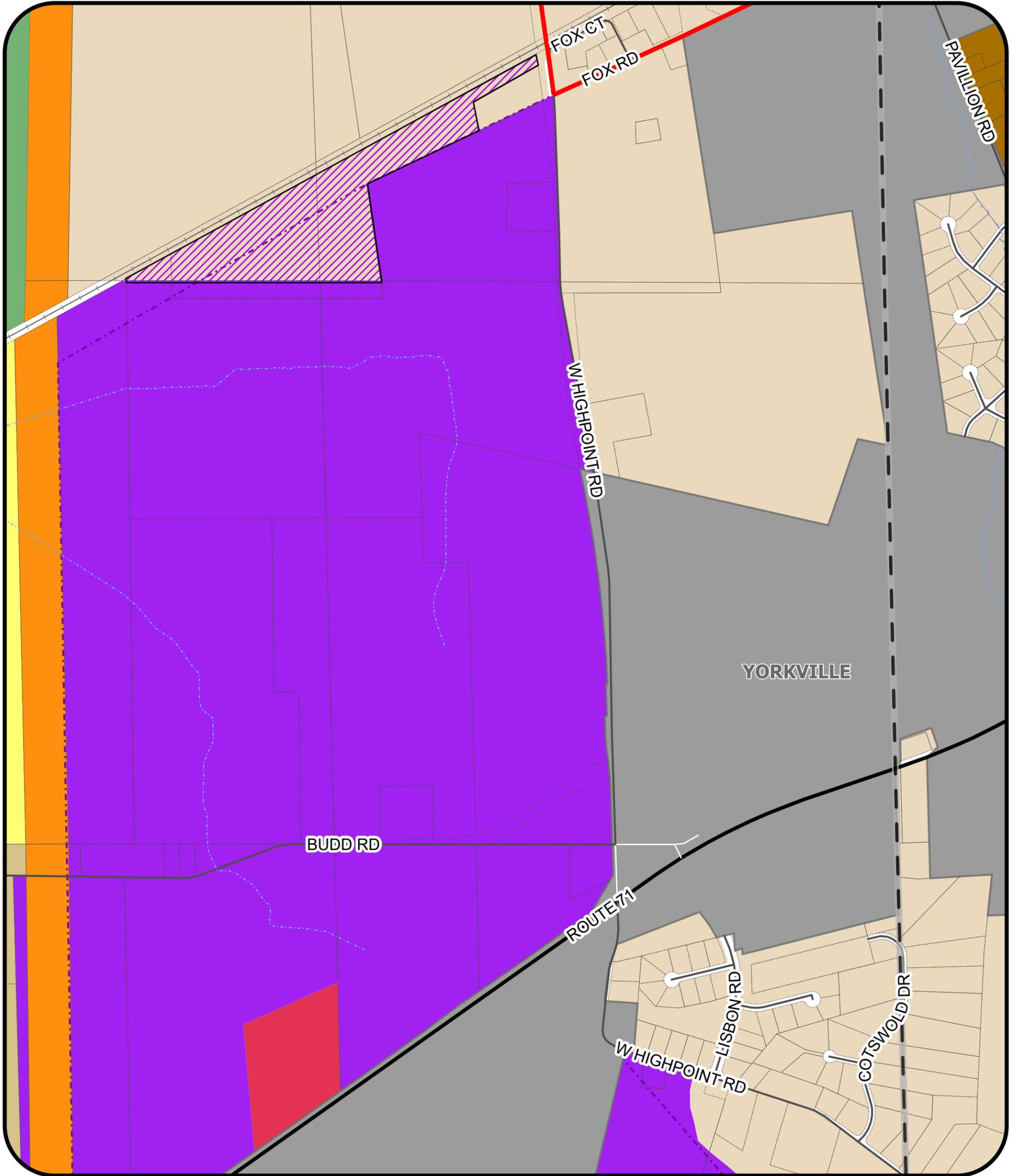


TOWNSHIPS	RURAL RESIDENTIAL MAX DENSITY 0.65 DU ACRES	COUNTRYSIDE RESIDENTIAL MAX DENSITY 0.33 DU ACRE	COMMONWEALTH EDISON	AGRICULTURE
URBAN AREAS - INCORPORATED	RURAL ESTATE RESEDENTIAL MAX DENSITY 0.45 DU ACRE	COMMERCIAL	TRANSPORTATION CORRIDORS	FOREST
SUBURBAN RESIDENTIAL - MAX DENSITY 1.00 DU ACRES		MIXED USE BUSINESS	MINING	PRESERVE / STATE PARKS
			POTENTIAL MINING DISTRICT	OPEN SPACE
			PUBLIC/ INSTITUTIONAL	PROPOSED ROADWAY IMPROVEMENTS



Kendall County GIS
 111 West Fox Street - Room 308
 Yorkville, Illinois 60560
 630.553.4212

