

State of Illinois
County of Kendall

Zoning Petition 08-10
SD Permit #08-01
(ComEd Bristol Substation)

ORDINANCE 2008 - 08-06
Stormwater Management Variance
COMED BRISTOL SUBSTATION
5.3 Acres located on East of Cannonball Trail and North of the Burlington Railroad
Bristol Township

WHEREAS, ComEd has submitted final engineering plans prepared by Daniel Rest of HBK Engineering, LLC to allow for the development of a ComEd Substation on a 5.3 acre parcel of land which is part of the ComEd Right of Way; and

WHEREAS, the property is legally described in Exhibit "A" (PIN #02-15-152-005, 02-15-152-006, 02-15-156-002) attached hereto and made a part hereof; and

WHEREAS, ComEd, through their engineers at HBK Engineering, LLC, has petitioned the Planning, Building and Zoning Committee For approval of a variance to Sections 4.03.0 and 4.05.0 of the Kendall County Stormwater Management Ordinance dated September 19, 2002; and

WHEREAS, the ordinance requires a restrictor diameter of less than four inches for the two-year release rate; and

WHEREAS, compliance with this standard would become an ongoing maintenance problem; and

WHEREAS, the two-year release rate requirement will be addressed with six inches of buffer between the bottom of the detention pond to the invert of the outlet pipe and will be planted with wetland-type plantings to promote water quality; and

WHEREAS, the ordinance requires a detention basin to be designed according to the total acreage of the property; and

WHEREAS, compliance with this standard would not be practical because of ComEd's Right of Way being 100 feet wide and many long; and

WHEREAS, the detention will be sized based on the total disturbed area of 5.3 acres; and

WHEREAS, the Committee reviewed the request at its meeting on February 11, 2008; and

WHEREAS, the Committee, after reviewing the request recommended approval subject to final engineering review and approval; and

WHEREAS, the County's Consulting engineer Strand Associates, Inc. has reviewed and recommended approval of the final engineering for the project; and

WHEREAS, the Zoning Administrator has evaluated the request against the standards for

granting a variance to the Kendall County Stormwater Management Ordinance, and has recommended approval of the variation request; and

WHEREAS, said variation would not have a negative effect on adjacent properties; and

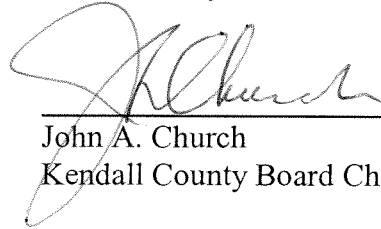
WHEREAS, the size and topography of the property, scope of improvements and design of the basin will facilitate improved water quality and accommodate stormwater runoff without impacting adjacent properties.

NOW, THEREFORE, BE IT ORDAINED, the Kendall County Board hereby approves a variation to Section 403.0 and Section 405.0 of the Kendall County Stormwater Ordinance to allow construction of a detention basin that does not comply with the required two year storm event release rate and to design the detention basin based on the total disturbed area of 5.3 acres to serve the development of ComEd Substation as depicted on "Exhibit B" attached hereto and made a part hereof.

IN WITNESS OF, this ordinance has been enacted on February 19, 2008.



Attest:



John A. Church
Kendall County Board Chairman

Renetta Mickelson
Kendall County Clerk

Exhibit "A"

LEGAL DESCRIPTION OF THE TOTAL DISTURBED AREA (PER HBK ENGINEERING LAND USE DRAWING FOR PROJECT # 07201) FOR BRISTOL SUBSTATION. (PART OF COMED PARCEL 14 OF THE COMED PLANO-MONTGOMERY RIGHT OF WAY.)

LEGAL DESCRIPTION # 1 (PART OF COMED PARCEL 14)
(PART OF PIN # 02-15-152-005)

THAT PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: THAT PART OF LOTS 1, 4, AND 5, AND PART OF THE ALLEY RUNNING NORTHERLY AND SOUTHERLY IN BLOCK 3 OF THE VILLAGE OF BRISTOL CENTER, FORMERLY HUNTSVILLE, ACCORDING TO THE PLAT THEREOF RECORDED IN BOOK "K" OF DEEDS, PAGE 628 MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID BLOCK 3; THENCE SOUTH 83 DEGREES 05 MINUTES 14 SECONDS EAST, ALONG THE NORTH LINE OF SAID BLOCK 3, A DISTANCE OF 288.00 FEET TO THE NORTHEAST CORNER OF SAID BLOCK 3; THENCE SOUTH 07 DEGREES 26 MINUTES 04 SECONDS WEST, ALONG THE EAST LINE OF SAID BLOCK 3, A DISTANCE OF 20.31 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE LAST DESCRIBED COURSE, 25.97 FEET; THENCE SOUTH 74 DEGREES 23 MINUTES 31 SECONDS WEST, 312.96 FEET TO THE WEST LINE OF SAID BLOCK 3; THENCE NORTH 07 DEGREES 26 MINUTES 04 SECONDS EAST, ALONG THE WEST LINE OF SAID BLOCK 3, A DISTANCE OF 33.60 FEET; THENCE SOUTH 74 DEGREES 36 MINUTES 48 SECONDS EAST, 16.29 FEET; THENCE NORTH 74 DEGREES 07 MINUTES 37 SECONDS EAST, 296.01 FEET TO THE POINT OF BEGINNING, ALL IN KENDALL COUNTY, ILLINOIS.

