

**KENDALL COUNTY BOARD AGENDA
ADJOURNED SEPTEMBER MEETING**

Kendall County Office Building, Rooms 209 & 210, Yorkville IL 60560

Tuesday, April 20, 2021 at 9:00 a.m.

1. Call to Order
2. Roll Call
3. Determination of a Quorum
4. Approval of Agenda
5. Special Recognition
 - A. Approval of National Volunteer Week Resolution
6. Public Comment
7. Public Hearing

Public Hearing to obtain public comment and consider the economic, social, and environmental effects of the application for Public Transportation Financial Assistance under Section 5311 of the Federal transit Act of 1991, as amended (49 U.S.C. §5311)
8. Consent Agenda
 - A. Approval of County Board Minutes from March 16, 2021
 - B. Standing Committee Minutes Approval
 - C. Approval of Claims in an amount not to exceed \$1,811,185.23
 - D. Approval of a Copier Lease Program Agreement Bid
 - E. Approval of MetroNet Go Policy
 - F. Approve Patrick McCann Inc. contract in the amount of \$91,000.00 for the replacement of three historical windows at the Historic Courthouse
 - G. Approval of Petition 20-32-Request from Cindy Gates on Behalf of the Cindy Gates Trust and Mark Cox on Behalf of Cox Landscaping LLC for a Map Amendment Rezoning a Portion of 9000 Route 34, Yorkville, from A-1 Agricultural District to B-3 Highway Business District and a Special Use Permit for a Landscaping Business (PINs: 02-27-151-001 and 02-27-151-003) in Bristol Township
 - H. Approval of Petition 21-10-Request from the Kendall County Regional Planning Commission for Amendments to the Future Land Use Map by Having the Transportation Plan Correspond to the 2020-2040 Long Range Transportation Plan including the Trails Plan, Extending Cherry Road into the Henneberry Woods Forest Preserve, Updating Municipal Boundaries, Reclassifying Unknown Properties, Correcting the Classification of the Minooka School District Property Near Route 52 and County Line Road in Seward Township, and Related Text Changes
 - I. Resolution awarding contracts to the following low bidders:
 - 21-00000-01-GM to Builders Paving, LLC in the amount of \$529,924.10
 - 21-00000-02-GM to D Construction, Inc. in the amount of \$49,817.87
 - 21-00000-03-GM to D Construction, Inc. in the amount of \$342,182.15
 - 21-01000-00-GM to D Construction, Inc. in the amount of \$216,534.65
 - 21-03000-00-GM to D Construction, Inc. in the amount of \$127,672.29
 - 21-04000-00-GM to D Construction, Inc. in the amount of \$275,434.70
 - 21-06000-00-GM to Builders Paving, LLC in the amount of \$260,088.00
 - 21-07000-00-GM to D Construction, Inc. in the amount of \$270,040.00
 - 21-08000-00-GM to D Construction, Inc. in the amount of \$414,478.39
 - 21-09000-00-GM to D Construction, Inc. in the amount of \$355,108.18
9. Old Business
 - A. Approval of a Resolution Approving IDPH COVID-19 Testing Events
10. New Business
11. Elected Official Reports & Other Department Reports
 - A. Sheriff
 - B. County Clerk and Recorder
 - C. Treasurer
 - D. Clerk of the Court
 - E. State's Attorney
 - F. Coroner
 - G. Health Department
 - H. Supervisor of Assessments
12. Standing Committee Reports
 - A. Admin HR
 1. Approval of resolution Authorizing Execution and Amendment of Section 5311 Grant Agreement
 - B. Law Justice and Legislation

1. Approval of a Resolution Calling for the Governor and General Assembly to Protect Local Control of Zoning and Land Use
- C. Highway
 1. Preliminary Engineering Services Agreement between Kendall County and Hutchison Engineering, Inc. for design of traffic signals at the intersection of Ridge Road and Holt Road in an amount not to exceed \$41,700
- D. Planning, Building & Zoning
 1. Approval of Petition 21-06-Request from Jhon Cordero on Behalf of Cordero Real Estate, LLC for a Map Amendment Rezoning Property Located Approximately 268 West of the Intersection of Galena Road and E. Beecher Road on the South Side of Galena Road (PIN: 02-06-400-007) in Bristol Township
 2. Approval of Petition 21-08-Request from Jamie and Jillian Prodehl for a Special Use Permit on A-1 Zoned Property for Banquet Facility and a Variance to Section 7:01.D.12.a of the Kendall County Zoning Ordinance to Allow a Banquet Facility on a Non-Arterial or Non-Major Collector Roadway at 4405 Van Dyke Road (PIN: 09-05-400-021) in Seward Township
 3. Approval of Petition 21-11-Request from the Kendall County Historic Preservation Commission to Authorize the County Board Chairman to Sign and Submit a Letter Requesting Certification of the Historic Preservation Ordinance for the Purposes of the Property Tax Freeze Assessment Program Through the Illinois Department of Natural Resources
13. Special Committee Reports
14. Other Business
15. Chairman's Report
16. Public Comment
17. Questions from the Press
18. Executive Session
19. Adjournment

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

County of Kendall, Illinois
Resolution 21 – _____

RESOLUTION DECLARING APRIL 18-24, 2021 AS NATIONAL VOLUNTEER WEEK

WHEREAS, Benjamin Franklin started the Union Fire Company, the first official volunteer-run fire house worldwide in 1736; and

WHEREAS, generations of selfless individuals from all walks of life have served each other and our County, collaborating together to make tomorrow better than today; and

WHEREAS, volunteers are the lifeblood of our schools, shelters, hospitals, hotlines, community groups, churches food pantries, and missions, through mentoring at-risk youth, providing shelter for the homeless, advocating for the abused or neglected juvenile, caring for older citizens, supporting our veterans, rebuilding after disasters, or feeding the hungry; and,

WHEREAS, these everyday heroes make a real and lasting impact on the lives of hundreds of men, women and children throughout Kendall County every year, and through *United We Serve*, a national call to service, it is now easier for men and women of all ages to find volunteer ; and

WHEREAS, one out of four Americans volunteer, there are nearly 1.8 million active nonprofit groups in the United States, last year over 77 million Americans gave of themselves in service to others, and volunteerism has a value of \$184 billion dollars; and

WHEREAS, volunteering improves health by strengthening the body, improving the mood, and lessening stress in participants, as well as improve an employee's collaboration and leadership skills; and

WHEREAS, as we face more hardships in these troublesome days, we need to tap the energy and ingenuity of our greatest resource – the American people, to improve our local communities and our County; and

NOW, THEREFORE, BE IT RESOLVED BY THE KENDALL COUNTY BOARD, THAT WE DECLARE APRIL 18 THROUGH 24, 2021 AS NATIONAL VOLUNTEER WEEK; and

BE IT FURTHER RESOLVED, that the citizens of Kendall County are urged to observe this week by volunteering in service projects across the County and pledging to make service to others a part of their daily lives.

PRESENTED and **ADOPTED** by the County Board, this 7th day of April 2021.

Approved:

Attest:

Scott R. Gryder, County Board Chairman

Debbie Gillette, County Clerk and Recorder



**KENDALL COUNTY BOARD
ADJOURNED SEPTEMBER MEETING
March 16, 2021**

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

The Kendall County Board Meeting was held at the Kendall County Office Building 111 W Fox St, in the City of Yorkville on Tuesday, March 16, 2021 at 9:00 a.m. The Clerk called the roll. Members present: Chairman Scott Gryder, Amy Cesich, Brian DeBolt, Scott Gengler, Judy Gilmour, Matt Kellogg, Dan Koukol, Ruben Rodriguez and Robyn Vickers. Members absent: Elizabeth Flowers.

The Clerk reported to the Chairman that a quorum was present to conduct business.

THE AGENDA

Member DeBolt moved to approve the agenda. Member Gengler seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

SPECIAL RECOGNITION

Volunteer Week

Member Koukol moved to approve the National Volunteer Week Resolution. Member Rodriguez seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of Resolution 21-11 is available in the Office of the County Clerk.

PUBLIC COMMENT

Pat Stiles spoke about the Oswego Fire Department and what they are purchasing with money from referendum, payroll, pensions and the number of calls.

Cherie Bond spoke about the Larry Nelson project and expressed her concerns about the project being environmentally friendly. Ms. Bond asked about a traffic study, well and septic, people mover, signage, water/wells, impact on Little Rock Creek, landscape plan, parking lots, and waste water.

PUBLIC HEARING

Downstate Small Business Stabilization

Chairman Gryder opened the public hearing for the Downstate Small Business Stabilization Grant funded by the Community Development Block Grant (CDBG) funds. County Administrator Scott Koeppel stated that this is about the \$25,000 received for the Kennedy Pointe Restaurant, application was approved, funds were received and the county transferred the funds to them. Chairman Gryder closed the public hearing.

CONSENT AGENDA

Member Cesich moved to approve the consent agenda of **A)** county board minutes from February 16, 2021; **B)** standing committee minutes; **C)** claims in an amount not to exceed \$710,554.96; **D)** Petition 21-09 request from Librado Joaquin for the revocation of a Special Use Permit granted by Ordinance 1999-24 for the sale of agricultural products not grown on the property at 2543 Simons Road (PIN: 03-27-377-015) in Oswego Township; **E)** resolution reappointing the county engineer; **F)** resolution appropriating funds for the payment of the county engineer's salary; **G)** approval of FY 2021 Section 5311 Operating Assistance Uniform Grant Agreement. Member Gengler seconded the motion. Chairman Gryder asked for a roll vote on the motion. All members present voting aye. **Motion carried.**

C) COMBINED CLAIMS: ADMIN \$2,459.09; ANML CNTRL WRDN \$749.32; ASSMT \$740.00; BEHAV HLTH \$3,540.60; CIR CLK \$12,056.27; CIR CRT JDG \$6,738.80; COMB CRT SVS \$65.39; COMM ACTN SVS \$41,580.69; COMM HLTH \$4,127.80; CORONER \$2,163.44; CORR \$36,310.30; CNTY ADMIN \$150.00; CNTY BRD \$5,143.55; CNTY CLK \$6,703.13; HIGHWAY \$323,347.21; ELECTN \$41,524.24; EMA \$248.63; EMPL BFITS \$3,451.50; ENVIRO HLTH; \$8,903.55; FCLT MGMT \$26,529.14; FORST PRES DIR \$450.00; GIS COORD \$2,420.42; JURY COMM \$388.44; PBZ \$1,257.32; PRSDG JDGE \$10,332.00; PROB SVS \$11,147.38; PRGM SUPP \$2,122.48; PUB DEF \$1,966.70; ROE \$6,513.76; SHF \$20,895.27; STATES ATTY \$2,367.93; TECH \$21,414.68; TRSR \$695.35; UTIL \$11,035.48; VET \$3,499.48; FP \$28,014.41.; SHF \$33,243.20; SHF \$26,248.01

Co Board 3/16/2021

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- D) A complete copy of Ordinance 21-06 is available in the Office of the County Clerk.
 E) A complete copy of Resolution 21-12 is available in the Office of the County Clerk.
 F) A complete copy of Resolution 21-13 is available in the Office of the County Clerk.

ELECTED OFFICIALS REPORT AND OTHER DEPARTMENT REPORTS

County Clerk

Revenue Report		2/1/21-2/29/21	2/1/20-2/29/20	2/1/19-2/28/19
Line Item	Fund			Revenue
CLKFEE	County Clerk Fees	\$1,202.00	\$704.50	\$496.00
MARFEE	County Clerk Fees - Marriage License	\$600.00	\$870.00	\$570.00
CIVFEE	County Clerk Fees - Civil Union	\$0.00	\$0.00	\$0.00
ASSUME	County Clerk Fees - Assumed Name	\$45.00	\$45.00	
CRTCOP	County Clerk Fees - Certified Copy	\$1,090.00	\$1,817.00	
NOTARY	County Clerk Fees - Notary	\$440.00	\$235.00	
MISINC	County Clerk Fees - Misc	\$125.00	\$75.00	
	County Clerk Fees - Misc Total	\$1,700.00	\$2,172.00	\$1,903.99
RECFEE	County Clerk Fees - Recording	\$40,330.00	\$24,920.00	\$17,163.00
	Total County Clerk Fees	\$43,832.00	\$28,666.50	\$20,132.99
CTYREV	County Revenue	\$46,895.50	\$22,806.50	\$19,285.75
DCSTOR	Doc Storage	\$23,792.00	\$14,573.50	\$10,034.00
GISMAP	GIS Mapping	\$75,300.00	\$46,230.00	\$16,950.00
GISRCD	GIS Recording	\$5,020.00	\$3,082.00	\$2,120.00
INTRST	Interest	\$77.45	\$17.38	\$21.53
RECMIS	Recorder's Misc	\$5,735.25	\$3,478.00	\$3,132.75
RHSP	RHSP/Housing Surcharge	\$21,636.00	\$12,681.00	\$8,928.00
TAXCRT	Tax Certificate Fee	\$1,640.00	\$1,160.00	\$1,440.00
TAXFEE	Tax Sale Fees	\$645.00	\$1,147.30	\$1,870.00
PSTFEE	Postage Fees	\$400.14	\$795.50	\$963.03
CK # 19156	To KC Treasurer	\$224,973.34	\$134,637.68	\$84,878.05

County Clerk Debbie Gillette stated that early voting has started for the April 6, 2021 Consolidated Election and the office has begun to collect the Statement of Economic Interest forms electronically, alleviating much of the printing and mailing costs associated with these statements.

Treasurer

Office of Jill Ferko
 Kendall County Treasurer & Collector
 111 W. Fox Street Yorkville, IL 60560

Kendall County General Fund

QUICK ANALYSIS OF MAJOR REVENUES AND TOTAL EXPENDITURES FOR THREE MONTHS ENDED 02/28/2021

	Annual	2021 YTD	2021 YTD%	2020 YTD	2020 YTD
<u>REVENUES*</u>	<u>Budget</u>	<u>Actual</u>	<u>%</u>	<u>Actual</u>	<u>%</u>

Personal Property Repl. Tax	\$390,000	\$80,755	20.71%	\$80,736	20.70%
State Income Tax	\$2,300,000	\$713,880	31.04%	\$630,111	27.40%
Local Use Tax	\$900,000	\$299,608	33.29%	\$229,477	32.78%
State Sales Tax	\$530,000	\$133,880	25.26%	\$178,378	32.43%
County Clerk Fees	\$325,000	\$146,455	45.06%	\$97,516	30.00%
Circuit Clerk Fees	\$1,220,000	\$281,258	23.05%	\$311,427	23.07%
Fines & Foreits/St Atty.	\$275,000	\$58,058	21.11%	\$54,444	18.15%
Building and Zoning	\$68,000	\$16,132	23.72%	\$16,492	24.25%
Interest Income	\$100,000	\$5,232	5.23%	\$54,840	27.42%
Health Insurance - Empl. Ded.	\$1,467,439	\$130,528	8.89%	\$289,355	22.84%
1/4 Cent Sales Tax	\$3,075,000	\$821,675	26.72%	\$805,524	25.94%
County Real Estate Transf Tax	\$450,000	\$132,162	29.37%	\$133,703	31.46%
Federal Inmate Revenue	\$2,044,000	\$533,200	26.09%	\$617,040	30.19%
Sheriff Fees	<u>\$140,000</u>	<u>\$25,039</u>	<u>17.88%</u>	<u>\$66,693</u>	<u>39.23%</u>
TOTALS	\$13,284,439	\$3,377,860	25.43%	\$3,565,736	27.03%
Public Safety Sales Tax	\$5,250,000	\$1,416,470	26.98%	\$1,396,403	26.23%
Transportation Sales Tax	\$5,250,000	\$1,416,470	26.98%	\$1,396,403	23.27%

*Includes major revenue line items excluding real estate taxes which are to be collected later.

To be on Budget after 3 months the revenue and expense should at 25.00%

Clerk of the Court

Circuit Clerk Matthew Prochaska stated that the report that is in the packet.

Coroner

Report is included in the packet.

Co Board 3/16/2021

Chairman Gryder marked the day of March 16, 2020 as the 1 year anniversary of the declaration of emergency in Kendall County as a result of the coronavirus. A disaster proclamation was signed and steps along the way included postponing late payments on first installment of property tax, backing up grants with revolving loan fund to help small businesses and the disbursement of vaccines.

Health Department

Executive Director RaeAnn VanGundy stated that they has a mass vaccination at Oswego East High School administering 2,261 doses. They will administer 4,500 doses next week. Masks are still important. Member Kellogg thanked 113 Main and Steve's Cheesecake and the Gryder family for the meals to the volunteers.

Supervisor of Assessments

Supervisor of Assessments Andy Nicoletti said that 6,000 senior exemption renewal forms were sent out. There are two exemptions – one for being 65 or older and one for having a household income of \$65,000 or less. 500 forms have not been turned in and his staff is trying to reach these individuals.

STANDING COMMITTEE REPORTS

Facilities

Member DeBolt informed the board that there should be about a \$30,000 rebate working with ComEd on the Trane Equipment.

Highway

Low Bidders

Member Cesich moved to approve a Resolution awarding contracts to the following low bidders:

- 17-00139-00-BR Fox River Drive Bridge over Clear Creek awarded to D Construction, Inc. in the amount of \$929,668.66
 - 19-00148-00-BR Fox River Drive Bridge Joint Repair awarded to P.T. Ferro Construction Co. in the amount of \$107,893.00
 - 19-00150-00-BR Caton Farm Road Bridge over Aux Sable Creek awarded to P.T. Ferro Construction Co. in the amount of \$948,830.92
 - 19-06128-00-BR River Road Bridge over Rob Roy Creek awarded to D Construction, Inc. in the amount of \$679,767.55.
- Member Koukol seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of Resolution 21-14 is available in the Office of the County Clerk.

County Engineer Fran Klaas spoke to the board about becoming a member of JULIE for buried utilities, permits for excavating in public right of ways, and how and costs for the county to locate buried utilities.

Law Justice & Legislation

Circuit Clerk Deposit Funds

Member Gilmour moved to approve of a resolution authorizing the Circuit Clerk to deposit funds at designated banks.

Member Kellogg seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of Resolution 21-15 is available in the Office of the County Clerk.

Planning Building & Zoning

Petition 21-03

Member Gengler moved to Approval of Petition 21 – 03 Request from Larry Nelson on Behalf of the L and P Nelson Trust 103 for a Major Amendment to the Special Use Permit Granted by Ordinance 2016-21 By Expanding the Uses (Banquet Facility, Nano Brewery, Micro Distillery, Year Round Seasonal Festival with Petting Zoo, Production and Sale of Sweet Cider) Allowed by Ordinance 2016-21 and Related Variances to the Property East of Creek Road and Removing the Maximum Building Number Requirement Contained in Ordinance 2016-21 at 3210 Creek Road (PINs: 01-16-300-007 and 01-21-100-005) in Little Rock Township with the amendment of condition 8 of Ordinance 2016-21 shall be interpreted to apply only to those receiving residential lands with homes constructed or permitted (under construction) on them and platted

residential lots that existed on the date of the issuance of this major amendment to an existing special use permit . Member Cesich seconded the motion.

Members discussed noise, where the banquet facility will be located, and new platted areas.

Member Cesich removed her second from the motion.

Member Koukol seconded the original motion made by Member Gengler.

Chairman Gryder asked for a roll call vote on the motion with the added amendment. Members voting aye include Cesich, DeBolt, Gengler, Gryder, Koukol, Rodriguez and Vickers. Members voting nay include Gilmour and Kellogg. **Motion carried 7-2.**

A complete copy of Ordinance 21-07 is available in the Office of the County Clerk.

OTHER BUSINESS

Juvenile Justice Council has scholarships opportunities applications are online.

Member Kellogg stated that Kendall County has been allocated \$25 million from Federal Programs. They are waiting on guidelines from the Treasury on how the money can be spent.

Chairman's Report

Member DeBolt moved to approve the appointments. Member Rodriguez seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Appointments

Rob DeLong – Merit Commission – 6 year term – Expires March 2027
Cara Brummel – Merit Commission – 5 year term – Expires March 2026
Seth Wormley – Regional Planning Commission (Fox Township) – 3 year term – Expires March 2024
Jim Jensen – Board of Health – 3 year term – Expires March 2024
Sarah Walsh – Ethics Commission – 2 year term – Expires March 2023
Roger Bledsoe - Regional Planning Commission (Na-Au-Sat Township) – 3 year term – Expires March 2024
Cathi Mundsinger – 708 Mental Health Board – 4 year term – Expires March 2025
Kristine Heiman – Ethics Commission – 2 year term – Expires March 2023
Dale Konicek – Rob Roy Drainage District – 3 year term – Expires March 2024
David Kellogg – Newark Fire Protection District – 3 year term - Expires March 2024
Clint Vaughn – Newark Fire Protection District – 3 year term - Expires March 2024
Gary Popp – Tax Board of Review – 2 year term – expires March 2024

Chairman Gryder has received language that the Village of Plainfield is looking at completing 143rd to Ridge Road. Kendall County has been asked to contribute to the improvement.

Chairman Gryder and Member Kellogg visited the Northern Illinois Food Bank facility. They have a 13 county service area and in Kendall County there are 5,930 food insecure people.

PUBLIC COMMENT

Pat Stiles spoke about the Oswego Fire Department revenue and compared figures to the Bristol Kendall Fire Department. Mr. Stiles said that members should be elected not appointed.

Cherie Bond commented on the noise being year round and it bothers her that the City of Plano and Little Rock Township were not informed of the change of amendment before a vote was taken.

Steve Youhanaie touched on decency and the use of a word. Mr. Youhanaie spoke about board salaries and benefits.

QUESTIONS FROM THE PRESS

Jim Wyman from WSPY asked if the stimulus can be used to increase the number of vaccinations and if the county is planning any outreach to minorities.

EXECUTIVE SESSION

Member Cesich made a motion to go into Executive Session for (11) litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting. Member Gengler seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

ADJOURNMENT

Member Gengler moved to adjourn the County Board Meeting until the next scheduled meeting. Member Rodriguez seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Approved and submitted this 24th day of March, 2021.

Respectfully submitted by,
Debbie Gillette
Kendall County Clerk

HIGHWAY COMMITTEE MINUTES

DATE: April 13, 2021
LOCATION: Kendall County Highway Department
MEMBERS PRESENT: Scott Gryder, Amy Cesich, Matt Kellogg, Scott Gengler, & Brian DeBolt
STAFF PRESENT: Ginger Gates, Michele Riley, John Burscheid and Francis Klaas
ALSO PRESENT: Ryan Sikes and Kelly Farley

The committee meeting convened at 3:30 P.M. with roll call of committee members. Cesich and Gengler absent. Quorum established.

Motion DeBolt; second Kellogg, to approve the agenda as presented. Motion approved unanimously.

Motion DeBolt; second Kellogg, to approve the Highway Committee meeting minutes from March 9, 2021. Motion approved unanimously.

Motion Kellogg; second DeBolt to recommend approval of resolution awarding contracts to the following low bidders:

21-00000-01-GM to Builders Paving, LLC in the amount of \$529,924.10
21-00000-02-GM to D Construction, Inc. in the amount of \$49,817.87
21-00000-03-GM to D Construction, Inc. in the amount of \$342,182.15
21-01000-00-GM to D Construction, Inc. in the amount of \$216,534.65
21-03000-00-GM to D Construction, Inc. in the amount of \$127,672.29
21-04000-00-GM to D Construction, Inc. in the amount of \$275,434.70
21-06000-00-GM to Builders Paving, LLC in the amount of \$260,088.00
21-07000-00-GM to D Construction, Inc. in the amount of \$270,040.00
21-08000-00-GM to D Construction, Inc. in the amount of \$414,478.39
21-09000-00-GM to D Construction, Inc. in the amount of \$355,108.18

Klaas announced the results of the March 26, 2021 bid opening for county, township and municipal road improvement projects. Kendall County Board is the awarding authority for 10 of the 17 projects bid on said date. Overall average of the low bids was 14% below engineer's estimates. After review, committee unanimously recommended forwarding these 10 projects to the County Board for approval.

Amy Cesich arrived at the meeting.
Scott Gengler arrived at the meeting.

Motion Kellogg; second DeBolt to recommend approval of a preliminary engineering services agreement between Kendall County and Hutchison Engineering, Inc. for design of traffic signals at the intersection of Ridge Road and Holt Road in an amount not to exceed \$41,700. This intersection improvement is currently under construction, but does not include traffic signals. Klaas described how the original design, which began several years ago, had analyzed the signal warrants and found that, although borderline, were not warranted. Now, several years later, both

Village of Minooka and Seward Township feel very strongly that signals should be installed; and both agencies have indicated that they will pay for their share of the construction. Motion approved unanimously.

In the Chairman's report, Chairman Scott Gryder informed the committee that there has been a change in administration at Village of Plainfield, and so action on the intergovernmental agreement relating to proposed intersection improvements at Ridge Road and 143rd Street have been postponed to a later date.

Chairman Gryder also requested that the County Engineer work with the Sheriff's Department to identify high-accident locations on county highways.

Scott Gengler asked what type of equipment or cameras were hanging from the traffic signals at the intersection of Route 47 and Galena Road. Klaas indicated that this traffic signal is not under the jurisdiction of Kendall County, and he was unaware of what this might be.

DeBolt indicated that he had a conversation with John Stewart, wherein he learned that Mr. Stewart has an obligation to install turn lanes at the intersection of Ill. Rte. 126 and Ashley Road by the end of the year. He also thought it would be a much better and safer idea to move that intersection further east in order to have better sight distance. Committee agreed, but Gengler indicated that Ashley Road is under the jurisdiction of City of Yorkville and Kendall Township; and if relocated further east, would likely be completely under the jurisdiction of the township. Klaas agreed that there would be significant additional cost for the road relocation, and considering this is not a county highway, wasn't sure who might be willing to pay for it. Engineering alone for the road relocation project would likely exceed \$200,000. Kellogg stated that there were many other examples of important projects around the county; but they just aren't county jurisdiction. Committee generally agreed that Mr. Stewart should continue to work with the City of Yorkville to determine the best way to proceed.

Kellogg asked if the Highway Department was seeing any small-cell-wireless facilities on county highways. Klaas stated they hadn't yet seen this.

Cesich asked about the app for traffic signal interactions. Klaas thought it was called the Glance App; and indicated he could provide additional information to Ms. Cesich, but would have to look it up. Cesich also asked if the County paid for this. Klaas indicated that it was part of the remote access hardware and software for traffic signal diagnostics, but didn't cost the County any extra money. The Highway Department uses the diagnostic and maintenance side of the software; but doesn't currently use the Travel Safely App. Cesich thought it might be a good idea to have the County promote this more.

Committee viewed a power point presentation on the progress of the Eldamain Road Construction, and discussed various aspects of the project.

Klaas asked the committee if they want to continue to review bills at committee level, instead of just sending them to Finance Committee. Kellogg thought it would be a good idea to continue reviewing at committee level.

Motion Cesich; second Gengler, to forward Highway Department bills for the month of April in the amount of \$174,298.66 to the Finance Committee for approval. By roll call vote, motion approved unanimously.

Motion DeBolt; second Cesich, to adjourn the meeting at 3:56 P.M. Motion carried unanimously.

Respectfully submitted,



Francis C. Klaas, P.E.
Kendall County Engineer

Action Items

1. Resolution awarding contracts to the following low bidders:

21-00000-01-GM to Builders Paving, LLC in the amount of \$529,924.10
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21-06000-00-GM to Builders Paving, LLC in the amount of \$260,088.00
21-07000-00-GM to D Construction, Inc. in the amount of \$270,040.00
21-08000-00-GM to D Construction, Inc. in the amount of \$414,478.39
21-09000-00-GM to D Construction, Inc. in the amount of \$355,108.18

2. Preliminary Engineering Services Agreement between Kendall County and Hutchison Engineering, Inc. for design of traffic signals at the intersection of Ridge Road and Holt Road in an amount not to exceed \$41,700

COUNTY OF KENDALL, ILLINOIS
ADMIN HR MEETING MINUTES
Monday, April 5, 2021

CALL TO ORDER – Chair Elizabeth Flowers called the meeting to order at 5:30pm.

ROLL CALL

Attendee	Status	Arrived	Left Meeting
Elizabeth Flowers	Present		
Scott Gengler	Here		
Judy Gilmour		5:37p.m.	
Dan Koukol	Here		
Robyn Vickers	Here		

With four members present, a quorum was confirmed to conduct business.

Employees in Attendance: Scott Koeppel, Tracy Page, Matthew Kinsey

APPROVAL OF AGENDA – Motion made by Member Koukol, second by Member Gengler to approve the agenda.

ROLL CALL VOTE

Committee Member	Vote
Elizabeth Flowers	Aye
Scott Gengler	Yes
Dan Koukol	Yes
Robyn Vickers	Yes

With four members voting aye, the motion passed by a 4-0 vote.

APPROVAL OF MINUTES – Motion made by Member Gengler, second by Member Vickers to approve the March 17, 2021 minutes.

ROLL CALL VOTE

Committee Member	Vote
Elizabeth Flowers	Aye
Scott Gengler	Yes
Dan Koukol	Yes
Robyn Vickers	Yes

With four members voting aye, the motion passed by a 4-0 vote

DEPARTMENT HEAD AND ELECTED OFFICIAL REPORTS - None

PUBLIC COMMENT – None

COMMITTEE BUSINESS

- *Discussion of Economic Development Coordinator/Discussion of Finance and Budget Analyst Job Descriptions-* Scott Koepfel reported that the County will be receiving a little over \$25 million dollars from the American Rescue Plan (ARP), and the County will have until 12/31/2024 to distribute the funds. If the rules of the funding allow it, Mr. Koepfel is recommending to use some of the funding to create two new administrative positions. The rules will be released in mid-May along with half of the funds. The Economic Development Coordinator (ED Coordinator) and the Finance and Budget Analyst (FBA) would be temporary positions paid for through the ARP and funded through the end of 2024. The County Board would have to decide to retain the positions in FY 2025. If the board decides to grant money to local businesses and non-profits, the ED Coordinator will establish the grant process and procedures and contact businesses. The FBA will track and account for every dollar as would be a requirement of the ARP. In addition, the FBA would be a support position to the current County Deputy Administrator and would create a transfer of knowledge for succession planning. Member Koukol expressed an interest in Committee members being involved in the interviewing process.

Discussion regarding the FLSA classification of both positions led to a decision to forward the descriptions for legal review. The other option presented by Mr. Koepfel was to hire a consulting firm to distribute the funds. Mr. Koepfel prefers the new positions because we have until the end of 2024 to disperse the funds, it would be good to have County employees administering the tasks, and it would provide good paying jobs for members of the community. Member Gengler inquired if the new hired employees would be receiving IMRF. Mr. Koepfel confirmed the jobs would be full time and would provide full-time benefits; however, there may be a chance the IMRF contribution would not be included in the rules of the ARP. If that were the case, the IMRF contribution would have to come from the General Fund. To be competitive, and to find a qualified individual to start work with little training, the suggested salary would be 70-80K for both positions. Member Flowers suggested that the ED Coordinator have a bilingual preference.

There was a discussion about the education requirements. Mr. Koepfel suggested a Bachelor's Degree with a Master's Degree preferred. Member Koukol suggested considering candidates with experience and earned educational certificates. A decision was made to include candidates with a Bachelor's Degree or commensurate experience in the respective fields.

There was a discussion about the three years of required experience. Mr. Koepfel expressed that the years of experience was very important because both individuals need to hit the ground running. Member Gengler agreed that the salary is in line with the required experience.

There was a discussion about the salary. Mr. Koeppel researched local governments with similar positions and concluded this salary would be competitive to attract an individual who could start with little training and with a potential end date.

There was a consensus by the committee to forward the job descriptions to the State's Attorney's Office for review.

- *Discussion and Approval of RFP for Rural Broadband Feasibility Study* - Mr. Koeppel presented an RFP to increase broadband which would be funded through the ARP. Kendall County has shown a need for increased Broadband in order for children and families to complete homeschool, run businesses, and increase the fiber along Eldamain Road and other rural roads. The proposed President Biden infrastructure plan includes \$100 Billion. Member Vickers voiced the importance of this project and believes Representative Underwood would help support this project. Mr. Gengler agreed and stated that he has received requests for this service from Kendall County rural towns. Member Koukol made a motion to approve, second by Member Gengler.

ROLL CALL VOTE

Committee Member	Vote
Elizabeth Flowers	Aye
Scott Gengler	Yes
Judy Gilmour	Yes
Dan Koukol	Yes
Robyn Vickers	Yes

With five members voting aye, the motion passed by a 5-0 vote

- *Approval of MetroNet Go Policy* – Motion by Member Gengler, second by Member Koukol. Mr. Koeppel explained that Kendall County is installing a new phone system with new handsets. This package includes an application that can be installed on a mobile phone unit. Employees would be capable of answering their desk phones with their cellular phones while away from the office. The application would provide accountability through proper logging of incoming and outgoing calls. The policy would need to be in place, and employees would need to use it appropriately knowing that the application is used for County business only, there is no right to privacy, and all call records are subject to FOIA. This application would be made available only to employees chosen by department heads or elected officials.

ROLL CALL VOTE

Committee Member	Vote
Elizabeth Flowers	Aye
Scott Gengler	Yes
Judy Gilmour	Yes
Dan Koukol	Yes
Robyn Vickers	Yes

With five members voting aye, the motion passed by a 5-0 vote to forward the policy to the County Board

EXECUTIVE SESSION – Not needed

ITEMS FOR THE MARCH 11, 2021 COMMITTEE OF THE WHOLE - None

ACTION ITEMS FOR COUNTY BOARD –

- *Approval of MetroNet Go policy*

ADJOURNMENT – Member Gengler made a motion to adjourn the meeting, second by Member Koukol.

ROLL CALL VOTE

Committee Member	Vote
Elizabeth Flowers	Aye
Scott Gengler	Yes
Judy Gilmour	Yes
Dan Koukol	Yes
Robyn Vickers	Yes

With five members present voting yes, the meeting adjourned at 6:19 p.m.

Respectfully Submitted,

Suzanne Gonzalez, HR Specialist

COUNTY OF KENDALL, ILLINOIS
Health & Environment Committee
Monday, April 12, 2021
Meeting Minutes

CALL TO ORDER

The meeting was called to order by Vice Chair Judy Gilmour at 8:30a.m.

ROLL CALL

Attendee	Status	Arrived	Left Meeting
Robyn Vickers	Here		
Ruben Rodriguez	Excused		
Elizabeth Flowers	ABSENT		
Scott Gengler	Here		
Judy Gilmour	Here		

With three members present, a quorum was determined for the conducting of committee business.

OTHERS PRESENT: Ariel Beauchamp, KC Soil & Water District Education Coordinator; Steve Curatti, KC Health Department Assistant Executive Director, Alyse Olson, KC Soil & Water District, RaeAnn Van Gundy, Executive Director, Health Department

APPROVAL OF AGENDA – Member Gengler made a motion to approve the agenda, second by Member Vickers. **With three members present in agreement by roll call vote, the motion carried 3-0.**

STATUS REPORTS

- **Board of Health** – RaeAnn Van Gundy reported on the continued campaign to offer vaccination to every Kendall County resident. The plan includes more vaccinations for the manufacturing workers, and retail workers as part of Phase 1B (Part B), and moving into Phase 1C. Volunteers are always needed for the clinics, and those interested can get information from the County Website/Health Department. Director Van Gundy reported that the Health & Human Services building is scheduled to be at full staff, and reopen to citizens on May 3, 2021.
- **Health Department** – Lisa Holch reported that the first Mental Health Court is scheduled for Thursday, April 15th, and will include veterans. Ms. Holch stated that the Health Department continues work with Melissa Moore in the Judicial Office for the establishment and procedures of the court.

Ms. Holch also reported that the Health Department offers an 8-hour Mental Health First Aid training course once a month. The training is currently being conducted virtually, with limited numbers. Those interested in attending may contact Kerri Fuentes in the Mental Health Department to register.

- **Kendall County Soil and Water District** – Alyse Olson reported the annual Fish Sale and the Tree Sale were successful.

The District hosted a free Spring Pond Seminar virtually with Biologist Seth Love on March 11th with a good attendance. The seminar was recorded and is available on the District website for those interested.

The District will also host a Pollinator Webinar on March 19th focusing on pollinator habitats, the benefits they provide, and how to go about creating one. Speakers include Eleanor Schumacher, IL NRCS Pollinator Liaison, Vicki Morrical, NRCS Landscape Architect, Ellen Starr, NRCS Biologist, and Megan Andrews NRCS Soil Conservationist.

Ariel Beauchamp reported the Ag in the Classroom Food Drive included five participating schools, and collected over 1800 pounds of food that will be divided by the Kendall County Food Pantry, the food pantry of Helmar Lutheran Church, and Harvest – New Beginnings Church food pantry. The winning school was Circle Center with an amazing “Cereal Run” contest, will enjoy an agriculturally themed movie party with a treat of locally grown popcorn.

Ms. Beauchamp reported that upcoming events include the week-long Farm Camp at the Dickson-Murst Farm for third through sixth graders from June 21st through June 25th that will introduce students to the historic and modern methods of farming and farm family life. Activities will include crafts, demonstrations, hands-on learning and ways to get dirt on their boots. Cost is \$150 per student and registration is available through the Conservation Foundation website: www.theconservationfoundation.org/farmcamp.

The Kendall County Farm and Safety Camp will take place on Tuesday, June 29th at Kellogg Farms in Yorkville, and is open to students age 8-12 years. Topics will include farm machinery and safety, livestock and safety, fire safety/first aid, insect/nature safety, a hay rack ride, great food, fun and Ag Olympics. Contact Ariel at kendallaitc@gmail.com with questions or to register.

- **Water Related Groups** – No Report
- **708 Mental Health Board** – No report

OLD BUSINESS – None

NEW BUSINESS - None

CHAIRMAN’S REPORT – None

PUBLIC COMMENT – None

ITEMS FOR COMMITTEE OF THE WHOLE – None

COUNTY BOARD ACTION ITEMS – None

EXECUTIVE SESSION – Not Needed

ADJOURNMENT – Member Gengler made a motion to adjourn the meeting, second by Member Vickers. **With three members present in agreement by roll call vote, the motion carried 3-0, and the meeting ended at 8:50a.m.**

Respectfully Submitted,

Valarie McClain
Administrative Assistant and Recording Clerk

KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE

Kendall County Office Building

Rooms 209 and 210

111 W. Fox Street, Yorkville, Illinois

6:30 p.m.

Hybrid Attendance

Meeting Minutes of April 12, 2021 – Unofficial until approved

CALL TO ORDER

The meeting was called to order by Chairman Gengler at 6:30 p.m.

ROLL CALL

Committee Members Present: Elizabeth Flowers (Attended Remotely), Scott Gengler (Chairman), Judy Gilmour (Vice-Chairwoman), Dan Koukol (Attended Remotely Starting at 6:34 p.m.), and Robyn Vickers (Attended Remotely Starting at 6:32 p.m.)

Committee Members Absent: None

Also Present: Matt Asselmeier (Senior Planner), Scott Koeppel (County Administrator Attended Remotely), Dan Kramer, Wanda Hogan, Jillian Prodehl, Jamie Prodehl, Tom Anzelc, Anne Vickery, Amy White (Attended Remotely), and John Tebrugge (Attended Remotely)

APPROVAL OF AGENDA

Member Gilmour made a motion, seconded by Member Flowers, to approve the agenda as presented.

The votes were as follows:

Yeas (3): Flowers, Gengler, and Gilmour

Nays (0): None

Abstain (0): None

Absent (2): Koukol and Vickers

The motion carried.

APPROVAL OF MINUTES

Member Gilmour made a motion, seconded by Member Flowers, to approve the minutes of the March 8, 2021, meeting.

The votes were as follows:

Yeas (3): Flowers, Gengler, and Gilmour

Nays (0): None

Abstain (0): None

Absent (2): Koukol and Vickers

The motion carried.

Member Vickers started attending remotely at this time (6:32 p.m.).

PUBLIC COMMENT

Anne Vickery, Seward Township, expressed concerns about things happening in the southern part of the County, particularly a degrading of properties. She stated that A-1 special use permits were being abused. Properties are becoming junk piles and nobody is paying attention to these issues. She referenced the Junk and Debris Ordinance. She stated that a lack of enforcement exists in the County and is a detriment to the community. She suggested that townships could take over ordinance enforcement. She noted noise coming from parties at properties without necessary special use permits.

Member Koukol started attending remotely at this time (6:34 p.m.).

Member Koukol stated that he agreed largely with Ms. Vickery's comments.

EXPENDITURE REPORT

The Committee reviewed the expenditure report from March 2021.

PETITIONS

Petition 20-32 Cindy Gates on Behalf of the Cindy Gates Trust and Mark Cox on Behalf of Cox Landscaping.

Mr. Asselmeier summarized the request.

Cindy Gates, on behalf of the Cindy Gates Trust, currently leases the subject property to Mark Cox of Cox Landscaping, LLC for use as a landscaping business.

Prior to the COVID-19 closures, the County received a complaint that a landscaping business was operating at the subject property without proper zoning. Efforts to determine if the use qualified for grandfathering were unsuccessful and the Petitioner decided to pursue a map amendment and special use permit. The COVID-19 closures and efforts to obtain stormwater information caused the application to be delayed.

The subject property is split zoned between A-1 and B-3. The request makes the entire frontage of the parcels B-3 and establishes a special use permit for a landscaping business over the area zoned B-3.

The application materials, aerial of the site portion of the property, site plan, and the plat of the area proposed for rezoning were provided.

The property is approximately two point five (2.5) acres.

The County's Future Land Use Map calls for the property to be Suburban Residential. Yorkville's Future Land Use Map calls for the property to be Agricultural.

Route 34 is a State-maintained arterial highway. There is a trail along Route 34.

There are no floodplains or wetlands on the property.

The adjacent land uses are agricultural to the north, east, and west, and commercial to the south.

The adjacent zonings are A-1, R-3 and B-3 and Planned Development B-3 and O in Yorkville.

The County's Future Land Use Map calls for the area to be Suburban Residential and the Yorkville Future Land Use Map calls for the area to be Suburban Neighborhoods and Mid-Density Residential.

Zoning Districts within one half (1/2) mile include A-1, R-3, B-3 in the County and Planned Development R-3 and O in Yorkville.

Pictures of the property were provided.

Four (4) residential subdivisions are located within one half (1/2) mile of the subject property.

EcoCAT Report submitted and found the Fox River INAI Site, Yorkville Forested Seep and Fen INAI Site, and the River Redhorse in the area. Adverse impacts were unlikely and consultation was terminated.

The LESA Score was 115 indicating a low level of protection.

The Petitioners appeared before the Bristol Township Board on February 5, 2020, prior to submitting an application with the County. The Bristol Township Board voted in favor of the request. The minutes of this meeting were provided. Petition information was sent to Bristol Township on January 20, 2021.

Petition information was sent to the United City of Yorkville on January 20, 2021. Yorkville reviewed this proposal at their March meetings. Yorkville expressed no objections to the proposal. An email regarding this matter was provided.

Petition information was sent to the Bristol-Kendall Fire Protection District on January 20, 2021.

ZPAC reviewed this proposal at their meeting on February 2, 2021. Discussion occurred regarding the lack of a septic system on the property. The Petitioner's Attorney noted that porta-john was on the property and no customers are invited on the property. Employees do not linger on the property. Based on the current use and proposed use of the property, restroom facilities are not required. The well on the property had previously been used to water plants related to the former nursery business at the property. ZPAC recommended approval of the proposed map amendment and special use permit with a vote of eight (8) in favor and zero (0) in opposition; two (2) members of the Committee were absent. The minutes of the meeting were provided.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on February 24, 2021. Member Wilson asked why the berm area did not screen the dirt pile. She also asked if any fencing would be around the dirt pile. Dan Kramer, Attorney for the Petitioner, said the dirt pile was behind the berm. Mr. Kramer said more landscaping would be planted on the berm in the spring. The berm and dirt pile were not near the nearby residences. The dirt pile varies in size as projects occur. The Kendall County Regional Planning Commission recommended approval of the proposed map amendment and special use permit with the conditions proposed by Staff by a vote of nine (9) in favor and zero (0) in opposition. The minutes of the meeting were provided.

