

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION**
111 West Fox Street • Rooms 209 and 210 • Yorkville, IL • 60560
AGENDA

Wednesday, June 27, 2018 – 7:00 p.m.

CALL TO ORDER

ROLL CALL: Bill Ashton (Chair), Roger Bledsoe, Tom Casey, Larry Nelson, Ruben Rodriguez, John Shaw, Claire Wilson, Budd Wormley, Angela Zubko, and One Vacancy (Big Grove Township)

APPROVAL OF AGENDA

APPROVAL OF MINUTES Approval of Minutes from May 23, 2018 Meeting (Pages 3-49)

PUBLIC HEARING

1. **18 – 04 – Kendall County Regional Planning Commission (Pages 50-74)**
Request: Proposed Amendments to Future Land Use Map for Properties Located Near Route 47 in Lisbon Township

Purpose: Proposed Changes to the Lisbon Township Future Land Use Map Include:

1. Changing the Agricultural Area West of Route 47 from Slightly South of Townhall Road to the Kendall/Grundy County Line to Mining
2. Changing the Agricultural Area East of Route 47 from the Kendall/Grundy County Line North for a Distance of 0.50 Miles to Commercial
3. Changing the Agricultural Area at the Northwest, Southwest, and Northeast Quadrants of the Intersection of Routes 47 and 52 to Commercial
4. Changing the Agricultural Area at the Intersection of Route 47 and Plattville Road to Commercial
5. Removing Rural Settlement Classification from Map
6. Remaining Properties Along Route 47 from the Kendall/Grundy County Line to the Lisbon/Kendall Township Line Not Impacted by 1-5 Above Shall Be Changed from Agricultural to Mixed Use Business
7. Incorporating the Village of Lisbon’s Mixed Use Business and Residential Areas in Sections 16, 17, 18, 19, 20, 29, 30, 31, and 32 of Lisbon Township into the County Land Resource Management Plan

Proposed Change to Kendall County Future Land Use Map:

1. Incorporate the Proposed Changes to the Lisbon Township Future Land Use Map into the Kendall County Future Land Use Map

Proposed Text Changes:

1. Remove All Language Contained in the Narrative Portion of the Kendall County Land Resource Management Plan that Conflicts with the Changes to the Lisbon Township Future Land Use Map

Commission Could Issue a Recommendation or Make Amendments to the Proposal

PETITIONS

1. **18 – 20 – Fox Metro Water Reclamation District (Pages 75-146)**
Request: Map Amendment Rezoning Southern Portion of Property from R-1 with a Special Use Permit to M-1

PINs: 03-05-176-002, 03-05-302-001, 03-05-302-002, 03-05-302-003, 03-05-302-004, 03-05-353-001, 03-05-353-002, 03-05-353-003, 03-05-353-004, 03-05-353-006, 03-05-353-009, and 03-05-353-010

03-05-127-005 and 03-05-176-001 Are Already Zoned M-1

Location: 682 Route 31, Oswego Township

Purpose: Petitioner Would Like the Whole Property to Have the Same Zoning Classification and Existing Use is a Permitted Use in the M-1 District

2. **Amended Petition 17-28 – Kendall County Planning, Building and Zoning Committee (Pages 147-158)**

Request: Text Amendments to Sections 7.01.D.32 (Specials Uses in A-1 Agricultural District), 7.01.D.33 (Special Uses in A-1 Agricultural District) and 10.03.B.4 (Special Uses in M-3 Aggregate Materials Extraction, Processing and Site Reclamation District) of the Kendall County Zoning Ordinance Pertaining to Regulations of Outdoor Target Practice or Shooting Ranges (Not Including Private Shooting in Your Own Yard)

Purpose: Amendments to Regulations of Outdoor Target Practice or Shooting Ranges for Non-Profit and For-Profit Shooting Ranges

3. **Amended Petition 18-07 – Kendall County Planning, Building and Zoning Committee (Pages 159-163)**

Request: Text Amendments to Section 13.08 of the Kendall County Zoning Ordinance Pertaining to the Renewal, Amendment, and Revocation of Special Use Permits

Purpose: Amendments Clarify Renewal Procedures for Special Use Permits and Amends the Procedure for Amending and Revoking Special Use Permits; Proposal Applies to Special Use Permits Issued after the Adoption of the Proposed Amendment.

CITIZENS TO BE HEARD/PUBLIC COMMENT

NEW BUSINESS

None

OLD BUSINESS

None

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

None

OTHER BUSINESS/ANNOUNCEMENTS

ADJOURNMENT Next regularly scheduled meeting on Wednesday, July 25, 2018

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

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION**

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

Unapproved Meeting Minutes of May 23, 2018

Chairman Ashton called the meeting to order at 7:02 p.m.

ROLL CALL

Members Present: Bill Ashton, Roger Bledsoe, Larry Nelson, Ruben Rodriguez, Claire Wilson, Budd Wormley, and Angela Zubko

Members Absent: Tom Casey and John Shaw

Staff Present: Matthew H. Asselmeier, Senior Planner

In the Audience: Robert Davidson, Chris Childress, Michael Saar, Tom Bromeland, Mary Bromeland, Melissa Samaroo, Justin Hardt, Jim Coyle, Margaret Blum, and Cliff Fox

APPROVAL OF AGENDA

Mr. Wormley made a motion, seconded by Ms. Zubko, to amend the agenda by moving Petition 18-14 to before Petition 18-13 and to approve the agenda as amended. With a voice vote of all ayes, the motion carried.

APPROVAL OF MINUTES

Mr. Nelson made a motion, seconded by Ms. Zubko, to approve the April 25, 2018, Kendall County Regional Planning Commission meeting minutes as presented. With a voice vote of all ayes, the motion carried.

PETITIONS

Petition 18-14 Michael and Dayle Saar

Mr. Asselmeier summarized the request.

Michael and Dayle Saar are requesting a map amendment rezoning the majority of the subject property from A-1 to R-1 in order to have the ability to sell the property and market the property as a single-family home site. The subject property does not have an allocation for the construction of a home and does not possess forty (40) acres. Therefore, a map amendment is required in order to construct a home onsite. The Petitioners own one (1) of the houses northeast of the subject parcel. They would like to divide a portion of the northeast corner off of the subject property and merge it with their property in the Timber Creek Subdivision and rezone the northeast corner to R-3 at some point in the future.

The Petitioners do not believe that the property is large enough for farming.

The Land Resource Management Plan calls for this area to be rural residential in the future. Existing single-family homes are located to the north and east of the subject property.

The area surrounding the property is a mix of residential and agricultural zoning.

EcoCAT Report submitted and consultation was terminated.

The application for NRI was submitted on April 12, 2018 and the LESA score was 178 indicating a low level of protection.

Petition information was sent to Kendall Township on April 20, 2018.

Petition information was sent to the United City of Yorkville on April 20, 2018. Yorkville will conduct its meetings on this petition in June.

ZPAC met on this proposal on May 1, 2018 and unanimously recommended approval.

Any structures constructed on the property would have to meet applicable building and health related laws and secure the necessary permits.

No new odors or lighting issues are foreseen.

Mr. Saar stated that he did not have any additional information to provide the Commission.

Ms. Zubko wanted to make sure that a future property owner was notified that a trail could be installed in the future. A concrete ditch is located along Route 71.

The northeast portion of the property will remain A-1. The property owners' home is zoned R-3. The northeast corner of the property will not be landlocked because the Petitioners' adjoining property touches Timbercreek Drive.

Mr. Nelson made a motion to recommend approval of the map amendment as requested, seconded by Ms. Zubko.

Yes – Ashton, Bledsoe, Nelson, Rodriguez, Wilson, Wormley, and Zubko (7)

No – None (0)

Absent – Casey and Shaw (2)

The motion passed. This proposal will go to the Zoning Board of Appeals on June 4th.

Petition 18-13 Kendall County Planning, Building and Zoning Committee

Mr. Asselmeier summarized the request.

In recent months, the Kendall County Planning, Building and Zoning Department has received inquiries from solar energy consultants and property owners desiring to place solar panels on properties throughout the County. These solar panels would be used to generate power offsite from the location where the solar panels are placed. Kendall County adopted solar panel zoning regulations in 2010 and 2011, but these regulations focused on generating solar energy and using that energy onsite. The County also has zoning regulations for power plants, but many solar energy consultants were uncomfortable with a “power plant” classification.

At their meeting on March 12, 2018, the Planning, Building and Zoning Committee approved initiating text amendments to the Kendall County Zoning Ordinance incorporating DeKalb County's proposed regulations into the Kendall County Zoning Ordinance.

At the April Kendall County Regional Planning Commission meeting, Staff was asked to review the proposed solar panel regulations, contact the counties previously contacted regarding the number of solar panel projects they approved and any changes to their regulations they wish could be made in hindsight, obtain information from Fulton and Shelby Counties, and obtain Yorkville's solar panel regulations.

As of April 30th, DeKalb County had not approved any solar panel project. There were four (4) applications for projects. The only change they suggested was, as of April 3rd, the State of Illinois allows collocation. Prior to April 3rd, the State would not have allowed two (2) 2 MW systems to be located next to each other, but now they could be located adjacently.

As of April 30th, Will County had approved one (1) project and they have three (3) tabled for the past two (2) months. Discussion has occurred about whether or not to require a decommissioning bond; this was not required in the approved ordinance. Also, Will County is discussing a density limitation, i.e. how many solar panels should be allowed in a given area.

As of April 30th, Grundy County had approved one (1) project, a one hundred forty-three (143) acre solar farm. There are three (3) additional projects under consideration. The distance of the front yard setback has been an issue, some favor one hundred fifty feet (150') while others favor "farm ground". There are landscaping concerns (nature and type) and concerns that the roots of the landscaping could impact field tile. Discussion has occurred regarding requiring lighting at the gate entrance.

As of April 30th, Kankakee County had approved eleven (11) solar gardens and nine (9) more are at some stage of the adoption. In addition, there is one (1) solar farm that is under consideration. Their ordinance made no distinction between solar gardens and solar farms; that is the only change they would suggest.

As of April 30th, Tazewell County had one (1) approved project and two (2) projects at some form of the review process. They are considering changing the setback requirements from non-participating residences; it started at five hundred feet (500') and was reduced to one hundred feet (100').

As of May 6th, Boone County had not approved any solar projects and had four (4) projects at some form of the review process. The big issue of discussion is whether or not to allow solar projects on landfills and the impacts of the required setbacks for the landfills on the solar project.

Shelby County has not approved a separate solar panel project and they are in the process of writing an ordinance. They amended an existing special use permit for their electric co-operative to allow them to have solar panels on their existing site.

As of May 14th, Fulton County has not returned Staff's phone calls.

The regulations for the United City of Yorkville were provided.

Staff went through the proposal and offered the following amendments:

1. The definition of solar garden was clarified that energy generated from the panels would be used for offsite consumption.
2. The existing regulations for roof mounted and freestanding systems were clarified to apply for onsite consumption of energy only.
3. The existing regulations for roof mounted and freestanding systems were clarified that the systems had to follow applicable federal, state, and local laws and the regulations of the local electrical utility.
4. The building permit fee was clarified to apply to solar energy systems that consumed energy offsite or solar energy systems that consumed energy onsite for non-agricultural purposes.

5. The definition of solar gardens was clarified to include projects twenty (20) acres in size in Section 4.18.C.4.
6. The references to airports in Section 4.18.C.7, 4.18.D.9, and 4.18.F.4 were removed and replaced with a blanket statement in 4.18.Q.9 regarding all solar energy systems in relation to airports.
7. The reference to the State of Illinois Uniform Building Code in 4.18.C.8 was deleted because the Code does not exist.
8. The phrase “or vegetation” was added to Section 4.18.D.4 per the request of ZPAC.
9. Section 4.18.D.10 was deleted because it repeated the language found in 4.18.Q.3.
10. Solar energy systems must comply with State plumbing and energy codes (4.18.Q.8). Therefore, sections K and L are repetitive.

Mr. Holdiman previously suggested that 4.18.O.2 be removed from the proposal because the County currently does not require insurance for existing solar panels.

The Kendall County Farm Bureau was sent the proposal in March. They questioned why the bonding requirement was “may” and not “shall” (4.18.P.6).

The townships were mailed the proposal on March 22nd. To date, no townships have submitted comments.

ZPAC met on the proposal on April 3rd and unanimously recommended approval of the proposal with the following amendments:

1. Section 4.18.D.10 should be removed because the same language is found in 4.18.Q.3.
2. A more detailed contour map with existing vegetation, waterways, wetland boundaries, and FEMA FIRM information in a manner described in the Boone County ordinance should be added to the proposal.
3. The reference to the State of Illinois Uniform Building Code found in Section 4.18.C.8 should be removed.
4. Greater discussion should occur regarding the desire to have solar gardens in residential zoned districts.
5. The word “crops” found in line 7 of 4.18.C.4 should be replaced with the word “vegetation” because crops probably will not be the only plants growing around the solar panels and crops probably will not grow around the solar panels.

Ms. Wilson asked the difference between the solar energy system and the solar photovoltaic system. The photovoltaic system is the collectors and solar energy systems are all of the components.

The reference to county solar garden mentioned in the definition of solar garden was removed.

Onsite consumption of energy would be accessory to the existing use and would be allowed by right. Discussion occurred regarding the difference in regulations between onsite and offsite consumption of energy as applied to the regulations.

Ms. Zubko expressed her opposition to the waiver requirements listed in various sections. The consensus of the Commission was to have these references removed to protect neighbors.

The consensus of the Commission was also that solar gardens and solar farms had to follow the setback requirements of the zoning district in which they are located to avoid confusion and ensure consistency with the application of the Zoning Ordinance.

The reference to solar farms requiring a special use permit found in Section 4.18.D.1 was redundant because this language was in the definitions section.

Mr. Nelson asked if Greg Chismark commented on this proposal. Mr. Asselmeier said that Mr. Chismark reviewed the proposal and he was satisfied with the existing language because of the NPDES and Stormwater Ordinance requirement contained in the proposal. Discussion occurred about stormwater runoff, the importance of vegetation, and the method for controlling and maintaining the vegetation. Top soils will not be removed per 4.18.D.4.

Chris Childress, the County's consultant, discussed the importance of the distinction between onsite and offsite consumption of the energy generated. In the agreement for the County's proposed solar field, the developer is responsible for the maintenance and control of vegetation. The owner or developer should be responsible for maintaining the vegetation. Fixed panels could have stormwater drainage issues; these panels do not generate the same kilowatt hours.

The State has been collecting funds on electricity bills to fund the incentives for solar panel projects. Mr. Childress does not believe that many solar panel projects will occur in Kendall County because the funds for incentives will be gone within a year or year and a half. Most projects are in the advanced stage of approval. Once the incentives are used, solar panel projects will not occur because they are not economically beneficial.

Mr. Wormley asked the lifespan of the panels. Mr. Childress said that twenty-five (25) years is not an issue, but new technologies could arise to make the solar panels obsolete.

Mr. Childress said that holding a bond for twenty-five (25) years is expensive. Mr. Asselmeier noted that the bonding requirement says "may" in the current proposal. Mr. Davidson discussed the scrap value of the solar energy system.

Mr. Childress expressed concerns regarding damaging field tiles. He would like to see a provision for the repair of field tile.

Mr. Childress discussed the permit fees. He supported the fees so long as they were not required at the time of the special use permit application.

Mr. Nelson asked about the National Environmental Policy Act (NEPA) requirements. The Petitioners for Petition 18-15 will discuss this issue.

Discussion occurred regarding the exemption of building permits for agricultural related onsite consumption. A property owner would be required to get an agriculture-exempt permit, but not a building permit and no fees would be assessed.

Discussion occurred regarding the setbacks for the solar gardens and solar farms. The consensus of the Commission was to require solar gardens and solar farms to follow the setbacks and petitioners could request variances.

Discussion occurred regarding the relationship of solar panels to the County's Land Resource Management Plan. Renewable energy systems are mentioned in the Land Resource Management Plan.

Ms. Zubko requested that a provision for drain tile repair be placed in the proposal. The Commission requested that Staff ask the State's Attorney's Office for an opinion on this matter. If a provision could be added, the provision should be added in the Design Standards section. A drain tile replacement or repair restriction could be placed in each special use permit.

Ms. Zubko asked when the Department would know if the solar panels were not in use. Mr. Asselmeier responded that the Department would receive a complaint and ask for documentation of use per Section 4.18.P.1.

Ms. Wilson asked about the measures to minimize glare. Mr. Asselmeier responded that specific measures would be addressed in individual special use permits.

Chairman Ashton asked if Knox boxes should be required. The consensus of the Commission was not to require Knox boxes.

Ms. Wilson asked the impervious soil language in Section G. The issue of impervious surface calculations was addressed in the NPDES and Stormwater Ordinance requirements.

Ms. Zubko made a motion, seconded by Mr. Nelson, to recommend approval of the text amendment with the recommended changes from Staff and the following changes:

1. The reference to a county solar garden in the definition of "Solar Garden" should be deleted.
2. All references to waiving the special use permit requirements and setback requirements should be deleted.
3. Solar gardens and solar farms had to follow the setback requirements for the zoning district in which they are located. Accordingly, the reference to a one hundred foot (100') distance from the right-of-way or property line found in 4.18.D.2 should be deleted.
4. The statement that solar farms require a special use permit found in Section 4.18.D.1 should be removed.
5. If allowed by the State's Attorney's Office, a provision should be added to Section 4.18.F regarding repair of damaged drain tile.

Yes – Ashton, Bledsoe, Nelson, Rodriguez, Wilson, Wormley, and Zubko (7)

No – None (0)

Absent – Casey and Shaw (2)

The motion passed. This proposal will go to the Zoning Board of Appeals on July 2nd.

Petition 18-15 Nancy Harazin on Behalf of Nancy L. Harazin Trust Number 101

Mr. Asselmeier noted that this petition would not be required to follow the solar panel proposal because the proposal was not adopted at the time they submitted the application.

Mr. Asselmeier summarized the request.

Nancy Harazin, on behalf of Nancy L. Harazin Trust Number 101, submitted a petition for a special use permit to operate a public or private utility system – other on her property at 16400 Newark Road. Specifically, the Petitioner would like to contract with Borrego Solar Systems, Inc. for the installation and operation of a solar energy system. The energy generated from the system will be fed into Ameren’s system and consumed offsite.

The property is sixty (60) acres in size. The special use area is approximately twenty-two (22) acres in size and the solar panel area is approximately twelve (12) acres in size.

The subject property and all of the properties are zoned A-1.

The wetland buffer area was reduced from fifty feet (50’) to twenty-five feet (25’). There were two (2) wetlands and two (2) farmable wetlands identified.

The EcoCat report was submitted and consultation was terminated.

The LESA score was 205 indicating a medium area of protection.

Big Grove Township reviewed the proposal and expressed no concerns.

The Village of Newark expressed the following concerns:

1. They would like the solar panels be set back further to the south.
2. They would like larger landscaping or fencing that better blocks the view of the solar panels from adjoining properties other than a chain link fence.
3. They had concerns regarding the safety of the environment if the solar panels break and their contents spill onto the ground.
4. They had concerns about glare if the tracking system malfunctions.
5. They would like assurances that the equipment is removed in a timely manner at the end of the project or when the lease is terminated.

The Newark Fire Protection District reviewed the proposal and expressed no concerns.

ZPAC reviewed this proposal on May 1, 2018. The representatives from the Petitioner requested that the operator be included on conditions 8, 11, and 13 because the operator will be responsible for decommissioning and insurance. The County Highway Department requested a fifteen foot (15’) right-of-way dedication at the north side of the property along Newark Road to address an erosion issue. This request was added as condition 12 and the property owner agreed to this request.

According to the information provided by the Petitioner, the Petitioner would like to lease approximately twenty-three (23) acres to 312 Solar Development, LLC c/o Borrego Solar Systems, Inc. for an initial period of twenty (20) years. The lease could be renewed up to four (4) additional periods of five (5) years. If approved, Borrego Solar Systems, Inc. would install and maintain six thousand, nine hundred twelve (6,912) solar panels
KCRPC Meeting Minutes 5.23.18

on the north side of the subject property. The solar panels would be seven feet (7') in height at maximum tilt and three to four feet (3'-4') off of the ground. The panels would rotate with the sun. The system would connect to Ameren's system at the northeast corner of the property at Newark Road. The system is planned to generate two mega-watts (2 MW) of energy. If approved, the system would be operational by approximately July 31, 2019.

Other than periodic mowing and maintenance, no personnel will be onsite and no parking is required.

The construction process is estimated to take between four and six (4-6) months.

The solar panels will be located at their closest point approximately one hundred seventy-five feet (175') from Newark Road and approximately one hundred forty-seven feet (147') from the nearest neighboring property line. The solar panels shall not be closer than twenty-five feet (25') from the identified wetlands.

The laydown area indicated on the site plan will be used for the placement of equipment during construction, decommissioning, and maintenance activities.

The Landscaping Plan calls for the planting of eighteen (18) Black Chokeberries, eighteen (18) Sea Green Junipers, twenty-nine (29) Spiraea, and thirty (30) Woodward Arborvitae. The shrubs would grow to approximately thirty inches (30") in height maximum. Several existing trees shall remain on the west side of the property.

A lawn seed mix will be planted under and around the solar panels. The growth would require mowing three (3) or four (4) times per year.

According to information provided to the County, the no mow is a blend of bunch-forming and creeping fescues derived from species that are native to the Northern Hemisphere. A combination of six (6) complementary varieties of fine fescues makes our no mow lawn seed mix a versatile and adaptable blend that is an excellent choice for a wide variety of planting situations and applications. The bunch grasses are exceptionally drought resistant, thrive in low nitrogen soils, and have moderate tolerance to heavy foot traffic. The creeping fescues spread gradually by underground rhizomes to help fill in between the bunch grasses to create a weed-resistant sod. The creeping fescues also help to fill in areas that may experience turf damage.

Some of the fine fescue grasses in the no mow lawn mix have been documented to possess allelopathic properties, in which the grasses produce compounds that prevent or retard the growth other plants and weeds. This "natural herbicide" makes the no mow particularly resistant to invasion by other herbaceous plants that often plague other types of turf.

- Hard Fescue (*Festuca brevipila*)
- Sheep Fescue (*Festuca ovina*)
- Chewings Fescue (*Festuca rubra* subs. *fallax*)
- Red Fescue (*Festuca rubra*)
- Creeping Red Fescue (*Festuca rubra* var. *rubra*)

The Kendall County Soil and Water Conservation District expressed no concerns regarding the ability of the proposed mix to handle erosion control provided that the property owner or operator conducted annual inspections.

Vegetation would be planted when the panels are in place.

The proposed solar panels should be located away from the wetlands. The Petitioner submitted a wetland study that verified these areas will not be negatively impacted by the placement of solar panels.

Several drain tiles were located on the property. Any drain tiles impacted by the placement of the solar panels shall be relocated.

The project will be required to meet Kendall County's Stormwater Management Ordinance. Greg Chismark submitted comments and questions on the proposal and the Petitioner addressed Mr. Chismark's concerns.

The proposed solar panels shall be required to meet all applicable building codes.

The supports would be buried approximately twelve to thirteen feet (12'-13') in the ground depending on soil conditions. The supports would not be encased in concrete.

Electric lines will be buried inside the fence. There is a utility pole east of the access drive. The electric lines will go above ground at that point and connect to the Ameren system at the point on connection on the northeast corner of the site.

A fourteen foot (14') wide gravel access from Newark Road will be installed. The property already possesses a field access at this location. The access is across the street from the driveway of 16295 Newark Road.

Per the Site Plan, a seven foot (7') high chained link fence shall surround the solar panels. The fence shall have a sixteen foot (16') wide vehicle access gate on the east side and a four foot (4') wide man gate on the south side. The fence will be installed approximately one (1) week after construction starts.

A light will be installed for security reasons at the electrical equipment area.

Approximately eight (8) signs will be placed around the property along the fence and anywhere required by the NEC. A "Danger High Voltage" sign will be placed around the fence every two hundred feet (200'). A sign will also be placed on the vehicle gate entrance. There will be plaques stating emergency contact information and a site key.

No new odors are foreseen.

The Petitioner supplied a report outlining that solar panels do not cause damage to neighboring property value or harm the environment.

The solar panels have life expectancy of thirty (30) years. The anticipated decommissioning costs were provided to the Commission. Decommission is estimated to take between two and three (2-3) months.

Kendall County is currently in the process of adopting solar panel regulations for offsite usage of energy. Some of the proposed language is included in the proposed recommendations.

Staff recommended approval of the requested special use permit with the following conditions and restrictions:

1. The site will be developed in accordance with the Site Plan.
2. Lighting will be installed in accordance with the Site Plan.

3. The landscaping shall occur in accordance with the Landscaping Plan.
4. Replacement of dead and/or damaged vegetation shall occur on a timetable agreed to between the property owner and the Kendall County Planning, Building and Zoning Department.
5. Signage shall be installed as described in the Sheet Notes. In addition, at least one (1) sign shall be placed at the vehicle access gate stating emergency contact information.
6. The site shall be decommissioned in accordance with the Decommissioning Plan. In the event the Decommissioning Plan changes, the property owner shall supply the Kendall County Planning, Building and Zoning Department with revised plans as soon as they are available.
7. The Decommissioning Plan shall be initiated if the solar panels are not used for ninety (90) consecutive days. This condition shall not apply if maintenance on the impacted solar panel(s) is occurring.
8. The property owner or operator shall have six (6) months to complete the Decommissioning Plan and remove the solar panels and related equipment from the property (**Amended by ZPAC**).
9. In addition to other applicable fees, the following fees should be paid to the County prior to the installation of the solar panels:
 Building Permit Fees
 0-10 KW \$150
 51-100 \$300
 101-500 \$600
 501-1000 \$1200
 1001-2000 \$2750
 1001-2000 \$6000
 Over 2000 KW \$200 for Each Additional 0-100KW
 Fees Double if Construction Commences before Obtaining Building Permit
10. The property owner or operator shall maintain current liability policy covering bodily injury and property damage at least Three Million Dollars per occurrence and Five Million Dollars in aggregate and must have policy for the duration of the special use permit, such insurance may be provided pursuant to a plan of self-insurance by a party with a net worth of Twenty Million Dollars or more and the County shall be named as additional insured to the extent that the County is entitled to indemnification.
11. The property owner or operator shall indemnify, and hold harmless the County and its officials, employees, and agents (collectively and individually, the "Indemnified Parties") from and against any and all claims, demands, losses, suits, causes of actions, damages, injuries, costs, expenses, and liabilities whatsoever, including reasonable attorney's fees, except to the extent arising in whole or part out of negligence or intentional acts of such Indemnified Parties (such liabilities together known as "liability") arising out of Applicant, Owner, or Operators selection, construction, operation, and removal of the solar energy system and affiliated equipment including, without limitation, liability for property damage or personal injury (including death), whether said liability is premised on contract or on tort (including without limitation strict liability or negligence). This general indemnification shall not be construed as limited or qualifying the County's other indemnification rights available under the law (**Amended by ZPAC**).

12. Within sixty (60) days of the approval of this special use permit ordinance, the owner shall dedicate

a fifteen foot (15') wide strip along the northern portion of the property to Kendall County to be used as Newark Road right-of-way (**Added by ZPAC**).

13. The property owner or operator shall be responsible for ensuring that the operations of the solar panels allowed by this special use permit comply with all applicable Federal, State, and Local laws (**Amended by ZPAC**).
14. Damaged or non-functioning solar panels shall be replaced or repaired on a timetable agreed to between the property owner and the Kendall County Planning, Building and Zoning Department (**Added after Village of Newark meeting**).
15. Failure to comply with above conditions or restrictions could result in the amendment or revocation of the special use permit.
16. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid (**Added after ZPAC**).

Ms. Zubko requested that a condition be added that drain tile should be repaired and/or rerouted. The consensus of the Commission was to add this condition.

Margaret Blum, Justin Hardt, Jim Coyle, and Melissa Samaroo presented a powerpoint presentation, see enclosure. Mr. Hardt provided a description of Borrego and the various types of solar energy systems. He also discussed the various studies involved in the permitting process. Ms. Blum explained the installation process of the solar panels and related equipment. She also discussed the maintenance of the panels and vegetation. A sample panel was passed around to the Commissioners. Federal NEPA regulations do not apply to this project. The mature height for the plants is approximately four to six feet (4'-6') for the vegetation planted along the northern portion of the property.

Mr. Nelson asked about the taxing of the property. The taxing for solar panel projects is currently under review in the General Assembly.

They will do weekly inspections to get the landscaping started.

The south portion of the property will be farmed. The area between the solar panels and the road may not be farmed.

The panels rotate east to west. The coating is anti-glare with the objection to absorb as much sunlight as possible.

The reasons that the project is its current size are because of the capacity of Ameren's system and State regulations.

Mr. Wormley asked why the panels were placed on the northern portion of the property. They wanted to avoid the wetlands and avoid extending the driveway and electricity lines.

Mr. Wormley disagreed with the statement that the project will not negatively impact property values. He argued that the southern part of the property cannot be used for anything but farming for the duration of the solar panel lease. Ms. Blum stated the studies examined the property values of adjacent parcels.

Ms. Wilson asked about guarantees for decommissioning and the incentive for Borrego to remove the solar panels and restore property to agricultural condition. Mr. Hardt stated that the lease requires removal of the solar panel related equipment. No bond or monetary holdbacks were included in the lease. Salvage value exists.

Ms. Wilson asked about the noise level in rain and general noise. A noise diagram was presented. The noise at one hundred feet (100') from the transformer is thirty-five (35) dBa. The noise level reduces the further away from the transformer. The transformer is fifty-five to sixty-five (55-65) dBa at the transformer. The transformer does not run at night.

No impact on birds exists.

Most of the provisions of the proposed solar panel ordinance were incorporated in the special use permit conditions.

Borrego will be involved in the maintenance of the solar panels.

The whole site will be weed eaten a few times a year.

The posts are rated for one hundred thirty-four (134) mile per hour winds.

Maintenance includes mowing and inspections.

Cliff Fox, Village Administrator of the Village of Newark, requested a copy of the landscaping plan. The Petitioner is not planning to move the solar panels further south at this time. The Village wanted the panels moved south to prevent an eyesore.

Tom Bromeland, Newark Road, expressed his opposition to the proposal. He was concerned about the environmental impact of broken panels. Runoff from the subject property drains onto his property. He expressed concerns about glare and he would like to see a different type of fencing other than chain-link. He would like to see the panels moved further south because of noise concerns and aesthetics. He argued that land values will be impacted and that the County will not benefit from the project.

The components of the solar panels do not have a hazardous substance inside them.

A solid fence would create a different wind load inside the solar panel project. The posts would almost certainly need concrete casings.

The suggestion was made to plant arborvitae every six to eight feet (6'-8').

Discussion of the LaSalle project in Streator occurred, focusing on the visibility of the project from roads and nearby property. This project is much larger than the one (1) proposed outside Newark.

Cell phone and television reception will not be impacted.

Mr. Nelson made a motion, seconded by Ms. Zubko, to recommend approval of the special use permit with the conditions proposed by Staff, the addition of a condition that damaged drain tile be repaired and/or rerouted, and the suggestion that arborvitae be planted on the north side of the property and/or the installation of taller shrubs during installation.

Yes – Bledsoe, Nelson, Rodriguez, Wilson, and Zubko (5)
KCRPC Meeting Minutes 5.23.18

No – Ashton and Wormley (2)

Absent – Casey and Shaw (2)

The motion passed. This proposal will go to the Zoning Board of Appeals on June 4th.

Mr. Wormley voted no because he believed the property values of the subject property will be impacted.

Chairman Ashton voted no because he thought their plans to farm on the sides were unrealistic and taking into consideration the comments of the neighbor.

CITIZENS TO BE HEARD/ PUBLIC COMMENT

None

NEW BUSINESS

None

OLD BUSINESS

Consideration and Action on Amendments to Petition 18-04 Regarding Amending the Future Land Use Map for Property Near Route 47 in Lisbon Township-Commission Could Vote to Schedule a Public Hearing on the Petition

Mr. Asselmeier noted the change made to the proposal; references to the Prairie Parkway are in past tense.

Mr. Nelson made a motion, seconded by Mr. Bledsoe to schedule a public hearing on the proposed changes to the Land Resource Management Plan for June 27, 2018, at 7:00 p.m. in the County Board Room at 111 W. Fox Street in Yorkville.

Yes – Ashton, Bledsoe, Nelson, Rodriguez, Wilson, Wormley, and Zubko (7)

No – None (0)

Absent – Casey and Shaw (0)

The motion passed.

Update on Petition 17-28 Pertaining to text Amendments to Outdoor Target Practice or Shooting Ranges (Not Including Private Shooting in Your Own Yard)

Mr. Asselmeier stated that the Planning, Building and Zoning Committee is reviewing one (1) paragraph in the proposal. Upon completion of that review, the proposal will come back to the Planning Commission.

Update on Petition 18-03 Pertaining to Removing the Requirements for the Zoning, Platting and Advisory Committee and the Kendall County Regional Planning Commission to Meet and Issue Recommendations on Proposed Map Amendments, Special Use Permits, Major Amendments to Special Use Permits, and Text Amendments on Matters Not Involving the Powers and Duties of the Zoning, Platting and Advisory Committee or the Kendall County Regional Planning Commission and Related Zoning Text Citation Amendments

Mr. Asselmeier reported that the Planning, Building and Zoning Committee laid this proposal over until the September 2018 meeting.

Request from the Kendall County Planning, Building and Zoning Committee for Comments Pertaining to Petition 18-07 Regarding Text Amendments Establishing Procedures for Renewing Special Use Permits

Mr. Asselmeier reported that the Planning, Building and Zoning Committee instructed Staff to rewrite the proposal to allow the County Board to initiate amendments to and revocations of special use permits at any time
KCRPC Meeting Minutes 5.23.18

and any reason.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Mr. Asselmeier reported that Petition 18-05 rezoning the Warpinski property on Walker Road from A-1 to R-1 was approved by the County Board.

OTHER BUSINESS/ANNOUNCEMENTS

None

ADJOURNMENT

Mr. Wormley made a motion, seconded by Ms. Zubko, to adjourn. With a voice vote of all ayes, the motion passed unanimously. The Kendall County Regional Plan Commission meeting adjourned at 10:11 p.m.

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

Encs.

**KENDALL COUNTY REGIONAL
PLANNING COMMISSION MEETING
MAY 23, 2018**

NAME	ADDRESS	EMAIL ADDRESS
Tom Bromeland Mary		
Melissa Samaras Justin Hardt	1 N. State St. #1500 Chicago, IL c/o Burrego Solar Systems	msamaras@burregosolar.com jhardt@burregosolar.com
JIM COYLE	21 S. EVERGREEN	jcoyle@greenbergfarrow.com
MARGARET BLUM	ARLINGTON HTS 60005	mblum@ " " "
CLIFF FOX	VILLAGE OF NEWARK	ADMIN@NEWARK-IL.ILUS



Kendall County Regional Plan Commission Meeting

Special Use Request

May 23, 2018

Agenda



- Team Introduction (GF)
- Borrego Solar Systems, Inc. (BSSI)
 - Company Background
 - IL - Community Solar
- Project Presentation (GF)
 - Petition# 18-15 Borrego Solar
- Additional Questions?
- Conclusion/Findings of Fact

Borrego Solar Systems, Inc.



BORREGO SOLAR

WHAT WE DO ▾ ABOUT US ▾ LOCATIONS ▾ PROJECTS ▾ BLOG

Call 1 (888) 898-6273

Contact us

Why Borrego Solar?

- Over 35 Years Solar Experience
- Over 1,100 Completed Projects
- Over 500MW Under Management
- Over \$500M in Financed PPAs

We've been engineering, constructing and maintaining solar power projects since 1980

Borrego Solar Overview



- **Illinois:** Core Borrego market for the long term
- **#1 Massachusetts:** Over 225 MW installed, we have been the largest installer of commercial- and utility-scale solar in the state since 2007
- **#1 New York:** Over 70 MW installed
- **Local Office:** Chicago presence
- **Top 10 in California:** Almost 100 MW installed
- **Top 5 National:** Commercial and/or community scale installer since 2013
- **More than 400 MW:** Projects financed and constructed
- **200+ employee firm:** Partially family owned

Community Solar



Types of Solar

	Description	Probable MW of Development by 2025	Size Limit per Project, per the Future Energy Jobs Act
Residential Rooftop Solar	System is on the customer's roof (main building or accessory structure). In rare instances, a residential customer may want to put solar on the ground.	325	All behind-the-meter projects are limited to 2 MW in size, but each must be sized to appropriately meet the owner's electric need. A typical residential project is between 3-10 kW, whereas a commercial project could be 10 kW – 2 MW depending on the size of the business.
Commercial & Industrial Solar	System is on the customer's property, either on the roof (main building or accessory structure) or the ground.	325	
Community Solar	Generally, a larger system where a combination of several entities (residents, businesses, governments) have a partial interest (subscription) in the output of a system. Systems can be located on a roof or on the ground, but do not have to be located near the subscribers.	325	Developers may be allowed to locate more than one project at the same site (co-locate).
Brownfield Solar	System is located on blighted land that is not suitable for redevelopment, such as closed landfills or Superfund sites.	40-50	There is no minimum or maximum size for brownfield projects.
Utility Scale Solar	Large systems (2 MW-200 MW) that generally do not serve an individual customer and are located near electrical infrastructure.	750-1000	Systems must be larger than 2 MW, but have no upward limit. These projects could use anywhere from 10 acres to 100s of acres for a single project.