EASEMENT # 1 AREA = 7327.4 SQ. FT. OR 0.168 ACRES

LEGAL DESCRIPTION OF THE TOTAL DISTURBED AREA (PER HBK ENGINEERING LAND USE DRAWING FOR PROJECT # 07201) FOR BRISTOL SUBSTATION. (UNNUMBERED PARCEL BETWEEN COMED PARCELS 15 AND 16 OF THE COMED PLANO-MONTGOMERY RIGHT OF WAY.)

LEGAL DESCRIPTION # 2 (UNNUMBERED PARCEL BETWEEN COMED PARCELS 14 AND 15 OF THE PLANO-MONTGOMERY RIGHT OF WAY)

THAT PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF BLOCK 3 IN THE VILLAGE OF BRISTOL CENTER, FORMERLY HUNTSVILLE, ACCORDING TO THE PLAT THEREOF RECORDED IN BOOK "K" OF DEEDS, PAGE 628; THENCE SOUTH 83 DEGREES 05 MINUTES 14 SECONDS EAST, ALONG THE NORTH LINE OF SAID BLOCK 3, A DISTANCE OF 288.00 FEET TO THE NORTHEAST CORNER OF SAID BLOCK 3; THENCE CONTINUING ALONG THE LAST DESCRIBED COURSE, 29.00 FEET TO THE WESTERLY LINE OF "REEVES" PROPERTY AS DESCRIBED IN DEED RECORDED MARCH 13, 1952 AS DOCUMENT NUMBER 101936, AND A LINE OF AN OLD FENCE; THENCE SOUTH 04 DEGREES 06 MINUTES 17 SECONDS WEST ALONG SAID "REEVES" WESTERLY LINE AND THE LINE OF AN OLD FENCE, 6.86 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE LAST DESCRIBED COURSE, 26.58 FEET; THENCE SOUTH 74 DEGREES 23 MINUTES 31 SECONDS WEST, 33.62 FEET TO THE EAST LINE OF SAID BLOCK 3; THENCE NORTH 07 DEGREES 26 MINUTES 04 SECONDS EAST, ALONG THE EAST LINE OF SAID BLOCK 3, A DISTANCE OF 25.97 FEET; THENCE NORTH 74 DEGREES 07 MINUTES 37 SECONDS EAST, 24.20 FEET; THENCE NORTH 67 DEGREES 22 MINUTES 42 SECONDS EAST, 8.29 FEET TO THE POINT OF BEGINNING, ALL IN KENDALL COUNTY, ILLINOIS.

EASEMENT # 2 AREA = 790.7 SQ. FT. OR 0.018 ACRES

LEGAL DESCRIPTION OF THE TOTAL DISTURBED AREA (PER HBK ENGINEERING LAND USE DRAWING FOR PROJECT # 07201) FOR BRISTOL SUBSTATION. (PART OF COMED PARCEL 15 OF THE COMED PLANO-MONTGOMERY RIGHT OF WAY.)

LEGAL DESCRIPTION # 3 (PART OF COMED PARCEL 15 OF THE PLANO-MONTGOMERY RIGHT OF WAY) (PART OF PIN # 02-15-152-006)

THAT PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF BLOCK 3 IN THE VILLAGE OF BRISTOL CENTER, FORMERLY HUNTSVILLE, ACCORDING TO THE PLAT THEREOF RECORDED IN BOOK "K" OF DEEDS, PAGE 628; THENCE SOUTH 83 DEGREES 05 MINUTES 14 SECONDS EAST, ALONG THE NORTH LINE OF SAID BLOCK 3, A DISTANCE OF 288.00 FEET TO THE NORTHEAST CORNER OF SAID BLOCK 3; THENCE CONTINUING ALONG THE LAST DESCRIBED COURSE, 29.00 FEET TO THE WESTERLY LINE OF "REEVES" PROPERTY AS DESCRIBED IN DEED RECORDED MARCH 13, 1952 AS DOCUMENT NUMBER 101936, AND A LINE OF AN OLD FENCE; THENCE SOUTH 04 DEGREES 06 MINUTES 17 SECONDS WEST ALONG SAID "REEVES" WESTERLY LINE AND THE LINE OF AN OLD FENCE, 6.86 FEET TO THE POINT OF BEGINNING; THENCE NORTH 67 DEGREES 22 MINUTES 42 SECONDS EAST, 171.09 FEET; THENCE NORTH 65 DEGREES 02 MINUTES 52 SECONDS EAST, 65.70 FEET; THENCE NORTH 74 DEGREES 22 MINUTES 26 SECONDS EAST, 32.84 FEET TO THE NORTHERLY LINE OF SAID "REEVES" PROPERTY; THENCE SOUTH 81 DEGREES 50 MINUTES 18 SECONDS EAST ALONG THE NORTHERLY LINE OF SAID "REEVES" PROPERTY, 332.90 FEET; THENCE SOUTH 63 DEGREES 34 MINUTES 15 SECONDS WEST, 22.60 FEET; THENCE SOUTH 72 DEGREES 54 MINUTES 58 SECONDS WEST, 219.59 FEET; THENCE SOUTH 75 DEGREES 30 MINUTES 21 SECONDS WEST, 163.97 FEET; THENCE NORTH 15 DEGREES 27 MINUTES 07 SECONDS WEST, 105.16 FEET; THENCE SOUTH 67 DEGREES 17 MINUTES 11 SECONDS WEST, 168.69 FEET; THENCE SOUTH 74 DEGREES 23 MINUTES 31 SECONDS WEST, 8.35 FEET TO THE WESTERLY LINE OF SAID "REEVES" PROPERTY, AND A LINE OF AN OLD FENCE; THENCE NORTH 04 DEGREES 06 MINUTES 17 SECONDS EAST ALONG THE WESTERLY LINE OF SAID "REEVES" PROPERTY, AND AN OLD FENCE, 26.58 FEET TO THE POINT OF BEGINNING, ALL IN KENDALL COUNTY, ILLINOIS.

