

MINUTES – UNOFFICIAL UNTIL APPROVED
KENDALL COUNTY
ZONING BOARD OF APPEALS MEETING
111 WEST FOX STREET, COUNTY BOARD ROOM (ROOMS 209 and 210)
YORKVILLE, IL 60560
October 28, 2024 – 7:00 p.m.

CALL TO ORDER

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

ROLL CALL:

Members Present: Cliff Fox, Tom LeCuyer, Randy Mohr, Jillian Prodehl, and Dick Thompson

Members Absent: Scott Cherry and Dick Whitfield

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

Others Present: Dan Kramer, Peter Pasteris, Blake Carrescia, Michaela Carrescia, Melissa Lopez, Scott Lindahl, Greg Dady, and Luiz Rodriguez

Chairman Mohr swore in Dan Kramer, Peter Pasteris, Blake Carrescia, Michaela Carrescia, Melissa Lopez, Scott Lindahl, and Greg Dady.

PETITIONS:

The Zoning Board of Appeals started their review of Petition 24-26 at 7:02 p.m.

Petition 24 – 26 – Timothy A. Tremain

Request: Map Amendment Rezoning the Subject Property from R-1 One Family Residential District to R-3 One Family Residential

PINs: 02-30-400-013 and 02-31-201-014

Location: Between 11237 and 11209 River Road, Plano in Bristol Township

Purpose: Petitioner Wants to Rezone the Property to Build Two Houses

Purpose: Petitioner Would Like to Install a Commercial Solar Energy Facility; Property is Zoned A-1

Mr. Asselmeier summarized the request.

The Petitioners would like a map amendment rezoning approximately three point six more or less (3.6 +/-) acres located on north side of River Road between 11327 and 11209 River Road from R-1 One Family Residential District to R-3 One Family Residential District in order to build two (2) houses at the property.

The property was rezoned in 2007 by Ordinance 2007-03 and is Lot 1 of the Glen Nelson Subdivision.

The property is less than ten (10) acres in size as is eligible for rezoning under Section 8:07.H of the Kendall County Zoning Ordinance.

As of the date of this hearing, the Petitioner has not indicated if they will be dividing the land through a Plat Act Exemption or if they will be pursuing a re-subdivision of the property.

The application materials and zoning plat were provided.

The property is approximately three point six (3.6) acres in size.

The County's Future Land Use Map calls for the property to be Rural Residential. The United City of Yorkville's Future Land Use Map calls for the property to be Estate/Conservation Residential.

River Road is a Township maintained Minor Collector.

The zoning plat shows a fifteen foot (15') trail easement along the southern portion of the property.

There are no floodplains or wetlands on the property.

The adjacent land uses are Agricultural, Wooded, Single-Family Residential, and a Private Road.

The adjacent properties are zoned A-1, R-1, and R-3.

The County's Future Land Use Map calls for the area to Rural Residential. The United City of Yorkville's Future Land Use Map calls for the area to be Estate/Conservation Residential.

Properties within one half (1/2) mile are zoned A-1, A-1 SU, and R-3 in the County and Residential inside Yorkville south of the Fox River.

The A-1 special use permits to the east is for a campground (PNA Camp).

EcoCAT Report submitted and consultation was terminated; there were protected resources in the area, but adverse impacts were unlikely.

The application for NRI was submitted on August 20, 2024. The LESA Score was 141 indicating a low level of protection. The NRI was provided.

Petition information was sent to Bristol Township on August 23, 2024. Bristol Township had no concerns regarding the proposal. A letter from Bristol Township was provided.

Petition information was sent to the United City of Yorkville on August 23, 2024. The Yorkville Planning and Zoning Commission reviewed the proposal at their meeting on October 9, 2024, and recommended favorably of the proposal. An email to that effect was provided. The Yorkville City Council issued a positive recommendation at their meeting on October 22, 2024. An email to that effect was provided.

Petition information was sent to the Bristol-Kendall Fire Protection District on August 23, 2024. No comments received.

ZPAC reviewed the proposal at their meeting on September 3, 2024. The Petitioner's Attorney provided a history of the subdivision and the Petitioner's plan to build houses on the subject property. Any new houses would use the existing private road to access River Road; there would be no new cuts on River

Road. Discussion occurred regarding the Estate/Conservation Residential classification in Yorkville's plan; this designation was placed on properties where Yorkville had not conducted a large amount of analysis of future land uses. Discussion also occurred regarding the trail easement. The earliest the Petitioner would construct houses would be 2025. ZPAC recommended approval of the proposal by a vote of seven (7) in favor and zero (0) in opposition with three (3) members absent. The minutes of the meeting were provided.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on October 23, 2024. The Kendall County Regional Planning Commission reviewed this proposal at their meeting on October 23, 2024. Discussion occurred regarding driveway locations; they would come off of Glen Nelson Drive and not River Road. Discussion also occurred regarding ownership responsibilities of Glen Nelson Drive. The Kendall County Regional Planning Commission recommended approval of the proposal by a vote of nine (9) in favor and zero (0) in opposition with one (1) member absent. The minutes of the meeting were provided.

The Petitioner would like to rezone the property in order to build a maximum of two (2) houses on the property.

The site is currently vacant. Any future buildings would have to meet applicable building codes.

No utility information was provided.

The property fronts Glen Nelson Drive, which is a private road. The zoning plat noted that the property cannot access River Road.

Any parking would be for residential purposes.

Based on the proposed uses, no new odors were foreseen.

Lighting would be for residential purposes and would have to follow applicable ordinances.

Landscaping would be for residential uses.

Signage would be for residential purposes and would have to meet applicable regulations.

The owners of the property would have to follow applicable noise control regulations based on residential uses.

Stormwater control would be evaluated as part of the building permit.

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 and single-family residential purposes.

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1, R-1, and R-3. In particular, the properties immediate south of the subject property are zoned R-3.

The suitability of the property in question for the uses permitted under the existing zoning classification. One (1) single-family home could be built on the subject property under the present R-1 zoning classification. If a property owner wanted to construct additional homes, a map amendment to a zoning district that allows for small lots, such as the R-3 zoning classification, would be needed.

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.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The subject property is classified as Rural Residential on the Future Land Use Map and the R-3 Zoning District is consistent with this land classification.

Staff recommended approval of the proposed map amendment.

Chairman Mohr opened the public hearing at 7:08 p.m.

Dan Kramer, Attorney for the Petitioner, spoke about Mr. Tremain's plans on building a home on Lot B, a two point one three (2.13) acre lot. The property is mostly bare and prospective buyers want smaller lots because of less lawn maintenance. Mr. Tremain and his wife plan on putting in a large flower garden along River Road in the front. Glen Nelson Road, which is a private road, provides access to both properties. There is no access to River Road.

Discussion occurred regarding ownership of Glen Nelson Drive. Mr. Kramer, explained that the lot owners in Glen Nelson Subdivision share responsibilities related to the maintenance of the road.

Chairman Mohr asked if the homes will be facing west because there will not be any road cuts to River Road. Mr. Asselmeier stated the lots would face west.

Chairman Mohr adjourned the public hearing at 7:11 p.m.

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

The votes were as follows:

Ayes (5): Fox, LeCuyer, Mohr, Prodehl, and Thompson
Nays (0): None
Abstain (0): None
Absent (2): Cherry and Whitfield

The motion carried.

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

The votes were as follows:

Ayes (5): Fox, LeCuyer, Mohr, Prodehl, and Thompson
Nays (0): None
Abstain (0): None
Absent (2): Cherry and Whitfield

The motion carried.

The proposal goes to the Kendall County Planning, Building and Zoning Committee on November 12, 2024.

The Zoning Board of Appeals completed their review of Petition 24-26 at 7:13 p.m.

PUBLIC COMMENTS

Mr. Asselmeier reported that the application deadline for the next hearing is in mid-November. To date, the applications are a special use permit for a solar farm on Ament Road and text amendments related to the enforcement of window sign regulations, adding parks to the list of permitted uses to the R-4, R-5, R-6 and R-7 districts, and allowing parking in the rear of front yard setbacks, which would be seventy-five feet (75') for properties without a dedicated right-of-way and fifty feet (50') for properties with a dedicated right-of-way for property zoned A-1. A text amendment reducing the setback of pipelines from principal structures from five hundred feet (500') to twenty-five feet (25') is also proposed.

Regarding Petition 24-29, Mr. Asselmeier stated the Petitioner can apply for an Administrative Variance of ten percent (10%) or less as long as the neighbors don't object to the request.

Starting in January, the meetings will be in the Historic Courthouse, if the construction schedule goes forward as proposed.

ADJOURNMENT OF THE ZONING BOARD OF APPEALS

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

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

The Zoning Board of Appeals meeting adjourned at 8:36 p.m.

The next regularly scheduled meeting/hearing will be on Monday, December 16, 2024.

Respectfully submitted by,

Wanda A Rolf

Planning, Building and Zoning Part-Time Administrative Assistant

Exhibits

1. Memo on Petition 24-26 Dated October 24, 2024
2. Certificate of Publication for Petition 24-26 (Not Included with Report but on file in Planning, Building and Zoning Office)



**KENDALL COUNTY
ZONING BOARD OF APPEALS
OCTOBER 28, 2024**

In order to be allowed to present any testimony, make any comment, engage in cross-examination, or ask any question during this public hearing, you must enter your name, address, and signature on this form prior to the commencement of the public hearing. By signing this registration sheet, you agree that you understand that anything you say will be considered sworn testimony, and that you will tell the truth, the whole truth and nothing but the truth.

NAME	ADDRESS	SIGNATURE
Luis Rodriguez		
Dan Kern		
Scott Lindahl		
Melissa Lopez		
Michaela Carnescia		
Blake Carrasco		



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 24-26

Timothy A. Tremain

Map Amendment Rezoning from R-1 to R-3

INTRODUCTION

The Petitioners would like a map amendment rezoning approximately three point six more or less (3.6 +/-) acres located on north side of River Road between 11327 and 11209 River Road from R-1 One Family Residential District to R-3 One Family Residential District in order to build two (2) houses at the property.

The property was rezoned in 2007 by Ordinance 2007-03 and is Lot 1 of the Glen Nelson Subdivision.

The property is less than ten (10) acres in size as is eligible for rezoning under Section 8:07.H of the Kendall County Zoning Ordinance.

As of the date of this memo, the Petitioner has not indicated if they will be dividing the land through a Plat Act Exemption or if they will be pursuing a re-subdivision of the property.

The application materials are included as Attachment 1. The zoning plat is included as Attachment 2.

SITE INFORMATION

PETITIONERS: Tim A. Tremain

ADDRESS: Between 11327 and 11209 River Road, Plano

LOCATION: North Side of River Road Approximately 0.75 Miles East of Eldamain Road



TOWNSHIP: Bristol

PARCEL #s: 02-30-400-013 and 02-31-201-014

LOT SIZE: 3.6 +/- Acres

EXISTING LAND USE: Vacant

ZONING: R-1 One Family Residential District

LRMP:	Future Land Use	Rural Residential (Max 0.60 DU/Acre) (County) Estate/Conservation Residential (Yorkville)
	Roads	River Road is a Township maintained Minor Collector.
	Trails	The zoning plat (Attachment 2) shows a fifteen foot (15') trail easement along the southern portion of the property.
	Floodplain/Wetlands	There are no floodplains or wetlands on the property

REQUESTED ACTION: Map Amendment Rezoning Property from R-1 One Family Residential District to R-3 One Family Residential District

APPLICABLE REGULATIONS: Section 36-42 – Map Amendment Procedures

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Agricultural	R-1	Rural Residential (County) Estate/Conservation Residential (Yorkville)	A-1 (County)
South	Wooded and Single-Family Residential	R-3	Rural Residential (County) Estate/Conservation Residential (Yorkville)	R-3 (County) There are homes on the south side of the Fox River inside Yorkville within a ½ mile
East	Single-Family Residential	A-1	Rural Residential (County) Estate/Conservation Residential (Yorkville)	A-1, A-1 SU, and R-3
West	Single-Family Residential and Private Road	R-1	Rural Residential (County) Estate/Conservation Residential (Yorkville)	A-1 (County)

The A-1 special use permits to the east is for a campground (PNA Camp).

PHYSICAL DATA

ENDANGERED SPECIES REPORT

EcoCAT Report submitted and consultation was terminated; there were protected resources in the area, but adverse impacts were unlikely (see Attachment 1, Pages 12 and 13).

NATURAL RESOURCES INVENTORY

The application for NRI was submitted on August 20, 2024 (see Attachment 1, Page 11). The LESA Score was 141 indicating a low level of protection. The NRI is included as Attachment 3.

ACTION SUMMARY

BRISTOL TOWNSHIP

Petition information was sent to Bristol Township on August 23, 2024. Bristol Township had no concerns regarding the proposal. A letter from Bristol Township is included as Attachment 4.

UNITED CITY OF YORKVILLE

Petition information was sent to the United City of Yorkville on August 23, 2024. The Yorkville Planning and Zoning Commission reviewed the proposal at their meeting on October 9, 2024, and recommended favorably of the proposal. An email to that effect is included as Attachment 5. The Yorkville City Council issued a positive recommendation at their meeting on October 22, 2024. An email to that effect is included as Attachment 7.

BRISTOL-KENDALL FIRE PROTECTION DISTRICT

Petition information was sent to the Bristol-Kendall Fire Protection District on August 23, 2024.

ZPAC

ZPAC reviewed the proposal at their meeting on September 3, 2024. The Petitioner's Attorney provided a history of the subdivision and the Petitioner's plan to build houses on the subject property. Any new houses would use the existing private road to access River Road; there would be no new cuts on River Road. Discussion occurred regarding the Estate/Conservation Residential classification in Yorkville's plan; this designation was placed on properties where Yorkville had not conducted a large amount of analysis of future land uses. Discussion also occurred regarding the trail easement. The earliest the Petitioner would construct houses would be 2025. ZPAC recommended approval of the proposal by a vote of seven (7) in favor and zero (0) in opposition with three (3) members absent. The minutes of the meeting are included as Attachment 6.

RPC

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on October 23, 2024. Discussion occurred regarding driveway locations; they would come off of Glen Nelson Drive and not River Road. Discussion also occurred regarding ownership responsibilities of Glen Nelson Drive. The Kendall County Regional Planning Commission recommended approval of the proposal by a vote of nine (9) in favor and zero (0) in opposition with one (1) member absent. The minutes of the meeting are included as Attachment 8.

GENERAL INFORMATION

The Petitioner would like to rezone the property in order to build a maximum of two (2) houses on the property.

BUILDING CODES

The site is currently vacant. Any future buildings would have to meet applicable building codes.

UTILITIES

No utility information was provided.

ACCESS

The property fronts Glen Nelson Drive, which is a private road. The zoning plat (Attachment 2) notes that the property cannot access River Road.

PARKING AND INTERNAL TRAFFIC CIRCULATION

Any parking would be for residential purposes.

ODORS

Based on the proposed uses, no new odors are foreseen.

LIGHTING

Lighting would be for residential purposes and would have to follow applicable ordinances.

LANDSCAPING AND SCREENING

Landscaping would be for residential uses.

SIGNAGE

Signage would be for residential purposes and would have to meet applicable regulations.

NOISE CONTROL

The owners of the property would have to follow applicable noise control regulations based on residential uses.

STORMWATER

Stormwater control would be evaluated as part of the building permit.