Proposed Future Land Use Plan



LAND USE TYPE

URBAN AREAS - INCORPORATED

SUBURBAN RESIDENTIAL - MAX DENSITY 1.00 DU ACRES

RURAL RESIDENTIAL MAX DENSITY 0.65 DU ACRES

RURAL ESTATE RESEDENTIAL MAX DENSITY 0.45 DU ACRE

COUNTRYSIDE RESIDENTIAL MAX DENSITY 0.33 DU ACRE

COMMERCIAL

MIXED USE BUSINESS

COMMONWEALTH EDISON

PROPOSED ROADWAY IMPROVEMENTS

TOWNSHIPS

PROPOSED MIXED USE BUSINESS



Miles

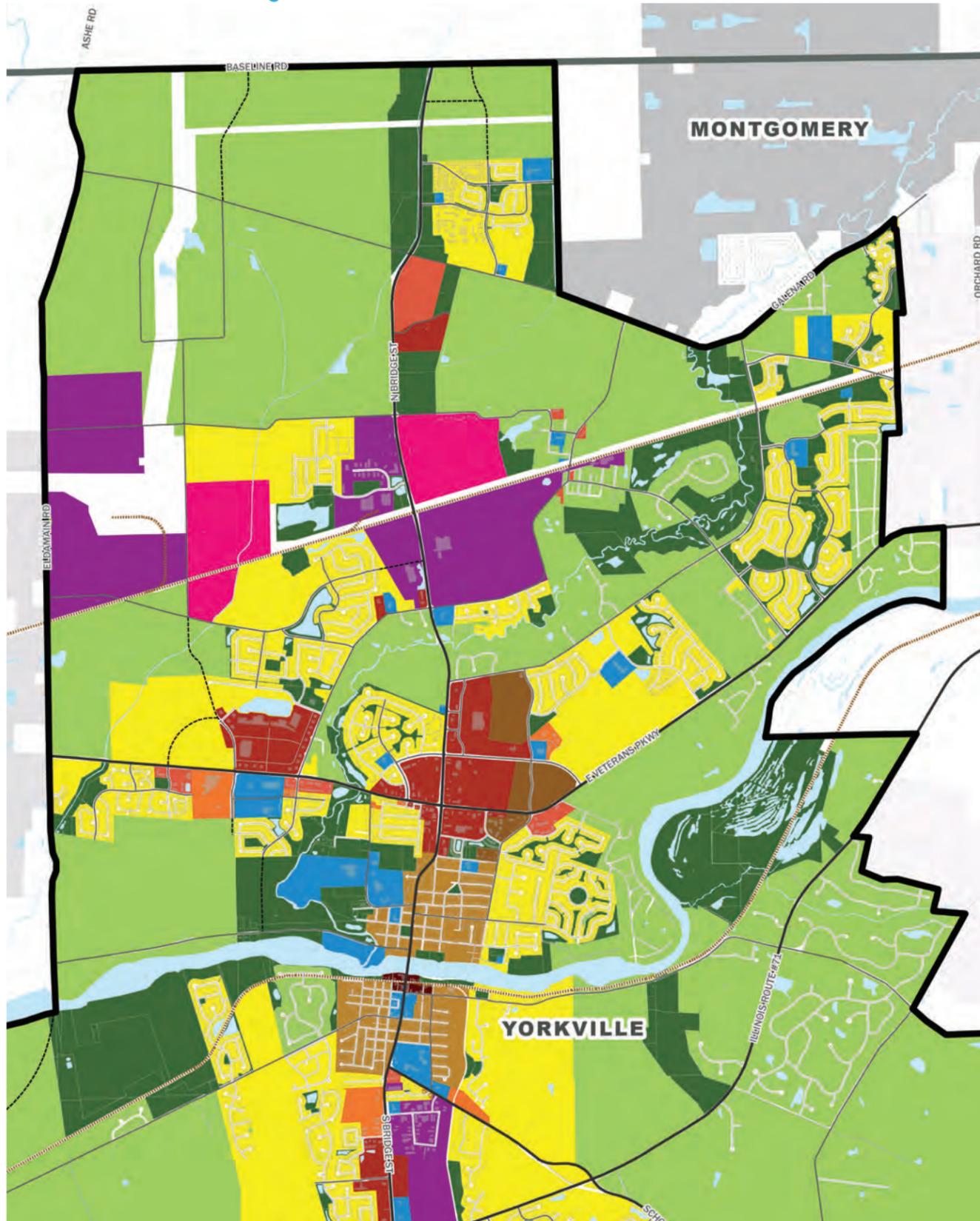


Kendall County GIS

111 West Fox Street - Room 308
Yorkville, Illinois 60560
630.553.4212

Created: 12/27/2021

Figure 4.1: Future Land Uses North of the Fox River



LAND USE CHANGES

The Land Use Strategy and Future Land Use Map presented above describes the distribution of general land use categories (Residential, Commercial, industrial, Open Space and Parks, and so on) that will set the framework for achieving the goals of the Comprehensive Plan. It is not a zoning map but should set the stage for future changes and modifications to the Yorkville Zoning Ordinance. The Land Use Strategy seeks to “re-position” Yorkville’s future land use pattern given current development conditions in Yorkville since the 2008 economic downturn and the unlikelihood that the Prairie Parkway will be constructed within this Plan’s time horizon. Several changes in land use classifications are proposed from those included in the 2008 Comprehensive Plan. Changes in the land use categories are summarized below:

RESIDENTIAL

A Mid-Density Residential land use zone is proposed in order to encourage new multi-family housing types in Yorkville; new housing types could diversify housing opportunities and provide housing at different price points that what is currently offered in Yorkville’s housing market. The Rural Neighborhood land use classification in the 2008 Comprehensive Plan is eliminated given that such residential development is unlikely to occur in the southeastern portions of the Yorkville planning area where there are significant infrastructure and market constraints. The primary infrastructure constraint is the need to construct a lift station along a ridge line, generally located south of Illinois Route 71. In its place, an Estate/Conservation Residential land use category has been created to accommodate large-lot residential development in areas where infrastructure exists and smaller-lot single family residential subdivisions are less likely

to be supported by market demand. Conservation subdivisions should also be encouraged in order to preserve significant environmental and topographical features, provide alternative housing types, and provide opportunities to expand Yorkville’s open space network. A Metra Station TOD zone is also included to plan accordingly for future development even if the Metra Station is years away from construction.

COMMERCIAL

Several new commercial land use categories are suggested in this Comprehensive Plan. A Downtown Mixed-Use Core zone is intended to focus revitalization and redevelopment efforts in Yorkville’s traditional downtown; new mixed-use development is envisioned on various opportunity sites that expand the Downtown’s footprint further to the east on Van Emmon Street with potential residential and commercial development. The need to address particular development design and land use issues within the Downtown necessitates the need for a Downtown-specific land use classification.

The general Commercial land use classification in the 2008 Plan is now designated Destination Commercial to recognize that a high percentage of commercial land in Yorkville accommodates large format and chain store formats, usually located along major transportation thoroughfares. Destination Commercial uses have their own particular physical design and development issues and should be distinguished from commercial uses located in the Downtown and in neighborhood retail areas.

A Commercial Office land use category has been created to accommodate small-scaled office uses in single developments or as part of an office park setting;