Location: 16400 Newark Road



Special Use Request:

- Existing Zoning: A-1 Agricultural
- Proposed: A-1 Agricultural
- Future Land Use: A-1 Agriculture

Community Outreach:

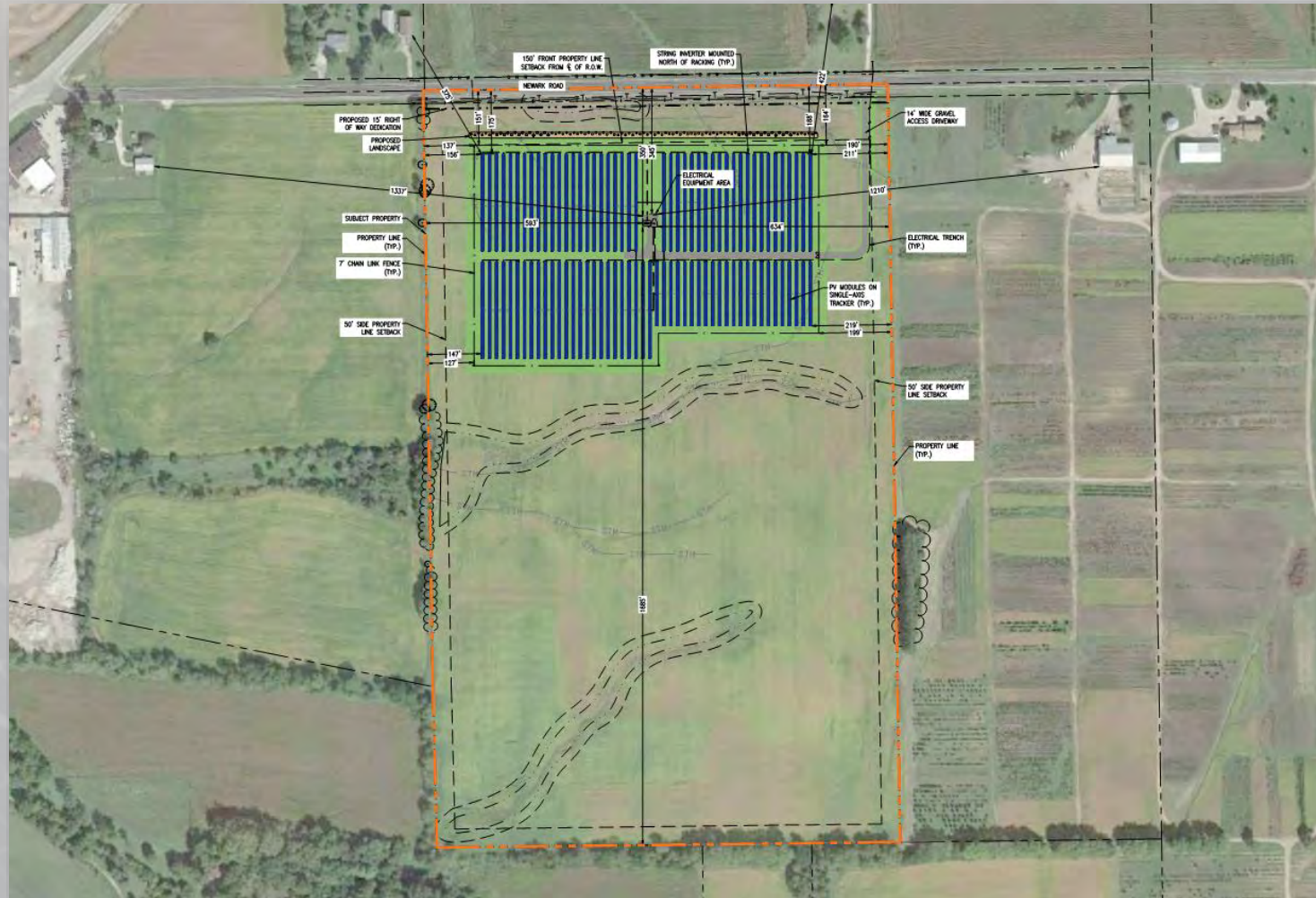
- Kendall County – Pre-app
- Big Grove Township
- Village of Newark
- Newark Fire Protection
- Abutting Neighbors
- Kendall Co Farm Bureau



Project Components

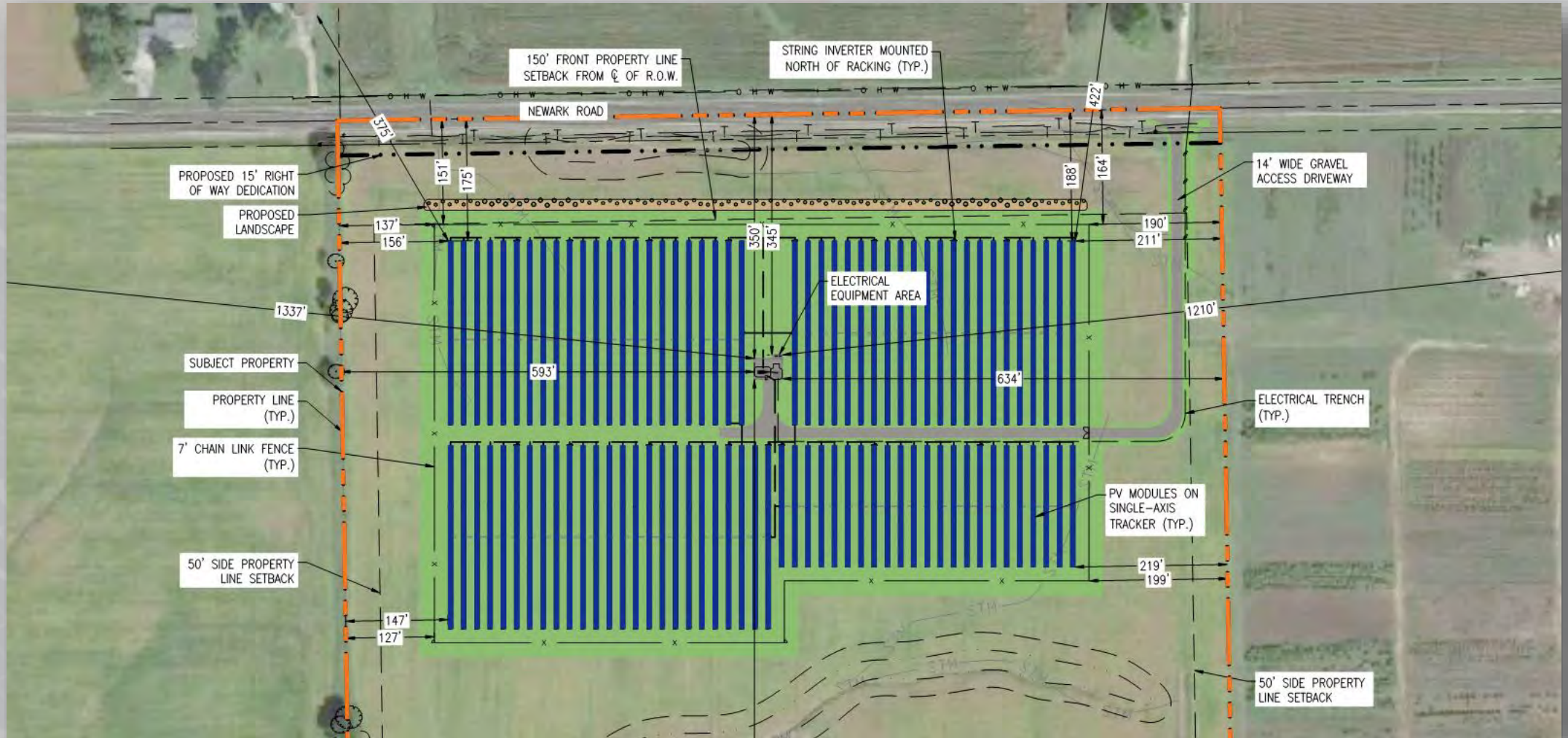
- Solar panel arrays with trackers/racking system/string inverters (< 8 ft.)
- Concrete pad-mounted transformers/switch gear (< 7ft.)
- Data Acquisition System (DAS) for remote monitoring (24/7)
- Riser poles with OH power lines for interconnection (4 to 6)
- Underground trenching/cabling
- Security fencing at 7 ft. height
- Limited area of gravel/paved drive for site access and maintenance
- Drainage flow through the property to be maintained
- Soil erosion control/drainage design vetted with KCSWCD and Engineering Consultant.
- Post-construction site area to be seeded with low-mow seed mix

Petition# 18-15 16400 Newark Road



- Parcel: +/- 66 acres
- BSSI Project: +/- 14 acres
- Size: One 2MW system
- Access: Newark Rd (County)
- Environmental Impacts: N/A
 - ✓ Wetland Determination
 - ✓ T & E Species
 - ✓ ESA Phase I
 - ✓ Archeological Survey
 - ✓ Drain Tile Survey
- Setbacks: Exceed required
- Variance Requests: N/A
- NRI/LESA:
 - ✓ KCSWCD – Report Pending

Petition# 18-15 16400 Newark Road





Petition# 18-15 16400 Newark Road

Construction Timeframe

- 4 to 6 months
- 2 to 3 trucks/day average
- Max. weight at 80k#s

Operations & Maintenance

- Remote monitoring
- 3 to 4 times/year for equipment
- 3 to 4 times per year for mowing
- No pesticides/herbicides/fertilizers

Decommissioning

- Removable system
- Decommissioning plan/estimate
- Addressed per lease agreement

Impacts

- Noise – only during construction
- Clean use, no traffic
- Little/no impact on County utilities or services
- Property Values – no effect

Petition# 18-15 16400 Newark Road



COHN REZNICK
ACCOUNTING • TAX • ADVISORY
cohnreznick.com

PROPERTY VALUE IMPACT STUDY

PROPOSED NEWARK ROAD SOLAR ENERGY USE
Big Grove Township, Unincorporated Kendall County, Illinois

PREPARED FOR:
Mr. Justin Hardt
Senior Project Developer
Borrego Solar Systems, Inc.
1 North State Street, Suite 1500
Chicago, IL 60602

SUBMITTED BY:
CohnReznick, LLP
Valuation Advisory Services
200 S Wacker Drive, Suite 2600
Chicago, IL 60606

Patricia L. McGarr, MAI, CRE, FRICS
patricia.mcgarra@cohnreznick.com
Direct: (312) 508-5802

May 2, 2018

A member of
Nexia
International
CohnReznick is an independent
member of Nexia International.

Findings and Results:

- No measurable/consistent difference in adj. values
- No difference in price/marketing periods/demand
- Supported by research - confirmed by local brokers
- Little/no measurable and consistent difference in value attributable to solar farm adjacencies

Conclusion:

- Adjoining property sales not adversely affected by proximity to solar farms over short or long term

Petition# 18-15 16400 Newark Road



Solar Farm Materials and Safety

- ❑ Panels will be PV silicon (*NC State Paper/MSDS – JA Solar Panels*)
 - Tier I panels warrantied for 25 years
 - Internal components are completely sealed
- ❑ Panel materials
 - Frame: Tempered glass (130mph wind rating) and aluminum
 - PV cell: Primarily silicon, small amounts of phosphorus, boron
- ❑ Racking system is comprised of galvanized steel/aluminum, common and benign building materials
- ❑ EMF/RF Concerns (*MassCEC report/NC State Paper*)
 - No negative impacts, no heightened levels from these types of solar PV facilities to nearby homes

Petition# 18-15 16400 Newark Road



Solar Farms and Recycling

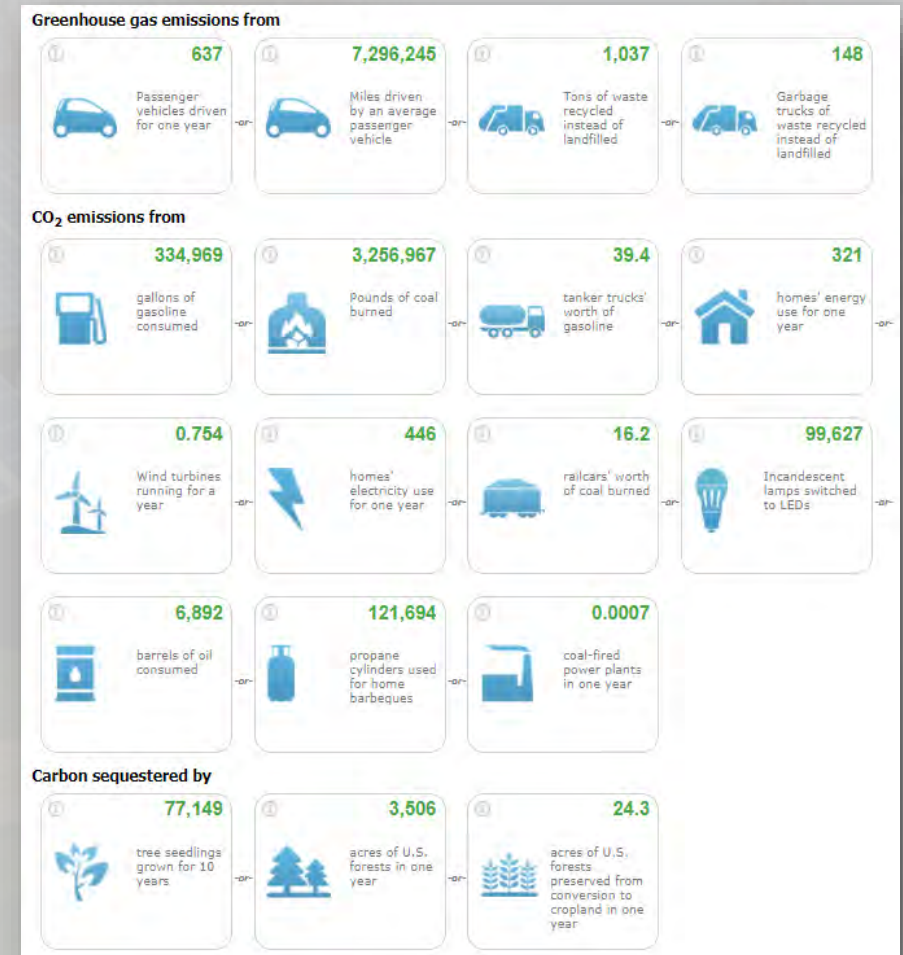
- ❑ Currently no demand for recycling in Illinois
 - Panels can be land-filled
 - Current waste volume not adequate to support PV-specific recycling infrastructure
 - Per 2016 NC survey, most NC developers return damaged panels to manufacturer or local recycler
- ❑ Future recycling centers are anticipated
 - SEIA is working with the IL Sustainable Technology Center to create requirements for recyclers/handlers...working to build recycling centers in IL
 - Recycling centers do exist nearby in Minnesota, Ohio and Michigan

Petition# 18-15 16400 Newark Road



Other Project Benefits

- Local Tax Revenue
- Stabilizes Electric Grid
- Renewable Energy Source
- Local Job Stimulation
 - ✓ IL Future Energy Jobs Act
- Environmental Benefits Equivalent to...
 - ✓ Power for over 300 homes
 - ✓ Offsetting of over 3.5 thousand acres of trees
 - ✓ Emissions from 6,892 barrels of oil consumed
 - ✓ Emissions from 3.3 million pounds of coal burned
 - ✓ Emissions from 335 thousand gallons of gasoline





Petition# 18-15 16400 Newark Road

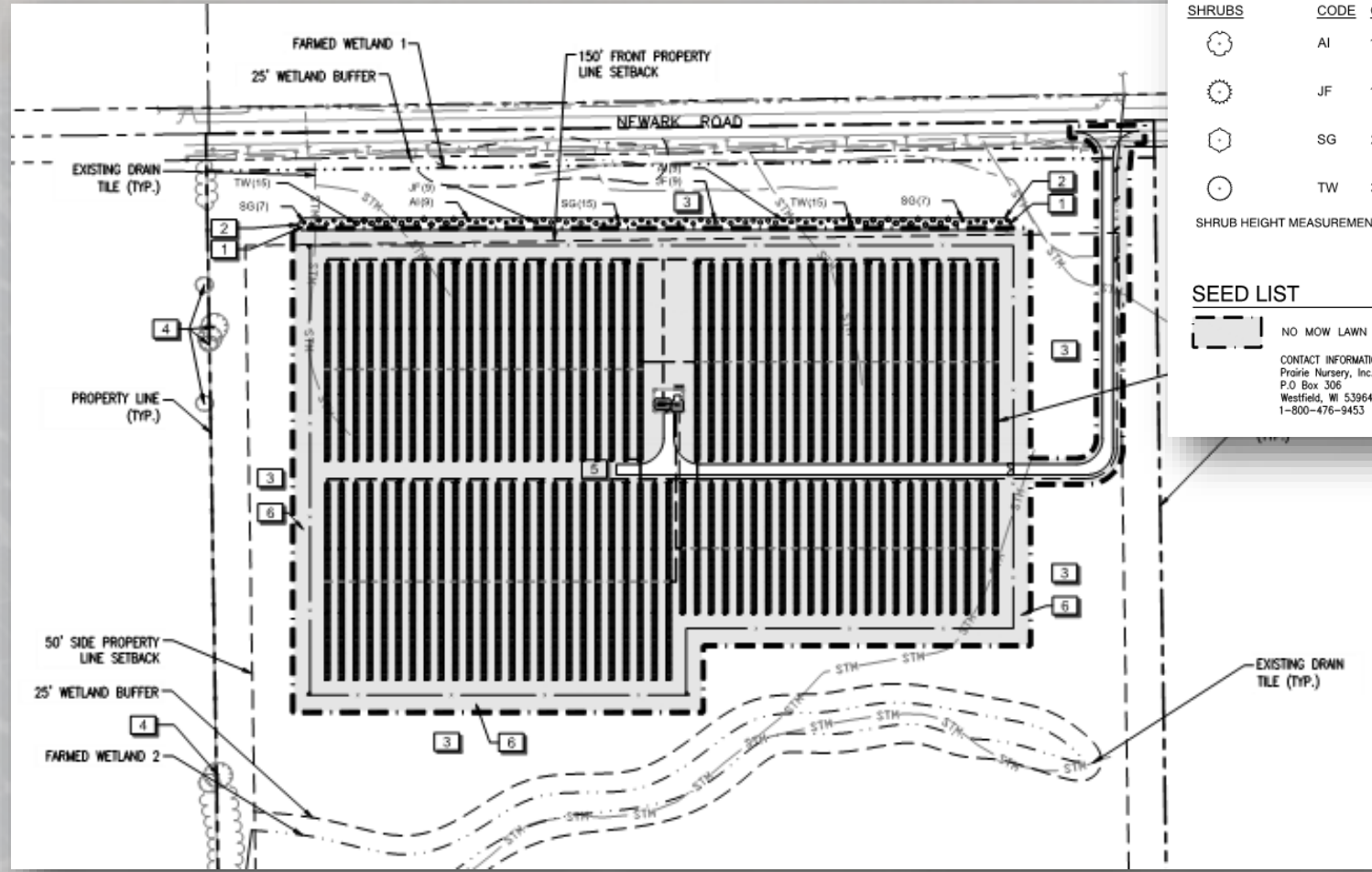
Specific County Concerns - National Environmental Policy Act (NEPA)

- The National Environmental Policy Act (NEPA) was signed into law on January 1, 1970. NEPA requires federal agencies to assess the environmental effects of their proposed actions prior to making decisions. The range of actions covered by NEPA is broad and includes:
 - Making decisions on permit applications
 - Adopting federal land management actions, and
 - Constructing highways and other publicly-owned facilities.
- Borrego project is not federal, no federal permits, no federal funding.
 - System owner will receive a federal tax break via the Investment Tax Credit (ITC) – no cash outlay.
 - Project is not federally regulated.
 - NEPA – not applicable.



Petition# 18-15 16400 Newark Road

Specific County Concerns – Landscaping



PLANT SCHEDULE

SHRUBS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	HEIGHT
	AI	18	Aronia melanocarpa 'Iroquois Beauty' TM	Black Chokeberry	#05/5 gal	30" Ht.
	JF	18	Juniperus chinensis 'Sea Green'	Sea Green Juniper	#05/5 gal	24"-30" Ht. Min.
	SG	29	Spiraea x cinerea 'Grefsheim'	Spiraea	#05/5 gal	24"-30" Ht. Min.
	TW	30	Thuja occidentalis 'Woodwardii'	Woodward Arborvitae	#05/5 gal	24"-30" Ht. Min.

SHRUB HEIGHT MEASUREMENTS ARE TO BE AS MEASURED FROM TOP OF ROOTBALL (TYP.)

SEED LIST

NO MOW LAWN SEED MIX WITH EROSION CONTROL BLANKET (±13.52 ac)

CONTACT INFORMATION FOR NO MOW LAWN SEED MIX ONLY:
 Prairie Nursery, Inc.
 P.O. Box 306
 Westfield, WI 53964
 1-800-476-9453

PERMANENT GRASS CHART

SPECIES	LBS./ACRE	LBS./1000 FT. ²
NO MOW LAWN SEED MIX	110	2.5
SEED MIX:		
HARD FESCUE	(FESTUCA BREVIPILA)	
SHEEP FESCUE	(FESTUCA OVINA)	
CHEWINGS FESCUE	(FESTUCA RUBRA SUBS. FALLAX)	
RED FESCUE	(FESTUCA RUBRA)	
CREeping RED FESCUE	(FESTUCA RUBRA VAR. RUBRA)	

TEMPORARY SEEDING

SPECIES	LBS./ACRE	LBS./1000 FT. ²	SEEDING DATES
OATS	90	2	EARLY SPRING – JULY 1
CEREAL RYE	90	2	EARLY SPRING – SEPT. 30
WHEAT	90	2	EARLY SPRING – SEPT. 30
PERENNIAL RYEGRASS	25	0.6	EARLY SPRING – SEPT. 30

Petition# 18-15 16400 Newark Road

Land Resources Management Plan - Goals and Objectives

WATER

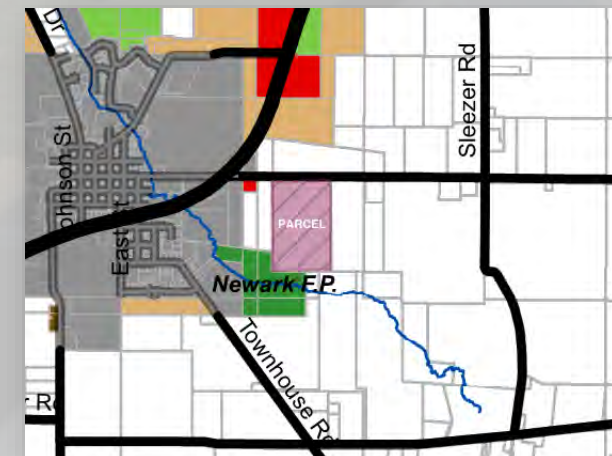
- Goal: Safe, ample and reliable sources of water available throughout the County, and the protection of all surface and ground water resources.
 - ✓ No negative impact

LAND

- Goal: Use of the County's land resources in a manner sensitive to inherent environmental limitations.
 - ✓ No negative impact

ENERGY CONSERVATION

- Goal: An energy-efficient and energy-wise county
 - ✓ Positive impact





Petition# 18-15 16400 Newark Road

Land Resources Management Plan - Goals and Objectives (cont'd.)

URBAN DEVELOPMENT

- Goal: A pattern of compact, contiguous urban development, countryside residential and agricultural environments in a natural equilibrium that enhances the quality of personal and community life.
 - ✓ No negative impact

AGRICULTURE

- Goal: A rural environment that provides for continuation of viable agricultural activities and a rural character and lifestyle.
 - ✓ No negative impact

HOUSING

- Goal: Management of the quality, quantity, location, and rate of housing development to insure the efficient use and conservation of the County's natural and public resources production and soil and water conservation.
 - ✓ No negative impact



Petition# 18-15 16400 Newark Road

Land Resources Management Plan - Goals and Objectives (cont'd.)

TRANSPORTATION

- ❑ Goal: A transportation plan that has the capacity to promote the safe, efficient, and speedy movement of persons and goods. This network must anticipate the demands of growth, promote energy conservation, reduce pollution, and be updated regularly
 - ✓ No negative impact

PUBLIC FACILITIES AND SERVICES

- ❑ Goal: The provision of public facilities and services in a healthful, economical manner.
 - ✓ Positive impact

Petition# 18-15 16400 Newark Road



Questions?

Borrego Solar Systems, Inc.

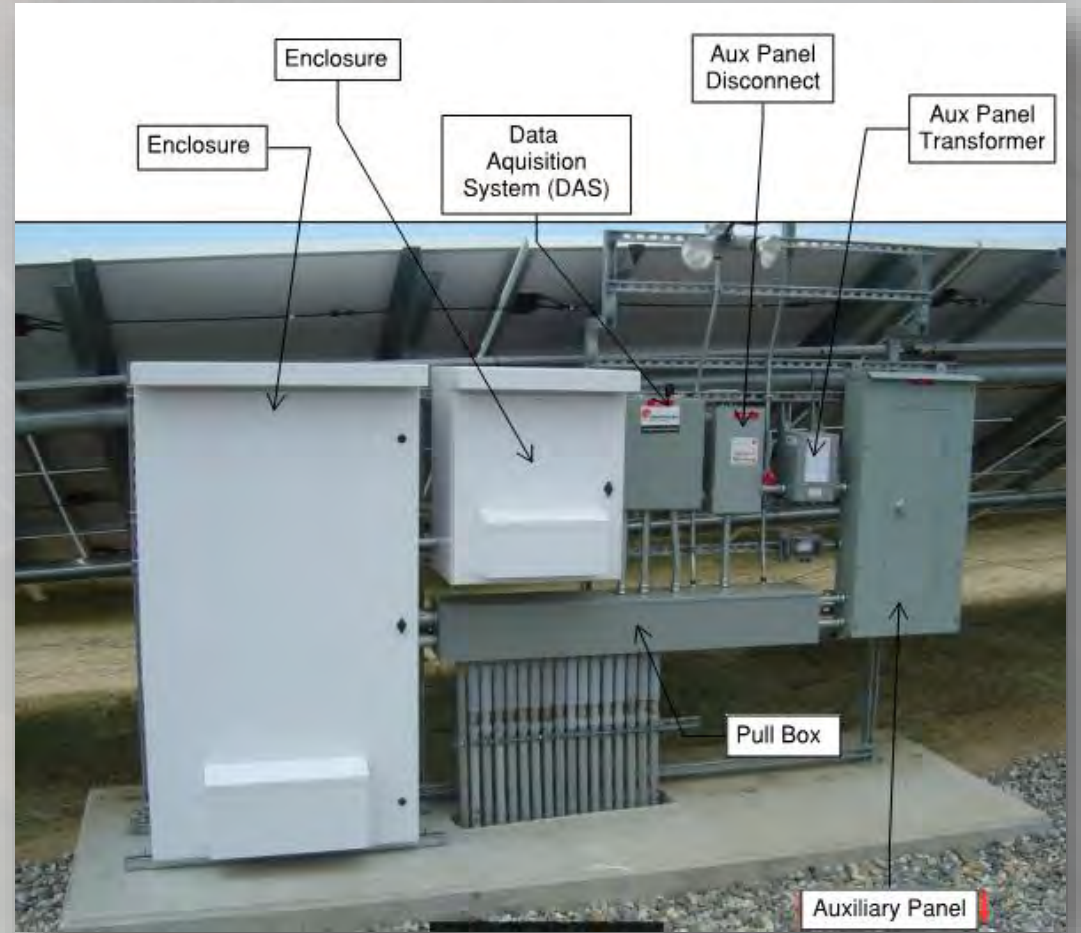


Thank you for your consideration.

System Photos



System Photos



System Photos



View Illustration



Grand Ridge Solar Farm:

- Streator, IL
- Utility Scale Solar
- +/- 126 acre array field
- 10x Borrego Project



➤ View at 250 ft. Distance

View Illustration



Grand Ridge Solar Farm:

- Streator, IL
- Utility Scale Solar
- +/- 126 acre array field
- 10x Borrego Project



➤ View at 500 ft. Distance

View Illustration



Grand Ridge Solar Farm:

- Streator, IL
- Utility Scale Solar
- +/- 126 acre array field
- 10x Borrego Project



➤ View at 750 ft. Distance

View Illustration



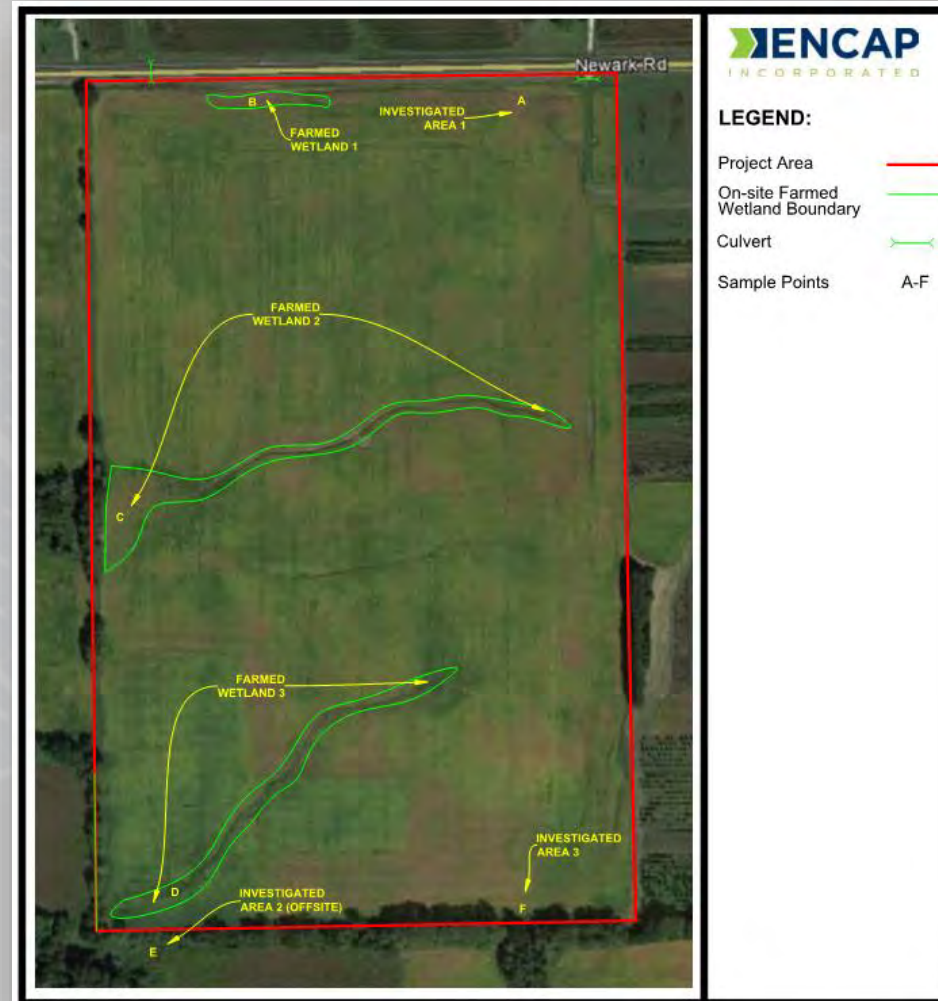
Grand Ridge Solar Farm:

- Streator, IL
- Utility Scale Solar
- +/- 126 acre array field
- 10x Borrego Project

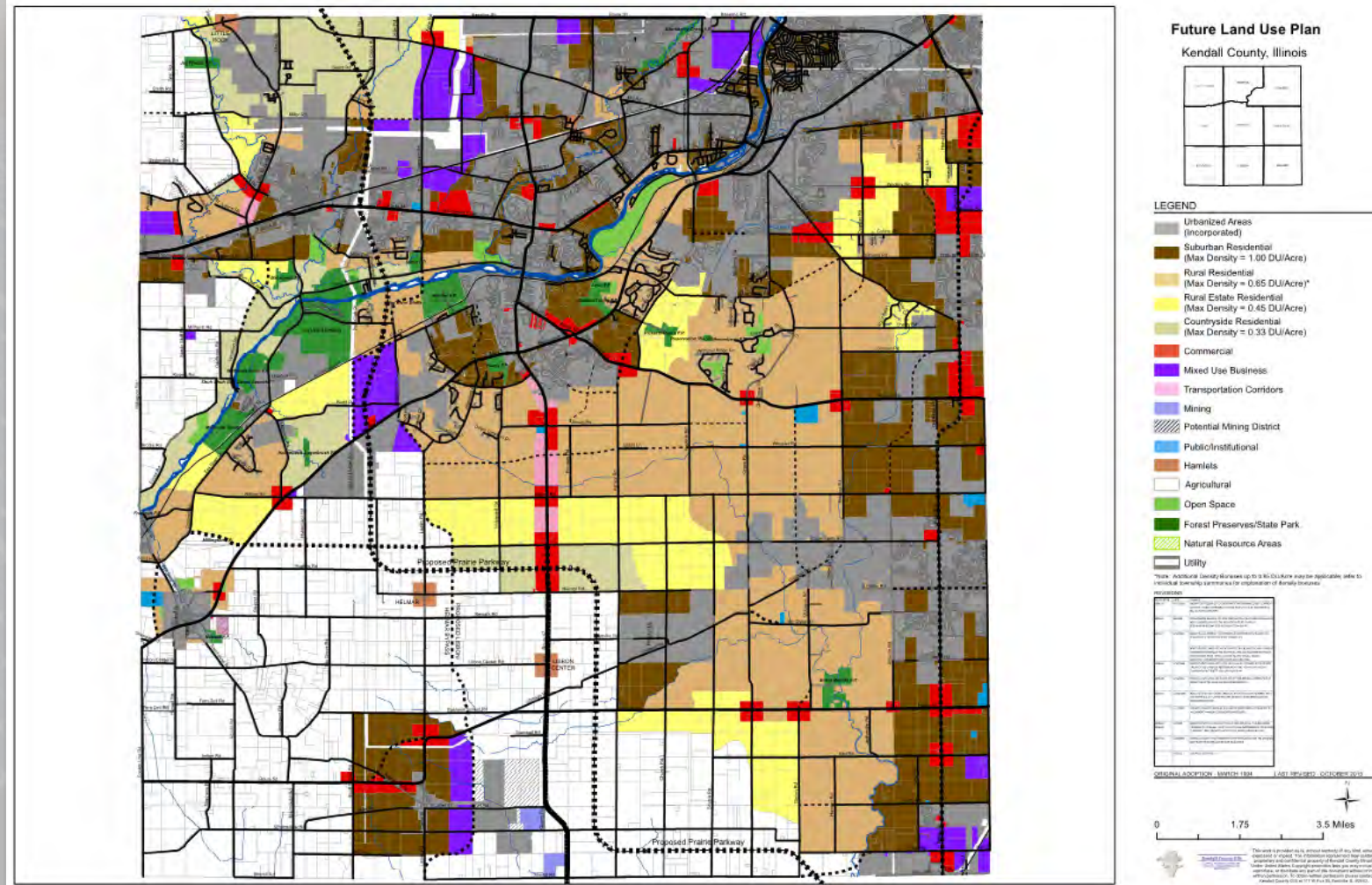


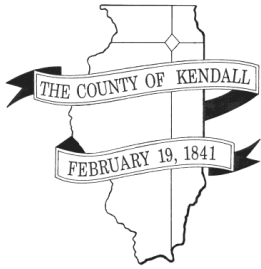
➤ View at 1,000 ft. distance

Wetland Delineation



Future Land Use Plan





DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

May 30, 2018

RE: Proposed Changes to the Kendall County Future Land Use Map for Properties Adjacent to Route 47 in Lisbon Township

Dear Property Owner:

The Kendall County Regional Planning Commission and Kendall County Comprehensive Land Plan and Ordinance Committee are considering changing the Future Land Use Map for properties located adjacent to Route 47 in Lisbon Township. In general, the proposed changes are as follows:

1. Changing the Agricultural Area West of Route 47 from Slightly North of Townhall Road to the Kendall/Grundy County Line to Mining
2. Changing the Agricultural Area East of Route 47 from the Kendall/Grundy County Line North for a Distance of 0.50 Miles to Commercial
3. Changing the Agricultural Area at the Northwest, Southwest, and Northeast Quadrants of the Intersection of Routes 47 and 52 to Commercial
4. Changing the Agricultural Area at the Intersection of Route 47 and Plattville Road to Commercial
5. Removing Rural Settlement Classification from Map
6. Remaining Properties Along Route 47 from the Kendall/Grundy County Line to the Lisbon/Kendall Township Line Not Impacted by 1-5 Above Shall Be Changed from Agricultural to Mixed Use Business
7. Incorporating the Village of Lisbon's Mixed Use Business and Residential Areas in Sections 16, 17, 18, 19, 20, 29, 30, 31, and 32 of Lisbon Township into the County Land Resource Management Plan
8. Incorporating the Proposed Changes to the Lisbon Township Future Land Use Map into the Kendall County Future Land Use Map
9. Remove All Language Contained in the Narrative Portion of the Kendall County Land Resource Management Plan that Conflicts with the Changes to the Lisbon Township Future Land Use Map

The existing Future Land Use Map and the Proposed Future Land Use Map are enclosed for your reference. The proposed Future Land Use Map is slightly different from the proposal presented at the February meeting in Plattville. The map key is:

Mining=M-3 (Mining and Mining Related Uses)

Mixed Use Business=B-6, M-1, M-2 and M-3 (Large Office and Manufacturing Uses)

Commercial= B-1, B-2 and B-3 (Small Office and Retail Uses)

The Kendall County Regional Planning Commission will hold a public hearing on the proposed changes on Wednesday, **June 27th at 7:00 p.m. at 111 W. Fox Street, in Rooms 209 and 210, in Yorkville.**

If the Proposed Future Land Use Map is approved, the zoning of your property will **NOT** change unless the property owner requests a change. The current uses of your property will **NOT** change unless the property owner initiates the change.

If you have any questions regarding this letter or meeting, please contact Matt Asselmeier, Kendall County Senior Planner at 630-553-4139 or masselmeier@co.kendall.il.us.