FINDINGS OF FACT-MAP AMENDMENT

§36-42(f) of the Kendall County Code outlines findings that the Zoning Board of Appeals must make in order to recommend in favor of the applicant on map amendment applications. They are listed below in *italics*. Staff has provided findings in **bold** below based on the recommendation:

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

*The Zoning classification of property within the general area of the property in question. **The surrounding properties are zoned A-1, R-1, and R-3. In particular, the properties immediate south of the subject property are zoned R-3.***

*The suitability of the property in question for the uses permitted under the existing zoning classification. **One (1) single-family home could be built on the subject property under the present R-1 zoning classification. If a property owner wanted to construct additional homes, a map amendment to a zoning district that allows for small lots, such as the R-3 zoning classification, would be needed.***

*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.***

*Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **The subject property is classified as Rural Residential on the Future Land Use Map and the R-3 Zoning District is consistent with this land classification.***

RECOMMENDATION

Staff recommends approval of the proposed map amendment.

ATTACHMENTS

1. Application Materials
2. Zoning Plat
3. NRI Report

4. Bristol Township Letter
5. October 10, 2024, Email from the United City of Yorkville
6. September 3, 2024, ZPAC Minutes (This Petition Only)
7. October 22, 2024, Email from the United City of Yorkville
8. October 23, 2024, Kendall County Regional Planning Commission Minutes (This Petition Only)



DEPARTMENT OF PLANNING, BUILDING & ZONING

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

APPLICATION

PROJECT NAME Tremain

FILE # _____

NAME OF APPLICANT (Including First, Middle Initial, and Last Name)		
Tim A. Tremain		
CURRENT LANDOWNER/NAME(s)		
Tim A. Tremain		
SITE INFORMATION		
ACRES	SITE ADDRESS OR LOCATION	ASSESSOR'S ID NUMBER (PIN)
3.6318	River Road, Yorkville, IL 60560	02-30-400-013 and 02-31-201-014
EXISTING LAND USE		
vacant land	CURRENT ZONING	LAND CLASSIFICATION ON LRMP
	R1	Residential
REQUESTED ACTION (Check All That Apply):		
<input type="checkbox"/> SPECIAL USE	<input checked="" type="checkbox"/> MAP AMENDMENT (Rezzone to <u>R-3</u>)	<input type="checkbox"/> VARIANCE
<input type="checkbox"/> ADMINISTRATIVE VARIANCE	<input type="checkbox"/> A-1 CONDITIONAL USE for: _____	<input type="checkbox"/> SITE PLAN REVIEW
<input type="checkbox"/> TEXT AMENDMENT	<input type="checkbox"/> RPD (<input type="checkbox"/> Concept; <input type="checkbox"/> Preliminary; <input type="checkbox"/> Final)	<input type="checkbox"/> ADMINISTRATIVE APPEAL
<input type="checkbox"/> PRELIMINARY PLAT	<input type="checkbox"/> FINAL PLAT	<input type="checkbox"/> OTHER PLAT (Vacation, Dedication, etc.)
<input type="checkbox"/> AMENDMENT TO A SPECIAL USE Major: _____ Minor: _____		
¹PRIMARY CONTACT	PRIMARY CONTACT MAILING ADDRESS	PRIMARY CONTACT EMAIL
Daniel J. Kramer	[REDACTED]	[REDACTED]
PRIMARY CONTACT PHONE #	PRIMARY CONTACT FAX #	PRIMARY CONTACT OTHER #(Cell, etc.)
[REDACTED]	[REDACTED]	
²ENGINEER CONTACT	ENGINEER MAILING ADDRESS	ENGINEER EMAIL
NONE		
ENGINEER PHONE #	ENGINEER FAX #	ENGINEER OTHER # (Cell, etc.)
I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.		
I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES. THE APPLICANT ATTESTS THAT THEY ARE FREE OF DEBT OR CURRENT ON ALL DEBTS OWED TO KENDALL COUNTY AS OF THE DATE OF THE APPLICATION.		
SIGNATURE OF APPLICANT		DATE
[REDACTED]		8/20/2024

FEE PAID:\$ _____
 CHECK #: _____

¹Primary Contact will receive all correspondence from County

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

Tremain Map Amendment Findings of Fact

1. Contiguous and nearby properties are used for low density Single-Family Residences and a mixture of Agricultural uses, as well as Forested land which remains in its natural state.
2. There is a combination of R-1 Single Family, R-3 Single Family, and A-1 Zoning Districts.
3. The property primarily consists of vacant land R-1 Zoned Residential Land.
4. The trend of development has been slow growth R-1, R-3, and A-1 Allocation Single Family Residences.
5. The proposed use is consistent with the Kendall County Comprehensive Plan providing for low density Single Family Residential uses when there is a low Agricultural productivity and Low Site rating under the Kendall County LESA Rating Systems; as well as the United City of Yorkville Comprehensive Plan which shows low density Single-Family Residences being developed within a Mile and ½ of the City Limits.

LEGAL DESCRIPTION OF TRACT TO BE REZONED:

Lot 1 of Glen Nelson Subdivision, being a Subdivision of Part of the Northeast Quarter of Section 31 and Part of the Southeast Quarter of Section 30, Township 37 North, Range 7 East of the Third Principal Meridian in Bristol Township, Kendall County, Illinois, according to the Plat thereof recorded June 20, 2007 as Document 200700019233,

LEGAL DESCRIPTION OF TRACT "A":

That Part of Lot 1 of Glen Nelson Subdivision, Bristol Township, Kendall County, Illinois, according to the Plat thereof recorded June 20, 2007 as Document 200700019233, described as follows: Beginning at the Northwest Corner of said Lot 1; thence Southerly, along the West Line of said Lot 1, a distance of 198.03 feet; thence Easterly, perpendicular to the last described course 337.60 feet to the East Line of said Lot 1; thence Northerly, along said East Line which forms an angle of 93°58'36" with the last described course (measured clockwise therefrom), 182.10 feet to the Northeast Corner of said Lot 1; thence Westerly, along the North Line of said Lot 1, a distance of 350.61 feet to the point of beginning in Bristol Township, Kendall County, Illinois.

LEGAL DESCRIPTION OF TRACT "B":

Lot 1 of Glen Nelson Subdivision, Bristol Township, Kendall County, Illinois, according to the Plat thereof recorded June 20, 2007 as Document 200700019233, EXCEPT that Part described as follows: Beginning at the Northwest Corner of said Lot 1; thence Southerly, along the West Line of said Lot 1, a distance of 198.03 feet; thence Easterly, perpendicular to the last described course 337.60 feet to the East Line of said Lot 1; thence Northerly, along said East Line which forms an angle of 93°58'36" with the last described course (measured clockwise therefrom), 182.10 feet to the Northeast Corner of said Lot 1; thence Westerly, along the North Line of said Lot 1, a distance of 350.61 feet to the point of beginning in Bristol Township, Kendall County, Illinois.

WARRANTY DEED

Statutory (Illinois)

**THE GRANTORS,
GLEN A. NELSON and
PAMALA A. NELSON,
Husband and Wife**

of [REDACTED]
in the [REDACTED]
and [REDACTED]

Ticor - 78188

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

TIM TREMAIN

whose address is: [REDACTED]

all interest in the following described Real Estate situated in the County of Kendall In the State of Illinois, to wit:

SEE ATTACHED LEGAL DESCRIPTION

SUBJECT TO: Existing easements, covenants, and restrictions of record, and 2006 and subsequent years real estate taxes.

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

Permanent Real Estate Index Number: Part of 02-31-201-008
Address of Real Estate: Vacant land on River Road, Plano, IL 60545

COUNTY OF KENDALL
REAL ESTATE TRANSFER TAX
125.00

Dated this 28th Day of November, 2006.

[REDACTED]

GLEN A. NELSON

[REDACTED]

PAMALA A. NELSON




Ticor Title
674 Veterans Pkwy. #C
Yorkville, IL 60550

Warranty Deed - Statutory


STATE OF ILLINOIS)
) SS.
COUNTY OF Macoupin)

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

Given under my hand and notarial seal this 28th Day of November, 2006.


Notary Public

SEND SUBSEQUENT TAX BILLS TO:

Tim Tremain




THIS DOCUMENT PREPARED BY;

Law Offices of Daniel J. Kramer
1107A S. Bridge Street
Yorkville, IL 60560
630-553-9500

AFTER RECORDING RETURN TO:

Law Offices of Daniel J. Kramer
1107A S. Bridge Street
Yorkville, IL 60560

November 28, 2006

METES AND BOUNDS LEGAL DESCRIPTION OF PROPOSED LOT 1 AND PART OF RIVER ROAD

GLEN NELSON SUBDIVISION, BRISTOL TWP., KENDALL CO., ILLINOIS:

LEGAL DESCRIPTION OF PROPOSED LOT 1 AND PART OF RIVER ROAD:

That part of the Southeast Quarter of Section 30 and that part of the Northeast Quarter of Section 31, Township 37 North, Range 7 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter; thence Southerly, along the East Line of said Northeast Quarter, 268.29 feet to the centerline of River Road; thence Southwesterly, along said centerline, 1337.30 feet to the East Line of a Tract conveyed to Lloyd E. Nelson by a Warranty Deed recorded as Document 72-1896, as said Line is monumented and occupied, for the point of beginning; thence Northerly, along said East Line, 494.81 feet; thence Westerly, along a line which forms an angle of 88°42'02" with the last described course, measured clockwise therefrom, 350.61 feet; thence Southerly, along a line which forms an angle of 87°19'22" with the last described course, measured clockwise therefrom, 554.09 feet to said centerline; thence Easterly, along said centerline, 318.97 feet to the point of beginning in Bristol Township, Kendall County, Illinois, containing 4.0000 acres.

Attachment 1, Page 7
PLAT ACT AFFIDAVIT
(FILE WITH THE RECORDER OF DEEDS OF KENDALL COUNTY)

STATE OF ILLINOIS)
)ss.
COUNTY OF KENDALL)

DOCUMENT #

DANIEL J. KRAMER, being duly sworn on oath, states that he resides at

[REDACTED]

That the attached deed represents:

1. The subject property is unsubdivided property.
2. A distinct separate parcel qualifying for a Kendall County building permit prior to August 10, 1971.
3. The division of subdivision of the land is into parcels or tracts of five acres or more in size which does not involve any new streets or easements of access.
4. The division is of lots or blocks of less than one acre in any recorded subdivision which does not involve any new streets or easements of access.
5. The sale or exchange of parcels of land is between owners of adjoining and contiguous land.
6. The conveyance is of parcels of land or interests therein for use as right of way for railroads or other public utility facilities, which does not involve any new streets or easement of access.
7. The conveyance is of land owned by a railroad or other public utility which does not involve any new streets or easements of access.
8. The conveyance is of land for highway or other public purposes or grants of conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use.
9. The conveyance is made to correct descriptions in prior conveyances.
10. The sale or exchange is of parcels or tracts of land following the division into no more than two parts of a particular parcel or tract of land existing on July 17, 1959, and not involving any new streets or easements of access.
11. The sale is of a single lot of less than five acres from a larger tract, evidenced by a survey made by a registered surveyor which single lot is the first sale from said larger tract as determined by the dimensions and configurations thereof on October 1, 1973, and which sale does not violate any local requirements applicable to the subdivision of land.

CIRCLE NUMBER ABOVE WHICH IS APPLICABLE TO ATTACHED DEED.

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

[REDACTED]
DANIEL J. KRAMER, Attorney at Law

SUBSCRIBED AND SWORN to before me

this 28 day of November, 2006

[REDACTED]

Notary Public





WARRANTY DEED

201000002510

#JA3799650

Mail to:

Tim Tremain

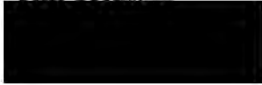


DEBBIE
GILLETTE
KENDALL COUNTY, IL

RECORDED: 2/8/2010 1:05 PM
HD: 178.25 RHPSP FEE: 10.00
PAGES: 3

Name and address of taxpayer:

Tim Tremain



THE GRANTORS, Glen A. Nelson and Pamala A. Nelson, husband and wife, of [REDACTED] for and in consideration of TEN DOLLARS, and other good and valuable consideration in hand paid, CONVEY and WARRANTY to Tim Tremain, the following described Real Estate situated in the County of Kendall, in the State of Illinois, to wit:

Legal Description Attached

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois, 735 ILCS 5/12-90, et seq. SUBJECT TO: (1) general real estate taxes for 2009 and subsequent years; and (2) covenants, conditions and restrictions of record. THIS IS NOT HOMESTEAD PROPERTY.

Permanent Index Numbers: 02-30-400-010, ~~02-30-400-012~~ 02-30-400-013
02-30-400-012, 02-31-201-013

Property Address: Lot 2, Glen Nelson Subdivision, River Rd, Plano, Illinois

DATED this 23rd day of December, 2009.



(SEAL)

Seller

Glen A. Nelson



(SEAL)

Seller

Pamala A. Nelson

[PLEASE PRINT OR TYPE NAME(S) BELOW SIGNATURE(S)]



CHICAGO TITLE & TRUST CO.
A National Yorkville Office



STATE OF ILLINOIS)
) ss.
COUNTY OF KENDALL)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that Glen A. Nelson and Pamala A. Nelson, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their free and voluntary act for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

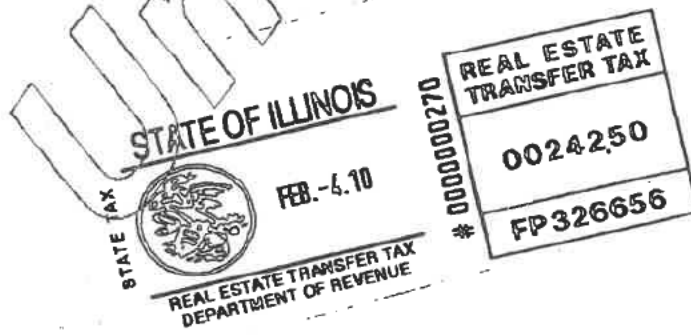
Given under my hand and official seal this 23rd day of December, 2009.



Notary Public

This instrument was prepared by:

Joseph B. Fahey
Attorney At Law
905 Bristol St.
Yorkville, IL 60560



COUNTY OF KENDALL
REAL ESTATE TRANSFER TAX
\$ 121.25 *sg*





CHICAGO TITLE INSURANCE COMPANY

ORDER NUMBER: 1410 SA3733050 YK
STREET ADDRESS: LOT 2 GLEN NELSON SUBDIVISION, RIVER ROAD
CITY: PLANO **COUNTY:** KENDALL
TAX NUMBER: 02-30-400-010-0000

LEGAL DESCRIPTION:

LOT 2 IN GLEN NELSON SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 31 AND PART OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS, RECORDED JUNE 20, 2007 AS DOCUMENT 200700019233.

