

Kane County Regional Planning Commission

Glenn Morgenroth, Chair
Sue Harney, Vice Chair
Steve Arnold
Ellen Weiten
Mahender Vasandani
David Stone
Joseph Slawek
Ian Lamp
Steve Persinger



County Government Center
Geneva, Illinois 60134

Chris Lauzen, Ex-Officio
Joe White, Ex-Officio
Kurt Kojzarek, Ex-Officio
Hal Bowen, Ex-Officio

Phone: (630) 232-3480
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REGULAR MEETING

Wednesday, May 13, 2015
7:00 p.m.

**Auditorium
(1st Floor)**

Government Center, Building A
719 S. Batavia Ave.
Geneva, IL

AGENDA (Revised)

1. Call Meeting to Order
2. Roll Call
3. Approval of Minutes: November 12, 2014
4. Public Comments
5. Amendment to Intergovernmental Agreement for Rte. 25 Sub-Area Plan
6. Adjournment

**Minutes of the
Kane County Regional Planning Commission Meeting**

**Kane County Government Center
719 S. Batavia Avenue, Building A
Auditorium, 7:00 p.m.
Geneva, Illinois 60134**

November 12, 2014

The Kane County Regional Planning Commission held a meeting on Wednesday, November 12, 2014, at 7:00 p.m., in the Kane County Government Center Building A Fourth Floor Conference Room.

Regional Planning Commissioners in attendance: Chairman Morgenroth, Commissioners Arnold, Weiten, Stone, Lamp Absent: Harney, Vasandani, Persinger, Slawek. Staff present: Development and Community Services Dir. VanKerkhoff; Planners Hill, Miller, Tansley, Hanlon Health Department Staff: Forbes

1. Call Meeting to Order

Chairman Morgenroth called the meeting to order at 7:05 p.m.

2. Roll Call

The roll was called and a quorum was established with five (5) voting members.

3. Approval of Minutes: May 14, 2013

Minutes were approved on motion by Arnold, seconded by Lamp. Motion carried unanimously by voice vote.

5. Review of the Bean Property Land Use Change

Chairman Morgenroth turned the floor over to Dir. VanKerkhoff to introduce the land use change case. Dir. VanKerkhoff introduced the Bean family members in attendance. He directed the Commissioners' attention to the land use map on the wall and explained that the RPC is tasked with reviewing cases in regard to land use changes. Dir. VanKerkhoff explained that the owner and developer of the property will eventually be seeking a rezoning of the land, but changing the land use is a preliminary step. The recommendation of the RPC will be submitted to the County Board. Dir. VanKerkhoff explained that this case does have some interesting aspects because of its location. Dir. VanKerkhoff then turned the floor over to Planner Hanlon. Planner Hanlon started his presentation off with some context regarding the parcel in question. He explained that the purpose of the meeting was to change the land use from Agriculture to Countryside / Estate Residential. He provided an overview of the Kane County 2040 Future Land Use Map that illustrated the surrounding land uses. Planner Hanlon explained that the parcel was approximately 5 acres in size. Planner Hanlon then discussed the surrounding zoning. To the north of the parcel in question is F2-District zoning—

this land includes the Bean Farm Landscape Supply business. There is Special Use zoning to the northwest, F1-District to the northeast F-District to the west and incorporated Hampshire to the south and the east. Planner Hanlon next directed the meeting attendees to a map that showed how the 5-acre parcel in question related to the other parcels owned by the Bean family. Hanlon pointed out that altogether, the Bean family owns 3 contiguous parcels comprising 36 acres. Hanlon then emphasized the fact that the parcel is located in the Critical Growth Area. He explained that the County strives to implement smart growth principles in this area. Planner Hanlon then transitioned to the Staff Review section of the presentation. He led off by reviewing the proposal through the lens of the 2040 Plan. He explained that there were six chapters that were especially pertinent in the review of this proposal. The six chapters that were especially pertinent were Land Use and Built Environment, Mobility and Connectivity, Community Health, Agriculture: Food and Farm and Open Space and Green Infrastructure. Hanlon summarized each of these chapters and explained what would be important to keep in mind as the commissioners reviewed the land use change case. Planner Hanlon then transitioned to reviewing the proposal in relation to the Green Infrastructure Plan. He explained that there was green infrastructure on the parcel due to a nearby drainage ditch and some remnant oak woodlands. When a 200 foot buffer was applied to each of these resource areas, the green infrastructure encroached within the parcel boundaries. Planner Hanlon then explained that the Planning Division solicited input from the Water Resources Division and the Kane County Division of Transportation (KDOT). He explained that the Water Resources Division found no major water or drainage issues with the project. There are no hydric soils, wetlands or floodplains on the parcel. Hanlon explained that KDOT had no objections to the land use change. He explained that KDOT was well aware of the nearby large-scale development plans. Hanlon explained that Kane County entered into an intergovernmental agreement with the Village of Hampshire in 2006. This agreement identified access points along Big Timber road, and according to this agreement, a residence on the parcel in question would be allowed to have an access point. Planner Hanlon then explained that he had been in communication with the Village of Hampshire. According to Hampshire's Future Land Use Plan, this parcel is located in the Large-lot Residential Area. Planner Hanlon then also explained that the Village made him aware of two large development plans that are in proximity to the site in question. The first of these residential development proposals is called Hampshire Grove. This project is located directly north of the parcel in question. Hanlon explained that this proposal is for 850 housing units. Hanlon explained that this project has not been approved by the Village, but it is an active project. Hanlon then directed the attention of the Commissioners to a concept map showing the layout of this proposed development. Hanlon explained that the other large scale development project of interest in the area is called Prairie Ridge. This development has been approved by the Village. This plan is for over 1,300 single family homes and 500 multi-family homes. Hanlon reiterated that this is an approved plan, but he wasn't able to comment on how active the project is at this point. Hanlon then identified certain aspects of the plan on a map of the concept plan. Hanlon explained that both of these development plans include commercial space. Planner Hanlon then moved on to the staff recommendation for the proposal. Hanlon explained that the Planning Division is recommending approval of the land use change. Hanlon pointed out that this land use change would be consistent with the long range vision of the Village of Hampshire. He stated that the density of this parcel could serve as a buffer between the developing lands to the southeast of the parcel to the remaining rural lands northwest. Hanlon said that the planners also wanted to recommend that the owner and the developer of this parcel communicate with the Village of Hampshire and the developers of Prairie Ridge and Hampshire Grove as there may be inconsistencies with the ordinances of the unincorporated and the incorporated areas of the county. These inconsistencies could potentially lead to incompatibilities between uses. With that, Planner Hanlon turned the floor over to the commissioners for discussion.

Mr. John Thornhill, who is the developer of the land, took the floor and pointed out that the Bean farm property has been in the Bean family for over 100 years. Mr. Thornhill said that Mr. George Bean has a buyer in mind, and it would be up to the eventual developer to communicate with the Village of Hampshire and the developers of the adjacent housing developments to ensure the proper access points and setbacks are discussed. Discussion ensued regarding public utilities in the area and the reason why this land has not been annexed by the Village of Hampshire.

Chairman Morgenroth, asked for some clarification regarding the effect this land use change would have on the Green Infrastructure Plan. Planner Hanlon explained that there was designated green infrastructure that encroached onto the parcel due to remnant oak woodlands to the north of the site and a drainage ditch to the south and east of the site. However, Kane County Water Resources didn't have any issues with the land use change and Hanlon mentioned the planners did not include it as part of the recommendation.

The Commissioners briefly discussed the fact that they don't have any concerns with the property. Hanlon called role and the motion to approve the land use change carried unanimously.

Dir. VanKerkhoff, clarified that now a petition will be filed for rezoning and this recommendation will support a land use change. VanKerkhoff explained that this will still need to go through the rezoning process. Dir. VanKerkhoff explained that a rezoning case usually takes three to four months. Chairman Morgenroth then addressed Mr. John Thornhill and Mr. George Bean. He explained that typically the County tries to prevent the premature conversion of F-District Farming land to other uses, but in this case, there seems to be a lot of common sense that says it is appropriate to be rezoned.