Sincerely,

THE COUNTY OF KENDALL

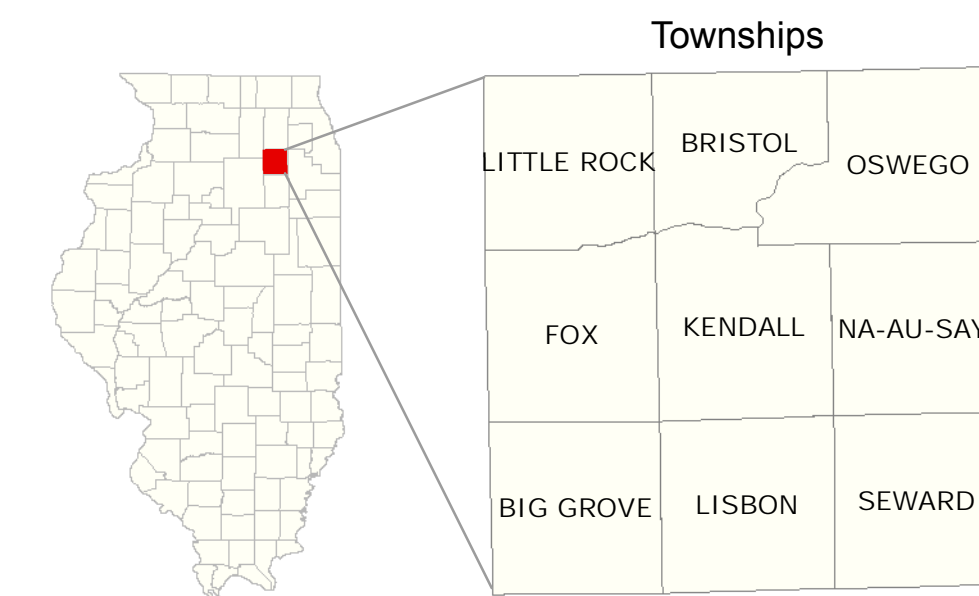
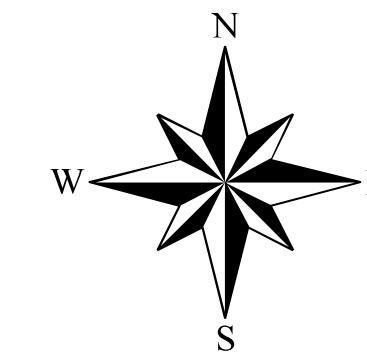
Matthew H. Asselmeier, AICP
Senior Planner

Encs: Current Future Land Use Map
Proposed Future Land Use Map

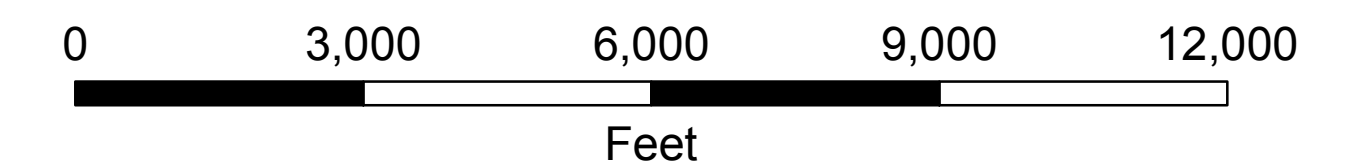
Future Land Use Lisbon Township KENDALL COUNTY

- 2017 -

<http://www.co.kendall.il.us>



Scale: 1 in = 2,000 feet

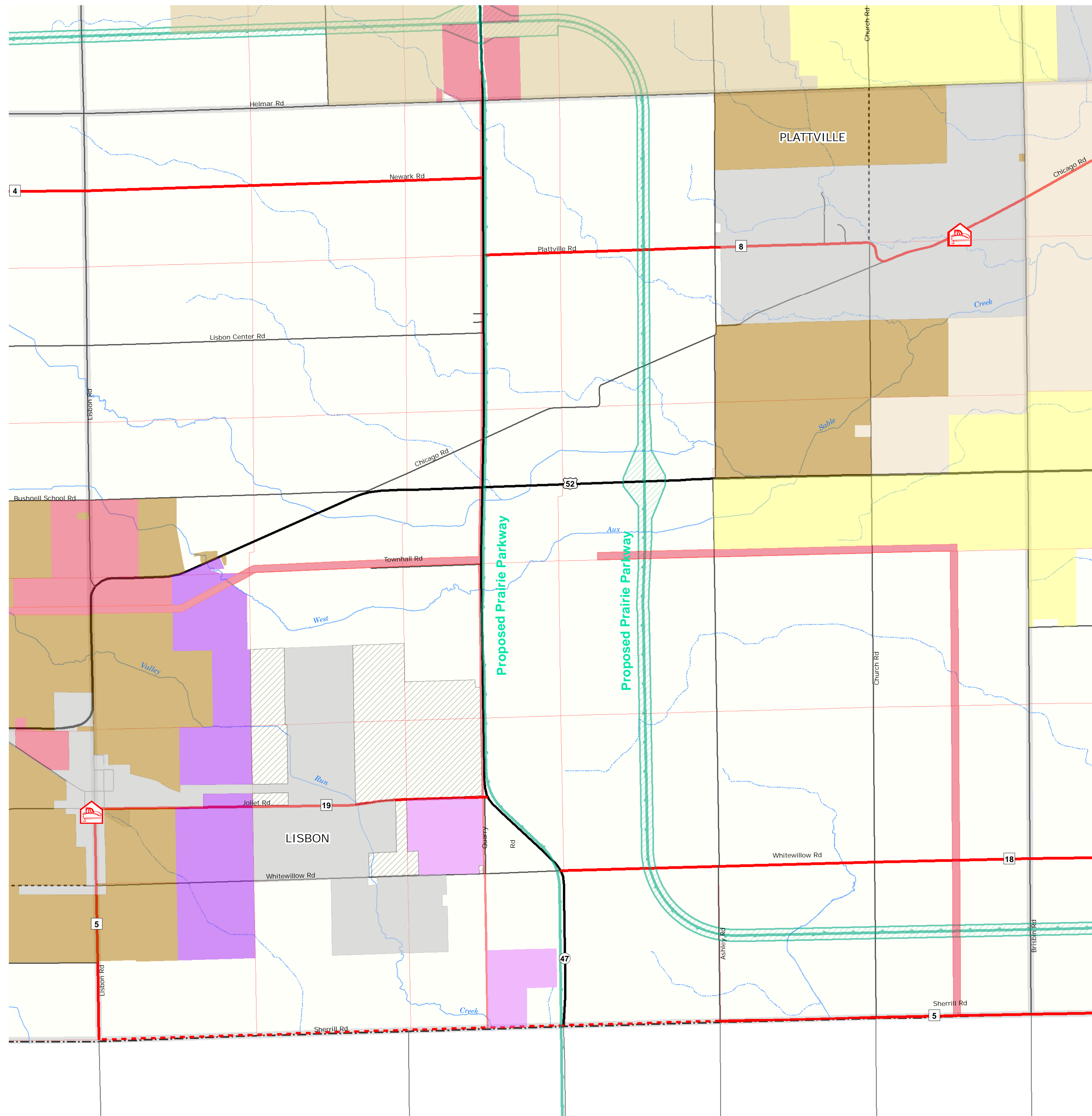


Legend

Future Land Use

Land Use Type

- Urban Areas - Incorporated
- Suburban Residential - Max Density 1.00 DU Acres
- Rural Residential Max Density 0.65 DU Acres
- Rural Estate Residential Max Density 0.45 DU Acre
- Countryside Residential Max Density 0.33 DU Acre
- Commercial
- Commonwealth Edison
- Mixed Use Business
- Transportation Corridors
- Mining
- Potential Mining District
- Public/Institutional
- Agriculture
- Open Space
- Forest Preserve/State Parks
- Unknown
- FEIS_centerline
- Protected Corridor - 2007



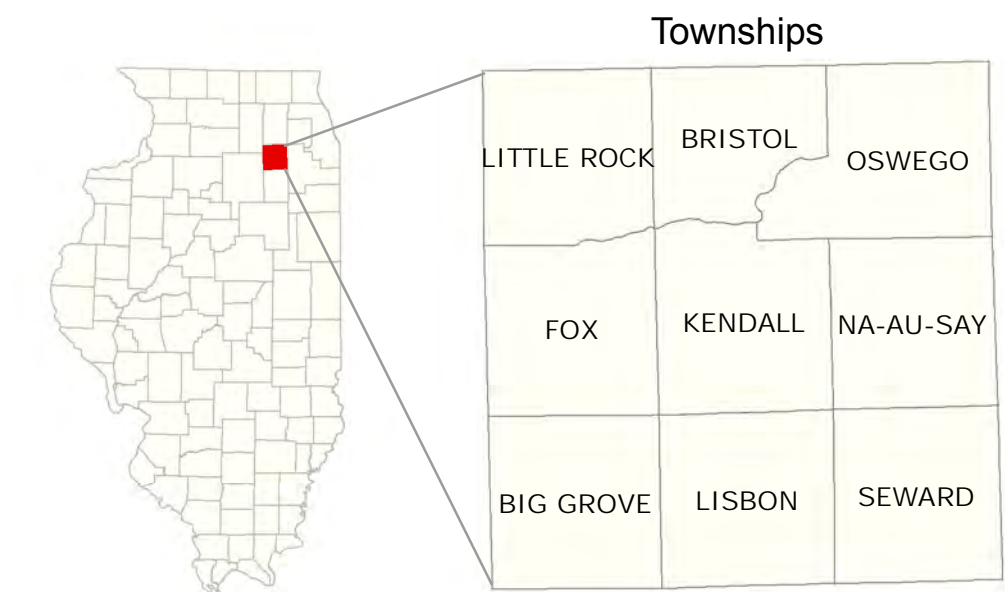
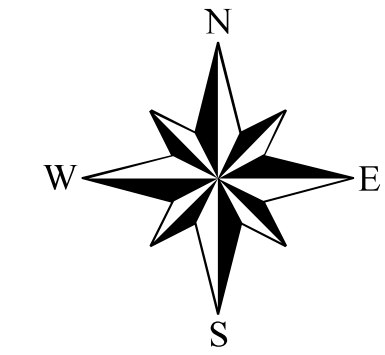
Kendall County GIS

111 West Fox Street - Room 308
Yorkville, Illinois 60560-1498
630.553.4030

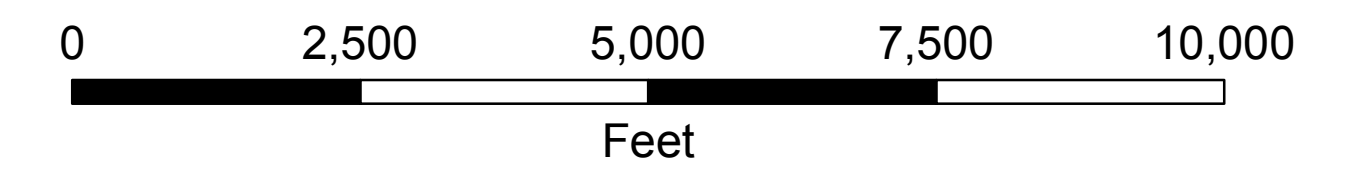
DRAFT Lisbon Future LRMP Helmar Rd to Sherrill Rd KENDALL COUNTY

- 2018 -

<http://www.co.kendall.il.us>



Scale: 1 in = 1,667 feet



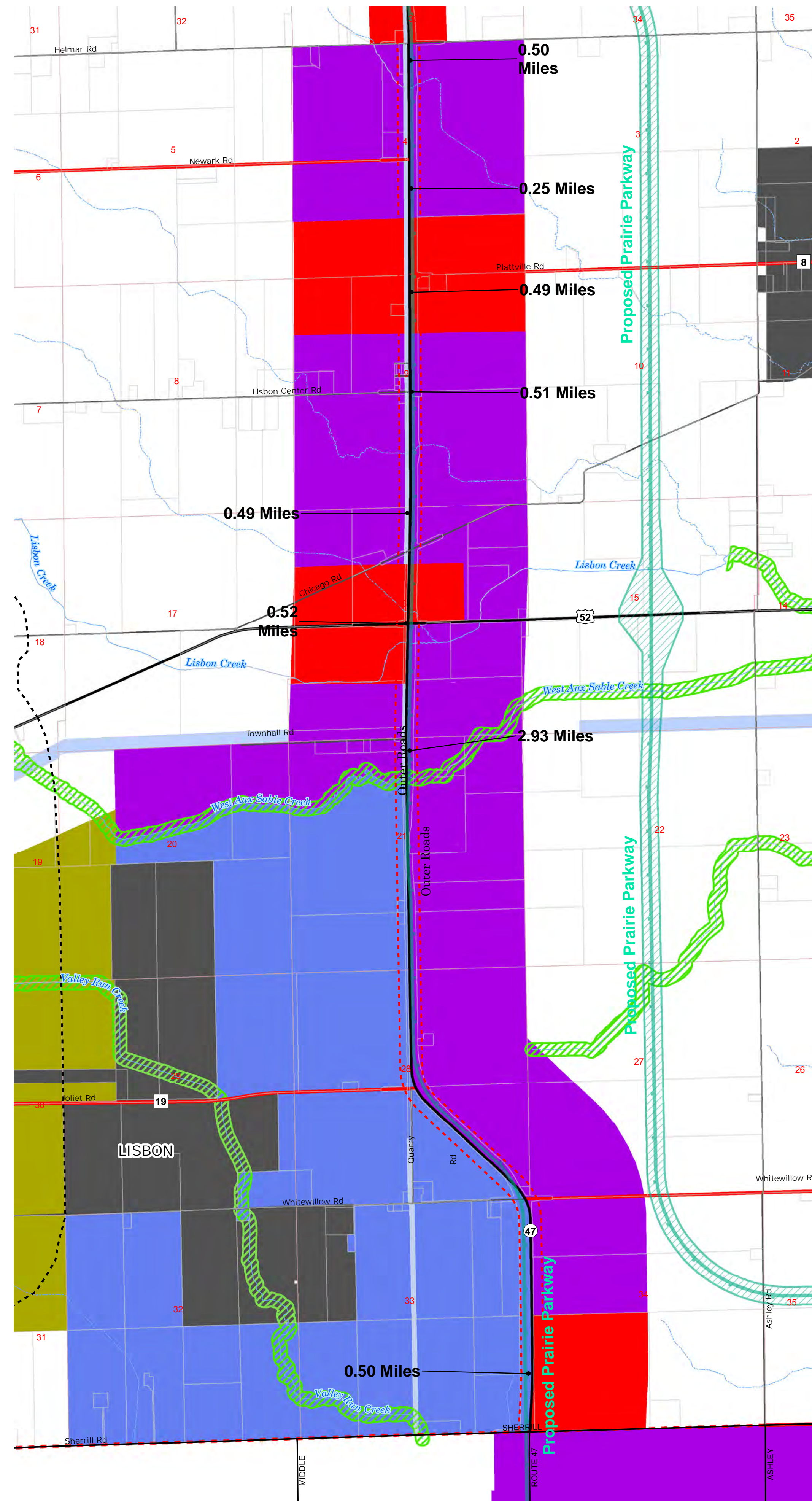
Legend

- - - - Outer Roads
- - - - Proposed Roadways

Future LRMP

Abbreviation

- Natural Resource Areas
- Grundy Mixed Use Business
- Court Ordered Mining
- Open Space
- Urbanized Areas
- Mixed Use Business
- Transportation Corridors
- Public Institutional
- Mining
- Rural Settlements
- Commercial
- Continued Growth Suburban Residential



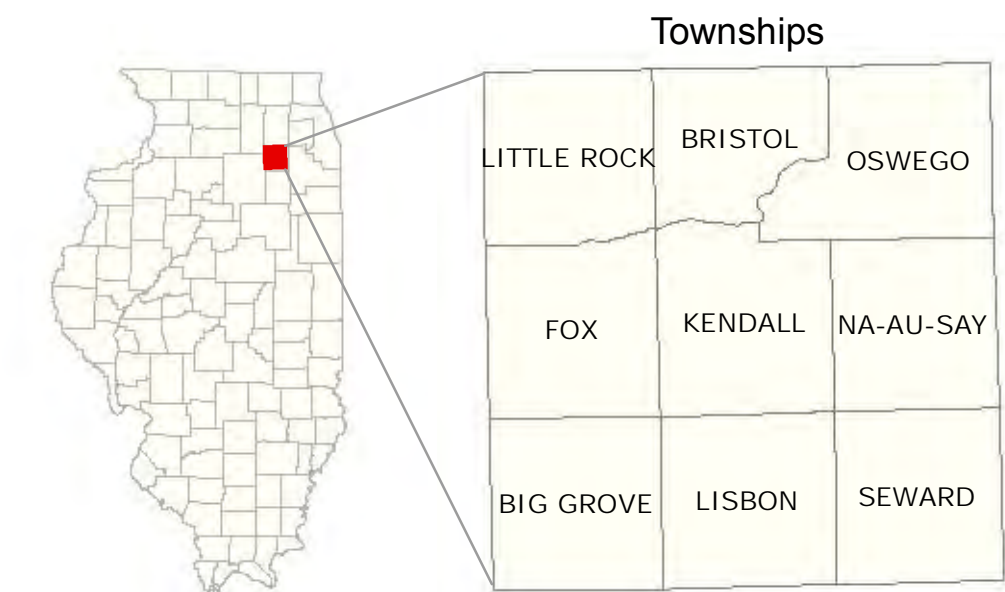
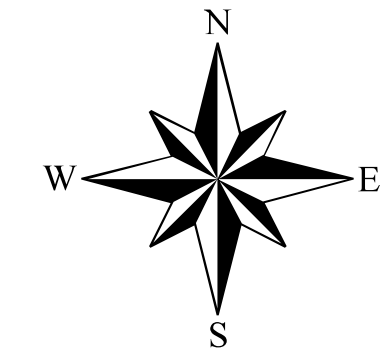
Kendall County GIS

111 West Fox Street - Room 308
Yorkville, Illinois 60560-1498
630.553.4030

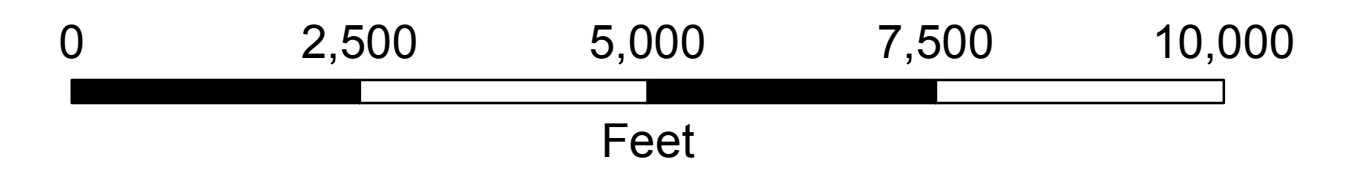
DRAFT Lisbon Future LRMP Helmar Rd to Sherrill Rd KENDALL COUNTY

- 2018 -

<http://www.co.kendall.il.us>



Scale: 1 in = 1,667 feet



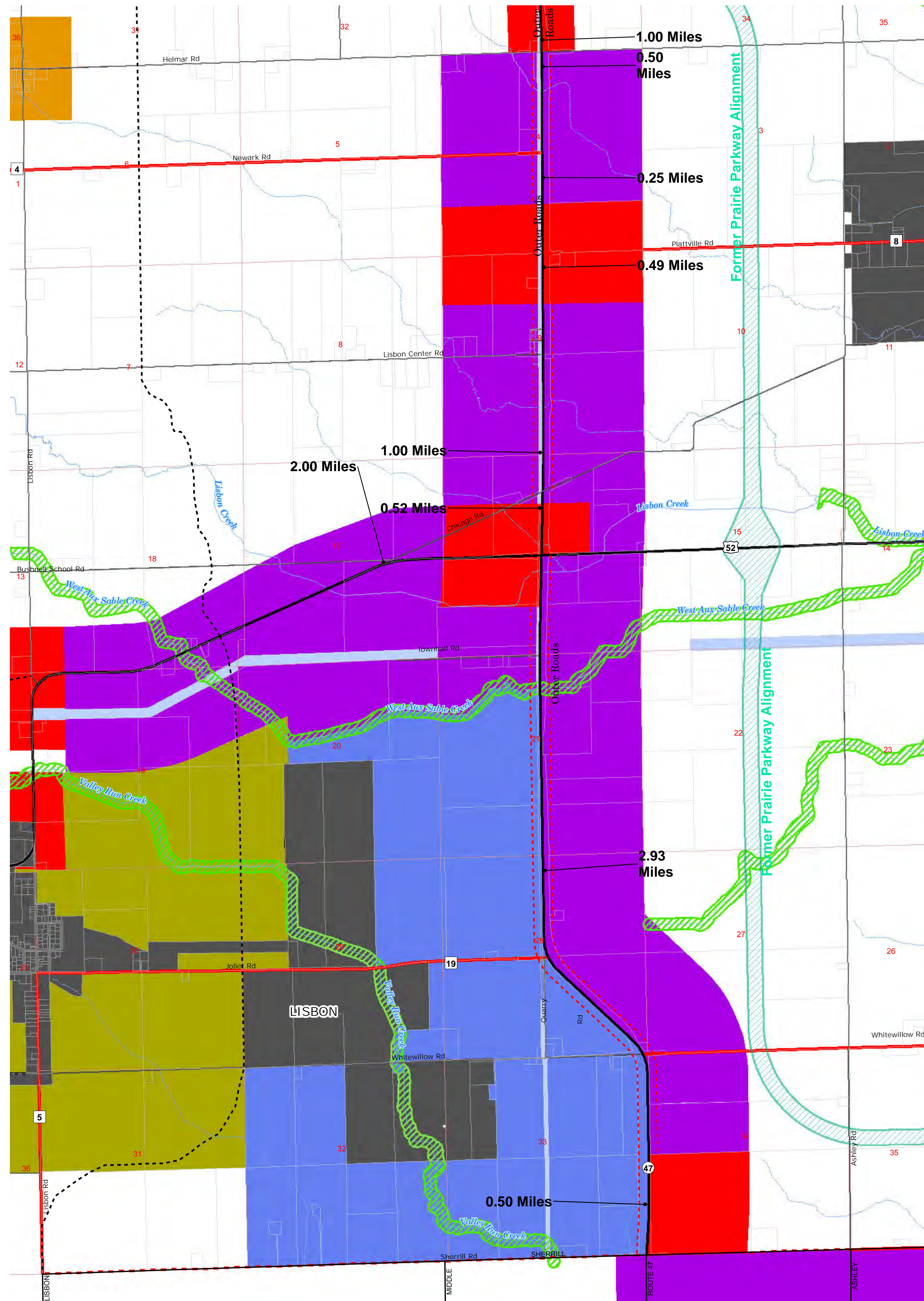
Legend

- - - Outer Roads
- - - Proposed Roadways

Future LRMP

Abbreviation

- Natural Resource Areas
- Grundy Mixed Use Business
- Court Ordered Mining
- Open Space
- Urbanized Areas
- Mixed Use Business
- Transportation Corridors
- Public Institutional
- Mining
- Rural Settlements
- Commercial
- Continued Growth Suburban Residential



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Findings of Fact for Proposed LRMP Map Changes Along Route 47 (Approximately 5.5 Miles)
in Lisbon Township

1. The Illinois Department of Transportation approved Alternative B5 in 2007 which called for the widening of Route 47 from Caton Farm Road to the Grundy County Line through Lisbon Township as part of the Prairie Parkway Project.
2. The purpose of the Prairie Parkway was to:
 - a. “Improve regional mobility by providing more north-south, higher speed multi-lane roads or additional lanes to serve traffic growth and reduce regional travel times for long distance travel.
 - b. Address local system deficiencies by developing a transportation system that serves forecast growth in local traffic and reduces travel times.
 - c. Improve access from the study area to regional jobs by serving the forecast growth in work trips and by reducing travel times from the study area current and future jobs.
 - d. Improve safety by reducing existing and projected growth in motor vehicle crashes”
Source: Prairie Parkway Design Report (2011) Page 1.
3. The Illinois Department of Transportation did not conduct any economic analysis of the impact of the proposed Prairie Parkway on lands located near Route 47 south of Caton Farm Road. Source: Illinois Department of Transportation
4. The Illinois Department of Transportation withdrew centerline protection of the Prairie Parkway in February 2018.
5. There are commercial and industrial lands in Grundy County and Minooka closer to Interstate 80 interchange
 - a. Kraft facility has 1 million square feet available.
 - b. 150 acres is available across from the Morris Airport
 - c. Morris plans warehouses out to Brisbin Road.
 - d. Morris plans retail on Route 47 north of town.
 - e. Morris plans industrial uses by the airport.
Source: Grundy County EDC
6. The City of Morris has extended water lines to Minooka Road and sanitary sewer lines to Nelson Road; no plans to extend infrastructure into Lisbon Township. The City of Morris obtains water for the area north of Interstate 80 from wells south of Interstate 80 Source: Guy Christensen, City of Morris

7. The Chicago Metropolitan Agency for Planning, in the Kendall County Industrial Market Analysis of April 2016, concluded that industrial uses would favor locations near Minooka and inside Grundy County because of their proximity to Interstate 80 (Page 34)
8. Any buildings constructed presently along the corridor will utilize wells and septic systems. Larger buildings (over 5,000 square feet) will need adequate water for fire suppression and/or will need to be constructed with appropriate firewalls.
9. No fiber optics lines currently exist in the area.
10. Traffic counts along Route 47 in Lisbon Township have generally declined since 2003 with the exception for the north end of the Township:
 - a. 5400 (2003) to 4950 (2017) south end of County
 - b. 6300 (2003) to 4950 (2017) south end Route 47 and 52 interchange
 - c. 6600 (2003) to 6250 (2017) north of Chicago Road
 - d. 6400 (2003) to 6700 (2017) at Newark RoadSource: Illinois Department of Transportation
11. Traffic Counts on Route 52 have remained steady since 2003:
 - a. 1800 (2003) to 1600 (2017) south of Bushnell School Road
 - b. 2900 (2003) to 3350 (2017) east of 47Source: Illinois Department of Transportation
12. Current traffic accidents are most likely to occur near road intersections; many of these accidents are “failure to yield” type accidents. The types of accidents could change and could include more overcorrection type accidents after the widening project is completed. Source: Kendall County Sherriff’s Department
13. The existing Kendall County Land Resource Management Plan calls for agricultural uses along most of the corridor. Source: Kendall County Land Resource Management Plan (2011)
14. The Village of Lisbon’s existing Comprehensive Plan calls for commercial, mixed uses and mining along and near the corridor. Source: Village of Lisbon Comprehensive Plan (2009)
15. The intersection of Routes 47 and 52 is the most likely area on the northeast side of an enlarged Village of Lisbon where sales tax producing businesses could locate. The northeast corner of the intersection is already zoned B-3 Highway Business.

16. Existing mining operations are located in Sections 21, 28 and 33. The mining operations could expand into Sections 32, 29 and 20.
17. West Aux Sable Creek is located in the area.
18. The intersection of Plattville Road and Route 47 is the most likely area on the west side of an enlarged Village of Plattville where sales tax producing businesses could locate.
19. Grainco FS and CHS Elburn currently operate grain storage facilities between Helmar and Newark Roads on the west side of Route 47. These uses are special uses in the A-1 Zoning District and are Permitted Uses in the M-2 Zoning District.
20. Commonwealth Edison has a ROW along Route 47 running north to south and near Townhall Road running east to west.
21. The Kendall County Land Resource Management Plan includes classifications for Commercial Uses (office and retail establishments at nodes), Transportation Corridor Uses (uses in B-3, B-5 and B-6 Zoning Districts), Mixed Use Business (uses in B-6 and the 3 Manufacturing Districts) and Mining.
22. Most of the land along the corridor is currently used for agricultural purposes.
23. The Kendall County Economic Development Committee would like outer roads to ensure to prevent interruption of traffic flows in the area. The Committee was also concerned about adequate water and the aesthetics of the corridor. The Committee also wanted a portion of the corridor reserved for industrial uses.
24. Few houses are located along the corridor. Locations with less traffic tend to be better suited for residential uses and these locations exist elsewhere in the County. No loss of affordable housing units is anticipated. The County will remain in compliance with the Illinois Affordable Housing Planning and Appeal Act (310 ILCS 67).

9.04 B-3 HIGHWAY BUSINESS DISTRICT

A. Purpose: The B-3, Highway Business District is intended for major retail, service and repair establishments serving a large trade area, usually the entire County or beyond and oriented to the traveling public. The trade area population served by these establishments requires easy access, although patronage is more dispersed and visits to these establishments less frequent than in the B-1 District and B-2 District. It is the intent of the B-3 District regulations that establishments desiring location along major traffic routes are grouped with appropriate and adequate access ways provided.

B. Permitted Uses. The following uses are permitted:

1. All Permitted Uses identified in the B-2 General Business District
2. Agricultural implement sales and service on an open lot or within a building.
3. Animal hospital
4. Banquet Halls are permitted subject to the following conditions:
 - a. The facility shall have direct access to a road designated as an arterial roadway or major collector road as identified in the Land Resource Management Plan.
 - b. The subject parcel must be a minimum of 5 acres.
 - c. The use of this property shall be in compliance with all applicable ordinances. The banquet facility shall conform to the regulations of the Kendall County Health Department and the Kendall County Liquor Control Ordinance. (Ord. 99-34)
 - d. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the zoning ordinance.
 - e. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance.
 - f. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
 - g. The noise regulations are as follows:

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

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

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

5. Beverages, non-alcoholic, bottling and distributing.
6. Boat, Trailer and Recreational Vehicle sales or rental and service
7. Carpet and Rug Stores
8. Clean up and restoration services with the following conditions:
 - a. If zoned A-1 Agricultural the facility shall have direct access to a road designated as a major collector (or higher) on the County Land Resource Management Plan.
 - b. All commercial vehicles are to be stored inside an accessory structure when not in use unless outdoor storage is screened from adjacent and surrounding properties and screening and storage is shown on the approving site plan.
 - c. All operations are to take place inside an enclosed structure.
 - d. A waste management plan must be submitted for approval and included as an exhibit to the approving ordinance
 - e. A material management plan must be submitted including where items will be stored on site including but not limited to chemicals and belongings.
 - f. No materials that are brought in can be burned on this site.
 - g. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance (Sign Regulations).
 - h. Shall satisfy all requirements of the Kendall County Health Department and Building Department prior to the issuance of occupancy permits.
9. Construction equipment sales and service.
10. Crematories/ Funeral Homes
11. Currency exchange.

12. Drive through or drive up windows for any permitted use excluding the sale of alcoholic beverages.
13. Dry-cleaning and pressing establishments, when employing facilities for the cleaning and pressing of not more than fifteen hundred pounds of dry goods per day, and when using carbon tetrachloride or other similar non-inflammable solvents approved by the State Fire Marshal.
14. Health clubs (public or private) and related accessory uses.
15. Hotel and/or Motels
16. Indoor entertainment and recreation
17. Laboratories (medical, dental, research, experimental and testing), provided no production or manufacturing of products takes place.
18. Laundries, automatic self-service types or hand employing not more than two persons in addition to one owner or manager, provided that laundry machines shall not exceed ten pounds capacity each.
19. Miniature Golf Courses
20. Motor Vehicle Service Stations for Retail Sale of Gasoline and Oil for Motor Vehicles
21. Motor Vehicle Sales/Motorcycle Sales
22. Motor Vehicle/Motorcycle service stations, including repair and rebuilding, or painting of motor vehicles
23. Motor Vehicle washing—Facilities including the use of mechanical conveyers, blowers and steam cleaning.
24. Nurseries and greenhouses
25. Parking Garages for storage of private passenger automobiles and commercial vehicles under one and one-half ton capacity.
26. Restaurants, including the drive-in type where food is served to customers remaining in motor vehicles.
27. Taverns

C. Special Uses. The following uses may be allowed by special use permit in accordance with the provisions of Section 13.00.

1. Child Day Care Facility
2. Clubs and Lodges (non-profit), fraternal or religious institutions.
3. Communication Uses
4. Community Center/ After school programs/ Educational Center
5. Consumer credit, payday loan offices, financing or financial offices.
6. Dwelling units for Watchmen and Families including a Caretaker.
7. Fertilizer sales, including limited storage.
8. Hospitals
9. Indoor Target Practice with the following conditions:
 - a. The indoor shooting range shall meet all applicable standards established in the NRA Range Source Book. Documentation indicating compliance with the aforementioned standards shall be submitted with the site plan. Plans require engineer certification for soundproofing and appropriate design.
 - b. Must be at least 150' from existing dwellings and property lines of schools, daycares, and places of worship.
 - c. Hours of operation from 7am to 10pm
 - d. No alcohol allowed.
 - e. Must meet all requirements of the Kendall County Health Department.
 - f. All applicable Federal, State, EPA and County rules and regulations shall be adhered to.
10. Kendall County Sheriff's Office shooting range with conditions to be set and approved by the County Board.
11. Kennels with the condition that the kennels must be located inside and must be located a minimum of 250' from the lot line of lots zoned residential or shown as Residential on the Land Resource Management Plan (LRMP) map and 150' from lots zoned other than residential or shown on the LRMP map as non-residential. The animals must be indoors by sunset.
12. Landscaping business, provided that:
 - a. All vehicles equipment and materials associated with a landscaping business shall be stored entirely within an enclosed structure, unless otherwise permitted under the terms of this Special Use Permit.

- b. The business shall be located on, and have direct access to, a State, County or Collector Highway as identified in the County's LRMP, having an all-weather surface, designed to accommodate loads of at least 73,280 lbs, unless otherwise approved in writing by the agency having jurisdiction over said Highway. Such approvals shall establish limitations as to the number of employees and types of vehicles coming to and from the site that are engaged in the operation of the use (including delivery vehicles). These restrictions shall be included as controlling conditions of the Special Use.
 - c. No landscape waste generated off the property can be burned on this site.
- 13. Meetings Halls
- 14. Micro-Brewery and/or Winery
- 15. Micro Distillery subject to the following conditions:
 - a. If zoned A-1 Agricultural the facility shall have direct access to a road designated as a major collector (or higher) on the County Land Resource Management Plan.
 - b. Locally grown inputs shall be used to the greatest extent possible
 - c. The number of hours permitted to operate shall be on the approving ordinance.
 - d. Parking shall be in accordance with Section 11 of the Zoning Ordinance including lighting.
 - e. All applicable Federal (including the Alcohol and Tobacco Tax and Trade Bureau), State (including the Illinois Liquor Control Commission), and County rules and regulations shall apply.
 - f. Shall contact & meet all requirements of the Kendall County Health Department.
 - g. A waste management plan should be submitted to the Kendall County Health Department
- 16. Outdoor storage provided such storage is screened from adjacent and surrounding properties.
- 17. Outdoor amusement establishments, carnivals, kiddie parks, and other similar amusement centers, and including places of assembly devoted thereto, such as stadiums and arenas.
- 18. Pawn Shop
- 19. Performing arts center subject to the following conditions:

- a. The site shall have frontage on and access to a collector or arterial road, provided that the highway authority with jurisdiction over the subject road may approve alternative access.
 - b. The site shall be shown as a commercial area on the Land Resource Management Plan.
 - c. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance (Sign Regulations)
 - d. The amount of students and type of events are listed in the approving ordinance.
 - e. Shall satisfy all requirements of the Kendall County Health Department and Building Department prior to the issuance of occupancy permits.
 - f. Must meet applicable Fire Protection District codes.
20. Places of Worship subject to the following conditions:
- a. The height for the towers and steeples shall not exceed seventy-five (75) feet and not more than forty-five (45) feet for the main structure.
 - b. Other related uses, such as school, child day care services, kindergartens, meeting facilities shall be permitted to the extent that the activity is otherwise permitted, and shall be subject to all applicable regulations, including parking.
 - c. Off-street parking, lighting and loading shall be provided as required or permitted in Section 11.00
21. Production and sale of sweet cider, hard cider, wine, jams, wine jams, jellies, pies, pickles, honey, sauces and similar items utilizing crops grown on the same property or in combination with crops grown off-site where such production takes place on the premises. In addition the tasting of and wholesale or retail sale of items produced on site as well as the sales of ancillary items and products related to crops and products produced on site shall be permitted provided all required licenses and permits have been secured. The total retail sales area on site within any building or combination of buildings shall not exceed one thousand (1,000) square feet. Said sales areas shall be set back at least ninety (90) feet from the center line of all adjacent roads with off-street parking for a minimum of five (5) cars. Seasonal outdoor displays on above listed items are also permitted.
22. Public or Private Utilities and Service uses:
- a. Telecommunications hub
 - b. Filtration plant, pumping station, and water reservoir.
 - c. Sewage treatment plant.
 - d. Electric substations and booster stations.
 - e. Other Similar uses

23. Retail or wholesale sales yards for agricultural products including, but not necessarily limited to, fruits, vegetables, flowers, plants, etc., that are not grown on the premises.
24. Self-Service Storage Facilities
25. Telecommunications Stations
26. Theaters: Outdoor theaters (drive-in), indoor theaters and convention centers.
27. Truck Driving School
28. Truck Stop

D. Conditional Uses. All conditional uses outlined in the B-2 General Business District (Section 9.03D) may be permitted only if specifically authorized by the Zoning Administrator.

9.06 B-5 BUSINESS PLANNED DEVELOPMENT

- A. Purpose. The B-5 Business Planned Development (BPD) District is intended to provide for greater freedom, imagination, and flexibility in the development of land while assuring appropriate development standards. To this extent it allows diversification and variation in the relationship of uses, structures, and open spaces in developments planned as comprehensive, cohesive projects which are unified by a shared concept. It is further intended to encourage the beneficial integration of different compatible land uses at a proper scale and to encourage better design, provision of amenities, and the efficient use of public services through the use of planned unit development procedures. The intensity and profile of the development within this District are intended to be compatible with all adjacent uses.
- B. Permitted Uses. Permitted uses shall be consistent with the purpose of this District, including a wide variety of retail, office, general commercial and light industry. A permitted use list shall be developed and approved with each zoning request in the BPD District.

B-6
Permitted Uses

1. Accessory uses.
2. Banks and financial institutions
3. Business or trade school.
4. Colleges or universities, including dormitories, fraternities, sororities and other accessory buildings and structures when located on the college or university grounds, but not including business colleges or trade schools when operated for profit.
5. Consumer credit, payday loan offices, financing or financial offices.
6. Fire Stations
7. Governmental buildings and facilities
8. Hospital.
9. Laboratories (medical, dental, research, experimental and testing), provided no production or manufacturing of products takes place.
10. Offices, business and professional, including medical clinics.
11. Parking Garages for storage of private passenger automobiles and commercial vehicles under one and one-half ton capacity
12. Planned Developments- Business
13. Police Stations.
14. Research laboratories, including the testing of products, but not including the manufacturing of products, except as incidental to the research and testing of products
15. Schools (including music, dance, business, driving, commercial, or trade but excluding truck driving)
16. Temporary buildings or structures for construction offices or storage, on the same zoning lot, for a period not to exceed such construction
17. Wholesale sales, displays and offices, but not including storage or warehousing

B-6
Special Uses

1. Book and stationary stores when Services are intended to serve the immediate convenience needs of persons employed in the area
2. Child Day Care Facility
3. Convenience store
4. Dwelling Unit for Watchmen and Families including a Caretaker
5. Health clubs (public or private) and related accessory uses.
6. Hotel and/or motel
7. Indoor Target Practice
8. Kendall County Sheriff's Office shooting range with conditions to be set and approved by the County Board.
9. Light manufacturing and assembly
10. Packaged Liquor Store or any sale of alcoholic beverages when associated with a brewery or winery.
11. Places of Worship
12. Private clubs such as soccer, etc.
13. Public or Private Utilities and Service uses:
 - a. Telecommunications hub

- b. Filtration plant, pumping station, and water reservoir.
 - c. Sewage treatment plant.
 - d. Electric substations and booster stations.
 - e. Other Similar uses
14. Restaurants and/or taverns
 15. Services or commercial uses intended primarily to serve the immediate convenience needs of persons employed in the area, including office supply stores, restaurants (but not drive-in facilities), dry cleaning (but not on-site plant) and similar uses
 16. Self Service Storage Facilities (enclosed)
 17. Telecommunications stations
 18. Other business uses not specifically listed as permitted uses, when found to be similar and compatible with existing or permitted businesses in the B-6 District

M-1
Permitted Uses

1. Ambulance Service (Private)
2. Animal feed; preparation, grinding, mixing and storage.
3. Auction Facility
4. Banquet Halls
5. Beverages, non-alcoholic, bottling and distributing.
6. Business or trade school
7. Clean up and restoration services
8. Colleges or universities, including dormitories, fraternities, sororities and other accessory buildings and structures when located on the college or university grounds.
9. Construction equipment sales and service.
10. Contractors' offices and shops.
11. Glass cutting and glazing establishments
12. Light manufacturing and assembly.
13. Micro Distillery
14. Miscellaneous uses - as follows:
 - Accessory uses.
 - Signs.
 - Temporary buildings for construction purposes for a period not to exceed the duration of such construction.
15. Motor vehicle Sales/ Motorcycle Sales including truck sales.
16. Nano Breweries.
17. Offices, business and professional, including medical clinics.
18. Parking Garages for storage of private passenger automobiles and commercial vehicles.
19. Public and community service uses - as follows:
 - Bus terminals, bus garages, bus lots, street railway terminals, or street car houses.
 - Electric sub-stations.
 - Fire stations.
 - Governmental buildings and facilities
 - Municipal or privately owned recreation buildings
 - Police stations.
 - Sewage treatment plants.

Telephone exchanges.
Water filtration plants.
Water pumping stations.
Water reservoirs.

20. Production, publishing, processing, cleaning, testing, or repair, limited to the following uses and products:

Apparel and other products manufactured from textiles.
Art needle work and hand weaving.
Motor vehicle painting, upholstering, repairing, reconditioning, and body and fender repairing when done within the confines of a structure.
Awnings, venetian blinds.
Bakeries.
Beverages - non-alcoholic.
Blacksmith shop.
Books - hand binding and tooling.
Bottling works.
Brushes and brooms.
Building equipment, building materials, lumber, coal, sand and gravel yards, and yards for contracting equipment of public agencies, or public utilities, or materials or equipment of similar nature.
Cameras and other photographic equipment and supplies.
Canning and preserving.
Canvas and canvas products.
Carpet and rug cleaning.
Carting, express hauling or storage yards.
Cement block manufacture.
Ceramic products - such as pottery and small glazed tile.
Cleaning and dyeing establishments when employing facilities for handling more than fifteen hundred pounds of dry goods per day.
Clothing.
Cosmetics and toiletries.
Creameries and dairies.
Dentures.
Drugs.
Electrical appliances, such as lighting fixtures, irons, fans, toasters and electric toys.
Electrical equipment assembly, such as home radio and television receivers and home movie equipment, but not including electrical machinery.
Electrical supplies, manufacturing and assembly of - such as wire and cable assembly, switches, lamps, insulation and dry cell batteries.
Food products, processing and combining of (except meat and fish) - baking, boiling, canning, cooking, dehydrating, freezing, frying, grinding, mixing and pressing.
Fur goods, not including tanning and dyeing.
Glass products, from previous manufactured glass.
Hair, felt and feather products (except washing, curing and dyeing).
Hat bodies of fur and wool felt.
Hosiery.