Unofficial



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

www.kendallswcd.org

NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

Petitioner: Tim A. Tremain Contact Person: Daniel J. Kramer
 Address: [REDACTED]
 City, State, Zip: [REDACTED]
 Phone Number: [REDACTED]
 Email: [REDACTED]

Please select: How would you like to receive a copy of the NRI Report? Email Mail

Site Location & Proposed Use

Township Name Bristol Township 37 N, Range 7 E, Section(s) 30
 Parcel Index Number(s) 02-30-400-013 and 02-31-201-014
 Project or Subdivision Name Tremain Number of Acres 3.6318
 Current Use of Site vacant land Proposed Use 2 single family homes
 Proposed Number of Lots 2 Proposed Number of Structures 2
 Proposed Water Supply individual well Proposed type of Wastewater Treatment individual septic
 Proposed type of Storm Water Management none

Type of Request

Change in Zoning from R-1 to R-3
 Variance (Please describe fully on separate page)
 Special Use Permit (Please describe fully on separate page)
 Name of County or Municipality the request is being filed with: Kendall County Planning, Building, and Zoning

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

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

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

Full Report: \$375.00 for five acres and under, plus \$18.00 per acre for each additional acre or any fraction thereof over five.
 Executive Summary Report: \$300.00 (KCSWCD staff will determine when a summary or full report will be necessary.)

Fee for first five acres and under	\$	<u>375.00</u>
Additional Acres at \$18.00 each	\$	
Total NRI Fee	\$	<u>375.00</u>

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

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

X [REDACTED]
 Petitioner or Authorized Agent

8/20/2024
 Date

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

FOR OFFICE USE ONLY

NRI# _____ Date initially rec'd _____ Date all rec'd _____ Board Meeting _____
 Fee Due \$ _____ Fee Paid \$ _____ Check # _____ Over/Under Payment _____ Refund Due _____



Applicant: Tim A. Tremain
Contact: DANIEL J. KRAMER
Address: [Redacted]

IDNR Project Number: 2502416
Date: 08/20/2024

Project: Tremain
Address: River Road, Yorkville

Description: Rezone property from R-1 to R-3 to build two single family homes

Natural Resource Review Results

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

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

- Fox River INAI Site
- Butternut (*Juglans cinerea*)
- Mottled Sculpin (*Cottus bairdii*)
- Mottled Sculpin (*Cottus bairdii*)
- Osprey (*Pandion haliaetus*)
- River Redhorse (*Moxostoma carinatum*)
- Rusty Patched Bumble Bee (*Bombus affinis*)

An IDNR staff member will evaluate this information and contact you to request additional information or to terminate consultation if adverse effects are unlikely.

Location

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



County: Kendall

Township, Range, Section:

37N, 7E, 30

37N, 7E, 31

IL Department of Natural Resources

Contact

Adam Rawe
217-785-5500
Division of Ecosystems & Environment

Government Jurisdiction

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



Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
<http://dnr.state.il.us>

JB Pritzker, Governor

Natalie Phelps Finnie, Director

August 20, 2024

DANIEL J. KRAMER
Tim A. Tremain

RE: Tremain
Project Number(s): 2502416
County: Kendall

Dear Applicant:

This letter is in reference to the project you recently submitted for consultation. The natural resource review provided by EcoCAT identified protected resources that may be in the vicinity of the proposed action. The Department has evaluated this information and concluded that adverse effects are unlikely. Therefore, consultation under 17 Ill. Adm. Code Part 1075 is terminated.

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

The natural resource review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, you must comply with the applicable statutes and regulations. Also, note that termination does not imply IDNR's authorization or endorsement of the proposed action.

Please contact me if you have questions regarding this review.

Adam Rawe
Division of Ecosystems and Environment
217-785-5500

ZONING PLAT OF LOT 1 BRISTOL TOWNSHIP KENDALL COUNTY ILLINOIS

SCALE
1"=50'

- Indicates Iron Stake Found
- Indicates Iron Stake Set
- Indicates Line of Fence
- 624— Indicates Contour Elevation
- +623.19 Indicates Spot Elevation

BENCHMARKS -- (NAVD88)

BM#1 - Magnail in North Edge of Pavement at Southwest Corner of Lot 1
Elevation = 624.48

BM#2 - Magnail in North Edge of Pavement at Southeast Corner of Lot 1
Elevation = 624.35

DEVELOPER:

Mr. Tim Tremain

AREA OF TRACT:

3.6318 Acres
(158202 sq.ft.)

PRESENT ZONING:

R1
(One-Family Estate Residence District)

PROPOSED ZONING:

R3
(One-Family Residence District)

SOILS (From USCS Soils Map)

791A Rush Silt Loam, 0 to 2% slopes

LEGAL DESCRIPTION OF TRACT TO BE REZONED:

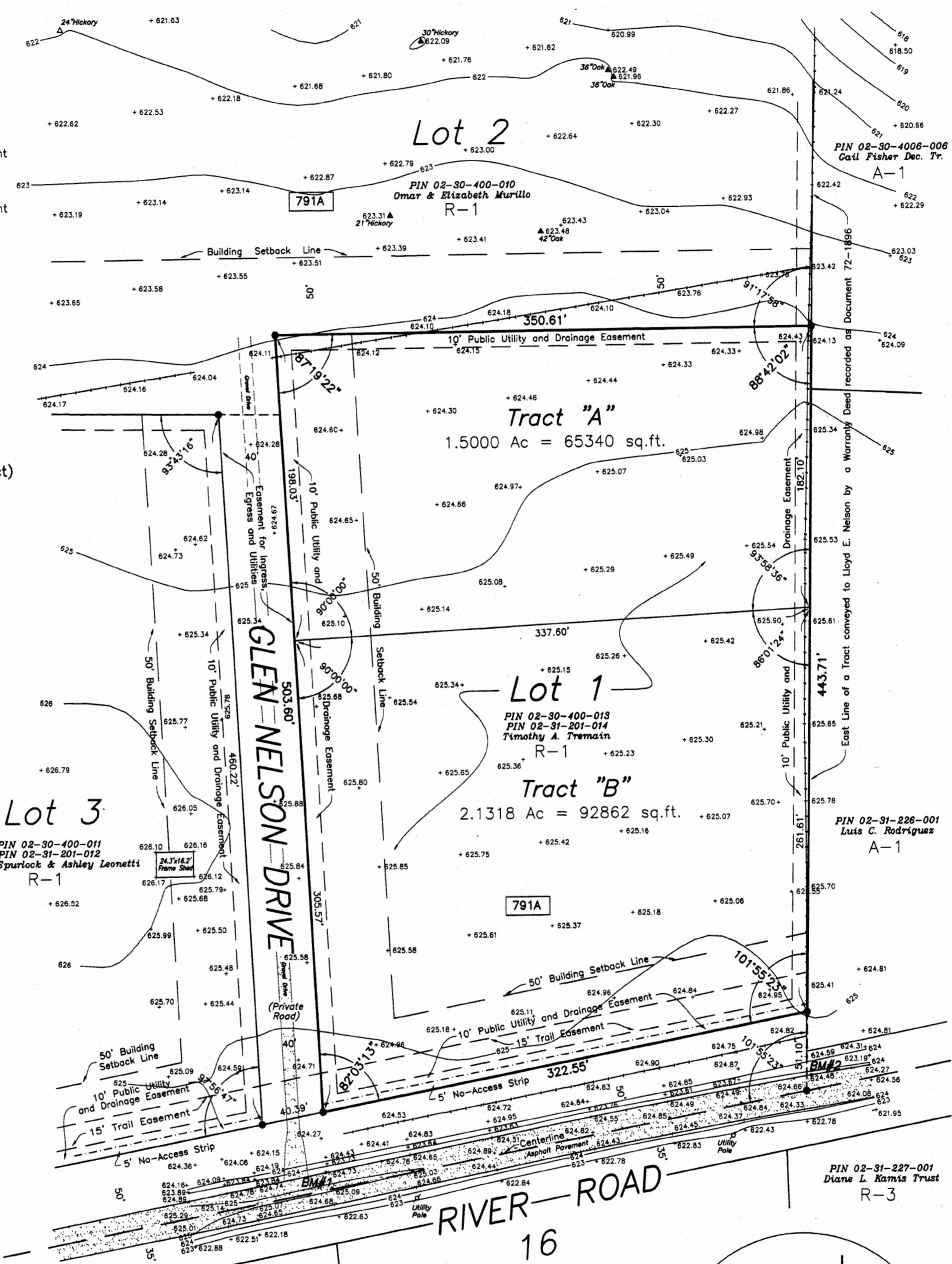
Lot 1 in Glen Nelson Subdivision, being a Subdivision of Part of the Northeast Quarter of Section 31 and Part of the Southeast Quarter of Section 30, Township 37 North, Range 7 East of the Third Principal Meridian, in Bristol Township, Kendall County, Illinois, according to the Plat thereof recorded June 30, 2007 as Document 200700019233.

LEGAL DESCRIPTION OF TRACT "A":

That Part of Lot 1 of Glen Nelson Subdivision, Bristol Township, Kendall County, Illinois, according to the Plat thereof recorded June 20, 2007 as Document 200700019233, described as follows: Beginning at the Northwest Corner of said Lot 1; thence Southerly, along the West Line of said Lot 1, a distance of 198.03 feet; thence Easterly, perpendicular to the last described course 337.60 feet to the East Line of said Lot 1; thence Northerly, along said East Line which forms an angle of 93°58'36" with the last described course (measured clockwise therefrom), 182.10 feet to the Northeast Corner of said Lot 1; thence Westerly, along the North Line of said Lot 1, a distance of 350.61 feet to the point of beginning in Bristol Township, Kendall County, Illinois.

LEGAL DESCRIPTION OF TRACT "B":

Lot 1 of Glen Nelson Subdivision, Bristol Township, Kendall County, Illinois, according to the Plat thereof recorded June 20, 2007 as Document 200700019233, EXCEPT that Part described as follows: Beginning at the Northwest Corner of said Lot 1; thence Southerly, along the West Line of said Lot 1, a distance of 198.03 feet; thence Easterly, perpendicular to the last described course 337.60 feet to the East Line of said Lot 1; thence Northerly, along said East Line which forms an angle of 93°58'36" with the last described course (measured clockwise therefrom), 182.10 feet to the Northeast Corner of said Lot 1; thence Westerly, along the North Line of said Lot 1, a distance of 350.61 feet to the point of beginning in Bristol Township, Kendall County, Illinois.

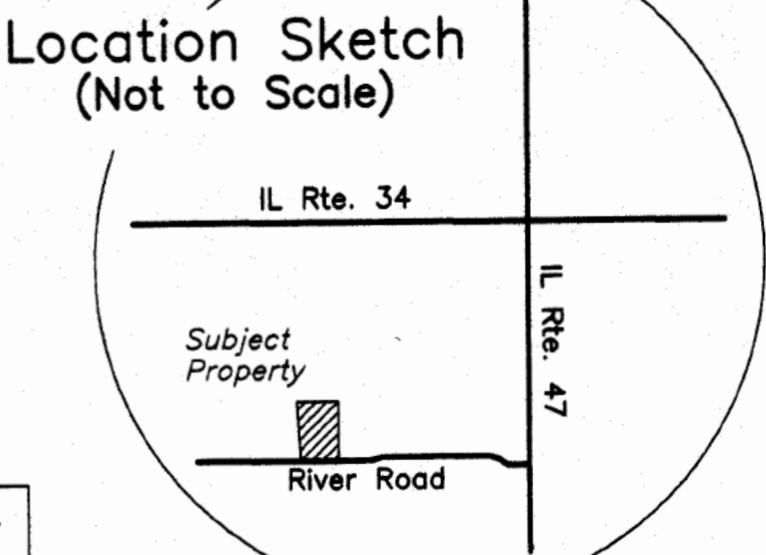


Lot 3
PIN 02-30-400-011
PIN 02-31-201-012
Joseph Spurlock & Ashley Leonetti
R-1

Lot 1
PIN 02-30-400-013
PIN 02-31-201-014
Timothy A. Tremain
R-1

Tract "B"
2.1318 Ac = 92862 sq.ft.

791A



NOTE: Lots 1 and 2 have no direct access to River Road and access is granted to River Road only through the private road known as Glen Nelson Drive. Lot 3 may access River Road through the 40-foot wide opening in the 5-foot No-Access Strip.

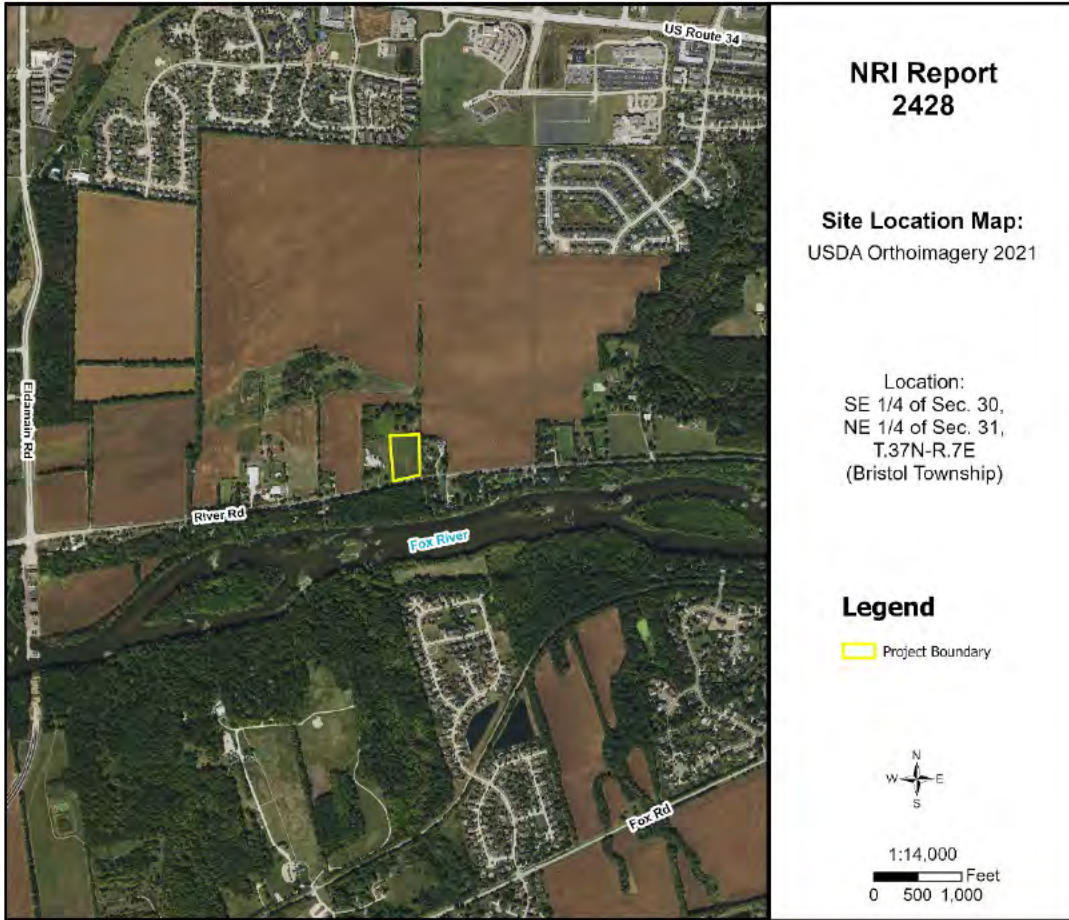
August 20, 2024

JOB NO.	24047
JOB NAME	TREMAIN
DWG FILE	24047B

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

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

NATURAL RESOURCES INFORMATION (NRI) REPORT: #2428



Sept
2024

Petitioner: Tim A. Tremain
Contact: Attorney Daniel J. Kramer

Prepared By:



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

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

Natural Resources Information Report Number	2428
Date District Board Reviews Application	September 2024
Applicant's Name	Tim A. Tremain
Size of Parcel	(+/-) 3.6 acres
Current Zoning & Use	R-1 One Family Residential District; Vacant
Proposed Zoning & Use	R-3 One Family Residential District; Two Single-Family Homes
Parcel Index Number(s)	02-30-400-013 and 02-31-201-014
Contact Person	Attorney Daniel J. Kramer

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

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

PURPOSE AND INTENT

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

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

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

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

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

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

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EXECUTIVE SUMMARY

Natural Resources Information Report Number	2428
Petitioner	Tim A. Tremain
Contact Person	Attorney Daniel J. Kramer
County or Municipality the Petition is Filed With	Kendall County
Location of Parcel	Southeast ¼ of Section 30, Northeast ¼ of Section 31, Township 37 North, Range 7 East (Bristol Township) of the 3 rd Principal Meridian
Project or Subdivision Name	Tremain Rezoning
Existing Zoning & Land Use	R-1 One Family Residential District; Vacant
Proposed Zoning & Land Use	R-3 One Family Residential District; Two Single-Family Homes
Proposed Water Source	Well
Proposed Type of Sewage Disposal System	Septic
Proposed Type of Storm Water Management	Not indicated
Size of Site	(+/-) 3.6 acres
Land Evaluation Site Assessment (LESA) Score	141 (Land Evaluation: 88; Site Assessment: 53)

NATURAL RESOURCE CONSIDERATIONS

SOIL INFORMATION

Based on information from the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) 2008 Kendall County Soil Survey, this project area contains the soil types shown in Figure 1 and Table 1. Please note this does not replace the need for or results of onsite soil testing. If completed, please refer to onsite soil test results for planning/engineering purposes.

