

Project Development Report
Categorical Exclusion – Group I

Intersection Improvements Fabyan Parkway (CH 8) at Kirk Road (CH 77)

Local Agency: Kane County Division of Transportation
Section Number: 11-00201-04-CH



Prepared By:



Date: June 6, 2014

Table of Contents

BLR 22211 – Local Project Development Report for Group Categorical I Exclusions and Design Approval

Attachments

Location Map	1
Functional Classification Map	2
Existing and Proposed Typical Sections	3
Plan and Profile Sheets	4
Intersection Design Study	5
BLR 22120 – Approval of Design Variance	6
Supporting Documentation for Design Variances	7
Engineer’s Estimate of Probable Cost	8
Crash Data Summary Table and Collision Diagrams	9
Right of Way and Easement Summary	10
“404” Permit Correspondence.....	11
Environmental Clearances and Correspondence.....	12
Correspondence with Property Owners Regarding Public Comments	13
Public Involvement Newspaper Advertisements and Invitation Letter Templates	14
Bimonthly Coordination Meeting Minutes	15
Other Coordination	16

Under Separate Covers

Preliminary Environmental Assessment

Concept Drainage Design Technical Memorandum

Roadway Geotechnical Report



County: Kane
Local Public Agency: Kane County Division of Transportation
Section Number: 11-00201-04-CH
Route: FAU 363 at FAU 360

Project Number: P-91-362-12 Project Length: Approx. 6,400' or 1.2 miles

Street/Road Name: Fabyan Parkway (CH 8 / FAU 363) at Kirk Road (CH 77 / FAU 360)

Termini: Along Fabyan, 2,100' west and 1,700 east of Kirk. Along Kirk, 1,400' south and 1,200' north of Fabyan.

- ☐ For Township or Road District bridge projects: The County Engineer certifies that the project design speed exceeds the minimum design speed recommended for this classification of roadway as provided in the BLRS Manual in order to prevent a deficient NBIS rating for approach roadway alignment appraisal. All elements have been designed to the chosen design speed unless noted otherwise in Section 2(e) and/or the attached BLR 22120.

County Engineer

Date

- ☒ Categorical Exclusion and Design Approval Recommended

Local Agency

Date

Categorical Exclusion Statement

This project will not have any significant impacts on the environment, or involve any unusual circumstances, therefore, it is a Categorical Exclusion I.

- ☒ Categorical Exclusion and Design Approval

Regional Engineer

Date

1. LOCATION AND EXISTING CONDITIONS

a. **Location** (attach location map to supplement narrative description)

This project is located in southeast Kane County and in Geneva Township. In terms of the Public Land Survey System, the township is 39N, the range is 8E, and the sections are 12 (SW), 13 (NW), and 14 (NE). The cities of Batavia and Geneva border this project on the south and north, respectively. Fabyan Parkway is on the National Highway System. Fabyan Parkway and Kirk Road are Strategic Regional Arterials and Class II truck routes. The improvement length on Fabyan Parkway is approximately 3,800'. The improvement length on Kirk Road is approximately 2,600'.

This intersection is approximately 1.5 miles east of the Fox River along Fabyan Parkway and approximately 5 miles north of the Ronald Reagan Memorial Tollway (I-88) along Kirk Road (which is named Farnsworth Avenue at I-88).

Please refer to Attachments 1 and 2.

b. **Description of Existing Facility** - Give narrative description, including such items as width of travel, parking and turn lanes, sidewalks, alignment, traffic control devices, utilities, jurisdiction, maintenance responsibility, drainage, terrain and current land use (including major public facilities and local landmarks). Attach existing typical sections showing roadway widths, bridge widths, ROW widths, sidewalk widths, guardrail, curb and gutter and surface types.

Fabyan Parkway and Kirk Road are under KDOT jurisdiction and maintenance. The horizontal alignments of both roadways are tangent through this signalized intersection. There is a closed drainage system with B-6.12 curb and gutter. All medians are flush. The pavement structure is asphalt.

At the intersection, Fabyan Parkway consists of two 12' eastbound through lanes, one 12' left turn lane, and two 12' westbound through lanes.

Moving west to east along Fabyan Parkway, the access points include: Kingsland Drive (south side) and four commercial entrances (north side, two on each side of Kirk Road). In the northeast quadrant, there are four existing buildings. Moving west to east, these buildings are: (1) Country House Restaurant, (2) The Prairie Clinic, (3) DayOneNetwork, Inc., and (4) Comfort Inn & Suites of Geneva. These buildings have access only to Fabyan Parkway (not Kirk Road) via the two commercial entrances east of Kirk Road.

At the intersection, Kirk Road consists of two 12' northbound through lanes, one 12' left turn lane, and two 12' southbound through lanes.

There is only one access point along Kirk Road within the construction limits, a field entrance for the City of Geneva gravel access road, which leads to their water tower.

An 8' asphalt shared-use path exists (1) along the west side of Kirk Road, south of Fabyan Parkway and (2) along the north side of Fabyan Parkway, west of Kirk Road. The shared-use path is under KDOT jurisdiction and maintenance within the limits of this project. Batavia Park District jurisdiction begins at Pine Street, which is approximately 2 miles south of this intersection.

To date, the following utilities have been identified adjacent to this intersection: AT&T, Batavia private utilities (water main, fiber optic), Comcast, ComEd, Geneva private utilities (water main, sanitary sewer), Geneva Electric, KDOT fiber optic, and Nicor. Lighting exists in the form of a single mast arm beacon light attached to a ComEd power pole in the southwest and southeast quadrants only. These lights are owned by ComEd.

To date, one drainage deficiency has been identified by KDOT. Near the end of the northbound to westbound left turn lane on the south leg of Kirk Road, the existing pavement cross slope does not provide transverse drainage into the curb and gutter. Instead, stormwater runoff drains strictly in the longitudinal direction.

Southeast Quadrant (land use generally farm)

Batavia is home to the headquarters of Aldi, Inc., the U.S. subsidiary of Aldi. Aldi owns the farmland in the southeast quadrant of this intersection, and their property extends south along Kirk Road. Batavia is also home to Fermilab, a federal-government-sponsored high-energy physics laboratory, which is located further south along Kirk Road.

Southwest Quadrant (land use generally farm)

Northwest Quadrant (land use generally commercial)

Geneva is home to the Kane County Cougars baseball club of the Midwest League which was recently purchased by the Chicago Cubs to be their minor league affiliate. Their stadium, Fifth Third Bank Ballpark, is approximately 0.75 mile north of this intersection along Kirk Road.

The now-closed Settler's Hill Landfill is also in the northwest quadrant of this intersection. No environmental impacts related to the landfill are anticipated for this project. Since its closure, Kane County has been investigating the redevelopment of the landfill itself and adjacent properties through their "Fabyan Property Utilization Subcommittee". Most of the properties bounded by Fabyan Parkway on the south, IL 25 on the west, the Union Pacific Railroad on the north, and Kirk Road on the east are included in this investigation, an area greater than 700 acres. The goals of this subcommittee include (1) increasing/creating user-based activities, (2) protecting/enhancing environmental attributes, and (3) confirming features through economic evaluation. The current proposed uses include (1) an overlook observatory, (2) expansion of the Settler's Hill Golf Course, (3) winter recreation, (4) mountain bike trails, (5) music/activity venues, (6) event access area, (7) recreational activities, sports fitness, and training, (8) track and field trails, (9) resort and private development, (10) historic settlement, (11) an internal roadway system, and (12) improved water quality. The subcommittee's efforts are best summarized in an exhibit called the "Settler's Hill Master Plan" dated October 2012. Please refer Attachment 16. This investigation started before the landfill closed (pre-2006) and is currently ongoing. There is no known schedule for construction.

Northeast Quadrant (land use generally commercial and farm)

In 2012, Geneva's City Council approved the Southeast Subarea Plan (SSP), an amendment to their Comprehensive Plan adopted in 2003. The SSP area is bounded by Fabyan Parkway on the south, Kirk Road on the west, IL 38 on the north, and future Kautz Road on the east, but it does not include the commercial properties immediately adjacent to this intersection in this quadrant. The SSP area includes land annexed into Geneva well as properties identified for annexation into Geneva via boundary agreements already in place with the neighboring cities of West Chicago and Batavia. The SSP describes Geneva's vision for the future of the area, expectations for development and redevelopment, and recommendations on land use, road connections, utility extensions, access and circulation, transit, and open/civic spaces.

Please refer to Attachment 3.

c. Traffic Data

Current ADT:	26,500 (N leg) 32,400 (S leg)	% trucks:	Fabyan: 5.6%, Kirk: 9.6%
	23,200 (W leg) 16,900 (E leg)		

Will 80,000 trucks be legally permitted on this route? ☒ Yes ☐ No

Design Year:	2040	ADT:	37,000 (N leg)	DHV:	See	% trucks:	Fabyan: 5.6%
			44,000 (S leg)		Attachment 5		Kirk: 9.6%
			37,200 (W leg)				
			25,000 (E leg)				

- d. **Structures** - Identify location within the proposed improvement of all structures on attached location map. Attach a copy of the Structure Master Report for all structures within the project limits. Attach a copy of the Bridge Condition Report or the Bridge Deck Resurfacing approval letter for structures to be replaced, rehabilitated, or resurfaced.

- e. **Railroads** - Identify location of all railroad crossings on attached location map and complete the following:

Railroad Name	No. and Type of Tracks (Main or Switching)	Type of Warning Devices*	No. of Trains Per Day	Railroad Width of Crossing at Rt. Angles
N/A				
N/A				

*Include a sketch showing location of railroad protective devices from the edge of roadway and to the nearest track.

- f. **Contiguous Sections** - Describe the existing typical sections at each end of the proposed improvement including number of travel lanes, turning lanes and parking lanes, lane widths and roadway width (f-f of curbs or e-e of shoulders), and sidewalk width.

At the intersection, Fabyan Parkway consists of two 12' eastbound through lanes, one 12' left turn lane, and two 12' westbound through lanes. On the west leg, this cross section narrows to four through lanes with a narrow flush median. The existing roadway width at the proposed construction limit is 52' e-e. On the east leg, this cross section first narrows, then it widens prior to the westbound to southbound left turn lane at Paramount Parkway. The existing roadway width at the proposed construction limit is 57.5' e-e.

At the intersection, Kirk Road consists of two 12' northbound through lanes, one 12' left turn lane, and two 12' southbound through lanes. On the south leg, this cross section narrows to four through lanes with a narrow flush median. The existing roadway width at the proposed construction limit is 51' e-e. On the north leg, this cross section is generally maintained because of the northbound to westbound left turn lane at the shared commercial entrance for the Forest Preserve District of Kane County, the Fox Valley Ice Arena, and the Strikers Fox Valley Soccer Club. The existing roadway width at the proposed construction limit is 59' e-e.

An 8' asphalt shared-use path exists (1) along the west side of Kirk Road, south of Fabyan Parkway and (2) along the north side of Fabyan Parkway, west of Kirk Road. The shared-use path is under KDOT jurisdiction and maintenance within the limits of this project. Batavia Park District jurisdiction begins at Pine Street, which is approximately 2 miles south of this intersection.

Please refer to Attachment 3.

2. Proposed Improvement

- a. Discuss the purpose and need of the project:

Purpose:

The purpose of this project is to provide an improved intersection design that will address existing capacity deficiencies and safety and access issues along these strategic regional arterials while still considering published capital transportation programs and multi-modal goals. This intersection acts as a node that provides a connection between two major arterials and serves as an interim destination to and from several major traffic generators and regional transportation corridors. Specific travel demand levels exceed the current capacity of the intersection and compromise operations and safety along both roads including their ingress and egress maneuvers. Based on the 2040 traffic model, transportation demand at this intersection is expected to substantially increase on all four legs further compromising mobility and safety.

Need:

This project is needed at this time to improve the mobility and safety for all users through a combination of improved intersection design, turn lane configurations, and geometric design. Overall, the traffic volumes are expected to increase by 54% (on Fabyan Parkway) and 38% (on Kirk Road) and, therefore, without any improvements, are expected to increase intersection delay by 403% (AM) and 380% (PM). Subsequently, this would create substantially longer traffic queues as well as increase the potential for crashes within the influence of the intersection due to congested operation and increased driver frustration. Existing commercial business and proposed development would be hampered by these further deteriorated operating conditions. The specific needs to be addressed include vehicular and pedestrian mobility, capacity, safety, and economic development.

b. What design guidelines will be used for the proposed improvement? (Check One)

- ☐ Rural (BLRS Manual Chapter 32)
- ☐ Urban (BLRS Manual Chapter 32)
- ☐ Suburban (BLRS Manual Chapter 32)
- ☐ 3R Guidelines (BLRS Manual Chapter 33)
- ☐ Bicycle Guidelines (BLRS Manual Chapter 42)
- ☐ Pedestrian Guidelines
- ☒ Other: Urban SRA (BDE Chapter 46 for SRA's) and to less extent: BDE Chapters 31, 32, 33, 34, 36, and 38

Functional Classification: ☐ Arterial ☐ Collector ☐ Local Road ☒ Other Other Principal Arterials

Terrain: ☒ Level ☐ Rolling

Regulatory or Posted Speed Limit: 45 Design Speed: 50

- c. Describe type of work to be accomplished by the improvement. Discussion should include width of proposed travel, parking, bicycle and turning lanes, sidewalks, shared-use paths, guardrail, traffic control devices, drainage items (including storm sewer outfalls), alignment changes, railroad work, utility adjustments, intersection improvements, side slopes and clear zones. Specify the emax for horizontal curves. Attach typical sections, plan and profile sheets, and intersection design studies when applicable.

This intersection will be widened and reconstructed. Improvements include channelization with the addition of dual left turn lanes and either shared through / right turn lanes or exclusive right turn lanes on both Fabyan Parkway and Kirk Road. Traffic signal modernization and a curb and gutter closed drainage system are additional highlights of the improvement. The existing 8' shared-use path will be reconstructed in its current location, extended to the north and east, and widened to 10'. Crosswalks will be installed across the west and north legs.

The primary purpose of this improvement is to address capacity deficiencies and safety of the intersection of Fabyan Parkway and Kirk Road. In other words, the proposed intersection geometry dictates the geometry of each leg including any required access modifications.

The horizontal alignment of Fabyan Parkway will be relocated south with the use of a taper design (not a reverse horizontal curve design) resulting in an asymmetrical widening. The horizontal alignment of Kirk Road will match existing resulting in a symmetrical widening. The curb and gutter will be B-6.24. All medians will be raised curb. The pavement will be concrete.

At the intersection, the west leg of Fabyan Parkway will consist of three 11' westbound through lanes, a 6' raised curb median, two 11' eastbound left turn lanes, two 11' eastbound through lanes, and one 11' eastbound right turn lane for a total e-e measurement of 94'.

At the intersection, the east leg of Fabyan Parkway will consist of one 11' westbound shared through / right turn lane (aka auxiliary lane), two 11' westbound through lanes, two 11' westbound left turn lanes, a 6' raised curb median, and two 11' eastbound through lanes for a total e-e measurement of 83'.

At the intersection, the south leg of Kirk Road will consist of three 11' southbound through lanes, a 6' raised curb median, two 11' northbound left turn lanes, two 11' northbound through lanes, and one 11' northbound right turn lane for a total e-e measurement of 94'.

At the intersection, the north leg of Kirk Road will consist one 11' southbound shared through / right turn lane (aka auxiliary lane), two 11' southbound through lanes, two 11' southbound left turn lanes, a 6' raised curb median, and two 11' northbound through lanes for a total e-e measurement of 83'.

With regards to access for the intersection in general, the rules of thumb applied to this project were (1) that no existing access points will be relocated and (2) that no new access points will be added. It should be noted that the existing residential buildings in the northwest quadrant were demolished in 2013 and that their respective private entrances are not proposed to be reconstructed.

All of the identified utilities will be impacted by construction. Of particular interest and high cost are the transformers in the northeast and northwest quadrants of the intersection. These are owned by Geneva Electric.

Initially, the slopes proposed were 1V:4H resulting in a 24' to 28' clear zone. Following the December 5, 2013 public hearing and per KDOT's direction, the proposed right of way was minimized by using 1V:3H slopes without guardrail. According to BDE 38-3.02(b), the clear zone will be 18' to 20'.

Please refer to Attachments 3, 4, and 5.

- d. Discuss items affecting improvement such as hazardous mailbox supports, parking and truck restrictions, mail delivery from traffic lanes, justification (including warrants) for multi-way stop signs, traffic signals and other traffic control and railroad protective devices, stage construction, nearby airports, and additional lighting:

The adjacent major intersections along Kirk Road (IL 56 to the south and IL 38 to the north) were constructed while maintaining two through lanes in every direction. This MOT strategy of stage construction is anticipated for this intersection as well.

The DuPage County Airport is approximately 4 miles northeast of this intersection in the city of West Chicago.

Lighting exists in the form of a single mast arm beacon light attached to a ComEd power pole in the southwest and southeast quadrants only. KDOT is planning to replace the beacon lighting at the intersection as it exists today. It is worth noting that this intersection has no ambient lighting from adjacent properties.

- e. Identify each aspect to be constructed at less than the design guidelines and provide a clear description of required design variances and appropriate justification. (BLRS Manual Section 27-7). If a design variance is required, include a copy of the approved BLR 22120 form as an attachment.

The requested design variances for this project are related to the eastbound to northeast quadrant unsignalized left turn lane into the commercial entrance at STA 82+22 LT. They are Level Two design variances.

With IDS Submittal 2, BLR 22120 (Approval of Design Variances) and justification for these two design variances were submitted.

With IDS Submittal 3, further justification on these two design variances was submitted in the form of (1) a KDOT letter providing additional information on the access agreement between Kane County and the property owners in the northeast quadrant and (2) a document providing clarification on the impacts of designing to full standard and eliminating these two design variances.

The table below summarizes the requested design variances.

Design Feature	Criteria	Requested Design Variance
Minimum Turn Lane Length	215 feet	130 feet
Bay Taper	220 feet	200 feet

The requested design variances were approved at IDOT District Coordination Meeting 2 on January 14, 2014.

Please refer to Attachments 5, 6, and 7.

- f. Current estimated cost of proposed improvement? \$ 9097674

- g. Analyze the need for accommodating pedestrians, bicyclists and the handicapped. When applicable, describe the facilities to be provided for pedestrians and bicyclists. Discuss the ADA accessibility and maximum longitudinal grade of these facilities. (BLRS Manual Chapter 41)

The existing 8' shared-use path will be reconstructed in its current locations which are (1) on the north side of Fabyan Parkway west of Kirk Road and (2) on the west side of Kirk Road south of Fabyan Parkway. Additionally, the shared-use path will be extended (3) north along the west side of Kirk Road to the shared commercial entrance for the Forest Preserve District of Kane County, the Fox Valley Ice Arena, and the Strikers Fox Valley Soccer Club and (4) east along the north side of Fabyan Parkway to the first commercial entrance in the northeast quadrant. It will also be widened to 10'. Crosswalks will be located on the west leg (which matches existing) and the north leg (which will be new). The appropriate pedestrian accommodations will be included in the traffic signal design.

The longitudinal grade of the proposed shared-use path will generally match the roadway profile grades. The maximum roadway profile grade will be approximately 4.6% on the west leg.

Sidewalks/Shared-Use Paths:

Maximum 2% crossslope: ☒ Yes ☐ No ☐ Not Applicable

ADA ramps with detectable warnings at street intersections: ☒ Yes ☐ No ☐ Not Applicable

If no, provide justification.

N/A

- h. Discuss any proposed improvements being considered in adjacent segments including the anticipated construction startup date of these improvements.

Kirk Road was resurfaced in the 2013 construction season. This intersection was gapped (approximately 1500' along each of the four approaches) as part of that resurfacing project.

The Kirk Road bridge over the railroad approximately 1 mile north of Fabyan Parkway will be improved after the scheduled reconstruction of this intersection. However, the scope of that bridge project could have an impact on the design of this intersection project, for instance, on the number of through lanes on Kirk Road. There is no known schedule for construction.

3. Crash Analysis (BLRS Manual Section 22-2.11(b)(9))

- a. Summarize crash data for the past five years, including a spot map or a location map showing crash locations when possible. Detail the types of crashes and include collision diagrams, if possible, especially at cluster sites. Give the source of this data.

Traffic congestion and delays at intersections like Fabyan Parkway and Kirk Road typically increase the chances of vehicle crashes with other motorists, objects, or pedestrians. The traffic crashes for this intersection were reviewed using the Geneva and Batavia Police Department crash reports for the years of 2008 through 2012. Individually analyzed crash reports were from the dates of January 3, 2008 to November 11, 2012. The analysis that lead to the derivation of a breakdown of the crash type, crash severity, and the roadway condition. Attachment 9 shows the numerical breakdowns of the crash reports analyzed. There are high rear end (52.4%) and turning (29.0%) crash percentages which are common for congested intersections. These two crash types were more critically investigated to determine proposed countermeasures.

- b. Analyze available crash data including results of field check. Discussion should include high crash locations, critical wet weather sites, and other crash patterns. If the data is inconclusive, make a statement to that effect.

Upon review of the traffic crash reports from the Geneva and Batavia Police Departments, trends of numerous rear end collisions and continuous left turn crashes were discovered.

The rear end collisions were caused by drivers following too closely or misjudging the vehicle in front of them and assuming that either the vehicle was going to turn quicker or that they had completed the turn when they actually did not. These types of crashes may not be eliminated from geometric changes because they are related to human error, but the left turn crashes should decrease with the proposed countermeasures and geometry.

Making up approximately one-third of the total crashes, left turn crashes were frequent as drivers attempted to turn left on yellow and found themselves making contact with a vehicle traveling through the intersection. All four approaches currently have permissive signalized left turn lanes giving turning vehicles the opportunity to turn left in gaps in oncoming traffic or on yellow. This results in dangerous situations as vehicles travel at approximately 45 MPH or more through the intersection. Permissive left turn movements inherently rely on driver judgment and reaction time, which vary from driver to driver.

Please refer to Attachment 9.

- c. Describe how the proposed project will address any crash issues.

As mentioned above, rear end and left turn crashes are the two most frequent crash types at this intersection. After studying the roadway conditions, narratives, and contributory cause types of each crash provided by the Geneva and Batavia Police Departments, the following geometric and signal phasing countermeasures were developed.

(1) To minimize rear end collisions, exclusive right turn lanes are proposed for the eastbound and northbound approaches to remove right turning vehicles from the through lanes. These two right turn movements have the highest volumes. This proposed geometry will reduce the number of shared through / right turn lanes at this intersection from four to two. Right turning vehicles will be able to decelerate without interrupting through travel speeds.

(2) Due to the high left turn volumes, protected dual left turn lanes are proposed for every approach. As mentioned above, vehicles are currently attempting to complete left turns as oncoming traffic approaches the intersection at speeds of 45 MPH or more or on yellow. The proposed protected left turning vehicles will no longer have a conflict with oncoming vehicles.

(3) With the proposed geometry, all medians will be raised curb. At the intersection, the minimum raised curb width will be 6'. The raised curb medians will physically separate vehicles waiting to make left turn from (1) through vehicles in the opposite direction and (2) left turning vehicles from a different leg of this intersection.

4. Right-of-Way

- a. Describe the right-of-way taking, including the total acreage required for each of the following categories: ROW, permanent easements, temporary easements and temporary land use permits. Include the width of taking, number of property owners, acreage of right-of-way and/or easements, character of land; i.e., farm, residential, commercial or publicly owned properties, anticipated impacts to properties that remain, and location of any improvements with respect to required right-of-way. Discuss any impacts on setbacks required by zoning.

Please refer to Attachment 10. Below is an abridged summary.

Total Number of Owners: 12
Total Number of Parcels: 21

Total ROW: 334,353 SQ FT = 7.676 ACRE
Total TE: 8,666 SQ FT = 0.199 ACRE
Total Take: 343,019 SQ FT = 7.875 ACRE

Please refer to Attachment 4 for to determine the width of taking, anticipated impacts to properties that remain, and locations of any improvements with respect to the required right of way.

- b. Are any residents, businesses or farms to be displaced?

☐ Yes ☒ No

If yes, describe the number and type of displacements anticipated and mitigation that will be taken to provide relief for this impact on an attached sheet.

N/A

5. Prime Farmland (BLRS Manual Section 20-10)

- a. If the project requires more than 3 acres/mile (0.75 hectares/kilometers), 10 acres (4 hectares) for a non-linear improvement, or the project ROW is not contiguous to the existing ROW, contact the Illinois Department of Agriculture and attach results of the coordination and summarize the results below.

N/A

- b. ☐ The project requires consultation with the Natural Resource Conservation Service., Form AD-1006 has been completed and submitted to the local office of NRCS. The completed AD-1006 form is attached.
- ☐ The impact of this project on farmland conversion has been evaluated in accordance with the requirements of the US Natural Resources (NRCS). The project will cover 3 acres or less of farmland per mile (0.75 hectares or less of farmland per kilometer) and the conversion will not result in more than minor impacts. Accordingly, the project conforms to the general form AD-1006 prepared by NRCS. Therefore, further coordination with NRCS on this project will not be necessary.

6. Floodplain Encroachment (BLRS Manual Section 20-7)

Does the proposed work cross or encroach upon a 100-year floodplain, including a regulatory floodway?

☐ Yes ☒ No

If yes, summarize the location hydraulics study, regulatory floodway restrictions, the effect of any encroachment (including a comparison between existing and proposed conditions) and the effect of over-the-road flow on the proposed transportation facility. Attach any available floodplain maps.

N/A

A FIRM map has been included in the Concept Drainage Design Technical Memorandum, which is included as part of this project report, but it is under a separate cover.

7. Phase I & II NPDES Storm Water Permit Requirements (BLRS Manual Section 7-4.01)

Will the project involve soil disturbance of 1 acre (0.4 hectares) or more?

☒ Yes ☐ No

If yes, the project must comply with the Phase II NPDES Storm Water Permit Requirements.

8. "404" Permit (BLRS Manual Section 7-4.02)

Does this project involve waters regulated by Section 404?

☒ Yes ☐ No

If yes, what type of 404 permit is required? ☐ Nationwide ☐ Individual ☒ Regional ☐ None

Attach a copy of any 404 permit authorization and/or coordination letters with the Corps of Engineers.

See Attachment 11.

If an individual Section 404 permit is required, please notify the Illinois Department of Transportation district office before submitting the application.

9. Special Waste (BLRS Manual Section 20-12)

- a. Following the special waste assessment screening criteria shown on Figure 20-12A of the BLRS Manual, is Preliminary Environmental Site Assessment (PESA) required?

☒ Yes ☐ No

- b. Is work being done on property in the name of the state or are contract plans being prepared by the state?

☐ Yes ☒ No

- c. If a PESA is required for either state or local ROW, did the PESA results determine that the project has Recognized Environmental Conditions (REC's) for special waste?

☒ Yes ☐ No

If the PESA results determine that the project contains REC's, describe how the special waste is proposed to be handled (including if a Preliminary Site Investigation (PSI) is required).

The language in the IDOT BLRS Manual refers to sites by "Risk Ratings" of "High", "Moderate", and "Low" to determine potential for environmental impacts to project areas. ASTM International (ASTM) E1527-05 uses the term Recognized Environmental Condition (REC) to assess risk. ASTM specifically defines REC as "the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, ground water, or surface water of the property. The term includes hazardous substances or petroleum products even under conditions in compliance with laws. The term is not intended to include de minimis conditions that generally do not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought

to the attention of appropriate governmental agencies. Conditions determined to be de minimis are not recognized environmental conditions.”

Part 1100, 35 Illinois Administrative Code (IAC) has adopted the term Potentially Impacted Properties (PIPs) when assigning risk to sites. The PIP sites are essentially the same as REC sites as defined by ASTM E 1527-05. Based on the establishment of PIP as the industry standard for describing sites at which special waste management issues may be associated, this PESA uses the term “PIP” to describe sites presenting environmental concern to the project area. A PIP or REC is comparable to “moderate” and “high” risk sites considered under BLRS guidance.

The PESA revealed evidence of four (4) potentially impacted properties (PIPs) in connection to this project area.

Based on the data presented in the PESA and data collected during the site reconnaissance, a series of soil borings through a Preliminary Site Investigation (PSI) are recommended to specifically address the four (4) PIPs identified if soil is to be removed near the location. The information obtained from a proposed PSI would aid in developing potential pay items within areas of anticipated excavation for the proposed reconstruction project.

The PESA is included as part of this project report, but it is under a separate cover.

10. Environmental Survey (BLRS Manual Section 20-2)

Whenever a project involves land acquisition (including easements), any in-stream work (including drainage structure run-around), is located within or adjacent to historic properties listed in (or eligible for) the National Register of Historic Places, a bridge on the historic list, is near wetlands, or known locations of threatened or endangered species, the Environmental Survey Request Form should be submitted early in the project development phase.

- a. Wild and Scenic Rivers - If this project crosses or affects a river on the National Wild and Scenic Rivers System or a river listed in the Nationwide Inventory of Rivers with potential for inclusion on the system, include coordination between the National Park Service and the Bureau of Design and Environment (BDE).

☐ Involvement ☒ No Involvement

- b. Wetlands - Does the proposed work impact the use of regulatory wetlands?

☒ Yes ☐ No

If yes, indicate how the wetlands will be migrated. ☒ Banking ☐ Accumulation ☐ On-site ☐ Other

- c. Archaeological and Historical Preservation Include results of coordination. Does the project impact an archaeological or historic preservation site?

☐ Yes ☒ No

If yes, describe any required documents.

N/A

- d. Threatened or Endangered Species – Does the project impact any endangered species or plants?

☐ Involvement ☒ No Involvement

Include copy of biological resources memorandum or signoff by BDE and/or IDNR.

- e. Stream Modification and Wildlife Impacts - Include copies of any correspondence between BDE and IDNR or U.S. Fish and Wildlife Service. Attach copies of any additional coordination between local agency and IDNR or U.S. Fish and Wildlife Service whenever required as a result of biological review by BDE. Address any proposed mitigation measures.

☐ Involvement ☒ No Involvement

11. **Section 4(f) Lands (BLRS Manual Section 20-3)**

- a. Does this project require any right-of-way, including temporary construction easements, from a publicly owned park, recreational area, wildlife and waterfowl, or any historic site in or eligible for the National Register of Historic Places?
- ☐ Yes ☒ No
- b. If yes, what type of of the Section 4(f) involvement has been completed?
- ☐ Section 4(f) de minimis ☐ Standard Section 4(f) ☐ Temporary Occupancy ☐ None

12. **Air Quality (BLRS Manual Section 20-11)** Check One:

- a. ☐ This project is in an attainment area.
- ☒ Projects within a portion of a nonattainment area for which the Chicago Metropolitan Agency for Planning (CMAP) is the MPO.

This project is included in the FY 2012-2016 (transportation plan) and in the Transportation Improvement Program (TIP), endorsed by the CMAP, the region's Metropolitan Planning Organization. The FY 2012-2016 (TIP #: 09-12-0011) (transportation plan) was found to conform by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) on 4/28/2014.

The TIP was found to conform by FHWA on 4/25/2014 and by FTA on 4/25/14.

- ☐ Projects within a nonattainment area served by a Metropolitan Planning Organization other than CMAP.

This project is included in the Long-Range Transportation Plan and in the _____ Transportation Improvement Program (TIP) endorsed by _____, the Metropolitan Planning Organization (MPO) for the region in which the project is located.

On _____ the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) determined that the Long-Range Transportation Plan conforms with the transportation-related provisions of the Clean Air Act Amendments of 1990. The FHWA and the FTA determined on _____ that the TIP conforms with the Clean Air Act Amendments. These finding were in accordance with 40 CFR Part 93, "Criteria and Procedures for Determining Conformity to State or Federal Implementation Plans of Transportation Plans, Programs, and projects Funded or Approved Under Title 23 USC or the Federal Transit Act."

The project's design concept and scope are consistent with the project information used for the TIP conformity analysis. Therefore, this project conforms to the existing State Implementation Plan and the transportation-related requirements of the 1990 Clean Air Act Amendments.

b. **Mobile Source Air Toxics (See BDE PM 52-06)**

This project will not result in any meaningful changes in traffic volumes, vehicle mix, location of the exiting facility, or any other factor that would cause an increase in emissions relative to the no-build alternative. As such, FHWA has determined that this project will generate minimal air quality impacts for Clean Air Act criteria pollutants and has not been linked with any special Mobile Source Air Toxic concerns. Consequently, this effort is exempt from analysis for MSATs.

Moreover, EPA regulations for vehicle engines and fuels will cause overall MSATs to decline significantly over the next 20 years. Even after accounting for a 64 percent increase in VMT, FHWA predicts MSATs will decline in the range of 57 to 87 percent, from 2000 to 2020, based on regulations now in effect, even with a projected 64 percent increase in VMT. This will both reduce the background level of MSATs as well as the possibility of even minor MSAT emissions from this project.

c. Construction-related Particulate Matter

Demolition and construction activities can result in short-term increases in fugitive dust and equipment-related particulate emissions in and around the project area. (Equipment-related particulate emissions are usually insignificant when equipment is well maintained.) The potential air quality impacts will be short-term, occurring only when demolition and construction work is in progress and local conditions are appropriate.

The potential for fugitive dust emissions typically is associated with building demolition, ground clearing, site preparation, grading, stockpiling of materials, on-site movement of equipment, and transportation of materials. The potential is greatest during dry periods, periods of intense construction activity, and during high wind conditions.

The Department's *Standard Specifications for Road and Bridge Construction* include provisions on dust control. Under these provisions, dust and airborne dirt generated by construction activities will be controlled through dust control procedures or a specific dust control plan, when warranted. The contractor and the Department will meet to review the nature and extent of dust-generating activities and will cooperatively develop specific types of control techniques appropriate to the specific situation. Techniques that may warrant consideration include measures such as minimizing track-out of soil onto nearby publicly-traveled roads, reducing speed on unpaved roads, covering haul vehicles, and applying chemical dust suppressants or water to exposed surfaces, particularly those on which construction vehicles travel. With the application of appropriate measures to limit dust emissions during construction, this project will not cause any significant, short-term particulate matter air quality impacts.

d. Project-level Hot Spot Analysis. Check One:

- ☐ This project is in an attainment area and does not require a hot spot analysis.
- ☒ This project does not meet the definition of a project of air quality concern as defined in 40 CFR 93.123(b)(1).
Due to
This project is an intersection channelization project that involves turn lanes that are physically separated. Additionally, these kinds of projects improve traffic operations by smoothing traffic flow and vehicle speeds and do not involve any increases in idling.

it has been determined that the project will not cause or contribute to any new localized PM_{2.5} or PM₁₀ violations or increase the frequency or severity of any PM_{2.5} or PM₁₀ violations. USEPA has determined that such projects meet the Clean Air Act's requirements without any further Hot-Spot analysis.

- ☐ This project is in a non-attainment or maintenance area and is a project of air quality concern. Therefore, a qualitative hot spot analysis is required. See Attachment _____.

e. COSIM

Are through lanes or auxiliary turn lanes being added with this project?

- ☒ Yes ☐ No

If yes, has a COSIM pre-screen analysis been completed?

- ☒ Yes ☐ No

If yes, pre-screen analysis is attached as Attachment

12. In accordance with the IDOT-IEPA Agreement on Microscale Air Quality Assessments for IDOT Sponsored Transportation Projects, this project is exempt from a project-level carbon monoxide air quality analysis because the highest design-year approach volume on the busiest leg of the intersection is less than 5,000 vph or 62,500 ADT.

If no, explain why an analysis has not been performed. _____

If yes, did the COSIM pre-screen analysis pass or fail? ☒ Pass ☐ Fail

If the COSIM pre-screen analysis failed, a full COSIM analysis would be required.

13. Noise (BLRS Manual Section 20-6)

☒ The referenced project meets the criteria for a Type III project established in 23 CFR Part 772. Therefore, the proposed project requires no traffic noise analysis or abatement evaluation. Type III projects do not involve added capacity, construction of new through lanes, changes in the horizontal or vertical alignment of the roadway, or exposure of noise sensitive land uses to a new or existing highway noise source.

☐ Based on the traffic noise analysis and noise abatement evaluation conducted, highway traffic noise abatement measures are likely to be implemented based on preliminary design. The noise barriers determined to meet the feasible and reasonable criteria are identified on the attachment. If it subsequently develops during final design that constraints not foreseen in the preliminary design or public input substantially change, the abatement measures may need to be modified or removed from the project plans. A final decision of the installation of the abatement measure(s) will be made upon completion of the project's final design and the public involvement process.

If this project involves a new alignment, additional lanes, or involves a significant alignment change, attach a traffic noise analysis.

14. Work Zone Transportation Management Plans

Does the project intersect or follow a state route?

☐ Yes ☒ No

Is the state or local route considered a significant route?

☐ Yes ☐ No ☒ Not Applicable

If yes, describe how the Work Zone Transportation Management Plan is being implemented.

N/A

15. Complete Streets (BLRS Manual Chapter 10)

Does the project include the addition of a travel, turning, or bi-directional turn lane on a state highway?

☐ Yes ☒ No

If yes, describe how the Complete Streets Law requiring accommodating bicyclists on a state route apply.

N/A

16. Maintenance of Traffic (BLRS Manual Section 22-2.11(b)(9))

Discuss how vehicle traffic and pedestrians will be accommodated during construction, including the impacts of any road and/or sidewalk closure. If the road will be closed, include information concerning location of alternate routes, their ability to handle the additional traffic (street width, number of traffic lanes, structural adequacy, etc.), and the amount of adverse travel. When a marked detour route will be provided, include coordination with appropriate agencies, a description of the adverse travel, and include a map showing the alternate routes or marked detour in the report.

The adjacent major intersections along Kirk Road (IL 56 to the south and IL 38 to the north) were constructed while maintaining two through lanes in every direction. This MOT strategy of stage construction is anticipated for this intersection as well.

The following items are preliminary assumptions about the maintenance of traffic strategy for this project. These assumptions are subject to change during design. (1) There will be 3 major stages of construction. (2) Fabyan Parkway will be constructed from south to north, and Kirk Road will be constructed from east to west. (3) The basis of assumption 2 is that the required temporary pavement will be constructed in Pre-stage 1 where the existing and proposed shared use path will be located. Daytime lane closures (i.e. reducing from 4 lanes to 3 lanes), from 9 AM to 3 PM for instance, will be required to construct this temporary pavement. This means that the existing shared use path will be closed and detoured. This detour will use Douglas and Raddant Roads. (4) The temporary signals at Fabyan Parkway and the Settler's Hill driveway will be modified to accommodate the maintenance of traffic configurations. (5) If necessary, temporary traffic lane widths will be reduced to 10' similar to the maintenance of traffic strategy utilized for the nearby intersections in Kane County (i.e. Randall Road at IL 64). (6) There are viable alternate routes such as, but not limited to, (1) Kingsland Drive southbound to Douglas Road eastbound to Kirk Road and (2) Fabyan Parkway westbound to IL 25 northbound to IL 38 eastbound.

The suggested maintenance of traffic strategy will become more detailed during design through the use of general notes, sequences of construction, typical sections, and plan sheets for multiple stages of construction and possibly even detours. Considerations that should be made include, but are not limited to, temporary pavement needed to maintain traffic, signing for the work zone, temporary pavement markings, temporary roadside safety layouts, and general notes for time frames, closures, etc.

Beyond the suggested maintenance of traffic strategy, the design should also consider contractor access, work zone safety, potential staging areas, ways to expedite construction, etc.

17. **Public Involvement (BLRS Manual Chapter 21)**

- a. Summarize public informational meetings, formal public hearings, property owner signoffs, council or board meetings, media coverage, and personal contact with public. Include copies of newspaper advertisements, letter to property owners, public comments, and documents showing all public comments have been addressed.

(1 of 2) The first of two public involvement opportunities was a public informational meeting (PIM) on Wednesday, July 24, 2013 from 4:00 PM to 7:00 PM at the City of Batavia City Hall, located at 100 North Island Avenue, Batavia, IL 60510. The PIM was advertised in the Kane County Chronicle on July 9, 2013 and on July 19, 2013. Invitation letters were mailed to all identified stakeholders.

This meeting addressed topics such as the need for the project, the design alternatives under consideration, right of way acquisition, and the tentative construction schedule. Preliminary reports including environmental documents and an engineering analysis with drawings, maps, and aerial photography were made available for inspection and viewing during the meeting. Representatives were available to discuss the project and answer individual questions. Project Brochures and Comment forms were provided for those in attendance. Attendees were asked to provide written comments either during the PIM or submit them after the PIM within a two-week window via a project-specific email address.

The 10 comments from the PIM primarily focused on access with some secondary focus on detention, pedestrian accommodations, and ADA compliance. The design was first re-evaluated based on these comments. KDOT then responded to all comments via letters. It is believed that the KDOT responses satisfied all commenters because none of the commenters made the same comments at the Public Hearing.

(2 of 2) The second of two public involvement opportunities was a public hearing (PH) on Thursday, December 5, 2013 from 4:00 PM to 7:00 PM at the City of Batavia City Hall, located at 100 North Island Avenue, Batavia, IL 60510. The PH was advertised in the Kane County Chronicle on November 19, 2013 and on November 29, 2013. Invitation letters were mailed to all identified stakeholders.

This meeting addressed topics such as the need for the project, the preferred design alternative under consideration, right of way acquisition, and the tentative construction schedule. Preliminary reports including environmental documents and an engineering analysis with drawings, maps, and aerial photography were made available for inspection and viewing during the meeting. Representatives were available to discuss the project and answer individual questions. Project Brochures and Comment forms were provided for those in attendance. Attendees were asked to provide written comments either during the PH or submit them after the PH within a two-week window via a project-specific email address. Additionally, a court reporter was present to take comments during the PH.

The 2 comments from the PH primarily focused on access and detention. The design was first revised based on these comments. The detention comment, for instance, led to the relocation of the proposed detention facility on the east side of the north leg to the west side of the north leg. This revision will not only address a comment, but it will also yield a better design. KDOT then responded to all comments via letters.

Please refer to Attachments 13 and 14.

- b. Has any opposition been expressed toward the improvement?

☐ Yes ☒ No

If yes, briefly discuss the type and extent of opposition.

N/A

- c.

If yes, discuss how the opposition has been addressed with the property owners?

N/A

18. **Coordination: LA-IDOT-FHWA (BLRS Manual Section 22-1.02)**

Has there been any coordination meetings for this project? ☒ Yes ☐ No

If yes, list the date(s) of the coordination meeting(s) below and attach coordination meeting minutes in the report.

(1) IDOT District Coordination Meeting 1: January 15, 2013

(2) IDOT District Coordination Meeting 2: January 14, 2014

19. **Other Coordination**

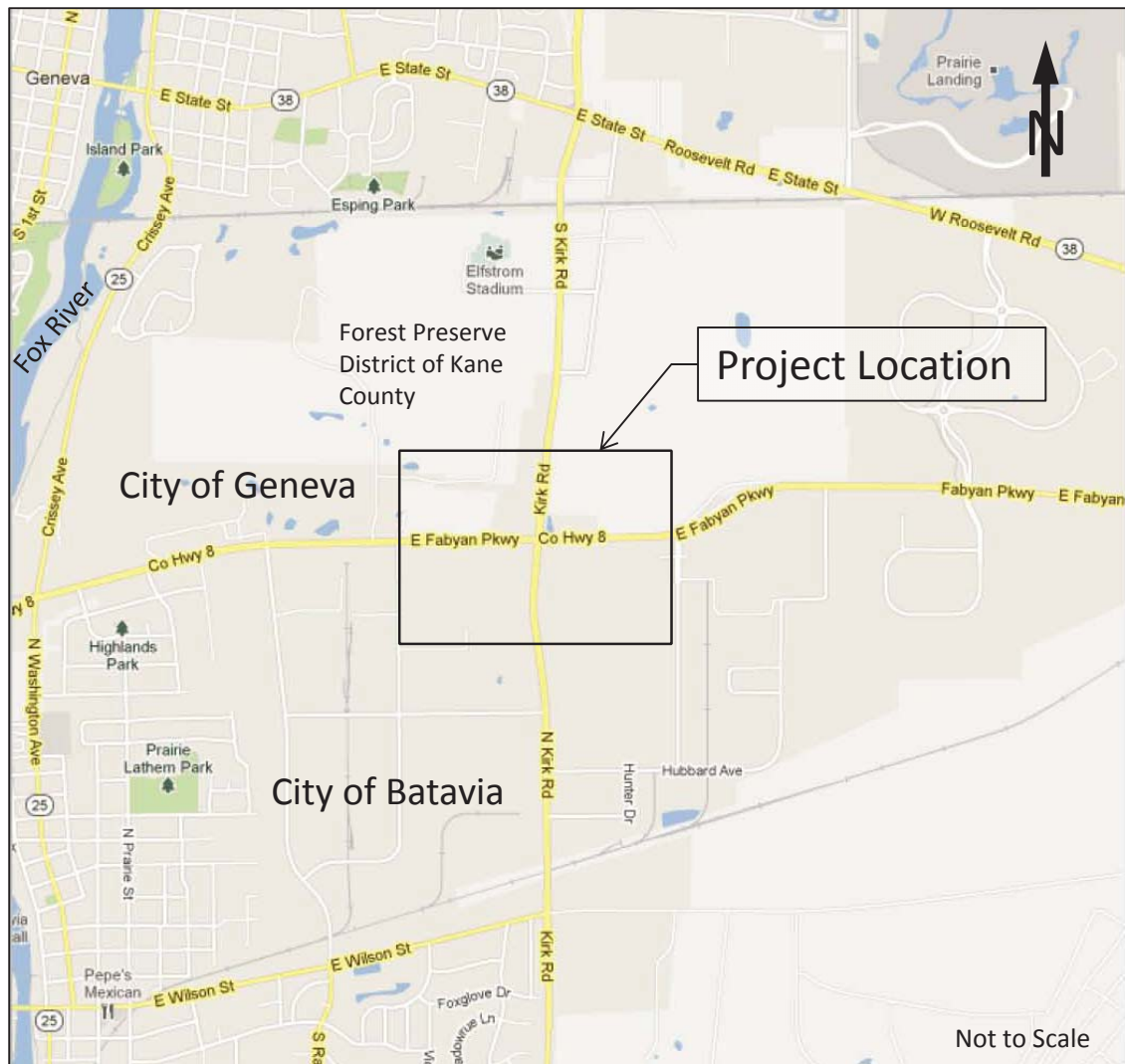
Attach results. Please refer to Attachment 16.

20. **Summary of Commitments**

N/A

Attachment 1

Location Map



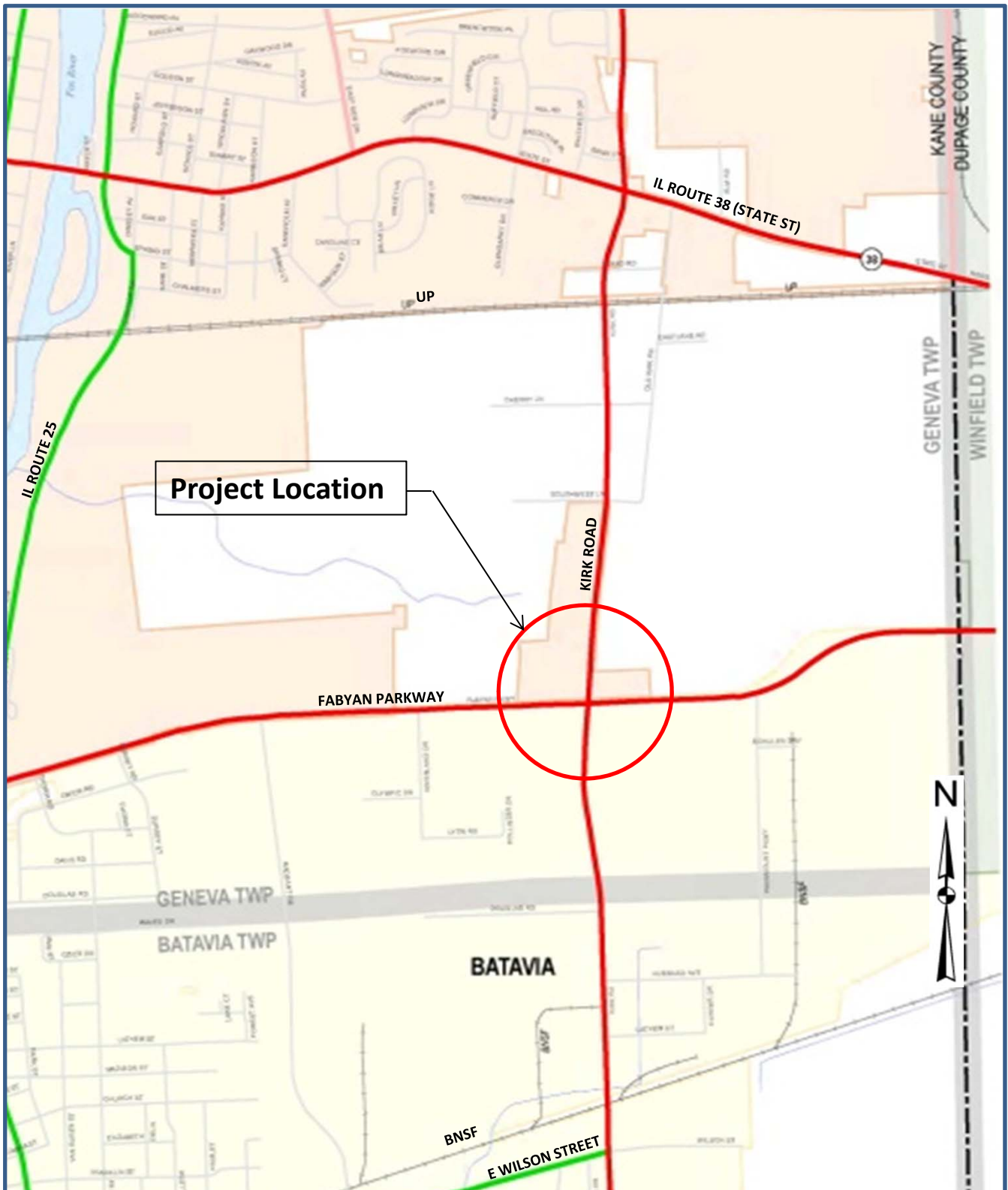
**Kirk Rd (CH 77) & Fabyan Parkway (CH 8)
City of Batavia & City of Geneva
Kane County, Illinois**



LOCATION MAP

Attachment 2

Functional Classification Map



5-Year Classification

- Interstate
- Freeway or Expressway
- Other Principal Arterial
- Minor Arterial
- Major Collector
- Minor Collector
- Local Highway Streets
- Urban Boundary

Other Map Base Features

- 67 50 31 Interstate, U.S., State
- ++++ Railroad
- State Boundary
- County Boundary
- ■ ■ Incorporated Town
- River, Stream
- Waterbody
- Civil Township or District

ATTACHMENT 2

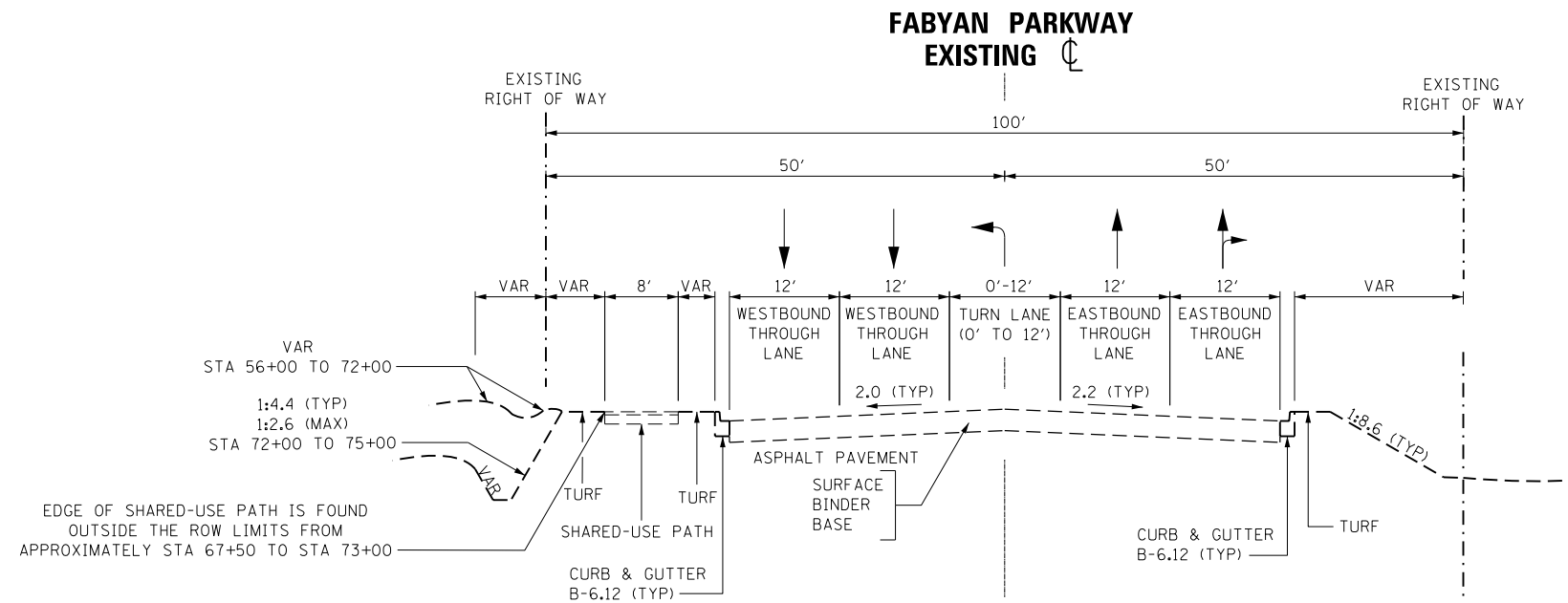
5-YEAR CLASSIFICATION MAP
CHICAGO URBAN AREA
GENEVA & BATAVIA TOWNSHIPS
KANE COUNTY
ILLINOIS