House trailer, manufacture.
Ice, dry and natural.
Ink mixing and packaging and inked ribbons.
Jewelry.
Laboratories - medical, dental, research, experimental, and testing - provided there is no danger from fire or explosion nor of offensive noise, vibration, smoke, dust, odors, heat, glare, or other objectionable influences.
Laundries.
Leather products, including shoes and machine belting, but not including tanning and dyeing.
Luggage.
Machine shops for tool, die and pattern making.
Meat products.
Metal finishing, plating, grinding, sharpening, polishing, cleaning, rustproofing and heat treatment.
Metal stamping and extrusion of small products, such as costume jewelry, pins and needles, razor blades, bottle caps, buttons and kitchen utensils.
Musical instruments.
Orthopedic and medical appliances, such as artificial limbs, braces, supports and stretchers.
Paper products, small, such as envelopes and stationery, bags, boxes, tubes and wallpaper printing.
Perfumes and cosmetics.
Pharmaceutical products.
Plastic products, but not including the processing of the raw materials.
Poultry and rabbits - slaughtering.
Precision instruments - such as optical, medical and drafting.
Products from finished materials - plastic, bone, cork, feathers, felt, fiber, paper, fur, glass, hair, horn, leather, precious and semi-precious stones, rubber, shell or yard.
Printing and newspaper publishing, including engraving and photoengraving.
Public utility electric substations and distribution centers, gas regulations centers and underground gas holder stations.
Copying/Reproduction Stores & banner or sign supplies
Rubber products, small, and synthetic treated fabrics (excluding all rubber and synthetic processing), such as washers, gloves, footwear, bathing caps and atomizers.
Silverware, plate and sterling.
Soap and detergents, packaging only.
Soldering and welding.
Sporting and athletic equipment, such as balls, baskets, cues, gloves, bats, racquets, and rods.
Statuary, mannequins, figurines and religious and church art goods, excluding foundry operations.
Storage of household goods.
Storage and sale of trailers, farm implements and other similar equipment on an open lot.

Storage of flammable liquids, fats or oil in tanks each of fifty thousand gallons or less capacity, but only after the locations and protective measures have been approved by local fire chief in the district in which the subject property is located.

Textiles - spinning, weaving, manufacturing, dyeing, printing, knit goods, yard goods, thread, and cordage, but not including textile bleaching.

Tool and die shops.

Tools and hardware - such as bolts, nuts, and screws, doorknobs, drills, hand tools and cutlery, hinges, house hardware, locks nonferrous metal castings, and plumbing appliances.

Toys.

Truck, truck tractor, truck trailer, car trailer, or bus storage yard, when all equipment is in operable condition, but not including a truck or motor freight terminal, which shall be treated under sub-section 10.01-C.

Umbrellas.

Upholstering (bulk), including mattress manufacturing, rebuildings, and renovating.

Vehicles, children's - such as bicycles, scooter, wagons and baby carriages.

Watches.

Wood products, such as furniture, boxes, crates, baskets and pencils and cooperage works.

Any other manufacturing establishment that can be operated in compliance with the performance standards set forth in Section 4.12 without creating objectionable noise, odor, dust, smoke, gas, fumes, or vapor; and that is a use compatible with the use and occupancy of adjoining properties.

21. Retail and services as follows:

Motor vehicle service station for the retail sale of gasoline and oil for motor vehicles, for minor services which may be conducted out of doors.

Motor vehicle/Motorcycle Service Stations (includes repair, rebuild, and painting)

Banks and financial institutions

Carpet and Rug Stores

Catering Establishments as long as it conforms to the regulations of the Kendall County Health Department and the Kendall County Liquor Control Ordinance.

Contractor or construction such as: building, cement, electrical, refrigeration, masonry, building, plumbing, roofing, air-conditioning, heating and ventilating, fuel oil, with a storage of fuel oils, gas and other flammable products limited to 120,000 gallons per tank, with total storage on zoning lot not to exceed 500,000 gallons.

Plumbing, heating, and roofing supply shops

22. Residential uses - as follows:

Dwelling units for watchmen and their families including caretakers when located on the premises where they are employed in such capacity.

23. Telecommunication Stations

24. Wholesaling and warehousing

M-1

Special Uses

1. Any use which may be allowed as a special use in the B-3 or B-4 Business Districts, but not including house trailers (mobile homes) camps.

1. Child Day Care Facility
2. Clubs and Lodges (non-profit), fraternal or religious institutions.
3. Communication Uses
4. Community Center/ After school programs/ Educational Center
5. Consumer credit, payday loan offices, financing or financial offices.
6. Dwelling units for Watchmen and Families including a Caretaker.
7. Fertilizer sales, including limited storage.
8. Hospitals
9. Indoor Target Practice
10. Kendall County Sheriff's Office shooting range
11. Kennels
12. Landscaping business,
13. Meetings Halls
14. Micro-Brewery and/or Winery
15. Micro Distillery
16. Outdoor storage provided such storage is screened from adjacent and surrounding properties.
17. Outdoor amusement establishments, carnivals, kiddie parks, and other similar amusement centers, and including places of assembly devoted thereto, such as stadiums and arenas.
18. Pawn Shop
19. Performing arts center
20. Places of Worship subject to the following conditions:
21. Production and sale of sweet cider, hard cider, wine, jams, wine jams, jellies, pies, pickles, honey, sauces and similar items utilizing crops grown on the same property or in combination with crops grown off-site where such production takes place on the premises. In addition the tasting of and wholesale or retail sale of items produced on site as well as the sales of ancillary items and products related to crops and products produced on site shall be permitted provided all required licenses and permits have been secured.
22. Public or Private Utilities and Service uses:
 - a. Telecommunications hub
 - b. Filtration plant, pumping station, and water reservoir.
 - c. Sewage treatment plant.
 - d. Electric substations and booster stations.
 - e. Other Similar uses
23. Retail or wholesale sales yards for agricultural products including, but not necessarily limited to, fruits, vegetables, flowers, plants, etc., that are not grown on the premises.
24. Self-Service Storage Facilities
25. Telecommunications Stations
26. Theaters: Outdoor theaters (drive-in), indoor theaters and convention centers.
27. Truck Driving School
28. Truck Stop
 1. Amphitheater, drive-in theater, auditorium, stadium and sports arena,
 2. Athletic Fields with Lights,
 3. Amusement park, including go-cart tracks, water parks and other rides, .
 4. Bait Shop

5. Convenience Store
 6. Hotel and/or Motel
 7. Indoor entertainment and recreation
 8. Indoor Target Practice
 9. Kendall County Sheriff's Office shooting range
 10. Kennels
 11. Places of Worship
 12. Planned Developments- Business
 13. Production and sale of sweet cider, hard cider, wine, jams, wine jams, jellies, pies, pickles, honey, sauces and similar items utilizing crops grown on the same property or in combination with crops grown off-site where such production takes place on the premises. In addition the tasting of and wholesale or retail sale of items produced on site as well as the sales of ancillary items and products related to crops and products produced on site shall be permitted provided all required licenses and permits have been secured.
 14. Racetrack
 16. Riding Stables including, but not limited to: polo clubs, rodeo clubs and similar uses
 17. Seminaries, convents, monasteries, and similar religious institutions including dormitories and other accessory uses required for operation.
 18. Telecommunications Stations
 19. Other business uses not specifically listed as permitted uses, when found to be similar and compatible with existing or permitted businesses in the B-4 District
2. Adult Regulated uses
 3. Airports and heliports including aircraft hangers, tie downs and aircraft service and repair subject to the following restrictions:
 4. Airport, private airstrip, heliports and aircraft landing fields
 5. Art Galleries and studios
 6. Grain Storage.
 7. Indoor Target Practice
 8. Kendall County Sheriff's Office shooting range with conditions to be set and approved by the County Board.
 9. Kennels
 10. Medical Cannabis Cultivation Centers- Temporary
 11. Medical Cannabis Cultivation Centers- Temporary
 12. Motor freight terminals.
 13. Motor vehicle/ Truckwash Facilities including the use of mechanical conveyers, blowers and steam cleaning.
 14. Packaged Liquor Store or any sale of alcoholic beverages when associated with a brewery or winery.
 15. Paintball Facilities
 16. Parks and recreational areas
 17. Planned developments, industrial
 18. Private Clubs or lodges
 19. Private clubs such as soccer, etc.
 20. Racetrack provided that the following minimum standards are met:
 21. Schools (including music, dance, business, driving, commercial, or trade but excluding truck driving)

22. Stadiums, auditoriums and arenas.
23. Theaters, outdoor drive-in.
24. Transfer Stations as long as it conforms to the Solid Waste Plan and all EPA requirements.
25. Truck Wash Facility or Motor Vehicle Wash Facility
26. Any use permitted in the M-2 Heavy Manufacturing District, provided the performance standard set forth in Section 4.12. can be met in their entirety.
27. Wind Farms, Commercial,

M-2
Permitted Uses

1. Any use permitted in the M-1 Districts except banks and financial institutions.
2. Production, processing, cleaning, servicing, testing, and repair, including the following products:
 - Charcoal, lampblack and fuel briquettes.
 - Chemicals - including acetylene, aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, carbon black and bone black, cleaning and polishing preparation, creosote, exterminating agents, hydrogen and oxygen, industrial alcohol, nitrating of cotton or other materials, nitrates, (manufactured and natural) of an explosive nature, potash, plastic materials and synthetic resins, pyroxylin, rayon yard, hydrochloric, picric and sulfuric acids and derivatives.
 - Coal, coke and tar products, including gas manufacturing.
 - Electric central station, power and steam-generating plants.
 - Fertilizers.
 - Film, photographic.
 - Flour, feed and grain - milling and processing.
 - Incineration or reduction of garbage, offal and dead animals.
 - Linoleum and oil cloth.
 - Magnesium foundries.
 - Matches.
 - Metal and metal ores (except precious and rare metals) - reduction, refining, smelting and alloying.
 - Paint, lacquer, shellac, varnishes, linseed oil and turpentine.
 - Petroleum products, refining - such as gasoline, kerosene, naphtha, lubricating oil and liquefied petroleum gases.
 - Rubber (natural or synthetic).
 - Soaps, including fat and oil rendering.
 - Starch.
 - Wood, coal, and bones, distillations.
 - Wood pulp and fiber, reduction and processing, including paper mill operations.
 - Any other production, processing, cleaning, servicing, testing, and repair which conforms with the performance standards established hereinafter for the M-2 District.
3. Storage, including the following uses and materials or products: Goods used in or produced by manufacturing activities permitted in this district.
 - Grain.
 - Manure, peat and topsoil.
 - Petroleum and petroleum products.

M-2
Special Uses

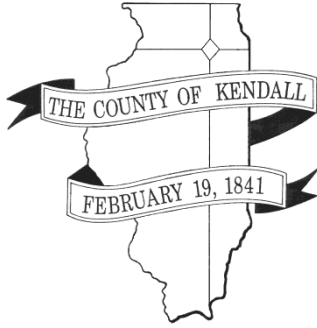
1. Any use which may be allowed as a special use in the M-1 Districts, unless already permitted under Section 10.02.B above.
2. Commercial off-premise advertising structures
3. Correctional Facilities
4. Explosive, including storage, when not prohibited by other ordinance.
5. Junk yards and Motor vehicle wrecking yards provided they are contained within completely enclosed buildings or screened by a solid wall or uniformly painted solid fence at least twelve feet high.
6. Kendall County Government Agency and other law enforcement shooting range with conditions to be set and approved by the County Board.
7. Miscellaneous uses as follows:
 - a. Railroad freight terminals, motor freight terminals, railroad switching and classification yards, repair shops and roundhouses.
8. Slaughter House

M-3
Permitted Uses

1. Surface and/or open pit mining, extraction and or processing of aggregate materials, e.g. sand, gravel, limestone, subject to the issuance of a permit as provided including an office in relation to business.
2. Explosive, including storage, when not prohibited by other ordinance.

M-3
Special Uses

1. Asphalt and/or concrete batch mixing plants with or without associated recycling facilities.
2. Commercial off-premise advertising structures
3. Kendall County Sheriff's Office shooting range with conditions to be set and approved by the County Board.
4. Outdoor Target Practice or Shooting (not including private shooting in your own yard)



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203
 Yorkville, IL • 60560
 (630) 553-4141 Fax (630) 553-4179

Petition 18-20
Fox Metro Water Reclamation District
Map Amendment Rezoning Property from
R-1 with a Special Use Permit to M-1

INTRODUCTION

The Fox Metro Water Reclamation District is considering improvements at their plant on Route 31. Rather than amending their special use permit, Fox Metro is requesting that the southern portion of the property, presently zoned R-1 with a special use permit for a sewage treatment facility, be rezoned to M-1. A wastewater treatment facility is a permitted use in the M-1 District and the rezoning would place the entire Fox Metro property in the same zoning classification.

If the map amendment is approved, any improvement to the Fox Metro facility would still require site plan approval per Section 13 of the Kendall County Zoning Ordinance.

The Petitioner previously received special use permits to operate a sewage treatment facility onsite through the 1974 comprehensive County rezoning and Ordinances 2011-13 and 2011-35.

SITE INFORMATION

PETITIONER: Fox Metro Water Reclamation District

ADDRESS: 682 Route 31, Oswego

LOCATION: East Side of Route 31 Approximately 0.5 Miles South of Route 30

TOWNSHIP: Oswego

PARCEL #s: 03-05-176-002, 03-05-302-001, 03-05-302-002, 03-05-302-003, 03-05-302-004, 03-05-353-001, 03-05-353-002, 03-05-353-003, 03-05-353-004, 03-05-353-006, 03-05-353-009, and 03-05-353-010

03-05-127-005 and 03-05-176-001 are already zoned M-1.

LOT SIZE: 94.4 acres

EXISTING LAND USE: Wastewater Treatment Facility

ZONING: R-1 with a Special Use Permit for a Sewage Treatment Plant

LRMP: Existing Land Use	Institutional
Future Land Use	Mixed Use Business
Roads	Route 31 is a State maintained highway arterial highway
Trails	None
Floodplain/Wetlands	Wetlands and Floodplains are present on the property.

REQUESTED ACTION: Map Amendment Rezoning Property from R-1 with a Special Use Permit to M-1

APPLICABLE REGULATIONS: Section 13.07 – Map Amendment Procedures

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Institutional (Wastewater Treatment Facility)	M-1 (County) B-2 and M-2 (Montgomery)	Mixed Use Business (County) Light Industrial and Regional Commercial (Montgomery)	M-1 (County) B-2 and M-2 (Montgomery)
South	Comed ROW, Single-Family Residential	R-1	Comed ROW and Suburban Residential	A-1 SU, R-1, R-3, R-5, R-6 R-7 R-7 SU, B-1 SU, B-2, B-2 SU, B-3, and B-4 (County) R-1 and Special Use (Oswego)
East	Fox River, Park Land, and Single-Family Residential	A-1	Open Space and Suburban Residential	A-1, R-3 SU, R-6, R-7, B-1, B-3, B-3 SU,
West	Industrial, Cemetery, and Residential	R-1, R-3, M-1, M-1 SU, M-2	Suburban Residential and Mixed Use Business	R-3, M-1 SU, M-2, and M-2 SU (County) M-2 (Montgomery)

Pictures of the property are included as Attachments 3-14.

PHYSICAL DATA

ENDANGERED SPECIES REPORT

EcoCAT Report not required because the property is not agricultural.

NATURAL RESOURCES INVENTORY

The application for NRI was submitted on May 21, 2018. To date, the County has not received NRI information.

ACTION SUMMARY

OSWEGO TOWNSHIP

Petition information was sent to Oswego Township on May 29, 2018. Oswego Township expressed no opposition to the proposal, see Attachment 15.

OSWEGO FIRE PROTECTION DISTRICT

Petition information was to the Oswego Fire Protection District on May 29, 2018. They expressed no

opposition to the proposal, see Attachment 16.

VILLAGE OF MONTGOMERY

Petition information was sent to the Village of Montgomery on May 29, 2018. To date, no comments have been received.

ZPAC

ZPAC reviewed this proposal at their meeting on June 5, 2018. ZPAC unanimously recommended approval of the request. The minutes of the ZPAC meeting are included as Attachment 17.

GENERAL INFORMATION

The Petitioner desires the map amendment in order to have their entire property zoned the same classification. In addition, the Petitioner desires the ability to expand and operate the facility without having to amend their special use permit each time they wish to amend their site plan. The Petitioner would still be required to obtain site plan approval from the County per Section 13.10 of the Kendall County Zoning Ordinance. Lastly, the Petitioner desires to have the zoning of the property correspond to the Kendall County Future Land Use Map.

The existing use of the property as a wastewater treatment facility has occurred since the 1920s. The Petitioner has no desire to change the land use of the property. Even if the Petitioner did desire to change the land use of the property, a large amount of remediation and site work would be required to transform the property into a residential or other light manufacturing use.

In addition to Kendall County's ordinances, the operations at the subject property are heavily regulated by both federal and state laws.

BUILDING CODES

Any new construction on site would be required to meet applicable building codes and other applicable federal and state laws for the operation of wastewater treatment facility.

ACCESS

The property fronts Route 31. Staff has no concerns regarding the ability of Route 31 to support the continued operations of the wastewater treatment facility at this location.

ODORS

If the wastewater treatment facility expands, additional odors may occur. Fox Metro is taking necessary precautions to reduce odors.

LIGHTING

Any new lighting would be to support the operations of the wastewater treatment plant.

SCREENING

The property is currently fenced and the existing facilities are set down approximately fifteen feet to twenty feet (15'-20') from Route 31. Existing trees on the Comed Ed right-of-way and a row of new trees provides a buffer to the south. Any new fences would have to follow applicable regulations.

STORMWATER

The property is along the Fox River. Any new construction would have to meet the requirements of the Kendall County's Stormwater Management Ordinance.

UTILITIES

Utilities are onsite. The Petitioner would have to secure applicable permits prior to changing the layout of utilities.

FINDINGS OF FACT

Existing uses of property within the general area of the property in question. Portions of the subject property have been used as a wastewater treatment plant since the 1920s. The area is a mix of industrial, single-family residential, and institutional uses.

The Zoning classification of property within the general area of the property in question. The zoning of properties in the general area include agricultural, single-family residential, commercial, and manufacturing. The Petitioner owns property in the area that is zoned M-1 and R-1 with a special use permit.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned R-1 with a special use permit. Because the site has been used as a wastewater treatment facility for almost a century, a large amount of remediation and site work would be required for other residential uses to be placed on the subject property.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. The proposed amendment clarifies the existing use of the property with the zoning of the property because a wastewater treatment facility is more of a manufacturing/industrial use than a residential use.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The proposed amendment is consistent with the Future Land Use Map contained in the Land Resource Management Plan which calls for the subject property to be Mixed Use Business. Per the definition of Mixed Use Business, uses permitted within the M-1 Zoning District are types of Mixed Use Businesses.

RECOMMENDATION

Because the Future Land Use Map in the Land Resource Management Plan calls for the subject property to be Mixed Use Business and the M-1 zoning classification corresponds to the Mixed Use Business designation, Staff recommends approval of the proposed map amendment. If the map amendment is approved, the special use permits and R-1 related variances granted by Ordinances 2011-13 and 2011-35 would be repealed. Any additional R-1 related variances would also be repealed upon rezoning.

ATTACHMENTS

1. Application Materials (Including the Petitioner's Findings of Fact)
2. Plat of Survey
3. Aerial
4. Aerial with Zoning
5. Looking West from Administration Building
6. Looking Northwest from Administration Building
7. Looking Southwest from Administration Building
8. Residential Properties Located Across from the Southwest Corner of Site
9. Vegetation at Southern Portion of Site
10. Neighboring Residential Property to the South
11. Comed ROW Looking East
12. Looking West from Inside the Property
13. Looking South from Inside the Property
14. Looking East from Inside the Property
15. Oswego Township Email
16. Oswego Fire Protection District Email
17. 6.5.18 ZPAC Minutes

WALTER E. DEUCHLER ASSOCIATES INC.

Consulting Engineers

230 WOODLAWN AVENUE • TELEPHONE (630) 897-4651 • FAX (630) 897-5696
AURORA, ILLINOIS 60506

May 22, 2018

Matthew Asselmeier
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560

**RE: Fox Metro Water Reclamation District
Map Amendment for Existing WWTP
DEUCHLER Project No. 111-14024-01**

Dear Mr. Asselmeier:

Please find attached application for a Map Amendment at the Fox Metro Water Reclamation District existing wastewater treatment facility located at 682 State Route 31 in Oswego, Illinois. Per Kendall County Ordinance #2011-35, the property is currently zoned as follows:

- M-1: PINs 03-05-127-005 & 03-05-176-001.
- R-1 (SU): PINs 03-05-176-002; 03-05-302-001; 03-05-302-002; 03-05-302-003; 03-05-302-004; 03-05-353-001. 03-05-353-002, 03-05-353-003; 03-05-353-004; 03-05-353-006; 03-05-353-009; & 03-05-353-010.

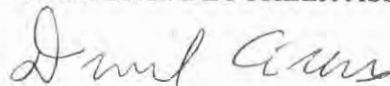
Fox Metro WRD is applying for a Map Amendment for an overall zoning of M-1 for the wastewater treatment plant facility. Per Kendall County Zoning Ordinance, a sewage treatment plant is a permitted use for M-1 Zoning. The M-1 Zoning is in line with the Kendall County LRMP as the property is shown as MIXED USE BUSINESS.

The following documents are enclosed:

- Map Amendment/Rezoning Application Checklist
- Completed Application Form
- Application Fee of \$500, FMWRD Check #42627
- Rezoning Findings of Fact
- Legal Description of Properties
- Proof of Ownership
- Proof of Application to Soil and Water Conservation District for NRI
- 15 – 11"x17" copies of Plat of Survey, and 1 - 24"x36" Copy

We look forward working with your office in processing the Map Amendment.

Very truly yours,
WALTER E. DEUCHLER ASSOCIATES, INC.



Daniel Cáceres, P.E., S.E.



Encl.

cc: Tom Muth (FMWRD)
Matt Woodin (FMWRD)
John Frerich (DEUCHLER)
File w/ encl.



Enclosures

- Water Works and Sewerage
- Streets and Street Lighting

- Building and Structures
- Investigations and Reports

- Design and Construction
- Project Financing



DEPARTMENT OF PLANNING, BUILDING & ZONING

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

APPLICATION

PROJECT NAME Map Amendment for WWTP

FILE #: 18-20

NAME OF APPLICANT Fox Metro Water Reclamation District		
CURRENT LANDOWNER/NAME(s) Fox Metro Water Reclamation District		
SITE INFORMATION		
ACRES 94.4	SITE ADDRESS OR LOCATION 682 State Route 31, Oswego, IL 60543	ASSESSOR'S ID NUMBER (PIN) See Findings of Fact
EXISTING LAND USE Wastewater Treatment Plant,	CURRENT ZONING M-1 & R-1 (SU)	LAND CLASSIFICATION ON LRMP Mixed Use Business
REQUESTED ACTION (Check All That Apply):		
<input type="checkbox"/> SPECIAL USE	<input checked="" type="checkbox"/> MAP AMENDMENT (Rezone to _____)	<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 (<input type="checkbox"/> Major; <input type="checkbox"/> Minor)		
¹PRIMARY CONTACT Daniel Caceres	PRIMARY CONTACT MAILING ADDRESS 230 Woodlawn Ave	PRIMARY CONTACT EMAIL dcaceres@deuchler.com
PRIMARY CONTACT PHONE # 630-423-0457	PRIMARY CONTACT FAX # 630-897-5696	PRIMARY CONTACT OTHER #(Cell, etc.) N/A
²ENGINEER CONTACT Daniel Caceres	ENGINEER MAILING ADDRESS 230 Woodlawn Ave	ENGINEER EMAIL dcaceres@deuchler.com
ENGINEER PHONE # 630-423-0457	ENGINEER FAX # 630-897-5696	ENGINEER OTHER # (Cell, etc.) N/A
I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.		
I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES.		
SIGNATURE OF APPLICANT		DATE <u>5/21/2018</u>

FEE PAID: \$ 500
 CHECK #

RECEIVED

MAY 22 2018

KENDALL COUNTY
 PLANNING, BUILDING & ZONING
 Date Stamp Here If
 Checklist is Complete

¹Primary Contact will receive all correspondence from County

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

Please fill out the following findings of fact to the best of your capabilities. § 13.07.F of the Zoning Ordinance lists the Finding of Fact criteria the Zoning Board of Appeals must answer in order to make a recommendation to the County Board on any **map amendment** request. They are as follows:

Existing uses of property within the general area of the property in question.

Fox Metro WRD is a special district organized under the Sanitary District Act of 1917. The District was created for the purpose of protecting public health and reducing water pollution as related to sanitary sewage. As such, Fox Metro WRD operates and maintains a wastewater treatment plant at the property in question.

The Zoning classification of property within the general area of the property in question.

Per Kendall County Ordinance #2011-35, the property is zoned as follows:

M-1: PINs 03-05-127-005 & 03-05-176-001.

R1-SU: PINs 03-05-176-002; 03-05-302-001; 03-05-302-002; 03-05-302-003; 03-05-302-004; 03-05-353-001. 03-05-353-002, 03-05-353-003; 03-05-353-004; 03-05-353-006; 03-05-353-009; & 03-05-353-010.

The suitability of the property in question for the uses permitted under the existing zoning classification.

The property is currently zoned with portions being M-1 & R1 (SU). Per the Kendall County Zoning Ordinance, a sewage treatment plant is a permitted use for M-1 and a special use for R-1.

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.

Fox Metro WRD is continually making improvements to the existing wastewater treatment plant site in order to comply with Environmental Protection Agency permit requirements and to improve wastewater treatment operations as good stewards of the environment. The ability of Fox Metro WRD to make this improvements is in the interest of the public. Having the entire WWTP site under a common zoning will streamline the process for constructing improvements to the site.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies.

Fox Metro WRD supports the goals of the Kendall County Land Resource Management Plan (LRMP-2011). The property described above is shown as MIXED USE BUSINESS on the Future Land Use Plan Map. According to the LRMP, the MIXED USE BUSINESS is consistent with the County's three manufacturing districts. The MIXED USE BUSINESS and wastewater treatment plant operations is inconsistent with the present residential zoning classification.

Walter E. Deuchler Associates Inc.
Consulting Engineers

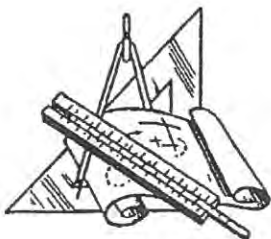
230 WOODLAWN AVENUE, AURORA, ILLINOIS 60506

Area Code 312
897-4651

CATERPILLAR TRACTOR COMPANY
TO
THE AURORA SANITARY DISTRICT
QUIT CLAIM DEED DOC. NO. 148636
5-26-65
(4.00 ACRES)

That part of the Southwest Quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian, described as follows:

Beginning at a cross notch in the center line of U.S. Route #31 at a point 581.60 feet Southerly of the intersection of said center line and the East and West quarter line of Section 5 aforesaid; thence East along a line parallel with the North line of the Southwest Quarter of said Section 5 and forming an angle of $95^{\circ}18'20''$ with the center line of U.S. Route #31 (as measured from South to East) to the Thread of the Stream of the Fox River; thence Southwesterly along the Thread of the Stream of the Fox River to the extension Easterly of the North line of Larson's Subdivision as presently staked out; thence West along the extension Easterly and the North line of Larson's Subdivision to a cross notch in the center line of U.S. Route #31; thence Northerly along said center line and forming an angle of $84^{\circ}49'50''$ (as measured from East to North) a distance of 215.00 feet to the place of beginning in the Township of Oswego, Kendall County, Illinois;



- Water Works and Sewerage
- Streets and Street Lighting
- Buildings and Structures
- Investigations and Reports
- Design and Construction
- Project Financing

Walter E. Deuchler Associates Inc. *Consulting Engineers*

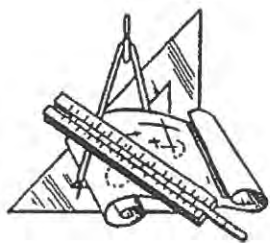
230 WOODLAWN AVENUE, AURORA, ILLINOIS 60506

Area Code 312
897-4651

WILLIAM J. AND LORRAINE M. KUSNIERZ
TO
THE AURORA SANITARY DISTRICT
WARRANTY DEED DOC. NO. 78-3241
5-24-78
(1.54 ACRES)

That part of the Southwest Quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian, described as follows:

Commencing at the Northwest corner of the fractional Southwest Quarter of Section 6, Township and Range aforesaid; thence South along the West line of said Section 6, 1363.34 feet; thence South 82°36' East to the West bank of the Fox River; thence North 18° 46' West along said river bank 237 feet; thence North 37°16' West along said river bank 263 feet; thence North 9° 39' West along said river bank 300 feet; thence North 19° 40' East along said river bank 300 feet; thence North 30° 19' East along said river bank 102.8 feet; thence North 88° 31' West 864.15 feet to the center line of the original road; thence Northeasterly along the center line of said road 215 feet for the point of beginning; thence East parallel with the North line of the Southwest Quarter of said Section 5 to the West bank of Fox River; thence Northeasterly along the West bank of said Fox River to a point which is 394.88 feet South of North line of said Southwest Quarter; thence North 90° West 1074.3 feet to the center line of said road; thence Southerly along said center line 185 feet to the point of beginning, in the Township of Oswego, Kendall County, Illinois. Excepting that part of said premises conveyed to The Aurora Sanitary District by deed dated August 29, 1961 recorded January 19, 1962 as document 136551 in Book 126, page 107 and also excepting that part of said premises dedicated for road purposes, (along Illinois Route 31) as Described in Dedication dated February 7, 1959 and recorded July 14, 1959 as document 126069.



- Water Works and Sewerage
- Streets and Street Lighting
- Buildings and Structures
- Investigations and Reports
- Design and Construction
- Project Financing

Walter E. Deuchler Associates Inc.

Consulting Engineers

230 WOODLAWN AVENUE, AURORA, ILLINOIS 60506

Area Code 312
897-4651

EVERETT L. AND TREVILLA M. ENGEL
TO
THE AURORA SANITARY DISTRICT
WARRANTY DEED DOC. NO. 136551
1-9-62
(2.56 ACRES)

That part of the Southwest Quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian, described as follows: Commencing at the Northwest corner of the fractional Southwest Quarter of Section 6, Township and Range aforesaid; thence South along the West line of said Section 6, 1363.34 feet; thence South 82° 36' East to the West bank of the Fox River; thence North 18° 46' West along said river bank 237 feet; thence North 37° 16' West along said river bank 263 feet; thence North 9° 39' West along said river bank 300 feet; thence North 19° 40' East along said river bank 300 feet; thence North 30° 19' East along said river bank 102.8 feet; thence North 88° 31' West 864.15 feet to the center line of the original road; thence North-easterly along the center line of said road 215 feet; thence East parallel with the North line of the Southwest Quarter of said Section 5, said line being the northerly line of the property owned by the Caterpillar Tractor Co., for a distance of 467.2 feet for a place of beginning; thence continuing East along the last described line to the center thread of the Fox River; thence Northeasterly along the center thread of the Fox River to a point which is 394.88 feet South of the North line of said Southwest Quarter; thence North 90° West along the southerly line of the property owned by The Aurora Sanitary District to a point which is 450 feet East of the center line of the original road (State Route No. 31); thence South to the place of beginning; in the Township of Oswego, Kendall County, Illinois, containing 2.38 acre more or less; reserving and excepting to Grantors, their heirs or assigns and their respective invitees or guests, a perpetual right-of-way for persons or vehicles across and the perpetual use of the southerly 20 feet of said property, and along the westerly bank of the Fox River for the easterly 20 feet of the southerly 20 feet of said property, for ingress, egress and access to the Fox River, and for fishing, boating, swimming and other river recreational purposes, including the right to erect a dock, wharf or similar structure on the westerly bank of the Fox River; hereby releasing and waiving rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.



Water Works and Sewerage • Buildings and Structures • Design and Construction
Streets and Street Lighting • Investigations and Reports • Project Financing

ALSO

QUIT CLAIM
DOCUMENT NO. 158942
4-11-68

The Southerly 20 feet and along the Westerly bank of the Fox River for the Easterly 20 feet of the Southerly 20 feet of the following described property:

That part of the Southwest Quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian, described as follows: Commencing at the Northwest corner of the Fractional Southwest Quarter of Section 6, Township and Range aforesaid; thence South along the West line of said Section 6, 1363.34 feet; thence South 82° 36' East to the West bank of the Fox River; thence North 18° 46' West along said river bank 237 feet; thence North 37° 16' West along said river bank 263 feet; thence North 9° 39' West along said river bank 300 feet; thence North 19° 40' East along said river bank 300 feet; thence North 30° 19' East along said river bank 102.8 feet; thence North 88° 31' West 864.15 feet to the center line of the original road; thence Northeasterly along the center line of said road 215 feet; thence East parallel with the North line of the Southwest Quarter of said Section 5, said line being the northerly line of the property owned by the Caterpillar Tractor Co., for a distance of 467.2 feet for a place of beginning; thence continuing East along the last described line to the center thread of the Fox River; thence Northeasterly along the center thread of the Fox River to a point which is 394.88 feet South of the North line of said Southwest Quarter; thence North 90° West along the southerly line of the property owned by The Aurora Sanitary District to a point which is 450 feet East of the center line of the original road (State Route No. 31); thence South to the place of beginning; in the Township of Oswego, Kendall County, Illinois.

Walter E. Deuchler Associates Inc.
Consulting Engineers

230 WOODLAWN AVENUE, AURORA, ILLINOIS 60506

Area Code 312
897-4651

E. GARRETTA ELLIOTT
TO
THE AURORA SANITARY DISTRICT
WARRANTY DEED 10-29-54
(3.02 ACRES)

That part of the Southwest Quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the point of intersection of the Easterly right-of-way line of the Chicago, Burlington and Quincy Railroad with the North line of said Southwest Quarter; thence East along said North line 235.7 feet to the center line of the original road; thence Southerly along said center line 273.5 feet for the point of beginning; thence Southerly along said center line 123.1 feet; thence East 450 feet; thence North 122.57 feet; thence West 438.55 feet to the point of beginning, in the Township of Oswego, Kendall County, Illinois.



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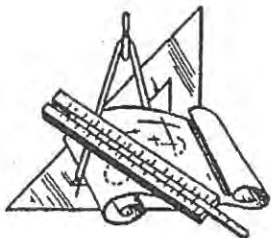
Walter E. Deuchler Associates Inc.
Consulting Engineers

230 WOODLAWN AVENUE, AURORA, ILLINOIS 60506

Area Code 312
897-4651

EMMA MICHELS
TO
THE AURORA SANITARY DISTRICT
WARRANTY DEED 2-15-45
(3.02 Acres)

That part of the Southwest Quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian, described by commencing at a point in the north line of said Southwest Quarter, where said North line is intersected by the center line of the Northerly and Southerly highway running through said Southwest Quarter section; thence South 5°12' West along the center line of said highway 327.4 feet to an iron stake for a place of beginning; thence South 5°12' West along the center line of said highway, 69.2 feet; thence East 1072.4 feet to the meander line of Fox River; thence North 43° East 167.6 feet to a large iron bolt; thence West 1134.5 feet; thence South 45°29' West to the place of beginning, containing 3.02 acres more or less; situated in the County of Kendall and State of Illinois.



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Streets and Street Lighting	•	Investigations and Reports	•	Project Financing

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Consulting Engineers

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Area Code 312
897-4651

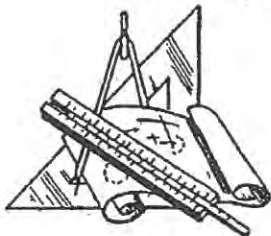
ELWYN A. AND JESSIE B. BERNBROCK
TO
THE AURORA SANITARY DISTRICT
QUIT-CLAIM DEED 10-24-27
(26.84 ACRES)

TRACT "A"

Part of the Southwest Quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian, described by commencing at a point in the north line of said Southwest Quarter where said north line is intersected by the center line of the highway running northerly through said quarter; thence South 5° 12' West along the center line of said highway 327.4 feet to an iron stake for a place of beginning; thence South 5° 12' West along the center line of said highway 69.2 feet to an iron stake; thence North 90° East parallel to the North line of said Southwest Quarter 1088.3 feet to an iron stake on the Westerly bank of the Fox River; thence North 42° 41' East along said Westerly bank 177.1 feet; thence North 32° 15' East along the Westerly bank of said river 313.5 feet to an iron stake on the North line of said Southwest Quarter; thence South 90° West along said North line 1037.4 feet to an iron stake on the Easterly right-of-way line of the Aurora, Elgin and Chicago Railway Company; thence South 45° 29' West along said Easterly right-of-way line 465.6 feet to the place of beginning, containing ten acres more or less.

Excepting therefrom, however, all that part thereof heretofore conveyed by Albert L. Treman to George Michels by Warranty Deed dated September 12, 1925 and recorded September 19, 1925, in Book 75 of Warranty Deeds on Page 372 in the Recorder's Office of Kendall County, Illinois, which portion so excepted contains 3.02 acres more or less and is particularly described as follows:

Commencing at a point in the North line of said Southwest Quarter where said North line is intersected by the center line of the Northerly and Southerly highway running through said Southwest Quarter; thence South 5° 12' West along the center line of said highway 327.4 feet to an iron stake for place of beginning; thence South 5° 12' West along the center line of said highway 69.2 feet; thence East 1072.4 feet to the meander line of Fox River; thence North 43° East 167.6 feet to a large iron bolt; thence West 1134.5 feet; thence South 45° 29' West to the place of beginning; containing 3.02 acres more or less as aforesaid.