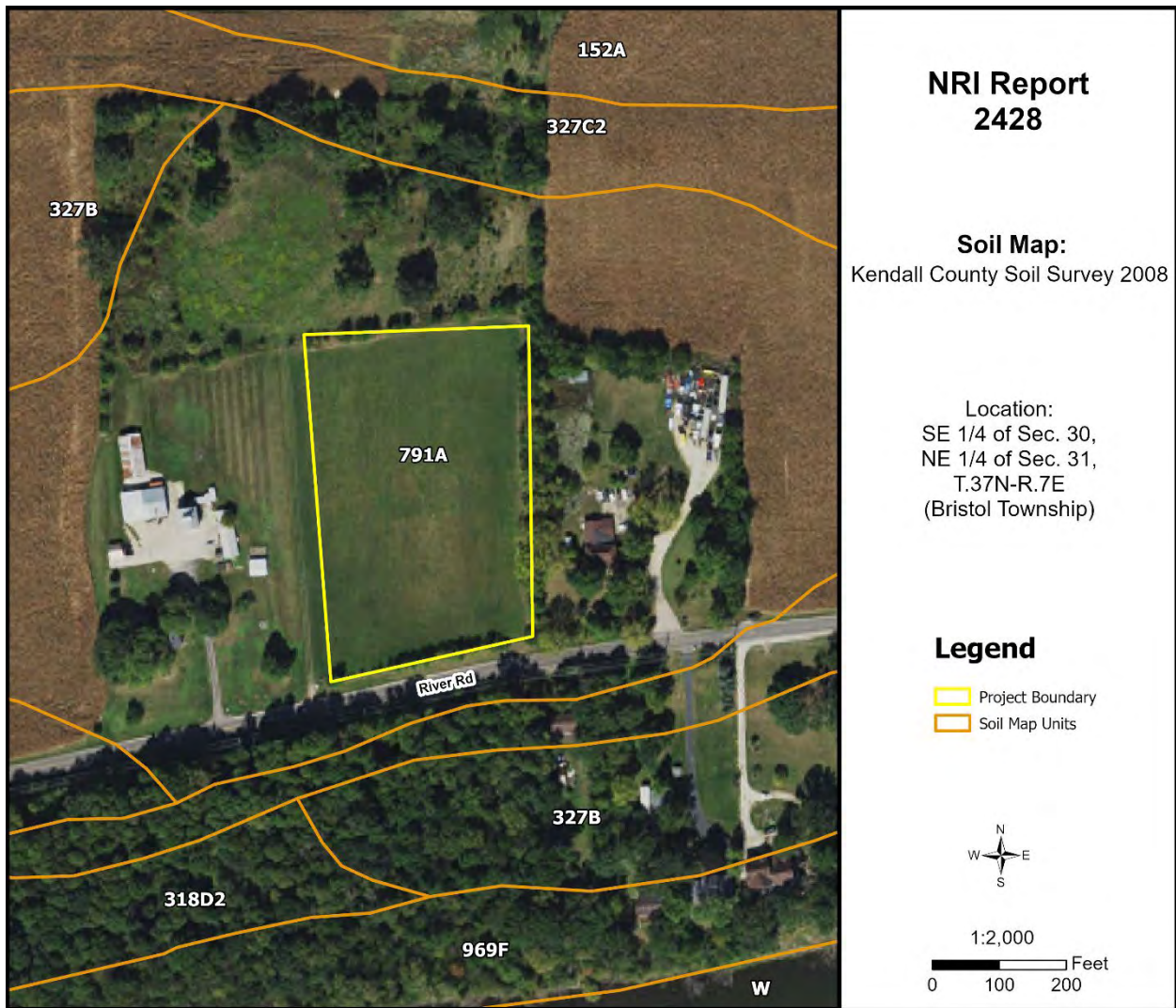


Figure 1: Soil Map

Table 1: Soils Information

Soil Type	Soil Name	Drainage Class	Hydrologic Group	Hydric Designation	Farmland Designation	Acres	%
791A	Rush silt loam, 0-2% slopes	Well Drained	B	Non-Hydric	Prime Farmland	3.6	100%

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

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

Hydric Soils – A hydric soil is one that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile that supports the growth or regeneration of hydrophytic vegetation. Soils with hydric inclusions have map units dominantly made up of non-hydric soils that may have inclusions of hydric soils in the lower positions on the landscape. The only soil onsite is classified as non-hydric soil (791A Rush silt loam).

Prime Farmland – Prime farmland is land that has the best combination of physical and chemical characteristics for agricultural production. Prime farmland soils are an important resource to Kendall County and some of the most productive soils in the United States occur locally. The only soil onsite is designated as prime farmland (791A Rush silt loam).

Soil Limitations – The USDA-NRCS Web Soil Survey rates the limitations of soils for dwellings, small commercial buildings, solar arrays, shallow excavations, lawns/landscaping, local roads and streets, etc. Soils have different properties which influence the development of building sites. The USDA-NRCS classifies soils as Not Limited, Somewhat Limited, and Very Limited. Soils that are Not Limited indicates that the soil has properties that are favorable for the specified use. They will perform well and will have low maintenance. Soils that are Somewhat Limited are moderately favorable, and their limitations can be overcome through special planning, design, or installation. Soils that are Very Limited have features that are unfavorable for the specified use, and their limitations cannot easily be overcome.

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

Table 2: Soil Limitations

Soil Type	Dwellings with Basements	Dwellings without Basements	Shallow Excavations	Lawns/Landscaping	Onsite Conventional Septic Systems
791A	Somewhat Limited	Somewhat Limited	Somewhat Limited	Somewhat Limited	Suitable / Not Limited

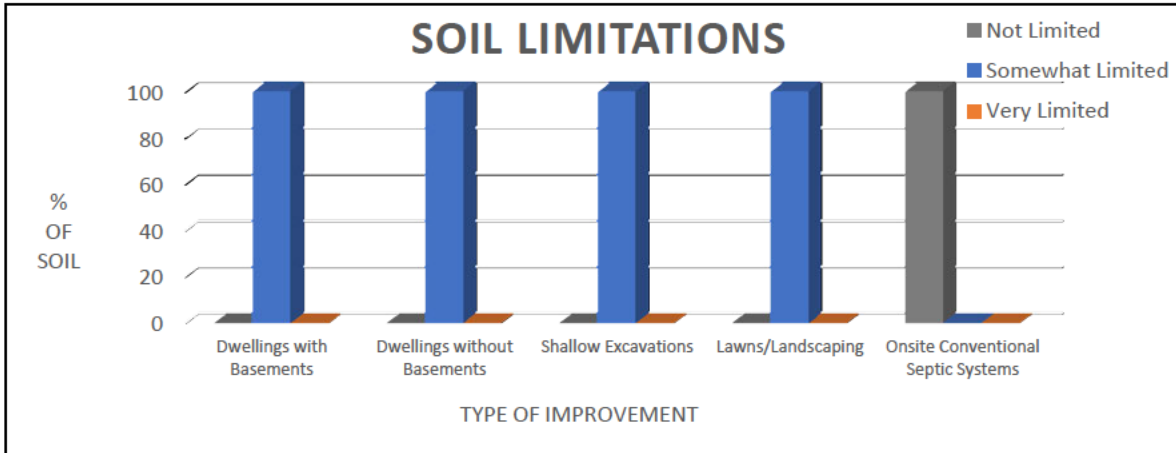


Figure 2: Soil Limitations

KENDALL COUNTY LAND EVALUATION AND SITE ASSESSMENT (LESA)

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

- **Land Evaluation (LE):** The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland, or forestland. The best group is assigned a value of 100 and all other groups are assigned lower values. The Land Evaluation is based on data from the Kendall County Soil Survey. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.
 - The Land Evaluation score for this site is **88 out of 100**, indicating that the soils are **well suited** for agricultural uses.
- **Site Assessment (SA):** The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The Site Assessment value is based on a 200-point scale and accounts for 2/3 of the total score. The Kendall County LESA Committee is responsible for this portion of the LESA system.
 - The Site Assessment score for this site is **53 out of 200**.

The LESA Score for this site is **141 out of a possible 300**, which indicates a **low level of protection** for the proposed project site. Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

WETLANDS

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

FLOODPLAIN

The Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) for Kendall County, Community Panel No. 17093C0040G (effective date 2/4/2009) was reviewed to determine the presence of floodplain and floodway areas within the project site. According to the map, the site does not appear to be located within the floodway or floodplain.

SEDIMENT AND EROSION CONTROL

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

STORMWATER POLLUTION

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

LAND USE FINDINGS:

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed project for Tim A. Tremain. The petitioner is requesting a change in zoning from R-1 One Family Residential District to R-3 One Family Residential District on two parcels (Parcel Index Numbers 02-30-400-013 and 02-31-201-014), totaling 3.6 acres, to construct two single-family homes. The parcel is in Sections 30 and 31 of Bristol Township (T.37N-R.7E) of the 3rd Principal Meridian in Kendall County, IL. Based on the information provided by the petitioner and a review of natural resource related data available to the Kendall County SWCD, the SWCD Board presents the following information.

The Kendall County SWCD has always had the opinion that prime farmland soils should be preserved whenever feasible due to their highly productive qualities for growing agriculturally important crops in our community. Of the soils found onsite, 100% are designated as prime farmland. A land evaluation (LE), which is a part of the Land Evaluation and Site Assessment (LESA), was conducted on this parcel. The soils on this parcel scored an 88 out of a possible 100 points indicating that the soils are well suited for agricultural uses. The total LESA score for this site is 141 out of a possible 300, which indicates a low level of protection for the proposed project site. Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.


Soils found on the project site are rated for specific uses and can have potential limitations for development. Soil types with severe limitations do not preclude the ability to develop the site for the proposed use, but it is important to note that the limitation may require soil reclamation, special design/engineering, or maintenance to obtain suitable soil conditions to support development with significant limitations. This report indicates that for soils located on the parcel, 100% are considered somewhat limited for supporting dwellings (with & without basements), shallow excavations, and lawns/landscaping. Additionally, 100% of the soils are considered suitable or not limited for conventional septic systems. This information is based on the soil in an undisturbed state. If the scope of the project may include the use of onsite septic systems, please consult with the Kendall County Health Department.

This site is located within the Lower Fox River watershed and the Hollenback Creek-Fox River sub watershed (HUC 12 – 071200070602). This sub watershed comprises about 15,842 acres and covers parts of Yorkville, Millhurst, Millbrook, and Newark.

This development should include a soil erosion and sediment control plan to be implemented during construction. It is critical to have vegetative cover during and after construction to protect the soil from erosion. Sediment may become a primary non-point source of pollution. Eroded soils during the construction phase can create unsafe conditions on roadways, degrade water quality, and destroy aquatic ecosystems lower in the watershed.

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

The information that is included in this Natural Resources Information Report is to assure that the Land Developers take into full consideration the limitations of that land that they wish to develop. Guidelines and recommendations are also a part of this report and should be considered in the planning process. The Natural Resource Information Report is required by the Illinois Soil and Water Conservation District Act (Ill. Compiled Statues, Ch. 70, Par 405/22.027).


SWCD Board Representative

9/16/24
Date

PARCEL LOCATION

Located in the southeast ¼ of Section 30, northeast ¼ of Section 31, Township 37 North, Range 7 East (Bristol Township). This parcel contains approximately 3.6 acres and is located on the north side of River Road, east of Eldamain Road, south of U.S. Route 34, and west of Illinois Route 47 in Plano, IL.