The Kendall County Zoning Board of Appeals held a public hearing on the proposal on March 1, 2021. Discussion occurred regarding the history of the zoning of the property and the location of the fence. No members of the public testified in favor or in opposition to the request. The

Kendall County Zoning Board of Appeals recommended approval of the request by a vote of seven (7) in favor and zero (0) in opposition. The minutes of the hearing were provided.

The subject property has been used as a landscaping business without proper zoning for many years and the Petitioners would like to become compliant with the Zoning Ordinance.

According to the submitted business plan, Cox Landscaping, LLC provides general landscaping services to commercial and residential customers. The business has a maximum fifteen (15) employees. Employees arrive at the property at approximately 6:45 a.m., go to work sites, and return to the property by 5:30 p.m. The business operates at maximum capacity from April 1st through Thanksgiving. A smaller number of employees work for the business from November through April.

The subject property is used for offices and storage of landscaping materials.

The subject property is used for wholesale purposes only; no customers come onto the property.

The property presently consists of one (1) one thousand thirty (1,030) square foot steel building. An approximately fifty-three (53) square foot metal shed is located northeast of the steel building. A metal storage bin is located to the southeast of the steel building. An approximately one hundred twenty (120) square foot frame shed is also located southeast of the steel building. A new shed is shown on the site plan; the new shed will be approximately eight feet (8') tall. Any new structures would require applicable building permits.

The property also has one (1) two hundred fifty-two (252) square foot concrete storage area, one (1) two hundred sixteen (216) square foot concrete storage area, one (1) seven hundred fourteen (714) square foot concrete storage area, and one (1) five hundred forty-four (544) square foot wood storage bay. The height of the storage areas is twelve feet (12').

One (1) diesel tank is located on the property.

The property is served by well. There is no septic on the premises.

The property drains to the southeast.

The main parking area consists of gravel and crushed asphalt.

A pulverized black dirt pile will be located on the northern portion of the property.

A stormwater management permit will be required. The stormwater information was provided.

The property has two (2) accesses off of Route 34.

One (1) two thousand five hundred (2,500) square foot gravel parking area is located west of the steel building and one (1) five thousand (5,000) square foot parking lot is located north of the steel building. There are twelve (12) parking spaces in the gravel parking area west of the steel building with an additional twelve (12) parking spaces to the east of the steel building.

Lights are presently located on the property by the sign, flagpole, and on the steel building. One (1) freestanding light is also located on the property next to the steel building. No additional lighting is planned.

The site has less than thirty (30) parking spaces. Therefore, a photometric plan is not required.

A sign is already located on the property. The sign is five feet (5') wide and two feet (2') tall. The sign is three point eight feet (3.8') off of the ground for a total height of slightly under six feet (6'). A light exists next to the sign and flagpole.

A wooden fence six feet (6') in height is located between the steel building and the berm. The Petitioners plan to install a cyclone mesh fence with slats to prevent viewing by the public. The fence will be approximately six feet (6') in height. A new fence gate is visible on the site plan.

Security cameras are also located on the steel building.

The Petitioners also plan to have a three foot (3') maximum height berm with black dirt and mulch with landscaping in the location shown on the site plan.

A berm already exists parallel to Route 34.

No additional plantings are planned for either berm.

No information was provided regarding noise control.

No new odors are foreseen by the proposed use.

If approved, this would be the twelfth (12th) special use permit for a landscaping business in unincorporated Kendall County.

The Findings of Fact for the map amendment were as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used for agricultural and commercial purposes. The subject property has been used for a nursery and landscaping business for several years.

The Zoning classification of property within the general area of the property in question. The surrounding properties have business, office, residential, and agricultural zoning classifications. The subject property is split zoned A-1 Agricultural District and B-3 Highway Business District.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently split zoned A-1 and B-3. Landscaping businesses are special uses within both zoning classifications. However, from a regulatory and use standpoint, having a consistent zoning classification across both uses removes the possibilities of inconsistent and conflicting regulations that exist when a property possesses more than one (1) zoning classification.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. The trend of development along this portion of Route 34 is commercial, retail, office, similar related business uses.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The Land Resource Management Plan calls for the subject property to be Suburban Residential and the Yorkville Comprehensive Plan calls for the property to be Agricultural even though a portion of the property has been zoned for business uses since the 1970s.

The Findings of Fact for the special use permit were as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare. The owners of the business allowed by the special use permit will not invite the public onto the property.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. The subject property has been used as a landscaping business for a number of years. Appropriate restrictions may be placed in the special use permit to regulate the number of employees, hours of operation, and aesthetics of the operations at the property. Therefore, the neighboring property owners should not suffer loss in property values and will not negatively impact the adjacent land uses.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. This is true. The property has two (2) points of access off of Route 34. The site has adequate utilities and no customers of the business allowed by the special use permit will be invited onto the property. The owners of the business allowed by the special use permit have applied for applicable stormwater permits.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. True, the Petitioners are not requesting any variances.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. True, the proposed use is consistent with an objective found on Page 6-34 of the Kendall County Land Resource Management Plan which calls for "a strong base of agricultural, commercial and industrial uses that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents" through the encouragement ". . . of locally owned businesses."

Staff recommended approval of the requested map amendment. Staff also recommends approval of the requested special use permit for a landscaping business subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the site plan.
2. Any new structures constructed on the property shall not be considered for agricultural purposes and must secure applicable building permits.
3. Except for the purposes of loading and unloading, all landscape related materials shall be stored indoors or in the designated storage areas shown on the site plan.
4. Equipment and vehicles related to the business may be stored outdoors.
5. Within six (6) months of approval of the ordinance allowing the special use for a landscaping business at the subject property, the owners or operators of the business allowed by this special use permit shall install a cyclone mesh fence approximately six (6') in height in substantially the location depicted on the site plan.
6. One (1) business related sign five feet (5') wide by two feet (2') tall shall be allowed on the subject property as shown on the site plan. The sign can be a maximum four feet (4') off of the ground. The sign may be illuminated.
7. The owners of the business allowed by this special use permit may install necessary lighting for security purposes. All lights shall follow the lighting provisions contained in the Kendall County Zoning Ordinance.
8. The owners of the business allowed by the special use permit shall maintain the parking area shown on the site plan and in substantially the same location as depicted on the site plan. The parking area shall be gravel.
9. A berm three feet (3') in height as measured from the top of the berm to the base of the berm shall be installed and maintained in substantially the same location as shown on the site plan.
10. No landscape waste generated off the property can be burned on this site.
11. A maximum of fifteen (15) employees of the business allowed by this special use permit may report to this site for work. No employees shall engage in the sale of landscaping related materials on the property.
12. No customers of the business allowed by this special use permit shall be invited onto the property by anyone associated with the use allowed by this special use permit.
13. The hours of operation of the business allowed by this special use permit shall be Monday through Saturday from 6:45 a.m. until 5:30 p.m.
14. The owners of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
15. The property owner and operator of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
16. Failure to comply with one or more of the above conditions or restrictions could result in

the amendment or revocation of the special use permit.

17. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

18. This special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.

The draft ordinance was provided.

Member Gilmour made a motion, seconded by Member Koukol, to recommend approval of the map amendment and special use permit.

The votes were as follows:

Yeas (5): Flowers, Gengler, Gilmour, Koukol, and Vickers

Nays (0): None

Abstain (0): None

Absent (0): None

The motion carried.

The proposal goes to the County Board on April 20, 2021.

Petition 21-06 Jhon Cordero on Behalf of Cordero Real Estate, LLC

Mr. Asselmeier summarized the request.

The Petitioner purchased the subject property in 2020 and wishes to operate a tree service business onsite.

In discussing the proposal, the Petitioner's Attorney indicated that the Petitioner would engage in making, storing, and selling of mulch from trees the Petitioner's business cuts down from clients. The Petitioner would not grow trees onsite. The Petitioner's Attorney believed that the site would be used for contractor's office, storage of trailers, farm implements, and other similar equipment on an open lot, truck, truck tractor, and truck trailer storage yards, wholesaling and warehousing. These uses are permitted uses in the M-1 Limited Manufacturing District. Landscaping businesses are special uses in the M-1 Limited Manufacturing District. Accordingly, the Petitioner would like to rezone the property to the M-1 Limited Manufacturing District.

The application materials, Wetland Delineation Report, site plan, aerial of the property, and aerial of the property showing the location of wetlands on the property were provided.

The property is located approximately two sixty-eight feet (268') west of the intersection of Galena Road and East Beecher Road. The property consists of approximately twenty-five (25) acres.

The property is used agriculturally and the historic aerials show a house formerly located at the north end of the property.

The Future Land Use Map calls for the property to be Mixed Use Business.

Galena Road is a County maintained Major Collector Road. East Beecher is a Township maintained Local Road.

Yorkville has a trail planned along Galena Road. The Kendall County Forest Preserve has a trail planned along East Beecher Road.

There are no floodplains on the property. There are three (3) wetlands on the property totaling approximately ten (10) acres in size. Two (2) of the wetlands are farmed wetlands.

The adjacent land uses are Agricultural, Single-Family Residential, Commercial, and ComEd Right-of-Way.

The adjacent zoning districts are A-1, A-1 SU, and M-2 in the County. R-2, R-3, and B-3 districts are in Yorkville.

The Land Resource Management Plan calls for the area to be Mixed Use Business, Suburban Residential, and ComEd Right-of-Way in the County. Yorkville's Comprehensive Plan calls for the area to be Estate/Conservation Residential.

The A-1 Special Use Permits to the south are for gravel mining operation and compost facility. A M-3 Special Use Permit to the south of the property is for asphalt production.

EcoCAT Report submitted and indicated the presence of the Mottled Sculpin. Adverse impacts were unlikely and consultation was terminated.

The application for NRI was submitted on January 21, 2021. The LESA Score was 176 indicating a low level of protection. The NRI was provided.

Bristol Township reviewed this proposal at their meeting on March 3, 2021. The Township unanimously recommended approval of the request. The minutes were provided.

The Yorkville Planning Commission reviewed this proposal at their meeting on March 10, 2021. Discussion occurred regarding noise, odors, and proximity of the site to future residential development. The Yorkville Planning Commission recommended approval of the request by a vote of five (5) in favor and one (1) in opposition. The Yorkville City Council reviewed this proposal at their meeting on March 23, 2021 and had no objections to the requested map amendment; an email to the effect was provided.

Petition information was sent to the Bristol Kendall Fire Protection on February 10, 2021.

ZPAC reviewed this proposal at their meeting on March 2, 2021. Discussion occurred regarding lighting, the well and septic system, a dust control plan, and utilizing soil erosion and sediment control practices when the site is developed. ZPAC voted to forward the proposal to the Regional Planning Commission by a vote of eight (8) in favor and zero (0) in opposition; two (2) members were absent. The minutes of this meeting were provided.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on March 24, 2021. Discussion occurred regarding the possibility of rezoning the property to a different zoning classification. The M-1 District most closely matched the proposed uses for the site. Discussion occurred regarding split zoning the property. It was noted that the wetlands make the southern portion of the property unusable for manufacturing uses. Discussion occurred regarding potential conflicts between the County's Future Land Use Map, which calls

for the area to be Mixed Use Business, and Yorkville's Future Land Use Map, which calls for the area to be residential. Mr. Rios, owner of the house northeast of the subject property expressed his opposition to the proposal because of concerns related to times of operation, noise, dust, smell, and increased traffic. His septic field was located on the subject property and he requested that area be fenced. The Petitioner's Attorney did not agree to this request. Mr. Rios was asked if he purchased his home after the quarry and other manufacturing uses were in operation. Mr. Rios responded yes. Mr. Rios did not object to previous manufacturing related zoning requests in the area because of the distance of those uses from his house. The Kendall County Regional Planning Commission recommended approval of the requested map amendment by a vote of nine (9) in favor and zero (0) in opposition. Member Casey abstained because the poor audio quality prevented him from hearing much of the discussion. The minutes of the meeting were provided.

The Kendall County Zoning Board of Appeals held a public hearing on this proposal on March 29, 2021. Attorney Dan Kramer outlined the proposed site plan for the property, if the map amendment is approved. Mr. Kramer also stated that his client offered the Rioses a license agreement regarding the septic field and the Petitioner agreed to install a silt fence around the septic field after the specific location of the septic field was determined. Discussion also occurred regarding noise and screening. No members of the public testified in favor or in opposition to the request. The Kendall County Zoning Board of Appeals recommended approval of the request by a vote of six (6) in favor and zero (0) in opposition. Member Whitfield was absent. The minutes of the hearing were provided.

Per State law, map amendments cannot be conditioned. However, Section 13:10 of the Kendall County Zoning Ordinance requires that manufacturing site plans be approved by the Kendall County ZPAC.

According to the site plan, four (4) structures are proposed for the site. Any new structures would require applicable building permits.

The site plan proposes access off of Galena Road and E. Beecher Road.

No information was provided on the site plan regarding outdoor storage locations. While no new odors are foreseen, future site plan submittals should be examined to address odors.

No lighting information was provided. The site plan for the proposed business should be evaluated to address lighting.

No screening information was provided. Section 10:01.A.2 of the Kendall County Zoning Ordinance requires storage to be in completely enclosed buildings if located within one hundred fifty feet (150') of a residential zoning district. Any fencing or buffering should be evaluated as part of the site plan review process.

The site plan shows a detention pond on the south side of the property. Applicable stormwater and wetland permits could be required as part of the site plan review.

The site plan indicates a utility box onsite. Well and septic information would have to be evaluated as part of a building permit process.

The Findings of Fact were as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used for agricultural purposes with gravel mining, asphalt production, and composting uses also located in the vicinity.

The Zoning classification of property within the general area of the property in question. The surrounding properties in the unincorporated area are zoned A-1, M-2, and M-3.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1. A more intense Manufacturing zoning classification is necessary to cover all of the proposed uses instead of the existing A-1 zoning classification.

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

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The Future Land Use Map in the Land Resource Management Plan classifies this property as Mixed Use Business. The M-1 Limited Manufacturing District is consistent with the Mixed Use Business classification.

Because the Future Land Use Map calls for this property to be Mixed Use Business, Staff recommended approval of the requested Map Amendment. However, careful site plan review should occur when the property is developed to ensure that negative impacts on the wetlands and other environmentally sensitive features of the property are minimized.

The draft ordinance was provided.

Dan Kramer, Attorney for the Petitioner, stated that traffic would enter from East Beecher Road. There would be a right-in, right-out on Galena Road. They would use a chemical that was used at ready-mix plants for dust control. The Petitioner was not a landscaper. The Petitioner was not aware that the septic field was on the subject property. A silt fence would be placed around the septic field and the Petitioner would offer the neighbor a license agreement. Mr. Kramer noted that Yorkville had not examined uses in that area, which explained the Estate Residential classification in Yorkville's plan. He explained that residential uses would not be ideal in this area due to the existing and past manufacturing uses in the area. He also noted the wetlands on the property. The Petitioner would be interested in purchasing the neighboring residential house.

Member Koukol asked if an agricultural special use permit would be applicable. Mr. Asselmeier responded that the proposed uses fit more with the M-1 District.

Member Koukol expressed concerns about vibrations. Mr. Kramer did not believe that vibrations would occur.

Member Flowers asked about potential contamination from the proposed use in the wetlands. Mr. Kramer said no contamination would occur due to buffering.

The site plan would need to be approved at ZPAC. Member Koukol requested that Mr. Asselmeier closely examine the site development aspect of the project to make sure no adverse impacts occur to the wetlands and the adjacent house.

Mr. Kramer explained the difference between a license and an easement. The license would expire when the septic system fails. The license would extend to new property owners of both properties.

Member Koukol made a motion, seconded by Member Vickers, to recommend approval of the map amendment.

The votes were as follows:

Yeas (5): Flowers, Gengler, Gilmour, Koukol, and Vickers

Nays (0): None

Abstain (0): None

Absent (0): None

The motion carried.

The proposal goes to the County Board on April 20, 2021.

Petition 21-07 Wanda Thomas Hogan

Mr. Asselmeier summarized the request.

According to the information provided to the County, the Petitioners would like to offer an outdoor, twenty (20) stall market on the subject property with food. The market would feature vendors, including the Petitioners, their family members, and other vendors, that would sell goods not produced on the premises.

The application materials, plat of survey, site plan, and the aerial of the property were provided.

The property is located at 14975 Brisbin Road.

The property is approximately three point eight (3.8) acres.

The current land use is Agricultural. The future land use is Rural Estate Residential.

Brisbin Road is a township maintained Major Collector.

There are no trails planned along Brisbin Road.

There are no floodplains or wetlands on the property.

The adjacent land uses are Agricultural.

The adjacent zoning districts are A-1.

The Future Land Use Map calls for the area to be Agricultural and Rural Estate Residential. The Village of Plattville's Future Land Use Map calls for the property to be Low Density Residential. The subject property is greater than one point five (1.5) miles from the Village of Lisbon. However, the Village of Lisbon's Future Land Use Map calls for this property to be Mixed Use Business and Agricultural.

The A-1 special use to the west is for an indoor storage facility of boats, trailers, recreational vehicles and classic cars.

EcoCat submitted on February 2, 2021, and consultation was terminated.

NRI application submitted on January 28, 2021. LESA Score was 190 indicating a low level of protection. The NRI Report was provided.

Lisbon Township reviewed this proposal at their meeting on March 9, 2021. The Lisbon Township Planning Commission recommended approval. The Lisbon Township Board voted to accept the Petition. The minutes of the meeting were provided.

Brisbin Road is maintained by Seward Township in this area. Seward Township was emailed information on February 10, 2021.

The Village of Plattville was emailed information on February 10, 2021.

Lisbon-Seward Fire Protection District was emailed information on February 10, 2021.

ZPAC reviewed this proposal at their meeting on March 2, 2021. The Health Department did not have any concerns regarding the porta-johns. No music would occur as part of the market. ZPAC voted to forward the proposal to the Regional Planning Commission by a vote of eight (8) in favor and zero (0) in opposition; two (2) members were absent. The minutes of this meeting were provided.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on March 24, 2021. Clarification was made regarding the outdoor display of good. Goods can be displayed outdoors, if the County Board approves outdoor sales. Discussion occurred regarding having an operating season stated in the special use permit. Vendors will have a table and tent. Vendors will not leave their products onsite when the market is closed. Discussion also occurred regarding the number of people on the property and how to handle parking, if all of the parking spaces were occupied. Cathleen Anzelc expressed concerns about other neighbors pursuing similar special use permits and the items that would be sold at the market. Tom Anzelc, Lisbon Township Trustee, expressed concerns regarding safety at the property due to the ponds and slide. Anne Vickery, Seward Township Highway Commissioner, commented on the negative appearance of the property, lack of code enforcement, concerns about uncontrolled events on the property, and that parking will not be allowed on Brisbin Road. The Petitioner indicated that she was going to use the market as a method to clean-up the property and that the driveway would not be blocked for emergency vehicles. The Petitioner did not provide any information on the maximum number of people that could be on the property at a given time. The Kendall County Regional Planning Commission voted to recommend denial by a vote of zero (0) in favor and nine (9) in opposition. Member Casey was absent. The minutes of this meeting were provided.

The Kendall County Zoning Board of Appeals held a public hearing on the proposal on March 29, 2021. The Petitioner clarified that the proposed use would not be a flea market. The use would be more aligned with a craft market and farmers' market. The Petitioner agreed to install a fence around the ponds. The maximum number of patrons at the site would be eighty-four (84). The Petitioner would turn people away if all of the parking spaces were occupied. The Petitioner would also carry insurance for the market. Cathleen Anzelc reiterated her concerns from the Regional Planning Commission meeting and noted that she did not believe this use was necessary in the area. Tom Anzelc, Lisbon Township Trustee, reiterated his concerns from the Regional Planning Commission meeting and added that he felt the ground was unsuitable for the proposed use. Anne Vickery reiterated her concerns from the Regional Planning Commission meeting and added that she would tow cars parked on Brisbin Road. Discussion also occurred regarding other, similar uses in the area. The Kendall County Zoning Board of Appeals voted to recommend denial with a vote of six (6) in opposition to the proposal and zero (0) in favor of the proposal. The minutes of the hearing were provided.

According to the plat of survey and the site plan, the site will consist of twenty (20) outdoor vendor stations plus one (1) additional food vendor located along the western and southwestern portion of the property near the existing approximately forty foot by eighty foot (40'X80') steel barn. A food area will be located north of the barn. An existing red storage trailer is located north of the existing gravel drive.

No new buildings are planned for the site. No existing structures are planned for demolition.

Section 7:01.D.48 places several conditions and restrictions on special use permits for the sale of pottery, art, and home décor. These include:

1. A sit-down food area is allowed if incidental to the primary operation of retail sales.
2. The subject parcel must not be less than three (3) acres in size.
3. Must be along a hard surfaced road classified as an arterial or major collector in the Land Resource Management Plan.
4. Is located in an area not designated as Agricultural on the Land Resource Management Plan.
5. Must occur in a manner that will preserve the existing farmhouse, barns, related structures, and the pastoral setting.
6. Must serve as a transitional use between agricultural areas and advancing suburban development.
7. Must serve to prevent spot zoning.
8. Retail and wholesale sales must occur in an existing building, unless otherwise approved by the County Board.
9. Any new structures must reflect the current architecture of the existing structures.
10. No outside display of goods.

11. Cannot generate noise, vibrations, glare, fumes, odors, or electrical interference beyond which normally occurs on A-1 zoned property.
12. Limited demolition of farmhouse and outbuildings is allowed.
13. Site plan is required.
14. Signage must follow the requirements in the Zoning Ordinance.
15. Off-street parking must follow the requirements in the Zoning Ordinance.

Assuming the County Board approves sales outside existing buildings, all of the above requirements of the Zoning Ordinance are addressed.

If approved, this would be the tenth (10th) special use permit for the sale of products not grown on the premises in the unincorporated area.

According to the business plan provided, the Petitioner would like operate the market a maximum two (2) weekends per month. The market would be open from 8:00 a.m. until 5:00 p.m. with vendors given additional time to set-up their spaces. A weekend is considered Saturday and Sunday.

Other than the Petitioner and their family, the business will not have any employees.

No new structures are planned for the property.

A barrier will be installed by the propane tank.

According to the site plan, two (2) porta-johns are planned south of the existing red storage trailer.

A potable water source is available in the existing steel barn.

The Petitioner would make accommodations for vendors that want electricity. Solar panels are onsite.

A refuse area is planned east of the porta-johns.

The property drains to the east.

The Petitioner secured stormwater permits in 2000 for the construction of the two (2) ponds on the premises.

Based on the information provided, no stormwater permits are required.

The property fronts Brisbin Road. Patrons would drive west on the existing gravel driveway and park in one (1) of the designated areas. Patrons would leave the property on the same gravel driveway.

The site plan shows two (2) parking areas. The parking area by the existing steel barn consists of seven (7) parking spaces plus two (2) handicapped accessible parking spaces. The seven (7) parking stalls would be eight feet by fifteen feet (8'X15'). The two handicapped parking spaces would be ten feet by fifteen feet (10'X15') with a five foot (5') landing area. An additional

thirteen (13) parking spaces are planned along the north property line. The parking spaces would be gravel with the exception of the two (2) handicapped accessible spaces which would be hard surfaced.

Vendors would park at their vending station.

The Petitioners plan to use cones with chains to keep vehicles away from pedestrians.

No additional lighting was planned as part of this project. If additional lighting were added, a photometric plan would be required because the number of parking spaces exceeds thirty (30).

The Petitioner plans to have a sign at Brisbin Road when the market is open. A picture of the sign was provided. The sign is approximately four feet by six feet (4'X6') in size. While the sign can be illuminated, the Petitioner will not light the sign.

No additional landscaping is planned.

No information regarding noise control was provided.

The Findings of Fact were as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. False. The establishment, maintenance, and operation of the special use permit will be detrimental to the public health, safety, morals, comfort, or general welfare.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. False. The proposed use will be injurious to neighboring property values. The proposed use does not provide adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space or other improvements to insure that adverse impacts will not impact neighboring properties.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. Adequate access roads and points of ingress and egress are not being provided.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. This is false.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The proposed use is inconsistent with the purpose and objectives of the Land Resource Management Plan and conflicts with agricultural uses.

Staff recommends approval of the requested special use permit subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the site plan. Any new structures related to the uses allowed by this special use permit shall require a major amendment to the special use permit and any new structures must reflect the current architecture of the existing structures. Limited demolition of farmhouse and outbuildings is allowed.
2. The subject parcel must remain at least (3) acres in size.
3. The uses allowed by this special use permit must occur in a manner that will preserve the existing farmhouse, barns, related structures, and the pastoral setting.
4. Retail and wholesale sales may occur outside existing buildings.
5. The uses allowed by this special use permit cannot generate noise, vibrations, glare, fumes, odors, or electrical interference beyond which normally occurs on A-1 zoned property.
6. A maximum twenty (20) vendors and one (1) additional food vendor may be on the subject property.
7. The uses allowed by this special use permit may operate a maximum of two (2) weekends per month. For the purposes of this ordinance, a weekend shall be considered Saturdays and Sundays. The uses may be open for sale between the hours of 8:00 a.m. and 5:00 p.m. The property owner may reduce these hours of operation. Vendors may setup no earlier than two (2) hours prior to opening and must be offsite within two (2) hours of closing.
8. Only the owners of the property and their family members shall be employees of the business allowed by this special use permit.
9. The owners of the business allowed by this special use permit may install one (1) sign along Brisbin Road. The sign shall be a maximum of four feet by six feet (4'X6') in size. The sign shall not be illuminated. The sign may be placed along Brisbin Road on days when the uses allowed by the special use permit are open.
10. All trash and garbage generated by uses allowed by this special use permit shall be stored in the garbage areas designated on the site plan. The owner(s) or operator(s) of the business allowed by this special use permit shall ensure that garbage and trash shall be removed from the property at least one (1) time per week or as necessary to maintain the property clear of garbage and trash.
11. No music shall be generated by the uses allowed this special use permit.
12. The owner(s) or operator(s) of the uses allowed by this special use permit shall live at the subject property as their primary place of residence.
13. The operator(s) of the uses allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
14. The operator(s) of the uses allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of use.

15. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.

16. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

The draft ordinance was provided.

Wanda Hogan, Petitioner, discussed the market. Her main goal was to find a source of revenue to allow her husband to retire. She presented pictures of her property. She explained the procedure for handling overflow traffic. She also discussed where her family will be stationed to prevent people from going into the lake and neighboring properties. She stated that none of her immediate neighbors objected to the proposal. She has been self-employed since 1975 and has experience operating several businesses.

Members Flowers asked about merchandise available for sale. Ms. Hogan responded crafts, soaps, and lotions.

Member Koukol asked if the market was currently operational. Ms. Hogan said no. She planned to use approximately one (1) acre of the property. She would not have a charge per car. Ms. Hogan provided a history of how she got to this point in the approval process.

Member Koukol asked about fire protection. Ms. Hogan would provide fire extinguishers, if required.

Member Koukol questioned if the business was worthwhile, based on the number of patrons and vendors.

Member Gilmour asked about operational season. Ms. Hogan responded April through October, weather permitting. Member Gilmour felt the use was intense for the area.

The property has only one (1) entrance. Brisbin Road is a two (2) lane road.

Member Gilmour was concerned because the Findings of Fact were in the negative. Ms. Hogan stated that she was surprised that three (3) people expressed opposition to the proposal at previous meetings and she disagreed with the Findings of Fact.

Chairman Gengler noted the negative recommendations of the Regional Planning Commission and Zoning Board of Appeals. He suggested cleaning up the property and re-applying in the future. He compared the proposal with similar events in communities like Yorkville and Oswego.

Member Vickers asked about the fence location around the ponds. Ms. Hogan responded that she was putting up a four foot (4') snow fence between the sales area and pond.

Member Vickers expressed concerns about the negative recommendations from the Regional Planning Commission and Zoning Board of Appeals.

Member Flowers expressed concerns regarding traffic and traffic lines on Brisbin Road and the negative recommendations of the other advisory committees.

Ms. Hogan was obtaining a One Million Dollar (\$1,000,000) liability insurance policy.

Member Koukol echoed the concerns other Committee members and encouraged Ms. Hogan to clean-up the property.

Chairman Gengler asked Mr. Asselmeier about Ms. Hogan's option if the Committee issued a negative recommendation. Mr. Asselmeier responded that, if the County Board denies the special use permit, the Petitioner has to wait one (1) year before re-applying. The Petitioner could re-apply at any point, if they withdrew the Petition before County Board action.

Ms. Hogan said that would re-apply, if the proposal is denied. She would re-submit at some point.

Member Vickers made a motion, seconded by Member Flowers, to recommend approval of the special use permit.

The votes were as follows:

Yeas (0): None

Nays (5): Flowers, Gengler, Gilmour, Koukol, and Vickers

Abstain (0): None

Absent (0): None

The motion failed.

The proposal goes to the County Board on April 20, 2021.

Petition 21-08 Jamie and Jillian Prodehl

Mr. Asselmeier summarized the request.

Jamie and Jillian Prodehl would like to operate the Sable Creek Homestead, LLC banquet facility at the subject property.

From 2008 until 2018, the subject property had a special use permit for a place of worship.

The application materials, plat of survey, site plan, engineering plan, landscaping plan, photometric plan, building elevations, and aerial were provided.

The property is located at 4405 Van Dyke Road.

The property is approximately five point eight (5.8) acres.

The Existing Land Use is Single-Family Residential and Institutional.

The Future Land Use is Rural Residential.

Van Dyke Road is Township maintained Minor Collector.

A trail is planned along Van Dyke Road in this area.

A floodway and one hundred (100)-year floodplain are located along the southwest corner of the property.

The adjacent land uses are Agricultural.

The adjacent properties are zoned A-1.

The Future Land Use Map calls for the area to be Rural Residential and Public Institutional.

There is a special use permit to the east for a place of worship.

Based on the aerial of the site, there are eight (8) homes within a half (1/2) mile of the subject property.

The Illinois Natural Heritage Database shows the following protected resource in the vicinity of the project location: Aux Sable Creek INAI Site. Negative impacts were considered unlikely and consultation was terminated.

NRI application submitted on February 8, 2021. The LESA Score was 176 indicating a low level of protection. The NRI Report was provided.

Seward Township was emailed information on February 22, 2021.

Lisbon-Seward Fire Protection District set the maximum occupancy of the building at two hundred (200). They will do a pre-inspection of the facility. The email outlining this information was provided.

The Village of Plattville was emailed information on February 22, 2021.

The City of Joliet was emailed information on February 22, 2021.

ZPAC reviewed this proposal at their meeting on March 2, 2021. Discussion occurred regarding restroom facilities and the well. The Petitioner agreed to discuss the matter with the Health Department. The Highway Department requested that the large deliveries should travel west from the subject property. ZPAC voted to forward the proposal to the Regional Planning Commission by a vote of seven (7) in favor and zero (0) in opposition; three (3) members were absent. The minutes of the meeting were provided.

The Kendall County Regional Planning reviewed this proposal at their meeting on March 24, 2021. Member Nelson favored noise be measured from residential structures. Member Wilson expressed concerns regarding noise from Ellis House, the number of parking spaces, the location of wedding ceremonies on the property, speeders, and general noise in the area. Member Wilson felt that the proposed use would fit better in a business park. Member Wormley noted that the property was kept neat and clean. Member Casey felt the use would be good for the area. Discussion occurred regarding the stormwater plans for the site. The Petitioners emphasized their plans to keep the venue small, noted the dates the venue would be open, and noted that they live on the property. The Petitioners also emphasized that the tent would only be used as a social distancing requirement and outdoor speakers would be pointed toward the

building. The Petitioners worked with the Kendall County Sheriff's Department and found that at full capacity with one (1) garage door open, the noise reading at two hundred feet (200') was fifty-nine (59) dBa. With the door closed, the noise reading was forty-nine (49) dBa. The Petitioners were working with the Kendall County Health Department. The proposal meets the County's parking requirements. An email from Doug Wilson was read expressing Mr. Wilson's objection to the proposal because of increased noise, traffic, and loss of property value. Chuck Allen agreed with Mr. Wilson and expressed concerns about intoxicated drivers on rural roads and that the area is planned to be residential and agricultural, not business. Anne Vickery, Seward Township Highway Commissioner, expressed support for the project and noted that several Seward Township Trustees had no objections to the proposal. She also noted that a right-of-way dedication was unnecessary. Pastor Andrew O'Neal of Christ First Baptist Church expressed support for the proposal because there were no facilities like the proposed facility within forty-five (45) minutes of the Church, he believed the Petitioners have been great neighbors and he noted the improvements the Petitioners have made on the property. Jessica Nelsen believed the proposed use would be an asset to the community. The Kendall County Regional Planning Commission voted to recommend approval of the special use permit and variance with by a vote of nine (9) in favor and one (1) in opposition. Member Wilson voted against the proposal. The minutes of this meeting were provided.

The Kendall County Zoning Board of Appeals held a public hearing on the proposal on March 29, 2021. The Petitioner presented evidence that banquet facilities do not negatively impact housing values. The Petitioner agreed to the conditions proposed in the special use permit. Discussion occurred regarding how the property transformed from a church to its present condition. Anne Vickery, Seward Township Highway Commissioner, reiterated her support for the project. Pastor Andrew O'Neal reiterated his support for the project and noted that finding comparable venues with availability in the area was difficult. The Kendall County Zoning Board of Appeals recommended approval of the proposal with the conditions proposed by Staff by vote of six (6) in favor and zero (0) in opposition. Member Whitfield was absent. The minutes were provided.

The Petitioners intend to establish the Sable Creek Homestead, LLC banquet facility run by the Petitioners. As noted in the business plan, the Petitioners live at the subject property and will manage the facility. Jillian Prodehl is a Certified Wedding Planner, Venue Owner Certified, and Certified Wedding Designer. Jamie Prodehl owns Revolution Fabrications Services.

This type of use is permitted as a special use on an A-1 property with certain conditions. Those conditions include:

- a. The facility shall have direct access to a road designated as an arterial roadway or major collector road as identified in the Land Resource Management Plan.
- b. The subject parcel must be a minimum of five (5) acres.
- c. The use of this property shall be in compliance with all applicable ordinances.
- d. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
- e. The noise regulations are as follows:

Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which

exceeds sixty-five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.

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

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

The subject property and proposed business meets the above requirements except the first condition regarding roadway classification. The Petitioners are seeking a variance to this requirement.

The subject property possessed a special use permit for a place of worship. The ordinance granting this special use was provided. The previous owners voluntarily sought and the County Board approved a revocation of this special use permit in 2018.

If approved, this would be the ninth (9th) special use permit for a banquet facility in the unincorporated area.

The business plan for the proposed operations was provided. The plat of survey was provided. The site plan was provided.

According to the information provided to the County, the proposed banquet facility will utilize the existing approximately four thousand two hundred sixty-three (4,263) square foot metal barn for weddings and similar events. The site plan showed an approximately four hundred fifty (450) square foot patio south of the existing metal building. A proposed grassy area was planned southeast of the existing metal building for outdoor ceremonies. An existing concrete pad was shown next to the planned grassy area; a silo building or gazebo was planned for this area. The existing parking area next to the existing metal building would be expanded. A temporary tent would be located south of the parking area to accommodate events requiring social distancing. A new three thousand eight hundred forty (3,840) square foot storage building was planned north of the existing one thousand eighty (1,080) square foot metal building. An existing house and detached garage were also located on the property.

The existing metal building is fully insulated with over four inches (4") of spray foam insulation and exterior steel for noise and climate control. The maximum capacity of the existing metal building, as determined by the Lisbon-Seward Fire Protection District, is approximately two hundred (200) people. The building has dual furnace and AC units and can be used year-round. The renderings of the building were provided.

The maximum number of employees would be four (4), including the Petitioners.

The Petitioners would comprise a list of preferred, local vendors. All vendors would be required to be licensed and insured. The Petitioners would not provide food or alcohol for events; vendors would be utilized for these services.

The original proposed hours of operation were weekdays from 9:00 a.m. until 10:00 p.m. and 9:00 a.m. until Midnight on weekends. Weekends would be Fridays, Saturdays, the day prior to any Federal or State Holiday, and any Federal or State Holiday that lands on a Thursday. Vendors would operate from 9:00 a.m. until Midnight on weekends and 9:00 a.m. until 10:00 p.m. on Sundays; this time includes setup and breakdown of events. Weddings could occur between 10:00 a.m. until 11:00 p.m. on weekends. Amplified music must cease by 10:00 p.m. Event guests must leave by 11:00 p.m. on weekends. Bridal parties and individuals helping with breakdown must leave by Midnight on weekends. Cleanup for Sunday weddings shall be at 10:00 p.m. Rehearsals would occur on Tuesdays through Thursdays. Tours would be Monday through Thursday from 9:00 a.m. until 8:00 p.m. Planned maintenance would occur on Fridays through Mondays from 7:00 a.m. until 10:00 a.m.

A forty-eight (48) square foot trash enclosure is planned north of the new storage building. Garbage will be placed in a dumpster. The enclosure will have a swing door. Trash will be picked up on Tuesdays and additional pickups could occur, if necessary.

If approved, the Petitioners hope to start operations as quickly as possible.

Although the Petitioners do not have current plans to do so, ancillary items, such as shirts and glasses, may be sold on the premises.

The Petitioners have also developed a marketing plan.

An updated Occupancy Permit will be required reflecting the change of use for the existing metal building. Any structures constructed as part of the banquet facility operations will be required to secure applicable building permits.

The existing metal building has indoor restroom facilities. The septic field was located south of the existing metal building and the well is located north of the existing metal building.

The southwest corner of the property is located within a floodway and one hundred (100) year floodplain. An eight foot (8') wide grass path is proposed inside this area along with plantings.

The property fronts Van Dyke Road.

A right-of-way dedication was previously requested when the property was a church. The dedication was to be along the entire frontage of the property at a depth of twenty feet (20'). This dedication never occurred and, to date, the Township has not requested a dedication.

The site plan shows the gravel driveway expanding to twenty-four feet (24') in width.

The parking lot will consist of fifty-nine (59) parking spaces, including three (3) handicapped accessible parking spaces. The parking lot would be gravel except for the area reserved for the handicapped accessible parking spaces.

The photometric plan calls for three (3) new light poles. Two (2) of the poles would have twin head and one (1) pole would be a single head. One (1) new wall light is proposed on the new storage building. No lighting would leave the sight. The photometric plan was provided.

As noted on the site plan, one (1) circular sign is planned for the property. The supports for the sign will be seven feet (7') in height and five feet (5') in width. The circle will be no larger than four foot (4') in circumference. The sign will be doubled faced and will not be illuminated. A sign example was provided.

The landscaping plan shows five (5) six foot (6') ornamental trees, ten (10) six foot (6') Skyhigh Juniper trees, four (4) six foot (6') Emerald Green Arborvitae, six (6) five (5) gallon Isanti Redtwig Dogwoods, six (6) one (1) gallon Sweet Autumn Clematis, six (6) five (5) gallon Limelight Hydrangea, seven (7) five (5) gallon Vanilla Strawberry Hydrangea, and eight (8) one (1) gallon Kodiak Black Honeysuckle. The floodplain area is planned to have a dry mesic prairie seedmix with wildflowers. IDOT class seedmix 1 is also planned to be installed near the parking lot and between the tent area and new accessory building.

In addition to the plantings, two (2) split rail fences are planned south of the existing septic field and southwest of the temporary tent. Split rail fences are also planned along the outer perimeters of the grass areas east of the existing metal building, between the parking lot and the northern property line and at the northeast corner of the property.

The landscaping plan was provided.

The Petitioners agreed to follow Kendall County's noise regulations. As noted previously, the existing metal building is insulated to reduce noise from escaping the building. All amplified music will cease by 10:00 p.m. Non-amplified music will be allowed as part of wedding ceremonies.

The Findings of Fact for the special use permit were as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, or general welfare, provided that the site is developed in accordance with an approved site plan, landscaping plan, and lighting plan. Proper buffering and noise controls will be necessary to prevent noise from negatively impacting neighboring properties which can be addressed with reasonable conditions on the special use permit.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. The proposed use could be injurious to the enjoyment of other property in the immediate vicinity due to noise and light created from the proposed use. However, these negative impacts could be mitigated by

restrictions related to hours of operation, number of events, and noise origination requirements within the ordinance granting the special use permit.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. True, the property previously possessed a special use permit for a place of worship and utilities and other necessary facilities were addressed as part of the use of the site as a church. The Petitioner plans to work with the Kendall County Health Department to address the well and septic system. The Petitioner also proposes to widen the driveway.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. Provided that the variance is approved regarding distance to arterial and collector roads, the special use would conform to the applicable regulations of the district.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. True, the proposed use is consistent with an objective found on Page 3-6 of the Kendall County Land Resource Management Plan which states as an objective "Encourage Agriculture and Agribusiness."

The Findings of Fact for the variance were as follows:

That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. The proposed banquet hall is approximately one half (1/2) mile from an arterial or major collector (Grove Road). In 2018, the County granted a similar variance for a banquet hall located approximately one point two (1.2) miles from an arterial roadway.

That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. This is not true. Other banquet halls in the rural areas could face similar concerns. The specific number of properties sharing similar characteristics is unknown.

That the alleged difficulty or hardship has not been created by any person presently having an interest in the property. The Petitioners desired to have a banquet hall at the subject property. However, the Petitioners were not responsible for the determining the road classification for Van Dyke Road.

That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. True, the Kendall County Sheriff's Department, Seward Township, and the Lisbon-Seward Fire Protection District have not expressed any concerns regarding the proposed use being materially detrimental to the public welfare or injurious to other property in the neighborhood.

That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the

neighborhood. True, the proposed use will not block light or air from adjacent properties. The proposed use will not cause an increase in congestion on public streets because events will not be held every day. Provided the business allowed by the special use permit follows the restrictions placed on the special use permit, no increase to the danger of fire or the endangerment of public safety should occur. Data does not exist as to whether the placement of the proposed use will diminish or impair the property values of the properties located in the vicinity of the subject property.

Staff recommends approval of the requested special use permit and variance subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the site plan, landscaping plan, and photometric plan.
2. A variance to Section 7:01.D.12.a shall be granted to allow the placement of the banquet hall on a non-arterial and non-major collector roadway.
3. A maximum of two hundred (200) guests, vendors, and employees in attendance at a banquet center related event may be on the subject property at a given time.
4. The business allowed by this special use permit may have a maximum of four (4) employees, including the property owners.
5. The subject parcel must maintain a minimum of five (5) acres.
6. The owners of the business allowed by this special use permit may install one (1) sign in substantially the location shown on the site plan. The sign shall look similar to the sign example. The supports for the sign will be seven feet (7') in height and five feet (5') in width. The circle will be no larger than four foot (4') in circumference. The sign may be double sided. The sign shall not be illuminated.
7. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
8. The noise regulations are as follows:

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

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

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

9. No music shall originate outside of any building. This restriction shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall

be pointed towards the inside of the building. For music originating inside the building, all amplified music shall cease on or before two hours prior to closing.

10. The hours of operation for the business allowed by this special use permit shall be between 9:00 a.m. and 10:00 p.m. on weekdays and between 9:00 a.m. until Midnight on weekends. For the purposes of this ordinance, a weekend shall be Fridays, Saturdays, the day prior to any Federal or State Holiday, and any Federal or State Holiday that falls on a Thursday. All other days shall be considered weekdays. Maintenance of the property may occur outside these hours of operation.
11. All guests at events related to the business allowed by this special use permit shall vacate the property no later than one (1) hour prior to the business closure time listed in the previous condition. Vendors and individuals assisting with the cleanup of events must vacate the property by the closure time listed in the previous condition.
12. None of the buildings associated with the business allowed by this special use permit shall be considered agricultural exempt structures. Applicable building and occupancy permits shall be secured for all new structures related to the business allowed by this special use permit. A new certificate of occupancy must be issued for the existing metal barn.
13. The owner(s) or operator(s) of the business allowed by this special use permit shall live at the subject property as their primary place of residence.
14. All trash and garbage generated by events associated with the business allowed by this special use permit shall be stored in the trash enclosure shown on the site plan. The owner(s) or operator(s) of the business allowed by this special use permit shall ensure that garbage and trash shall be removed from the property at least one (1) time per week or as necessary to maintain the property clear of garbage and trash.
15. The subject property shall be landscaped substantially in accordance with the landscaping plan. All landscaping and the driveway widening shall occur within one hundred twenty (120) days after the approval of the ordinance granting a special use permit for a banquet facility at the subject property.
16. The operator(s) of the banquet facility acknowledge and agree to follow Kendall County's Right to Farm Clause.
17. The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
18. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
19. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

The draft ordinance was provided.