- Water Works and Sewerage • Buildings and Structures • Design and Construction
- Streets and Street Lighting • Investigations and Reports • Project Financing

ELWYN A. AND JESSIE B. BERNBROCK, PAGE 2

TRACT "B"

All that part of the following described lands which are east of the center line of the North and South highway running through the West half of Section 5 and commonly known as the Oswego and Aurora Road and also known as State Highway Route No. 18, to-wit:

Part of the North half of Section 5 and 6, Township 37 North, Range 8 East of the Third Principal Meridian bounded as follows to-wit:

Beginning at the Northwest corner of the Southwest Quarter of said Section 6; thence North 37 rods and 12 feet; thence East 344 rods to the West shore of Fox River; thence South along the West shore of said river 37 rods 12 feet; thence West along the north line of the South half of said Sections 5 and 6, 344 rods to the place of beginning; excepting the rights-of-way of the Chicago, Burlington and Quincy Railroad Company and the Aurora, Elgin and Chicago Railway Company; the piece of land hereby intended to be described containing 17 acres of land more or less;

All of said lands being situated in the County of Kendall, State of Illinois, hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Walter E. Deuchler Associates Inc.
Consulting Engineers

230 WOODLAWN AVENUE, AURORA, ILLINOIS 60506

Area Code 312
897-4651

AURORA, ELGIN AND FOX RIVER ELECTRIC COMPANY
TO
THE AURORA SANITARY DISTRICT
QUIT CLAIM DEED 6-18-28
(1.87 ACRES)

1. Part of the Northwest Quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian described as follows: to-wit: Commencing at the point of intersection of the center line of the Aurora-Oswego Highway on the West side of the Fox River and the South line of said Northwest Quarter of Section 5; thence East along said South line 232.9 feet; thence North 53° 51' East 1144.7 feet to the point of beginning; thence North 53° 51' East 84.0 feet to the westerly right-of-way line of the Chicago, Burlington and Quincy Railroad; thence Southeasterly along said right-of-way line 41.35 feet; thence South 53° 51' West 19.7 feet; thence West 69.0 feet to the point of beginning, containing 0.05 acres.

2. Part of the Northwest Quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian, described as follows: to-wit: Commencing at the point of intersection of the center line of the Aurora-Oswego Highway on the West side of the Fox River and the South line of said Northwest Quarter of Section 5; thence East along said South line 232.9 feet to the point of beginning; thence North 53° 51' East 1144.7 feet; thence East 69.00 feet; thence South 53° 51' West 1144.7 feet to said South line of the Northwest Quarter of Section 5; thence West 69.00 feet to the point of beginning, containing 1.05 acres.

3. Part of the Southwest Quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian, described as follows: to-wit: Beginning at the point of intersection of the center line of the Aurora-Oswego Highway on the West side of the Fox River and the North line of said Southwest Quarter of Section 5; thence East along said North line 301.9 feet to the center line of the Aurora-Oswego Road; thence North 5° 12' East along the center line of said road 327.4 feet to the point of beginning, containing 1.13 acres, situated in the County of Kendall in the State of Illinois,



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Walter E. Deuchler Associates Inc.

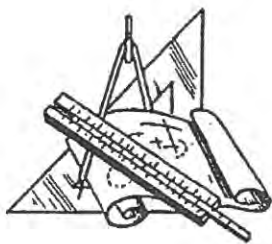
Consulting Engineers

230 WOODLAWN AVENUE, AURORA, ILLINOIS 60506

Area Code 312
897-4651

(UNDIVIDED 2/9ths INTEREST)
ELIZABETH HALL, GUARDIAN OF THE ESTATE OF JOHN W. BRICKERT, A MINOR
TO
THE AURORA SANITARY DISTRICT
GUARDIAN'S DEED DOC. NO. 157622
12-13-67
(14.69 ACRES)

An undivided two ninths (2/9ths) interest in, of and to: That part of the Northwest quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian, described by commencing at the Southwest corner of the Northwest Quarter of Section 6, Township 37 North, Range 8 East of the Third Principal Meridian; thence North 0° 07' 30" West along the West line of the Northwest Quarter of said Section 6, 532.67 feet (8.07 chains); thence South 89° 49' 12" East 4502.1 feet to the Easterly line of the right-of-way of the Chicago Burlington and Quincy Railroad Company's main line for a point of beginning; thence North 31° 17' 48" East along said Easterly line 1007.52 feet to the South line of lands formerly owned by Rufus Gray; thence East along said South line 441.08 feet to the Westerly line of the right-of-way of the Chicago, Burlington & Quincy Railroad Company's branch line; thence Southerly along said Westerly line an arc distance of 833.49 feet to the Northwesterly line of the former Aurora, Elgin and Morris Railroad; thence South 55°42'25" West along said Northwesterly line 84.00 feet to a line drawn South 89° 49' 12" East from the point of beginning; thence North 89° 49' 12" West along said line 1025.54 feet to the point of beginning, in the Town of Oswego, Kendall County, Illinois, being 14.6878 acres.



- Water Works and Sewerage
- Streets and Street Lighting
- Buildings and Structures
- Investigations and Reports
- Design and Construction
- Project Financing

Walter E. Deuchler Associates Inc.

Consulting Engineers

230 WOODLAWN AVENUE, AURORA, ILLINOIS 60506

Area Code 312
897-4651

(UNDIVIDED 5/9ths INTEREST)
ELIZABETH AND HERBERT HALL
TO
THE AURORA SANITARY DISTRICT
WARRANTY DEED DOC. NO. 157620
12-13-67
(14.69 ACRES)

That part of the Northwest Quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian, described by commencing at the Southwest corner of the Northwest Quarter of Section 6, Township 37 North, Range 8 East of the Third Principal Meridian; thence North 0° 07' 30" West along the West line of the Northwest Quarter of said Section 6, 532.67 feet (8.07 chains); thence South 89° 49' 12" East 4502.1 feet to the Easterly line of the right-of-way of the Chicago, Burlington and Quincy Railroad Company's main line for point of beginning; thence North 31° 17' 48" East along said Easterly line 1007.52 feet to the South line of lands formerly owned by Rufus Gray; thence East along said South line 441.08 feet to the Westerly line of the right-of-way of the Chicago, Burlington & Quincy Railroad Company's branch line; thence Southerly along said Westerly line an arc distance of 833.49 feet to the Northwesterly line of the former Aurora, Elgin and Morris Railroad; thence South 55° 42' 25" West along said Northwesterly line 84.00 feet to a line drawn South 89° 49' 12" East from the point of beginning; thence North 89° 49' 12" West along said line 1025.54 feet to the point of beginning, in the Town of Oswego, Kendall County, Illinois, being 14.6878 acres.



Water Works and Sewerage	•	Buildings and Structures	•	Design and Construction
Streets and Street Lighting	•	Investigations and Reports	•	Project Financing

Walter E. Deuchler Associates Inc. *Consulting Engineers*

230 WOODLAWN AVENUE, AURORA, ILLINOIS 60506

Area Code 312
897-4651

(UNDIVIDED 2/9ths INTEREST)
ELIZABETH HALL
GUARDIAN OF THE ESTATE OF LINDA SUE BRICKERT, A MINOR
TO
THE AURORA SANITARY DISTRICT
GUARDIAN'S DEED DOC. NO. 157621
12-13-67
(14.69 ACRES)

An undivided two ninths (2/9ths) interest in, of and to: That part of the Northwest quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian, described by commencing at the Southwest corner of the Northwest Quarter of Section 6, Township 37 North, Range 8 East of the Third Principal Meridian; thence North 0° 07' 30" West along the West line of the Northwest Quarter of said Section 6, 532.67 feet (8.07 chains); thence South 89° 49' 12" East 4502.1 feet to the Easterly line of the right-of-way of the Chicago Burlington and Quincy Railroad Company's main line for a point of beginning; thence North 31° 17' 48" East along said Easterly line 1007.52 feet to the South line of lands formerly owned by Rufus Gray; thence East along said South line 441.08 feet to the Westerly line of the right-of-way of the Chicago, Burlington & Quincy Railroad Company's branch line; thence Southerly along said Westerly line an arc distance of 833.49 feet to the Northwesterly line of the former Aurora, Elgin and Morris Railroad; thence South 55° 42' 25" West along said Northwesterly line 84.00 feet to a line drawn South 89° 49' 12" East from the point of beginning; thence North 89° 49' 12" West along said line 1025.54 feet to the point of beginning, in the Town of Oswego, Kendall County, Illinois, being 14.6878 acres.



- Water Works and Sewerage
- Streets and Street Lighting
- Buildings and Structures
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- Project Financing

LEGAL DESCRIPTION

PARCEL ONE:

LOT ONE (1) OF LARSON SUBDIVISION, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS (EXCEPTING THEREFROM ANY PORTION THEREOF ZONED R-1 SPECIAL USE ON MARCH 18, 2011).

PARCEL TWO:

LOT 2 (EXCEPT THE SOUTHERLY 45 FEET, MEASURED ALONG THE WESTERLY LINE) IN LARSON SUBDIVISION IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

PARCEL THREE:

THAT PART OF LOTS 2 AND 3 OF LARSON'S SUBDIVISION DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 3 BEING ON THE CENTERLINE OF STATE ROUTE NO. 31; THENCE SOUTH 7° 01' WEST ALONG SAID CENTERLINE, 46.58 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 7° 01' EAST ALONG SAID CENTERLINE, 91.58 FEET; THENCE SOUTH 88° 31' EAST PARALLEL WITH THE NORTH LINE OF SAID LOT 3, 781.87 FEET TO THE EASTERLY LINE OF SAID LOT 2; THENCE SOUTH 19° 40' WEST ALONG THE EASTERLY LINES OF LOTS 2 AND 3, 106.9 FEET; THENCE SOUTH 9° 39' EAST ALONG THE EASTERLY LINE OF SAID LOT 3, 70.83 FEET TO A LINE DRAWN SOUTH 82° 36' EAST, PARALLEL WITH THE SOUTHERLY LINE OF SAID LOT 3, FROM THE PLACE OF BEGINNING; THENCE NORTH 82° 36' WEST ALONG SAID PARALLEL LINE, 775.16 FEET TO THE PLACE OF BEGINNING, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

FOX METRO WATER RECLAMATION DISTRICT
PROPERTY ACQUISITION
PROPERTY LYING NORTH OF EXISTING TREATMENT PLANT SITE

LEGAL DESCRIPTION

THAT PART OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE NORTH 00° 07' 30" WEST ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF SECTION 6 FOR 532.67 FEET (8.07 CHAINS); THENCE SOUTH 89° 49' 12" EAST, 4502.1 FEET TO THE EASTERLY LINE OF THE RIGHT-OF-WAY OF THE FORMER CHICAGO BURLINGTON AND QUINCY RAILROAD COMPANY MAIN LINE; THENCE NORTH 31° 17' 48" EAST ALONG SAID EASTERLY LINE, 1007.52 FEET TO THE POINT OF BEGINNING ON THE SOUTH LINE OF LANDS FORMERLY OWNED BY RUFUS GRAY; THENCE CONTINUING NORTH 31° 17' 48" EAST ALONG SAID EASTERLY LINE, 1396.03 FEET; THENCE SOUTH 90° 00' 00" EAST, 55.87 FEET TO THE WESTERLY LINE OF THE FORMER OTTAWA, OSWEGO AND FOX RIVER VALLEY RAILROAD; THENCE SOUTH 19° 37' 07" WEST ALONG SAID WESTERLY LINE, 683.22 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY ALONG SAID WESTERLY LINE, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1954.59 FEET FOR 562.28 FEET TO SAID SOUTHERLY LINE OF LANDS FORMERLY OWNED BY RUFUS GRAY; THENCE SOUTH 90° 00' 00" WEST ALONG SAID SOUTHERLY LINE, 441.14 FEET TO THE POINT OF BEGINNING, CONTAINING 6.002 ACRES IN KENDALL COUNTY, ILLINOIS.

**FOX METRO SOUTH PLANT EXPANSION
REQUEST FOR ZONING VARIANCE**

LEGAL DESCRIPTION

PARCEL ONE:

THAT PART OF LOT 3 OF LARSON SUBDIVISION, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT, BEING ON THE CENTERLINE OF STATE ROUTE NO. 31; THENCE SOUTHERLY ALONG SAID CENTERLINE, 46.58 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 82° 36' EAST, PARALLEL WITH THE SOUTHERLY LINE OF SAID LOT, 775.16 FEET TO THE EASTERLY LINE OF SAID LOT; THENCE SOUTH 9° 39' EAST ALONG SAID EASTERLY LINE, 229.17 FEET; THENCE SOUTH 37° 16' EAST, 35.20 FEET TO THE SOUTHEAST CORNER OF SAID LOT; THENCE NORTH 82° 36' WEST ALONG THE SOUTHERLY LINE OF SAID LOT, 867.3 FEET TO THE CENTERLINE OF SAID STATE ROUTE NO. 31; THENCE NORTHERLY ALONG SAID CENTERLINE, 250.52 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

PARCEL TWO:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 6, TOWNSHIP AND RANGE AFORESAID; THENCE SOUTH ALONG THE WEST LINE OF SAID SECTION 6, 1363.34 FEET; THENCE SOUTH 82° 36' EAST, 5298.7 FEET TO THE WESTERLY BANK OF FOX RIVER; THENCE NORTH 18° 46' WEST ALONG SAID WESTERLY BANK, 192.5 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 18° 46' WEST ALONG SAID WESTERLY BANK, 44.35 FEET; THENCE NORTH 37° 16' WEST ALONG SAID WESTERLY BANK, 227.8 FEET; THENCE NORTH 82° 36' WEST, 867.3 FEET TO THE CENTERLINE OF THE ORIGINAL ROAD; THENCE SOUTHERLY ALONG SAID CENTERLINE, 200 FEET TO A LINE DRAWN NORTH 82° 36' WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 82° 36' EAST, 1014.21 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS (*AKA LOT 4 OF LARSON SUBDIVISION).

PARCEL THREE:

TRACT ONE:

LOT 5 OF LARSON'S SUBDIVISION, TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

TRACT TWO:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF SAID SECTION 5 WITH THE CENTERLINE OF ILLINOIS STATE ROUTE NUMBER 31; THENCE NORTH 6° 44' EAST ALONG SAID CENTERLINE, 745.75 FEET; THENCE SOUTH 82° 30' EAST, 100 FEET TO THE POINT OF BEGINNING; THENCE SOUTHWESTERLY AT RIGHT ANGLES WITH THE LAST DESCRIBED COURSE, 110 FEET; THENCE SOUTH 82° 30' EAST TO THE CENTER THREAD OF THE FOX RIVER; THENCE NORTHERLY ALONG SAID CENTER THREAD TO A LINE DRAWN SOUTH 82° 30' EAST FOR THE POINT OF BEGINNING; THENCE NORTH 82° 30' WEST TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

PARCEL FOUR:

THAT PART OF THE SOUTH HALF OF THE WEST PART OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH LIES EAST OF THE CENTERLINE OF STATE ROUTE NO. 31 AND SOUTH OF A LINE EXTENDING SOUTH 82° 30' EAST FROM A POINT IN THE SAID CENTERLINE OF SAID HIGHWAY THAT IS NORTH 6° 44' EAST, 745.75 FEET FROM THE SOUTH LINE OF SAID SECTION TO THE CENTER THREAD OF THE FOX RIVER (EXCEPT THE RIGHT OF WAY OF THE SAID STATE ROUTE NO. 31 AND A STRIP IN THE NORTHWEST CORNER 67 FEET WIDE AND 325 FEET LONG MEASURED ALONG THE EASTERLY LINE OF SAID HIGHWAY, USED FOR CEMETERY PURPOSES, AND ALSO EXCEPT THAT PART LYING SOUTH OF THE NORTH LINE OF PREMISES CONVEYED TO THE COMMONWEALTH EDISON COMPANY BY WARRANTY DEED RECORDED OCTOBER 9, 1959 AS DOCUMENT 127020 AND ALSO EXCEPT THAT PART DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF SAID SECTION 5 WITH THE CENTERLINE OF ILLINOIS STATE ROUTE NO. 31; THENCE NORTH 6° 44' EAST ALONG SAID CENTERLINE, 745.75 FEET; THENCE SOUTH 82° 30' EAST 100 FEET FOR THE POINT OF BEGINNING; THENCE SOUTHWESTERLY AT RIGHT ANGLES WITH THE LAST DESCRIBED COURSE, 110 FEET; THENCE SOUTH 82° 30' EAST TO THE CENTER THREAD OF THE FOX RIVER; THENCE NORTHERLY ALONG SAID CENTER THREAD TO A LINE DRAWN SOUTH 82° 30' EAST FROM THE POINT OF BEGINNING; THENCE NORTH 82° 30' WEST TO THE POINT OF BEGINNING, AND ALSO EXCEPTING THEREFROM THAT PART OF THE SOUTH HALF OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTERLINE OF STATE ROUTE 31 WHICH IS 165.86 FEET NORTH OF THE INTERSECTION OF SAID CENTERLINE WITH THE SOUTH LINE OF SAID SECTION 5 AS MEASURED ALONG THE CENTERLINE OF SAID ROAD; THENCE NORTH 6° 03' 17" EAST ALONG SAID CENTERLINE, 85.00 FEET; THENCE EASTERLY AT AN ANGLE OF 87° 43' 10" MEASURED COUNTER CLOCKWISE FROM THE LAST DESCRIBED COURSE, 99.08 FEET; THENCE NORTHEASTERLY AT AN ANGLE OF 169° 46' 24" MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 87.59 FEET; THENCE NORTHERLY AT AN ANGLE OF 142° 32' 41" MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 69.19 FEET; THENCE NORTHERLY AT AN ANGLE OF 148° 08' 36" MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 52.57 FEET; THENCE EASTERLY AT AN ANGLE OF 106° 13' 20" MEASURED COUNTER-CLOCKWISE FROM THE LAST DESCRIBED COURSE, 859.60 FEET, MORE OR LESS, TO THE WEST BANK OF THE FOX RIVER; THENCE SOUTHERLY ALONG THE WEST BANK OF SAID FOX RIVER, 302.20 FEET, MORE OR LESS, TO THE NORTHERLY LINE OF COMMONWEALTH EDISON LANDS DESCRIBED IN DOCUMENT NO. 127020 AT THE RECORDER'S OFFICE OF KENDALL COUNTY, ILLINOIS; THENCE WESTERLY ALONG SAID NORTHERLY LINE, 1109.30 FEET, MORE OR LESS, TO THE POINT OF BEGINNING), IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

PARCEL FIVE:

THAT PART OF THE SOUTH HALF OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTERLINE OF STATE ROUTE 31, WHICH IS 165.86 FEET NORTH OF THE INTERSECTION OF SAID CENTERLINE WITH THE SOUTH LINE OF SAID SECTION 5 AS MEASURED ALONG THE CENTERLINE OF SAID ROAD; THENCE NORTH $06^{\circ} 03' 17''$ EAST ALONG SAID CENTERLINE, 85.00 FEET; THENCE EASTERLY AT AN ANGLE OF $87^{\circ} 43' 10''$ MEASURED COUNTER-CLOCKWISE FROM THE LAST DESCRIBED COURSE, 99.08 FEET; THENCE NORTHEASTERLY AT AN ANGLE OF $169^{\circ} 46' 24''$ MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 87.59 FEET; THENCE NORTHERLY AT AN ANGLE OF $142^{\circ} 32' 41''$ MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 69.19 FEET; THENCE NORTHERLY AT AN ANGLE OF $148^{\circ} 08' 36''$ MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 52.57 FEET; THENCE EASTERLY AT AN ANGLE OF $106^{\circ} 13' 20''$ MEASURED COUNTER-CLOCKWISE FROM THE LAST DESCRIBED COURSE, 1010.40 FEET, MORE OR LESS, TO THE WEST BANK OF THE FOX RIVER; THENCE SOUTHERLY ALONG THE WEST BANK OF SAID FOX RIVER, 320 FEET MORE OR LESS, TO THE NORTHERLY LINE OF THE COMMONWEALTH EDISON COMPANY LANDS DESCRIBED IN DOCUMENT 127020 AT THE RECORDER'S OFFICE OF KENDALL COUNTY, ILLINOIS; THENCE WESTERLY ALONG SAID NORTHERLY LINE, 1109.30 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

g:\11\11012-00\2LEGAL-04-19-11

03-05-502-004

THE GRANTORS. FRANCIS T. SMITH AND MARION B. SMITH, HIS WIFE,

of the Township of Oswego County of Kendall State of Illinois

for and in consideration of the sum of Ten Dollars and other valuable consideration in hand paid Convey... and Warrant.....

to THE AURORA SANITARY DISTRICT, a Municipal Corporation,

of the Township of Oswego County of Kendall State of Illinois

the following described Real Estate, to-wit:

Lot One (1) of Larson Subdivision, in the Township of Oswego, Kendall County, Illinois;

situated in the Township of Oswego County of Kendall in the State of Illinois, hereby releasing and waiving rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Dated this 30 day of November A. D. 19 64.

[SEAL]

[SEAL]

[SEAL]

[SEAL]

[SEAL]

[SEAL]

State of Illinois } as I, the undersigned, a Notary Public in, and for said County and State aforesaid, DO HEREBY CERTIFY that Kane County }

Francis T. Smith and Marion B. Smith, His Wife, personally known to me to be the same person

whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed and delivered 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 notarial seal, this 30 day of November

A. D. 19 64

[SEAL]



WARRANTY DEED

The Grantors, Mark A. Blake and Debra D. Blake, husband and wife, of the village of Oswego, County of Kendall, State of Illinois for and in consideration of ten dollars, and other valuable and good considerations in hand paid, convey and warrant to FOX METRO WATER RECLAMATION DISTRICT, A BODY CORPORATE AND POLITIC, of 682 A Route 31, Oswego, Illinois, the following Real Estate situated in the County of Kendall in the State of Illinois:

See Schedule A on reverse side

Subject to general real estate taxes not due and payable at the time of closing; special assessments confirmed after the contract date; building, building line and use or occupancy restrictions, conditions and covenants of record; zoning laws and ordinances; easements for public utilities; drainage ditches, feeders, laterals and drain tile, pipe or other conduit; party walls, party wall rights and agreements; assessments due after the date of closing;

For Recorder's Use Only

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois; to have and to hold said premises forever.

This deed is exempt from the provisions of Article 31 of the Property Tax Code, under the provisions of Paragraph (b), Section 31-45.

Permanent Real Estate Index Number: 03-05-302-004
Address of Real Estate: 708 Route 31, Oswego, Illinois 60543

Dated this 15th day of March, 1999.



Mark A. Blake



Debra D. Blake

State of Illinois)
County of DuPage) SS

I, the undersigned, a Notary Public in and for the County of DuPage, State of Illinois, do hereby certify that Mark A. Blake and Debra D. Blake, 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, sealed and delivered 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 15th day of March, 1999.



Notary Public



Schedule A

LOT 2 (EXCEPT THE SOUTHERLY 45 FEET, MEASURED ALONG THE WESTERLY LINE) IN LARSON SUBDIVISION, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS

This deed is exempt from the provisions of Article 31 of the Property Tax Code, under the provisions of Paragraph (b), Section 31-45.



Mark A. Blake

Mail To:
Mr. Dallas C. Ingemunson, Esquire
Law Offices of Dallas C. Ingemunson
P.O. Box 578
Yorkville, Illinois 60560

Send Subsequent Tax Bills To:
FOX METRO WATER RECLAMATION DISTRICT
708 Route 31
Oswego, Illinois 60543

This Deed Was Prepared By:
Kathleen J. Getty
Getty & Getty, Attorneys at Law
29 South Webster Street
Suite 270
Naperville, Illinois 60540

9912582 08/25/1999 11:41A 1 of 2
WARRANTY DEED Paul Anderson, Kendall County, IL Recorder

The Grantor, Gloria W. Funk, divorced not since remarried, of the village of Oswego, County of Kendall, State of Illinois for and in consideration of ten dollars, and other valuable and good considerations in hand paid, convey and warrant to FOX METRO WATER RECLAMATION DISTRICT, A BODY CORPORATE AND POLITIC, of 682 A Route 31, Oswego, Illinois, the following Real Estate situated in the County of Kendall in the State of Illinois:

See Schedule A on reverse side

Subject to general real estate taxes not due and payable at the time of closing; special assessments confirmed after the contract date; building, building line and use or occupancy restrictions, conditions and covenants of record; zoning laws and ordinances; easements for public utilities; drainage ditches, feeders, laterals and drain tile, pipe or other conduit; party walls, party wall rights and agreements; assessments due after the date of closing;

For Recorder's Use Only

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois; to have and to hold said premises forever.

This deed is exempt from the provisions of Article 31 of the Property Tax Code, under the provisions of Paragraph (b), Section 31-45.

Permanent Real Estate Index Number: 03-05-353-001
Address of Real Estate: 720 Route 31, Oswego, Illinois 60543

Dated this 8/24 day of August, 1999.


Gloria W. Funk

State of Illinois)
County of DuPage) SS

I, the undersigned, a Notary Public in and for the County of DuPage, State of Illinois, do hereby certify that Gloria W. Funk, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that she signed, sealed and delivered said instrument as her free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and official seal, this 24th day of August, 1999.




Notary Public

WARRANTY DEED

INDIVIDUAL TO CORPORATION


The Grantor, THOMAS P. PECK, an unmarried man of the Township of Oswego, Kendall Illinois for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), in hand paid, and other good and valuable consideration CONVEYS and WARRANTS to FOX METRO WATER RECLAMATION DISTRICT, a municipal corporation, of the Township of Oswego, Kendall County a corporation created and existing under and by virtue of the laws of the State of Illinois and duly authorized to transact business in the State of Illinois, the following described Real Estate to wit:

See attached legal description

Permanent Index No: 03-05-353-002
Commonly known as: 736 Route 31, Oswego, IL 60543

situated in the County of Kendall, in the State of Illinois, hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Dated this 22 day of FEBRUARY, 1999.

_____(SEAL)  (SEAL)
THOMAS P. PECK

This document prepared by:
Attorney James R. Edwards
6 W. Downer Pl., P.O. Box 908
Aurora, IL 60507

That part of Lot 3 of Larson Subdivision, described as follows: Commencing at the Northwest corner of said Lot, being on the center line of State Route No. 31; thence Southerly along said center line 46.58 feet for the point of beginning; thence South $82^{\circ} 36'$ East parallel with the Southerly line of said Lot, 775.16 feet to the Easterly line of said Lot; thence South $9^{\circ} 39'$ East along said Easterly line 229.17 feet; thence South $37^{\circ} 16'$ East thereof; thence North $82^{\circ} 36'$ West along the Southerly line of said Lot, 867.3 feet to the center line of said State Route No. 31; thence Northerly along said center line 250.52 feet to the point of beginning, in the Township of Oswego, Kendall County, Illinois.

WARRANTY DEED

INDIVIDUAL TO CORPORATION

MAIL TO:

Fox Metro Water Reclam. Dist.
682A Route 31
Oswego, IL 60543

NAME & ADDRESS OF TAXPAYER:

Fox Metro Water Reclam. Dist.
682A Route 31
Oswego, IL 60543

THE GRANTOR(S) DALE E. STAHL and VIRGINIA J. STAHL, husband and wife, of the Village of Oswego, County of Kendall, State of Illinois, for and in consideration in hand paid, CONVEY(S) AND WARRANT(S) to FOX METRO WATER RECLAMATION DISTRICT, a municipal corporation, of the Township of Oswego, Kendall County, a corporation created and existing under and by virtue of the laws of the State of Illinois and duly authorized to transact business in the State of Illinois, the following described real estate situated in the County of KENDALL, the State of Illinois, to wit:

SEE ATTACHED LEGAL DESCRIPTION

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

Subject to general real estate taxes for the year 1998 and subsequent years; covenants, conditions and restrictions of record; building line restrictions, utility easements and building and zoning laws and ordinances.

Permanent Index Number(s): 03-05-353-003
Property Address: 810 Route 31, Oswego, Illinois

Dated this 7 day of MAY, 19 99.



(SEAL)

DALE E. STAHL



(SEAL)

VIRGINIA J. STAHL

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 6, TOWNSHIP AND RANGE AFORESAID; THENCE SOUTH ALONG THE WEST LINE OF SAID SECTION 6, 1363.34 FEET; THENCE SOUTH 82 DEGREES 36 MINUTES EAST 5298.7 FEET TO THE WESTERLY BANK OF FOX RIVER; THENCE NORTH 18 DEGREES 46 MINUTES WEST ALONG SAID WESTERLY BANK 192.5 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 18 DEGREES 46 MINUTES WEST ALONG SAID WESTERLY BANK 44.35 FEET; THENCE NORTH 37 DEGREES 16 MINUTES WEST ALONG SAID WESTERLY BANK 227.8 FEET; THENCE NORTH 82 DEGREES 36 MINUTES WEST 867.3 FEET TO THE CENTER LINE OF THE ORIGINAL ROAD; THENCE SOUTHERLY ALONG SAID CENTER LINE 200 FEET TO A LINE DRAWN NORTH 82 DEGREES 36 MINUTES WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 82 DEGREES 36 MINUTES EAST 1014.21 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

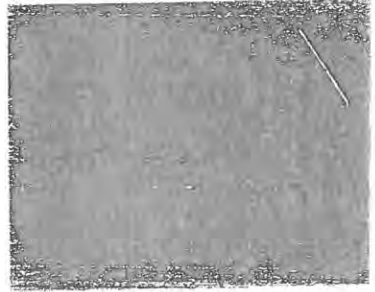
9905351 04/06/1999 11:07A 1 of 3
Paul Anderson, Kendall County, IL Recorder

WARRANTY DEED

INDIVIDUAL TO CORPORATION

MAIL TO:

Fox Metro Water Reclam. Dist.
682A Route 31
Oswego, IL 60543



NAME & ADDRESS OF TAXPAYER:

Fox Metro Water Reclam. Dist.
682A Route 31
Oswego, IL 60543

EXEMPT

THE GRANTOR(S) DONALD C. SCHROEDER and MARTHA E. SCHROEDER, husband and wife, as to Parcel One; DONALD C. SCHROEDER, MARTHA E. SCHROEDER, husband and wife, and SCOT DEAN SCHROEDER, a married person, as to Parcel Two, of the Village of Oswego, County of Kendall, State of Illinois, for and in consideration in hand paid, CONVEY(S) AND WARRANT(S) to FOX METRO WATER RECLAMATION DISTRICT, a municipal corporation, of the Township of Oswego, Kendall County, a corporation created and existing under and by virtue of the laws of the State of Illinois and duly authorized to transact business in the State of Illinois, the following described real estate situated in the County of KENDALL, the State of Illinois, to wit:



SEE ATTACHED LEGAL DESCRIPTION


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

Subject to general real estate taxes for the year 1998 and subsequent years; covenants, conditions and restrictions of record; building line restrictions, utility easements and building and zoning laws and ordinances.

Permanent Index Number(s): 03-05-353-004
Property Address: 822 Route 31, Oswego, Illinois

Dated this 5 day of APRIL, 1999.

 (SEAL)  (SEAL)
Donald C. Schroeder Martha E. Schroeder

 (SEAL) _____ (SEAL)
Scot Dean Schroeder

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, CERTIFY THAT DONALD C. SCHROEDER, MARTHA E. SCHROEDER and SCOT DEAN SCHROEDER, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before in person, and acknowledged that they signed, sealed and delivered the 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 5 day of APRIL, 1999.



[Redacted Signature]
Notary Public

NAME AND ADDRESS OF PREPARER:
Law Offices of Dallas C. Ingemunson, P.C.
226 S. Bridge St., P.O. Box 578
Yorkville, IL 60560

PARCEL ONE:

LOT 5 OF LARSON'S SUBDIVISION, TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS

PARCEL TWO:

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF SAID SECTION 5 WITH THE CENTER LINE OF ILLINOIS STATE ROUTE NUMBER 31; THENCE NORTH 6 DEGREES 44 MINUTES EAST ALONG SAID CENTER LINE 745.75 FEET; THENCE SOUTH 82 DEGREES 30 MINUTES EAST 100 FEET TO THE POINT OF BEGINNING; THENCE SOUTHWESTERLY AT RIGHT ANGLES WITH THE LAST DESCRIBED COURSE, 110 FEET; THENCE SOUTH 82 DEGREES 30 MINUTES EAST TO THE CENTER THREAD OF THE FOX RIVER; THENCE NORTHERLY ALONG SAID CENTER THREAD TO A LINE DRAWN SOUTH 82 DEGREES 30 MINUTES EAST FOR THE POINT OF BEGINNING; THENCE NORTH 82 DEGREES 30 MINUTES WEST TO THE POINT OF BEGINNING; IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

COPY

ARRANTY DEED

9905437 04/07/1999
Paul Anderson, Kendal

RECEIPT NUMBER: 2702
DATE: 04/07/1999 TIME: 03:49P

Kendall County, IL
OFFICE OF THE Kendall County Recorder

AIL TO:
allas C. Ingemunson, Attorney
26 S Bridge, P O Box 578
orkville, IL 60560

ISSUED TO:
DALLAS C INGEMUNSON
BOX 578
YORKVILLE IL 60560

NAME & ADDRESS OF
PAYER/GRANTEE:
OX METRO WATER
ECLAMATION DISTRICT
82 A Route 31
Oswego, IL 60543

INST NO.	TYPE	DOC	TOTAL
9905437	WD		15.00
			15.00

CHARGE	:	0.00
CHECK (1)	:	15.00
CASH	:	15.00
CHANGE	:	0.00
	:	0.00

THANK YOU! Paul Anderson
Kendall County Recorder

THE GRANTORS, ANTHONY M. GROSS, a married person,
GROSS, a married person, of 998 Route 31, Oswego, IL 60543
County of Kendall, State of Illinois, for and in consideration TE
DOLLARS and other good and valuable considerations in hand
WARRANT to FOX METRO WATER RECLAMATION DIST
of the County of Kendall, State of Illinois, the following descri
County of Kendall, in the State of Illinois, to wit:

(SEE ATTACHED LEGAL DESCRIPTION)


SUBJECT TO: Covenants, conditions and restrictions of record; taxes for the year 1998
and subsequent years; building line restrictions; utility and other easements of record; and
building and zoning laws and ordinances,



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

Permanent Index Number: Part of 03-05-353-007
Property Address: 998 Route 31, Oswego, IL 60543

Dated this 7 day of April, 1999.

03-05-353-010

 (SEAL) Helen Newhouse (SEAL) Gross (SEAL)
[her mark]
Anthony M. Gross

WITNESS 
WITNESS 

We, the attesting witnesses to the foregoing Warranty Deed, bearing on its face our signatures as witnesses, state that each of us was present and saw HELEN NEWHOUSE GROSS, grantor, a married person, sign with her mark, said Warranty Deed, in our presence, this 7 day of April, 1999.

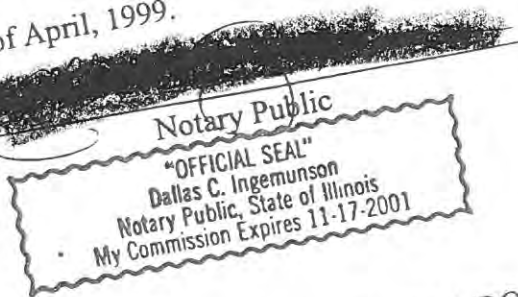
[Redacted signature]

STATE OF ILLINOIS)
COUNTY OF KENDALL)ss

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, CERTIFY that ANTHONY M. GROSS, a married person, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered the instrument as his 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 7 day of April, 1999.

My Commission Expires: NOV 17 2001

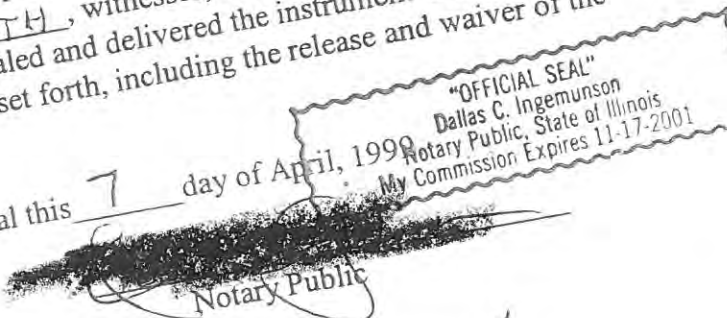


STATE OF ILLINOIS)
COUNTY OF KENDALL)SS

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that HELEN NEWHOUSE GROSS, a married person, personally known to me to be the same person whose name is subscribed to the foregoing instrument by mark, appeared before me this day in person, and in the presence of JAMES J. TEKA and JOHN S. MUTH, witnesses, she being a person unable to write, acknowledged that she made her mark, sealed and delivered the instrument as her free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

GIVEN under my hand and notarial seal this 7 day of April, 1999.

My Commission Expires: NOV 17 2001



NAME AND ADDRESS OF PREPARER:
Law Offices of Dallas C. Ingemunson, P. C.
226 S Bridge St, P O Box 578
Yorkville, IL 60560

~~THIS TRANSACTION EXEMPT
UNDER Paragraph b, SECTION 4
OF ILLINOIS TRANSFER TAX ACT.
DATED [Signature] 1999
Signature of Buyer, Seller or~~

RELEASE

THAT PART OF THE SOUTH 1/2 OF THE WEST PART OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN WHICH LIES EAST OF THE CENTER LINE OF STATE ROUTE NO. 31 AND SOUTH OF A LINE EXTENDING SOUTH 82 DEGREES 30 MINUTES EAST FROM A POINT IN THE SAID CENTER LINE OF SAID HIGHWAY THAT IS NORTH 6 DEGREES 44 MINUTES EAST 745.75 FEET FROM THE SOUTH LINE OF SAID SECTION TO THE CENTER THREAD OF THE FOX RIVER (EXCEPT THE RIGHT OF WAY OF THE SAID STATE ROUTE NO. 31 AND A STRIP IN THE NORTHWEST CORNER 67 FEET WIDE AND 325 FEET LONG MEASURED ALONG THE EASTERLY LINE OF SAID HIGHWAY, USED FOR CEMETERY PURPOSES, AND ALSO EXCEPT THAT PART LYING SOUTH OF THE NORTH LINE OF PREMISES CONVEYED TO THE COMMONWEALTH EDISON COMPANY BY WARRANTY DEED RECORDED OCTOBER 9, 1959 AS DOCUMENT 127020 AND ALSO EXCEPT THAT PART DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF SAID SECTION 5 WITH THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 31; THENCE NORTH 6 DEGREES 44 MINUTES EAST ALONG SAID CENTER LINE 745.75 FEET; THENCE SOUTH 82 DEGREES 30 MINUTES EAST 100 FEET FOR THE POINT OF BEGINNING; THENCE SOUTHWESTERLY AT RIGHT ANGLES WITH THE LAST DESCRIBED COURSE, 110 FEET; THENCE SOUTH 82 DEGREES 30 MINUTES EAST TO THE CENTER THREAD OF THE FOX RIVER; THENCE NORTHERLY ALONG SAID CENTER THREAD TO A LINE DRAWN SOUTH 82 DEGREES 30 MINUTES EAST FROM THE POINT OF BEGINNING; THENCE NORTH 82 DEGREES 30 MINUTES WEST TO THE POINT OF BEGINNING, AND ALSO EXCEPTING THEREFROM THAT PART OF THE SOUTH HALF OF SECTION 5 TOWNSHIP 37 RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE CENTER LINE OF STATE ROUTE 31 WHICH IS 165.86 FEET NORTH OF THE INTERSECTION OF SAID CENTER LINE WITH THE SOUTH LINE OF SAID SECTION 5 AS MEASURED ALONG THE CENTER LINE OF SAID ROAD, THENCE NORTH 6° 03'17" EAST ALONG SAID CENTER LINE 85.00 FEET, THENCE EASTERLY AT AN ANGLE OF 87°43'10" MEASURED COUNTER CLOCKWISE FROM THE LAST DESCRIBED COURSE, 87.59 FEET, THENCE NORTHERLY AT AN ANGLE OF 142°32'41" MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE 69.19 FEET; THENCE NORTHERLY AT AN ANGLE OF 148°08'36" MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 52.57 FEET; THENCE EASTERLY AT AN ANGLE OF 106°13'20" MEASURED COUNTER CLOCKWISE FROM THE LAST DESCRIBED COURSE, 859.60 FEET MORE OR LESS TO THE WEST BANK OF THE FOX RIVER; THENCE SOUTHERLY ALONG THE WEST BANK OF SAID FOX RIVER 302.20 FEET MORE OR LESS TO THE WESTERLY LINE OF COMMONWEALTH EDISON LANDS DESCRIBED IN DOCUMENT NO. 127020 AT THE RECORDERS OFFICE OF KENDALL COUNTY, ILLINOIS; THENCE WESTERLY ALONG SAID NORTHERLY LINE, 1109.30 FEET MORE OR LESS TO THE POINT OF BEGINNING,) in the Township of Oswego, Kendall County, Illinois

WARRANTY DEED

MAIL TO:

Dallas C. Ingemunson, Attorney
226 S Bridge, P O Box 578
Yorkville, IL 60560

NAME & ADDRESS OF
TAXPAYER/GRANTEE:
FOX METRO WATER
RECLAMATION DISTRICT
682 A Route 31
Oswego, IL 60543

THE GRANTOR, DONALD P. MICHAEL, an unmarried person, of 810 McClaran Avenue, Aurora, IL 60506 in the City of Aurora, County of Kane, State of Illinois, for and in consideration of the sum TEN and no/100 (\$10.00) DOLLARS and other good and valuable considerations in hand paid, CONVEYS AND WARRANTS to FOX METRO WATER RECLAMATION DISTRICT, a municipal corporation, of the County of Kendall, State of Illinois, the following described real estate situated in the County of Kendall, in the State of Illinois, to wit:

(SEE ATTACHED LEGAL DESCRIPTION)

SUBJECT TO: Covenants, conditions and restrictions of record; taxes for the year 1999 and subsequent years; building line restrictions; utility and other easements of record; and building and zoning laws and ordinances,

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

Permanent Index Number: (NEW PIN ASSIGNED 03-05-353-009)
Property Address: 998 Route 31, Oswego, IL 60543

Dated this 8 day of September, 1999.