Attachment 3

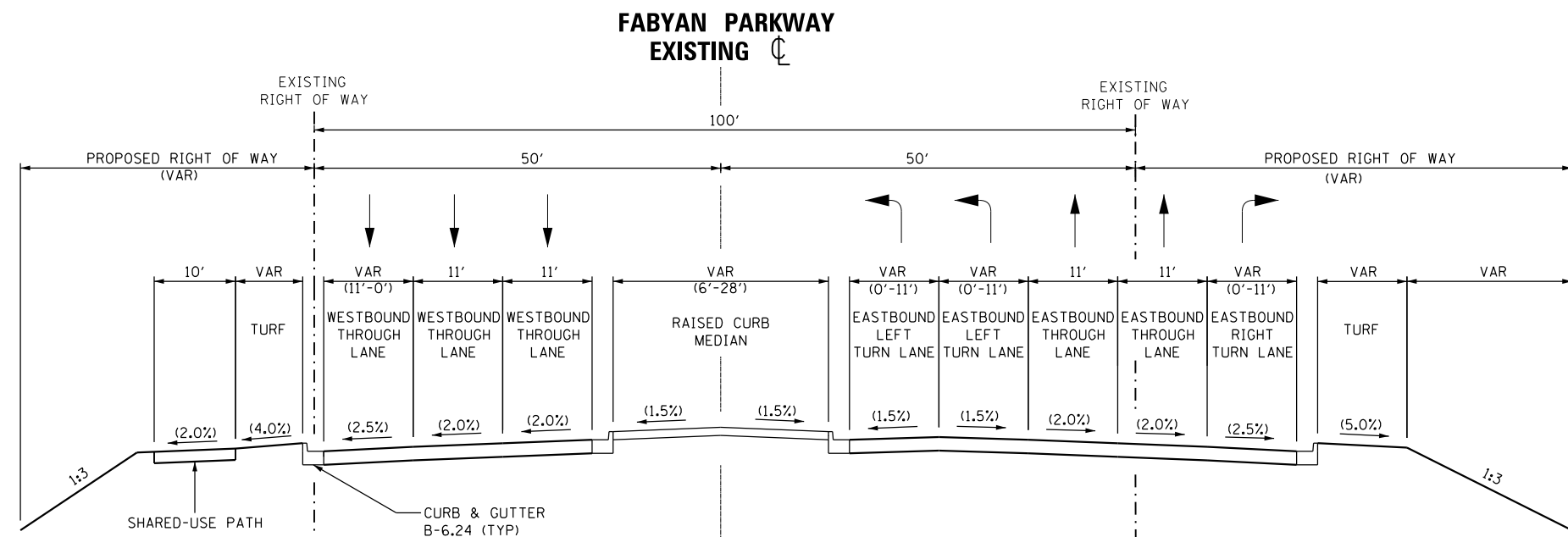
Existing and Proposed Typical Sections

EXISTING

**FABYAN WEST LEG TYPICAL SECTION
(FACING EAST)**



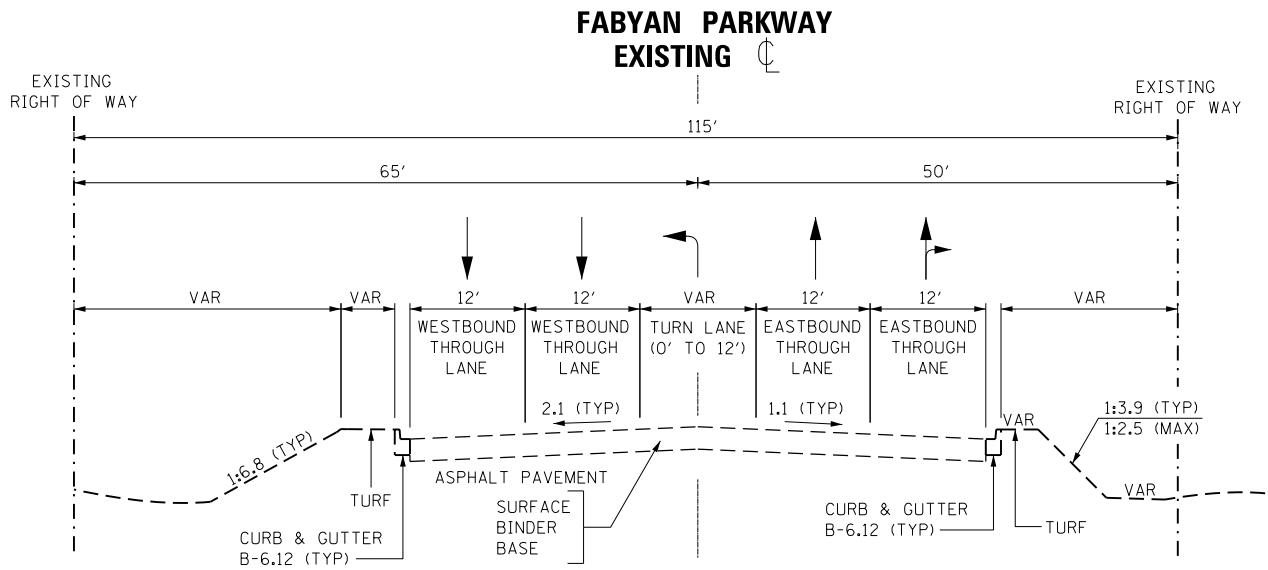
PREFERRED ALTERNATIVE



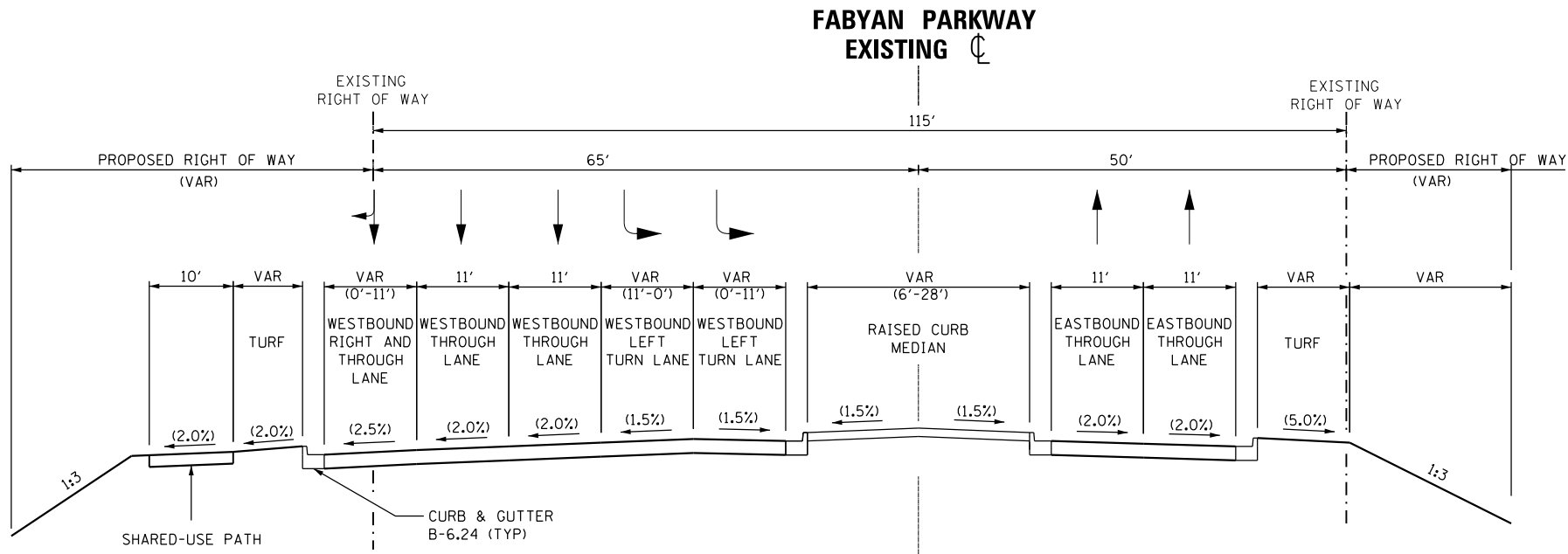
FILE NAME =	USER NAME = briarp	DESIGNED - RO	REVISED -	<div>KANE COUNTY</div> <div>DIVISION OF TRANSPORTATION</div>	<div>TYPICAL SECTIONS</div> <div>FABYAN PARKWAY</div>				F.A. RTE.	SECTION	COUNTY	TOTAL SHEETS	SHEET NO.
Typical Sections.dgn		DRAWN - 6/6/2014	REVISED -							11-00201-04-CH	KANE		
	PLOT SCALE = 20.0000' / 1in.	CHECKED - BLP	REVISED -		FAP 360 (KIRK); FAP 363 (FABYAN)				CONTRACT NO.				
Default	PLOT DATE = 6/6/2014	DATE - 6/6/2014	REVISED -		SCALE: NTS	SHEET 1	OF 4 SHEETS	STA.	TO STA.	ILLINOIS FED. AID PROJECT			

FABYAN EAST LEG TYPICAL SECTION
(FACING EAST)

EXISTING



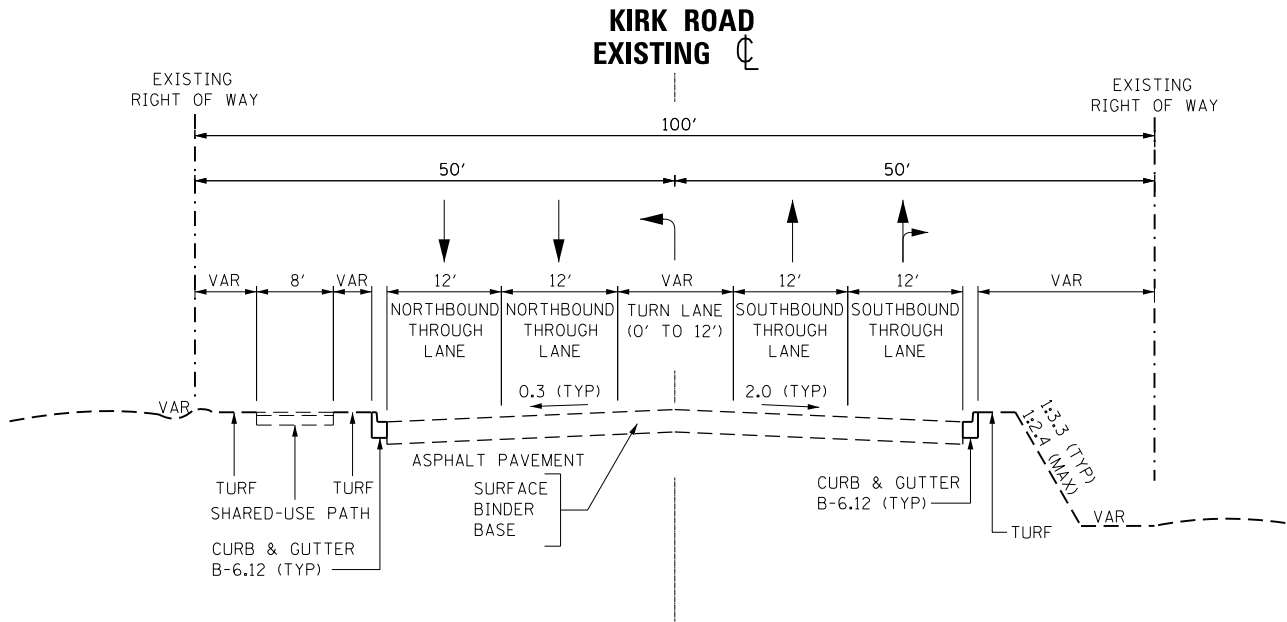
PREFERRED ALTERNATIVE



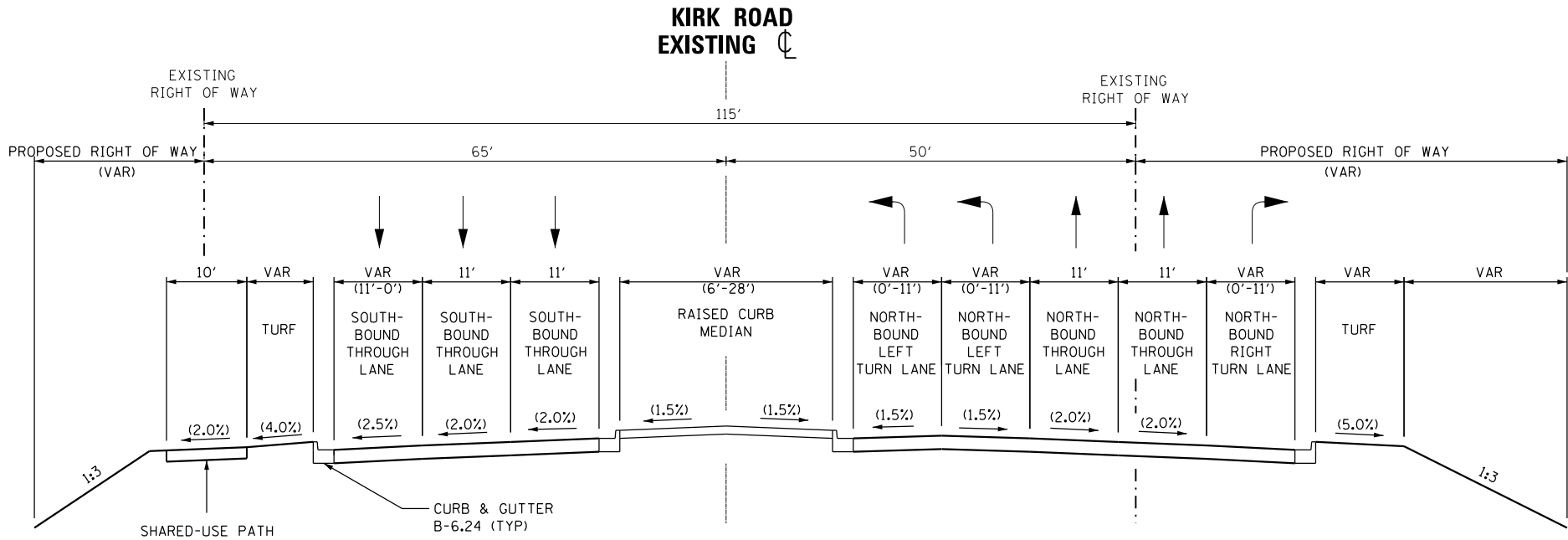
FILE NAME = Typical Sections.dgn	USER NAME = briamp	DESIGNED - RO	REVISED -	KANE COUNTY DIVISION OF TRANSPORTATION	TYPICAL SECTIONS FABYAN PARKWAY					F.A. RTE.	SECTION	COUNTY	TOTAL SHEETS	SHEET NO.
		DRAWN - 6/6/2014	REVISED -			11-00201-04-CH	KANE							
	PLOT SCALE = 20.0000 ' / in.	CHECKED - BLP			CONTRACT NO.									
Default	PLOT DATE = 6/6/2014	DATE - 6/6/2014	REVISED -		SCALE: NTS	SHEET 2	OF 4 SHEETS	STA.	TO STA.	ILLINOIS FED. AID PROJECT				

KIRK SOUTH LEG TYPICAL SECTION
(FACING NORTH)

EXISTING



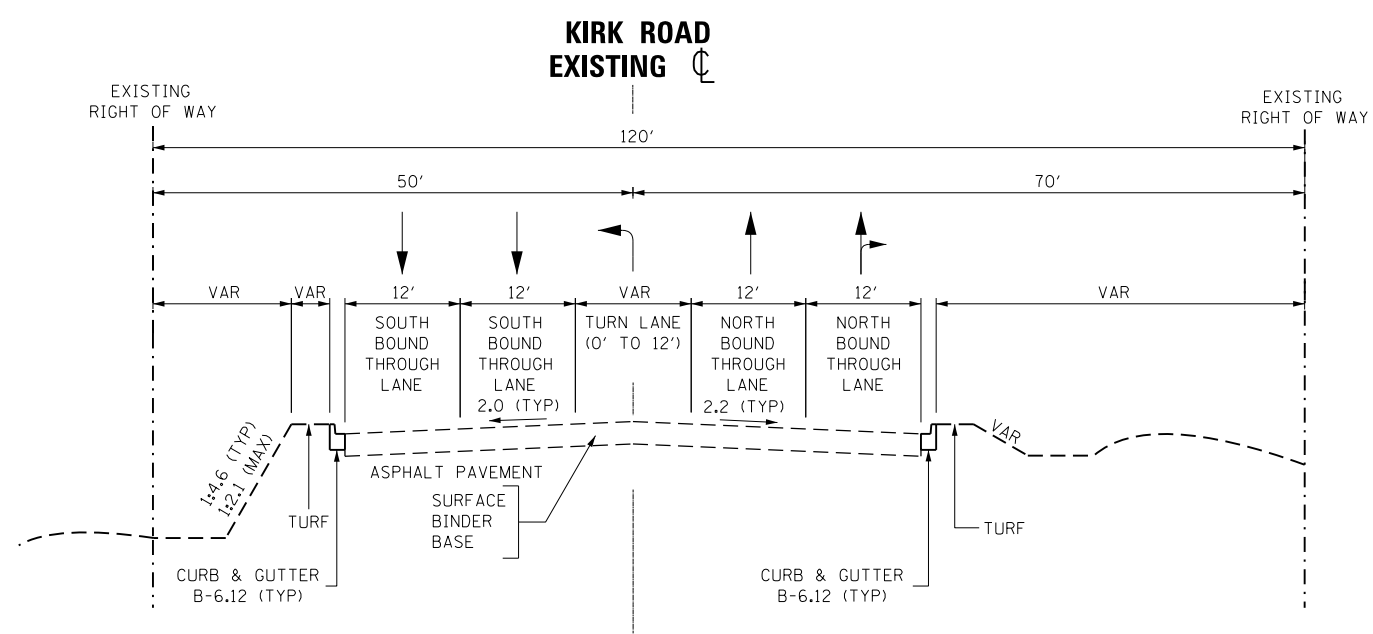
PREFERRED ALTERNATIVE



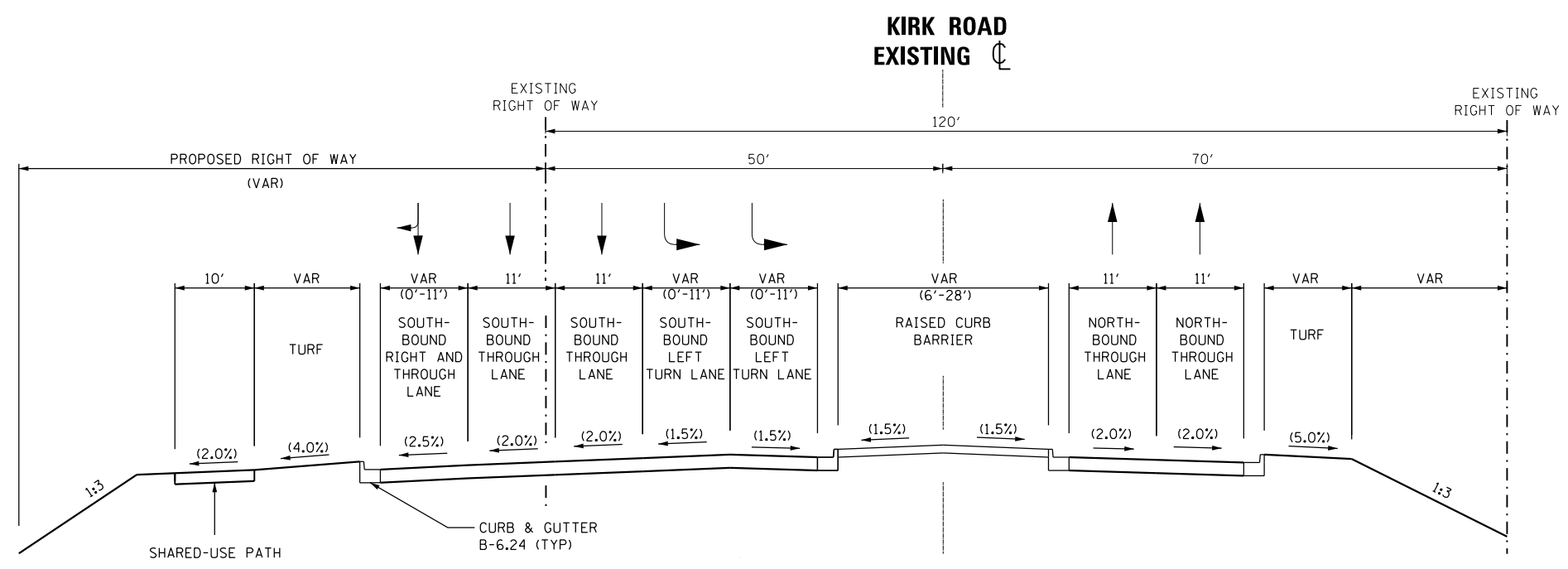
FILE NAME = Typical Sections.dgn Default	USER NAME = briannp	DESIGNED - RO	REVISED -	KANE COUNTY DIVISION OF TRANSPORTATION	TYPICAL SECTIONS KIRK ROAD			F.A. RTE.	SECTION	COUNTY	TOTAL SHEETS	SHEET NO.
		DRAWN - 6/6/2014	REVISED -						11-00201-04-CH	KANE		
		CHECKED - BLP	REVISED -		SCALE: NTS SHEET 3 OF 4 SHEETS STA. TO STA.			CONTRACT NO.				
		PLOT DATE = 6/6/2014	REVISED -					ILLINOIS FED. AID PROJECT				

KIRK NORTH LEG TYPICAL SECTION
(FACING NORTH)

EXISTING



PREFERRED ALTERNATIVE

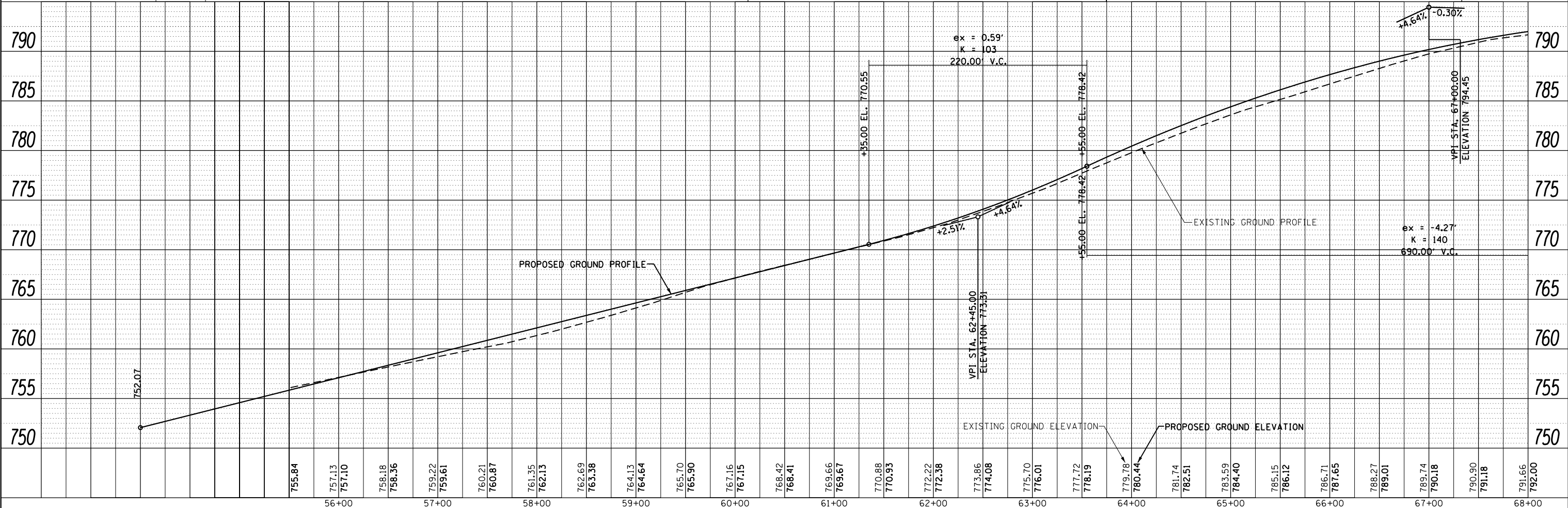
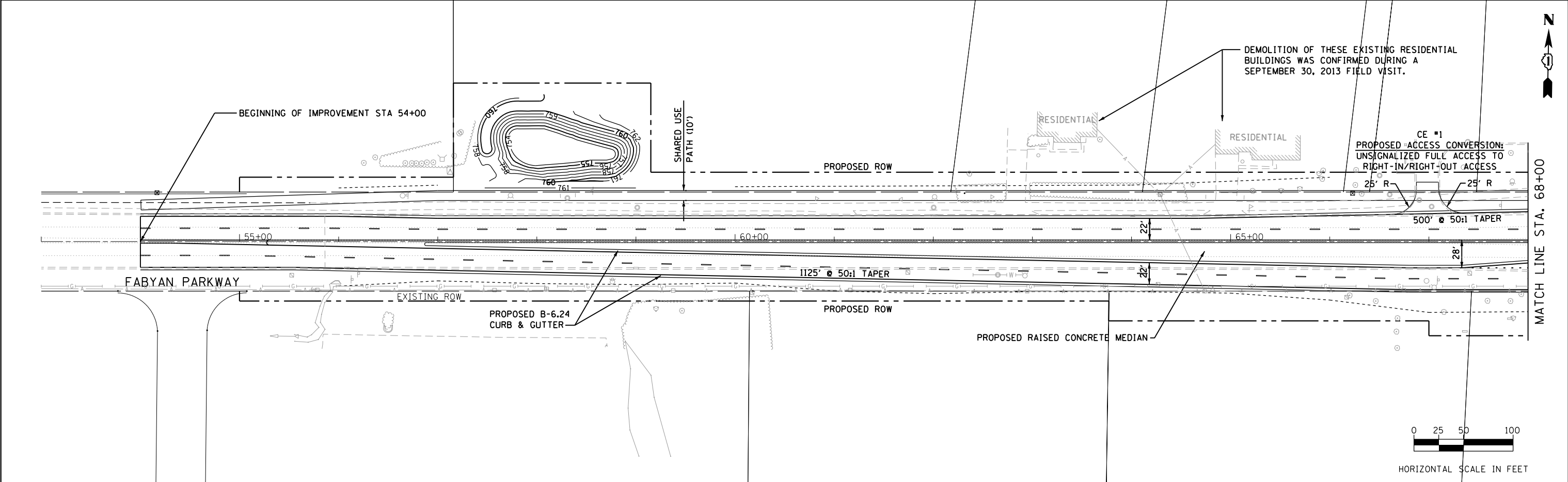


Attachment 4

Plan and Profile Sheets

PLAN	SURVEYED	BY	DATE
	PLOTTED		
	ALIGNED		
	CHECKED		
	FILE NAME		
	NO.		

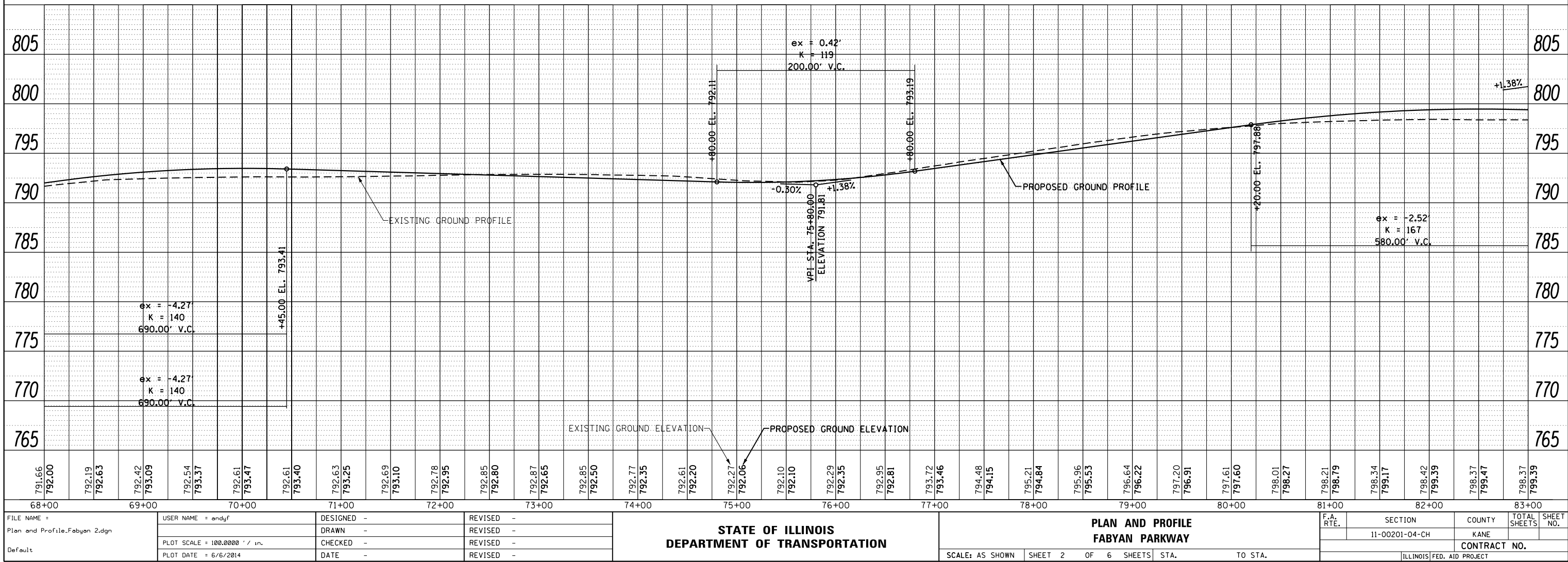
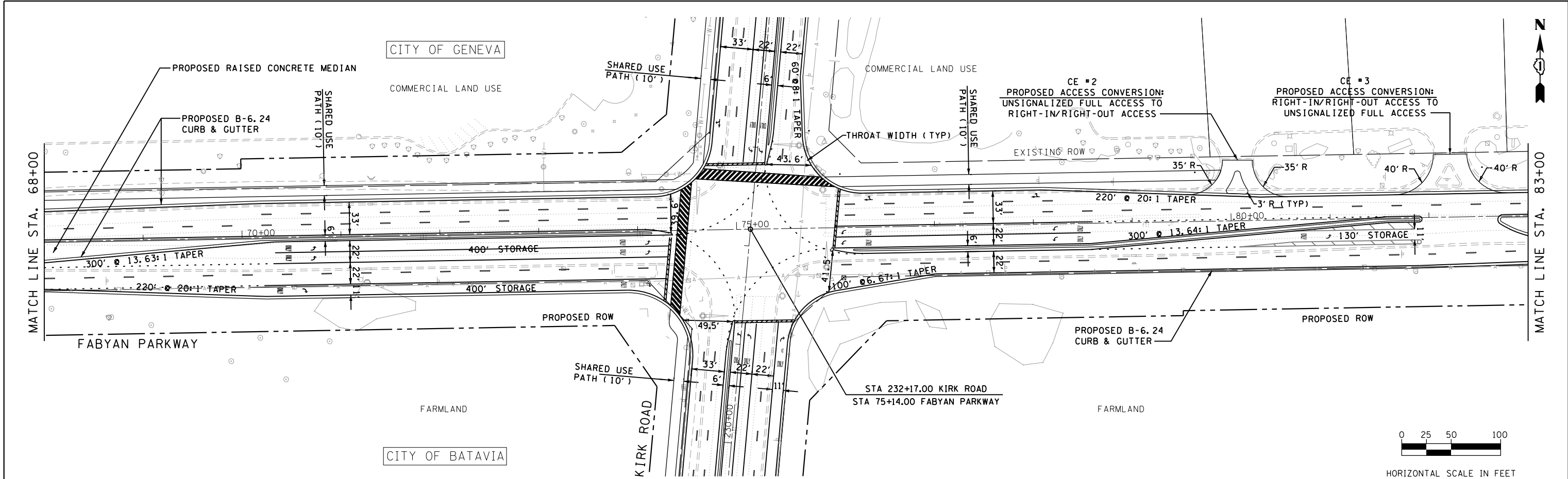
PROFILE	SURVEYED	BY	DATE
	PLOTTED		
	GRADES		
	CHECKED		
	STRUCTURE		
	NOTATIONS		
	CHNO		



FILE NAME =	USER NAME = andyf	DESIGNED -	REVISED -	STATE OF ILLINOIS DEPARTMENT OF TRANSPORTATION	PLAN AND PROFILE FABYAN PARKWAY				F.A. RTE.	SECTION	COUNTY	TOTAL SHEETS	SHEET NO.
Plan and Profile.Fabyan 1.dgn		DRAWN -	REVISED -							11-00201-04-CH	KANE		
Default	PLOT SCALE = 100.0000 ' / in.	CHECKED -	REVISED -		SCALE: AS SHOWN		SHEET 1	OF 6 SHEETS	STA.	TO STA.	CONTRACT NO.		
	PLOT DATE = 6/6/2014	DATE -	REVISED -		ILLINOIS FED. AID PROJECT								

PLAN	SURVEYED	DATE
NO.	FILE NAME	
NOTE BOOK	FILE NAME	
NO.	FILE NAME	

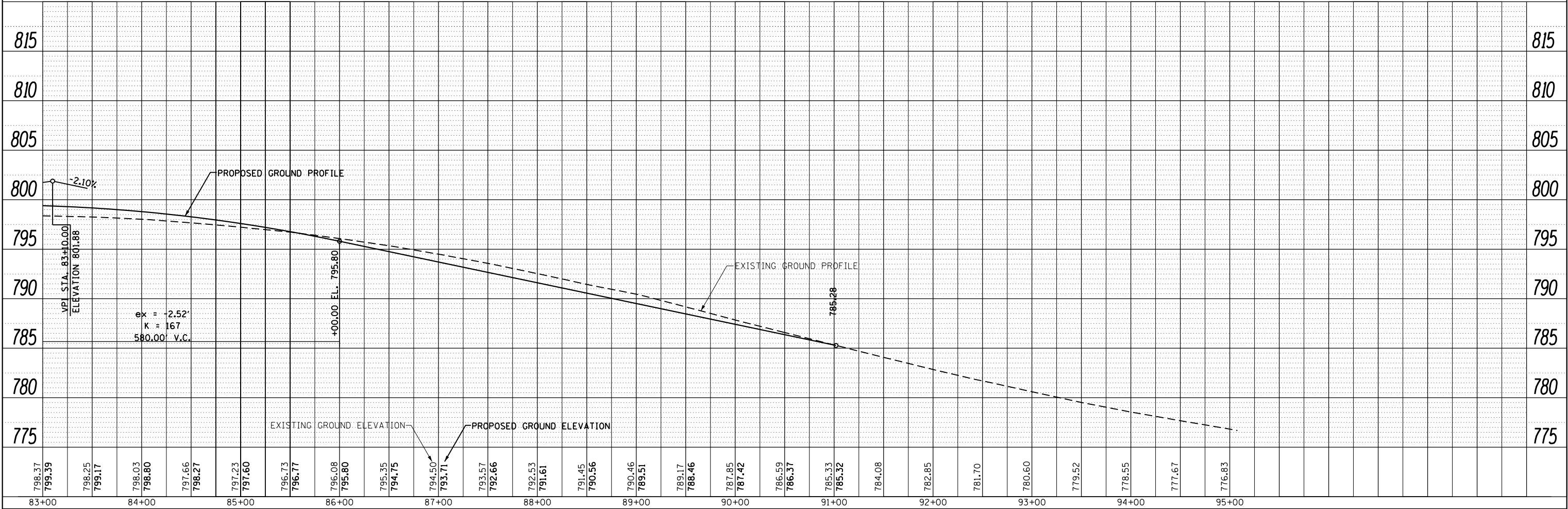
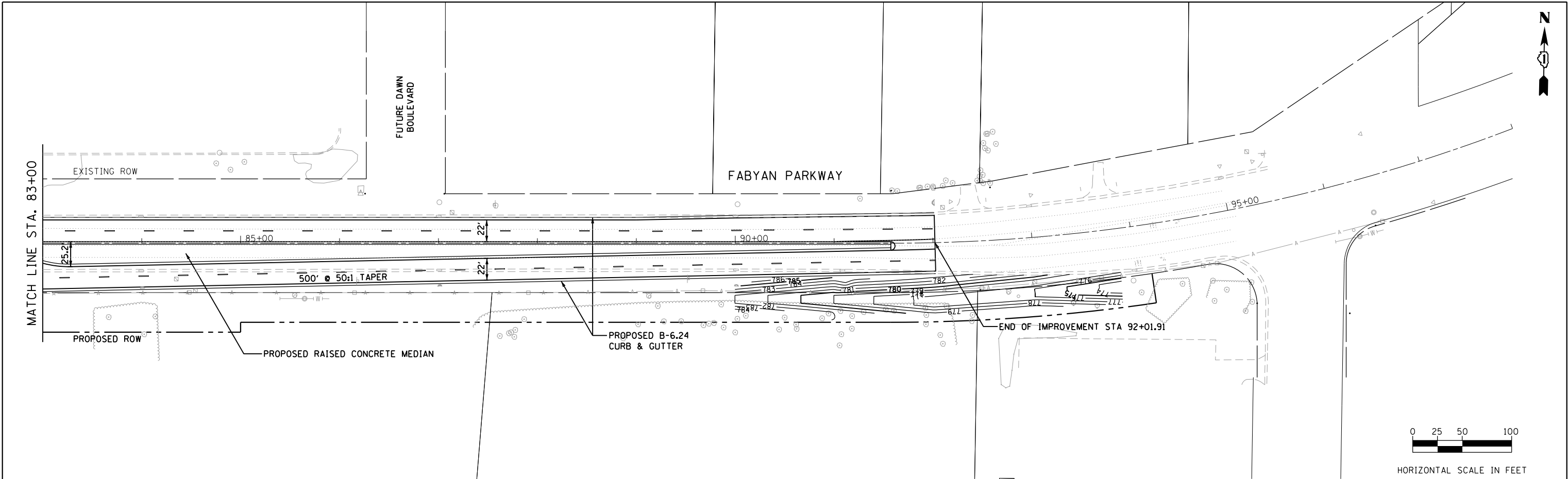
PROFILE	SURVEYED	DATE
NO.	FILE NAME	
NOTE BOOK	FILE NAME	
NO.	FILE NAME	



FILE NAME =	USER NAME = andyf	DESIGNED -	REVISED -	STATE OF ILLINOIS DEPARTMENT OF TRANSPORTATION	PLAN AND PROFILE FABYAN PARKWAY				F.A. RTE.	SECTION	COUNTY	TOTAL SHEETS	SHEET NO.
Plan and Profile.Fabyan 2.dgn		DRAWN -	REVISED -							11-00201-04-CH	KANE		
Default	PLOT SCALE = 100.0000' / in.	CHECKED -	REVISED -		CONTRACT NO.								
	PLOT DATE = 6/6/2014	DATE -	REVISED -		SCALE: AS SHOWN	SHEET 2	OF 6 SHEETS	STA.	TO STA.	ILLINOIS FED. AID PROJECT			

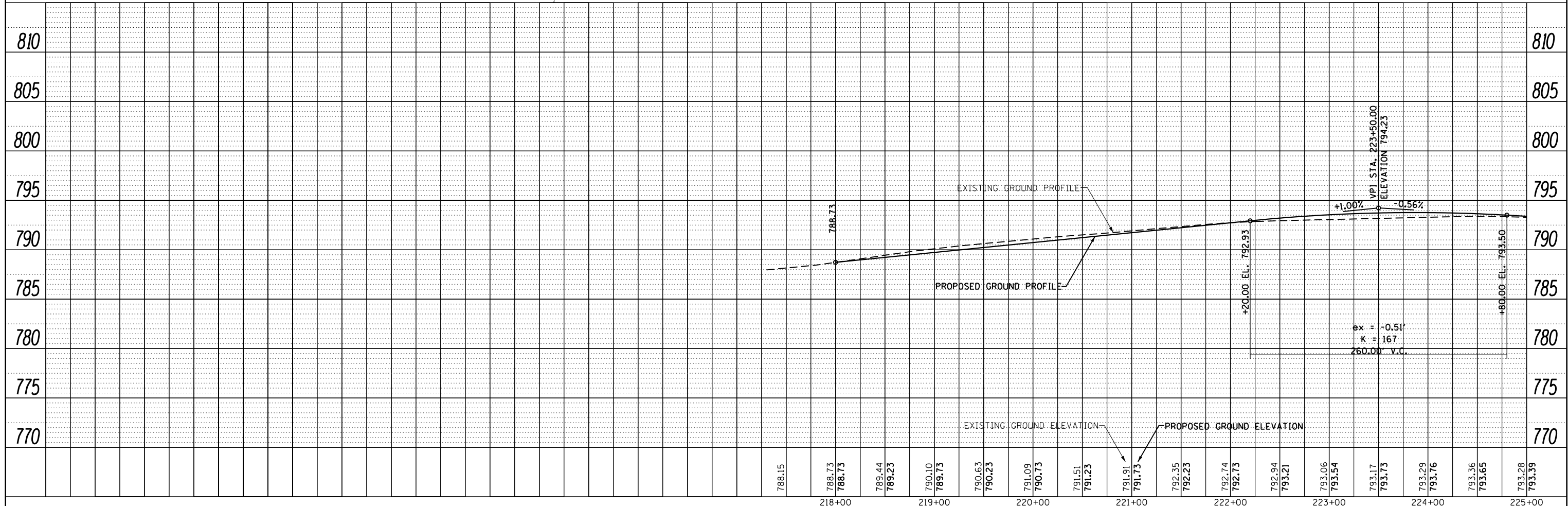
PLAN	SURVEYED	BY	DATE
	PLOTTED		
	ALIGNED		
	CHECKED		
NOTE BOOK NO.	FILE NAME		
	CADD FILE NAME		

PROFILE	SURVEYED	BY	DATE
	PLOTTED		
	GRADES CHECKED		
	STRUCTURE NOTATIONS CHKD		
NOTE BOOK NO.	FILE NAME		
	CADD FILE NAME		



FILE NAME = Plan and Profile.Fabyan 3.dgn	USER NAME = andyf	DESIGNED - DRAWN -	REVISED - REVISED -	STATE OF ILLINOIS DEPARTMENT OF TRANSPORTATION	PLAN AND PROFILE FABYAN PARKWAY		F.A. RTÉ.	SECTION 11-00201-04-CH	COUNTY KANE	TOTAL SHEETS	SHEET NO.
Default	PLOT SCALE = 100.0000' / in.	CHECKED - DATE -	REVISED - REVISED -		SCALE: AS SHOWN	SHEET 3 OF 6 SHEETS	STA. TO STA.	CONTRACT NO.			
	PLOT DATE = 6/6/2014							ILLINOIS FED. AID PROJECT			

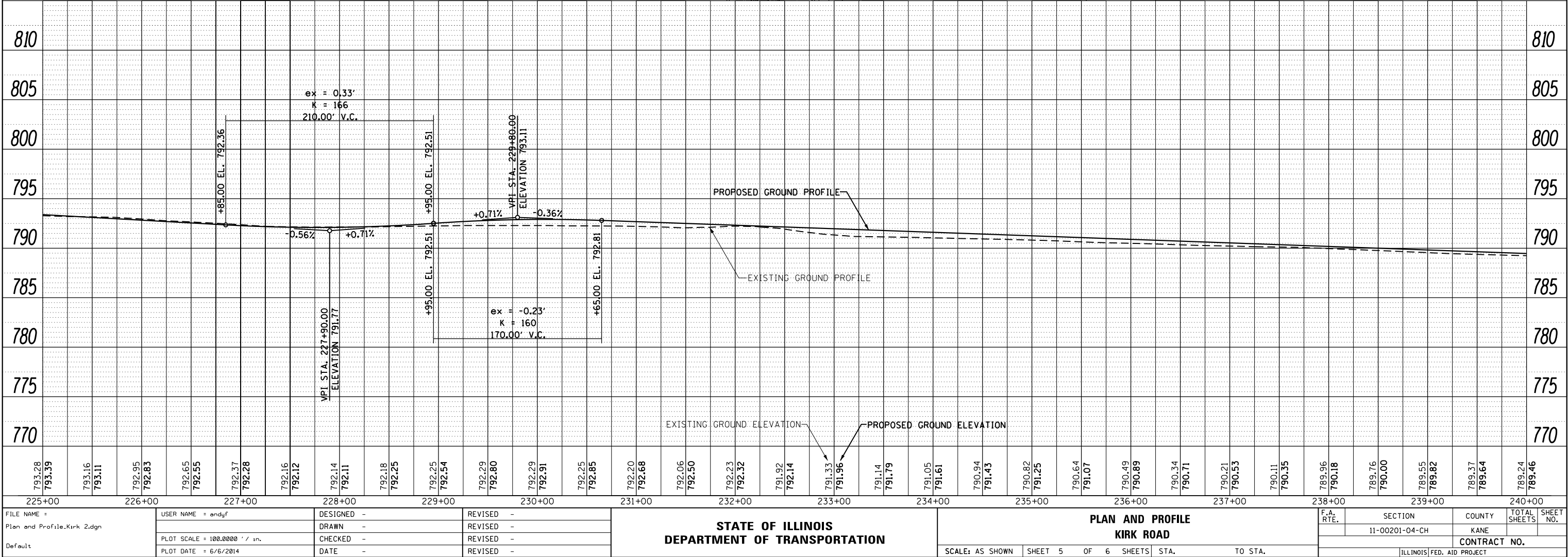
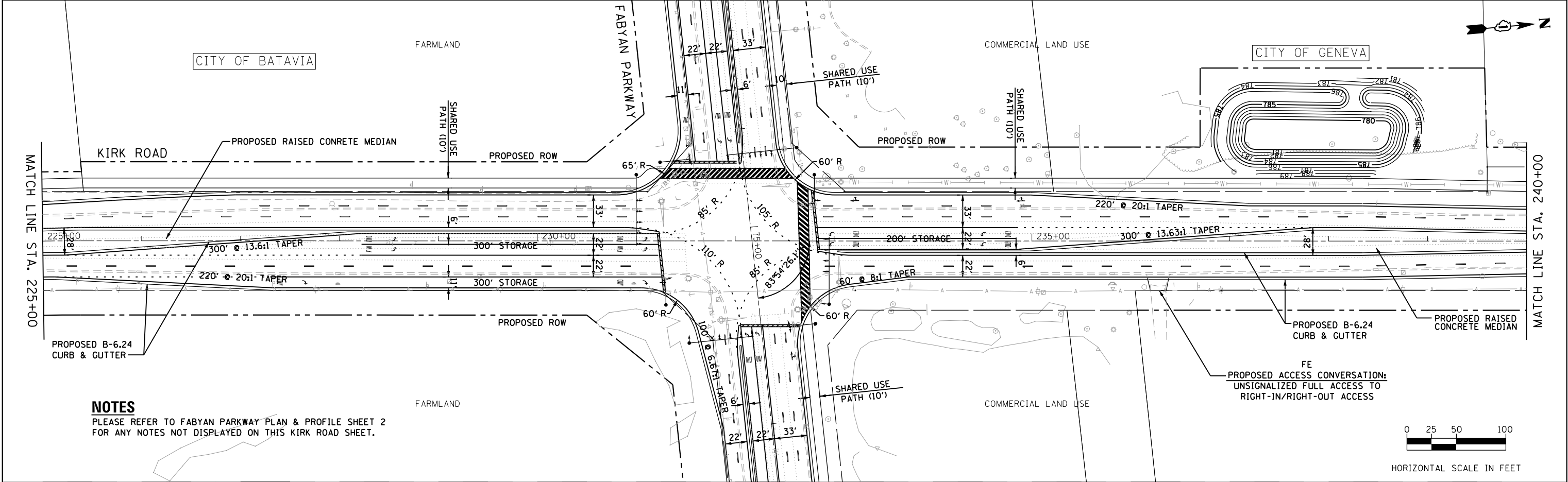
PROFILE			BY	DATE
	SURVEYED			
	PLOTTED			
NOTE BOOK	GRADES CHECKED			
	B.M. NOTED			
NO. _____	STRUCTURE NOTAT'NS CHK'D			



FILE NAME =	USER NAME = andyf	DESIGNED -	REVISED -	STATE OF ILLINOIS DEPARTMENT OF TRANSPORTATION	PLAN AND PROFILE KIRK ROAD				F.A. RTE.	SECTION	COUNTY	TOTAL SHEETS	SHEET NO.
Plan and Profile.Kirk 1.dgn		DRAWN -	REVISED -			11-00201-04-CH				KANE			
Default	PLOT SCALE = 100.0000 ' / in.	CHECKED -	REVISED -		SCALE: AS SHOWN SHEET 4 OF 6 SHEETS STA. TO STA.				CONTRACT NO.				
	PLOT DATE = 6/6/2014	DATED -	REVISED -						ILLINOIS FED. AID PROJECT				

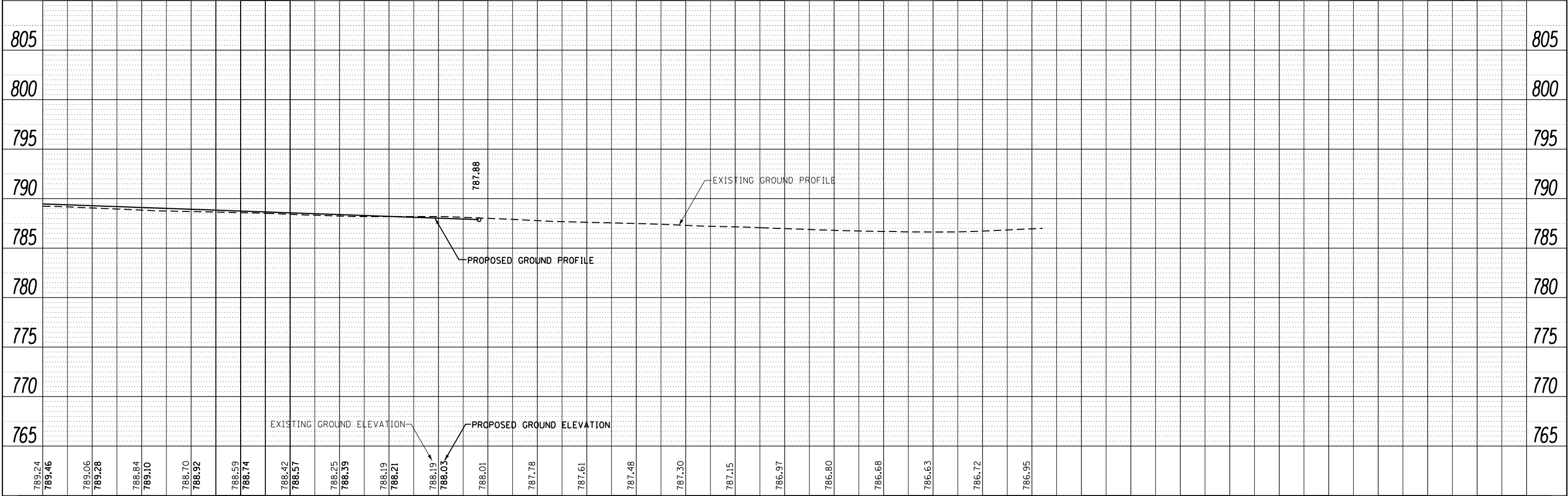
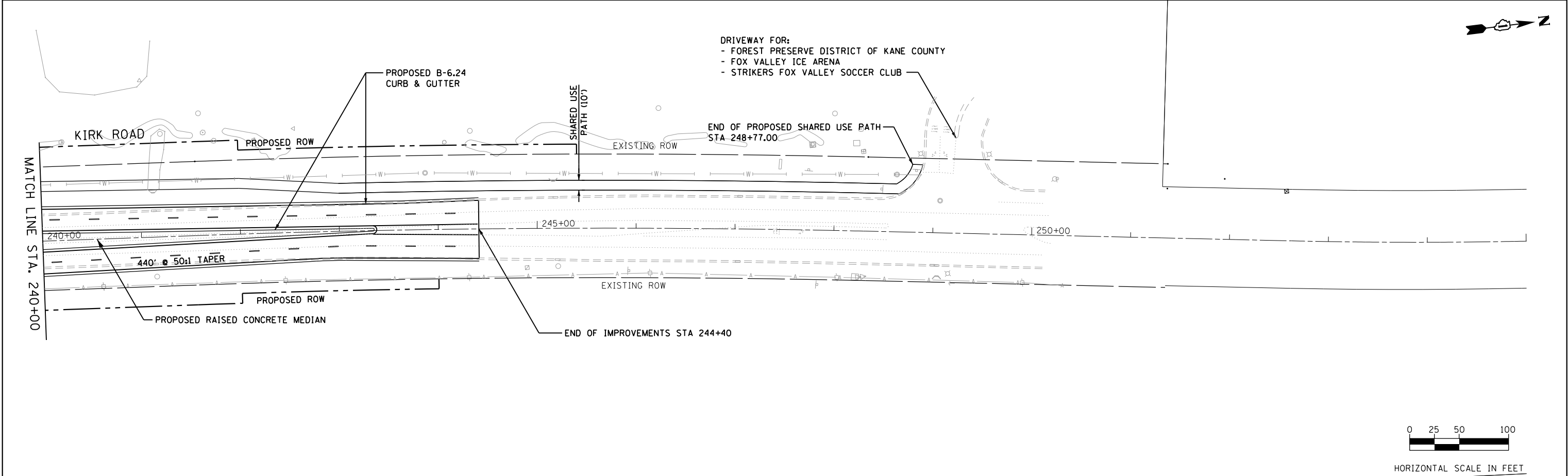
PLAN	SURVEYED	DATE
	BY	
NOTE BOOK NO.	ALIGNED	
	CADD FILE NAME	

PROFILE	SURVEYED	DATE
	BY	
NOTE BOOK NO.	GRADES CHECKED	
	STRUCTURE NOTATIONS CHKD	



PLAN	SURVEYED	BY	DATE
	PLOTTED		
NOTE BOOK NO.	CHECKED		
	FILE NAME		

PROFILE	SURVEYED	BY	DATE
	PLOTTED		
NOTE BOOK NO.	GRADES CHECKED		
	STRUCTURE NOTATIONS CHKD		



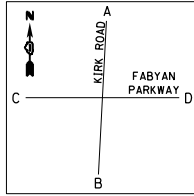
Attachment 5

Intersection Design Study

SIGNALIZED INTERSECTION
CAPACITY ANALYSIS

HIGHWAY CAPACITY SOFTWARE
PROGRAM NAME HCS 2010
VERSION 6.5

BASIC CONDITIONS
AREA: CBD OTHER (CIRCLE ONE)
SIGNAL TYPE SEMI-ACTUATED ARRIVAL TYPE 3/4
PHF 1.00
C = SIGNAL CYCLE = 110 SEC.
ΣA/C 20 / 110 = 0.18



NOTES

1. ALL PROPOSED RIGHT OF WAY IS PRELIMINARY

PHASE I	PHASE II	PHASE III	PHASE IV	PHASE V	PHASE VI
G/C = .08 G = 9.1 Sec.	G/C = .09 G = 9.8 Sec.	G/C = .23 G = 25.2 Sec.	G/C = .06 G = 6.5 Sec.	G/C = .04 G = 3.4 Sec.	G/C = .29 G = 31.9 Sec.
AMBER AND ALL RED (3+1)	AMBER AND ALL RED (3+1)	AMBER AND ALL RED (4.5+1.5)	AMBER AND ALL RED (3+1)	AMBER AND ALL RED (3+1)	AMBER AND ALL RED (4.5+1.5)
G/C = .13 G = 14.3 Sec.	G/C = .02 G = 1.8 Sec.	G/C = .20 G = 21.7 Sec.	G/C = .04 G = 4.0 Sec.	G/C = .09 G = 10.3 Sec.	G/C = .27 G = 30.0 Sec.

APPR. A (SB) GR= -0.36% A.M. T=20.0% R=15.4% L= 0% PKG 0 (MNV/HR) BUS 0 (STOP/HR) PEDS/HR 0 BIKES/HR 0
P.M. T=21.0% R=20.5% L= 0% PKG 0 (MNV/HR) BUS 0 (STOP/HR) PEDS/HR 0 BIKES/HR 0

MOVEMENT	L/W	DHV	PHF	BASE SAT.	V/S	USED G/C	CAP C	V/C	DELAY d	LOS	APPR. DELAY	APPR. LOS	95TH QUEUE	%RED-TIME QUEUE
A.M. AD	2/22	120	1.0	1900	.06	.05	186	.647	54.4	D			75	100
AB	3/33	1150	1.0	2000	.58	.29	1074	.864	39.5	D	43.9	D	408	
AC	1/11	210	1.0	1900	.11	.29	494	.865	50.6	D			440	228
P.M. AD	2/22	45	1.0	1900	.02	.04	110	.409	54.4	D			28	38
AB	2/22	1025	1.0	2000	.51	.27	1039	.858	34.8	C	37.2	D	373	
AC	1/11	265	1.0	1900	.14	.27	464	.859	40.4	D			375	296

APPR. B (NB) GR= 0.36% A.M. T=28.0% R=28.1% L= 0% PKG 0 (MNV/HR) BUS 0 (STOP/HR) PEDS/HR 0 BIKES/HR 0
P.M. T=12.0% R=14.3% L= 0% PKG 0 (MNV/HR) BUS 0 (STOP/HR) PEDS/HR 0 BIKES/HR 0

MOVEMENT	L/W	DHV	PHF	BASE SAT.	V/S	USED G/C	CAP C	V/C	DELAY d	LOS	APPR. DELAY	APPR. LOS	95TH QUEUE	%RED-TIME QUEUE
A.M. BC	2/22	215	1.0	1900	.11	.09	294	.732	52.3	D			133	154
BA	2/22	1035	1.0	2000	.52	.32	1101	.940	47.4	D	43.5	D	493	
BD	1/11	405	1.0	1900	.21	.40	597	.671	28.8	C			328	390
P.M. BC	2/22	480	1.0	1900	.25	.17	567	.847	52.2	D			275	313
BA	2/22	1260	1.0	2000	.63	.40	1474	.855	27.9	C	32.4	C	443	
BD	1/11	210	1.0	1900	.11	.53	816	.257	14.0	B			118	158

APPR. C (EB) GR= -0.38% A.M. T=9.0% R=27.4% L= 0% PKG 0 (MNV/HR) BUS 0 (STOP/HR) PEDS/HR 0 BIKES/HR 0
P.M. T=12.0% R=30.2% L= 0% PKG 0 (MNV/HR) BUS 0 (STOP/HR) PEDS/HR 0 BIKES/HR 0

MOVEMENT	L/W	DHV	PHF	BASE SAT.	V/S	USED G/C	CAP C	V/C	DELAY d	LOS	APPR. DELAY	APPR. LOS	95TH QUEUE	%RED-TIME QUEUE
A.M. CA	2/22	620	1.0	1900	.33	.21	719	.862	49.1	D			333	385
CD	2/22	1270	1.0	2000	.64	.36	1313	.967	54.3	D	47.4	D	625	
CB	1/11	480	1.0	1900	.25	.45	690	.689	26.8	C			368	424
P.M. CA	2/22	535	1.0	1900	.28	.18	622	.860	52.6	D			303	345
CD	2/22	740	1.0	2000	.37	.25	915	.809	37.7	D	39.9	D	328	
CB	1/11	320	1.0	1900	.17	.42	638	.502	24.0	C			245	298

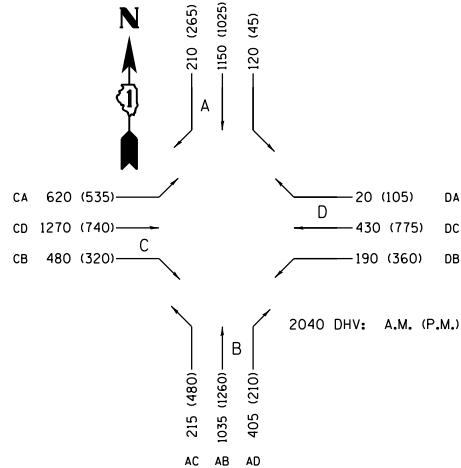
APPR. D (WB) GR= -1.38% A.M. T=19.0% R= 4.4% L= 0% PKG 0 (MNV/HR) BUS 0 (STOP/HR) PEDS/HR 0 BIKES/HR 0
P.M. T=7.0% R=11.9% L= 0% PKG 0 (MNV/HR) BUS 0 (STOP/HR) PEDS/HR 0 BIKES/HR 0

MOVEMENT	L/W	DHV	PHF	BASE SAT.	V/S	USED G/C	CAP C	V/C	DELAY d	LOS	APPR. DELAY	APPR. LOS	95TH QUEUE	%RED-TIME QUEUE
A.M. DB	2/22	190	1.0	1900	.10	.08	262	.724	53.1	D			118	139
DC	3/33	430	1.0	2000	.22	.23	849	.350	31.9	C	38.4	D	130	
DA	1/11	20	1.0	1900	.01	.23	417	.353	32.4	C			130	24
P.M. DB	2/22	360	1.0	1900	.41	.13	439	.820	53.0	D			218	249
DC	3/33	775	1.0	2000	.39	.20	766	.779	40.7	D	38.0	D	283	
DA	2/22	105	1.0	1900	.06	.20	359	.787	45.2	D			288	128

INTERSECTION DELAY 44.6 (A.M.), 38.0 (P.M.)
INTERSECTION LOS D (A.M.), D (P.M.)