Chairman Gengler asked if the County previously granted similar variances. Mr. Asselmeier responded yes.

Member Flowers asked about sound proofing. Mr. Asselmeier discussed the insulation and sound tests.

Member Vickers appreciated the work of the Petitioners.

Member Vickers made a motion, seconded by Member Koukol, to recommend approval of the special use permit and variance.

The votes were as follows:

Yeas (5): Flowers, Gengler, Gilmour, Koukol, and Vickers
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried.

The proposal goes to the County Board on April 20, 2021.

Without objection, the Committee amended the agenda to move Petition 21-15 to before Petition 21-10.

Petition 21-15 James and Denise Maffeo on Behalf of Four Seasons Storage, LLC

Mr. Asselmeier summarized the request.

On September 15, 2020, the Kendall County Board approved Ordinance 2020-14, granting a special use permit for an indoor/outdoor storage business approximately 0.15 miles north of the intersection of Route 52 and County Line Road on the west side of County Line Road in Seward Township.

Condition 4.B of the Ordinance stated that the fencing and landscaping had to be installed within two hundred forty (240) days of the approval of the special use permit ordinance. A copy of Ordinance 2020-14 was provided.

On March 22, 2021, the Petitioner submitted a request for an amendment to the special use permit to extend the deadline for installing the fencing and landscaping to October 31, 2021. The Petitioner stated that the project was impacted by the COVID closures and the desire to install the landscaping after the private road and detention pond were installed. A copy of the application was provided.

Petition information was sent to Seward Township and the Village of Shorewood on March 25, 2021. The Village of Shorewood submitted an email on March 29, 2021, expressing no objections to the request.

Staff recommends approval of the requested extension because of the unique situation caused by the COVID pandemic.

A draft minor amendment was provided.

Dan Kramer, Attorney for the Petitioner, explained the financing situation for the Petitioner and the status of the entire Go Pro Subdivision.

Member Koukol made a motion, seconded by Member Vickers, to approve the minor amendment as requested.

The votes were as follows:

Yeas (5): Flowers, Gengler, Gilmour, Koukol, and Vickers

Nays (0): None

Abstain (0): None

Absent (0): None

The motion carried.

Petition 21-10 Kendall County Regional Planning Commission

Mr. Asselmeier summarized the request.

In December 2019, the County Board approved a 2019-2039 Long Range Transportation Plan. In November 2020, the County Board approved a 2020-2040 Long Range Transportation Plan that was similar to the 2019-2039 Long Range Transportation Plan.

The Plan has several changes from the Future Land Use Map contained in the Land Resource Management Plan. After discussions with Fran Klaas, at their meeting on October 28, 2020, the Kendall County Comprehensive Land Plan and Ordinance Committee recommended the following changes to the Kendall County Land Resource Management Plan:

Remove

- Prairie Parkway
- Lisbon / Helmar Bypass
- Caton Farm Road West Route 71
- Fox River Drive Westerly Bypass of Village of Newark
- Whitfield Road Extension North to Griswold Springs Road
- Gates Lane West of Route 47
- County has now taken position to keep WIKADUKE Trail on the existing Stewart Road alignment all the way to Rance Road and then extend a new alignment northeasterly to Route 30 and Heggs Road, using the Village of Oswego's alignment for the WIKADUKE Trail.

Add

- Millington Road Extending North of Lions Road to Connect to Route 34
- Walker Road Relocated West of Route 71 to Make Connection to New Fox River Drive / Crimmins Road intersection
- Westerly Extension of Collins Road West of Minkler Road to Route 71
- Connecting Millbrook Road with the Millbrook Bridge by Aligning Millbrook Road and Whitfield Road behind the Existing Bank Building Now Owned by the Oliver-Hoffman Foundation
- Having Douglas Road's Alignment Correspond to the Village of Oswego's Plans
- Aligning Cannonball Trail to Dickson Road and Gordon Street
- Extending Cherry Road into the Henneberry Woods Forest Preserve
- Extending Johnson Road East from Ridge Road to the County Line
- Miller Road Extended in DeKalb County

Changes in Land Use

- Changing the Suburban Residential Classification for the Properties South of the Johnson Road Extension to Mixed Use Business

- Updating the Future Land Use Map to Reflect Current Municipal Boundaries
- Correcting the Classification of the Minooka School District Property Near the Intersection of Route 52 and County Line Road
- Classifying the Parcels of Land Shown as “Unknown” on the Future Land Use Map to Match Adjoining Properties and/or Uses

The proposal was presented at the February 6, 2021, Kendall County Regional Planning Commission Annual Meeting.

At their meeting on February 24, 2021, the Kendall County Regional Planning Commission voted to initiate the proposed amendments.

Petition information was mailed to the townships, Village of Millbrook, Village of Plattville, and impacted property owners on March 1, 2021. To date, Plattville, Millbrook, and no township have submitted comments on this proposal.

ZPAC reviewed this proposal at their meeting on March 2, 2021. ZPAC voted to forward the proposal to the Regional Planning Commission by a vote of seven (7) in favor and zero (0) in opposition; three (3) members were absent. The minutes of the meeting were provided.

Following the ZPAC meeting, discussion occurred with the Oliver-Hoffman Foundation regarding extending Millbrook Road northwest to Whitfield Road. Fran Klaas was in favor of removing this extension from the proposal. A copy of Fran Klaas’ email was provided.

The Kendall County Regional Planning Commission held a public hearing on this proposal on March 24, 2021. Chad Feldotto of the Oswegoland Park District submitted an email expressing the Park District’s support of the proposal. Johanna Byram from the Kendall County Historical Society asked about the zoning and land use classification of the Society’s property. Mr. Asselmeier responded the property is zoned A-1 Agricultural. The Future Land Use Map calls for most of the Society’s property to be Rural Residential. Ms. Byram asked which township the Society’s property is located. Mr. Asselmeier responded that the Society’s property is in Oswego Township. Mr. Asselmeier further explained that some properties were classified as Unknown. The Future Land Use Map impacts rezoning requests and not current land uses. The Kendall County Regional Planning Commission recommended approval of the requested amendments by a vote of ten (10) in favor and zero (0) in opposition. The minutes of the hearing were provided.

The Kendall County Zoning Board of Appeals reviewed this proposal at their meeting on March 29, 2021. Nobody from the public commented on the proposal. The Zoning Board of Appeals recommended approval of the proposal by a vote of six (6) in favor and zero (0) in opposition. Member Whitfield was absent. The minutes of the meeting were provided.

The draft resolution (including updated maps and list of changed parcels), road extension maps, current Future Land Use Map, and redlined text from the Land Resource Management Plan were provided.

Discussion occurred regarding the WIKADUKE Trail location. Member Gilmour explained that the location in the Long Range Transportation Plan was what the Highway Committee selected after discussion with the local municipalities.

Member Gilmour made a motion, seconded by Member Flowers, to recommend approval of the requested amendments to the Land Resource Management Plan.

The votes were as follows:

Yeas (5): Flowers, Gengler, Gilmour, Koukol, and Vickers
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried.

The proposal goes to the County Board on April 20, 2021.

Petition 21-11 Kendall County Historic Preservation Commission

Mr. Asselmeier summarized the request.

The Illinois Department of Natural Resources offers a Property Tax Assessment Freeze Program that freezes the assessed value of historic, owner-occupied, principal residences for eight (8) years when the owner undertakes a substantial, approved rehabilitation. The assessed value is brought back to market level over a period of four (4) years.

In order to qualify, a property must be a certified historic structure, either by listing on the National Register of Historic Places individually or in a district, or by local landmark designation in a community with an approved historic-preservation ordinance; be a single-family, owner-occupied, principal residence; or a condominium building; or a cooperative building; or a residential building with up to six (6) units as long as the building owner resides in a unit; undergo a rehabilitation whose budget exceeds twenty-five percent (25%) of the property's assessor's fair market value within a twenty-four (24)-month period; and undergo a rehabilitation that meets the Secretary of the Interior's "Standards for Rehabilitation." A description of the program was provided.

Nearby communities that participate in this program include Aurora, Joliet, Kane County, Oswego, Plainfield, and Will County.

In order to qualify for the program, Kendall County would need to submit a letter requesting certification.

Staff discussed this proposal with Assessor Andy Nicoletti and he had no objections to the County participating in the Program.

At their meeting on March 15, 2021, the Kendall County Historic Preservation Commission unanimously voted to initiate this request.

Member Flowers made a motion, seconded by Member Gilmour, to recommend approval of the letter.

The votes were as follows:

Yeas (5): Flowers, Gengler, Gilmour, Koukol, and Vickers
Nays (0): None
Abstain (0): None

Absent (0): None

The motion carried.

The proposal goes to the County Board on April 20, 2021.

NEW BUSINESS

Approval of Setting a Date and Time for a Second Planning, Building and Zoning Committee Meeting in the Month of April 2021

The consensus of the Committee was that a second meeting was unnecessary.

OLD BUSINESS

Review of Memo from WBK Engineering in Relation to FEMA Floodplain Management Bulletin P-2140 Floodplain Management Requirements for Agricultural Structures and Accessory Structures; Could Initiate Amendments to the Stormwater Management Ordinance as Outlined in the Memo

Mr. Asselmeier read the memo. He noted that WBK recommended against making any changes to the Stormwater Management Ordinance at this time.

The consensus of the Committee was not to make any changes to the Stormwater Management Ordinance in relation to Bulletin P-2140 at this time.

Discussion of Amending the Kendall County Stormwater Management Ordinance to Reflect the Issuance of Bulletin 75; Committee Could Initiate Amendments to the Stormwater Management Ordinance Related to Bulletin 75

Mr. Asselmeier summarized the request.

In January 2021, the Committee previously reviewed this proposal, but decided to wait until WBK completed their review of Bulletin P-2140 before making a decision.

Bulletin 70 was a document used by the Illinois State Water Survey (ISWS) to evaluate rainfall frequency in Illinois.

In March 2019, Bulletin 70 was updated and the County Board adopted the update to Bulletin 70 on October 15, 2020, through Ordinance 2019-26.

In March 2020, the ISWS updated Bulletin 70 again and changed its name to Bulletin 75.

WBK Engineering reviewed the revision and offered additional changes to the Kendall County Stormwater Management Ordinance caused by the update. The redlined version of changes to the Stormwater Management Ordinance were provided.

If the County does not update to the most current version of Bulletin 70/75, then the County would be utilizing outdated rainfall figures when designating and evaluating stormwater infrastructure. A copy of the change in rainfall tables was provided.

Accordingly, Staff recommends that the Kendall County Stormwater Management Ordinance be updated to reflect the changes proposed by WBK Engineering.

Pursuant to Section 808 of the Kendall County Stormwater Management Ordinance, no amendments to the Stormwater Management Ordinance can occur without a public hearing by

the County Board.

Member Gilmour made a motion, seconded by Member Koukol, to initiate the amendment as proposed.

The votes were as follows:

Yeas (5): Flowers, Gengler, Gilmour, Koukol, and Vickers
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried.

Mr. Asselmeier will work with Chairman Gryder to get the public hearing scheduled.

REVIEW VIOLATION REPORT

The Committee reviewed the violation report.

Update on 2511 Wildy Road

Mr. Asselmeier provided an update on the Wildy Road property. Administration organized a meeting with the State's Attorney's Office and the Department will work on gathering evidence of violations at the property.

REVIEW NON-VIOLATION REPORT

The Committee reviewed the non-violation report.

UPDATE FOR HISTORIC PRESERVATION COMMISSION

Approval of a Recommendation for a Proclamation Declaring May Historic Preservation Month in Kendall County

The Committee reviewed the proposed proclamation.

Member Flowers made a motion, seconded by Member Gilmour, to recommend approval of the proclamation.

The votes were as follows:

Yeas (5): Flowers, Gengler, Gilmour, Koukol, and Vickers
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried.

The proposal goes to the County Board on May 4, 2021

REVIEW PERMIT REPORT

The Committee reviewed the report.

REVIEW REVENUE REPORT

The Committee reviewed the report.

CORRESPONDENCE

None

COMMENTS FROM THE PRESS

None

EXECUTIVE SESSION

The consensus of the Committee was to postpone the executive session until the May meeting.

ADJOURNMENT

Member Vickers made a motion, seconded by Member Koukol, to adjourn.

The votes were as follows:

Yeas (5): Flowers, Gengler, Gilmour, Koukol, and Vickers

Nays (0): None

Abstain (0): None

Absent (0): None

The motion carried.

Chairman Gengler adjourned the meeting at 8:43 p.m.

Minutes prepared by Matthew H. Asselmeier, AICP, CFM Senior Planner

Enc.



Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: April 12, 2021

Amount: N/A

Budget: N/A

Issue: Petition 20-32-Request from Cindy Gates on Behalf of the Cindy Gates Trust and Mark Cox on Behalf of Cox Landscaping LLC for a Map Amendment Rezoning a Portion of 9000 Route 34, Yorkville, from A-1 Agricultural District to B-3 Highway Business District and a Special Use Permit for a Landscaping Business (PINs: 02-27-151-001 and 02-27-151-003) in Bristol Township

Background and Discussion:

The Petitioner would like to rezone the portion of the property that fronts Route 34 to B-3 Highway Commercial Business and obtain a special use permit for a landscaping business. The rear of the property would remained zoned A-1 Agricultural.

Prior to the COVID-19 closures, the County received a complaint that a landscaping business was operating at the subject property without proper zoning. Efforts to determine if the use qualified for grandfathering were unsuccessful and the Petitioner decided to pursue a map amendment and special use permit. The COVID-19 closures and efforts to obtain stormwater information caused the application to be delayed.

The record for the Petition can be found here, <https://www.co.kendall.il.us/home/showpublisheddocument?id=19332>.

The draft ordinance is attached.

Committee Action:

ZPAC-Approval (8-0-2), RPC-Approval with Conditions (9-0) ZBA-Approval with Condition (7-0), Bristol Township-Approval, Yorkville Planning Commission-Approval, Yorkville-Approval, Bristol-Kendall Fire Protection Dist-No Comments, PBZ Committee-Approval (5-0)

Staff Recommendation:

Approval with Conditions

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning Department

Date: April 13, 2021

ORDINANCE NUMBER 2021-_____

MAP AMENDMENT REZONING 1.32 ACRES +/- TO B-3 HIGHWAY BUSINESS DISTRICT AND GRANTING A SPECIAL USE PERMIT FOR A LANDSCAPING BUSINESS ON THE NORTHWESTERN 2.46 +/- ACRES AT 9000 ROUTE 34 AND IDENTIFIED BY PARCEL IDENTIFICATION NUMBERS 02-27-151-001 AND 02-27-151-003 IN BRISTOL TOWNSHIP

Rezone from A-1 to B-3 With Special Use Permit

WHEREAS, Section 13:07 of the Kendall County Zoning Ordinance permits the Kendall County Board to approve map amendments and provides the procedure through which map amendments are granted; and

WHEREAS, Section 13:08 of the Kendall County Zoning Ordinance permits the Kendall County Board to issue special use permits and place conditions on special use permits and provides the procedure through which special use permits are granted; and

WHEREAS, Section 9:03.C.15 of the Kendall County Zoning Ordinance permits the operation of landscaping businesses as a special use with certain restrictions in the B-3 Highway Business Zoning District; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural Zoning District and B-3 Highway Business Zoning District and consists of approximately 1.32 +/- acres zoned A-1 Agricultural District and 1.14 +/- acres zone B-3 Highway Business District all of which are located at the northwestern portion of the property currently addressed as 9000 Route 34 (PINs: 02-27-151-001 and 02-27-151-003), in Bristol Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as “the subject property.”; and

WHEREAS, the subject property is owned the Cindy Gates Trust and is represented by Cindy Gates; and

WHEREAS, the subject property is leased to Cox Landscaping, LLC and is represented by Mark Cox; and

WHEREAS, Cindy Gates on Behalf of the Cindy Gates Trust and Mark Cox on Behalf of Cox Landscaping, LLC jointly filed a Petitioner for Map Amendment and Special Use and shall hereinafter be referred to as “Petitioner”; and

WHEREAS, on or about January 20, 2021, Petitioner’s representative filed a petition for a Map Amendment rezoning the subject property from A-1 Agricultural to B-3 Highway Business District and for a Special Use Permit to operate a landscaping business on the subject property; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on February 4, 2021, the Kendall County Zoning Board of Appeals conducted a public hearing on March 1, 2021, at 7:00 p.m., in the Kendall County Historic Courthouse at 109 W. Ridge Street in Yorkville at which the Petitioner’s representative presented evidence, testimony, and exhibits in support of the requested Map Amendment and Special Use Permit and zero members of the public asked questions or testified in favor or testified in opposition to the request; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their findings of fact and recommended approval of the Map Amendment and Special Use Permit with restrictions as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated March 1, 2021, a true and correct copy of which is attached hereto as Exhibit B; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing and has considered the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has forwarded to the Kendall County Board a recommendation of approval of the requested Map Amendment and Special Use Permit; and

WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee and the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

WHEREAS, this special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals attached hereto as Exhibit B is hereby accepted and the Findings of Fact set forth therein are hereby adopted as the Findings of Fact and Conclusions of this Kendall County Board.
2. The Kendall County Board hereby grants approval of Petitioner's petition for a Map Amendment rezoning 1.32 +/- acres of the subject property from A-1 Agricultural District to B-3 Highway Business District as outlined in the legal description attached hereto as Exhibit A.
3. The Kendall County Board hereby grants approval of Petitioner's petition for a special use permit for the operation of a landscaping business in the area outlined in the legal description attached hereto as Exhibit A subject to the following conditions and restrictions:
 - A. The site shall be developed substantially in accordance with the attached site plan attached hereto as Exhibit C.
 - B. Any new structures constructed on the property shall not be considered for agricultural purposes and must secure applicable building permits.
 - C. Except for the purposes of loading and unloading, all landscape related materials shall be stored indoors or in the designated storage areas shown on the site plan attached hereto as Exhibit C.
 - D. Equipment and vehicles related to the business may be stored outdoors.
 - E. Within six (6) months of approval of the ordinance allowing the special use for a landscaping business at the subject property, the owners or operators of the business allowed by this special use permit shall install a cyclone mesh fence approximately six (6') in height in substantially the location depicted on the site plan.
 - F. One (1) business related sign five feet (5') wide by two feet (2') tall shall be allowed on the subject property as shown on the attached site plan (Attachment 3). The sign can be a maximum four feet (4') off of the ground. The sign may be illuminated.

- G. The owners of the business allowed by this special use permit may install necessary lighting for security purposes. All lights shall follow the lighting provisions contained in the Kendall County Zoning Ordinance.
 - H. The owners of the business allowed by the special use permit shall maintain the parking area shown on the site plan and in substantially the same location as depicted on the site plan attached hereto as Exhibit C. The parking area shall be gravel.
 - I. A berm three feet (3') in height as measured from the top of the berm to the base of the berm shall be installed and maintained in substantially the same location as shown on the site plan.
 - J. No landscape waste generated off the property can be burned on this site.
 - K. A maximum of fifteen (15) employees of the business allowed by this special use permit may report to this site for work. No employees shall engage in the sale of landscaping related materials on the property.
 - L. No customers of the business allowed by this special use permit shall be invited onto the property by anyone associated with the use allowed by this special use permit.
 - M. The hours of operation of the business allowed by this special use permit shall be Monday through Saturday from 6:45 a.m. until 5:30 p.m.
 - N. The owners of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
 - O. The property owner and operator of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
 - P. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
 - Q. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
- 4. This special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.
 - 5. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this Map Amendment and Special Use Permit.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 20th day of April, 2021.

State of Illinois
County of Kendall

Zoning Petition
#20-32

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

Exhibit A

topography as shown on FEMA Flood Insurance Rate Map Panel No. 17093C0045H with an effective date of January 8, 2014.

LEGAL DESCRIPTION OF TRACT TO BE REZONED FROM "B3" TO "B3-SU":

That Part of Lot 5 of Baker's Subdivision of Sections 27 and 28, Township 37 North, Range 7 East of the Third Principal Meridian described as follows: Beginning at the Southwest Corner of said Lot 5; thence South 66°01'56" East, along the Southwesterly Line of said Lot 5, 410.0 feet; thence North 23°58'04" East, 85.38 feet; thence North 48°41'24" West, 316.18 feet to the Southeast Line of U. S. Route 34; thence South 55°01'49" West, 209.70 feet to the point of beginning in Bristol Township, Kendall County, Illinois.

LEGAL DESCRIPTION OF TRACT TO BE REZONED FROM "A1" TO "B3-SU":

That Part of Lots 4 and 5 of Baker's Subdivisions of Sections 27 and 28, Township 37 North, Range 7 East of the Third Principal Meridian described as follows: Commencing at the Southwest Corner of said Lot 5; thence South 66°01'56" East, along the Southwesterly Line of said Lot 5, 410.0 feet; thence North 23°58'04" East, 85.38 feet for the point of beginning; thence North 48°41'24" West, 316.18 feet to the Southeast Line of U. S. Route 34; thence North 55°01'49" East, 202.81 feet to a line that is parallel with and 15.0 feet Southwest of the Northeasterly Line of said Lot 4 of Baker's Subdivision; thence South 65°51'43" East, along said parallel line, 197.16 feet to a line drawn North 23°58'04" East from the point of beginning; thence South 23°58'04" West, 267.38 feet to the point of beginning in Bristol Township, Kendall County, Illinois.

LEGAL

That Part of Section 27 East of the Third Principal Meridian as follows: Beginning at the Southwest Corner of said Lot 5; thence South 66°01'56" East, 410.0 feet; thence North 23°58'04" East, 85.38 feet; thence North 48°41'24" West, 316.18 feet to the Southeast Line of U. S. Route 34; thence South 55°01'49" West, 209.70 feet to the point of beginning in Bristol Township, Kendall County, Illinois.

JOB NO. 19313

JOB NAME COX

Phillip D. Young and

Exhibit B

The Kendall County Zoning Board of Appeals approved the following Findings of Fact and Recommendation at their meeting on March 1, 2021, by a vote of seven (7) in favor and zero (0) in opposition.

FINDINGS OF FACT-MAP AMENDMENT

§ 13:07.F of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to recommend in favor of the applicant on map amendment applications.

Existing uses of property within the general area of the property in question. The surrounding properties are used for agricultural and commercial purposes. The subject property has been used for a nursery and landscaping business for several years.

The Zoning classification of property within the general area of the property in question. The surrounding properties have business, office, residential, and agricultural zoning classifications. The subject property is split zoned A-1 Agricultural District and B-3 Highway Business District.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently split zoned A-1 and B-3. Landscaping businesses are special uses within both zoning classifications. However, from a regulatory and use standpoint, having a consistent zoning classification across both uses removes the possibilities of inconsistent and conflicting regulations that exist when a property possesses more than one (1) zoning classification.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. The trend of development along this portion of Route 34 is commercial, retail, office, similar related business uses.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The Land Resource Management Plan calls for the subject property to be Suburban Residential and the Yorkville Comprehensive Plan calls for the property to be Agricultural even though a portion of the property has been zoned for business uses since the 1970s.

FINDINGS OF FACT-SPECIAL USE PERMIT

§ 13:08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to recommend in favor of the applicant on special use permit applications.

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare. The owners of the business allowed by the special use permit will not invite the public onto the property.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. The subject property

has been used as a landscaping business for a number of years. Appropriate restrictions may be placed in the special use permit to regulate the number of employees, hours of operation, and aesthetics of the operations at the property. Therefore, the neighboring property owners should not suffer loss in property values and will not negatively impact the adjacent land uses.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. This is true. The property has two (2) points of access off of Route 34. The site has adequate utilities and no customers of the business allowed by the special use permit will be invited onto the property. The owners of the business allowed by the special use permit have applied for applicable stormwater permits.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. True, the Petitioners are not requesting any variances.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. True, the proposed use is consistent with an objective found on Page 6-34 of the Kendall County Land Resource Management Plan which calls for “a strong base of agricultural, commercial and industrial uses that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents” through the encouragement “. . . of locally owned businesses.”

RECOMMENDATION

Approval subject to the following conditions and restrictions for the special use permit:

1. The site shall be developed substantially in accordance with the site plan.
2. Any new structures constructed on the property shall not be considered for agricultural purposes and must secure applicable building permits.
3. Except for the purposes of loading and unloading, all landscape related materials shall be stored indoors or in the designated storage areas shown on the site plan.
4. Equipment and vehicles related to the business may be stored outdoors.
5. Within six (6) months of approval of the ordinance allowing the special use for a landscaping business at the subject property, the owners or operators of the business allowed by this special use permit shall install a cyclone mesh fence approximately six (6') in height in substantially the location depicted on the site plan
6. One (1) business related sign five feet (5') wide by two feet (2') tall shall be allowed on the subject property as shown on the site plan. The sign can be a maximum four feet (4') off of the ground. The sign may be illuminated.
7. The owners of the business allowed by this special use permit may install necessary lighting for security purposes. All lights shall follow the lighting provisions contained in the Kendall County Zoning Ordinance.
8. The owners of the business allowed by the special use permit shall maintain the parking area shown on the site plan and in substantially the same location as depicted on the site plan. The parking area shall be gravel.
9. A berm three feet (3') in height as measured from the top of the berm to the base of the berm shall

be installed and maintained in substantially the same location as shown on the site plan.

10. No landscape waste generated off the property can be burned on this site.
11. A maximum of fifteen (15) employees of the business allowed by this special use permit may report to this site for work. No employees shall engage in the sale of landscaping related materials on the property.
12. No customers of the business allowed by this special use permit shall be invited onto the property by anyone associated with the use allowed by this special use permit.
13. The hours of operation of the business allowed by this special use permit shall be Monday through Saturday from 6:45 a.m. until 5:30 p.m.
14. The owners of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
15. The property owner and operator of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
16. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
17. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
18. This special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.

DEVELOPER:

Cox Landscaping
4433 Tuma Road
Yorkville, Illinois 60545

PROPERTY LOCATION:

PIN: 02-27-151-001
PIN: 02-27-151-003

AREA TO BE REZONED:

2.4613 Acres

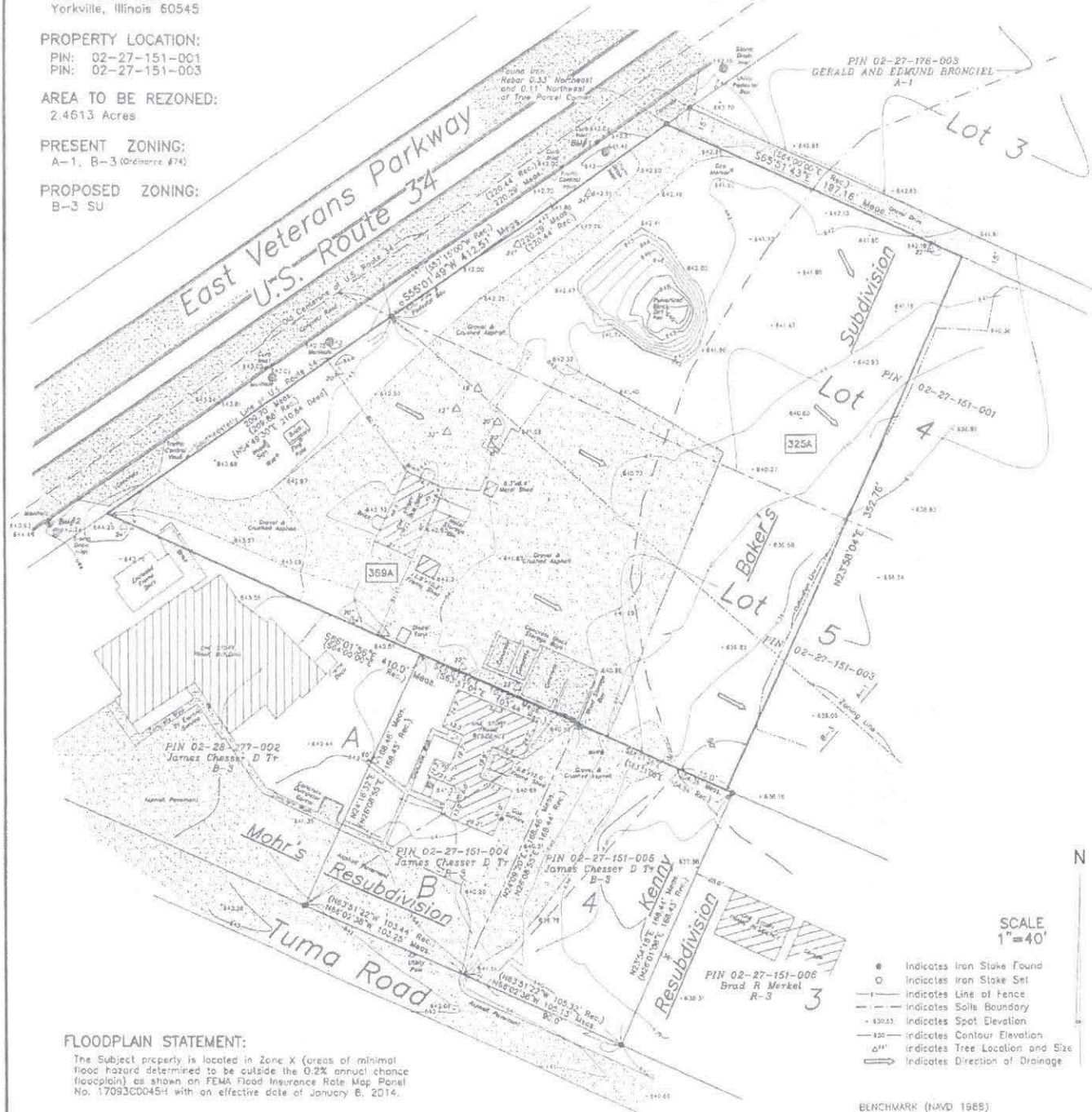
PRESENT ZONING:

A-1, B-3 (Ordinance #74)

PROPOSED ZONING:

B-3 SU

ZONING PLAT OF
PART OF LOTS 4 AND 5 BAKER'S SUBDIVISION
BRISTOL TOWNSHIP KENDALL COUNTY ILLINOIS



FLOODPLAIN STATEMENT:

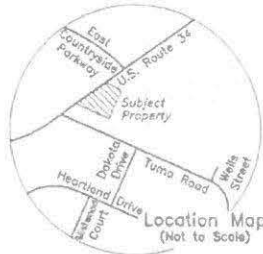
The Subject property is located in Zone X (areas of minimal flood hazard determined to be outside the 0.2% annual chance floodplain) as shown on FEMA Flood Insurance Rate Map Panel No. 17093C0045H with an effective date of January 6, 2014.

WETLANDS STATEMENT:

The National Wetlands Inventory Map depicts no wetlands on the Subject Property.

LEGAL DESCRIPTION OF TRACT TO BE REZONED:

That Part of Lots 4 and 5 of Baker's Subdivision of Section 27 and 28, Township 37 North, Range 7 East of the Third Principal Meridian described as follows: Commencing at the Southwest Corner of Lot 5 of Baker's Subdivision for a point of beginning; thence South 66°01'58" East along the Southwesterly Line of said Lot 5, 410.0 feet; thence North 23°58'04" East, 352.76 feet to a line that is parallel with and 15.0 feet Southwest of the Northeasterly Line of Lot 4 of Baker's Subdivision; thence North 65°51'43" East along said parallel line, 157.16 feet to the Southeast Line of U.S. Route 34; thence South 85°01'49" West along said Southeast Line, 412.51 feet to the point of beginning, in Bristol Township, Kendall County, Illinois.



BENCHMARK (HAYD 1985)

BM#1 -- Top of Curb Inlet at the Northwest Corner of Subject Property. Elevation = 842.55
BM#2 -- Manhole Rim at Curb at the Southwest Corner of Subject Property. Elevation = 844.23

SOILS

(From Web Soil Survey)

325A
368A

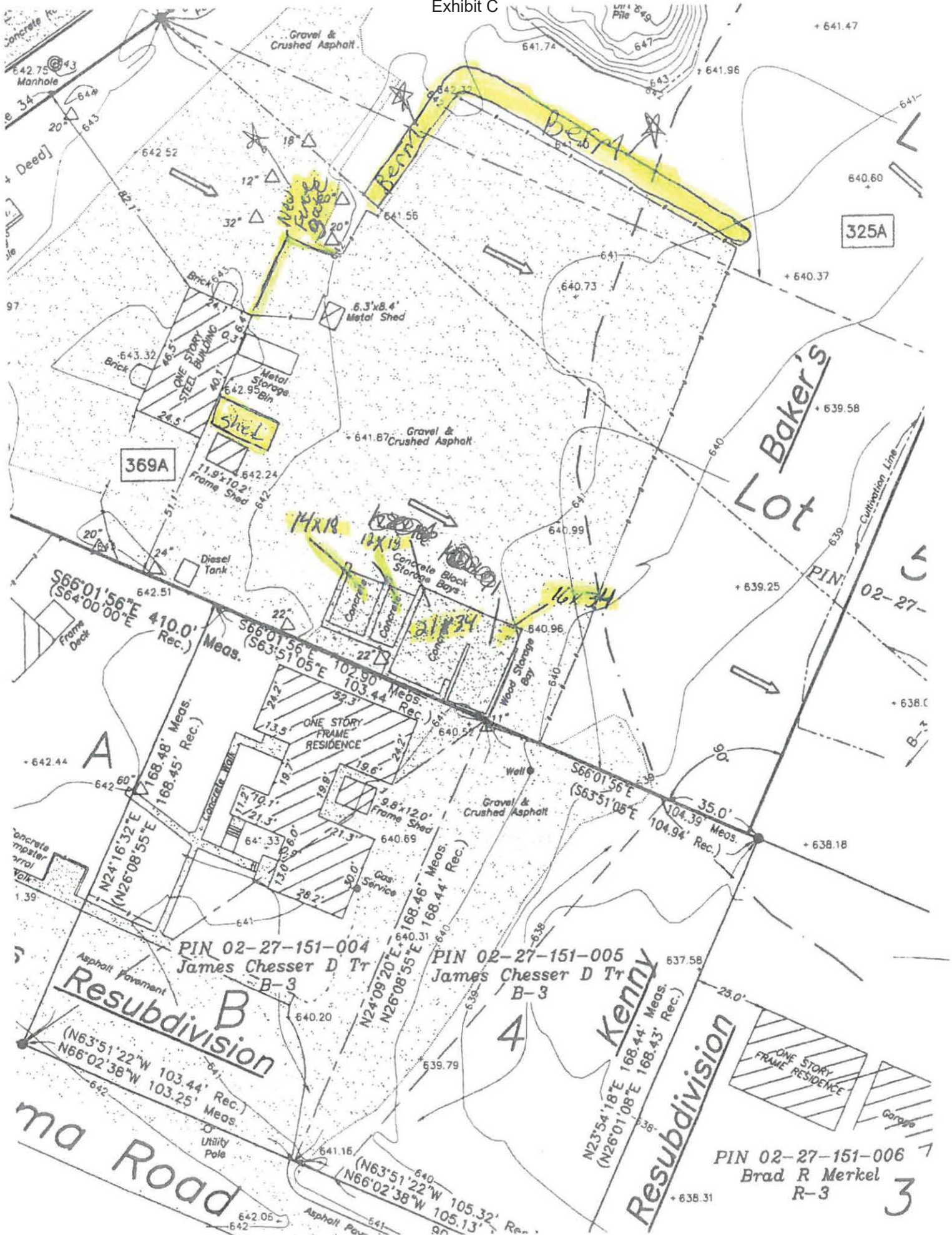
Greensand Silt Loam, 0%-2% slopes
Waupecon Silt Loam, 0%-2% slopes

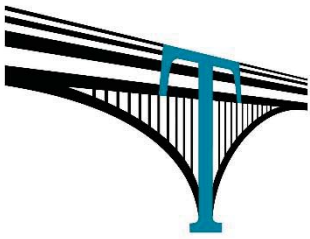
JOB NO.	19313
JOB NAME	COX
DWG FILE	19313

Phillip D. Young and Associates, Inc.
LAND SURVEYING - TOPOGRAPHIC MAPPING - Lic.#184-002775

1107B South Bridge Street
Yorkville, Illinois 60560
Telephone (630)553-1580

January 6, 2020





TEBRUGGE ENGINEERING

410 E. CHURCH ST.—SUITE A
SANDWICH, IL 60548

PHONE: (815) 786-0195
EMAIL: INFO@TEBRUGGEENGINEERING.COM
WEBSITE: WWW.TEBRUGGEENGINEERING.COM

December 4, 2020

Mr. Matt Asselmeier
Kendall County Planning, Building and Zoning Department
111 W Fox St
Room 204
Yorkville, IL 60560-1498

Re: Cox Landscaping
9000 E. Veterans Parkway
Yorkville IL

Dear Mr. Asselmeier,

I visited the site located at 9000 E Veterans Parkway and walked the site to review the parking and storage areas used by Cox Landscaping. The site topographic survey had recently been done by Phil Young & Associates and we completed a Civil Site Plan detailing the areas of topsoil stockpile and the landscape berm which was installed on the north and east sides of the rear storage area. We reviewed the site history of this property utilizing google earth back to 2000 and the north portion utilized by Cox Landscaping has not had any significant change since the previous landscape company used this site.

The drainage pattern is from north to south. The parking lots and storage area all drain to the south. The landscape berm around the rear storage area and the topsoil stockpile do not block or impede the overland flow of storm water to the south. There was no erosion of the topsoil stockpile noticed on the south side of the topsoil stockpile. Cox Landscaping stated that they use the topsoil on an as needed basis for their landscaping projects.

If you have any additional questions, please contact us.

Sincerely,

Tebrugge Engineering

John Tebrugge

Exhibit C

DEVELOPER:

Cox Landscaping
4433 Tuma Road
Yorkville, Illinois 60545

PROPERTY LOCATION:

PIN: 02-27-151-001
PIN: 02-27-151-003

AREA TO BE REZONED:

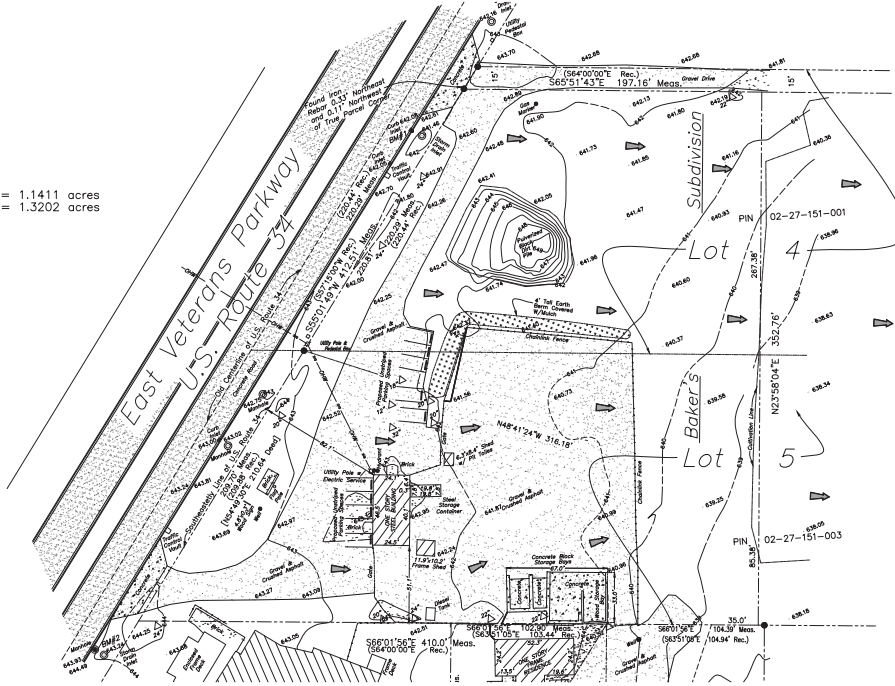
B3 to B3-SU 49707 sq.ft. = 1.1411 acres
A1 to B3-SU 57506 sq.ft. = 1.3202 acres
Total Area = 2.4613 Acres

PRESENT ZONING:

A1 and B3 (Ordinance #74)

PROPOSED ZONING:

B3-SU



LEGEND	
---	PROPERTY BOUNDARY
---	EXISTING CONTOUR LINE
---	EXISTING STORM SEWER
---	EXISTING SANITARY SEWER LINE
---	EXISTING WATERMAIN
---	EXISTING UNDERGROUND ELECTRIC
---	EXISTING OVERHEAD ELECTRIC
---	EXISTING GAS SERVICE
---	EXISTING TELEPHONE
---	PROPOSED CONTOUR LINE
---	PROPOSED WATERMAIN
---	PROPOSED STORM SEWER
---	PROPOSED SANITARY SEWER LINE
---	PROPOSED GREASE SERVICE LINE
---	PROPOSED VENT LINE
---	EXISTING FENCELINE
---	PROPOSED SILT FENCE
x 686.00	EXISTING SPOT SHOT
x 686.00	PROPOSED SPOT GRADE
WATER	EXIST
WATER	PROP
STORM	EXIST
STORM	PROP
SANITARY	EXIST
SANITARY	PROP
R.O.W. MONUMENT	UTILITY POLE
P.C. MARK	GUY WIRE LOC.
CHEELED MARK	UTL. CABINET
BENCHMARK	UTL. PEDestal
MIN. & TACK	LIGHT POLE
SOIL BORING	TRAFFIC SIGNAL
OVERLAND RELIEF	ELECTRIC VAULT
FLOW DIRECTION	GAS VALVE

SURVEY COMPLETED BY:

Phillip D. Young and Associates, Inc.
LAND SURVEYING - TOPOGRAPHIC MAPPING - Lic.#184-D02775

11078 South Bridge Street
Torrville, Illinois 60560
Telephone (630)553-1580

BENCHMARK (NAVD 1988)

BM#1 -- Top of Curb Inlet at the
Northwest Corner of Subject Property.
Elevation = 642.55
BM#2 -- Manhole Rim at Curb at the
Southwest Corner of Subject Property.
Elevation = 644.23

PROFESSIONAL ENGINEER'S CERTIFICATION

STATE OF ILLINOIS, COUNTY OF KENDALL

I, JOHN I. TEBRUGGE, A LICENSED PROFESSIONAL ENGINEER OF ILLINOIS, HEREBY CERTIFY THAT THESE PLANS HAVE BEEN PREPARED UNDER MY PERSONAL DIRECTION BASED ON AVAILABLE DOCUMENTS AND FIELD MEASUREMENTS FOR THE EXCLUSIVE USE OF THE CLIENT NOTED HEREON.

GIVEN UNDER MY HAND & SEAL THIS 1ST DAY OF DECEMBER, 2020.



John I. Tebrugge
ILLINOIS REGISTERED PROFESSIONAL ENGINEER
NO. 0062-041828 EXPIRES NOV. 30, 2021



TEBRUGGE ENGINEERING
800 E. CHURCH STREET - SUITE A • SANDWICH, IL 60588
PHONE (815) 786-8095 • TEBRUGGEENGINEERING.COM

NO.	DATE	NOTES

PREPARED FOR:
COX LANDSCAPING
9000 E VETERANS PARKWAY, YORKVILLE, IL 60560

COX LANDSCAPING SITE PLAN
EXISTING CONDITION PLAN

PROJECT NO. 20-045-01
SCALE: 1" = 30'
DATE: DEC 2, 2020
SHEET NO. 1
OF 1 SHEETS



Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: April 12, 2021

Amount: N/A

Budget: N/A

Issue: Petition 21-10-Request from RPC for Amendments to the Future Land Use Map by Having the Transportation Plan Correspond to the 2020-2040 Long Range Transportation Plan including the Trails Plan, Extend Cherry Road into the Henneberry Woods Forest Preserve, Update Municipal Boundaries, Reclassify Unknown Properties, Correct the Classification of the Minooka School District Property, and Related Text Changes

Background and Discussion:

Removes-Prairie Parkway, Lisbon / Helmar Bypass, Caton Farm Road West Route 71, Fox River Drive Westerly Bypass of Village of Newark, Whitfield Road Extension North to Griswold Springs Road, Gates Lane West of Route 47, and adjusts the WIKADUKE Trail Alignment

Adds-Millington Road Extended North of Lions Road to Connect to Route 34, Walker Road Relocated West of Route 71 to Make Connection to New Fox River Drive/Crimmins Road Intersection, Connected Millbrook Road with Whitfield Road, Has Douglas Road's Alignment Correspond to the Village of Oswego's Plans, Aligned Cannonball Trail to Dickson Road and Gordon Street, Extended Johnson Road East from Ridge Road to the County Line, Extended Cherry Road into the Henneberry Woods Forest Preserve, and Showed Miller Road Extended into DeKalb County

Land Use Changes-Changing the Classification for the Properties South of the Johnson Road Extension to Mixed Use Business, Updating Map to Reflect Current Municipal Boundaries, Corrected the Classification of Minooka School District Property, and Classified Properties Previously Shown as Unknown.