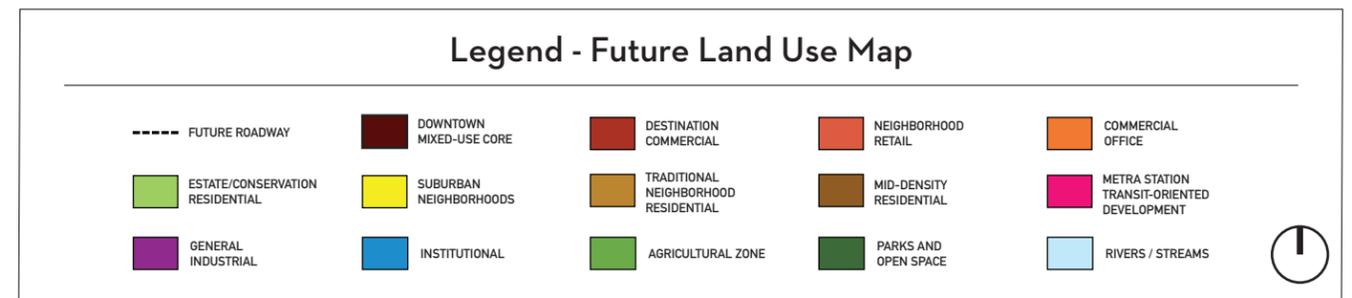


Figure 4.1 - Future Land Uses North of the Fox River

Figure 4.2: Future