TRAFFIC DATA

MOVEMENT	YEAR 2012 PEAK HOUR TRAFFIC		PERCENT TRUCK TRAFFIC IN PEAK HOUR (A.M., P.M.)		ESTIMATED PERCENT INCREASE BY 2040	YEAR 2040 DESIGN PEAK HOUR TRAFFIC	
	A.M.	P.M.				A.M.	P.M.
AB	840	750	12	5	1.13	1150	1025
AD	89	32	8	16	1.15	120	45
AC	155	194	0	0	1.11	210	265
BA	776	946	11	4	1.03	1035	1260
BC	162	362	8	3	1.02	215	480
BD	304	156	9	5	1.05	405	210
CD	813	475	3	4	1.61	1270	740
CA	396	342	2	3	1.61	620	535
CB	308	206	4	5	1.60	480	320
DC	297	535	8	3	1.33	430	775
DB	132	248	11	4	1.33	190	360
DA	14	74	0	0	1.27	20	105
TOTAL A	1084	976	20	21	1.13	1480	1335
TOTAL B	1242	1464	28	12	1.03	1655	1940
TOTAL C	1517	1023	9	12	1.60	2370	1595
TOTAL D	445	857	19	7	1.31	640	1240



APPROACH	8TH MAX. HOUR TRAFFIC
A (NORTH)	814
B (SOUTH)	1067
C (WEST)	1304
D (EAST)	682

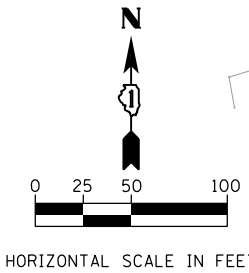
PREPARED BY:

PROJ. MGR. SSP PROJ. ENG. BLP

CITY OF BATAVIA

COMMERCIAL LAND USE

CITY OF GENEVA



MATCH LINE (SEE SHEET 3 OF 5)
KIRK ROAD STA. 237+50

MATCH LINE (SEE SHEET 2 OF 5)
FABYAN PARKWAY STA. 71+50

MATCH LINE (SEE SHEET 3 OF 5)
KIRK ROAD STA. 228+00

ELEMENTS CONTROLLING DESIGN

- HIGHWAY DESIGN CLASSIFICATION KIRK RD & FABYAN PKWY: OTHER PRINCIPAL ARTERIALS
SRA: YES X (BOTH) NO
- AVERAGE DAILY TRAFFIC (ADT) DATA: KIRK RD. EXISTING A26500/B32400 DESIGN A37000/B44000
FABYAN PKWY. EXISTING C23200/D416900 DESIGN C37200/D425000
- KIRK ROAD IS THE PREFERENCE ROUTE
- ANTICIPATED YEAR OF CONSTRUCTION 2016 DESIGN YEAR 2040
- TRAFFIC CONTROL TO BE TRAFFIC SIGNALS WARRANTS MET N/A
- DESIGN CRITERIA: BDE MANUAL CHAPTERS: 31, 32, 33, 34, 36, 38 & 46
- DESIGN VEHICLE: WB-65 TRUCK ROUTE DESIGNATION CLASS II (BOTH)
- DESIGN SPEED 50 MPH (KIRK ROAD) POSTED SPEED 45 MPH (KIRK ROAD)
DESIGN SPEED 50 MPH (FABYAN PARKWAY) 45 MPH (FABYAN PARKWAY)

GENERAL NOTES

- PROFILES ARE NOT PROVIDED, SINCE APPROACH GRADES ARE GREATER THAN 1.0% FOR FABYAN PARKWAY EAST LEG (APPROACH D)
- TYPE B-6.24 CURB AND GUTTER TO BE USED ON OUTER EDGES OF PAVEMENT
- TYPE B-6.24 CURB AND GUTTER TO BE USED ON CHANNELIZING ISLAND
- ALL DIMENSIONS ARE SHOWN E-E OF PAVEMENT UNLESS OTHERWISE NOTED
- INTERSECTION IS NOT A HIGH ACCIDENT LOCATION YEAR N/A
- INTERSECTION IS NOT PART OF INTERCONNECTED SYSTEM FROM KIRK ROAD CORRIDOR (IL 56 TO STEARNS ROAD)
- ALL SIDEWALKS AND RAMPS AS SHOWN ARE IN COMPLIANCE WITH THE AMERICAN DISABILITIES ACT.
- EXPECTED PEDESTRIAN/BICYCLE USAGE IS LOW
- ALL ENTRANCES AS SHOWN ARE NOT IN COMPLIANCE WITH IDOT "POLICIES ON ACCESS TO STATE HIGHWAYS".
NOTED EXCEPTIONS:
- SCOPE OF WORK: INTERSECTION RECONSTRUCTION, ADDITION OF DUAL LEFT TURN LANES AND SHARED THRU/RIGHT TURN LANES OR RIGHT TURN LANES
- DESIGN EXCEPTIONS: EB TO NE QUADRANT UNSIGNALIZED LEFT TURN LANE 200' TAPER
EB TO NE QUADRANT UNSIGNALIZED LEFT TURN LANE 130' STORAGE

MATCH LINE (SEE SHEET 2 OF 5)
FABYAN PARKWAY STA. 81+00



DRAWING NO. INTERSECTION DESIGN STUDY
FAP ROUTE 360 (KIRK ROAD - CH 77)
FAP ROUTE 363 WITH (FABYAN PARKWAY - CH 8)
SEC. NO. 11-00201-04-CH PROJ. NO. P-91-362-12
SCALE 1" = 50' COUNTY KANE
SJN : REV. NO.

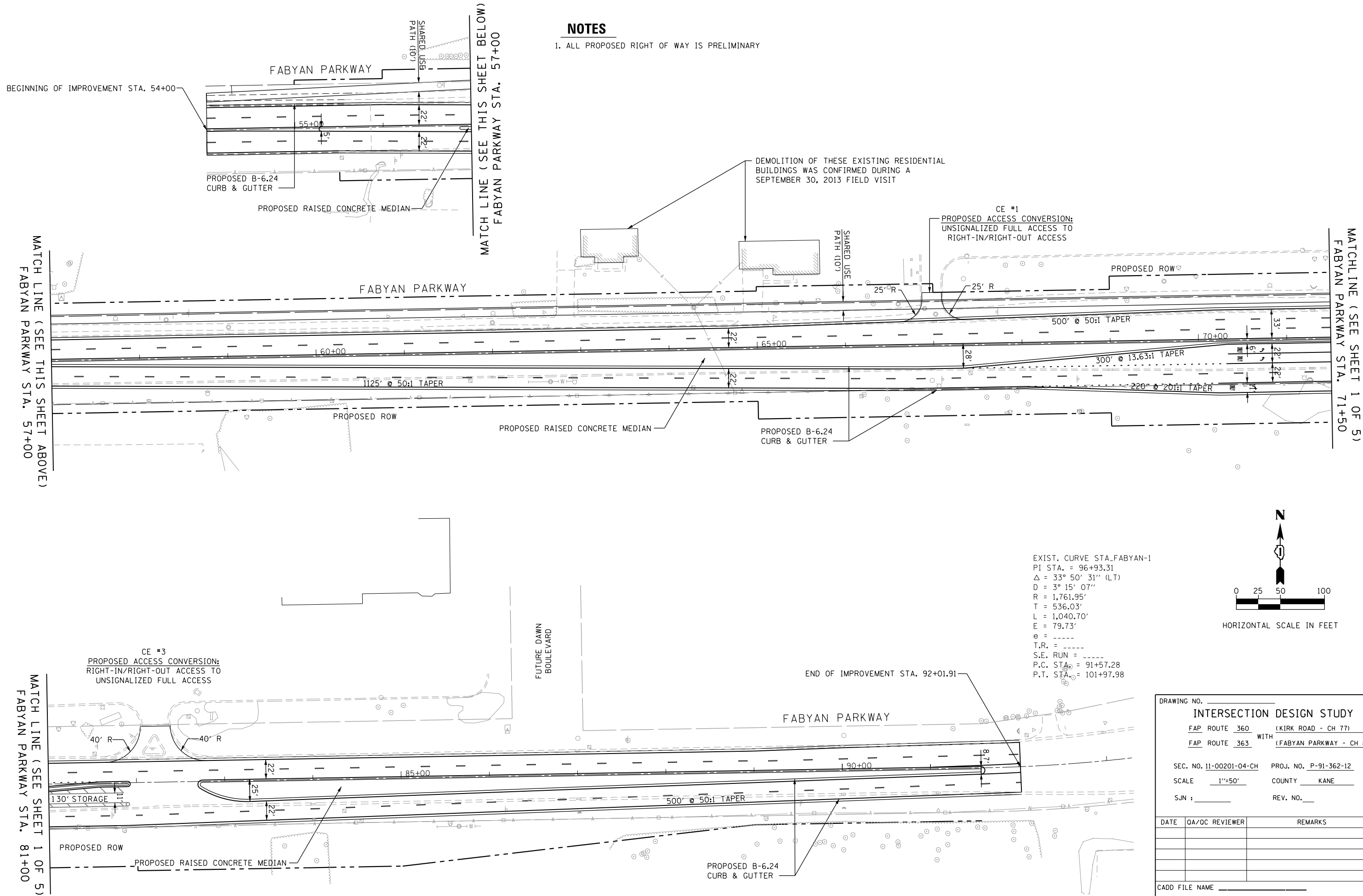
DATE	QA/QC REVIEWER	REMARKS

CADD FILE NAME
REF FILE NAME

PLOT DATE
FILE NAME
PLOT SCALE
USER NAME
= 11/26/2013
= 100.0000' / 1" = 100.0000'

NOTES

1. ALL PROPOSED RIGHT OF WAY IS PRELIMINARY



DRAWING NO. _____
INTERSECTION DESIGN STUDY
FAP ROUTE 360 (KIRK ROAD - CH 77)
FAP ROUTE 363 WITH (FABYAN PARKWAY - CH 8)

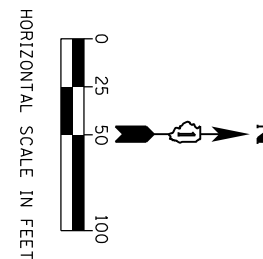
SEC. NO. 11-00201-04-CH PROJ. NO. P-91-362-12
SCALE 1"=50' COUNTY KANE
SJN : _____ REV. NO. _____

DATE	QA/QC REVIEWER	REMARKS

CADD FILE NAME _____
REF FILE NAME _____

I.D.S. SHEET 2 OF 5

1. ALL PROPOSED RIGHT OF WAY IS PRELIMINARY



PLOT DATE = 11/20/2013
FILE NAME = IDS-Sheet 3 of 5.dgn
PLOT SCALE = 100.0000' / in.
USER NAME = racielo

MATCH LINE (SEE SHEET 1 OF 5)
KIRK ROAD STA 237+50

DRIVEWAY FOR:

- FOREST PRESERVE DISTRICT OF KANE COUNTY
- FOX VALLEY ICE ARENA
- STRIKERS FOX VALLEY SOCCER CLUB

END OF PROPOSED SHARED USE PATH
STA 248+77.00 ○

—END OF IMPROVEMENT STA 244+40

EXIST. CURVE STA.+KIRK+3
PI STA. = 244+93.26
 $\Delta = 3^{\circ} 23' 04''$ (RT)
 $D = 0^{\circ} 30' 00''$
R = 11,459.20'
T = 338.56'
L = 676.92'
E = 5.00'
e = ----
T.R. = ----
S.E. RUN = ----
P.C. STA. = 241+54.71
P.T. STA. = 248+31.62

DRAWING NO. _____

INTERSECTION DESIGN STUDY

FAP ROUTE 360 (KIRK ROAD - CH 77)

FAP ROUTE 363 WITH (FABYAN PARKWAY - CH 8)

SEC. NO. 11-00201-04-CH PROJ. NO. P-91-362-12

SCALE 1"=50' COUNTY KANE

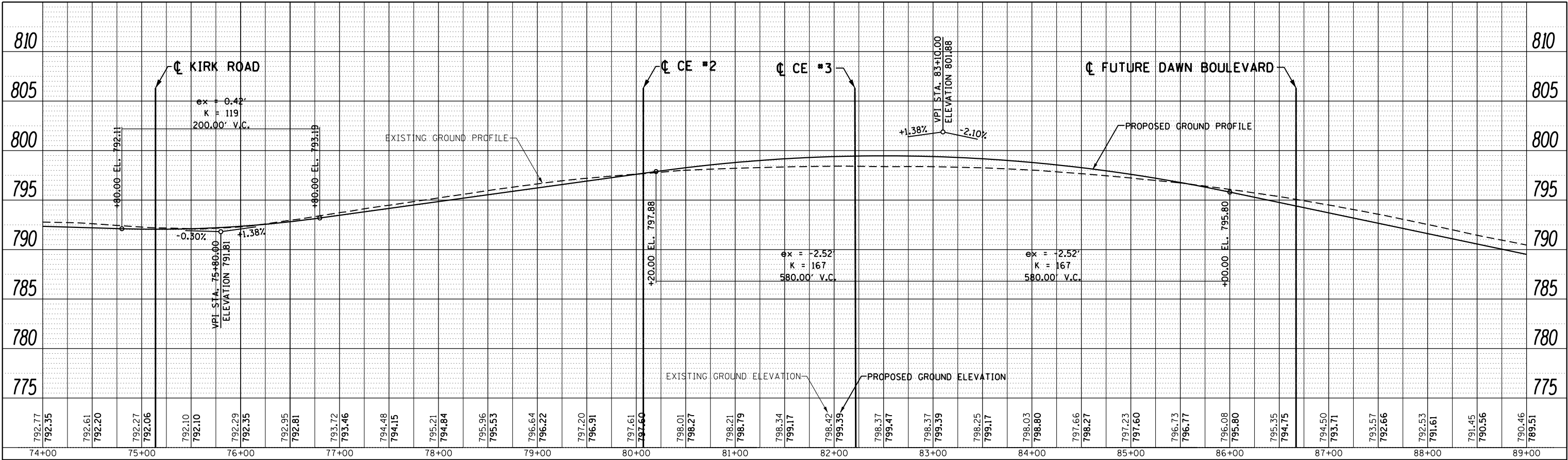
SJN : _____ REV. NO. _____

DATE	QA/OC REVIEWER	REMARKS

CADD FILE NAME _____
REF FILE NAME _____

I.D.S. SHEET 3 OF 5

PLAN	SURVEYED	BY	DATE
NOTE BOOK NO.	PLOTTED		
	ALIGNED		
	CADD FILE NAME		



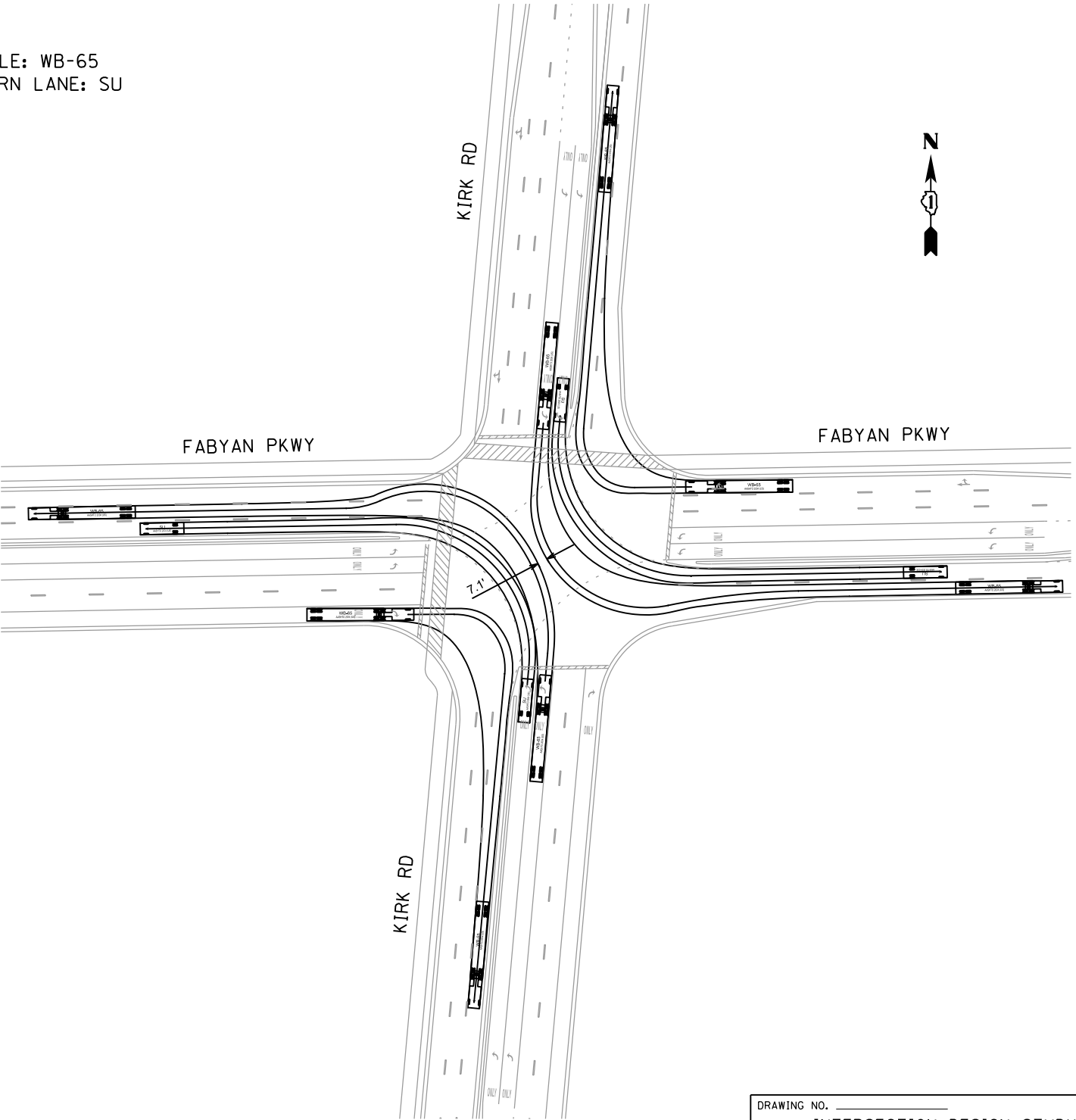
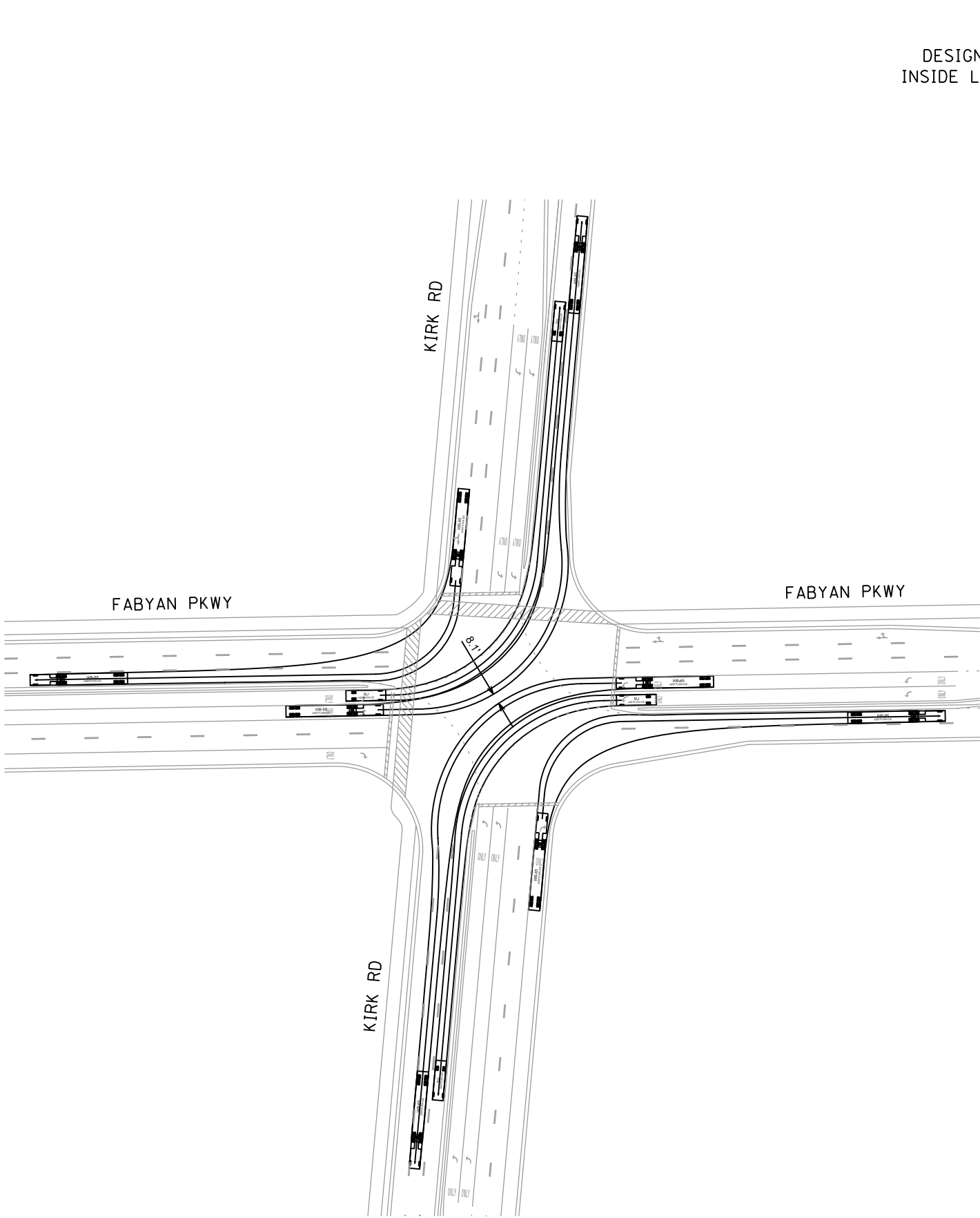
PROFILE	SURVEYED	BY	DATE
NOTE BOOK NO.	GRADES CHECKED		
	STRUCTURE NOTATIONS CHKD		



FILE NAME =	USER NAME = racielo	DESIGNED - CRC	REVISED -	KANE COUNTY DIVISION OF TRANSPORTATION	PROFILE VIEW FABYAN PARKWAY – EAST LEG			F.A. RTE.	SECTION	COUNTY	TOTAL SHEETS	SHEET NO.
IDS.Sheet 4 of 5.Prof-Prof.Fabyan.dgn		DRAWN - RO	REVISED -					FAP ROUTE 360-KIRK RD (CH 77)	KANE			
	PLOT SCALE = 100.0000' / in.	CHECKED - BLP	REVISED -		FAP ROUTE 363-FABYAN PKWYCH 8)	CONTRACT NO.						
Default	PLOT DATE = 11/20/2013	DATE - 9/13/2013	REVISED -		SCALE: 1"=50'	IDS SHEET 4 OF 5 SHEETS	STA. 74+00 TO STA. 95+00	PROJ. NO. P-91-362-12 ILLINOIS FED. AID PROJECT				

PLOT DATE = 11/20/2013
FILE NAME = IDS Sheet 5 of 5 AutoTURN.dgn
PLOT SCALE = 100.0000' / in.
USER NAME = reuelo

DESIGN VEHICLE: WB-65
INSIDE LEFT-TURN LANE: SU



DRAWING NO. _____		
INTERSECTION DESIGN STUDY		
FAP ROUTE 360	WITH	(KIRK ROAD - CH 77)
FAP ROUTE 363	WITH	(FABYAN PARKWAY - CH 8)
SEC. NO. 11-00201-04-CH PROJ. NO. P-91-362-12		
SCALE 1"=50' COUNTY KANE		
SUN : _____ REV. NO. _____		
DATE	QA/QC REVIEWER	REMARKS
CADD FILE NAME _____		
REF FILE NAME _____		
I.D.S. SHEET 5 OF 5		

Attachment 6

BLR 22120 – Approval of
Design Variance



Project Identification

Local Agency: Kane County Division of Transportation County: Kane
(County, Municipality, Road District / Township)
Section No.: 11 - 00201 - 04 - CH Route: FAU 363 at FAU 360
Street/Road Name: Fabyan Parkway (CH 8 / FAU 363) at Kirk Road (CH 77 / FAU 360)
Project Limits: Along Fabyan Parkway, approximately 2,100' west and 1,700 east of Kirk Road (or 3,800' total)
Along Kirk Road, approximately 1,400' south and 1,200' north of Fabyan Parkway (or 2,600' total)
Project Length: Approximately 6,400' or 1.2 miles Functional Classification: Other Principal Arterials
Design Year: 2040 Design Traffic: ☐ DHV ☒ ADT See f.
Existing Structure No.: N/A Proposed Structure No.: N/A

Project Scope of Work

- a. Is this project located on the NHS? ☒ Yes ☐ No
- b. Is this project on a Strategic Regional Arterial (SRA) route? ☒ Yes ☐ No
- c. Funding ☐ MFT/State Assistance ☒ Federal
- d. Type of Work ☐ New Construction ☒ Reconstruction ☐ 3R
- e. Design Guidelines ☐ Urban ☐ Suburban ☐ Rural ☐ 3R ☒ Other Urban SRA (See f.)
- f. Provide a brief project description (major construction elements):

This intersection will be widened and reconstructed. Improvements include channelization with the addition of dual left turn lanes and through / right turn lanes or right turn lanes on both Fabyan Parkway and Kirk Road. Traffic signal modernization and a curb and gutter closed drainage system are additional highlights of the improvement. The existing shared-use path will be reconstructed where it currently exists and extended to the north and east.

Design Traffic ADT: Fabyan W Leg: 37,200 Fabyan E Leg: 25,000 Kirk S Leg: 44,000 Kirk N Leg: 37,000

Because the BLR&S Manual does not have criteria for SRA's and both roads are SRA's, the design is primarily based on BDE Chapter 46, Strategic Regional Arterials. On the following pages of this form, the criteria is from BDE Chapter 46 unless otherwise noted.

District Coordination Meetings

Has project been previously discussed at district coordination meetings?
(If yes, attach minutes of variance approvals) ☒ Yes ☐ No
Dates: 01/15/13

Level One Design Variance Approval

Local Agency: Kane County Division of Transportation

Section No.: 11-00201-04-CH

Design Criteria for Project (Provide numerical value where indicated)	BLR&S Criteria	Variance		Summary of Variance and Justification
		Yes	No	
1. Design Speed: 50 mph	30 mph to 40 mph	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2. Level of Service (Mainline): D	D	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
3. Lane Widths				
a. Through Lanes: 11 feet	11 feet	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Turn Lanes: 11 feet	11 feet	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Parking Lanes: N/A feet	N/A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
d. Bike Lanes: N/A feet	N/A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4. Through Travel Lane Cross Slopes				
Inside Lane: 2 %	2%	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Outside Lane: 2.5 % (if more than 2 lanes)	2.5%	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
5. Shoulder Widths: N/A feet	N/A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
6. Horizontal Curvature (Minimum Radius) 1,762 feet	926 feet	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
List curves not meeting criteria				
<u>Sta.</u> <u>Radius</u> <u>Design Speed</u>				
	N/A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	N/A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	N/A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Superelevation Rates				
e_{max} 4.0 %	4.0%	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
List curves for which e does not meet criteria				
<u>PI Sta.</u> <u>Radius</u> <u>e</u> <u>Design Speed</u>				
	N/A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	N/A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	N/A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. Maximum Grade: 2.1 %	6.0%	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Minimum Intersection Sight Distance				
879 feet	555 feet	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
List locations not meeting the criteria				
<u>Cross Road</u> <u>Distance</u>				
	N/A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	N/A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	N/A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Minimum Stopping Sight Distance				
576 feet	425 feet	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
a. Crest Vertical Curves – Min. K value 140	84	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
List curves not meeting the criteria				
<u>VPI Sta.</u> <u>Sight Distance</u> <u>Design Speed</u> <u>Curve Length</u>				
	N/A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	N/A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	N/A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Sag Vertical Curves – Min. K value 119	96	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
List curves not meeting the criteria				
<u>VPI Sta.</u> <u>Sight Distance</u> <u>Design Speed</u> <u>Curve Length</u>				
	N/A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	N/A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	N/A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Level One Design Variance Approval

Local Agency: Kane County Division of Transportation

Section No.: 11-00201-04-CH

c. Inside of Horizontal Curves List curves not meeting the criteria				
<u>Sta.</u>	<u>Sight Distance</u>	<u>Design Speed</u>	<u>Radius</u>	
	N/A			<input type="checkbox"/> <input checked="" type="checkbox"/>
	N/A			<input type="checkbox"/> <input checked="" type="checkbox"/>
	N/A			<input type="checkbox"/> <input checked="" type="checkbox"/>
11. Clear Roadway Bridge Widths: N/A feet		N/A	<input type="checkbox"/> <input checked="" type="checkbox"/>	
12. Freeboard Above Design High Water: N/A feet		N/A	<input type="checkbox"/> <input checked="" type="checkbox"/>	
13. Vertical Clearances:				
<input type="checkbox"/> Over Roadway/RR N/A feet		N/A	<input type="checkbox"/> <input checked="" type="checkbox"/>	
<input type="checkbox"/> Under Structure N/A feet		N/A	<input type="checkbox"/> <input checked="" type="checkbox"/>	
14. Accessibility Criteria for Disabled Persons List any feature not meeting ADA Criteria			<input type="checkbox"/> <input checked="" type="checkbox"/>	
15. Roadside Clear Zone:				
a. Tangent 24 to 28 feet		24 feet to 28 feet	<input type="checkbox"/> <input checked="" type="checkbox"/>	
b. Outside of Curve N/A List criteria for each radius		N/A	<input type="checkbox"/> <input checked="" type="checkbox"/>	
<u>Radius (ft)</u>	<u>Clear Zone (ft)</u>			
	N/A	<input type="checkbox"/> <input checked="" type="checkbox"/>		
	N/A	<input type="checkbox"/> <input checked="" type="checkbox"/>		
	N/A	<input type="checkbox"/> <input checked="" type="checkbox"/>		
16. Intersection(s) Level of Service: D		D	<input type="checkbox"/> <input checked="" type="checkbox"/>	
17. Warrants for Stop Signs or Signals				
<u>Cross Road</u>	<u>Warrant</u>			
	N/A	<input type="checkbox"/> <input checked="" type="checkbox"/>		
	N/A	<input type="checkbox"/> <input checked="" type="checkbox"/>		
	N/A	<input type="checkbox"/> <input checked="" type="checkbox"/>		
18. Pavement Design (list any variance to policy) N/A		N/A	<input type="checkbox"/> <input checked="" type="checkbox"/>	

Prepared By: *Paul Holcomb*
Designer (Local Agency or Consultant)

Date: 11/15/2013

When Prepared by Consultant
Local Agency Concurrence:

Paul Holcomb

Digitally signed by Paul Holcomb
DN: cn=Paul Holcomb, o=Kane County,
ou=Transportation,
email=holcombpaul@co.kane.il.us, c=US
Date: 2013.11.15 14:41:33 -0600

Date: 11/15/2013

IDOT Regional Engineer Concurrence

Date

Central BLR&S Approval

Date

Level Two Design Variance Approval

Local Agency: Kane County Division of Transportation

Section No.: 11-00201-04-CH

Design Criteria for Project (Provide numerical value where indicated)		BLR&S Criteria	Variance Yes No		Summary of Variance and Justification
1.	Design Period: 20 years	20 years	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2.	Horizontal Alignment (Mainline)				
a.	Minimum Superelevation Transition Lengths: 131 feet	131	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b.	Superelevation Distribution Between Tangent and Curve: 2/3 : 1/3	2/3 : 1/3	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
3.	Vertical Alignment (Mainline)				
a.	Minimum Grade of Urban Cross Section <u>0.30</u> %	0.3%	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b.	Minimum Length of Vertical Curves 170 feet	150 feet	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c.	Maximum K value of Vertical Curves 167 (for curbed facilities)	167	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4.	Cross Section Elements (Mainline)				
a.	Design of Parking Lanes • Cross Slope: N/A %	N/A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b.	Design of Sidewalks • Width: 10 feet • Buffer Distance: 5 feet • Cross Slope: 2 % • Longitudinal Grades: 4.64 %	4 feet 2 feet 2% max. 5% max.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
c.	Median • Type: Raised-curb • Width: 28 feet	Raised-curb 18 feet	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
d.	Shoulder Cross Slopes: N/A %	N/A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
e.	Rollover Factor 3 %	3%	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
f.	Curb and Gutter Type B-6.24	B-6.24	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
g.	Roadway Element • Steepest Front Slopes: 4:1 (H:V) • Steepest Back Slopes: 4:1 (H:V)	4:1 4:1	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
5.	Drainage (Flood Frequency)				
a.	Pavement: 30 years	30	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b.	Structure: N/A years	N/A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c.	Storm Sewer: 10 years	10	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
6.	Intersections				
a.	Level of Service for Individual Movement: • Through Lanes: D • Turn Lanes: D	D D	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
b.	Skew Angle: 83.90725 Degrees	75 Degrees	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c.	Approach Grades: 0.30 to 1.38 %	< 3%	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
d.	Design Vehicle: WB-65	WB-65	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
e.	Turning Radius for Design Vehicle: > 45'	45'	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Level Two Design Variance Approval

Local Agency: <u>Kane County Division of Transportation</u>				Section No.: <u>11-00201-04-CH</u>	
f. Minimum Corner Island Size: N/A				N/A	<input type="checkbox"/> <input checked="" type="checkbox"/>
g. Minimum Turn Lane Length 130 feet				215 feet	<input checked="" type="checkbox"/> <input type="checkbox"/>
<ul style="list-style-type: none"> Approach Taper: 50:1 _____ feet Departure Taper: 50:1 _____ feet Bay Taper: 200 _____ feet 				50:1	<input type="checkbox"/> <input checked="" type="checkbox"/>
				50:1	<input type="checkbox"/> <input checked="" type="checkbox"/>
				220 feet	<input checked="" type="checkbox"/> <input type="checkbox"/>
h. Entrances					
<u>Entrance Type</u>	<u>Max. Width (ft.)</u>	<u>Min. Width (ft.)</u>	<u>Max. Grade(%)</u>		
Commercial	34 feet	22 feet	5%	35 feet (max) 6% (max)	<input type="checkbox"/> <input checked="" type="checkbox"/>
Residential	_____	_____	_____	N/A	<input type="checkbox"/> <input checked="" type="checkbox"/>
7. RR Crossings					
a. Type of Railroad Protection:					
N/A				N/A	<input type="checkbox"/> <input checked="" type="checkbox"/>
b. Crossing Width (at 90° angle) N/A feet				N/A	<input type="checkbox"/> <input checked="" type="checkbox"/>
8. Lighting					
a. Illuminance N/A lux				N/A	<input type="checkbox"/> <input checked="" type="checkbox"/>
b. Uniformity Ratio N/A				N/A	<input type="checkbox"/> <input checked="" type="checkbox"/>
9. Other Items					
N/A				N/A	<input type="checkbox"/> <input checked="" type="checkbox"/>

Prepared By: _____

Paul Holcomb

Designer (Local Agency or Consultant)

Date: 11/15/2013

When Prepared by Consultant **Paul Holcomb**

Local Agency Concurrence: _____

Digitally signed by Paul Holcomb
DN: cn=Paul Holcomb, o=Kane County,
ou=Transportation,
email=holcombpaul@co.kane.il.us, c=US
Date: 2013.11.15 14:43:18 -06'00'

Date: 11/15/2013

IDOT Regional Engineer Concurrence

Date

Central BLR&S Approval

Date

Attachment 7

Supporting Documentation for Design Variances

November 19, 2013



Local Agency Kane County Division of Transportation
County..... Kane
Section No..... 11-00201-04-CH
Street/Road Name Fabyan Parkway (CH 8 / FAU 363) at Kirk Road (CH 77 / FAU 360)

Summary of Design Variances and Justification

Purpose

The purpose of this document is to provide a summary of the requested design variances and justification for those design variances. This document supplements BLR 22120, Approval of Design Variance, for the subject project.

Brief Project Description

This intersection will be widened and reconstructed. Improvements include channelization with the addition of dual left turn lanes and through / right turn lanes or right turn lanes on both Fabyan Parkway and Kirk Road. Traffic signal modernization and a curb and gutter closed drainage system are additional highlights of the improvement. The existing shared-use path will be reconstructed where it currently exists and extended to the north and east.

The primary purpose of this improvement is to address capacity deficiencies and safety of the intersection of Fabyan Parkway and Kirk Road. A secondary benefit is improvement to access as a result of the intersection improvement. In other words, the proposed intersection geometry dictates the geometry of each leg.

Requested Design Variance(s)

The requested design variances for this project are related to the eastbound (EB) to northeast (NE) quadrant unsignalized left turn lane into the commercial entrance (CE) at STA 82+22 LT. They are Level Two design variances. The table below summarizes the requested design variances.

Design Criteria for Project from BLR 22120	Criteria (BDE Figure 36-3.I for 50 mph Design Speed)	Requested Design Variance
6. Intersections	-	-
g. Minimum Turn Lane Length	215 feet	130 feet
• Bay Taper	220 feet	200 feet

Justification

In the northeast quadrant, there are four existing buildings. Moving west to east, these buildings are: (1) Country House Restaurant, (2) The Prairie Clinic, (3) DayOneNetwork, Inc., and (4) Comfort Inn & Suites of Geneva. These buildings have access only to Fabyan Parkway (not Kirk Road) via two existing CE's, one at STA 80+08 LT and the other at STA 82+22 LT. The first CE is currently unsignalized full access, and the second CE is currently right-in/right-out (RI/RO). Both of these CE's were permitted by Kane County, and the property owners have access agreements with Kane County meaning neither CE can be easily eliminated. Additionally, the property owners have cross access agreements with each other. The only modification allowed through the access agreements is the "flip-flop" of access types.

November 19, 2013

RE: Kane County, 11-00201-04-CH, Fabyan Parkway at Kirk Road
Summary of Design Variances and Justification

As part of this intersection improvement, the first CE will be converted to RI/RO, and the second CE will be converted to unsignalized full access. This “flip-flop” helps design because it relocates the full access approximately 215’ east.

The westbound to southbound dual left turn lane and the eastbound to northeast quadrant left turn lane are back-to-back and will utilize a “z-channelization” design. The criteria for the westbound dual left turn lane is from BDE Figure 36-3.I (for a 50 mph design speed), BDE Figure 36-3.U, and the capacity analysis. Each criterion supersedes the previous as depicted by the strikethroughs in the table below.

Criteria	Taper Length	Storage Length	Total Length
BDE Figure 36-3.I	220 ’	215 ’	435 ’
BDE Figure 36-3.U	300’	215’ (same as above)	515’
Capacity Analysis	300’ (same as above)	260’	560’

The proposed intersection geometry and the 560’ westbound dual left turn lane design result in a substandard eastbound unsignalized left turn lane into the CE at STA 82+22 LT, a CE that cannot be easily relocated because of access agreements between the property owners and Kane County among other things. Refer to the “Designing to Full Standard” section below.

Please note that the substandard storage length of 130’ will provide enough storage for more than 6 passenger cars. Additionally, safety is improved because this unsignalized full access will be relocated approximately 215’ farther away from Kirk Road and because it will be shadowed by a raised curb median instead of a flush median.

Designing to Full Standard

Below is a brief description of the impacts of re-designing this intersection improvement to eliminate the requested design variances. This is not an all-inclusive list.

1. The existing CE at STA 82+22 LT would have to be relocated approximately 105’ east.
2. Kane County would have to negotiate with the property owners to amend existing access agreements, etc.
3. The new location would not blend well with the existing parking lot configuration.
 - a. Incoming vehicles will no longer have immediate access to a through north-south driveway to access the north side of the properties. Instead, this new driveway would dump incoming vehicles into parking stalls for the Comfort Inn & Suites.
 - b. A potential re-configuration of this parking lot could be requested by the property owners.
4. The existing Comfort Inn & Suites sign (which has electric and a brick facade) would have to be relocated.
5. Additional tree removal would be required.

Conclusion

The requested design variances are justified.

Enclosures: None.

December 18, 2013



Local Agency Kane County Division of Transportation
County..... Kane
Section No..... 11-00201-04-CH
Street/Road Name Fabyan Parkway (CH 8 / FAU 363) at Kirk Road (CH 77 / FAU 360)

Clarification on Designing to Full Standard

Purpose

The purpose of this document is to provide clarification on designing to full standard for the subject project. During a December 11, 2013 phone conversation between IDOT and TEG, IDOT provided several IDS review comments. One comment was to provide additional information about the impacts of re-designing this intersection improvement to eliminate the two requested Level 2 design variances. These design variances are related to the eastbound (EB) to northeast (NE) quadrant unsignalized left turn lane into the commercial entrance (CE) at STA 82+22 LT.

Brief Project Description

To remind you about the scope of construction, this intersection will be widened and reconstructed. Improvements include channelization with the addition of dual left turn lanes and through / right turn lanes or right turn lanes on both Fabyan Parkway and Kirk Road. Traffic signal modernization and a curb and gutter closed drainage system are additional highlights of the improvement. The existing shared-use path will be reconstructed where it currently exists and extended to the north and east.

The primary purpose of this improvement is to address capacity deficiencies and safety of the intersection of Fabyan Parkway and Kirk Road. In other words, the proposed intersection geometry dictates the geometry of each leg including any required access modifications.

With regards to access for the intersection in general, the rules of thumb are (1) that no existing access points will be relocated and (2) that no new access points will be added. In the northeast quadrant, these rules of thumb are mandated by an access agreement between Kane County and the property owners in that quadrant. Refer to the KDOT letter entitled "Supplemental Letter 1 for Intersection Design Study (IDS)" and dated December 18, 2013 for additional information. That letter was prepared to address a different IDS review comment but also applies to this review comment.

Designing to Full Standard

Below is a brief description of the impacts of re-designing this intersection improvement to eliminate the requested design variances. This is not an all-inclusive list. It is, however, same list that appeared in the document entitled "Summary of Design Variances and Justification" and dated November 19, 2013.

Text that is capitalized, bolded, and red is either clarification to the original list or additional information.

1. The existing CE at STA 82+22 LT would have to be relocated approximately 105' east.
REFER TO ENCLOSURE 1. 105' IS THE MINIMUM DISTANCE REQUIRED TO ELIMINATE THE DESIGN VARIANCES. THIS DISTANCE WOULD RELOCATE THE PROPOSED DRIVEWAY (AKA ACCESS B) FROM THE DAYONENETWORK, INC. PROPERTY TO THE COMFORT INN & SUITES OF GENEVA PROPERTY THUS ELIMINATING THE DRIVEWAY FOR DAYONENETWORK.

December 18, 2013

RE: Kane County, 11-00201-04-CH, Fabyan Parkway at Kirk Road
Clarification on Designing to Full Standard

2. Kane County would have to negotiate with the property owners to amend existing access agreements, etc.

REFER TO THE KDOT LETTER ENTITLED "SUPPLEMENTAL LETTER 1 FOR INTERSECTION DESIGN STUDY (IDS)" AND DATED DECEMBER 18, 2013 FOR ADDITIONAL INFORMATION. THAT LETTER WAS PREPARED TO ADDRESS A DIFFERENT IDS REVIEW COMMENT BUT ALSO APPLIES TO THIS REVIEW COMMENT. KDOT DOES NOT INTEND TO RE-NEGOTIATE THIS EXISTING ACCESS AGREEMENT FOR THE PURPOSE OF DESIGNING TO FULL STANDARD. IMPROVEMENTS TO THE PROPERTIES IN THE NORTHEAST QUADRANT ARE THE RESPONSIBILITY OF DEVELOPER(S). KDOT DOES NOT INTEND TO MAKE IMPROVEMENTS OTHER THAN THOSE REQUIRED AS A RESULT OF THE KIRK/FABYAN INTERSECTION GEOMETRY.

ACCESS C (TO THE EAST) HAS NOT BEEN CONSTRUCTED. IF/WHEN IT IS CONSTRUCTED, IT WILL BE WITHIN THE PROPERTY LINES OF COMFORT INN & SUITES. A RELOCATED ACCESS B AND THIS ACCESS C WOULD GIVE COMFORT INN & SUITES TWO ACCESS POINTS WHILE LEAVING NONE FOR DAYONENETWORK.

ACCESS D (TO THE EAST) HAS NOT BEEN CONSTRUCTED. IF/WHEN IT IS CONSTRUCTED, IT WILL BE CALLED DAWN BOULEVARD, AND IT WILL BE A FULL ACCESS INTERSECTION. AS OF THE DATE OF THIS DOCUMENT, IT IS UNKNOWN WHETHER OR NOT IT WILL BE SIGNALIZED OR IF A SOUTH LEG WILL BE CONSTRUCTED. REGARDLESS, NEITHER OF THESE IMPROVEMENTS IS ANTICIPATED TO BE KANE COUNTY DRIVEN OR FUNDED.

THE USE OF ACCESS B AND ACCESS C SHALL BE TERMINATED UPON COMPLETION OF ACCESS D. THE CURRENT DESIGN MUST MAINTAIN ACCESS B BECAUSE IT IS UNKNOWN WHEN ACCESS D WILL BE COMPLETED.

A STRIP OF PROPOSED RIGHT OF WAY BETWEEN ACCESS B AND PARAMOUNT PARKWAY (TO THE EAST) IS SUPPOSED TO BE DEDICATED PRESUMABLY TO KDOT. THIS STRIP SPANS 6 UNIQUE PARCELS, NONE OF WHICH ARE BEING IMPACTED BY THE CURRENT DESIGN.

3. The new location would not blend well with the existing parking lot configuration.

REFER TO ENCLOSURE 1.

- a. Incoming vehicles will no longer have immediate access to a through north-south driveway to access the north side of the properties. Instead, this new driveway would dump incoming vehicles into parking stalls for the Comfort Inn & Suites.

EXISTING ACCESS B IS ALIGNED WITH THE THROUGH NORTH-SOUTH DRIVEWAY ADJACENT TO DAYONENETWORK. RELOCATED ACCESS B WOULD DUMP INCOMING VEHICLES INTO PARKING STALLS FOR COMFORT INN & SUITES NUMBERED 1 THROUGH 8.

December 18, 2013

RE: Kane County, 11-00201-04-CH, Fabyan Parkway at Kirk Road
Clarification on Designing to Full Standard

- b. A potential re-configuration of this parking lot could be requested by the property owners.

COMFORT INN & SUITES COULD REQUEST THE REMOVAL AND RELOCATION OF THOSE 8 PARKING STALLS TO IMPROVE SAFETY AND TRAFFIC FLOW IN THE PARKING LOT. CONSEQUENTLY, THE TWO PARKING STALLS DENOTED WITH QUESTION MARKS MAY HAVE TO BE CONVERTED TO A RAISED CURB ISLAND TO SHIELD PARKING STALLS TO REMAIN.

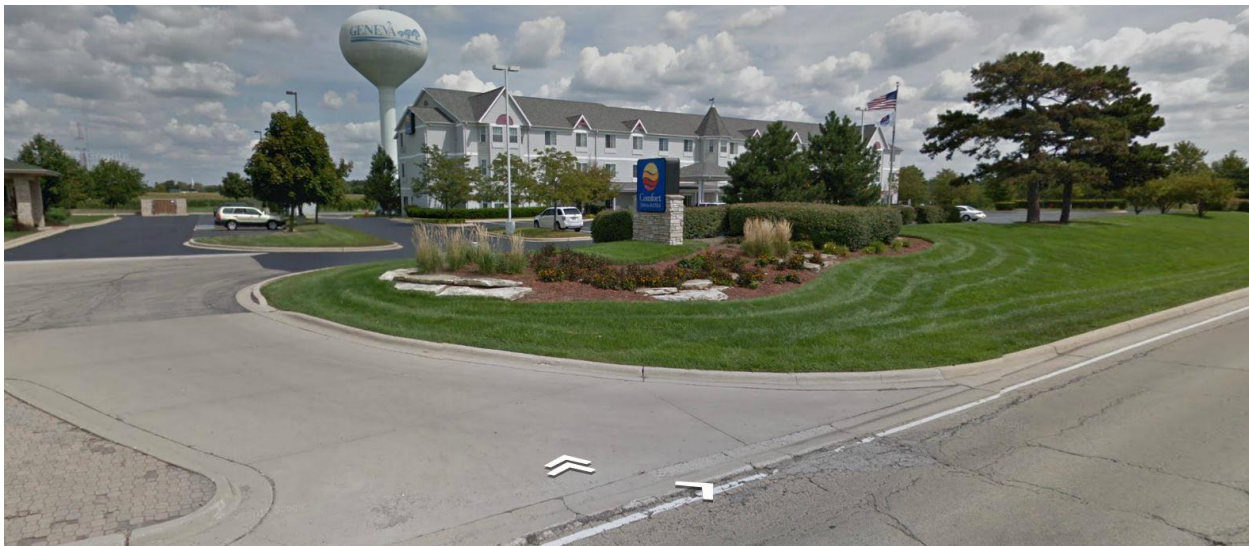
4. The existing Comfort Inn & Suites sign (which has electric and a brick facade) would have to be relocated.

REFER TO ENCLOSURE 1. UPON FURTHER REVIEW, THIS SIGN MAY NOT HAVE TO BE RELOCATED. HOWEVER, ITS ELECTRICAL FEED MAY BE IMPACTED BY CONSTRUCTION OF RELOCATED ACCESS B.

5. Additional tree removal would be required.

REFER TO ENCLOSURE 1. TWO CONIFEROUS TREES WOULD HAVE TO BE REMOVED. ADDITIONALLY, A LARGE PORTION OF THE PLANTER BED SURROUNDING THESE TREES WILL BE IMPACTED INCLUDING SEVERAL SHRUBS.

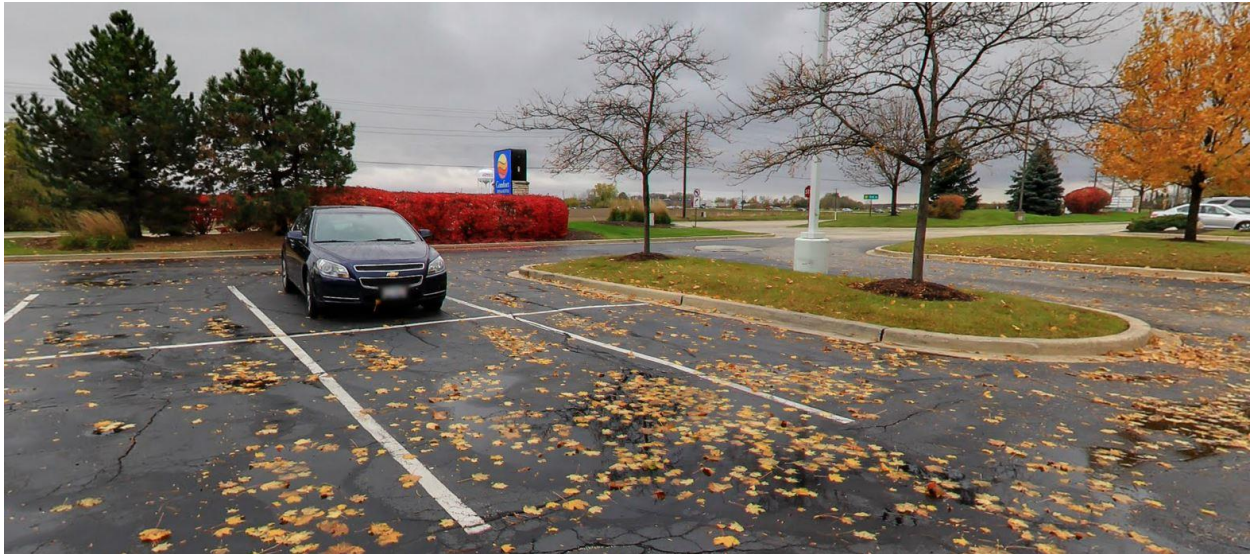
THE PICTURES BELOW SHOW THE EXISTING CONDITIONS IN THIS AREA. THE LOCATIONS AND DIRECTIONS OF THESE PICTURES ARE SHOWN IN BLUE ON ENCLOSURE 1.



Picture 1: from Fabyan Parkway looking northeast towards the Comfort Inn & Suites

December 18, 2013

RE: Kane County, 11-00201-04-CH, Fabyan Parkway at Kirk Road
Clarification on Designing to Full Standard



Picture 2: from the Comfort Inn & Suites parking lot looking southwest towards Fabyan Parkway

Conclusion

The proposed intersection geometry results in a substandard eastbound unsignalized left turn lane into the CE at STA 82+22 LT, a CE that cannot be easily relocated primarily because of the access agreement between the property owners and Kane County among other things described above.

Please note that the substandard storage length of 130' will provide enough storage for more than 6 passenger cars. Additionally, safety is improved because this unsignalized full access will be relocated approximately 215' farther away from Kirk Road and because it will be shadowed by a raised curb median instead of a flush median.

Enclosures:

1. Sketch for Designing to Full Standard 8.5"x11", 1 page

PROPERTY LINE

DAYONE NETWORK, INC.

COMFORT INN & SUITES OF GENEVA

THROUGH N-S
DRIVEWAY

THROUGH N-S
DRIVEWAY

②

1 2 3 4 ?
5 6 7 8 ?

NEW

ACCESS B

EX ROW

EX / PR
DRIVEWAY

POTENTIAL
PR
DRIVEWAY

FABYAN PARKWAY (WB)

~105'

FABYAN PARKWAY (EB)

DATE: 12/16/13

Ⓢ = SEE PICTURE
IN DOCUMENT

SCALE: 1" = 40'

KANE COUNTY

DIVISION of TRANSPORTATION

Carl Schoedel, P.E.
Director of Transportation
County Engineer



41W011 Burlington Road
St. Charles, IL 60175
Phone: (630) 584-1170
Fax: (630) 584-5265

DATE: December 18, 2013

TO: Marilyn D. Solomon, P.E. – Field Engineer, Bureau of Local Roads and Streets
Illinois Department of Transportation
201 West Center Court
Schaumburg, IL 60196-1096

SUBJECT: Kane County, 11-00201-04-CH, Fabyan Parkway at Kirk Road
Supplemental Letter 1 for Intersection Design Study (IDS)

Dear Marilyn,

On behalf of the Kane County Division of Transportation (KDOT) and our engineering consultant, Thomas Engineering Group, LLC (TEG), please accept this letter which was requested by IDOT during a December 11, 2013 phone conversation between IDOT and TEG. More specifically, IDOT requested a letter on KDOT letterhead providing additional information on the access agreement(s) between Kane County and the property owners in the northeast quadrant of the subject intersection. We understand that this letter is required to obtain IDOT District 1 approval of the IDS.

To remind you about the scope of construction, this intersection will be widened and reconstructed. Improvements include channelization with the addition of dual left turn lanes and through / right turn lanes or right turn lanes on both Fabyan Parkway and Kirk Road. Traffic signal modernization and a curb and gutter closed drainage system are additional highlights of the improvement. The existing shared-use path will be reconstructed where it currently exists and extended to the north and east.

The primary purpose of this improvement is to address capacity deficiencies and safety of the intersection of Fabyan Parkway and Kirk Road. In other words, the proposed intersection geometry dictates the geometry of each leg including any required access modifications.

With regards to access for the intersection in general, the rules of thumb are (1) that no existing access points will be relocated and (2) that no new access points will be added. In the northeast quadrant, these rules of thumb are mandated by an access agreement between Kane County and the property owners in that quadrant. The 27-page access agreement can be found at the Kane County Recorder's Office, document number 97K048455. For convenience, it has been attached to this letter. Refer to Enclosure 2.

To correlate this letter to the access agreement, a mark-up of page 18 has been attached to this letter. Refer to Enclosure 1.

In the northeast quadrant, there are four existing buildings. Moving west to east, these buildings are: (1) Country House Restaurant, (2) The Prairie Clinic, (3) DayOneNetwork, Inc., and (4) Comfort Inn & Suites of Geneva. These buildings have access only to Fabyan Parkway (not Kirk Road) via two existing commercial entrances (CE's), denoted as A and B on page 18, respectively.

1. Access A is existing unsignalized full access and is within the property lines of The Prairie Clinic.

December 18, 2013

RE: Kane County, 11-00201-04-CH, Fabyan Parkway at Kirk Road
Supplemental Letter 1 for Intersection Design Study (IDS)

2. Access B is existing right-in/right-out (RI/RO) and is within the property lines of DayOneNetwork, Inc. Worth noting, it is immediately adjacent to the western property line of Comfort Inn & Suites of Geneva. In other words, Access B cannot be relocated east without crossing a property line.
3. Access C has not been constructed. If/when it is constructed, it will be within the property lines of Comfort Inn & Suites of Geneva.
4. Access D has not been constructed. If/when it is constructed, it will be called Dawn Boulevard, and it will be a full access intersection. As of the date of this letter, it is unknown whether or not it will be signalized or if a south leg will be constructed. Regardless, neither of these improvements is anticipated to be Kane County lead or funded.
5. Accesses E and F are not anticipated to play a role in this project.

The notes in the lower right hand corner of page 18 are important to the design of the required access modifications in the northeast quadrant.

- A. Note 1 says Access A shall become a RI/RO, and Access B shall become a full access when Fabyan Parkway is widened by KDOT. The current design adheres to this requirement. This “flip-flop” helps design because it relocates the full access approximately 215’ east or farther away from Kirk Road.
- B. Note 3 says the use of Access B and Access C shall be terminated upon completion of Access D. The current design must maintain Access B because it is unknown when Access D will be completed.
- C. A strip of proposed right of way between Access B and Paramount Parkway is supposed to be dedicated presumably to KDOT. This strip spans 6 unique parcels, none of which are being impacted by the current design.

In conclusion, this letter on KDOT letterhead provides additional information on the access agreement(s) between Kane County and the property owners in the northeast quadrant of the subject intersection. Additionally, it provides insight on the design of the required access modifications in the northeast quadrant. We believe that this letter now allows for IDOT District 1 approval of the IDS.

Feel free to contact Paul Holcomb at holcombpaul@co.kane.il.us or Brian Pawula at brianp@thomas-engineering.com with questions or if additional information is required. Thank you.