Record for the Petition-<https://www.co.kendall.il.us/home/showpublisheddocument?id=19670>. Resolution attached.

Committee Action:

ZPAC-Forward (7-0-3), RPC-Approval (10-0), ZBA-Approval (6-0-1), Townships-No Comments, Village of Plattville-No Comments, Village of Millbrook-No Comments, PBZ Committee-Approval (5-0)

Staff Recommendation:

Approval

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning Department

Date: April 13, 2021

RESOLUTION NUMBER 2021-_____

**A RESOLUTION ADOPTING AMENDMENTS TO THE KENDALL COUNTY LAND
RESOURCE MANAGEMENT PLAN BY AMENDING THE FUTURE LAND USE MAP BY
HAVING THE TRANSPORTATION PLAN CORRESPOND TO THE 2020-2040 LONG RANGE
TRANSPORTATION PLAN INCLUDING THE TRAILS PLAN, EXTENDING CHERRY ROAD
INTO THE HENNEBERRY WOODS FOREST PRESERVE, UPDATING MUNICIPAL
BOUNDARIES, RECLASSIFYING ISLANDS IN THE FOX RIVER TO OPEN SPACE,
RECLASSIFYING THE REMAINING UNKNOWN PROPERTIES TO MATCH ADJOINING
LAND USES, CHANGING THE RESIDENTIAL CLASSIFICATION OF PROPERTIES
IMMEDIATELY SOUTH OF THE JOHNSON ROAD EXTENSION TO MIXED USE BUSINESS,
CORRECTING THE CLASSIFICATION OF THE MINOOKA SCHOOL DISTRICT
PROPERTY NEAR ROUTE 52 AND COUNTY LINE ROAD TO PUBLIC/INSTITUTIONAL,
AND ASSOCIATED CHANGES WITHIN THE TEXT OF THE LAND RESOURCE
MANAGEMENT PLAN**

WHEREAS, 50 ILCS 805 allows Counties to create and adopt Land Resource Management Plans; and

WHEREAS, 55 ILCS 5/5-14001 through 5-14008 specifies how a County may adopt and amend Official Plans; and

WHEREAS, Kendall County adopted a Land Resource Management Plan in March 1994; and

WHEREAS, the Kendall County Board has amended the Land Resource Management Plan on several occasions since its adoption in March 1994; and

WHEREAS, the Kendall County Land Resource Management Plan has adopted official Future Land Use Maps for each township and for the County as a whole; and

WHEREAS, on November 17, 2020, the Kendall County Board adopted a 2020-2040 Long Range Transportation Plan; and

WHEREAS, the addition of certain road extensions approved in the 2020-2040 Long Range Transportation Plan required an evaluation of land uses adjacent to these extensions; and

WHEREAS, changes in municipal boundaries have occurred since the Land Resource Management Plan was originally adopted; and

WHEREAS, several properties were classified as Unknown on the Future Land Use Map contained in the Land Resource Management Plan; and

WHEREAS, certain property owned by the Minooka School District 111 was incorrectly classified on the Future Land Use Map contained in the Land Resource Management Plan; and

WHEREAS, on or about February 24, 2021, the Kendall County Regional Planning Commission filed a petition requesting certain changes to the Kendall County Land Resource Management Plan and shall hereinafter be referred to as "Petitioner"; and

WHEREAS, the Petitioner's petition included the following amendments to the Kendall County Land Resource

Management Plan: amending the Future Land Use Map by having the Transportation Plan correspond to the 2020-2040 Long Range Transportation Plan including the Trails Plan, extending Cherry Road into the Henneberry Woods Forest Preserve, updating municipal boundaries, reclassifying islands in the Fox River from Unknown to Open Space, reclassifying the remaining Unknown properties to match adjoining land use classifications, changing the Residential classification of properties immediately south of the Johnson Road extension to Mixed Use Business, correcting the classification of the Minooka School District Property near Route 52 and County Line Road to Public/Institutional, and associated changes within the text of the Land Resource Management Plan.

WHEREAS, following due and proper notice by publication in the Kendall County Record on March 4, 2021, the Kendall County Regional Planning Commission conducted a public hearing on March 24, 2021, at 7:00 p.m., in the Kendall County Historic Courthouse at 109 W. Ridge Street in Yorkville, at which the Petitioner's representative presented evidence, testimony, and exhibits in support of the requested amendments and zero members of the public testified in favor of the request and zero members of the public testified in opposition to the request and two members of the public asked questions regarding the proposal; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Regional Planning Commission has recommended approval of the proposed amendments; and

WHEREAS, the Kendall County Zoning Board of Appeals met on March 29, 2021, at 7:00 p.m., in the Kendall County Historic Courthouse at 109 W. Ridge Street in Yorkville, at which the Petitioner's representative presented evidence, testimony, and exhibits in support of the amendments and zero members of the public expressed support and zero members of the public expressed opposition to the request; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has recommended approval of the proposed amendments; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing and meetings, and has forwarded to the Kendall County Board a recommendation of approval of the proposed amendments; and

WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee, the recommendation of the Kendall County Zoning Board of Appeals, the record of the public hearing conducted by the Kendall County Regional Planning Commission, the recommendation of the Kendall County Regional Planning Commission, and has determined that said proposed amendments to the Kendall County Land Resource Management Plan are necessary and in the best interests of Kendall County; and

NOW, THEREFORE, BE IT RESOLVED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Recommendations of the Kendall County Regional Planning Commission and Kendall County Zoning Board of Appeals attached hereto as Exhibits A and B respectively are hereby accepted.
2. The Kendall County Board hereby grants approval of Petitioner's petition for amendments to the Transportation Plan contained in the Land Resource Management Plan to match the 2020-2040 Long Range Transportation Plan including the Trails Plan as outlined in Exhibit C.
3. The Kendall County Board hereby grants approval of Petitioner's petition for amendments to the Transportation Plan contained in the Land Resource Management Plan to include an Extension of Cherry Road into the Henneberry Woods Forest Preserve in substantially the location shown on

4. The Kendall County Board hereby grants approval of Petitioner's petition for amendments to the Future Land Use Map contained in the Land Resource Management Plan to reflect municipal boundaries as they exist on the date of adoption of this resolution.
5. The Kendall County Board hereby grants approval of Petitioner's petition for amendments to the Future Land Use Map contained in the Land Resource Management Plan to reclassify certain parcels as outlined in the document attached hereto as Exhibit D.
6. Any text or maps contained in the Kendall County Land Resource Management Plan in conflict with this resolution are hereby amended to match the amendments approved by this resolution.

IN WITNESS OF, this resolution has been enacted by a majority vote of the Kendall County Board and is effective this 20th day of April, 2021.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

Exhibit A

The Kendall County Regional Planning Commission held a public hearing on the Petition on March 24, 2021. Zero (0) members of the public testified in favor or in opposition to the request. Two (2) members of the public asked questions regarding the request. On the same date, the Commission issued the following recommendation by a vote of ten (10) in favor and zero (0) in opposition.

RECOMMENDATION

Approval

Exhibit B

The Kendall County Zoning Board of Appeals held a public meeting on the Petition on March 29, 2021. Zero (0) members of the public spoke in favor or in opposition to the request. On the same date, the Board of Appeals issued the following recommendation by a vote of six (6) in favor and zero (0) in opposition. Member Whitfield was absent.

RECOMMENDATION

Approval

Exhibit C

Transportation Plan Changes-Narrative

Remove

- Prairie Parkway
- Lisbon / Helmar Bypass
- Caton Farm Road West Route 71
- Fox River Drive Westerly Bypass of Village of Newark
- Whitfield Road Extension North to Griswold Springs Road
- Gates Lane West of Route 47
- Keep WIKADUKE Trail on the existing Stewart Road alignment all the way to Rance Road and then extend a new alignment northeasterly to Route 30 and Heggs Road, using the Village of Oswego's alignment for the WIKADUKE Trail.

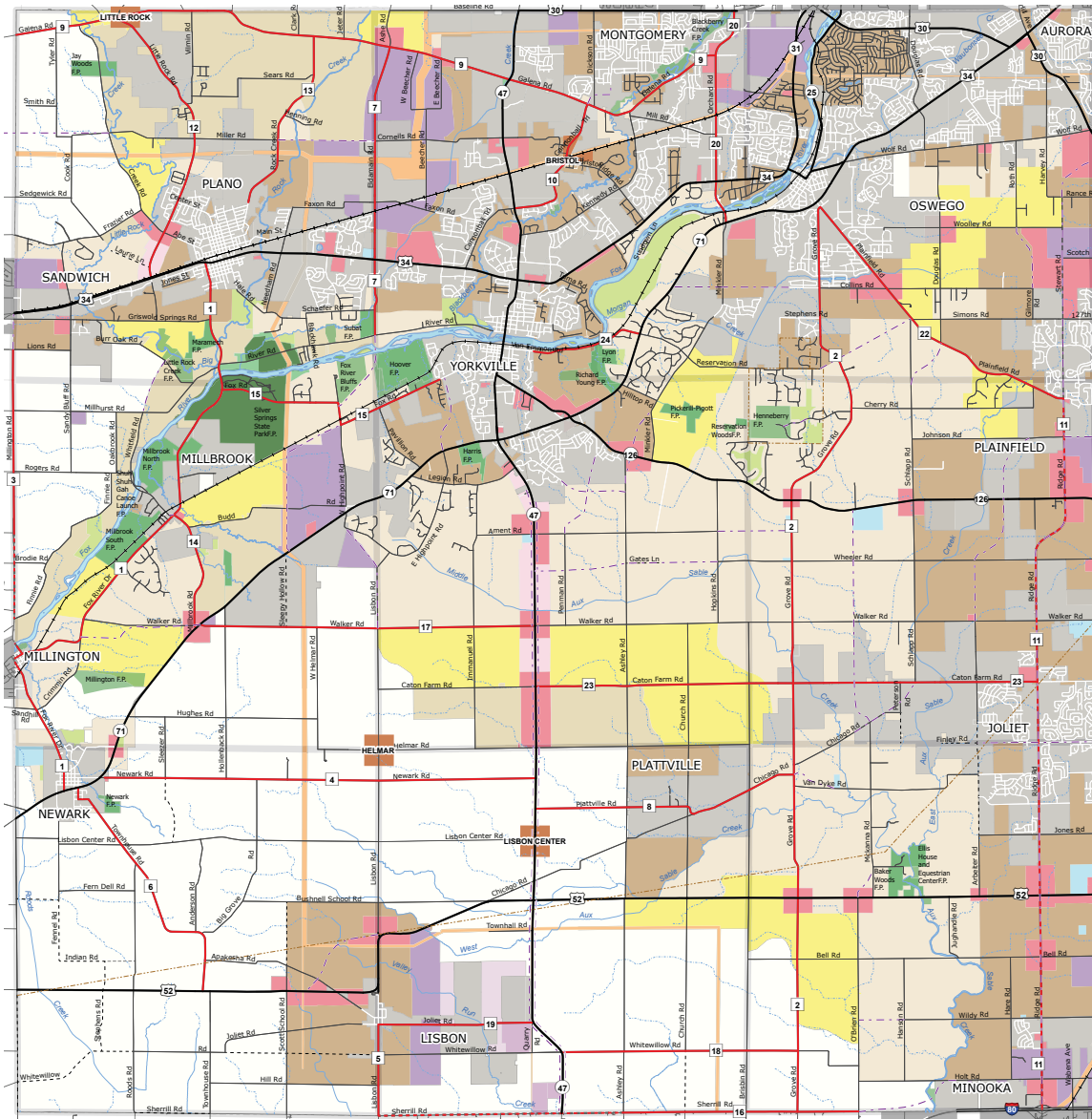
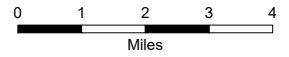
Add

- Millington Road Extending North of Lions Road to Connect to Route 34
- Walker Road Relocated West of Route 71 to Make Connection to New Fox River Drive / Crimmins Road intersection
- Westerly Extension of Collins Road West of Minkler Road to Route 71
- Connecting Millbrook Road with the Millbrook Bridge by Aligning Millbrook Road and Whitfield Road behind the Existing Bank Building Now Owned by the Oliver-Hoffman Foundation
- Having Douglas Road's Alignment Correspond to the Village of Oswego's Plans
- Aligning Cannonball Trail to Dickson Road and Gordon Street
- Extending Cherry Road into the Henneberry Woods Forest Preserve
- Extending Johnson Road East from Ridge Road to the County Line
- Miller Road Extended in DeKalb County

FUTURE LAND USE PLAN KENDALL COUNTY

Townships

LITTLE ROCK	BRISTOL	OSWEGO
FOX	KENDALL	NA-AU-SAY
BIG GROVE	LISBON	SEWARD



Road Type

- Adjacent County
- County
- Interstate
- State & Federal
- Bituminous
- Gravel
- Dirt
- Local
- Rail Roads
- Intermittent Hydrology
- Parcels
- Hamlets
- Incorporated Areas
- Political Townships

Future Land Use

- Suburban Residential - Max Density 1.00 DU Acres
- Rural Residential Max Density 0.65 DU Acres
- Rural Estate Residential Max Density 0.45 DU Acre
- Countryside Residential Max Density 0.33 DU Acre
- Commercial
- Mixed Use Business
- Commonweath Edison
- Transportation Corridors
- Mining
- Potential Mining District
- Public/Institutional
- Agriculture
- Forest Preserves
- Open Space
- Proposed Roadway Improvements

More info about the LRMP can be found at: <https://www.co.kendall.il.us/departments/planning-building-zoning/lrmp>



Kendall County GIS
111 West Fox Street - Room 308
Yorkville, Illinois 60560
630.553.4212

Map last updated: 4/6/2021

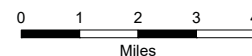
Multi-Use Trail Plan KENDALL COUNTY

- 2020 -

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

Townships

LITTLE ROCK	BRISTOL	OSWEGO
FOX	KENDALL	NA-AU-SAY
BIG GROVE	LISBON	SEWARD



Built Local Trails

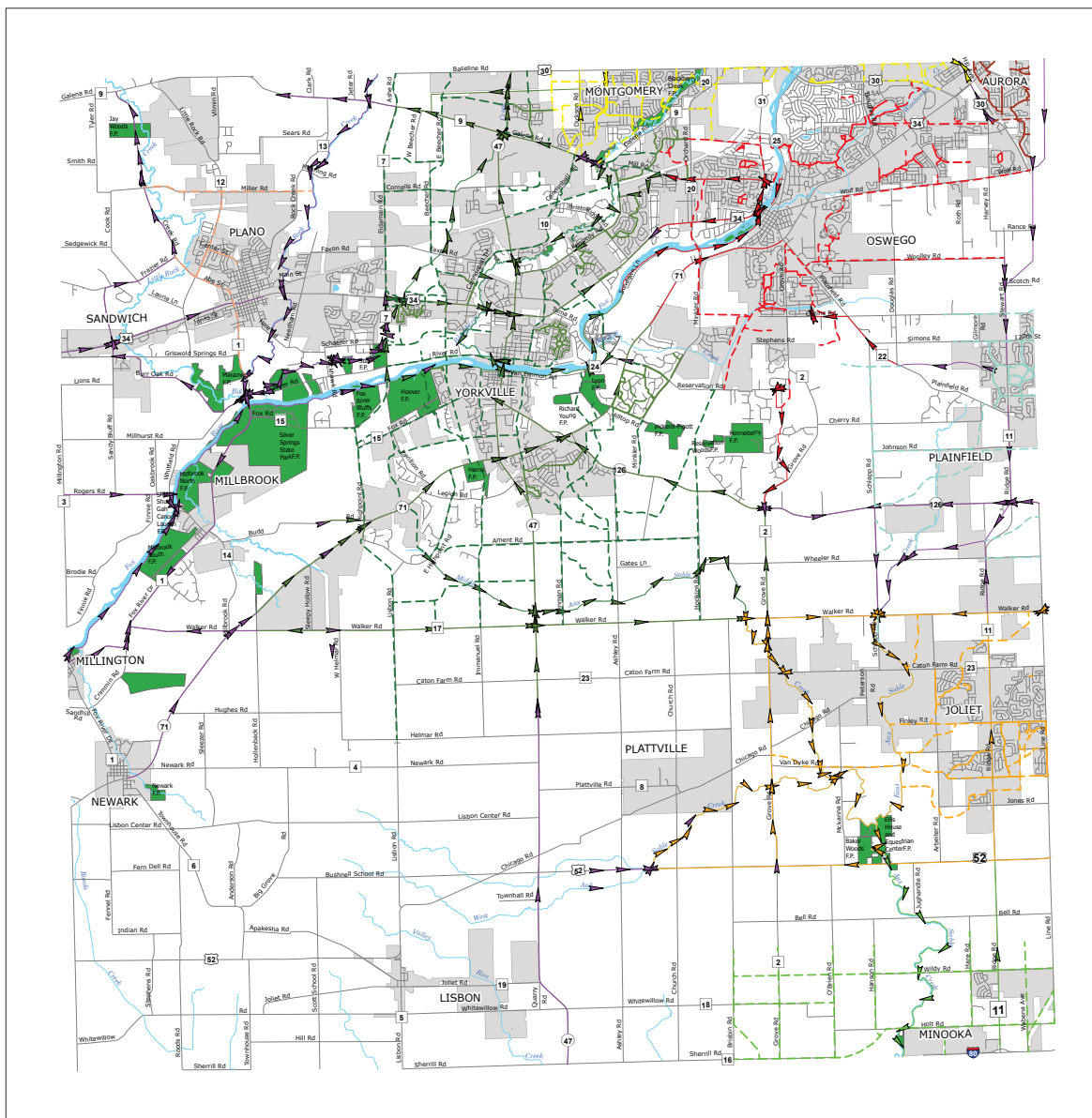
- Aurora
- Joliet
- Minooka
- Montgomery
- Oswego
- Plainfield
- Plano
- Yorkville

Proposed Local Trails

- Joliet
- Aurora
- Minooka
- Montgomery
- Oswego
- Plainfield
- Plano
- Yorkville

Proposed Regional Trails

- County
- Joliet
- Minooka
- Montgomery
- Oswego
- Yorkville
- Hydrography Lines
- Centerlines
- Forest Preserves
- Water Features
- Incorporated Areas



Kendall County GIS
111 West Fox Street - Room 308
Yorkville, Illinois 60560
630.553.4212

PIN	New Classification	mailto_name
02-15-154-006	Urban Area	2831 SEPTRAN PROPERTIES LLC
04-09-400-005	Countryside Residential	ALAN R SAGEN
01-24-501-001	Mixed Use Business	BN&SF RAILWAY COMPANY
01-30-501-001	Mixed Use Business	BN&SF RAILWAY COMPANY
02-18-501-001	Mixed Use Business	BN&SF RAILWAY COMPANY
02-11-501-001	Urban Area	BN&SF RAILWAY COMPANY
02-14-501-001	Agricultural	BN&SF RAILWAY COMPANY
03-07-501-001	Mixed Use Business	BN&SF RAILWAY COMPANY
02-12-501-001	Urban Area	BN&SF RAILWAY COMPANY
04-02-226-010	Rural Residential	BRIAN R & JENNIFER A GORE
03-32-100-011	Suburban Residential	DENNIS H & SUSAN M SULLIVAN
02-23-251-001	Open Space	DIRK E & ROBIN L BROWNING
09-36-300-002	Commercial	FIRST MIDWEST TRUST CO % WILLIAM C WUNDERLICH
02-01-300-019	Commercial	FOX METRO WATER REC DISTRICT
02-01-300-026	Commercial	FOX METRO WATER REC DISTRICT
02-01-300-017	Commercial	FOX METRO WATER REC DISTRICT
01-36-300-003	Open Space	FOX RIVER BLUFFS LLC %CNC
04-11-200-002	Rural Residential	FREDERICK BRUMMEL LIVING TRUST
02-24-126-007	Rural Residential	GEORGE & JESSICA BANNISTER
02-24-105-001	Open Space	GOODE CORPORATION
02-33-253-006	Urban Area	GREGORY AND COURTNEY FREEMAN
05-04-201-007	Urban Area	IMPERIAL INVESTMENTS, LLC
01-25-100-001	Urban Area	IRENE CORBIN
01-36-100-033	Countryside Residential	JONATHAN & RONDA FRANTZ
05-07-351-002	Rural Residential	JOSEPH C & LILLIAN REIN
01-36-400-003	Open Space	JOYCE MALACINA DEC TRUST
03-18-484-001	Open Space	KENDALL COUNTY FOREST PRESERVE
02-34-400-007	Rural Residential	KENDALL COUNTY HIST SOCIETY
02-34-179-001	Open Space	LEE RICHARD MILLER
02-27-251-001	Open Space	LEE RICHARD MILLER
02-23-326-001	Open Space	LEE RICHARD MILLER
02-23-229-001	Open Space	LEE RICHARD MILLER
02-24-229-001	Open Space	LEE RICHARD MILLER
03-05-205-001	Open Space	LEE RICHARD MILLER
01-35-437-001	Open Space	LEE RICHARD MILLER
01-34-400-005	Open Space	LEE RICHARD MILLER
02-34-152-001	Open Space	LEE RICHARD MILLER
02-24-104-001	Open Space	LEE RICHARD MILLER
02-24-127-001	Open Space	LEE RICHARD MILLER
02-24-205-001	Open Space	LEE RICHARD MILLER
06-07-375-012	Rural Residential	MICHAEL J JENKINS
05-03-250-002	Rural Residential	OSWEGO VENTURE INC
03-05-230-001	Open Space	OSWEGOLAND PARK DISTRICT
03-05-226-001	Open Space	OSWEGOLAND PARK DISTRICT
03-05-227-001	Open Space	OSWEGOLAND PARK DISTRICT
05-07-352-003	Rural Residential	REINA CARRILLO
02-23-276-001	Open Space	RUSSELL J & MELISSA M WATSON
02-34-153-010	Open Space	SCOTT PAPENDICK
02-09-100-009	Open Space	STATE OF IL DEPT OF TRANS
02-33-254-003	Suburban Residential	TERRY GIBSON
09-35-400-009	Commercial	VIDHYA 3RD INC
04-02-226-001	Rural Residential	WILLIAM M BARBIER
05-04-201-006	Urban Area	YORKVILLE 126 LLC

	New Classification	
06-12-200-002	Mixed Use Business	Balm LLC
06-12-200-007	Mixed Use Business	Betzviser Family, LLC
09-13-200-003	Public/Institutional	Board of Education Minooka DT 111

COUNTY OF KENDALL, ILLINOIS

RESOLUTION 2021-__

RESOLUTION APPROVING IDPH COVID-19 TESTING EVENTS

WHEREAS, pursuant to the Intergovernmental Cooperation Act, 5 ILCS 220/1 *et seq*, and in light of the ongoing COVID-19 pandemic, the Illinois Department of Public Health (“IDPH”) has requested approval from Kendall County, Illinois, (“County”) to conduct COVID-19 testing in the parking lot of the Kendall County Health and Human Services Building (“Testing Event”) on multiple days through August 2021; and

WHEREAS, the County finds it is in the best interests of the citizens of Kendall County, Illinois, to grant approval to hold Testing Events in the parking lot of the Kendall County Health and Human Services Building (“Premises”) and, therefore, agrees to authorize the Testing Events subject to the terms of the attached Intergovernmental Agreement (“IGA”) with IDPH;

WHEREAS, because the specific dates on which IDPH will conduct Testing Events are not yet determined, the County Board finds it necessary to authorize Kendall County Health Department Executive Director RaeAnn Van Gundy to designate the specific dates IDPH will be permitted to hold a Testing Event;

NOW, THEREFORE, BE IT RESOLVED, by the County Board of Kendall County, Illinois the following:

1. The above recitals are incorporated as if fully set forth herein.
2. Kendall County Health Department Executive Director RaeAnn Van Gundy is authorized to designate the specific dates IDPH will be permitted to hold Testing Events through August 31, 2021.
3. The total number of days on which Testing Events may be held may not exceed 50 days over the period from April 20, 2021 through August 31, 2021.
4. No Testing Events may take place after August 31, 2021 without further approval by the County Board.
5. The Intergovernmental Agreement, which is attached hereto as **Exhibit 1**, is hereby approved in its entirety.
6. The Chairman of the Kendall County Board is hereby authorized to execute the Intergovernmental Agreement attached hereto as **Exhibit 1**.

Approved and adopted by a majority vote of the County Board of Kendall County, Illinois,
this 20th day of April 2021.

Attest:

Scott Gryder, Chairman
County Board

Debbie Gillette
County Clerk

EXHIBIT 1

INTERGOVERNMENTAL AGREEMENT BETWEEN KENDALL COUNTY, ILLINOIS, AND ILLINOIS DEPARTMENT OF PUBLIC HEALTH FOR COVID-19 TESTING

The County of Kendall, Illinois, ("County") and the Illinois Department of Public Health ("IDPH") hereby enter into this Intergovernmental Agreement ("IGA") for COVID-19 Testing and agree as follows:

1. By this IGA, County grants IDPH only a non-exclusive contractual license to use the parking lot of the Kendall County Health and Human Services Building, ("Premises") located at 811 John Street, Yorkville, Illinois, to conduct COVID-19 testing ("Testing Event") only under the terms and conditions stated herein and for no other purpose. The rights granted by County herein shall vest only in IDPH and no such rights shall vest in any of IDPH's employees, agents, subcontractors or partners, if any. Nothing in this IGA shall be construed to convey to IDPH any legal or equitable interest or estate in the parking lot.

2. Testing Events shall be held only on days mutually agreed to by IDPH and Kendall County Health Department Executive Director RaeAnn Van Gundy. The total number of days on which Testing Events may be held may not exceed 50 days over the period from April 20, 2021 through August 31, 2021. The Testing Events shall take place from 7:00 am to 4:00 pm in the parking lot of the Kendall County Health and Human Services Building. Any Testing Events that may take place after August 31, 2021 are not authorized by County and must be the subject of a separate agreement.

3. IDPH shall bear sole responsibility for all Testing Event costs.

4. IDPH shall ensure its Testing Events comply with all local ordinances and applicable state and federal laws, including IDPH's own guidelines for conducting COVID-19 tests.

5. Insurance. Each Party shall, at all times during the term of this IGA and any renewals, maintain general liability insurance, whether through a commercial policy or a program of self-insurance with minimum limit of \$1 million per claim or occurrence and \$2 million aggregate. Any state contractors shall add Kendall County as an additional insured to their policy. Each Party shall comply with applicable state laws governing workers' compensation and mandatory insurance for vehicles. Upon request, each Party shall provide to the other a certificate of insurance evidencing the coverage and limits required by this Section.

6. Liability. No member, trustee, official, Officer, director, employee or agent of either Party shall be individually liable to the other Party in connection with this IGA. It is understood and agreed that neither Party to this IGA shall be liable to the other Party for any negligent acts, either of commission or omission, unless such liability is imposed by law.

7. Set up for a Testing Event may begin at any time on the day a Testing Event is scheduled to take place. IDPH must clean up immediately after the completion of each day's Testing Event and shall return the property to County in good condition and repair no later than 5:00 pm each day. IDPH shall be responsible for all set up and clean-up costs.

8. The Parties agree that there will be no payments and expenditures for the use of the Premises.

9. IDPH shall secure and shall be responsible for the cost and implementation of all traffic control measures and other health and safety measures necessary for the Testing Events.

10. IDPH shall make no physical changes to the parking lot.

11. IDPH's vehicles, infrastructure, and/or any other equipment should be reasonably spaced in the parking lot so they do not cause damage to County's property and do not create a public safety hazard. If IDPH has any questions or concerns regarding the placement of vehicles, infrastructure, and/or any other equipment, IDPH shall contact County's Facilities Management Director, Jim Smiley, for assistance.

12. County will not provide water, power, or other utilities to IDPH for the Testing Events.

13. County reserves the right to continue to use the parking lot for any and all lawful purposes arising from the ownership of the parking lot.

14. IDPH's obligations under this IGA may not be assigned or transferred to any other person, firm, or corporation without County's consent. Any attempt to assign or so transfer without consent shall be void and without legal effect and shall constitute grounds for termination.

15. IDPH, its officers, employees, and agents agree not to commit unlawful discrimination and agree to comply with all applicable provisions of the Illinois Human Rights Act, Title VII of the Civil Rights Act of 1964, as amended, the Americans with Disabilities Act, the Age Discrimination in Employment Act, Section 504 of the Federal Rehabilitation Act, and all applicable rules and regulations.

16. It is understood and agreed that IDPH is a State of Illinois agency and is not an employee of, partner of, agent of, or in a joint venture with County. IDPH understands and agrees that IDPH is solely responsible for paying all wages, benefits and any other compensation due and owing to IDPH's officers, employees, agents and vendors for the performance of services set forth in the IGA.

17. The Parties shall maintain for a minimum of six (6) years from the date of expiration of this IGA, adequate books, records and supporting documents. If an audit, litigation or other action involving the records is begun before the end of the six-year period, the records shall be retained until all issues arising out of the action are resolved.

18. Freedom of Information Act. This IGA and all related public records maintained by, provided to or required to be provided by the Parties, are subject to the Illinois Freedom of Information Act notwithstanding any provision to the contrary that may be found in this IGA.

19. This IGA shall be interpreted and enforced under the laws of the State of Illinois.

20. If any provision of this IGA shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court finds that any provision of this IGA is invalid or unenforceable, but that by limiting such provision it becomes valid and enforceable, then such provision shall be deemed to be written, construed, and enforced as so limited. The waiver of one breach of any term, condition, covenant or obligation of this IGA shall not be considered to be a waiver of that or any other term, condition, covenant or obligation or of any subsequent breach thereof.

21. This IGA represents the entire agreement between the parties as to the subject matter herein and there are no other promises or conditions in any other agreement whether oral or written. This IGA supersedes any prior written or oral agreements between the parties and may not be modified except in writing acknowledged by both parties. This IGA may be modified or amended by mutual agreement of the Parties, expressed in writing and signed by the Parties.

IN WITNESS WHEREOF, the Parties have caused this Intergovernmental Agreement to be executed by their duly authorized representatives on the date signed.

Illinois Department of Public Health

Kendall County, Illinois

Date: _____

Date: _____

Attest: _____

Kendall County Clerk

Kendall County Clerk				
Revenue Report		3/1/21-3/31/21	3/1/20-3/31/20	3/1/19-3/31/19
Line Item	Fund	Revenue	Revenue	Revenue
CLKFEE	County Clerk Fees	\$1,542.50	\$882.00	\$661.50
MARFEE	County Clerk Fees - Marriage License	\$1,260.00	\$750.00	\$810.00
CIVFEE	County Clerk Fees - Civil Union	\$0.00	\$0.00	\$0.00
ASSUME	County Clerk Fees - Assumed Name	\$100.00	\$55.00	
CRTCOP	County Clerk Fees - Certified Copy	\$1,886.00	\$1,412.00	
NOTARY	County Clerk Fees - Notary	\$290.00	\$295.00	
MISINC	County Clerk Fees - Misc	\$92.00	\$72.00	\$1,489.00
	County Clerk Fees - Misc Total	\$5,170.50	\$3,466.00	\$2,960.50
RECFEE	County Clerk Fees - Recording	\$51,622.00	\$30,441.00	\$23,483.00
	Total County Clerk Fees	\$56,792.50	\$33,907.00	\$26,443.50
CTYREV	County Revenue	\$63,959.75	\$71,213.75	\$29,991.50
DCSTOR	Doc Storage	\$30,421.50	\$17,738.00	\$13,615.50
GISMAP	GIS Mapping	\$96,218.00	\$56,164.00	\$23,028.00
GISRCD	GIS Recording	\$6,414.00	\$3,744.00	\$2,880.00
INTRST	Interest		\$21.88	\$18.75
RECMIS	Recorder's Misc	\$5,585.50	\$533.50	\$2,826.00
RHSP	RHSP/Housing Surcharge	\$27,765.00	\$15,876.00	\$11,907.00
TAXCRT	Tax Certificate Fee	\$1,640.00	\$1,440.00	\$1,720.00
TAXFEE	Tax Sale Fees	\$1,020.00	\$160.00	\$220.00
PSTFEE	Postage Fees	\$575.64	\$111.20	\$143.43
CK # 19179	To KC Treasurer	\$290,391.89	\$200,909.33	\$112,793.68
Death Certificate Surcharge sent from Clerk's office \$1556.00 ck # 19177				
Dom Viol Fund sent from Clerk's office \$210.00 ck #19178				

Office of Jill Ferko

Kendall County Treasurer & Collector

111 W. Fox Street Yorkville, IL 60560

Kendall County General Fund

QUICK ANALYSIS OF MAJOR REVENUES AND TOTAL EXPENDITURES
FOR FOUR MONTHS ENDED 03/31/2021.

<u>REVENUES*</u>	<u>Annual Budget</u>	<u>2021 YTD Actual</u>	<u>2021 YTD% %</u>	<u>2020 YTD Actual</u>	<u>2020 YTD %</u>
Personal Property Repl. Tax	\$390,000	\$104,862	26.89%	\$93,340	23.93%
State Income Tax	\$2,300,000	\$907,615	39.46%	\$805,924	35.04%
Local Use Tax	\$900,000	\$448,789	49.87%	\$333,068	47.58%
State Sales Tax	\$530,000	\$180,448	34.05%	\$242,840	44.15%
County Clerk Fees	\$325,000	\$190,287	58.55%	\$126,183	38.83%
Circuit Clerk Fees	\$1,220,000	\$380,057	31.15%	\$422,499	31.30%
Fines & Foreits/St Atty.	\$275,000	\$72,697	26.44%	\$110,687	36.90%
Building and Zoning	\$68,000	\$30,422	44.74%	\$27,418	40.32%
Interest Income	\$100,000	\$7,223	7.22%	\$85,396	42.70%
Health Insurance - Empl. Ded.	\$1,467,439	\$145,342	9.90%	\$385,635	30.45%
1/4 Cent Sales Tax	\$3,075,000	\$1,140,212	37.08%	\$1,116,582	35.96%
County Real Estate Transf Tax	\$450,000	\$179,058	39.79%	\$156,509	36.83%
Federal Inmate Revenue	\$2,044,000	\$674,000	32.97%	\$617,040	30.19%
Sheriff Fees	\$140,000	\$30,870	22.05%	\$98,324	57.84%
TOTALS	\$13,284,439	\$4,491,882	33.81%	\$4,621,445	35.03%
Public Safety Sales Tax	\$5,250,000	\$1,949,731	37.14%	\$1,935,913	36.36%
Transportation Sales Tax	\$5,250,000	\$1,949,731	37.14%	\$1,935,913	32.27%

*Includes major revenue line items excluding real estate taxes which are to be collected later. To be on Budget after 4 months the revenue and expense should at 33.32%

**The reported amounts are on a cash basis and not accrual.

EXPENDITURES

All General Fund Offices/Categories

\$31,020,242	\$8,508,575	27.43%	\$9,056,365	30.63%
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Kendall County Circuit Clerk Report

March Update: In the Month of March, the Circuit Clerks Office welcomed 1 new employee. Progress is being made on the Manuel of Recordkeeping Changes, case categories (D, F, J, L, MC, & P) will eliminated, and the following new case categories created; DC – Dissolution with Children, DN – Dissolution No Children, FA – Family, JV – Juvenile, MX - Miscellaneous Criminal, QC - Quasi-Criminal, MT - Major Traffic, EV – Eviction, FC – Foreclosure, GC - Governmental Corporation, GR – Guardianship, LA – Law, PR – Probate, and DV - Domestic Violence. These changes among other filing changes will need to be implemented by 1/1/2022. In addition, the office is complying with AOIC requests for fee data

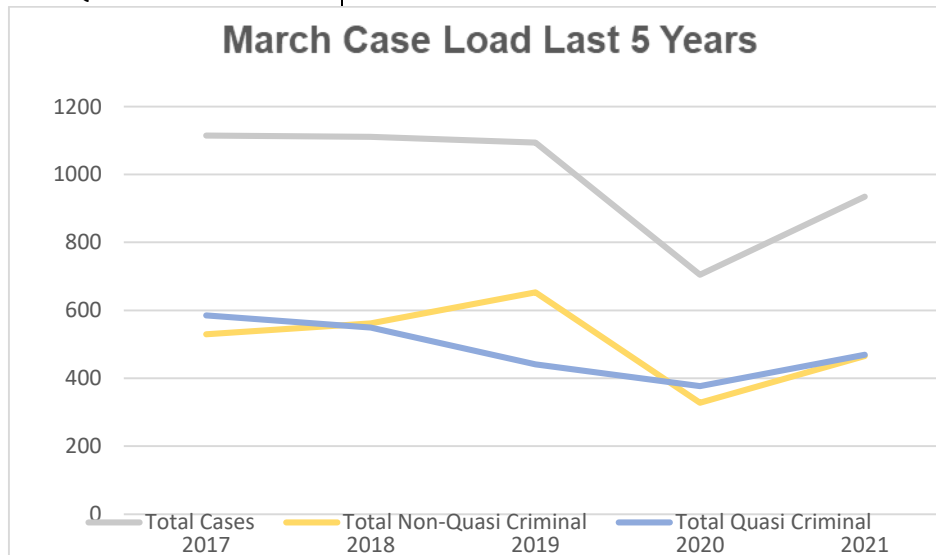
2021 Case Filings YTD

		JAN	FEB	MAR
AD	Adoption	2	0	1
CC	Contempt of Court	3	4	3
CF	Criminal Felony	16	31	42
CH	Chancery	3	6	3
CL	Civil Law Violation	1	0	1
CM	Criminal Misdemeanor	45	33	19
CV	Conservation Violation	2	1	0
D	Divorce	41	30	38
DT	DUI	15	13	25
ED	Eminent Domain	0	0	0
F	Family	16	5	13
J	Juvenile	0	0	2
JA	Juvenile Abuse/Neglect	2	4	9
JD	Juvenile Delinquency	6	4	13
L	Law	10	11	11
LM	Law Magistrate	25	57	46
MH	Mental Health	0	0	2
MR	Misc. Remedy	22	27	30
OP	Order of Protection	21	22	27
OV	Ordinance Violation	0	4	4
P	Probate	15	24	20
SC	Small Claims	118	117	140
TR	Traffic	304	267	465
TX	Tax	1	2	0
WI	Wills	26	16	15
XX	Misc	7	1	6
		701	679	935

Note: CH Foreclosures filings are at 1, LM Evictions are 8

CIRCUIT CLERK: 2017-21 MARCH CASELOAD NUMBERS

	2017	2018	2019	2020	2021
Adoption	3	1	2	1	1
Contempt of Court	6	2	2	0	3
Criminal Felony	37	44	46	24	42
Chancery	43	42	54	17	3
Civil Law Violation	20	10	4	3	1
Criminal Misdemeanor	69	42	43	50	19
Conservation Violation	7	2	0	0	0
Divorce	43	51	37	22	38
DUI	21	23	19	18	25
Eminent Domain	0	0	0	0	0
Family	10	19	8	7	13
Juvenile	5	3	5	0	2
Juvenile Abuse/Neglect	6	3	3	4	9
Juvenile Delinquency	13	23	28	9	13
Law	6	12	20	8	11
Law Magistrate	63	46	63	34	46
Mental Health	0	0	0	2	2
Misc. Remedy	28	30	31	15	30
Order of Protection	24	36	29	31	27
Ordinance Violation	1	2	0	0	4
Probate	14	16	19	12	20
Small Claims	100	142	223	57	140
Traffic	577	545	441	377	465
Tax	0	0	0	0	0
Wills	19	17	17	14	15
Misc	0	0	0	0	6
Total Cases	1115	1111	1094	705	935
Total Non-Quasi Criminal	530	562	653	328	466
Total Quasi Criminal	585	549	441	377	469



QUARTER: 1st YEAR: 2021
COUNTY: KENDALL
CIRCUIT: 23RD

REPORT A
ACTIVITY OF ALL CIVIL CASES

CATEGORY	CODE	BEGINNING PENDING*	NEW FILED	REINSTATED	DISPOSED	ADJUSTMENT	END PENDING
ADOPTION	AD	9	3	0	5	0	7
ARBITRATION	AR	0	0	0	0	0	0
CHANCERY	CH	332	12	0	30	-2	312
DISSOLUTION OF MARRIAGE	D	330	109	6	122	-4	319
EMINENT DOMAIN	ED	12	0	0	0	0	12
FAMILY	F	187	34	0	34	2	189
LAW>\$50,000 - JURY	L	143	0	1	20	21	145
LAW>\$50,000 - NON-JURY	L	60	32	0	7	-23	62
LAW<\$50,000 - JURY	LM	16	0	0	4	2	14
LAW<\$50,000 - NON-JURY	LM	133	128	2	75	-4	184
MUNICIPAL CORPORATION	MC	0	0	0	0	0	0
MENTAL HEALTH	MH	0	2	0	2	0	0
MISCELLANEOUS REMEDY	MR	102	79	2	61	4	126
ORDER OF PROTECTION	OP	42	70	0	67	-3	42
PROBATE	P	551	59	4	42	0	572
SMALL CLAIM	SC	847	375	13	423	4	816
TAX	TX	9	3	0	1	0	11
TOTAL CIVIL		2773	906	28	893	-3	2811

***NOTE: THE BEGINNING PENDING NUMBER IS THE SAME NUMBER THAT YOU REPORTED AS YOUR END PENDING
 NUMBER FROM THE PREVIOUS QUARTER.**

QUARTER: 1st YEAR: 2021
COUNTY: KENDALL
CIRCUIT: 23RD

REPORT B
ACTIVITY OF ALL CRIMINAL CASES

CATEGORY	CODE	BEGINNING PENDING*	NEW FILED	NO. OF DEFENDANTS NEW FILED	REINSTATED	DISPOSED	ADJUSTMENT	END PENDING
CRIMINAL CONTEMPT	CC	34	10	0	0	1	-2	41
CRIMINAL FELONY	CF	686	87	0	0	95	-18	660
CRIMINAL MISDEMEANOR	CM	947	112	0	0	114	-10	935
TOTAL CRIMINAL		1667	209	0	0	210	-30	1636

*NOTE: THE BEGINNING PENDING NUMBER IS THE SAME NUMBER THAT YOU REPORTED AS YOUR END PENDING NUMBER FROM THE PREVIOUS QUARTER.

QUARTER: 1st YEAR: 2021
COUNTY: KENDALL
CIRCUIT: 23RD

REPORT C
ACTIVITY OF ALL JUVENILE CASES

CATEGORY	CODE	BEGINNING PENDING*	NEW FILED	NO. OF DEFENDANTS NEW FILED	REINSTATED	DISPOSED	ADJUSTMENT	END PENDING
JUVENILE	J	20	2	2	0	1	-2	19
JUVENILE ABUSE & NEGLECT	JA	92	15	40	0	0	-2	105
JUVENILE DELINQUENT	JD	551	22	22	1	74	26	526
TOTAL JUVENILE		663	39	64	1	75	22	650

* NOTE: THE BEGINNING PENDING NUMBER IS THE SAME NUMBER THAT YOU REPORTED AS YOUR END PENDING
NUMBER FROM THE PREVIOUS QUARTER.

QUARTER: 1st YEAR: 2021
COUNTY: KENDALL
CIRCUIT: 23RD

REPORT D
ACTIVITY OF ALL CIVIL LAW/CONSERVATION/DUI/ORDINANCE/TRAFFIC CASES

CATEGORY	CODE	BEGINNING PENDING*	NEW FILED	REINSTATED	DISPOSED	ADJUST-MENT	END PENDING
CIVIL LAW VIOLATION	CL	16	3	0	6	0	13
CONSERVATION VIOLATION	CV	2	3	0	1	0	4
DRIVING UNDER THE INFLUENCE	DT	301	54	0	46	3	312
ORDINANCE VIOLATION	OV	8	8	0	11	1	6
TRAFFIC VIOLATION	TR	3393	1036	0	965	37	3501
TOTALS		3720	1104	0	1029	41	3836

*NOTE: THE BEGINNING PENDING NUMBER IS THE SAME NUMBER THAT YOU REPORTED AS YOUR END PENDING NUMBER FROM THE PREVIOUS QUARTER.