Donald P. Michael (SEAL)

→ This deed is dated 1 day earlier than the form Gross → Michael?

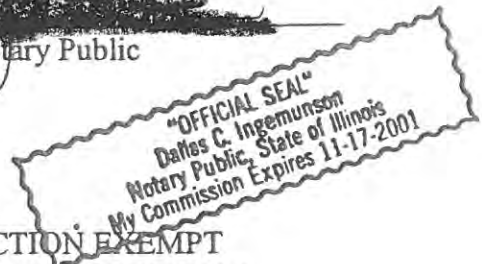
STATE OF ILLINOIS)
)ss
COUNTY OF KENDALL)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, CERTIFY that DONALD P. MICHAEL, an unmarried person, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered the instrument as his 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 8 day of September, 1999.



Notary Public

My Commission Expires: 11/19/01



NAME AND ADDRESS OF PREPARER:
Law Offices of Dallas C. Ingemunson, P. C.
226 S Bridge St, P O Box 578
Yorkville, IL 60560

THIS TRANSACTION EXEMPT
UNDER Paragraph b, SECTION 4
OF ILLINOIS TRANSFER TAX ACT.
DATED: 9/8 1999


Signature of Buyer, Seller or
Representative

THAT PART OF THE SOUTH 1/2 OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE
 THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE
 CENTER LINE OF STATE ROUT 31 WHICH IS 165.86 FEET NORTH OF THE INTERSECTION OF
 SAID CENTER LINE WITH THE SOUTH LINE OF SAID SECTION 5 AS MEASURED ALONG THE
 CENTER LINE OF SAID ROAD, THENCE NORTH 06 DEGREES 03 MINUTES 17 SECONDS EAST
 ALONG SAID CENTER LINE 85.00 FEET; THENCE EASTERLY AT AN ANGLE OF 87 DEGREES 43
 MINUTES 10 SECONDS MEASURED COUNTER CLOCKWISE FROM THE LAST DESCRIBED COURSE,
 99.08 FEET; THENCE NORTHEASTERLY AT AN ANGLE OF 169 DEGREES 46 MINUTES 24 SECONDS
 MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 07.59 FEET; THENCE NORTHERLY
 AT AN ANGLE OF 142 DEGREES 32 MINUTES 41 SECONDS MEASURED CLOCKWISE FROM THE LAST
 DESCRIBED COURSE 69.19 FEET; THENCE NORTHERLY AT AN ANGLE OF 148 DEGREES 08
 MINUTES 36 SECONDS MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 52.57 FEET;
 THENCE EASTERLY AT AN ANGLE OF 106 DEGREES 13 MINUTES 20 SECONDS MEASURED COUNTER
 CLOCKWISE FROM THE LAST DESCRIBED COURSE, 1010.40 FEET MORE OR LESS TO THE WEST
 BANK OF THE FOX RIVER; THENCE SOUTHERLY ALONG THE WEST BANK OF SAID FOX RIVER (320
 FEET MORE OR LESS TO THE NORTHERLY LINE OF THE COMMONWEALTH EDISON COMPANY LANDS
 DESCRIBED IN DOCUMENT 127020 AT THE RECORDERS OFFICE OF KENDALL COUNTY,
 ILLINOIS; THENCE WESTERLY ALONG SAID NORTHERLY LINE, 1109.30 FEET MORE OR LESS TO
 THE POINT OF BEGINNING, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

103
PLAT

87.59
PLAT

857.6
PLAT

302.20
PLAT



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

www.kendallswcd.org

NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

Petitioner: Fox Metro Water Reclamation District **Contact Person:** Daniel Caceres, Walter E. Deuchler Associates
 Address: 682 State Route 31 230 Woodlawn Avenue
 City, State, Zip: Oswego, IL 60543 Aurora, IL 60506
 Phone Number: () 630 301 6866 () 630 423 0457
 Email: mwoodin@foxmetro.org dcaceres@deuchler.com

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

Site Location & Proposed Use

Township Name Oswego Township 37 N, Range 8 E, Section(s) 5
 Parcel Index Number(s) Numerous PIN #'s, SEE ATTACHED MEMO
 Project or Subdivision Name Existing Fox Metro WWTP Number of Acres 94.4
 Current Use of Site Wastewater Treatment Plant Proposed Use Wastewater Treatment Plant
 Proposed Number of Lots N/A Proposed Number of Structures 50+ existing structures
 Proposed Water Supply Existing Wells, Non Comm Public Proposed type of Wastewater Treatment Direct Connect to WTP
 Proposed type of Storm Water Management Surface Drainage and Existing Storm Sewer which Outfalls to Fox River

Type of Request

- Change in Zoning from M-1/ R1- (SU) to M-1
- Variance (Please describe fully on separate page)
- Special Use Permit (Please describe fully on separate page)

Name of County or Municipality the request is being filed with: Kendall County

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

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

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

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

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

[Signature] 5/21/2010
 Petitioner or Authorized Agent Date

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

FOR OFFICE USE ONLY

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

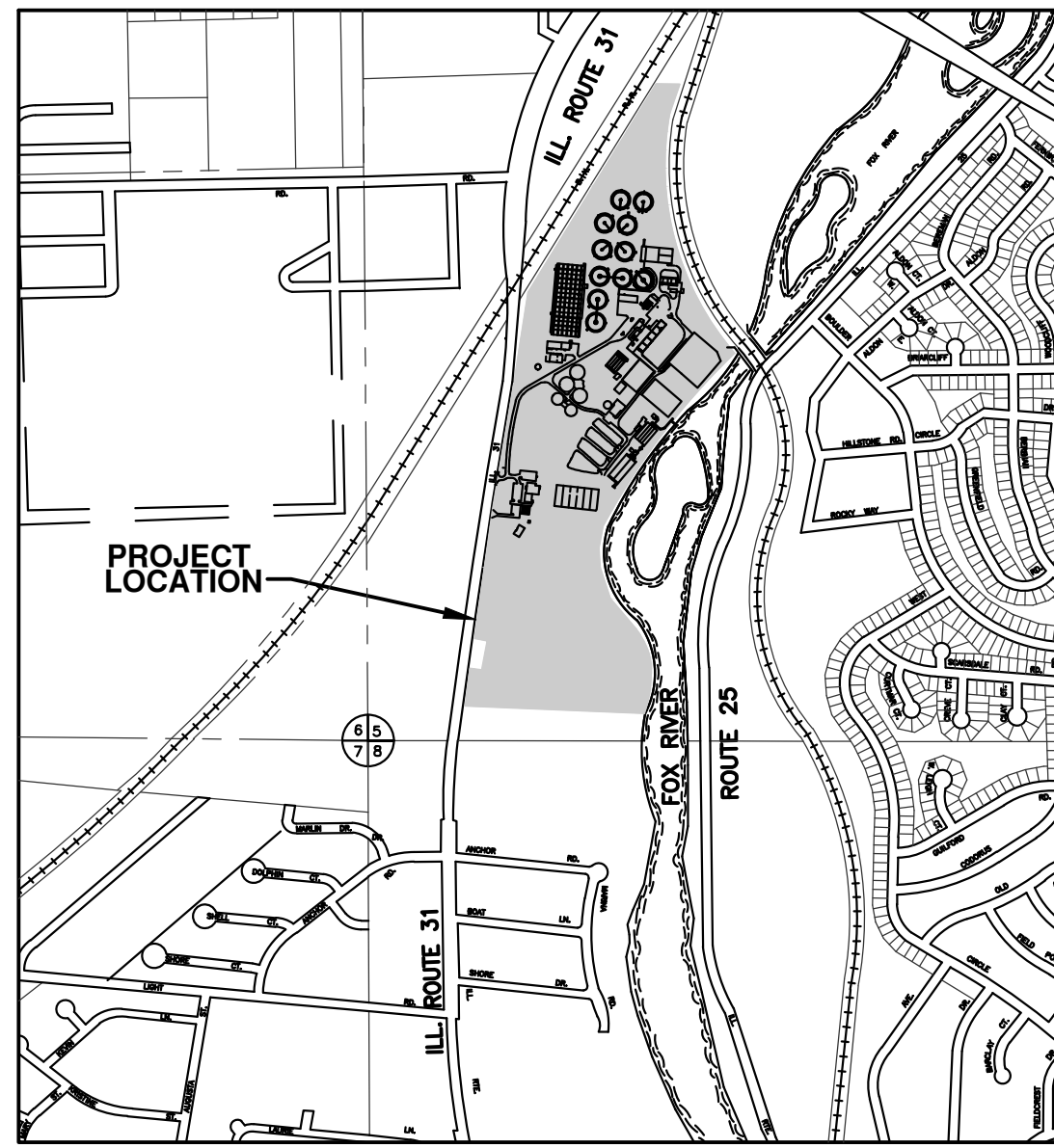


FOX METRO WATER RECLAMATION DISTRICT
WASTEWATER TREATMENT PLANT AERIAL

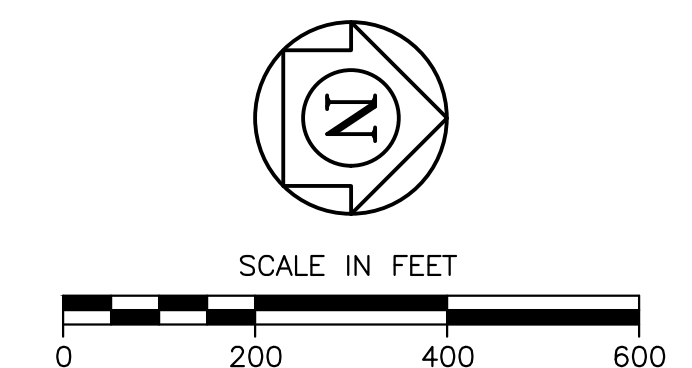
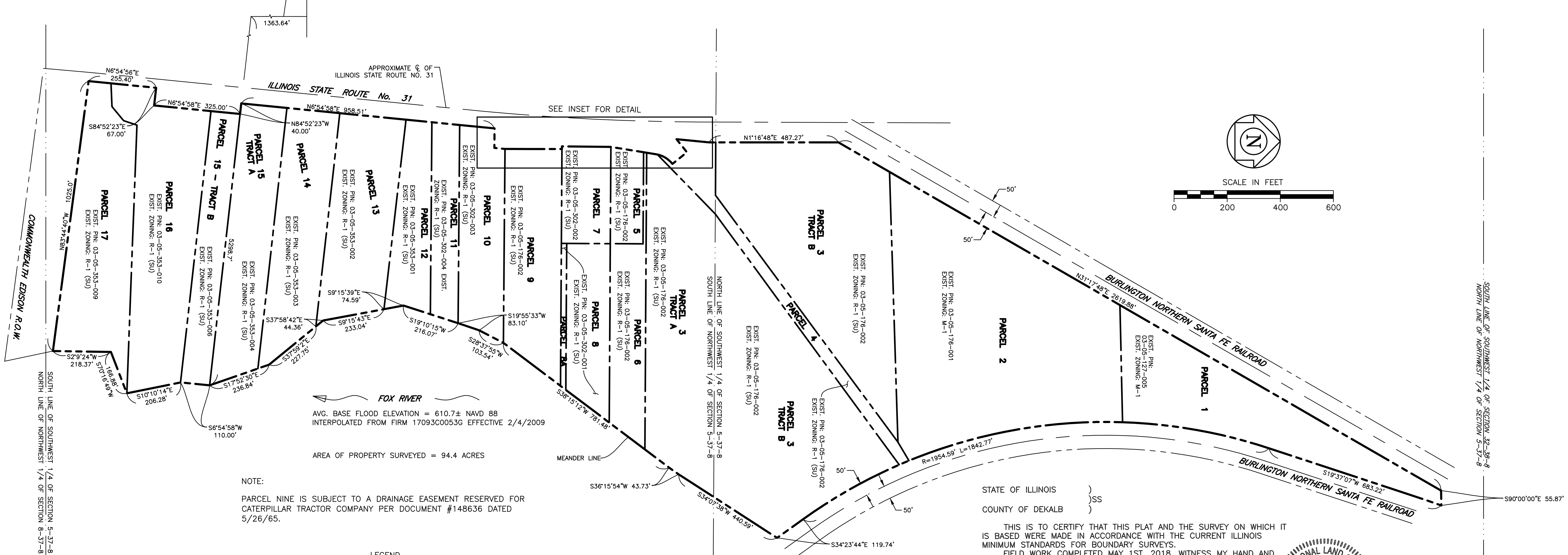
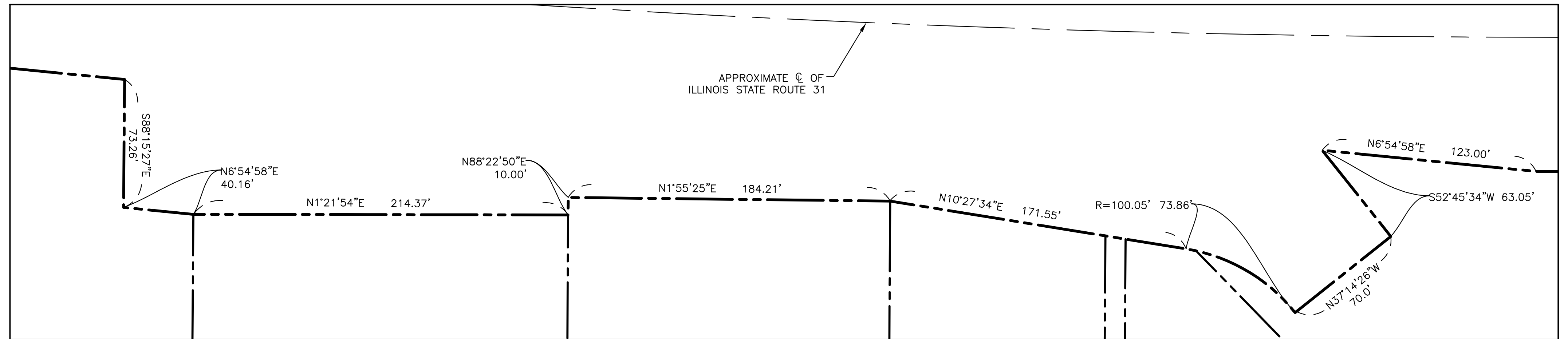
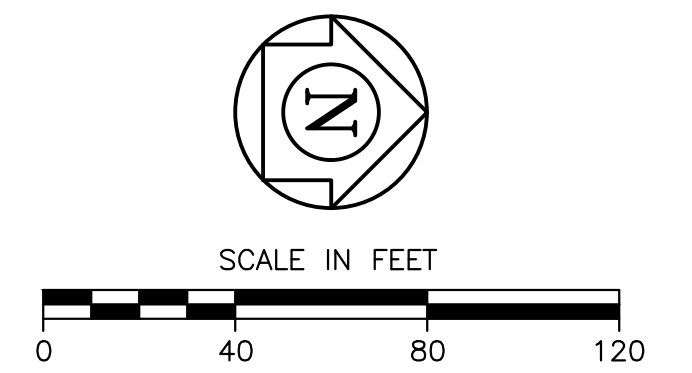
**FOX METRO WATER RECLAMATION DISTRICT
WASTEWATER TREATMENT PLANT
2018 - NEW OPERATIONS AND MAINTENANCE
BUILDING O&M**

PLAT OF SURVEY

**PART OF WEST HALF OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8
EAST OF THE THIRD PRINCIPAL MERIDIAN IN THE TOWNSHIP OF
OSWEGO, KENDALL COUNTY, ILLINOIS**



LOCATION MAP
SCALE 1" = 1000'

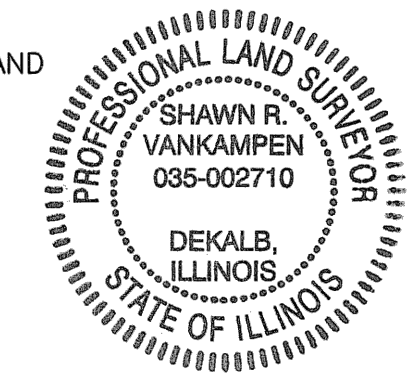


NOTE:
PARCEL NINE IS SUBJECT TO A DRAINAGE EASEMENT RESERVED FOR CATERPILLAR TRACTOR COMPANY PER DOCUMENT #148636 DATED 5/26/65.

LEGEND

	BOUNDARY OF PROPERTY SURVEYED
	PARCEL/ROW LINE
	LOT LINE
	SECTION LINE
	CENTER LINE

STATE OF ILLINOIS)
COUNTY OF DEKALB)SS
THIS IS TO CERTIFY THAT THIS PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE CURRENT ILLINOIS MINIMUM STANDARDS FOR BOUNDARY SURVEYS.
FIELD WORK COMPLETED MAY 1ST, 2018. WITNESS MY HAND AND SEAL AT DEKALB, ILLINOIS THE 21ST DAY OF MAY, 2018.



Shawn R. VanKampen
SHAWN R. VANKAMPEN
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2710
LICENSE EXPIRATION DATE: NOVEMBER 30TH, 2018

SHEET 3 - SOUTH

SHEET 4 - MIDDLE

SHEET 5 - NORTH

WALTER E. DEUCLER ASSOCIATES, INC.
Consulting Engineers - Aurora, Illinois

1.	2.	3.
4.	5.	6.

DATE:	5/20/2018	DESIGNED:	DPC
SCALE:	AS SHOWN	DRAWN:	AS/SV
JOB NO.:	111-18016-00	APPROVED:	DPC
FIELD BOOK NO.:	251		

**FOX METRO WATER RECLAMATION DISTRICT
PLAT OF SURVEY
OVERALL BOUNDARY**

SHT
1
OF
5

F:\NSD\18016-00\Final Drawings\1 OVERALL BOUNDARY.dwg
Printed: 5/21/2018 6:10:16 PM

F:\AS\18016-00\Final Drawings\2 - LEGAL DESCRIPTIONS.dwg

PARCEL 1 PIN: 03-05-127-005 ZONING: M-1

THAT PART OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE NORTH 00° 07' 30" WEST ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF SECTION 6 FOR 532.67 FEET (8.07 CHAINS); THENCE SOUTH 89° 49' 12" EAST, 4502.1 FEET TO THE EASTERLY LINE OF THE RIGHT-OF-WAY OF THE FORMER CHICAGO BURLINGTON AND QUINCY RAILROAD COMPANY MAIN LINE; THENCE NORTH 31° 17' 48" EAST ALONG SAID EASTERLY LINE, 1007.52 FEET TO THE POINT OF BEGINNING ON THE SOUTH LINE OF LANDS FORMERLY OWNED BY RUFUS GRAY; THENCE CONTINUING NORTH 31° 17' 48" EAST ALONG SAID EASTERLY LINE, 1396.03 FEET; THENCE SOUTH 90° 00' 00" EAST, 55.87 FEET TO THE WESTERLY LINE OF THE FORMER OTTAWA, OSWEGO AND FOX RIVER VALLEY RAILROAD; THENCE SOUTH 19° 37' 07" WEST ALONG SAID WESTERLY LINE, 683.22 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY ALONG SAID WESTERLY LINE, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1954.59 FEET FOR 562.28 FEET TO SAID SOUTHERLY LINE OF LANDS FORMERLY OWNED BY RUFUS GRAY; THENCE SOUTH 90° 00' 00" WEST ALONG SAID SOUTHERLY LINE, 441.14 FEET TO THE POINT OF BEGINNING, CONTAINING 6.002 ACRES IN KENDALL COUNTY, ILLINOIS.

PARCEL 2 PIN: 03-05-176-001 ZONING: M-1

THAT PART OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE NORTH 0° 07' 30" WEST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 6, 532.67 FEET (8.07 CHAINS); THENCE SOUTH 89° 49' 12" EAST 4502.1 FEET TO THE EASTERLY LINE OF THE RIGHT-OF-WAY OF THE CHICAGO BURLINGTON AND QUINCY RAILROAD COMPANY'S MAIN LINE FOR A POINT OF BEGINNING; THENCE NORTH 31° 17' 48" EAST ALONG SAID EASTERLY LINE 1007.52 FEET TO THE SOUTH LINE OF LANDS FORMERLY OWNED BY RUFUS GRAY; THENCE EAST ALONG SAID SOUTH LINE 441.08 FEET TO THE WESTERLY LINE OF THE RIGHT-OF-WAY OF THE CHICAGO, BURLINGTON & QUINCY RAILROAD COMPANY'S BRANCH LINE; THENCE SOUTHERLY ALONG SAID WESTERLY LINE AN ARC DISTANCE OF 833.49 FEET TO THE NORTHWESTERLY LINE OF THE FORMER AURORA, ELGIN AND MORRIS RAILROAD; THENCE SOUTH 55° 42' 25" WEST ALONG SAID NORTHWESTERLY LINE 84.00 FEET TO A LINE DRAWN SOUTH 89° 49' 12" EAST FROM THE POINT OF BEGINNING; THENCE NORTH 89° 49' 12" WEST ALONG SAID LINE 1025.54 FEET TO THE POINT OF BEGINNING, IN THE TOWN OF OSWEGO, KENDALL COUNTY, ILLINOIS, BEING 14.6878 ACRES.

PARCEL 3 PIN: 03-05-176-002 ZONING: R-1 (SU)

TRACT "A"

PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY COMMENCING AT A POINT IN THE NORTH LINE OF SAID SOUTHWEST QUARTER WHERE SAID NORTH LINE IS INTERSECTED BY THE CENTER LINE OF THE HIGHWAY RUNNING NORTHERLY THROUGH SAID QUARTER; THENCE SOUTH 5° 12' WEST ALONG THE CENTER LINE OF SAID HIGHWAY 327.4 FEET TO AN IRON STAKE FOR A PLACE OF BEGINNING; THENCE SOUTH 5° 12' WEST ALONG THE CENTER LINE OF SAID HIGHWAY 69.2 FEET TO AN IRON STAKE; THENCE NORTH 90° EAST PARALLEL TO THE NORTH LINE OF SAID SOUTHWEST QUARTER 1088.3 FEET TO AN IRON STAKE ON THE WESTERLY BANK OF THE FOX RIVER; THENCE NORTH 42° 41' EAST ALONG SAID WESTERLY BANK 177.1 FEET; THENCE NORTH 32° 15' EAST ALONG THE WESTERLY BANK OF SAID RIVER 313.5 FEET TO AN IRON STAKE ON THE NORTH LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 90° WEST ALONG SAID NORTH LINE 1037.4 FEET TO AN IRON STAKE ON THE EASTERLY RIGHT-OF-WAY LINE OF THE AURORA, ELGIN AND CHICAGO RAILWAY COMPANY; THENCE SOUTH 45° 29' WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE 465.6 FEET TO THE PLACE OF BEGINNING, CONTAINING TEN ACRES MORE OR LESS.

EXCEPTING THEREFROM, HOWEVER, ALL THAT PART THEREOF HERETOFORE CONVEYED BY ALBERT L. TREMAN TO GEORGE MICHELS BY WARRANTY DEED DATED SEPTEMBER 12, 1925 AND RECORDED SEPTEMBER 19, 1925, IN BOOK 75 OF WARRANTY DEEDS ON PAGE 372 IN THE RECORDER'S OFFICE OF KENDALL COUNTY, ILLINOIS, WHICH PORTION SO EXCEPTED CONTAINS 3.02 ACRES MORE OR LESS AND IS PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE NORTH LINE OF SAID SOUTHWEST QUARTER WHERE SAID NORTH LINE IS INTERSECTED BY THE CENTER LINE OF THE NORTHERLY AND SOUTHERLY HIGHWAY RUNNING THROUGH SAID SOUTHWEST QUARTER; THENCE SOUTH 5° 12' WEST ALONG THE CENTER LINE OF SAID HIGHWAY 327.4 FEET TO AN IRON STAKE FOR PLACE OF BEGINNING; THENCE SOUTH 5° 12' WEST ALONG THE CENTER LINE OF SAID HIGHWAY 69.2 FEET; THENCE EAST 1072.4 FEET TO THE MEANDER LINE OF FOX RIVER; THENCE NORTH 43° EAST 167.6 FEET TO A LARGE IRON BOLT; THENCE WEST 1134.5 FEET; THENCE SOUTH 45° 29' WEST TO THE PLACE OF BEGINNING; CONTAINING 3.02 ACRES MORE OR LESS AS AFORESAID.

TRACT "B"

ALL THAT PART OF THE FOLLOWING DESCRIBED LANDS WHICH ARE EAST OF THE CENTER LINE OF THE NORTH AND SOUTH HIGHWAY RUNNING THROUGH THE WEST HALF OF SECTION 5 AND COMMONLY KNOWN AS THE OSWEGO AND AURORA ROAD AND ALSO KNOWN AS STATE HIGHWAY ROUTE NO. 18, TO-WIT:

PART OF THE NORTH HALF OF SECTION 5 AND 6, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN BOUNDED AS FOLLOWS TO-WIT: BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 6; THENCE NORTH 37 RODS AND 12 FEET; THENCE EAST 344 RODS TO THE WEST SHORE OF FOX RIVER; THENCE SOUTH ALONG THE WEST SHORE OF SAID RIVER 37 RODS 12 FEET; THENCE WEST ALONG THE NORTH LINE OF THE SOUTH HALF OF SAID SECTIONS 5 AND 6, 344 RODS TO THE PLACE OF BEGINNING; EXCEPTING THE RIGHTS-OF-WAY OF THE CHICAGO, BURLINGTON AND QUINCY RAILROAD COMPANY AND THE AURORA, ELGIN AND CHICAGO RAILWAY COMPANY; THE PIECE OF LAND HEREBY INTENDED TO BE DESCRIBED CONTAINING 17 ACRES OF LAND MORE OR LESS.

PARCEL 4 PIN: 03-05-176-002 ZONING: R-1 (SU)

1. PART OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: TO-WIT: COMMENCING AT THE POINT OF INTERSECTION OF THE CENTER LINE OF THE AURORA-OSWEGO HIGHWAY ON THE WEST SIDE OF THE FOX RIVER AND THE SOUTH LINE OF SAID NORTHWEST QUARTER OF SECTION 5; THENCE EAST ALONG SAID SOUTH LINE 232.9 FEET; THENCE NORTH 53° 51' EAST 1144.7 FEET TO THE POINT OF BEGINNING; THENCE NORTH 53° 51' EAST 84.0 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF THE CHICAGO, BURLINGTON AND QUINCY RAILROAD; THENCE SOUTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE 41.35 FEET; THENCE SOUTH 53° 51' WEST 19.7 FEET; THENCE WEST 69.0 FEET TO THE POINT OF BEGINNING, CONTAINING 0.05 ACRES.

2. PART OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: TO-WIT: COMMENCING AT THE POINT OF INTERSECTION OF THE CENTER LINE OF THE AURORA-OSWEGO HIGHWAY ON THE WEST SIDE OF THE FOX RIVER AND THE SOUTH LINE OF SAID NORTHWEST QUARTER OF SECTION 5; THENCE EAST ALONG SAID SOUTH LINE 232.9 FEET TO THE POINT OF BEGINNING; THENCE NORTH 53° 51' EAST 1144.7 FEET; THENCE EAST 69.00 FEET; THENCE SOUTH 53° 51' WEST 1144.7 FEET TO SAID SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 5; THENCE WEST 69.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1.05 ACRES.

3. PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIANS DESCRIBED AS FOLLOWS: TO-WIT: BEGINNING AT THE POINT OF INTERSECTION OF THE CENTER LINE OF THE AURORA-OSWEGO HIGHWAY ON THE WEST SIDE OF THE FOX RIVER AND THE NORTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 5; THENCE EAST ALONG SAID NORTH LINE 301.9 FEET TO THE CENTER LINE OF THE AURORA-OSWEGO ROAD; THENCE NORTH 5° 12' EAST ALONG THE CENTER LINE OF SAID ROAD 327.4 FEET TO THE POINT OF BEGINNING, CONTAINING 1.13 ACRES, SITUATED IN THE COUNTY OF KENDALL IN THE STATE OF ILLINOIS.

PARCEL 5 PIN: 03-05-176-002 ZONING: R-1 (SU)

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO, BURLINGTON AND QUINCY RAILROAD WITH THE NORTH LINE OF SAID SOUTHWEST QUARTER; THENCE EAST ALONG SAID NORTH LINE 235.7 FEET TO THE CENTER LINE OF THE ORIGINAL ROAD; THENCE SOUTHERLY ALONG SAID CENTER LINE 273.5 FEET FOR THE POINT OF BEGINNING; THENCE SOUTHERLY ALONG SAID CENTER LINE 123.1 FEET; THENCE EAST 450 FEET; THENCE NORTH 122.57 FEET; THENCE WEST 438.55 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

PARCEL 6 PIN: 03-05-176-002 ZONING: R-1 (SU)

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY COMMENCING AT A POINT IN THE NORTH LINE OF SAID SOUTHWEST QUARTER, WHERE SAID NORTH LINE IS INTERSECTED BY THE CENTER LINE OF THE NORTHERLY AND SOUTHERLY HIGHWAY RUNNING THROUGH SAID SOUTHWEST QUARTER SECTION; THENCE SOUTH 5° 12' WEST ALONG THE CENTER LINE OF SAID HIGHWAY 327.4 FEET TO AN IRON STAKE FOR A PLACE OF BEGINNING; THENCE SOUTH 5° 12' WEST ALONG THE CENTER LINE OF SAID HIGHWAY, 69.2 FEET; THENCE EAST 1072.4 FEET TO THE MEANDER LINE OF FOX RIVER; THENCE NORTH 43° EAST 167.6 FEET TO A LARGE IRON BOLT; THENCE WEST 1134.5 FEET; THENCE SOUTH 45° 29' WEST TO THE PLACE OF BEGINNING, CONTAINING 3.02 ACRES MORE OR LESS; SITUATED IN THE COUNTY OF KENDALL AND STATE OF ILLINOIS (EXCEPTING THEREFROM PARCEL 5 ABOVE).

PARCEL 7 PIN: 03-05-302-002 ZONING: R-1 (SU)

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE FRACTIONAL SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP AND RANGE AFORESAID; THENCE SOUTH ALONG THE WEST LINE OF SAID SECTION 6, 1363.34 FEET; THENCE SOUTH 82° 36' EAST TO THE WEST BANK OF THE FOX RIVER; THENCE NORTH 18° 46' WEST ALONG SAID RIVER BANK 37 FEET; THENCE NORTH 37° 16' WEST ALONG SAID RIVER BANK 263 FEET; THENCE NORTH 9° 39' WEST ALONG SAID RIVER BANK 300 FEET; THENCE NORTH 19° 40' EAST ALONG SAID RIVER BANK 300 FEET; THENCE NORTH 30° 19' EAST ALONG SAID RIVER BANK 102.8 FEET; THENCE NORTH 88° 31' WEST 864.15 FEET TO THE CENTER LINE OF THE ORIGINAL ROAD; THENCE NORTHEASTERLY ALONG THE CENTER LINE OF SAID ROAD 215 FEET FOR THE POINT OF BEGINNING THENCE EAST PARALLEL WITH THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 5 TO THE WEST BANK OF FOX RIVER; THENCE NORTHEASTERLY ALONG THE WEST BANK OF SAID FOX RIVER TO A POINT WHICH IS 394.88 FEET SOUTH OF NORTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 90° WEST 1074.3 FEET TO THE CENTER LINE OF SAID ROAD; THENCE SOUTHERLY ALONG SAID CENTER LINE 185 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS. EXCEPTING THAT PART OF SAID PREMISES CONVEYED TO THE AURORA SANITARY DISTRICT BY DEED DATED AUGUST 29, 1961 RECORDED JANUARY 19, 1962 AS DOCUMENT 136651 IN BOOK 126, PAGE 107 AND ALSO EXCEPTING THAT PART OF SAID PREMISES DEDICATED FOR ROAD PURPOSES, (ALONG ILLINOIS ROUTE 31) AS DESCRIBED IN DEDICATION DATED FEBRUARY 7, 1959 AND RECORDED JULY 14, 1959 AS DOCUMENT 126069.

PARCEL 8 PIN: 03-05-302-001 ZONING: R-1 (SU)

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE FRACTIONAL SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP AND RANGE AFORESAID; THENCE SOUTH ALONG THE WEST LINE OF SAID SECTION 6, 1363.34 FEET; THENCE SOUTH 82° 36' EAST TO THE WEST BANK OF THE FOX RIVER; THENCE NORTH 18° 46' WEST ALONG SAID RIVER BANK 237 FEET; THENCE NORTH 37° 16' WEST ALONG SAID RIVER BANK 263 FEET; THENCE NORTH 9° 39' WEST ALONG SAID RIVER BANK 300 FEET; THENCE NORTH 19° 40' EAST ALONG SAID RIVER BANK 300 FEET; THENCE NORTH 30° 19' EAST ALONG SAID RIVER BANK 102.8 FEET; THENCE NORTH 88° 31' WEST 864.15 FEET TO THE CENTER LINE OF THE ORIGINAL ROAD; THENCE NORTHEASTERLY ALONG THE CENTER LINE OF SAID ROAD 215 FEET; THENCE EAST PARALLEL WITH THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 5; SAID LINE BEING THE NORTHERLY LINE OF THE PROPERTY OWNED BY THE CATERPILLAR TRACTOR CO., FOR A DISTANCE OF 467.2 FEET FOR A PLACE OF BEGINNING; THENCE CONTINUING EAST ALONG THE LAST DESCRIBED LINE TO THE CENTER THREAD OF THE FOX RIVER; THENCE NORTHEASTERLY ALONG THE CENTER THREAD OF THE FOX RIVER TO A POINT WHICH IS 394.88 FEET SOUTH OF THE NORTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 90° WEST ALONG THE SOUTHERLY LINE OF THE PROPERTY OWNED BY THE AURORA SANITARY DISTRICT TO A POINT WHICH IS 450 FEET EAST OF THE CENTER LINE OF THE ORIGINAL ROAD (STATE ROUTE NO. 31); THENCE SOUTH TO THE PLACE OF BEGINNING; IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS, CONTAINING 2.38 ACRE MORE OR LESS; RESERVING AND EXCEPTING TO GRANTORS, THEIR HEIRS OR ASSIGNS AND THEIR RESPECTIVE INVITEES OR GUESTS, A PERPETUAL RIGHT-OF-WAY FOR PERSONS OR VEHICLES ACROSS AND THE PERPETUAL USE OF THE SOUTHERLY 20 FEET OF SAID PROPERTY, AND ALONG THE WESTERLY BANK OF THE FOX RIVER FOR THE EASTERLY 20 FEET OF THE SOUTHERLY 20 FEET OF SAID PROPERTY, FOR INGRESS, EGRESS AND ACCESS TO THE FOX RIVER, AND FOR FISHING, BOATING, SWIMMING AND OTHER RIVER RECREATIONAL PURPOSES, INCLUDING THE RIGHT TO ERECT A DOCK, WHARF OR SIMILAR STRUCTURE ON THE WESTERLY BANK OF THE FOX RIVER; HEREBY RELEASING AND WAIVING RIGHTS UNDER AND BY VIRTUE OF THE HOMESTEAD EXEMPTION LAWS OF THE STATE OF ILLINOIS.