Respectfully Submitted,

Paul Holcomb

Paul Holcomb, PLS – Chief of Design
Kane County Division of Transportation



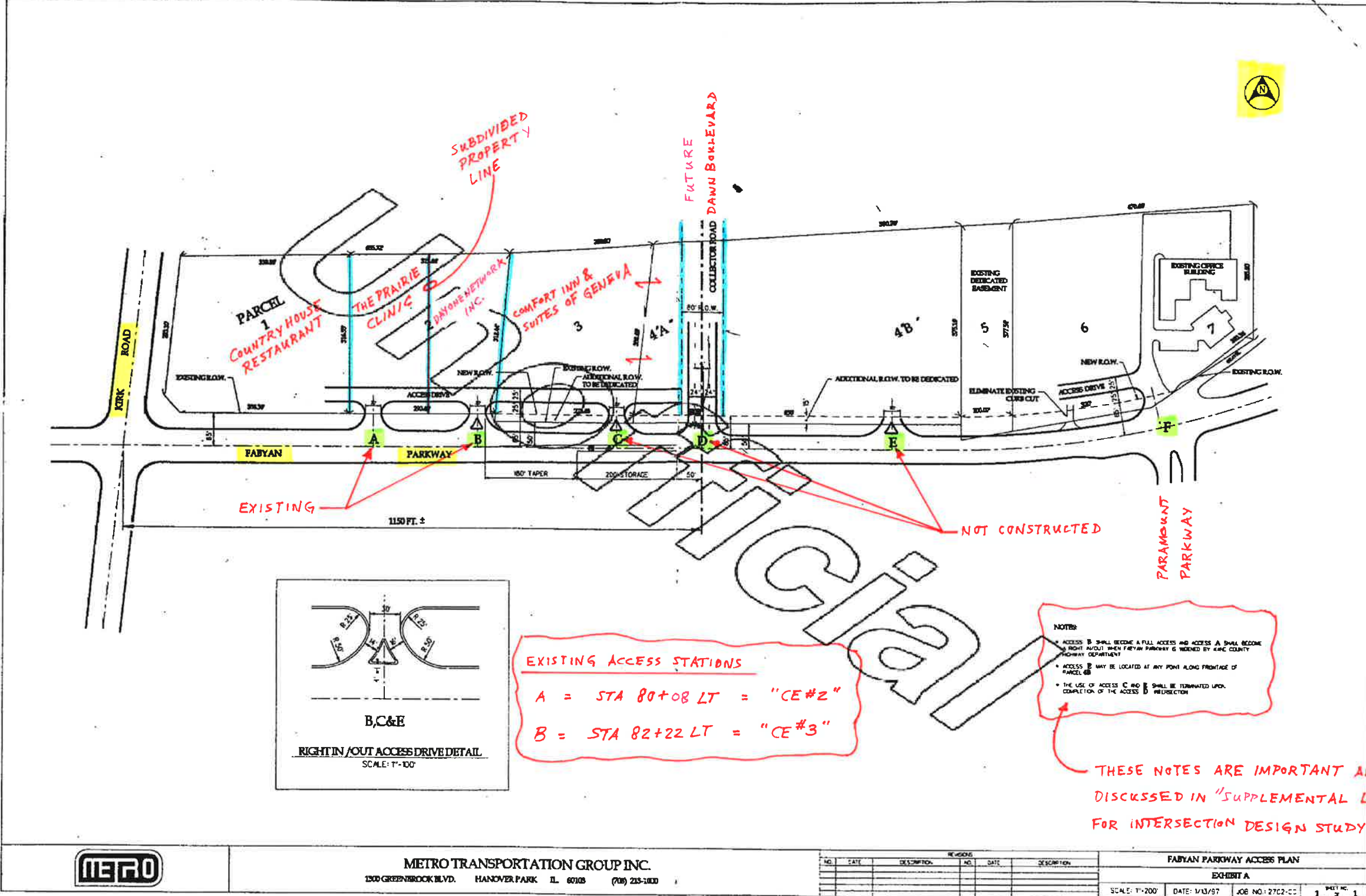
Brian L. Pawula, P.E. – Project Manager
Thomas Engineering Group, LLC

Enclosures:

1. Mark-up of Page 18 of Access Agreement, document number 97K048455..... 11”x17”, 1 page
2. Access Agreement, document number 97K048455 8.5”x11”, 27 pages

cc: Paul LaFleur, P.E. – Kane County Division of Transportation
Suleyman M. Tulgar – HDR, Inc. (Consultant to Bureau of Local Roads and Streets)

Mark-up -- 12/13/13



97K048455

FILED FOR RECORD
KANE COUNTY, ILL.

97 JUL 25 AM 08:30

Sandra M. Plante
RECORDER

MAP ATTACHED

FILED FOR RECORD
KANE COUNTY, ILL.

97K048455

97 JUL 25 AM 8:30

Lynda M. Ruess
RECORDER

EXCHANGE AGREEMENT

This Agreement made this 10th day of February, 1997 by and between MARK E. SORRENTINO and WILLIAM C. SCHNEIDER ("Sorrentino Schneider"), AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO as Successor Trustee to NBD Bank, as Successor Trustee to NBD Trust Company of Illinois, as Successor Trustee to The First National Bank of Elgin as Trustee under Trust No. 4424 dated January 25, 1985 ("Trust 4424"), DK II Partnership, an Illinois Limited Partnership ("Dempsey Partnership") GERARD R. DEMPSEY ("Dempsey") and OLD SECOND NATIONAL BANK OF AURORA, Successor To Kane County Bank And Trust Company, of as Trustee under Trust No. 699 dated September 9, 1985 ("Trust 699").

In consideration for the mutual agreements and promises herein contained, the parties agree as follows:

1. References and Definitions and Exhibits.

1.01. Attached hereto is a drawing labeled Fabyan Parkway Access Plan and marked Exhibit A depicting eight (8) separate parcels ("Frontage Parcels") on the north side of Fabyan Parkway, east of Kirk Road in Kane County, Illinois, such parcels being identified as Parcels 1, 2, 3, 4A, 4B, 5, 6 and 7. The legal descriptions of Parcels 4A and 4B shall be attached hereto as Exhibit D before recording.

1.02. Exhibit A also depicts six (6) separate areas for access to the various parcels, identified as Access A through Access F, with Access D and F being intersections.

1.03. "Access D Intersection Improvements" shall mean the completion of all improvements to the Access D Intersection such that the intersection is designed to include two traffic lanes in each direction plus a center channel permitting left turn movements into and out of the Access D Intersection.

1.04. "Access Agreement" shall refer to the Fabyan Parkway Access Agreement executed by the County of Kane and the owners of the Frontage Parcels, a copy of which is attached hereto as Exhibit B.

1.05. "North Parcel" shall mean that certain parcel, consisting of approximately 65 acres, owned by the Dempsey Partnership and Trust 699 located north of the Frontage Parcels, the legal description of which is set forth on Exhibit C (two pages) attached hereto.

Prepared by:

Roger K. Frandsen, Esq.
2425 Royal Boulevard
Elgin, IL 60123

Deanna Guinn
Brady Jensen *pd* *38.00*
P.O. Box 807
Elgin, IL 60121

b:\exchange\agf -- drk disk -- 1/31/97\F

97K048455

SE, SW 12/39/8
NW 13

29

1.06. The term "North Parcel Development" shall be the date of the issuance by the City of Geneva ("City") or Kane County of any permit for any development or non-agricultural construction on the North Parcel.

2. Exchange Provisions.

2.01. Dempsey represents and warrants that Trust 699 is the legal or owner of Parcel 5 and that Dempsey holds the 100% beneficial ownership of Trust 699 and has the power and authority to carry out the agreements made by Dempsey or Trust 699 herein.

2.02. Sorrentino Schneider represent and warrant that they hold one hundred percent (100%) beneficial ownership of Trust 4424, the owner of record of Parcels 4A and 4B and the Access D collector road, as hereinafter described, and have the full power and authority to carry out the agreements made by Sorrentino Schneider herein.

2.03. Dempsey agrees that he shall convey or cause title to Parcel 5 to be conveyed to Trust 4424, by recordable Trustees Deed, subject only to Exceptions A, E, F, and I on Chicago Title and Insurance Company Commitment 439081 dated January 7, 1997, a copy of which has been provided by Dempsey to Sorrentino Schneider and other exceptions as may be approved by Sorrentino Schneider in writing, in exchange for which Sorrentino Schneider agree to concurrently dedicate the collector road area ("Collector Parcel") as set forth in Paragraph 2.05 of the Access Agreement. Dempsey shall pay the 1996 real estate taxes for Parcel 5 when the tax bills are received and will provide evidence of payment thereof to Sorrentino Schneider. Dempsey represents that the existing easement originally in favor of Rock-Wil Corporation created by easement dated November 1, 1977 and recorded November 3, 1977 as Document No. 1431011 will be released by all parties or owners of land having an interest in such easement and has provided letter evidence to Sorrentino Schneider of such release agreement. Dempsey agrees to complete the conveyance of Parcel 5 concurrently with the Collector Parcel dedication. Concurrently therewith Dempsey shall provide a Chicago Title Insurance Company title insurance commitment, in the minimum amount, showing title in the intended Grantor and subject only to the title exceptions referred to above. Dempsey shall also provide a boundary survey of Parcel 5.

2.04. Dempsey covenants, represents and warrants, as of the date hereof and as of the date of transfer, that:

- A. Dempsey has received no notice relating to any legal actions, suits, or other legal or administrative proceedings, including pending assessments, condemnation, or quiet title cases, pending or threatened, against Parcel 5. Furthermore, Dempsey has received no written notice, and Dempsey has no knowledge or reason to believe of any violation of any Environmental Laws regarding Parcel 5. As used herein, "Environmental Laws" shall mean all federal, state and local environmental health and safety statutes, ordinances, codes, rules, regulations, orders and decrees regulating, relating to or imposing liability or standards concerning or connected with hazardous materials, as such term is defined in any of such statutes.
- B. There are no contracts, leases, covenants, obligations or agreements which affect Parcel 5 and which will survive the transfer.

- C. To the best of Dempsey's knowledge, there are not located at, on or in Parcel 5 any hazardous or toxic chemicals, substances, mixtures, wastes, contaminants or pollutants ("Hazardous Substances") within the meaning of any federal, state, or local statute, regulation or ordinance in any aboveground or underground tanks. To the best of Dempsey's knowledge, no Hazardous Substances have been disposed of at Parcel 5, whether by landfill, open dump, surface impoundment, aboveground or underground tanks, or by any other means. To the best of Dempsey's knowledge, Parcel 5 is not included in or a part of an area designated by any state, local or federal agency or body as a hazardous waste disposal site or as a site or location requiring management, clean-up or removal of any Hazardous Substances. Dempsey is not involved in or to the best of Dempsey's knowledge, subject to any claims relating to or arising from the existence, treatment, use, or storage of any Hazardous Substances at Parcel 5.
- D. Dempsey has received no written notice, and Dempsey has no actual knowledge or reason to believe of any violation of applicable laws, ordinances, regulations, statutes, rules or restrictions relating to Parcel 5 and the use thereof.
- E. Dempsey has no actual knowledge of eminent domain proceedings pending against all or any part of Parcel 5, and Dempsey has no actual knowledge of any threat of such proceedings.
- F. There are no obligations in connection with Parcel 5 or any so-called "recapture agreement" involving payment, recapture or reimbursement for adjoining roadways, extension or oversizing of storm sewer, sanitary sewer, water or other utility lines, lighting or like expense or charge for work or services done upon or relating to Parcel 5 which will bind Transferee or Parcel 5 from and after the transfer.
- G. There are no annexation agreements, development agreements or other agreements or undertakings respecting the construction of acceleration or deceleration lanes, access, street lighting, contributions, donations or payments to or for schools, parks, fire departments or other entities or facilities required to be made by an owner of Parcel 5.
- H. The representations and warranties of Dempsey provided for herein shall survive Closing, only for a period of eighteen months unless during such time written notice of any alleged breach thereof has been given to Dempsey. Dempsey shall defend, indemnify and hold Sorrentino Schneider harmless from and against any and all damages (including reasonable attorneys' fees) resulting from, arising out of, or in connection with any breach of the covenants, representations and warranties contained in this Agreement.

2.05. Dempsey, the Dempsey Partnership and Trust 699 jointly and severally agree to be responsible for all costs for the Access D Intersection Improvements and the roadway improvements for the Collector Parcel when such improvements are required by or used in connection with the North Parcel Development. Nothing herein shall limit Dempsey's right to endeavor to allocate by agreement, ordinance or recapture a portion of the Access D Intersection Improvements cost to properties on the South side of Fabyan Parkway provided under no circumstance shall such agreement or ordinance cause any portion of such costs to be attributable to Sorrentino Schneider or against the Frontage Parcels. Consistent with the foregoing, Trust 699, the Dempsey Partnership and Dempsey hereby agree to reimburse, indemnify and hold harmless Sorrentino Schneider and the successor owners of the Frontage Parcels

from and against all costs, expenses, contributions or other payments (including costs and reasonable attorneys fees) in connections with the Access D Intersection Improvements or the improvements to the Collector Parcel except for a share of signalization costs, if any, as described in Paragraph 2.06 below; however, such indemnification shall not be required prior to the North Parcel Development. In the event Dempsey grants adjacent parcels any rights to enable such adjacent parcels to use Access D and the Collector Parcel, Dempsey shall obtain, for the benefit of the Frontage Parcels, the agreement of such adjacent parcel owners to waive recapture or contribution from such Frontage Parcels for any cost of the Access D Intersection Improvements and the roadway improvements to the Collector Parcel.

2.06. The Term "Signalization Cost" as used herein shall refer to the cost of the installation of signalization equipment (specifically excluding roadway improvement costs related thereto) in connection with future signalization of Access D. Parcel 4A and 4B shall each be responsible for the payment of 15 percent of the Signalization Cost allocated to the aggregate property north of Fabyan Parkway but in no event shall each of Parcels 4A and 4B be responsible for more than 7.5 percent of the total Signalization Cost for Access D. It is agreed that the North Parcel shall be responsible for all Signalization Cost allocated to property to North of Fabyan Parkway except for the contribution of Parcels 4A and 4B as provided above. The owners of parcels 4A and 4B and the North Parcel shall cooperate in making the required payments in connection with the installation of signals in Access D; however, the payments from Parcels 4A and 4B respectively, shall not be required prior to a development permit being issued for the obligated parcel. Consistent with the foregoing, Trust 699, the Dempsey Partnership, and Dempsey hereby agree to reimburse indemnify and hold harmless Sorrentino Schneider or the successor owners of Parcels 4A and 4B from and against any claim, expense, contribution or liability (including costs and reasonable attorneys fees) for any Signalization Cost in excess of the contribution required for such parcel pursuant to this Paragraph 2.06; however, such indemnification shall not be required prior to the North Parcel Development. References to 4A and 4B shall include any lot or development parcel within which either may be included ("Consolidated Parcel").

2.07. The term "date of delinquency" shall mean the date being thirty days after written demand is made for a Payment (hereinafter defined) which is due as a result of the other provisions of this Agreement. Any reimbursement, payment, contribution or amount subject to indemnification (hereunder collectively called "Payment" for convenience) shall bear interest from the date of delinquency at the rate of Ten Percent (10%) per annum and shall, together with reasonable attorneys fees and costs, be a charge on the applicable parcel owned by the defaulting party and shall be a continuing lien on such parcel. As an example, the Payments due from Dempsey, Trust 699 and the Dempsey Partnership shall be a lien on the North Parcel and Payments due from the owners of Parcels 4A or 4B shall be a lien on those separate parcels respectively; however, the Payment due from the owner of Parcel 4A shall not be a lien on Parcel 4B and vice versa. In the event of any default hereunder the non-defaulting party shall have all rights and remedies provided hereunder and those available at law or in equity and may prosecute any action against such defaulting party and or others for enforcement of any lien created hereunder, for judgement for payment of money and collection thereof, or any combination of remedies or for any other relief provided. If the non-defaulting party prevails with regard to the remedy sought, the non-defaulting party shall be entitled to reimbursement of its costs and reasonable attorneys fees. References to 4A and 4B shall include any Consolidated Parcel.

3. Miscellaneous Provisions.

3.01. Amendment and Waiver. No amendment or waiver of any provision of this Agreement shall in any event be effective, unless the

same shall be in writing and signed by the parties hereto, and then such waiver or consent shall be effective only in the specific instance and for the specific purpose for which given.

3.02. Notices. All notices, requests, demands and other communications hereunder shall be in writing and shall be sent by registered or certified mail, postage prepaid, as follows:

A. If to Dempsey, Dempsey Partnership or Trust 699:

Mr. Gerard R. Dempsey
140 First Street
Batavia, Illinois 60510

With a copy to:

Henry S. Stillwell, III, Esq.
RATHJE, WOODWARD, DYER & BURT
300 East Roosevelt
P.O. Box 786
Wheaton, Illinois 60189

B. If to Trust 4424:

MBR Properties
33W480 Fabyan Parkway
Suite 101
West Chicago, IL 60185
ATTN: Mr. Mark E. Sorrentino

With a copy to:

Roger K. Frandsen, Esq.
BRADY & JENSEN
2425 Royal Blvd.
Elgin, IL 60123

Any party may change its address for receiving notice by written notice given to the others named above. If sent by mail, any notice, request, demand, consent, approval or other communication shall be treated as being effective or as having been given forty-eight (48) hours after it has been deposited in the United States mail, certified and postage prepaid, return receipt requested in a regularly maintained receptacle for the deposit of mail, addressed as set forth above. If sent by overnight mail, such communication shall be treated as being effective or having been given on the actual date of the sending of such overnight mail.

3.03. Parties in Interest. This Agreement shall inure to the benefit of and be binding upon the parties names herein and their respective successors and assigns.

3.04. Entire Transaction. This Agreement and the other documents referred to herein shall contain the entire understanding among the parties with respect to the transactions contemplated hereby and shall supersede all other agreements and understandings among the parties.

3.05. Applicable Law. This Agreement shall be governed by and construed in accordance with the internal laws of the State of Illinois.

3.06. Severability. Should any provision of this Agreement be declared invalid, void or unenforceable for any reason, the remaining provisions hereof shall remain in full force and effect.

3.07. Headings. The section and other headings contained in this Agreement are for reference purposes only and shall not affect in any way the meaning or interpretation of this Agreement.

3.08. Expenses. Except as otherwise expressly provided herein, each party to this Agreement shall pay its own costs and expenses in connection with the transactions contemplated hereby.

3.09. Counterparts. This Agreement may be executed simultaneously in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same Agreement.

3.10. Singular Includes Plural. Whenever from the context of this Agreement it appears appropriate, each term stated in either the singular or the plural shall include the singular and the plural, and pronouns stated in either the masculine, the feminine or the neuter gender shall include the masculine, feminine or neuter.

3.11. Mutual Contribution. This Agreement has been drafted on the basis of the parties' mutual contributions of language and it is not to be construed against any party as being the drafter (or causing the drafting) of this Agreement.

3.12. Additional Documents. Each party agrees to perform promptly any further action to execute and deliver promptly any documents as may be reasonable or desirable to carry out the provisions of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of day and date first above written and this Agreement shall be binding on the individual parties with or without signature of the Land Trustees. However, the obligations in this Agreement are subject to approval and execution of the Access Agreement by the County of Kane.

MARK E. CORRENTINO

subscribed and sworn to before me
this 4 day of February, 1992.

R. K. FRANDSEN
Notary Public

OFFICIAL SEAL
ROGER K. FRANDSEN
NOTARY PUBLIC, STATE OF ILLINOIS
My Commission Expires Aug. 27, 2000

WILLIAM C. SCHNEIDER

subscribed and sworn to before me
this 4 day of February, 1992.

R. K. FRANDSEN
Notary Public

OFFICIAL SEAL
ROGER K. FRANDSEN
NOTARY PUBLIC, STATE OF ILLINOIS
My Commission Expires Aug. 27, 2000

6

POOR ORIGINAL
Recorder Not Responsible
For Reproductions

GERARD R. DEMPSEY

Subscribed and sworn to before me
this 18th day of FEBRUARY, 1997.

Notary Public

OFFICIAL SEAL
Steven J. McNeal
Notary Public, State of Illinois
My Commission Expires 11/8/00

DK II PARTNERSHIP, an Illinois Limited
Partnership

By:

GENERAL PARTNER

Subscribed and sworn to before me
this 18th day of FEBRUARY, 1997.

Notary Public

OFFICIAL SEAL
Steven J. McNeal
Notary Public, State of Illinois
My Commission Expires 11/8/00

This instrument is executed by the undersigned Land Trustee, not personally but solely as Trustee in the exercise of the power and authority conferred upon and vested in it as such Trustee. It is expressly understood and agreed that all the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee are undertaken by it solely in its capacity as Trustee and not personally. No personal liability or personal responsibility is assumed by it shall at any time be asserted or enforceable against the Trustee on account of any warranty, indemnity, representation, covenant, undertaking or agreement of the Trustee in this instrument.

By:

Debra J. Bruce
Dist. Vice President

Subscribed and sworn to before me
this 7th day of MARCH, 1997.

Notary Public

OFFICIAL SEAL

Joan Wilson
Notary Public, State of Illinois
My Commission Expires 2/3/98

Old Second National Bank of Aurora, Successor
Trustee to The Kane County Bank and Trust
Company as Trustee under Trust Agreement dated
September 9, 1985 and known as Trust No. 699.

By:

Janice Docherty
TRUST OFFICER

Subscribed and sworn to before me
this 21st day of February, 1997.

Notary Public

OFFICIAL SEAL
Constance A. Krug
Notary Public, State of Illinois
My Commission Expires Feb. 21, 1999

This instrument is executed by THE OLD SECOND NATIONAL BANK of Aurora, Illinois, not personally but solely as Trustee, as aforesaid. All the covenants and conditions to be performed hereunder by THE OLD SECOND NATIONAL BANK are undertaken by it solely as Trustee, as aforesaid and not individually, and no personal liability shall be asserted or be enforceable against THE OLD SECOND NATIONAL BANK by reason of any of the the covenants, statements or representations contained in the instrument.

FABYAN PARKWAY ACCESS AGREEMENT

This Agreement made this 10th day of February, 1997 by and among the COUNTY OF KANE ("County"), AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, as Successor Trustee to NBD Bank, as Successor Trustee to NBD Trust Company of Illinois, as Successor Trustee to The First National Bank of Elgin, as Trustee under Trust No. 4424 dated January 25, 1985 ("Trust 4424"), AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, as Successor Trustee to NBD Bank, as Successor Trustee to NBD Trust Company of Illinois, as Successor Trustee to The First National Bank of Elgin, as Trustee under Trust No. 3954 dated November 14, 1980 ("Trust 3954") AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, as Successor Trustee to NBD Bank, as Successor Trustee to NBD Trust Company of Illinois, as Successor Trustee to The First National Bank of Elgin, as Trustee under Trust No. 4968 dated July 24, 1989 ("Trust 4968"), and Old Second National Bank of Aurora Successor Trustee to the Kane County Bank and Trust Company Bank as Trustee under Trust Agreement dated September 9, 1985 and known as Trust No. 699 ("Dempsey Trust"). For convenience herein, Trust 4424, Trust 3954 and Trust 4968 are collectively referred to herein as "Owner". Trust 4424 holds title to Parcels 3, 4A and 4B, Trust 4968 holds title to Parcel 6 and Trust 3954 holds title to Parcel 7. The Dempsey Trust holds title to Parcel 5.

In consideration for the mutual agreements and promises herein contained, the parties agree as follows:

1. References and Definitions and Exhibits.

1.01. Attached hereto is a drawing labeled Fabyan Parkway Access Plan and marked Exhibit A depicting eight (8) separate parcels ("Frontage Parcels") on the north side of Fabyan Parkway, east of Kirk Road in Kane County, Illinois, such parcels being identified as Parcels 1, 2, 3, 4A, 4B, 5, 6 and 7.

1.02. Exhibit A also depicts six (6) separate access locations to the various parcels identified as Access A through Access F, with Access D and F being intersections.

1.03. "Right-in/Right-out" shall mean an access providing for right turns only into and out of the access locations.

1.04. "Full Access" shall mean an access providing for both right turn into and out of and left turn into and out of the parcel(s) being served and without the use of barrier medians or any other roadway improvements which impede full turning movements into and out of the parcel(s) being served.

Prepared by:

Roger K. Frandsen, Esq.
2425 Royal Boulevard
Elgin, IL 60123

ckd\docs\fabagt 1/31/97P

97K048455 EXHIBIT B

9

1.05. Parcels 1 and 2 have previously been created pursuant to the Final Plat of Subdivision - Kirk & Fabyan Development, such Plat being recorded in the office of the Recorder of Deeds of Kane County, Illinois on May 17, 1995 as Document No. 95K026612 herein referred to as "Kirk and Fabyan Plat".

1.06. "Access D Intersection Improvements" shall mean the completion of all improvements to the Access D Intersection such that the intersection is designed to include two traffic lanes in each direction plus a center channel permitting left turn movements into and out of the Access D Intersection.

1.07. "Additional Right-Of-Way" shall mean that strip of land designated on Exhibit A as additional right-of-way to be dedicated located adjacent to the existing northerly right-of-way line of Fabyan Parkway.

1.08 Exhibit B attached hereto sets forth the legal descriptions of the property owned by Trust 4424, Exhibit C attached hereto sets forth the legal description of the property owned by Trust 3954 Exhibit D attached hereto sets forth the legal description of the property owned by Trust 4968, and Exhibit E sets forth the legal description of Parcel 5, owned by the Dempsey Trust.

2. Access Provisions.

2.01. Access A and Access B and the provisions relating thereto have previously been approved in connection with the Final Kirk & Fabyan Plat and nothing herein is intended to alter, amend or supersede the access provisions for Parcels 1 and 2 as previously approved.

2.02. The County agrees to take or adopt all necessary actions, resolutions and ordinances to permit each of Access C and Access E to be approved and used as a temporary Right-in/Right-out access. Owner shall install a driveway channelizing island (pork chop) within the access area to restrict left turning movements in and out of Access C and E and shall install surface improvements as generally depicted on Exhibit A but without the use of a "Flair" or separate right turn lane to facilitate right turn movements into Access C and E. The use of Access C and E shall be terminated one (1) year after full completion of the Access D Intersection Improvements as defined in Article 1.06. If the Access D Intersection Improvements are undertaken by the County, the County shall pay the cost of restoring the right-of-way in connection with the removal of the temporary Access C and E locations. If the Access D Intersection Improvements are undertaken by parties other than the County, the owner of the parcel or parcels upon which Access C and E respectively are located shall pay the cost of restoring the right-of-way in connection with the removal of the temporary Access C and E locations.

2.03. Access F shall continue as a full access to serve Parcels 6 and 7 and the County, without the requirement of any contribution, reimbursement or recapture from the owners of Parcels 6 and 7, shall install roadway improvements, if and when necessary, to include left turn lanes and deceleration lanes. The entry drive to serve Parcels 6 and 7 as shown in Exhibit A shall be approved as the configuration for the access from Access F to Parcels 6 and 7.

2.04. The existing curb cut from the roadway frontage of Parcel 6 shall be eliminated in its entirety, at the time of development of Parcel 6 or upon the installation of the full intersection improvements (with left turn and deceleration lanes) to Access F as described in 2.03, whichever shall first occur.

2.05. Access D is designated as the specific location for the collector roads extending to the north and south of Fabyan Parkway. Subject to the completion of the Access D Intersection Improvements which the County hereby agrees to permit to be done in accord with its

full access intersection standards, the County agrees that the Access D is approved as a Full Access. Owner shall dedicate a right-of-way extending north of the Access D Intersection to the northerly boundaries of Parcels 4A and 4B of the width as shown on Exhibit A, no later than two (2) years from the date hereof. After the Access D Intersection Improvements have been completed, Owner may use Access D and the collector road right-of-way to install, at the expense of the Owner of Lot 4A and/or 4B, those minimal improvements necessary to serve Parcels 4A and 4B. It is currently contemplated that such minimal improvements will be in the form of a drive area and it is agreed that the full collector roadway improvements will not be required to be installed until needed by the development on the property north of Parcel 4A and 4B, which property is legally described in Exhibit F (two pages) attached hereto ("North Property"). Those persons or entities from time to time owning or holding a fee title interest in any portion of the North Property or any person or entity holding an easement for access over the North Property receiving a specific Assignment of the third party beneficiary rights hereunder, shall be third party beneficiaries of the rights and privileges established under this Section 2.05 pertaining to Access D. When "warranted" under the SRA guidelines, the County agrees to permit signalization of Access D.

2.06. In connection with and at the time of the annexations of Parcels 3, 4A, 4B, 6 and 7 (and also Parcel 5, if Owner becomes the owner thereof), or in connection with the issuance of building permits for the construction of improvements on the foregoing described Parcels, Owner shall dedicate the Additional Right-Of-Way area as depicted on Exhibit A located on the annexed property or on the property for which a building permit is issued.

2.07. It is understood that Access E may be located at any location along the frontage of Parcel 4B, but shall be closed at the time Access D is opened if Access E is located within 250 feet of the center line of Access D.

2.08. In exchange for Owner's agreements herein contained, it is specifically agreed that none of the Owners (as defined in the opening paragraph of this Agreement) nor any of the Frontage Parcels shall be responsible (whether by contribution, reimbursement, recapture or other means) either now or at any future date for:

- A. Any costs of the Access D Intersection Improvements or signalization;
- B. Any costs of the improvements to Access F; and
- C. Any costs of the collector road improvements extending northerly from Access D.

Nothing herein contained shall be deemed to exempt from one or more of the above costs the Dempsey Trust or the North Property.

2.09. All collector road and right-of-way dedications made by Owner hereunder shall be made subject to the consent to or easements reserved by Owner to permit utility installations or extensions, which shall be made in accord with normal and customary engineering standards and subject to the required approvals or permits from other governmental entities. The County will accept the dedication of the collector road parcel and upon its annexation to Geneva, will turn over jurisdiction to the City of Geneva. The owner of Parcels 4A and 4B shall be responsible for maintenance of the collector road right-of-way and improvements thereon until Geneva accepts jurisdiction thereof.

2.10. No access of any kind shall be permitted on Parcel 5 which parcel will be served by one or more of Access A through Access F.

3. Miscellaneous Provisions.

3.01. Amendment and Waiver. No amendment or waiver of any provision of this Agreement shall in any event be effective, unless the same shall be in writing and signed by the parties hereto, and then such waiver or consent shall be effective only in the specific instance and for the specific purpose for which given.

3.02. Notices. All notices, requests, demands and other communications hereunder shall be in writing and shall be sent by registered or certified mail, postage prepaid, as follows:

A. If to County:

Director of Transportation
Kane County Division of Transportation
41W011 Burlington Road
St. Charles, IL 60175

B. If to Owner:

To a recipient and at such address as
tax bills for any one or more of the
Parcels are from time to time sent.

With a copy to:

MBR Properties
33W480 Fabyan Parkway
Suite 101
West Chicago, IL 60185
ATTN: Mr. Mark E. Sorrentino

With a copy to:

Roger K. Frandsen, Esq.
BRADY & JENSEN
2425 Royal Blvd.
Elgin, IL 60123

If to Dempsey Trust:

Mr. Gerard R. Dempsey
140 First Street
Batavia, Illinois 60510

With a copy to:

Henry S. Stillwell, III, Esq.
RATHJE, WOODWARD, DYER & BURT
300 East Roosevelt
P. O. Box 786
Wheaton, IL 60189

Any party may change its address for receiving notice by written notice given to the others named above. If sent by mail, any notice, request, demand, consent, approval or other communication shall be treated as being effective or as having been given forty-eight (48) hours after it has been deposited in the United States mail, certified and postage pre-paid, return receipt requested in a regularly maintained receptacle for the deposit of mail, addressed as set forth above. If sent by overnight mail, such communication shall be treated as being effective or having been given on the actual date of the sending of such overnight mail.

3.03. Parties in Interest. This Agreement shall inure to the benefit of and be binding upon the parties names herein and their respective successors and assigns.

3.04. Entire Transaction. This Agreement and the other documents referred to herein shall contain the entire understanding among the parties with respect to the transactions contemplated hereby and shall supersede all other agreements and understandings among the parties.

3.05. Applicable Law. This Agreement shall be governed by and construed in accordance with the internal laws of the State of Illinois.

3.06. Severability. Should any provision of this Agreement be declared invalid, void or unenforceable for any reason, the remaining provisions hereof shall remain in full force and effect.

3.07. Headings. The section and other headings contained in this Agreement are for reference purposes only and shall not affect in any way the meaning or interpretation of this Agreement.

3.08. Expenses. Except as otherwise expressly provided herein, each party to this Agreement shall pay its own costs and expenses in connection with the transactions contemplated hereby.

3.09. Counterparts. This Agreement may be executed simultaneously in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same Agreement.

3.10. Singular Includes Plural. Whenever from the context of this Agreement it appears appropriate, each term stated in either the singular or the plural shall include the singular and the plural, and pronouns stated in either the masculine, the feminine or the neuter gender shall include the masculine, feminine or neuter.

3.11. Mutual Contribution. This Agreement has been drafted on the basis of the parties' mutual contributions of language and it is not to be construed against any party as being the drafter (or causing the drafting) of this Agreement.

3.12. Additional Documents. Each party agrees to perform promptly any further action to execute and deliver promptly any documents may be reasonable or desirable to carry out the provisions of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of day and date first above written.

This instrument is executed by the undersigned Land Trustee, not personally but solely as Trustee, in the exercise of the power and authority conferred upon it by the parties to this Agreement. It is expressly understood and agreed that all the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee are undertaken by it solely in its capacity as Trustee and not personally. No personal liability or personal responsibility is assumed by or shall at any time be asserted or enforceable against the Trustee on account of any warranty, representation, covenant, undertaking or agreement of the Trustee in this instrument.

The terms and conditions contained in the provisions of the Trust Agreement, including this instrument, are subject to the provisions of the Trust Agreement's Exculpatory Rider attached hereto and made a part hereof.

This instrument is executed by the undersigned Land Trustee, not personally but solely as Trustee, in the exercise of the power and authority conferred upon it by the parties to this Agreement. It is expressly understood and agreed that all the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee are undertaken by it solely in its capacity as Trustee and not personally. No personal liability or personal responsibility is assumed by or shall at any time be asserted or enforceable against the Trustee on account of any warranty, representation, covenant, undertaking or agreement of the Trustee in this instrument.

The terms and conditions contained in the provisions of the Trust Agreement, including this instrument, are subject to the provisions of the Trust Agreement's Exculpatory Rider attached hereto and made a part hereof.

American National Bank and Trust Company of Chicago, as Successor Trustee to NBD Bank, as Successor Trustee to NBD Trust Company of Illinois, as Successor Trustee to The First National Bank of Elgin, as Trustee under Trust No. 4424 dated January 25, 1985

By: [Signature]
Asst. Vice President

American National Bank and Trust Company of Chicago, as Successor Trustee to NBD Bank, as Successor Trustee to NBD Trust Company of Illinois, as Successor Trustee to The First National Bank of Elgin, as Trustee under Trust No. 3954 dated November 14, 1980

By: [Signature]
Asst. Vice President

American National Bank and Trust Company of Chicago, as Successor Trustee to NBD Bank, as Successor Trustee to NBD Trust Company of

This instrument is executed by the undersigned Land Trustee, not personally but solely as Trustee in the exercise of the power and authority conferred upon and vested in it as such Trustee. It is expressly understood and agreed that all the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee are undertaken by it solely in its capacity as Trustee and not personally. No personal liability or personal responsibility is assumed by it at any time be asserted or enforceable against the Trustee or its officers, directors, agents, representatives, coverment, undertakings or agreements of the Trustee in this instrument. The terms and conditions of this instrument are subject to the provisions of the Rider attached hereto and, made a part hereof.

Illinois, as Successor Trustee to The First National Bank of Elgin, as Trustee under Trust No. 4968 dated July 24, 1989

By: James J. Brusca
Asst. Vice President

Old Second National Bank of Aurora, Successor Trustee to The Kane County Bank and Trust Company as Trustee under Trust Agreement dated September 9, 1985 and known as Trust No. 699



ATTEST:

By: [Signature]
Land Trust Administrator

By: Janice Docherty
TRUST OFFICER

County of Kane

By: _____

ATTEST:

STATE OF ILLINOIS)
COUNTY OF KANE) SS

This instrument is executed by THE OLD SECOND NATIONAL BANK of Aurora, Illinois, not personally but solely as Trustee, as aforesaid. All the covenants and conditions to be performed hereunder by THE OLD SECOND NATIONAL BANK are undertaken by it solely as Trustee, as aforesaid and not individually, and no personal liability shall be asserted or be enforceable against THE OLD SECOND NATIONAL BANK by reason of any of the the covenants, statements or representations contained in the instrument.

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that _____ and _____ of American National Bank And Trust Company of Chicago a national banking association, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such _____ and _____, respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act, and as the free and voluntary act of said _____, for the uses and purposes therein set forth, and the said bank did also then and there acknowledge that he, as custodian of the corporate seal of said bank, did affix the corporate seal of said bank to said instrument as his free and voluntary act and as the free and voluntary act of said bank, as Trustee aforesaid, for the uses and purposes therein set forth.

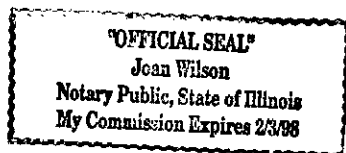
Given under my hand and notarial seal this _____ day of _____, 19____.

Notary Public

STATE OF ILLINOIS)
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify Annette N. Brusca an officer of American National Bank and Trust Company of Chicago 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 said officer of said association signed and delivered this instrument as a free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and seal this 7th day of March, 1997.



Joan Wilson

Notary Public

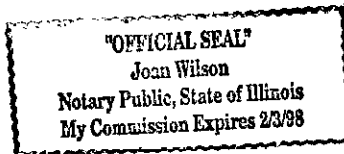
Unofficial

15

97K048455

STATE OF ILLINOIS)
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify **Annette N. Brusca** an officer of American National Bank and Trust Company of Chicago 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 said officer of said association signed and delivered this instrument as a free and voluntary act, for the uses and purposes therein set forth.
GIVEN under my hand and seal this 7th day of March, 1997.

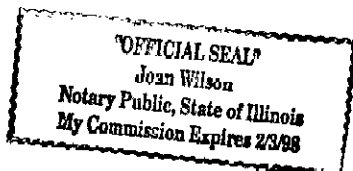


Joan Wilson

Notary Public

STATE OF ILLINOIS)
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify **Annette N. Brusca** an officer of American National Bank and Trust Company of Chicago 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 said officer of said association signed and delivered this instrument as a free and voluntary act, for the uses and purposes therein set forth.
GIVEN under my hand and seal this 7th day of March, 1997.



Joan Wilson

Notary Public

97K048455

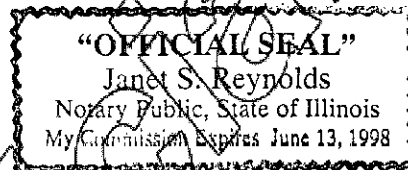
16

STATE OF ILLINOIS)
) SS
COUNTY OF KANE)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that Janice Bochevsky and Constance A. Kug, of Old Second National Bank of Aurora a national banking association, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such TRUST OFFICER and Land Trust Administrator respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act, and as the free and voluntary act of said Land Trust Administrator for the uses and purposes therein set forth, and the said bank did also then and there acknowledge that he, as custodian of the corporate seal of said bank, did affix the corporate seal of said bank to said instrument as h free and voluntary act and as the free and voluntary act of said bank, as Trustee aforesaid, for the uses and purposes therein set forth.

February, 1997. Given under my hand and notarial seal this 21st day of

Janet S. Reynolds
Notary Public



STATE OF ILLINOIS)
) SS
COUNTY OF KANE)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that _____ and _____, of _____, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such _____ and _____, respectively, appeared before me this _____ day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act, and as the free and voluntary act of said _____, for the uses and purposes therein set forth, and the said _____ did also then and there acknowledge that he, as custodian of the corporate seal of said _____ did affix the corporate seal of said _____ to said instrument as h free and voluntary act and as the free and voluntary act of said _____, for the uses and purposes therein set forth.

Given under my hand and notarial seal this _____ day of _____, 19____.

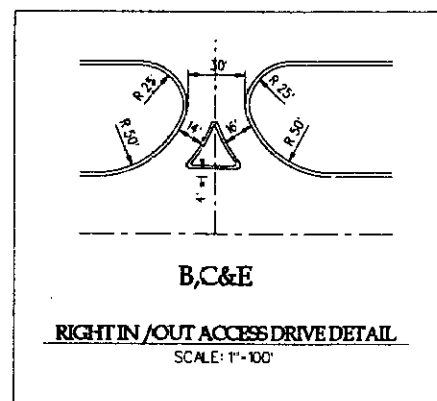
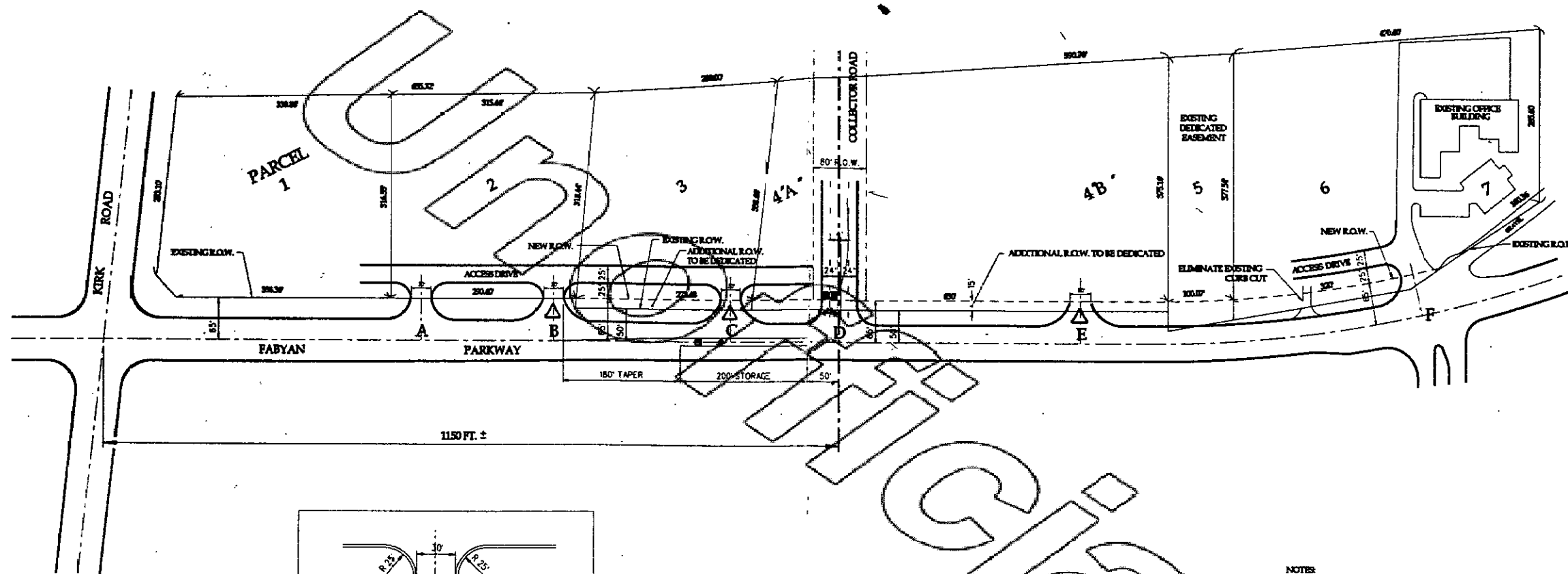
Notary Public

97K048455

FILED FOR RECORD
KANE COUNTY, ILL.

97 JUL 25 AM 08:30

Lynda M. Glavin
RECORDER



NOTES

- ACCESS B SHALL BECOME A FULL ACCESS AND ACCESS A SHALL BECOME A RIGHT IN/OUT WHEN FABIAN PARKWAY IS WIDENED BY KANE COUNTY HIGHWAY DEPARTMENT
- ACCESS E MAY BE LOCATED AT ANY POINT ALONG FRONTAGE OF PARCEL 4B
- THE USE OF ACCESS C AND E SHALL BE TERMINATED UPON COMPLETION OF THE ACCESS D INTERSECTION



METRO TRANSPORTATION GROUP INC.
1300 GREENBROOK BLVD. HANOVER PARK, IL. 60103 (708) 213-1000

NO.		DATE		DESCRIPTION	

FABIAN PARKWAY ACCESS PLAN

EXHIBIT A

SCALE: 1"=200' DATE: 1/13/97 JOB NO.: 2702-C2 1 1

PARCEL 1: That part of the Southwest Quarter of Section 12 and part of the Northwest Quarter of Section 13, all in Township 39 North, Range 8 East of the Third Principal Meridian, described as follows: Commencing at the Southeast corner of said Southwest Quarter of said Section 12; thence East along the South line of Section 12, 298.98 feet; thence North 0 degrees 36 minutes East 132.0 feet; thence South 85 degrees 07 minutes West 470.60 feet; thence South 0 degrees 15 minutes East 413.30 feet to the center line of County Farm Road; thence South 82 degrees 31 minutes West along said center line 100.60 feet; thence North 0 degrees 15 minutes West 420.20 feet for a point of beginning; thence South 85 degrees 59 minutes 43 seconds West along a line which, if extended, intersects the northeast corner of a tract of land conveyed to William E. Schultz and wife by deed recorded as Document 690638, 491.65 feet to a point on said line that is 387.13 feet North 85 degrees 59 minutes 43 seconds East of the Northeast corner of said Schultz tract; thence South 06 degrees 19 minutes 11 seconds West 360.27 feet to the North line of Fabyan Parkway as established by Document 1160180; thence North 89 degrees 46 minutes 04 seconds East along said North line 531.81 feet to a line drawn South 0 degrees 15 minutes East from the point of beginning; thence North 0 degrees 15 minutes West 390.26 feet to the point of beginning in Geneva Township, Kane County, Illinois.

PARCEL 2: That part of the Southwest Quarter of Section 12 and part of the Northwest Quarter of Section 13, all in Township 39 North, Range 8 East of the Third Principal Meridian, described as follows: Commencing at the Southeast corner of said Southwest Quarter of said Section 12; thence East along the South line of Section 12, 298.98 feet; thence North 0 degrees 36 minutes East 132.0 feet; thence South 85 degrees 07 minutes West 470.60 feet; thence South 0 degrees 15 minutes East 413.30 feet to the center line of County Farm Road; thence South 82 degrees 31 minutes West along said center line 100.60 feet; thence North 0 degrees 15 minutes West 420.20 feet; thence South 85 degrees 59 minutes 43 seconds West 878.78 feet to the Northeast corner of a tract of land conveyed to William E. Schultz and wife by deed recorded as Document 690638 for a point of beginning; thence North 85 degrees 59 minutes 43 seconds East along the last described course 247.13 feet; thence South 6 degrees 32 minutes 25 seconds West 351.15 feet to the North line of Fabyan Parkway as established by Document 1160180; thence South 89 degrees 46 minutes 04 seconds West along said North line 232.48 feet to the East line of said Schultz tract; thence North 4 degrees 27 minutes 38 seconds East along said East line 333.56 feet to the point of beginning in Geneva Township, Kane County, Illinois.

PARCEL 3: That part of the Southwest Quarter of Section 12 and part of the Northwest Quarter of Section 13, all in Township 39 North, Range 8 East of the Third Principal Meridian, described as follows: Commencing at the Southeast corner of said Southwest Quarter of said Section 12; thence East along the South line of Section 12, 298.98 feet; thence North 0 degrees 36 minutes East 132.0 feet; thence South 85 degrees 07 minutes West 470.60 feet; thence South 0 degrees 15 minutes East 413.30 feet to the center line of County Farm Road; thence South 82 degrees 31 minutes West along said center line 100.60 feet; thence North 0 degrees 15 minutes West 420.20 feet; thence South 85 degrees 59 minutes 43 seconds West 878.78 feet to the Northeast corner of a tract of land conveyed to William E. Schultz and wife by deed recorded as Document 690638; thence North 85 degrees 59 minutes 43 seconds East along the last described course 247.13 feet for a point of beginning; thence continuing North 85 degrees 59 minutes 43 seconds East along the prolongation of the last described course 140.0 feet; thence South 06 degrees 19 minutes 11 seconds West 360.27 feet to the North line of Fabyan Parkway as established by Document 1160180; thence South 89 degrees 46 minutes 04 seconds West along said North line 140.0 feet to a line drawn South 6 degrees 32 minutes 25 seconds West from the point of beginning; thence North 6 degrees 32 minutes 25 seconds East 351.15 feet to the point of beginning in Geneva Township, Kane County, Illinois.

EXHIBIT B - Page 2

20

POOR ORIGINAL
Recorder Not Responsible
For Reproductions

97K048455

That part of the South Half of Section 12 and part of the North Half of Section 13, Township 39 North, Range 8, East of the Third Principal Meridian, described as follows: Beginning at a point in the South line of Section 12 aforesaid, 4.53 chains East of the Southwest corner of the Southeast quarter thereof; thence North $0^{\circ} 36'$ East, 132 feet; thence South $85^{\circ} 07'$ West, 222.02 feet; thence South $00^{\circ} 36'$ West, 351.64 feet; thence South $34^{\circ} 20'$ East, 38.62 feet to the angle point in the center line of the old road; thence North $55^{\circ} 40'$ East along the center of the old road, 242.6 feet; thence North $0^{\circ} 36'$ East, 133.6 feet to the point of beginning, in the Township of Geneva, Kane County, Illinois.

EXHIBIT C

21

97K048455

LEGAL DESCRIPTION:

That part of the South half of Section 12 and part of the North half of Section 13, Township 39 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at a point in the South line of Section 12 aforesaid, 4.53 chains East of the Southwest corner of the Southeast quarter thereof; thence North 0 degrees 36 minutes East 132 feet; thence South 85 degrees 07 minutes West 470.6 feet; thence South 0 degrees 15 minutes East 413.3 feet to the center of the road; thence North 79 degrees 05 minutes East along the center of the road 269 feet; thence North 55 degrees 40 minutes East along the center of the road 242.6 feet; thence North 0 degrees 36 minutes East 133.6 feet to the point of beginning; (except that part described as follows: Beginning at a point in the South line of Section 12 aforesaid, 4.53 chains East of the Southwest corner of the Southeast Quarter thereof; thence North 0 degrees 36 minutes East, 132 feet; thence South 85 degrees 7 minutes West, 222.02 feet; thence South 0 degrees 36 minutes West, 351.64 feet; thence South 34 degrees 20 minutes East, 38.62 feet to the angle point in the center line of the old road; thence North 55 degrees 40 minutes East along the center of the old road, 242.6 feet; thence North 0 degrees 36 minutes East 133.6 feet to the point of beginning) all in the Township of Geneva, Kane County, Illinois.

EXHIBIT D

22

97K048455

State of Illinois)

County of Kane)

ss This is to certify that the plat hereon drawn is a correct representation of that part of the Southwest Quarter of Section 12 and part of the Northwest Quarter of Section 13, Township 39 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the southwest corner of the Southeast Quarter of said Section 12; thence North 89°17'43" East along the south line of said Southeast Quarter of said Document 1271011; thence North 0°36'00" East along said westerly line 132.0 feet; thence South 85°07'00" West 479.60 feet for a point of beginning; thence South 0°15'00" East 413.30 feet to the former center line of County Farm Road; thence South 82°31'00" West along said former center line 100.60 feet; thence North 0°15'00" West 420.20 feet; thence North 86°26'35" East 99.97 feet to the point of beginning, in Geneva Township, Kane County, Illinois and containing 0.955 acre as shown. All distances are given in feet and decimal parts thereof.

Parcel - Dempsey Trust
Exhibit E

97K048455

State of Illinois)

County of Kane)

1ss This is to certify that the plat hereon drawn is a correct representation of that part of the Southwest Quarter of Section 12, Township 39 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the southwest corner of the Southeast Quarter of said Section 12; thence North $89^{\circ}17'43''$ East along the south line of said Southeast Quarter 298.98 feet to the westerly line of a tract of land conveyed to H.H. Simpson by Warranty Deed recorded as Document 1271011; thence North $0^{\circ}36'00''$ East along said westerly line 132.0 feet; thence South $85^{\circ}07'00''$ West 470.60 feet; thence South $0^{\circ}15'00''$ East 413.30 feet to the former center line of County Farm Road; thence South $82^{\circ}31'00''$ West along said former center line 100.60 feet; thence North $0^{\circ}15'00''$ West 420.20 feet; thence South $85^{\circ}59'43''$ West along a line which, if extended, intersects the northeast corner of a tract of land conveyed to William E. Schultz and wife by Document 690636, 154.83 feet to the westerly line extended southerly of Lot 4 of the Assessment Map of Martin Schock Estate according to the plat thereof filed in Plat Book 20 at Page 23 in the Recorder's Office of Kane County, Illinois for a point of beginning; thence continuing South $85^{\circ}59'43''$ West along the prolongation of the last described course 549.67 feet to a point that is 174.48 feet North $85^{\circ}59'43''$ East of the northeast corner of said Schultz tract; thence North $8^{\circ}08'17''$ West at right angles to the last described course 150.0 feet; thence South $85^{\circ}59'43''$ West at right angles to the last described course 150.0 feet; thence South $8^{\circ}08'17''$ East at right angles to the last described course 150.0 feet; thence South $85^{\circ}59'43''$ West 24.48 feet to the northeast corner of said Schultz tract; thence South $89^{\circ}37'30''$ West along the northerly line of said Schultz tract 675.52 feet to the easterly line of Kirk Road (County Highway No. 77); thence North $5^{\circ}53'46''$ East along said easterly line 552.27 feet; thence northerly along said easterly line, being a curve to the right having a radius of 11,009.20 feet tangent to the last described course 673.72 feet; thence North $5^{\circ}16'46''$ East along said easterly line tangent to the last described curve at the last described point 429.71 feet; thence northerly along said easterly line, being a curve to the left having a radius of 5779.65 feet tangent to the last described course 446.16 feet to the southerly line of Lot 5 of said Martin Schock Estate; thence South $88^{\circ}43'00''$ East along said southerly line, being also the center line of Old Kirk Road, 106.63 feet to a point that is 201.20 feet North $88^{\circ}43'00''$ West of the center line of Old Kirk Road running northerly; thence South $5^{\circ}10'33''$ West 200.0 feet; thence South $88^{\circ}43'00''$ East parallel with said southerly line 201.20 feet; thence North $5^{\circ}10'33''$ East 43.0 feet; thence South $84^{\circ}49'27''$ East parallel with a southerly line of said Lot 5, being at right angles to the last described course, 363.0 feet; thence North $5^{\circ}10'33''$ East at right angles to the last described course 237.0 feet to the southerly line of said Lot 5; thence South $84^{\circ}49'27''$ East along said southerly line 307.40 feet to the northwest corner of said Lot 4; thence South $0^{\circ}27'54''$ West along the westerly line of said Lot 4 and said westerly line extended 1942.78 feet to the point of beginning, in Geneva Township, Kane County, Illinois and containing 55.816 acres as shown. All distances are given in feet and decimal parts thereof.

Dated at Geneva, Illinois, November 11, 1996

Illinois Professional Land Surveyor No. 1740

Parcel 1 of North Parcel
Exhibit F, Page 1 of 2

POOR ORIGINAL
Recorder Not Responsible
For Reproductions

97K048455

State of Illinois)
County of Kane)

This is to certify that the plat hereon drawn is a correct representation of that part of the South Half of Section 12, Township 39 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the southwest corner of the Southeast Quarter of said Section 12; thence North 89°17'43" East along the south line of said Southeast Quarter 298.98 feet to the Southeast line of a tract of land conveyed to H.M. Simpson by Warranty Deed recorded as Document 1271011; thence North 0°36'00" East along said westerly line 132.6 feet; thence South 85°07'00" West 470.60 feet; thence South 0°15'00" East 413.30 feet to the former center line of County Farm Road; thence South 82°31'00" West along said former center line 108.60 feet; thence North 0°15'00" West 420.20 feet for a point of beginning; thence South 85°59'13" West along a line, which if extended, intersects the northeast corner of a tract of land conveyed to William E. Schultz and wife by Document 690638, 154.83 feet to the westerly line extended southerly of Lot 4 of the Assessment Map of Martin Schock Estate according to the plat thereof filed in Plat Book 29 at Page 23 in the Recorder's Office of Kane County, Illinois; thence North 0°27'54" East along the westerly line extended of said Lot 4 727.38 feet to the southwest corner of said Lot; thence South 84°49'27" East along the southerly line of said Lot 363.20 feet to the southeast corner thereof; thence South 85°02'01" East 363.20 feet to a point on the westerly line of said Simpson tract that is 738.10 feet North 0°36'00" East from the point of intersection of said westerly line with the south line of said Southeast Quarter; thence South 0°36'00" West along the westerly line of said Simpson tract 606.18 feet; thence South 85°07'00" West 470.60 feet; thence South 86°26'35" West 99.97 feet to the point of beginning. In Geneva Township, Kane County, Illinois and containing 11.098 acres as shown. All distances are given in feet and decimal parts thereof.

Dated at Geneva, Illinois, November 11, 1996

[Signature]
Illinois Professional Land Surveyor No. 1740

DONAHUE AND THORNHILL, INC.

7 RICHARDS STREET

GENEVA, ILLINOIS 60134

(630) 232-7518

Parcel 2 of North Property
Exhibit 3, Page 2 of 2

POOR ORIGINAL
Recorder Not Responsible
For Reproductions

97K048455

25

State of Illinois)

County of Kane)

jes This is to certify that the plat hereon drawn is a correct representation of that part of the Southwest Quarter of Section 12, Township 39 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the southwest corner of the Southeast Quarter of said Section 12; thence North $89^{\circ}17'43''$ East along the south line of said Southeast Quarter 298.98 feet to the westerly line of a tract of land conveyed to H.H. Simpson by Warranty Deed recorded as Document 1271011; thence North $0^{\circ}36'00''$ East along said westerly line 132.0 feet; thence South $85^{\circ}07'00''$ West 470.60 feet; thence South $0^{\circ}15'00''$ East 413.30 feet to the former center line of County Farm Road; thence South $82^{\circ}31'00''$ West along said former center line 100.60 feet; thence North $0^{\circ}15'00''$ West 420.20 feet; thence South $85^{\circ}59'43''$ West along a line which, if extended, intersects the northeast corner of a tract of land conveyed to William E. Schultz and wife by Document 690638, 154.83 feet to the westerly line extended southerly of Lot 4 of the Assessment Map of Martin Schock Estate according to the plat thereof filed in Plat Book 20 at Page 23 in the Recorder's Office of Kane County, Illinois for a point of beginning; thence continuing South $85^{\circ}59'43''$ West along the prolongation of the last described course 549.47 feet to a point that is 174.48 feet North $85^{\circ}59'43''$ East of the northeast corner of said Schultz tract; thence North $4^{\circ}00'17''$ West at right angles to the last described course 150.0 feet; thence South $85^{\circ}59'43''$ West at right angles to the last described course 150.0 feet; thence South $4^{\circ}00'17''$ East at right angles to the last described course 150.0 feet; thence South $85^{\circ}59'43''$ West 24.48 feet to the northeast corner of said Schultz tract; thence South $89^{\circ}37'38''$ West along the northerly line of said Schultz tract 675.52 feet to the easterly line of Kirk Road (County Highway No. 77); thence North $5^{\circ}53'46''$ East along said easterly line 552.27 feet; thence northerly along said easterly line, being a curve to the right having a radius of 11,409.20 feet tangent to the last described course 673.72 feet; thence North $9^{\circ}16'46''$ East along said easterly line tangent to the last described curve at the last described point 420.71 feet; thence northerly along said easterly line, being a curve to the left having a radius of 5779.65 feet tangent to the last described course 446.16 feet to the southerly line of Lot 5 of said Martin Schock Estate; thence South $88^{\circ}43'00''$ East along said southerly line, being also the center line of Old Kirk Road, 186.63 feet to a point that is 201.20 feet North $88^{\circ}43'00''$ West of the center line of Old Kirk Road running northerly; thence South $5^{\circ}10'33''$ West 280.0 feet; thence South $88^{\circ}43'00''$ East parallel with said southerly line 201.20 feet; thence North $5^{\circ}10'33''$ East 43.0 feet; thence South $84^{\circ}49'27''$ East parallel with a southerly line of said Lot 5, being at right angles to the last described course, 363.0 feet; thence North $5^{\circ}10'33''$ East at right angles to the last described course 237.0 feet to the southerly line of said Lot 5; thence South $84^{\circ}49'27''$ East along said southerly line 397.48 feet to the northwest corner of said Lot 4; thence South $0^{\circ}27'54''$ West along the westerly line of said Lot 4 and said westerly line extended 1942.78 feet to the point of beginning, in Geneva Township, Kane County, Illinois and containing 55.816 acres as shown. All distances are given in feet and decimal parts thereof.