Land Uses South of the Fox River

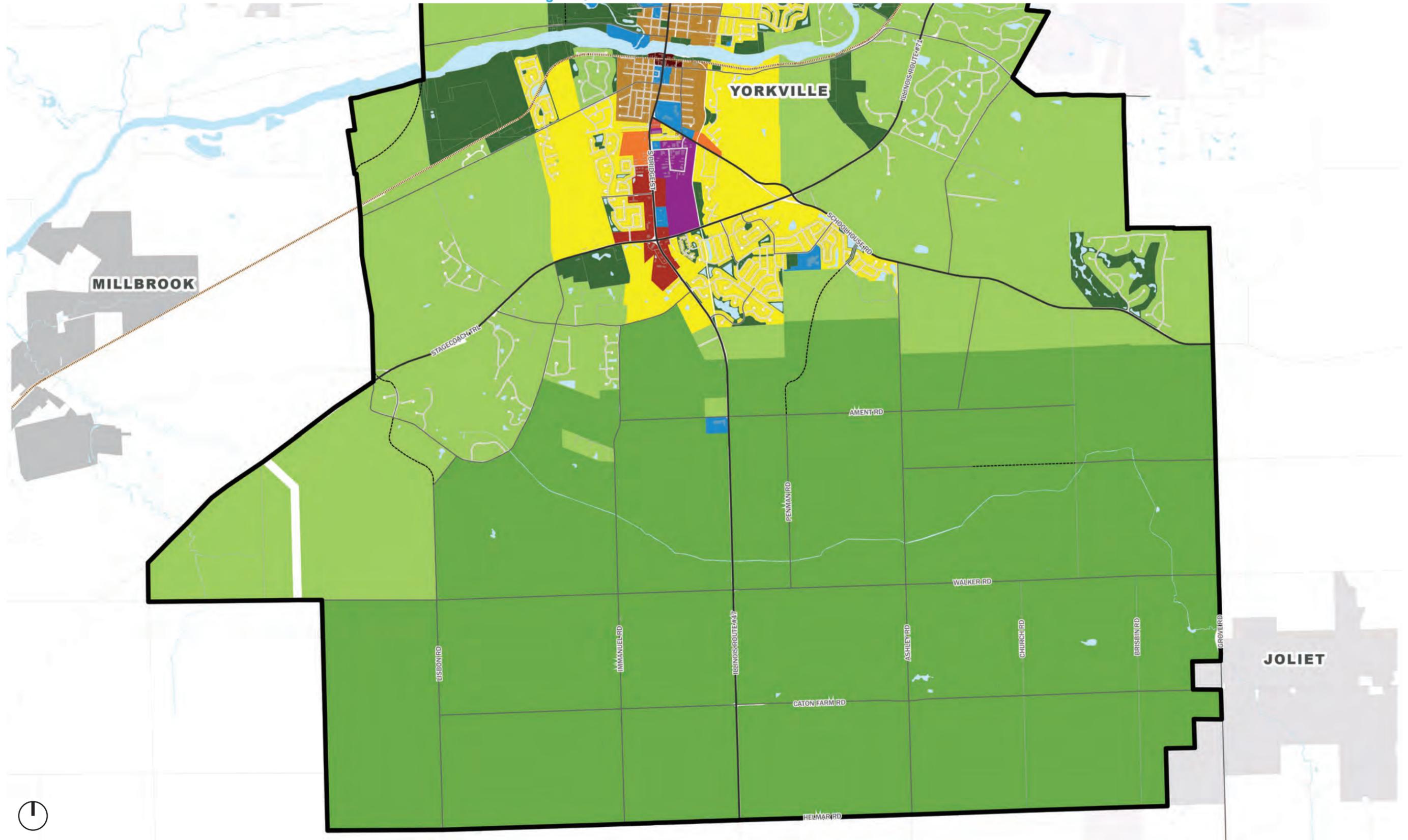
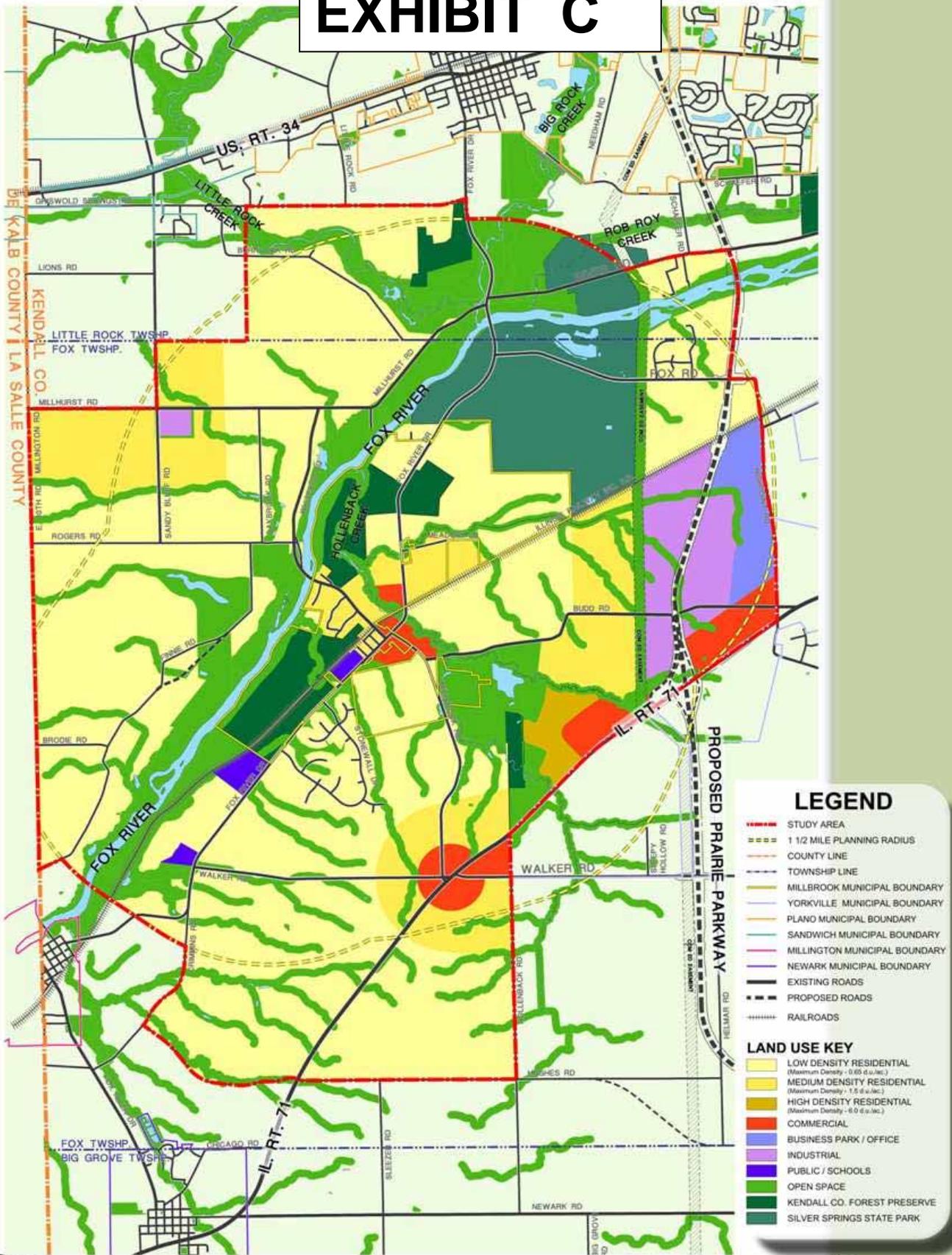