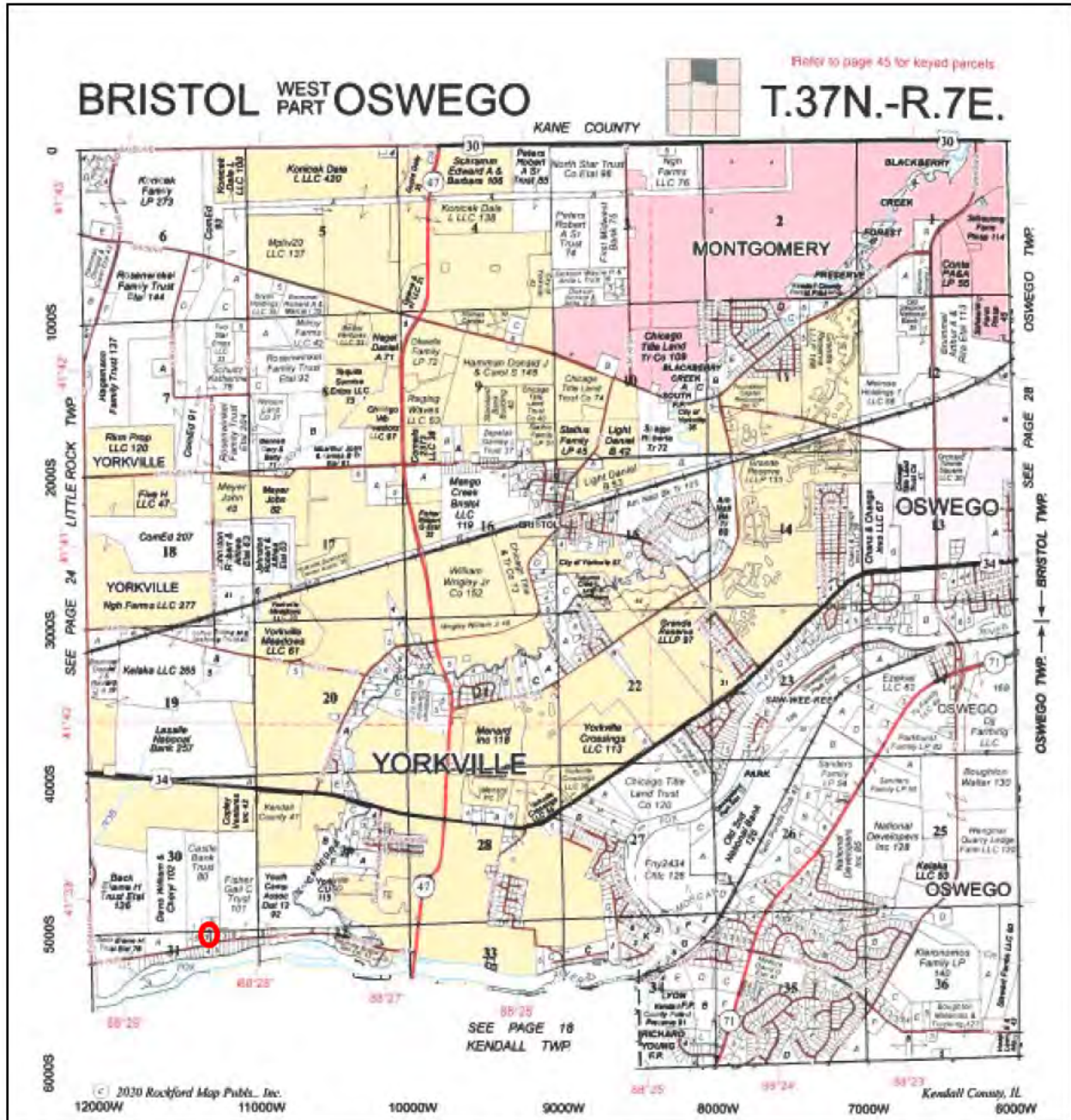


Figure 3: 2021 Plat Map

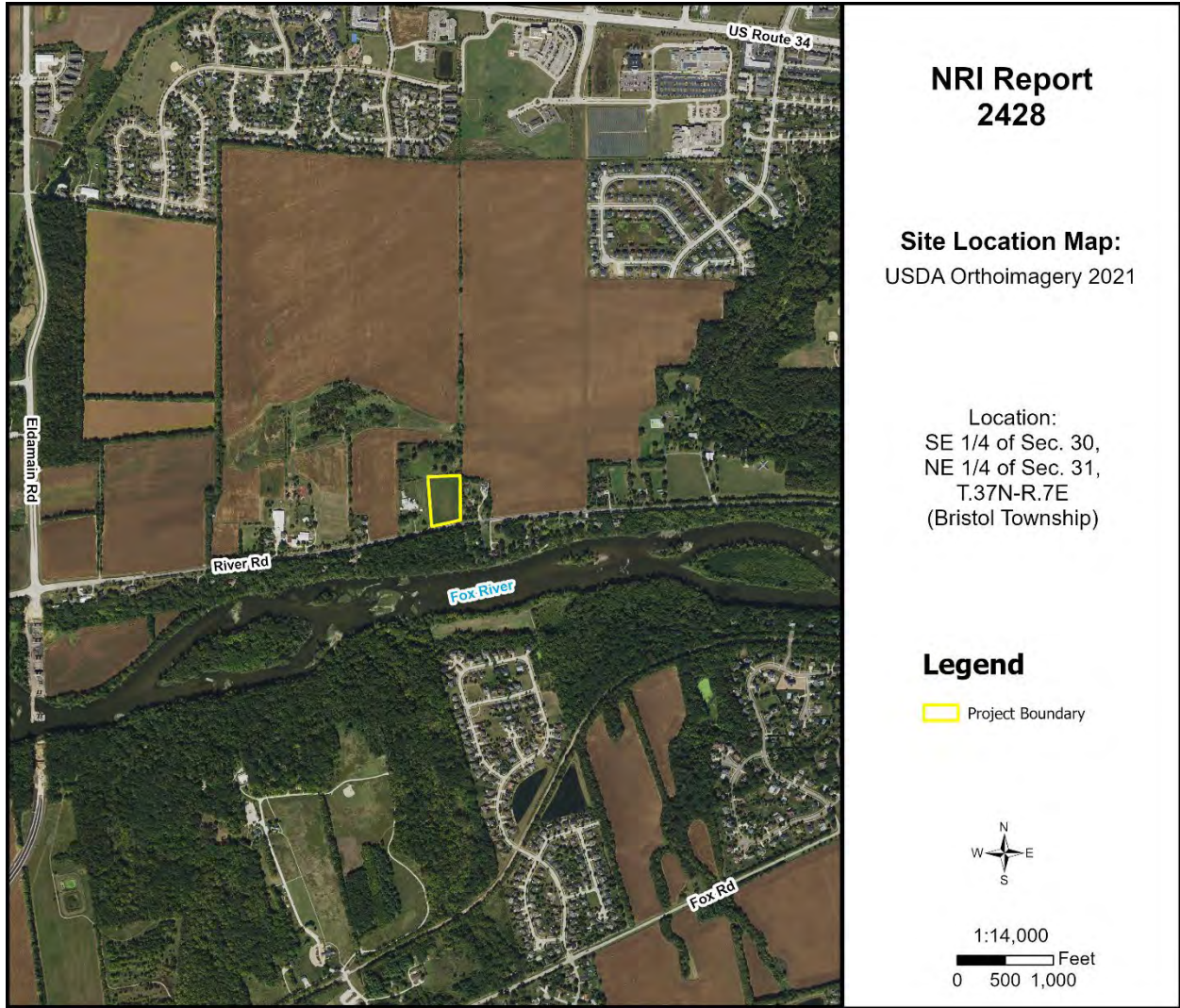


Figure 4: Aerial Map with NRI Project Boundary

ARCHAEOLOGIC/CULTURAL RESOURCES INFORMATION

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

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

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

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

The Illinois State Historic Preservation Office has not been notified of the proposed land use change by the Kendall County SWCD. There may be historic features in the area. The applicant may need to contact them according to current Illinois law.

ECOLOGICALLY SENSITIVE AREAS

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

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

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

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

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

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

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

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

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

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

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

BIOLOGICAL RESOURCES CONCERNING THE SUBJECT PARCEL

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

Office maps indicate that there are no nature preserves in the vicinity of the parcel in question (PIQ). However, there are other ecologically sensitive areas. The Fox River is located approximately 530 feet south of the PIQ. The Illinois Department of Natural Resources’ EcoCAT report identified the following protected resources that may be within the vicinity of the PIQ: Fox River Illinois Natural Areas Inventory Site, Butternut (*Juglans cinerea*), Mottled Sculpin (*Cottus bairdii*), Osprey (*Pandion haliaetus*), River Redhorse (*Moxostoma carinatum*), and Rusty Patched Bumble Bee (*Bombus affinis*). According to an August 20, 2024, follow-up letter from IDNR, their evaluation of the project concluded that adverse effects to the identified protected resources were unlikely.

⁴Taken from *The Conservation of Biological Diversity in the Great Lakes Ecosystem: Issues and Opportunities*, prepared by the Nature Conservancy Great Lakes Program 79W. Monroe Street, Suite 1309, Chicago, IL 60603, January 1994.

SOILS INFORMATION

IMPORTANCE OF SOILS INFORMATION

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

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

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

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

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

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

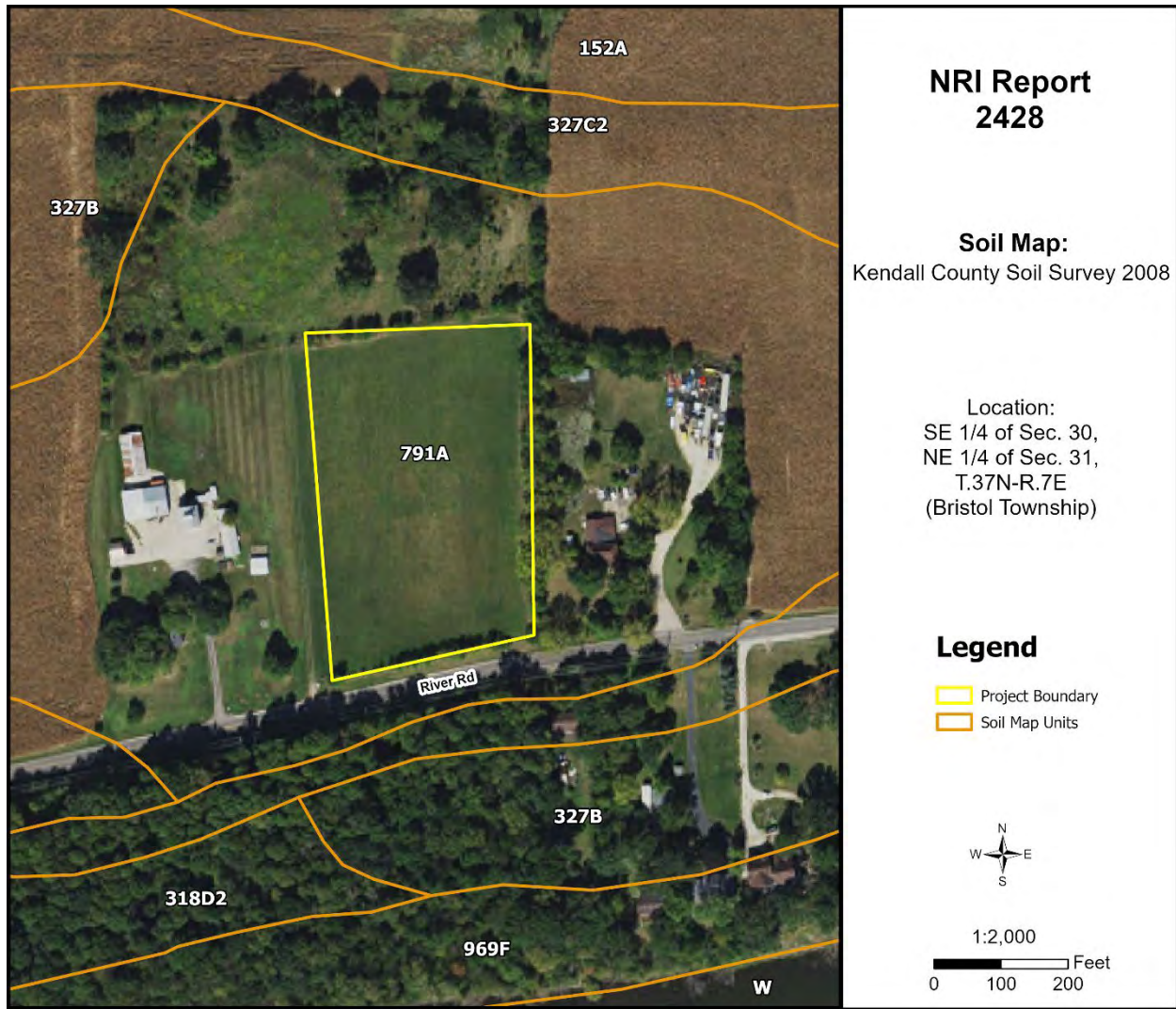


Figure 5: Soil Map

Table 3: Soil Map Unit Descriptions

Soil Type	Soil Name	Acreage	Percent
791A	Rush silt loam, 0-2% slopes	3.6	100%

Source: National Cooperative Soil Survey – USDA-NRCS

SOILS INTERPRETATIONS EXPLANATION

GENERAL – NONAGRICULTURAL

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

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

LIMITATIONS RATINGS

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

BUILDING LIMITATIONS

BUILDING ON POORLY SUITED OR UNSUITABLE SOILS

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

Dwellings with Basements – Ratings are for undisturbed soil for a building structure of less than 3 stories with a basement. The foundation is assumed to be spread footings of reinforced concrete built on undisturbed soil at a depth of about 7 feet. The ratings for dwellings are based on soil properties that affect the capacity of the soil to support a load without movement and on the properties that affect excavation and construction costs.

Dwellings without Basements – Ratings are for undisturbed soil for a house of three stories or less than 3 stories without a basement. The foundation is assumed to be spread footings of reinforced concrete at a depth of 2 feet or the depth of maximum frost penetration, whichever is deeper. The ratings for dwellings are based on soil properties that affect the capacity of the soil to support a load without movement and on the properties that affect excavation and construction costs.

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

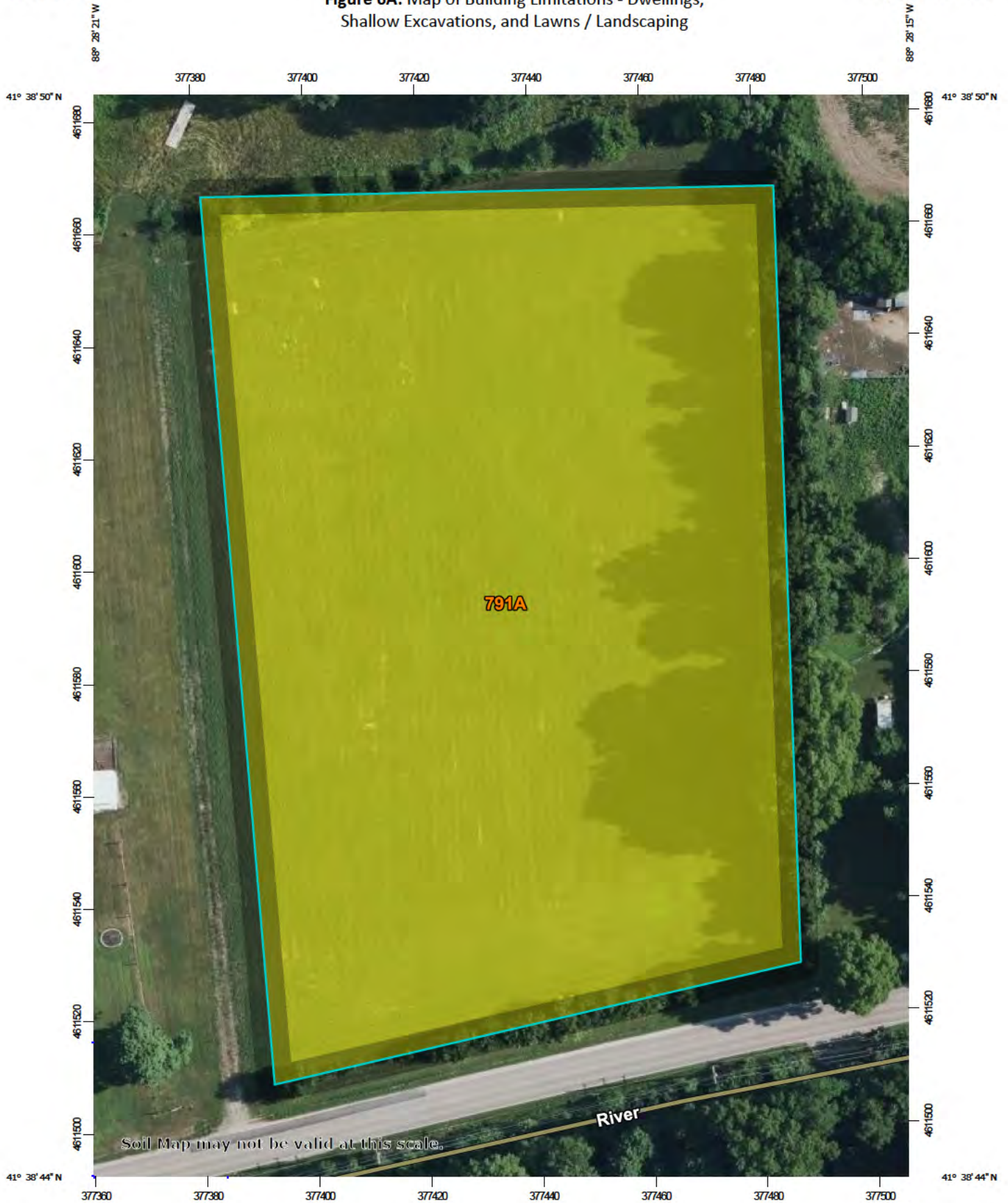
Lawns and Landscaping – Require soils on which turf and ornamental trees and shrubs can be established and maintained (irrigation is not considered in the ratings). The ratings are based on the soil properties that affect plant growth and trafficability after vegetation is established.