Dated at Geneva, Illinois, November 11, 1996


Illinois Professional Land Surveyor No. 1740

Parcel 1 of North Parcel
Exhibit C, Page 1 of 2

POOR ORIGINAL
Recorder Not Responsible
For Reproductions

97K048455

State of Illinois)
County of Kane)

This is to certify that the plat hereon drawn is a correct representation of that part of the South Half of Section 12, Township 39 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the southwest corner of the South Quarter of said Section 12; thence North 89°17'43" East along the south line of said Southwest Quarter 298.98 feet to the west line of a tract of land conveyed to H.H. Simpson by Warranty Deed recorded as Document 1271011; thence North 0°36'00" East along said westerly line 132.8 feet; thence South 85°07'00" West 470.60 feet; thence South 0°15'00" East 413.30 feet to the former center line of County Farm Road; thence South 82°31'00" West along said former center line 100.60 feet; thence North 0°15'00" West 420.20 feet for a point of beginning; thence South 85°51'00" West along a line, which if extended, intersects the northeast corner of a tract of land conveyed to William E. Schultz and wife by Document 6906; thence South 85°51'00" West along a line extended southerly of Lot 4 of the Assessment Map of Martin Schock Estate according to the plat thereof filed in Platteau Book 20 at Page 23 in the Recorder's Office of Kane County, Illinois; thence North 0°27'54" East along the westerly line extended of said Lot 4; thence South 85°07'00" West 470.60 feet to the southwest corner of said Lot; thence South 84°49'27" East along the southerly line of said Lot 363.20 feet to the southeast corner thereof; thence South 85°02'01" East 363.20 feet to a point on the westerly line of said Simpson tract that is 736.10 feet North 0°36'00" East from the point of intersection of said westerly line with the south line of said Southeast Quarter; thence South 0°36'00" West along the westerly line of said Simpson tract 606.10 feet; thence South 85°07'00" West 470.60 feet; thence South 86°26'35" West 99.97 feet to the point of beginning, in Kane Township, Kane County, Illinois and containing 11.090 acres as shown. All distances are given in feet and decimal parts thereof.

Dated at Geneva, Illinois, November 21, 1996

Illinois Professional Land Surveyor No. 1740

DONAHUE AND THORNHILL, INC.

7 RICHARDS STREET

GENEVA, ILLINOIS 60134

(630) 232-7418

Parcel 2 of North Property
Exhibit C, Page 2 of 2

POOR ORIGINAL
Recorder Not Responsible
For Reproductions

97K048453

27

Attachment 8

Engineer's Estimate of Probable Cost

Fabyan Parkway (CH 8 / FAU 363) at Kirk Road (CH 77 / FAU 360)
ENGINEER'S ESTIMATE OF PROBABLE COST

Preliminary Engineering Phase

ITEM	WORK CLASSIFICATION	Total Quantity	Unit	Unit Price	Total Cost
<i>Roadway Costs</i>					
1	PAVEMENT REMOVAL	40,300	SQ YD	\$10.00	\$403,000.00
2	DRIVEWAY PAVEMENT REMOVAL	730	SQ YD	\$10.00	\$7,300.00
3	COMBINATION CURB AND GUTTER REMOVAL	12,800	FOOT	\$5.00	\$64,000.00
4	BIKE PATH REMOVAL	2,900	SQ YD	\$12.00	\$34,800.00
5	EARTH EXCAVATION	10,000	CU YD	\$25.00	\$250,000.00
6	FURNISHED EXCAVATION	7,000	CU YD	\$20.00	\$140,000.00
7	DISPOSAL AND REMOVAL OF UNSUITABLE MATERIAL	1,000	CU YD	\$30.00	\$30,000.00
8	PORTLAND CEMENT CONCRETE PAVEMENT 12"	42,600	SQ YD	\$45.00	\$1,917,000.00
9	AGGREGATE SUBGRADE IMPROVEMENT 12"	49,850	SQ YD	\$11.00	\$548,350.00
10	COMBINATION CONCRETE C&G, B-6.24	21,300	FOOT	\$18.00	\$383,400.00
11	COMBINATION CONCRETE C&G, B-6.12	1,800	FOOT	\$15.00	\$27,000.00
12	CONCRETE MEDIAN SURFACE, 4"	52,300	SQ FT	\$5.00	\$261,500.00
13	HOT-MIXED ASPHALT SURFACE COURSE, MIX "C", N50	510	TON	\$80.00	\$40,800.00
14	HOT-MIX ASPHALT BINDER COURSE, IL-12.5, N50	510	TON	\$70.00	\$35,700.00
15	AGGREGATE BASE COURSE, TYPE B	6,040	SQ YD	\$10.00	\$60,400.00
16	DRAINAGE	1	L SUM	\$1,095,020.00	\$1,095,020.00
17	TRAFFIC SIGNALS	1	L SUM	\$250,000.00	\$250,000.00
18	BEACON LIGHTING (4)	1	L SUM	\$20,000.00	\$20,000.00
Subtotal Roadway Costs (Items 1-18)					\$5,568,270.00
<i>Construction Costs</i>					
19	MOBILIZATION	3	PERCENT		\$168,000.00
20	MAINTENANCE OF TRAFFIC	5	PERCENT		\$279,000.00
21	CONTINGENCY	20	PERCENT		\$1,113,654.00
Subtotal Construction Costs (Items 19-21)					\$1,560,654.00
22	RIGHT OF WAY	7.875	ACRE	\$250,000.00	\$1,968,750.00
23	UTILITIES			BY OTHERS	

Estimated Total Project Costs (Items 1-23) \$9,097,674.00

Attachment 9

Crash Data Summary Table and Collision Diagrams

CRASH DATA SUMMARY TABLE (2008 - 2012)

Kane County	KIRK ROAD AND FABYAN PARKWAY											
	2008		2009		2010		2011		2012		2008-2012	
TYPE OF ACCIDENT	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Turning	7	23.3%	9	33.3%	13	52.0%	5	20.0%	2	11.8%	36	29.0%
Rear-End	19	63.3%	15	55.6%	9	36.0%	14	56.0%	8	47.1%	65	52.4%
Angle	2	6.7%	1	3.7%		0.0%	3	12.0%	2	11.8%	8	6.5%
Sideswipe-Same Direction	2	6.7%		0.0%	1	4.0%	2	8.0%	3	17.6%	8	6.5%
Sideswipe-Opposite Direction		0.0%	1	0.0%		0.0%		0.0%		0.0%	1	0.8%
Fixed Objects		0.0%		0.0%		0.0%		0.0%		0.0%	0	0.0%
Overtuned		0.0%		0.0%	2	8.0%		0.0%	1	5.9%	3	2.4%
Head-On		0.0%		0.0%		0.0%		0.0%		0.0%	0	0.0%
Animal		0.0%	1	3.7%		0.0%		0.0%		0.0%	1	0.8%
Pedalcyclist		0.0%		0.0%		0.0%		0.0%	1	5.9%	1	0.8%
Other-Non Collision		0.0%		0.0%		0.0%	1	4.0%		0.0%	1	0.8%
ACCIDENT SEVERITY												
Fatal Accidents		0.0%		0.0%		0.0%		0.0%		0.0%	0	0.0%
A - Injury Accidents	1	3.3%	1	3.7%	3	12.0%	3	12.0%		0.0%	8	6.5%
B - Injury Accidents	4	13.3%	0	0.0%	3	12.0%	1	4.0%	2	11.8%	10	8.1%
C - Injury Accidents	2	6.7%	5	18.5%	1	4.0%	4	16.0%	1	5.9%	13	10.5%
Property Damage Only	23	76.7%	21	77.8%	18	72.0%	17	68.0%	14	82.4%	93	75.0%
ROADWAY CONDITION												
Dry	14	46.7%	18	66.7%	14	56.0%	14	56.0%	15	88.2%	75	60.5%
Wet	10	33.3%	6	22.2%	10	40.0%	8	32.0%	1	5.9%	35	28.2%
Snow/Ice	6	20.0%	3	11.1%	1	4.0%	3	12.0%	1	5.9%	14	11.3%
DAY/NIGHT	2008		2009		2010		2011		2012		TOTAL	
Daylight or Dawn	22	73.3%	17	63.0%	14	56.0%	19	76.0%	10	58.8%	82	66.1%
Darkness or Dusk	8	26.7%	10	37.0%	11	44.0%	6	24.0%	7	41.2%	42	33.9%
ANNUAL CRASH RATE												
Crashes per Million Vehicles	1.65		1.48		1.37		1.37		0.93		Avg:	1.36
TOTAL ACCIDENTS	30	24.2%	27	21.8%	25	20.2%	25	20.2%	17	13.7%	124	

LEGEND

↑↑

REAREND
(2 CARS)

↑↑↑

REAREND
(3 CARS)

↑↑↑↑

REAREND
(4 CARS)

↙

LEFT TURNING

↘

RIGHT TURNING

↘↘

ANGLE

🚚

OVERTURNED
SEMI-TRUCK

🚗

OVERTURNED
CAR

↕

SAME SIDE
SIDESWIPE

↗

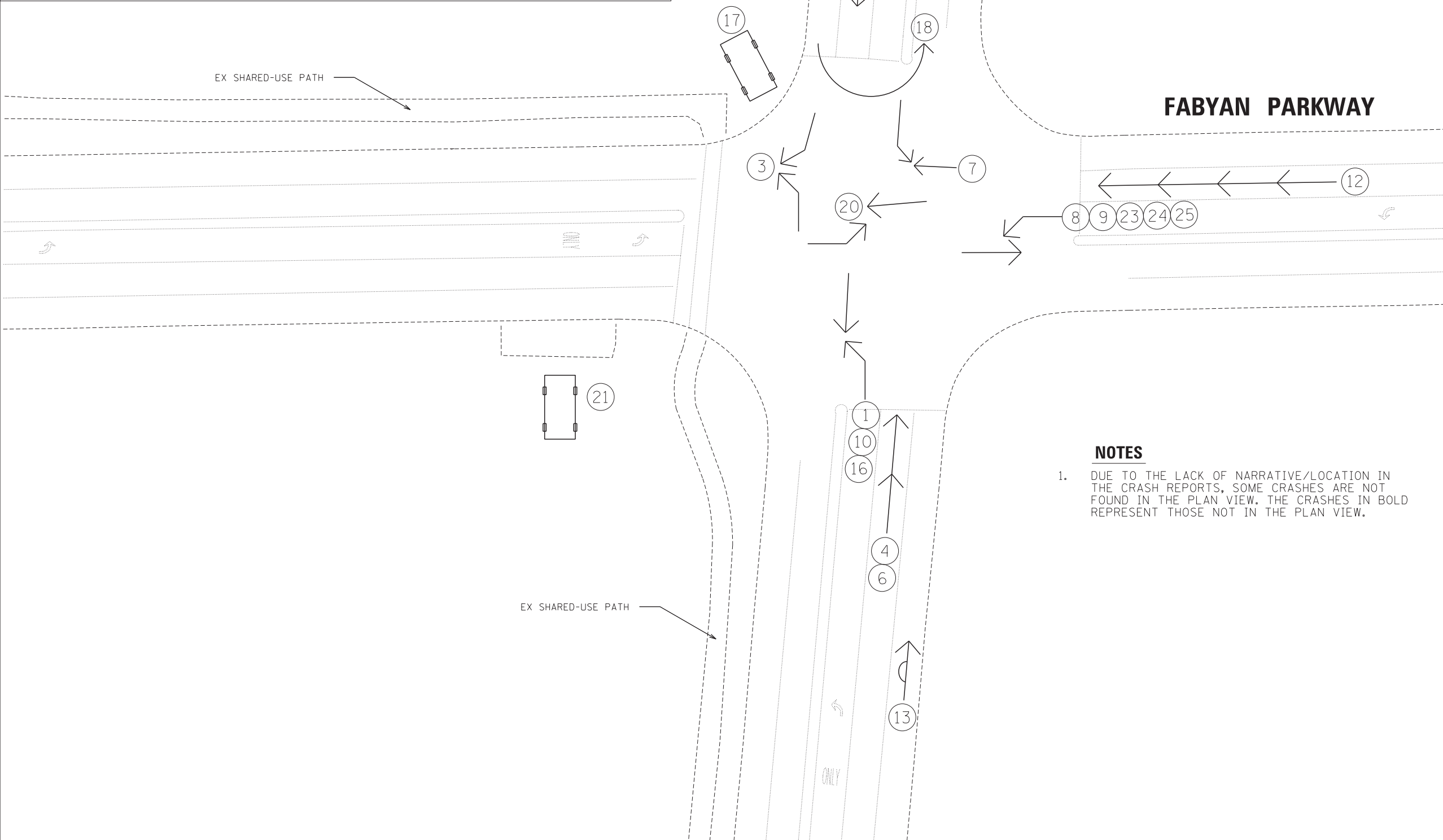
REAREND OF
A RIGHT
TURNING CAR

↓

ANIMAL

↺

U-TURN
ATTEMPT



NOTES

1. DUE TO THE LACK OF NARRATIVE/LOCATION IN THE CRASH REPORTS, SOME CRASHES ARE NOT FOUND IN THE PLAN VIEW. THE CRASHES IN BOLD REPRESENT THOSE NOT IN THE PLAN VIEW.

2010 CRASHES BY DATE (SEE NOTE 1)			
	DATE	ROADWAY CONDITION	INJURY TYPE
1	FEB 25	DRY	A
2	MAR 13	WET	PDO
3	APR 17	DRY	PDO
4	APR 23	WET	PDO
5	MAY 10	DRY	PDO
6	MAY 11	WET	A
7	MAY 19	DRY	B
8	JUN 3	DRY	A
9	JUN 9	DRY	B
10	JUN 15	DRY	PDO
11	JUN 23	WET	PDO
12	JUL 11	WET	PDO
13	JUL 23	WET	PDO
14	AUG 3	WET	PDO
15	AUG 3	WET	PDO
16	SEP 14	DRY	PDO
17	SEP 21	WET	PDO
18	SEP 21	WET	PDO
19	SEP 25	DRY	PDO
20	OCT 12	DRY	C
21	DEC 4	SNOW	PDO
22	DEC 8	DRY	PDO
23	DEC 16	DRY	PDO
24	DEC 17	DRY	PDO
25	DEC 20	DRY	B
(A) - INCAPACITATING INJURY (B) - NON INCAPACITATING INJURY (C) - REPORTED, NON EVIDENT INJURY (PDO) - PROPERTY DAMAGE ONLY			

2010

LEGEND

↑↑

REAREND
(2 CARS)

↑↑↑

REAREND
(3 CARS)

↑↑↑↑

REAREND
(4 CARS)

↙

LEFT TURNING

↘

RIGHT TURNING

↗↘

ANGLE

🚚

OVERTURNED
SEMI-TRUCK

🚗

OVERTURNED
CAR

↕

SAME SIDE
SIDESWIPE

↗

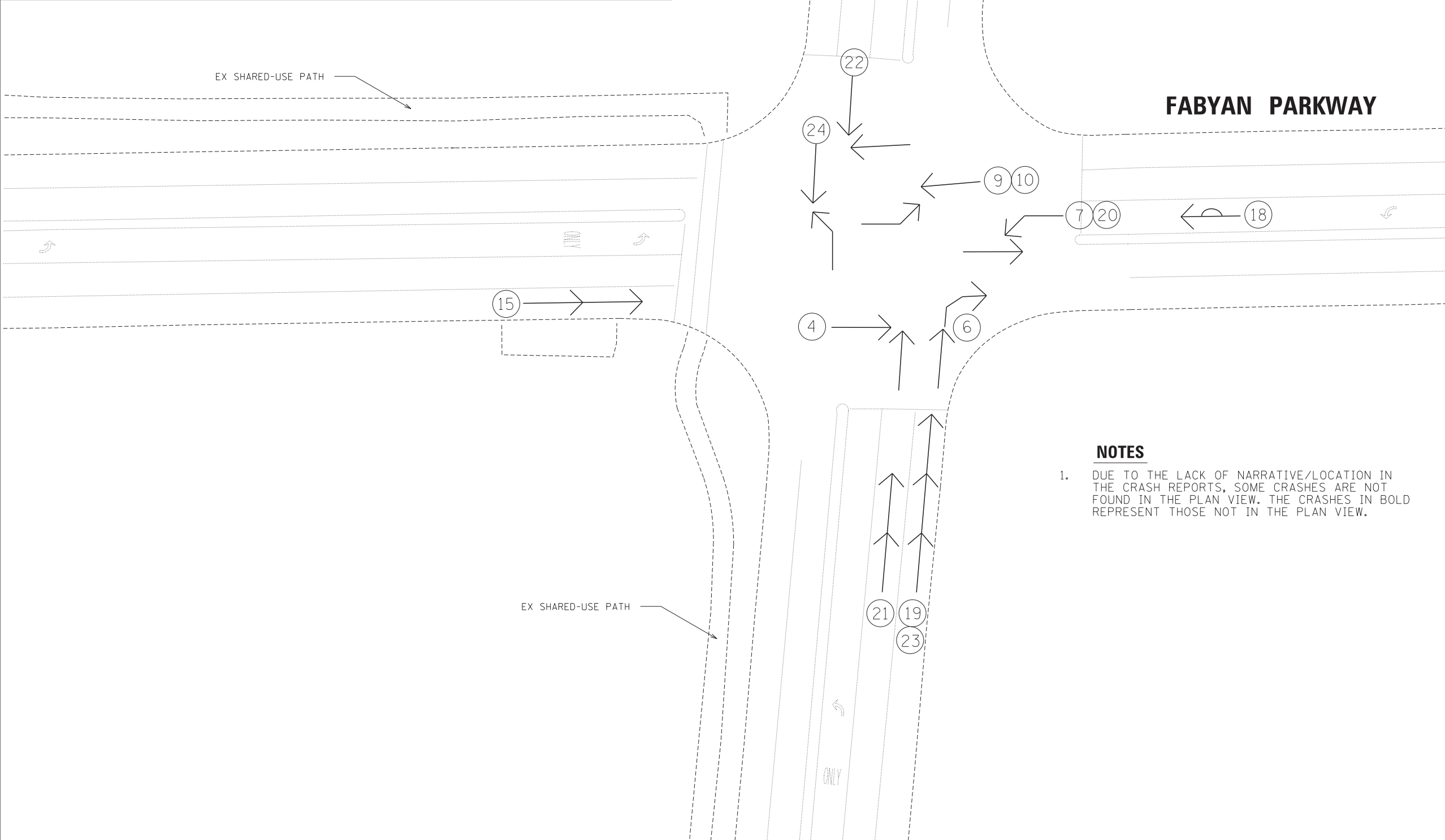
REAREND OF
A RIGHT
TURNING CAR

↓

ANIMAL

↺

U-TURN
ATTEMPT



- NOTES
1.

DUE TO THE LACK OF NARRATIVE/LOCATION IN THE CRASH REPORTS, SOME CRASHES ARE NOT FOUND IN THE PLAN VIEW. THE CRASHES IN BOLD REPRESENT THOSE NOT IN THE PLAN VIEW.

2011 CRASHES BY DATE (SEE NOTE 1)			
	DATE	ROADWAY CONDITION	INJURY TYPE
1	JAN 5	DRY	PDO
2	JAN 6	DRY	PDO
3	JAN 13	ICE	PDO
4	JAN 27	SNOW	PDO
5	FEB 22	DRY	PDO
6	APR 15	WET	C
7	MAY 5	DRY	PDO
8	MAY 10	DRY	PDO
9	JUN 10	DRY	A
10	JUN 13	DRY	C
11	JUN 20	WET	PDO
12	JUL 16	WET	PDO
13	JUL 20	DRY	PDO
14	JUL 28	WET	PDO
15	AUG 5	DRY	B
16	AUG 10	DRY	PDO
17	AUG 20	WET	PDO
18	SEP 19	WET	PDO
19	OCT 26	DRY	C
20	NOV 8	WET	PDO
21	NOV 14	DRY	C
22	NOV 25	DRY	A
23	NOV 26	WET	PDO
24	DEC 8	DRY	A
25	DEC 9	SNOW	PDO
(A) - INCAPACITATING INJURY (B) - NON INCAPACITATING INJURY (C) - REPORTED, NON EVIDENT INJURY (PDO) - PROPERTY DAMAGE ONLY			

2011

Attachment 10

Right of Way and Easement Summary

Fabyan Parkway (CH 8 / FAU 363) at Kirk Road (CH 77 / FAU 360)
Right of Way and Easement Summary

Total No. of Owners	Owner (land use)	Parcel No.	Quadrant	Area of Take							
				ROW		TE		Total per Parcel		Total per Owner	
				SQ FT	ACRE	SQ FT	ACRE	SQ FT	ACRE	SQ FT	ACRE
1	CBRE, Inc. (commercial)	12-14-203-001	SW 1	5,145	0.118			5,145	0.118	5,145	0.118
2	Joe Keim Land Corp. (farm)	12-14-200-022	SW 2	3,627	0.083			3,627	0.083	76,598	1.758
		12-14-200-023	SW 3	11,571	0.266			11,571	0.266		
		12-13-100-029	SW 4	49,680	1.140			49,680	1.140		
		12-13-100-028	SW 5	11,720	0.269			11,720	0.269		
3	Thornapple Landscapes, Inc. (commercial)	12-14-200-003	NW 1	3,238	0.074	3,750	0.086	6,988	0.160	6,988	0.160
4	R. Harlon Paydon and Patricia Paydon (farm, demolished residential)	12-14-200-004	NW 2	27,987	0.642			27,987	0.642	35,908	0.824
		12-14-200-010	NW 3	3,867	0.089			3,867	0.089		
		12-14-200-011	NW 4	4,054	0.093			4,054	0.093		
5	Geneva Enterprise, LLC (commercial, wooded area)	12-14-200-026	NW 5	526	0.012			526	0.012	77,108	1.770
		12-14-200-027	NW 6	2,147	0.049	2,450	0.056	4,597	0.106		
		12-13-100-026	NW 7	29,053	0.667			29,053	0.667		
		12-12-300-051	NW 8	42,932	0.986			42,932	0.986		
6	Forest Preserve District of Kane County (local agency)	12-12-300-065	NW 9	8,230	0.189	300	0.007	8,530	0.196	8,530	0.196
7	Batavia Enterprises, Inc. (farm)	12-12-300-056	NE 1	13,878	0.319			13,878	0.319	13,878	0.319
8	City of Geneva (local agency)	12-12-351-001	NE 2			1,143	0.026	1,143	0.026	1,143	0.026
9	The Prairie Clinic (commercial)	12-13-127-000	NE 4			523	0.012	523	0.012	523	0.012
10	DayOneNetwork, Inc. (commercial)	12-13-127-004	NE 5			500	0.011	500	0.011	500	0.011
11	Aldi Inc. (farm, wooded area)	12-13-100-021	SE 1	96,551	2.217			96,551	2.217	111,311	2.555
		12-13-100-027	SE 2	14,760	0.339			14,760	0.339		
12	Cobblestone Investments, LLC (commercial)	12-13-126-054	SE 3	5,387	0.124			5,387	0.124	5,387	0.124

Total No. of Parcels: 21

Total ROW: 334,353 7.676

Total TE: 8,666 0.199

Total Take: 343,019 7.875

Attachment 11

“404” Permit
Correspondence



DEPARTMENT OF THE ARMY
CHICAGO DISTRICT, CORPS OF ENGINEERS
231 SOUTH LA SALLE STREET
CHICAGO, ILLINOIS 60604-1437

REPLY TO
ATTENTION OF:

Technical Services Division
Regulatory Branch
LRC-2013-156

November 21, 2013

SUBJECT: Jurisdictional Determination for the Right-of-Way for the Intersection of Kirk Road and Fabyan Parkway, Located in Geneva, Batavia, and Geneva Township, Kane County, Illinois (NE ¼ of Section 14, NW ¼ of Section 13, SW ¼ of Section 12, T39N R8E)

Carl Schoedel
Kane County Division of Transportation
41W011 Burlington Road
St. Charles, Illinois 60175

Dear Mr. Schoedel:

This is in response to your request that the U.S. Army Corps of Engineers complete a jurisdictional determination for the above-referenced site submitted on your behalf by Christopher B. Burke Engineering, Ltd. The subject project has been assigned number LRC-2013-156. Please reference this number in all future correspondence concerning this project.

Following a review of the information you submitted, this office has determined that the subject property contains "waters of the United States". **Wetland 5 is under Department of the Army Jurisdiction. Wetlands 1, 7, 8, 9, 10, 11, 12, 13, and Farmed Wetlands 1 and 2, are not jurisdictional. Detention Pond 2 and 4, and Drainage 3 and 6 are non-regulated man-made features.** For a detailed description of our determination please refer to the enclosed decision document. This determination covers only your project as depicted in the Wetland Delineation Report dated December 19, 2012 prepared by Christopher B. Burke Engineering, Ltd.

This office concurs with the submitted wetland delineation, and wetland boundaries at the subject site. In the event an application is submitted for work within jurisdictional areas, a professional survey of the wetland boundary(s) will need to be prepared. Please note that we do not concur with the boundaries of waters not under federal jurisdiction.

This determination is valid for a period of five (5) years from the date of the letter, unless new information warrants revision of the determination before the expiration date or a District Commander has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.

This letter is considered an approved jurisdictional determination for your subject site. If you object to this determination, you may appeal, according to 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and a Request for Appeal (RFA) form. If you request to appeal the above determination, you must submit a completed RFA form to the Great Lakes/Ohio River Division Office at the following address:

US Army Corps of Engineers
Great Lakes and Ohio River Division
550 Main Street, Room 10524
Cincinnati, Ohio 45202-3222
Regulatory Appeals Review Officer
(513) 684-6212

In order to be accepted, your RFA must be complete, meet the criteria for appeal and be received by the Division Office within sixty (60) days of the date of the NAP. If you concur with the determination in this letter, submittal of the RFA form to the Division office is not necessary.

It is your responsibility to obtain any required state, county, or local approvals for impacts to wetland areas not under the Department of the Army jurisdiction. In Kane County, please note that isolated non-waters of the United States not under the jurisdiction of the U.S. Army Corps of Engineers are regulated by the Kane County Stormwater Ordinance. For projects in incorporated areas of Kane County, contact the certified community for information related to the ordinance. For projects in unincorporated areas of Kane County, contact the Kane County Department of Environmental Management at (630) 208-3179.

Pursuant to Section 404 of the Clean Water Act, the U.S. Army Corps of Engineers regulates the discharge of dredged or fill material into waters of the United States, including wetlands. A Department of the Army permit is required for any proposed work involving the discharge of dredged or fill material within the jurisdiction of this office. To initiate the permit process, please submit a joint permit application form along with detailed plans of the proposed work. Information concerning our program, including the application form and an application checklist, can be found at and downloaded from our website:
<http://www.lrc.usace.army.mil/Missions/Regulatory.aspx>.

If you have any questions, please contact Ms. Kimberly Kubiak of my staff by telephone at 312-846-5541 or email at kimberly.j.kubiak@usace.army.mil.

Sincerely,

Keith L. Wozniak
Chief, West Section
Regulatory Branch

Enclosure

Copy Furnished:
Kane County Division of Environmental Management (Ken Anderson)
City of Geneva (Dan Dinges)
City of Batavia (Noel Basquin)
Christopher B. Burke Engineering, Ltd. (Tom McArdle)

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Carl Schoedel,
Kane County Division of Transportation

File Number: LRC-2013-156

Date: November 21,
2013

Attached is:

See Section below

	INITIAL PROFFERED PERMIT (Standard Permit or Letter of Permission)	A
	PROFFERED PERMIT (Standard Permit or Letter of Permission)	B
	PERMIT DENIAL	C
X	APPROVED JURISDICTIONAL DETERMINATION	D
	PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://www.usace.army.mil/CECW/Pages/reg_materials.aspx or Corps regulations at 33 CFR Part 331.

A. INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit or a Letter of Permission (LOP), you may sign the permit document and return it to the district commander for final authorization. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district commander. Your objections must be received by the district commander within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district commander will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district commander will send you a proffered permit for your reconsideration, as indicated in Section B below.

B. PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit or a Letter of Permission (LOP), you may sign the permit document and return it to the district commander for final authorization. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division commander. This form must be received by the division commander within 60 days of the date of this notice.

C. PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division commander. This form must be received by the division commander within 60 days of the date of this notice.

D. APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division commander. This form must be received by the division commander within 60 days of the date of this notice.

E. PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

Regulatory Branch
Chicago District Corps of Engineers
231 South LaSalle Street, Suite 1500
Chicago, IL 60604-1437
Phone: (312) 846-5530
Fax: (312) 353-4110

If you only have questions regarding the appeal process you may also contact:

Division Review Officer, CELRD-PD-REG
Great Lakes and Ohio River Division
550 Main Street, Room 10524
Cincinnati, OH 45202-3222
Phone: (513) 684-6212
Fax: (513) 684-2460

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Commanders personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15-day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.

Date:

Telephone number:

APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): 10/11/2013

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Chicago District, LRC-2013-156, KDOT Kirk & Fabyan

C. PROJECT LOCATION AND BACKGROUND INFORMATION: Kirk Rd & Fabyan Parkway

State: Illinois County/parish/borough: **Kane** City: Geneva and Batavia
Center coordinates of site (lat/long in degree decimal format): Lat. 41.86895°N, Long. -88.27923° W.
Universal Transverse Mercator: NAD 83

Name of nearest waterbody: Tributary to White's Creek

Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: **Fox River**

Name of watershed or Hydrologic Unit Code (HUC): **Lower Fox (07120007)**

- ☒ Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.
☒ Check if other sites (e.g., offsite mitigation sites, disposal sites, etc...) are associated with this action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

- ☒ Office (Desk) Determination. Date: 10/11/2013
☒ Field Determination. Date(s): 5/21/2013

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There **Are no** "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area. [Required]

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There **Are no** "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. [Required]

2. Non-regulated waters/wetlands (check if applicable):¹

- ☒ Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional.
Explain: **WL1(0.03ac), FWL1(0.11ac), WL7(0.02ac), WL8(0.06ac), WL9(0.01ac), WL10(0.01ac), WL11(0.07ac), WL12(0.06ac), WL13(0.06ac), FWL2(0.12ac) are all closed depressional wetlands. No hydrologic connection was observed in the field. These areas include all wetlands on the northeast, and both southern corners of the intersection. .**

SECTION III: CWA ANALYSIS

E. ISOLATED [INTERSTATE OR INTRA-STATE] WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY SUCH WATERS (CHECK ALL THAT APPLY):²

- ☐ which are or could be used by interstate or foreign travelers for recreational or other purposes.
☐ from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
☐ which are or could be used for industrial purposes by industries in interstate commerce.
☐ Interstate isolated waters. Explain: .
☐ Other factors. Explain: .

Identify water body and summarize rationale supporting determination: .

Provide estimates for jurisdictional waters in the review area (check all that apply):

- ☐ Tributary waters: linear feet width (ft).
☐ Other non-wetland waters: acres.
Identify type(s) of waters: .
☒ Wetlands: 0.50 acres.

¹ Supporting documentation is presented in Section III.F.

² Prior to asserting or declining CWA jurisdiction based solely on this category, Corps Districts will elevate the action to Corps and EPA HQ for review consistent with the process described in the Corps/EPA Memorandum Regarding CWA Act Jurisdiction Following Rapanos.

F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS (CHECK ALL THAT APPLY):

- ☐ If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1987 Corps of Engineers Wetland Delineation Manual and/or appropriate Regional Supplements.
- ☒ Review area included isolated waters with no substantial nexus to interstate (or foreign) commerce.
- ☒ Prior to the Jan 2001 Supreme Court decision in "SWANCC," the review area would have been regulated based solely on the "Migratory Bird Rule" (MBR).
- ☐ Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction. Explain: .
- ☐ Other: (explain, if not covered above): .

Provide acreage estimates for non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the MBR factors (i.e., presence of migratory birds, presence of endangered species, use of water for irrigated agriculture), using best professional judgment (check all that apply):

- ☐ Non-wetland waters (i.e., rivers, streams): linear feet width (ft).
- ☐ Lakes/ponds: acres.
- ☐ Other non-wetland waters: acres. List type of aquatic resource: .
- ☒ Wetlands: 0.5 acres.

Provide acreage estimates for non-jurisdictional waters in the review area that do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction (check all that apply):

- ☐ Non-wetland waters (i.e., rivers, streams): linear feet, width (ft).
- ☐ Lakes/ponds: acres.
- ☐ Other non-wetland waters: acres. List type of aquatic resource: .
- ☐ Wetlands: acres.

SECTION IV: DATA SOURCES.

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):

- ☒ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: Wetland Delineation dated December 19, 2012.
- ☒ Data sheets prepared/submitted by or on behalf of the applicant/consultant.
- ☐ Office concurs with data sheets/delineation report.
- ☒ Office does not concur with data sheets/delineation report. out of season, and we do not verify isolated wetland boundaries
- ☐ Data sheets prepared by the Corps: .
- ☐ Corps navigable waters' study: .
- ☒ U.S. Geological Survey Hydrologic Atlas:Aurora North HA 70, 1963, .
- ☐ USGS NHD data.
- ☐ USGS 8 and 12 digit HUC maps.
- ☒ U.S. Geological Survey map(s). Cite scale & quad name: Aurora North 7.5", 1993, Pick List, Pick List, .
- ☒ USDA Natural Resources Conservation Service Soil Survey. Citation: Soil Survey of Kane County, Illinois (2003).
- ☒ National wetlands inventory map(s). Cite name: Aurora North, .
- ☒ State/Local wetland inventory map(s): Kane County ADID, Pick List, .
- ☒ FEMA/FIRM maps: .
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Photographs: ☒ Aerial (Name & Date): 1999, 2001, 2003, 2005, 2006, 2009.
- or ☒ Other (Name & Date): delineation and site visit.
- ☐ Previous determination(s). File no. and date of response letter: .
- ☐ Applicable/supporting case law: .
- ☐ Applicable/supporting scientific literature: .
- ☐ Other information (please specify): .

B. ADDITIONAL COMMENTS TO SUPPORT JD: All wetlands both south of Fabyan Parkway and east of Kirk Road are isolated depressions with no connection to jurisdictional areas. No culverts or pipes were observed at or south of Fabyan Parkway. One culvert was observed on Kirk Road as overflow for a detention basin towards but not connecting to wetland 5, and would only carry water during extreme storm events since it was located at least 10 feet above water level after a storm event - and it was completely dry.

- ☒ Area(s) are geographically isolated. .
- ☒ Area(s) do not have a hydrologic nexus. Field visit was unable to observe any hydrologic connection..
- ☒ Area(s) do not have an ecological nexus. Low quality wetlands, many farmed.
- ☒ Area(s) do not have evidence of a subsurface flow connection to a jurisdictional water. .
- ☒ Area(s) do not have evidence of surface overland sheet flow. Any overland sheet flow could only flow from the northeast corner to the northwest corner through a culvert that was many feet above aquatic resources on the northwest corner, and thus would only occur during rare extreme storm events. Site visit was the day after a rain, and no evidence of overland sheetflow was observed.
- ☒ Area(s) are not located within the flood plain. Over 1 mile to closest mapped floodplain.

APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): 10/25/2013

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Chicago District, LRC-2013-156, KDOT Kirk & Fabyan

C. PROJECT LOCATION AND BACKGROUND INFORMATION: Kirk Rd & Fabyan Parkway

State: Illinois County/parish/borough: **Kane** City: Geneva and Batavia
Center coordinates of site (lat/long in degree decimal format): Lat. 41.86895°N, Long. -88.27923° W.
Universal Transverse Mercator: NAD 83

Name of nearest waterbody: Tributary to White's Creek

Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: **Fox River**

Name of watershed or Hydrologic Unit Code (HUC): **Lower Fox (07120007)**

☒ Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.

☒ Check if other sites (e.g., offsite mitigation sites, disposal sites, etc...) are associated with this action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

☒ Office (Desk) Determination. Date: 10/25/2013

☒ Field Determination. Date(s): 5/21/2013

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There **Are no** "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area. [Required]

☐ Waters subject to the ebb and flow of the tide.

☐ Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
Explain: Defined in People of State of Ill. ex rel. Scott v. Hoffman, No. P-CIV-76-45, slip op. at 7 (S.D.Ill. Jan. 20, 1979).

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There **Are** "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. [Required]

1. Waters of the U.S.

a. Indicate presence of waters of U.S. in review area (check all that apply): ¹

- ☐ TNWs, including territorial seas
- ☐ Wetlands adjacent to TNWs
- ☐ Relatively permanent waters² (RPWs) that flow directly or indirectly into TNWs
- ☐ Non-RPWs that flow directly or indirectly into TNWs
- ☐ Wetlands directly abutting RPWs that flow directly or indirectly into TNWs
- ☐ Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs
- ☒ Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs
- ☐ Impoundments of jurisdictional waters
- ☐ Isolated (interstate or intrastate) waters, including isolated wetlands

b. Identify (estimate) size of waters of the U.S. in the review area:

Non-wetland waters: linear feet: width (ft) and/or acres.

Wetlands: 0.19 acres.

c. Limits (boundaries) of jurisdiction based on: **Pick List**

Elevation of established OHWM (if known): .

2. Non-regulated waters/wetlands (check if applicable):³

☐ Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional.
Explain: .

¹ Boxes checked below shall be supported by completing the appropriate sections in Section III below.

² For purposes of this form, an RPW is defined as a tributary that is not a TNW and that typically flows year-round or has continuous flow at least "seasonally" (e.g., typically 3 months).

³ Supporting documentation is presented in Section III.F.

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatic resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1. TNW

Identify TNW: **Pick List**.

Summarize rationale supporting determination: As defined in People of State of Ill. ex rel. Scott v. Hoffman, No. P-CIV-76-45, slip op. at 7 (S.D.Ill. Jan. 20, 1979).

2. Wetland adjacent to TNW

Summarize rationale supporting conclusion that wetland is “adjacent”:

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY):

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under *Rapanos* have been met.

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are “relatively permanent waters” (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting a tributary with perennial flow, skip to Section III.D.4.

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody⁴ is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

1. Characteristics of non-TNWs that flow directly or indirectly into TNW

(i) General Area Conditions:

Watershed size: 712,629 **acres**

Drainage area: 1,093 **acres**

Average annual rainfall: 38.31 inches

Average annual snowfall: 30.8 inches

(ii) Physical Characteristics:

(a) Relationship with TNW:

☐ Tributary flows directly into TNW.

☒ Tributary flows through **1** tributaries before entering TNW.

Project waters are **1-2** river miles from TNW.

Project waters are **1-2** river miles from RPW.

Project waters are **1-2** aerial (straight) miles from TNW.

Project waters are **1-2** aerial (straight) miles from RPW.

Project waters cross or serve as state boundaries. Explain:

Identify flow route to TNW⁵: Tributary flows to White's Creek, which flows to the Fox River.

Tributary stream order, if known: 5.

⁴ Note that the Instructional Guidebook contains additional information regarding swales, ditches, washes, and erosional features generally and in the arid West.

⁵ Flow route can be described by identifying, e.g., tributary a, which flows through the review area, to flow into tributary b, which then flows into TNW.

(b) General Tributary Characteristics (check all that apply):

Tributary is: ☒ Natural
☐ Artificial (man-made). Explain: .
☒ Manipulated (man-altered). Explain: part of it has been moved around a landfill and through a golf course, offsite.

Tributary properties with respect to top of bank (estimate):

Average width: 2 feet
Average depth: 0.5 feet
Average side slopes: **4:1 (or greater)**.

Primary tributary substrate composition (check all that apply):

<input type="checkbox"/> Silts	<input type="checkbox"/> Sands	<input type="checkbox"/> Concrete
<input type="checkbox"/> Cobbles	<input type="checkbox"/> Gravel	<input checked="" type="checkbox"/> Muck
<input type="checkbox"/> Bedrock	<input type="checkbox"/> Vegetation. Type/% cover:	
<input type="checkbox"/> Other. Explain: .		

Tributary condition/stability [e.g., highly eroding, sloughing banks]. Explain: stable.

Presence of run/riffle/pool complexes. Explain: not well developed.

Tributary geometry: **Meandering**

Tributary gradient (approximate average slope): 2.5 %

(c) Flow:

Tributary provides for: **Intermittent but not seasonal flow**

Estimate average number of flow events in review area/year: **20 (or greater)**

Describe flow regime: intermittent.

Other information on duration and volume: would depend on rainfall.

Surface flow is: **Discrete and confined**. Characteristics: small channel without, but through vegetation.

Subsurface flow: **Unknown**. Explain findings: .

☐ Dye (or other) test performed: .

Tributary has (check all that apply):

<input type="checkbox"/> Bed and banks	
<input checked="" type="checkbox"/> OHWM ⁶ (check all indicators that apply):	
<input type="checkbox"/> clear, natural line impressed on the bank	<input type="checkbox"/> the presence of litter and debris
<input type="checkbox"/> changes in the character of soil	<input checked="" type="checkbox"/> destruction of terrestrial vegetation
<input type="checkbox"/> shelving	<input type="checkbox"/> the presence of wrack line
<input checked="" type="checkbox"/> vegetation matted down, bent, or absent	<input type="checkbox"/> sediment sorting
<input checked="" type="checkbox"/> leaf litter disturbed or washed away	<input type="checkbox"/> scour
<input type="checkbox"/> sediment deposition	<input type="checkbox"/> multiple observed or predicted flow events
<input type="checkbox"/> water staining	<input type="checkbox"/> abrupt change in plant community
<input type="checkbox"/> other (list):	
<input type="checkbox"/> Discontinuous OHWM. ⁷ Explain: .	

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

<input checked="" type="checkbox"/> High Tide Line indicated by:	<input checked="" type="checkbox"/> Mean High Water Mark indicated by:
<input type="checkbox"/> oil or scum line along shore objects	<input type="checkbox"/> survey to available datum;
<input type="checkbox"/> fine shell or debris deposits (foreshore)	<input type="checkbox"/> physical markings;
<input type="checkbox"/> physical markings/characteristics	<input checked="" type="checkbox"/> vegetation lines/changes in vegetation types.
<input type="checkbox"/> tidal gauges	
<input type="checkbox"/> other (list):	

(iii) **Chemical Characteristics:**

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).

Explain: water is clear.

Identify specific pollutants, if known: .

⁶A natural or man-made discontinuity in the OHWM does not necessarily sever jurisdiction (e.g., where the stream temporarily flows underground, or where the OHWM has been removed by development or agricultural practices). Where there is a break in the OHWM that is unrelated to the waterbody's flow regime (e.g., flow over a rock outcrop or through a culvert), the agencies will look for indicators of flow above and below the break.

⁷Ibid.

(iv) **Biological Characteristics. Channel supports (check all that apply):**

- ☒ Riparian corridor. Characteristics (type, average width): .
- ☒ Wetland fringe. Characteristics: .
- ☒ Habitat for:
 - ☐ Federally Listed species. Explain findings: .
 - ☐ Fish/spawn areas. Explain findings: .
 - ☐ Other environmentally-sensitive species. Explain findings: .
 - ☒ Aquatic/wildlife diversity. Explain findings: .

2. **Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW**

(i) **Physical Characteristics:**

(a) General Wetland Characteristics:

Properties:

Wetland size: 0.19 - in project area. is larger. acres

Wetland type. Explain: riparian.

Wetland quality. Explain: low.

Project wetlands cross or serve as state boundaries. Explain: .

(b) General Flow Relationship with Non-TNW:

Flow is: **Intermittent flow**. Explain: flow visible after a rain.

Surface flow is: **Discrete and confined**

Characteristics: .

Subsurface flow: **Unknown**. Explain findings: .

☐ Dye (or other) test performed: .

(c) Wetland Adjacency Determination with Non-TNW:

☒ Directly abutting

☐ Not directly abutting

☐ Discrete wetland hydrologic connection. Explain: .

☐ Ecological connection. Explain: .

☐ Separated by berm/barrier. Explain: .

(d) Proximity (Relationship) to TNW

Project wetlands are **1-2** river miles from TNW.

Project waters are **1-2** aerial (straight) miles from TNW.

Flow is from: **Wetland to navigable waters**.

Estimate approximate location of wetland as within the **500-year or greater** floodplain.

(ii) **Chemical Characteristics:**

Characterize wetland system (e.g., water color is clear, brown, oil film on surface; water quality; general watershed characteristics; etc.). Explain: clear water.

Identify specific pollutants, if known: .

(iii) **Biological Characteristics. Wetland supports (check all that apply):**

- ☒ Riparian buffer. Characteristics (type, average width): 40 feet.
- ☒ Vegetation type/percent cover. Explain: riparian forest.
- ☒ Habitat for:
 - ☐ Federally Listed species. Explain findings: .
 - ☐ Fish/spawn areas. Explain findings: .
 - ☐ Other environmentally-sensitive species. Explain findings: .
 - ☒ Aquatic/wildlife diversity. Explain findings: .

3. **Characteristics of all wetlands adjacent to the tributary (if any)**

All wetland(s) being considered in the cumulative analysis: **1**

Approximately (0.19) acres in total are being considered in the cumulative analysis.

For each wetland, specify the following:

<u>Name/ID</u>	<u>Directly abuts? (Y/N)</u>	<u>Size (in acres)</u>	<u>Name/ID</u>	<u>Directly abuts? (Y/N)</u>	<u>Size (in acres)</u>
Wetland 5	Y	0.19 on site			

Summarize overall biological, chemical and physical functions being performed: .

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

Draw connections between the features documented and the effects on the TNW, as identified in the *Rapanos* Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

1. **Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to Section III.D: .
2. **Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D: During a field visit, water was observed flowing from Wetland 5 into a defined channel that flowed to a manmade channel around a landfill, which flows to White's Creek. The wetland is ADID high functioning..
3. **Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW.** Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D: .

D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT APPLY):

1. **TNWs and Adjacent Wetlands.** Check all that apply and provide size estimates in review area:
☐ TNWs: linear feet width (ft), Or, acres.
☐ Wetlands adjacent to TNWs: acres.
2. **RPWs that flow directly or indirectly into TNWs.**
☐ Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and rationale indicating that tributary is perennial: .
☐ Tributaries of TNW where tributaries have continuous flow "seasonally" (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally: .

Provide estimates for jurisdictional waters in the review area (check all that apply):

- ☐ Tributary waters: linear feet width (ft).
☐ Other non-wetland waters: acres.
Identify type(s) of waters: .

3. Non-RPWs⁸ that flow directly or indirectly into TNWs.

- ☒ Waterbody that is not a TNW or an RPW, but flows directly or indirectly into a TNW, and it has a significant nexus with a TNW is jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide estimates for jurisdictional waters within the review area (check all that apply):

- ☒ Tributary waters: **400** linear feet **3** width (ft).
☐ Other non-wetland waters: acres.
Identify type(s) of waters: .

4. Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.

- ☐ Wetlands directly abut RPW and thus are jurisdictional as adjacent wetlands.
☐ Wetlands directly abutting an RPW where tributaries typically flow year-round. Provide data and rationale indicating that tributary is perennial in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: .
☐ Wetlands directly abutting an RPW where tributaries typically flow “seasonally.” Provide data indicating that tributary is seasonal in Section III.B and rationale in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: .

Provide acreage estimates for jurisdictional wetlands in the review area: acres.

5. Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNWs.

- ☐ Wetlands that do not directly abut an RPW, but when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide acreage estimates for jurisdictional wetlands in the review area: acres.

6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.

- ☒ Wetlands adjacent to such waters, and have when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide estimates for jurisdictional wetlands in the review area: **over 0.19** acres.

7. Impoundments of jurisdictional waters.⁹

As a general rule, the impoundment of a jurisdictional tributary remains jurisdictional.

- ☐ Demonstrate that impoundment was created from “waters of the U.S.,” or
☐ Demonstrate that water meets the criteria for one of the categories presented above (1-6), or
☐ Demonstrate that water is isolated with a nexus to commerce (see E below).

E. ISOLATED [INTERSTATE OR INTRA-STATE] WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY SUCH WATERS (CHECK ALL THAT APPLY):¹⁰

- ☐ which are or could be used by interstate or foreign travelers for recreational or other purposes.
☐ from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
☐ which are or could be used for industrial purposes by industries in interstate commerce.
☐ Interstate isolated waters. Explain: .
☐ Other factors. Explain: .

Identify water body and summarize rationale supporting determination: .

⁸See Footnote # 3.

⁹To complete the analysis refer to the key in Section III.D.6 of the Instructional Guidebook.

¹⁰Prior to asserting or declining CWA jurisdiction based solely on this category, Corps Districts will elevate the action to Corps and EPA HQ for review consistent with the process described in the Corps/EPA Memorandum Regarding CWA Act Jurisdiction Following Rapanos.

Provide estimates for jurisdictional waters in the review area (check all that apply):

- ☐ Tributary waters: linear feet width (ft).
- ☐ Other non-wetland waters: acres.
- Identify type(s) of waters: .
- ☐ Wetlands: acres.

F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS (CHECK ALL THAT APPLY):

- ☐ If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1987 Corps of Engineers Wetland Delineation Manual and/or appropriate Regional Supplements.
- ☐ Review area included isolated waters with no substantial nexus to interstate (or foreign) commerce.
 - ☐ Prior to the Jan 2001 Supreme Court decision in "SWANCC," the review area would have been regulated based solely on the "Migratory Bird Rule" (MBR).
- ☐ Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction. Explain: .
- ☐ Other: (explain, if not covered above): .

Provide acreage estimates for non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the MBR factors (i.e., presence of migratory birds, presence of endangered species, use of water for irrigated agriculture), using best professional judgment (check all that apply):

- ☐ Non-wetland waters (i.e., rivers, streams): linear feet width (ft).
- ☐ Lakes/ponds: acres.
- ☐ Other non-wetland waters: acres. List type of aquatic resource: .
- ☐ Wetlands: acres.

Provide acreage estimates for non-jurisdictional waters in the review area that do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction (check all that apply):

- ☐ Non-wetland waters (i.e., rivers, streams): linear feet, width (ft).
- ☐ Lakes/ponds: acres.
- ☐ Other non-wetland waters: acres. List type of aquatic resource: .
- ☐ Wetlands: acres.

SECTION IV: DATA SOURCES.

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):

- ☒ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: Wetland Delineation dated December 19, 2012.
- ☒ Data sheets prepared/submitted by or on behalf of the applicant/consultant.
 - ☐ Office concurs with data sheets/delineation report.
 - ☒ Office does not concur with data sheets/delineation report. out of season
- ☐ Data sheets prepared by the Corps: .
- ☐ Corps navigable waters' study: .
- ☒ U.S. Geological Survey Hydrologic Atlas:Aurora North HA 70, 1963, .
 - ☐ USGS NHD data.
 - ☒ USGS 8 and 12 digit HUC maps.
- ☒ U.S. Geological Survey map(s). Cite scale & quad name: Aurora North 7.5", 1993, Pick List, Pick List, .
- ☒ USDA Natural Resources Conservation Service Soil Survey. Citation: Soil Survey of Kane County, Illinois (2003).
- ☒ National wetlands inventory map(s). Cite name: Aurora North, .
- ☒ State/Local wetland inventory map(s): Kane County ADID, Pick List, .
- ☒ FEMA/FIRM maps: .
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Photographs: ☒ Aerial (Name & Date): 1999, 2001, 2003, 2005, 2006, 2009.
 - or ☒ Other (Name & Date): delineation and site visit.
- ☐ Previous determination(s). File no. and date of response letter: .
- ☐ Applicable/supporting case law: People of State of Ill. ex rel. Scott v. Hoffman, No. P-CIV-76-45, (S.D.Ill. Jan. 20, 1979)
- ☐ Applicable/supporting scientific literature: .
- ☐ Other information (please specify): .

B. ADDITIONAL COMMENTS TO SUPPORT JD: Site was visited day after storms. Flowing water was observed through a small channel in the wetland flowing west, which flowed to a man-made stream through the landfill property west through a golf course, eventually to White's Creek. White's Creek flows to the Fox River shortly thereafter. Wetland 5 corresponds with ADID high functioning wetland #2683. Path is visible on the ADID map, and stream channel on site can be viewed from high resolution aerial photographs..

Attachment 12

Environmental Clearances and Correspondence

Wetlands

Submittal Date:	02/15/2013	Sequence No:	17804	
District:	1	Requesting Agency:	Local	Kane County
Contract #:		Job No.:	P-1--362--12	
Counties:	Kane			
Route:	CR-8/CR-77	Marked:	Fabyan Pkwy/Kirk Rd	
Street:	Fabyan Parkway/Kirk Road	Section:	11-00201-04-CH	
Municipality(ies):	Batavia and Geneva	Project Length:	1.6093 km	1 miles
FromTo (At):	Intersection of Fabyan Parkway & Kirk Road			
Quadrangle:	Aurora North	Township-Range-Section:	T39N-R8E-Section 13	
Survey Target Date:		Anticipated Design Apprvl:	12/31/2013	Cleared for Design Apprvl:
Cleared for Letting:		Mitigation:		09/17/2013

Initial Survey and WIE

Addendum No:

Initiated	Due Date	Results Received	Wetland Present	District Notified	WIE Requested	WIE Received	Wetland Impacts	Resp to District	Coord Complete
		09/23/2013	Yes			08/23/2013	Yes	09/17/2013	No

Comments: this office needs to be notified of type of mitigation in order to be cleared for letting. (JMV) Revised WIE received 11-07-2013. Response to district same day. Coord is not complete.

Clearances: **Cultural:** **Bio** 9/17/2013 **SW:**

Processing Programmatic Action

Individual Compensation Plan Required:

404 Individual Permit Required:

Mitigation Site: Don't Know

Mitigation Basin: Don't Know

Bank:

Accumulation:

Owner:

Name:

Location:

Size:

Types:

Quad:

Basin:

Processing

Comments:

Wetland Impacts Evaluation

Submittal Date:	07/26/2013	Submitted By:	<input type="text"/>
Does the project have wetland impacts?	Yes	Type:	Permanent
Briefly describe the measures considered to avoid and minimize adverse impacts to the wetlands:	Alignment shifts, and relocating storm sewer and detention locations were considered and implemented where practicable		
Summarize briefly why there are no practicable alternatives to the use of the wetland(s):	Complete wetland avoidance is not possible given roadway design criteria with limited right-of-way. The three wetland impacts involve embankment fill and inlet/outlet protection. Drainage design was implemented to maintain wetland hydrology.		
Wetland mitigation is being proposed:	<input type="text"/>	<input checked="" type="checkbox"/> Reviewed	

W1	Wet Mead	No	No	No	No	0.03	.000	
Basin	07120004	Quadrangle	Aurora North			FQI	5.8	
Describe the work:								
FW2	Farmed	No	No	No	No	0.018	.000	
Basin	07120007	Quadrangle	Aurora North			FQI	N/A	
Describe the work:								
FW1	Farmed	No	No	No	No	0.24	.110	
Basin	07120007	Quadrangle	Aurora North			FQI	N/A	
Describe the work:								
W10	Ditch		No	No	No	0.01	.000	
Basin		Quadrangle	Aurora North			FQI	6.8	
Describe the work:								
Total							.170	

Mitigation Site Suitability Study:

Wetland Compensation Plan:

Preparer:

Preparer:

Conceptual					Final				
Plan Received	Agency	Report Sent and District Notified	Agency Response	District Notified	Plan Received	Agency	Report Sent and District Notified	Agency Response	District Notified
	IDNR					IDNR			
	USFWS					USFWS			
	COE					COE			

Monitoring

	Monitoring Reports				Monitoring Agency:
	Received	COE Notified	IDNR Notified	District Notified	
Year 1					Construction Begin Date: Construction Complete Date: Tasked Date: Monitoring Begin Date: Monitoring Complete Date:
Year 2					
Year 3					
Year 4					
Year 5					

Monitoring Comments:

Permit(s) Type:
 Corps Dist.:
 Permit Issued:

☐ Special Conditions:

☐ Permit Agreements/Commitments:

Project Phase

Project Phase Comments:

Brian Pawula

From: Tulgar, Suleyman M <Suleyman.Tulgar@illinois.gov>
Sent: Tuesday, November 12, 2013 10:05 AM
To: Brian Pawula
Cc: Solomon, Marilin D; Steve Pasinski
Subject: RE: Kane County, 11-00201-04-CH, Fabyan Pkwy at Kirk Rd (04), Sequence # 17804

Brian, I forwarded your e-mail to CBLRS, and will inform you as soon as I get a response.
Thanks.

Suleyman Tulgar
847 705 4205

From: Brian Pawula [<mailto:brianp@thomas-engineering.com>]
Sent: Tuesday, November 12, 2013 8:19 AM
To: Tulgar, Suleyman M
Cc: Solomon, Marilin D; Steve Pasinski
Subject: RE: Kane County, 11-00201-04-CH, Fabyan Pkwy at Kirk Rd (04), Sequence # 17804

Good Morning Suleyman,

Wetland mitigation will be provided at a wetland bank site.