Chairman Morgenroth then called the next order of business, which was the Village of Carpentersville's Health Impact Assessment. Dir. VanKerkhoff explained that Matt Tansley was the lead on this project from the Planning Division, but also pointed out that Jackie Forbes—from the Health Department—was in attendance and she is the one who is bringing a lot of expertise to the project. Dir. VanKerkhoff explained that she was involved in leading the recent Stakeholder Engagement Meeting that took place in Carpentersville. Planner Tansley explained that this project was initiated by the Kane County Planning Cooperative (KCPC). The KCPC won a Local Technical Assistance Grant from CMAP, which is making this project possible. Once the KCPC was awarded this grant, it put out an RFP to all Kane municipalities, and Carpentersville was the one that was chosen.

Planner Tansley explained that this project is focused on improving an intersection in the Old Town part of Carpentersville. This intersection in question is Washington St. and Main St. Tansley also pointed out that the Fox River Trail runs in proximity to the intersection and this makes pedestrian safety an issue. Tansley then directed the Commissioners attention to the screen where he displayed multiple pictures of the site. Planner Tansley then gave a recap of the Stakeholder Engagement Meeting. He explained the parts that go into conducting an HIA. Planner Tansley then explained the next steps in the process. He mentioned that a Steering Committee meeting is the next step. He explained that honing in on exactly what they'll be analyzing will be a topic for discussion. He explained that right now they're leaning towards comparing the health impacts of a signalized intersection and a roundabout. Dir. VanKerkhoff explained that the next steps will involve research. Dir. VanKerkhoff explained that the first HIA the County conducted was a mega project. He explained that it is important to try to condense this process down, so it can be matched up nicely with the municipal decision making process.

Commissioner Stone wanted to clarify that the major variables to be discussed were air quality and public safety. Health Department Planner Forbes explained that these may be the only two. Commissioner Stone explained that there is a lot of literature already on those topics, so it should make the process easier. Commissioner Stone suggested the planning team look into literature regarding traffic circles with differing yield patterns. Stone pointed out that there are a lot of newer style traffic circles. Planner Stone explained that electronic signage could also play a role in managing traffic at different times of day.

Chairman Morgenroth then announced the next order of business—the Chicago Metro Exports and the Chicago Metro Metals Consortium. Planner Hanlon explained that this is two separate initiatives. However they are similar because they are both unprecedented and they include many of the same team members. Planner Hanlon began with explaining the Metro Chicago Exports initiatives. He explained that the project has nearly \$750,000 in funding, including funding support from JP Morgan Chase and the Chicago Metropolitan Agency for Planning. Planner Hanlon explained that the main goal of the initiative is to facilitate the process of exporting. He explained that this is imperative for successful businesses because 83 percent of worldwide economic growth is happening outside of the United States. Hanlon explained that the Metro Chicago Exports working group has been working on assembling an advisory committee and Commissioner Slawek's son, Luke, is going to be on this Committee. Commissioner Stone asked what the Planning Division's interest is in the project. Dir. VanKerkhoff explained that the County does not have an Economic Development Division, so by default the Planning Division is handling many of these initiatives. Commissioner Stone mentioned that maybe this initiative should look at sourcing and distribution channels as a whole, instead of just exporting the end product. Perhaps we should zoom out the scope of the initiative. Dir. VanKerkhoff expressed that this is a great point.

Planner Hanlon then explained the Chicago Metro Metals Consortium. Hanlon explained that this initiative builds off of the existing 3,700 metal manufacturers and \$30 billion of related sales which currently exist in the Chicago region. Hanlon explained that this consortium has already won a grant that gives the region preferential designation for \$1.2 billion in federal funding. This funding will be available for about the next year, so Hanlon underscored the importance of applying for funding now.

Chairman Morgenroth then announced the next order of business which was the Remnant Oak Woodlands Project. Karen Miller took the floor and began a presentation. She began by providing background on the Green Infrastructure Plan. Miller explained that one of the layers in the Green Infrastructure Plan was the remnant oak woodlands layer. She explained that this resource has become a topic of interest, not only in Kane County, but throughout the entire region. Miller explained that the Morton Arboretum analyzed aerial photographs to determine where oak trees are located and compare the prevalence of oak trees with how prevalent these trees used to be. She explained that oak trees have declined by over the 45 percent from 1939. Miller then explained the importance of oak trees as they are a keystone species and have many important functions. Miller then explained that she has field checked the oak clusters and the Morton Arboretum's map was 100 percent accurate. Miller then explained that she was contacted by Chicago Wilderness and they asked her to map out clusters of 250 acres or larger—this would be helpful to focus in on areas of restoration or improvement. Miller then showed the Commissioners a conceptual map of the oak woodlands clusters. Miller explained that there are multiple regional initiatives that are working toward improving the oak woodlands clusters in the region. Miller then explained that she is currently looking for tree inventories that have been completed in the area. The Commissioners then provided Planner Miller with ideas for where she could find tree completed tree inventories.

Chairman Morgenroth then moved on to the next item on the agenda, which was the Kane County Planning Cooperative Workshop. Dir. VanKerkhoff explained that there are plans for a regional workshop in April. He explained that there is some money budgeted to bring in a nationally recognized speaker—and right now it's looking like we will be bringing in Christopher Coes. Christopher Coes works closely with the development community, so his expertise could be of value in the county.

Dir. VanKerkhoff then ran through the Planning Division Monthly Staff Report. Dir. VanKerkhoff mentioned there is an RFP out for a food hub feasibility study. Planner Hill mentioned that there will be a better update on this next month.

8. Adjournment

The meeting was called adjourned at 8:11 p.m. on motion by Lamp, seconded by Weiten. Motion carried unanimously.

\s\ Brett Hanlon

Brett Hanlon, Land Use Planner

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STAFF REPORT

TO: Kane County Regional Planning Commission

FROM: Mark VanKerkhoff, AIA, Director

DATE: May 13, 2015

RE: Approval of Amendment to Intergovernmental Agreement for the Adoption of a Joint or Compatible Local Land Resource Management Plan Under the Local Land Resource Management Planning Act

OVERVIEW

The subject of this Staff Report is the property including the former Hideaway Restaurant and parking lot and adjacent residential parcel to the east. The petitioner plans to re-open the restaurant and to convert an adjacent single-family residence into a two-family residence. He is requesting:

1. a rezoning from F-Farming District to B-4 Business District;
2. a special use for the restaurant parking lot (retaining current F-Farming zoning);
3. variations to the right-of-way setback for a deck to be attached to the restaurant and for a restaurant sign;
4. rezoning of the adjacent single family dwelling from F-Farm District to R-8-Two Family Residential District and yard setback variations.

The subject property is pursuant to the intergovernmental agreement (IGA) between the Village of Wayne and Kane County for the Route 25 Sub-Area. Because both petitions request map amendments, a Special Use and other zoning relief not included in the IGA, both the Village of Wayne and Kane County are considering an amendment to the IGA (see attached).

Under the IGA, the Village of Wayne and Regional Planning Commissions must consider any such amendment pertaining specifically to this request in order for the zoning change to be considered. The Regional Planning Commission has been asked to review the proposed IGA amendment for consistency with the Kane County 2040 Plan. This Staff Report is intended to aid the Commission in its review of the IGA amendment. The following review has been prepared by the Kane County Development Department staff with the intent to provide

information pertaining to the feasibility of the IGA amendment, its relationship to County policies, plans and existing development conditions.

BACKGROUND

PURPOSE: Rezoning of the restaurant site from F-Farming District to B-4 Business District; a Special Use for the restaurant parking lot (retaining current F-Farm zoning); variations to the right-of-way setback for a deck to be attached to the restaurant and for a sign; rezoning of the adjacent single family dwelling from F-Farm District to R-8 Two Family Residential District and yard setback variations.

LOCATION: The sites are located on the south side of Riverside Drive in the Fox River Heights Subdivision of St. Charles Township.

ACREAGE: The restaurant site is 14,400 square feet and the two-family lot is 14,500 square feet.

EXISTING LAND USE: One parcel is a vacant commercial building (former restaurant) with adjacent parking and the other parcel is residential. The three land uses (residence, restaurant and parking) were constructed and used as a coordinated site for the previous owner to live adjacent to the restaurant.

FUTURE LAND USE: The 2040 Future Land Use Map shows the land use as Rural Residential.