GUILTY PLEAS RECEIVED BY THE CIRCUIT CLERK PURSUANT TO SUPREME COURT RULES 529, 530 & 531					
CATEGORY	CODE	TOTAL PLEAS OF GUILTY TO THE CLERK	TOTAL PLEAS TO THE CLERK WITH REQUEST FOR SUPERVISION	TOTAL PLEAS OF ELECTRONIC GUILTY	TOTAL PLEAS OF ELECTRONIC GUILTY WITH REQUEST FOR SUPERVISION
CONSERVATION VIOLATION (Rule 530)	CV	0	0	0	0
MINOR TRAFFIC VIOLATION (Rules 529 or 531)	TR	292	219	17	14
TOTALS		292	219	17	14

QUARTER: 1st YEAR: 2021
COUNTY: KENDALL
CIRCUIT: 23RD

REPORT F
DISPOSITION OF DEFENDANTS CHARGED WITH FELONIES (1)

NOT CONVICTED OF A FELONY					FOUND NOT GUILTY		CONVICTED OF FELONY			TOTAL DEFENDANTS DISPOSED OF
NOLLE	S.O.L.	REDUCED TO MISDEMEANOR	DISMISSED	(2) OTHER	BENCH TRIAL	JURY TRIAL	GUILTY PLEA	BENCH TRIAL	JURY TRIAL	
11	0	1	0	0	0	0	59	4	0	75
							(3) TOTAL CONVICTIONS:		63	

(1) NOT NECESSARILY DIFFERENT DEFENDANTS

(2) INCLUDES COURT ACTION: NO BILL, TRANSFERRED/NO JURISDICTION, DEATH SUGGESTED/CAUSE ABATED, UNFIT TO STAND TRIAL, SEXUALLY DANGEROUS, TRANSFERS TO WARRANT CALENDER, AND PROCEEDING FILED AS A FELONY.

(3) TOTAL NUMBER OF DEFENDANTS CONVICTED OF FELONIES BY GUILTY PLEA, BENCH TRIAL AND JURY TRIAL FROM THIS REPORT, MUST EQUAL THE TOTAL NUMBER OF FELONY SENTENCES INCLUDED ON REPORT G.

QUARTER: 1st YEAR: 2021
COUNTY: KENDALL
CIRCUIT: 23RD

REPORT G
SENTENCE OF THE DEFENDANTS CONVICTED WITH FELONIES

ENTER THE TOTAL NUMBER OF DEFENDANTS CONVICTED OF FELONIES INCLUDED ON REPORT F

63

FELONY SENTENCE TABLE

	CLASS M	CLASS X	CLASS 1	CLASS 2	CLASS 3	CLASS 4	TOTALS
1. LIFE	0	0	0	0	0	0	0
2. IDOC	0	1	0	7	8	3	19
3. PROBATION	0	0	4	4	12	8	28
4. OTHERS	0	0	1	2	1	12	16
TOTALS	0	1	5	13	21	23	63

NOTE: THE TOTAL NUMBER OF DEFENDANTS CONVICTED OF FELONIES FROM REPORT F MUST EQUAL THE TOTAL NUMBER OF FELONY SENTENCES ON THIS REPORT.

QUARTER: 1st YEAR: 2021
COUNTY: KENDALL
CIRCUIT: 23RD

REPORT H
ORDERS OF PROTECTION ISSUED

CATEGORY	EMERGENCY	INTERIM	PLENARY	TOTALS
Civil No Contact	3		2	5
Firearms Restraining Order	1		0	1
Orders of Protections	63	1	4	68
Stalking No Contact	1		2	3
TOTALS:	68	1	8	77

QUARTER: 1st YEAR: 2021
COUNTY: KENDALL
CIRCUIT: 23RD

REPORT K
SELF REPRESENTED LITIGANTS (SRLs)

CATEGORY	CODE	NEW FILED CASES*	NEW FILED CASES SRL PLAINTIFF	DISPOSED*	DEFAULT JUDGMENTS	AT LEAST ONE SRL	AT LEAST 1 PLAINTIFF AND 1 DEFT SRL	AT LEAST ONE PLAINTIFF SRL	AT LEAST ONE DEFENDANT SRL	NUMBER OF LIMITED SCOPE APPEARANCES
ADOPTION	AD	3	0	5	0	2	0	1	1	0
ARBITRATION	AR	0	0	0	0	0	0	0	0	0
CHANCERY	CH	12	1	30	9	3	0	0	3	0
DISSOLUTION OF MARRIAGE	D	109	17	122	3	64	21	31	54	0
EMINENT DOMAIN	ED	0	0	0	0	0	0	0	0	0
FAMILY	F	34	8	34	0	6	2	4	4	0
LAW > \$50,000	L	32	3	27	1	0	0	0	0	0
LAW =< \$50,000	LM	128	12	79	11	6	1	1	6	0
MUNICIPAL CORPORATION	MC	0	0	0	0	0	0	0	0	0
MENTAL HEALTH	MH	2	2	2	0	0	0	0	0	0
MISCELLANEOUS REMEDY	MR	79	45	62	0	12	0	12	0	0
ORDER OF PROTECTION	OP	70	66	70	0	1	0	1	0	0
PROBATE	P	59	2	42	0	6	0	5	1	0
SMALL CLAIM	SC	375	16	422	97	21	5	12	14	0
TAX	TX	3	0	1	0	0	0	0	0	0
TOTALS		906	172	896	121	121	29	67	83	0

* NOTE: THE NUMBER OF "FILED" AND "DISPOSED" CASES IN EACH CATEGORY ON THIS REPORT MUST EQUAL THE NUMBER OF "NEW FILED" AND "DISPOSED" CASES REPORTED FOR THE SAME CATEGORY ON REPORT A, RESPECTIVELY.



KENDALL COUNTY CORONER
— JACQUIE PURCELL —

March, FY 2021 Monthly Report

Description	**	March 2021	Fiscal Year-to-Date	March 2020
Total Deaths		37	135	30/131
Natural Deaths		34	126	28/122
Accidental Deaths	**	2	6	1/5
Suicidal Deaths		0	2	1/3
Homicidal Deaths		0	0	0
Undetermined Death		0	0	0
Pending Death	**	1	1	0/1
Scenes Responded To		5	21	3
Bodies Transported		5	14	2
Autopsies		2	6	1/11
External Examinations		3	14	1
Toxicology		3	10	2/13
Cremation Authorizations		24	86	17/78

**

(A):

1. 03/03/2021 – Oswego – 73yo, Male, Blunt Force Injuries due to Automobile vs. Semi-Tractor Trailer Collision
2. 03/03/2021 – Oswego – 23yo, Female, Blunt Force Injuries due to Automobile vs. Semi-Tractor Trailer Collision

(P):

1. 03/22/2021 – Plano – 50yo, Male, Pending Toxicology

PERSONNEL/OFFICE ACTIVITY:

1. On March 4-5, Coroner Purcell attended the ICMEA training in Decatur, Illinois.
2. On March 9, Coroner Purcell completed 42.5 hours of continuing education through The University of North Dakota School of Medicine & Health Sciences.
3. On March 12, Chief Deputy Gotte provided new hire orientation for KCSO.
4. There were a total of 16.25 community service hours served at the Kendall County Coroner's Office during the month of March.

CARORUM AD CURAM

County of Kendall, Illinois
Resolution 21 - _____

**RESOLUTION AUTHORIZING EXECUTION AND AMENDMENT OF
SECTION 5311 GRANT AGREEMENT**

WHEREAS, the provision of public transit service is essential to the transportation of persons in the non-urbanized area; and

WHEREAS, 49 U.S.C. § 5311 ("Section 5311"), makes funds available to the State of Illinois to help offset certain operating deficits and administrative expenses of a system providing public transit service in non-urbanized areas; and

WHEREAS, the State of Illinois, acting by and through the Illinois Department of Transportation, is authorized by 30 ILCS 740/3-1 et seq. to provide the Section 5311 grant; and

WHEREAS, grants for said funds will impose certain obligations upon the recipient, including the provision by it of the local share of funds necessary to cover costs not covered by funds provided under Section 5311.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING
BOARD OF KENDALL COUNTY:**

Section 1. That Kendall County finds that the Kendall Area Transit project is consistent with official plans for developing the community.

Section 2. That an application be made to the Office of Intermodal Project Implementation, Department of transportation, State of Illinois, for a financial assistance grant under Section 5311 for fiscal year 2022 for the purpose of off-setting a portion of the Public Transportation Program operating deficits of Kendall County.

Section 3. That while participating in said operating assistance program, Kendall County will provide all required local matching funds.

Section 4. That the Kendall County Board Chairman of the Kendall County Kendall County Board is hereby authorized and directed to execute and file on behalf of Kendall County such application.

Section 5. That the Kendall County Board acknowledges the Acceptance of Special Warranty, and understands as a condition of receipt of funds under 49 U.S.C. 5311 funds, that 49 U.S.C. 5311(b) requires fair and equitable arrangement must be made to protect the interest of employees affected by assistance.

Section 6. That the Kendall County Board Chairman of the Kendall County Kendall County Board is authorized to furnish such additional information as may be required by the Office of Intermodal Project Implementation and the Federal Transit Administration in connection with the aforesaid application for said grant.

Section 7. That the Kendall County Board Chairman of the Kendall County Kendall County Board is hereby authorized and directed to execute and file on behalf of Kendall County a

Section 5311 Grant Agreement (“Agreement”) with the Illinois Department of Transportation, and amend such Agreement, if necessary, in order to obtain grant assistance under the provisions of Section 5311 for fiscal year 2022.

Section 8. That the Kendall County Administrator of Kendall County is authorized to furnish such additional 2021 information as may be required by the Office of intermodal Project Implementation and the Federal Transit Administration in connection with the aforesaid application for said grant.

Section 9. That the Kendall County Board Chairman of the Kendall County Kendall County Board is hereby authorized to provide such information and to file such documents as may be required to perform the Agreement and to receive the grant for fiscal year 2022.

PRESENTED and ADOPTED this 20th day of April, 2021.

Approved:

Attest:

X

Scott R. Gryder, County Board Chairman

X

Debbie Gillette, County Clerk and Recorder



To: Scott Koeppel
Latreese Caldwell

From: Mike Neuenkirchen, Program Director, KAT

Date: March 12, 2021

RE: SFY22 5311 Application and Resolution

The Voluntary Action Center, in conjunction with Kendall County Administration, is preparing an application on behalf of Kendall Area Transit to secure up to \$55,578.00 in Federal and \$1,300,000.00 in State of Illinois transit operating assistance. As part of the process, IDOT requires the Kendall County Board to hold a public hearing on the project and pass a resolution that authorizes the submittal of an application for the project.

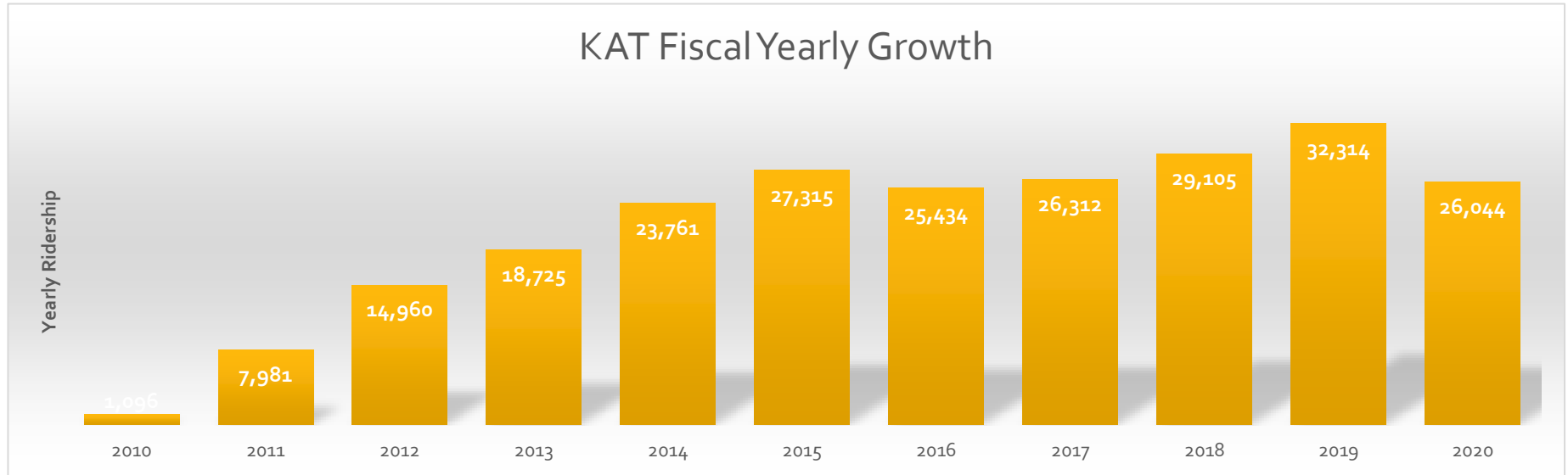
This grant, under the auspices of the Federal Transit Administration's 5311 program, offers transit operators in rural counties the ability to receive reimbursement for the costs involved in providing transportation for public ridership in the KAT service area.

Our intention is to have the resolution and public hearing notice presented to the Admin/HR committee on 3/17/21 for final submission to the full board on 4/7/21.

I have included historical KAT ridership growth information for reference.

If you have any questions regarding this grant application, please contact me.

KAT Program	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Paratransit Totals	1,096	7,981	14,960	18,725	23,761	27,315	25,434	26,312	29,105	32,314	26,044
Ridership Percentage Change			87%	25%	27%	15%	-7%	3%	11%	11%	-19%



*2020 program year impacted by ridership decreases due to COVID

COUNTY OF KENDALL, ILLINOIS

RESOLUTION NO. ____ - ____

A RESOLUTION CALLING FOR THE GOVERNOR AND GENERAL ASSEMBLY TO PROTECT LOCAL CONTROL OF ZONING AND LAND USE

WHEREAS, Counties are authorized by the Counties Code (55 ILCS 5/1-1001 *et seq.*) to adopt and develop zoning regulations; and

WHEREAS, Section 5-12001 of the Counties Code provides “the county board of each county, shall have “the power to regulate and restrict the location and use of buildings, structures and land” and “to regulate and restrict the intensity of such uses, to establish building or setback lines on or along any street, trafficway, drive, parkway or storm or floodwater runoff channel or basin outside the limits of cities, villages and incorporated towns which have in effect municipal zoning ordinances” (55 ILCS 5/5-12001); and

WHEREAS, consistent with their zoning authority, numerous Counties throughout the state of Illinois have adopted zoning and setback regulations related to wind energy facilities such as the model ordinance prepared by the Chicago Environmental Law Clinic and have made substantial revisions over time to suit the needs of their Counties and the residents of their Counties; and

WHEREAS, Senate Bill 1602 was filed in the Illinois Senate on February 26, 2021 and seeks to mandate very specific timelines and procedural requirements regarding siting approval or a special use permit for commercial wind energy facilities, requiring at least one public hearing not more than 45 days after the filing of the application for siting approval or a special use permit for a wind energy facility; and

WHEREAS, Senate Bill 1602 also mandates substantive changes including setback requirements, blade tip height limitations, and sound limitations; and

WHEREAS, Senate Bill 1602 requires that any currently-existing county zoning ordinances pertaining to wind farms be amended within 120 days to comply with the requirements of the bill and prohibits a county from adopting any future restrictions on the installation or use of a commercial wind energy facility that are inconsistent with the provisions of the bill; and

WHEREAS, the changes contained in Senate Bill 1602 ignore differences that occur locally from county to county across the State of Illinois and remove a county board’s ability to regulate those local differences and address the concerns of their residents; and

WHEREAS, Senate Bill 1602 further undermines local control in that it substitutes state level legislative determination for the local control exercised by county zoning commissions, zoning boards of appeals, and county boards; and

WHEREAS, the County Board is the best entity to support the needs, interests, and safety of its residents due to direct feedback and understanding of the County’s needs, while State officials or industry leaders who do not reside in these Counties may not be aware of the most relevant and current information.

NOW, THEREFORE, BE IT RESOLVED by the members of the County Board of Kendall County, Illinois as follows:

1. The County Board opposes Senate Bill 1602 or any similar legislation that would undermine the County Board's local zoning authority.
2. The County Board urges the Illinois General Assembly to abandon any efforts to advance Senate Bill 1602.
3. The County Board urges Governor Pritzker to veto Senate Bill 1602 or any similar bill should the General Assembly pass such legislation.
4. The Clerk is hereby directed to send copies of this Resolution to Governor Pritzker, the legislative leaders of both chambers of the Illinois General Assembly, and the representatives and senators representing this County.

Passed by the Kendall County Board on this ____ day of _____, 2021.

AYES: _____
NAYS: _____
PRESENT: _____
ABSTAIN/ABSENT: _____

Scott R. Gryder, Board Chairman

ATTEST:

Debbie Gillette, County Clerk & Recorder





Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: April 12, 2021

Amount: N/A

Budget: N/A

Issue: Petition 21-06-Request from Jhon Cordero on Behalf of Cordero Real Estate, LLC for a Map Amendment Rezoning Property Located Approximately 268 West of the Intersection of Galena Road and E. Beecher Road on the South Side of Galena Road (PIN: 02-06-400-007) in Bristol Township

Background and Discussion:

The Petitioner purchased the subject property in 2020 and wishes to operate a tree service business onsite.

In discussing the proposal, the Petitioner's Attorney indicated that the Petitioner would engage in making, storing and selling of mulch from trees the Petitioner's business cuts down from clients. The Petitioner would not grow trees onsite. The Petitioner's Attorney believed that the site would be used for contractor's office, storage of trailers, farm implements, and other similar equipment on an open lot, truck, truck tractor, and truck trailer storage yards, wholesaling and warehousing. These uses are permitted uses in the M-1 Limited Manufacturing District. Landscaping businesses are special uses in the M-1 Limited Manufacturing District. Accordingly, the Petitioner would like to rezone the property to the M-1 Limited Manufacturing District.

The record for the Petition can be found here, <https://www.co.kendall.il.us/home/showpublisheddocument?id=19562>.

The draft ordinance is attached.

Committee Action:

ZPAC-Forward (8-0-2), RPC-Approval (9-0-1) ZBA-Approval (6-0-1), Bristol Township-Approval, Yorkville Planning Commission-Approval (5-1), Yorkville-Approval, Bristol-Kendall Fire Protection Dist-No Comments, PBZ Committee-Approval (5-0)

Staff Recommendation:

Approval. However, careful site plan review should occur when the property is developed to ensure that negative impacts on the wetlands and other environmentally sensitive features of the property are minimized.

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning Department

Date: April 13, 2021

ORDINANCE NUMBER 2021-_____

**MAP AMENDMENT FOR APPROXIMATELY TWENTY-FOUR POINT NINE ACRES OF
LAND LOCATED APPROXIMATELY TWO HUNDRED SIXTY-EIGHT FEET WEST OF THE
INTERSECTION OF GALENA ROAD AND EAST BEECHER ROAD ON THE SOUTH SIDE
OF GALENA ROAD (PIN: 02-06-400-007) IN BRISTOL TOWNSHIP**

Rezone from A-1 to M-1

WHEREAS, Section 13:07 of the Kendall County Zoning Ordinance permits the Kendall County Board to approve map amendments and provides the procedure through which map amendments are granted; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural Zoning District and consists of approximately 24.9 acres located approximately 268 feet west of the intersection of Galena Road and East Beecher Road on the south side of Galena Road (PIN: 02-06-400-007), in Bristol Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as “the subject property”; and

WHEREAS, the subject property is currently owned by Cordero Real Estate, LLC as represented by Jhon Cordero hereinafter shall be referred to as “Petitioner”; and

WHEREAS, on or about January 21, 2021, Petitioner’s representative filed a petition for a Map Amendment rezoning the subject property from A-1 Agricultural to M-1 Limited Manufacturing District; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on March 4, 2021, the Kendall County Zoning Board of Appeals conducted a public hearing on March 29, 2021, at 7:00 p.m., in the Kendall County Historic Courthouse at 109 W. Ridge Street in Yorkville, at which the Petitioner’s representative presented evidence, testimony, and exhibits in support of the requested Map Amendment and zero members of the public asked questions or testified in favor or testified in opposition to the request; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their Findings of Fact and recommended approval of the Map Amendment as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated March 29, 2021, a true and correct copy of which is attached hereto as Exhibit B; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing and has considered the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has forwarded to the Kendall County Board a recommendation of approval of the requested Map Amendment; and

WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee and the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals attached hereto as Exhibit B is hereby accepted and the Findings of Fact set forth therein are hereby adopted as the Findings of Fact and Conclusions of this Kendall County Board.
2. The Kendall County Board hereby grants approval of Petitioner's petition for a Map Amendment rezoning the subject property from A-1 Agricultural District to M-1 Limited Manufacturing District.
3. All ordinances and variances that are in conflict with this ordinance are hereby repealed.
4. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this Map Amendment.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 20th day of April, 2021.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

Exhibit A

LEGAL DESCRIPTION:

That Part of the East Half of the East Half of Section 6, Township 37 North, Range 7 East of the Third Principal Meridian, lying Southerly of the present centerline of Galena Road, described as follows: Beginning at the intersection of the center line of Galena Road with the East Line of said Section; thence North $70^{\circ}55'$ West along said center line, 276.0 feet; thence South parallel to the East Line of said Section 6, 200 feet; thence South $70^{\circ}55'$ East, 276.0 feet to the East Line of said Section; thence South along the East Line of said Section, 1456.6 feet to the Southeast Corner of said Section; thence West along the South Line of said Section, 470.51 feet to the Easterly Line of Parcel Two of property conveyed to Chicago Title and Trust Company, as trustee under Trust Number 45553 by Conservators Deed recorded September 17, 1973 as Document 73-4671; thence Northerly along said Easterly Line, 1006.52 feet to the Northeasterly Corner of said Parcel; thence Westerly along the North Line of said Parcel Two, 388.83 feet to the intersection of said North Line with the Easterly Line of the property described in Parcel One of said Document 73-4671; thence Northeasterly along said Easterly Line of Parcel One, a distance of 115.02 feet to an angle point on said Easterly Line of Parcel One, which is 1112.06 perpendicularly distant North of the South Line of said Section; thence North along a line forming an angle of $26^{\circ}45'38''$ to the left with the prolongation of the last described course, a distance of 2329.35 feet to the South Line of property conveyed to Diane R. Kapchinski by Trustee's Deed recorded June 14, 1973 as Document 73-2843; thence East along the South Line of property conveyed to Diane R. Kapchinski by Trustee's Deed recorded June 14, 1973 as Document 73-2843; thence East along the South Line of property conveyed to Diane R. Kapchinski, 812.68 feet to the East Line of said Section 6; thence Southerly along the East Line of said Section 6, 1319.90 feet to the point of beginning, in the Township of Bristol, Kendall County, Illinois.

Exhibit B

The Kendall County Zoning Board of Appeals approved the following Findings of Fact and Recommendation at their meeting on March 29, 2021, by a vote of six (6) in favor and zero (0) in opposition. Member Whitfield was absent.

FINDINGS OF FACT

§ 13:07.F of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to recommend in favor of the applicant on map amendment applications.

Existing uses of property within the general area of the property in question. **The surrounding properties are used for agricultural purposes with gravel mining, asphalt production, and composting uses also located in the vicinity.**

The Zoning classification of property within the general area of the property in question. **The surrounding properties in the unincorporated area are zoned A-1, M-2, and M-3.**

The suitability of the property in question for the uses permitted under the existing zoning classification. **The property is presently zoned A-1. A more intense Manufacturing zoning classification is necessary to cover all of the proposed uses instead of the existing A-1 zoning classification.**

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. **The trend of development in the area includes uses associated with Manufacturing zoning districts and Commercial zoning districts.**

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **The Future Land Use Map in the Land Resource Management Plan classifies this property as Mixed Use Business. The M-1 Limited Manufacturing District is consistent with the Mixed Use Business classification.**

RECOMMENDATION

Approval



Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: April 12, 2021

Amount: N/A

Budget: N/A

Issue: Petition 21-08-Request from Jamie and Jillian Prodehl for a Special Use Permit on A-1 Zoned Property for Banquet Facility and a Variance to Section 7:01.D.12.a of the Kendall County Zoning Ordinance to Allow a Banquet Facility on a Non-Arterial or Non-Major Collector Roadway at 4405 Van Dyke Road (PIN: 09-05-400-021) in Seward Township

Background and Discussion:

The Petitioners would like to operate the Sable Creek Homestead, LLC banquet facility at the subject property. The Petitioners are also requesting a variance to allow a banquet facility on a non-arterial or non-major collector roadway.

The record for the Petition can be found here, <https://www.co.kendall.il.us/home/showpublisheddocument?id=19638>

The draft ordinance is attached.

Committee Action:

ZPAC-Forward (7-0-3), RPC-Approval (9-1), ZBA-Approval with Conditions (6-0-1), Seward Township-No Comments, Village of Plattville-No Comments, City of Joliet-No Comments, Lisbon-Seward Fire Protection Dist-Set Maximum Occupancy of Building at Two Hundred (200) and Will Do Pre-Inspection, PBZ Committee-Approval (5-0)

Staff Recommendation:

Approval with Conditions

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning Department

Date: April 13, 2021

ORDINANCE NUMBER 2021-_____

GRANTING A SPECIAL USE PERMIT FOR A BANQUET HALL AND A VARIANCE TO SECTION 7.01.D.12.A OF THE KENDALL COUNTY ZONING ORDINANCE TO ALLOW A BANQUET FACILITY TO BE LOCATED OFF OF A NON-ARTERIAL OR NON-MAJOR COLLECTOR ROADWAY AT 4405 VAN DYKE ROAD AND IDENTIFIED BY PARCEL IDENTIFICATION NUMBER 09-05-400-021 IN SEWARD TOWNSHIP

WHEREAS, Section 13:08 of the Kendall County Zoning Ordinance permits the Kendall County Board to issue special use permits and place conditions on special use permits and provides the procedure through which special use permits are granted; and

WHEREAS, Section 13:04 of the Kendall County Zoning Ordinance permits the Kendall County Board to issue variations and place conditions on variations and provides the procedure through which variations are granted; and

WHEREAS, Section 7:01.D.12 of the Kendall County Zoning Ordinance permits the operation of banquet halls as a special use with certain restrictions in the A-1 Agricultural Zoning District; and

WHEREAS, Section 7:01.D.12.a of the Kendall County Zoning Ordinance requires banquet halls located in the A-1 Agricultural Zoning District to have direct access to an arterial roadway or major collector road as defined in the Land Resource Management Plan; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural Zoning District and consists of approximately 5.8 acres located at 4405 Van Dyke Road, Minooka (PIN: 09-05-400-021) in Seward Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as “the subject property”; and

WHEREAS, the subject property is currently owned by Jamie and Jillian Prodehl and shall hereinafter be referred to as “Petitioner”; and

WHEREAS, on or about February 17, 2021, Petitioner filed a petition for a Special Use Permit allowing the operation of a banquet hall at the subject property and a variance to Sections 7:01.D.12.a of the Kendall County Zoning Ordinance; and

WHEREAS, following due and proper notice by publication in the Beacon-News on March 9, 2021, the Kendall County Zoning Board of Appeals conducted a public hearing on March 29, 2021, at 7:00 p.m., in the Third Floor Courtroom of the Kendall County Historic Courthouse at 109 W. Ridge Street in Yorkville, at which the Petitioner presented evidence, testimony, and exhibits in support of the requested special use permit and variance and two members of the public testified in favor of the proposal and zero members of the public testified in opposition to the proposal; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their Findings of Fact and recommended approval of the special use permit and variance with conditions as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated March 29, 2021, a true and correct copy of which is attached hereto as Exhibit B; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has

reviewed the testimony presented at the aforementioned public hearing and has considered the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has forwarded to the Kendall County Board a recommendation of approval of the requested special use permit and variance with conditions; and

WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee and the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

WHEREAS, this special use permit and variance shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals attached hereto as Exhibit B is hereby accepted and the Findings of Fact set forth therein are hereby adopted as the Findings of Fact and Conclusions of this Kendall County Board.
2. The Kendall County Board hereby grants approval of Petitioner's petition for a special use permit and variance allowing the operation of a banquet hall on the subject property subject to the following conditions:
 - A. The site shall be developed substantially in accordance with the site plan attached hereto as Exhibit C, landscaping plan attached hereto as Exhibit D, and photometric plan attached hereto as Exhibit E.
 - B. A variance to Section 7:01.D.12.a shall be granted to allow the placement of the banquet hall on a non-arterial and non-major collector roadway.
 - C. A maximum of two hundred (200) guests, vendors, and employees in attendance at a banquet center related event may be on the subject property at a given time.
 - D. The business allowed by this special use permit may have a maximum of four (4) employees, including the property owners.
 - E. The subject parcel must maintain a minimum of five (5) acres.
 - F. The owners of the business allowed by this special use permit may install one (1) sign in substantially the location shown on the site plan attached hereto as Exhibit C. The sign shall look similar to the sign example attached hereto as Exhibit F. The supports for the sign will be seven feet (7') in height and five feet (5') in width. The circle will be no larger than four foot (4') in circumference. The sign may be double sided. The sign shall not be illuminated.
 - G. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
 - H. The noise regulations are as follows:

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

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

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

- I. No music shall originate outside of any building. This restriction shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of the building. For music originating inside the building, all amplified music shall cease on or before two hours prior to closing.
- J. The hours of operation for the business allowed by this special use permit shall be between 9:00 a.m. and 10:00 p.m. on weekdays and between 9:00 a.m. until Midnight on weekends. For the purposes of this ordinance, a weekend shall be Fridays, Saturdays, the day prior to any Federal or State Holiday, and any Federal or State Holiday that falls on a Thursday. All other days shall be considered weekdays. Maintenance of the property may occur outside these hours of operation.
- K. All guests at events related to the business allowed by this special use permit shall vacate the property no later than one (1) hour prior to the business closure time listed in the previous condition. Vendors and individuals assisting with the cleanup of events must vacate the property by the closure time listed in the previous condition.
- L. None of the buildings associated with the business allowed by this special use permit shall be considered agricultural exempt structures. Applicable building and occupancy permits shall be secured for all new structures related to the business allowed by this special use permit. A new certificate of occupancy must be issued for the existing metal barn.
- M. The owner(s) or operator(s) of the business allowed by this special use permit shall live at the subject property as their primary place of residence.
- N. All trash and garbage generated by events associated with the business allowed by this special use permit shall be stored in the trash enclosure shown on the site plan attached hereto as Exhibit C. The owner(s) or operator(s) of the business allowed by this special use permit shall ensure that garbage and trash shall be removed from the property at least one (1) time per week or as necessary to maintain the property clear of garbage and trash.
- O. The subject property shall be landscaped substantially in accordance with the landscaping plan attached hereto as Exhibit D. All landscaping and the driveway widening shall occur within one hundred twenty (120) days after the approval of the ordinance granting a special use permit for a banquet facility at the subject property.
- P. The operator(s) of the banquet facility acknowledge and agree to follow Kendall County's Right to Farm Clause.
- Q. The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
- R. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.

- S. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
3. This special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.
4. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this special use permit.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 20th day of April, 2021.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

Exhibit A Legal Description

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE WEST LINE OF THE SOUTHEAST 1/4 OF SECTION 5 AND THE CENTER LINE OF VAN DYKE ROAD; THENCE NORTH 01 DEGREES 27 MINUTES 46 SECONDS WEST ALONG SAID WEST LINE OF THE SOUTHEAST 1/4 OF SECTION 5, A DISTANCE OF 483.67 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 01 DEGREES 27 MINUTES 46 SECONDS WEST, A DISTANCE OF 15 FEET; THENCE NORTH 88 DEGREES 47 MINUTES 03 SECONDS EAST A DISTANCE OF 510.84 FEET; THENCE SOUTH 89 DEGREES 31 MINUTES 36 SECONDS WEST 510.43 FEET TO THE POINT OF BEGINNING, IN SEWARD TOWNSHIP, KENDALL COUNTY, ILLINOIS.

The Kendall County Zoning Board of Appeals approved the following Findings of Fact and Recommendation at their meeting on March 29, 2021, by a vote of six (6) in favor and zero (0) in opposition. Member Whitfield was absent.

FINDINGS OF FACT-SPECIAL USE

§ 13:08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order recommend in favor of the applicant on special use permit applications.

*That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. **The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, or general welfare, provided that the site is developed in accordance with an approved site plan, landscaping plan, and lighting plan. Proper buffering and noise controls will be necessary to prevent noise from negatively impacting neighboring properties which can be addressed with reasonable conditions on the special use permit.***

*That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. **The proposed use could be injurious to the enjoyment of other property in the immediate vicinity due to noise and light created from the proposed use. However, these negative impacts could be mitigated by restrictions related to hours of operation, number of events, and noise origination requirements within the ordinance granting the special use permit.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **True, the property previously possessed a special use permit for a place of worship and utilities and other necessary facilities were addressed as part of the use of the site as a church. The Petitioner plans to work with the Kendall County Health Department to address the well and septic system. The Petitioner also proposes to widen the driveway.***

*That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. **Provided that the variance is approved regarding distance to arterial and collector roads, the special use would conform to the applicable regulations of the district.***

*That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **True, the proposed use is consistent with an objective found on Page 3-6 of the Kendall County Land Resource Management Plan which states as an objective “Encourage Agriculture and Agribusiness.”***

FINDINGS OF FACT-VARIANCE

§ 13:04.A.3 of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to grant variations.

*That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. **The proposed banquet hall is approximately one half (1/2) mile from an arterial or major collector (Grove Road). In 2018, the County granted a similar variance for a banquet hall located approximately one point two (1.2) miles from an arterial roadway.***

*That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. **This is not true. Other banquet halls in the rural areas could face similar concerns. The specific number of properties sharing similar characteristics is unknown.***

*That the alleged difficulty or hardship has not been created by any person presently having an interest in the property. **The Petitioners desired to have a banquet hall at the subject property. However, the Petitioners were not responsible for the determining the road classification for Van Dyke Road.***

*That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. **True, the Kendall County Sheriff's Department, Seward Township, and the Lisbon-Seward Fire Protection District have not expressed any concerns regarding the proposed use being materially detrimental to the public welfare or injurious to other property in the neighborhood.***

*That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. **True, the proposed use will not block light or air from adjacent properties. The proposed use will not cause an increase in congestion on public streets because events will not be held every day. Provided the business allowed by the special use permit follows the restrictions placed on the special use permit, no increase to the danger of fire or the endangerment of public safety should occur. Data does not exist as to whether the placement of the proposed use will diminish or impair the property values of the properties located in the vicinity of the subject property.***

RECOMMENDATION

Approval subject to the following conditions:

1. The site shall be developed substantially in accordance with the submitted site plan, landscaping plan, and photometric plan.
2. A variance to Section 7:01.D.12.a shall be granted to allow the placement of the banquet hall on a non-arterial and non-major collector roadway.
3. A maximum of two hundred (200) guests, vendors, and employees in attendance at a banquet center related event may be on the subject property at a given time.
4. The business allowed by this special use permit may have a maximum of four (4) employees, including the property owners.
5. The subject parcel must maintain a minimum of five (5) acres.
6. The owners of the business allowed by this special use permit may install one (1) sign in substantially the location shown on the site plan. The sign shall look similar to the submitted sign example. The supports for the sign will be seven feet (7') in height and five feet (5') in width. The circle will be no larger than four foot (4') in circumference. The sign may be double sided. The sign shall not be illuminated.

7. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
8. The noise regulations are as follows:

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

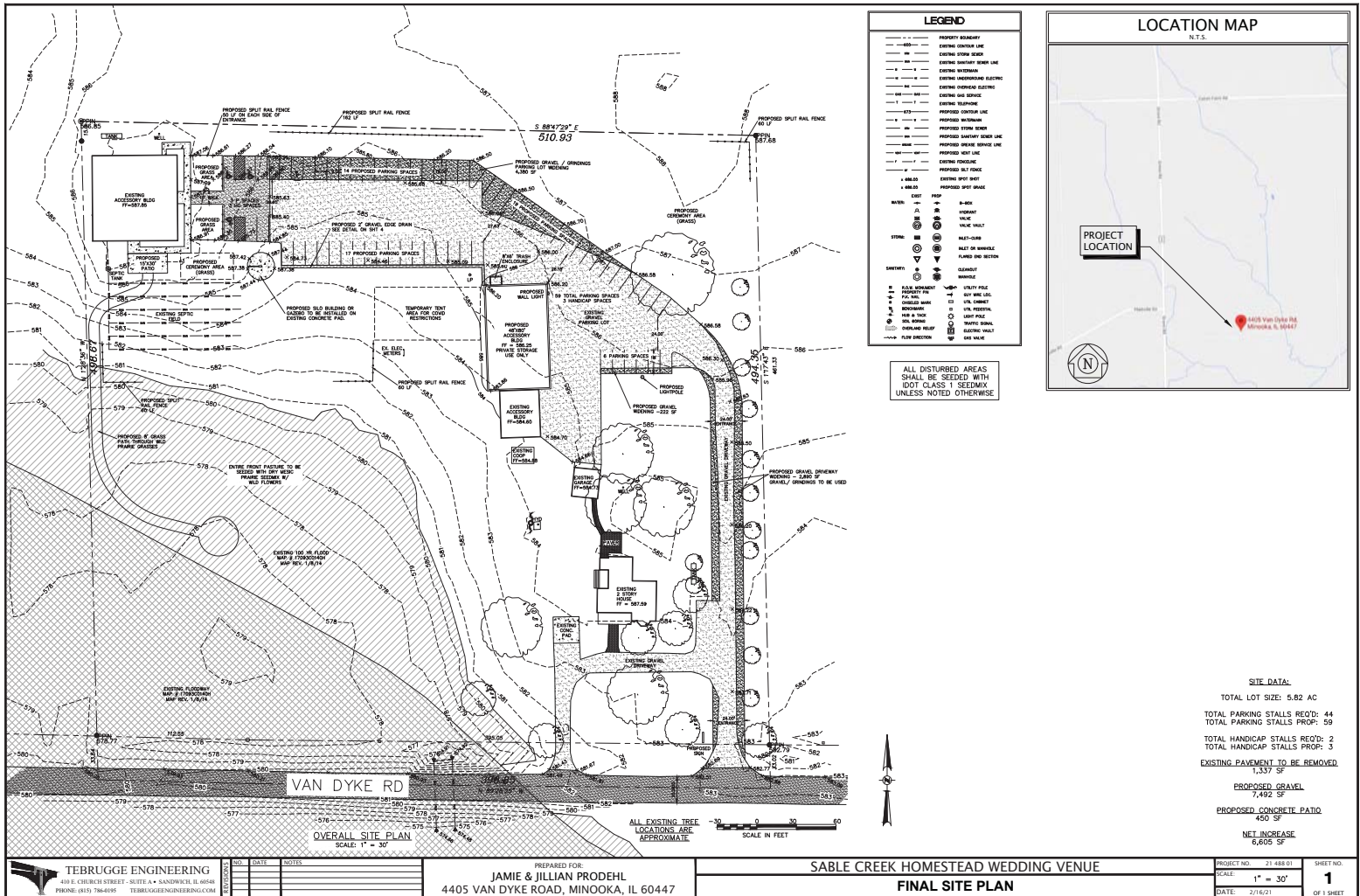
Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty-five (55) dBA when measured at any point within such receiving residential land provided; however, that point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

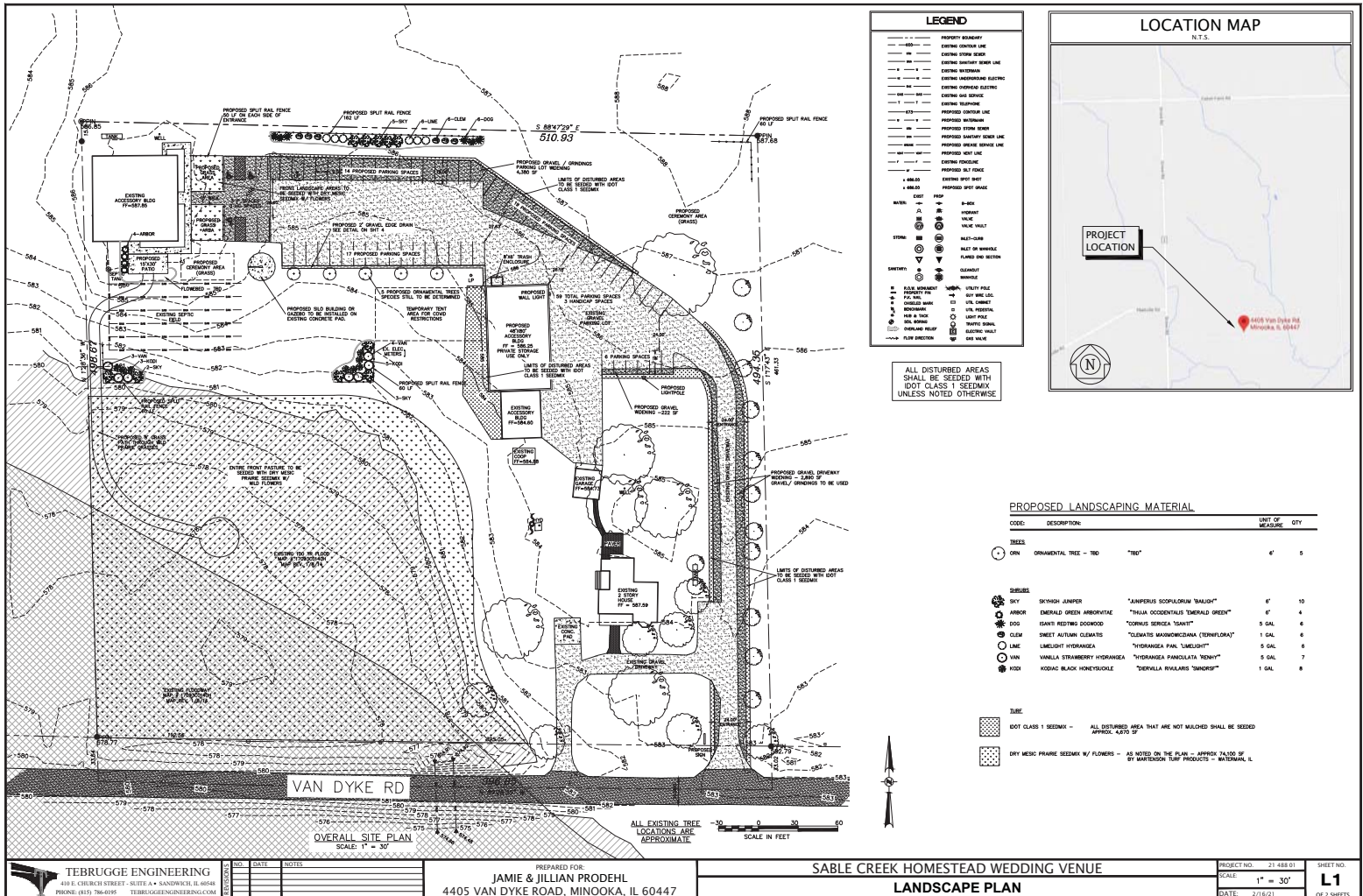
EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00)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

9. No music shall originate outside of any building. This restriction shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of the building. For music originating inside the building, all amplified music shall cease on or before two hours prior to closing.
10. The hours of operation for the business allowed by this special use permit shall be between 9:00 a.m. and 10:00 p.m. on weekdays and between 9:00 a.m. until Midnight on weekends. For the purposes of this ordinance, a weekend shall be Fridays, Saturdays, the day prior to any Federal or State Holiday, and any Federal or State Holiday that falls on a Thursday. All other days shall be considered weekdays. Maintenance of the property may occur outside these hours of operation.
11. All guests at events related to the business allowed by this special use permit shall vacate the property no later than one (1) hour prior to the business closure time listed in the previous condition. Vendors and individuals assisting with the cleanup of events must vacate the property by the closure time listed in the previous condition.
12. None of the buildings associated with the business allowed by this special use permit shall be considered agricultural exempt structures. Applicable building and occupancy permits shall be secured for all new structures related to the business allowed by this special use permit. A new certificate of occupancy must be issued for the existing metal barn.
13. The owner(s) or operator(s) of the business allowed by this special use permit shall live at the subject property as their primary place of residence.
14. All trash and garbage generated by events associated with the business allowed by this special use permit shall be stored in the trash enclosure shown on the site plan. The owner(s) or operator(s) of the business allowed by this special use permit shall ensure that garbage and trash shall be removed from the property at least one (1) time per week or as necessary to maintain the property clear of garbage and trash.
15. The subject property shall be landscaped substantially in accordance with the landscaping plan. All landscaping and the driveway widening shall occur within one hundred twenty (120) days after the approval of the ordinance granting a special use permit for a banquet facility at the subject property.
16. The operator(s) of the banquet facility acknowledge and agree to follow Kendall County's Right to Farm Clause.
17. The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
18. Failure to comply with one or more of the above conditions or restrictions could result in the

amendment or revocation of the special use permit.

19. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.





SSS-B SERIES POLES

SQUARE STRAIGHT STEEL

Cat.#

Exhibit E, Page 2

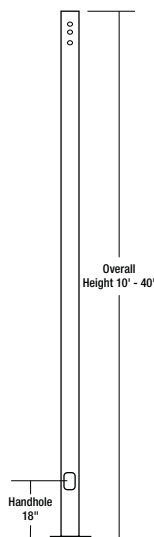
Job

Type

Approvals



BEACON
design . performance . technology



APPLICATIONS

- Lighting installations for side and top mounting of luminaires with effective projected area (EPA) not exceeding maximum allowable loading of the specified pole in its installed geographic location

CONSTRUCTION

- SHAFT:** One-piece straight steel with square cross section, flat sides and minimum 0.23" radius on all corners; Minimum yield of 46,000 psi (ASTM-A500, Grade B); Longitudinal weld seam to appear flush with shaft side wall; Steel base plate with axial bolt circle slots welded flush to pole shaft having minimum yield of 36,000 psi (ASTM A36)
- BASE COVER:** Two-piece square aluminum base cover included standard
- POLE CAP:** Pole shaft supplied with removable cover when applicable; Tenon and post-top configurations also available
- HAND HOLE:** Rectangular 3x5 steel hand hole frame (2.38" x 4.38" opening); Mounting provisions for grounding lug located behind gasketed cover
- ANCHOR BOLTS:** Four galvanized anchor bolts provided per pole with minimum yield of 55,000 psi (ASTM F1554). Galvanized hardware with two washers and two nuts per bolt for leveling

Anchor bolt part numbers: 3/4 x 30 x 3 — TAB-30-M38

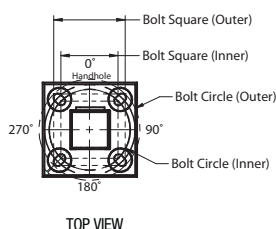
1 x 36 x 4 — TAB-36-M38

FINISH

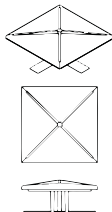
- Durable thermoset polyester powder coat paint finish with nominal 3.0 mil thickness
- Powder paint prime applied over "white metal" steel substrate cleaned via mechanical shot blast method
- Decorative finish coat available in multiple standard colors; Custom colors available; RAL number preferable

WAREHOUSE 'STOCKED' POLES:

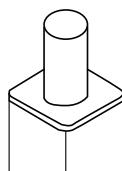
- SSSH20-40A-4-HV-DB-RDC, SSSH25-40A-4-HV-DB-RDC and SSSH30-50B-4-HV-DB-RDC
- The HV designation in the above catalog numbers is a combination drill pattern of the Hubbell Outdoor S2 pattern and the Beacon B3/B4 Viper pattern (rectangular arm mounting)



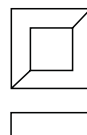
POLE CAP



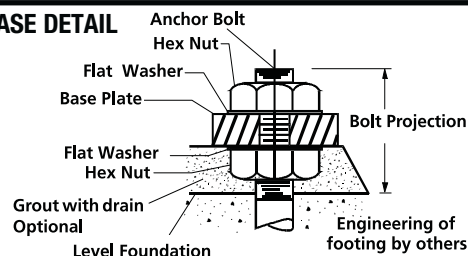
TENON



BASE COVER



BASE DETAIL



ORDERING INFORMATION

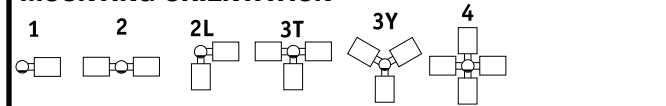
ORDERING EXAMPLE:

Reference page 2 for available configurations

SSS - B - 25 - 40 - A/B/C - 2L - B3 - BLT - UL

SERIES	HEIGHT	SHAFT	THICKNESS	MOUNTING	FINISH	OPTIONS
SSS-B Square Straight Steel Pole Beacon	Reference page 2 Ordering matrix	Reference page 2 Ordering matrix	Reference page 2 Ordering matrix	1 Single arm mount 2 Two fixtures at 180° 2L Two fixtures at 90° 3T Three fixtures at 90° 4 Four fixtures at 90° TA Tenon (2.38" OD x 4" Tall) TB Tenon (2.88" OD x 4" Tall) TC Tenon (3.5" OD x 6" Tall) TR' Removable Tenon (2.375 x 4.25) OT Open Top (includes pole cap)	BLT Black Matte Textured BLS Black Gloss Smooth DBT Dark Bronze Matte Textured DBS Dark Bronze Gloss Smooth GTT Graphite Matte Textured LGS Light Grey Gloss Smooth PSS Platinum Silver Smooth WHT White Matte Textured WHS White Gloss Smooth VGT Verde Green Textured Color Option CC Custom Color	GFI² 20 Amp GFCI Receptacle and Cover EHH² Extra Handhole C05² .5" Coupling C07² .75" Coupling C20² 2" Coupling MPB² Mid-pole Luminaire Bracket VM2 2nd mode vibration damper LAB Less Anchor Bolts UL UL Certified

MOUNTING ORIENTATION



- Removable tenon used in conjunction with side arm mounting. First specify desired arm configuration followed by the "TR" notation. Example: SSS-B-25-40-A-1-B1-TR-BBT
- Specify option location using logic found on page 2 (Option Orientation)
- VM1 recommended on poles 20' and taller with EPA of less than 1.

ACCESSORIES - Order Separately

Catalog Number	Description
VM1 ³	1st mode vibration damper
VM2SXX	2nd mode vibration damper

DRILL PATTERN

- B1** Cruiser, "AM" arm
- B3** 2 bolt (2-1/2" spacing), Viper "A" arm
- S2** 2 bolt (3-1/2" spacing), Viper "AD" arm



Beacon Products • 701 Millennium Blvd, Greenville, SC 29607 • Phone: 864-678-1000

Due to our continued efforts to improve our products, product specifications are subject to change without notice.

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HUBBELL
Lighting

SSS-B POLES-SPEC

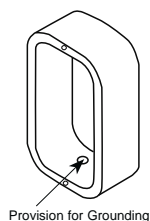
JULY 28, 2020 8:45 AM

ORDERING INFORMATION Cont.

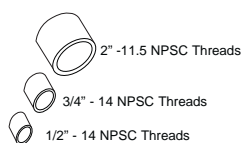
Catalog Number	Height		Nominal Shaft Dimensions	Wall Thickness	Bolt Circle (suggested)	Bolt Circle (range)	Bolt Square (range)	Base Plate Square	Anchor bolt size	Bolt Projection	Pole weight
	Feet	Meters									
SSS-B-10-40-A-XX-XX	10	3.0	4" square	0.125"	9"	8" - 10"	5.66" - 7.07"	9"	3/4" x 30" x 3"	3.5	77
SSS-B-12-40-A-XX-XX	12	3.7	4" square	0.125"	9"	8" - 10"	5.66" - 7.07"	9"	3/4" x 30" x 3"	3.5	90
SSS-B-14-40-A-XX-XX	14	4.3	4" square	0.125"	9"	8" - 10"	5.66" - 7.07"	9"	3/4" x 30" x 3"	3.5	103
SSS-B-16-40-A-XX-XX	16	4.9	4" square	0.125"	9"	8" - 10"	5.66" - 7.07"	9"	3/4" x 30" x 3"	3.5	116
SSS-B-18-40-A-XX-XX	18	5.5	4" square	0.125"	9"	8" - 10"	5.66" - 7.07"	9"	3/4" x 30" x 3"	3.5	129
SSS-B-20-40-A-XX-XX	20	6.1	4" square	0.125"	9"	8" - 10"	5.66" - 7.07"	9"	3/4" x 30" x 3"	3.5	142
SSS-B-25-40-A-XX-XX	25	7.6	4" square	0.125"	9"	8" - 10"	5.66" - 7.07"	9"	3/4" x 30" x 3"	3.5	175
SSS-B-14-40-B-XX-XX	14	4.3	4" square	.188"	11"	10" - 12"	7.07" - 8.48"	10.50"	3/4" x 30" x 3"	3.5	152
SSS-B-16-40-B-XX-XX	16	4.9	4" square	.188"	11"	10" - 12"	7.07" - 8.48"	10.50"	3/4" x 30" x 3"	3.5	171
SSS-B-18-40-B-XX-XX	18	5.5	4" square	.188"	11"	10" - 12"	7.07" - 8.48"	10.50"	3/4" x 30" x 3"	3.5	190
SSS-B-20-40-B-XX-XX	20	6.1	4" square	.188"	11"	10" - 12"	7.07" - 8.48"	10.50"	3/4" x 30" x 3"	3.5	209
SSS-B-25-40-B-XX-XX	25	7.6	4" square	.188"	11"	10" - 12"	7.07" - 8.48"	10.50"	3/4" x 30" x 3"	3.5	257
SSS-B-30-40-B-XX-XX	30	9.1	4" square	.188"	11"	10" - 12"	7.07" - 8.48"	10.50"	3/4" x 30" x 3"	3.5	304
SSS-B-16-50-B-XX-XX	16	4.9	5" square	.188"	11"	10.25" - 13.25"	7.25" - 9.37"	11.50"	1" x 36" x 4"	4.5	219
SSS-B-18-50-B-XX-XX	18	5.5	5" square	.188"	11"	10.25" - 13.25"	7.25" - 9.37"	11.50"	1" x 36" x 4"	4.5	243
SSS-B-20-50-B-XX-XX	20	6.1	5" square	.188"	11"	10.25" - 13.25"	7.25" - 9.37"	11.50"	1" x 36" x 4"	4.5	267
SSS-B-25-50-B-XX-XX	25	7.6	5" square	.188"	11"	10.25" - 13.25"	7.25" - 9.37"	11.50"	1" x 36" x 4"	4.5	327
SSS-B-30-50-B-XX-XX	30	9.1	5" square	.188"	11"	10.25" - 13.25"	7.25" - 9.37"	11.50"	1" x 36" x 4"	4.5	387
SSS-B-25-50-C-XX-XX	25	7.6	5" square	.25"	11"	10.25" - 13.25"	7.25" - 9.37"	11.50"	1" x 36" x 4"	4.5	427
SSS-B-30-50-C-XX-XX	30	9.1	5" square	.25"	11"	10.25" - 13.25"	7.25" - 9.37"	11.50"	1" x 36" x 4"	4.5	507
SSS-B-20-60-B-XX-XX	20	6.1	6" square	.188"	12"	11.00" - 13.25"	7.81" - 9.37"	12.25"	1" x 36" x 6"	4.5	329
SSS-B-25-60-B-XX-XX	25	7.6	6" square	.188"	12"	11.00" - 13.25"	7.81" - 9.37"	12.25"	1" x 36" x 6"	4.5	404
SSS-B-30-60-B-XX-XX	30	9.1	6" square	.188"	12"	11.00" - 13.25"	7.81" - 9.37"	12.25"	1" x 36" x 6"	4.5	479
SSS-B-35-60-B-XX-XX	35	10.7	6" square	.188"	12"	11.00" - 13.25"	7.81" - 9.37"	12.25"	1" x 36" x 6"	4.5	554
SSS-B-40-60-B-XX-XX	40	12.2	6" square	.188"	12"	11.00" - 13.25"	7.81" - 9.37"	12.25"	1" x 36" x 6"	4.5	629

NOTE: Factory supplied template must be used when setting anchor bolts. Beacon Products will deny any claim for incorrect anchorage placement resulting from failure to use factory supplied template and anchor bolts.

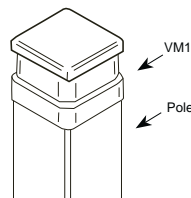
EHH - EXTRA HANDHOLE



C05 - C07 - C20 - COUPLING

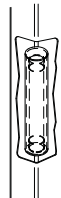


VM1 - VIBRATION DAMPER 1ST MODE



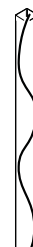
Field Installed Pole Top damper designed to reduce pole top deflection or sway. VM1 is recommended for pole systems 25' and taller with a total EPA of 1.0 or less.

VM2 - VIBRATION DAMPER 2ND MODE



Factory installed, internal damper designed to alter pole resonance to reduce movement and material fatigue caused by 2nd mode vibration.

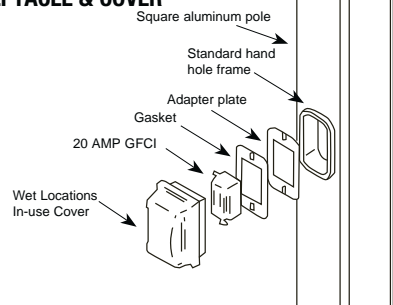
VM2SXX - VIBRATION DAMPER 2ND MODE



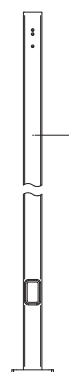
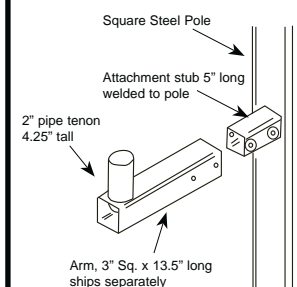
VM2S08 - 8'
VM2S12 - 12'
VM2S16 - 16'
VM2S20 - 20'
VM2S24 - 24'

Field installed, internal damper designed to alter pole resonance to reduce movement and material fatigue caused by 2nd mode vibration.

GFI - 20 AMP GFCI RECEPTACLE & COVER

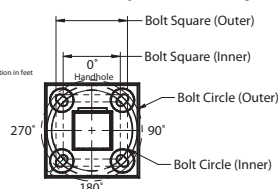


MPB - MID POLE BRACKET



OPTION ORIENTATION

Follow the logic below when ordering location specific options. For each option, include its orientation (in degrees) and its height (in feet). Example: Option C07 should be ordered as: SSS-B-20-40-A-TA-DB-C05-0-15 (.5" coupling on the handhole/arm side of pole, 15 feet up from the pole base) 1' spacing required between option. Consult factory for other configurations.



For more information about pole vibration and vibration dampers, please consult https://hubbellcdn.com/ohwassets/HLI/outdoor/resources/literature/files/Pole_Wind_Induced_Flyer_HLI0022.pdf. Due to our continued efforts to improve our products, product specifications are subject to change without notice.



Beacon Products • 701 Millennium Blvd, Greenville, SC 29607 • Phone: 864-678-1000

Due to our continued efforts to improve our products, product specifications are subject to change without notice.

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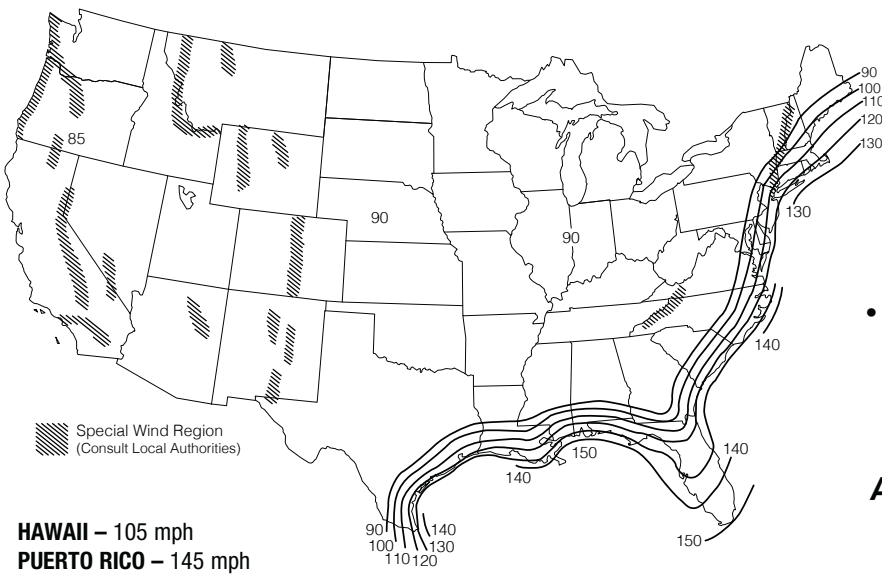


HUBBELL
Lighting

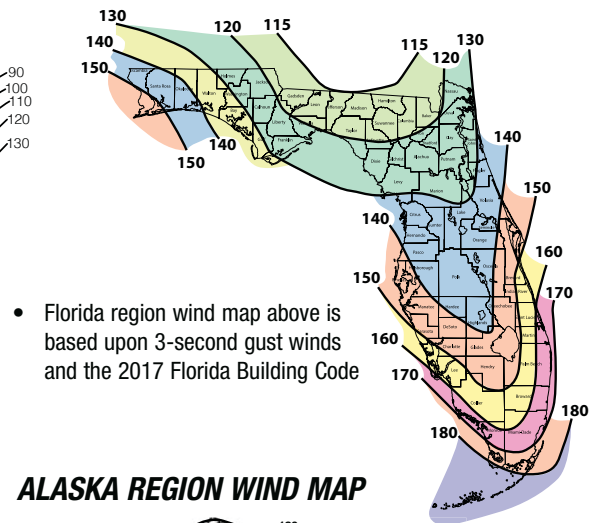
SSS-B POLES-SPEC

JULY 28, 2020 8:45 AM

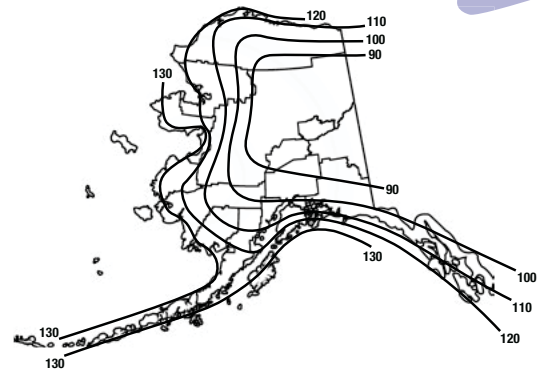
ASCE7-05 WIND MAP



FLORIDA REGION WIND MAP



ALASKA REGION WIND MAP



ASCE 7-05 wind map EPA Load Rating - 3 second gust wind speeds
(Use for all locations except Florida)

Catalog Number	85	90	100	105	110	120	130	140	145	150
SSS-B-10-40-A	25.0	25.0	25.0	22.8	20.6	17.0	14.2	11.9	11.0	10.1
SSS-B-12-40-A	25.0	25.0	20.0	18.0	16.1	13.2	10.8	8.9	8.1	7.4
SSS-B-14-40-A	23.1	20.4	16.1	14.3	12.8	10.2	8.2	6.6	5.9	5.3
SSS-B-16-40-A	19.0	16.7	13.0	11.5	10.1	7.9	6.2	4.7	4.1	3.6
SSS-B-18-40-A	15.6	13.6	10.0	9.0	7.8	5.9	4.4	3.1	2.6	2.1
SSS-B-20-40-A	12.7	10.9	7.9	6.9	5.9	4.2	2.8	1.7	1.3	0.9
SSS-B-25-40-A	7.3	5.9	3.8	2.9	2.1	0.8	NR	NR	NR	NR
SSS-B-14-40-B	25.0	25.0	23.3	20.8	18.6	15.1	12.3	10.2	9.2	8.4
SSS-B-16-40-B	25.0	24.9	19.4	17.3	15.4	12.3	9.9	8.0	7.2	6.4
SSS-B-18-40-B	24.0	20.8	16.1	14.2	12.5	9.8	7.7	6.1	5.3	4.7
SSS-B-20-40-B	20.2	17.5	13.2	11.6	10.1	7.7	5.9	4.4	3.8	3.2
SSS-B-25-40-B	12.8	11.0	7.9	6.7	5.5	3.7	2.3	1.2	0.7	NR
SSS-B-30-40-B	8.0	6.6	4.1	3.1	2.2	0.8	NR	NR	NR	NR
SSS-B-16-50-B	25.0	25.0	25.0	25.0	24.8	20.1	16.5	13.6	12.3	11.2
SSS-B-18-50-B	25.0	25.0	25.0	22.9	20.4	16.4	13.2	10.7	9.6	8.6
SSS-B-20-50-B	25.0	25.0	21.3	18.9	16.7	13.2	10.4	8.1	7.2	6.3
SSS-B-25-50-B	20.7	17.8	13.3	11.5	9.8	7.2	5.0	3.3	2.6	1.9
SSS-B-30-50-B	13.5	11.3	7.7	6.2	4.9	2.8	1.1	NR	NR	NR
SSS-B-25-50-C	25.0	25.0	19.4	17.1	15.1	11.7	9.0	6.9	6.0	5.1
SSS-B-30-50-C	20.1	17.3	12.7	10.9	9.3	6.6	4.5	2.8	2.1	1.4
SSS-B-20-60-B	25.0	25.0	25.0	25.0	25.0	20.2	16.1	12.9	11.5	10.3
SSS-B-25-60-B	25.0	25.0	20.6	18.0	15.6	11.8	8.7	6.2	5.2	4.2
SSS-B-30-60-B	21.4	18.1	12.9	10.7	8.8	5.7	3.3	1.3	NR	NR
SSS-B-35-60-B	14.0	11.3	6.9	5.2	3.6	1.0	NR	NR	NR	NR
SSS-B-40-60-B	8.1	5.8	2.2	nr	NR	NR	NR	NR	NR	NR

Florida Building Code 2017 EPA Load Rating - 3 second gust wind speeds
(Use for Florida only)

Catalog Number	115	120	130	140	150	160	170	180
SSS-B-10-40-A	25.0	25.0	25.0	25.0	21.4	18.4	15.9	13.9
SSS-B-12-40-A	25.0	25.0	23.6	19.8	16.7	14.2	12.1	10.4
SSS-B-14-40-A	25.0	23.1	19.0	15.7	13.1	10.9	9.1	7.6
SSS-B-16-40-A	20.8	18.7	15.2	12.3	10.1	8.2	6.7	5.4
SSS-B-18-40-A	16.8	15.0	11.9	9.4	7.5	5.9	4.5	3.4
SSS-B-20-40-A	13.6	11.9	9.2	7.1	5.3	3.9	2.7	1.7
SSS-B-25-40-A	7.4	6.2	4.1	2.5	1.1	NR	NR	NR
SSS-B-14-40-B	25.0	23.6	19.4	16.1	13.4	11.2	9.4	7.8
SSS-B-16-40-B	21.4	19.2	15.6	12.7	10.4	8.5	6.9	5.6
SSS-B-18-40-B	17.2	15.4	12.2	9.7	7.7	6.1	4.7	3.6
SSS-B-20-40-B	13.9	12.3	9.5	7.3	5.5	4.1	2.9	1.9
SSS-B-25-40-B	7.7	6.4	4.3	2.6	1.3	NR	NR	NR
SSS-B-30-40-B	3.2	2.1	NR	NR	NR	NR	NR	NR
SSS-B-16-50-B	25.0	25.0	25.0	25.0	25.0	21.4	18.2	15.5
SSS-B-18-50-B	25.0	25.0	25.0	24.4	20.4	17.0	14.2	11.9
SSS-B-20-50-B	25.0	25.0	24.4	19.9	16.3	13.4	11.0	8.9
SSS-B-25-50-B	21.8	19.3	15.0	11.5	8.8	6.5	4.7	3.1
SSS-B-30-50-B	13.7	11.7	8.2	5.5	3.3	1.5	NR	NR
SSS-B-25-50-C	21.8	19.3	15.0	11.5	8.8	6.5	4.7	3.1
SSS-B-30-50-C	13.7	11.7	8.2	5.5	3.3	1.5	NR	NR
SSS-B-20-60-B	25.0	25.0	25.0	21.9	17.8	14.5	11.7	9.4
SSS-B-25-60-B	23.8	20.9	16.1	12.3	9.2	6.6	4.5	2.8
SSS-B-30-60-B	14.6	12.3	8.4	5.3	2.8	0.8	NR	NR
SSS-B-35-60-B	7.5	5.6	2.4	NR	NR	NR	NR	NR
SSS-B-40-60-B	1.8	NR	NR	NR	NR	NR	NR	NR

NOTES

Wind-speed Website disclaimer:

Hubbell Lighting has no connection to the linked website and makes no representations as to its accuracy. While the information presented on this third-party website provides a useful starting point for analyzing wind conditions, Hubbell Lighting has not verified any of the information on this third party website and assumes no responsibility or liability for its accuracy. The material presented in the windspeed website should not be used or relied upon for any specific application without competent examination and verification of its accuracy, suitability and applicability by engineers or other licensed professionals. Hubbell Lighting Inc. does not intend that the use of this information replace the sound judgment of such competent professionals, having experience and knowledge in the field of practice, nor to substitute for the standard of care required of such professionals in interpreting and applying the results of the windspeed report provided by this website. Users of the information from this third party website assume all liability arising from such use. Use of the output of these referenced websites do not imply approval by the governing building code bodies responsible for building code approval and interpretation for the building site described by latitude/longitude location in the windspeed report. <http://windspeed.atcouncil.org>

NOTES

- Allowable EPA, to determine max pole loading weight, multiply allowable EPA by 30 lbs.
- The tables for allowable pole EPA are based on the ASCE 7-05 Wind Map or the Florida Region Wind Map for the 2010 Florida Building Code. The Wind Maps are intended only as a general guide and cannot be used in conjunction with other maps. Always consult local authorities to determine maximum wind velocities, gusting and unique wind conditions for each specific application
- Allowable pole EPA for jobsite wind conditions must be equal to or greater than the total EPA for fixtures, arms, and accessories to be assembled to the pole. Responsibility lies with the specifier for correct pole selection. Installation of poles without luminaires or attachment of any unauthorized accessories to poles is discouraged and shall void the manufacturer's warranty
- Wind speeds and listed EPAs are for ground mounted installations. Poles mounted on structures (such as bridges and buildings) must consider vibration and coefficient of height factors beyond this general guide; Consult local and federal standards
- Wind Induced Vibration brought on by steady, unidirectional winds and other unpredictable aerodynamic forces are not included in wind velocity ratings. Consult Hubbell Lighting's Pole Vibration Application Guide for environmental risk factors and design considerations. https://hubbellcdn.com/ohwassets/HL/outdoor/resources/literature/files/Pole_Wind_Induced_Flyer_HL010022.pdf
- Extreme Wind Events like, Hurricanes, Typhoons, Cyclones, or Tornadoes may expose poles to flying debris, wind shear or other detrimental effects not included in wind velocity ratings

Due to our continued efforts to improve our products, product specifications are subject to change without notice.

LNC3

MEDIUM LED LITEPAK

FEATURES

- Litepak LNC3 is a mid-sized wallpack in the popular Litepak series
- The LNC3 features luminaires with TIR optics and four different lumen packages, multiple distributions and CCT for maximum light level and mounting height flexibility
- Capable of replacing up to 250w HID solutions at over 70% energy savings
- Energy efficient LEDs provide 70%+ energy savings with little to no maintenance when compared to traditional light sources
- Typical mounting heights of 8-20"



CONTROL TECHNOLOGY



SPECIFICATIONS

CONSTRUCTION

- Die-cast aluminum housing protects components and provides an architectural appearance
- Casting thermally conducts LED heat to optimize performance and long life
- Powder paint finish provides durability in outdoor environments
- Four 1/2" conduit entries (top, bottom, and sides) provided for surface conduit
- Zero uplight distributions using individual acrylic LED optics provide IES type II, III and IV distributions
- CS - Frosted acrylic diffuser option for reduced glare
- CSU - Frosted acrylic diffuser for inverted "up" mounting applications (lens required)

OPTICS

- Ambient operating temperature -40°C to 40°C
- 3000K, 4000K and 5000K CCT nominal with 70 CRI
- Available in 4 or 24 LED configuration
- L70 at 60,000 hrs (Projected per IESNA TM-21-11), see table on page 3 for all values

INSTALLATION

- Quick-mount adapter with gasket seal provides easy installation to wall or to recessed junction box (4" square junction box)

INSTALLATION (CONTINUED)

- Fixture attaches by two Allen-head hidden fasteners for tamper resistance
- Designed for direct j-box mount or conduit feed on all four sides in single SKU

ELECTRICAL

- 120-277, 347 and 480 voltage, 50/60Hz, 0-10V dimming drivers
- Electronic driver
- 10kA surge protection

CONTROLS

- Button photocontrol for dusk to dawn energy savings
- 7-pin photo-receptacle available for twist lock photocell and controls by others
- Occupancy sensor options available for complete on/off and dimming control
- SiteSync pre-commissioned wireless controls (with or without sensor)
- In addition, LITEPAK can be specified with SiteSync™ wireless control system for reduction in energy and maintenance cost while optimizing light quality 24/7
- See ordering information or visit www.hubbellighting.com/sitesync for more details



RELATED PRODUCTS

θ [LNC](#) θ [INC2](#) θ [LNC4](#)

CERTIFICATIONS

- DLC® DesignLights Consortium Qualified, with some Premium Qualified configurations. Please refer to the DLC website for specific product qualifications at www.designlights.org
- Listed to UL1598 and CSAC22.2#250.0-24 for wet locations
- Listed to UL1598 and CSAC22.2#250.0-24 for wet locations
- IP65 Assembly
- IDA Approved (3000K configurations)

WARRANTY

- 5 year limited warranty
- See [HLI Standard Warranty](#) for additional information

KEY DATA	
Lumen Range	2,991–7,603
Wattage Range	28–83
Efficacy Range (LPW)	84–115
Fixture Projected Life (Hours)	L70>60K
Weights lbs. (kg)	18.0 (8.2)

LNC3

MEDIUM LED LITEPAK

ORDERING GUIDE

Example: LNC3-24L-3K-035-2-U-DBT-PCU

CATALOG #

ORDERING INFORMATION

Series	# LEDs	CCT/CRI	Drive Current	IES Distribution	Voltage
LNC3 Medium Litepak Wallpack	24L 24LEDs	3K 3000K nominal, 70 CRI 4K 4000K nominal, 70 CRI 5K 5000K nominal, 70 CRI	035 350mA 050 500mA 075 750mA 105 1050mA	2 Type II ¹ 3 Type III ¹ 4 Type IV ¹	U 120-277V 1 120V ¹ 2 208V ¹ 3 240V ¹ 4 277V ¹ 5 480V ¹ F 347V ¹

Finish	Control Options	Options	Notes:
BLT Black Matte Textured BLS Black Gloss Smooth DBT Dark Bronze Matte Textured DBS Dark Brone Gloss Smooth GTT Graphite Matte Textured LGS Light Grey Gloss Smooth PSS Platinum Silver Smooth WHT White Matte Textured WHS White Gloss Smooth VGT Verde Green Textured Color Option CC Custom Color	PCU Universal Button Photocontrol 7PR 7pin PCR ⁶ SCP Programmable occupancy sensor ^{3,4} SWP SiteSync Pre-Commission ^{7,10} SWPM SiteSync Pre-commission w/ OCC Sensor ^{4,7,8,10}	F Fusing (must specify voltage per footnote) CS Frosted acrylic diffuser CSU Inverted/Up mounting frosted acrylic diffuser (required for up/inverted fixture installations, factory install only see page 3) ² E Integral battery backup rated for 0°C ^{1,5} EH Integral battery backup with heater rated for -30°C ^{1,5} 2DR Dual Driver ⁹	1 Must specify voltage (120 or 277 only for E & EH) 2 Factory install only. Not available with SCP or SWPM sensor/control options 3 Must order minimum of one remote control to program dimming settings, 0-10V fully adjustable dimming with automatic daylight calibration and different time delay settings, 120-277V only 4 PCU option not applicable, included in sensor (8F = up to 8ft, 20F = up to 20ft) 5 350mA, 500mA & 750mA versions only. Not available with F, SWP or SWPM options 6 Accepts standard 3, 5, and 7-Pin ANSI controls (by others). Not available with PCU, SWP or SWPM control options 7 Must specify group and zone information at time or order. See www.HubbellLighting.com/products/sitesync for future details 8 Specify time delay; dimming level and mounting height 9 750mA and 1050mA versions only, not available with 347/480V 10 1050mA only, not available with 347V or 480V

ACCESSORIES AND SERVICES (ORDERED SEPARATELY)

Catalog Number	Description
<input type="checkbox"/> LNC3-CS	Frosted acrylic comfort shield/lens, reduces glare and improves uniformity with only 20% lumen reduction
<input type="checkbox"/> SCP-Remote	Remote Control for SCP/_F option. Order at least one per project to program and control the occupancy sensor
<input type="checkbox"/> SWUSB	SiteSync interface software loaded on USB flash drive for use with owner supplied PC (Windows based only). Includes SiteSync license, software and USB radio bridge node*
<input type="checkbox"/> SWTAB	Windows tablet and SiteSync interface software. Includes tablet with preloaded software, SiteSync license and USB radio bridge node*
<input type="checkbox"/> SWBRG	SiteSync USB radio bridge node only. Order if a replacement is required or if an extra bridge node is requested
<input type="checkbox"/> SW7PR	SiteSync 7 Pin on fixture module On/Off/Dim, Daylight Sensor 120-480VAC*

Notes:

* When ordering SiteSync at least one of these two interface options must be ordered per project

+ Available as a SiteSync retrofit solution for fixtures with an existing 7pin receptacle

Hubbell Control Solutions — Accessories (Sold Separately)

NX Distributed Intelligence™

☐ NXOFM-1R1D-UNV On-fixture Module (7-pin), On / Off / Dim, Daylight Sensor with HubbNET Radio and Bluetooth® Radio, 120–480VAC

wiSCAPE® Lighting Control

☐ WIR-RME-L On-fixture Module (7-pin or 5-pin), On / Off / Dim, Daylight Sensor with wiSCAPE Radio, 110–480VAC

For additional information related to these accessories please visit www.hubbellcontrolsolutions.com. Options provided for use with integrated sensor, please view specification sheet ordering information table for details.

LNC3

MEDIUM LED LITEPAK

CONTROLS

SiteSync — Precommissioned Ordering Information:

When ordering a fixture with the SiteSync lighting control option, additional information will be required to complete the order. The SiteSync Commissioning Form or alternate schedule information must be completed. This form includes Project location, Group information, and Operating schedules. For more detailed information please visit [the SiteSync family page on our website](#) or contact Hubbell Lighting tech support at 800-345-4928.

SiteSync fixtures with Motion control (SWPM) require the mounting height of the fixture for selection of the lens.

Examples: LNC3-24L-4K-075-3-U-BL-SWP

LNC3-24L-4K-075-3-U-BL-SWPM-20F

SiteSync only

SiteSync with Motion Control



SiteSync 7-Pin Module:

- SiteSync features in a new form
- Available as an accessory for new construction or retrofit applications (with existing 7-Pin receptacle)
- Does not interface with occupancy sensors



SW7PR

PERFORMANCE DATA

# Of LEDs	Nominal Wattage	System Watts	Dist. Type	5K (5000K NOMINAL 70 CRI)					4K (4000K NOMINAL 70 CRI)					3K (3000K NOMINAL 80 CRI)				
				Lumens	LPW*	B	U	G	Lumens	LPW*	B	U	G	Lumens	LPW*	B	U	G
4	N/A	N/A	E	671	-	-	-	-	657	-	-	-	-	591	-	-	-	-
24	350mA	28	2	3,212	115	1	0	1	3,145	113	1	0	1	2,991	107	1	0	1
			3	3,160	113	1	0	1	3,094	111	1	0	1	2,944	106	1	0	1
			4	3,182	114	1	0	1	3,116	112	1	0	1	2,964	106	1	0	1
	500mA	41	2	4,143	101	1	0	2	4,057	99	1	0	2	3,858	94	1	0	2
			3	4,076	99	1	0	1	3,991	97	1	0	1	3,797	93	1	0	1
			4	4,104	100	1	0	1	4,019	98	1	0	1	3,823	93	1	0	1
	750mA	60	2	5,918	99	1	0	2	5,795	97	1	0	2	5,512	92	1	0	2
			3	5,823	97	1	0	2	5,702	95	1	0	2	5,424	90	1	0	2
			4	5,863	98	1	0	2	5,741	96	1	0	2	5,461	91	1	0	2
	1050mA	83	2	7,630	92	2	0	2	7,472	90	2	0	2	7,107	86	2	0	2
			3	7,508	90	1	0	2	7,352	89	1	0	2	6,993	84	1	0	2
			4	7,559	91	1	0	2	7,402	89	1	0	2	7,041	85	1	0	2

ELECTRICAL DATA

# OF LEDs	Drive Current (mA)	Input Voltage (V)	Oper. Current (Amps)	System Power (W)
24	350mA	120	0.23	28
		277	0.10	28
		347	0.08	28
		480	0.06	28
	500mA	120	0.34	41
		277	0.15	41
		347	0.12	41
		480	0.09	41
	750mA	120	0.50	60
		277	0.22	60
		347	0.17	60
		480	0.13	60
	1050mA	120	0.69	83
		277	0.30	83
		347	0.24	83
		480	0.17	83

PROJECTED LUMEN MAINTENANCE

Ambient Temperature	OPERATING HOURS					
	0	25,000	50,000	TM-21-11* L96 60,000	100,000	L70 (Hours)
25°C / 77°F	1.00	0.97	0.94	0.93	0.89	>296,000
40°C / 104°F	1.00	0.95	0.91	0.89	0.83	>191,000

* Projected per IESNA TM-21-11 * (Nichia 219B, 700mA, 85°C Ts, 10,000hrs). Data references the extrapolated performance projections for the LNC-12LU-5K base model in a 40°C ambient, based on 10,000 hours of LED testing per IESNA LM-80-08.

LNC3

MEDIUM LED LITEPAK

LUMINAIRE AMBIENT TEMPERATURE FACTOR (LATF)

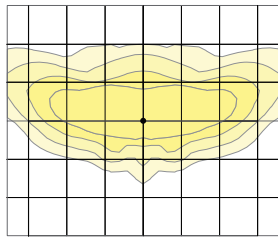
Ambient Temperature		Lumen Multiplier
0° C	32° F	1.02
10° C	50° F	1.01
20° C	68° F	1.00
25° C	77° F	1.00
30° C	86° F	1.00
40° C	104° F	0.99

Use these factors to determine relative lumen output for average ambient temperatures from 0-40°C (32-104°F).

PHOTOMETRY

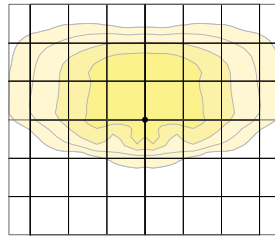
The following diagrams represent the general distribution options offered for this product. For detailed information on specific product configurations, see [website photometric test reports](#).

LNC3 – Type II



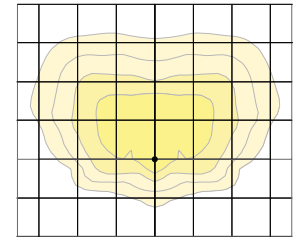
Mounting Height: 15'

LNC3 – Type III



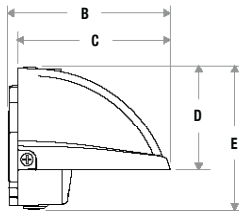
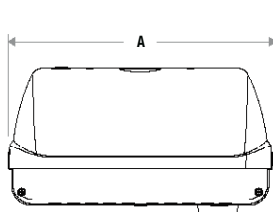
Mounting Height: 15'

LNC3 – Type IV



Mounting Height: 15'

DIMENSIONS



A	B	C	D	E	Weight
13" (330 mm)	10.5" (267 mm)	9.9" (251 mm)	5.8" (147 mm)	8.3" (211 mm)	25.0 lbs 11.3 kg

ADDITIONAL INFORMATION

CSU – INVERTED MOUNTING OPTION



*Requires Factory Installed Lens Option

Inverted mounting capabilities for uplighting applications. Specially designed frosted acrylic diffuser option softens output, improves uniformity and protects LED lenses.

SCP – PROGRAMMABLE OCCUPANCY SENSOR



*Photocontrol and Wireless Controls by Others

Standard NEMA 7-Pin receptacle for twist lock photocell or wireless controls (by others).

SCP – PROGRAMMABLE OCCUPANCY SENSOR



Sensor offers greater control and energy savings with SCP programmable sensor with adjustable delay and dimming levels (Factory default is 10%)

Visit: <http://www.hubbelllighting.com/solutions/controls/> for control application information

SHIPPING INFORMATION

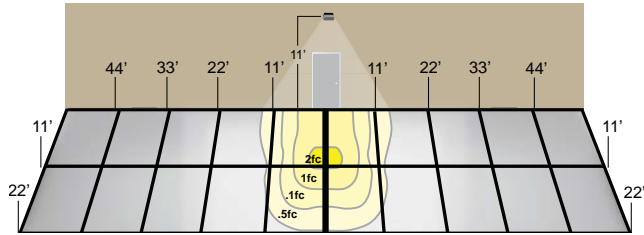
Catalog Number	G.W(kg)/CTN	Carton Dimensions			Carton Qty. per Master Pack
		Length Inch (cm)	Width Inch (cm)	Height Inch (cm)	
LNC3-24LU	18.0 (8.2)	15.8 (40)	11.0 (28)	13.0 (33)	1

LNC3

MEDIUM LED LITEPAK

ADDITIONAL INFORMATION (CONTINUED)

LNC2 - BATTERY BACK UP



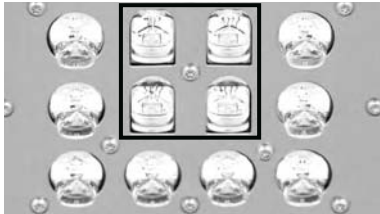
11' Mounting Height

Provides Life Safety Code average illuminance of 1.0 fc. Assumes open space with no obstructions and mounting height of 11'.

Diagrams for illustration purposes only, please consult factory for application layout.

Battery backup units consume 6 watts when charging a dead battery and 2 watts during maintenance charging. EH (units with a heater) consume up to an additional 8 watts when charging if the battery temp is lower than 10°C

E & EH EMERGENCY BATTERY BACKUP



24 High Power LEDs generate up to 7,500 lumens in Normal Mode, and use 4 LEDs for up to 700 lumens in emergency.

USE OF TRADEMARKS AND TRADE NAMES

All product and company names, logos and product identifies are trademarks ™ or registered trademarks ® of Hubbell Lighting, Inc. or their respective owners. Use of them does not necessarily imply any affiliation with or endorsement by such respective owners.