PARCEL 8A PIN: 03-05-302-001 ZONING: R-1 (SU)

THE SOUTHERLY 20 FEET AND ALONG THE WESTERLY BANK OF THE FOX RIVER FOR THE EASTERLY 20 FEET OF THE SOUTHERLY 20 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE FRACTIONAL SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP AND RANGE AFORESAID; THENCE SOUTH ALONG THE WEST LINE OF SAID SECTION 6, 1363.34 FEET; THENCE SOUTH 82° 36' EAST TO THE WEST BANK OF THE FOX RIVER; THENCE NORTH 180 /46' WEST ALONG SAID RIVER BANK 237 FEET; THENCE NORTH 37° 16' WEST ALONG SAID RIVER BANK 263 FEET; THENCE NORTH 9° 39' WEST ALONG SAID RIVER BANK 300 FEET; THENCE NORTH 19° 40' EAST ALONG SAID RIVER BANK 300 FEET; THENCE NORTH 30° 19' EAST ALONG SAID RIVER BANK 102.8 FEET; THENCE NORTH 88° 31' WEST 864.15 FEET TO THE CENTER LINE OF THE ORIGINAL ROAD; THENCE NORTHEASTERLY ALONG THE CENTER LINE OF SAID ROAD 215 FEET; THENCE EAST PARALLEL WITH THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 5; SAID LINE BEING THE NORTHERLY LINE OF THE PROPERTY OWNED BY THE CATERPILLAR TRACTOR CO., FOR A DISTANCE OF 467.2 FEET FOR A PLACE OF BEGINNING; THENCE CONTINUING EAST ALONG THE LAST DESCRIBED LINE TO THE CENTER THREAD OF THE FOX RIVER; THENCE NORTHEASTERLY ALONG THE CENTER THREAD OF THE FOX RIVER TO A POINT WHICH IS 394.88 FEET SOUTH OF THE NORTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 90° WEST ALONG THE SOUTHERLY LINE OF THE PROPERTY OWNED BY THE AURORA SANITARY DISTRICT TO A POINT WHICH IS 450 FEET EAST OF THE CENTER LINE OF THE ORIGINAL ROAD (STATE ROUTE NO. 31); THENCE SOUTH TO THE PLACE OF BEGINNING; IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

PARCEL 9 PIN: 03-05-176-002 ZONING: R-1 (SU)

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A CROSS NOTCH IN THE CENTER LINE OF U.S. ROUTE #31 AT A POINT 581.60 FEET SOUTHERLY OF THE INTERSECTION OF SAID CENTER LINE AND THE EAST AND WEST QUARTER LINE OF SECTION 5 AFORESAID; THENCE EAST ALONG A LINE PARALLEL WITH THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 5 AND FORMING AN ANGLE OF 95° /18'20" WITH THE CENTER LINE OF U.S. ROUTE #31 (AS MEASURED FROM SOUTH TO EAST) TO THE THREAD OF THE STREAM OF THE FOX RIVER; THENCE SOUTHWESTERLY ALONG THE THREAD OF THE STREAM OF THE FOX RIVER TO THE EXTENSION EASTERLY OF THE NORTH LINE OF LARSON'S SUBDIVISION AS PRESENTLY STAKED OUT; THENCE WEST ALONG THE EXTENSION EASTERLY AND THE NORTH LINE OF LARSON'S SUBDIVISION TO A CROSS NOTCH IN THE CENTER LINE OF U.S. ROUTE #31; THENCE NORTHERLY ALONG SAID CENTER LINE AND FORMING AN ANGLE OF 84° 49' 50" (AS MEASURED FROM EAST TO NORTH) A DISTANCE OF 215.00 FEET TO THE PLACE OF BEGINNING IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

PARCEL 10 PIN: 03-05-302-003 ZONING: R-1 (SU)

LOT ONE (1) OF LARSON SUBDIVISION, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

PARCEL 11 PIN: 03-05-302-004 ZONING: R-1 (SU)

LOT 2 (EXCEPT THE SOUTHERLY 45 FEET, MEASURED ALONG THE WESTERLY LINE) IN LARSON SUBDIVISION IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

PARCEL 12 PIN: 03-05-353-001 ZONING: R-1 (SU)

THAT PART OF LOTS 2 AND 3 OF LARSON'S SUBDIVISION DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 3 BEING ON THE CENTERLINE OF STATE ROUTE NO. 31; THENCE SOUTH 7° 01' WEST ALONG SAID CENTERLINE, 46.58 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 7° 01' EAST ALONG SAID CENTERLINE, 91.58 FEET; THENCE SOUTH 88° 31' EAST PARALLEL WITH THE NORTH LINE OF SAID LOT 3, 781.87 FEET TO THE EASTERLY LINE OF SAID LOT 2; THENCE SOUTH 19° 40' WEST ALONG THE EASTERLY LINES OF LOTS 2 AND 3, 106.9 FEET; THENCE SOUTH 9° 39' EAST ALONG THE EASTERLY LINE OF SAID LOT 3, 70.83 FEET TO A LINE DRAWN SOUTH 82° 36' EAST, PARALLEL WITH THE SOUTHERLY LINE OF SAID LOT 3, FROM THE PLACE OF BEGINNING; THENCE NORTH 82° 36' WEST ALONG SAID PARALLEL LINE, 775.16 FEET TO THE PLACE OF BEGINNING, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

PARCEL 13 PIN: 03-05-353-002 ZONING: R-1 (SU)

THAT PART OF LOT 3 OF LARSON SUBDIVISION, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT, BEING ON THE CENTERLINE OF STATE ROUTE NO. 31; THENCE SOUTHERLY ALONG SAID CENTERLINE, 46.58 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 82° 36' EAST, PARALLEL WITH THE SOUTHERLY LINE OF SAID LOT, 775.16 FEET TO THE EASTERLY LINE OF SAID LOT; THENCE SOUTH 9° 39' EAST ALONG SAID EASTERLY LINE, 229.17 FEET; THENCE SOUTH 37° 16' EAST, 35.20 FEET TO THE SOUTHEAST CORNER OF SAID LOT; THENCE NORTH 82° 36' WEST ALONG THE SOUTHERLY LINE OF SAID LOT, 867.3 FEET TO THE CENTERLINE OF SAID STATE ROUTE NO. 31; THENCE NORTHERLY ALONG SAID CENTERLINE, 250.52 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

PARCEL 14 PIN: 03-05-353-003 ZONING: R-1 (SU)

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 6, TOWNSHIP AND RANGE AFORESAID; THENCE SOUTH ALONG THE WEST LINE OF SAID SECTION 6, 1363.34 FEET; THENCE SOUTH 82° 36' EAST, 298.7 FEET TO THE WESTERLY BANK OF FOX RIVER; THENCE NORTH 18° 46' WEST ALONG SAID WESTERLY BANK, 192.5 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 18° 46' WEST ALONG SAID WESTERLY BANK, 44.35 FEET; THENCE NORTH 37° 16' WEST ALONG SAID WESTERLY BANK, 227.8 FEET; THENCE NORTH 82° 36' WEST, 867.3 FEET TO THE CENTERLINE OF THE ORIGINAL ROAD; THENCE SOUTHERLY ALONG SAID CENTERLINE, 200 FEET TO A LINE DRAWN NORTH 82° 36' WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 82° 36' EAST, 1014.21 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS (*AKA LOT 5 OF LARSON SUBDIVISION).

PARCEL 15

TRACT A PIN: 03-05-353-004 ZONING: R-1 (SU)

LOT 5 OF LARSON'S SUBDIVISION, TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

TRACT B PIN: 03-05-353-006 ZONING: R-1 (SU)

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF SAID SECTION 5 WITH THE CENTERLINE OF ILLINOIS STATE ROUTE NUMBER 31; THENCE NORTH 6° 44' EAST ALONG SAID CENTERLINE, 745.75 FEET; THENCE SOUTH 82° 30' EAST, 100 FEET TO THE POINT OF BEGINNING; THENCE SOUTHWESTERLY AT RIGHT ANGLES WITH THE LAST DESCRIBED COURSE, 110 FEET; THENCE SOUTH 82° 30' EAST TO THE CENTER THREAD OF THE FOX RIVER; THENCE NORTHERLY ALONG SAID CENTER THREAD TO A LINE DRAWN SOUTH 82° 30' EAST FOR THE POINT OF BEGINNING; THENCE NORTH 82° 30' WEST TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

PARCEL 16 PIN: 03-05-353-010 ZONING: R-1 (SU)

THAT PART OF THE SOUTH HALF OF THE WEST PART OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH LIES EAST OF THE CENTERLINE OF STATE ROUTE NO. 31 AND SOUTH OF A LINE EXTENDING SOUTH 82° 30' EAST FROM A POINT IN THE SAID CENTERLINE OF SAID HIGHWAY THAT IS NORTH 6° 44' EAST, 745.75 FEET FROM THE SOUTH LINE OF SAID SECTION 5 TO THE CENTER THREAD OF THE FOX RIVER (EXCEPT THE RIGHT OF WAY OF THE SAID STATE ROUTE NO. 31 AND A STRIP IN THE NORTHWEST CORNER 67 FEET WIDE AND 325 FEET LONG MEASURED ALONG THE EASTERLY LINE OF SAID HIGHWAY, USED FOR CEMETERY PURPOSES, AND ALSO EXCEPT THAT PART LYING SOUTH OF THE NORTH LINE OF PREMISES CONVEYED TO THE COMMONWEALTH EDISON COMPANY BY WARRANTY DEED RECORDED OCTOBER 9, 1959 AS DOCUMENT 127020 AND ALSO EXCEPT THAT PART DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF SAID SECTION 5 WITH THE CENTERLINE OF ILLINOIS STATE ROUTE NO. 31; THENCE NORTH 6° 44' EAST ALONG SAID CENTERLINE, 745.75 FEET; THENCE SOUTH 82° 30' EAST 100 FEET FOR THE POINT OF BEGINNING; THENCE SOUTHWESTERLY AT RIGHT ANGLES WITH THE LAST DESCRIBED COURSE, 110 FEET; THENCE SOUTH 82° 30' EAST TO THE CENTER THREAD OF THE FOX RIVER; THENCE NORTHERLY ALONG SAID CENTER THREAD TO A LINE DRAWN SOUTH 82° 30' EAST FROM THE POINT OF BEGINNING; THENCE NORTH 82° 30' WEST TO THE POINT OF BEGINNING, AND ALSO EXCEPTING THEREFROM THAT PART OF THE SOUTH HALF OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTERLINE OF STATE ROUTE 31 WHICH IS 165.86 FEET NORTH OF THE INTERSECTION OF SAID CENTERLINE WITH THE SOUTH LINE OF SAID SECTION 5 AS MEASURED ALONG THE CENTERLINE OF SAID ROAD; THENCE NORTH 03° 17' EAST ALONG SAID CENTERLINE, 85.00 FEET; THENCE EASTERLY AT AN ANGLE OF 87° 43' 10" MEASURED COUNTER-CLOCKWISE FROM THE LAST DESCRIBED COURSE, 99.08 FEET; THENCE NORTHEASTERLY AT AN ANGLE OF 169° 46' 24" MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 87.59 FEET; THENCE NORTHERLY AT AN ANGLE OF 142° 32' 41" MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 69.19 FEET; THENCE NORTHERLY AT AN ANGLE OF 148° 08' 36" MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 52.57 FEET; THENCE EASTERLY AT AN ANGLE OF 106° 13' 20" MEASURED COUNTER-CLOCKWISE FROM THE LAST DESCRIBED COURSE, 859.60 FEET, MORE OR LESS, TO THE WEST BANK OF THE FOX RIVER; THENCE SOUTHERLY ALONG THE WEST BANK OF SAID FOX RIVER, 302.20 FEET, MORE OR LESS, TO THE NORTHERLY LINE OF COMMONWEALTH EDISON LANDS DESCRIBED IN DOCUMENT NO. 127020 AT THE RECORDER'S OFFICE OF KENDALL COUNTY, ILLINOIS; THENCE WESTERLY ALONG SAID NORTHERLY LINE, 1109.30 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

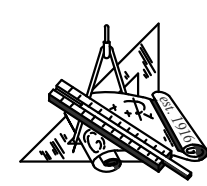
PARCEL 17 PIN: 03-05-353-009 ZONING: R-1 (SU)

THAT PART OF THE SOUTH HALF OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTERLINE OF STATE ROUTE 31, WHICH IS 165.86 FEET NORTH OF THE INTERSECTION OF SAID CENTERLINE WITH THE SOUTH LINE OF SAID SECTION 5 AS MEASURED ALONG THE CENTERLINE OF SAID ROAD; THENCE NORTH 06° 03' 17" EAST ALONG SAID CENTERLINE, 85.00 FEET; THENCE EASTERLY AT AN ANGLE OF 87° 43' 10" MEASURED COUNTER-CLOCKWISE FROM THE LAST DESCRIBED COURSE, 99.08 FEET; THENCE NORTHEASTERLY AT AN ANGLE OF 169° 46' 24" MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 87.59 FEET; THENCE NORTHERLY AT AN ANGLE OF 142° 32' 41" MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 69.19 FEET; THENCE NORTHERLY AT AN ANGLE OF 148° 08' 36" MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 52.57 FEET; THENCE EASTERLY AT AN ANGLE OF 106° 13' 20" MEASURED COUNTER-CLOCKWISE FROM THE LAST DESCRIBED COURSE, 1010.40 FEET, MORE OR LESS, TO THE WEST BANK OF THE FOX RIVER; THENCE SOUTHERLY ALONG THE WEST BANK OF SAID FOX RIVER, 320 FEET MORE OR LESS, TO THE NORTHERLY LINE OF THE COMMONWEALTH EDISON COMPANY LANDS DESCRIBED IN DOCUMENT 127020 AT THE RECORDER'S OFFICE OF KENDALL COUNTY, ILLINOIS; THENCE WESTERLY ALONG SAID NORTHERLY LINE, 1109.30 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

EXCEPTING THEREFROM OF ALL OF THE ABOVE PARCELS THAT PORTION DEDICATED TO THE STATE OF ILLINOIS FOR ILLINOIS STATE HIGHWAY 31 RIGHT-OF-WAY.

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WALTER E. DEUCHLER ASSOCIATES, INC.
Consulting Engineers - Aurora, Illinois

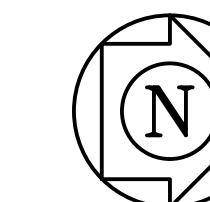
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	2.	5.
	3.	6.

DATE:	5/20/2018	DESIGNED:	DPC
SCALE:	AS SHOWN	DRAWN:	AS/SV
JOB NO.	111-18016-00	APPROVED:	DPC
FIELD BOOK NO.:	251		

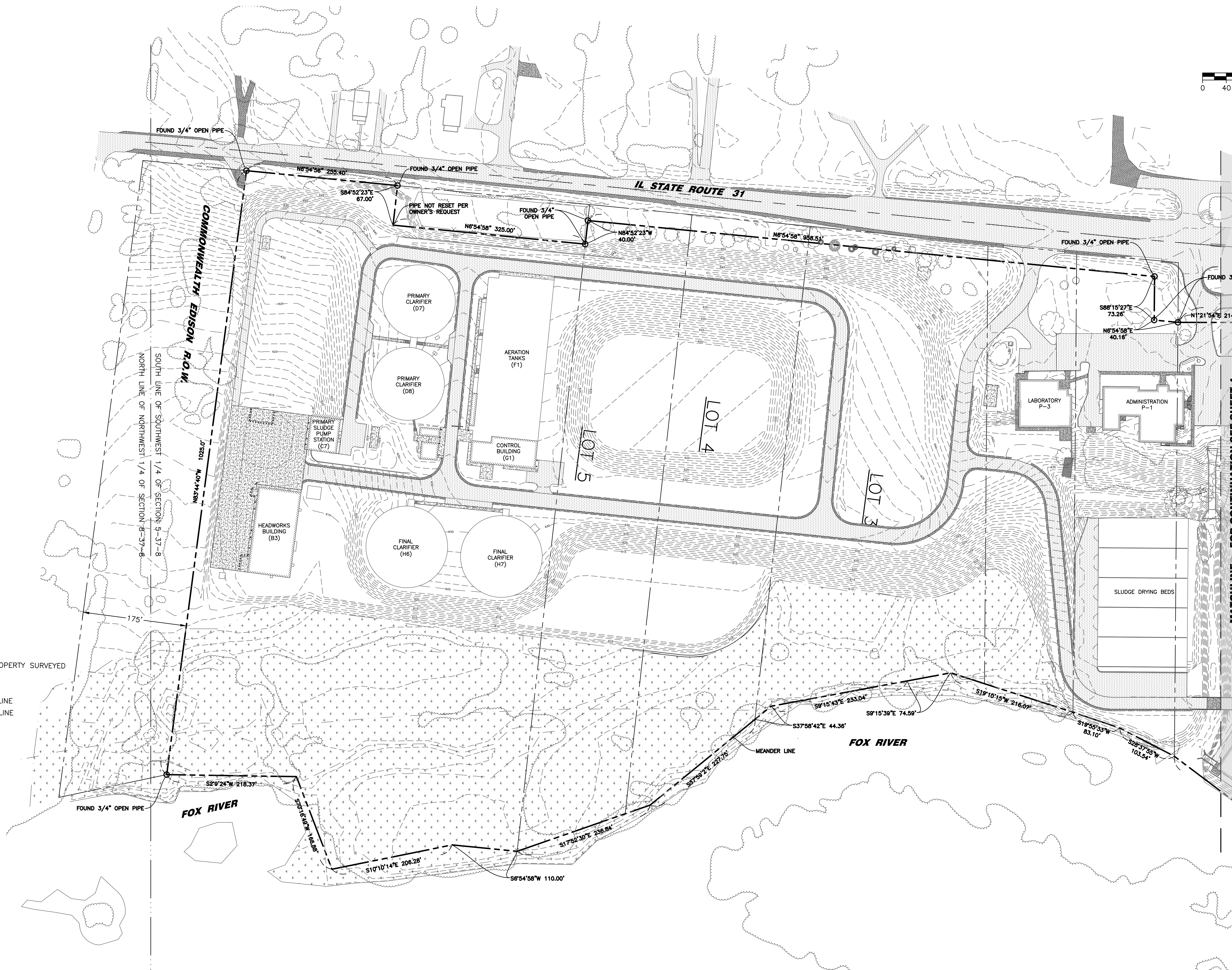
FOX METRO WATER RECLAMATION DISTRICT
PLAT OF SURVEY
LEGAL DESCRIPTIONS

SHT	2
OF	5

F:\ASD\18016-00\Final Drawings\5 PARTIAL PLAN - NORTH.dwg



SCALE IN FEET
0 40 80 160 240



LEGEND

- BOUNDARY OF PROPERTY SURVEYED
- LOT LINE
- SECTION LINE
- MINOR CONTOUR LINE
- MAJOR CONTOUR LINE
- WOODED AREAS
- WETLAND AREAS
- FOUND IRON PIPE

MATCHLINE - FOR CONTINUATION SEE SHEET 4

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WALTER E. DEUCHLER ASSOCIATES, INC.
Consulting Engineers - Aurora, Illinois

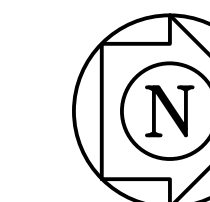
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JOB NO.	111-18016-00	APPROVED:	DPC
FIELD BOOK NO.:	251		

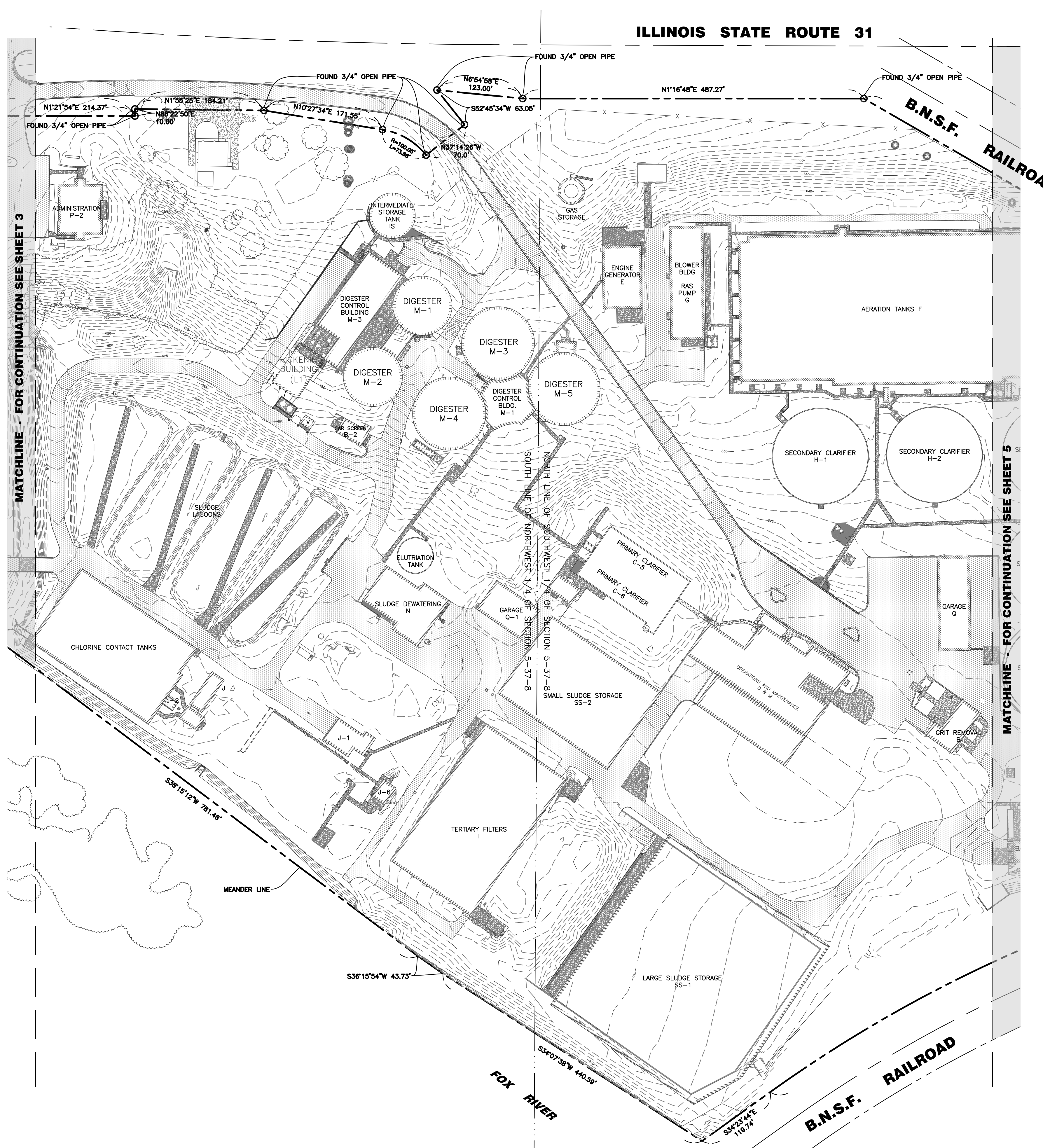
FOX METRO WATER RECLAMATION DISTRICT
PLAT OF SURVEY
PARTIAL PLAN - SOUTH

SHT
3
OF
5

F:\ASD\18016-00\Final Drawings\5 PARTIAL PLAN - NORTH.dwg



SCALE IN FEET
0 40 80 160 240



LEGEND

- BOUNDARY OF PROPERTY SURVEYED
- LOT LINE
- SECTION LINE
- MINOR CONTOUR LINE
- MAJOR CONTOUR LINE
- WOODED AREAS
- WETLAND AREAS
- FOUND IRON PIPE

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WALTER E. DEUCHLER ASSOCIATES, INC.
Consulting Engineers - Aurora, Illinois

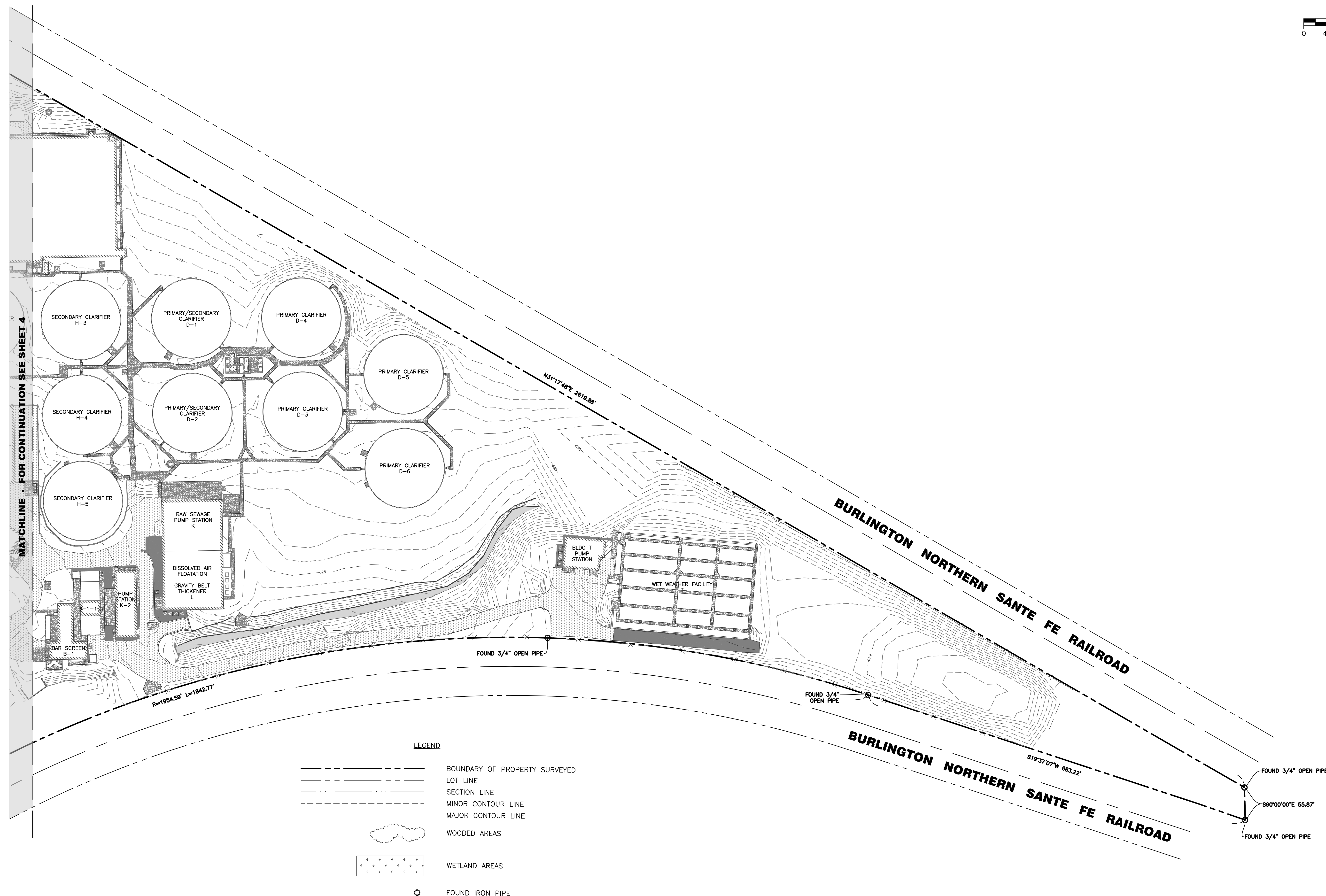
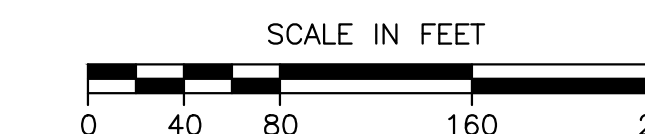
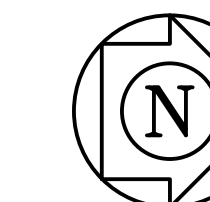
REVISIONS	NO.	DATE	DESCRIPTION
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DATE: 5/20/2018	DESIGNED: DPC
SCALE: AS SHOWN	DRAWN: AS/SV
JOB NO. 111-18016-00	APPROVED: DPC
FIELD BOOK NO.: 251	

FOX METRO WATER RECLAMATION DISTRICT
PLAT OF SURVEY
PARTIAL PLAN - MIDDLE

SHT **4**
OF **5**

F:\ASD\18016-00\Final Drawings\5 PARTIAL PLAN - NORTH.dwg



LEGEND

- BOUNDARY OF PROPERTY SURVEYED
- LOT LINE
- SECTION LINE
- MINOR CONTOUR LINE
- MAJOR CONTOUR LINE
- WOODED AREAS
- WETLAND AREAS
- FOUND IRON PIPE

Printed: 5/21/2018 6:10:53 PM



WALTER E. DEUCHLER ASSOCIATES, INC.
Consulting Engineers - Aurora, Illinois

REVISIONS	1.	2.	3.	4.	5.	6.

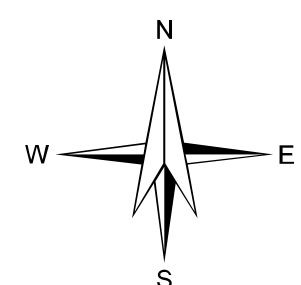
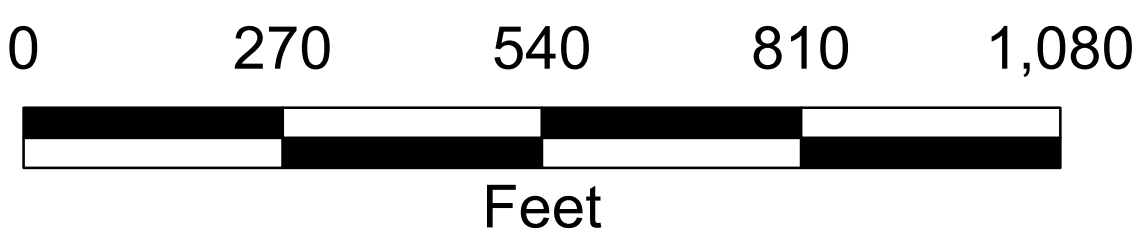
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SCALE:	AS SHOWN	DRAWN:	AS/SV
JOB NO.	111-18016-00	APPROVED:	DPC
FIELD BOOK NO.:	251		

FOX METRO WATER RECLAMATION DISTRICT
PLAT OF SURVEY
PARTIAL PLAN - NORTH

SHT
5
 OF
5



PIN
03-05-127-005
03-05-176-001
03-05-176-002
03-05-302-001
03-05-302-002
03-05-302-003
03-05-302-004
03-05-353-001
03-05-353-002
03-05-353-003
03-05-353-004
03-05-353-006
03-05-353-009
03-05-353-010



1 inch = 200 feet

Aerial Date : 2016

Fox Metro Property Oswego Twp. Kendall County Illinois

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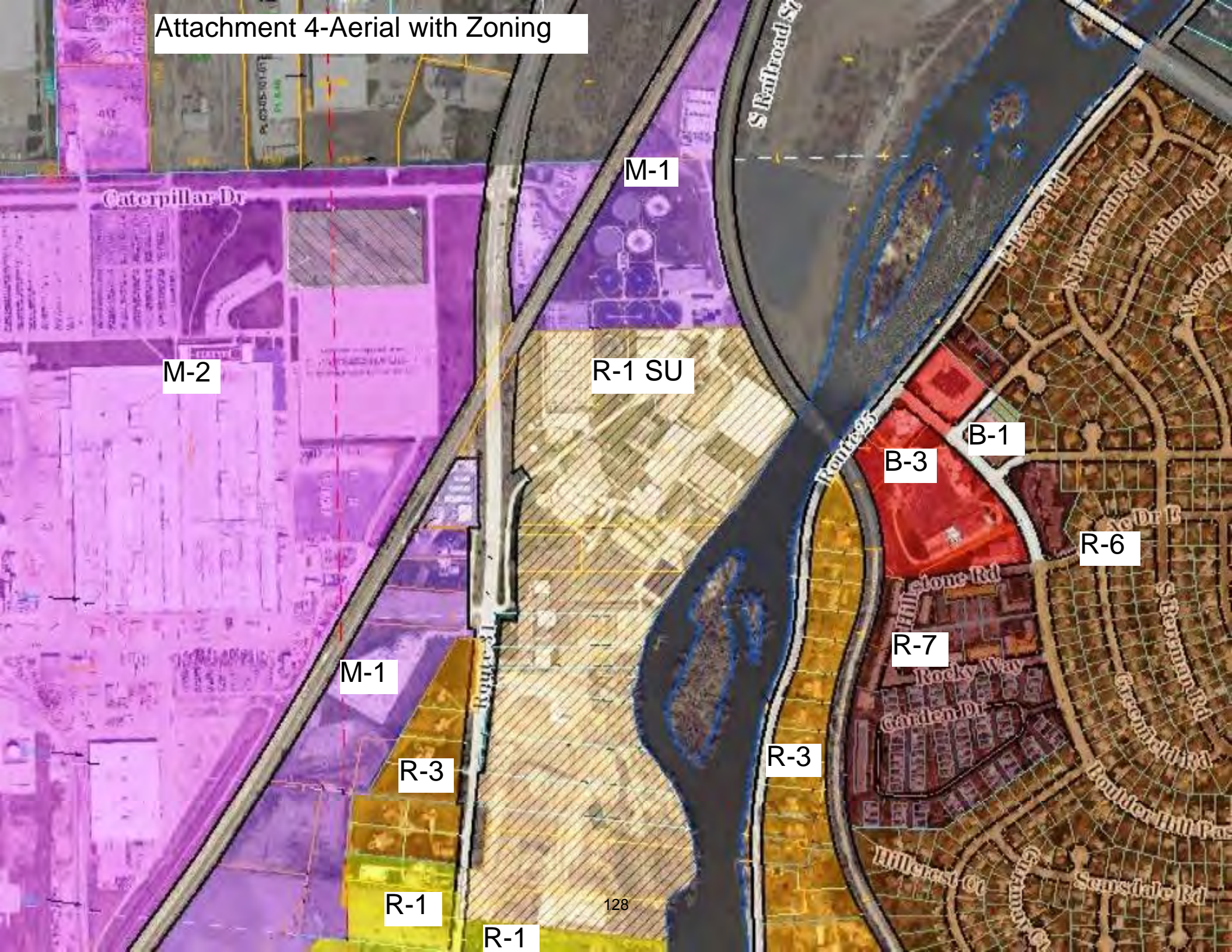
Created: 05/23/2018



Kendall County GIS

111 West Fox Street - Room 309
Yorkville, Illinois 60560-1498
630.553.4030

Attachment 4-Aerial with Zoning



M-1

Caterpillar Dr

M-2

R-1 SU

S Railroad St

B-3

B-1

Route 25

R-6

M-1

R-7

R-3

R-3

R-1

128

R-1

Hillstone Rd

Rocky Way

Garden Dr

Hillcrest Ct

Samsdale Rd

Greenfield Rd

Boulder Hill Pass

Ac Dr B

S Beaman Rd

N River Rd

N Brentwood Rd

Aldon Rd

Woodch...

Attachment 5 Looking West from Administration Building

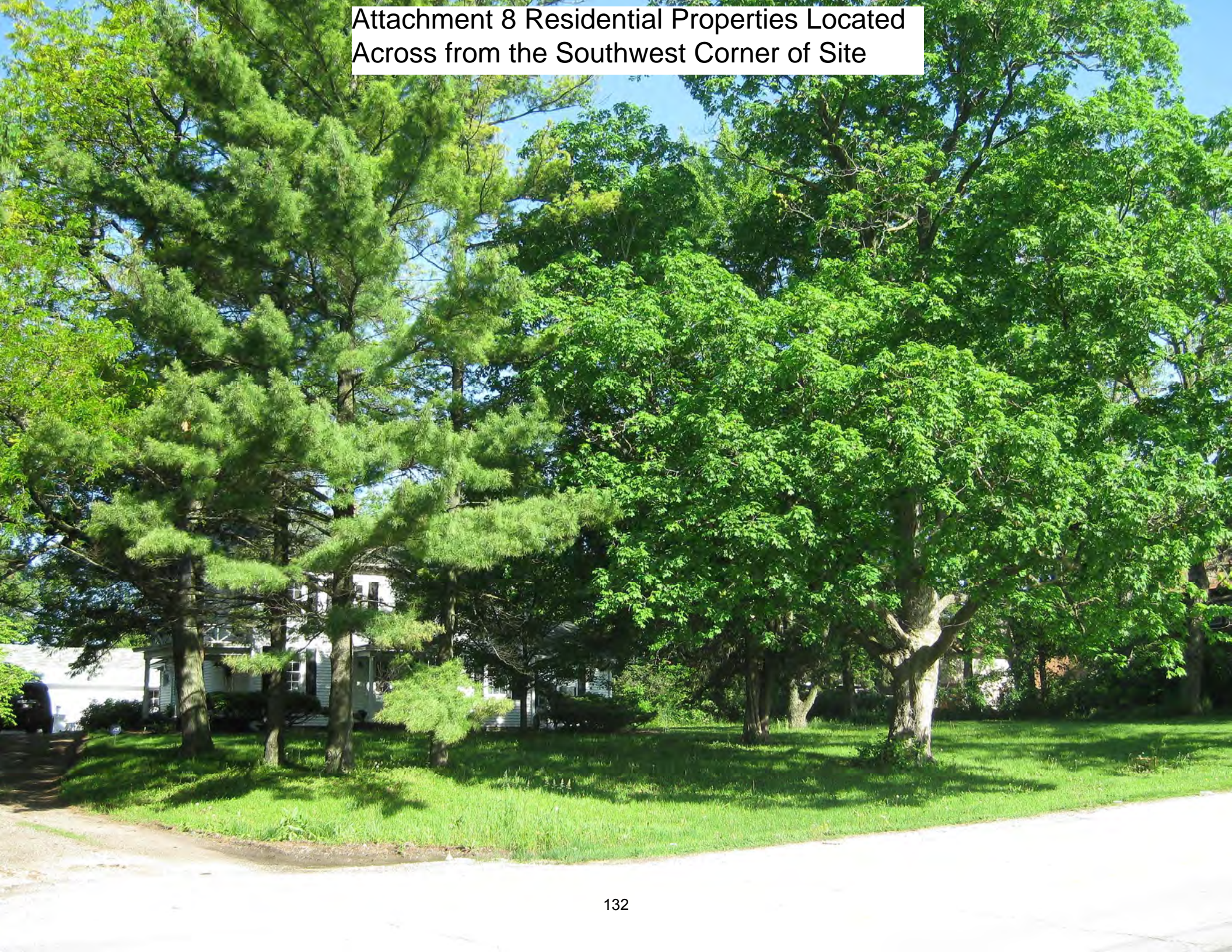


Attachment 6 Looking Northwest from Administration Building





Attachment 8 Residential Properties Located
Across from the Southwest Corner of Site





Attachment 10 Neighboring Residential Property to the South





Attachment 12 Looking West from Inside Property





Attachment 14 Looking East from Inside Property



Attachment 15, Page 1

Matt Asselmeier

From: Brian LeClercq [bleclercq@oswegotownship.com]
Sent: Thursday, May 31, 2018 9:08 AM
To: Matt Asselmeier; Bob Rogerson; Ken Holmstrom
Subject: Re: Kendall County Petition 18-20 Fox Metro Rezoning Request

Sounds logical. The township will neither attend any meetings nor file any objections

Get [Outlook for iOS](#)

From: Matt Asselmeier <masselmeier@co.kendall.il.us>
Sent: Thursday, May 31, 2018 8:12:48 AM
To: Brian LeClercq; Bob Rogerson; Ken Holmstrom
Subject: RE: Kendall County Petition 18-20 Fox Metro Rezoning Request

Correct.

The northern and southern portions of their property have different zoning classifications and they would like their entire property to have the same zoning classification.

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

From: Brian LeClercq [mailto:bleclercq@oswegotownship.com]
Sent: Wednesday, May 30, 2018 9:18 PM
To: Bob Rogerson; Matt Asselmeier; Ken Holmstrom
Subject: Re: Kendall County Petition 18-20 Fox Metro Rezoning Request

No. This merely expanding on the land you already own, correct?

Get [Outlook for iOS](#)

From: Bob Rogerson
Sent: Wednesday, May 30, 2018 1:35:41 PM
To: Matt Asselmeier; Brian LeClercq; Ken Holmstrom
Subject: Re: Kendall County Petition 18-20 Fox Metro Rezoning Request

I do not plan on being there.

Get [Outlook for iOS](#)

From: Matt Asselmeier <masselmeier@co.kendall.il.us>
Sent: Wednesday, May 30, 2018 11:32:23 AM
To: Brian LeClercq; Ken Holmstrom; Bob Rogerson
Subject: RE: Kendall County Petition 18-20 Fox Metro Rezoning Request

Brian, Ken, and Bob:

Please let me know if Oswego Township meets on the Fox Metro rezoning request.

Thanks,

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

From: Matt Asselmeier
Sent: Tuesday, May 29, 2018 9:37 AM
To: Brian LeClerc; Captain Alec Keenum; Jim Detzler (daxmare@oswegotownship.com); Kenneth Holmstrom; Michele Stradel (michele@oswegotownship.com); Mike Veseling (mveseling@oswegofire.com); 'Jerad Chipman'; 'Debbie Buchanan'; 'Bob Rogerson'
Subject: RE: Kendall County Petition 18-20 Fox Metro Rezoning Request

To All:

Here is the link to the Staff Report regarding this rezoning request, https://www.co.kendall.il.us/wp-content/uploads/Petition_18-20.pdf.

ZPAC will meet on this request on June 5th at 9:00 a.m. in the County Board Room at 111 W. Fox Street in Yorkville.