SURROUNDING LAND USES: The surrounding land uses include Riverside Drive and the Fox River to the north, Rural Residential to the south, Park Ave. and Tekawitha Woods Forest Preserve to the east and Rural Residential to the west.

STAFF REVIEW

Historical planning documents date back to the Valley View Area Comprehensive Plan 1984/2000 developed by the Kane County Development Department in 1985 in response to the 1980 dissolution of the Village of Valley View. Both the Existing Land Use and Land Use Plan maps designate the restaurant site commercial and the residential site residential.

In 2005 the Village of Wayne developed a comprehensive plan for the Village and with Kane County the Route 25 Sub-Area Plan. The Existing Land Use and Long Range Plan Maps for the Route 25 Sub-Area show both sites to be residential. Subsequent to the Plan, Kane County and the Village of Wayne entered into an intergovernmental agreement including the maps in the Route 25 Sub-Area Plan.

Finally, the Kane County Existing Land Use Map completed by the Development Department in 2011 shows the restaurant site as commercial and the residential site as vacant. The 2040 Plan shows the land use as Rural Residential.

VILLAGE OF WAYNE REVIEW

The Village of Wayne Plan Commission voted to amend the IGA and the Village of Wayne County Board is scheduled to review the IGA amendment at their May 19, 2015 Village Board meeting.

STAFF RECOMMENDATION

Staff recommends approval to amend the IGA between the Village of Wayne and Kane County for the following reasons:

1. The existing land uses were recognized in previous Village of Valley View and various Kane County land use planning documents.
2. The proposed uses would continue the previous land uses by rehabilitating and improving existing buildings, parking and infrastructure, which would otherwise remain vacant.
3. The proposed uses would continue to complement each other with the residential use providing housing for the restaurant use.
4. It will be required that improvements to the existing buildings, parking and infrastructure, including treatment of sanitary waste water from the restaurant be reviewed by various agencies through the permit process prior to any approval to reopen the facility.

**AN AMENDMENT TO AN INTERGOVERNMENTAL AGREEMENT
FOR THE ADOPTION OF A JOINT OR COMPATIBLE
LOCAL LAND RESOURCE MANAGEMENT PLAN
UNDER THE LOCAL LAND RESOURCE MANAGEMENT PLANNING ACT**

This Amendment to an Intergovernmental Agreement for the Adoption of a Joint or Compatible Local Land Resource Management Plan Under the Local Land Resource Management Planning Act is made this _____ day of _____, 2015, between the Village of Wayne, DuPage and Kane Counties, Illinois, an Illinois municipal corporation (hereinafter, the "Village") and the County of Kane, a body corporate and politic and a unit of local government in the State of Illinois (hereinafter, the "County") (hereinafter collectively referred to from time to time as the "Parties");

WITNESSETH:

WHEREAS, Article VII, §10 of the 1970 Illinois Constitution and the Intergovernmental Cooperation Act (5 ILCS 220/1 et seq.) encourage and authorize units of local government to contract and otherwise associate among themselves and to obtain and share services; and

WHEREAS, on December 16, 2008, the Village of Wayne (the "Village") and the County of Kane (the "County") entered "An Intergovernmental Agreement for the Adoption of a Joint or Compatible Local Land Resource Management Plan Under the Local Land Resource Management Planning Act" (the "Agreement") to provide for joint planning between the Village and the County for development of the Joint Planning Area described therein; and

WHEREAS, the County has received certain zoning applications (the "Applications") for certain parcels of property described in Exhibit "A" (the "Property") attached to and made a part of this proposed "Amendment to an Intergovernmental Agreement for the Adoption of a Joint or Compatible Local Land Resource Management Plan Under the Local Land Resource Management Planning Act" (the "Amendment"); and

WHEREAS, the Property lies within the Joint Planning Area that is included in the Agreement, and approval of the Applications will require certain modifications to the Agreement to which the Village and the County must consent; and

WHEREAS, Parcel 1 of the Property is historically unique, and the Amendment would allow for a viable economic use of what is now a vacant commercial building and site; and

WHEREAS, Parcel 2 of the Property is a two-family residential parcel, and although its use will not violate the Agreement, certain modifications to the Agreement are, nevertheless, needed to address lot size issues, to allow a currently vacant nonconforming residence to be brought into compliance with current building codes, and to allow for its economically viable use of such Parcel; and

WHEREAS, pursuant to Section 4 of the Agreement, the Amendment has received the affirmative vote of the majority of the members of the respective plan commissions of each of the Parties recommending approval of the Amendment to the Agreement; and

WHEREAS, based on the foregoing findings, the Village and the County have determined that it is necessary and desirable and in the best interests of the Village to approve the Amendment,

NOW, THEREFORE, pursuant to the aforesaid legal authority and in consideration of the mutual promises and covenants hereafter set forth, the adequacy and sufficiency of which is hereby acknowledged, the Parties mutually agree as follows:

Section 1. Recitals. The aforesaid recitals are incorporated herein as substantive provisions of this Amendment.

Section 2. Modifications to the Agreement. By this Amendment, the Parties hereto agree to the following modifications to the Agreement (the "Modifications"):

A. Section 5(b)(2) of the Agreement is hereby amended by deleting the same in its entirety, and substituting the following in lieu thereof:

- (2) Commercial uses proposed within the Joint Planning Area shall be approved only in a contiguous "node" at Courier Avenue, and only west of IL Route 25. Non-contiguous commercial development and commercial development east of IL Route 25 are not desirable, except that the following Zoning Changes may be approved:
 - (i) A map amendment to rezone Parcel 1, legally described in Exhibit "A" attached to this Amendment and made a part hereof, from F (Agricultural) District to B-4 (Business) District for redevelopment of the existing restaurant.
 - (ii) A special use for parking on the existing parking lot east of the restaurant on business zoned property.
 - (iii) A variation for setback from right-of-way to allow a new deck at eleven feet (11') from the right-of-way instead of the required thirty-five feet (35') from the right-of-way.
 - (iv) A variation for setback from right-of-way to allow a new sign at zero feet (0') from the right-of-way instead of the required thirty-five (35') from the right-of-way.
 - (v) A variation for setback from right-of-way to allow the existing restaurant to remain in its present location at twenty-six hundredths feet (0.26') from the right-of-way (westerly side of property) instead of the required thirty-

five feet (35') from the right-of-way.

- (vi) A variation from the required rear yard to allow the existing restaurant to remain in its present location at three and twenty five hundredths feet (3.25') from the rear lot line instead of the required ten feet (10') from the rear lot line.

B. Section 5(g)(3) of the Agreement is hereby amended by deleting the same in its entirety, and substituting the following in lieu thereof:

- (3) In areas where public water supply and wastewater treatment facilities are not available, lot size requirements to meet safety and sanitary standards for well and septic systems should be enforced as redevelopment occurs, with a minimum lot size of 20,000 square feet, except that the following Zoning Change and other changes shall be permitted:
 - (i) A map amendment to rezone Parcel 2, legally described in Exhibit "A" attached to this Amendment and made a part hereof, from F (agricultural) District to R-8 (Two-Family Residential) District for redevelopment of the existing two-family dwelling, with a variation for setback from right-of-way to allow the existing residential structure at twenty five and seventy six hundredths feet (25.76') from the right-of-way instead of the required thirty five feet (35') from the right-of-way; a variation from the required side yard to allow the existing residential structure to remain in its present location at nine and sixty two hundredths feet (9.62') from the side lot line instead of the required ten feet (10') from the side lot line; and a variation from the required 20,000 square foot lot size to allow a lot size of 14,500 square feet.
 - (ii) Use of Parcel 1 and Parcel 2, legally described in Exhibit "A" attached to this Amendment and made a part hereof, with well and septic systems, notwithstanding the fact that Parcel 1 and Parcel 2 are 14,500 square feet respectively, instead of the required 20,000 square feet for septic systems under this subsection; and provided that Parcel 1 and Parcel 2 shall be redeveloped with a mechanical septic system in full compliance with all County and Illinois Environmental Protection Agency ("EPA") requirements, if any, and permits granted by the County and EPA as required.