RATIO Series

AREA/SITE LIGHTER

FEATURES

- Low profile LED area/site luminaire with a variety of IES distributions for lighting applications such as retail, commercial and campus parking lots
- Featuring Micro Strike Optics which maximizes target zone illumination with minimal losses at the house-side, reducing light trespass issues
- Visual comfort standard
- Compact and lightweight design with low EPA
- 3G rated for high vibration applications including bridges and overpasses
- Control options including photo control, occupancy sensing, NX Distributed Intelligence™ and 7-Pin with networked controls
- Best in class surge protection available



IP66



See Certification Specifications

CONTROL TECHNOLOGY



NX DISTRIBUTED INTELLIGENCE

wiSCAPE™

SPECIFICATIONS

CONSTRUCTION

- Rectilinear form mimics the traditional shoebox form factor keeping a similar but updated style and appearance, ideal for retrofit applications
- Die-cast housing with hidden vertical heat fins that are optimal for heat dissipation while keeping a clean smooth outer surface
- Corrosion resistant, die-cast aluminum housing with powder coat paint finish

OPTICS

- Entire optical aperture illuminates to create a larger luminous surface area resulting in a low glare appearance without sacrificing optical performance
- 80, 160, 320 or 480 midpower LEDs
- 3000K, 4000K or 5000K (70 CRI) CCT
- Zero uplight at 0 degrees of tilt
- Field rotatable optics

INSTALLATION

- Standard square arm mount, compatible with B3 drill pattern
- Optional universal mounting block for ease of installation during retrofit applications. Available as an option or accessory for square and round poles.
- Knuckle arm fitter option available for 2-3/8" OD tenon. Max tilt of 60 degrees with 4 degree adjustable increments. (Restrictions apply for 7-pin options)

ELECTRICAL

- Universal 120-277 VAC or 347-480 VAC input voltage, 50/60 Hz

ELECTRICAL (CONTINUED)

- Ambient operating temperature -40°C to 40°C
- Drivers have greater than 90% power factor and less than 20% THD
- LED drivers have output power over-voltage, over-current protection and short circuit protection with auto recovery
- Field replaceable surge protection device provides 20kA protection meeting ANSI/IEEE C62.41.2 Category C High and Surge Location Category C3; Automatically takes fixture off-line for protection when device is compromised

CONTROLS

- Photo control, occupancy sensor and wireless available for complete on/off and dimming control
- 7-pin ANSI C136.41-2013 photocontrol receptacle option available for twist lock photocontrols or wireless control modules (control accessories sold separately)
- 0-10V dimming leads available for use with control devices (provided by others, must specify lead length)
- SiteSync™ wireless control system is available via 7-pin See ordering information and details at: www.hubbellighting.com/sitesync
- NX Distributed Intelligence™ available with in fixture wireless control module, features dimming and occupancy sensor
- wiSCAPE® available with in fixture wireless control module, features dimming and occupancy sensor via 7-pin

RELATED PRODUCTS

θ [Airo](#)

θ [Cimarron LED](#)

θ [Ratio Family](#)



CERTIFICATIONS

- DLC® (DesignLights Consortium Qualified), with some Premium Qualified configurations. Please refer to the DLC website for specific product qualifications at www.designlights.org
- Listed to UL1598 and CSA C22.2#250.0-24 for wet locations and 40°C ambient temperatures
- 3G rated for ANSI C136.31 high vibration applications
- Fixture is IP66 rated
- Meets IDA recommendations using 3K CCT configuration at 0 degrees of tilt
- This product qualifies as a "designated country construction material" per FAR 52.225-11 Buy American-Construction Materials under Trade Agreements effective 04/23/2020. See [Buy American Solutions](#)

WARRANTY

- 5 year limited warranty
- See [HLI Standard Warranty](#) for additional information

KEY DATA	
Lumen Range	3,000–48,000
Wattage Range	25–340
Efficacy Range (LPW)	118–155
Fixture Projected Life (Hours)	L70>60K
Weights lbs. (kg)	13.5–24 (6.1–10.9)

RATIO SERIES

AREA/SITE LIGHTER

ORDERING GUIDE

Example: RAR1-80L-25-3K7-2-UNV-ASQ-BL-NXWE-BC

CATALOG #

ORDERING INFORMATION

Series	# LEDs - Wattage	CCT/CRI	Distribution	Optics Rotation	Voltage
RAR1 Ratio Area Size 1	80L-25 25W - 3,000 Lumens	3K7 3000K, 70 CRI	2 IES TYPE II	Blank for no rotation	UNV Universal 120-277V
	80L-39 39W - 5,200 Lumens	4K7 4000K, 70 CRI	3 IES TYPE III	L Optic rotation left	120 120V
	80L-50 50W - 6,000 Lumens	5K7 5000K, 70 CRI	4W IES TYPE IV	R Optic rotation right	208 208V
	160L-70 70W - 9,000 Lumens		5QW IES TYPE V		240 240V
	160L-100 100W - 12,000 Lumens				277 277V
	160L-115 115W - 15,000 Lumens				347 347V
	160L-135 135W - 18,000 Lumens				480 480V
RAR2 Ratio Area Size 2	320L-110 110W - 15,000 Lumens				
	320L-140 140W - 18,000 Lumens				
	320L-165 165W - 21,000 Lumens				
	480L-185 185W - 24,000 Lumens				
	480L-210 210W - 27,000 Lumens				
	480L-240 240W - 30,000 Lumens				
	480L-255 255W - 36,000 Lumens				
	480L-295 295W - 42,000 Lumens				
	480L-340 340W - 48,000 Lumens				

Mounting	Color	Control Options Network	Options
ASQ Arm mount for square pole/flat surface	BLT Black Matte Textured	NXWE NX Wireless Enabled (module + radio)	BC Backlight control
ASQU Universal arm mount for square pole/flat surface	BLS Black Gloss Smooth	NXSPW_F NX Wireless, PIR Occ. Sensor, Daylight Harvesting ²	CD Continuous dimming
Mounting Round Poles	DBT Dark Bronze Matte Textured	NXSP_F NX, PIR Occ. Sensor, Daylight Harvesting ²	F Fusing (must specify voltage)
A_ Arm mount for round pole ¹	DBS Dark Brone Gloss Smooth	Control Options Other	TB Terminal block
A_U Universal arm mount for round pole ¹	GTT Graphite Matte Textured	SCP-40F Programmable occupancy sensor ⁴	2PF 2 power feed with 2 drivers ³
Mounting Other	LGS Light Grey Gloss Smooth	7PR 7-Pin twist lock receptacle	
WB Wall bracket	PSS Platinum Silver Smooth	7PR-SC 7-Pin receptacle with shorting cap	
MAF Mast arm fitter for 2-3/8" OD horizontal arm	WHT White Matte Textured	7PR-MD40F Low voltage sensor for 7PR	
K Knuckle	WHS White Gloss Smooth	7PR-TL 7-Pin PCR with photocontrol	
	VGT Verde Green Textured		
	Color Option		
	CC Custom Color		

Notes:

- 1 Replace "_" with "3" for 3.5"-4.13" OD pole, "4" for 4.18"-5.25" OD pole, "5" for 5.5"-6.5" OD pole
- 2 Replace "_" with "14" for up to 14' mounting height, "30F" for 15-30' mounting height
- 3 Not available with 25, 50, 255, 295 & 340W configurations
- 4 At least one SCPREMOTE required to program SCP motion sensor

STOCK ORDERING INFORMATION

Catalog Number	Lumens	Wattage	LED Count	CCT/CRI	Voltage	Distribution	Mounting	Finish
RAR1-100-4K-3	12,000	100W	160L	4000K/70CRI	120-277V	Type 3	Square Arm	Bronze
RAR1-100-4K-4W	12,000	100W	160L	4000K/70CRI	120-277V	Type 4W	Square Arm	Bronze
RAR1-135-4K-3	18,000	135W	160L	4000K/70CRI	120-277V	Type 3	Square Arm	Bronze
RAR1-135-4K-4W	18,000	135W	160L	4000K/70CRI	120-277V	Type 4W	Square Arm	Bronze
RAR2-165-4K-3	21,000	165W	320L	4000K/70CRI	120-277V	Type 3	Square Arm	Bronze
RAR2-165-4K-4W	21,000	165W	320L	4000K/70CRI	120-277V	Type 4W	Square Arm	Bronze

RATIO SERIES

AREA/SITE LIGHTER

OPTIONS AND ACCESSORIES - STOCK (ORDERED SEPARATELY)

Catalog Number	Description
<input type="checkbox"/> RARRPA3DB	Round pole adapter 3.5" to 4.13" for ASQ arm, 3.5" to 4.13" OD pole, dark bronze finish
<input type="checkbox"/> RARA3UDB	Universal mount for square pole or round pole 3.5" to 4.13", dark bronze finish
<input type="checkbox"/> RARBC80L	Ratio blacklight control 80L
<input type="checkbox"/> RARBC160L	Ratio blacklight control 160L
<input type="checkbox"/> RARBC320L	Ratio blacklight control 320L
<input type="checkbox"/> RARBC480L	Ratio blacklight control 480L

ACCESSORIES AND REPLACEMENT PARTS - MADE TO ORDER

Catalog Number	Description
<input type="checkbox"/> RAR-ASQU-XX	Universal arm mount for square pole/flat surface ²
<input type="checkbox"/> RAR-A_U-XX	Universal arm mount for round poles ^{1,2}
<input type="checkbox"/> RAR-RPA_-XX	Round pole adapter ^{1,2}
<input type="checkbox"/> SETAVP-XX	4" square pole top tenon adapter, 2 3/8" OD slipfitter ²
<input type="checkbox"/> RETAVP-XX	4" round pole top tenon adapter; 2 3/8" OD slipfitter for max. Four fixtures (90o); order 4" round pole adapters separately ²
<input type="checkbox"/> BIRD-SPIKE-3	Ratio size 1 bird deterrent/spikes
<input type="checkbox"/> BIRD-SPIKE-4	Ratio size 2 bird deterrent/spikes
<input type="checkbox"/> RARWB-XX	Wall bracket - use with Mast Arm Fitter or Knuckle ²

1 Replace "-" with "3" for 3.5"-4.13" OD pole, "4" for 4.18"-5.25" OD pole, "5" for 5.5"-6.5" OD pole

2 Replace "XX" with desired color/paint finish

CONTROLS

Control Options

Standalone

SW7PR	SiteSync™ on fixture module via 7PR
SWUSB	SiteSync™ Software on USB
SWTAB	SiteSync™ Windows Tablet
SWBRG	SiteSync™ Wireless Bridge Node
SWFC	SiteSync™ Field Commission Serve
SCPREMOTE	Order at least one per project location to program and control

Networked – Wireless

WIR-RME-L	wiSCAPE External Fixture Module ^{1,2}
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NX Networked – Wireless

NXOFM-1R1D-UNV	NX Wireless, Daylight Harvesting, BLE, 7 pin twisted lock
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Notes:

- Works with external networked photosensor
- wiSCAPE Gateway required for system programming

RATIO SERIES

AREA/SITE LIGHTER

PERFORMANCE DATA

Description	Nominal Wattage	System Watts	Dist. Type	5K (5000K NOMINAL 70 CRI)					4K (4000K NOMINAL 70 CRI)					3K (3000K NOMINAL 80 CRI)				
				Lumens	LPW	B	U	G	Lumens	LPW	B	U	G	Lumens	LPW	B	U	G
RAR1	25	25.4	2	3438	135	1	0	1	3445	136	1	0	1	3240	128	1	0	1
			3	3460	136	1	0	1	3467	136	1	0	1	3260	128	1	0	1
			4W	3406	134	1	0	1	3412	134	1	0	1	3209	126	1	0	1
			5QW	3483	137	2	0	1	3490	137	2	0	1	3282	129	2	0	1
	39	39	2	5263	139	1	0	2	5273	139	1	0	2	4960	131	1	0	2
			3	5297	139	1	0	2	5308	140	1	0	2	4991	131	1	0	2
			4W	5200	137	1	0	2	5210	137	1	0	2	4900	129	1	0	2
			5QW	5333	140	3	0	1	5344	141	3	0	1	5025	132	3	0	1
	50	49.8	2	6310	127	1	0	2	6323	127	1	0	2	5946	120	1	0	2
			3	6349	128	1	0	2	6362	128	1	0	2	5983	120	1	0	2
			4W	6233	125	1	0	2	6245	126	1	0	2	5873	118	1	0	2
			5QW	6392	129	3	0	1	6405	129	3	0	1	6023	121	3	0	1
	70	68.4	2	9486	139	1	0	2	9505	139	1	0	2	8938	131	1	0	2
			3	9544	140	1	0	2	9563	140	1	0	2	8993	131	1	0	2
			4W	9395	137	1	0	2	9414	138	1	0	2	8853	129	1	0	2
			5QW	9608	140	4	0	2	9628	141	4	0	2	9054	132	4	0	2
	100	90.0	2	11976	133	2	0	2	12000	133	2	0	2	11285	125	2	0	2
			3	12050	134	2	0	2	12074	134	2	0	2	11354	126	2	0	2
			4W	11861	132	2	0	2	11885	132	2	0	2	11177	124	2	0	2
			5QW	12131	135	4	0	2	12155	135	4	0	2	11431	127	4	0	2
	115	109.7	2	15572	142	2	0	2	15494	141	2	0	2	14871	136	2	0	2
			3	15833	144	2	0	2	15754	144	2	0	2	15121	138	2	0	2
			4W	15281	139	2	0	3	15205	139	2	0	3	14623	133	2	0	3
			5QW	15732	143	4	0	2	15653	143	4	0	2	15024	137	4	0	2
	135	133.3	2	17971	135	3	0	3	17881	134	3	0	3	17163	129	3	0	3
			3	18272	137	2	0	2	18181	136	2	0	2	17450	131	2	0	2
			4W	17635	132	2	0	3	17547	132	2	0	3	16876	127	2	0	3
			5QW	18156	136	4	0	2	18065	136	4	0	2	17339	130	4	0	2
RAR2 Performance Data on next page																		

* Lumen values are from photometric test performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown. Actual performance may differ as a result of end-user environment and application.

RATIO SERIES

AREA/SITE LIGHTER

PERFORMANCE DATA

Description	Nominal Wattage	System Watts	Dist. Type	5K (5000K NOMINAL 70 CRI)					4K (4000K NOMINAL 70 CRI)					3K (3000K NOMINAL 80 CRI)				
				Lumens	LPW	B	U	G	Lumens	LPW	B	U	G	Lumens	LPW	B	U	G
RAR2	110	100.3	2	15326	153	2	0	3	15357	153	2	0	3	14442	144	2	0	3
			3	15421	154	2	0	3	15452	154	2	0	3	14531	145	2	0	3
			4W	15180	151	2	0	2	15210	152	2	0	2	14304	143	2	0	2
			5QW	15525	155	4	0	2	15556	155	4	0	2	14629	146	4	0	2
	140	133.2	2	19395	146	2	0	3	19434	146	2	0	3	18276	137	2	0	3
			3	19515	147	2	0	3	19554	147	2	0	3	18389	138	2	0	3
			4W	19210	144	2	0	3	19248	145	2	0	3	18101	136	2	0	3
			5QW	19647	148	5	0	3	19686	148	5	0	3	18513	139	5	0	3
	165	153.6	2	21651	141	3	0	3	21695	141	3	0	3	20402	133	3	0	3
			3	21785	142	3	0	3	21828	142	3	0	3	20527	134	3	0	3
			4W	21444	140	3	0	3	21487	140	3	0	3	20206	132	3	0	3
			5QW	21932	143	5	0	3	21976	143	5	0	3	20666	135	5	0	3
	185	174.5	2	26046	149	3	0	3	26098	150	3	0	3	24543	141	3	0	3
			3	26207	150	3	0	3	26259	150	3	0	3	24694	142	3	0	3
			4W	25797	148	3	0	4	25849	148	3	0	4	24308	139	3	0	4
			5QW	26384	151	5	0	3	26437	152	5	0	3	24861	143	5	0	3
	210	198.2	2	28848	145	3	0	4	28906	146	3	0	4	27184	137	3	0	4
			3	29027	146	3	0	4	29085	147	3	0	4	27351	138	3	0	4
			4W	28572	144	3	0	4	28630	144	3	0	4	26924	136	3	0	4
			5QW	29222	147	5	0	4	29281	148	5	0	4	27536	139	5	0	4
	240	226.9	2	32087	141	3	0	4	32151	142	3	0	4	30235	133	3	0	4
			3	32285	142	3	0	4	32350	143	3	0	4	30422	134	3	0	4
			4W	31780	140	3	0	4	31844	140	3	0	4	29946	132	3	0	4
			5QW	32503	143	5	0	4	32568	144	5	0	4	30627	135	5	0	4
	255	257.0	2	37040	144	3	0	4	36854	143	3	0	4	35373	138	3	0	4
			3	37660	147	3	0	4	37472	146	3	0	4	35966	140	3	0	4
			4W	36347	141	3	0	5	36166	140	3	0	5	34782	135	3	0	5
			5QW	37420	146	5	0	4	37233	145	5	0	4	35736	139	5	0	4
	295	294.0	2	41733	142	3	0	4	41524	141	3	0	4	39855	136	3	0	4
			3	42432	144	3	0	4	42220	144	3	0	4	40523	138	3	0	4
			4W	40953	139	3	0	5	40748	139	3	0	5	39190	133	3	0	5
			5QW	42162	143	5	0	4	41951	143	5	0	4	40264	137	5	0	4
	340	347.1	2	48392	139	4	0	5	48150	139	4	0	5	46215	133	4	0	5
			3	49203	142	3	0	4	48957	141	3	0	4	46989	135	3	0	4
			4W	47488	137	4	0	5	47261	136	4	0	5	45443	131	4	0	5
			5QW	48889	141	5	0	5	48645	140	5	0	5	46689	135	5	0	5

* Lumen values are from photometric test performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown. Actual performance may differ as a result of end-user environment and application.

RATIO SERIES

AREA/SITE LIGHTER

ELECTRICAL DATA

# OF LEDS	Nominal Wattage	Input Voltage	Oper. Current (Amps)	System Power (Watts)
RAR1	25	120	0.21	25.4
		208	0.12	
		240	0.11	
		277	0.09	
	39	120	0.32	38.0
		208	0.18	
		240	0.16	
		277	0.14	
	50	347	0.11	49.8
		480	0.08	
		120	0.42	
		208	0.24	
	70	240	0.21	68.4
		277	0.18	
		120	0.57	
		208	0.33	
	100	240	0.29	90.0
		277	0.25	
		120	0.75	
		208	0.43	
	115	240	0.38	109.7
		277	0.32	
		120	0.91	
		208	0.53	
	135	240	0.46	133.3
		277	0.40	
		347	0.32	
		480	0.23	

# OF LEDS	Nominal Wattage	Input Voltage	Oper. Current (Amps)	System Power (Watts)
RAR2	110	120	0.84	100.3
		208	0.48	
		240	0.42	
		277	0.36	
	140	120	1.11	133.2
		208	0.64	
		240	0.56	
		277	0.48	
	165	120	1.28	153.6
		208	0.74	
		240	0.64	
		277	0.55	
	185	120	1.45	174.5
		208	0.84	
		240	0.73	
		277	0.63	
	210	120	1.65	198.3
		208	0.95	
		240	0.83	
		277	0.72	
	240	120	1.89	226.9
		208	1.09	
		240	0.95	
		277	0.82	
	255	120	2.14	257.0
		208	1.24	
		240	1.07	
		277	0.93	
	295	347	0.74	294.0
		480	0.54	
		120	2.45	
		208	1.41	
	340	240	1.23	347.1
		277	1.06	
		347	0.85	
		480	0.61	

LUMINAIRE AMBIENT TEMPERATURE FACTOR (LATF)

Ambient Temperature		Lumen Multiplier
0° C	32° F	1.03
10° C	50° F	1.01
20° C	68° F	1.00
25° C	77° F	1.00
30° C	86° F	0.99
40° C	104° F	0.98
50° C	122° F	0.97

Use these factors to determine relative lumen output for average ambient temperatures from 0-40°C (32-104°F).

PROJECTED LUMEN MAINTENANCE

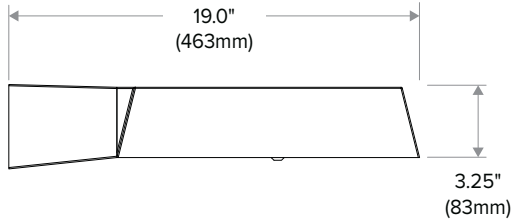
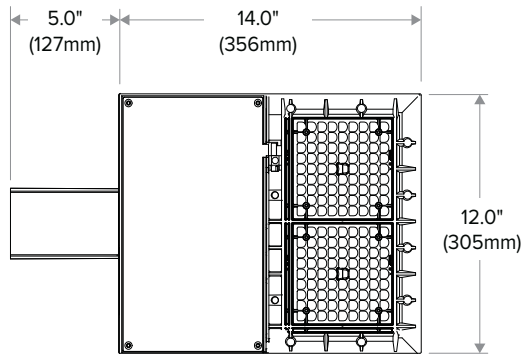
Ambient Temperature	OPERATING HOURS					
	0	25,000	TM-21-11 L90 36,000	50,000	100,000	L70 (Hours)
25°C / 77°F	1.00	0.97	0.95	0.93	0.86	238,000
40°C / 104°F	0.99	0.96	0.95	0.93	0.85	225,000

RATIO SERIES

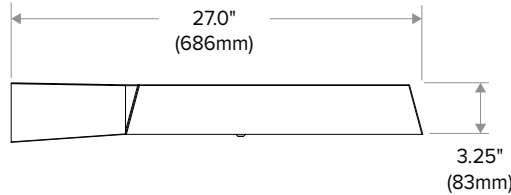
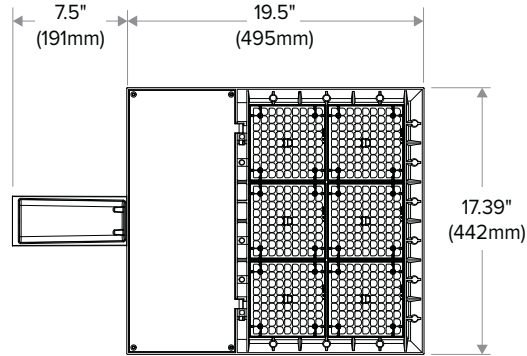
AREA/SITE LIGHTER

DIMENSIONS

RAR1

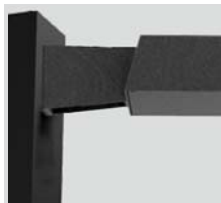


RAR2



ADDITIONAL INFORMATION

MOUNTING



Arm Mount – Fixture ships with integral arm for ease of installation. Compatible with Hubbell Outdoor B3 drill pattern.



Knuckle – Knuckle mount 15° aiming angle increments for precise aiming and control, fits 2-3/8" tenons or pipes.



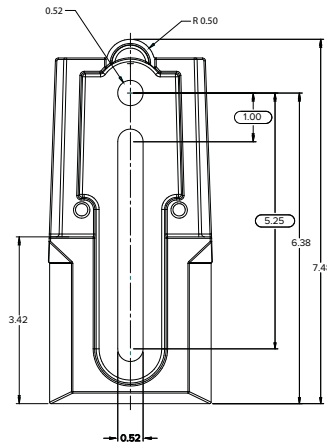
Universal Mounting – Universal mounting block for ease of installation. Compatible with drill patterns from 2.5" to 4.5"



MAF – Fits 2-3/8" OD arms Roadway applications.



Wall Mount – Wall mount bracket designed for building mount applications.



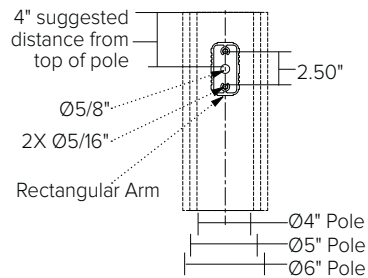
RATIO SERIES

AREA/SITE LIGHTER

ADDITIONAL INFORMATION (CONT'D)

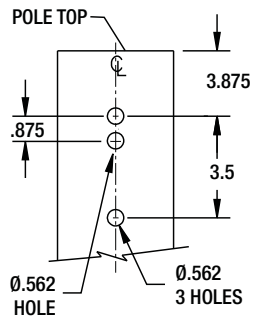
ARM MOUNT (ASQ)

Compatible with Pole drill pattern B3



UNIVERSAL MOUNTING (ASQU)

Compatible with pole drill pattern S2



SITESYNC 7-PIN MODULE



SW7PR



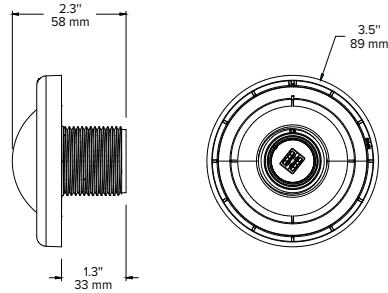
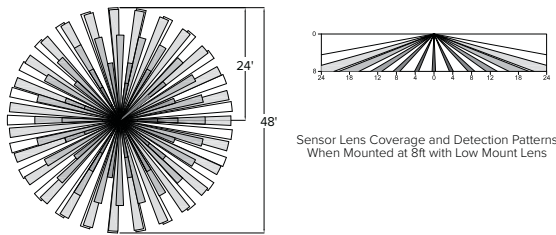
- SiteSync features in a new form
- Available as an accessory for new construction or retrofit applications (with existing 7-Pin receptacle)

RATIO SERIES

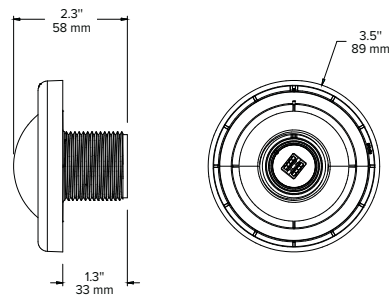
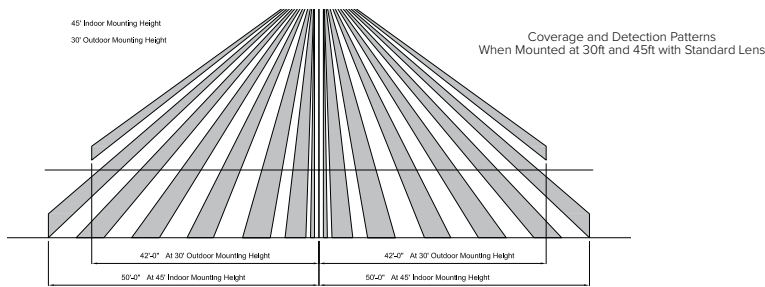
AREA/SITE LIGHTER

ADDITIONAL INFORMATION (CONT'D)

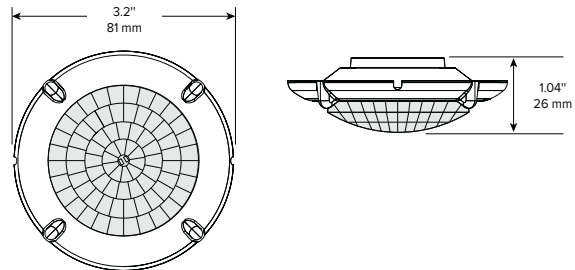
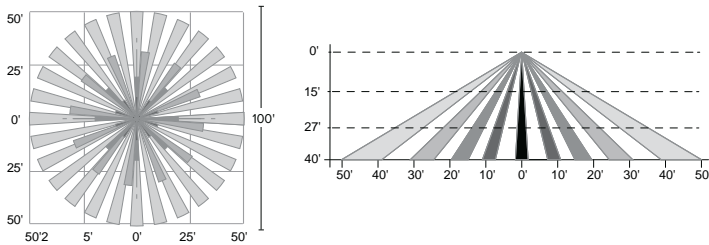
NXSP-14F



NXSP-30F



SCP-40F



RAR1 EPA

RAR-1	
EPA at 0°	EPA at 30°
.45ft. ² .13m ²	.56ft. ² .17m ²

RAR2 EPA

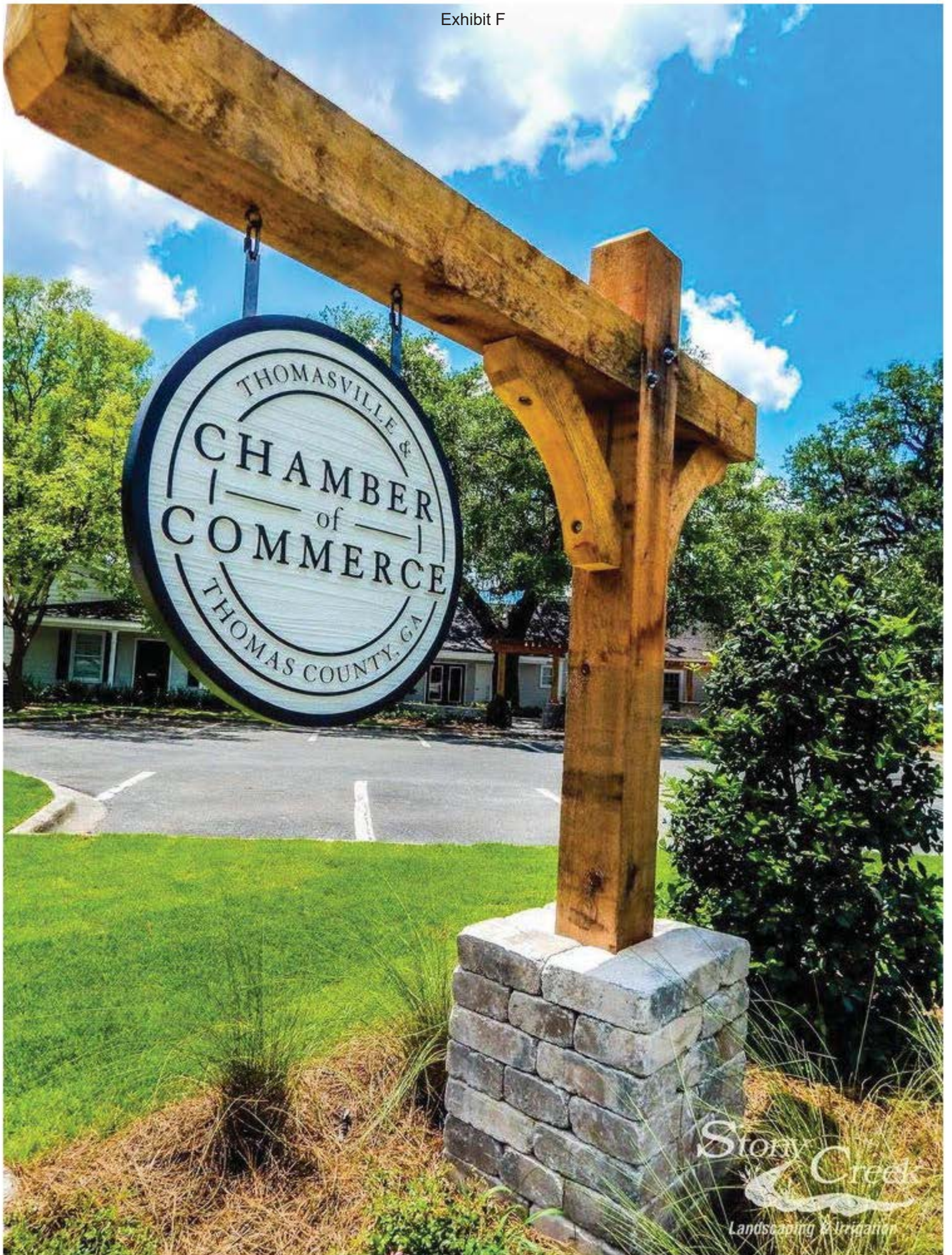
RAR-2	
EPA at 0°	EPA at 30°
.55ft. ² .17m ²	1.48ft. ² .45m ²

SHIPPING

Catalog Number	G.W(kg)/CTN	Carton Dimensions		
		Length Inch (cm)	Width Inch (cm)	Height Inch (cm)
RAR1	15 (6.8)	20.75 (52.7)	15.125 (38.4)	6.9375 (17.6)
RAR2	19 (8.6)	25 (63.5)	15.125 (38.4)	6.9375 (17.6)

USE OF TRADEMARKS AND TRADE NAMES

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Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: April 12, 2021

Amount: N/A

Budget: N/A

Issue: Petition 21-11-Request from the Kendall County Historic Preservation Commission for Approval of a Letter Requesting Certification of Historic Preservation Ordinance for the Purposes of the Property Tax Freeze Assessment Program Through the Illinois Department of Natural Resources

Background and Discussion:

The Illinois Department of Natural Resources offers a Property Tax Assessment Freeze Program that freezes the assessed value of historic, owner-occupied, principal residences for eight (8) years when the owner undertakes a substantial, approved rehabilitation. The assessed value is brought back to market level over a period of four (4) years.

In order to qualify, a property must be a certified historic structure, either by listing on the National Register of Historic Places individually or in a district, or by local landmark designation in a community with an approved historic-preservation ordinance; be a single-family, owner-occupied, principal residence; or a condominium building; or a cooperative building; or a residential building with up to six (6) units as long as the building owner resides in a unit; undergo a rehabilitation whose budget exceeds twenty-five percent (25%) of the property's assessor's fair market value within a twenty-four (24)-month period; and undergo a rehabilitation that meets the Secretary of the Interior's "Standards for Rehabilitation."

In order to qualify for the program, Kendall County would need to submit a letter requesting certification. The draft letter is attached.

Committee Action:

HPC-Approval (4-0), PBZ Committee-Approval (5-0)

Staff Recommendation:

Approval

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning Department

Date: April 13, 2021



Property Tax Assessment Freeze

What is it?	The Property Tax Assessment Freeze Program freezes the assessed value of a historic, owner-occupied, principal residence for eight years when the owner undertakes a substantial, approved rehabilitation. The assessed value is brought back to market level over a period of four years. The Program, administered by the Illinois State Historic Preservation Office (IL SHPO), is free to Illinois homeowners.
Benefits	The Program benefits both the owner-occupant and the community by: ► encouraging the preservation of historic buildings through promotion, recognition, designation, and reuse; ► increasing the value of the rehabilitated property; ► returning underutilized structures to the tax rolls; ► revitalizing and stabilizing neighborhoods and often increasing the amount of available housing within a community; and ► sustainably reusing the built environment.
Provisions	To qualify for the Program, a property must: ► be a certified historic structure, either by listing on the National Register of Historic Places individually or in a district, or by local landmark designation in a community with an approved historic-preservation ordinance; ► be a single-family, owner-occupied, principal residence; or a condominium building; or a cooperative building; or a residential building with up to six units as long as the building owner resides in a unit; ► undergo a rehabilitation whose budget exceeds 25% of the property's assessor's fair market value within a 24-month period; and ► undergo a rehabilitation that meets the Secretary of the Interior's "Standards for Rehabilitation."
How to apply	<p>Step 1: Determine if you qualify ► Contact the IL SHPO or your local landmark commission to ask if your property qualifies as a certified historic structure. ► Determine the assessor's fair market value (or fair cash value) of your property by contacting your assessor or referring to your current property-tax bill. ► Decide whether the work (interior and exterior) will cost more than 25% of the assessor's fair market value.</p> <p>► Contact the IL SHPO to discuss whether your work (interior and exterior) can meet the "Standards." Step 2: Get your planned work approved ► Consult IL SHPO's website for a more thorough explanation of the program, its application and instructions. ► Prior to construction, if possible, fill out and mail in Parts 1 and 2 of the application with the rehabilitation plans and pre-construction photographs. ► The IL SHPO will determine if the interior and exterior work complies with the "Standards." The IL SHPO's review may differ from that of your local commission. Once your Part 2 is approved by the IL SHPO, proceed with the rehabilitation. Step 3: Get your finished work approved ► When the project is finished, fill out and submit the Part 3 with photographs showing the completed work, a spreadsheet of expenses, and copies of receipts. ► If the IL SHPO determines the project meets all the requirements, it will mail you and the assessor a Certificate of Rehabilitation.</p>
Important points	It is strongly recommended that you contact the IL SHPO early in the design process and submit Parts 1 and 2 prior to beginning any work. ► If the scope of work changes during construction, consult the IL SHPO to ensure the work continues to meet the "Standards." ► Applications must be submitted within two years of a project's completion. ► Any work done to the property during the freeze period must meet the "Standards." Contact the IL SHPO for their approval prior to commencing. ► If the property is sold within the twelve-year freeze period or if its use changes from that of a single-family, owner-occupied, principal residence, the freeze will be cancelled for the remainder of the freeze period. ► An owner may receive approval on Parts 1 and 2 and complete the rehabilitation, then sell the property to a new owner-occupant who signs and submits the Part 3 and takes the freeze. ► Condominiums and cooperatives should contact the IL SHPO to discuss how the Program may work best for their buildings.
Questions?	IL SHPO—Tax Incentives Coordinator Illinois Department of Natural Resources One Old State Capitol Plaza Springfield, Illinois 62701 (217) 524-0276 http://www2.illinois.gov/ihpa/Preserve/Pages/taxfreeze.aspx



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

April 20, 2021

Carol Dyson, Deputy State Historic Preservation Officer
Illinois State Historic Preservation Office
Illinois Department of Natural Resources
One Old State Capitol Plaza
Springfield, Illinois 62701

Re: Request to Certify Our Ordinance for the Illinois Property Tax Assessment Freeze Program
--

The County of Kendall requests certification of our historic preservation ordinance so that owners of locally landmarked properties can apply for the Property Tax Assessment Freeze Program, administered by the Illinois Department of Natural Resources.

Our unit of local government has a historic preservation ordinance in place that:

- is designed to preserve and rehabilitate buildings of historic significance;
- contains a process for designation of landmarks and historic districts with criteria consistent with those established by the U.S. Department of the Interior for the inclusion of places on the National Register of Historic Places;
- establishes a Historic Preservation Commission that meets regularly (at least 4 times per year) and is comprised of 5 or more members with demonstrated expertise and staggered terms;
- establishes standards for and definition of actions that merit review by the commission, including major alteration and demolition of designated historic resources; and
- contains procedures that ensure that due process is afforded to those affected, including notification, hearing, and appeals process.

I have enclosed the following:

- A copy of our current historic preservation ordinance;
- A map and address of our locally designated landmark at 1542 Plainfield Road, Oswego, IL 60543;
- Statement of significance for the local landmark and a representative photograph by Thalman.

Sincerely,

Scott R. Gryder
Kendall County Board Chairman

Date

ARTICLE I

PURPOSES, DEFINITIONS AND GENERAL PROVISIONS

1. PURPOSES & INTENT

The purposes and intent of this Ordinance are as follows:

- A) To identify, designate, protect, preserve, and encourage the restoration, rehabilitation, and adaptation for continued use of those properties and structures which represent or reflect the historic, cultural, artistic, social, economic, ethnic or political heritage of the United States of America, State of Illinois, or Kendall County or which may be representative of an architectural or engineering type inherently valuable for the study of style, period, craftsmanship, method of construction or use of indigenous materials;
- B) To safeguard the County's historic, aesthetic and cultural heritage as embodied and reflected in such structures and landscape features;
- C) To stabilize and improve the economic vitality and value of designated landmarks and historic districts in particular and of the County in general;
- D) To foster civic pride in the beauty and noble accomplishments of the past in order that both the pride and the accomplishments themselves may be passed on to future generations;
- E) To protect and enhance the County's attractions for tourists and visitors as well as to support and provide stimulus to business and industry;
- F) To strengthen the economy of the County;
- G) To promote the use of historic districts and landmarks for the education, pleasure, and welfare of the citizens of Kendall County and;
- H) To educate the general public, government officials and real estate interests about the value of historic preservation to the economy, and long-term quality of life for those who live and work in the County.

2. DEFINITIONS

For the purposes of this Ordinance, certain words, phrases, and terms shall have the following meanings:

- A) *Alteration*: Any act or process that changes one or more historic, architectural, or physical features of an area, site, landscape, place, and/or structure, including, but not limited to, the erection, construction, reconstruction, or removal of any structure; the expansion or significant modification of agricultural activities;

surface mining; and clearing, grading or other modification of an area, site or landscape that changes its current or natural condition.

B) *Architectural Significance*: Embodying the distinctive characteristics of a type, period, style or method of construction or use of indigenous materials, or representing the work of an important builder, designer, architect, engineer, or craftsman who has contributed to the development of the community, County, State or Nation.

C) *Archaeological Significance*: Importance as an area, site, place or landscape that has yielded or is likely to yield information concerning past patterns of human settlement, or artifacts or information concerning previous cultures in Illinois or previous periods of the present culture. Areas, sites or landscapes of archaeological significance may include, but are not limited to, aboriginal mounds, forts, earthworks, burial grounds, historic or prehistoric ruins, locations of villages, mine excavations or tailing.

D) *Building*: Any structure designed or constructed for residential, commercial, industrial, agricultural or other use.

E) *Certificate of Appropriateness*: A certificate issued by a Preservation Commission indicating its approval of plans for alteration, construction, demolition, or removal affecting a nominated or designated landmark or property within a nominated or designated historic district.

F) *Certificate of Economic Hardship*: A certificate issued by the Preservation Commission authorizing an alteration, construction, removal or demolition even though a Certificate of Appropriateness has previously been denied or may be denied.

G) *Commissioners*: Members of the Preservation Commission.

H) *Conservation Right*: A term that includes easements, covenants, deed restrictions or any other type of less than full fee simple interest as that term is defined in Illinois Revised Statutes, Section 1 of "An Act relating to conservation rights in real property," approved September 12, 1977, as amended.

I) *Construction*: The act of adding an addition to a structure or the erection of a new principal or accessory structure on a lot or property.

J) *Demolition*: Any act or process which destroys in part or in whole a landmark or a building or structure within a historic district.

K) *Demolition by Neglect*: Neglect in the maintenance of any landmark and/or building or structure within a preservation district resulting in the deterioration of that building to the extent that it creates a hazardous or unsafe condition as determined by the Kendall County Building and Zoning Department or the

Kendall County Department of Health.

L) *Design Criteria*: Standards of appropriate activity that will preserve the historic, architectural, scenic or aesthetic character of a landmark or historic district.

M) *Development Rights*: The development rights of a landmark or of a property within a historic district as defined in Section 11-48.2-1A of the Illinois Municipal Code.

N) *Development Rights Bank*: A reserve for the deposit of development rights as defined in Section 11-48.2-1A of the Illinois Municipal Code.

O) *Exterior Architectural Appearance*: The architectural character and general composition of the exterior of a building or structure, including but not limited to the kind, color and texture of the building material and the type, design and character of all windows, doors, light fixtures, signs and appurtenant elements.

P) *Historic Significance*: Character, interest or value as part of the development, heritage, or culture of the community, County, State or Nation; or as the location of an important local, County, State or national event; or through identification with a person or persons who made important contributions to the development of the community, County, State or Nation.

Q) *Landmark*: A property or structure designated as a "Landmark" by ordinance of the County Board, pursuant to procedures prescribed herein, which is worthy of rehabilitation, restoration, or preservation because of its historic, scenic, or architectural significance.

R) *Landscape*: A natural feature or group of natural features such as, but not limited to: valleys, rivers, lakes, marshes, swamps, forests, woods, or hills; or a combination of natural features and buildings, structures, objects, cultivated, fields, or orchards in a predominantly rural setting.

S) *Object*: Any tangible items, including any items of personal property, including, but not limited to: wagons, boats, and farm machinery that may be easily moved or removed from real estate property.

T) *Owner*: The person or corporation or other legal entity in whose name or names the property appears on the records of the County Recorder of Deeds.

U) *Historic district*: An area designated as a "historic district" by ordinance of the County Board and which may contain within definable geographic boundaries one or more landmarks and which may have within its boundaries other properties, areas, sites, landscapes or structures, while not of such historic, architectural or scenic significance to be designated as landmarks, nevertheless contribute to the overall visual characteristics of the district. For the purposes of this definition,

“historic district” shall be the same as “preservation district” as defined by State law (Amended 6.16.20).

V) *Removal*: Any relocation of a structure, object or artifact on its site or to another site.

W) *Repair*: Any change that is not construction, alteration, demolition, or removal and is necessary or useful for continuing normal maintenance.

X) *Scenic Significance*: Importance as a result of appearance or character that remains relatively unchanged from and embodies the essential appearance related to a culture from an earlier historic or prehistoric period; or as a result of a unique location, appearance, or physical character that creates an established or familiar vista or visual feature; or as a geologic or natural feature associated with the development, heritage, or culture of the community, County, State, or Nation.

Y) *Site*: The traditional, documented or legendary location of an event, occurrence, action, or structure significant in the life or lives of a person, persons, group, or tribe, including but not limited to cemeteries, burial grounds, campsites, battlefields, settlements, estates, gardens, groves, river crossings, routes, trails, caves, quarries, mines, or significant trees or other plant life.

Z) *Structure*: Anything constructed or erected, the use of which requires permanent or temporary location on or in the ground including (but without limiting the generality of the foregoing) barns, smokehouses, advertising signs, billboards, backstops for tennis courts, bridges, fences, pergolas, gazebos, radio and television antennae, solar collectors, microwave antennae including supporting towers, roads, ruins or remnants (including foundations), swimming pools or walkways.

AA) *Super Majority Vote*: At least three-fourths approval of the vote of the entire Kendall County Board (Amended 6.16.20).

BB) *Survey*: The systematic gathering of information on the architectural, historic, scenic, and archaeological significance of buildings, sites, structures, areas, or landscapes through visual assessment in the field and historical research, for the purpose of identifying landmarks or districts worthy of preservation.