EXHIBIT C



LEGEND

- STUDY AREA
- 1 1/2 MILE PLANNING RADIUS
- COUNTY LINE
- TOWNSHIP LINE
- MILLBROOK MUNICIPAL BOUNDARY
- YORKVILLE MUNICIPAL BOUNDARY
- PLANO MUNICIPAL BOUNDARY
- SANDWICH MUNICIPAL BOUNDARY
- MILLINGTON MUNICIPAL BOUNDARY
- NEWARK MUNICIPAL BOUNDARY
- EXISTING ROADS
- PROPOSED ROADS
- RAILROADS

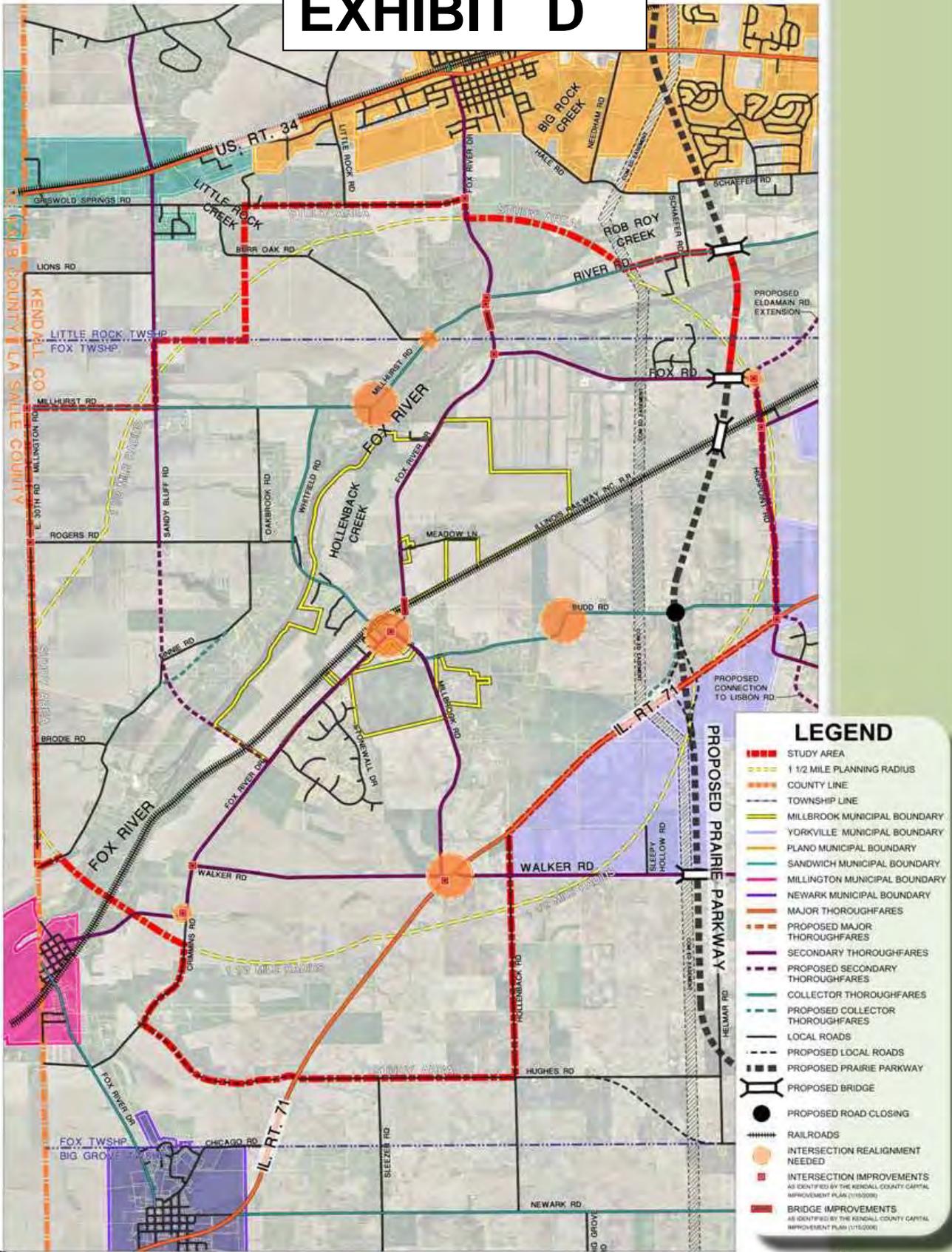
LAND USE KEY

- LOW DENSITY RESIDENTIAL
(Maximum Density - 0.65 d.u./ac.)
- MEDIUM DENSITY RESIDENTIAL
(Maximum Density - 1.5 d.u./ac.)
- HIGH DENSITY RESIDENTIAL
(Maximum Density - 6.0 d.u./ac.)
- COMMERCIAL
- BUSINESS PARK / OFFICE
- INDUSTRIAL
- PUBLIC / SCHOOLS
- OPEN SPACE
- KENDALL CO. FOREST PRESERVE
- SILVER SPRINGS STATE PARK