Section 3. The Village's Rights. The Village is approving this Amendment and the Zoning Changes and other changes agreed to in Section 2 of this Amendment, because of the historic uniqueness of the restaurant use of Parcel 1 since 1917, and the existing use of Parcel 2; however, in the event that the County does not approve the Zoning Changes and other changes in a manner fully consistent with the Modifications set forth in Section 2 of this Amendment, the Village shall have the right to object to any Zoning Changes or other changes applied for or to be considered by the County that are not consistent with such Section 2 of this Amendment.

DRAFT

Section 4. Other Provisions.

A. All provisions of the Agreement that are not modified by this Amendment shall remain in full force and effect and shall not be considered modified in any way by this Amendment. Any provisions of the Agreement that are modified by this Amendment shall be deemed repealed and of no force and effect in any manner other than as modified hereby.

B. This Amendment may be executed simultaneously in two counterparts, each of which shall be deemed an original, and which together shall constitute but one and the same instrument. It shall not be necessary that any single counterpart hereof be executed by the Parties hereto so long as at least one counterpart is executed by each Party.

C. Each of the Parties to this Amendment represents and warrants that it has the full right, power, legal capacity and authority to enter into and perform its respective obligations hereunder and that such obligations shall be binding upon such Party without the requirement of the approval or consent of any other person or entity in connection herewith.

IN WITNESS WHEREOF, the Parties have hereunto set their hands and seals this _____ day of _____, 2015.

VILLAGE OF WAYNE,
An Illinois municipal corporation

COUNTY OF KANE

By: _____
Village President

By: _____
Chairman of the County Board

ATTEST:

ATTEST:

By: _____
Village Clerk

By: _____
County Clerk

DRAFT

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

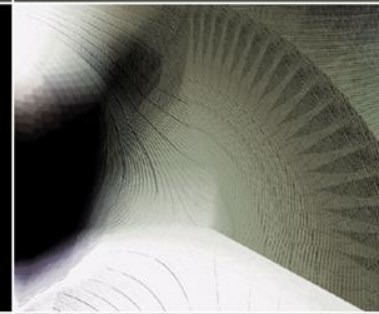
Parcel 1:

Lots 3040-3048 inclusive, Map 4 of the Fox River Heights, St. Charles Township, Kane County, Illinois. Lots 3072, 3110-3121, 3146 and that part of Valley Road in Map 4 of the Fox River Heights lying Southwesterly of the Southwesterly line of Riverside Drive and Northerly of the Northerly line extended Westerly of Lot 3122 of said Map 4 in the Township of St. Charles, Kane County, Illinois.

Parcel 2:

Lots 3049, 3050, 3051, 3052, 3053, 3073, 3074, 3075, 3076 and 3077 in "Map 4" of Fox River Heights, in the Township of St. Charles, Kane County, Illinois.

Staff Presentation to ZBA
April 14, 2015
(Reference Purposes Only)



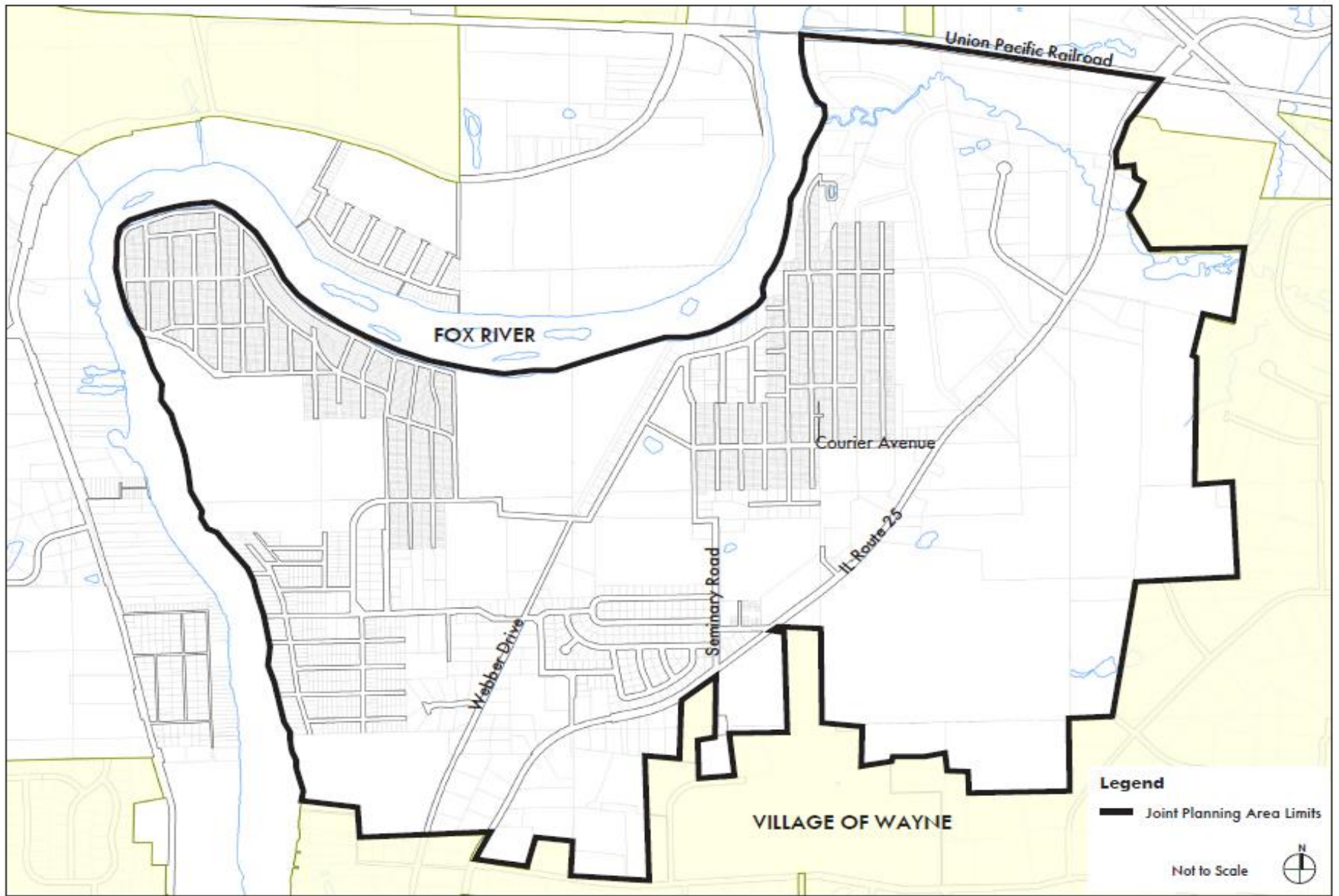


Exhibit 1: Joint Planning Area

Intergovernmental Agreement: Village of Wayne, Illinois and Kane County, Illinois