Feel free to contact me with questions or if additional information is required. Thank you.

Thanks, Brian.

From: Tulgar, Suleyman M [<mailto:Suleyman.Tulgar@illinois.gov>]
Sent: Thursday, November 07, 2013 4:23 PM
To: Brian Pawula
Cc: Solomon, Marilin D; Steve Pasinski
Subject: FW: Kane County, 11-00201-04-CH, Fabyan Pkwy at Kirk Rd (04), Sequence # 17804

Brian,
BDE needs to know where and how impacts will be compensated in order to clear this project for wetlands. Please provide this information.
Thanks.

Suleyman Tulgar
847 705 4205

From: Brian Pawula [<mailto:brianp@thomas-engineering.com>]
Sent: Thursday, October 31, 2013 1:19 PM
To: Tulgar, Suleyman M; Solomon, Marilin D
Cc: Steve Pasinski
Subject: RE: Kane County, 11-00201-04-CH, Fabyan Pkwy at Kirk Rd (04)

Good Afternoon Suleyman,

Thank you the confirmation. As requested, attached is a PDF duplicate of the WIE, Addendum 1 submittal.

Feel free to contact me with questions or if additional information is required. Thank you.

Thanks, Brian.

From: Tulgar, Suleyman M [<mailto:Suleyman.Tulgar@illinois.gov>]
Sent: Thursday, October 31, 2013 1:16 PM
To: Brian Pawula; Solomon, Marilyn D
Cc: Steve Pasinski
Subject: RE: Kane County, 11-00201-04-CH, Fabyan Pkwy at Kirk Rd (04)

Brian,
We received your submittal on October 29, 2013. Can you please also e-mail pdf of your submittal?
Thanks.

Suleyman Tulgar
847 705 4205

From: Brian Pawula [<mailto:brianp@thomas-engineering.com>]
Sent: Wednesday, October 30, 2013 7:42 AM
To: Solomon, Marilyn D; Tulgar, Suleyman M
Cc: Steve Pasinski
Subject: Kane County, 11-00201-04-CH, Fabyan Pkwy at Kirk Rd (04)

Marilyn and Suleyman,

On behalf of the Kane County Division of Transportation (KDOT) and Thomas Engineering Group, LLC (TEG), I am contacting you regarding the WIE, Addendum 1 for the subject project.

This intersection will be widened and reconstructed. Improvements include channelization with the addition of dual left turn lanes and through / right turn lanes or right turn lanes on both Fabyan Parkway and Kirk Road. Traffic signal modernization and a curb and gutter closed drainage system are additional highlights of the improvement. The existing shared-use path will be reconstructed where it currently exists and extended to the north and east.

The WIE, Addendum 1 was delivered to BLR&S front desk yesterday, Tuesday, October 29 at approximately 3:45 PM. Chris Holt instructed me to place it on the front desk. The purpose of this email is to inform you about this delivery because it was not technically accepted by anyone. The transmittal letter is attached for your reference.

- The WIE, Addendum 1 includes one additional impact to an unvegetated farmed wetland (#1) previously shown as having no impact. The additional impact is due to a proposed detention basin designed to meet Kane County stormwater requirements within a limited proposed right of way footprint. The additional impact is shown on WIE Plan Sheet 5 of 6 of the enclosed documents.
- The original WIE was electronically submitted to IDOT on July 26, 2013 and received for initial survey on August 23, 2013, and the wetlands were cleared for Design Approval on September 17, 2013.

Can one of you please reply to this email confirming receipt of this delivery?

Feel free to contact me with questions or if additional information is required. Thank you.

brian l. pawula, p.e.
associate
is-asce, director through 2015

is-asce, communications committee - advertising director

cell: (847) 922-6125



thomas engineering group, llc

service at the highest grade®

a certified Small Business Enterprise

new suburban branch office location:

55 west 22nd street
suite 300
lombard, illinois 60148

corporate office location:

238 south kenilworth avenue
suite 100
oak park, illinois 60302

www.thomas-engineering.com



Illinois Department of Transportation

Memorandum

To: Jim Klein Attn: Salmon Danmole
From: John Baranzelli By: Brad Koldehoff
Subject: Cultural Resource Concurrence
Date: December 13, 2013

Kane County
CR 8/CR 77, Fabyan Pkwy/Kirk Road
Sec. 11-00201-04-CH
Seq. 17804

The attached letter documents the concurrence of the State Historic Preservation Officer in the following determination by IDOT's professional cultural resources staff: "No Historic Properties Affected." This concurrence completes the necessary cultural resource coordination for the above referenced project.

Attachment

BK:km

A handwritten signature in black ink, reading "Brad Koldehoff".



Illinois Department of Transportation

2300 South Dirksen Parkway / Springfield, Illinois / 62764

Kane County
CR 8/CR 77, Fabyan Parkway/Kirk Road
Batavia & Geneva
Intersection Reconstruction
Section: 11-00201-04-CH
IDOT Sequence #17804
ISAS Log #13035

December 10, 2013

RECEIVED

DEC 10 2013

PRESERVATION SERVICES

Federal - Section 106 Project

NO HISTORIC PROPERTIES AFFECTED

Ms. Anne Haaker
Deputy State Historic Preservation Officer
Illinois Historic Preservation Agency
Springfield, Illinois 62701

Dear Ms. Haaker:

Enclosed are copies of the Phase I Survey Report completed by Illinois State Archaeological Survey (ISAS) personnel concerning archaeological and historical resources potentially impacted by the above referenced project. Survey of the 85-acre project area resulted in the identification of one archaeological site (11K1252), a 19th and 20th century Euro-American farmstead that lacks integrity and will be minimally impacted by the project. No architectural resources eligible for National Register consideration were identified by IDOT's cultural resources staff.

In accordance with the established procedure for coordination of proposed IDOT projects, we request the concurrence of the State Historic Preservation Officer in our determination that no historic properties subject to protection under Section 106 of the National Historic Preservation Act of 1966, as amended, will be affected by the proposed project.

Very truly yours,

Brad H. Koldehoff, RPA
Cultural Resources Unit
Bureau of Design and Environment

CONCUR

By:
Deputy State Historic Preservation Officer

Date: 12-10-13

COSIM 4.0 PRE-SCREEN MODELING RESULTS

08-18-13

07:36 PM



Fabyan Parkway at Kirk Road - Sec 11-00201-04-CH

Performed by: **Wm Barbel**
Intersection Location: **Kane County**
Intersection Name: **Fabyan Parkway at Kirk Road**
Highest Approach Volume: **2040 vph**
Closest Receptor: **60 feet**

Pass

Intersection PASSES Pre-Screen. COSIM analysis not required.
Highest design-year approach volume on the busiest leg of the intersection
is less than 5,000 vph or 62,500 ADT.

Please include the following statement in the project report or NEPA document:

In accordance with the IDOT-IEPA Agreement on Microscale Air Quality Assessments for IDOT Sponsored Transportation Projects, this project is exempt from a project-level carbon monoxide air quality analysis because the highest design-year approach volume on the busiest leg of the intersection is less than 5,000 vph or 62,500 ADT.

Attachment 13

Correspondence with
Property Owners Regarding
Public Comments

KANE COUNTY

DIVISION of TRANSPORTATION

Carl Schoedel, P.E.
Director of Transportation
County Engineer



41W011 Burlington Road
St. Charles, IL 60175
Phone: (630) 584-1170
Fax: (630) 584-5265

DATE: November 27, 2013

TO: Duane Mahone, P.E. – Transportation Engineer
Pace Suburban Bus Service
550 W. Algonquin Rd.
Arlington Heights, IL 60005

SUBJECT: Intersection Improvements at Kirk Road and Fabyan Parkway
Response to Public Informational Meeting Comments

Dear Duane,

On behalf of the Kane County Division of Transportation (KDOT) and our engineering consultant, Thomas Engineering Group, LLC (TEG), I am writing to thank you for your interest in this project. According to our records, you did not attend the July 24, 2013 public informational meeting at the City of Batavia City Hall. The purpose of this letter is to respond to your comment(s) about this project. Both the comment(s) and the response(s) will be included in the preliminary engineering report.

To remind you about the scope of construction, the subject intersection will be widened and reconstructed. Improvements include channelization with the addition of dual left turn lanes and either shared through / right turn lanes or exclusive right turn lanes on both Fabyan Parkway and Kirk Road. Traffic signal modernization and a curb and gutter closed drainage system are additional highlights of the improvement. The existing shared-use path will be reconstructed in its current location and extended to the north and east. Please note that the intersection improvement will likely cause private access to be modified.

Thank you for your comments. KDOT's understanding of your comments is as follows.

Pace currently has no service through this intersection, and there are no imminent plans to add service in the foreseeable future. However, there is a possibility that Pace could add service through this intersection in the distant future. Therefore, Pace suggests the addition of sidewalks, crosswalks, and pedestrian signals now to aid with the potential addition of service in the distant future.

The existing shared-use path will be reconstructed in its current locations which are (1) on the north side of Fabyan Parkway west of Kirk Road and (2) on the west side of Kirk Road south of Fabyan Parkway. Additionally, the shared-use path will be extended (3) north along the west side of Kirk Road and (4) east along the north side of Fabyan Parkway to the next commercial entrances in each of those directions. Crosswalks will be located on the west leg (which matches existing) and the north leg (which will be new). The appropriate pedestrian accommodations will be included in the traffic signal design.

Please note that there will be a second and final public involvement opportunity on December 5, 2013 in the form of a public hearing. At that time, the public will be able to ask questions and provide comments on the preferred design alternative. You have already been invited to the public hearing as you were for the public informational meeting.

November 27, 2013

RE: Intersection Improvements at Kirk Road and Fabyan Parkway
Response to Public Informational Meeting Comments (Pace Suburban Bus Service)

Feel free to contact Paul Holcomb at holcombpaul@co.kane.il.us or Brian Pawula at brianp@thomas-engineering.com with questions or if additional information is required. Thank you.

Respectfully Submitted,

Paul Holcomb

Paul Holcomb – Chief of Design
Kane County Division of Transportation



Brian L. Pawula, P.E. – Project Manager
Thomas Engineering Group, LLC

Enclosures:

1. Copy of letter with review comments 1 page

July 22, 2013

Mr. Paul Holcomb
Chief of Design
Kane County Division of Transportation
41W011 Burlington Rd
St Charles, Illinois 60175



Re: Intersection Improvements at Kirk Rd and Fabyan Parkway

Dear Mr. Holcomb:

In reference to the Kane County Division of Transportation plans for improvements of the intersection at Kirk Rd and Fabyan Parkway in the city of Batavia in Kane County, Pace currently has no service on this corridor, nor are there imminent plans to add service in the near future. However, it is possible that we provide service on this corridor within the lifetime of the roadway. Pace suggests adding sidewalks, crosswalks and pedestrian signals adjacent to any pedestrian trip generators within the project limits to aid with the inclusion of transit services in the future.

If you should need further assistance, please do not hesitate to contact me at (847) 228-2369.

Sincerely,



Duane Mahone, P.E.
Transportation Engineer

By:
Usman Bhatti
Long Range Planning

cc: Taqhi Mohammed

KANE COUNTY

DIVISION of TRANSPORTATION

Carl Schoedel, P.E.
Director of Transportation
County Engineer



41W011 Burlington Road
St. Charles, IL 60175
Phone: (630) 584-1170
Fax: (630) 584-5265

DATE: November 27, 2013

TO: Nancy A. Wahrman
Kin Properties, Inc.
185 NW Spanish River Blvd., Suite #100
Boca Raton, FL 33431

SUBJECT: Intersection Improvements at Kirk Road and Fabyan Parkway
Response to Public Informational Meeting Comments

Dear Nancy,

On behalf of the Kane County Division of Transportation (KDOT) and our engineering consultant, Thomas Engineering Group, LLC (TEG), I am writing to thank you for your interest in this project. According to our records, you did not attend the July 24, 2013 public informational meeting at the City of Batavia City Hall. The purpose of this letter is to respond to your comment(s) about this project. Both the comment(s) and the response(s) will be included in the preliminary engineering report.

To remind you about the scope of construction, the subject intersection will be widened and reconstructed. Improvements include channelization with the addition of dual left turn lanes and either shared through / right turn lanes or exclusive right turn lanes on both Fabyan Parkway and Kirk Road. Traffic signal modernization and a curb and gutter closed drainage system are additional highlights of the improvement. The existing shared-use path will be reconstructed in its current location and extended to the north and east. Please note that the intersection improvement will likely cause private access to be modified.

Thank you for your inquiry. KDOT's understanding of your inquiry is as follows.

Kin Properties did not have comments but was instead curious about this project presumably after receiving an invitation to the public informational meeting. Kin Properties requested the public meeting exhibits, and KDOT forwarded them via email on July 23, 2013. Kin Properties stated that the public meeting exhibits and supporting documentation would be forwarded to its tenants. To date, no other inquiries and/or comments have been received from Kin Properties.

Please note that there will be a second and final public involvement opportunity on December 5, 2013 in the form of a public hearing. At that time, the public will be able to ask questions and provide comments on the preferred design alternative. You have already been invited to the public hearing as you were for the public informational meeting.

November 27, 2013

RE: Intersection Improvements at Kirk Road and Fabyan Parkway
Response to Public Informational Meeting Comments (Kin Properties, Inc.)

Feel free to contact Paul Holcomb at holcombpaul@co.kane.il.us or Brian Pawula at brianp@thomas-engineering.com with questions or if additional information is required. Thank you.

Respectfully Submitted,

Paul Holcomb

Paul Holcomb – Chief of Design
Kane County Division of Transportation



Brian L. Pawula, P.E. – Project Manager
Thomas Engineering Group, LLC

Enclosures:

1. Copy of email with inquiry 2 pages

Brian Pawula

From: Holcomb, Paul <holcombpaul@co.kane.il.us>
Sent: Tuesday, July 23, 2013 10:14 AM
To: Brian Pawula
Subject: FW: Draft Public Meeting Exhibits

fyi

From: Nancy Wahrman [<mailto:nwahrman@kinproperties.com>]
Sent: Tuesday, July 23, 2013 9:29 AM
To: Holcomb, Paul
Subject: RE: Draft Public Meeting Exhibits

Thank you for the documents Mr. Holcomb. We will forward your notice letter to our tenant with your comments. We thank you again!

Cordially,
Nancy

Nancy A. Wahrman
Kin Properties, Inc.
185 NW Spanish River Blvd.
Suite #100
Boca Raton, FL 33431
Phone: 561.620.9200 Ext. 174
Fax: 561.955.9921
Email: nwahrman@kinproperties.com

From: Holcomb, Paul [<mailto:holcombpaul@co.kane.il.us>]
Sent: Tuesday, July 23, 2013 8:37 AM
To: Nancy Wahrman
Subject: FW: Draft Public Meeting Exhibits

Good Morning Nancy: As promised here is information on the proposed intersection improvement of Fabyan Parkway at Kirk Road. As explained by Mr. Pawula below the attachments here are in draft form with some possible tweaking yet prior to tomorrow's meeting. If changes it would be minor at best.

Best Regards,

Paul Holcomb
Chief of Design
630 406 7333

From: Brian Pawula [<mailto:brianp@thomas-engineering.com>]
Sent: Thursday, July 18, 2013 10:53 AM
To: Holcomb, Paul
Cc: Steve Pasinski
Subject: Draft Public Meeting Exhibits

Good Morning Paul,

Attached are DRAFT public meeting exhibits for KDOT review. Please consider this a “working set” but not a complete set. For instance, not all of the plan and profile sheets are included with this email. With this “working set”, TEG hopes that KDOT will obtain a good understanding of our approach to the public meeting.

There are 11 files attached to this email with a combined file size about approximately 8 MB. Please let me know if any of the 11 files do not transmit with this email.

If you have any comments, can you please provide them by Friday afternoon? This should give TEG enough time to address any comments and still get them to the printer in time for reproduction.

Feel free to contact me with any questions or if additional information is required. Thank you.

brian l. pawula, p.e.

associate

is-asce, transportation and development institute - chair

is-asce, communications committee - advertising director

cell: (847) 922-6125



thomas engineering group, llc

service at the highest grade®

a certified Small Business Enterprise

new suburban branch office location:

55 w. 22nd street

suite 300

lombard, illinois 60148

corporate office location:

238 south kenilworth avenue

suite 100

oak park, illinois 60302

www.thomas-engineering.com

ExchangeDefender Message Security: [Check Authenticity](#)

KANE COUNTY

DIVISION of TRANSPORTATION

Carl Schoedel, P.E.
Director of Transportation
County Engineer



41W011 Burlington Road
St. Charles, IL 60175
Phone: (630) 584-1170
Fax: (630) 584-5265

DATE: November 27, 2013

TO: Stephen J. Taylor
DayOneNetwork, Inc.
1551 E. Fabyan Pkwy.
Geneva, IL 60134

SUBJECT: Intersection Improvements at Kirk Road and Fabyan Parkway
Response to Public Informational Meeting Comments

Dear Stephen,

On behalf of the Kane County Division of Transportation (KDOT) and our engineering consultant, Thomas Engineering Group, LLC (TEG), I am writing to thank you for your interest in this project and for your attendance at its July 24, 2013 public informational meeting at the City of Batavia City Hall. The purpose of this letter is to respond to your comment(s) about this project. Both the comment(s) and the response(s) will be included in the preliminary engineering report.

To remind you about the scope of construction, the subject intersection will be widened and reconstructed. Improvements include channelization with the addition of dual left turn lanes and either shared through / right turn lanes or exclusive right turn lanes on both Fabyan Parkway and Kirk Road. Traffic signal modernization and a curb and gutter closed drainage system are additional highlights of the improvement. The existing shared-use path will be reconstructed in its current location and extended to the north and east. Please note that the intersection improvement will likely cause private access to be modified.

Thank you for your comments. KDOT's understanding of your comments is as follows.

DayOneNetwork suggests the addition of a flashing/warning device east of the Comfort Inn & Suites to try to slow down westbound traffic prior to the commercial entrances into the northeast quadrant. DayOneNetwork also suggests the conversion of the City of Geneva's gravel access road (which intersects Kirk Road immediately north of the northeast quadrant commercial properties) into a paved secondary entrance.

The addition of a flashing/warning device will be investigated further during the design engineering phase. It is during that phase that signing is typically specified for a project. Currently, this project is still in the preliminary engineering phase. A paved secondary entrance off of Kirk Road has been discussed by the project team in the past. This is the first and only public comment specifically requesting it. The conversion of this access road may require negotiations between KDOT and the adjacent property owners. Additionally, cost participation by the adjacent property owners is likely because this access road is not under KDOT jurisdiction. The conversion of this gravel access road will be investigated further during the preliminary engineering phase. KDOT is interested to see if there will be any other public support expressed during the public hearing.

Please note that there will be a second and final public involvement opportunity on December 5, 2013 in the form of a public hearing. At that time, the public will be able to ask questions and provide comments on the preferred design alternative. You have already been invited to the public hearing as you were for the public informational meeting.

November 27, 2013

RE: Intersection Improvements at Kirk Road and Fabyan Parkway
Response to Public Informational Meeting Comments (DayOneNetwork, Inc.)

Feel free to contact Paul Holcomb at holcombpaul@co.kane.il.us or Brian Pawula at brianp@thomas-engineering.com with questions or if additional information is required. Thank you.

Respectfully Submitted,

Paul Holcomb

Paul Holcomb – Chief of Design
Kane County Division of Transportation



Brian L. Pawula, P.E. – Project Manager
Thomas Engineering Group, LLC

Enclosures:

1. Copy of comment form with review comments 1 page



Public Informational Meeting

Comment Form

Kane County Division of Transportation (KDOT)

For Intersection Improvements at Kirk Road and Fabyan Parkway

Wednesday, July 24, 2013 • 4:00 PM to 7:00 PM • FabyanandKirk@gmail.com

Please print your comments, questions, and/or suggestions regarding the intersection improvements Kirk Road and Fabyan Parkway. All comments will be considered.

The plan will increase additional traffic into Day One's main entrance. Considering that our clients are disabled, this may increase risk to clients and staff.

Within the last year, two staff members have had their vehicles hit while exiting our access by fast ~~and~~ west-bound traffic on Fabyan Parkway. Please create some sort of flashing/warning device east of the Comfort Inn to slow down the traffic to the Day One and County House entrances.

Perhaps adding a road eastbound from Kirk Road to the County House's northern border (existing dirt road access to water tower) would create a secondary entrance to the County House, Prairie Clinic, Day One, and Comfort Inn.

Safety for staff and clients is my primary concern and the plan helps that, but not fully. Thanks!

Please print your contact information below.

Name:

Stephen J. Taylor

Address:

1551 E. Fabyan Parkway
Geneva, IL 60134

Phone/Email:

630-482-7608 staylor@dayonenetwork.org

Thank you for your time and interest!

KANE COUNTY

DIVISION of TRANSPORTATION

Carl Schoedel, P.E.
Director of Transportation
County Engineer



41W011 Burlington Road
St. Charles, IL 60175
Phone: (630) 584-1170
Fax: (630) 584-5265

DATE: November 27, 2013

TO: R. Harlan Paydon and Patricia Paydon
1201 Howe St.
Batavia, IL 60510

SUBJECT: Intersection Improvements at Kirk Road and Fabyan Parkway
Response to Public Informational Meeting Comments

Dear R. Harlan and Patricia,

On behalf of the Kane County Division of Transportation (KDOT) and our engineering consultant, Thomas Engineering Group, LLC (TEG), I am writing to thank you for your interest in this project and for your attendance at its July 24, 2013 public informational meeting at the City of Batavia City Hall. The purpose of this letter is to respond to your comment(s) about this project. Both the comment(s) and the response(s) will be included in the preliminary engineering report.

To remind you about the scope of construction, the subject intersection will be widened and reconstructed. Improvements include channelization with the addition of dual left turn lanes and either shared through / right turn lanes or exclusive right turn lanes on both Fabyan Parkway and Kirk Road. Traffic signal modernization and a curb and gutter closed drainage system are additional highlights of the improvement. The existing shared-use path will be reconstructed in its current location and extended to the north and east. Please note that the intersection improvement will likely cause private access to be modified.

Thank you for your comments. KDOT's understanding of your comments is as follows.

The existing residential buildings at 1203/1205 and 1235 E. Fabyan Parkway are in the process of being torn down. This process is anticipated to take 30 to 60 days from the date of public informational meeting.

Demolition of these existing residential buildings was confirmed during a September 30, 2013 field visit. KDOT is interested to see if there will be any follow up public input during the public hearing, for instance, on the potential removal of the driveway aprons to these demolished residential buildings.

Please note that there will be a second and final public involvement opportunity on December 5, 2013 in the form of a public hearing. At that time, the public will be able to ask questions and provide comments on the preferred design alternative. You have already been invited to the public hearing as you were for the public informational meeting.

November 27, 2013

RE: Intersection Improvements at Kirk Road and Fabyan Parkway
Response to Public Informational Meeting Comments (R. Harlan Paydon and Patricia Paydon)

Feel free to contact Paul Holcomb at holcombpaul@co.kane.il.us or Brian Pawula at brianp@thomas-engineering.com with questions or if additional information is required. Thank you.

Respectfully Submitted,

Paul Holcomb

Paul Holcomb – Chief of Design
Kane County Division of Transportation



Brian L. Pawula, P.E. – Project Manager
Thomas Engineering Group, LLC

Enclosures:

1. Copy of comment form with review comments 1 page



Public Informational Meeting

Comment Form

Kane County Division of Transportation (KDOT)

For Intersection Improvements at Kirk Road and Fabyan Parkway

Wednesday, July 24, 2013 • 4:00 PM to 7:00 PM • FabyanandKirk@gmail.com

Please print your comments, questions, and/or suggestions regarding the intersection improvements Kirk Road and Fabyan Parkway. All comments will be considered.

The existing homes at 1235-1203-1205 E Fayton are in the process of being torn down. -30-60 days

Please print your contact information below.

Name:

R. Harlan Paydon + Patricia Paydon

Address:

1201 Howe St

Batavia Fl. 60510

Phone/Email:

(630) 901-3143 - patricia.paydon@yahoo.com

Thank you for your time and interest!

KANE COUNTY

DIVISION of TRANSPORTATION

Carl Schoedel, P.E.
Director of Transportation
County Engineer



41W011 Burlington Road
St. Charles, IL 60175
Phone: (630) 584-1170
Fax: (630) 584-5265

DATE: November 27, 2013

TO: Gerard R. Dempsey – Chairman/CEO
Batavia Enterprises, Inc.
140 First St.
Batavia, IL 60510

Daniel P. Stellato – President
Batavia Enterprises, Inc.
140 First St.
Batavia, IL 60510

SUBJECT: Intersection Improvements at Kirk Road and Fabyan Parkway
Response to Public Informational Meeting Comments

Dear Gerard and Daniel,

On behalf of the Kane County Division of Transportation (KDOT) and our engineering consultant, Thomas Engineering Group, LLC (TEG), I am writing to thank you for your interest in this project and for your attendance at its July 24, 2013 public informational meeting at the City of Batavia City Hall. The purpose of this letter is to respond to your comment(s) about this project. Both the comment(s) and the response(s) will be included in the preliminary engineering report.

To remind you about the scope of construction, the subject intersection will be widened and reconstructed. Improvements include channelization with the addition of dual left turn lanes and either shared through / right turn lanes or exclusive right turn lanes on both Fabyan Parkway and Kirk Road. Traffic signal modernization and a curb and gutter closed drainage system are additional highlights of the improvement. The existing shared-use path will be reconstructed in its current location and extended to the north and east. Please note that the intersection improvement will likely cause private access to be modified.

Thank you for your comments. KDOT's understanding of your comments is as follows.

(1) Batavia Enterprises suggests the addition of a full intersection at Fabyan Parkway and future Dawn Boulevard, a north-south roadway that will be located immediately east of the Comfort Inn & Suites. Batavia Enterprises says that they were told by Kane County that there is "proper distance" between Kirk Road and future Dawn Boulevard to allow for signalization at this full intersection. Batavia Enterprises provided an excerpt from Kane County recorded document 97K048455 to supplement this suggestion. (2) Batavia Enterprises suggests the addition of a full intersection in the future at Kirk Road and the driveway for the Fox Valley Ice Arena. (3) Batavia Enterprises suggests the addition of right-in/right-out (RI/RO) access at the City of Geneva gravel access road for farming ingress and egress. (4) Batavia Enterprises suggests that there may be a need for two additional RI/RO access points along Kirk Road, one north and one south of the driveway for the Fox Valley Ice Arena.

The primary purpose of this improvement is to address capacity deficiencies and safety of the intersection of Fabyan Parkway and Kirk Road. In other words, the proposed intersection geometry dictates the geometry of each leg including any required access modifications. Therefore, the above suggestions 1, 2, and 4 by Batavia Enterprises are not anticipated to be part of this project. However, suggestion 3 will be part of this project. This access will act as a RI/RO access due to the raised curb median on Kirk Road. However, it is currently proposed as a field entrance to match existing conditions not a fully-designed RI/RO access.

November 27, 2013

RE: Intersection Improvements at Kirk Road and Fabyan Parkway
Response to Public Informational Meeting Comments (Batavia Enterprises, Inc.)

Regarding suggestion 1, KDOT acknowledges the full intersection at future Dawn Boulevard. KDOT reviewed the full Kane County recorded document 97K048455 and Geneva's Southeast Subarea Plan (SSP) and offers the following.

1. In the recorded document, Exhibit A notes the following.
 - a. Access A (existing) shall become a RI/RO, and Access B (existing) shall become a full access when Fabyan Parkway is widened by KDOT. The current design adheres to this requirement.
 - b. The use of Access B (existing) and Access C (never constructed) shall be terminated upon completion of Access D (future Dawn Boulevard). The current design must maintain Access B (existing) because it is unknown when Access D (future Dawn Boulevard) will be completed.
 - c. A strip of proposed right of way between Access B (existing) and Paramount Parkway is supposed to be dedicated presumably to KDOT. This strip spans 6 unique parcels, none of which are being impacted by the current design.
2. From the SSP and inquiry of those who generated it, please note the following.
 - a. Originally, a full access intersection at Fabyan Parkway and Paramount Parkway was the preferred intersection location in the SSP because of its larger spacing from the intersection at Kirk Road. It was determined that this location would be more difficult in terms of displaced properties. Consequently, a full access intersection at Fabyan Parkway and Dawn Boulevard was instead included in the SSP.
 - b. In the SSP, the Fabyan / Dawn intersection is not indicated to be signalized. The SSP indicates the first traffic signal east of Kirk Road along Fabyan Parkway to be at Louis Bork Drive which is approximately 0.8 miles east of Kirk Road.

Please note that there will be a second and final public involvement opportunity on December 5, 2013 in the form of a public hearing. At that time, the public will be able to ask questions and provide comments on the preferred design alternative. You have already been invited to the public hearing as you were for the public informational meeting.

Feel free to contact Paul Holcomb at holcombpaul@co.kane.il.us or Brian Pawula at brianp@thomas-engineering.com with questions or if additional information is required. Thank you.

Respectfully Submitted,

Paul Holcomb

Paul Holcomb – Chief of Design
Kane County Division of Transportation



Brian L. Pawula, P.E. – Project Manager
Thomas Engineering Group, LLC

Enclosures:

1. Copy of letter #1 with review comments 3 pages
2. Copy of letter #2 with review comments 7 pages



BATAVIA ENTERPRISES, INC.

Leasing Industrial, Office, Retail & Residential Properties in the Fox Valley Since 1959

July 25, 2013

Mr. Carl Schoedel
Director of Transportation
County Engineer
41W011 Burlington road
St. Charles, IL 60175

Mr. Curtis Cornwell
Thomas Engineering Group
238 S. Kenilworth Ave. Suite 100
Oak Park, IL 60302

Ms. Ellen Divita
City of Geneva
22 South First Street
Geneva, Illinois• 60134

Re: Kirk and Fabyan Public Info Meeting

Dear Carl and Curtis:

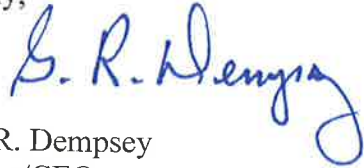
Thank you for the information made available at your public meeting on July 24, 2013, in Batavia on the Fabyan and Kirk Road improvements. I was asked to provide my comments, suggestions, or concerns.

1. We would like a full intersection at the proposed Dawn Boulevard, located at marking "J" on the map exhibit attached. We have been told by Kane County that this location would qualify for a full intersection. This location is to serve not only our site, marked "A," but several other property owners to allow traffic to flow through multiple sites.
 - a. The former Waste Management property/Louis Bork property marked "B," has an easement running through Mark Sorentino's property, marked "C," through our site connecting to the future Dawn Boulevard.
 - b. The City of Geneva also has suggested that Old Kirk Road be extended through our property and connect to Dawn Boulevard on Fabyan Parkway. This location would also allow for a four-way intersection into the Aldi Food Store site marked "D," and the unknown owner to the east of the Aldi farm site, marked "G".
 - c. We were also told by the County that there was proper distance between the proposed Dawn Boulevard intersection and Kirk Road for a signalized intersection at the proposed Dawn Boulevard.
 - d. We expect a full intersection, in the future, on Kirk Road matching up with the County's Ice Hockey Arena entrance at location "E."

- e. We need a right in/right out at location F, just north of the Country Inn Restaurant as there is a road there to service the Geneva Water Tower and this entrance is used for farming ingress and egress for our site.

There may be a need for additional right in/right out on our site north of the hockey facility and south of the hockey facility for future development purposes. Maybe this is the time to locate or plan these locations and have further communications with you to identify these two entrances.

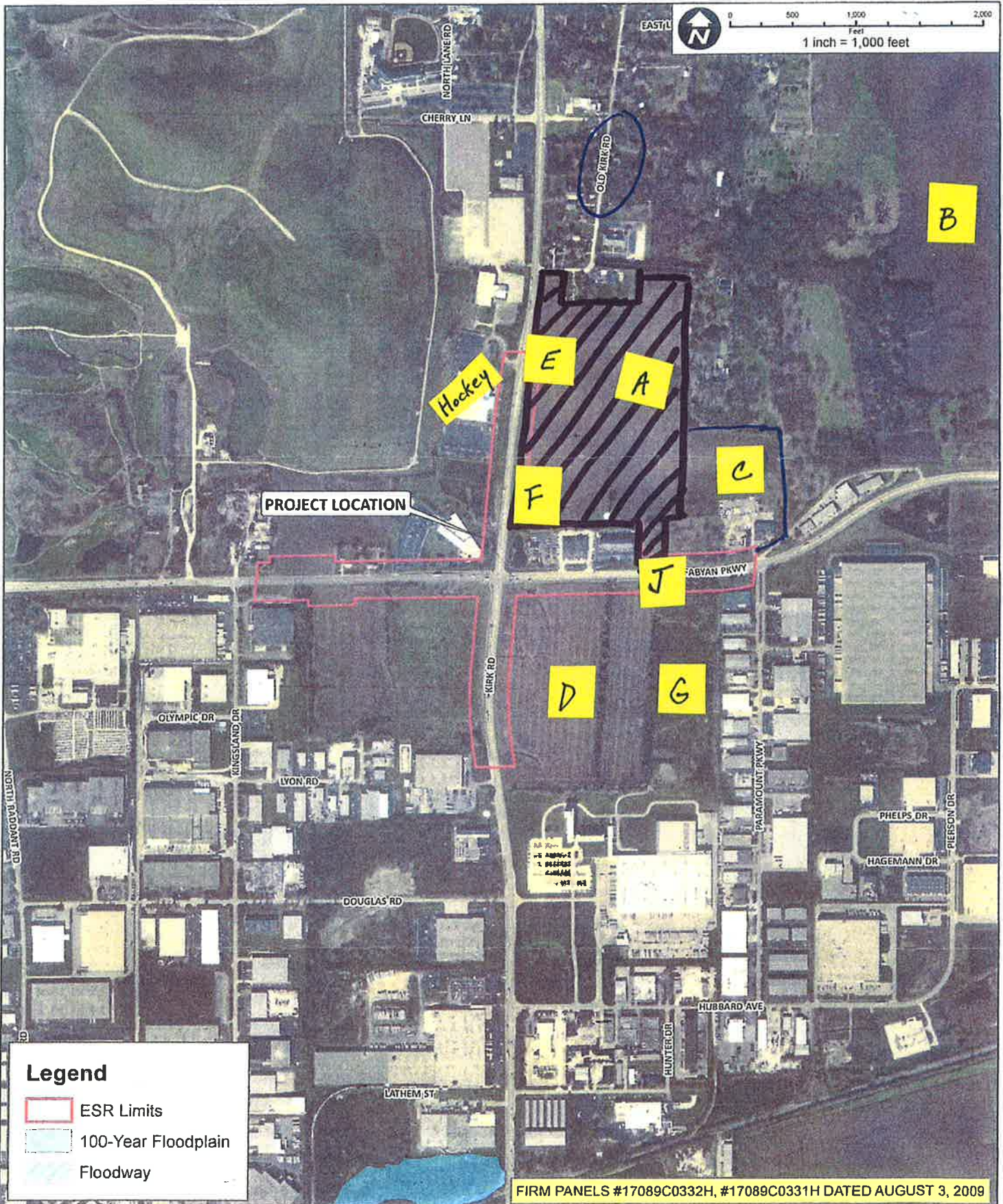
Sincerely,



Gerard R. Dempsey
Chairman/CEO

GRD/mks
Enclosure

Copy to: Austin Dempsey, Batavia Enterprises



Legend

- ESR Limits
- 100-Year Floodplain
- Floodway

FIRM PANELS #17089C0332H, #17089C0331H DATED AUGUST 3, 2009

CLIENT:

KANE COUNTY

TITLE:

FIRM EXHIBIT

PROJ. NO. 110594

DATE: 12-4-12

SHEET 1 OF 1

DRAWING NO.

EXH 4



CHRISTOPHER B. BURKE ENGINEERING, LTD.
 9575 W. Higgins Road, Suite 600 · Rosemont, Illinois 60018 · (847) 823-0500

DSGN.		SCALE:	1" = 1,000'
DWN.		USER:	dwalters
CHKD.		PLOT DATE:	12/5/2012
FILE NAME:	FIRMMap		



BATAVIA ENTERPRISES, INC.

Leasing Industrial, Office, Retail & Residential Properties in the Fox Valley Since 1959

July 26, 2013

Mr. Carl Schoedel
Director of Transportation
County Engineer
41W011 Burlington road
St. Charles, IL 60175

Mr. Curtis Cornwell
Thomas Engineering Group
238 S. Kenilworth Ave. Suite 100
Oak Park, IL 60302

Ms. Ellen Divita
City of Geneva
22 South First Street
Geneva, Illinois 60134

Re: Proposed Intersection Improvements at Fabyan Parkway and Kirk Road

Dear Carl and Curtis:

I recently attended the Public Informational Meeting for the above referenced project. Upon my perusal of the information I noticed the lack of a full interchange noted for Dawn Blvd. located at the southerly leg of our property as it intersects with Fabyan Parkway.

Please see the attached comment sheet along with a copy of the "Fabyan Parkway Access Agreement" granting a full access to interchange for Dawn Blvd. and Fabyan Parkway.

Aside from the attached documents you can clearly see the benefit to a full interchange at Dawn Blvd. as there appears to be at least 6 property owners who will benefit from this important collector street.

To the North, the Hotel, our 55 acre development property, properties owned by Mark Sorrentino and Waste management along with 2 properties to the South within the future Batavia City limits.

Please revise the scope of the project to include a full access at Dawn Blvd.

You may contact me with any questions on this matter.

Respectfully,

Daniel P. Stellato
President
Batavia Enterprises, Inc.



Public Informational Meeting

Comment Form

Kane County Division of Transportation (KDOT)

For Intersection Improvements at Kirk Road and Fabyan Parkway

Wednesday, July 24, 2013 • 4:00 PM to 7:00 PM • FabyanandKirk@gmail.com

Please print your comments, questions, and/or suggestions regarding the intersection improvements Kirk Road and Fabyan Parkway. All comments will be considered.

Please see the attached letter referencing the full interchange for Dawn Blvd. that was recorded in Kane County (Document # 97K048455) as per Fabian Parkway Access Agreement dated February 10, 1997 between the County of Kane and several landowners including Trust No. 699 ("Dempsey Trust")

Please note on Page 2 2.05 "Access D" (Dawn Blvd.) on the map, "the County HEREBY agrees to permit to be done in accord with its full access intersection standards, the County agrees that Access D is approved as a full access"

Please print your contact information below.

Name: DAN Stellato
Address: 140 1ST ST.
BATAVIA, IL. 60510
Phone/Email: 630-879-3680 / dStellato@BATAVIAENTERPRISES.COM

Thank you for your time and interest!

FABYAN PARKWAY ACCESS AGREEMENT

This Agreement made this 10th day of February, 1997 by and among the COUNTY OF KANE ("County"), AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, as Successor Trustee to NBD Bank, as Successor Trustee to NBD Trust Company of Illinois, as Successor Trustee to The First National Bank of Elgin, as Trustee under Trust No. 4424 dated January 25, 1985 ("Trust 4424"), AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, as Successor Trustee to NBD Bank, as Successor Trustee to NBD Trust Company of Illinois, as Successor Trustee to The First National Bank of Elgin, as Trustee under Trust No. 3954 dated November 14, 1980 ("Trust 3954") AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, as Successor Trustee to NBD Bank, as Successor Trustee to NBD Trust Company of Illinois, as Successor Trustee to The First National Bank of Elgin, as Trustee under Trust No. 4968 dated July 24, 1989 ("Trust 4968"), and Old Second National Bank of Aurora Successor Trustee to the Kane County Bank and Trust Company Bank as Trustee under Trust Agreement dated September 9, 1985 and known as Trust No. 699 ("Dempsey Trust"). For convenience herein, Trust 4424, Trust 3954 and Trust 4968 are collectively referred to herein as "Owner". Trust 4424 holds title to Parcels 3, 4A and 4B, Trust 4968 holds title to Parcel 6 and Trust 3954 holds title to Parcel 7. The Dempsey Trust holds title to Parcel 5.

In consideration for the mutual agreements and promises herein contained, the parties agree as follows:

1. References and Definitions and Exhibits.

1.01. Attached hereto is a drawing labeled Fabyan Parkway Access Plan and marked Exhibit A depicting eight (8) separate parcels ("Frontage Parcels") on the north side of Fabyan Parkway, east of Kirk Road in Kane County, Illinois, such parcels being identified as Parcels 1, 2, 3, 4A, 4B, 5, 6 and 7.

1.02. Exhibit A also depicts six (6) separate access locations to the various parcels identified as Access A through Access F, with Access D and F being intersections.

1.03. "Right-in/Right-out" shall mean an access providing for right turns only into and out of the access locations.

1.04. "Full Access" shall mean an access providing for both right turn into and out of and left turn into and out of the parcel(s) being served and without the use of barrier medians or any other roadway improvements which impede full turning movements into and out of the parcel(s) being served.

Prepared by:

Roger K. Frandsen, Esq.
2425 Royal Boulevard
Elgin, IL 60123

↑

1.05. Parcels 1 and 2 have previously been created pursuant to the Final Plat of Subdivision - Kirk & Fabyan Development, such Plat being recorded in the office of the Recorder of Deeds of Kane County, Illinois on May 17, 1995 as Document No. 95K026612 herein referred to as "Kirk and Fabyan Plat".

1.06. "Access D Intersection Improvements" shall mean the completion of all improvements to the Access D Intersection such that the intersection is designed to include two traffic lanes in each direction plus a center channel permitting left turn movements into and out of the Access D Intersection.

1.07. "Additional Right-Of-Way" shall mean that strip of land designated on Exhibit A as additional right-of-way to be dedicated located adjacent to the existing northerly right-of-way line of Fabyan Parkway.

1.08 Exhibit B attached hereto sets forth the legal descriptions of the property owned by Trust 4424, Exhibit C attached hereto sets forth the legal description of the property owned by Trust 3954 Exhibit D attached hereto sets forth the legal description of the property owned by Trust 4968, and Exhibit E sets forth the legal description of Parcel 5, owned by the Dempsey Trust.

2. Access Provisions.

2.01. Access A and Access B and the provisions relating thereto have previously been approved in connection with the Final Kirk & Fabyan Plat and nothing herein is intended to alter, amend or supersede the access provisions for Parcels 1 and 2 as previously approved.

2.02. The County agrees to take or adopt all necessary actions, resolutions and ordinances to permit each of Access C and Access E to be approved and used as a temporary Right-in/Right-out access. Owner shall install a driveway channelizing island (pork chop) within the access area to restrict left turning movements in and out of Access C and E and shall install surface improvements as generally depicted on Exhibit A but without the use of a "Flair" or separate right turn lane to facilitate right turn movements into Access C and E. The use of Access C and E shall be terminated one (1) year after full completion of the Access D Intersection Improvements as defined in Article 1.06. If the Access D Intersection Improvements are undertaken by the County, the County shall pay the cost of restoring the right-of-way in connection with the removal of the temporary Access C and E locations. If the Access D Intersection Improvements are undertaken by parties other than the County, the owner of the parcel or parcels upon which Access C and E respectively are located shall pay the cost of restoring the right-of-way in connection with the removal of the temporary Access C and E locations.

2.03. Access F shall continue as a full access to serve Parcels 6 and 7 and the County, without the requirement of any contribution, reimbursement or recapture from the Owners of Parcels 6 and 7, shall install roadway improvements, if and when necessary, to include left turn lanes and deceleration lanes. The entry drive to serve Parcels 6 and 7 as shown in Exhibit A shall be approved as the configuration for the access from Access F to Parcels 6 and 7.

2.04. The existing curb cut from the roadway frontage of Parcel 6 shall be eliminated in its entirety, at the time of development of Parcel 6 or upon the installation of the full intersection improvements (with left turn and deceleration lanes) to Access F as described in 2.03, whichever shall first occur.

2.05. Access D is designated as the specific location for the collector roads extending to the north and south of Fabyan Parkway. Subject to the completion of the Access D Intersection Improvements which the County hereby agrees to permit to be done in accord with its

full access intersection standards, the County agrees that the Access D is approved as a Full Access. Owner shall dedicate a right-of-way extending north of the Access D Intersection to the northerly boundaries of Parcels 4A and 4B of the width as shown on Exhibit A, no later than two (2) years from the date hereof. After the Access D Intersection Improvements have been completed, Owner may use Access D and the collector road right-of-way to install, at the expense of the Owner of Lot 4A and/or 4B, those minimal improvements necessary to serve Parcels 4A and 4B. It is currently contemplated that such minimal improvements will be in the form of a drive area and it is agreed that the full collector roadway improvements will not be required to be installed until needed by the development on the property north of Parcel 4A and 4B, which property is legally described in Exhibit F (two pages) attached hereto ("North Property"). Those persons or entities from time to time owning or holding a fee title interest in any portion of the North Property or any person or entity holding an easement for access over the North Property receiving a specific Assignment of the third party beneficiary rights hereunder, shall be third party beneficiaries of the rights and privileges established under this Section 2.05 pertaining to Access D. When "warranted" under the SRA guidelines, the County agrees to permit signalization of Access D.

2.06. In connection with and at the time of the annexations of Parcels 3, 4A, 4B, 6 and 7 (and also Parcel 5, if owner becomes the owner thereof), or in connection with the issuance of building permits for the construction of improvements on the foregoing described Parcels, Owner shall dedicate the Additional Right-Of-Way area as depicted on Exhibit A located on the annexed property or on the property for which a building permit is issued.

2.07. It is understood that Access E may be located at any location along the frontage of Parcel 4B, but shall be closed at the time Access D is opened if Access E is located within 250 feet of the center line of Access D.

2.08. In exchange for Owner's agreements herein contained, it is specifically agreed that none of the Owners (as defined in the opening paragraph of this Agreement) nor any of the Frontage Parcels shall be responsible (whether by contribution, reimbursement, recapture or other means) either now or at any future date for:

- A. Any costs of the Access D Intersection Improvements or signalization;
- B. Any costs of the improvements to Access F; and
- C. Any costs of the collector road improvements extending northerly from Access D.

Nothing herein contained shall be deemed to exempt from one or more of the above costs the Dempsey Trust or the North Property.

2.09. All collector road and right-of-way dedications made by Owner hereunder shall be made subject to the consent to or easements reserved by Owner to permit utility installations or extensions, which shall be made in accord with normal and customary engineering standards and subject to the required approvals or permits from other governmental entities. The County will accept the dedication of the collector road parcel and upon its annexation to Geneva, will turn over jurisdiction to the City of Geneva. The owner of Parcels 4A and 4B shall be responsible for maintenance of the collector road right-of-way and improvements thereon until Geneva accepts jurisdiction thereof.

2.10. No access of any kind shall be permitted on Parcel 5 which parcel will be served by one or more of Access A through Access F.

3. Miscellaneous Provisions.

3.01. Amendment and Waiver. No amendment or waiver of any provision of this Agreement shall in any event be effective, unless the same shall be in writing and signed by the parties hereto, and then such waiver or consent shall be effective only in the specific instance and for the specific purpose for which given.

3.02. Notices. All notices, requests, demands and other communications hereunder shall be in writing and shall be sent by registered or certified mail, postage prepaid, as follows:

A. If to County:

Director of Transportation
Kane County Division of Transportation
41W011 Burlington Road
St. Charles, IL 60175

B. If to Owner:

To a recipient and at such address as
tax bills for any one or more of the
Parcels are from time to time sent.

With a copy to:

MBR Properties
33W480 Fabyan Parkway
Suite 101
West Chicago, IL 60185
ATTN: Mr. Mark E. Sorrentino

With a copy to:

Roger K. Frandsen, Esq.
BRADY & JENSEN
2425 Royal Blvd.
Elgin, IL 60123

If to Dempsey Trust:

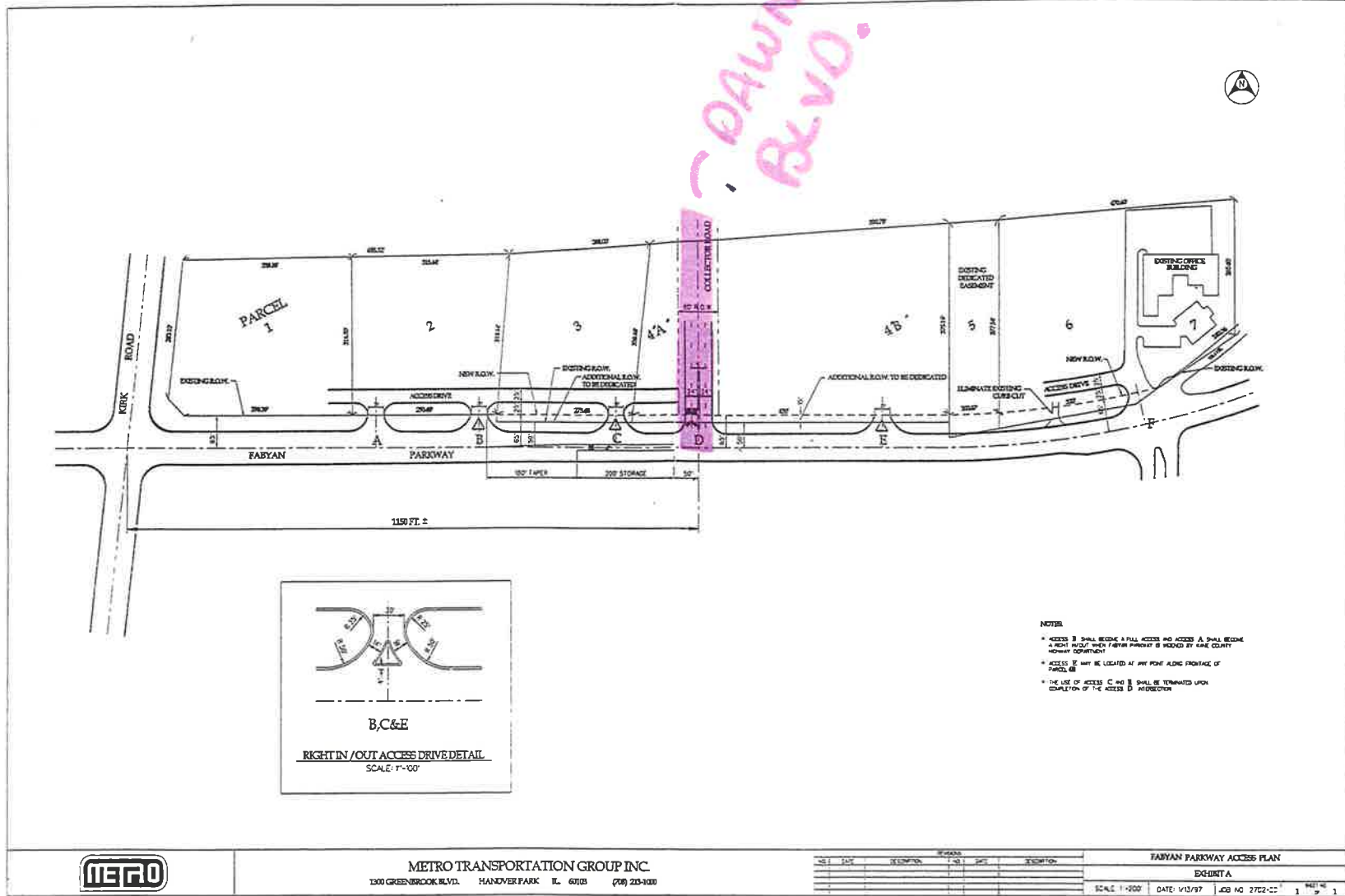
Mr. Gerard R. Dempsey
140 First Street
Batavia, Illinois 60510

With a copy to:

Henry S. Stillwell, III, Esq.
RATHJE, WOODWARD, DYER & BURT
300 East Roosevelt
P. O. Box 786
Wheaton, IL 60189

Any party may change its address for receiving notice by written notice given to the others named above. If sent by mail, any notice, request, demand, consent, approval or other communication shall be treated as being effective or as having been given forty-eight (48) hours after it has been deposited in the United States mail, certified and postage pre-paid, return receipt requested in a regularly maintained receptacle for the deposit of mail, addressed as set forth above. If sent by overnight mail, such communication shall be treated as being effective or having been given on the actual date of the sending of such overnight mail.

3.03. Parties in Interest. This Agreement shall inure to the benefit of and be binding upon the parties names herein and their respective successors and assigns.



KANE COUNTY

DIVISION of TRANSPORTATION

Carl Schoedel, P.E.
Director of Transportation
County Engineer



41W011 Burlington Road
St. Charles, IL 60175
Phone: (630) 584-1170
Fax: (630) 584-5265

DATE: November 27, 2013

TO: Ed Barsotti – Executive Director
League of Illinois Bicyclists
2550 Cheshire Dr.
Aurora, IL 60504

SUBJECT: Intersection Improvements at Kirk Road and Fabyan Parkway
Response to Public Informational Meeting Comments

Dear Ed,

On behalf of the Kane County Division of Transportation (KDOT) and our engineering consultant, Thomas Engineering Group, LLC (TEG), I am writing to thank you for your interest in this project. According to our records, you did not attend the July 24, 2013 public informational meeting at the City of Batavia City Hall. The purpose of this letter is to respond to your comment(s) about this project. Both the comment(s) and the response(s) will be included in the preliminary engineering report.

To remind you about the scope of construction, the subject intersection will be widened and reconstructed. Improvements include channelization with the addition of dual left turn lanes and either shared through / right turn lanes or exclusive right turn lanes on both Fabyan Parkway and Kirk Road. Traffic signal modernization and a curb and gutter closed drainage system are additional highlights of the improvement. The existing shared-use path will be reconstructed in its current location and extended to the north and east. Please note that the intersection improvement will likely cause private access to be modified.

Thank you for your comments. KDOT's understanding of your comments is as follows.

The LIB suggests the extension of the shared-use path north along the west side of Kirk Road. The League of Illinois Bicyclists (LIB) suggests the addition of corner islands in the southwest and northwest corners of the intersection.

The existing shared-use path will be reconstructed in its current locations which are (1) on the north side of Fabyan Parkway west of Kirk Road and (2) on the west side of Kirk Road south of Fabyan Parkway. Additionally, the shared-use path will be extended (3) north along the west side of Kirk Road and (4) east along the north side of Fabyan Parkway to the next commercial entrances in each of those directions. Crosswalks will be located on the west leg (which matches existing) and the north leg (which will be new). The appropriate pedestrian accommodations will be included in the traffic signal design.

Prior to the public informational meeting, several alternates were evaluated. At the public informational meeting, only two of those alternates were presented, Alternates 2C and 3. Since the public informational meeting, Alternate 2C has become the preferred alternate. This alternate has the following lane configurations approaching the intersection and is different than other recently constructed KDOT intersections (i.e. Randall Road at Fabyan Parkway and Orchard Road at Galena Boulevard).

NB and EB Approaches 2 left turn lanes, 2 through lanes, 1 right turn lane

SB and WB Approaches..... 2 left turn lanes, 2 through lanes, 1 **shared through and** right turn lane

November 27, 2013

RE: Intersection Improvements at Kirk Road and Fabyan Parkway
Response to Public Informational Meeting Comments (League of Illinois Bicyclists)

From a geometric design standpoint, corner islands are bounded on two sides by the extension of the through edges of pavement through an intersection. For a right turn lane, a corner island can be located at the end of the lane before the intersection because vehicles cannot continue straight. For a shared through and right turn lane design, a corner island cannot be located at the end of the lane before the intersection because vehicles can continue straight or turn right. For the latter design, the resulting corner island will be at least one lane width narrower on one side making it too small according to IDOT policy. In summary, the resulting northeast and northwest corner islands will be too small. A southeast corner island will not necessary because there will be no pedestrian facilities in that quadrant. The southwest corner island will be omitted for consistency.

Please note that there will be a second and final public involvement opportunity on December 5, 2013 in the form of a public hearing. At that time, the public will be able to ask questions and provide comments on the preferred design alternative. You have already been invited to the public hearing as you were for the public informational meeting.

Feel free to contact Paul Holcomb at holcombpaul@co.kane.il.us or Brian Pawula at brianp@thomas-engineering.com with questions or if additional information is required. Thank you.

Respectfully Submitted,

Paul Holcomb

Paul Holcomb – Chief of Design
Kane County Division of Transportation



Brian L. Pawula, P.E. – Project Manager
Thomas Engineering Group, LLC

Enclosures:

1. Copy of email with review comments.....2 pages

Brian Pawula

From: Ed Barsotti <ed@bikelib.org>
Sent: Monday, August 05, 2013 12:53 PM
To: 'Holcomb, Paul'
Cc: Brian Pawula; Steve Pasinski
Subject: RE: Kirk/Fabyan intersection - bicycling issues

Thanks, Paul. Good to see all legs of the intersection having sidepaths. If it helps in ROW/cost reduction, we/LIB would support (in writing) a variance proposal for 8' instead of 10' widths, based on anticipated usage levels.

Also based on anticipated usage patterns, the northwest and southwest corners would be much high priority for the right corner islands.

Glad to hear of the sidepath extension to the ice rink – this would be a huge improvement. And from there, those going as far north as the ballpark could make their way through parking lots and the like.

Ed

Ed Barsotti
Executive Director
League of Illinois Bicyclists
2550 Cheshire Dr.
Aurora, IL 60504
630-978-0583
ed@bikelib.org
www.bikelib.org

From: Holcomb, Paul [<mailto:holcombpaul@co.kane.il.us>]
Sent: Monday, August 05, 2013 10:38 AM
To: Ed Barsotti
Cc: Brian Pawula; Steve Pasinski
Subject: RE: Kirk/Fabyan intersection - bicycling issues

Ed: Here is most of what was presented back on July 24th. Keep in mind that we're still looking at several alternatives for the intersection as shown on file(05 Typical Sections 4 legs with alternatives). We will evaluate the west crosswalk for possible inclusion of "right corner islands". I've done this before at Randall /Fabyan and of course the Orchard/Galena intersection you refer to, but each intersection is a little different.

Your other request has been discussed earlier. We are looking to extend the walkway as far north as the ice rink.