FUTURE LAND USE PLAN - DRAFT



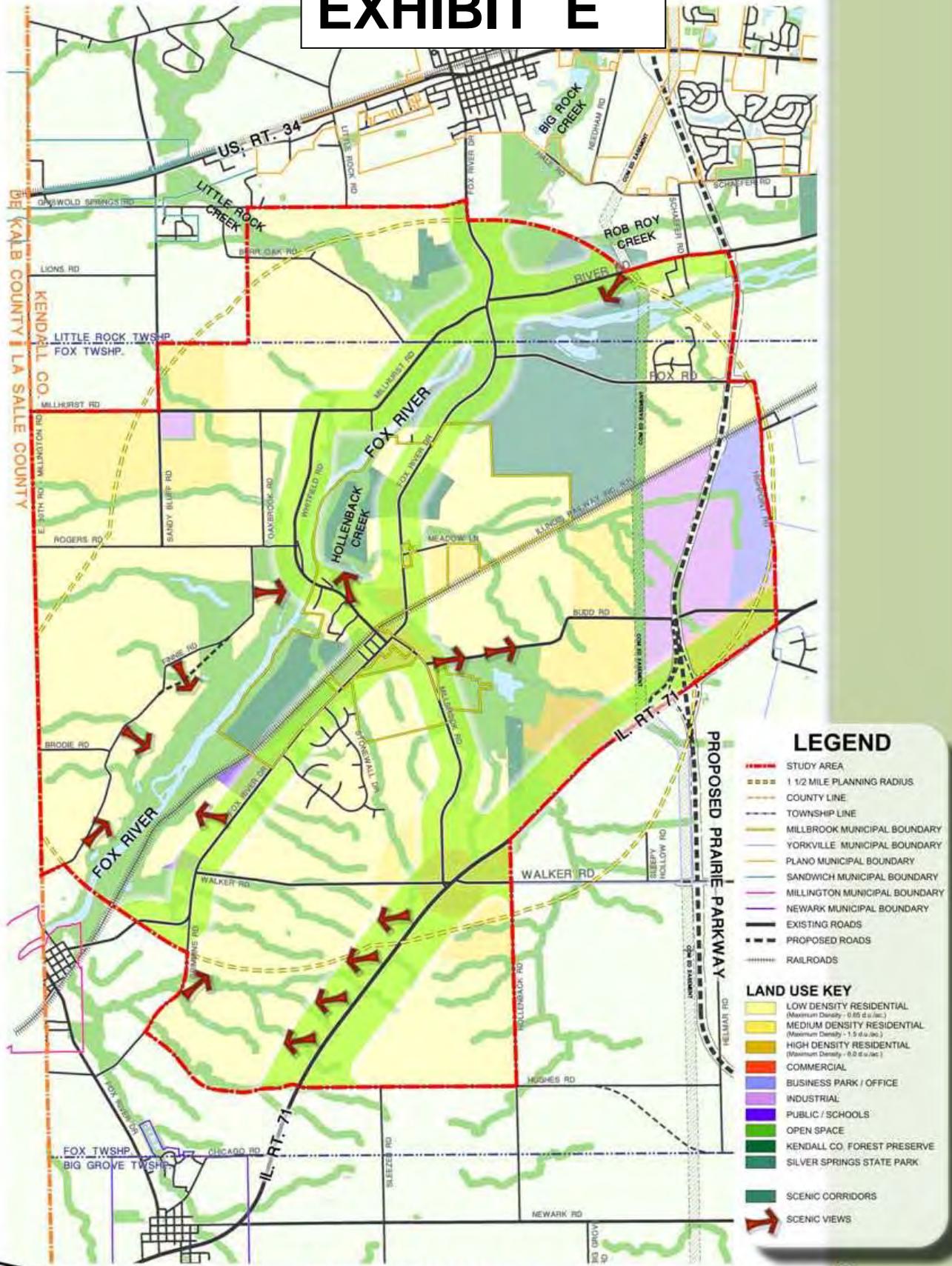
EXHIBIT D



TRANSPORTATION PLAN - DRAFT



EXHIBIT E

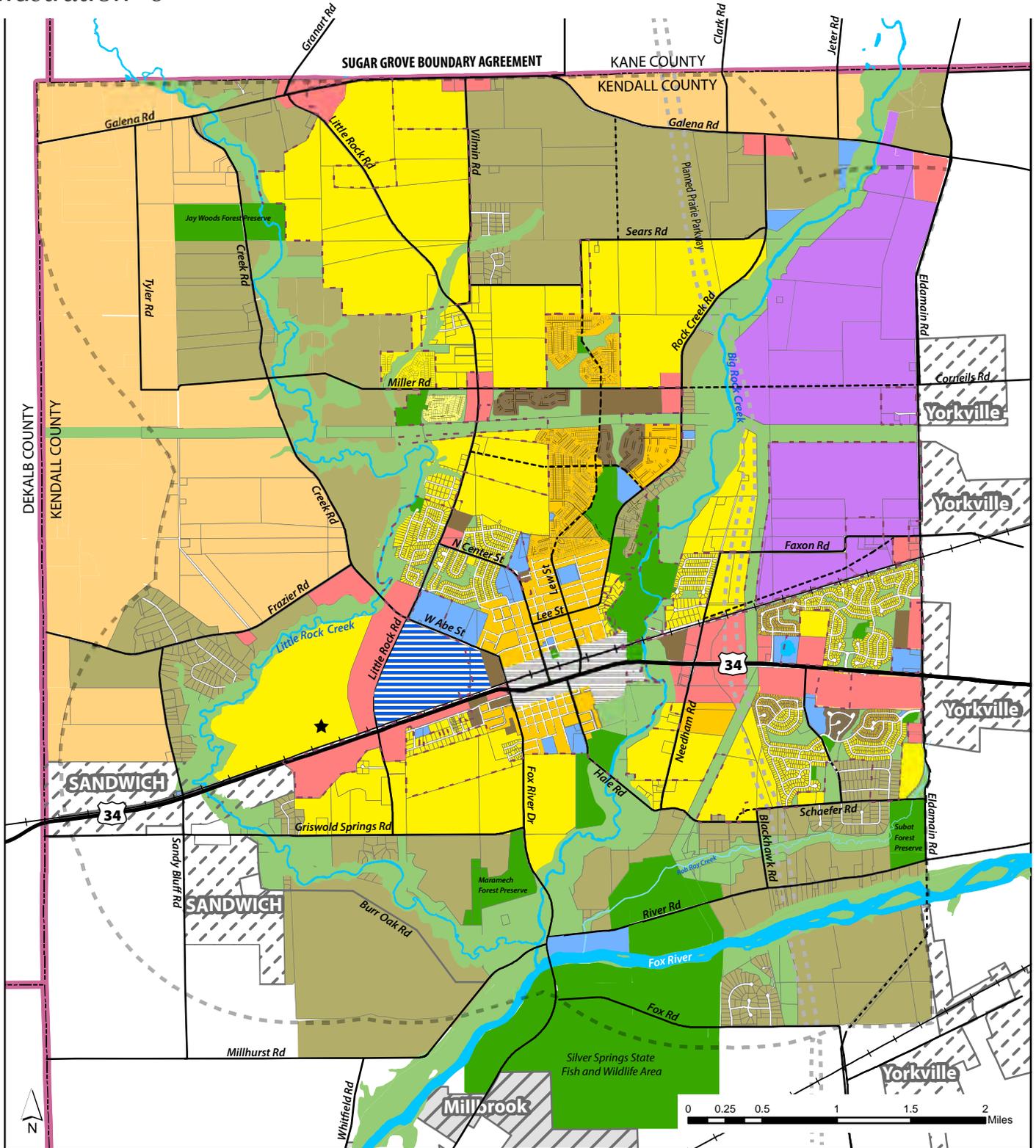


SCENIC CORRIDORS - DRAFT

NORTH
Scale: 1" = 1,320'