December 2008



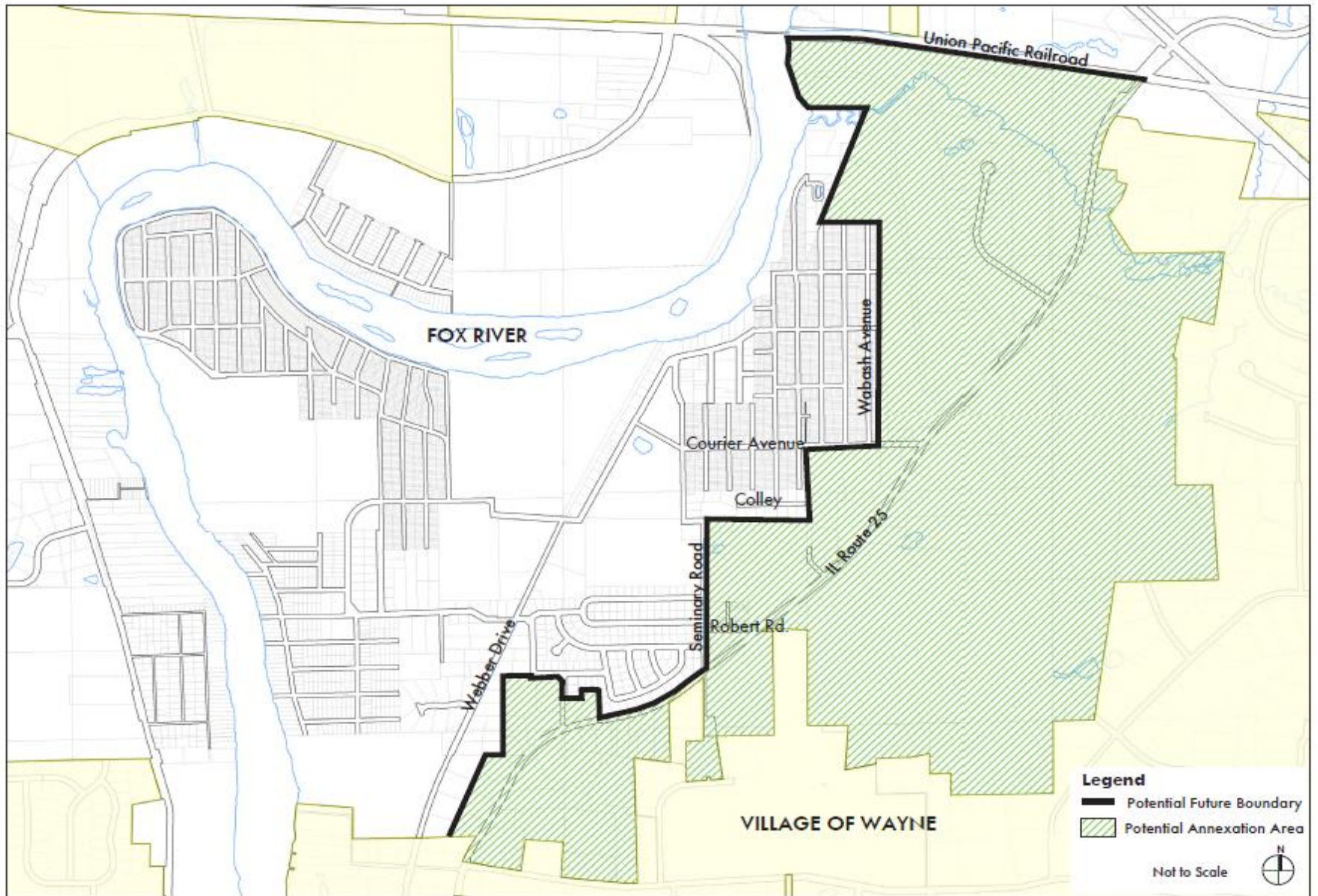
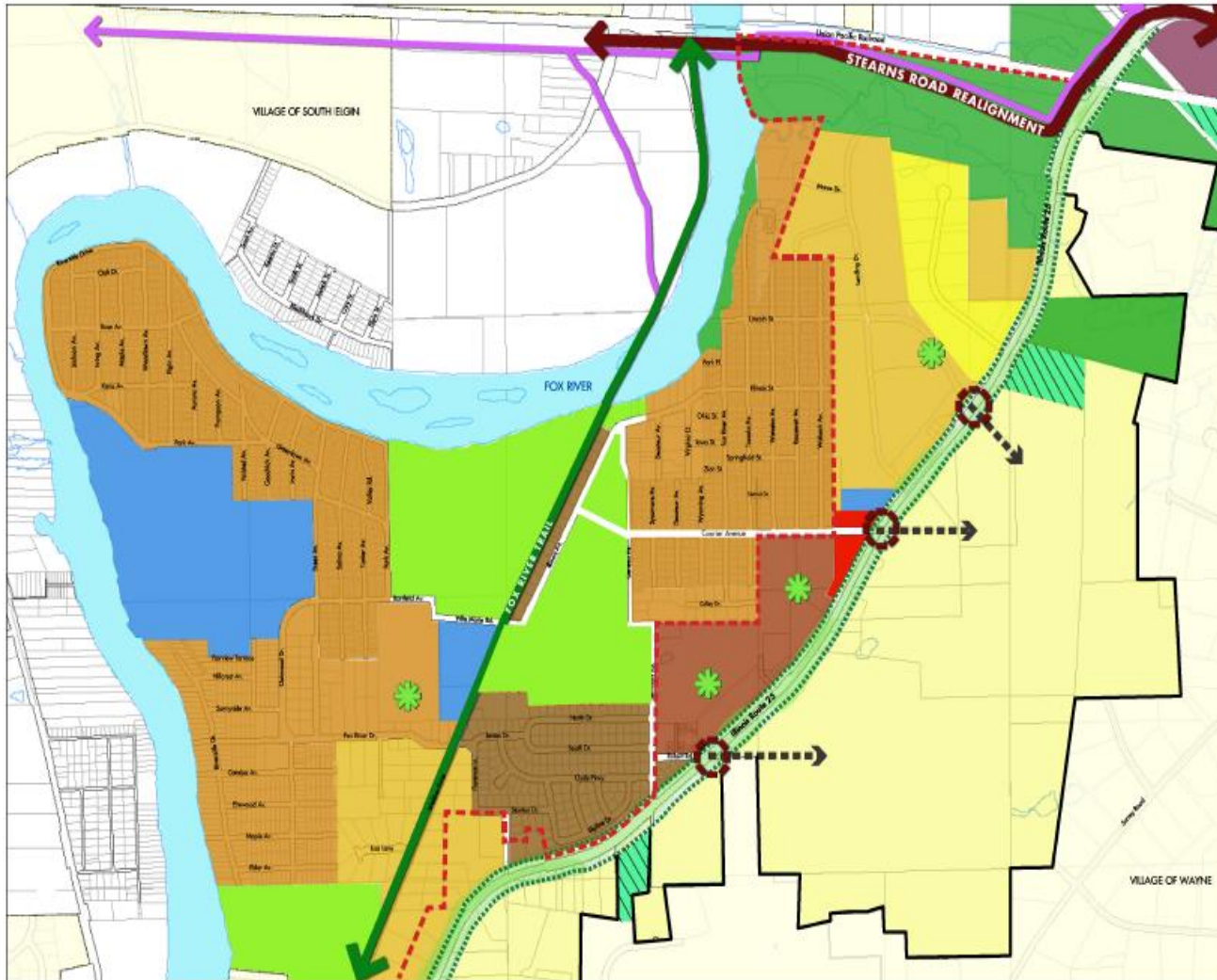