3. GENERAL PROVISIONS

The following are general provisions propounded to make more clear matters relative to scope and jurisdiction of this Ordinance.

A) No provision herein shall supersede the powers of other local legislative or regulatory bodies or relieve any property owner from complying with the requirements of any other state statute or code or ordinance of Kendall County or individual municipal ordinances or regulations, and any permit or license required

there under shall be required in addition to any Certificate of Appropriateness or Economic Hardship which may be required hereunder; provided, however, that where a Certificate of Appropriateness or Economic Hardship is required, no such other permit or license shall be issued by any other agency under the jurisdiction of the Kendall County Board before a certificate has been issued by the Commission as herein provided.

B) The use of property and improvements which have been designated under this Ordinance shall be governed by the Kendall County Zoning Ordinance, as amended.

C) If any particular section of this Ordinance is declared to be unconstitutional or void, only the particular section is affected, and all other sections of this Ordinance shall remain in full force and effect.

D) For purposes of remedying emergency conditions determined to be dangerous to life, health or property, the Commission may waive the procedures set forth herein and grant immediate approval for a Certificate of Appropriateness. The Commission shall state its reasons in writing for such approval.

E) No member of the Preservation Commission shall vote on any matter that may materially or apparently affect the property, income, or business interest of that member.

ARTICLE II

THE HISTORIC PRESERVATION COMMISSION

1. ORGANIZATION

A) *Appointment.* The Kendall County Board shall by ordinance appoint members to the Kendall County Preservation Commission from names submitted by the County Board Chair.

B) *Composition.* The Preservation Commission shall consist of five (5) members. All members shall be residents of Kendall County. The County Board Chair shall make a reasonable effort to nominate to the Preservation Commission at least one (1) attorney, one (1) historian or architectural historian, one (1) architect/engineer, and one (1) real estate professional knowledgeable in historic preservation; the other members shall be persons with a demonstrated interest in pre-history, history, or architecture. Commission vacancies shall be posted in a newspaper of general circulation within the county and on the county internet website. Included in the five (5) voting members, the County Board may appoint one of their members or staff to serve as a voting member of the Commission and liaison to the County Board (Amended 2.21.17).

C) *Terms.* Terms of the initial members shall be staggered so that at least five serve respectively for the following terms: one for one year; one for two years; one for three years; one for four years; and one for five years. Any additional initial members shall also serve terms staggered in the same sequence. Successors to initial members so appointed shall serve for five year terms. All ex officio members shall serve the term of their elected or appointed office. All members shall serve until their successors are appointed. Vacancies shall be filled by the Kendall County Board from names submitted by the County Board Chair. Any preservation commission member may be removed by the County Board for cause, after public hearing (Amended 6.16.20).

D) *Officers.* Officers shall consist of a Chair, Vice-Chair and a Secretary. The Chair shall preside over meetings. In the absence of the Chair, the Vice Chair shall perform the duties of the Chair. If both the Chair and the Vice-Chair are absent, a temporary Chair shall be elected by those present. One (1) of the members so appointed by the County Board shall be named as chairman at the time of appointment and other officers may be elected by the Preservation Commission. The Vice-Chair and Secretary shall serve a term of one (1) year and shall be eligible for re-election. No member shall serve as a Vice-Chair or Secretary in the same capacity for more than three (3) consecutive years. Once the member has served in the same capacity for three (3) years, a one (1) year hiatus from that office must be followed. The Chair shall ensure that the following duties are performed (Amended 6.16.20):

- i) That minutes are taken of each Preservation Commission meeting;
- ii) That copies of the minutes, reports, and decisions of the Preservation Commission be published and distributed to the members of the Preservation Commission.
- iii) The Kendall County Board Chair is advised of vacancies on the Preservation Commission and expiring terms of members; and
- iv) That there be prepared and submitted to the Kendall County Board a complete record of the proceedings before the Preservation Commission on any matters requiring County Board consideration. The Kendall County Planning, Building & Zoning Department shall be the official keeper of the records.

E) *Rules and Procedures.* The Historic Preservation Commission shall have the authority to develop and adopt rules and procedures necessary to carry out its functions under the provisions of this Ordinance.

F) *Meetings.* Meetings of the Preservation Commission shall be held no less than monthly, except in those months when no business is pending, and shall be held at such times and places within the County as the Commission shall decide. The

Preservation Commission shall meet no less than four (4) times per year. Special meetings may be called by the Chair or by the consent of two (2) members. All meetings of the Commission shall be open to the public, shall follow all provisions of the Open Meetings Act and shall adhere to Robert's Rules of Order. The Commission shall keep minutes of its proceedings, showing a vote of each member upon every question, or if absent or failing to vote, and shall also keep records of its official actions. Such minutes and records shall be open to the public for inspection at offices of the Kendall County Planning, Building & Zoning Department (Amended 12.15.20).

G) *Quorum*. A quorum shall consist of three (3) members. The transaction of business shall be made by a majority vote of those members in attendance while a quorum is present, except that the adoption, modification or rescission of any rule or part thereof shall require the affirmative vote of four (4) members (Amended 2.21.17).

H) *Compensation*. The members shall serve without compensation, but they shall be reimbursed for their expenses necessarily incurred in the performance of their duties as such and approved by the Director of the Planning, Building & Zoning Department, and if funds are available in the Historic Preservation Commission's reserves.

I) *Annual Report*. The Commission shall submit an annual report of its activities to the Kendall County Board.

2. POWERS & AUTHORITIES

The Preservation Commission shall have the following powers and authority.

A) To conduct an ongoing survey of the County to identify buildings, structures, areas, sites and landscapes that are of historic, archaeological, architectural, or scenic significance, and, therefore, potential landmarks or historic districts;

B) To hold public hearings and recommend to the County Board the designation of landmarks or historic districts;

C) To compile information concerning and prepare descriptions of the landmarks and historic districts identified and recommended for designation and the characteristics that meet the standards for designation;

D) To prepare, keep current, and publish a map or maps showing the locations and exact boundaries of proposed and designated landmarks and historic districts and, if the Commission so chooses, the locations and boundaries of designated state or federal landmarks or districts;

E) To keep a register of all designated landmarks and historic districts;

- F) To establish an appropriate system of markers or plaques for all designated landmarks, historic districts, and for streets, roads, trails, and highways leading from one landmark or historic district to another and to confer recognition upon the owners of landmarks or property within historic districts by means of certificates, plaques, or markers;
- G) To nominate, landmarks and historic districts to any state or federal registers of historic places;
- H) To advise and assist owners of landmarks and property within historic districts on physical and financial aspects of preservation, renovation, rehabilitation, and reuse, and on procedures for inclusion on any state or federal register of historic places;
- I) To inform and educate the citizens of the County concerning the historic, archaeological, architectural, or scenic heritage of the County by publishing appropriate maps, newsletters, brochures, and pamphlets, and by holding programs and seminars;
- J) To hold public hearings and to review applications for construction, alteration, removal, or demolition affecting landmarks or property within historic districts and issue or deny Certificates of Appropriateness for such actions;
- K) To consider applications for Certificates of Economic Hardship that would allow the performance of work for which a Certificate of Appropriateness has previously been denied;
- L) To develop specific criteria and guidelines for the proper alteration, construction, demolition, or removal of landmarks, or of property within historic districts;
- M) To review proposed amendments to zoning regulations and map amendments, applications for special uses or applications for zoning variations that affect any and all landmarks or historic districts. Proposed zoning amendments, applications for special use, or zoning variations that affect any landmark or historic district as defined in this ordinance shall be reviewed by support staff and forwarded to the Preservation Commission for review within seven (7) working days (Amended 6.16.20);
- N) To administer on behalf of the County Board any County owned property, or full or partial interest in real property, including a conservation right, by approval of the County Board (Amended 6.16.20);
- O) To accept and administer on behalf of the County Board gifts, grants, money or other personal property as may be appropriate for the purpose of this Ordinance. Such money may be expended for publishing maps and brochures, for

hiring staff or consultants or performing otherwise appropriate functions for the purpose of carrying out the duties and powers of the Preservation Commission and the purposes of this Ordinance.

P) To administer any system established by the County Board for the transfer of development rights;

Q) To call upon available County agencies and staff as well as other experts for technical advice; costs to be determined prior to activities and paid by petitioner except where included in the existing approved budget;

R) To retain specialists or consultants, or to appoint citizen, neighborhood or area advisory committees, as may be required, costs to be determined prior to activities and paid by petitioner except where included in the existing approved budget;

S) To testify before all boards, commissions, committees and municipalities on any matter affecting potential or designated landmarks or historic districts;

T) To periodically review any County Land resource management plan and to develop a preservation component in any comprehensive plan of the County and to recommend it to the Regional Plan Commission, the Planning, Building & Zoning Committee and the County Board;

U) To periodically consult the County zoning administrator, review any County zoning ordinance and building code, and to recommend to the County Board any amendments appropriate for the protection and continued use of landmarks or property within historic districts;

V) To undertake any other action or activity necessary or appropriate to the implementation of its powers and duties or the implementation of the purposes of this Ordinance.

W) To recommend to the County Board the adoption of intergovernmental agreements between the County Board and Kendall County municipalities that allow for the nomination and designation by the County Board of individual landmarks and historic districts within incorporated areas and that afford the protection of landmarks and historic districts through the provisions of this Article, and

X) To periodically monitor designated landmarks and preservation districts for demolition by neglect and to refer negligent cases to the appropriate county agency for enforcement.

ARTICLE III

DESIGNATION OF LANDMARKS AND HISTORIC DISTRICTS

1. INVESTIGATION & RESEARCH

The Preservation Commission shall undertake an ongoing investigation and research effort in the County to identify areas, sites, structures, and objects that have historic, cultural, community, architectural or aesthetic importance, interest, or value. As part of the investigation, the Commission shall review and evaluate any prior surveys and studies by any unit of government, private organization or individual and compile appropriate descriptions, facts, and photographs.

The Commission shall make an effort to systematically identify potential landmarks and districts and adopt procedures to nominate them individually or in groups based upon the following criteria:

- a) The potential landmarks or districts in one township or distinct geographical area of the County;
- b) The potential landmarks associated with a particular person, event, or historical period;
- c) The potential landmarks of a particular architectural style or school, or of a particular architect, engineer, builder, designer, or craftsman; or of a particular building material.
- d) Such other criteria as may be adopted by the Preservation Commission to assure systematic survey and nomination of all potential landmarks within the County;

2. PRESERVATION PLAN

A) The Historic Preservation Commission shall, through the aforesaid surveys and research, so as to become thoroughly familiarized with buildings, structures, objects, sites, districts, areas and lands within the County which may be eligible for designation as historic landmarks or districts, prepare a "Historic Landmark and District Preservation Plan."

B) The Preservation Plan shall be presented to the Kendall County Planning, Building & Zoning Department for consideration and recommendation to the County Board for possible inclusion in the Kendall County Land Resource Management Plan as amended. From time to time, the Commission shall review the Plan and insert in the Historic Preservation Commission minutes a report of such review and take appropriate action on any amendments to the Plan deemed necessary.

3. NOMINATION OF LANDMARKS AND HISTORIC DISTRICTS

A.) Landmarks

The Preservation Commission or any person may propose landmarks for designation by the County Board by filing a nomination for any property or properties and structures located in an unincorporated area or in an incorporated area by intergovernmental agreement with the appropriate municipality within the geographical boundaries of Kendall County. Nomination forms shall be filed with the Kendall County Planning, Building & Zoning Department.

Such forms shall be provided by the Commission. Nomination forms submitted for landmarks or historic districts shall include or be accompanied by the following information:

- a) The name and address of the applicant and owner of record.
- b) The legal description and Common Street address of the property.
- c) A written statement describing the structure, building, or site and setting forth reasons in support of the proposed designation, including a list of significant exterior architectural features that should be protected.
- d) If the applicant is not the current owner of record, written documentation and evidence establishing that the applicant notified the current owner of record of the nominated property and whether the owner of record consents or objects to the proposed landmark designation. Such documentation or evidence of record ownership shall include a recent title policy in the name of the applicant or other evidence of record ownership acceptable to the Historic Preservation Commission (Amended 6.16.20).
- e) An overall site plan and photographs of the landmark. The plan shall also include a front, side, and rear elevation drawing.
- f) Such other relevant information as requested by the Historic Preservation Commission.
- g) The County Board reserves the right to set appropriate fees for administering this ordinance.

B.) Historic Districts

The Preservation Commission or any person may propose historic districts for designation by the County Board by filing a nomination for any property or properties and structures located in an unincorporated area or in an incorporated

area by intergovernmental agreement with the appropriate municipality within the geographical boundaries of Kendall County. Nomination forms shall be filed with the Kendall County Planning, Building & Zoning Department.

Such forms shall be provided by the Commission. Nomination forms submitted for historic districts shall include or be accompanied by the following information:

- a) The names and addresses of applicants.
- b) The names and addresses of all of the owners of record of buildings, structures, or sites in the area nominated for designation.
- c) A vicinity map delineating the boundaries of the area nominated for designation.
- d) A written statement describing the area and structures, buildings, or sites located in the area nominated for designation as an historic district and setting forth the reasons in support of the proposed designation, including a list and photographs of significant exterior architectural features of all structures, buildings, or sites in the district that should be protected.
- e) If the applicant is not the current owner of record, written documentation and evidence establishing that applicants notified the current owners of record of property in the area nominated for designation and that such owner comprise the owners of record of at least fifty-one percent (51%) of all sites contained in the nominated area. Such documentation or evidence of record ownership shall include recent title policies in the names of the applicants or other evidence of record ownership acceptable to the Historic Preservation Commission (Amended 6.16.20).
- f) The name, address, and telephone number of one of the applicants who shall be the designated contact person and liaison for the purposes of the application. The name, address, and telephone number of an additional applicant to serve as an alternative contact person shall also be provided.
- g) Such other relevant information as requested by the Historic Preservation Commission.
- h) The County Board reserves the right to set appropriate fees for administering this ordinance.

4. CRITERIA FOR DESIGNATION

A.) Landmarks

The Commission may recommend to the County Board the designation of landmarks when a thorough investigation results in a determination that the property, structure, improvement or area so recommended meets one (1) or more of the following criteria:

- A) It has character, interest, or value which is part of the development, heritage, or cultural characteristics of a local community, the County, the State of Illinois or the Nation;
- B) Its location is a site of a significant local, County, State, or National event;
- C) It is identified with a person or persons who significantly contributed to the development of the local community, the County, the State of Illinois, or the Nation;
- D) It embodies distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;
- E) It is identified with the work of a master builder, designer, architect, engineer, or landscape architect whose individual work has influenced the development of the local area, Kendall County, the State of Illinois, or the Nation;
- F) It embodies elements of design, detailing, materials, or craftsmanship that render it architecturally significant;
- G) It embodies design elements that make it structurally or architecturally innovative;
- H) It has a unique location or singular physical characteristics that make it an established or familiar visual feature;
- I) It is a particularly fine or unique example of a utilitarian structure with a high level of integrity or architectural significance;
- J) It is suitable for preservation or restoration;
- K) It is included in the National Register of Historic Places and/or the Illinois Register of Historic Places.
- L) It has yielded, or may be likely to yield, information important to pre-history, history or other areas of archaeological significance.

M) It is an exceptional example of an historic or vernacular style or type or one of few remaining in the County.

B.) Historic Districts

The Commission may recommend to the County Board the designation of Historic Districts. Historic Districts shall only be recommended for designation when a thorough investigation results in a determination that the properties, structure, improvement or area so recommended meets one (1) or more of the following criteria:

A) It has character, interest, or value which is part of the development, heritage, or cultural characteristics of a local community, the County, the State of Illinois or the Nation;

B) Its location is a site of a significant local, County, State, or National event;

C) It is identified with a person or persons who significantly contributed to the development of the local community, the County, the State of Illinois, or the Nation;

D) It embodies distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;

E) It is identified with the work of a master builder, designer, architect, engineer, or landscape architect whose individual work has influenced the development of the local area, Kendall County, the State of Illinois, or the Nation;

F) It embodies elements of design, detailing, materials, or craftsmanship that render it architecturally significant;

G) It embodies design elements that make it structurally or architecturally innovative;

H) It has a unique location or singular physical characteristics that make it an established or familiar visual feature;

I) It is a particularly fine or unique example of a utilitarian structure with a high level of integrity or architectural significance;

J) It is suitable for preservation or restoration;

K) It is included in the National Register of Historic Places and/or the Illinois Register of Historic Places.

L) It has yielded, or may be likely to yield, information important to pre-history, history or other areas of archaeological significance.

M) It is an exceptional example of an historic or vernacular style or type or one of few remaining in the County.

5. INITIAL REPORT & RECOMMENDATION OF PRESERVATION COMMISSION

The Preservation Commission shall, within thirty (30) calendar days from receipt of a completed application for designation, cause to be written an initial recommendation and report stating whether the nominated landmark or historic district does or does not meet the criteria for designation as provided for in Article III, Section 4 herein. The report shall contain the following information (Amended 6.16.20):

- A) An explanation of the significance or lack of significance of the nominated landmark or historic district as it relates to the criteria for designation;
- B) A description of the integrity or lack of integrity of the nominated landmark or historic district;
- C) A map showing the location of the nominated landmark or the boundaries of the nominated historic district.

In addition, in the case of a nominated landmark found to meet the criteria for designation, the report shall include:

- A) A description of the significant exterior architectural features of the nominated landmark that should be protected;

In the case of a nominated historic district found to meet the criteria for designation the report shall include:

- A) A list of addresses and Permanent Index Numbers showing which properties are contributing and which are non-contributing;
- B) A description of the types of significant exterior architectural features of the structures within the nominated district that should be protected;

In the case of a nominated landmark or historic district the recommendation and report shall be available to the public in the office of the County Planning, Building & Zoning Department.

6. NOTIFICATION OF NOMINATION

The Preservation Commission shall, within thirty (30) days from completion of the initial report and recommendation as described above in Article III, Section 5, cause to be scheduled a public hearing on the nomination. Notice of the date, time, place and purpose of the public hearing shall be sent by certified mail to the owner(s) of record and to the nominators at least fifteen (15) days prior to the date of the hearing. Such notice shall also be published in a newspaper having general circulation in the area surrounding the

nominated property or district at least fifteen (15) days prior to the date of the hearing. All notices shall state the street, address and Permanent Index Number or legal description of a nominated landmark or the boundaries of a nominated historic district.

7. HEARING

A public hearing shall be scheduled, and notification made thereof, pursuant to Article III, Section 6, above. Oral or written testimony shall be taken at the public hearing concerning the nomination. The Preservation Commission may solicit expert testimony or present its own evidence regarding the historic, archaeological, or scenic significance of a proposed landmark or of any property within a proposed historic district relative to compliance with criteria for consideration set forth above in Section 4 of this Article. The hearing shall be closed upon completion of testimony.

8. RECOMMENDATION OF PRESERVATION COMMISSION

Within thirty (30) days following the close of the public hearing, the Commission shall make its determination upon the evidence whether the proposed landmark or historic district does or does not meet the criteria for designation. A recommendation to the County Board regarding the proposed landmark or historic district shall be passed by resolution of the Preservation Commission. This recommendation shall be accompanied by a report stating the findings of the Preservation Commission concerning the historic, archaeological, architectural or scenic significance of the proposed landmark or historic district and also include if the property owner(s) objects to the designation. The Preservation Commission shall forward copies of the resolution and report to the applicant and the owner of the subject property or representative for petitioners of the subject area.

In the case of the property owner's (owners') objection to a landmark designation or historic district, the nomination would require the affirmative vote of a super majority of the full County Board.

9. DESIGNATION

The County Board, upon a recommendation from the Preservation Commission that the proposed landmark or historic district should be designated, shall review the report and recommendations of the Preservation Commission.

For individual landmarks or historic district applications, the County Board, after reviewing the report and recommendation, shall, within sixty (60) days from receipt of the recommendation of the Preservation Commission, take one of the following steps:

- A) Designate the landmark or historic district by ordinance; or
(In the case of the property owner(s) objection to a landmark designation or historic district, the nomination would require the affirmative vote of a super majority of the full County Board.)
- B) Refer the report and recommendation back to the Preservation Commission with suggestions for revisions, stating its reason for such action.

C) Reject the nomination application.

Upon return of the report and recommendation to the Commission, the Commission shall review and prepare new findings within forty-five (45) days of the County Board's original decision. The County Board shall designate or not designate the landmark at the next regularly scheduled County Board meeting.

10. RESUBMISSION OF APPLICATION

Resubmission of any application for landmark or historic district designation may be made no sooner than ninety (90) days after County Board action on the nomination. Not more than one re-submission may be made within a twelve (12) month period.

11. NOTICE OF DESIGNATION

Notice of the action of the County Board, including a copy of the ordinance designating the landmark, historic district shall be sent by regular mail to all owners of record, including but not limited to each owner of record of a landmark or property within a historic district. Further, as soon as is reasonably possible, the County Board Chair shall cause to be notified the Kendall County Planning, Building & Zoning Department, the Recorder of Deeds, the County Clerk, and the Kendall County Collector by forwarding to each a copy of the designation ordinance. The Recorder of Deeds shall ensure that the designation be recorded on all directly affected parcels.

12. PUBLICATION OF MAP

A map showing the location of all designated landmarks and historic districts shall be published and amended upon each designation. Copies of the map shall be available to the public at the Kendall County Planning, Building & Zoning office, the Kendall County website, and the same location and in the same manner as any County zoning map (Amended 6.16.20).

13. APPEALS

Adoption of an ordinance designating a landmark or historic district by the Kendall County Board shall be a final action reviewable under Section 3-101 of the Illinois Administrative Review Law.

14. INTERIM CODE

No building, zoning, site development, access, utility or other permit shall be issued by the Planning, Building & Zoning Department, the Highway Department or other County department without a Certificate of Appropriateness being issued in accordance with Article IV Section 2 for alteration, construction, demolition, or removal of a nominated landmark or the alteration of any physical feature of a property or structure within a nominated historic district from the date the nomination form is received by the County office until the final disposition of the nomination by the County Board unless such alteration, removal, or demolition is necessary for public health, welfare, or safety.

15. MARKING BY ATTACHMENT OF A PLAQUE

Each designated landmark or historic district may be marked by an appropriate plaque carrying a brief description and account of the historic significance of the property. The plaque shall be provided by the County at the expense of the property owner.

16. AMENDMENT & RESCISSION OF DESIGNATION

The County Board, upon recommendation of the Preservation Commission, may amend or rescind designation by the same procedure and according to the same standards and considerations set forth for designation. No amendment or rescission shall be made to a designation of a landmark or historic district based solely on a change in owner's consent.

17. TRANSFER OF JURISDICTIONAL CONTROL

Should a designated landmark or historic district be incorporated into a municipality with a preservation ordinance, that municipality's preservation ordinance shall govern. If a municipality annexes a designated landmark or historic district and does not have a preservation ordinance, the County's preservation ordinance will continue to govern.

18. APPLICATION FEE

All applicants for landmark or historic district designation shall pay a fee of Five Hundred Dollars (\$500) at the time of application submittal. (Amended 12.15.20).

ARTICLE IV

ALTERATION, CONSTRUCTION, DEMOLITION, AND MAINTENANCE

1. SCOPE

Work on property and improvements so designated pursuant to this ordinance shall be regulated as follows:

A) *Landmarks*: No significant alterations, exterior construction or exterior demolition or interior alteration which may affect the exterior appearance may be performed on property and structures which have been designated under this ordinance as landmarks, except as shall be approved by a Certificate of Appropriateness.

B) *Historic districts*: No significant alterations, exterior construction or exterior demolition or interior alteration which may affect the exterior appearance may be performed on property and structures located within an area which is designated under this ordinance as a historic district, except as shall be approved by a Certificate of Appropriateness.

2. CERTIFICATE OF APPROPRIATENESS

A) A Certificate of Appropriateness from the Preservation Commission established pursuant to this Ordinance shall be required before any significant

alteration, construction, demolition or removal that affects pending or designated landmarks or historic districts is undertaken. Such a certificate is required for all such actions from the date a nomination form is submitted to the Preservation Commission.

B) Applications for Certificates of Appropriateness.

i) Every application submitted to the Kendall County Planning, Building & Zoning Department for a permit wherein the applicant represents and/or delineates plans to commence any action as immediately described above in subsection (A) affecting any such property, improvements or areas therein described, shall be forwarded by the Director of Planning, Building and Zoning to a representative or representatives of the Preservation Commission, within five (5) business days following the receipt of said application by the Planning, Building & Zoning Department.

The Planning, Building & Zoning Department shall not issue the building or demolition permit until a Certificate of Appropriateness has been issued by the Preservation Commission. Any applicant may request a meeting with the Preservation Commission before the application is sent by the Director of Planning, Building and Zoning to the Preservation Commission or during the review of the application.

ii) Application for review of construction, alteration, demolition, or removal not requiring a building permit for which a Certificate of Appropriateness is required shall be made on a form prepared by the Preservation Commission and available at the office of Kendall County Planning, Building & Zoning Department. The Preservation Commission may schedule, provide notice and conduct a public hearing concerning the application in the manner previously described in Article III, Section 6 and 7.

iii) If a public hearing is not scheduled, the Commission may consider the completed application at its next regular meeting and may grant a Certificate of Appropriateness at that time. The Commission may further designate support staff to be responsible for reviewing routine applications for Certificates of Appropriateness when the proposed work is clearly appropriate and in accordance with the criteria set forth in Article IV, Sections 2(c) and (d) below, and the purposes of this Ordinance.

iv) The Commission may seek technical advice from outside its members on any application for a Certificate of Appropriateness. The applicant and each commissioner shall receive a copy of the consultant's written opinion at least seven (7) days before a determination is to be made on the application. The costs for this technical advice will be paid by petitioner unless included as part of the annual approved budget for the Commission.

v) The Commission shall act promptly and in a reasonable manner in its judgment of plans for new construction or for alteration, removal, or demolition of structures in historic districts that have little historic value, except where such construction, alteration, removal, or demolition would seriously impair the historic or architectural value of surrounding structures or the surrounding area.

C) Design Guidelines. The Commission shall consider the following factors in reviewing applications for Certificates of Appropriateness:

i) *Height*: The height of any proposed alteration or construction should be compatible with the style and character of the landmark and with surrounding structures in a historic district.

ii) *Proportions of Windows and Doors*: The proportions and relationships between doors and windows should be compatible with the architectural style and character of the landmark and with surrounding structures within a historic district.

iii) *Relationship of Building Masses and Spaces*: The relationship of a structure within a historic district to open space between it and adjoining structures should be compatible or similar to relationships commonly found between similar structures in the district.

iv) *Roof Shape*: The design of the roof should be compatible with the architectural style and character of the landmark and surrounding structures which are similar in design in a historic district.

v) *Landscaping*: Landscaping should be compatible with the architectural character and appearance of the landmark and of surrounding structures and landscapes in historic districts.

vi) *Scale*: The scale of the structure after alteration, construction, or partial demolition should be compatible with its architectural style and character and with surrounding structures in a historic district.

vii) *Directional Expression*: Facades in historic districts should blend with other structures with regard to directional expression. Structures in a historic district should be compatible with the dominant horizontal or vertical expression of surrounding structures or of its stylistic design. The directional expression of a landmark after any alteration, construction, or partial demolition should be compatible with its original architectural style and character.

viii) *Architectural Details*: Architectural details, including materials and textures, should be treated so as to make a landmark compatible with its original architectural style or character.

D) Standards for Review. The Commission, in considering the appropriateness of any alteration, demolition, new construction, or removal to any property or structures designated or pending designation as a landmark, or any area designated or pending designation as a historic district, shall be guided by the following general standards and any design guidelines in the ordinance designating the landmark or historic district as well as conformance to applicable zoning classification, height, and area limitation:

i) Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.

ii) The distinguishing original qualities or character of a building, structure, site, and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided whenever possible.

iii) All buildings, structures, and sites shall be recognized as products of their time. Alterations that have no historical basis or that seek to create an earlier/later appearance shall be discouraged.

iv) Changes that may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

v) Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure, or site shall be treated with sensitivity.

vi) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features substantiated by historic, physical, or pictorial evidence, rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

vii) The surface cleaning of structures shall be undertaken with the utmost care and consideration. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.

viii) Every reasonable effort shall be made to protect and preserve archaeological resources affected by or adjacent to any project.

ix) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environment.

x) Wherever possible, new additions or alterations to structures should be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would not be impaired.

E) Determination by Preservation Commission. Within fifteen (15) business days after support staff review, or from the date of the regular meeting, or from the close of a public hearing concerning an application for a Certificate of Appropriateness, or within such further time as the applicant for said certificate (and/or permit) approves in writing, the Commission shall determine whether:

i) The proposed construction, alteration, demolition, removal or other modification will be appropriate to the preservation of the particular landmark or historic district and a Certificate of Appropriateness may be issued; or

ii) Such proposed modification is inappropriate to the preservation of the particular landmark or historic district and a Certificate of Appropriateness may be denied.

Written notice of the approval or denial of the application for a Certificate of Appropriateness shall be provided the applicant, sent by certified mail with return receipt requested, and to the Kendall County Planning, Building & Zoning Department within seven (7) days (Saturdays, Sundays, and legal holidays excluded) following the determination and shall be accompanied by a Certificate of Appropriateness in the case of an approval.

F) Denial of Certificate of Appropriateness. A denial of a Certificate of Appropriateness shall be accompanied by a statement of the reasons for the denial. The Preservation Commission shall make recommendations to the applicant concerning changes, if any, in the proposed action that would cause the Preservation Commission to reconsider its denial and shall confer with the applicant and attempt to resolve as quickly as possible the difference(s) between the applicant and the Commission. The applicant may resubmit an amended application or reapply for a building or demolition permit that takes into consideration the recommendations of the Preservation Commission.

G) Decision Binding on Planning, Building & Zoning Department. The Director of the Kendall County Planning, Building & Zoning Department shall be bound by the determination of the Commission and approve, if in conformance with other provisions of the Building Code, or disapprove any application for the proposed construction, alteration, removal of an exterior architectural feature, or demolition of any building or structure in a historic district or any landmark in accordance with said determination.

H) Failure of Commission to Review Application in a Timely Manner. Failure of the Commission to act upon an application for Certificate of Appropriateness within ninety (90) days shall constitute approval and no other evidence shall be needed. This time limit may be waived only by mutual consent of the applicant and the Commission.

I) Demolitions. Pursuant to Article IV, Sections 2(c) and (d) above, the Preservation Commission may deny any application for a Certificate of Appropriateness where demolition is proposed upon a finding that such proposed action will adversely affect the historic, archeological, architectural, or scenic significance of a landmark or historic district. Upon receipt of an application for a Certificate of Appropriateness for demolition, the Preservation Commission shall as soon as possible make a determination, supported by written findings, whether one or more of the following criteria are met:

- i) The structure or visual resource is of such interest or quality that it would reasonably meet national, state or local criteria for designation as an historic or architectural landmark.
- ii) The structure or visual resource is of such unusual or uncommon design, texture or materials that it could not be reproduced, or could be reproduced only with great difficulty and expense.
- iii) Retention of the structure or visual resource would aid substantially in preserving and protecting another structure or visual resource which meets criteria (i) or (ii) hereinabove.

Where the Preservation Commission determines that one or more of these criteria are met, no Certificate of Appropriateness shall be issued and the application shall be denied.

In cases of historic districts or if structures remain a landmark, if a demolition permit is issued, the Preservation Commission shall require the applicant to submit for review and consideration post-demolition plans which shall include drawings and sketches with sufficient detail to show, as far as they relate to exterior appearance, the architectural design of any and all improvements incorporated in such plans (Amended 6.16.20).

J) Compliance with Certificate. A Certificate of Appropriateness will become void if:

- i) If there is any change in the scope of work pursuant to the approved application subsequent to the issuance of the Certificate; or
- ii) If twelve (12) months have elapsed after issuance of the Certificate and no building permit has been issued.

K) Appeals. A denial of a Certificate of Appropriateness is an administrative decision as defined in Section 3-101 of the Illinois Administrative Review Law, and it shall be subject to judicial review pursuant to provisions of said Administrative Review Law and all amendments and modifications thereof, and the rules adopted thereto.

3. ECONOMIC HARDSHIP

A) The Preservation Commission may issue a Certificate of Economic Hardship upon determination that the failure to issue a Certificate of Appropriateness has denied, or will deny the owner of a landmark or of a property within a historic district all reasonable use of, or return on, the property. Application for a Certificate of Economic Hardship shall be made on a form and in the manner as prescribed by the Preservation Commission. The Preservation Commission may schedule a public hearing concerning the application and provide notice in the same manner as prescribed in Article III, Section 6, of this Ordinance and conduct the hearing in the same manner as prescribed in Article III, Section 7, of this Ordinance.

B) The Preservation Commission may solicit expert testimony (Amended 6.16.20).

C) The applicant for a Certificate of Economic Hardship shall submit the following information if requested by the Planning, Building and Zoning Department or the Preservation Commission in order to assist the Preservation Commission in its determination on the application:

- i) An estimate of the cost of the proposed construction, alteration, demolition, or removal, and an estimate of any additional cost that would be incurred to comply with the recommendations of the Preservation Commission for changes necessary for the issuance of a Certificate of Appropriateness;
- ii) A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation;

iii) Estimated market value of the property in its current condition; after completion of the proposed construction, alteration, demolition, or removal; after any changes recommended by the Preservation Commission; and, in the case of a proposed demolition, after renovation of the existing property for continued use;

iv) In the case of a proposed demolition, an estimate from a person or entity experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure on the property;

v) Amount paid for the property, the date of purchase, and the party from whom purchased, including a description of the relationship, of any, between the owner of record or applicant and the person from whom the property was purchased, and any terms of financing between the seller and buyer;

vi) If the property is income-producing, the annual gross income from the property for the previous two (2) years; itemized operating and maintenance expenses for the previous two (2) years; and depreciation deduction and annual cash flow before and after debt service, if any, during the same period;

vii) Remaining balance on any mortgage or other financing secured by the property and annual debt service, if any, for the previous two (2) years;

viii) Any listing of the property for sale or rent, price asked and offers received, if any, within the previous two (2) years;

ix) Assessed value of the property according to the two (2) most recent assessments;

x) Real estate taxes for the previous two (2) years;

xi) Form of ownership or operation of the property, whether sole proprietorship, for profit or not-for-profit corporation, limited partnership, joint venture, or other.

xii) Any other information, including the income tax bracket of the owner, applicant, or principal investors in the property considered necessary by the Preservation Commission to make a determination as to whether the property does yield or may yield a reasonable return to the owners (Amended 6.16.20)

D) Determination of Economic Hardship. Within sixty (60) days from receiving a request for a Certificate of Economic Hardship, the Commission, upon a determination that the denial of a Certificate of Appropriateness has denied, or

will deny the owner of a landmark or of a property within a historic district all reasonable use of or return on the property, may undertake one of the following actions:

- i) Offer the owner of the property reasonable financing, tax or other incentives sufficient to allow a reasonable use of, or return on, the property; or
- ii) Issue a Certificate of Appropriateness for the proposed construction, alteration, demolition or removal.

Written notice of the determination shall be provided in the same manner as required by Article IV, Section 2(e) of this Ordinance. This time limit may be waived only by mutual consent of the applicant and the Commission (Amended 6.16.20).

E) Appeals. A denial of a Certificate of Economic Hardship is an administrative decision as defined in Section 3-101 of the Illinois Administrative Review Law, and it shall be subject to judicial review pursuant to provisions of said law and all amendments and modifications thereof, and the rules adopted thereto (Amended 6.16.20).

4. MAINTENANCE OF HISTORIC PROPERTIES

Nothing in this Article shall be construed to prevent the ordinary maintenance of any exterior elements of a property or structures designated or nominated as a landmark or located within a designated or nominated historic district.

5. PUBLIC SAFETY EXCLUSION

None of the provisions of this ordinance shall be construed to prevent any measures of construction, alteration, or demolition necessary to correct or abate the unsafe or dangerous condition of any structure, other feature or part thereof, where such condition has been declared unsafe or dangerous by the Director, Kendall County Planning, Building & Zoning Department, the Kendall County Health Department or any Fire Protection District and where the proposed measures have been declared necessary, by such department or departments to correct the said condition; provided, however, that only such work as is reasonably necessary to correct the unsafe or dangerous condition may be performed pursuant to this Section.

In the event any structure or other feature shall be damaged by fire or other calamity, or by Act of Nature or by the public enemy, to such an extent that, in the opinion of the aforesaid department or departments, it cannot reasonably be repaired and restored, it may be removed in conformity with normal permit procedures and applicable laws.

6. DEMOLITION BY NEGLECT

It is the intent of this section to preserve from deliberate or inadvertent neglect the features of landmarks and contributing buildings and structures within designated historic districts.

Periodically, the Commission shall, in conjunction with its ongoing survey operations, survey the exterior of each designated landmark and each property within a historic district to ensure that the property is not suffering from demolition by neglect, as defined in the ordinance. The Commission's Secretary shall document the performance of each annual neglect survey.

Any owner who fails to maintain their building or structure in compliance with this section shall be subject to remedial procedures. Upon a finding by the Commission that a historic landmark or a contributing building or structure within a historic district is threatened by demolition by neglect, the Commission shall:

- (a) Notify the County Board so that they or the appropriate county agency will require the owner to repair all conditions contributing to demolition by neglect.
- (b) If the owner does not make repairs within a reasonable period of time the County Board or their agents may make such repairs as are necessary to prevent demolition by neglect. The costs of such work shall be charged to the owner, and may be levied as a special assessment or lien against the property.

ARTICLE V

ENFORCEMENT, PENALTIES AND EQUITABLE RELIEF

1. ENFORCEMENT

The Kendall County Planning, Building & Zoning Department shall give written notification, sent by certified mail, return receipt, postage prepaid requested, of any violation of this Ordinance to the owner of record, lessor, the trustee, or other legally responsible party for such property, stating in such notification that they have inspected the property and have found it in violation of this Ordinance. They shall state in the notification, in clear precise terms, a description or explanation of the violation. The property owner of record, trustee, lessor, or legally responsible party shall have thirty (30) days from the date he receives the notice in which to correct such violation or to give satisfactory evidence that he has taken steps that will lead to correcting such violation within a stated period of time, which time must be agreeable to the Planning, Building & Zoning Department as being fair and reasonable.

Upon petition of the Preservation Commission, the Circuit Court for Kendall County may restrain and/or enjoin any construction, removal, alteration, or demolition in violation of this Act and may order the removal in whole or part of any exterior architectural feature existing in violation of this Ordinance and may further order such reconstruction as may be necessary or desirable to redress any alteration or demolition in said violation.

2. PENALTIES

Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with, or who resists enforcement of any provisions of this Ordinance, shall be subject to a fine of not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00) for each offense. Each day a violation is permitted to exist after notification thereof shall constitute a separate offense.

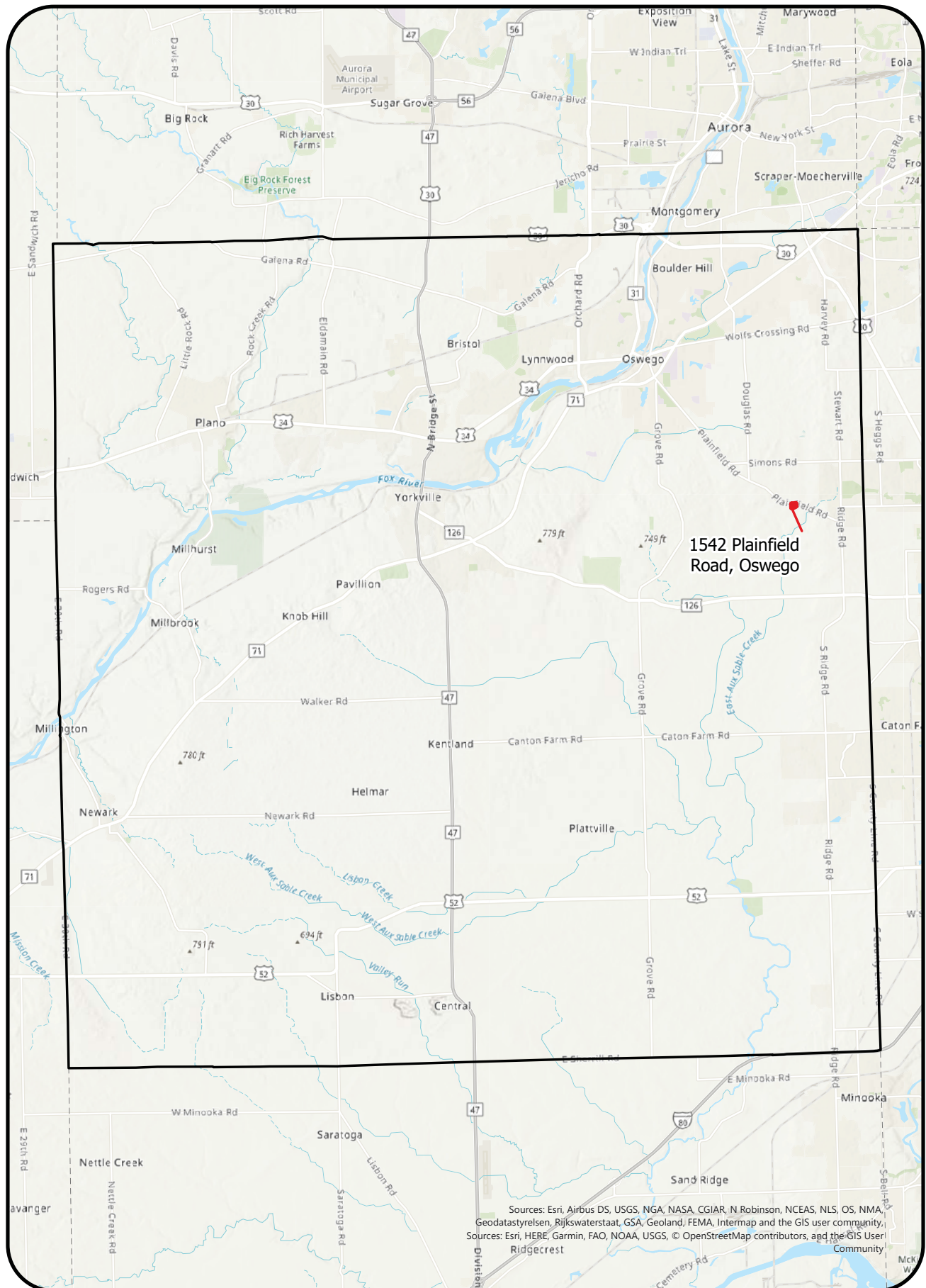
In addition to the fine listed in the previous paragraph, a court of competent jurisdiction or a hearing officer in cases of administrative adjudication may direct the Kendall County Planning, Building and Zoning Department to withhold the issuance of a building property for period not to exceed five (5) years after the date of demolition in cases of unauthorized demolition of a landmark or any property within a designated preservation district at the property where the unauthorized demolition occurred (Amended 6.16.20).

The owner or tenant of any building, structure, or land, and any architect, planner, surveyor, engineer, realtor, attorney, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains such violation may be found guilty of a separate offense and suffer the penalties herein provided.

Nothing herein contained shall prevent the County from taking such other lawful action as is necessary to prevent or remedy any violation.

3. EQUITABLE RELIEF

In addition to other remedies provided by law, Kendall County may institute any appropriate action or proceeding to prevent, restrain, abate or correct a violation of this Ordinance, including, but not limited to, requiring the restoration of property and improvements to its appearance prior to the violation.



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N. Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community



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Miles



Kendall County GIS
111 West Fox Street - Room 308
Yorkville, Illinois 60560
630.553.4212

Created: 8/12/2020

Statement of Significance for Local Landmark-1542 Plainfield Road, Oswego, IL 60543

- It has character, interest, or value which is part of the development, heritage, or cultural characteristics of a local community, the County, the State of Illinois or the Nation;
- It embodies distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;
- It embodies elements of design, detailing, materials, or craftsmanship that render it architecturally significant;
- It has a unique location or singular physical characteristics that make it an established or familiar visual feature;
- It is a particularly fine or unique example of a utilitarian structure with a high level of integrity or architectural significance;
- It is suitable for preservation or restoration;
- It is an exceptional example of an historic or vernacular style or type or one of few remaining in the County.