Illustration 6



Future Land Use



- Agricultural
 - Estate Residential (0 - .8 DU/AC)
 - Low Density Residential (.9 - 2.25 DU/AC)
 - Medium Density Residential (2.26 - 6 DU/AC)*
 - High Density Residential (>6 DU/AC)*
 - Parks
 - Open Space
 - General Business
 - Institutional/Public
 - Industrial/Office/Research
 - Transit Oriented Development
 - City Center Mixed Use
 - Plano Boundary
 - Planning Boundary
 - Proposed Roadway
 - Planned Prairie Parkway
 - ★ Alternate Transit Oriented Development
- *Existing built densities are not planned to increase

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
April 5, 2022 – Unapproved Meeting Minutes**

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

Present:

Matt Asselmeier – PBZ Department
Meagan Briganti – GIS Department
Scott Gengler – PBZ Committee Chair
Fran Klaas – Highway Department
Commander Jason Langston – Sheriff's Department
Aaron Rybski – Health Department

Absent:

Greg Chismark – WBK Engineering, LLC
David Guritz – Forest Preserve
Brian Holdiman – PBZ Department
Alyse Olson – Soil and Water Conservation District

Audience:

None

PETITIONS

Petition 22-09 Kendall County Regional Planning Commission

Mr. Asselmeier summarized the request.

In October 2020, the Kendall County Comprehensive Land Plan and Ordinance Committee initiated discussions regarding changing the Future Land Use Map for properties located along the Eldamain Road Corridor south of the Fox River, in light of the funding for the Eldamain Road Bridge and the abandonment of the centerline for the Prairie Parkway. In particular, the Committee discussed possible commercial and/or manufacturing investment in this area.

The Kendall County Future Land Use Map currently calls for this area to be Rural Residential (Max Density 0.65 DU/Acre) and Mixed Use Business. A copy of the existing Future Land Use Map was provided.

The Yorkville Future Land Use Map currently calls for this area to be Estate Residential. The Millbrook Future Land Use Map currently calls for this area to be Business Park Office and Commercial with Industrial near the former Prairie Parkway alignment. The Plano Future Land Use Map currently calls for the area in their planning jurisdiction to be Estate Residential (0-0.8 DU/Acre). Copies of all of the Future Land Use Maps for this area were provided.

Following meetings with property owners in the area in October and December 2021, the Committee decided to limit changes to three (3) properties along the railroad tracks west of Fox Road. Letters to impacted property owners were mailed in mid-December 2021, mid-February 2022, and mid-March 2022.

At their meeting on February 23, 2022, the Comprehensive Land and Ordinance Committee voted to forward the proposal to the Kendall County Regional Planning Commission.

At their meeting on March 24, 2022, the Kendall County Regional Planning Commission voted to initiate the amendment to the Future Land Use Map.

A copy of the updated map was provided.

Petition information will be sent to Fox Township, the Village of Millbrook, and the United City of Yorkville on March 29, 2022.

Mr. Klaas asked if Yorkville and Plano had a boundary agreement in this area. Mr. Asselmeier responded that Yorkville's boundary is Highpoint Road and Plano's extraterritorial planning area did not extend to the subject properties. Yorkville did not have a boundary agreement with Millbrook.

Mr. Klaas felt that any commercial and industrial developments in this area would probably be annexed to a municipality.

Mr. Asselmeier noted that to reclassify the property to Residential would be easier than to obtain that a Mixed Use Business classification.

Commander Langston asked if the owners of the house at 12565 Fox Road objected to the request. Mr. Asselmeier responded that no objections had been received.

Mr. Rybski clarified the request was for a reclassification on the Future Land Use Map and not the rezoning of the properties.

Mr. Rybski made a motion, seconded by Ms. Briganti, to recommend approval of the requested change to the Future Land Use Map.

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

The proposal goes to the Kendall County Regional Planning Commission on April 27, 2022.

PUBLIC COMMENT

None

ADJOURNMENT

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

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

The ZPAC, at 9:27 a.m., adjourned.

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

Matt Asselmeier

From: Jason Engberg <jengberg@yorkville.il.us>
Sent: Thursday, April 14, 2022 9:54 AM
To: Matt Asselmeier
Cc: Krysti Barksdale-Noble
Subject: [External]RE: Kendall County Petition 22-09 Question

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

Hi Matt,

The tentative schedule is:

- EDC – May 3rd @ 6:00PM
- PZC – June 8th @ 7:00PM
- City Council – June 28th @ 7:00PM

Please let me know if you have any more questions.

Thanks,
Jason

From: Matt Asselmeier <masselmeier@co.kendall.il.us>
Sent: Thursday, April 14, 2022 8:16 AM
To: Jason Engberg <jengberg@yorkville.il.us>
Cc: Krysti Barksdale-Noble <knoble@yorkville.il.us>
Subject: Kendall County Petition 22-09 Question

Jason:

What are the dates for the Yorkville meetings regarding this Petition?

Thanks,

Matthew H. Asselmeier, AICP, CFM
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
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