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

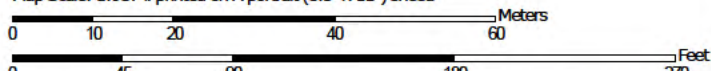
Table 4: Building Limitations

Soil Type	Dwellings with Basements	Dwellings without Basements	Shallow Excavations	Lawns / Landscaping	Onsite Conventional Septic Systems*	Acres	%
791A	Somewhat Limited: Shrink-swell	Somewhat Limited: Shrink-swell	Somewhat Limited: Dusty Unstable excavation walls	Somewhat Limited: Dusty	Suitable/ Not Limited	3.6	100%
% Very Limited	0%	0%	0%	0%	0%		

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



Map Scale: 1:937 if printed on A portrait (8.5" x 11") sheet.



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



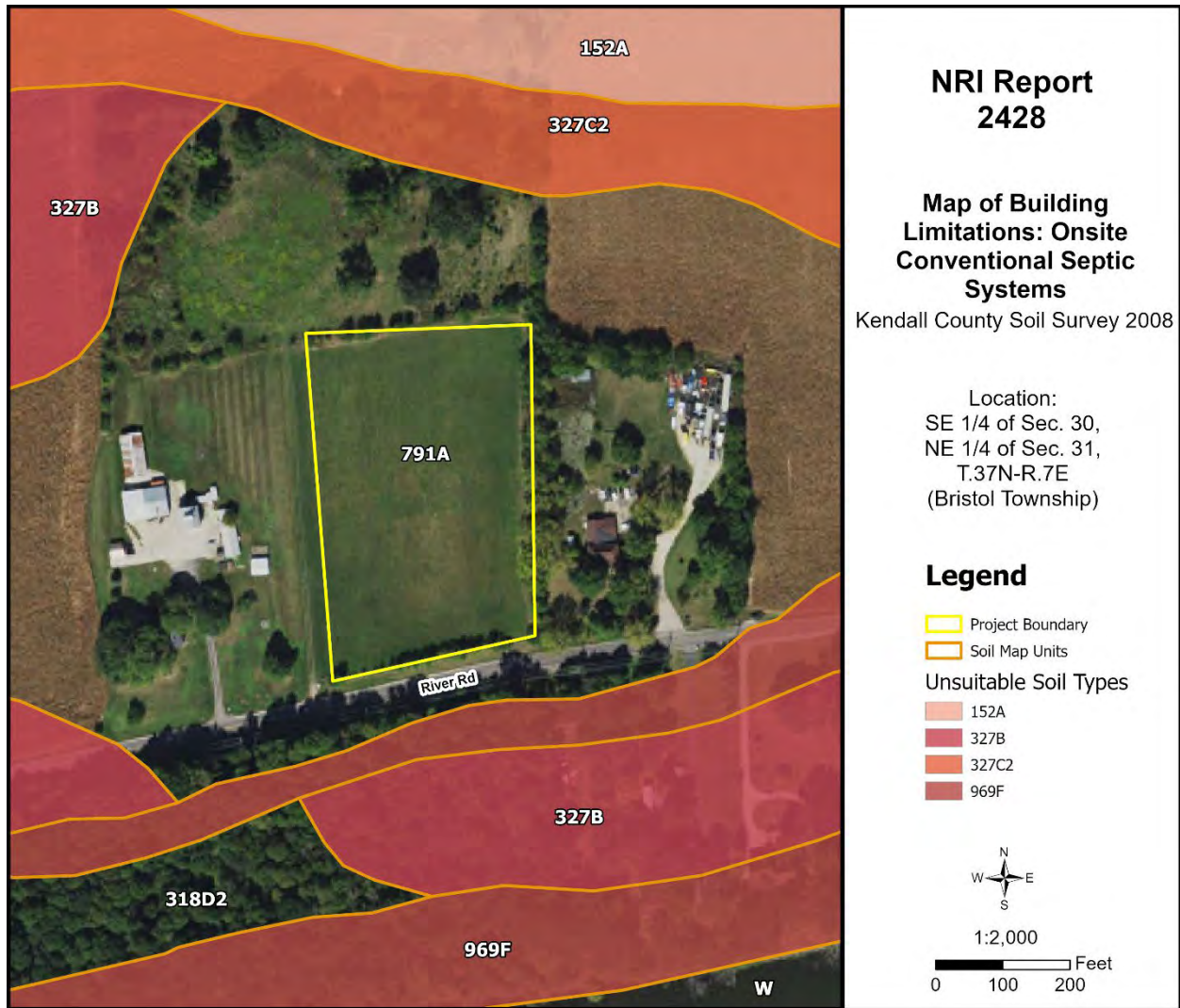


Figure 6B: Map of Building Limitations – Onsite Conventional Septic Systems

SOIL WATER FEATURES

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

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

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

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

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

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

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

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

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

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

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

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

Table 5: Water Features

Soil Type	Hydrologic Group	Surface Runoff	Water Table	Ponding	Flooding
791A	B	Low	<u>January - December</u> Upper Limit: -- Lower Limit: --	<u>January – December</u> Frequency: None	<u>January – December</u> Frequency: None

SOIL EROSION AND SEDIMENT CONTROL

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

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

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

The general principles of erosion and sedimentation control measures include:

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

Erosion control practices are useful controls only if they are properly located, installed, inspected, and maintained. Soil erosion and sedimentation control plans, including maintenance responsibilities, should be clearly communicated to all contractors working on the site.

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

Table 6: Soil Erosion Potential

Soil Type	Slope	Rating	Acreage	Percent
791A	0-2%	Slight	3.6	100%

PRIME FARMLAND SOILS

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

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

Table 7: Prime Farmland Soils

Soil Type	Prime Designation	Acreage	Percent
791A	Prime Farmland	3.6	100%
% Prime Farmland	100%		

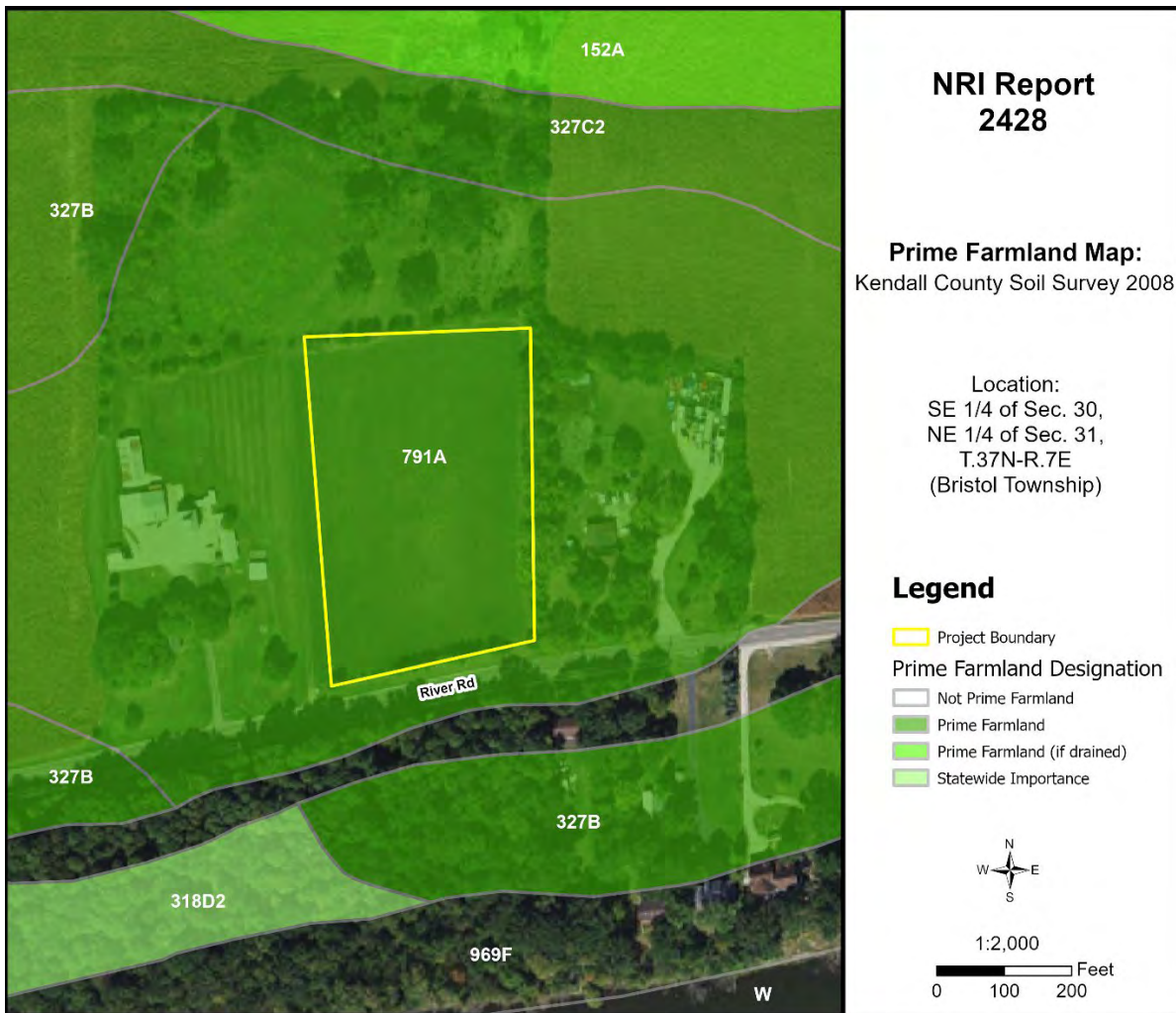


Figure 7: Map of Prime Farmland Soils

LAND EVALUATION AND SITE ASSESSMENT (LESA)

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

LAND EVALUATION (LE)

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

SITE ASSESSMENT (SA)

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

Table 8A: Land Evaluation Computation

Soil Type	Value Group	Relative Value	Acres*	Product (Relative Value x Acres)
791A	4	79	3.6	316.0
			3.6	316.0
LE Calculation			(Product of relative value / Total Acres)	
			316.0 / 3.6 = 87.8	
LE Score			LE = 88	

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

The Land Evaluation score for this site is 88, indicating that the soils on this site are designated as land that is well suited for agricultural uses considering the Land Evaluation score is at or above 80.

Table 8B: Site Assessment Computation

A.	Agricultural Land Uses	Points
	1. Percentage of area in agricultural uses within 1.5 miles of site. (20-10-5-0)	5
	2. Current land use adjacent to site. (30-20-15-10-0)	0
	3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0)	20
	4. Size of site. (30-15-10-0)	0
B.	Compatibility / Impact on Uses	
	1. Distance from city or village limits. (20-10-0)	0
	2. Consistency of proposed use with County Land Resource Management Concept Plan and/or municipal comprehensive land use plan. (20-10-0)	0
	3. Compatibility of agricultural and non-agricultural uses. (15-7-0)	7
C.	Existence of Infrastructure	
	1. Availability of public sewage system. (10-8-6-0)	6
	2. Availability of public water system. (10-8-6-0)	6
	3. Transportation systems. (15-7-0)	7
	4. Distance from fire protection service. (10-8-6-2-0)	2
	Site Assessment Score:	53

Land Evaluation Value: 88 + Site Assessment Value: 53 = LESA Score: 141

Table 9: LESA Score Summary

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

The LESA Score for this site is 141 which indicates a low level of protection for the proposed project site. Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

LAND USE PLANS

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

DRAINAGE, RUNOFF, AND FLOOD INFORMATION

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

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

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

WHAT IS A WATERSHED?

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

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

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

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

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

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

IMPORTANCE OF FLOOD INFORMATION

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

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

Flood Insurance Rate Maps (FIRMs), produced by the Federal Emergency Management Agency (FEMA), define flood elevation adjacent to tributaries and major bodies of water and superimpose that onto a simplified USGS topographic map. The scale of the FIRM maps is generally dependent on the size and density of parcels in that area. This is to correctly determine the parcel location and floodplain location. The FIRM map has three (3) zones. Zone A includes the 100-year flood (1% annual chance flood), Zone B or Zone X (shaded) is the 100 to 500-year flood (between limits of the 1% and the 0.2% annual chance flood), and Zone C or Zone X (unshaded) is outside the floodplain (outside the 0.2% annual chance flood).

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

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

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

If the available maps indicate the presence of a floodplain on the PIQ, the petitioner should contact the IDNR-OWR and FEMA to delineate a floodplain elevation for the parcel. If a portion of the property is indeed floodplain, applicable state, county, and local regulations will need to be reflected in the site plans. Another indication of flooding potential can be found in the soils information. Hydric soils indicate the presence of drainage ways, areas subject to ponding, or a naturally occurring high water table. These need to be considered along with the floodplain information when developing the site plan and the stormwater management plan. Development on hydric soils can contribute to the loss of water storage within the soil and the potential for increased flooding in the area.