From: Ed Barsotti [<mailto:ed@bikelib.org>]
Sent: Monday, August 05, 2013 8:21 AM
To: Holcomb, Paul
Cc: brianp@thomas-engineering.com; Sullivan, R. (Mike); Rickert, Tom; Schoedel, Carl; 'Schiber, Brian'
Subject: Kirk/Fabyan intersection - bicycling issues

Paul,

I was unable to attend the public informational meeting about the Kirk/Fabyan intersection project, but I'm wondering if you have a PDF of the preliminary design?

Of interest to the bike community would be the crossing of the intersection's west leg, from Fabyan's north-side sidepath trail coming from the west, to Kirk's west-side sidepath trail heading south. With a much expanded intersection planned, it's likely that we would recommend right-corner islands on the southwest and northwest corners of the intersection, to separate turning conflicts faced by bicyclists and pedestrians using that crossing. A good example of this treatment is at KDOT's Orchard/Galena sidepath crossing in west Aurora – I believe we may have discussed this a couple years back. Also – please see the Geneva bicycle plan recommendation regarding the Kirk/Fabyan intersection.

Finally, for whatever distance the project extends north from the actual intersection, this would be a great opportunity to extend Kirk's west-side sidepath north. The lack of non-motorized access to the ice rink/forest preserve and the baseball stadium is quite glaring, and even ironic during KDOT/KCCOM's bike/ped committee meetings held at the forest preserve.

Thanks for your consideration,
Ed

Ed Barsotti
Executive Director
League of Illinois Bicyclists
2550 Cheshire Dr.
Aurora, IL 60504
630-978-0583
ed@bikelib.org
www.bikelib.org

KANE COUNTY

DIVISION of TRANSPORTATION

Carl Schoedel, P.E.
Director of Transportation
County Engineer



41W011 Burlington Road
St. Charles, IL 60175
Phone: (630) 584-1170
Fax: (630) 584-5265

DATE: November 27, 2013

TO: Donna Manley
Joe Keim Land Corp.
515 E. Roosevelt Rd.
Wheaton, IL 60187

SUBJECT: Intersection Improvements at Kirk Road and Fabyan Parkway
Response to Public Informational Meeting Comments

Dear Donna,

On behalf of the Kane County Division of Transportation (KDOT) and our engineering consultant, Thomas Engineering Group, LLC (TEG), I am writing to thank you for your interest in this project and for your attendance at its July 24, 2013 public informational meeting at the City of Batavia City Hall. The purpose of this letter is to respond to your comment(s) about this project. Both the comment(s) and the response(s) will be included in the preliminary engineering report.

To remind you about the scope of construction, the subject intersection will be widened and reconstructed. Improvements include channelization with the addition of dual left turn lanes and either shared through / right turn lanes or exclusive right turn lanes on both Fabyan Parkway and Kirk Road. Traffic signal modernization and a curb and gutter closed drainage system are additional highlights of the improvement. The existing shared-use path will be reconstructed in its current location and extended to the north and east. Please note that the intersection improvement will likely cause private access to be modified.

Thank you for your comments. KDOT's understanding of your comments is as follows.

Joe Keim Land Corp. suggests the addition of one full access intersection with the potential for traffic signals and one right-in/right-out (RI/RO) access on both Fabyan Parkway and Kirk Road. Joe Keim Land Corp. suggests the minimization of land acquisition for detention within their commercial frontage.

The primary purpose of this improvement is to address capacity deficiencies and safety of the intersection of Fabyan Parkway and Kirk Road. In other words, the proposed intersection geometry dictates the geometry of each leg including any required access modifications. Therefore, the above access suggestions by Joe Keim Land Corp. are not anticipated to be part of this project.

The current proposed detention facilities are not located on Joe Keim Land Corp. property. KDOT is interested to see if there will be any follow up public input during the public hearing.

Please note that there will be a second and final public involvement opportunity on December 5, 2013 in the form of a public hearing. At that time, the public will be able to ask questions and provide comments on the preferred design alternative. You have already been invited to the public hearing as you were for the public informational meeting.

November 27, 2013

RE: Intersection Improvements at Kirk Road and Fabyan Parkway
Response to Public Informational Meeting Comments (Joe Keim Land Corp.)

Feel free to contact Paul Holcomb at holcombpaul@co.kane.il.us or Brian Pawula at brianp@thomas-engineering.com with questions or if additional information is required. Thank you.

Respectfully Submitted,

Paul Holcomb

Paul Holcomb – Chief of Design
Kane County Division of Transportation



Brian L. Pawula, P.E. – Project Manager
Thomas Engineering Group, LLC

Enclosures:

1. Copy of email with review comments.....5 pages



Fabyan Kirk <fabyanandkirk@gmail.com>

Comment Form

1 message

Joseph Keim <joekeim@sbcglobal.net>

Tue, Aug 6, 2013 at 2:10 PM

Reply-To: Joseph Keim <joekeim@sbcglobal.net>

To: "FabyanandKirk@gmail.com" <FabyanandKirk@gmail.com>

Joe Keim Land Corp. owns property at the southwest corner of Kirk Rd. and Fabyan Parkway.
Our comments are attached.

Donna Manley
Joe Keim Land Corp.
515 E. Roosevelt Rd.
Wheaton IL 60187
[630-260-0500](tel:630-260-0500)
fax [630-260-0501](tel:630-260-0501)



intersection-improvements001.pdf
203K



Public Informational Meeting

Comment Form

Kane County Division of Transportation (KDOT)

For Intersection Improvements at Kirk Road and Fabyan Parkway

Wednesday, July 24, 2013 • 4:00 PM to 7:00 PM • FabyanandKirk@gmail.com

Please print your comments, questions, and/or suggestions regarding the intersection improvements Kirk Road and Fabyan Parkway. All comments will be considered.

See attached sheet for comments

Please print your contact information below.

Name: Thomas Whitt and Associates, Ltd. (For Joe Keim Land Corp)
Address: 3604 Ridge Pointe Dr.
Geneva, IL 60134
Phone/Email: (630) 621-5446 twhitt0593@sbcglobal.net

Thank you for your time and interest!

Public Informational Meeting – July 24, 2013
Kirk Road @ Fabyan Parkway, Kane County,
Intersection Improvements - Comment

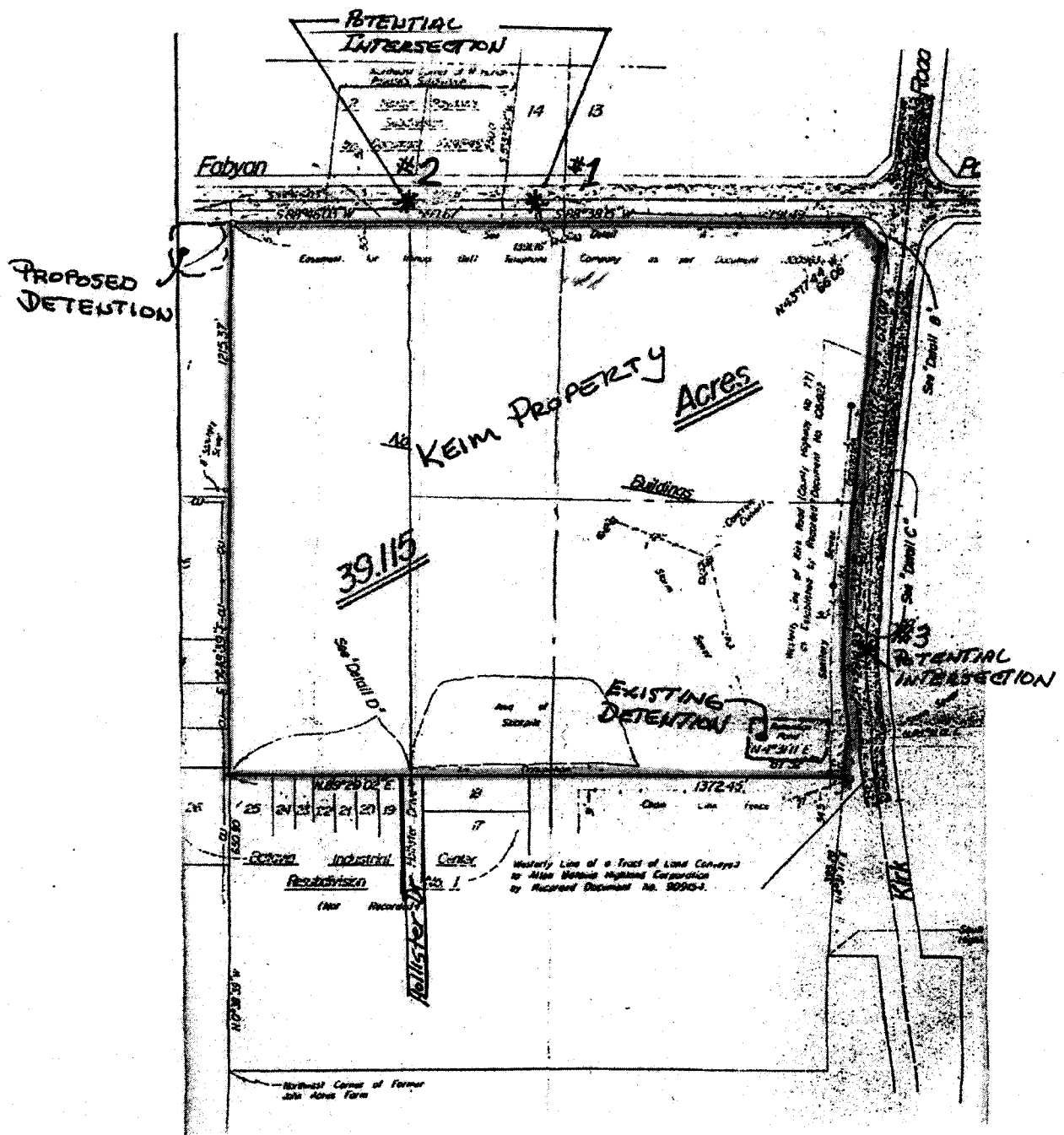
August 5, 2013

Joe Keim Land Corp owns an assemblage of four parcels (12-13-100-028, 12-13-100-029, 12-14-200-022 and 12-14-200-023) totaling 39.12 acres at the southwest corner of Kirk Rd. and Fabyan Parkway. The property is annexed to the City of Batavia and is zoned "General Commercial." The site will be developed in the future and will generate substantial traffic; traffic access locations will be critical to the development and should be considered as the "Intersection Improvements at Kirk Road and Fabyan Parkway" are planned and constructed.

Both Kirk and Fabyan routes are designated as SAR routes within the county, with restricted access and spacing of intersections. The current proposal includes a widened intersection with two through lanes in each direction (with potential for future expansion to three through lanes), double left turn and single right turn lanes on all intersection legs, raised medians, drainage and detention improvements, and traffic signals. The Keim property has approximately 1440 feet of frontage on Fabyan Parkway and 1250 feet of frontage on Kirk Road; therefore adequate frontage is available to develop full access intersections with the potential for traffic signals along each leg of frontage with additional right-in, right-out access where necessary. Of course, existing access to adjacent properties must also be considered to consolidate access locations where possible. Access locations should be planned with this proposal to not only identify access locations, but to construct median widths and tapers that will facilitate future left turn lane construction. A logical location on Fabyan Parkway is at Sta. 67+00, approximately 800 feet west of the Fabyan-Kirk intersection, and aligning with the existing office entrance north of Fabyan Parkway. A secondary location would be at Sta. 64+00, which aligns with existing Hollister Road stubbed to Keim's south property line. An intersection location on Kirk Road should be approximately 1000 – 1100 feet south of Fabyan Parkway. Mr. Keim's preference would be to have a full access intersection with the potential for traffic signals on each road along with a right –in, right –out access on each leg for minor movements.

Drainage and detention is also a concern affecting the Keim property. Two areas are identified: one south of Fabyan at Sta. 68+00 and the other at Sta. 229+00 to 231+00 on the west side of Kirk Road. It is Mr. Keim's plan to minimize any detention takings within the commercial frontage when possible. The Fabyan Parkway area is minor and drains north across Fabyan and then west along Fabyan in storm sewer to Sta. 56+00 where it drains south, back across Fabyan to a 36"RCP. Excess rainfalls appear to fill the depression at Sta. 68+00 RT. and are then conveyed along the south Fabyan ditch to the same 36"RCP at Sta. 56+00. This depressional area could be filled and all runoff conveyed within the south Fabyan Parkway ditch

to a potential detention area west of Keim between Sta. 59+00 Rt. and 60+00 Rt. The Kirk Road depressional area is also minor and can be drained south along the east side of Kirk to an existing detention facility at Keim's southeast corner which discharges east across Kirk Road.



111.1.16

August 5, 2013

KANE COUNTY

DIVISION of TRANSPORTATION

Carl Schoedel, P.E.
Director of Transportation
County Engineer



41W011 Burlington Road
St. Charles, IL 60175
Phone: (630) 584-1170
Fax: (630) 584-5265

DATE: November 27, 2013

TO: Daniel Dinges – Public Works Director
City of Geneva
1800 South St.
Geneva, IL 60137-2547

SUBJECT: Intersection Improvements at Kirk Road and Fabyan Parkway
Response to Public Informational Meeting Comments

Dear Daniel,

On behalf of the Kane County Division of Transportation (KDOT) and our engineering consultant, Thomas Engineering Group, LLC (TEG), I am writing to thank you for your interest in this project and for your attendance at its July 24, 2013 public informational meeting at the City of Batavia City Hall. The purpose of this letter is to respond to your comment(s) about this project. Both the comment(s) and the response(s) will be included in the preliminary engineering report.

To remind you about the scope of construction, the subject intersection will be widened and reconstructed. Improvements include channelization with the addition of dual left turn lanes and either shared through / right turn lanes or exclusive right turn lanes on both Fabyan Parkway and Kirk Road. Traffic signal modernization and a curb and gutter closed drainage system are additional highlights of the improvement. The existing shared-use path will be reconstructed in its current location and extended to the north and east. Please note that the intersection improvement will likely cause private access to be modified.

Thank you for your comments. KDOT's understanding of your comments is as follows.

Geneva expressed interest in the addition of a full intersection at Fabyan Parkway and future Dawn Boulevard, a north-south roadway that will be located immediately east of the Comfort Inn & Suites. Geneva expressed interest in the addition of a full intersection along the west leg of Fabyan Parkway.

The primary purpose of this improvement is to address capacity deficiencies and safety of the intersection of Fabyan Parkway and Kirk Road. In other words, the proposed intersection geometry dictates the geometry of each leg including any required access modifications. Therefore, the above access suggestions by Geneva are not anticipated to be part of this project.

Regarding the full intersection at future Dawn Boulevard, KDOT reviewed a Kane County recorded document which contains the Fabyan Parkway Access Agreement for the northeast quadrant of this intersection and offers the following.

1. Access A (existing western access) shall become a RI/RO, and Access B (existing eastern access) shall become a full access when Fabyan Parkway is widened by KDOT. The current design adheres to this requirement.

November 27, 2013

RE: Intersection Improvements at Kirk Road and Fabyan Parkway
Response to Public Informational Meeting Comments (Geneva)

2. The use of Access B (existing eastern access) and Access C (never constructed access to Comfort Inn & Suites) shall be terminated upon completion of Access D (future Dawn Boulevard). The current design must maintain Access B (existing eastern access) because it is unknown when Access D (future Dawn Boulevard) will be completed.
3. A strip of proposed right of way between Access B (existing western access) and Paramount Parkway is supposed to be dedicated presumably to KDOT. This strip spans 6 unique parcels, none of which are being impacted by the current design.

Please note that there will be a second and final public involvement opportunity on December 5, 2013 in the form of a public hearing. At that time, the public will be able to ask questions and provide comments on the preferred design alternative. You have already been invited to the public hearing as you were for the public informational meeting.

Feel free to contact Paul Holcomb at holcombpaul@co.kane.il.us or Brian Pawula at brianp@thomas-engineering.com with questions or if additional information is required. Thank you.

Respectfully Submitted,

Paul Holcomb

Paul Holcomb – Chief of Design
Kane County Division of Transportation



Brian L. Pawula, P.E. – Project Manager
Thomas Engineering Group, LLC

Enclosures:

1. Copy of email with review comments..... 1 page



Fabyan Kirk <fabyanandkirk@gmail.com>

Public Comments

1 message

Dinges, Daniel <ddinges@geneva.il.us>
To: "Fabyanandkirk@gmail.com" <Fabyanandkirk@gmail.com>

Tue, Aug 6, 2013 at 4:04 PM

Hello Paul,

Thank you for the opportunity to provide comments to the Kirk Rd. & Fabyan Parkway Intersection Imp.

The City of Geneva has an interest in a full access at the Dawn Blvd. R.O.W.

We would also be interested in full access along the west leg.

These access points should be coordinated with Batavia to provide access to their properties to the south.

Thank you,
Dan Dinges



Please do not print this email unless it is absolutely necessary.

This message and any files or text attached to it are intended only for the recipients named above, and contain information that may be confidential or privileged.

If you are not an intended recipient, you must not read, copy, use or disclose this communication.

Please also notify the sender by replying to this message, and then delete all copies of it from your system.

If you have a FOIA (Freedom of Information Act) request please send that request via email to FOIA@geneva.il.us.

There is no expectation of privacy for any messages sent to or received from the City of Geneva.

Visit Geneva on Facebook, follow us on Twitter, or visit our website.



KANE COUNTY

DIVISION of TRANSPORTATION

Carl Schoedel, P.E.
Director of Transportation
County Engineer



41W011 Burlington Road
St. Charles, IL 60175
Phone: (630) 584-1170
Fax: (630) 584-5265

DATE: November 27, 2013

TO: Sarah Trombello – Real Estate Services Administrator
CBRE, Inc.
20 N. Martingale Rd., Suite 100
Schaumburg, IL 60173

SUBJECT: Intersection Improvements at Kirk Road and Fabyan Parkway
Response to Public Informational Meeting Comments

Dear Sarah,

On behalf of the Kane County Division of Transportation (KDOT) and our engineering consultant, Thomas Engineering Group, LLC (TEG), I am writing to thank you for your interest in this project. According to our records, you did not attend the July 24, 2013 public informational meeting at the City of Batavia City Hall. The purpose of this letter is to respond to your comment(s) about this project. Both the comment(s) and the response(s) will be included in the preliminary engineering report.

To remind you about the scope of construction, the subject intersection will be widened and reconstructed. Improvements include channelization with the addition of dual left turn lanes and either shared through / right turn lanes or exclusive right turn lanes on both Fabyan Parkway and Kirk Road. Traffic signal modernization and a curb and gutter closed drainage system are additional highlights of the improvement. The existing shared-use path will be reconstructed in its current location and extended to the north and east. Please note that the intersection improvement will likely cause private access to be modified.

Thank you for your inquiry. KDOT's understanding of your inquiry is as follows.

CBRE manages the properties at (1) 1400 Kingsland Drive in Batavia (southeast quadrant of Fabyan Parkway and Kingsland Drive) and (2) 1333 N. Kirk Road in Batavia (first building south of Fabyan Parkway along the west side of Kirk Road). CBRE would like to know if access to these properties will be affected and, if so, what type of access modifications are proposed.

Property #1 is primarily used for warehousing. This multi-tenant building is currently occupied by several companies with short term leases. The design vehicle is a "52'-semi".

Property #2 is used for manufacturing. This building is currently occupied by a company called Flint Group. The design vehicle is a "52'-semi".

Property #1 is located near the western construction limit on Fabyan Parkway. The current design proposes a construction limit that extends west of Kingsland Drive. During construction, interruptions to the accessibility of Kingsland Drive from Fabyan Parkway are anticipated. Detours of Kingsland Drive may be required, and there seems to be two feasible detours, (1) Douglas Road to Raddant Road to Fabyan Parkway (currently signalized) and (2) Douglas Road to Kirk Road (currently unsignalized). The use of innovative construction methods, such as precast concrete panels, could reduce the time of any interruptions. After construction, the intersection of Kingsland Drive and Fabyan Parkway will be similar to its existing condition.

November 27, 2013

RE: Intersection Improvements at Kirk Road and Fabyan Parkway
Response to Public Informational Meeting Comments (CBRE, Inc.)

Property #2 is located near the south construction limit on Kirk Road. The current design proposes a construction limit that ends north of the Flint Group driveway. During construction, interruptions to the Flint Group driveway are not anticipated. However, Kirk Road traffic control devices will be required south of the construction limit and, most likely, south of the Flint Group driveway. After construction, the intersection of the Flint Group driveway and Kirk Road will be similar to its existing conditions.

As a reminder, this project is currently still in the preliminary engineering phase. The above temporary conditions during construction will be investigated further during the design engineering phase. It is during that phase that maintenance of traffic and constructability are typically studied and balanced to minimize disruption to the motoring public.

Please note that there will be a second and final public involvement opportunity on December 5, 2013 in the form of a public hearing. At that time, the public will be able to ask questions and provide comments on the preferred design alternative. You have already been invited to the public hearing as you were for the public informational meeting.

Feel free to contact Paul Holcomb at holcombpaul@co.kane.il.us or Brian Pawula at brianp@thomas-engineering.com with questions or if additional information is required. Thank you.

Respectfully Submitted,

Paul Holcomb

Paul Holcomb – Chief of Design
Kane County Division of Transportation



Brian L. Pawula, P.E. – Project Manager
Thomas Engineering Group, LLC

Enclosures:

1. Copy of email with inquiry 3 pages

Brian Pawula

From: Trombello, Sarah @ Schaumburg <Sarah.Trombello@cbre.com>
Sent: Thursday, August 08, 2013 1:18 PM
To: Brian Pawula
Subject: RE: Intersection Improvements - Kirk Rd. & Fabyan Pkwy.

Hi Brian,

Thanks for following up with me.

The property at 1400 Kingsland is currently occupied – It's a multi-tenant building where we currently have several short term leases. The building is primarily used for warehousing. The largest type of vehicle that regularly enters the property would be a 52'-semi.

The full address for the Kirk Road building is 1333 N. Kirk Road, Batavia. The building is currently occupied and used for manufacturing. There is regular 52'-semi traffic at this building, as well as a large number of employee vehicles.

Please let me know if I can provide any additional information. We appreciate your assistance.

Thank you,

Sarah Trombello | Real Estate Services Administrator
CBRE | Asset Services
20 N. Martingale Rd., Suite 100 | Schaumburg, IL 60173
T +1 847 706 4966 | F +1 847 706 4959
sarah.trombello@cbre.com | www.cbre.com

Connect with me on [LinkedIn](#)

Follow CBRE: [Facebook](#) | [@cbre](#) | [Google+](#)

Please consider the environment before printing this email.

This message and any attachments may be privileged, confidential or proprietary. If you are not the intended recipient of this email or believe that you have received this correspondence in error, please contact the sender through the information provided above and permanently delete this message.

From: Brian Pawula [mailto:brianp@thomas-engineering.com]
Sent: Thursday, August 08, 2013 11:02 AM
To: Trombello, Sarah @ Schaumburg
Subject: RE: Intersection Improvements - Kirk Rd. & Fabyan Pkwy.

Good Morning Sarah,

On behalf of the Kane County Division of Transportation (KDOT) and their engineering consultant, Thomas Engineering Group, LLC (TEG), I am responding to you at the request of KDOT.

Our team is currently in the preliminary engineering phase of a study of the improvement of the Kirk Road and Fabyan Parkway intersection. Tentative improvements at this intersection include the addition of dedicated dual left and right turn lanes on both Fabyan Parkway and Kirk Road. Traffic signal modernization and a curb and gutter closed drainage system are additional highlights of the improvement.

Before I "officially" respond to you, can you please provide the following clarification?

1. For the 1400 Kingsland Drive address, is this property currently occupied? If so, by whom, and what type of company is it? Does this building have a name? What is the typical type of vehicle accessing this property? What is the biggest type of vehicle accessing this property?
2. For the 1333 Kirk Road address, can you please provide the full address? I ask because three similar addresses pop up when using Google maps, and I want to be make sure I know what property you are talking about. Is this property currently occupied? If so, by whom, and what type of company is it? Does this building have a name? What is the typical type of vehicle accessing this property? What is the biggest type of vehicle accessing this property?

Feel free to contact me with questions or if additional information is required. Thank you.

brian l. pawula, p.e.

associate

is-asce, transportation and development institute - chair

is-asce, communications committee - advertising director

cell: (847) 922-6125



thomas engineering group, llc

service at the highest grade®

a certified Small Business Enterprise

new suburban branch office location:

55 west 22nd street

suite 300

lombard, illinois 60148

corporate office location:

238 south kenilworth avenue

suite 100

oak park, illinois 60302

www.thomas-engineering.com

From: Holcomb, Paul [mailto:holcombpaul@co.kane.il.us]

Sent: Tuesday, August 06, 2013 11:36 AM

To: Brian Pawula

Subject: FW: Intersection Improvements - Kirk Rd. & Fabyan Pkwy.

From: Trombello, Sarah @ Schaumburg [mailto:Sarah.Trombello@cbre.com]

Sent: Tuesday, August 06, 2013 11:05 AM

To: Holcomb, Paul

Subject: Intersection Improvements - Kirk Rd. & Fabyan Pkwy.

Hi Paul,

We received a notice in the mail regarding improvements to be made at the intersection of Fabyan Parkway and Kirk Road. Unfortunately, we were unable to attend the informational meeting, but have a few questions about how this project will affect us.

We manage properties located at *1400 Kingsland Drive* (intersection of Fabyan Pkwy and Kingsland Drive) and *1333 Kirk Road* (intersection of N. Kirk Road and Fabyan). Will traffic access to both of these properties be affected? And, if so, what type of access modifications can we expect?

Please let me know.

Thank you!

Sarah Trombello | Real Estate Services Administrator
CBRE | Asset Services
20 N. Martingale Rd., Suite 100 | Schaumburg, IL 60173
T +1 847 706 4966 | F +1 847 706 4959
sarah.trombello@cbre.com | www.cbre.com

Connect with me on [LinkedIn](#)

Follow CBRE: [Facebook](#) | [@cbre](#) | [Google+](#)

Please consider the environment before printing this email.

This message and any attachments may be privileged, confidential or proprietary. If you are not the intended recipient of this email or believe that you have received this correspondence in error, please contact the sender through the information provided above and permanently delete this message.

KANE COUNTY

DIVISION of TRANSPORTATION

Carl Schoedel, P.E.
Director of Transportation
County Engineer



41W011 Burlington Road
St. Charles, IL 60175
Phone: (630) 584-1170
Fax: (630) 584-5265

DATE: June 6, 2014

TO: Daniel P. Stellato, CPM – President
Batavia Enterprises, Inc.
140 First St.
Batavia, IL 60510

Gerard R. Dempsey – Chairman & CEO
Batavia Enterprises, Inc.
140 First St.
Batavia, IL 60510

SUBJECT: Intersection Improvements at Kirk Road and Fabyan Parkway
Response to Public Hearing Comments

Dear Gerard and Daniel,

On behalf of the Kane County Division of Transportation (KDOT) and our engineering consultant, Thomas Engineering Group, LLC (TEG), I am writing to thank you for your interest in this project and for your attendance at its December 5, 2013 public hearing at the City of Batavia City Hall.

The purpose of this letter is to respond to your comment(s) about this project. Both the comment(s) and the response(s) will be included in the preliminary engineering report.

To remind you about the scope of construction, the subject intersection will be widened and reconstructed. Improvements include channelization with the addition of dual left turn lanes and either shared through / right turn lanes or exclusive right turn lanes on both Fabyan Parkway and Kirk Road. Traffic signal modernization and a curb and gutter closed drainage system are additional highlights of the improvement. The existing shared-use path will be reconstructed in its current location and extended to the north and east. Please note that the intersection improvement will likely cause private access to be modified.

Thank you for your comments. KDOT's understanding of your comments is as follows.

(1) Batavia Enterprises objects to the location and configuration of a detention facility on their property. (2) Batavia Enterprises issues a "no trespass notice" and gives notice that no one acting by or on behalf of Kane County enter upon any portion of their property without prior written approval from Batavia Enterprises to avoid simply being ignored.

The detention facility previously proposed to be located on Batavia Enterprises property has been removed. This design revision will reduce but not eliminate the need for land acquisition on Batavia Enterprises property. A strip of proposed right of way will still be required along Batavia Enterprises property from the City of Geneva gravel access road (to the south) to roadway construction limit (to the north) for roadway widening and ditches. Since this project is still in the preliminary engineering phase, this strip of proposed right of way can only be approximated to be 20' wide by 1,000' long.

The comments made by Batavia Enterprises were not ignored as indicated in the above paragraph. Therefore, the continuance of the "no trespass notice" does not seem necessary.

June 6, 2014

RE: Intersection Improvements at Kirk Road and Fabyan Parkway
Response to Public Hearing Comments

Please note that the December 5, 2013 public hearing was the second and final public involvement opportunity for this project. For both public involvement opportunities, the public was able to ask questions and provide comments on the preferred design alternative. The preliminary engineering report will include public comments and KDOT responses from both public involvement opportunities.

Feel free to contact Paul LaFleur at lafleurpaul@co.kane.il.us or Brian Pawula at brianp@thomas-engineering.com with questions or if additional information is required. Thank you.

Respectfully Submitted,

Paul LaFleur

Paul S. LaFleur, P.E. – Assistant Chief of Design
Kane County Division of Transportation

By:



Brian L. Pawula, P.E. – Project Manager
Thomas Engineering Group, LLC

Enclosures:

1. Copy of letter with review comments 2 pages

JAMES E. SALOGA

ATTORNEY AT LAW

475 River Bend Road, Suite 201

Naperville, Illinois 60540

Phone 630-728-7566 Facsimile 941-792-1757

E-mail: jamesaloga@aol.com

December 12, 2013

Via Federal Express
Mr. Carl Schoedel, P.E.
Director of Transportation
Kane County Division of Transportation
41W011 Burlington Road
St. Charles, IL 60175

LETTER OF OBJECTION and NO TRESPASS NOTICE

RE: Fabyan Parkway and Kirk Road Intersection Improvements Plan

Dear Mr. Schoedel;

My office represents Batavia Enterprises, Inc. as owner of the property located adjacent to and east of Kirk Road, (BEI Property) north of the Country House restaurant. Batavia Enterprises, Inc. hereby files its objection to the drainage improvements contemplated to be made on portions of the BEI Property and gives notice that no one acting by or on behalf of Kane County enter upon any portion of the BEI Property without prior written approval from Batavia Enterprises, Inc.

Batavia Enterprises, Inc. first became aware of storm water management facilities (retention/detention pond) being proposed to be located on the BEI Property at the December 5, 2013 public hearing held in the City of Batavia City Hall. Batavia Enterprises, Inc. is aware of the need for a pond in the vicinity of the intersection improvements. Its objection is that the location and configuration of the pond is unnecessarily incongruous with the inherent value of the land and the future commercial development contemplated in the Master Plan of the City of Geneva, IL. The damage to the remainder of the BEI Property is also deemed significant.

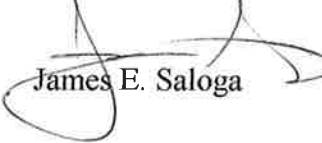
Batavia Enterprises, Inc. is willing to work hand-in-hand with the County in seeking an alternative means of meeting the County's needs for storm water management in this vicinity. It is believed there are alternatives to both the location and configuration which would mitigate the adverse impacts to the underling property.

The reason for the No Trespass Notice herein, is that Batavia Enterprises, Inc. wants to avoid simply being ignored while the project moves forward without consideration of alternatives that could; 1) accomplish the County's storm water management needs, 2) reduce the adverse impact to the BEI Property and, 3) save the taxpayers money from unnecessary expenses and costs associated with acquisition of higher valued property. Batavia Enterprises, Inc. is frustrated that no one made any effort to contact them to discuss the proposal prior to the

meeting. Also, when inquiry was made at the meeting, the notion of considering alternatives was rebuffed. It appeared that the interests of the property owner as well as the interests of the taxpayers were being subordinated to expediency instead of economy and efficiency.

We would ask that a meeting be scheduled at the earliest available time. Please contact Mr. Dan Stellato, President, Batavia Enterprises, Inc. at 630-879-3680.

Thank you,



James E. Saloga

CC: Gerard R. Dempsey
Daniel P. Stellato
Mr. Paul Holcomb
Mr. Brian L. Pawula

KANE COUNTY

DIVISION of TRANSPORTATION

Carl Schoedel, P.E.
Director of Transportation
County Engineer



41W011 Burlington Road
St. Charles, IL 60175
Phone: (630) 584-1170
Fax: (630) 584-5265

DATE: June 6, 2014

TO: Dave Olseng – Building Engineer
Geneva Enterprise, LLC
2100 Enterprise Ave.
Geneva, IL 60134-4101

SUBJECT: Intersection Improvements at Kirk Road and Fabyan Parkway
Response to Public Hearing Comments

Dear Dave,

On behalf of the Kane County Division of Transportation (KDOT) and our engineering consultant, Thomas Engineering Group, LLC (TEG), I am writing to thank you for your interest in this project.

Geneva Enterprise, LLC (GEL) was not represented at the July 24, 2013 Public Informational Meeting or the December 5, 2013 Public Hearing, both of which they were invited to. The latter event was the second and final public involvement opportunity for this project. GEL was given a third opportunity to provide comments because of the anticipated impacts to their property as a result of this project. That third opportunity resulted in a face-to-face meeting between KDOT, TEG, and GEL staff on December 19, 2013 at 8:30 AM. All meeting attendees agreed that the minutes from that meeting would serve the purpose of formally documenting GEL's comments.

The purpose of this letter is to respond to your comment(s) about this project. Both the comment(s) and the response(s) will be included in the preliminary engineering report.

To remind you about the scope of construction, the subject intersection will be widened and reconstructed. Improvements include channelization with the addition of dual left turn lanes and either shared through / right turn lanes or exclusive right turn lanes on both Fabyan Parkway and Kirk Road. Traffic signal modernization and a curb and gutter closed drainage system are additional highlights of the improvement. The existing shared-use path will be reconstructed in its current location and extended to the north and east. Please note that the intersection improvement will likely cause private access to be modified.

Thank you for your comments. KDOT's understanding of your comments is as follows.

(1) GEL is concerned about the conversion of their only access from full unsignalized access to RI/RO access because of the proposed raised curb median on Fabyan Parkway. (2) GEL suggests the addition a second RI/RO access on Kirk Road. (3) GEL suggests alternatives to the detention facility proposed on the west side of Kirk Road in the wooded area on their property.

Regarding comment 1, the proposed intersection geometry dictates the geometry of the west leg including the required access modification to GEL's only access. Please consider the following.

1. One improvement driven by intersection capacity includes the addition of an "auxiliary lane" in the westbound direction. In other words, a third westbound lane is proposed through the intersection only. West of the intersection, this third westbound lane merges into the second westbound lane in order to match the existing

June 6, 2014

RE: Intersection Improvements at Kirk Road and Fabyan Parkway
Response to Public Hearing Comments

two-lane configuration to the west. GEL's access is located in the middle of this merge area, an area that may be prone to inconsistent driver movements and speeds as they attempt to merge.

2. A second improvement driven by intersection safety includes the addition of raised curb medians to shield left turning vehicles from through vehicles at the intersection. In particular, the development of the median for the dual eastbound left turn lanes, which is dictated by standard design criteria, begins near GEL's access. If vehicles are allowed to turn left out of GEL's access, and they have to wait in the median for a gap before entering the eastbound lanes, these vehicles could conflict with vehicles entering the eastbound left turn lanes.
3. The elimination of left turn movements into and out of GEL's access will improve safety, which was a concern expressed by GEL during the December 19, 2013 meeting. Additionally, there are viable alternate routes such as, but not limited to, (1) Kingsland Drive southbound to Douglas Road eastbound to Kirk Road and (2) Fabyan Parkway westbound to IL 25 northbound to IL 38 eastbound. Finally, eastbound to westbound U-turns will be permitted at Kirk Road after construction.

Regarding comment 2, KDOT and the Forest Preserve District of Kane County (FPDKC) are "sister agencies". For instance, the two agencies do not share land. KDOT already has to acquire right of way from FPDKC as part of this project. If GEL would like pursue their suggestion of tying into FPDKC's parking lot / access, GEL will have to coordinate with FPDKC on their own.

Regarding comment 3, the "sister agency" relationship between KDOT and FPDKC again applies along with the preference of KDOT not to "co-mingle" their roadway detention with the detention of other agencies and/or property owners. By adhering to this preference, KDOT is able minimize future conflicts regarding jurisdiction, maintenance, etc.

Please note that the December 5, 2013 public hearing was the second and final public involvement opportunity for this project. For both public involvement opportunities, the public was able to ask questions and provide comments on the preferred design alternative. The preliminary engineering report will include public comments and KDOT responses from both public involvement opportunities.

Feel free to contact Paul LaFleur at laflaurpaul@co.kane.il.us or Brian Pawula at brianp@thomas-engineering.com with questions or if additional information is required. Thank you.

Respectfully Submitted,

Paul LaFleur

Paul S. LaFleur, P.E. – Assistant Chief of Design
Kane County Division of Transportation

By:



Brian L. Pawula, P.E. – Project Manager
Thomas Engineering Group, LLC

cc: Dave Hooten – Geneva Enterprise, LLC
Greg Drake – Geneva Enterprise, LLC

Enclosures:

1. Copy of meeting minutes with review comments 5 pages

KANE COUNTY

DIVISION of TRANSPORTATION

Carl Schoedel, P.E.
Director of Transportation
County Engineer



41W011 Burlington Road
St. Charles, IL 60175
Phone: (630) 584-1170
Fax: (630) 584-5265

MINUTES

MEETING PURPOSE: **Geneva Enterprise, LLC Coordination Meeting 1**

DATE & TIME: **December 19, 2013, 8:30 AM**

LOCATION: **KDOT Office (41W011 Burlington Rd., St. Charles, IL 60175)**

CHAIRPERSON: **Paul Holcomb, PLS – Chief of Design
Kane County Division of Transportation (KDOT)**

PROJECT: **Kane County, 11-00201-04-CH, Fabyan Parkway at Kirk Road**

PREPARER: **Brian L. Pawula, P.E – Thomas Engineering Group, LLC (TEG)**

ATTENDEES: **See Sign-In Sheet.**

TOPICS DISCUSSED:

The purpose of this meeting was to discuss the subject project with Geneva Enterprise, LLC (GEL). GEL was not represented at the July 24, 2013 Public Informational Meeting or the December 5, 2013 Public Hearing, both of which they were invited to. The latter event was the second and final public involvement opportunity for this project.

GEL was given a third opportunity to provide comments because of the anticipated impacts to their property as a result of this project. On December 10, 2013, a package was hand-delivered to GEL (accepted by Matthew Lorentsen) to inform them about this project and to give them a chance to ask questions or provide comments. At the time of the delivery, GEL acknowledged receiving the invitations to the Public Information Meeting and the Public Hearing. Also, GEL was made aware that all comments must be received by December 19, 2013. Later, GEL requested to have this meeting. All meeting attendees agreed that these minutes will serve the purpose of formally documenting GEL's comments.

PROJECT OVERVIEW

The intersection will be widened and reconstructed. Improvements include channelization with the addition of dual left turn lanes and either shared through / right turn lanes or exclusive right turn lanes on both Fabyan Parkway and Kirk Road. Traffic signal modernization and a curb and gutter closed drainage system are additional highlights of the improvement. The existing shared-use path will be reconstructed in its current location and extended to the north and east.

The primary purpose of this improvement is to address capacity deficiencies and safety of the intersection of Fabyan Parkway and Kirk Road. In other words, the proposed intersection geometry dictates the geometry of each leg including any required access modifications.

December 19, 2013

RE: Kane County, 11-00201-04-CH, Fabyan Parkway at Kirk Road
Geneva Enterprise, LLC Coordination Meeting 1 – Minutes

SCHEDULE

This project is currently in Phase I engineering which consists of preliminary engineering and environmental studies. Phase I is anticipated to be completed by the spring / summer of 2014. When Phase I is complete, Phase II engineering will start. It consists of the preparation of construction documents and the right of way acquisition process. The right of way acquisition process was briefly explained during this meeting. Phase II typically takes 18 to 24 months to complete. When Phase II is complete and pending funding availability, Phase III engineering will start. It consists of the construction of the project. Phase III is anticipated to take 1 to 2 construction seasons.

ENVIRONMENTAL

For this project, the environmental study is complete. For projects in general, an environmental study typically takes 6 to 9 months to complete. An environmental study area is defined by an Environmental Survey Request (ESR) boundary. If an ESR boundary changes, the environmental study enters an addendum process, and its completion is delayed another 6 to 9 months.

Wetlands will be impacted as part of this project including the wetland on the west side of Kirk Road immediately south of the wooded area on the GEL property.

It was noted that the Preliminary Environmental Site Assessment (PESA) identified the GEL property as a Potentially Impacted Property (PIP). This means that a series of soil borings is recommended during Phase II to obtain a better understanding of the soil on this property and to aid in the development of protocol for its removal during Phase III.

ANTICIPATED IMPACTS TO THE GEL PROPERTY

1. Right of way acquisition is anticipated on both the Fabyan Parkway and Kirk Road sides of the GEL corner property.
2. A temporary easement is anticipated for the reconstruction of the only access to/from the GEL property on Fabyan Parkway.
3. The only access is proposed to be converted from full unsignalized access to right in/right out (RI/RO) access because of the proposed raised curb median on Fabyan Parkway.
4. A detention facility is proposed on the west side of Kirk Road in the wooded area on the GEL property.

GEL STATEMENTS AND/OR INQUIRIES

1. GEL is more concerned about the needs and safety of their tenant than the monetary retribution. They understand and appreciate the need to work together with KDOT.
2. GEL estimated that there are currently 120 vehicles using the parking lot. They estimate that there will be 200+ vehicles using the parking lot 10 years from now.

December 19, 2013

RE: Kane County, 11-00201-04-CH, Fabyan Parkway at Kirk Road
Geneva Enterprise, LLC Coordination Meeting 1 – Minutes

3. GEL estimated that 80% of the vehicles either go (1) east then south or (2) east then east out of the parking lot at the end of the work day.
4. GEL stated that they are aware of only 1 recent accident involving a vehicle exiting the parking lot. This accident occurred in the summer of 2013.
5. GEL expressed concern about their electrical feed during and after construction. The KDOT Team stated that coordination has already begun with the supplier, Geneva Electric, and that maintenance of this utility will be a requirement of the contractor during construction.

GEL COMMENTS

1. **GEL expressed concern about the conversion of their only access from full unsignalized access to RI/RO access because of the proposed raised curb median on Fabyan Parkway.**
 - a. At the end of the work day, the predominant movement is the left turn movement out of their parking lot.
 - There was some discussion about accommodating this movement. The KDOT Team inquired about the current use of the Kingsland Drive southbound to Douglas Road eastbound alternate route. Both of these roadways are believed to be under City of Batavia jurisdiction. KDOT will be improving the intersection of Douglas Road and Kirk Road in the near future which will include channelization with the addition of left turn lanes on Kirk Road.
 - b. At the end of lunchtime, the predominant movement is the left turn movement into their parking lot because a majority of the restaurants are on Randall Road to the west.
 - This movement will be accommodated by the proposed allowance of eastbound to westbound U-turns at Kirk Road after construction.
2. **GEL suggested the addition a second RI/RO access on Kirk Road.** Their suggestion was to coordinate with the Forest Preserve District of Kane County (FPDKC) to allow GEL to tie into their parking lot / access. FPDKC owns the Fox Valley Ice Arena and has full unsignalized access to Kirk Road approximately 1,700' north of Fabyan Parkway. GEL suggested that peak periods of traffic for the ice arena are nights and weekends which are opposite of GEL's peak periods.
 - a. The KDOT Team clarified that KDOT and FPDKC are considered "sister agencies". For instance, the two agencies do not share land. KDOT will have to acquire right of way from FPDKC as part of this project.
3. **GEL suggested alternatives to the detention facility proposed on the west side of Kirk Road in the wooded area on their property.** Again, the "sister agency" relationship between KDOT and FPDKC applies to these suggested alternatives.
 - a. Expansion of the existing FPDKC wet-bottom detention facility between the GEL property and the FPDKC parking lot
 - b. Expansion of the existing FPDKC dry-bottom detention facility immediately northwest of GEL's property

December 19, 2013

RE: Kane County, 11-00201-04-CH, Fabyan Parkway at Kirk Road
Geneva Enterprise, LLC Coordination Meeting 1 – Minutes

MOVING FORWARD

GEL's three comments above will be investigated further during the preliminary engineering Phase I. Upon completion of this investigation, the KDOT Team will provide a letter to respond to your comments. Both the comments and the responses will be included in the preliminary engineering report.

Please notify the Preparer of any corrections and/or clarifications within five (5) business days.

cc: Attendees (see Sign-In Sheet)

Enclosures:

1. Sign-In Sheet 8.5"x11", 1 page

KANE COUNTY

DIVISION of TRANSPORTATION

Carl Schoedel, P.E.
Director of Transportation
County Engineer



41W011 Burlington Road
St. Charles, IL 60175
Phone: (630) 584-1170
Fax: (630) 584-5265

SIGN-IN SHEET

MEETING PURPOSE: **Geneva Enterprise, LLC Coordination Meeting 1**

DATE & TIME: **December 19, 2013, 8:30 AM**

LOCATION: **KDOT Office (41W011 Burlington Rd., St. Charles, IL 60175)**

CHAIRPERSON: **Paul Holcomb, PLS – Chief of Design
Kane County Division of Transportation (KDOT)**

PROJECT: **Kane County, 11-00201-04-CH, Fabyan Parkway at Kirk Road**

Invited Attendees:

Name	Initials	Organization	Phone Number	Email Address
Paul Holcomb	<i>PH</i>	KDOT	(630) 584-1170	holcombpaul@co.kane.il.us
Paul LaFleur	<i>PL</i>	KDOT	(630) 584-1170	lafleurpaul@co.kane.il.us
Steve Pasinski	<i>SP</i>	Thomas Engineering	(630) 430-6392	stevep@thomas-engineering.com
Brian Pawula	<i>BLP</i>	Thomas Engineering	(847) 922-6125	brianp@thomas-engineering.com
Emily Anderson	<i>ETA</i>	CBBEL	(847) 823-0500	eanderson@cbbel.com
Dave Hooten Matt Lorentsen	<i>MLO</i>	Geneva Enterprise	(630) 313-2409 <i>2403</i>	matt.lorentsen@gmail.com
Greg Drake	<i>GD</i>	Geneva Enterprise	<i>(630) 313-2403</i>	gregwdrake@icloud.com
Dave Olseng	<i>D.O.</i>	Geneva Enterprise	<i>(630) 558-7576</i>	drolseng@sbcglobal.net

PRIMARY
CONTACT

BUILDING
ENGINEER

Additional Attendees:

Name	Initials	Organization	Phone Number	Email Address

Attachment 14

Public Involvement Newspaper Advertisements and Invitation Letter Templates

Certificate of the Publisher

Kane County Chronicle

THOMAS ENGINEERING GROUP, LLC
55 W. 22ND ST, SUITE 3
LOMBARD IL 60148

Description: KDOT KIRK AND FABYAN
PUBLIC NOTICE PUBLIC INF

Shaw Media certifies that it is the publisher of the Kane County Chronicle. The Kane County Chronicle is a secular newspaper, has been continuously published daily for more than fifty (50) weeks prior to the first publication of the attached notice, is published in the city of St. Charles, State of Illinois, is of general circulation throughout that county and surrounding area, and is a newspaper as defined by 715 ILCS 5/5.

A notice, a true copy of which is attached, was published 1 time(s) in the Kane County Chronicle, namely one time per week for one successive weeks. Publication of the notice was made in the newspaper, dated and published on 07/09/2013

This notice was also placed on a statewide public notice website as required by 5 ILCS 5/2.1.

In witness, Shaw Media has signed this certificate by J. Tom Shaw, its publisher, at St. Charles, Illinois, on, 9th day of July, A.D. 2013

Kane County Chronicle By:



J. Tom Shaw, Publisher

Account Number 10079662
Amount \$96.40

State of Illinois
County of DeKalb

Certificate of Publication

PUBLIC NOTICE

Public Informational Meeting
Scheduled by
Kane County Division of
Transportation (KDOT)
For Intersection Improvements at
Kirk Road and Fabyan Parkway

KDOT will hold a Public Informational Meeting concerning the proposed intersection improvements at Kirk Road and Fabyan Parkway. The public informational meeting will be held at:

Location: City of Batavia City Hall, 100 North Island Avenue, Batavia, IL 60510
Date: Wednesday, July 24, 2013
Time: 4:00 PM 7:00 PM

All persons interested in this project are invited to attend. Persons with a disability planning to attend should contact the individual listed below by Friday, July 19, 2013. If special accommodations are required, the individual listed below should be informed of them at that time. The meeting room is accessible to persons with a disability.

The meeting will be conducted on an informal basis. Representatives from KDOT and their engineering consultant will be available from 4:00 PM 7:00 PM to discuss the project. Representatives will answer individual questions and comment forms will be provided for those in attendance. Verbatim comments will not be recorded. The meeting will address topics such as the need for the project, the design alternatives under consideration, right of way acquisition, and the tentative construction schedule. Preliminary reports including environmental documents and an engineering analysis with drawings, maps, and aerial photography will be available for inspection and viewing during the meeting.

For more information, feel free to contact Paul Holcomb of KDOT at

I, Don T. Bricker, do hereby certify that I am the publisher of the **Daily Chronicle**, a secular newspaper of general circulation published in the County of DeKalb and State of Illinois, and that the same has been regularly published for at least 12 months prior to the date of the first publication of the notice attached hereto. I further certify that a notice, of which the annexed is a true printed copy, has been regularly published in said newspaper 1 time(s) on the following date(s):

7/19

I further certify that I am publisher of the **Daily Chronicle** and that said newspaper is a newspaper as defined by the terms and conditions of Chapter 100, paragraph 1, et. seq., Illinois Revised Statutes 1981.

Given under my hand at DeKalb, Illinois, this 19 day of July A.D., 2013.



Publisher

PUBLIC NOTICE

Public Informational Meeting
Scheduled by
Kane County Division of
Transportation (KDOT)
For Intersection Improvements at
Kirk Road and Fabyan Parkway

KDOT will hold a Public Informational Meeting concerning the proposed intersection improvements at Kirk Road and Fabyan Parkway. The public informational meeting will be held at:

Location: City of Batavia City Hall, 100 North Island Avenue, Batavia, IL 60510
Date: Wednesday, July 24, 2013
Time: 4:00 PM 7:00 PM

All persons interested in this project are invited to attend. Persons with a disability planning to attend should contact the individual listed below by Friday, July 19, 2013. If special accommodations are required, the individual listed

below should be informed of them at that time. The meeting room is accessible to persons with a disability.

The meeting will be conducted on an informal basis. Representatives from KDOT and their engineering consultant will be available from 4:00 PM 7:00 PM to discuss the project. Representatives will answer individual questions and comment forms will be provided for those in attendance. Verbatim comments will not be recorded. The meeting will address topics such as the need for the project, the design alternatives under consideration, right of way acquisition, and the tentative construction schedule. Preliminary reports including environmental documents and an engineering analysis with drawings, maps, and aerial photography will be available for inspection and viewing during the meeting.

For more information, feel free to contact Paul Holcomb of KDOT at holcombpa@co.kane.il.us or (630) 406-7333.

(Published in the Kane County Chronicle, July 9, 2013.)

KANE COUNTY

DIVISION of TRANSPORTATION

Carl Schoedel, P.E.
Director of Transportation
County Engineer



41W011 Burlington Road
St. Charles, IL 60175
Phone: (630) 584-1170
Fax: (630) 584-5265

DATE: July 18, 2013

TO: «First_Name» «Last_Name», «Professional»
«Title»
«Agency»
«Street_Address»
«City», «State» «Zip_Code»

SUBJECT: Intersection Improvements at Kirk Road and Fabyan Parkway
Public Informational Meeting Invitation

«GreetingLine»

On behalf of the Kane County Division of Transportation (KDOT) and our engineering consultant, Thomas Engineering Group, LLC (TEG), I am writing to inform you about an upcoming public informational meeting. Our team is currently in the preliminary engineering phase of a study of the improvement of the Kirk Road and Fabyan Parkway intersection. Tentative improvements at this intersection include the addition of dedicated dual left and right turn lanes on both Fabyan Parkway and Kirk Road. Traffic signal modernization and a curb and gutter closed drainage system are additional highlights of the improvement. Please note that the intersection improvement will likely cause private access to be modified.

This letter is to inform you that we will be holding a public informational meeting on **Wednesday, July 24, 2013** from **4:00 PM to 7:00 PM** at the **City of Batavia City Hall**, located at 100 North Island Avenue, Batavia, IL 60510. Representatives from KDOT and TEG will be available to discuss the project. Representatives will answer individual questions, and comment forms will be provided for those in attendance. The meeting will address topics such as the need for the project, the design alternatives under consideration, right of way acquisition, and the tentative construction schedule. Preliminary reports including environmental documents and an engineering analysis with drawings, maps, and aerial photography will be available for inspection and viewing during the meeting.

Persons with a disability planning to attend should contact the individuals listed below by Friday, July 19, 2013. If special accommodations are required, the individuals listed below should be informed of them at that time. The meeting room is accessible to persons with a disability.

Feel free to contact Paul Holcomb at holcombpaul@co.kane.il.us or Brian Pawula at brianp@thomas-engineering.com with questions or if additional information is required. Thank you.

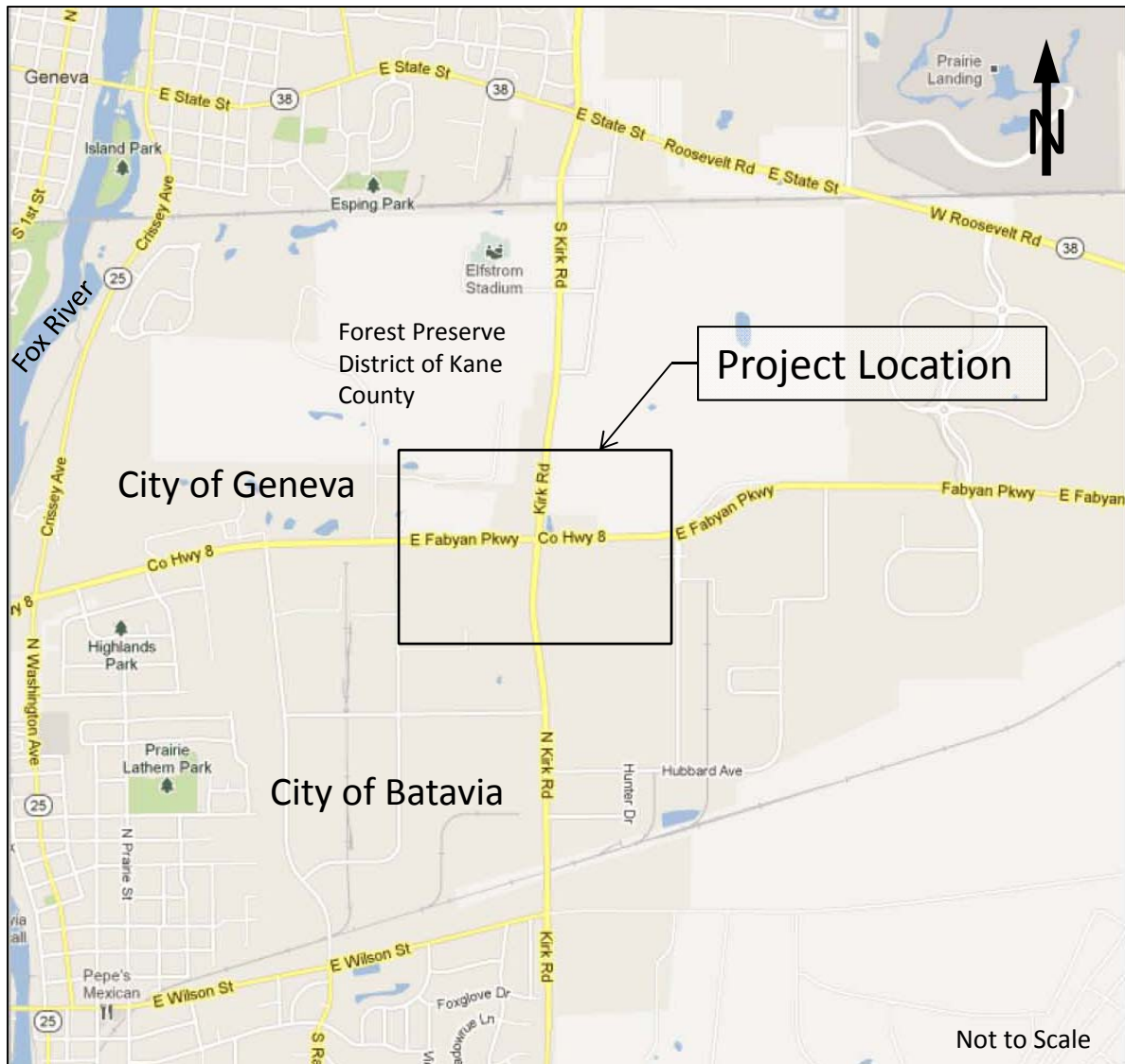
Respectfully Submitted,

Paul Holcomb – Chief of Design
Kane County Division of Transportation

By:

Brian L. Pawula, P.E. – Project Manager
Thomas Engineering Group, LLC

Enclosures (1): Location Map



**Kirk Rd (CH 77) & Fabyan Parkway (CH 8)
City of Batavia & City of Geneva
Kane County, Illinois**



LOCATION MAP

Certificate of the Publisher

Kane County Chronicle

THOMAS ENGINEERING GROUP, LLC
55 W. 22ND ST, SUITE 3
LOMBARD IL 60148

Description: KDOT KIRK AND FABYAN
PUBLIC NOTICE

Shaw Media certifies that it is the publisher of the Kane County Chronicle. The Kane County Chronicle is a secular newspaper, has been continuously published daily for more than fifty (50) weeks prior to the first publication of the attached notice, is published in the City of St. Charles, County of Kane, State of Illinois, is of general circulation throughout that county and surrounding area, and is a newspaper as defined by 715 ILCS 5/5.