If you have any questions, please let me know.

Thanks,

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

From: Matt Asselmeier
Sent: Wednesday, May 23, 2018 10:45 AM
To: Aaron Rybski; Andrews, Megan - NRCS-CD, Yorkville, IL; Brian Holdiman; David Guritz; Donald L. Clayton; Fran Klaas; 'Greg Chismark'; Jason Langston; Robert Davidson; Scott Koeppel; Bob Rogerson; Brian LeClerc; Captain Alec Keenum; Jim Detzler (daxmare@oswegotownship.com); Kenneth Holmstrom; Michele Stradel (michele@oswegotownship.com); Mike Veseling (mveseling@oswegofire.com); 'Jerad Chipman'; 'Debbie Buchanan'
Subject: Kendall County Petition 18-20 Fox Metro Rezoning Request

To All:

Attached please find a notice of meeting regarding a request from Fox Metro to rezone a portion of their property on Route 31.

Attachment 15, Page 3

As noted in the attached document, I will send you report on this request on or before May 29th.

If you have any questions, please let me know.

Thanks,

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

Matt Asselmeier

From: Alec Keenum [akeenum@oswegofire.com]
Sent: Thursday, May 31, 2018 12:32 PM
To: Matt Asselmeier
Subject: RE: Kendall County Petition 18-20 Fox Metro Rezoning Request

Matt,

The Oswego Fire Protection District has no comments concerning this rezoning request.

Regards,

Capt. Alec J Keenum
Fire Marshal
Oswego Fire Protection District



From: Matt Asselmeier [mailto:masselmeier@co.kendall.il.us]
Sent: Tuesday, May 29, 2018 9:37 AM
To: Brian LeClerc; Alec Keenum; Jim Detzler (daxmare@oswegotownship.com); Kenneth Holmstrom; Michele Stradel (michele@oswegotownship.com); Mike Veseling; Jerad Chipman; Debbie Buchanan; Bob Rogerson
Subject: RE: Kendall County Petition 18-20 Fox Metro Rezoning Request

To All:

Here is the link to the Staff Report regarding this rezoning request, https://www.co.kendall.il.us/wp-content/uploads/Petition_18-20.pdf.

ZPAC will meet on this request on June 5th at 9:00 a.m. in the County Board Room at 111 W. Fox Street in Yorkville.

If you have any questions, please let me know.

Thanks,

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

Attachment 16, Page 2

Yorkville, IL 60560-1498

PH: 630-553-4139

Fax: 630-553-4179

From: Matt Asselmeier

Sent: Wednesday, May 23, 2018 10:45 AM

To: Aaron Rybski; Andrews, Megan - NRCS-CD, Yorkville, IL; Brian Holdiman; David Guritz; Donald L. Clayton; Fran Klaas; 'Greg Chismark'; Jason Langston; Robert Davidson; Scott Koeppel; Bob Rogerson; Brian LeClerc; Captain Alec Keenum; Jim Detzler (daxmare@oswegotownship.com); Kenneth Holmstrom; Michele Stradel (michele@oswegotownship.com); Mike Veseling (mveseling@oswegofire.com); 'Jerad Chipman'; 'Debbie Buchanan'

Subject: Kendall County Petition 18-20 Fox Metro Rezoning Request

To All:

Attached please find a notice of meeting regarding a request from Fox Metro to rezone a portion of their property on Route 31.

As noted in the attached document, I will send you report on this request on or before May 29th.

If you have any questions, please let me know.

Thanks,

Matthew H. Asselmeier, AICP

Senior Planner

Kendall County Planning, Building & Zoning

111 West Fox Street

Yorkville, IL 60560-1498

PH: 630-553-4139

Fax: 630-553-4179

Attachment 17, Page 1

ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC) June 5, 2018 – Unapproved Meeting Minutes

Senior Planner Matt Asselmeier called the meeting to order at 9:05 a.m.

Present:

Aaron Rybski – Health Department
Fran Klaas – Highway Department
David Guritz – Forest Preserve (Arrived 9:07 a.m.)
Megan Andrews – Soil and Water Conservation District
Don Clayton – GIS
Deputy Commander Jason Langston – Sheriff's Department
Matt Asselmeier – PBZ Department

Absent:

Greg Chismark – WBK Engineering, LLC
Brian Holdiman – PBZ Department
Robert Davidson – PBZ Committee Chair

Audience:

Dan Caceres and Matt Woodin

AGENDA

Mr. Klaas made a motion, seconded by Mr. Rybski, to approve the agenda as proposed. With a voice vote of all ayes the motion carried.

MINUTES

Mr. Rybski made a motion, seconded by Mr. Langston, to approve the May 1, 2018, meeting minutes. With a voice vote of all ayes the motion carried.

Mr. Guritz arrived at this time (9:07 a.m.)

PETITIONS

Petition 18-16 Lawrence Slattery on Behalf of R.Y. Property Management, Corp. (Owner) and Jorge Ramirez a/k/a Rancho La Purisima (Prospective Buyer) – Special Use Permit for a Banquet Facility at 8218 Route 30 (PIN 02-03-200-001) in Bristol Township

Mr. Asselmeier summarized the request.

At the May 1st ZPAC meeting, the Committee voted to layover Petition 18-16 (Request by Lawrence Slattery on Behalf of R.Y. Management Corp. and Jorge Ramirez a/k/a Rancho La Purisima Corp for a banquet facility at 8218 Route 30 in Bristol Township). The reasons for the layover were:

1. Petitioner was to meet with an architect or engineer to determine occupancy loads for the barn.
2. Petitioner was to address the access issue with the Illinois Department of Transportation.
3. Petitioner was to provide the revised plat of survey or topographic survey showing a scale, north arrow, location map, name of the owner/developer, all existing structures on adjacent properties within 100' of the property line, and the present zoning classification and PINs for the subject property and all adjacent properties.
4. Petitioner was to provide the Findings of Fact for the special use request.

To date, the Petitioner has not provided specifics on the above items. However, the Petitioner's attorney indicated that he and his client were working on gathering the information.

Staff recommends that this petition be laid over until such time as the Petitioner resolves the access issues with IDOT, obtains the occupancy load from an architect or engineer, submits a revised plat of survey or topographic survey showing a scale, north arrow, location map, name of the owner/developer, all existing structures on adjacent properties within 100' of the property line, and the present zoning classification and PINs for the subject property and all adjacent properties, and provides the Findings of Fact for the special use request.

Attachment 17, Page 2

Mr. Klaas made a motion, seconded by Mr. Rybski, to layover Petition 18-16 to the next regularly scheduled ZPAC meeting after the Petitioner submits the following to the Planning, Building and Zoning Department:

1. Information from an architect or engineer determining occupancy loads for the barn.
2. Information that the access issue with the Illinois Department of Transportation has been resolved
3. A revised plat of survey or topographic survey showing a scale, north arrow, location map, name of the owner/developer, all existing structures on adjacent properties within 100' of the property line, and the present zoning classification and PINs for the subject property and all adjacent properties.
4. The Findings of Fact for the special use request.

Ayes (6): Andrews, Clayton, Klaas, Langston, Rybski, and Asselmeier
Nays (0): None
Abstain (1): Guritz
Absent (3): Chismark, Holdiman, and Davidson

The motion passed. This matter will go before ZPAC again after the Petitioner submits the requested information.

Petition 18-20 Fox Metro Water Reclamation District – Map Amendment Rezoning 682 Route 31 in Oswego Township (PINs 03-05-176-002, 03-05-302-001, 03-05-302-002, 03-05-302-003, 03-05-302-004, 03-05-353-001, 03-05-353-002, 03-05-353-003, 03-05-353-004, 03-05-353-006, 03-05-353-009, and 03-05-353-010) from R-1 with a Special Use Permit to M-1. Parcels 03-05-127-005 and 03-05-176-001 are already zoned M-1.

Mr. Asselmeier summarized the request.

The Fox Metro Water Reclamation District is considering improvements at their plant on Route 31. Rather than amending their special use permit, Fox Metro is requesting that the southern portion of the property, presently zoned R-1 with a special use permit for a sewage treatment facility, be rezoned to M-1. A wastewater treatment facility is a permitted use in the M-1 District and the rezoning would place the entire Fox Metro property in the same zoning classification. The northern portion of the property is already zoned M-1.

If the map amendment is approved, any improvement to the Fox Metro facility would still require site plan approval per Section 13 of the Kendall County Zoning Ordinance.

The Petitioner previously received special use permits to operate a sewage treatment facility onsite through the 1974 comprehensive County rezoning and Ordinances 2011-13 and 2011-35.

The existing use of the property as a wastewater treatment facility has occurred since the 1920s. The Petitioner has no desire to change the land use of the property. Even if the Petitioner did desire to change the land use of the property, a large amount of remediation and site work would be required to transform the property into a residential or other light manufacturing use.

The existing land use is Institutional. The future land use in the Land Resource Management Plan is Mixed Use Business. M-1 is a type of Mixed Use Business zoning classification.

An EcoCat is not required because the property is not zoned A-1.

The application to the Soil and Water Conservation District was submitted on May 21, 2018.

Information was sent to the Village of Montgomery on May 29, 2018. No comments have been received.

Information was sent to Oswego Township on May 29, 2018. No comments have been received.

The area around the subject property has a variety of agricultural, residential, and manufacturing related zoning classifications.

Staff has no concerns about the ability of Route 31 to handle the proposed map amendment.

Wetlands are located on the subject property. Any further development of the property would have to secure all applicable permits including stormwater permits.

Fox Metro is taking precautions to reduce odors.

Because the Future Land Use Map in the Land Resource Management Plan calls for the subject property to be Mixed Use Business and the M-1 zoning classification corresponds to the Mixed Use Business designation, Staff recommends approval of the proposed map amendment. If the map amendment is approved, the special use permits and R-1 related variances granted by Ordinances 2011-13 and 2011-35 would be repealed. Any additional R-1 related variances would also be repealed upon rezoning.

Mr. Guritz made a motion, seconded by Mr. Klaas, to recommend approval of the map amendment as requested.

Ayes (7): Andrews, Clayton, Klaas, Guritz, Langston, Rybski, and Asselmeier
Nays (0): None
Absent (3): Chismark, Holdiman, and Davidson

The motion passed unanimously. This matter will go before the Kendall County Regional Planning Commission on June 27th.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Mr. Asselmeier reported that Petition 18-05 regarding the Warpinski map amendment on Walker Road was approved by the County Board.

OLD BUSINESS/NEW BUSINESS

None

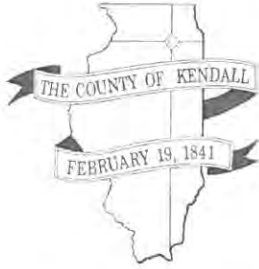
PUBLIC COMMENT

None

ADJOURNMENT

Mr. Guritz made a motion, seconded by Mr. Langston to adjourn. With a voice vote of all ayes, the motion carried. The ZPAC, at 9:17 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP
Senior Planner



DEPARTMENT OF PLANNING, BUILDING & ZONING

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MEMORANDUM

To: Kendall County Regional Planning Commission

From: Matthew H. Asselmeier, AICP, Senior Planner

Date: June 14, 2018

Re: Update on 17-28 Proposed Text Amendments to Sections 7.01.D.32, 7.01.D.33 and 10.03.B.4 of the Kendall County Zoning Ordinance Pertaining to Regulations of Outdoor Target Practice or Shooting Ranges (Not Including Private Shooting in Your Own Yard)

For the last several months, the Kendall County Planning, Building and Zoning Committee has been working on amendments to the outdoor shooting range regulations contained in the Kendall County Zoning Ordinance. At their meeting on June 11th, the Committee approved several amendments to Petition 17-28. This proposal is significantly different from the proposal that came before the Kendall County Regional Planning Commission in October 2017.

A redlined document showing proposed changes to the existing ordinance is attached to this memo. A draft version of the proposal in ordinance form is also attached. Sections III and IV of the proposed ordinance are the same; Section III deals with gun ranges on A-1 zoned property and Section IV deals with gun ranges on M-3 zoned property. In the redlined proposed change document, the references to "requirements of the proposal" can be found in Section III of the proposed ordinance.

If you have any questions prior to the meeting on this topic, please let me know.

Thanks,

MHA

ENCS

Outdoor Target Practice or Shooting (not including private shooting ~~in your own yard on your own property or shooting ranges located on property owned by the Kendall County Forest Preserve District or the State of Illinois used for State Parks~~) with the following conditions:

- a. Requires conformity with NRA standards; provide appropriate berming based on surrounding land use and type(s) of firearms to be used. Such as berming shall generally be consistent with standards established in the NRA Source Book. **(See requirements b, c, and d of the proposal)**
- b. ~~Requires minimum parcel size of 5 acres, depending on the venue. Must meet setbacks of the zoning district. (See requirement k of the proposal)~~
- c. Must have a sign that lists allowed firearm types **based on the special use permit**, rules of operation; hearing and vision protection required. **(See requirement f of the proposal)**
- d. ~~State recognized, nationally recognized or NRA Certified range supervisor~~ **At least one (1) designated qualified person** must be present **at all times when firing is taking place at for-profit outdoor target practice or shooting ranges. The qualified person shall be knowledgeable of the type of shooting being supervised, shall be approved by the owner of the range, and shall know and enforce all range rules. (See requirement g of the proposal)**
- e. **At least one (1) R**range flag flown, a sign, **cone**, or red light lit at all times that firing is taking place. **(See requirement h of the proposal)**
- f. Hours and days of operation as specified in the Special Use Permit to be determined by the County Board. **(Unchanged-see requirement i of the proposal)**
- g. Access must be controlled by a **gated entrance lockable gate**. **The range proper shall be gated and fenced in a manner so to prohibit entrance on the property by members of the public and shall have signs posted at one hundred foot (100') intervals warning members of the public of the danger. Berming may substitute for fencing. (See requirement j of the proposal)**
- h. Hazardous waste plan addressing lead management required. **(See requirement a of the proposal)**
- i. No discharge of lead shot into wetland. **(See requirement o of the proposal).**
- j. ~~Must be at least 1,000' from existing dwellings and property lines of schools, daycares, places of worship and airstrips.—Must meet setbacks of the zoning district. (See requirement k of the proposal)~~
- k. No alcohol allowed. **(Unchanged-see requirement l of the proposal)**
- l. No projectiles shall leave the boundaries of the site. **(Unchanged-see requirement m of the proposal)**
- m. All applicable Federal, State and **County local** rules and regulations shall be adhered to. **(See requirement o of the proposal)**
- n. Must meet all requirements of the Kendall County Health Department. **(See requirement o of the proposal)**

o. Water and drainage plans must be approved by the Kendall County Planning, Building and Zoning Office. **(See requirement a of the proposal)**

p. Signage is permitted but must meet the Sign Ordinance regulations of Section 12 of the Zoning Ordinance. **(See requirement o of the proposal)**

q. Lighting shall meet the standards of Section 11.02.F.12.d of the Zoning Ordinance. **(See requirement o of the proposal)**

r. Must adhere to the Performance standards of Section 10.01.F of the Zoning Ordinance **(Unchanged-see requirement p of the proposal)**

New regulations:

1. Safety area and range must be under the control of the operator of the range. **(Requirement e)**
2. Insurance requirement added. **(Requirement n)**
3. Noise requirement added; no distinction between day and night. **(Requirement q)**
4. New ordinance does not apply to existing ranges. **(Requirements r and s)**
5. New ranges open to the public are governed by this ordinance **(Requirements r and s)**
6. Easement provision contained in previous proposals was removed.

ORDINANCE # 2018-_____

TEXT AMENDMENT TO SECTIONS 7.01.D.32, 7.01.D.33 AND 10.03.B.4 OF THE KENDALL COUNTY ZONING ORDINANCE PERTAINING REGULATIONS OF OUTDOOR COMMERCIAL SPORTING ACTIVITIES AND OUTDOOR TARGET PRACTICE OR SHOOTING RANGES (NOT INCLUDING PRIVATE SHOOTING IN YOUR OWN YARD)

WHEREAS, the Kendall County Planning Building and Zoning Committee requested a text amendment to Sections 7.01.D.32, 7.01.D.33 and 10.03.B.4 of the Kendall County Zoning Ordinance related to regulations of outdoor commercial sporting activities and outdoor target practice or shooting ranges (not including private shooting in your own yard) in the A-1 Agricultural District and M-3 Earth Materials Extraction, Processing and Site Reclamation District; and

WHEREAS, 55 ILCS 5/5-12001 grants Kendall County the authority to regulate and restrict the location and use of structures and uses for the purpose of promoting the public health, safety, morals, comfort and general welfare throughout the unincorporated areas of the County; and

WHEREAS, gun clubs were a permitted use in the A-1 Agricultural District under the Kendall County Zoning Ordinance adopted January 16, 1940; and

WHEREAS, gun clubs were reclassified as a special use in the A-1 Agricultural District under the Kendall County Zoning Ordinances adopted in 1959 and July 9, 1974; and

WHEREAS, outdoor shooting ranges were classified as a similar use to gun clubs per the hearing of the Kendall County Zoning Board of Appeals on September 30, 1982 and were included as a special use in the A-1 Agricultural District by Ordinance 82-11 adopted November 9, 1982; and

WHEREAS, the restrictions governing target practice or shooting (not including private shooting in your own yard) in the A-1 Agricultural District and M-3 Earth Materials Extraction, Processing and Site Reclamation District were established through Ordinance 2013-14 adopted July 16, 2013; and

WHEREAS, the Kendall County Board amends this ordinance from time to time in the public interest; and

WHEREAS, all administrative procedures required prior to passing text amendments to the Kendall County Zoning Ordinance have been followed, including holding a public hearing, before the Kendall County Zoning Board of Appeals, which occurred on **Month Day, 2018**; and

NOW, THEREFORE, BE IT ORDAINED, the Kendall County Board hereby amends Sections 7.01.D.32, 7.01.D.33 and 10.03.B.4 of the Kendall County Zoning Ordinance as provided:

- I. Recitals: The recitals set forth above are incorporated as if fully set forth herein.
- II. Amended Text: The existing language of Section 7.01.D.32 is hereby deleted and replaced with the following:

“7.01.D.32 Outdoor Commercial Sporting Activities including but not limited to swimming facilities and motocross sports. Appropriate regulations for lighting noise and hours of operation shall be included in the conditions. Outdoor commercial sporting activities shall exclude outdoor target practice (such exclusion extends to shooting ranges located on property owned by the Kendall County Forest Preserve District or the State of Illinois used for State parks), athletic fields with lights, paintball facilities and riding stables, including but not limited to polo clubs, and similar uses.”

- III. Amended Text: The existing language of Section 7.01.D.33 is hereby deleted and replaced with the following:

“7.01.D.33 Outdoor Target Practice or Shooting (but not including private shooting on your own property or shooting ranges located on property owned by the Kendall County Forest Preserve District or the State of Illinois used for State parks) with the following conditions:

- a. At the time of application for a special use permit, petitioners desiring to operate an outdoor target practice or shooting ranges shall submit copies of all of the studies and plans suggested in the National Rifle Association’s Source Book including, but not limited to, a safety plan, a business plan, a public relations plan, a maintenance plan, a noise plan, an environmental stewardship plan, and a closure plan.
 - 1. The above referenced plans shall contain information as suggested by the National Rifle Association.
 - 2. Included in the above documents, the petitioner shall submit a detailed written narrative describing the proposed use. This narrative shall, at minimum, describe the type of range (i.e. public, private, or government), the type(s) of firearms and targets expected to be used and the proposed days and hours of operation.
 - 3. The safety plan shall describe the duties and qualifications of range supervisor(s).

4. In at least one (1) of the required studies or plans, a hazardous waste plan addressing lead management shall be included. The lead management plan shall conform to either the requirement of the National Rifle Association's standards, the National Shooting Sports Foundation's standards, or the United States Environmental Protection Agency's best management practices standards.
 5. In addition to the above requirements, the petitioner shall submit a water and drainage plan; this plan must be approved by the Kendall County Planning, Building and Zoning Office.
 6. Any changes to the above required studies and plans shall be promptly forwarded to the Kendall County Planning, Building and Zoning Department.
- b. Range layout requires conformity with National Rifle Association standards with regard to layout and dimensions. The petitioner shall submit a site capacity with a calculation and a detailed site plan showing the layout and design of the proposed shooting range, including all required setbacks and landscaping and the existing and proposed structures, their floor areas and impervious surfaces. The scale of the site plan shall be no greater than one inch equals one hundred feet (1"=100'). A licensed engineer or land surveyor shall prepare the documents.
 - c. The site plan for the proposed outdoor target practice or shooting range must show either sufficient berm height with sufficient downrange safety area or baffling that prevents projectiles from leaving the site.
 1. The safety area shall conform to National Rifle Association's standards for the shape and width. The safety area shall have signs posted at intervals stated in the special use permit warning of the potential danger from stray bullets.
 2. For the purposes of this regulation, the term "downrange safety area" shall mean the area away from the launching site towards the target. In cases of shooting ranges where targets are not stationary, appropriate baffling shall be provided.
 - d. Public ranges designed for the use of handguns and rifles shall provide berms at least twenty feet (20') high and six feet (6') thick at the top for ranges three hundred feet (300') in length, made of soft earth or other material that is unlikely to cause ricochets, and containing no large rocks. For every thirty feet (30') of firing line distance over twenty feet (20'), the berm height shall increase by ten feet (10') in height as an example. Berms shall be located as follows:
 1. Shotgun ranges – No berming required.
 2. Ranges for handguns and rifles
 - a. Target placement not to exceed twenty feet (20') from the backstop.

- b. Lateral not closer than thirty feet (30') from the firing line.
- 3. All required berms shall be constructed prior to the commencement of operations and shall be maintained for the duration of the special use permit.
- 4. In addition to berms, appropriate baffling may be installed over the firing line creating a "no blue sky" to prevent projectiles from overshooting the berm.
- e. The range, including the safety area, must be under the control of the operator of the range, by ownership or lease.
- f. The outdoor target practice or shooting range must have a sign that lists allowed firearm types based on the special use permit, rules of operation; hearing and vision protection required.
- g. At least one (1) designated qualified person must be present at all times when firing is taking place at for-profit outdoor target practice or shooting ranges. The qualified person shall be knowledgeable of the type of shooting being supervised, shall be approved by the owner of the range, and shall know and enforce all range rules.
- h. At least one (1) range flag flown, a sign, cone, or red light lit at all times that firing is taking place.
- i. Hours and days of operation shall be specified in the special use permit and determined by the County Board.
- j. Access must be controlled by a gated entrance. The range proper shall be gated and fenced in a manner so to prohibit entrance on the property by members of the public and shall have signs posted at one hundred foot (100') intervals warning members of the public of the danger. Berming may substitute for fencing.
- k. Must meet existing setbacks of the zoning district.
- l. No alcohol allowed.
- m. No projectiles shall leave the boundaries of the site.
- n. The outdoor target practice or shooting range allowed by this special use permit shall provide the Kendall County Planning, Building and Zoning Department proof of accident and liability insurance prior to the commencement of operations; the insurance amount shall be at a level

standard and customary for an outdoor target practice or shooting range. The insurance policy must be purchased from an A+ rated insurance company. An insurance policy meeting the above requirements must be maintained during the duration of the special use permit.

- o. All applicable Federal, State and local rules and regulations shall be adhered to.
- p. Must adhere to the Performance standards of Section 10.01.F of the Zoning Ordinance (Not more than sixty percent (60%) of the area of the lot may be covered by buildings or structures, including accessory buildings).
- q. No person shall cause or allow the emission of sound from any noise source to any receiving residential land which exceeds sixty-five (65) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the residential property line of the complainant.
- r. Outdoor target practice and public or private shooting ranges in existence prior to the date of the adoption of this ordinance (**insert date**) shall be exempt from this sub-section of the Zoning Ordinance, but they shall follow the restrictions on their respective special use permits.
- s. Outdoor target practice and shooting ranges open to the public established after the date of the adoption of this ordinance (**insert date**) must comply with the above regulations or secure applicable variance(s).”

IV. Amended Text: The existing language of Section 10.03.B.4 is hereby deleted and replaced with the following:

“10.03.B.4 Outdoor Target Practice or Shooting (not including private shooting on your own property and shooting ranges located on property owned by the Kendall County Forest Preserve District or the State of Illinois used for State parks) with the following conditions:

- a. At the time of application for a special use permit, petitioners desiring to operate an outdoor target practice or shooting ranges shall submit copies of all of the studies and plans suggested in the National Rifle Association’s Source Book including, but not limited to, a safety plan, a business plan, a public relations plan, a maintenance plan, a noise plan, an environmental stewardship plan, and a closure plan.
 - 1. The above referenced plans shall contain information as suggested by the National Rifle Association.

2. Included in the above documents, the petitioner shall submit a detailed written narrative describing the proposed use. This narrative shall, at minimum, describe the type of range (i.e. public, private, or government), the type(s) of firearms and targets expected to be used and the proposed days and hours of operation.
 3. The safety plan shall describe the duties and qualifications of range supervisor(s).
 4. In at least one (1) of the required studies or plans, a hazardous waste plan addressing lead management shall be included. The lead management plan shall conform to either the requirement of the National Rifle Association's standards, the National Shooting Sports Foundation's standards, or the United States Environmental Protection Agency's best management practices standards.
 5. In addition to the above requirements, the petitioner shall submit a water and drainage plan; this plan must be approved by the Kendall County Planning, Building and Zoning Office.
 6. Any changes to the above required studies and plans shall be promptly forwarded to the Kendall County Planning, Building and Zoning Department.
- b. Range layout requires conformity with National Rifle Association standards with regard to layout and dimensions. The petitioner shall submit a site capacity with a calculation and a detailed site plan showing the layout and design of the proposed shooting range, including all required setbacks and landscaping and the existing and proposed structures, their floor areas and impervious surfaces. The scale of the site plan shall be no greater than one inch equals one hundred feet (1"=100'). A licensed engineer or land surveyor shall prepare the documents.
- c. The site plan for the proposed outdoor target practice or shooting range must show either sufficient berm height with sufficient downrange safety area or baffling that prevents projectiles from leaving the site.
1. The safety area shall conform to National Rifle Association's standards for the shape and width. The safety area shall have signs posted at intervals stated in the special use permit warning of the potential danger from stray bullets.
 2. For the purposes of this regulation, the term "downrange safety area" shall mean the area away from the launching site towards the target. In cases of shooting ranges where targets are not stationary, appropriate baffling shall be provided.
- d. Public ranges designed for the use of handguns and rifles shall provide berms at least twenty feet (20') high and six feet (6') thick at the top for ranges three hundred feet (300') in length, made of soft earth or other material that is

unlikely to cause ricochets, and containing no large rocks. For every thirty feet (30') of firing line distance over twenty feet (20'), the berm height shall increase by ten feet (10') in height as an example. Berms shall be located as follows:

1. Shotgun ranges – No berming required.
 2. Ranges for handguns and rifles
 - a. Target placement not to exceed twenty feet (20') from the backstop.
 - b. Lateral not closer than thirty feet (30') from the firing line.
 3. All required berms shall be constructed prior to the commencement of operations and shall be maintained for the duration of the special use permit.
 4. In addition to berms, appropriate baffling may be installed over the firing line creating a “no blue sky” to prevent projectiles from overshooting the berm.
- e. The range, including the safety area, must be under the control of the operator of the range, by ownership or lease.
- f. The outdoor target practice or shooting range must have a sign that lists allowed firearm types based on the special use permit, rules of operation; hearing and vision protection required.
- g. At least one (1) designated qualified person must be present at all times when firing is taking place at for-profit outdoor target practice or shooting ranges. The qualified person shall be knowledgeable of the type of shooting being supervised, shall be approved by the owner of the range, and shall know and enforce all range rules.
- h. At least one (1) range flag flown, a sign, cone, or red light lit at all times that firing is taking place.
- i. Hours and days of operation shall be specified in the special use permit and determined by the County Board.
- j. Access must be controlled by a gated entrance. The range proper shall be gated and fenced in a manner so to prohibit entrance on the property by members of the public and shall have signs posted at one hundred foot (100') intervals warning members of the public of the danger. Berming may substitute for fencing.
- k. Must meet existing setbacks of the zoning district.
- l. No alcohol allowed.

- m. No projectiles shall leave the boundaries of the site.
- n. The outdoor target practice or shooting range allowed by this special use permit shall provide the Kendall County Planning, Building and Zoning Department proof of accident and liability insurance prior to the commencement of operations; the insurance amount shall be at a level standard and customary for an outdoor target practice or shooting range. The insurance policy must be purchased from an A+ rated insurance company. An insurance policy meeting the above requirements must be maintained during the duration of the special use permit.
- o. All applicable Federal, State and local rules and regulations shall be adhered to.
- p. Must adhere to the Performance standards of Section 10.01.F of the Zoning Ordinance (Not more than sixty percent (60%) of the area of the lot may be covered by buildings or structures, including accessory buildings).
- q. No person shall cause or allow the emission of sound from any noise source to any receiving residential land which exceeds sixty-five (65) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the residential property line of the complainant.
- r. Outdoor target practice and public or private shooting ranges in existence prior to the date of the adoption of this ordinance **(insert date)** shall be exempt from this sub-section of the Zoning Ordinance, but they shall follow the restrictions on their respective special use permits.
- s. Outdoor target practice and shooting ranges open to the public established after the date of the adoption of this ordinance **(insert date)** must comply with the above regulations or secure applicable variance(s).”

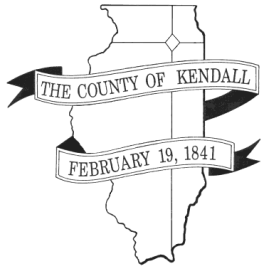
V. Any completed application submitted prior to the date of the adoption of this ordinance shall follow the application procedures, requirements and restrictions in effect on the date that the completed application was submitted.

IN WITNESS OF, this amendment to the Kendall County Zoning Ordinance has been enacted by a majority vote of the Kendall County Board this **XXth day of Month, 2018.**

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder



DEPARTMENT OF PLANNING, BUILDING & ZONING

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MEMORANDUM

To: Kendall County Regional Planning Commission
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: June 18, 2018
Re: 18-07 Proposed Text Amendment to Section 13.08 by Adding Sub-Section R Pertaining to Special Use Permit
Renewal Procedures

Based on the comments received at the May and June Planning, Building and Zoning Committee meeting, Staff revised the proposal for renewing, amending, and revoking special use permits. A copy of the proposal is attached. At the June meeting of the Planning, Building and Zoning Committee, the Committee voted to send the proposal back to the Kendall County Regional Planning Commission.

In the proposal, Staff removed the distinction between special use permit holders in violation of the conditions of their special use permit and special use permit holders not in violation of the conditions of their special use permit. Any special use permit requiring renewal would be required to follow the same procedure of renewal, amendment, or revocation. In the proposal, the County Board could initiate amendments to or revocations of special use permits requiring renewal by majority vote of the County Board and for any reason.

For clarification purposes, Staff also proposed changes to Section 13.08.F to address revocation of special use permits that do not have renewal or review procedures stated in their adoption ordinance. Staff proposed removing the establishment and use time requirements currently in the ordinance and allow the County Board to revoke a special use permit by a majority vote of the County Board for any reason.

Also for clarification purposes, Staff proposed changes to Section 13.08.M to address amendments to special use permits that do not have renewal or review procedures stated in their adoption ordinance. Under the proposal, the County Board could initiate amendments by a majority vote for any reason. The amendment procedure followed the same procedure as amendments to special use permits that possess renewal or review provisions.

Staff informed the Planning, Building and Zoning Committee, at both the May and June meetings, of the concerns of the Kendall County Regional Planning Commission. In particular, Staff noted that the Kendall County Regional Planning Commission believed that amendments and revocations should only occur after a special use permit holder had been found guilty in court and such revocations and amendments should occur by super-majority votes of the County Board. The Kendall County Regional Planning Commission also expressed concerns about the investments that special use permit holders made in their property and business that could be lost if a special use permit was revoked. The Planning, Building and Zoning Committee was also informed of the Kendall County Regional Planning Commission's concerns about holding property and special use permit holders accountable for violations of previous property and/or special use permit holders. The Planning, Building and Zoning Committee did not share the concerns of the Kendall Regional Planning Commission on these matters and they (the Planning, Building and Zoning Committee) believe the County Board should have the ability to amend and/or revoke special use permits as outlined in the proposal.

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

Thanks,

MHA

ENC: Proposed Revised Procedures

Renewal of Special Use Permits Procedures (5/14/18)

Everything in 13.08 R is added to the Ordinance

13.08.R. Special Use Renewal Procedures

1. **All special use permits requiring renewal shall automatically be renewed for the same duration as listed in the special use permit currently in effect unless the Kendall County Board requests one or more amendments to or revocation of the special use permit using the procedure outlined in Section 13.08.R.2.**
2. **If the Kendall County Board requests one or more amendments to or the revocation of a special use permit requiring renewal, the following process shall occur:**
 - a. **Prior to initiating the amendment or revocation, the Kendall County Board shall direct the Planning, Building and Zoning Department to notify the property owner and owner of the special use permit by registered letter that changes to or revocation of their special use permit are under consideration. The letter shall state specific changes proposed by the Kendall County Board. The letter shall be sent not earlier than six (6) months or less than two (2) months prior to the renewal period stated in the special use permit or within six (6) months after all judicial appeals of the guilty verdict have been exhausted. The guilty verdict shall run with property and not the owner of the special use permit.**
 - b. **After sending the required letter, the Kendall County Board may approve initiating amendment(s) to or revocation of a special use permit by a favorable vote of a majority of the members of the Kendall County Board.**
 - c. **The proposed amendments shall follow the procedure outlined in Section 13.08.C (Processing of Special Use Permit Applications) regardless of the size or nature of the proposed amendment(s) to or revocation of the special use permit.**
 - d. **The Kendall County Board shall be responsible for paying all fees associated with the notification and holding of hearings.**
 - e. **After the completion of the procedure outlined in Section 13.08.R.2.c, the Kendall County Board may approve amendments to or revocation of special use permits by favorable vote of a majority of the Kendall County Board.**
 - f. **Within five (5) calendar days of approval of amendments to or revocation of a special use permit, the Kendall County Planning, Building and Zoning**

Department shall notify the property owner and owner of the special use permit by registered mail of the changes or revocation to the special use permit.

- g. Amendments approved by the Kendall County Board shall become effective thirty-five (35) calendar days after approval by the Kendall County Board. During the time period between the approval of the amendments and the amendments becoming effective, the conditions of the special use permit previously in effect shall remain in place.
 - h. Revocations approved by the Kendall County Board shall become effective thirty-five (35) calendar days after approval by the Kendall County Board. During the time period between the approval of the revocation and the revocation becoming effective, the conditions of the special use permit previously in effect shall remain in place.
 - i. If a proposed amendment or revocation fails to receive the required votes, the existing special use permit shall be automatically renewed for the same duration as listed in the special use permit currently in effect.
 - j. If a special use permit is revoked under the provisions of this Sub-Section, the Zoning Administrator shall cause the Official Zoning Map of Kendall County to be amended to reflect the revocation.
 - k. At least one (1) year shall lapse between the effective date of the revocation and the application for a new special use permit for the same or similar use at the same property.
 - l. Nothing in this Sub-Section shall be construed to prevent a property owner or special use permit holder from applying for minor and major amendments to special use permits as outlined in Section 13 of the Kendall County Zoning Ordinance.
3. Section 13.08.R shall apply to any special use permit issued after the date of the adoption of this amendment. INSERT DATE requiring renewal. Any special use permit issued prior to this date that requires renewal may follow the provisions of this Sub-Section if the owner(s) of the special use permit sign a notarized affidavit agreeing to the provisions of this Sub-Section.

Amendment or Revocation of Special Use Permits Without Renewal Periods

Amendment to Section 13.08.F

Red is Proposed

REVOCAION. ~~In any case where a special use has not been established within two (2) years from the date of granting thereof, then, the County Board may revoke the special use, or if the special use has been discontinued for a continuous period of two (2) years, the County Board may revoke the special use.~~ **The Kendall County Board may initiate revocation of a special use permit following a simple majority vote of the County Board. The Kendall County Board shall be responsible for paying all fees associated with the notification and holding of hearings.** If a revocation is proposed, the Zoning Board of Appeals shall hold a public hearing (following procedures outlined in Section 13.08 H below) and submit to the County Board a report of their findings and recommendations. The current property owner shall be provided notice **by registered letter** at least 15 days in advance of the hearing. *(Amended 3.21.18)*

If the special use permit holder wishes to discontinue the special use, he or she may request revocation of said special use, no matter the duration of time that the special use has been discontinued. The owner shall submit to the PBZ Department, in writing, a request to the County Board to revoke said special use. Such a request shall be signed by the owner. No public hearing shall be required for an owner initiated revocation. Said revocation shall be discussed by the PBZ Committee for review and recommendation to the County Board. A revocation shall not become effective unless approved by the County Board.

Amendment to Section 13.08.M

AMENDMENTS TO APPROVED SPECIAL USES. Unless amended, a special use shall be constructed/established in accordance with the terms and conditions as stated in the approving ordinance and any controlling site plans attached to or referenced in the ordinance which granted the special use (if applicable). Modifications of the terms and conditions specified in the approving ordinance granting the special use or changes to any controlling site plans attached to or referenced in the ordinance which granted the special use (if applicable) shall require the processing and approval of either a minor or major change to a Special Use.

Amendment of Special Uses under this paragraph shall apply to all existing, valid Special Uses issued prior to the date of the amendment of this ordinance as well as any future Special Uses granted under this ordinance. *(Amended 9.15.2009)*

The Kendall County Board may initiate amendments by a simple majority vote of the members of the Kendall County Board to approved special use permits after notifying the property owner and owner of the special use permit by registered letter that change(s) to their special use permit are under consideration. The letter shall state specific changes proposed by the Kendall County Board. The proposed amendment(s) shall be treated as

major amendments regardless of the size or nature of the proposed amendments and shall follow review the procedure outlined in Section 13.08.O. The Kendall County Board shall be responsible for paying all fees associated with the notification and holding of hearings. After the completion of the procedure outlined in Section 13.08.O, the Kendall County Board may approve amendments to or special use permits by favorable vote of a majority of the Kendall County Board. Within five (5) calendar days of approval of amendments to a special use permit initiated by the Kendall County Board, the Kendall County Planning, Building and Zoning Department shall notify the property owner and owner of the special use permit by registered mail of the change(s) to the special use permit. The amendments shall become effective thirty-five (35) calendar days after approval by the Kendall County Board. During the time period between the approval of the amendments and the amendments becoming effective, the conditions of the special use permit previously in effect shall remain in place. Nothing in this Sub-Section shall be construed to prevent a property owner or special use permit holder from applying for minor and major amendments to special use permits as outlined in Section 13 of the Kendall County Zoning Ordinance.

13.08.O. MAJOR AMENDMENTS: A change to a special use that alters the intent or substantially violates the terms of compliance as specified in the approving ordinance granting the Special Use and which is not otherwise defined above as a minor amendment shall constitute a major amendment to a Special Use. Major Amendments shall be processed in accordance with the provisions of 13.08.C (Processing of Special Uses) of this ordinance. Notice that a major change is being sought shall be provided by the applicant in the manner provided for in 55 ILCS 5/5-12009.5 and additional requirements as specified in the By-Laws of the Zoning Board of Appeals (ZBA). *(Amended 9.15.2009)*