EASEMENT # 3 AREA = 40,796.7 SQ. FT. OR 0.937 ACRES

LEGAL DESCRIPTION OF THE TOTAL DISTURBED AREA (PER HBK ENGINEERING LAND USE DRAWING FOR PROJECT # 07201) FOR BRISTOL SUBSTATION. (PART OF COMED PARCELS 16 OF THE COMED PLANO-MONTGOMERY RIGHT OF WAY.)

LEGAL DESCRIPTION # 4 (PART OF COMED PARCEL 16 OF THE PLANO-MONTGOMERY RIGHT OF WAY) (PART OF PIN # 02-15-156-002)

THAT PART OF THE NORTH HALF OF SECTION 15, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE EAST LINE OF THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 15 AND THE NORTHWESTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN (FORMERLY CHICAGO, BURLINGTON AND QUINCY) RAILROAD; THENCE SOUTH 74 DEGREES 19 MINUTES 17 SECONDS WEST, ALONG THE NORTHWESTERLY RIGHT OF WAY LINE OF SAID RAILROAD, 2910.45 FEET TO THE SOUTHEAST CORNER OF "REEVES" PROPERTY AS DESCRIBED IN DEED RECORDED MARCH 13, 1952 AS DOCUMENT NUMBER 101936; THENCE NORTH 03 DEGREES 10 MINUTES 43 SECONDS WEST, ALONG THE EASTERLY LINE OF SAID "REEVES" PROPERTY, 12.80 FEET TO THE NORTHEASTERLY CORNER THEREOF; THENCE NORTH 81 DEGREES 50 MINUTES 18 SECONDS WEST, ALONG THE NORTHERLY LINE OF SAID "REEVES" PROPERTY, 1.17 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE LAST DESCRIBED COURSE, 332.90 FEET; THENCE NORTH 74 DEGREES 22 MINUTES 26 SECONDS EAST, 170.67 FEET; THENCE NORTH 73 DEGREES 25 MINUTES 06 SECONDS EAST, 155.12 FEET; THENCE NORTH 53 DEGREES 34 MINUTES 43 SECONDS EAST, 0.51 FEET; THENCE NORTH 08 DEGREES 21 MINUTES 02 SECONDS EAST, 19.95 FEET; THENCE NORTH 60 DEGREES 16 MINUTES 50 SECONDS EAST, 7.70 FEET; THENCE NORTH 74 DEGREES 02 MINUTES 59 SECONDS EAST, 170.48 FEET; THENCE NORTH 71 DEGREES 14 MINUTES 28 SECONDS EAST, 90.62 FEET; THENCE NORTH 73 DEGREES 44 MINUTES 41 SECONDS EAST, 71.71 FEET; THENCE NORTH 79 DEGREES 06 MINUTES 45 SECONDS EAST, 129.75 FEET; THENCE NORTH 70 DEGREES 03 MINUTES 48 SECONDS EAST, 170.38 FEET; THENCE NORTH 74 DEGREES 22 MINUTES 48 SECONDS EAST, 315.32 FEET; THENCE SOUTH 16 DEGREES 25 MINUTES 44 SECONDS EAST, 170.56 FEET; THENCE SOUTH 74 DEGREES 07 MINUTES 59 SECONDS WEST, 646.07 FEET; THENCE SOUTH 85 DEGREES 29 MINUTES 53 SECONDS WEST, 81.47 FEET; THENCE SOUTH 73 DEGREES 44 MINUTES 03 SECONDS WEST, 230.42 FEET; THENCE SOUTH 63 DEGREES 34 MINUTES 15 SECONDS WEST, 30.92 FEET TO THE POINT OF BEGINNING, ALL IN KENDALL COUNTY, ILLINOIS.

EASEMENT AREA # 4 = 181,252.8 SQ. FT. OR 4.161 ACRES