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May 14, 2019

Via Electronic Mail Only
BerkhoutKeith@co.kane.il.us

Kane County Zoning Board of Appeals
c/o Keith Berkhout, Kane County Zoning Planner
Kane County Government Center
719 Batavia Avenue, Building A, 4th Floor
Geneva, IL 1034

***Re: Zoning Petition 4500-The White House LLC
Wildrose Springs Master Association***

Dear Mr. Berkhout,

Our office represents the Wildrose Springs Master Association (“Association”). In other words, our office represents the Association, the corporate entity, by and through its Board of Directors. As you may also know, the Association is comprised of one hundred and fifty-five (155) units ranging from townhomes and duplexes to single family homes that are adjacent to, and otherwise abut, the White House property. It is my understanding that the Association and its members/owners have expressed a number of concerns to the County to date pertaining to the Petition by The White House LLC (“White House”) to re-zone the property from E-3 District Estate Residential to PUD. While I shall be present at tonight’s hearing, I wanted to express in writing the Association’s concerns and issues with the current proposal by White House.

First and foremost, the current application and proposal by White House is devoid of specific facts, studies, or otherwise reports that support its conclusions regarding the suitability of the proposed project by which the re-zoning application has been made. The White House claims that no adverse effects will be caused to the adjacent or abutting property, but nowhere does the White House support or otherwise corroborate these conclusions by substantive studies or reports pertaining to traffic impacts, noise, health or safety (e.g. alcohol use, increased pedestrian and vehicular traffic, increased trash). Moreover, as part of the proposed re-zoning, the White House will be developing and otherwise installing a one hundred plus space (100+) parking lot, without insomuch as any concrete evidence that the use and development of the property will not adversely impact the land and surrounding areas including Association property and Route 31.

In fact, the Kane-DuPage Soil and Water Conservation District (“District”), in its land use opinions, has stated that there are concerns that relate to soil limitations, aquifer sensitivity, soil erosion and sediment control and storm water management. As such, unless the concerns are

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addressed, the Land Use Opinion goes on to note that the site may not be suited for the land use change. For example, the District identified that there is a high potential for aquifer contamination, thereby impacting the surrounding areas' fresh water. The District also discusses the drainage of the area, but as of this moment, there is no evidence or otherwise support that the change in the character and nature of the White House land will impact the surrounding area. This includes how the drainage and runoff may potentially impact the surrounding properties by changing the grade and otherwise installing an impervious surface such as the parking lot area currently being considered.

Furthermore, the District also provides that a soil erosion and sedimentation control plan should be provided since the proposed construction could have a large impact on soil erosion. Other plans and studies that the District recommends being conducted and otherwise completed for full consideration include a geotechnical engineer investigation as to the soil type to determine storm water management concerns, as well as a comprehensive soil assessment. However, to date, none of the studies, reports, or investigations, to our knowledge, have been completed pertaining to the impact on the land itself, or otherwise the safety, traffic, and noise that may impact the surrounding property and area.

As such, based on the foregoing, it is the Association's position that the Kane County Zoning Board of Appeals should *not* recommend to the County Board that the re-zoning application by White House be approved. Furthermore, before even considering this application for a recommendation, a thorough review and analysis of the overall impact on the property and surrounding area should be conducted. Otherwise, the Zoning Board of Appeals would have failed to conduct full due diligence and would otherwise recommend for re-zoning property without full and complete information. This further review would include but not be limited to the impact on traffic, safety, noise, soil erosion, aquifers, stormwater management, drainage and the marketability of the surrounding homes. Only after the Zoning Board has completed this due diligence inquiry would it be just and proper to even consider recommending to the County Board the application submitted by White House.

I understand the Board intends to vote on this re-zoning application at its meeting tonight, May 14, 2019. The Association hopes that the Board strongly consider the consequences of this re-zoning application and, as such, recommend to the County Board that the application be denied. Otherwise, if the Board is considering a recommendation to the County Board that the application be approved, at a minimum, the additional information and studies discussed herein should be obtained and fully reviewed so a fully informed decision can be made. Thank you again for your time and courtesy in this matter.

Very truly yours,



JONATHAN D. WASSELL

Attorney at Law

JDW/kda