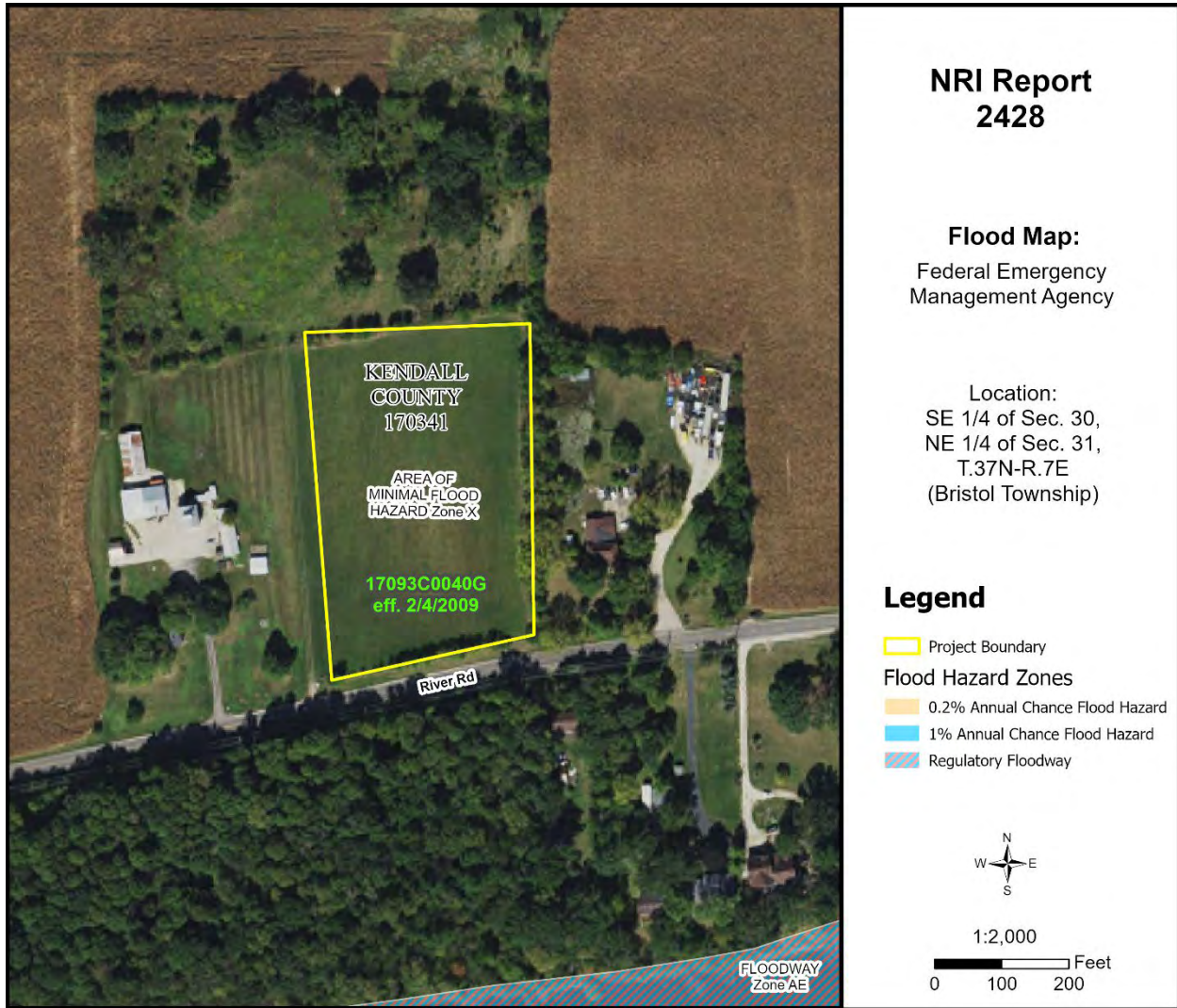


Figure 8: Flood Map

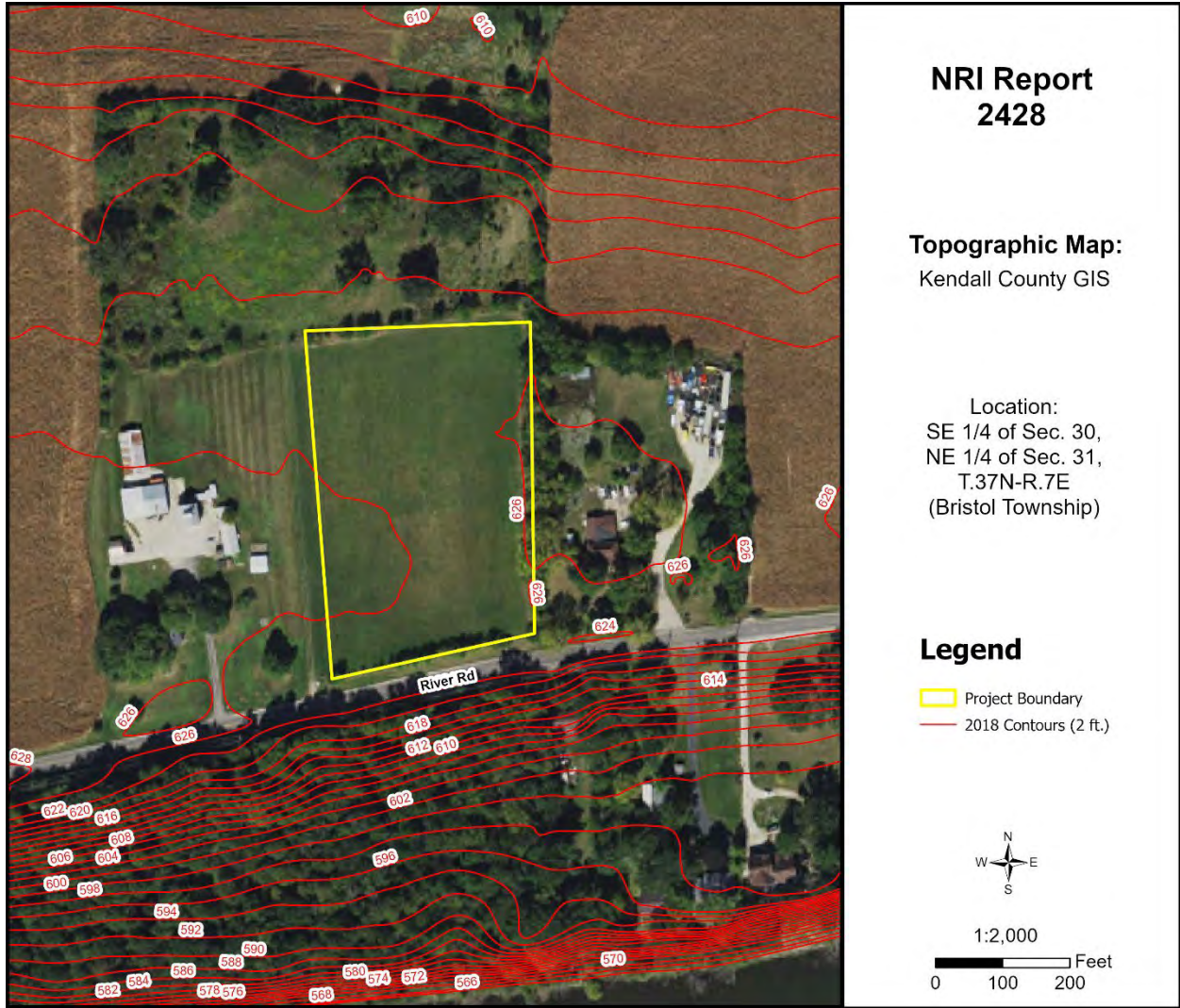


Figure 9: Topographic Map

This parcel contains soils with slopes of 0-2% and an elevation of approximately 626' above sea level. According to the topographic map (Figure 9), the overall area appears to drain south towards the Fox River. According to the Federal Emergency Management Agency (FEMA) Flood Map (Figure 8), the parcel does not appear to contain areas of floodplain or floodway. It is mapped as Zone X, an area of minimal flood hazard determined to be outside of the 0.2% annual chance floodplain.

WATERSHED PLANS

WATERSHED AND SUB WATERSHED INFORMATION

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

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

The following are recommendations to developers for protection of this watershed: Preserve open space; maintain wetlands as part of development; use natural water management; prevent soil from leaving a construction site; protect subsurface drainage; use native vegetation; retain natural features; mix housing styles and types; decrease impervious surfaces; reduce area disturbed by mass grading; shrink lot size and create more open space; maintain historical and cultural resources; treat water where it falls; preserve views; and establish and link trails.

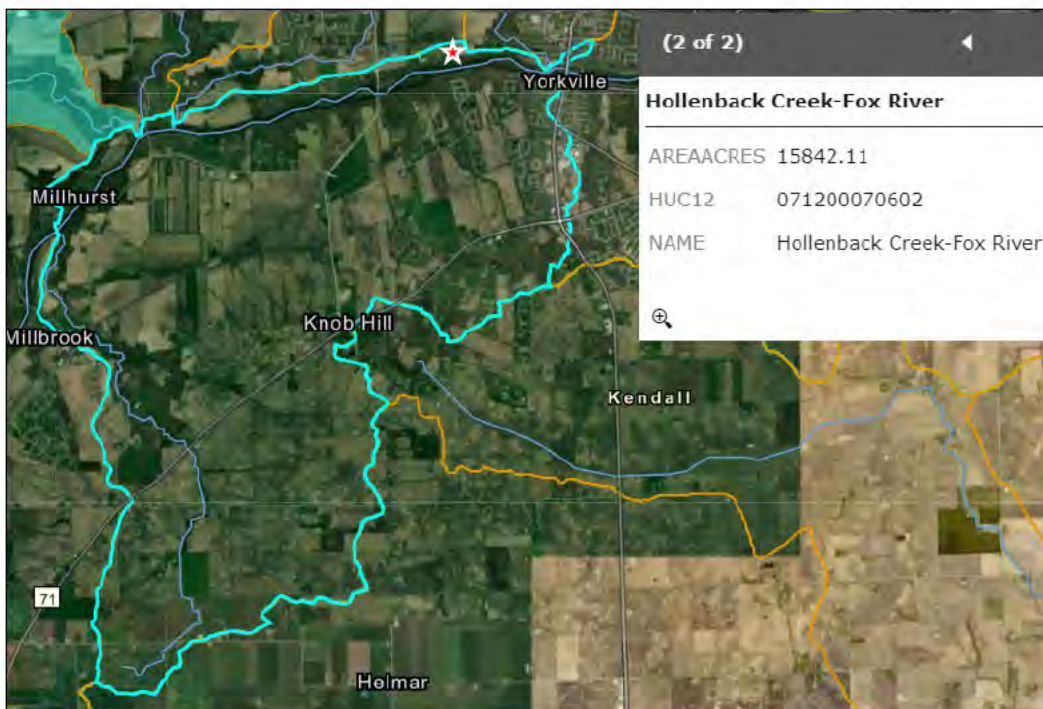


Figure 10: Sub Watershed Map

This site is located within the Lower Fox River watershed and the Hollenback Creek-Fox River sub watershed (HUC 12 – 071200070602). This sub watershed comprises about 15,842 acres and covers parts of Yorkville, Millhurst, Millbrook, and Newark.

WETLAND INFORMATION

IMPORTANCE OF WETLAND INFORMATION

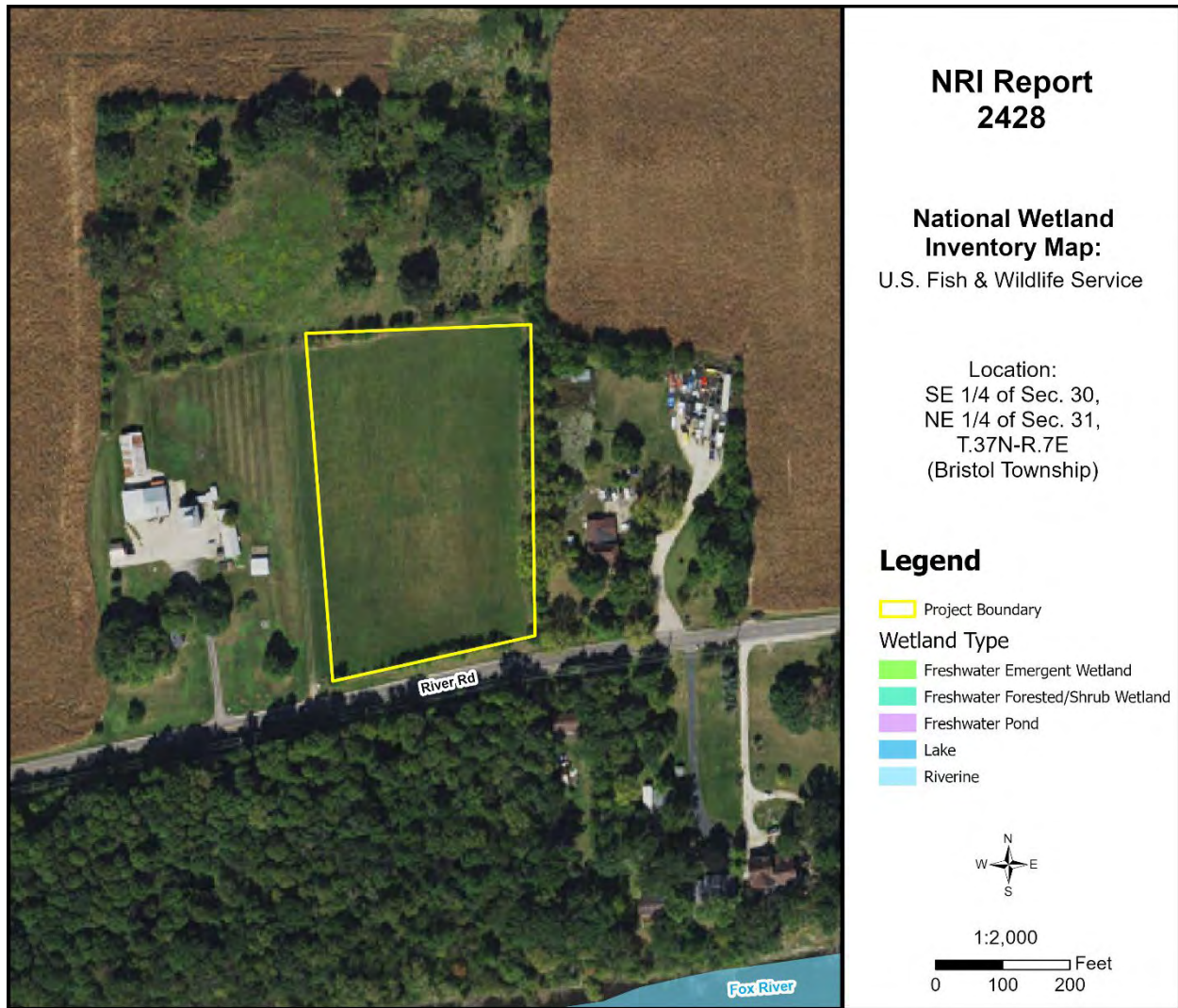
Wetlands function in many ways to provide numerous benefits to society. They control flooding by offering a slow release of excess water downstream or through the soil. They cleanse water by filtering out sediment and some pollutants and can function as rechargers of our valuable groundwater. They also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

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

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

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

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



Office maps indicate that mapped wetlands/waters are not present on the parcel in question (PIQ). The Fox River is located approximately 530 feet south of the PIQ. To determine the presence of wetlands, a wetland delineation specialist, who is recognized by the U.S. Army Corps of Engineers, should determine the exact boundaries and value of the wetlands.

HYDRIC SOILS

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

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

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

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

Table 10: Hydric Soils

Soil Types	Drainage Class	Hydric Designation	Hydric Inclusions Likely	Hydric Rating %	Acreage	Percent
791A	Well Drained	Non-Hydric	No	0%	3.6	100%



Figure 12: Hydric Soils Map

WETLAND AND FLOODPLAIN REGULATIONS

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

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

WHO MUST APPLY?

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

REGULATORY AGENCIES

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

COORDINATION

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

CAUTION: Contact with the United States Army Corps of Engineers is strongly advised before commencement of any work in or near a Waters of the United States. This could save considerable time and expense. Persons responsible for willful and direct violation of Section 10 of the River and Harbors Appropriation Act of 1899 or Section 404 of the Clean Water Act are subject to fines ranging up to \$16,000 per day of violation, with a maximum cap of \$187,500 in any single enforcement action, as well as criminal enforcement.

GLOSSARY

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

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

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

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

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

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

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

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

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

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

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

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

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

PIQ - Parcel in question

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

PRIME FARMLAND - Prime farmland soils are lands that are best suited to food, feed, forage, fiber and oilseed crops. It may be cropland, pasture, woodland, or other land, but it is not urban and built up land or water areas. It either is used for food or fiber or is available for those uses. The soil qualities, growing season, and moisture supply are those needed for a well-managed soil economically to produce a sustained high yield of crops. Prime farmland produces in highest yields with minimum inputs of energy and economic resources and farming the land results in the least damage to the environment. Prime farmland has an adequate and dependable supply of moisture from precipitation or irrigation. The temperature and growing season are favorable. The level of acidity or alkalinity is acceptable. Prime farmland has few or no rocks and is permeable to water and air. It is not excessively erodible or saturated with water for long periods and is not frequently flooded during the growing season. The slope ranges mainly from 0 to 5 percent (USDA Natural Resources Conservation Service).