A notice, a true copy of which is attached, was published 2 time(s) in the Kane County Chronicle, namely one time per week for two successive weeks. Publication of the notice was made in the newspaper, dated and published on
11/19/2013 11/29/2013

This notice was also placed on a statewide public notice website as required by 5 ILCS 5/2.1.

In witness, Shaw Media has signed this certificate by Don T. Bricker, its publisher, at St. Charles, Illinois, on,
29th day of November, A.D. 2013

Shaw Media By:


Don T. Bricker, Publisher

Account Number 10079662
Amount \$185.20

PUBLIC NOTICE

**Public Hearing
Scheduled by
Kane County Division of
Transportation (KDOT)
For Intersection Improvements at
Kirk Road and Fabyan Parkway**

KDOT will hold a Public Hearing concerning the proposed intersection improvements at Kirk Road and Fabyan Parkway. The public hearing will be held at:

Location: City of Batavia City Hall, 100 North Island Avenue, Batavia, IL 60510

Date: Thursday, December 5, 2013

Time: 4:00 PM 7:00 PM

All persons interested in this project are invited to attend. Persons with a disability planning to attend should contact the individual listed below by Friday, November 29, 2013. If special accommodations are required, the individual listed below should be informed of them at that time. The meeting room is accessible to persons with a disability.

The meeting will be conducted on an informal basis. Representatives from KDOT and their engineering consultant will be available

from 4:00 PM 7:00 PM to discuss the project. Representatives will answer individual questions and comment forms will be provided for those in attendance. Verbatim comments can be recorded if desired. The meeting will address topics such as the need for the project, the preferred design alternative under consideration, right of way acquisition, and the tentative construction schedule. Preliminary reports including environmental documents and an engineering analysis with drawings, maps, and aerial photography will be available for inspection and viewing during the meeting.

For more information, feel free to contact Paul Holcomb of KDOT at holcombpa@co.kane.il.us or (630) 408-7333.

(Published in the Kane County Chronicle, November 19 & 29, 2013.)

KANE COUNTY

DIVISION of TRANSPORTATION

Carl Schoedel, P.E.
Director of Transportation
County Engineer



41W011 Burlington Road
St. Charles, IL 60175
Phone: (630) 584-1170
Fax: (630) 584-5265

DATE: November 15, 2013

TO: «First_Name» «Last_Name», «Professional»
«Title»
«Agency»
«Street_Address»
«City», «State» «Zip_Code»

SUBJECT: Intersection Improvements at Kirk Road and Fabyan Parkway
Public Hearing Invitation

«GreetingLine»

On behalf of the Kane County Division of Transportation (KDOT) and our engineering consultant, Thomas Engineering Group, LLC (TEG), I am writing to inform you about an upcoming public hearing. This will be the second of two public outreach events. The first public meeting was held on July 24, 2013. Our team is currently in the preliminary engineering phase of a study of the improvement of the Kirk Road and Fabyan Parkway intersection. This intersection will be widened and reconstructed. Improvements include channelization with the addition of dual left turn lanes and either shared through / right turn lanes or exclusive right turn lanes on both Fabyan Parkway and Kirk Road. Traffic signal modernization and a curb and gutter closed drainage system are additional highlights of the improvement. The existing shared-use path will be reconstructed in its current location and extended to the north and east. Please note that the intersection improvement will likely cause private access to be modified.

This letter is to inform you that we will be holding a public hearing on **Thursday, December 5, 2013 from 4:00 PM to 7:00 PM** at the **City of Batavia City Hall**, located at 100 North Island Avenue, Batavia, IL 60510. Representatives from KDOT and TEG will be available to discuss the project. Representatives will answer individual questions, and comment forms will be provided for those in attendance. The meeting will address topics such as the need for the project, the preferred design alternative under consideration, right of way acquisition, and the tentative construction schedule. Preliminary reports including environmental documents and an engineering analysis with drawings, maps, and aerial photography will be available for inspection and viewing during the meeting.

Persons with a disability planning to attend should contact the individuals listed below by Friday, November 29, 2013. If special accommodations are required, the individuals listed below should be informed of them at that time. The meeting room is accessible to persons with a disability.

Feel free to contact Paul Holcomb at holcombpaul@co.kane.il.us or Brian Pawula at brianp@thomas-engineering.com with questions or if additional information is required. Thank you.

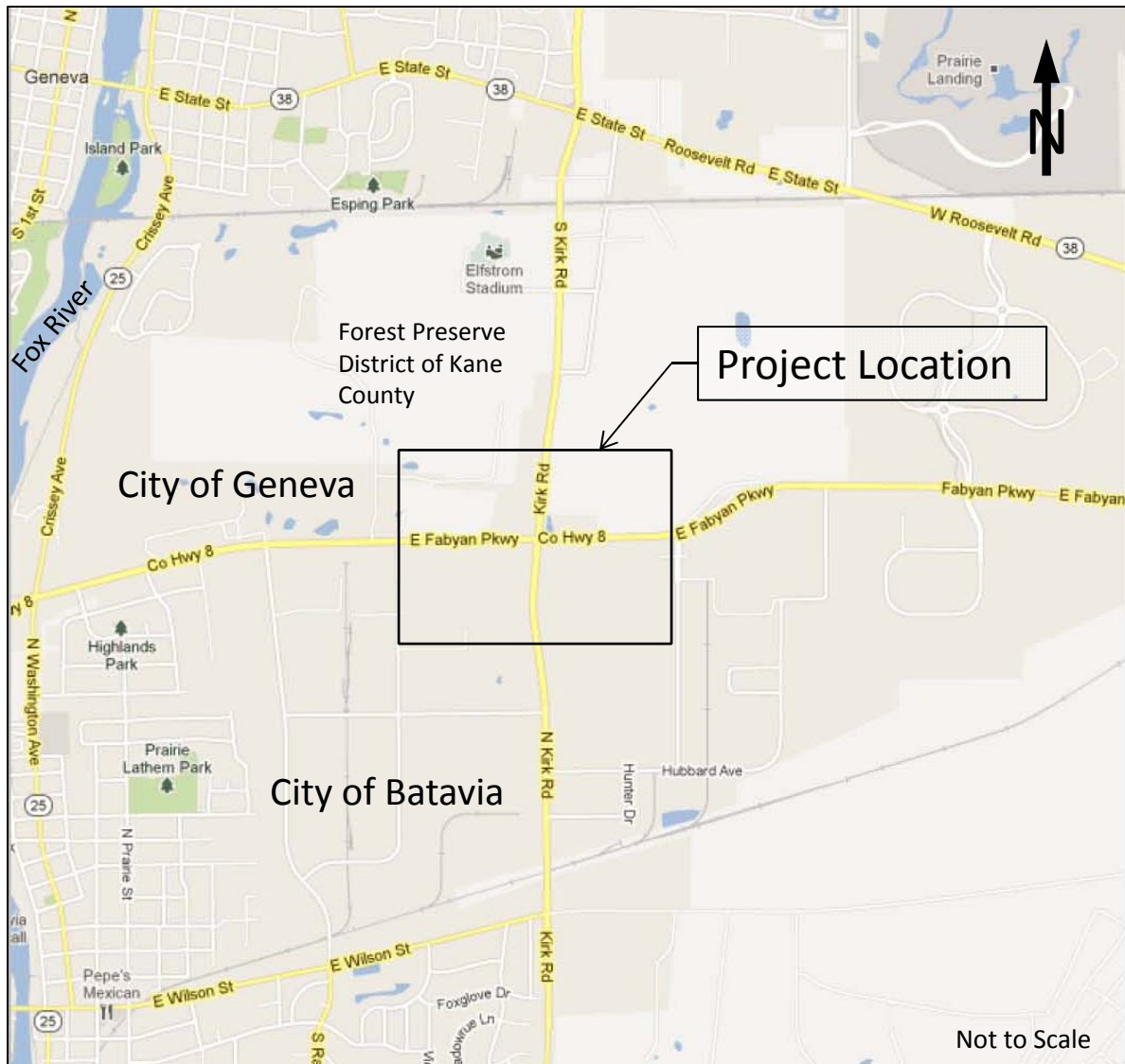
Respectfully Submitted,

Paul Holcomb – Chief of Design
Kane County Division of Transportation

By:

Brian L. Pawula, P.E. – Project Manager
Thomas Engineering Group, LLC

Enclosures (1): Location Map



**Kirk Rd (CH 77) & Fabyan Parkway (CH 8)
City of Batavia & City of Geneva
Kane County, Illinois**



LOCATION MAP

Attachment 15

Bimonthly Coordination Meeting Minutes

MEETING MINUTES

PROJECT: PHASE I – Intersection Improvements for Fabyan Parkway (C.H. 08) at Kirk Road (C.H. 77)".

SUBJECT: BLR&S / FHWA MEETING #1

DATE: Tuesday, January 16th, 2013; 11:00AM-11:30AM

LOCATION: Illinois Department of Transportation, Schaumburg, IL
4th Floor, Executive Conference Room

All meeting attendees briefly introduced themselves, their affiliation and role in the project. Thomas Engineering Group Project Manager Steve Pasinski began by explaining that the purpose of the meeting was to introduce the Bureau of Local Roads and Streets (BLR&S) and Federal Highway Administration (FHWA) personnel to the project and gain general consensus about the project schedule and expected environmental processing. This was the first presentation of the project regarding the Phase I study of the intersection of Fabyan Parkway (C.H. 08) and Kirk Road (C.H. 77). The intersection improvement project is anticipated to include complete reconstruction and intersection channelization improvements that may include dual left turn lanes and exclusive right turn lanes and some or all approaches.

The intersection currently experiences substantial congestion in the AM and PM peak hours as well as event traffic due to nearby Elfstrom Stadium which is home of the Kane County Cougars baseball team. Event day (Kane County Cougar baseball games) traffic creates substantial queues for eastbound left turners. After waiting through several complete signal cycles, impatient drivers will elect to go through the intersection only to perform a more risky u-turn after the intersection to ultimately head north via a right-turn in the westbound direction to the stadium. These highly non-standard traffic maneuvers are viewed as a safety concern.

The near 90° intersection is signal controlled and has single left turn lanes on each approach with no exclusive right turn lanes. All lanes are 12' wide and the edges of pavement are bordered by B-6.12 curb and gutter. Pavement drainage is accomplished via a closed system. A shared-use path runs along the south leg (west side) and crosses the approach for the west leg then runs west along the north side of Fabyan Parkway. This path is in poor condition. Local planning documents show a proposed future extension of the path to the North, connecting to the path near IL 38. Posted speed limits are 45 mph and private access overall is infrequent. There are two through lanes in each direction along both routes. Land use is farmland in the southern quadrants and office/commercial in the northern quadrants.

The surrounding area just outside the project limits contains regional features such as Elfstrom Stadium, the Fox River, Interstate 88/Farnsworth interchange, the "Fabyan Property" (County Jail Redevelopment), Settler's Hill Landfill and Settler's Hill Golf Course were all described as potential traffic generators that may affect traffic volumes on certain days or periods of the year. Mr. Chris Holt asked if the landfill was currently active and if the landfill contributes to the Average Daily Traffic. Mr. Pasinski replied that the landfill is no longer open and was capped approximately five years ago and therefore no longer a traffic generator.

With potential for traffic volume volatility from nearby facilities and observed poor driver behavior due to severe congestions, the preliminary purpose and need for the project is described as mobility and safety. This intersection has other design challenges with potential wetlands in the area, adjacent utilities, commercial access changes, construction staging and the final cost.

While through traffic ADT is fairly high for a 4-lane facility (approaching 30,000 and 35,000 vehicles for Fabyan Parkway and Kirk Road, respectively), a preliminary assessment of the intersection and traffic volumes indicates that turning movement demand and limited turning capacity at the intersection are the primary contributors to the overall poor performance of the intersection. One of the heaviest traffic moves is for those who travel eastbound on Fabyan Parkway and turn right to head southbound on Kirk Road destined for Interstate 88 in the morning peak hours and the reverse move in the evening with one of these existing hourly volumes nearing 500 vehicles in the peak hour. Detailed capacity analysis will be performed and an intersection design study will be completed to further refine this concept.

Based on the premise that the purpose and need could be address entirely within the general proximity of the intersection and that there is no intention or need to add through lanes or a continuous median that would significantly extend the project, Mr. Pasinski stated that the logical termini should be established for approximately 1500 foot per leg. All attendees agreed that 1500 feet seemed appropriate; however, capacity analysis must determine that through lanes can operate at Level of Service D or better. Mr. Pasinski stated that if there would be a need for a design exception, it would likely be for turn movement “level of service” and not through movement “level of service”.

Since the project funding is utilizing Federal Congestion Mitigation and Air Quality (CMAQ) funds, part of the CMAQ requirement is that through capacity cannot be increased and therefore through lanes may not be added. Salmon Danmole inquired if there any future plans for the county to add lanes at this intersection. Kane County Division of Transportation Design Bureau Chief Paul Holcomb replied that a feasibility study had been completed for this section of Fabyan Parkway and had determined that maintaining 2 lanes in each direction was appropriate for short-term and long-term transportation goals. Furthermore, Paul stated that in agreement with the feasibility study, the County had no future plans of adding through lanes on either route.

Mr. Salmon Danmole (BLRS) asked if there are any design exceptions and Mr. Pasinski replied that the project was currently in the data gathering stage and that none had yet been identified. Mr. Pasinski stated that a design exception could become likely in regards to turn lane development and maintaining acceptable access to businesses in the Northeast quadrant. The dual left turn lane and accompanying barrier median would likely cause a change in access from full to right-in-right-out for the driveway closest to Kirk Road. The County will be working with the locals to resolve this issue through addition of a back entrance coming via the north leg of Kirk Road.

FHWA Engineering leader Mike Hine questioned if the traffic projections had been developed and approved by the regional Metropolitan Planning Organization (CMAP – Chicago Metro Agency for Planning). Mr. Pasinski stated that traffic counts had just been completed in early December and after an initial round of stakeholder interviews, the projections would be finalized and submitted to CMAP for approval. The project will use 2040 projections for the design horizon.

Mr. Chris Holt asked for a further explanation of Task 1.5 (CSS Activities) and what was the County’s plan for public involvement. Mr. Pasinski answered that the County would conduct a public meeting and public hearing and the public involvement plan would be performed in accordance with Chapter 21 of the BLRS Manual. In addition, the project team plans to also conduct some Context Sensitive Solutions (CSS) activities and engage the adjacent property owners, the participating municipalities (Geneva and Batavia) as well as the Kane County Redevelopment Task Force in the near future. Mr. Holt also asked

when the preferred alternative will be presented at a future BLRS/FHWA Coordination meeting and Mr. Pasinski answered that the preferred alternative would likely be presented in either April or May of 2013 along with any requested design exceptions. With that, the Draft PDR will be submitted for draft review in approximately June 2013. Mr. Danmole suggested to Mr. Pasinski to submit the Environmental Survey Request Forms (ESRF) because reviews will take about 2 to 3 months to obtain clearances.

Noting that both routes were entire local jurisdiction, it was agreed that the following review responsibilities were applicable:

- Intersection Design Study; IDS (District BLR&S and Central Office)
- Drainage Technical Memorandum; DTM (District BLR&S staff)
- Project Development Report; PDR (District BLR&S and Central Office)

Mr. Pasinski stated that the project is expected to be processed as a Categorical Exclusion Group II and will be proceeding with project documentation in that manner. All parties were in agreement with this suggestion but stated that actual processing would only be approved until after a preferred alternative has been selected and the public involvement process is complete. Phase I of the project is expected to take approximately 12 months followed by Phase II and right-of-way acquisition (approximately 24 months) and construction tentatively planned for 2016.

The meeting adjourned at approximately 11:25 AM

Paul Holcomb (KDOT) / Steve Pasinski (Thomas Engineering Group)

KANE COUNTY

DIVISION of TRANSPORTATION

Carl Schoedel, P.E.
Director of Transportation
County Engineer



41W011 Burlington Road
St. Charles, IL 60175
Phone: (630) 584-1170
Fax: (630) 584-5265

MINUTES

MEETING PURPOSE: **IDOT District Coordination Meeting 2**

DATE & TIME: **January 14, 2014 at 10:30 AM**

LOCATION: IDOT District 1 Office (201 W. Center Ct., Schaumburg, IL 60196)

PROJECT: Kane County, 11-00201-04-CH, Fabyan Parkway at Kirk Road

PREPARER: Brian L. Pawula, P.E. – Thomas Engineering Group, LLC

ATTENDEES: See Sign-In Sheet.

TOPICS DISCUSSED:

The purpose of this meeting was to (1) update attendees on the progress of this project since IDOT District Coordination Meeting 1, (2) obtain approval of the requested design variances, and (3) obtain approval of the environmental processing type. This meeting was the second IDOT District Coordination Meeting for this project.

1. Introduction of KDOT and Thomas Engineering Staff

All attendees introduced themselves. The KDOT Project Manager is now Paul LaFleur. Formerly, the KDOT Project Manager was Paul Holcomb who retired from KDOT at the end of 2013. Thomas Engineering Group, LLC (TEG) is KDOT's consultant. The primary TEG contact for this project is Brian Pawula. The secondary TEG contact for this project is Steve Pasinski.

2. Project Description

This project is located in southeast Kane County and in Geneva Township. The cities of Batavia and Geneva border this project on the south and north, respectively. Fabyan Parkway and Kirk Road are under KDOT jurisdiction. Fabyan Parkway is on the National Highway System. Fabyan Parkway and Kirk Road are Strategic Regional Arterials. The improvement length on Fabyan Parkway is approximately 3,800'. The improvement length on Kirk Road is approximately 2,600'.

The purpose of this project is to (1) address existing capacity deficiencies, safety issues, and access issues and (2) improve vehicular and pedestrian mobility.

This project is needed because (1) traffic volumes are expected to increase 38% (Kirk) to 54% (Fabyan) by 2040 and (2) intersection delay is expected to increase to 195 seconds (AM) and 277 seconds (PM) by 2040.

The scope of work for this intersection is widening and reconstruction. Improvements include channelization with the addition of dual left turn lanes and through / right turn lanes or right turn lanes on both Fabyan

January 14, 2014

RE: Kane County, 11-00201-04-CH, Fabyan Parkway at Kirk Road
IDOT District Coordination Meeting 2 – Minutes

Parkway and Kirk Road. Traffic signal modernization and a curb and gutter closed drainage system are additional highlights of the improvement. The existing shared-use path will be reconstructed where it currently exists and extended to the north and east.

The funding for this project is partially Congestion Mitigation and Air Quality (CMAQ). However, it is anticipated that this project will cost more than the awarded CMAQ amount; therefore, other avenues of funding may be pursued by KDOT.

The first IDOT District Coordination Meeting was held one year earlier on January 15, 2013. During that meeting, the following items were discussed.

- a. Introduction of the project
- b. Presentation of the anticipated schedule
- c. Suggestion of a Categorical Exclusion II environmental processing type
- d. Determination of a minimum Level of Service of D
- e. Suggestion of the possibility of design variances

3. Environmental PMA Sequence No. 17804

The environmental documentation for this project is complete.

- a. Biological resources, cultural resources, wetlands, and threatened and endangered species are clear.
 - o The wetlands will be mitigated at a bank site.
- b. Through a COSIM pre-screening, this project is exempt because the highest design year approach volume on the busiest leg is < 5,000 vehicles per hour or 62,500 average daily traffic.
- c. Special waste was studied in a Preliminary Environmental Site Assessment (PESA) performed by the KDOT/TEG Team. The PESA revealed 4 potentially impacted properties meaning there will be Preliminary Site Investigation (PSI) in Phase II.

4. Public Involvement

Public involvement for this project is complete and is summarized in the following table.

Date	Event	No. of Comments	Status of KDOT Responses
July 24, 2013	Public Informational Meeting	10	Provided
December 5, 2013	Public Hearing	2	In Progress

The 10 comments from the Public Informational Meeting primarily focused on access with some secondary focus on detention, pedestrian accommodations, and ADA compliance. The design was first re-evaluated based on these comments. KDOT then responded to all comments via letters. It is believed that the KDOT responses satisfied all commenters because none of the commenters made the same comments at the Public Hearing.

The 2 comments from the Public Hearing primarily focused on access and detention. Currently, the design is being re-evaluated based on these comments. The detention comment, for instance, has led to the relocation of the proposed detention facility on the east side of the north leg to the west side of the north leg. This revision will not only address a comment, but it will also yield a better design. In the near future, KDOT will prepare responses to these comments.

January 14, 2014

RE: Kane County, 11-00201-04-CH, Fabyan Parkway at Kirk Road
IDOT District Coordination Meeting 2 – Minutes

5. Intersection Design Study

The Intersection Design Study (IDS) process is summarized in the following table.

Date	Submittal No. and Type	Comments Received	Comments Addressed
September 13, 2013	1, Full (delivery)	Yes	Yes
November 20, 2013	2, Full (delivery)	Yes	Yes
December 18, 2013	3, Partial (email)	No	N/A

- a. Approval of Requested Design Variances..... Both are Level Two

The requested design variances for this project are related to the eastbound (EB) to northeast (NE) quadrant unsignalized left turn lane into the commercial entrance (CE) at STA 82+22 LT. They are Level Two design variances.

With IDS Submittal 2, BLR 22120 (Approval of Design Variances) and justification for these two design variances were submitted.

With IDS Submittal 3, further justification on these two design variances was submitted in the form of (1) a KDOT letter providing additional information on the access agreement between Kane County and the property owners in the northeast quadrant and (2) a document providing clarification on the impacts of designing to full standard and eliminating these two design variances.

The table below summarizes the requested design variances.

Design Criteria for Project from BLR 22120	Criteria (BDE Figure 36-3.I for 50 mph Design Speed)	Requested Design Variance
6. Intersections	-	-
g. Minimum Turn Lane Length	215 feet	130 feet
• Bay Taper	220 feet	200 feet

The requested design variances were approved.

6. Finalization of Environmental Processing Type

As mentioned above, a Categorical Exclusion (CE) II environmental processing type was suggested during IDOT District Coordination Meeting 1. However, as part of this meeting, the environmental processing type was downgraded to CE I with a project report. This downgrading means that IDOT District 1 alone has the authority to approve the Project Report.

The KDOT/TEG Team was instructed to use the latest version of form BLR 22211, Local Project Development Report for Group Categorical I Exclusions and Design Approval.

January 14, 2014

RE: Kane County, 11-00201-04-CH, Fabyan Parkway at Kirk Road
IDOT District Coordination Meeting 2 – Minutes

7. Completion of Phase I

As mentioned above, the design is currently being re-evaluated following the public hearing. To complete Phase I, the KDOT/TEG Team must complete the following outstanding tasks.

- a. Revise cross sections and proposed right of way
- b. Re-calculate earthwork
- c. Revise cost estimate
- d. Revise plan and profile sheets
- e. Generate public hearing responses
- f. Finalize Project Report
- g. Submit Drainage Technical Memorandum (DTM)
 - o It is anticipated that the DTM will not be reviewed by IDOT because there are no IDOT roadways involved. Instead, it will be included as an appendix to the Project Report.

8. Open Discussion

The following inquiries were addressed during this meeting.

- a. What is the likelihood/timeframe of construction of Future Dawn Boulevard in the northeast quadrant?

The construction of Future Dawn Boulevard is likely. But, KDOT does not know or control when this will happen. Its construction will depend on development in the farm field north of the existing buildings in the northeast quadrant.

The primary purpose of this improvement is to address capacity deficiencies and safety of the intersection of Fabyan Parkway and Kirk Road. In other words, the proposed intersection geometry dictates the geometry of each leg including any required access modifications.

With regards to access for the intersection in general, the rules of thumb are (1) that no existing access points will be relocated and (2) that no new access points will be added. In the northeast quadrant, these rules of thumb are mandated by an access agreement between Kane County and the property owners in that quadrant.

- b. For the proposed detention facility being relocated to the west side of the north leg, are there any conflicting monitoring wells for the now-closed Settler's Hill Landfill?

No. It was noted that there are monitoring wells somewhere in the northwest corner of that corner property. Waste Management vehicles are observed by the property owner from time to time. Fortunately, these monitoring wells are more than 350' away from the proposed detention facility.

- c. For the proposed detention facility being relocated to the west side of the north leg, what is the proposed depth? Is leachate from the now-closed Settler's Hill Landfill a concern?

The proposed depth will be 4' to 5'. This shallow depth poses no concerns about leachate. Worth noting is that the proposed detention facility will be discharged to a stream which acts as a natural boundary between the proposed detention facility and the now-closed Settler's Hill Landfill.

Please notify the Preparer of any corrections and/or clarifications within five (5) business days.

cc: Attendees (see Sign-In Sheet)



Illinois Department of Transportation

FHWA/Local Coordination Meeting Attendance Roster

Agency Name:	Kane County		
Project & Topic:	Fabyan Parkway at Kirk Road: Intersection Improvement; Scope, termini, environmental processing		
Section No.:	11-00201-04-CH		
Date:	January 14, 2014	Time:	10:30 AM
Location:	Region/District One	Room:	Executive Conference Room

	NAME (Please Print)	REPRESENTING	PHONE NUMBER
1	Chris Holt	IDOT BLRS	(847) 705-4201
2	Salmon Danmole	IDOT CBLRS	(217) 785-2798
3	Hassan Dastgir	FHWA	(217) 492-4283
4	Chris Byars <i>hbs</i>	FHWA	(312) 886-1606
5	Robin Helmerichs <i>RH</i>	FHWA	(217) 492-4615
6	Michael Hine <i>MH</i>	FHWA	(217) 492-4634
7	Alex Househ		
8	John Sherrill	IDOT - Spfld	
9	Scott Stitt	IDOT/BDE	217-785-0721
10	Kenneth Becker	Kane/Kendall COM	630 444 2957
11	Patrick Knapp	Kane/Kendall COM	630 444 3143
12	Paul LaFle-	IDOT	630-406-7355
13	Brian Pawula	Thomas Eng	(847) 922-6125
14	Steve Pasinski	Thomas Eng	(630) 534-4745
15	Marilyn Solomon	IDOT - BLRS - D1	630-217-9419
16	Sumner Wilson	" " (HDR, INC.)	847 705 4205
17	Allen Curry	" "	847-705-4559
18	GERARD FIERRO	IDOT BLRS	847 705 9286
19	Joy GUSTAFSON	IDOT / D1 / LAND ACQ	847.705.4296
20	ROSIE REY	IDOT / D1 Land Acquisition	847-705-4284
21			
22			
23			
24			
25			

Attachment 16

Other Coordination

RECORD OF CONVERSATION



CONTACT: Kenneth N. Anderson, Jr. – Manager
KCSSPD

BY: Brian L. Pawula, P.E. – Thomas Engineering Group, LLC (TEG)

DATE: Wednesday, October 2, 2013

TIME: 11:00 AM

RE: Intersection Improvements for Fabyan Parkway at Kirk Road, Phase I
Settler's Hill Utilization Committee 01

SUMMARY OF CONVERSATION:

TEG contacted Ken regarding the Fabyan Property Utilization (or Settler's Hill Master Plan) and its potential effects on the intersection improvement of Fabyan Parkway and Kirk Road (i.e. traffic, operations, etc.). Also, TEG sought a better understanding of the property itself.

This phone conversation was prompted by a September 27, 2013 email from TEG to Timothy A. Harbaugh, P.E., DEE – Kane County's Executive Director of Facilities, Development, and Environmental Resources. Please refer to the two attached emails for additional background information. Tim was not available for this phone conversation.

Traffic Generation

The Settler's Hill redevelopment at full build-out is anticipated to generate less traffic than a Kane County Cougars game.

Need for Fill Material

One feature of this redevelopment that has been discussed recently is a cross country course on top of the former landfill. Its construction could be as soon as 3 to 4 years from now and is anticipated to require approximately 1M CU YD of fill material.

TEG is one of several design engineers on the currently ongoing Longmeadow Parkway project led by the Kane County Division of Transportation (KDOT). As such, it is known that the construction of Longmeadow Parkway will generate approximately 1M CU YD of excess material. KDOT has already met with parties interested in accepting portions of that excess material. Generally, their properties are closer to the Longmeadow Parkway corridor than Settler's Hill which is approximately 20 miles due south. Regardless, TEG will bring to KDOT's attention the possibility of trucking excess material from Longmeadow Parkway to Settler's Hill.

Settler's Hill Golf Club

This existing golf course has an access point on the north side of the west leg of Fabyan Parkway west of Kingsland Drive. As part of this redevelopment, it is anticipated to be improved even sooner than the cross country course. Several holes will be realigned. There is a possibility that the golf course will add a driving range.

Wednesday, October 2, 2013

RE: Intersection Improvements for Fabyan Parkway at Kirk Road, Phase I
Settler's Hill Utilization Committee 01

Kane County Corrections Center

This existing corrections center has an access point on the north side of the west leg of Fabyan Parkway at the signalized intersection with Raddant Road. As part of this redevelopment, it is anticipated to be demolished and replaced with a resort hotel.

Access to Settler's Hill Redevelopment

During this phone conversation, all parties were referencing an exhibit provided by Tim via email entitled "Settler's Hill Master Plan" and dated October 2012. Please refer to the attached exhibit for additional information. This redevelopment is in the northwest quadrant of Fabyan Parkway and Kirk Road, and it is anticipated to have four access points within or near the limits of construction of this intersection improvement. According to this exhibit and moving east along Fabyan Parkway and then north along Kirk Road, these four access points are as follows.

1. Existing full access at Kingsland Drive approximately 2,100' (or 0.40 mi) west of Kirk Road.
 - a. This access is currently unsignalized, and it is anticipated to remain unsignalized with this redevelopment.
2. New right-in/right-out (RI/RO) access approximately 1,475' (or 0.28 mi) west of Kirk Road.
 - a. This access is anticipated to be approximately 60' west of the existing field entrance.
 - b. All parties agreed that, with this intersection improvement and at this time, there does not seem to be a reason for KDOT to build any portion of this access.
3. Existing full access for the "SunGard's Fox River Execution Solutions" property approximately 815' (or 0.15 mi) west of Kirk Road.
 - a. With this intersection improvement, this access will be converted to RI/RO because of the addition of a raised curb median for the dual left turn lanes for the EB to NB movement.
4. Existing full access for the Fox Valley Ice Arena approximately 1,700' (or 0.32 mi) north of Fabyan Parkway.
 - a. This access is anticipated to be signalized in the long-term future.
 - b. This access is outside of the limits of construction of this intersection improvement and, therefore, will be unaffected.

Scope of Construction of Intersection Improvement

TEG provided a brief description of the scope of construction of this intersection improvement.

This intersection will be widened and reconstructed. Improvements include channelization (with raised curb medians) with the addition of dual left turn lanes and through / right turn lanes or right turn lanes on both Fabyan Parkway and Kirk Road. Traffic signal modernization and a curb and gutter closed drainage system are additional highlights of the improvement. The existing shared-use path will be reconstructed where it currently exists (north side of west leg and west side of south leg) and extended to the north (to the Fox Valley Ice arena access) and east (to the first access into the northeast quadrant).

For Fabyan Parkway, the widening will be asymmetrical and push the intersection to the south. For Kirk Road, the widening will be symmetrical about the existing roadway centerline.

Wednesday, October 2, 2013

RE: Intersection Improvements for Fabian Parkway at Kirk Road, Phase I
Settler's Hill Utilization Committee 01

Detention

Ken inquired about the proposed detention for this intersection improvement. Because of the additional impervious area, several detention facilities are required for this intersection improvement.

1. One of these proposed detention facilities is currently proposed to be located near access point #1 described above. More specifically, this detention facility seems to be in the northwest quadrant of this new access point and south of the L-shaped building.
2. There is no excess detention in the facility near the Country House Restaurant in the northeast quadrant.
3. Ken suggested considering tying into and/or modifying the existing detention facility in the northwest quadrant between the "SunGard's Fox River Execution Solutions" property and the Fox Valley Ice Arena. TEG pointed out that, according to the exhibit, this detention facility seems to be beneath a "possible future building" and/or parking lot.

Miscellaneous

1. As part of this redevelopment, it is tentatively anticipated that a "large event stage" will be constructed immediately west of the Strikers Fox Valley Soccer Club.
2. The Settler's Hill Master Plan is a result of a public process to redevelop the former landfill for the Cities of Batavia and Geneva, cities that were previously burdened by having an active landfill nearby. This public process started before the landfill closed (pre-2006).

ACTION ITEMS

1. TEG will bring to KDOT's attention the possibility of trucking excess material from Longmeadow Parkway to Settler's Hill.

Enclosures:

1. Email from Ken Anderson on 10/02/13.....(1 page, 8.5"x11")
2. Email from Tim Harbaugh on 09/27/13.....(3 pages, 8.5"x11")
3. Exhibit entitled "Settler's Hill Master Plan" dated October 2012 (1 page, full size)

Brian Pawula

From: Anderson Jr., Ken <andersonken@co.kane.il.us>
Sent: Wednesday, October 02, 2013 11:31 AM
To: Brian Pawula
Subject: Information

Brian,
Here is my information.

Peace be with you!

Kenneth N. Anderson, Jr.
Manager, KCSSPD
719 S. Batavia Avenue
Geneva, IL 60134

630-208-3179
630-208-3837 (Fax)

andersonken@co.kane.il.us
Webpage: www.co.kane.il.us

IMPORTANT NOTICE: This e-mail (including any attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. Sections 2510-2521, is confidential, and may contain information or material that is confidential, privileged and protected from disclosure under applicable laws. This e-mail is intended only for those individuals and entities to which it is addressed. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution or copying of this communication (including any attachments) is strictly prohibited. If you are not the intended recipient, please reply to the sender that you have received the message in error, then delete it and any and all copies of it immediately. Thank you.

Brian Pawula

From: Harbaugh, Tim <harbaughtim@co.kane.il.us>
Sent: Friday, September 27, 2013 11:09 AM
To: Brian Pawula
Cc: Anderson Jr., Ken
Subject: RE: Intersection Improvement at Kirk and Fabyan
Attachments: Settlers Hill Master Plan 100412.pdf

Attached is our Settler's Hill Master Plan for our discussion Wednesday.

Tim Harbaugh, P.E., DEE
Executive Director of Facilities, Development, and Environmental Resources
719 Batavia Ave.
Geneva, Il., 60134
(630)208-5173
(630)208-3837 fax
email: harbaughtim@co.kane.il.us
website: www.co.kane.il.us

Please do not print this email unless it is absolutely necessary.

IMPORTANT NOTICE: This e-mail (including any attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. Sections 2510-2521, is confidential, and may contain information or material that is confidential, privileged and protected from disclosure under applicable laws. This e-mail is intended only for those individuals and entities to which it is addressed. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution or copying of this communication (including any attachments) is strictly prohibited. If you are not the intended recipient, please reply to the sender that you have received the message in error, then delete it and any and all copies of it immediately. Thank you.

If you have a FOIA (Freedom of Information Act) request please send that request via email to moraesmeralda@co.kane.il.us

From: Brian Pawula [<mailto:brianp@thomas-engineering.com>]
Sent: Friday, September 27, 2013 10:39 AM
To: Harbaugh, Tim
Cc: Anderson Jr., Ken
Subject: RE: Intersection Improvement at Kirk and Fabyan

Hi Tim,

Thank you very much. That date and time are good for me, and I have already put it in my calendar. As you suggested, I will call you at (630)208-5173.

Have a nice weekend gentlemen.

Thanks, Brian.

From: Harbaugh, Tim [<mailto:harbaughtim@co.kane.il.us>]
Sent: Friday, September 27, 2013 10:36 AM
To: Brian Pawula
Cc: Anderson Jr., Ken
Subject: RE: Intersection Improvement at Kirk and Fabyan

Brian, happy to discuss this with you.

Ken Anderson of my staff will be joining me.

Proposing Oct. 2 at 11:00am

You can call us at my direct number below.

Tim Harbaugh, P.E., DEE
Executive Director of Facilities, Development, and Environmental Resources
719 Batavia Ave.
Geneva, IL, 60134
(630)208-5173
(630)208-3837 fax
email: harbaughtim@co.kane.il.us
website: www.co.kane.il.us

Please do not print this email unless it is absolutely necessary.

IMPORTANT NOTICE: This e-mail (including any attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. Sections 2510-2521, is confidential, and may contain information or material that is confidential, privileged and protected from disclosure under applicable laws. This e-mail is intended only for those individuals and entities to which it is addressed. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution or copying of this communication (including any attachments) is strictly prohibited. If you are not the intended recipient, please reply to the sender that you have received the message in error, then delete it and any and all copies of it immediately. Thank you.

If you have a FOIA (Freedom of Information Act) request please send that request via email to moraesmeralda@co.kane.il.us

From: Brian Pawula [<mailto:brianp@thomas-engineering.com>]
Sent: Friday, September 27, 2013 10:19 AM
To: Harbaugh, Tim
Subject: Intersection Improvement at Kirk and Fabyan

Good Morning Timothy,

On behalf of the Kane County Division of Transportation (KDOT with project manager Paul Holcomb) and Thomas Engineering Group, LLC (TEG), I am contacting you about the subject project. Tentative improvements at this intersection include channelization with the addition of dedicated dual left and right turn lanes on both Fabyan Parkway and Kirk Road. Traffic signal modernization and a curb and gutter closed drainage system are additional highlights of the improvement.

With respect to schedule, we are currently performing Phase I engineering with the goal of obtaining Design Approval from IDOT by the end of 2013. Phase II engineering will begin after Design approval is obtained, tentatively in the spring or summer of 2014. Land acquisition will begin shortly after Phase II engineering begins, and they will then run concurrently. Construction is tentatively scheduled for 2016.

TEG was informed by KDOT that you would be a good person (if not the best person) to contact regarding the Fabyan Property Utilization and its potential effects on the intersection of Kirk and Fabyan (i.e. traffic, operations, etc.). Also, TEG is seeking a better understanding of the property itself.

That being said, would you be able to make time for a phone conversation with me next week? Currently, my schedule for Monday through Thursday is relatively open.

Feel free to contact me with questions or if additional information is required. Thank you in advance and have a nice weekend.

brian l. pawula, p.e.

associate

is-asce, transportation and development institute - chair

is-asce, communications committee - advertising director

cell: (847) 922-6125



thomas engineering group, llc

service at the highest grade®

a certified Small Business Enterprise

new suburban branch office location:

55 west 22nd street

suite 300

lombard, illinois 60148

corporate office location:

238 south kenilworth avenue

suite 100

oak park, illinois 60302

www.thomas-engineering.com



SETTLER'S HILL MASTER PLAN

SETTLER'S HILL UTILIZATION COMMITTEE

719 BATAVIA AVENUE
GENEVA, IL 60134

(630) 232-3498
(630) 232-3411 (fax)

Lannert Group
Landscape Architecture • Planning • Community Consulting
215 Fulton Street
Geneva, Illinois 60134

© 2010 The Lannert Group, Inc.

(630) 208-8088
Fax (630) 208-8050
http://www.lannert.com
tlg@lannert.com

SCALE 1"=200'

JOB #: 1107 DRAWN BY: MN

OCTOBER, 2012

KANE COUNTY

DIVISION of TRANSPORTATION

Carl Schoedel, P.E.
Director of Transportation
County Engineer



41W011 Burlington Road
St. Charles, IL 60175
Phone: (630) 584-1170
Fax: (630) 584-5265

MINUTES

MEETING PURPOSE: **Geneva Enterprise, LLC Coordination Meeting 1**

DATE & TIME: **December 19, 2013, 8:30 AM**

LOCATION: **KDOT Office (41W011 Burlington Rd., St. Charles, IL 60175)**

CHAIRPERSON: **Paul Holcomb, PLS – Chief of Design
Kane County Division of Transportation (KDOT)**

PROJECT: **Kane County, 11-00201-04-CH, Fabyan Parkway at Kirk Road**

PREPARER: **Brian L. Pawula, P.E – Thomas Engineering Group, LLC (TEG)**

ATTENDEES: **See Sign-In Sheet.**

TOPICS DISCUSSED:

The purpose of this meeting was to discuss the subject project with Geneva Enterprise, LLC (GEL). GEL was not represented at the July 24, 2013 Public Informational Meeting or the December 5, 2013 Public Hearing, both of which they were invited to. The latter event was the second and final public involvement opportunity for this project.

GEL was given a third opportunity to provide comments because of the anticipated impacts to their property as a result of this project. On December 10, 2013, a package was hand-delivered to GEL (accepted by Matthew Lorentsen) to inform them about this project and to give them a chance to ask questions or provide comments. At the time of the delivery, GEL acknowledged receiving the invitations to the Public Information Meeting and the Public Hearing. Also, GEL was made aware that all comments must be received by December 19, 2013. Later, GEL requested to have this meeting. All meeting attendees agreed that these minutes will serve the purpose of formally documenting GEL's comments.

PROJECT OVERVIEW

The intersection will be widened and reconstructed. Improvements include channelization with the addition of dual left turn lanes and either shared through / right turn lanes or exclusive right turn lanes on both Fabyan Parkway and Kirk Road. Traffic signal modernization and a curb and gutter closed drainage system are additional highlights of the improvement. The existing shared-use path will be reconstructed in its current location and extended to the north and east.

The primary purpose of this improvement is to address capacity deficiencies and safety of the intersection of Fabyan Parkway and Kirk Road. In other words, the proposed intersection geometry dictates the geometry of each leg including any required access modifications.

December 19, 2013

RE: Kane County, 11-00201-04-CH, Fabyan Parkway at Kirk Road
Geneva Enterprise, LLC Coordination Meeting 1 – Minutes

SCHEDULE

This project is currently in Phase I engineering which consists of preliminary engineering and environmental studies. Phase I is anticipated to be completed by the spring / summer of 2014. When Phase I is complete, Phase II engineering will start. It consists of the preparation of construction documents and the right of way acquisition process. The right of way acquisition process was briefly explained during this meeting. Phase II typically takes 18 to 24 months to complete. When Phase II is complete and pending funding availability, Phase III engineering will start. It consists of the construction of the project. Phase III is anticipated to take 1 to 2 construction seasons.

ENVIRONMENTAL

For this project, the environmental study is complete. For projects in general, an environmental study typically takes 6 to 9 months to complete. An environmental study area is defined by an Environmental Survey Request (ESR) boundary. If an ESR boundary changes, the environmental study enters an addendum process, and its completion is delayed another 6 to 9 months.

Wetlands will be impacted as part of this project including the wetland on the west side of Kirk Road immediately south of the wooded area on the GEL property.

It was noted that the Preliminary Environmental Site Assessment (PESA) identified the GEL property as a Potentially Impacted Property (PIP). This means that a series of soil borings is recommended during Phase II to obtain a better understanding of the soil on this property and to aid in the development of protocol for its removal during Phase III.

ANTICIPATED IMPACTS TO THE GEL PROPERTY

1. Right of way acquisition is anticipated on both the Fabyan Parkway and Kirk Road sides of the GEL corner property.
2. A temporary easement is anticipated for the reconstruction of the only access to/from the GEL property on Fabyan Parkway.
3. The only access is proposed to be converted from full unsignalized access to right in/right out (RI/RO) access because of the proposed raised curb median on Fabyan Parkway.
4. A detention facility is proposed on the west side of Kirk Road in the wooded area on the GEL property.

GEL STATEMENTS AND/OR INQUIRIES

1. GEL is more concerned about the needs and safety of their tenant than the monetary retribution. They understand and appreciate the need to work together with KDOT.
2. GEL estimated that there are currently 120 vehicles using the parking lot. They estimate that there will be 200+ vehicles using the parking lot 10 years from now.

December 19, 2013

RE: Kane County, 11-00201-04-CH, Fabyan Parkway at Kirk Road
Geneva Enterprise, LLC Coordination Meeting 1 – Minutes

3. GEL estimated that 80% of the vehicles either go (1) east then south or (2) east then east out of the parking lot at the end of the work day.
4. GEL stated that they are aware of only 1 recent accident involving a vehicle exiting the parking lot. This accident occurred in the summer of 2013.
5. GEL expressed concern about their electrical feed during and after construction. The KDOT Team stated that coordination has already begun with the supplier, Geneva Electric, and that maintenance of this utility will be a requirement of the contractor during construction.

GEL COMMENTS

1. **GEL expressed concern about the conversion of their only access from full unsignalized access to RI/RO access because of the proposed raised curb median on Fabyan Parkway.**
 - a. At the end of the work day, the predominant movement is the left turn movement out of their parking lot.
 - There was some discussion about accommodating this movement. The KDOT Team inquired about the current use of the Kingsland Drive southbound to Douglas Road eastbound alternate route. Both of these roadways are believed to be under City of Batavia jurisdiction. KDOT will be improving the intersection of Douglas Road and Kirk Road in the near future which will include channelization with the addition of left turn lanes on Kirk Road.
 - b. At the end of lunchtime, the predominant movement is the left turn movement into their parking lot because a majority of the restaurants are on Randall Road to the west.
 - This movement will be accommodated by the proposed allowance of eastbound to westbound U-turns at Kirk Road after construction.
2. **GEL suggested the addition a second RI/RO access on Kirk Road.** Their suggestion was to coordinate with the Forest Preserve District of Kane County (FPDKC) to allow GEL to tie into their parking lot / access. FPDKC owns the Fox Valley Ice Arena and has full unsignalized access to Kirk Road approximately 1,700' north of Fabyan Parkway. GEL suggested that peak periods of traffic for the ice arena are nights and weekends which are opposite of GEL's peak periods.
 - a. The KDOT Team clarified that KDOT and FPDKC are considered "sister agencies". For instance, the two agencies do not share land. KDOT will have to acquire right of way from FPDKC as part of this project.
3. **GEL suggested alternatives to the detention facility proposed on the west side of Kirk Road in the wooded area on their property.** Again, the "sister agency" relationship between KDOT and FPDKC applies to these suggested alternatives.
 - a. Expansion of the existing FPDKC wet-bottom detention facility between the GEL property and the FPDKC parking lot
 - b. Expansion of the existing FPDKC dry-bottom detention facility immediately northwest of GEL's property

December 19, 2013

RE: Kane County, 11-00201-04-CH, Fabyan Parkway at Kirk Road
Geneva Enterprise, LLC Coordination Meeting 1 – Minutes

MOVING FORWARD

GEL's three comments above will be investigated further during the preliminary engineering Phase I. Upon completion of this investigation, the KDOT Team will provide a letter to respond to your comments. Both the comments and the responses will be included in the preliminary engineering report.

Please notify the Preparer of any corrections and/or clarifications within five (5) business days.

cc: Attendees (see Sign-In Sheet)

Enclosures:

1. Sign-In Sheet 8.5"x11", 1 page

KANE COUNTY

DIVISION of TRANSPORTATION

Carl Schoedel, P.E.
Director of Transportation
County Engineer



41W011 Burlington Road
St. Charles, IL 60175
Phone: (630) 584-1170
Fax: (630) 584-5265

SIGN-IN SHEET

MEETING PURPOSE: **Geneva Enterprise, LLC Coordination Meeting 1**

DATE & TIME: **December 19, 2013, 8:30 AM**

LOCATION: **KDOT Office (41W011 Burlington Rd., St. Charles, IL 60175)**

CHAIRPERSON: **Paul Holcomb, PLS – Chief of Design
Kane County Division of Transportation (KDOT)**

PROJECT: **Kane County, 11-00201-04-CH, Fabyan Parkway at Kirk Road**

Invited Attendees:

Name	Initials	Organization	Phone Number	Email Address
Paul Holcomb	<i>PH</i>	KDOT	(630) 584-1170	holcombpaul@co.kane.il.us
Paul LaFleur	<i>PL</i>	KDOT	(630) 584-1170	lafleurpaul@co.kane.il.us
Steve Pasinski	<i>SP</i>	Thomas Engineering	(630) 430-6392	stevep@thomas-engineering.com
Brian Pawula	<i>BLP</i>	Thomas Engineering	(847) 922-6125	brianp@thomas-engineering.com
Emily Anderson	<i>ETA</i>	CBBEL	(847) 823-0500	eanderson@cbbel.com
Dave Hooten Matt Lorentsen	<i>MLO</i>	Geneva Enterprise	(630) 313-2409 <i>2403</i>	matt.lorentsen@gmail.com
Greg Drake	<i>GD</i>	Geneva Enterprise	<i>(630) 313-2403</i>	gregwdrake@icloud.com
Dave Olseng	<i>D.O.</i>	Geneva Enterprise	<i>(630) 558-7576</i>	drolseng@sbcglobal.net

PRIMARY
CONTACT

BUILDING
ENGINEER

Additional Attendees:

Name	Initials	Organization	Phone Number	Email Address

KANE COUNTY

DIVISION of TRANSPORTATION

Carl Schoedel, P.E.
Director of Transportation
County Engineer



41W011 Burlington Road
St. Charles, IL 60175
Phone: (630) 584-1170
Fax: (630) 584-5265

MINUTES

MEETING PURPOSE: **Comfort Inn & Suites Coordination Meeting 1**

DATE & TIME: **January 15, 2014 at 9:00 AM**

LOCATION: Comfort Inn & Suites (1555 E. Fabyan Parkway, Geneva, IL 60134)

PROJECT: Kane County, 11-00201-04-CH, Fabyan Parkway at Kirk Road

PREPARER: Brian L. Pawula, P.E. – Thomas Engineering Group, LLC

ATTENDEES: Eric Lightner – General Manager, Comfort Inn & Suites
Paul LaFleur – Project Manager, Kane County Division of Transportation (KDOT)
Brian Pawula – Project Manager, Thomas Engineering Group, LLC (TEG)

TOPICS DISCUSSED:

The purpose of this meeting was to discuss this project with Comfort Inn & Suites and to answer questions they had about it. Comfort Inn & Suites was not present at the July 24, 2013 Public Informational Meeting or the December 5, 2013 Public Hearing.

Schedule

This project is currently in Phase I preliminary engineering. It is anticipated that Phase I will be complete by spring 2014. Then, Phase II design engineering will start. It is anticipated that Phase II will start in late spring / early summer 2014 and will take 18 to 24 months. More often than not, the right of way acquisition process controls the duration of Phase II. Finally, Phase III construction can start. It is anticipated that Phase III will start in spring 2016 at the earliest and will take 1 construction season. Please note that this duration is based on the contractor being allowed to start working at 7:00 AM each morning.

Contractor Working Hours

Comfort Inn & Suites expressed concern about the contractor's working hours. In the interest of the guests at their hotel, it was suggested to consider implementing "banker's hours" (i.e. ~9:00 AM to 3:00 PM). This will lengthen the duration of construction and may increase the cost of construction, among other things. The KDOT/TEG Team will take this suggestion into consideration and further inquire with the cities of Batavia and Geneva.

Typically, construction takes place from Monday to Friday. But, weekend work is a possibility, for instance, when the contractor falls behind schedule due to delays associated with weather, utility relocations, etc.

January 15, 2014

RE: Kane County, 11-00201-04-CH, Fabyan Parkway at Kirk Road
Comfort Inn & Suites Coordination Meeting 1 – Minutes

Reconstruction of Existing Commercial Entrances

In the northeast quadrant, there are four existing buildings. Moving west to east, these buildings are: (1) Country House Restaurant, (2) The Prairie Clinic, (3) DayOneNetwork, Inc., and (4) Comfort Inn & Suites of Geneva. These buildings have access only to Fabyan Parkway (not Kirk Road) via two existing commercial entrances (CE). The western CE is currently unsignalized full access and is on the property of The Prairie Clinic. The eastern CE is currently right-in/right-out (RI/RO) with an existing “pork chop” island and is on the property of DayOneNetwork, nc.

Both of these CE’s were permitted by Kane County, and the property owners have an access agreement with Kane County. The only modification allowed through the access agreement is the “flip-flop” of access types.

As part of this intersection improvement, the western CE will be converted to RI/RO with a “pork chop” island. The eastern CE will be converted to unsignalized full access, and the existing “pork chop” island will be removed.

In other words, eastbound vehicles will only be able to turn left into the northeast quadrant at the eastern CE which is the CE closest to the existing Comfort Inn & Suites sign. Safety will be improved because this unsignalized full access will be relocated approximately 215’ farther away from Kirk Road and because it will be shadowed by a raised curb median instead of a flush median.

It is likely that these two CE’s will have to be reconstructed one at a time. In other words, when one is being reconstructed, it will be closed to vehicles, and the other will handle all vehicles, and then vice versa. The contractor will not be allowed to close both CE’s at the same time. During construction, the appropriate temporary signing will guide vehicles to the CE that is open.

All reconstructed CE’s will be able accommodate larger vehicles such as single unit trucks, UPS trucks, Waste Management trucks, etc.

Construction of New Commercial Entrances

With regards to access for the intersection in general, the rules of thumb are (1) that no existing access points will be relocated and (2) that no new access points will be added.

The addition of a new CE on the north side of the buildings in the northeast quadrant was suggested today and various times during Phase I preliminary engineering. The conversion of this existing access road may require negotiations between KDOT and the adjacent property owners. Additionally, cost participation by the adjacent property owners is likely because this access road is not under KDOT jurisdiction. Therefore, this suggestion is not anticipated to be part of this project.

Right of Way

No right of way acquisition from Comfort Inn & Suites is anticipated.

Sign and Landscaping

The Comfort Inn & Suites sign is on their private property and, therefore, should not be impacted by construction. However, a portion of the landscaping around that sign is on public property meaning it may be impacted by construction. If so, the contractor will be required restore the landscaping. This will be studied further during Phase II design engineering.

January 15, 2014

RE: Kane County, 11-00201-04-CH, Fabyan Parkway at Kirk Road
Comfort Inn & Suites Coordination Meeting 1 – Minutes

Coordination during Phase III Construction

During construction, KDOT will have a Resident Engineer (RE) assigned to this project. This person will be responsible for observing that the contractor constructs the project according to the plans and specifications. He should be on site whenever the contractor is working. Additionally, this person will act as the conduit between property owners and the contractor. This means that property owners will be able to contact the RE with issues such as the contractor parking in his parking lot, utility issues, etc.

Peak Season for Comfort Inn & Suites

The months of June and July are the busiest for Comfort Inn & Suites. They have weddings and sometimes work with the ice arena and the Kane County Cougars on their events. Additionally, they have many corporate guests because of all the nearby businesses.

Please notify the Preparer of any corrections and/or clarifications within five (5) business days.

Enclosure:

1. Email between Comfort Inn & Suites and KDOT..... 8.5"x11", 3 pages

cc: Attendees

Brian Pawula

From: LaFleur, Paul <LaFleurPaul@co.kane.il.us>
Sent: Wednesday, January 08, 2014 11:22 AM
To: Eric Lightner
Cc: Brian Pawula
Subject: RE: Fabyan/Kirk Rd Project

Wednesday the 15th at 9am it is, at your location. See you then.

From: Eric Lightner [<mailto:gm@comfortinngeneva.com>]
Sent: Wednesday, January 08, 2014 11:20 AM
To: LaFleur, Paul
Cc: 'Brian Pawula'
Subject: RE: Fabyan/Kirk Rd Project

That's fine. Let's shoot for next Wednesday, same time.

Thanks

From: LaFleur, Paul [<mailto:LaFleurPaul@co.kane.il.us>]
Sent: Wednesday, January 08, 2014 11:19 AM
To: Eric Lightner
Cc: 'Brian Pawula'
Subject: RE: Fabyan/Kirk Rd Project

Actually, I cc'ed my consultant, Brian Pawula previously and he informed me he cannot meet Friday. Can we do tomorrow or next Wednesday, sorry to make this change.

Paul

From: Eric Lightner [<mailto:gm@comfortinngeneva.com>]
Sent: Wednesday, January 08, 2014 11:08 AM
To: LaFleur, Paul
Cc: 'Brian Pawula'
Subject: RE: Fabyan/Kirk Rd Project

Hi Paul,

Would you be able to stop in on Friday at 9am?

Thanks

Eric

From: LaFleur, Paul [<mailto:LaFleurPaul@co.kane.il.us>]
Sent: Wednesday, January 08, 2014 10:42 AM
To: gm@comfortinngeneva.com
Cc: Brian Pawula
Subject: RE: Fabyan/Kirk Rd Project

Good morning Eric, my name is Paul LaFleur, Paul Holcomb was my boss, he retired on December 31st. I have taken over this job for him. I would love to meet with you and answer any questions you might have.

I can come by around 9 or 9:30 one morning. I am available the rest of this week or Monday, Wednesday, or Friday next week. What works best for you.

Here is my contact information:

Paul LaFleur P. E.

Kane County Division of Transportation
41W011 Burlington Road
St. Charles, IL 60175
630-584-1170 (main)
630-406-7355 (direct)
630-890-0467 (cell)
630-584-5265 (fax)
lafleurpaul@co.kane.il.us

From: Coffinbargar, Steve
Sent: Wednesday, January 08, 2014 10:26 AM
To: LaFleur, Paul
Subject: FW: Fabyan/Kirk Rd Project

From: Eric Lightner [<mailto:gm@comfortinngeneva.com>]
Sent: Wednesday, January 08, 2014 10:24 AM
To: Holcomb, Paul
Subject: RE: Fabyan/Kirk Rd Project

Hi Paul,

I was seeing if you had any time either this week or next to discuss the below project. We can have you over for breakfast when convenient.

Thanks

Eric Lightner
General Manager
Comfort Inn & Suites

From: Holcomb, Paul [<mailto:holcombtpaul@co.kane.il.us>]
Sent: Friday, August 02, 2013 8:48 AM
To: Eric Lightner
Subject: RE: Fabyan/Kirk Rd Project

Eric: Here is most of the information that was on display at the meeting. Please take time to look at and then if you like I can meet with you in person or via a phone conversation/email. Whatever you prefer

Best Regards,

Paul Holcomb
Chief of Design
630 406 7333

From: Eric Lightner [<mailto:gm@comfortinngeneva.com>]
Sent: Monday, July 29, 2013 11:46 AM
To: Holcomb, Paul
Subject: Fabyan/Kirk Rd Project

Good Afternoon Paul,

My name is Eric Lightner and I am the General Manager at the Comfort Inn & Suites. I apologize we could not make it to the meeting regarding the Kirk/Fabyan intersection, but I wanted to follow up with you to see where the project is currently at and how it will affect the hotel.

Thank You

Eric Lightner
General Manager
Comfort Inn & Suites Geneva
1555 East Fabyan Parkway
Geneva, IL 60134
630-208-8811
www.comfortinngeneva.com