Exhibit 2: Potential Annexation Area - Village of Wayne

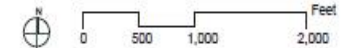


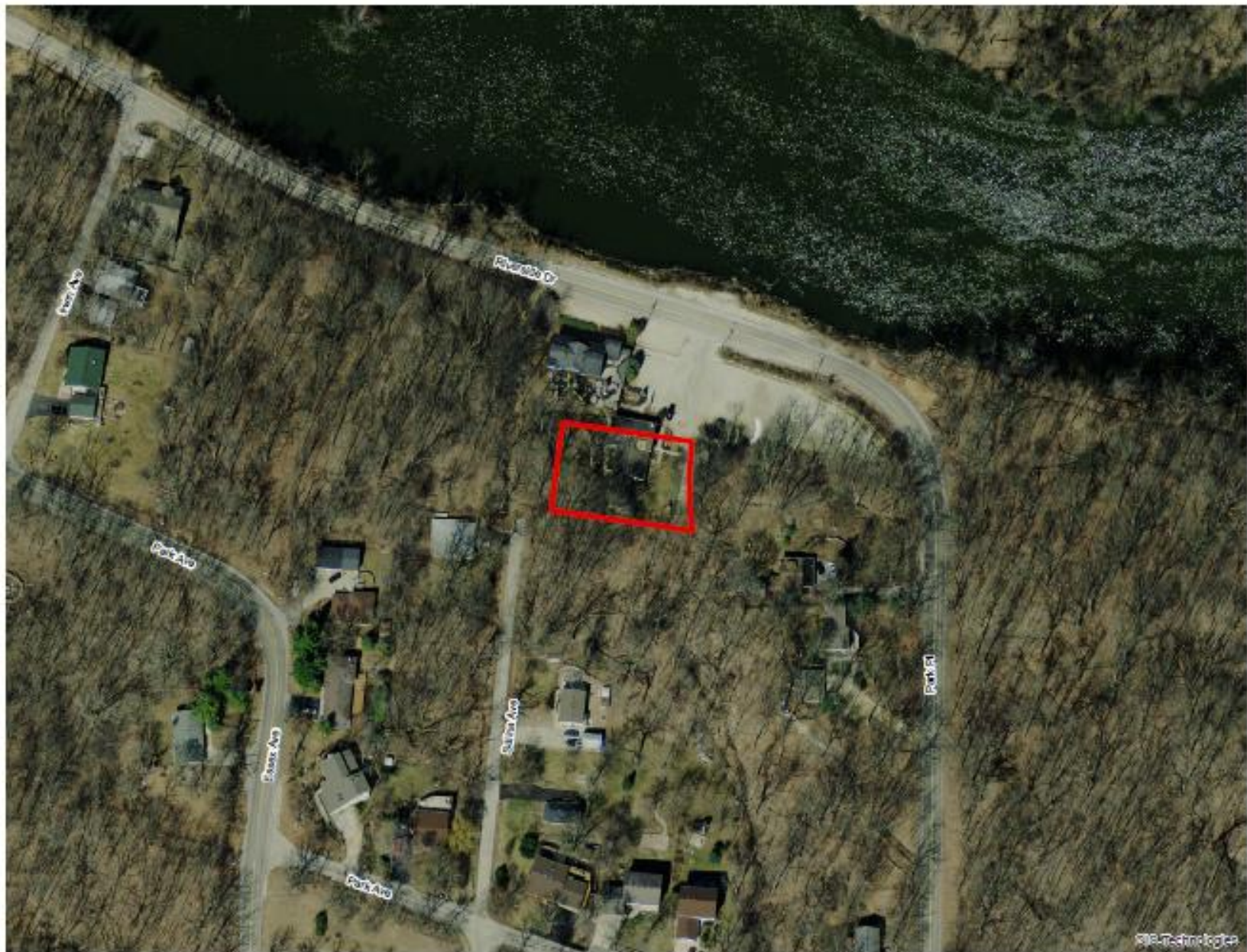
Legend

- Setbacks
(West Roadway Setback: 100' preferred, 50' minimum from Route 25 ROW; East Roadway Setback: 100' minimum from Route 25 ROW)
- Key Access Roadways (general location)
- Key Intersections
- Incorporated Areas
- Estate Residential (1 du / 4+ acres)
- Community Residential II (1 du / 1-2 acres)
- Community Residential III (1 du / 1 acre)
- Community Residential IV (min lot size = 20,000 sqft where no utilities; min lot size = 10,000 sqft where served by utilities)
- Community Residential V (min lot size = 7,500 sqft, served by utilities)
- Mixed Residential (detached units & townhomes)
- Neighborhood Commercial (contiguous node)
- Light Industrial
- Institutional
- Equestrian
- Forest Preserve
- Open Space
- Park Sites (general location)
- Proposed Bike Path Route
- Potential Future Boundary

EXHIBIT 3

ROUTE 25 JOINT PLANNING AREA LAND USE PLAN







Riverside Dr

Cedar Ave

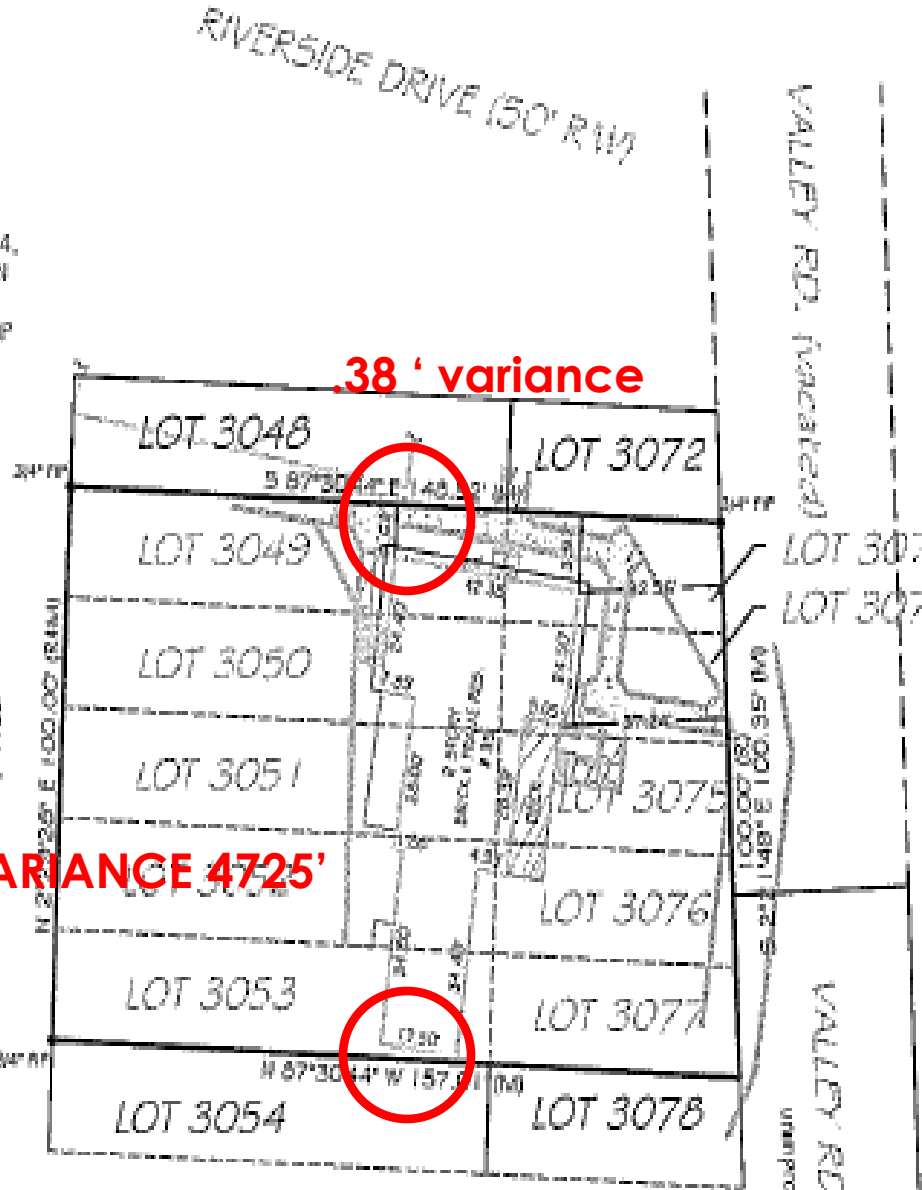
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1411.0610
BOUNDARY SURVEY
KANE COUNTY

LOT 3048, 3050, 3051,
3052, 3053, 3073, 3074,
3075, 3076 AND 3077 IN
"MAP 4" OF FOX RIVER
HEIGHTS, IN THE TOWNSHIP
OF ST. CHARLES, KANE
COUNTY, ILLINOIS.

LOT SIZE VARIANCE 4725'