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

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

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

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

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

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

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

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

REFERENCES

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Bristol Township

Phone: 630-553-0101

9075 Corneils and West Street
P.O. Box 165
Bristol, IL 60512-0165

Fax: 630-553-0118

To whom it may concern:

The Bristol Township Board has received and reviewed the Tremain Petition and sees no concerns with this petition.

Sincerely,



Robert Walker
Supervisor

Matt Asselmeier

From: Krysti Barksdale-Noble <knoble@yorkville.il.us>
Sent: Thursday, October 10, 2024 8:28 AM
To: Matt Asselmeier
Cc: Sara Mendez
Subject: [External]RE: Kendall County Petition 24-27

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,

This agenda item and Kendall Co. Petition 24-26 were recommended favorably at last night's PZC meeting. Will advance to City Council on October 22nd.

Best Regards,

Krysti J. Barksdale-Noble, AICP

(she/her)

Community Development Director

United City of Yorkville

651 Prairie Pointe Drive

Yorkville, Illinois 60560

☎ (630) 553-8573

☎ (630) 742-7808

🌐 www.yorkville.il.us

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
September 3, 2024 – Unapproved Meeting Minutes**

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

Present:

Matt Asselmeier – PBZ Department
David Guritz – Forest Preserve
Brian Holdiman – PBZ Department
Fran Klaas – Highway Department
Commander Jason Langston – Sheriff's Department
Alyse Olson – Soil and Water Conservation District
Seth Wormley – PBZ Committee Chair

Absent:

Meagan Briganti – GIS Department
Greg Chismark – WBK Engineering, LLC
Aaron Rybski – Health Department

Audience:

Tom Carroll, Jim Filotto, Katherine Rousonelos, Ray Jackinowski, and Dan Kramer

PETITIONS

Petition 24-26 Timothy A. Tremain

Mr. Asselmeier summarized the request.

The Petitioners would like a map amendment rezoning approximately three point six more or less (3.6 +/-) acres located on north side of River Road between 11327 and 11209 River Road from R-1 One Family Residential District to R-3 One Family Residential District in order to build two (2) houses at the property.

The property was rezoned in 2007 by Ordinance 2007-03 and is Lot 1 of the Glen Nelson Subdivision.

The property is less than ten (10) acres in size as is eligible for rezoning under Section 8:07.H of the Kendall County Zoning Ordinance.

As of the date of this memo, the Petitioner has not indicated if they will be dividing the land through a Plat Act Exemption or if they will be pursuing a re-subdivision of the property.

The application materials and zoning plat were provided.

The property is approximately three point six (3.6) acres in size.

The County's Future Land Use Map calls for the property to be Rural Residential. The United City of Yorkville's Future Land Use Map calls for the property to be Estate/Conservation Residential.

River Road is a Township maintained Minor Collector.

The zoning plat shows a fifteen foot (15') trail easement along the southern portion of the property.

There are no floodplains or wetlands on the property.

The adjacent land uses are Agricultural, Wooded, Single-Family Residential, and a Private Road.

The adjacent properties are zoned A-1, R-1, and R-3.

The County's Future Land Use Map calls for the area to Rural Residential. The United City of Yorkville's Future Land Use Map calls for the area to be Estate/Conservation Residential.

Properties within one half (1/2) mile are zoned A-1, A-1 SU, and R-3 in the County and Residential inside Yorkville south of the Fox River.

The A-1 special use permits to the east is for a campground (PNA Camp).

EcoCAT Report submitted and consultation was terminated; there were protected resources in the area, but adverse impacts were unlikely.

The application for NRI was submitted on August 20, 2024.

Petition information was sent to Bristol Township on August 23, 2024. No comments were received.

Petition information was sent to the United City of Yorkville on August 23, 2024. Yorkville will be reviewing this Petition at their meetings in October.

Petition information was sent to the Bristol-Kendall Fire Protection District on August 23, 2024. No comments were received.

The Petitioners would like to rezone the property in order to build a maximum of two (2) houses on the property.

The site is currently vacant. Any future buildings would have to meet applicable building codes.

No utility information was provided.

The property fronts Glen Nelson Drive, which is a private road. The zoning plat (Attachment 2) notes that the property cannot access River Road.

Any parking would be for residential purposes.

Based on the proposed uses, no new odors are foreseen.

Lighting would be for residential purposes and would have to follow applicable ordinances.

Landscaping would be for residential uses.

Signage would be for residential purposes and would have to meet applicable regulations.

The owners of the property would have to follow applicable noise control regulations based on residential uses.

Stormwater control would be evaluated as part of the building permit.

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 and single-family residential purposes.

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1, R-1, and R-3. In particular, the properties immediate south of the subject property are zoned R-3.

The suitability of the property in question for the uses permitted under the existing zoning classification. One (1) single-family home could be built on the subject property under the present R-1 zoning classification. If a property owner wanted to construct additional homes, a map amendment to a zoning district that allows for small lots, such as the R-3 zoning classification, would be needed.

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.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The subject property is classified as Rural Residential on the Future Land Use Map and the R-3 Zoning District is consistent with this land classification.

Staff recommended approval of the proposed map amendment.

ZPAC Meeting Minutes 09.03.24

Dan Kramer, Attorney for the Petitioner, stated that the developer of the subdivision lives across from the Petitioner. Mr. Kramer explained the history of the subdivision. The Petitioner plans to build a house on the south lot. There would be no cuts on River Road. Mr. Kramer said that Yorkville was reviewing the proposal at their meetings in October and the proposal would go to the Planning Commission in October. He also said that neighboring property owners were fine with dividing the lot.

Mr. Guritz asked about the Estate/Conservation Residential designation. Mr. Asselmeier said that Yorkville designated the property that way in their Future Land Use Map. Mr. Kramer explained that the designation was assigned to properties where Yorkville had not undertaken large amounts of analysis of future land use.

Mr. Klaas asked when the subdivision was created. It was created around 2007. Mr. Klaas asked when the right-of-way dedication occurred. The dedication probably occurred at that time.

Mr. Guritz asked if the trail easement was held by the County. Mr. Asselmeier was unsure, but he thought it was held by Bristol Township. If it was held by Bristol Township, and the road was annexed, the trail easement would go to Yorkville.

The homes probably would not be constructed until 2025 at the earliest.

Mr. Guritz made a motion, seconded by Commander Langston, to recommend approval of the map amendment.

The votes were follows:

Ayes (7): Asselmeier, Guritz, Holdiman, Klaas, Langston, Olson, and Wormley
Nays (0): None
Abstain (0): None
Absent (3): Briganti, Chismark, and Rybski

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on October 23, 2024.

PUBLIC COMMENT

Dan Kramer commended the Regional Planning Commission for honoring Larry Nelson.

ADJOURNMENT

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

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

The ZPAC, at 9:36 a.m., adjourned.


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

Enc.



**KENDALL COUNTY
ZONING & PLATTING ADVISORY COMMITTEE
SEPTEMBER 3, 2024**

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

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
<i>Pat Jackowski</i>		
<i>Kathy Hancock</i>		
<i>Jim Filott</i>		
<i>Dan Keane</i>		

Matt Asselmeier

From: Krysti Barksdale-Noble <knoble@yorkville.il.us>
Sent: Tuesday, October 22, 2024 8:22 PM
To: Matt Asselmeier
Cc: Sara Mendez
Subject: RE: [External]RE: Kendall County Petition 24-27

Matt,

Positive recommendation for both Petitions 24-26 and 24-27 from the City Council.

Best Regards,

Krysti J. Barksdale-Noble, AICP

(she/her)

Community Development Director

United City of Yorkville

651 Prairie Pointe Drive

Yorkville, Illinois 60560

☎(630) 553-8573

📠(630) 742-7808

🌐www.yorkville.il.us

From: Matt Asselmeier <masselmeier@kendallcountyil.gov>

Sent: Thursday, October 10, 2024 8:34 AM

To: Krysti Barksdale-Noble <knoble@yorkville.il.us>

Cc: Sara Mendez <smendez@yorkville.il.us>

Subject: RE: [External]RE: Kendall County Petition 24-27

Thanks,

Matthew H. Asselmeier, AICP, CFM

Director

Kendall County Planning, Building & Zoning

111 West Fox Street

Yorkville, IL 60560-1498

PH: 630-553-4139

Fax: 630-553-4179

From: Krysti Barksdale-Noble <knoble@yorkville.il.us>

Sent: Thursday, October 10, 2024 8:28 AM

To: Matt Asselmeier <masselmeier@kendallcountyil.gov>

Cc: Sara Mendez <smendez@yorkville.il.us>

Subject: [External]RE: Kendall County Petition 24-27

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.

Attachment 8, Page 1
KENDALL COUNTY
REGIONAL PLANNING COMMISSION

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

Unapproved - Meeting Minutes of October 23, 2024 - 7:00 p.m.

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

ROLL CALL

Members Present: Bill Ashton, Eric Bernacki, Tom Casey, Dave Hamman, Keith Landovitz, Karin McCarthy-Lange, Ruben Rodriguez, Claire Wilson, and Seth Wormley

Members Absent: Bob Stewart

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

Others Present: Dan Kramer and Peter Pasteris

PETITIONS

Petition 24-26 Timothy A. Tremain

Mr. Asselmeier summarized the request.

The Petitioners would like a map amendment rezoning approximately three point six more or less (3.6 +/-) acres located on north side of River Road between 11327 and 11209 River Road from R-1 One Family Residential District to R-3 One Family Residential District in order to build two (2) houses at the property.

The property was rezoned in 2007 by Ordinance 2007-03 and is Lot 1 of the Glen Nelson Subdivision.

The property is less than ten (10) acres in size as is eligible for rezoning under Section 8:07.H of the Kendall County Zoning Ordinance.

As of the date of this meeting, the Petitioner has not indicated if they will be dividing the land through a Plat Act Exemption or if they will be pursuing a re-subdivision of the property.

The application materials and zoning plat were provided.

The property is approximately three point six (3.6) acres in size.

The County's Future Land Use Map calls for the property to be Rural Residential. The United City of Yorkville's Future Land Use Map calls for the property to be Estate/Conservation Residential.

River Road is a Township maintained Minor Collector.

The zoning plat shows a fifteen foot (15') trail easement along the southern portion of the property.

There are no floodplains or wetlands on the property.

The adjacent land uses are Agricultural, Wooded, Single-Family Residential, and a Private Road.

The adjacent properties are zoned A-1, R-1, and R-3.

The County's Future Land Use Map calls for the area to be Rural Residential. The United City of Yorkville's Future Land Use Map calls for the area to be Estate/Conservation Residential.

Properties within one half (1/2) mile are zoned A-1, A-1 SU, and R-3 in the County and Residential inside Yorkville south of the Fox River.

The A-1 special use permits to the east is for a campground (PNA Camp).

EcoCAT Report submitted and consultation was terminated; there were protected resources in the area, but adverse impacts were unlikely.

The application for NRI was submitted on August 20, 2024. The LESA Score was 141 indicating a low level of protection. The NRI was provided.

Petition information was sent to Bristol Township on August 23, 2024. Bristol Township had no concerns regarding the proposal. A letter from Bristol Township was provided.

Petition information was sent to the United City of Yorkville on August 23, 2024. The Yorkville Planning and Zoning Commission reviewed the proposal at their meeting on October 9, 2024, and recommended favorably of the proposal. An email to that effect was provided. The proposal went to the Yorkville City Council on October 22, 2024, and the Yorkville City Council issued a positive recommendation.

Petition information was sent to the Bristol-Kendall Fire Protection District on August 23, 2024. No comments received.

ZPAC reviewed the proposal at their meeting on September 3, 2024. The Petitioner's Attorney provided a history of the subdivision and the Petitioner's plan to build houses on the subject property. Any new houses would use the existing private road to access River Road; there would be no new cuts on River Road. Discussion occurred regarding the Estate/Conservation Residential classification in Yorkville's plan; this designation was placed on properties where Yorkville had not conducted a large amount of analysis of future land uses. Discussion also occurred regarding the trail easement. The earliest the Petitioner would construct houses would be 2025. ZPAC recommended approval of the proposal by a vote of seven (7) in favor and zero (0) in opposition with three (3) members absent. The minutes of the meeting were provided.

The Petitioner would like to rezone the property in order to build a maximum of two (2) houses on the property.

The site is currently vacant. Any future buildings would have to meet applicable building codes.

No utility information was provided.

The property fronts Glen Nelson Drive, which is a private road. The zoning plat noted that the property cannot access River Road.

Any parking would be for residential purposes.

Based on the proposed uses, no new odors were foreseen.

Lighting would be for residential purposes and would have to follow applicable ordinances.

Landscaping would be for residential uses.

Signage would be for residential purposes and would have to meet applicable regulations.

The owners of the property would have to follow applicable noise control regulations based on residential uses.

Stormwater control would be evaluated as part of the building permit.

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 and single-family residential purposes.

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1, R-1, and R-3. In particular, the properties immediate south of the subject property are zoned R-3.

The suitability of the property in question for the uses permitted under the existing zoning classification. One (1) single-family home could be built on the subject property under the present R-1 zoning classification. If a property owner wanted to construct additional homes, a map amendment to a zoning district that allows for small lots, such as the R-3 zoning classification, would be needed.

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.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The subject property is classified as Rural Residential on the Future Land Use Map and the R-3 Zoning District is consistent with this land classification.

Staff recommended approval of the proposed map amendment.

Member Rodriguez asked about driveway access to the property. Mr. Asselmeier responded that the properties would connect their driveways to Glen Nelson Drive; the properties would not have direct access to River Road for their driveways.

Discussion occurred regarding ownership of Glen Nelson Drive. Dan Kramer, Attorney for the Petitioner, explained that the lot owners share responsibilities related to Glen Nelson Drive.

Mr. Kramer explained that the Petitioner has not yet designed their house.

Mr. Kramer said prospective buyers want smaller lots because of less lawn maintenance.

Member Wilson made a motion, seconded by Member McCarthy-Lange, to recommend approval of the requested map amendment.

The votes were as follows:

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

Nays (0): None

Absent (1): Stewart

Abstain (0): None

The motion carried.

The proposal goes to the Kendall County Zoning Board of Appeals on October 28, 2024.

CITIZENS TO BE HEARD/PUBLIC COMMENT

None

OTHER BUSINESS/ANNOUNCEMENTS

Mr. Asselmeier reported that the application deadline for the December meeting is in the middle of November. Presently, there is a request for a special use permit for a commercial solar facility on Ament Road, text amendments related to road weight limits, window sign enforcement regulations, add parks to the list of permitted uses in the R-4, R-5, R-6, and R-7 zoning districts, changing the setback of pipelines from house, and the parking setback for A-1 zoned properties.

ADJOURNMENT

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

The Kendall County Regional Planning Commission meeting adjourned at 8:27 p.m.

Respectfully submitted by,
Matthew H. Asselmeier, AICP, CFM, Director

Enc.



**KENDALL COUNTY
REGIONAL PLANNING COMMISSION
OCTOBER 23, 2024**

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

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
Don Kram	