SALINA AVE. (40' R/W)
unimproved

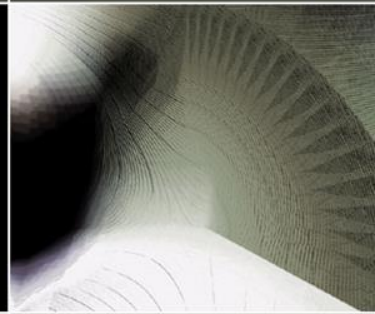


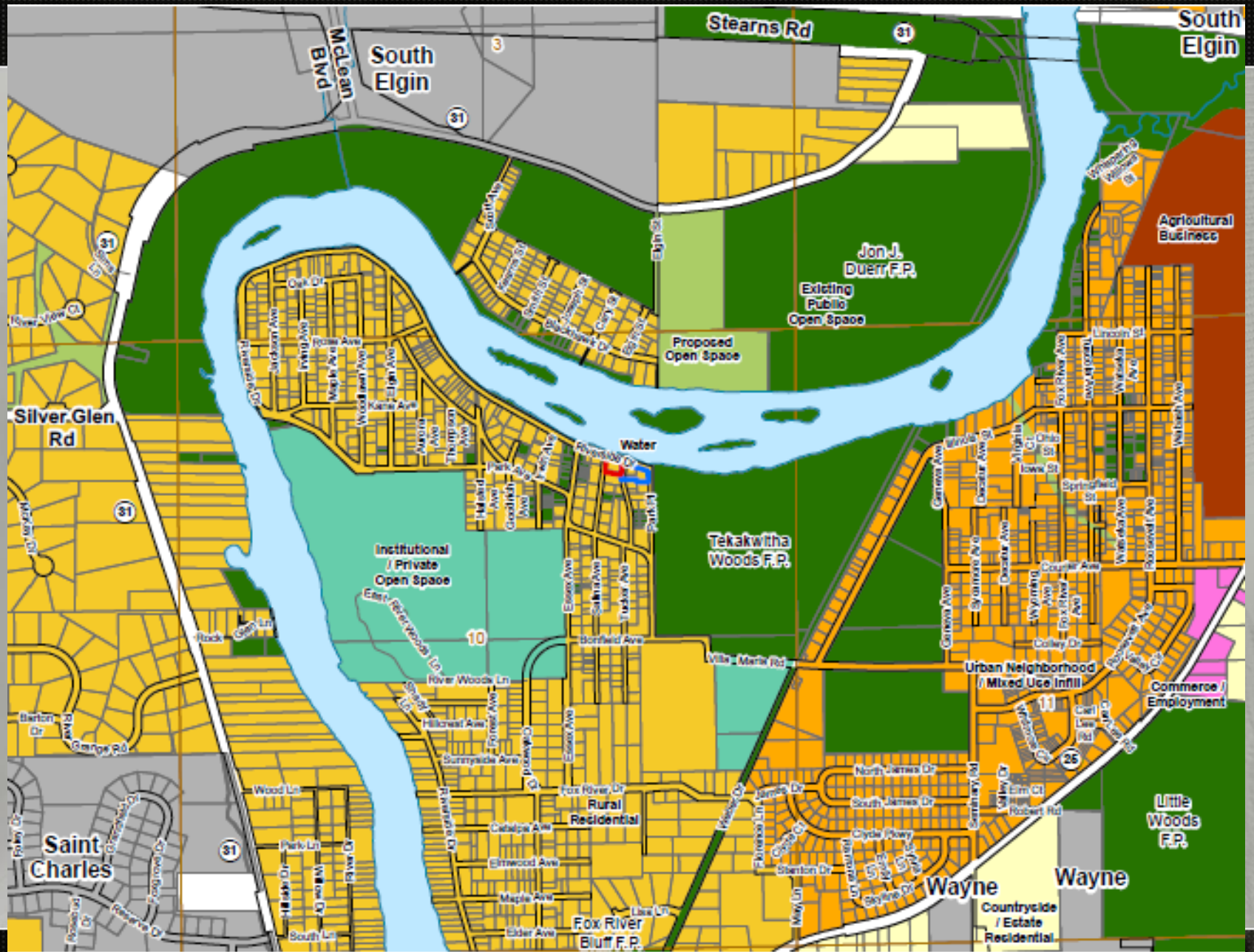
PLAT AREA 121.67 SQ. FT. AREA 4725' = 5472.50 SQ. FT. ±

SURVEYOR'S NOTE: With the exception of unimproved roadways,
the parcel appears to be land-locked.

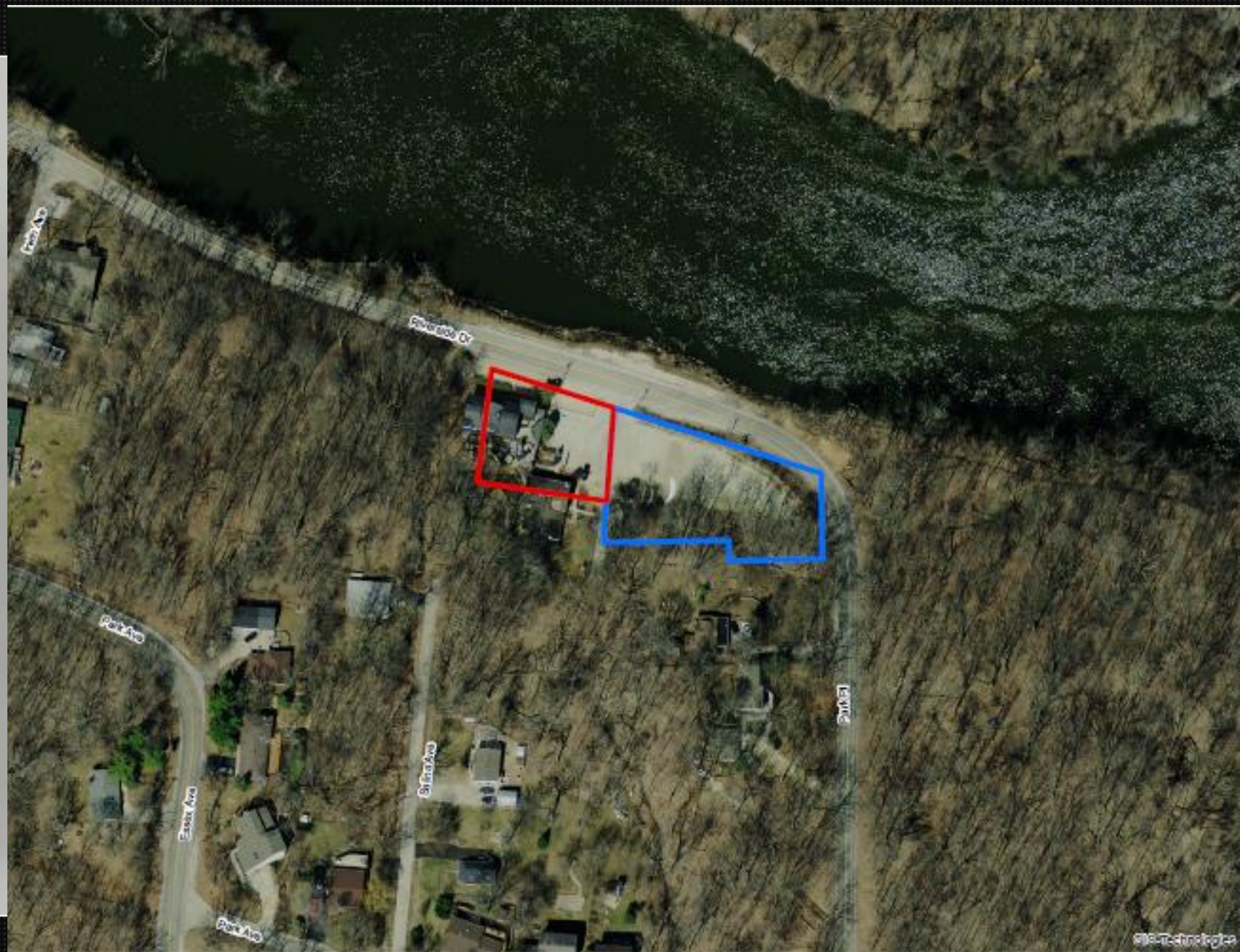
Nicholas Casiello, et ux

Rezoning from F to B-4 with a Special Use for
parking lot & variances (1.08 acres)











"ALTA/ACSM Land Title Survey" of
 Lots 3040-3048 inclusive and 3072, 3110-3121 inclusive and 3146
 Map 4 of The Fox River Heights
 St. Charles Township Kane County Illinois

NEW DECK

NEW SIGN

24' RIGHT OF WAY SETBACK VARIANCE

34.74' RIGHT OF WAY SETBACK VARIANCE

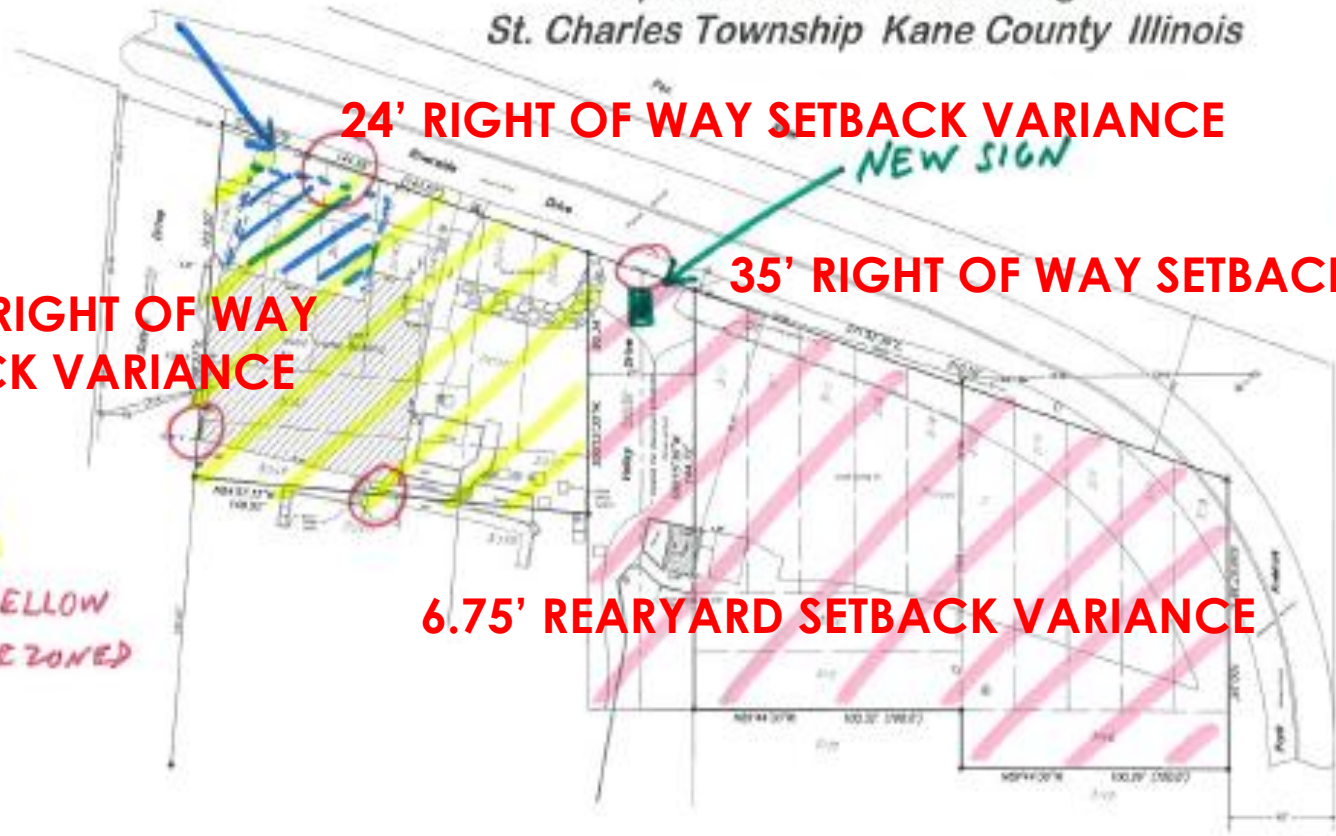
35' RIGHT OF WAY SETBACK VARIANCE

AREA IN PINK SPECIAL USE FOR PARKING

6.75' REARYARD SETBACK VARIANCE

AREA IN YELLOW TO BE REZONED TO B4

0 - VARIANCES BEING REQUESTED



Property Description

Survey of Lots 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, and 3072 of Map 4 of The Fox River Heights, in the Township of St. Charles, Kane County, Illinois.
 Parcel 2:
 Lots 3072, 3110, 3111, 3112, 3113, 3114, 3115, 3116, 3117, 3118, 3119, 3120, 3121, and 3146 of Map 4 of The Fox River Heights, in the Township of St. Charles, Kane County, Illinois.

Description: (See) Deeds and Public Record, Tax Assessment Database, and other respective records on file at the office of the Surveyor.

Survey of this land is to certify that the ends or plot boundaries of ALTA or ACSM surveys were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, fully established and adopted by ALTA and NSPS, and includes (Parts) L.S.24, 75a), 8, and 75(b) of Title 4 Revised. The field work was completed on July 2, 2014.

Date of plot or map: July 2, 2014.

David A. Swartz-Diamond
 Illinois Professional Land Surveyor No. 0047
 License Expiration Date: November 30, 2017
 Great Professional Design Firm No. 384-0019

Surveyed & Prepared by
 David Swartz-Diamond

Johnston & Wilson
 Surveyors
 2017 Survey
 2010-443-1314
 January 2, 2014







Kane County Development & Community Services Department

Planning & Special Projects Division Division Monthly Report – April 2015

Tyler Creek Watershed Coalition

- Karen Miller participated in the meeting on March 18th to begin planning for this year's Annual Meeting.

Green and Natural Spaces in Your Community

- The Pizzo Group, ecological contractors, held a seminar on March 19th. Karen Miller attended to learn more about the Pollinator Meadow Mix developed by The Pizzo Group, Applied Ecological Services and Cardno at the request of the Conservation Foundation as a pollinator-friendly and cost-saving alternative to mowed turf grass.

3rd Annual Fox River Summit

- Karen Miller attended the 3rd Annual Fox River Summit on March 20th to learn about various initiatives taking place in the Fox River Watershed in Illinois and Wisconsin including geomorphology, students and social media, the Rock River Trail initiative, and watershed planning.

Prairie State Local Government Sustainability Network

- The Annual Spring Meeting of the Prairie State Local Government Sustainability Network was held March 25-27. Karen Miller attended to learn from experts about keeping stakeholders engaged, the Center for Neighborhood Technology's Rain Ready Program, communicating climate and sustainability planning, climate resilience, and Illinois Environmental Protection Agency's water programs.

Chicago Wilderness

- On April 1st Karen Miller attended the Chicago Wilderness Coordinating Group meeting to learn about and discuss future funding, operations, coordination, cross-collaboration and the work plan as it relates to current committees and teams and the Corporate Council.

Morton Arboretum Chicago Regional Trees Initiative

- Karen Miller attended the Trees and Green Infrastructure Taskforce to discuss how this group will coordinate with Chicago Wilderness' new work plan focus of oak ecosystem recovery and learn about upcoming tree ordinance plan training.

Kane County will receive an Award of Excellence

- The award recognizes the Kane County Planning Cooperative for the Best Practices Category from the American Planning Association County Planning Division and the National Association of County Planners at the American Planning Association National Conference in Seattle, Washington on April 19th. Karen Miller will be accepting the award with Tom Rickert and Heidi Files from KDOT.

Food Hub Feasibility Study Kickoff Meeting

- On March 23rd Matt Tansley and Janice Hill organized and participated in a project kickoff meeting for the ongoing Food Hub Feasibility Study. Kathy Nyquist, the lead project consultant, delivered a presentation on food hub operations as well as the consultant team's approach to conducting the study. The meeting drew nearly 40 attendees which was hosted at the Northern Illinois Food Bank's Geneva headquarters. Meeting participants included farmers, food co-op managers and various community organizations.

Metro Chicago Exports

- Mark VanKerkhoff and Matt Tansley participated in a conference call conducted by representatives with Metro Chicago Exports. The MCE staff introduced a micro grant program that they are developing to assist regional companies to enter the exporting market or to strengthen their existing capacity for exports. MCE partners were encouraged to recommend officials to serve on the review committee, which will be responsible for making the final selections for grant nominees.

Food Hub Feasibility Study Interviews and Outreach Planning

- Matt Tansley and Janice Hill participated in a conference call on March 26th with the food hub consultant team, New Venture Advisors, to debrief the March 23rd Kickoff Meeting and to develop an outreach strategy for conducting stakeholder interviews and disseminating producer and buyer surveys. High priority producers were identified as prospective interviewees. The consultant team created a shared form by which members of the project team could add relevant stakeholder contacts for the study's various phases of outreach.

4-H Government Day

- On Tuesday, March 10th Janice Hill, Matt Tansley and Mark VanKerkhoff participated in the 23rd Annual 4-H Government Day Event. The staff provided the attending 4-H teens with an overview of the County Planning Division's roles, responsibilities and current projects. Janice Hill also delivered a presentation summarizing the event at the March meeting of the Agriculture Committee.

Serosun Farm Presentation

- On March 11th Janice Hill delivered a presentation at Serosun Farms as part of a commemoration for Kane County's first application of the Protected Agriculture / Limited Development land use category. Janice discussed the county's role in the project and the innovative approach to coordinating development with the protection of agricultural lands.